THE CITY OF RANCHO CUCAMONGA

THE REGULAR MEETINGS OF

THE HISTORIC PRESERVATION COMMISSION

AND

THE PLANNING COMMISSION

APRIL 27, 2016 - 7:00 PM

Rancho Cucamonga Civic Center
COUNCIL CHAMBERS
10500 Civic Center Drive
Rancho Cucamonga, California

I. CALL TO ORDER

Pledge of Allegiance

Roll Call

Chairman Wimberly ___ Vice Chairman Oaxaca ___

Munoz ___ Macias ___ Fletcher ___

II. PUBLIC COMMUNICATIONS

This is the time and place for the general public to address the Historic Preservation Commission or the Planning Commission on any item listed or not listed on the agenda. State law prohibits the Historic Preservation Commission or the Planning Commission from addressing any issue not previously included on the Agenda. The Historic Preservation Commission or the Planning Commission may receive testimony and set the matter for a subsequent meeting.

Comments are to be limited to five minutes per individual or less, as deemed necessary by the Chair, depending upon the number of individuals desiring to speak. All communications are to be addressed directly to the Historic Preservation Commission or Planning Commission, not to the members of the audience. This is a professional business meeting and courtesy and decorum are expected. Please refrain from any debate between audience and speaker, making loud noises, or engaging in any activity which might be disruptive to the decorum of the meeting.

III. CONSENT CALENDAR/HISTORIC PRESERVATION COMMISSION AND PLANNING COMMISSION

A. Consideration of minutes dated April 13, 2016

IV. SCHEDULED MATTERS/PLANNING COMMISSION

B. ENVIRONMENTAL IMPACT REPORT AND GENERAL PLAN AMENDMENT DRC2015-00114 – SC RANCHO DEVELOPMENT CORP. (LEWIS OPERATING CORP.): A request to amend the 2010 General Plan of the City of Rancho Cucamonga by revising text, graphics, and exhibits within the General Plan, and change the land use designations of parcels that are currently developed with the Empire Lakes Golf Course, an existing, private golf course of 160 acres that is located north of 4th Street, south of the BNSF/Metrolink rail line, west of Milliken Avenue, and east of Utica/Cleveland Avenues, from Open Space to Mixed Use, in conjunction with a proposed mixed use, high density residential/commercial development that is proposed to replace the golf course; APNs: 0209-272-11, -15, -17, -20, -22 through -28, 0210-082-41, -49 through -52, 0210-082-61, -64, -65, -67 through –69, -71 through -74, -78, -79, -84 through -88, -89, -90, 0210-581-01 through -06, 0210-591-02 through -14, and 0210-623-66. Related files: Development Code Amendment DRC2015-00115 and Specific Plan Amendment DRC2015-00040. An Environmental Impact Report (EIR) (SCH No. 20150410083), Mitigation Monitoring Reporting Program (MMRP), and Facts and Findings to support the Statement of Overriding Considerations have been prepared for consideration by the Planning Commission and the City Council. The Planning Commission previously held and concluded a public hearing regarding this item on April 13, 2016, after which the Commission continued its deliberations to this meeting. This item will be forwarded to the City Council for final action.

C. ENVIRONMENTAL IMPACT REPORT AND SPECIFIC PLAN AMENDMENT DRC2015-00040 – SC RANCHO DEVELOPMENT CORP. (LEWIS OPERATING CORP.): A request to amend the Rancho Cucamonga Industrial Area Specific Plan (IASP) Subarea 18 Specific Plan, a Specific Plan that applies to properties located north of 4th Street, south of the BNSF/Metrolink rail line, west of Milliken Avenue, and east of Utica/Cleveland Avenues, to delete text, graphics, and exhibits relating to the Empire Lakes Golf Course, an existing private golf course of 160 acres that is located within the subject Specific Plan area, and insert text, graphics, and exhibits that will describe the design and technical standards/guidelines for a proposed mixed use, high density residential/commercial development that is proposed to replace the golf course; APNs: 0209-272-11, -15, -17, -20, -22 through -28, 0210-082-41, -49 through -52, 0210-082-61, -64, -65, -67 through -69, -71 through -74, -78, -79, -84 through -88, -89, -90, 0210-581-01 through -06, 0210-591-02 through -14, and 0210-623-66. Related files: General Plan Amendment DRC2015-00114

and Development Code Amendment DRC2015-00115. An Environmental Impact Report (SCH No. 20150410083), Mitigation Monitoring Reporting Program (MMRP), and Facts and Findings to support the Statement of Overriding Considerations have been prepared for consideration by the Planning Commission and the City Council. The Planning Commission previously held and concluded a public hearing regarding this item on April 13, 2016, after which the Commission continued its deliberations to this meeting. This item will be forwarded to the City Council for final action.

D. ENVIRONMENTAL IMPACT REPORT AND DEVELOPMENT CODE AMENDMENT DRC2015-00115 – SC RANCHO DEVELOPMENT CORP. (LEWIS OPERATING CORP.): A request to amend the Development Code of the City Rancho Cucamonga by revising text, graphics, and exhibits within the Development Code that applies to properties, including the Empire Lakes Golf Course, an existing, private golf course of 160 acres, within the Rancho Cucamonga Industrial Area Specific Plan (IASP) Subarea 18 Specific Plan, a Specific Plan that applies to properties located north of 4th Street, south of the BNSF/Metrolink rail line, west of Milliken Avenue, and east of Utica/Cleveland Avenues, and insert text and graphics in conjunction with a proposed mixed use, high density residential/commercial development that is proposed to replace the golf course; APNs: 0209-272-11, -15, -17, -20, -22 through -28, 0210-082-41, -49 through -52, 0210-082-61, -64, -65, -67 through -69, -71 through -74, -78, -79, -84 through -88, -89, -90, 0210-581-01 through -06, 0210-591-02 through -14, and 0210-623-66. Related files: General Plan Amendment DRC2015-00114 and Specific Plan Amendment DRC2015-00040. An Environmental Impact Report (SCH No. 20150410083), Mitigation Monitoring Reporting Program (MMRP), and Facts and Findings to support the Statement of Overriding Considerations have been prepared by the Planning Commission and the City Council. The Planning Commission previously held and concluded a public hearing regarding this item on April 13, 2016, after which the Commission continued its deliberations to this meeting. This item will be forwarded to the City Council for final action.

V. PUBLIC HEARINGS/HISTORIC PRESERVATION COMMISSION

The following items have been advertised and/or posted as public hearings as required by law. The Chairman will open the public hearing to receive testimony. All such opinions shall be limited to 5 minutes per individual for each project. Please sign in after speaking.

E. ENVIRONMENTAL ASSESSMENT AND CERTIFICATE OF APPROPRIATENESS DRC2016-00180 - GFR INVESTMENTS - A request to add a free standing garage, rear yard access driveway, perimeter walls, and remove an adjacent Eucalyptus windrow for the Ernst Muller House, associated with a request to subdivide 5.0 acres into 11 lots in the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210 Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Tentative Tract Map SUBTT19968, and Design Review DRC2015-00589. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

VI. PUBLIC HEARINGS/PLANNING COMMISSION

The following items have been advertised and/or posted as public hearings as required by law. The Chairman will open the public hearing to receive testimony. All such opinions shall be limited to 5 minutes per individual for each project. Please sign in after speaking.

F. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP SUBTT19968 - GFR INVESTMENTS - A request to subdivide 5.0 acres into 11 lots in the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210 Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Design Review DRC2015-00589 and Certificate of Appropriateness DRC2016-00180. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

G. ENVIRONMENTAL ASSESSMENT AND DESIGN REVIEW DRC2015-00589 – GFR INVESTMENTS - A Design Review for 10 lots within the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210 Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Tentative Tract Map SUBTT19968 and Certificate of Appropriateness DRC2016-00180. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

H. CONDITIONAL USE PERMIT DRC2015-01149 - CARIYENIS WELLNESS - A request to operate a massage establishment within an existing 1,114 square foot tenant space within the General Industrial (GI) zoning district located at 9087 Arrow Route, Suite 100; APN: 020901219. Planning Department staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines as a Class 1 (CEQA Guidelines Section 15301) exemption, which covers existing facilities.

I. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT DRC2014-01132 - FOOTHILL & EAST, LLC - A request to eliminate Development Code Section 17.38.060 (H) (8) which requires the preservation of an existing grove of eucalyptus trees related to the development of a 193-unit multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities for a site located on 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APNs: 1100-201-03, 04 and 07. Related Files: Zoning Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. This item will be forwarded to the City Council for final action. CONTINUANCE REQUESTED TO MAY 11, 2016.

J. ENVIRONMENTAL ASSESSMENT AND ZONING MAP AMENDMENT DRC2014-01131- FOOTHILL & EAST, LLC - A request to change the zoning designation for 8.8 acres of land from Community Commercial (CC) to Mixed Use (MU) related to the development of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APNs: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. This item will be forwarded to the City Council for final action. CONTINUANCE REQUESTED TO MAY 11, 2016.

K. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP SUBTT19945 - FOOTHILL & EAST, LLC - A request to subdivide 8.8 acres of land for residential condominium purposes related to the development of a 193-unit, multi-family mixed use development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site of within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APNs: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Development Review DRC2014-01130, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. CONTINUANCE REQUESTED TO MAY 11, 2016.

L. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT REVIEW DRC2014-01130 - FOOTHILL & EAST, LLC - A request for site plan and architectural review of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a site located on 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APNs: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. CONTINUANCE REQUESTED TO MAY 11, 2016.

M. ENVIRONMENTAL ASSESSMENT AND MINOR EXCEPTION DRC2016-00169 - FOOTHILL & EAST, LLC - A request to reduce the required parking by 44 spaces (52 spaces if 3,246 square feet of retail tenant space is developed) related to the development of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site of 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of

Foothill Boulevard and East Avenue; APNs: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Development Review DRC2014-01130, Tentative Tract Map SUBTT19945, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. CONTINUANCE REQUESTED TO MAY 11, 2016

N. ENVIRONMENTAL ASSESSMENT AND TREE REMOVAL PERMIT DRC2014-01134 - FOOTHILL & EAST, LLC - A request to remove approximately 184 trees related to the development of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site of 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APNs: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. CONTINUANCE REQUESTED TO MAY 11, 2016.

O. ENVIRONMENTAL ASSESSMENT AND UNIFORM SIGN PROGRAM DRC2015-00318 - FOOTHILL & EAST, LLC - A request to review the Uniform Sign Program related to the development of a 193-unit multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APNs: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169 and Tree Removal Permit DRC2014-01134. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. CONTINUANCE REQUESTED TO MAY 11, 2016.

P. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT DRC2015-00887 – CITY OF RANCHO CUCAMONGA - An amendment to change the land use designations of multiple parcels within the City, generally located along Foothill Boulevard (near major street intersections with other streets such as East Avenue, Etiwanda Avenue, and Hermosa Avenue); in the vicinity of the intersection of Base Line Road and Amethyst Avenue; and at the southeast corner of the intersection of Etiwanda Avenue and Candlewood Street from their existing designations (which varies but includes, for example, General Commercial and Office) to Mixed Use, and to correct, as necessary, existing tables and text in the General Plan that specify the uses and range of development required on various parcels in the City that are currently designated for Mixed Use development; APNs: 0207-211-05, 0207-211-42 through -46, 0208-101-17 through -20, 0208-632-46 through -50, 0208-321-24, 1077-621-20 through -27, 0208-353-01 through -03, 1100-031-06, -07; 1100-041-01 through -03, 1090-601-04, -06 through -08, 1090-601-20, and -21, 1100-161-01 through -03, 0229-311-

14 and -15, 1100-191-04, and 1100-201-03, -04, -06, and -07. Staff has prepared a Negative Declaration of environmental impacts for consideration. This item will be forwarded to the City Council for final action. CONTINUANCE REQUESTED TO MAY 11, 2016.

VII. COMMISSION BUSINESS/HISTORIC PRESERVATION AND PLANNING COMMISSION

Q. INTER-AGENCY UPDATES

R. COMMISSION ANNOUNCEMENTS

VIII. ADJOURNMENT

I, Lois J. Schrader, Planning Commission Secretary of the City of Rancho Cucamonga, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on April 21, 2016, 2016, at least 72 hours prior to the meeting per Government Code Section 54964.2 at 10500 Civic Center Drive, Rancho Cucamonga.

If you need special assistance or accommodations to participate in this meeting, please contact the Planning Department at (909) 477-2750. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility. Listening devices are available for the hearing impaired.

INFORMATION FOR THE PUBLIC

TO ADDRESS THE PLANNING COMMISSION

The Planning Commission encourages free expression of all points of view. To allow all persons to speak, given the length of the agenda, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. To encourage all views and promote courtesy to others, the audience should refrain from clapping, booing or shouts of approval or disagreement from the audience.

The public may address the Planning Commission on any agenda item. To address the Planning Commission, please come forward to the podium located at the center of the staff table. State your name for the record and speak into the microphone. After speaking, please sign in on the clipboard located next to the speaker's podium. It is important to list your name, address and the agenda item letter your comments refer to. Comments are generally limited to 5 minutes per individual.

If you wish to speak concerning an item *not* on the agenda, you may do so under "Public Comments." There is opportunity to speak under this section prior to the end of the agenda.

Any handouts for the Planning Commission should be given to the Planning Commission Secretary for distribution to the Commissioners. A copy of any such materials should also be provided to the Secretary to be used for the official public record.

All requests for items to be placed on a Planning Commission agenda must be in writing. Requests for scheduling agenda items will be at the discretion of the Commission and the Planning Director.

AVAILABILITY OF STAFF REPORTS

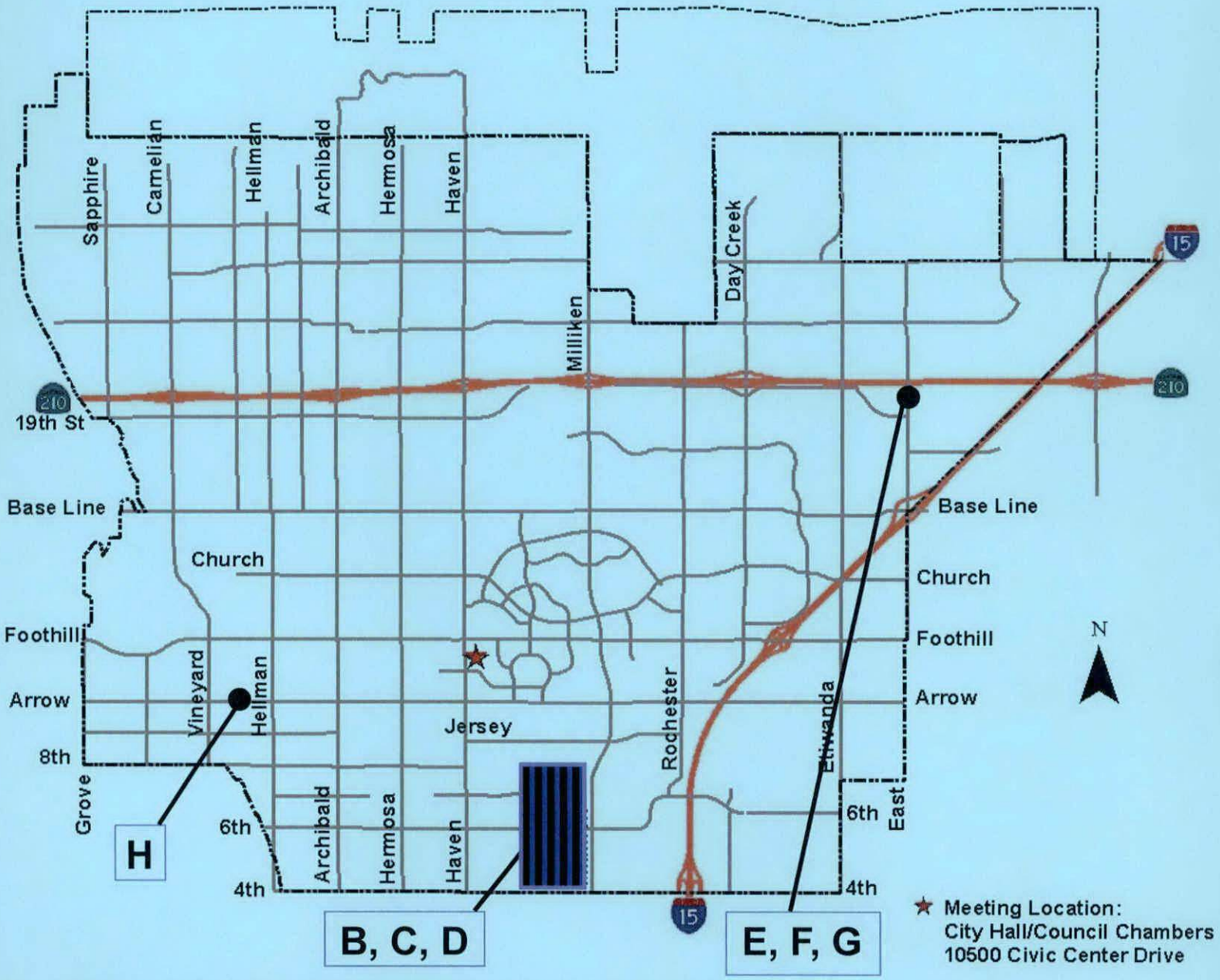
Copies of the staff reports or other documentation to each agenda item are on file in the offices of the Planning Department, City Hall, located at 10500 Civic Center Drive, Rancho Cucamonga, California 91730. These documents are available for public inspections during regular business hours, Monday through Thursday, 7:00 a.m. to 6:00 p.m., except for legal City holidays.

APPEALS

Any interested party who disagrees with the City Planning Commission decision may appeal the Commission's decision to the City Council within 10 calendar days. Any appeal filed must be directed to the City Clerk's Office and must be accompanied by a fee of $2,597 for all decisions of the Commission. (Fees are established and governed by the City Council).

Please turn off all cellular phones and pagers while the meeting is in session.
Copies of the Planning Commission agendas, staff reports and minutes can be found at www.CityofRC.us.

Vicinity Map
Planning Commission
APRIL 27, 2016



Item B, C, D: SC RANCHO DEVELOPMENT CORP. (Lewis Operating Corp.)
Item E, F, G: DRC2016-00180—GFR INVESTMENTS
Item H: DRC2015-01149—CARIYENIS WELLNESS

NOTE: THIS MAP IS NOT INTENDED TO EXACTLY DEFINE THE PROJECT AREA—IT IS FOR GENERAL REFERENCE AND LOCATION ONLY.

THE CITY OF RANCHO CUCAMONGA

THE REGULAR MEETING *MINUTES* OF

THE HISTORIC PRESERVATION COMMISSION

AND

THE PLANNING COMMISSION

APRIL 13, 2016 - 7:00 PM

Rancho Cucamonga Civic Center
COUNCIL CHAMBERS
10500 Civic Center Drive
Rancho Cucamonga, California

I. CALL TO ORDER

Pledge of Allegiance *7:00 PM*

Roll Call

Chairman Wimberly _X_ Vice Chairman Oaxaca _X_

Munoz _X_ Macias _X_ Fletcher _X_

Additional Staff Present: Candyce Burnett, Planning Director; Jeff Bloom, Deputy City Manager/Economic and Community Development; Steven Flower, Assistant City Attorney; Dan James, Senior Civil Engineer; Lois Schrader, Planning Commission Secretary; Jennifer Palacios, Office Specialist II; Mike Smith, Senior Planner; Dat Tran, Assistant Planner; Rob Ball, Fire Marshall; Rebecca Fuller, Administrative Secretary; Jason Welday, Traffic Engineer, Craig Cruz, Associate Engineer; Brian Sandona, Associate Engineer; Trang Huynh, Building and Safety Services Director; Mike Frasure, Building Inspection Supervisor; Matthew Addington, Associate Engineer; Linda Daniels, Assistant City Manager; Linda Troyan, City Clerk Services Director; Michelle Perera, Library Director

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directly to the Historic Preservation Commission or Planning Commission, not to the members of the audience. This is a professional business meeting and courtesy and decorum are expected. Please refrain from any debate between audience and speaker, making loud noises, or engaging in any activity which might be disruptive to the decorum of the meeting.

Gary Gileno commented on various concerns regarding Mr. Lewis' participation in SCAG, and implied his receipt of paybacks in the form of government contracts to his company. He warned about aggressive government controls, non-representative voting and low voter turnouts, secret meetings of government officials and his desire to not have a hipster utopia.

Katie Tomkiewicz, Field Representative, introduced herself and stated she assists Assemblyman Marc Steinorth. She stated his interest in and assistance to the Planning Commission.

Chairman Wimberly gave opening remarks regarding decorum and the process of the business meeting.

It was noted for the record that Commissioner Oaxaca arrived at 7:03 PM.

III. CONSENT CALENDAR/HISTORIC PRESERVATION COMMISSION AND PLANNING COMMISSION

A. Consideration of regular meeting minutes dated March 23, 2016

B. Consideration of Workshop meeting minutes dated March 23, 2016

Moved by Munoz, seconded by Oaxaca, carried 5-0 to adopt the Consent Calendar.

IV. PUBLIC HEARINGS/PLANNING COMMISSION

The following items have been advertised and/or posted as public hearings as required by law. The Chairman will open the public hearing to receive testimony. All such opinions shall be limited to 5 minutes per individual for each project. Please sign in after speaking.

C. ENVIRONMENTAL IMPACT REPORT AND GENERAL PLAN AMENDMENT DRC2015-00114 – SC Rancho Development Corp. (Lewis Operating Corp.): A request to amend the 2010 General Plan of the City of Rancho Cucamonga by revising text, graphics, and exhibits within the General Plan, and change the land use designations of parcels that are currently developed with the Empire Lakes Golf Course, an existing, private golf course of 160 acres that is located north of 4th Street, south of the BNSF/Metrolink rail line, west of Milliken Avenue, and east of Utica/Cleveland Avenues, from Open Space to Mixed Use, in conjunction with a proposed mixed use, high density residential/commercial development that is proposed to replace the golf course; APNs: 0209-272-11, -15, -17, -20, -22 through -28, 0210-082-41, -49 through -52, 0210-082-61, -64, -65, -67 through –69, -71 through -74, -78, -79, -84 through -88, -89, -90, 0210-581-01 through -06, 0210-591-02 through -14, and 0210-623-66. Related files: Development Code Amendment DRC2015-00115 and Specific Plan Amendment DRC2015-00040. An Environmental Impact Report (EIR) (SCH No. 20150410083), Mitigation Monitoring Reporting Program (MMRP), and Facts and Findings

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Mike Smith, Senior Planner, gave a PowerPoint presentation and the staff report (copy on file). Ended at 8:30.

Randall Lewis of Lewis Companies thanked staff and noted the community-benefits of the project and concerns raised. He reported that he does serve on SCAG Executive Committee and he does not seek contracts from that association that he only is there to bring a business and housing perspective. He remarked that the proposed project is a benefit because of the Mixed Use development, retail, recreational opportunities, various public spaces, needed additional homes for sale as well as apartments. He said it would be a special place for Rancho Cucamonga that we can be proud of. He said his company was here before the community and they understand the housing market now and what is coming. He said they want to respond to the market that will be here in the future. He said they would not do if they did not think it would be successful. He listed the following benefits 1) the region is short of for-sale and rentals-there is a housing crisis; 2) project proposal is market driven (nothing to do with politics) it is being done by the private sector, and is not dictated; 3) distinct housing choices-they want to offer different alternatives; 4) target market is for – sale/$300k-400K range, rentals/around $1,500-2,500 month. He said this is mid-range for singles, young professionals, change in life status individuals, and offers single-level living for retirees; 5) Provides new retail, restaurants, shops and services; 6) Will bring short term jobs (construction) and permanent jobs/ retail, offices, property management; 7) Will house workers that employers want-they want a housing supply for their workers if they are thinking of relocating their businesses here. He said Lewis Companies was part of the Victoria Gardens development and that has been positive and transformational for Rancho Cucamonga; 8) The right location-near jobs within 1-2 miles puts housing where jobs are, close to transit, rail, and freeways. This development would be difficult to do in other parts of the city and is consistent with the General Plan-we studied it and it is good for the long term; and, 9) Healthy RC- he said this project is a real demonstration of the City principals.

He said with respect to the concerns about the project 1) Golf course was facing challenges of rising costs. He said nationally courses are closing-they are all struggling. We respect the owner's property rights/they chose to sell the golf course; 2) The course area is open space-but private and not paid for by the City and it represents a small percentage of the open space found in the City. He said there is additional property in northern part of the City that could be used; 3) Re: the term 'millennials' – he said they can't make a generalization about their desires as this may not appeal to all millennials-he said what they want is all over the map according to studies. He said his company finds out what they like and don't like here in Rancho Cucamonga because they give us feedback from the various existing communities in town. He said we think we know what they want. Older folks and professionals also will be here; 4) We are not trying to create an anti-car community-many say they are looking for alternatives and walk or take transit to work. This offers a choice in transportation and we want it to age over time; 5) The concern about overwhelming the schools is not true. These residents don't have many kids; 6) Re: water: CVWD (the water district) knows and has the capability to provide the water. He said using less water per household-will drive down those averages; 6) Re: concern about bankrupting the city-this project will provide funds, not bankrupt it; 7) Re: traffic and growth-growth is coming – we need to deal with it sensibly. We know there will be more traffic and we will try to minimize

that. We should try to keep jobs and housing in close proximity for less travel overall; 8) Re: the type of housing-diverse housing stock in Rancho Cucamonga - nearly 2/3 have 1, 2, maybe 3 in a household. He said they are offering vision for future and this project is better for the City in the long run.

Bryan Goodman gave a PowerPoint presentation (copy on file), Jason Pack of Fehr & Peers (Traffic Consultant), Todd Larner, Senior Principal of William Hezmalhalch Architects, and Michael Schrock of Urban Arena who showed a video (copy on file). Also in attendance from William Hezmalhalch Architects was Cathy Baranger, CGBP, LEED AP Principal.

Chairman Wimberly announced a 10 minute break at 9:32 p.m. The Commission reconvened at 9:43 p.m.

Chairman Wimberly opened the public hearing at 9:44 p.m.

Danny Pierce, a golfer, opposed changing the General Plan. He said the course is widely used and the open space in northwestern sector of the city is not widely used. He said two courses are needed and said they should keep the course and bring in a good manager.

Richard Dick left the Chambers before speaking.

Ed Lyon offered his support and said the proposal is exciting - it would make a new 'sense of place' and offer a great opportunity to keep professional talent here by providing housing they would like. He said he owns an engineering firm near the project site.

Tressy Capps said she wants to keep toll lanes out and that staff and the developer played dirty trick by staging a filibuster. She said Mr. Lewis is creating a region of renters and there is more than golf to be lost-she predicted the development will end up a slum. She said we like our cars and transit oriented development (TOD) does not work here.

Vincent Navarro said he is the General Manager of the Aquarmar facility north of the site; they manufacture seafood. His concerns included traffic, nuisance of emissions, possible release of ammonia from his facility, noise from his facility, and it would have the potential to impede current and work in progress projects by Aquamar.

Mira Kirscitt said she wants to keep the golf course open space. She said there are 1-300 apartments available each month. She suggested the City/county purchase the land and maintain it and there are other places in town for this. She said many retail and offices are struggling and there is not a need for this development.

Jason Mak offered support stating it benefits everyone civically and economically. He said it is better to live and work here rather than in LA. He said he enjoyed the golf course but we will get beneficial amenities in return.

Kim Earl opposed because of traffic/streets are already crowded, and water use she said she wants open space/City officials should listen to residents for what they want-we don't want 'pack-n-stack'. She stated she wished for more opportunity for public input-people are saying no.

Bill Rue, from Citrus Valley of Association of Realtors said there is a shortage of housing here-people and jobs are locating here. He said the I.E. is the fastest growing region for jobs-people want to be close to work, school and activities.

Tammy Tapia said the City officials have forgotten us – kids dreams are disappearing-they will not be able to afford a home and will suffer from higher crime & pollution.

Kathy Ponce said citizens have a right to say what they want in development and there are coalitions forming to take towns away from developers. Developers buy and pay for council members so how could they say no or oppose it.

Linnie Drolet said she is opposed for all the reasons previously stated.

Dominick Spezialy said the project is in conflict with the General Plan - open space is needed for a Healthy RC. He said we should protect open spaces and keep land uses in balance.

Erick Gavin said he is an Upland resident and he supports the plan. He said Upland is 95% built and the region has an affordable housing crisis. While these units are not necessarily affordable, it may be for move up folks freeing up less expensive units for others. He offered up an acronym 'BANANA' to sum up the attitude about this proposal -build absolutely nothing anywhere near anyone. He suggested this could benefit many more than current golfers.

Gary Guileano was called to speak because he submitted a speaker's car, but did not appear when called by the Chair.

Holly Bombard said she supports the project and stated she has lived here many years; it is a wonderful community.

Brittany Whiteman said she has lived here 30 years and always lived in Lewis Communities. She said renters are not 'slummers' and offered her support.

Brandon Groves said he is in support and is a renter and has lived here many years-he loves the sense of community and amenities. He said the project represents future residents of this community and also meets the needs of families. He said he has golfed many times and said the course is poorly managed – this is their own fault.

Ken Bowas said he is a real estate broker. He said this is an incredible product and harmonizes with community; this City is the best planned city along with Mission Viejo and

Irvine. He said there is an economic advantage for city-taxes and jobs/employers will want to be here. He offered his support.

Gary Price said Metrolink-ridership has fallen and costs are up; the rails systems raised fares 25% to stay solvent. He said all the platitudes are based on a false premise. He said the demographics of LA have changed and it is no longer the destination. He said the traffic information is not correct and all the consultants are smooth and slick-he opposed the project.

Jack Adams indicated a filibuster occurred and said he is opposed. He said these utopian ideas fail and no one will ride train to LA and kids can't afford this housing.

Stewart Schwartz was called to speak because he submitted a speaker's car, but did not appear when called by the Chair.

Jeff Rupp said he is in favor of the project and his children would like to live and stay here - they are excited about it. He said he takes the train to LA every day and his fare uses pretax dollars and the ridership is growing. He said we need more TOD communities.

Chris Johnson said he is in support – he is a young professional and the project has everything he wants. He said "the City needs more housing for young professionals like me."

Loree Masonis said she lives in Ontario at Vineyard and 4th Street and the area is getting very urbanized. She said this type of development is coming aggressively with a Utopian mindset and is part of a greater plan to change this country. She said LA needs this, not us.

Jeffrey Anderson said he is opposed.

Angie Churchwell said she is in support- as it will create diverse housing opportunities – it is exciting and beautiful.

Chairman Wimberly stated that those persons who had submitted speaker cards had been given an opportunity to speak, and asked if anyone else wished to speak on the matter. The Chair then asked again if there were any more comments and seeing and hearing none, closed the public hearing at 10:45 p.m. He then asked for Commissioner comments.

Vice Chairman Oaxaca thanked the public and the applicant. He said there are success factors for a transit oriented mixed use development he and he said he needs to hear more about how this project incorporates those. He said with respect to TOD, Metrolink ridership suffered during the economic crash, employment centers have changed or moved and bus

service is very limited and not coordinated with the Metrolink scheduling. He said Metrolink is currently maxed out on the route he rides daily. 1) He said he would like to hear more about how the train will potentially affect its success; 2) Re: mixed use development and what experience this developer has had with this type of development; 3) phasing plan and what that looks like; 4) he said he wants to hear more about jobs and the housing balance - for example: the types of jobs/income within 3 miles; rental housing vs for sale homes etc.; 5) He has concern about the environmental clearance he said the un-mitigatable impacts fly in the face of the goals of what the project says it is-the undesirable outcomes need to be better addressed.

Commissioner Fletcher said he shares the concerns voiced by Commission Oaxaca. 1) Re: the mixed use tour –of those cities toured, he favored Santa Clarita – He said he thinks much of the presentation has merit but he has questions; 2) Re: meeting goals and protecting the community identity-he said he has a concern about what our identity is and we need to discuss that; 3) Re: workshops - he said there was a lack of communication with respect to the workshops with the Commission; 4) he asked if the 220.000 square feet of non-residential uses (Pages C,D,E of the agenda packet) includes flex units. He said this gives opportunities to the developer to fudge; 5) Re: joint use facility-he said it does not compensate for the loss of recreation; 6) Re: mitigation - it does not compensate for the loss of the golf course; 7) Re: the City and Commission has a right to determine what is developed there. He said it was in poor taste to publish comments prior to discussion of the merits; 8) Re: maintaining features-he asked if inflation for maintenance costs are built in; 9) Re: economic/fiscal impact study-he said the EIR did not really answer his question; he wanted them to look at alternate uses because other uses could have been proposed; 10) Re: appropriate land use-this is part of the City's Open Space 11) Re: Statement of Overriding Considerations – he said we can't mitigate significant impacts using the statement of overriding considerations; 12) Re: CFD's-will the City end up with uncovered expenses; and, 13) He said we already ha ve TOD type development and he believes the TOD discussion is really about getting high density development and mixed use. He said the Commission only had 2 meetings and we were told not to make comments at the workshop. He said the agenda is over 1,245 pages long and this is not fair to commissioners to drop this on the Commission; there was very little opportunity to ask questions and he is upset and concerned about this process.

Commissioner Macias quoted the book of Ezekiel indicating fewer words would be more meaningful. He defended staff and noted that the Commission had 6 weeks to review the EIR and this project has not been "dropped on us." He said from reading the EIR, he knew there would be un-mitigatable impacts – there will be with this big of a project, it should be expected. He said he read the whole thing over the weekend and believed he had adequate time to review the materials. He said the golf course/privately held land is not doing well and it is beyond our jurisdiction to consider other management of the course. He said the EIR did its job and looked at viable and feasible alternatives. To propose other alternatives is not feasible. He said if we impose restrictions on housing, then we have no project and the EIR did assess that. He said he has a problem with the comments

regarding the loss of open space. He said the total scheme of open space is based upon its availability for all people to use, not just golfers-He noted that the general public can't walk dogs, picnic or jog there, only the golfers can use it. He said its value as an Open Space resource is low. He said with respect to housing - we need all types of housing stock for all types of people and it is unrealistic to assume we or neighboring communities will remain unchanged. He said he came to the Inland Empire for affordable housing many years ago and it still exists today. With respect to density - no better place to accommodate this type of development in our city as it is not in the middle, it is on the perimeter. He said the market will adjust itself over time. With respect to the jobs/housing balance – we have a market based economy – the market is volatile, things change over time. With respect to the overriding considerations – a project this big will have them and CEQA provides for that. He said City officials have to weigh the benefits against the impacts… He said CEQA is supposed to be flexible; those impacts need to be looked at seriously but we have to be realistic. He said he has no problem with water supply, schools or traffic. He said the development will provide more benefits than the golf course.

Commissioner Munoz said these applications are doable and things change over time. He said the golf course is no longer viable and the owner wants out; Lewis Companies has a vision and they have seen it come to fruition. With respect to housing - we are lacking housing and if there was more housing/greater supply, young people could afford to live here. He said he read the EIR and concurred with Commissioner Macias with respect to the Statement of Overriding Considerations. He said it looks consistent, and need to deal with growth as a city. He said he has no problem with staff's recommendation and he would support the project.

Commissioner Fletcher added that he is not saying he would not support, he just felt he did not have enough opportunity to discuss it. He said these recommendations green light this—and he did not like how this came to us as he wanted to provide more input. He said he had comments about mitigating the loss of the golf course as it was used over the years to attract businesses to the city. He said a mitigation could be to develop the rest of central park. He said he did like much of what he saw in this project.

Chairman Wimberly moved to continue the item until the April 27th meeting.

Steven Flower, Assistant City Attorney noted that the motion is appropriate if the majority wants to continue the item. He said the Public Hearing is closed but Commission discussion would continue to the next meeting. In response to Commissioner Macias, he stated that if anything new resulted from those discussions, the CEQA process is not jeopardized; that the environmental process is ongoing until the City Council certifies the EIR.

Moved by Wimberly, seconded by Oaxaca, carried 3-2 (Macias and Munoz voted no) to continue discussion of General Plan Amendment DRC2015-00114, Specific Plan Amendment DRC2015-00040 and Development Code Amendment DRC2015-00115 to the

regular meeting on April 27, 2016.

V. COMMISSION BUSINESS/HISTORIC PRESERVATION AND PLANNING COMMISSION

F. INTER-AGENCY UPDATES

Commissioner Munoz reported that because of the late hour he would present his updates at a later time.

G. COMMISSION ANNOUNCEMENTS

None

VI. ADJOURNMENT

11:44 p.m.

I, Lois J. Schrader, Planning Commission Secretary of the City of Rancho Cucamonga, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on April 7, 2016, at least 72 hours prior to the meeting per Government Code Section 54964.2 at 10500 Civic Center Drive, Rancho Cucamonga.

If you need special assistance or accommodations to participate in this meeting, please contact the Planning Department at (909) 477-2750. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility. Listening devices are available for the hearing impaired.

INFORMATION FOR THE PUBLIC

TO ADDRESS THE PLANNING COMMISSION

The Planning Commission encourages free expression of all points of view. To allow all persons to speak, given the length of the agenda, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. To encourage all views and promote courtesy to others, the audience should refrain from clapping, booing or shouts of approval or disagreement from the audience.

The public may address the Planning Commission on any agenda item. To address the Planning Commission, please come forward to the podium located at the center of the staff table. State your name for the record and speak into the microphone. After speaking, please sign in on the clipboard located next to the speaker's podium. It is important to list your name, address and the agenda item letter your comments refer to. Comments are

generally limited to 5 minutes per individual.

If you wish to speak concerning an item *not* on the agenda, you may do so under "Public Comments." There is opportunity to speak under this section prior to the end of the agenda.

Any handouts for the Planning Commission should be given to the Planning Commission Secretary for distribution to the Commissioners. A copy of any such materials should also be provided to the Secretary to be used for the official public record.

All requests for items to be placed on a Planning Commission agenda must be in writing. Requests for scheduling agenda items will be at the discretion of the Commission and the Planning Director.

AVAILABILITY OF STAFF REPORTS

Copies of the staff reports or other documentation to each agenda item are on file in the offices of the Planning Department, City Hall, located at 10500 Civic Center Drive, Rancho Cucamonga, California 91730. These documents are available for public inspections during regular business hours, Monday through Thursday, 7:00 a.m. to 6:00 p.m., except for legal City holidays.

APPEALS

Any interested party who disagrees with the City Planning Commission decision may appeal the Commission's decision to the City Council within 10 calendar days. Any appeal filed must be directed to the City Clerk's Office and must be accompanied by a fee of $2,597 for all decisions of the Commission. (Fees are established and governed by the City Council).

Please turn off all cellular phones and pagers while the meeting is in session.
Copies of the Planning Commission agendas, staff reports and minutes can be found at www.CityofRC.us.

STAFF REPORT

PLANNING DEPARTMENT

RANCHO CUCAMONGA

DATE: April 27, 2016

TO: Chairman and Members of the Planning Commission

FROM: Candyce Burnett, Planning Director

BY: Mike Smith, Senior Planner

SUBJECT: ENVIRONMENTAL IMPACT REPORT AND GENERAL PLAN AMENDMENT DRC2015-00114 – SC Rancho Development Corp. (Lewis Operating Corp.): A request to amend the 2010 General Plan of the City of Rancho Cucamonga by revising text, graphics, and exhibits within the General Plan, and change the land use designations of parcels that are currently developed with the Empire Lakes Golf Course, an existing, private golf course of 160 acres that is located north of 4th Street, south of the BNSF/Metrolink rail line, west of Milliken Avenue, and east of Utica/Cleveland Avenues, from Open Space to Mixed Use, in conjunction with a proposed mixed use, high density residential/commercial development that is proposed to replace the golf course; APNs: 0209-272-11, -15, -17, -20, -22 through -28, 0210-082-41, -49 through -52, 0210-082-61, -64, -65, -67 through –69, -71 through -74, -78, -79, -84 through -88, -89, -90, 0210-581-01 through -06, 0210-591-02 through -14, and 0210-623-66. Related files: Development Code Amendment DRC2015-00115 and Specific Plan Amendment DRC2015-00040. An Environmental Impact Report (EIR) (SCH No. 20150410083), Mitigation Monitoring Reporting Program (MMRP), and Facts and Findings to support the Statement of Overriding Considerations have been prepared for consideration by the Planning Commission and the City Council. This item will be forwarded to the City Council for final action.

ENVIRONMENTAL IMPACT REPORT AND SPECIFIC PLAN AMENDMENT DRC2015-00040 – SC Rancho Development Corp. (Lewis Operating Corp.): A request to amend the Rancho Cucamonga Industrial Area Specific Plan (IASP) Subarea 18 Specific Plan, a Specific Plan that applies to properties located north of 4th Street, south of the BNSF/Metrolink rail line, west of Milliken Avenue, and east of Utica/Cleveland Avenues, to delete text, graphics, and exhibits relating to the Empire Lakes Golf Course, an existing private golf course of 160 acres that is located within the subject Specific Plan area, and insert text, graphics, and exhibits that will describe the design and technical standards/guidelines for a proposed mixed use, high density residential/commercial development that is proposed to replace the golf course; APNs: 0209-272-11, -15, -17, -20, -22 through -28, 0210-082-41, -49 through -52, 0210-082-61, -64, -65, -67 through -69, -71 through -74, -78, -79, -84 through -88, -89, -90, 0210-581-01 through -06, 0210-591-02 through -14, and 0210-623-66. Related files: General Plan Amendment DRC2015-00114 and Development Code Amendment DRC2015-00115. An Environmental Impact Report (EIR) (SCH No. 20150410083), Mitigation Monitoring Reporting Program (MMRP), and Facts and Findings to support the Statement of Overriding Considerations have been prepared for consideration by the Planning Commission and the City Council. This item will be forwarded to the City Council for final action.

ENVIRONMENTAL IMPACT REPORT AND DEVELOPMENT CODE AMENDMENT DRC2015-00115 – SC Rancho Development Corp. (Lewis Operating Corp.): A request to amend the Development Code of the City Rancho Cucamonga by revising text, graphics, and exhibits within the Development Code that applies to properties, including the Empire

Lakes Golf Course, an existing, private golf course of 160 acres, within the Rancho Cucamonga Industrial Area Specific Plan (IASP) Subarea 18 Specific Plan, a Specific Plan that applies to properties located north of 4th Street, south of the BNSF/Metrolink rail line, west of Milliken Avenue, and east of Utica/Cleveland Avenues, and insert text and graphics in conjunction with a proposed mixed use, high density residential/commercial development that is proposed to replace the golf course; APNs: 0209-272-11, -15, -17, -20, -22 through -28, 0210-082-41, -49 through -52, 0210-082-61, -64, -65, -67 through -69, -71 through -74, -78, -79, -84 through -88, -89, -90, 0210-581-01 through -06, 0210-591-02 through -14, and 0210-623-66. Related files: General Plan Amendment DRC2015-00114 and Specific Plan Amendment DRC2015-00040. An Environmental Impact Report (EIR) (SCH No. 20150410083), Mitigation Monitoring Reporting Program (MMRP), and Facts and Findings to support the Statement of Overriding Considerations have been prepared for consideration by the Planning Commission and the City Council. This item will be forwarded to the City Council for final action.

RECOMMENDATION:

1. Staff recommends the Planning Commission adopt the attached Resolution recommending the City Council certify the Final Environmental Impact Report (SCH No. 20150410083); and

2. Staff recommends the Planning Commission adopt the attached Resolutions recommending the City Council approve each of the following:

   a) General Plan Amendment DRC2015-00114;
   b) Specific Plan Amendment DRC2015-00040 (with Staff recommended revisions/amendments as included in Exhibit DD of the April 13, 2016 Planning Commission staff report and attached as Exhibit A to this report); and
   c) Development Code Amendment DRC2015-00115

BACKGROUND:

The proposed amendments to the General Plan, Specific Plan, and Development Code were reviewed by the Planning Commission during a public hearing held on April 13, 2016. Staff provided an oral report and presentation that included a discussion of the overall proposal, and the City's design, technical, and environmental analysis of the proposed project. The applicant and their consultants then followed with their presentation of the proposed project. Planning Commission Chairman Wimberly opened the public hearing and all comments were received from the public. The applicant choose at that time to defer their rebuttal and response to questions received from the public because of the late hour, and to allow the Planning Commission time to ask questions of both Staff and the applicant's development team. The public hearing was closed and the Planning Commission began deliberation of the proposed project. The Commission discussed the proposed project and provided initial comments until about 11:40 p.m. Due to the time, they decided to continue their deliberations to the following meeting to be held on April 27, 2016.

NEXT STEPS:

This Planning Commission meeting is an opportunity for Staff and the applicant's development team to respond to questions received from the Planning Commission and the public during the April 13, 2016

Planning Commission hearing. Additionally, staff and the development team will address any additional questions that the Commission may have during their deliberations.

RECOMMENDED REVISIONS:

After the April 13, 2016 Planning Commission public hearing, the applicant submitted to the City revised pages of the draft amended Specific Plan (Exhibit A) in response to the five (5) staff recommended revisions as presented in the April 13, 2016 staff report (Exhibit DD). The revised pages have been reviewed by staff and are generally to correct and/or clarify text in the draft document and address some of the additional conditions and changes recommended by staff.

The applicant is continuing discussions with staff to further refine the proposed language of the five (5) recommended revision to the Draft Amended Empire Lakes Specific Plan (Exhibit DD of the April 11, 2016 staff report). The recommended revisions will be finalized prior to review and action by the City Council.

Respectfully submitted,

Candyce Burnett
Planning Director

CB:MS/jp

Attachments: Exhibit A - Draft Text Revisions
Draft Resolution Recommending Approval of General Plan Amendment DRC2015-00114
Draft Resolution Recommending Approval of Specific Plan Amendment DRC2015-00040
Draft Resolution Recommending Approval of Development Code Amendment DRC2015-00115

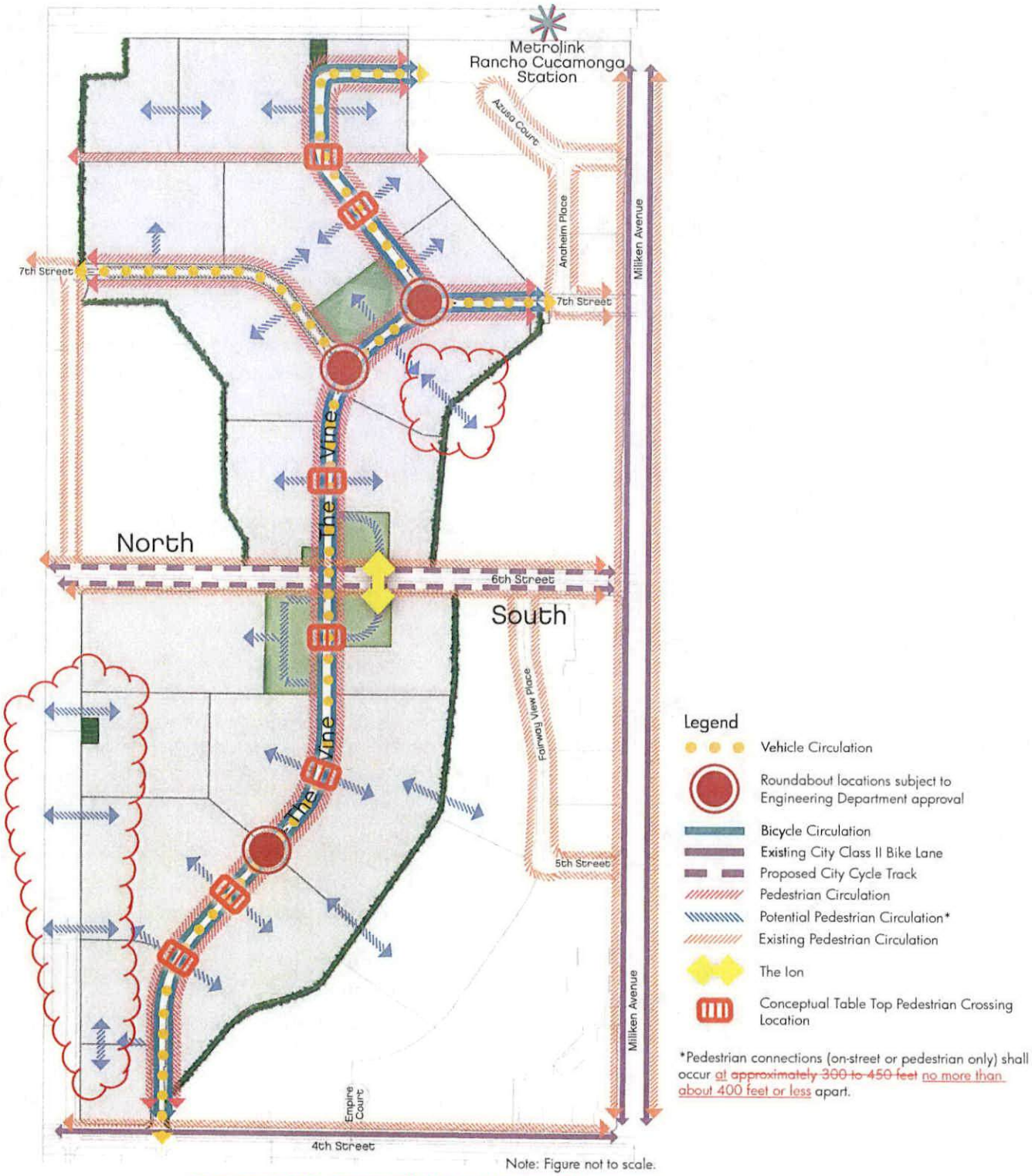


Figure 7.22: Overall Circulation Diagram

EXHIBIT A

B, C, D 3

The circulation network includes on-street parking and sustainable features.

B. Vehicle Network

From a transportation point of view, the main objective of PAI is to establish an in-fill mixed use community that will improve transportation efficiencies and ultimately reduce the number of vehicle trips.

The street network is designed to provide low speed circulation and efficient movement throughout the community. Traffic calming measures such as roundabouts, traffic circles, bulb-outs, chicanes, mid-block pedestrian crossings and Table Top pedestrian crossing may be used.

The main vehicular access to the site is from 4th and 6th streets. Secondary access is from 7th Street and a planned Secondary Entry road to the Metrolink station. The Vine provides the main north/south circulation within PAI.

PAI is served internally by a bent grid network of residential collector roadways and private drive aisles designed with on-street parking, urban street frontages, shaded pedestrian links, and open spaces.

All streets shown on Figure 7.6: Conceptual Development Plan by Placetype shall be public streets.

Site planning of parcels should create a high level of pedestrian access throughout and maintain efficient vehicular circulation.

- All roadways within parcels shall be designed ~~on~~ as a "grid" or "bent-grid," to the greatest extent feasible.
- At least two points of vehicular access will be provided for each development. Interconnections with adjoining planning areas/developments may be provided where necessary to achieve the required access.
- Use of cul-de-sacs shall be limited to necessary site plan/parcel conditions where fire access or street maintenance turn around is required, subject to the review and approval of the Planning Director.

The dimensions and details of each street type, and major intersection or circulation features, are identified in Figure 7.25: Conceptual Ion Sections through Figure 7.43: Alley Section.

C. Bicycle Circulation

Bike Lane Standards

There is an existing City Class II Bike Lane located on 4th Street. There is a proposed City cycle track on 6th Street; the portion along the Empire Lakes frontage will be installed at the time of development. The Vine will provide buffered bicycle lanes allowing connection between 6th Street and the secondary entry road at the Metrolink station. Refer to Figure 7.33: 6th Street and Figure 7.35: 4th Street.

D. Pedestrian Circulation

Walkability and pedestrian access are prioritized by the PAI development pattern. Design of streets, the pedestrian realm, and the built environment will provide an engaging and direct means of walking through the community. Each parcel will provide for pedestrian pathways and connections to adjacent parcels and the Vine to facilitate effective multi-modal connectivity to Mixed Use and transit services. See Figure 7.24: Pedestrian Circulation Diagram.

Currently there are sidewalks on 4th and 6th Streets with a parkway on 6th Street. Crosswalks are provided where pedestrian crossings are allowed.

The PAI primary pedestrian circulation feature is the 16-foot pedestrian realm provided on each side of the Vine that links with 4th Street and the Metrolink Station. This space will provide strong north/south connectivity throughout. The pedestrian realm will be designed with vegetation and hardscape elements to promote visual interest and active use across the Vine. See figures in Section 7.5.1.C. 3rd Place Spaces for detailed plans of pedestrian circulation features such as Grand Paseos, pedestrian connectors, gathering spaces, bark parks and pathways).

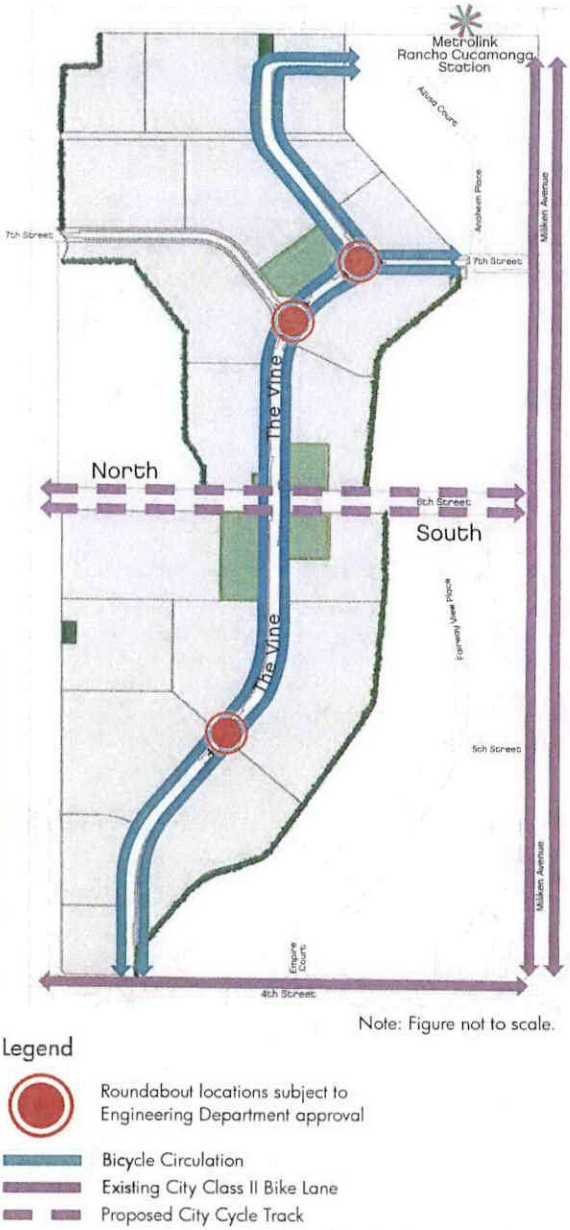
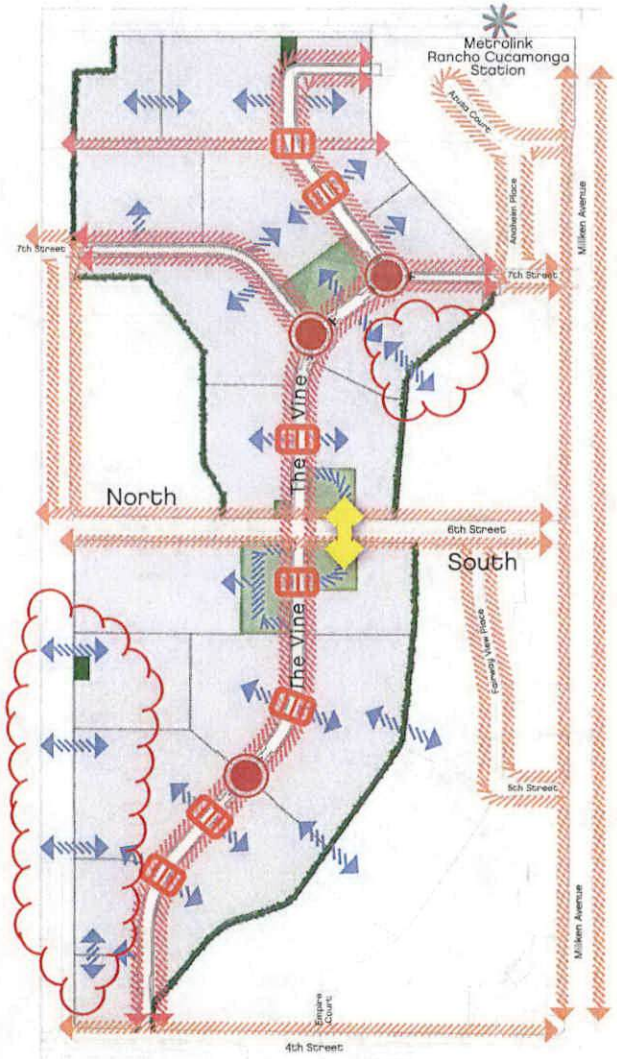


Figure 7.23: Bicycle Circulation Diagram



Note: Figure not to scale.

Legend

- Roundabout locations subject to Engineering Department approval
- Pedestrian Circulation
- Potential Pedestrian Circulation
- Existing Pedestrian Circulation
- The Ion
- Conceptual Table Top Pedestrian Crossing Location

Figure 7.24: Pedestrian Circulation Diagram

Interior circulation corridors are a major setting for daily living within the community. These spaces provide a comfortable pedestrian atmosphere and activate pedestrian and urban spaces. Pedestrian and circulation routes shall be:

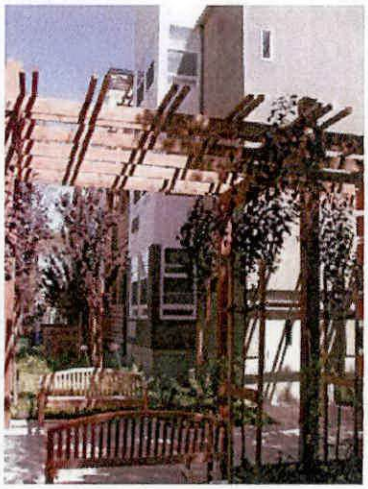
- Intuitive.
- Well-defined.
- Easily discernible for appropriate and functional maneuverability and activity levels.
- Facilitate convenient pedestrian access, with building breaks and pathways, to all primary and secondary elevations.
- At ~~300 to 450 feet~~ no more than about 400 feet or less intervals (except for 500 feet north of 4th Street and north of the north roundabout) subject to Planning and Engineering Department approval. ~~between the two roundabouts north of 6th Street~~. This may be accomplished by providing street connections, building breaks, or pathways through the building to provide pedestrian connectivity to the Vine.
- Direct pathways to transit facilities for all transit-adjacent parcels.
- Clear pathways between 3rd place spaces, the Vine, or public sidewalks.
- Identified with route signage (for basic navigation and public safety) and contain pedestrian-level lighting, trash receptacles, and bicycle storage racks where appropriate.

Connections may be formal pathways or paseos, a street connection with sidewalks, or may be informal spaces such as building breaks, 3rd Place spaces, walkways, or similar design features. They should:

- Provide pedestrian connections from the public sidewalk to key areas within or adjacent to the site.
- Encourage interconnecting walkways between buildings.

Mid-block street crossings shall be provided for every block along the Vine subject to Engineering Department approval. Pedestrian crossings include crosswalks at intersections, crosswalks with center islands, and Table Top crossings. Pedestrian crossing intervals are affected by site configurations, visibility and safety concerns.

Building design and location create a strong urban presence with clear pedestrian access points



Interior pedestrian circulation created with plazas and paseos, connecting units to broader multi-modal opportunities

Active Architecture

The variation of building form, wall movement, detailing, entry location or window placement provide human scale and interest along an elevation.

7.4.1 Site Planning Criteria

The following site planning criteria should be treated as design guidelines for parcel site planning and community placemaking.

A. Planning For Active Spaces

- Building massing, design, and setbacks shall reinforce a pedestrian-scale for the street scene without generating unusable pockets or dead spaces.
- Buildings are encouraged to be built to the minimum setback line to create a continuous street edge.
- Buildings should be oriented toward streets, pedestrian pathways and/or active spaces; rear elevations shall not face the Vine, 4th, 6th or 7th Streets. See Figure 7.44: Urban Framework Diagram for example building orientations.
- Where building design undulates, spaces along the pedestrian realm should be large enough to foster visual interest, but not too deep to disrupt the continuity of the street.
- Effectively address neighborhood corners to enhance accessibility to the Vine.
- Buildings should be arranged to create a variety of outdoor spaces including intimate courtyards, urban plazas, community squares, 3rd Place gathering spaces, pedestrian arcades, and/or private and common open spaces.
- Connected pedestrian circulation systems and accompanying plaza and patios, should be an integral part of a unified site design.
- Provide connections at ~~300 to 450 foot~~ no more than about 400 feet or less-intervals or at least one pedestrian connection per block ~~adjacent to the Vine, whichever is greater~~.
  - Front entries should face or be accessible from these spaces, where feasible.
- If non-residential uses are developed under Mixed Use Overlay, enhance the retail experience by introducing architectural elements that create an inviting pedestrian experience such as outdoor dining, public art and/or outdoor retail display.
- Coordination between parcels is encouraged for building scale, massing, architecture, and pedestrian amenities.
- Incorporation of appropriate Crime Prevention Through Environmental Design (CPTED) features in the design of spaces such as territorial reinforcement, strategic natural surveillance, well-lit spaces, and appropriate maintenance.

7.5.3 Community Walls and Fencing

Walls and fences can be used as integral community features that enhance landscape design, privacy, and reinforce thematic design appropriate to maintain pedestrian connectivity.

Walls or fences that adjoin a PAI boundary or ~~Vine/ROW~~-4th or 6th Streets, identified in Figure 7.17: Setback Locations, shall be deemed "community walls." Other walls and fencing are known as "product walls" and "view fences."

- Community wall and fence designs, materials, colors, and finishes shall complement adjacent architecture while keeping the community design theme cohesive.
  - Incorporate the use of complementary pilasters or other design elements to help break up long stretches of walls and provide interest and rhythm.
- View fences or view walls along community open spaces are encouraged wherever privacy or screening is not necessary.
- Product walls and fences shall complement building design within commercial areas and be constructed of community-appropriate materials, colors, and textures.
- Openings or pedestrian connections will be provided at appropriate intervals.
- Vehicular gates and view fences should not be visible from the Vine unless allowed by the next bullet.
- Gates and view fences or walls shall be permitted where required by Building Code and/or to secure private spaces, parking, and amenities with due regard for resident safety. To facilitate and encourage walking and bicycle use through the community and adjoining properties, pathways will be established from pedestrian

Integrated use of architecture, decorative wall, and landscape

connections to adjacent property. Refer to Figure 7.52: Pedestrian Connection to Adjacent Property for an example of these connections.

- Walls or fences may also be used to screen service areas, utilities, and trash areas.
- Precise locations of walls, fences, and gates will be determined on a case by case basis, at DRC, as project plans are submitted and reviewed.

A. Parcel and Retaining Walls

- Product walls include: side yard wall returns, side yard privacy walls along corner lots, and rear yard privacy walls along neighborhood streets.
- Where two product walls meet at adjoining parcels, walls shall match in color and finish, or have a unifying transitional element such as a pilaster at the connection point.
- Retaining walls may be combined with a product or community wall.
- All retaining walls must be damp-proofed. Walls must also be adequately drained, if required, on the surcharge side.

Graffiti-resistant aesthetic surface shall be applied consistent with Graffiti Resistance standard of the City's Development Code.

7.8 Glossary

3rd Place Spaces

3rd Place spaces are transitional social spaces that link people, neighborhoods, and lifestyles. A 3rd Place isn't a singular place or large venue, but rather a collection of smaller more intimate spaces designed to be unique and quirky and encourage people-gathering. Beyond work, school, and home, these 3rd Place spaces are memorable and unique spaces that people adopt and craft into something remarkable and define the character of the surrounding neighborhood. As part of the healthy, active community goals, a network of 3rd Place spaces will be integrated within and between neighborhoods to foster a dynamic setting for active and social living.

Active Architecture

The variation of building form, wall movement, detailing, entry location, or window placement provide human scale and interest along an elevation.

Color Blocking

Utilization of color on elevations to visually enhance specific areas of a building mass.

Common Open Space

May include but is not limited to: verandas, plazas, courtyards, roof top decks, programmed or natural outdoor space, tot lots, dog parks, paseos and pathways, sitting areas, 3rd Place spaces, and similar spaces open for use by a group of homes, all homes, or the public.

Pedestrian Crossings

Pedestrian crossings include crosswalks at intersections, crosswalks with center islands, and Table Top crossings.

Pedestrian Realm

The pedestrian realm extends from the curb edge to the building frontage. This pedestrian-dominated space is an integral part of the streetscape, necessary to balance the use of the streets for vehicle movement and pedestrian access. Amenities that contribute to a comfortable and inviting pedestrian realm may include hardscape, planting, seating, dining or patio areas, and bicycle parking.

RESOLUTION NO. 16-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT DRC2015-00114, A REQUEST TO AMEND THE 2010 GENERAL PLAN OF THE CITY OF RANCHO CUCAMONGA BY REVISING TEXT, GRAPHICS, AND EXHIBITS WITHIN THE GENERAL PLAN, AND CHANGE THE LAND USE DESIGNATIONS OF PARCELS THAT ARE CURRENTLY DEVELOPED WITH THE EMPIRE LAKES GOLF COURSE, AN EXISTING, PRIVATE GOLF COURSE OF 160 ACRES THAT IS LOCATED NORTH OF 4TH STREET, SOUTH OF THE BNSF/METROLINK RAIL LINE, WEST OF MILLIKEN AVENUE, AND EAST OF UTICA/CLEVELAND AVENUES, FROM OPEN SPACE TO MIXED USE, IN CONJUNCTION WITH A PROPOSED MIXED USE, HIGH DENSITY RESIDENTIAL/COMMERCIAL DEVELOPMENT THAT IS PROPOSED TO REPLACE THE GOLF COURSE AND MAKING FINDINGS IN SUPPORT THEREOF - APNS: 0209-272-11, -15, -17, -20, -22 THROUGH -28, 0210-082-41, -49 THROUGH -52, 0210-082-61, -64, -65, -67 THROUGH –69, -71 THROUGH -74, -78, -79, -84, -88 THROUGH -90, 0210-581-01 THROUGH -06, 0210-591-02 THROUGH -14, AND 0210-623-66. .

A. Recitals.

1. SC Rancho Development Corp., an entity of Lewis Operating Corp., filed an application for General Plan Amendment DRC2015-00114 as described in the title of this Resolution. Hereinafter in this Resolution, the subject General Plan Amendment is referred to as "the application."

2. On April 13, 2016 and continued to April 27, 2016, the Planning Commission conducted a duly noticed public hearing on the application and concluded said hearing on that date.

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

B. Resolution.

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

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

2. Findings. Based upon the substantial evidence presented to this Commission during the above-referenced public hearing on April 13, 2016 and April 27, 2016, including written and oral staff reports, together with public testimony, this Commission hereby specifically finds as follows:

a. The application applies to a property that is currently improved with the Empire Lakes Golf Course, a privately owned and operated 18-hole golf course with an area of 160 acres.

b. Development of the subject property is governed by the Rancho Cucamonga Industrial Area Specific Plan (IASP) Subarea 18 Specific Plan, the City's Development Code, and the City's General Plan.

c. The Specific Plan, as it was originally approved in 1994, consists of eleven (11) "Planning Areas" which are identified with Roman numerals, i.e. Planning Area IA/IB through X. The golf course is within "Planning Area IA", "Planning Area IB", and (partly) "Planning Area III" of the Specific Plan.

d. The overall area of the Specific Plan is 347 acres. The Specific Plan is bound by 4th Street to the south, Milliken Avenue to the east, Cleveland Avenue and Utica Avenue to the west, and 8th Street and the BNSF/Metrolink rail line to the north. The golf course is generally located at the center, and covers about 46%, of the Specific Plan. Both the Specific Plan and the golf course are bisected into north and south halves by 6th Street.

e. To the east of the golf course are multi-family residences within four (4) apartment complexes ("Village at the Green", "Reserve at Empire Lakes", "Ironwood at Empire Lakes", and "AMLI at Empire Lakes"). Adjacent to the northeast corner of the golf course are office buildings and the Rancho Cucamonga Metrolink station. To the west of the part of the golf course located south of 6th Street is an office complex comprised of multiple tenants including Southern California Edison (SCE) and Inland Empire Health Plan (IEHP). To the west of the part of the golf course located north of 6th Street are logistics/manufacturing buildings. To the north of the golf course, beyond the BNSF/Metrolink rail line, are additional logistics/manufacturing buildings. To the south, on the opposite side of 4th Street, is vacant land within the City of Ontario.

f. The zoning designations surrounding the Empire Lakes Specific Plan are as follows: north - Minimum Impact/Heavy Industrial (MI/HI) District; south - Ontario Center Specific Plan (2254-SP) (in the City of Ontario); east - General Industrial (GI) District and Industrial Park (IP) District, and Industrial Park (IP) District, (Industrial Commercial Overlay District (ICOD)); and west - General Industrial (GI) District and Industrial Park (IP) District.

g. Concurrent with this application, the applicant has also applied for Specific Plan Amendment DRC2015-00040 and Development Code Amendment DRC2015-00115. The purpose of these applications is to enable the applicant to replace the existing golf course with a new mixed use, transit-oriented, high density development project;

h. This proposed amendment to the General Plan will change the land use designation of the subject private property from "Open Space" to "Mixed Use";

i. The proposed amendment is necessary as the Open Space designation applies to areas that are devoted to preservation of natural resources and outdoor recreation;

j. The Open Space designation only permits zero to 0.10 dwelling units per acre and a maximum population density of 0.3 persons per acre;

k. The amendment is necessary as the limits on the number of dwelling units per acre and population density within an Open Space designated area do not permit the applicant's proposed project. Furthermore, the Open Space designation generally applies to areas that are for preservation of natural resources and outdoor recreation. In order to fulfill their economic objective for the property, the applicant is requesting the change in the land use designation to Mixed Use as it will allow a greater number of dwelling units per acre and more intense land uses.

l. As the City faces build-out, a shift in this type of land uses will be more common as underperforming, under-utilized, or underdeveloped properties may change to support future housing and business needs.

m. The proposed amendment also includes revisions to Figure LU-2 (Land Use Plan) and LU-3 (Mixed Use Areas). Text in the General Plan that refers to the project site as a golf course and describes the development characteristics within the Specific Plan will be deleted or revised;

n. A Notice of Preparation (NOP) for the Environmental Impact Report was prepared and circulated with the Initial Study on April 27, 2015 to the State Clearinghouse (SCH No. 2015041083), and to public agencies that have discretionary approval power over the project, i.e. "Responsible Agencies" and Native American Governments in accordance with the California Environmental Quality Act (CEQA). Also, the NOP was made available for review at the Archibald and Paul A. Biane Libraries, at City Hall, and on the City's website. Per State law, the comment period ended 30 days after the date of circulation (in this case, May 26, 2015). However, as the Public Scoping meeting was scheduled for June 10, 2015, comments, if any, in response to the NOP were accepted until that date. The Initial Study was made available to the public during and after the comment period. The City received several comment letters in response to the NOP.

o. The City conducted a noticed Public Scoping meeting during a Planning Commission meeting on June 10, 2015. The notice for this scoping meeting appeared in the Inland Valley Daily Bulletin newspaper and notices were mailed to the owners of all properties located within 1,000 feet of the Empire Lakes Specific Plan planning area.

p. A Draft EIR was prepared and was distributed to all Responsible and Trustee agencies, and individuals who had expressed interest in the project and/or had previously requested copies. The Draft EIR was distributed for a 45-day public review period on November 10, 2015, with the comment period expiring on December 24, 2015. During the 45-day public review period, the Draft EIR and technical appendices were made available for review at the Archibald Library, the Paul A. Biane Library, the Planning Information and Services Counter at City Hall, and on the City's website. Comment letters were received from the City of Ontario, San Bernardino County Department of Public Works, Metrolink, and several members of the public during the public comment period that specifically discussed the Draft EIR. Written responses to all significant environmental issues raised were prepared and made available in the Final EIR.

q. A "Findings of Fact in Support of Determinations related to Significant Environmental Impacts" has been prepared and is attached (as Attachment "A") to this Resolution.

r. Environmental impacts identified in the Final EIR that will be "less than significant" without mitigation measure or project design features are described in Section A, page 7 of Attachment "A".

s. Environmental impacts identified in the Final EIR that will be "less than significant" after mitigation measures have been implemented are described in Section B, page 15 of Attachment "A". In accordance with CEQA requirements, a Mitigation Monitoring and

Reporting Program (MMRP) has been prepared to assure compliance with the adopted mitigation measures.

t. Environmental impacts identified in the Final EIR that will be "significant and unavoidable" despite the implementation of all feasible mitigation measures are described in Section C, page 25 of Attachment "A".

u. A proposed Statement of Overriding Considerations for the environmental impacts that cannot be fully mitigated to a "less than significant level" is located in Section V, page 40 of Attachment "A". The proposed Statement provides substantial evidence that the environmental risks of the application have been balanced against its benefits.

v. Based on the totality of the administrative record, the Planning Commission finds that the Final EIR complies with the requirements of CEQA and recommends that the City Council certify the Final EIR as being prepared in compliance with CEQA and that the City Council also adopt the Mitigation Monitoring and Reporting Program (MMRP) Attachment B.

w. Approval of the application would not be materially injurious or detrimental to the adjacent properties.

x. The findings set forth in this Resolution reflect the independent judgment of the Planning Commission.

C. Recommendation. On the basis of the foregoing and the totality of the administrative record before it, the Planning Commission hereby recommends that the City Council certify the Final EIR, adopt the Findings and Statement of Overriding Considerations contained in Attachment A, adopt the Mitigation Monitoring and Reporting Program (MMRP) Attachment B, as conditions of approval, and approve General Plan Amendment DRC2015-00114.

The Secretary to this Commission shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED THIS 27TH DAY OF APRIL 2016.

PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA

BY: _____
Ravenel Wimberly, Chairman

ATTEST: _____
Candyce Burnett, Secretary

I, Candyce Burnett, Secretary of the Planning Commission of the City of Rancho Cucamonga, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Rancho Cucamonga, at a regular meeting of the Planning Commission held on the 27th day of April 2016, by the following vote-to-wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

FINDINGS OF FACT IN SUPPORT OF DETERMINATIONS

RELATED TO SIGNIFICANT ENVIRONMENTAL IMPACTS

State CEQA Guidelines Sections 15090, 15091 and 15093

For

RANCHO CUCAMONGA INDUSTRIAL AREA SPECIFIC PLAN

(ALSO KNOWN AS EMPIRE LAKES)

SUB-AREA 18 SPECIFIC PLAN AMENDMENT PROJECT

Final Environmental Impact Report

(State Clearinghouse No. 2015041083)

Lead Agency: City of Rancho Cucamonga

I. INTRODUCTION

The following findings of fact are based in part on the information contained in the Draft and Final Environmental Impact Report ("EIR") for the Rancho Cucamonga Industrial Area Specific Plan ("IASP") (also referred to as Empire Lakes) Sub-Area 18 Specific Plan Amendment Project ("Project"), as well as additional facts found in the complete record of proceedings. The EIR is hereby incorporated by reference and is available for review at the City of Rancho Cucamonga Planning Department (10500 Civic Center Drive), Archibald Library (7368 Archibald Avenue), and Paul A. Biane Library (12505 Cultural Center Drive). The EIR is also available at the City's website:
http://www.cityofrc.us/cityhall/planning/current_projects/empire_lakes_specific_plan_project/default.asp

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute provides that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 goes on to provide that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental

effect as identified in the Final EIR. The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and such changes have been adopted by such other agency or can and should be adopted by such other agency. The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR. (CEQA Guidelines, § 15091.) Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*).)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509 [court upholds CEQA findings rejecting alternatives in reliance on applicant's project objectives]; see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (*CNPS*) ["an alternative 'may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record'"] (quoting Kostka & Zischke, *Practice Under the Cal. Environmental Quality Act* [Cont.Ed.Bar 2d ed. 2009] (*Kostka*), § 17.39, p. 825); *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166 (*Bay-Delta*) ["[i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary project objectives"; "a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal"].) Moreover, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors." (*City of Del Mar*, *supra*, 133 Cal.App.3d at p. 417; see also *CNPS*, *supra*, 177 Cal.App.4th at p. 1001 ["an alternative that 'is impractical or undesirable from a policy standpoint' may be rejected as infeasible"] [quoting *Kostka*, *supra*, § 17.29, p. 824]; *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 17.)

For purposes of these findings (including the table described below), the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise potentially significant effect to a less than significant level. Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] *or* substantially lessen[ed]," these findings, for purposes of clarity, in each case will specify whether the effect in question has been "avoided" (i.e., reduced to a less than significant level).

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources

Code, § 21081, subd. (b).) The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II*, *supra*, 52 Cal.3d at p. 576.) An agency's determination that a project's benefits outweigh significant effects that cannot be mitigated "lies at the core of the lead agency's discretionary responsibility under CEQA." (*City of Marina v. Board of Trustees of the Cal. State Univ.* (2006) 39 Cal.4th 341, 368.) The EIR for the Project concluded the Project would create some significant and unavoidable impacts; thus, a Statement of Overriding Considerations is required.

These findings constitute the City's best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures as measures built into the design of the Project itself or as conditions of Project approval. (See Public Resources Code § 21081.6, subd. (b); Guidelines, § 15126.4, subd. (a)(2).) These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City Council adopts a resolution approving the Project.

In addition, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project, and is being approved by the City Council by the same Resolution that has adopted these findings. The City will use the MMRP to track compliance with Project mitigation measures. The Mitigation Monitoring and Reporting Program will remain available for public review during the compliance period. The Final Mitigation Monitoring and Reporting Program is attached to and incorporated into the environmental document approval resolution and is approved in conjunction with certification of the EIR and adoption of these Findings of Fact.

II. FINDINGS CERTIFYING THE ENVIRONMENTAL IMPACT REPORT

When approving a project for which an EIR has been prepared, the lead agency must certify that the EIR complies with CEQA, that the EIR reflects the lead agency's independent judgment and analysis, and that the EIR was presented to the decision-making body of the lead agency, which reviewed and considered the information contained in the EIR before approving the project. (Public Resources Code § 21082.1, subd. (c); Guidelines, § 15090, subd. (a).)

The Rancho Cucamonga City Council hereby finds, determines and certifies that the EIR complies with CEQA, for reasons explained in the EIR itself, and in staff reports and other information in the record of proceeding. The Council hereby finds, determines and certifies that the EIR reflects the City's independent judgment and analysis. The Council also hereby finds, determines and certifies that the EIR was presented to the Council, and that the Council reviewed and considered the information in the draft and final EIR before approving the project.

III. FINDINGS REGARDING THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT

In compliance with Section 15201 of the State CEQA Guidelines, the City has taken steps to provide opportunities for public participation in the environmental review process. An Initial Study (IS) and Notice of Preparation (NOP) were distributed on April 27, 2015, to federal, State, regional, and local government agencies and interested parties for a 30-day public review period to solicit

comments and to inform agencies and the public of the proposed project. The project was described; potential environmental effects associated with project implementation were identified; and agencies and the public were invited to review and comment on the Initial Study and NOP. The City received 15 comment letters in response to the IS/NOP, and eight letters or email correspondence after the end of the scoping period. Table 2-1 of the DEIR summarizes the NOP comments and other correspondence received addressing environmental and related issues. Additionally, the City of Rancho Cucamonga held a scoping meeting for the Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment EIR on June 10, 2015, at the City of Rancho Cucamonga City Council chambers. The issues raised by commenters at the scoping meeting are summarized in Chapter 2.2.1 of the EIR.

Based on the Initial Study and Notice of Preparation, and on public comments received during scoping, the City has identified environmental issues for which the proposed project would result in no impacts or less than significant impacts, and therefore these issues were not discussed in detail in the EIR. This includes the entirety of the Agriculture and Forestry Resources and Mineral Resources topical areas, and individual checklist questions listed on Appendix G to the CEQA Guidelines within the remaining environmental issue areas. Refer to Section 7.1, Effects Determined Not to be Significant, for a summary discussion of the environmental effects which were found to be less than significant.

To address potentially significant environmental effects in the remaining topical areas, an Environmental Impact Report (EIR) was prepared for this project in accordance with the California Environmental Quality Act (CEQA) Guidelines. As required by CEQA, the EIR includes appropriate review, analysis, and mitigation measures for the environmental impacts of the proposed project. This Final EIR could be utilized by other permitting agencies in their capacity as Responsible and Trustee agencies under CEQA.

Based on the analysis contained in the Initial Study and comments received in response to the Notice of Preparation, a Draft EIR was prepared and circulated for a public review period, beginning on November 10, 2015, and concluding on December 24, 2015. In total, over 230 Notices of availability of the Draft EIR were distributed. The Draft EIR was also available on the City's webpage, as well as the Planning Information and Services Counter at City Hall, the Archibald Library, and the Paul A. Biane Library. A Planning Commission Workshop to discuss the Project was held on Tuesday, November 10, 2015 at 4:30 pm in the Tri-Communities Room at City Hall. Materials from these meetings, including agendas, staff reports, and presentations were made available at the City's website. The applicant conducted the first of several planned Community Meetings on Thursday, December 10, 2015 at The Courtyard Marriott at 11525 Mission Vista Drive, Rancho Cucamonga. Materials from these meetings, including agendas, staff reports, and presentations were made available at the City's website. Three additional Community Meetings were held by the applicant on January 14th, 21st and 28th at the Four Points Sheraton, 11960 Foothill Boulevard, Rancho Cucamonga.

Thirty-five written comment letters from individuals or agencies/organizations were received on the Draft EIR during this public review period, and three additional letters were received after the end of the public review period. A letter was also received from the State Clearinghouse acknowledging compliance with CEQA review requirements. As required by Section 15088 of the State CEQA Guidelines, responses to these comments were prepared and provided to the agencies a minimum of 10 days prior to this hearing. Written responses were also provided to interested parties that submitted return addresses.

For the purposes of CEQA, and the findings herein set forth, the administrative record for the Project consists of those items listed in Public Resources Code section 21167.6, subdivision (e).

The record of proceedings for the City's decision on the Project consists of the following documents, at a minimum, which are incorporated by reference and made part of the record supporting these findings:

- The NOP and all other public notices issued by the City in conjunction with the Project;
- The Draft EIR for the Project and all documents relied upon or incorporated by reference;
- All comments submitted by agencies or members of the public during the 45-day comment period on the Draft EIR;
- All comments and correspondence submitted to the City during the public comment period on the Draft EIR, in addition to all other timely comments on the Draft EIR;
- The Final EIR for the Project, including the Planning and Historic Commission staff report, minutes of the Planning Commission public hearing; City Council staff report; minutes of the City Council public hearing; comments received on the Draft EIR; the City's responses to those comments; technical appendices; and all documents relied upon or incorporated by reference;
- The mitigation monitoring and reporting program (MMRP) for the Project;
- All findings and resolutions adopted by the City in connection with the Project, and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, up through the close of the public hearing;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings and public hearings;
- All resolutions adopted by the City regarding the Project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- The City's General Plan and applicable Specific Plans and all updates and related environmental analyses;
- Matters of common knowledge to the City, including, but not limited to Federal, State, and local laws and regulations;
- The City's Zoning Code;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

Pursuant to Guidelines section 15091(e), the administrative record of these proceedings is located and available for review at 10500 Civic Center Drive, during normal business hours. The custodian of these documents and other materials is the City of Rancho Cucamonga Planning Department.

The City has relied on all of the documents listed above in reaching its decisions on the proposed Project even if not every document was formally presented to the City Council or City Staff as part of the City files generated in connection with the Project. Documents set forth above that are not found in the Project files include prior planning or legislative decisions of which the Board of Supervisors was aware in approving the Project, and documents that influenced the expert advice provided to City Staff or consultants, who then provided advice to the Planning Commission and the City Council as final decision maker. (See *City of Santa Cruz v. Local Agency Formation*

Commission (1978) 76 Cal.App.3d 381, 391-391; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.) Such documents form part of the underlying factual basis for the City's decisions relating to approval of the Project. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.)

Based upon the evidence before it, the City finds that the Project will result in one or more "significant and unavoidable" impacts. Therefore, a statement of overriding considerations is required. In other words, the City must consider whether overriding economic, social, and other considerations outweigh the significant, unavoidable effects of the Project. The required statement of overriding considerations is included herein.

The EIR's analysis of each topical issue describes applicable Regulatory Requirements (RR)s, Project Design Features (PDFs), and project-specific Mitigation Measures (MMs). These components are described below.

- **Regulatory Requirements.** RRs are based on federal, State, or local regulations or laws that are frequently required independently of CEQA review and also serve to offset or prevent specific impacts.

- **Project Design Features.** PDFs are specific project components or design elements that have been incorporated into the project to prevent the occurrence of, or to reduce the significance of, potential environmental effects. Because PDFs have been incorporated into the project, they do not constitute mitigation measures, as defined by CEQA. However, if applicable, PDFs are identified for each topical issue and are included in the MMRP developed for, and to be implemented as a part of, the proposed project. Where, in the absence of the implementation of a PDF, a significant impact could occur, the PDF is a binding obligation by the Project Applicant that is enforceable by the City as if it were a MM.

- **Mitigation Measures.** Where a potentially significant environmental effect has been identified and is not reduced to a level considered less than significant through the application of PDFs or RRs, project-specific MMs have been recommended in accordance with CEQA.

The Findings below describe in detail the PDFs and MMs in the EIR, since both types of measures prevent or reduce the significance of impacts that the Project would otherwise potentially have on the environment. These Findings refer to RRs to the extent that they are relevant to the City's analysis of environmental effects, but the full text of the RRs is not provided below. For the details of applicable RRs, please see the appropriate text in the EIR, which these Findings incorporate by reference.

The Findings below describe numbered impacts (e.g, Impact 1.1) that were analyzed in detail in the EIR. Other, non-numbered impacts were analyzed and considered less than significant in the Initial Study (included as Appendix A to the EIR), as described in Section 7.0 of the EIR. Impacts are presented below in summary form. For a detailed description of impacts, please see the appropriate text of the IS and EIR, which these Findings incorporate by reference.

Finally, for some impacts analyzed in the EIR, the EIR concludes that certain aspects of the impact can be mitigated to a less than significant level with mitigation, while certain other aspects of the

impact remain significant and unavoidable even with mitigation. For example, in analyzing Impact Threshold 2.2 – "Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?" – the EIR concludes that regional and local construction emissions would be less than significant after mitigation, but that certain long-term regional operational emissions would be significant and unavoidable. In order to organize impacts to correspond with their applicable mitigation measures, Section III-C of these Findings, "Findings With Respect to Significant Effects That Cannot Be Mitigation to a Less Than Significant Level," lists all impacts in which any aspect of the impact is considered significant and unavoidable. Section V of these Findings, the Statement of Overriding Considerations, addresses only those aspects of each impact area in which an impact is considered significant and unavoidable after mitigation.

A. FINDINGS WITH RESPECT TO EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT WITHOUT MITIGATION MEASURES OR PROJECT DESIGN FEATURES

The City agrees with the characterization in the Final EIR with respect to all impacts identified as "less than significant" and finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the project are not significant or are less than significant, and do not require mitigation, as described in the Final EIR. Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3); 15091.) Note that impacts are presented below in summary form. For a full description of impacts, see the appropriate text in the EIR, which the Council hereby incorporates by reference into these findings.

1. Aesthetics

As described in the IS, the project would have no significant impact in the following area:

- **Damage Scenic Resources within a State Scenic Highway:** There are no State scenic highways or highways eligible for Scenic highway designation in or near the City, and the project site is not visible from any designated scenic highways.

2. Air Quality

Impact 2.4: The proposed project would have a less than significant impact related to (1) off-site CO hotspots, (2) exposure of persons to construction and operational phase criteria pollutants, (3) exposure of persons to construction and operational phase TACs generated on site, and (4)TAC on-site impacts from off-site warehouse/distribution center and train operations.

In addition the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Objectionable Odors:** Construction odors would be temporary and would dissipate rapidly from the source with an increase in distance. During operation, some odors associated with residential uses would be expected to occur, but these types of odors are not generally

considered objectionable. The proposed Specific Plan Amendment does not allow any and uses that are associated with odor complaints, according to the South Coast Air Quality Management District's (SCAQMD's) *CEQA Air Quality Handbook.*

3. Biological Resources

Impact 3.1: The project site and surrounding properties do not support native plant communities, nor do they provide suitable habitat for sensitive plant or wildlife species. Therefore, the proposed project would not impact Candidate, Sensitive, or Special Status species.

Impacts 3.2 and 3.3: The project site and surrounding properties do not support riparian habitat; USACE, CDFW, or RWQCB jurisdictional areas; or sensitive natural communities. Therefore, no impact would occur.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Habitat Conservation Plan or Other Approved Local, Regional, or State Habitat Conservation Plan:** The City of Rancho Cucamonga, and specifically the project site, is not located within an adopted Habitat Conservation Plan; Natural Communities Conservation Plan; or other approved local, regional, or State habitat conservation plan area.

4. Cultural Resources

Impact 4.3: Construction activities would not disturb known human remains. However, if human remains are encountered in subsurface soils, implementation of RR 4-1 would ensure potential impacts are less than significant.

In addition the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Historical Resource:** No historical resources are present, and none would be impacted by project implementation.

5. Geology and Soils

Impact 5.2: The potential for secondary seismic hazards at the site is low. There would be a less than significant impact related to seismic-related ground failure.

Impact 5.3: With adherence to City, regional, and State regulations related to management of windblown dust and other sources of soil erosion (RR 5-3, RR 5-4, RR 2-1, and RR 8-3), there would be a less than significant impact related to soil erosion during construction and no impact during operation of the project.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following areas, as described in the IS:

- **Rupture of a Known Earthquake Fault:** No active or potentially active faults are known to exist at the project site and the project site is not within a current State of California Earthquake Fault Zone, or any existing or proposed Alquist-Priolo Earthquake Zones. The lack of active faults on the project site would preclude impacts related to surface fault rupture, and no mitigation is required.

- **Seismic-Related Ground Failure, Including Liquefaction:** The project site is underlain by relatively dense, alluvial materials; therefore, the potential for settlement is considered low. There would be less than significant impacts related to liquefaction and other ground failure.

- **Landslides:** The Geotechnical Investigation concludes that there would be no impacts related to landslides due to the low relief of the site and surrounding region. There would be no impacts related to landslides.

- **Soils Incapable of Supporting Septic Tanks:** The proposed project will connect to existing sewer facilities; therefore, septic tanks or an alternative wastewater disposal system would not be permitted or utilized.

6. Greenhouse Gas Emissions

No impacts were identified as less than significant without mitigation.

7. Hazards and Hazardous Materials

Impact 7.1: Construction and operation of the proposed project would involve handling of hazardous materials in limited quantities and typical to urban environments. Through compliance with existing hazardous materials regulations applicable to the proposed project (RR 7-1 through

RR 7-3), there would be less than significant impacts associated with the transport, use, or disposal of hazardous materials during construction or operation of the proposed project.

Impact 7.2: Existing and past use of the project site and existing uses surrounding the project site have involved the uses of hazardous materials. However, the existing and previous use of hazardous materials would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. This impact is less than significant.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Emissions and/or Handling of Hazardous Materials Substances or Waste within One-Quarter Mile of an Existing or Proposed School:** There are no schools located within 0.25 mile of the project site, and proposed land uses would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste.
- **Located on a Site Included on a List of Hazardous Materials Sites that would create a Significant Hazard to the Public or Environment:** Based on a Phase I Environmental Site Assessment, no hazardous materials sites would would pose an adverse environmental impact to the project site, and the project site is not included on any Cortese list.
- **Private Airstrip Safety Hazard:** The proposed project is not located in the vicinity of a private airstrip, would not expose people to excessive noise levels, and would not adversely affect activities at any airport.
- **Impair Implementation of or Interfere with an Emergency Response Plan:** The proposed project does not include any uses that would impede or interfere with implementation of the City's current and planned emergency response plans or hazardous mitigation plans.
- **Wildland Fires:** The project site is located outside all designated fire hazard areas.

8. Hydrology and Water Quality

Impacts 8.1 and 8.2: Short-term construction and long-term operation of development under the proposed Specific Plan Amendment would generate pollutants that may enter storm water. However, compliance with existing regulations, as identified in RR 8-1 through RR 8-4, would prevent the violation of water quality standards and the degradation of storm water quality. Impacts would be less than significant.

Impacts 8.3 and 8.4: Changes in drainage patterns would occur on the site, but storm water would continue to be discharged into the 4th Street storm drain. There is capacity at these downstream

storm drainage facilities to handle runoff from the site. Runoff will be conveyed to the Guasti-Cucamonga Regional Park and Turner Basins for ground percolation and would not lead to erosion, siltation, or flooding. Impacts would be less than significant.

Impacts 8.5 and 8.6: Storm water runoff from the site would increase flows in downstream lines, but would not exceed the capacities of the 66-inch line in Cleveland Avenue and the 4th Street Storm Drain. Storm water pollutants and storm water runoff quantities would be reduced by on-site BMPs. No expansion of existing off-site storm drain facilities is needed. Impacts would be less than significant.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following areas, as described in the IS:

- **Substantially Deplete Groundwater Supplies or Interfere with Groundwater Recharge:** The project site is not in a recharge basin, and the proposed project would not deplete groundwater supplies or interfere with groundwater recharge.
- **Housing or Structures in a 100-year Flood Hazard Area:** The project site is located in a minimum flood hazard area, and does not contain any drainages or large water bodies that would pose a flood hazard.
- **Expose People or Structures to Significant Risk as a Result of the Failure of a Levee or Dam:** The project site is located in a minimum flood hazard area and is located outside all identified dam inundation areas.
- **Inundation by Seiche, Tsunami, or Mudflow:** There is no potential for the project site to be affected by a seiche or tsunami (earthquake-generated wave) due to the absence of any large open bodies of water near the site.

9. Land Use

Impact 9.1: No conflict with applicable regional or local land use plans and policies would occur with the proposed Specific Plan Amendment. Impacts would be less than significant.

In addition the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Physically Divide an Established Community:** Because the surrounding developments exist independent of each other and independent of the existing golf course development, implementation of the proposed project would not physically divide an established community.

- **Conflict with a Habitat Conservation Plan:** As discussed in Section III-A-3, above, and in Section 7.1.4 of the EIR, the project site is not within a Habitat Conservation Plan or Natural Community Conservation Plan.

10. Noise

The project would have no significant impact in the following areas, as described in the IS:

- **Expose People Residing or Working in the Project Area to Excessive Noise Levels Due to Airport or Airstrip Noise:** The *LA/Ontario International Airport Land Use Compatibility Plan* (ONT LUCP) states that Rancho Cucamonga is not an affected jurisdiction for noise.
- **Expose People Residing or Working in the Project Area to Excessive Noise Levels Due to Private Airstrip Noise:** The proposed project is not located in the vicinity of a private airstrip and would not expose people to excessive noise levels.

11. Population and Housing

The project would have no significant impact in the following areas, as described in the IS:

- **Displace Substantial Numbers of Existing Housing or People:** Implementation of the proposed project would not result in the removal of existing housing; would not require the construction of replacement housing; and would not displace any existing residents.

12. Public Services

Impact 12.3: Implementation of the proposed project would generate additional students in the Cucamonga School District and Chaffey Joint Union High School District. Payment of required new development fees pursuant to Section 65995 of the California Government Code (RR 12-4) would result in less than significant impacts to school services.

13. Transportation/Traffic

Impact 13.5: The proposed project promotes the use of alternative transportation systems. Impacts related to potential conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities would be less than significant.

In addition to the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Changes in Air Traffic Patterns:** The anticipated increase in population and employment would not impact air traffic volumes and the project would not include any uses that would change air traffic patterns.

14. Utilities and Service Systems

Impact 14.1: Development allowed by the proposed Specific Plan Amendment would require water supplies from the Cucamonga Valley Water District (CVWD). The Water Supply Assessment (WSA) shows that CVWD has available water supplies to meet the water demands of the project for the next twenty years through 2035, including demands during normal, single dry and multiple dry years. The CVWD has concurred with the findings of the WSA that available water supplies would be adequate to serve the project. Any future development meeting the applicable requirements would have to comply with RR 14-1, regarding compliance with SB 221 and water conservation requirements (refer to RR 14-4 and RR 16-3). Impacts would be less than significant.

Impact 14.3: Wastewater generated by residential, non-residential, and associated uses allowed by the proposed Specific Plan Amendment would be treated at the Inland Empire Utilities Agency's Regional Plant No. 4, which has available treatment capacity. Impacts would be less than significant.

Impact 14.4: Development allowed by the proposed Specific Plan Amendment would be served by a landfill with available capacity. Impacts would be less than significant.

Impact 14.5: Construction and operation associated with implementation the proposed project would be conducted in compliance with applicable statutes and regulations related to solid waste. No impact would occur.

Impact 14.6: Development allowed by the proposed Specific Plan Amendment would require the construction and installation of new electricity, natural gas, and telecommunications infrastructure on site. However, no off-site improvements are needed beyond that planned by utility purveyors. Construction of infrastructure improvements in and immediately adjacent to the project area would result in short-term impacts related to air quality, noise, and traffic. These impacts are addressed in Section 4.2, Air Quality; Section 4.10, Noise; Section 4.6, Greenhouse Gas; and Section 4.13, Transportation and Traffic. No additional impacts related to construction and operation of utility systems would occur.

In addition to the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following areas, as described in the IS:

- **Exceed Wastewater Treatment Requirements of the Applicable Regional Water Quality Control Board:** New development in the City would be required to comply with all applicable wastewater discharge requirements of the National Pollutant Discharge Elimination System program, as enforced by the Santa Ana Regional Water Quality Control Board. Therefore, implementation of the project would not result in an exceedance of wastewater treatment requirements and impacts would be less than significant.

- **Comply with Federal, State, and Local Statutes and Regulations Related to Solid Waste:** The proposed project would be required to coordinate with Burrtec Waste Industries to develop a collection program for recyclables in accordance with local and State programs, including the California Solid Waste Reuse and Recycling Act of 1991. Additionally, the proposed project would be required to comply with applicable practices enacted by the City under the California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939) and any other applicable local, State, and federal solid waste management regulations. In summary, the proposed project would comply with all regulatory requirements regarding solid waste.

15. Agriculture and Forestry Resources

As described in the IS, the project would have no significant impact in the following areas:

- **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to Non-Agricultural Use:** Because the project site is not designated as Prime, Unique, or Statewide Important Farmland, no impact would occur.

- **Conflict with Agricultural Zoning or a Williamson Act Contract:** The project site and surrounding areas are not zoned for agricultural uses, and are not covered under a Williamson Act Contract.

- **Conflict with Zoning for Forest Land or Timberland, Cause Forest Land or Timberland to Be Rezoned, or Result in the Loss or Conversion of Forest Land to Non-Forest Use:** There are no existing forest lands, nor is there zoning for forest lands or timberland in the City, including the project site.

- **Involve Other Changes that Could Result in Conversion of Farmland or Forest Land:** There is no existing farmland, forest lands, or areas zoned for agriculture, or timberlands on the project site or in the immediately surrounding areas.

16. Mineral Resources

As described in the IS, the project would have no significant impact in this area:

- **Loss of Availability of a Known, Valuable Mineral Resource or a Locally Important Mineral Resource Recovery Site:** The project site is not located in an aggregate resource area. Accordingly, no impact to availability of a locally important mineral resource recovery site would occur.

B. FINDINGS WITH RESPECT TO EFFECTS DETERMINED TO BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The EIR identified certain potentially significant effects that could result from the project. However, the City finds for each of the significant or potentially significant impacts identified in this section that based upon substantial evidence in the record, changes or alterations have been required or incorporated into the project which avoid or substantially lessen the significant effects as identified in the Final EIR and, thus, that adoption of the mitigation measures set forth below will reduce these significant or potentially significant effects to less-than-significant levels. Adoption of the recommended mitigation measures will effectively make the mitigation measures part of the project. Impacts and Mitigation Measures are presented below in summary form. For a detailed description of impacts and Mitigation Measures, see the appropriate text in the EIR.

As stated in Part I of these findings, above, the City hereby binds itself to implement these measures as measures built into the design of the Project itself or as conditions of Project approval.

1. Aesthetics

Impact 1.1: While views from the City's designated view corridor on 6th Street would change, northerly views would continue to be available from nearby north-south streets and on site along the Vine. Impacts on scenic vistas would be less than significant.

Implementation of the following measure would ensure that impacts would be less than significant:

PDF 1-1: Section 7.3.4, Development Standards, of the proposed Empire Lakes/Industrial Area Specific Plan (IASP) Sub-Area 18 Specific Plan Amendment includes development standards by Placetype for PAI [Planning Area I], including, but not limited to maximum building heights. Structures shall not exceed 70 feet above ground north of 6th Street, 60 feet above ground south of 6th Street, and 45 feet above ground adjacent to existing residential uses within 20 feet of the PAI boundary line. Compliance with the established height limits shall be confirmed by the City in accordance with implementation provisions outlined in Section 7.7 of the Empire Lakes/IASP Sub-Area 18 Specific Plan.

Impact 1.2: Changes in the visual character of the site (as seen by those traveling along adjacent roadways, adjacent residents, and adjacent employees) would occur with implementation of development allowed by the proposed Specific Plan Amendment. However, development of the proposed buildings and the associated uses in compliance with Regulatory Requirements, the

development standards and design guidelines identified in the proposed Specific Plan Amendment, including height restrictions (refer to PDF 1-1), and PDF 1-2 would create a visually cohesive community that would not substantially degrade the existing visual character or quality of the site and its surroundings.

Implementation of the following measure would ensure that impacts would be less than significant:

PDF 1-2: The construction staging area shall be located as far as possible from residential neighborhoods east of the project site, and perimeter fencing shall be installed to obstruct views from adjacent ground level vantage points into the project site during construction. Implementation of this feature shall be verified by the City during construction.

Impact 1.3: Potentially construction-related lighting impacts would be reduced to a less than significant level with incorporation of MM 1-1 into the proposed project. New sources of light and glare would be introduced with the proposed project; however, adherence to the development standards and design guidelines (architectural and landscape) outlined in the proposed Specific Plan Amendment, would ensure that potential impacts related to light and glare are less than significant.

MM 1-1 Prior to the issuance of grading permits, the Property Owner/Developer shall provide evidence to the City that the contractor specifications require that the construction staging area be located as far as possible from the existing residential development east of the project site to minimize light intrusion. Temporary nighttime lighting installed during construction for security or any other purpose shall be downward-facing and hooded or shielded to prevent light from spilling outside the staging area and from directly broadcasting security light into the sky or onto adjacent residential properties. Compliance with this measure shall be verified by the City's Building and Safety Services Department during inspections of the construction site.

2. Air Quality

No impacts were found less than significant with mitigation.

3. Biological Resources

Impact 3.4: Vegetation and trees on the project site and in the vicinity have the potential to provide suitable nesting opportunities for avian and raptor species. Compliance with the MBTA and Sections 3503, 3503.5, 3511 and 3513 of the California Fish and Game Code, as outlined in RR 3-1 and RR 3-2, and planting of new trees (refer to PDF 6-1), would ensure that potential impacts to nesting birds and raptors are less than significant.

PDF 6-1 The proposed project shall include the planting of a minimum of 5,600 new trees to provide sequestration of CO2 thereby reducing the net GHG emissions attributable to the project.

Impact 3.5: Removal of on-site heritage trees and potential eucalyptus windrows would be conducted in compliance with the City's tree protection policies/requirements, as outlined in RR 3-3 and RR 3-4. No impact would occur related to conflict with tree protection policies or ordinances. Refer to PDF 6-1, which addresses tree planting.

PDF 6-1 is described above.

4. Cultural Resources

Impact 4.1: The proposed project has a low potential to impact unknown archaeological resources; however, this is a potentially significant impact. Implementation of MM 4-1 and MM 4-2 would reduce this impact to a less than significant level:

MM 4-1 Prior to site preparation or grading activities, construction personnel shall be instructed by a qualified Archaeologist and qualified Paleontologist of the potential for encountering unique archaeological and/or paleontological resources and instructed on steps to take in the event such resources are encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that might be expected, the type of activities that may result in impacts, and the legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until a qualified Archaeologist or Paleontologist, as appropriate, assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of archaeological and paleontological resources is prohibited.

MM 4-2 In the event that cultural resources are inadvertently unearthed during excavation and grading activities, the Contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The Property Owner/Developer shall retain a qualified Archaeologist (Project Archaeologist), subject to approval by the City of Rancho Cucamonga, to evaluate the significance of the find and to determine an appropriate course of action. All artifacts except for human remains and related grave goods or sacred objects belong to the Property Owner.

All artifacts discovered at the development site shall be inventoried and analyzed by the Project Archaeologist. If any artifacts of Native American origin are discovered, the Property Owner/Developer and Project Archaeologist shall notify the City of Rancho Cucamonga Planning Department and the appropriate local Native American tribe identified by the Native American Heritage Commission. The significance of

Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the tribe. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling (see RR 4-1). Native American artifacts that cannot be avoided or relocated at the project site shall be prepared in a manner for curation and the Project Archaeologist shall deliver the materials to an accredited curation facility approved by the City of Rancho Cucamonga within a reasonable amount of time.

Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts shall be subjected to curation or returned to the Property Owner, as deemed appropriate.

Once ground-altering activities have ceased or the Project Archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Rancho Cucamonga Planning Department.

A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Rancho Cucamonga Planning Department, shall signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the Archaeological Information Center (AIC) at the San Bernardino County Museum and the Native American tribe, as appropriate.

Impact 4.2: The proposed project has the potential to impact non-renewable paleontological resources, resulting in a potentially significant impact. Implementation of MM 4-1 and MM 4-3 would reduce this impact to a less than significant level.

Please refer to MM 4-1 above.

MM 4-3 If any paleontological resources (i.e., plant or animal fossils) are encountered before or during grading, the Property Owner/Developer shall retain a qualified Paleontologist to monitor construction activities, and to take appropriate measures to protect or preserve them for study. The paleontologist shall submit a report of findings that will also provide specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Where mitigation monitoring is appropriate, the program must include, but not be limited to, the following measures:

- Assign a Paleontological Monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full time during earth-disturbing activities.

- Divert earth-disturbing activities away from the immediate area of the discovery until the Paleontological Monitor has completed salvage. If construction personnel

make the discovery, the grading contractor shall immediately divert construction and notify the Paleontological Monitor of the find.

- Prepare, identify, and curate all recovered fossils for documentation in the summary report and transfer to an appropriate depository (e.g., San Bernardino County Museum).

- Prepare and submit a technical report describing the identification, salvage, evaluation, and treatment of all fossils discovered during grading to the City of Rancho Cucamonga. Transfer collected specimens with a copy of the report to the depository.

5. Geology & Soils

Impact 5.1: With adherence to the City's Building Regulations/2013 CBC and the City's Grading Standards (RRs 5-1 and 5-2), all recommendations presented in the Geotechnical Feasibility Study, and any future site-specific geotechnical investigations (MM 5-1), there would be a less than significant impact related to strong ground shaking.

MM 5-1 Prior to approval of each tentative tract map and/or development application, supplemental geotechnical investigations prepared by a qualified engineer licensed by the State of California to perform such work, shall be provided to the City Engineer. The supplemental geotechnical investigation shall include sampling of representative soils and laboratory tests, as necessary, to confirm the information provided in the Geotechnical Feasibility Study Proposed Mixed-Use Commercial and Residential Development Empire Lakes Golf Course Property Rancho Cucamonga, California (dated March 23, 2015, and prepared by LOR Geotechnical Group, Inc.) (Geotechnical Feasibility Study). The supplemental geotechnical investigation shall incorporate recommendations from the 2015 Geotechnical Feasibility Study, listed below, and shall identify additional site-specific recommendations developed based on the results of the site-specific analysis. Recommendations shall include, but not be limited to, the following areas, as identified in the 2015 Geotechnical Feasibility Study:

- General Site Grading
- Initial Site Preparation
- Preparation of Fill Areas
- Preparation of Foundation Areas
- Engineered Compacted Fill
- Short-Term Excavations
- Slope Construction
- Slope Protection
- Soil Expansiveness
- Foundation Design
- Settlement
- Slabs-on-Grade
- Wall Pressures
- Pavement Design

- Sulfate Protection
- Supplemental Geotechnical Investigation and Plan Reviews
- Construction Monitoring

The City Engineer shall confirm that site-specific recommendations are incorporated into the project.

Impact 5.4: With adherence to the City's Building Regulations/2013 CBC, the City's Grading Standards (RR 5-1 and RR 5-2), and all recommendations presented in the Geotechnical Investigation and future site-specific geotechnical investigations and grading plan submittals (RR 5-2 and MM 5-1 through MM 5-3), there would be a less than significant impact related to unstable soils if encountered on the site.

Please refer to MM 5-1, above.

MM 5-2 The final grading plan, appropriate certifications and compaction reports shall be completed, submitted, and approved by the Building and Safety Official prior to the issuance of building permits.

MM 5-3 A separate grading plan check submittal shall be required where improvements being proposed would generate 50 cubic yards or more of combined cut and fill. The grading plan shall be prepared, stamped, and signed by a California registered Civil Engineer.

Impact 5.5: With adherence to the City's Building Regulations/2013 CBC, the City's Grading Standards (RR 5-1 and RR 5-2), and all recommendations presented in the Geotechnical Investigation and in future site-specific geotechnical investigations (RR 5-2 and MM 5-1), there would be a less than significant impact related to expansive soils if encountered on the site.

Refer to MM 5-1, above.

6. Greenhouse Gas Emissions

Impacts 6.1 and 6.2: With project implementation in accordance with RR 6-1 through RR 6-4, and incorporation of PDF 6-1 and MM 6-1 into the proposed project, the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment nor would the proposed project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

PDF 6-1 The proposed project shall include the planting of a minimum of 5,600 new trees to provide sequestration of CO2 thereby reducing the net GHG emissions attributable to the project.

MM 6-1 Prior to the issuance of each building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga

demonstrating that high efficiency non-incandescent light bulbs and lighting fixtures shall be installed in residential and non-residential buildings, and Energy Star-rated appliances for clothes washers, dish washers, refrigerators, and fans shall be installed in all residences. Alternatively, the Property Owner/Developer or its contractors shall submit for approval alternate measures to provide GHG emissions reductions equivalent to those achieved by the installation of high-efficiency lighting and Energy Star appliances, which is 814 MTCO2e per year, as shown in Table 4.6-14

7. Hazards and Hazardous Materials

Impact 7.3: The project site is within the Airport Influence Area for the LA/Ontario International Airport. With adherence to the requirements of the Ontario International Airport Land Use Compatibility Plan (RR 7-4) and proposed Specific Plan Amendment (PDF 7-1), the proposed project would not result in safety hazard to people residing or working on the site or in the project area. There would be a less than significant impact.

PDF 7-1 As identified in Table 7.4, Development Standards, of the proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment, and in compliance with the height restrictions identified in Section 5.3.2 of the Empire Lakes/IASP Sub-Area 18 Specific Plan, primary buildings in PAI [Planning Area I] north 6th Street shall not exceed 70 feet and primary buildings south of 6th Street shall not exceed 60 feet.

8. Hydrology and Water Quality

No impacts were found less than significant with mitigation.

9. Land Use

No impacts were found less than significant with mitigation.

10. Noise

Impact 10.1: The proposed project would result in less than significant increases in long-term ambient noise levels from project-generated traffic to off-site sensitive receptors, and at residences adjacent to the project site from noise generated on-site by traffic on project site roads. Potential noise impacts to on-site and off-site residential uses from operation of proposed uses in PAI [Planning Area I] would be less than significant with adherence to the noise standards outlined in the City's Development Code and the California Building Standards Code (refer to RR 10-3, and RR 10-4).

Implementation of the following Project Design Feature would also ensure that impacts would be less than significant:

PDF 10-1 As identified in Section 7.3.4(b), Rail Road Edge, of the proposed Specific Plan Amendment, a solid wall shall be installed along the northern property line to provide noise reduction and a visual barrier from the adjacent rail line. The wall shall be at least six feet high. Where feasible, a berm, or berm-wall combination may be used.

Impact 10.2: The proposed project would result in potentially significant construction vibration annoyance impacts to residents of adjacent buildings (from heavy equipment operation close to buildings). MM 10-1 would be incorporated into the project to reduce impacts to a less than significant level. There would be a less than significant impact for structural vibration impacts. Long-term vibration impacts to residences within 200 feet of the railroad tracks north of the project site would be potentially significant. MM 10-2 would be incorporated into the project to require a vibration analysis prior to the approval of building permits. With MM 10-2, impacts would be less than significant.

MM 10-1 Prior to the issuance of each grading permit, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the equipment to be used for demolition and grading that would occur within 25 feet of an off-site structure shall not include vibratory rollers, large bulldozers, or similar heavy equipment. Vibratory rollers operated in the static mode would be allowed.

MM 10-2 Prior to issuance of building permits for buildings within 200 feet of the railroad tracks north of the project site, the Property Owner/Developer shall submit a vibration analysis to the City of Rancho Cucamonga Building Official that demonstrates that anticipated building vibrations, based on the best available forecast of future rail operations, would not exceed the vibration impact criteria recommended by the Federal Transit Administration or similar authority. The vibration analysis shall describe if increased setback or vibration-reducing structural building elements are required to achieve the performance standard.

11. Population and Housing

No impacts were found less than significant with mitigation.

12. Public Services

Impact 12.1: If not already addressed through a separate agreement, the proposed/potential Development Agreement would include provisions regarding the Rancho Cucamonga Fire Protection District's (RCFPD) fair market value acquisition of property under common ownership as the Project Applicant for a future fire station (PDF 12-4). Additionally, implementing the

proposed project in compliance with applicable regulations related to fire protection service (refer to RR 12-1), and increases in property taxes collected by the RCFPD would ensure that impacts to fire protection services resulting from the project are less than significant.

PDF 12-4 The proposed/potential Development Agreement for the proposed project, or separate agreement between the City and the Property Owner/Developer or entity under common ownership, shall address the Rancho Cucamonga Fire Protection District's (RCFPD) acquisition, at fair market value, of the property at Assessor Parcel Number No. 1077-422-58, or other site acceptable to the Rancho Cucamonga Fire Protection District (RCFPD) for a potential future fire station within 0.5-mile of the identified fire station site. A purchase and sale agreement shall be executable immediately upon granting of any final approvals for the General Plan Amendment and Specific Plan Amendment. If no final approvals are granted the purchase and sale agreement may only be executed if both parties mutually agree.

Impact 12.2: The proposed project would not require the provision of new or physically altered off-site police protection facilities; however, an on-site substation shall be required in the future. The on-site police substation would be accommodated in the joint-use facility to be constructed as part of the project to accommodate the Community Services and Library Services departments (refer to PDF 12-2), and there would be no physical impacts to the environment beyond those addressed in this Draft EIR. Additionally, the Property Owner/Developer would pay the City's required Police Impact Fee (refer to RR 12-2), and any fees established through a Community Facilities District (or similar mechanism). With the construction of the required on-site police substation, and payment of the required fees, the project would result in a less than significant impact related to police services.

PDF 12-1 In compliance with Section 7.4.1, Site Planning Criteria, of the proposed Specific Plan Amendment, appropriate Crime Prevention Through Environmental Design (CPTED) features, as determined by Rancho Cucamonga Police Department (RCPD) in coordination with the Community Services Department and the Public Works Service Department, shall be implemented in Planning Area I. CPTED features incorporated into the design of spaces shall include, but not be limited to, territorial reinforcement, strategic natural surveillance, well-lit spaces, and appropriate maintenance. CPTED review of each proposed development shall be completed by the RCPD prior to issuance of building permits. Additionally, infrastructure to support the RCPD electronic systems shall be provided; the systems to be installed shall be coordinated with and approved by the RCPD.

PDF 12-2 To provide space for the Library Services, Community Services, and Police Departments, and ancillary use by the Public Works Department, a Joint Use Public Facility shall be accommodated within PAI [Planning Area I]. The provisions for ensuring implementation of this facility in PAI shall be outlined in the proposed Development Agreement between the Project Applicant and the City. The resources provided by the Joint Use Public Facility shall be sufficient to adequately serve the future project residents, employees and visitors, as determined by the City. The final size, location, operational requirements, and design features of the facility shall be determined during the master planning stage of the area north of 6th Street in coordination with the respective City departments. It is expected that the Joint Use Public Facility would be up to 25,000 sf, and the square footage would be within the

maximum amount of non-residential development allowed by the proposed Specific Plan Amendment.

In the event the Development Agreement is not approved, establishment of provisions for implementation of a Joint Use Public Facility within PAI shall be required as a Condition of Approval. The condition shall be included in the Mitigation Monitoring Program and specify that construction of the facility shall commence no later than the issuance of the building permit for the 2,000th residential dwelling unit.

Impact 12.4: The proposed project would increase the demand for library services provided by the City. The Property Owner/Developer would implement an onsite joint use facility to be used for library services (PDF 12-2), or provide an alternative community benefit agreed to by the City and Property Owner/Developer, and would pay the required City's Library Impact Fee (refer to RR 12-2). Therefore, the project would result in a less than significant impact related to library services.

Refer to PDF 12-2, above.

Impacts 12.5, 12.6 and 12.7: With incorporation of park, recreation, and community facilities into the proposed development in PAI [Planning Area I], including a joint-use public facility (refer to PDF 12-2 and PDF 12-3); adherence to the City's Local Park Ordinance (refer to RR 12-3); and payment of the required impact fees (refer to RR 12-2); the project would result in a less than significant impact related to the need to provide new or expanded park and recreational facilities and the potential for physical deterioration of park and recreation facilities due to increased use.

Refer to PDF 12-2, above.

PDF 12-3 As shown on Exhibit 3-4, Conceptual Development Plan by Placetype, the Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment includes three central community recreation (REC) areas (approximately 6.8 acres) and a 0.6-acre Urban Plaza. The (REC) areas may include the following types of amenities: fitness area, pool and spa, community meeting rooms, and plaza space.

13. Transportation/Traffic

Impacts 13.3 and 13.4: The proposed project provides adequate project access and an internal circulation system (refer to PDF 13-1), which would be in compliance with applicable requirements for emergency access (refer to RR 12-1). The proposed project would not create traffic hazards or result in inadequate emergency access. Impacts would be less than significant.

PDF 13-1 The Property Owner/Developer shall construct the following intersection improvements at the project access locations:

- 7th Street and Cleveland Avenue: Side-street stop control
- 7th Street and Anaheim Place: Side-street stop control
- 6th Street and Project Access: Signalized intersection
- 4th Street and Project Access: Signalized intersection
- Site access improvements at the Metrolink Transit Station.

14. Utilities and Service Systems

Impact 14.2: Development allowed by the proposed Specific Plan Amendment would require the construction of new water, recycled water, and sewer lines on site. However, no off-site improvements are needed. Construction of infrastructure improvements within and immediately adjacent to the project area would result in short-term impacts related to air quality, noise, greenhouse gas and traffic. These impacts are addressed in Section 4.2, Air Quality; Section 4.10, Noise; Section 4.6 Greenhouse Gas, and Section 4.13, Transportation and Traffic. No additional impacts related to construction and operation of utility systems would occur.

The following measure would ensure that impacts would be less than significant:

PDF 14-1 The 12-foot 8-inch Metropolitan Water District (MWD) Meadow Upper Feeder located in the existing 40-foot-wide easement that traverses the northern portion of the project site shall be protected in place during construction. Any encroachment to the easement during construction would be conducted in compliance with applicable MWD encroachment specifications.

15. Agriculture and Forestry Resources

No impacts were found less than significant with mitigation.

16. Mineral Resources

No impacts were found less than significant with mitigation.

C. FINDINGS WITH RESPECT TO SIGNIFICANT EFFECTS THAT CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

Note that impacts and analyses are presented below in summary form. For a full description of impacts, see the appropriate text in the EIR, which the Council hereby incorporates by reference into these Findings. Only impacts related to Air Quality, Noise, Population and Housing and Transportation were found to be significant and unavoidable.

CEQA requires that all feasible and reasonable mitigation be applied to reduce the Project's impacts. Although the following mitigation measures will not reduce impacts to a less than significant level, the City binds itself to implement these measures in order to lessen the impacts to the greatest extent feasible.

2. Air Quality

Impact 2.1: Significant and unavoidable conflict with the SCAQMD's 2012 AQMP due to long-term emissions of nonattainment pollutants exceeding SCAQMD significance thresholds and project trip generation substantially greater than trip generation anticipated in the General Plan for PAI [Planning Area I].

There is no feasible mitigation that would lessen or eliminate this impact, because even after implementation of all feasible measures discussed in Impact 2.2 below, the project would remain in conflict with SCAQMD's 2012 AQMP because the project was not included in the SCAQMD's projected growth estimates so the project remains inconsistent with the AQMP but provides mitigation recommended by SCAQMD.

Impact 2.2: Regional and local construction emissions would be less than significant with the incorporation of MM 2-1 and MM 2-2. Even with incorporation of MM 2-3 through MM 2-6, long-term regional operational emissions of O3 precursors (VOC and NOx), CO, PM10, and PM2.5 due to mobile and consumer product sources would be significant and unavoidable.

MM 2-1 Prior to issuance of each grading and building permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that construction documents require construction contractors to implement the measure listed below. The contractor shall comply with the identified requirements, and verification that the contractor has complied shall be confirmed by the Building and Safety Services Department during construction.

All off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by the California Air Resources Board (CARB). Any emissions-control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

A copy of each unit's certified Tier specification shall be provided to the Building and Safety Services Department at the time of mobilization of each applicable unit of equipment.

MM 2-2 Construction activities for future development within PAI [Planning Area I] shall include the following measures to reduce criteria pollutant emissions. These measures shall be incorporated into the contractor specifications and shall be verified during review of project plans and specifications and during construction.

- All construction equipment shall be maintained in good operating condition so as to reduce operational emissions. The contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturers' specifications. Maintenance records shall be available at the construction site for City verification.

- The construction contractor shall utilize electric or clean alternative fuel-powered equipment where feasible.

- The construction contractor shall ensure that construction-grading plans include a statement that work crews will shut off equipment when not in use.

MM 2-3 Prior to the issuance of each non-residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits.

- For buildings with 25,000 square feet or more net area and with more than ten tenant-occupants (i.e., employees), changing/shower facilities shall be provided as specified in Section A5.106.4.3, Nonresidential Voluntary Measures, of the California Green Building Standards (CALGreen) Code.

- Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1, Nonresidential Voluntary Measures, of the CALGreen Code.

- Facilities shall be installed to support future electric vehicle charging at each non-residential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3, Nonresidential Voluntary Measures (Tier 1), of the CALGreen Code.

MM 2-4 Prior to the issuance of each residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs or specifications. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits.

- One- and two-family dwellings shall provide for the future installation of electric vehicle charging, as specified in Section A4.106.8.1, Residential Voluntary Measures, of the CALGreen Code.

- Visitor parking shall include preferentially located parking spaces for alternative-fueled vehicles.

- Bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5).

MM 2-5 Prior to issuance of each building permit for parking structures and parking lots with 20 or more parking spaces, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the parking facility. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits.

- The parking facility shall include a minimum of five percent preferentially located parking spaces for alternative-fueled (electric, natural gas, or similar low-emitting technology) vehicles.

- The parking facility shall include at least one electric vehicle charging station. Electrical lines shall be designed and sized to add additional charging stations for up to three percent of the total parking spaces when a demand is demonstrated. The design and installation shall be consistent with Section A4.106.8.2, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5).

- For residential parking facilities, bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen code.

MM 2-6 Once constructed, the Property Owner/Developer shall ensure that the tenants/operators of non-residential uses include the following features and procedures. Proof of compliance shall be provided to the City of Rancho Cucamonga within one month following the issuance of each occupancy permit.

- Post signs requiring that trucks shall not be left idling for prolonged periods (i.e., in excess of 5 minutes, as required by State law).

- Post both bus and Metrolink schedules in conspicuous areas.

- Configure the employee work schedules around the Metrolink schedule to the extent reasonably feasible.

Impact 2.3: The proposed project would result in less than significant cumulative regional and local construction emissions with the incorporation of MM 2-1 and MM 2-2. The project would result in significant and unavoidable cumulative long-term regional emissions of O3 precursors (VOC and NOX), PM10, and PM2.5, all nonattainment pollutants, due to mobile and consumer products sources. As described for Threshold 2.2, even with implementation of MM 2-2 through MM 2-4, operational VOC, NOx, PM10, and PM2.5 emissions would exceed the significance thresholds and could contribute to existing violations of the O_3 and PM10 standards (VOC and NOx are O_3 precursors).

Please refer to MMs 2-1 through MM 2-6 above.

10. Noise

Impact 10.3: Construction of the proposed uses would result in temporary construction noise impacts from site preparation, demolition, grading, concrete and asphalt crushing, green waste mulching, and similar construction activities. Compliance with RR 10-1 and implementation of MM 10-3 through MM 10-5 would reduce impacts; however, because of the proximity of construction to existing structures, some of these activities may not be reduced to less than 65 dBA at residential receptors and 70 dBA at industrial or commercial receptors, this impact is considered significant and unavoidable under the City's Development Code.

MM 10-3 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences, the Property Owner/Developer shall submit construction plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the installation of a temporary noise barrier between the construction area and the adjacent residences is required. The barrier shall be 12 feet high and solid from the ground to the top. The barrier shall be constructed with plywood that is at least ½ inch thick or with another material that creates a noise transmission loss of at least 20 dBA. For maximum effectiveness, the barrier shall be located as close as feasible to the residences or as close as feasible to the noise sources. Where feasible, the barrier shall remain in place until the completion of construction near residences.

MM 10-4 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences or within 325 feet of commercial or industrial buildings, the Property Owner/Developer shall submit a construction-related noise mitigation plan to the Rancho Cucamonga Planning Department. The plan shall depict the location of the construction equipment and how the noise from this equipment would be mitigated during construction of the project. The plan shall demonstrate that the construction plans and specifications include the following noise-abatement, notification, and control measures:

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State-required noise-attenuation devices.
- Stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- On-site and off-site construction haul routes shall be designed to avoid noise-sensitive uses, as feasible.
- If a perimeter block wall is required for a project, the wall shall be constructed as early as possible during the first phase of construction.
- A "Construction Noise Coordinator" shall be identified. The Construction Noise Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Construction Noise Coordinator shall notify the City within 48 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler) and shall implement reasonable measures to resolve the compliant, as deemed

acceptable by the Planning Department. Signs shall be posted at the construction that include the contact information for the Construction Noise Coordinator.

MM 10-5 Prior to the issuance of each permit for site clearing and demolition, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that, if crushing, grinding, chipping or similar equipment is to be used, the equipment must be located at least 500 feet from residences and at least 300 feet from commercial or industrial buildings and oriented so that the noisiest side is facing away from the residences.

Impact 10.4: With implementation of MM 10-6 through MM 10-8, potential impacts related to operational noise that exceeds the General Plan noise and land use compatibility levels would be reduced to less than significant levels. Construction noise would potentially exceed the noise level limits established in the City's Development Code. With implementation of RR 10-1 and MM 10-3, MM 10-4, and MM 10-5, impacts from construction noise that exceed the City Development Code requirements would be reduced, but not to a less than significant level. This impact is significant and unavoidable.

Refer to MM 10-3 through MM 10-5 above.

MM 10-6 Prior to issuance of building permits for buildings adjacent to 4th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 4th Street. The Property Owner/Developer shall also submit plans and specifications showing that:

- All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.
- All exterior use areas within 200 feet of 4th Street shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.

MM 10-7 Prior to issuance of building permits for buildings adjacent to 6th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 6th Street. The Property Owner/Developer shall also submit plans and specifications showing that:

- All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.
- All exterior use areas shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.

MM 10-8 Prior to issuance of building permits for buildings facing adjacent to or near the northern property line, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing the rail line. The Property Owner/Developer shall also submit plans and specifications showing that:

- All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.

11. Population and Housing

Impact 11.1: Although the proposed project would be consistent with local, regional, at State policies that encourage mixed use higher density housing development near employment centers and transit opportunities, the proposed project could induce substantial housing and population growth in the City and region beyond the currently adopted growth forecasts, resulting in a significant and unavoidable project impact. The project would have a less than significant impact related to employment.

The project was not included in the City's General Plan, which assumed continued operation of the golf course, hence the project is inconsistent with the Population and Housing projections. However, there is no feasible mitigation to reduce the significance of this impact because it is not consistent with Project objectives or the principles of the General Plan to incorporate changes into the project that would avoid inducing housing and population growth in the City. For the City's analysis of lower-density alternatives to the Project, please see Section VI of these Findings and Section 5.0 of the EIR.

13. Transportation/Traffic

Impacts 13.1 and 13.2: Vehicle trips generated by operation of the proposed project would lead to study area intersections and freeway facilities operating at deficient LOS (exceeding City of Rancho Cucamonga, City of Ontario, and/or Caltrans standards). Implementation of RR 13-2 and RR 13-3, and MM 13-1 through MM 13-4, would reduce impacts, but some impacts would remain significant due to the lack of feasible mitigation or because the project Property Owner/Developer or the City of Rancho Cucamonga cannot guarantee the implementation of improvements in another jurisdiction which they do not control.

Specifically, the proposed project would result in significant and unavoidable project impacts at one study area intersection, which is also a San Bernardino County Congestion Management Plan (CMP) intersection, under the Existing Plus Project traffic analysis scenario, and at seven study area intersections (including 5 CMP intersections) under the Completion Year 2024 Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable impacts along segments of Interstate (I) 10 and I-15 and at I-10 and I-15 on- and off-ramps under these traffic analysis scenarios; I-10 and I-15 are also CMP facilities.

The proposed project would result in significant and unavoidable cumulative impacts at four study area intersections (including 3 CMP intersections) under the Cumulative Year (2036) Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable cumulative impacts along segments of I-10 and I-15 and at I-10 and I-15 on- and off-ramps under this traffic analysis scenario; I-10 and I-15 are also CMP facilities.

PDF 13-1 The Property Owner/Developer shall construct the following intersection improvements at the project access locations:

- 7th Street and Cleveland Avenue: Side-street stop control
- 7th Street and Anaheim Place: Side-street stop control
- 6th Street and Project Access: Signalized intersection
- 4th Street and Project Access: Signalized intersection
- Site access improvements at the Metrolink Transit Station.

MM 13-1 Prior to the issuance of the first occupancy permit, and in coordination with the City of Rancho Cucamonga, the Property Owner/Developer shall implement the following intersection improvements:

2. **Foothill Boulevard and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length.

3. **Foothill Boulevard and Rochester Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length.

4. **Foothill Boulevard and Day Creek Boulevard.** Convert the rightmost northbound through lane into a through/right shared lane.

7. **Arrow Route and Haven Avenue.** Modify the southbound approach from having two left turn lanes, two through lanes, and one through/right shared lane to having two left turn lanes, three through lanes, and one right turn lane (MM 13-1).

8. **Arrow Route and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would require changing the coordinated cycle length.

13. **6th Street and Haven Avenue.** To achieve additional lanes on the northbound and westbound approach, modify the northbound approach from having two left-turn lanes, two through lanes, and one shared through/right-turn lane to having two left-turn lanes, three through lanes, and one right-turn lane. Modify the westbound approach from having one left-turn lane, two through lanes, and one right-turn lane to having two left-turn lanes, two through lanes, and one right-turn lane.

14. **6th Street and Cleveland Avenue.** Install a traffic signal and signal interconnect and other appropriate traffic signal hardware to ensure coordination with upstream and downstream signals. This improvement is consistent with planned improvements within the City of Rancho Cucamonga's DIF Program

(refer to RR 13-2), and the Property Owner/Developer may be eligible for partial reimbursement with implementation of this mitigation measure.

MM 13-2 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that optimization of the PM-coordinated cycle lengths, and/or adjustment and optimization of the coordinated maximum splits for the PM signal timing plan, as appropriate, at the City of Ontario's **4th Street and Haven Avenue, 4th Street and Milliken Avenue,** and **Inland Empire Boulevard and Haven Avenue** intersections have been completed, and that the coordinated cycle length for other locations these intersections are in coordination with have been re-evaluated, if required.

MM 13-3 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that adjustment and optimization of coordinated maximum splits for the PM signal timing plan at the Caltrans intersection of **I-10 Westbound Ramps-Ontario Mills Parkway and Milliken Avenue** has been completed. This would not require changing the coordinated cycle length.

MM 13-4 Prior to issuance of buildings permits, the Property/Owner Developer shall pay its fair share fee to the City of Rancho Cucamonga for the following measures required to mitigate Cumulative Year (2036) Plus Project conditions:

- **Foothill Boulevard and Day Creek Boulevard.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.

- **6th Street and Haven Avenue.** Adjust, optimize and maintain the coordinated the PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.

- **6th Street and Milliken Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.

The fair share payment amount shall be established by the City of Rancho Cucamonga Engineering Department. The timing of implementation of the improvements shall be determined by the City and, to the extent feasible, shall be completed by the City in the timeframe necessary to avoid identified significant cumulative impacts.

MM 13-5 Prior to the issuance of a demolition permit or grading permit, whichever occurs first, the Property Owner/Developer shall submit a Traffic Control Plan to the Engineering Services Department for review and approval. The Traffic Control Plan shall describe in detail safe detours and provide temporary traffic control during construction activities for the project. To reduce traffic congestion, the Plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls (e.g., a flag person) during all phases of construction to maintain smooth traffic flow; dedicated turn lanes for movement of construction trucks and equipment on and off site; scheduling of construction activities that affect traffic flow on the arterial system to off-peak hours; consolidation of truck deliveries; rerouting of

construction trucks away from congested streets or sensitive receptors; and/or signal synchronization to improve traffic flow.

IV. FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH-INDUCING IMPACTS, AND ENERGY CONSERVATION

A. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project. Generally, a project would result in significant irreversible environmental changes if the following occurs:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

The project site has historically been used for agricultural purposes and was developed as a golf course in the mid-1990s. The proposed project would permanently alter the site by converting the existing golf course to a mixed-use community. Because no agricultural uses, sensitive biological resources, or significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site.

Construction and long-term operation of the proposed project would require the commitment and reduction of nonrenewable and/or slowly renewable resources, including petroleum fuels and natural gas (for vehicle emissions, construction, lighting, heating, and cooling of structures) as well as lumber, sand/gravel, steel, copper, lead, and other metals (for use in building and roadway construction and utility infrastructure). Other resources that are slow to renew and/or recover from environmental stressors would also be impacted by project implementation; these include air quality (through the combustion of fossil fuels and production of greenhouse gases) and water supply (through the increased potable water demands for drinking, cleaning, landscaping, and general maintenance needs).

An increased commitment of public services (e.g., police, fire, school, sewer, and water services) would also be required. Project development is an irreversible commitment of the land, energy resources, and public services. After the 50- to 75-year structural lifespan of the buildings is reached, it is improbable that the site would revert to permanently undeveloped conditions due to the large capital investment that will already have been committed.

B. GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines provides the following guidance on growth-inducing impacts: a project is identified as growth inducing if it "could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." To address this issue, Section 6.2 of the EIR examines whether the project would remove obstacles to growth, whether the project would result in the need to expand one or more public services to maintain desired levels of service, whether the project would encourage or facilitate economic effects that could result in other activities that could significantly affect the environment, and whether approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment.

1. Would this project remove obstacles to growth?

Existing roadways would be extended into the site and new roadways built on the site to serve individual structures and development. Roadway improvements proposed as mitigation for traffic impacts would serve the project and anticipated development in the area but would not provide the additional capacity to induce unplanned growth. As identified in Section 4.14 of the EIR, Utilities and Service Systems, the proposed Specific Plan Amendment would not involve development that would establish an essential public service or utility/service system. The project site and surrounding areas are already served by essential public services and an extensive network of utility/service systems and the other infrastructure necessary to accommodate or allow the existing conditions and planned growth.

The existing utility/service systems in the vicinity of the project site can serve the development allowed by the proposed Specific Plan Amendment with connections to on-site facilities. It should be noted that the Rancho Cucamonga Municipal Utility (RCMU) does not currently provide electricity service to the project site; however, it does plan to provide this service with an extension of a new electricity line to the project site. Electricity would also be available to the project site from adjacent Southern California Edison (SCE) facilities. The utility infrastructure installed as part of the proposed project would be sized and located expressly to serve the proposed project, and would not, therefore, induce growth in the project vicinity. Further, future development would be reviewed on a project-by-project basis at the time of proposed construction in order to determine the utility/service systems necessary to serve the proposed land uses.

With respect to changes in existing regulations pertaining to land development, the proposed project involves a General Plan Amendment to change the land use designation for the project site from "Open Space" to "Mixed Use", and a Zoning Amendment to update text related to the Mixed Use zone. These discretionary actions would allow for the development of a mixed-use community with up to 3,450 residential units, 220,000 square feet (sf) of non-residential development, and other supporting uses on the approximate 160.4-acre project site, which is currently developed with a golf course. The location of the project site adjacent to the Rancho Cucamonga Metrolink Station provides a unique opportunity for development of a dense urban community near transit. This is consistent with the General Plan's land use growth strategy, which focuses on the following three objectives:

- Protect and maintain established residential neighborhoods.
- Target new infill development opportunities.
- Integrate land use and transportation.

While the proposed General Plan and Zoning amendments would allow for growth at the project site that is not currently anticipated in the City's General Plan, approval of the project and these discretionary actions would not lead to similar regulatory changes that would remove an obstacle

to growth, because the areas adjacent to the project site are currently developed or are already planned for development. Additionally, as discussed in Section 4.9, Land Use and Planning, the proposed project would be consistent with the goals and policies of the City's General Plan and other relevant planning documents that address development in the City. The proposed project is not, therefore, considered to be growth inducing with respect to removal of obstacles to growth.

Refer to the discussion of Item 3 below, which addresses potential opportunities for redevelopment, revitalization or intensification of areas in the vicinity of the project site.

2. Would this project result in the need to expand one or more public services to maintain desired levels of service?

As discussed in Section 4.12, Public Services and Recreation, of the EIR, the proposed project would increase the demand for public services (police, fire, schools, libraries, and parks and recreational facilities). Based on input from the Community Services, Library Services, Police and Fire departments, new facilities would ultimately be needed to serve future residents of the proposed project and other development in the City that is or would be underserved in the future. As identified in PDF 12-2 in Section 4.12, as part of the proposed project, a Joint Use Public Facility would be implemented in PAI [Planning Area I] to accommodate the needs of the Rancho Cucamonga Community Services, Library Services, and Police departments. This facility would be available not only to future residents of the proposed project, but other residents in the City. With implementation of the community benefit as part of the project, project impacts related to parks/recreation, libraries and police protection would be less than significant. The proposed project would also contribute to the need for a new fire station to in order to provide an adequate level of fire protection service throughout the RCFPD's response system. To facilitate the eventual construction of a new fire station, and if not already addressed through a separate agreement, the proposed/potential Development Agreement would include provisions regarding the RCFPD's fair market value acquisition of property under common ownership as the Project Applicant. With this provision in an executed agreement, the project's impact on the response system that is not addressed by the increase in property taxes would be less than significant.

Additionally, funding mechanisms are in place through existing regulations and standard practices to accommodate growth in the City, including the proposed project. This project would not, therefore, have significant growth-inducing consequences with respect to public services.

3. Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

During project construction, a number of design, engineering, and construction-related jobs would be created. This would last until project construction is completed (assumed to be up to eight years). This growth in employment would be an indirect, growth-inducing effect of the proposed project.

As further discussed in Section 4.11, Population and Housing, of the EIR, buildout of the maximum amount of development allowed by the proposed Specific Plan Amendment would result in up to 3,450 residential units and 220,000 sf of non-residential uses. This could generate up to 10,488 new residents and approximately 341 net new employment opportunities. The increase in housing and population at the project site was not anticipated in the City of Rancho Cucamonga General Plan, which estimates the buildout conditions for the City (by 2030), or SCAG's 2012-2035 Regional Growth Forecasts. The adopted growth forecasts anticipate the continued operation of a golf course at the project site. Therefore, the housing and associated population growth resulting from implementation is considered a significant and unavoidable project impact for purposes of the

CEQA analysis. However, it is important to note that the proposed project would be consistent with local, regional, at State policies that encourage mixed use, higher density housing development near employment centers and transit opportunities (refer the policy consistency analysis provided in Section 4.9, Land Use and Planning, of the EIR.

With respect to employment, the City's General Plan estimates that there will be 103,400 employment opportunities in the City and SOI by 2030. Compared to the 2013 employment estimate of 72,600 jobs, this represents an increase of 30,800 jobs. Therefore, the employment generation estimated for the proposed project (net increase of 341 employees) represents approximately one percent of the total employment generation anticipated in the City and SOI with buildout of the General Plan. Further, it is expected that the short-term construction jobs and new positions during operation would be filled by workers who already reside in the local area or region.

As residential development occurs onsite, project residents and employees would seek shopping, entertainment, employment, home improvement, auto maintenance, and other economic opportunities in the surrounding area. In addition to the proposed non-residential uses, the proposed project is located near and within walking distance of existing employment and retail areas in the cities of Rancho Cucamonga and Ontario, which would help serve the employment and shopping needs of the future residents. However, the increased demand for such economic goods and services could encourage the creation of new businesses and/or the expansion of existing businesses that address these economic needs. This growth may be experienced in the areas in proximity to the project site that are either currently undeveloped or underutilized. However, this type of growth is already anticipated in the City's General Plan, even without the proposed project. Notably, the areas surrounding the project site within Industrial Area Specific Plan (IASP) Sub-Area 18, including the Rancho Cucamonga Metrolink Station, are designated as "Mixed Use Areas" in the City's General Plan. The intent of the Mixed Use designation in this area is to:

- Promote planning flexibility to achieve more creative and imaginative employment-generating designs.
- Integrate a wider range of retail commercial, service commercial, recreational, and office-related uses in this industrial area of the City.
- Allow for the sensitive inclusion of high-density residential development that offers high-quality multi-unit condominiums and apartments for employees desiring housing close to work and transit.

Additionally, as shown in the aerial photograph provided in Exhibit 4.9-6 in Section 4.9, Land Use and Planning, there are parcels immediately south of the project site that are currently undeveloped; however, this area is already planned for mixed use development associated with the approved Piemonte at Ontario Center. The approved development includes approximately 1.29 million sf of mixed retail, commercial, office, hotel and multi-family residential units at buildout (Ontario 2006).

Therefore, implementation of residential and non-residential uses allowed by the proposed Specific Plan Amendment would support existing uses in the area, and could encourage or facilitate the growth envisioned in the City of Rancho Cucamonga General Plan and planned in the City of Ontario.

4. Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

As identified above, the proposed project involves a General Plan Amendment and Zoning Amendment to allow for development of the proposed mixed use community, which is consistent with planning policies that encourage the introduction of higher density, mixed use development near transit to decrease dependency on the automobile and to reduce associated air pollution GHG emissions. However, no changes to any of the City's building safety standards (i.e., building, grading, plumbing, mechanical, electrical, fire codes) are proposed or required to implement this project. In addition to project design features and regulatory requirements, project-specific MMs have been identified in Sections 4.1 through 4.14 of this Draft EIR to ensure that implementation of the project complies with all applicable City plans, policies, and ordinances. This ensures that there are no conflicts with adopted land development regulations and that environmental impacts are minimized. The proposed project does not propose any precedent-setting actions that, if approved, would specifically allow or encourage other projects and resultant growth to occur.

C. ENERGY CONSERVATION

Section 21100(b)(3) of the *California Public Resources Code* and Appendix F to the CEQA Guidelines require a discussion of potential energy impacts of proposed projects. Appendix F states:

> The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:
>
> (1) Decreasing overall per capita energy consumption,
> (2) Decreasing reliance on fossil fuels such as coal, natural gas and oil, and
> (3) Increasing reliance on renewable energy sources.

Appendix F of the CEQA Guidelines also identifies that "EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy."

Section 6.3 of the EIR contains the required discussion of these issues, which is summarized below.

1. Short-Term Construction

For dust control, it is estimated that approximately 11.63 million gallons of water would be used during grading activities and 10 million gallons of water would be used during the building phases. A total of 606,959 kWh of electricity from water consumption, 670,939 gallons of diesel fuel, 927,377 gallons of gasoline, and 45.65 MWh of electricity from water consumption is estimated to be consumed during project construction. To reduce impacts, reclaimed water would be used for dust control, resulting in an estimated 81 percent savings in electricity use as well as the savings of potable water.

Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. The project also implements MM 2-2 which requires equipment to be properly maintained, minimize idling, and use electric or clean alternative fuel equipment where feasible. Furthermore, there are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the State. For comparison, the State of California consumed 14.70 billion gallons of gasoline and 2.78 billion gallons of diesel fuel in 2014 (BOE 2015a, 2015b). The estimated construction energy consumed by the proposed project would be spread over the

approximate eight year construction duration. Therefore, the proposed construction activities would not result in inefficient, wasteful, or unnecessary fuel consumption.

2. *Transportation*

The proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment involves the development of a mixed use community that would decrease dependency on the automobile by locating new housing near existing and planned employment-generating uses, local regional activity centers, and transit service. The overall circulation concept for the proposed project places an emphasis on pedestrian, bicycle, and vehicular connectivity emanating from the Metrolink Transit Station and major circulation corridors. The Vine provides a backbone of multi-modal connectivity from 4th Street to the Metrolink Transit Station, connecting all neighborhoods in between. This pedestrian-scaled roadway includes vehicular lanes, sharrows, on-street parking, and a variable median. To facilitate non-vehicular travel, the project would include bicycle parking facilities.

Additionally, as described in Section 4.2, Air Quality of this Draft EIR, mitigation measures (MMs) have been incorporated into the project to reduce vehicle emissions. MM 2-3 requires preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles; changing/shower facilities; and EV charging facilities for some nonresidential buildings. MM 2-4 and MM 2-5 require EV charging facilities, preferential visitor parking for alternative-fueled vehicles and bicycle parking for residential buildings and parking facilities. MM 2-6 includes operational measures that would limit truck idling and would provide incentives for employees of commercial and industrial businesses to commute by Metrolink or bus.

When taking into consideration the location of the project near transit, the high density of the proposed residential uses, and the mixed use nature of the proposed project, it is estimated that there would be an overall reduction in VMT from approximately 95.5 million VMT/year to 89.5 million VMT/year. This represents a reduction of approximately 6 million VMT/year or 6.2 percent. Based on the annual VMT, gasoline and diesel consumption rates were calculated using estimated miles per gallon factors based on San Bernardino County data for 2024 from EMFAC2014. It is estimated that the project-generated traffic would use 498,000 gallons of diesel fuel, and 2.8 million gallons of gasoline per year. Fuel consumption associated with vehicle trips generated by the proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment would not be considered inefficient, wasteful, or unnecessary.

3. *Energy Demand*

The proposed project would promote building energy efficiency through compliance with energy efficiency standards (Title 24 of the California Code of Regulations, and CALGreen, the 2013 California Green Buildings Standards Code) and the provision of energy efficiency measures that exceed required standards. Based on the CalEEMod, the electricity demand from the project would be approximately 16.3 million kilowatt hours per year (kWh/yr) and the natural gas consumption would be approximately 38 billion British Thermal Units per year (BTU/yr) (this includes peak demands), or 380,000 therms per year. Natural gas fireplaces would use approximately 19 billion BTU/yr. The electricity use associated with the project water consumption is estimated to be approximately 4.2 million kWh per year. San Bernardino County's total electrical and natural consumption in 2013 was approximately 14,000 million KWh and 503 million therms. At full build-out, project's electricity use would be approximately 0.14 percent of the existing electricity use in San Bernardino County and natural gas use would be approximately 0.08 percent of the existing natural gas use in San Bernardino County. Energy supplies to meet this demand are

available and development of new capacity is not required. With implementation of mitigation measure (MM) 6-1 and MM 6-2, identified in Section 4.6, Greenhouse Gas Emissions, the electricity and natural gas consumption would be reduced by 15 percent in residential land uses and 10 percent in non-residential land uses. The proposed project would not result in excessive long-term operational building energy demand.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

The analysis in Sections 4.1 through 4.14 of the EIR concludes that, despite implementation of mitigation measures, significant environmental impacts would result from the construction and operation of the proposed project. Significant and unavoidable impacts that would result from implementation of the proposed project include those listed below.

- **Operational Air Quality Impact.** Maximum daily emissions from project operations (mobile and consumer product sources) would exceed the South Coast Air Quality Management District's (SCAQMD's) CEQA significance thresholds for ozone (O_3) precursors (i.e., volatile organic compounds [VOCs] and nitrogen oxides [NOx]), carbon monoxide (CO), respirable particulate matter with a diameter of 10 microns or less (PM10), and fine particulate matter with a diameter of 2.5 microns or less (PM2.5).

- **Cumulative Air Quality Impact.** The project would result in significant and unavoidable cumulative long-term regional emissions of O_3 precursors (VOC and NOx), PM10, and PM2.5, all nonattainment pollutants, due to mobile and consumer product sources.

- **Air Quality Management Plan Consistency.** The proposed project would conflict with the SCAQMD's Air Quality Management Plan (AQMP) due to (1) the projected long-term operational emissions of non-attainment pollutants exceeding SCAQMD significance thresholds, which could increase the frequency or severity of existing air quality violations or delay timely attainment of air quality standards and (2) project trip generation at the project site substantially greater than trip generation anticipated in the General Plan for PAI [Planning Area I] resulting from proposed high density development and associated population growth in an area designated as a golf course in current planning documents.

- **Substantial Temporary or Periodic Increase in Noise.** Construction of the proposed uses would result in temporary noise impacts from construction activities because some of these activities may not be reduced to less than 65 A-weighted decibels (dBA) at residential receptors and 70 dBA at industrial or commercial receptors (the noise level standard established in the City's Development Code), and these noise levels would be substantially greater than existing noise levels that range from the low to high 50s dBA.

- **Construction-Related Noise Would Exceed Noise Standards.** Construction noise would potentially exceed the noise level limits established in the City's Development Code.

- **Population and Housing Growth.** With the development of up to 3,450 residential units, the proposed project would directly induce substantial housing and population growth in the City beyond adopted growth forecasts, resulting in a significant and unavoidable project impact. This is because the City's General Plan did not plan for the redevelopment of the project site. However, the proposed project would be consistent with local, regional, and State growth

strategies that encourage mixed use, higher density housing development near employment centers and transit opportunities.

- **Project-Related Traffic Impacts.** The proposed project would result in significant and unavoidable project impacts at one study area intersection, which is also a San Bernardino County Congestion Management Plan (CMP) intersection, under the Existing Plus Project traffic analysis scenario, and at seven study area intersections (including 5 CMP intersections) under the Completion Year 2024 Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable impacts along segments of Interstate (I) 10 and I-15 and at I-10 and I-15 on- and off-ramps under these traffic analysis scenarios; I-10 and I-15 are also CMP facilities.

- **Cumulative Traffic Impacts.** The proposed project would result in significant and unavoidable cumulative impacts at four study area intersections (including 3 CMP intersections) under the Cumulative Year (2036) Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable cumulative impacts along segments of I-10 and I-15 and at I-10 and I-15 on- and off-ramps under this traffic analysis scenario; I-10 and I-15 are also CMP facilities.

When an agency approves a project with significant environmental effects that will not be avoided or substantially lessened, in must adopt a "statement of overriding considerations" explaining that, because of the project's overriding benefits, the agency is approving the project despite its environmental harm. (14 Cal. Code Regs. § 15043.) The City's statement of overriding considerations for the Project is as follows:

The California Environmental Quality Act (CEQA) requires a public agency to balance the benefits of a proposed project against its significant unavoidable adverse impacts in determining whether to approve a project. The Project will result in environmental effects, which, although mitigated to the extent feasible by the implementation of mitigation measures required for the Project, will remain significant and unavoidable, as discussed in the Final Environmental Impact Report (EIR) and CEQA Findings of Fact. These impacts are summarized below and constitute those impacts for which this Statement of Overriding Considerations is made.

Findings:

The City Council hereby adopts all mitigation measures identified in the EIR. The City Council finds and determines in approving the Project that the Final EIR has considered the identified means of lessening or avoiding the Project's significant effects and that to the extent any significant direct or indirect environmental effects, including cumulative project impacts, remain unavoidable or not mitigated to below a level of significance after mitigation, such impacts are at an acceptable level in light of the social, legal, economic, environmental, technological and other project benefits discussed below, and such benefits override, outweigh, and make "acceptable" such remaining environmental impacts of the project (CEQA Guidelines Section 15092(b)).

The following benefits and considerations outweigh such significant and unavoidable adverse environmental impacts. All of these benefits and considerations are based on the facts set forth in the Findings, the Final EIR, and the record of proceedings for the Project. Each of these benefits and considerations is a separate and independent basis that justifies approval of the Project, so that if a court were to set aside the determination that any particular benefit or consideration will occur and justifies project approval, this City Council determines that it would stand by its determination that the remaining benefit(s) or consideration(s) is or are sufficient to warrant project approval.

Facts:

The Project would have the following benefits:

1. **Approval of the Project would ensure that development of the project site is accomplished consistent with numerous applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan.***

The proposed Specific Plan Amendment serves as a tool for implementing the preferred development strategies for Planning Area I of Industrial Area Specific Plan Sub-Area 18, a specific plan that is itself a tool for implementation of the City's General Plan. (See City of Rancho Cucamonga General Plan, at LU-48 through LU-53.) The Project includes high-density and medium-high density residential, mixed use, open space, and transit-oriented land uses near transit services, including the Rancho Cucamonga Metrolink Station and local regional activity centers.

As described in the EIR, at Table 4.9-2 in Section 4.9, and at Appendix D to Appendix B-2, approving the Project would further numerous goals and policies of the City of Rancho Cucamonga's General Plan. The City Council finds that the Project would advance and further the General Plan's policies and objectives for all of the reasons described in the EIR and its appendices. Particularly relevant goals and policies include, but are not limited to, the following:

- **Goal LU-1, "Ensure established residential neighborhoods are preserved and protected, and local and community-serving commercial and community facilities meet the needs of residents," and related policies.** The Project will support higher density living environments near transportation alternatives to protect existing neighborhoods from increased density pressures. The Project would encourage the development of commercial centers in the Transit Placetype, Mixed Use Placetype, and Mixed Use Overlay areas, serving a broad range of retail and service needs for the community.

- **Goal LU-2, "Facilitate sustainable and attractive infill development that complements surrounding neighborhoods and is accessible to pedestrians, bicycles, transit, and automobiles" and related policies.** The Project would promote mixed use and high density residential uses in a pedestrian-friendly setting with direct access to transit. The Specific Plan Amendment allows up to 3,450 residences, 220,000 square feet of non-residential, and 6.8 acres of recreation amenities within 0.5 mile of the Metrolink station. The Vine is designed as a "complete street," with pedestrian circulation provided by the Vine and through internal connections.

- **Goal LU-3, "Encourage sustainable development patterns that link transportation improvements and planned growth, create a healthy balance of jobs and housing, and protect the natural environment," and related policies.** The project would focus development on a previously disturbed infill site where development would cause minimal impact on natural resources and where residents would have access to existing infrastructure. In addition, the project would also encourage employment, professional, light industrial, and commercial uses on the project site in the Transit Placetype, Mixed Use Placetype, and Mixed Use Overlay areas.

- **Goal CM-2, "Plan, implement, and operate transportation facilities to support healthy and sustainable community objectives," and related policies such as CM-2.1, "Facilitate bicycling and walking citywide."** The Specific Plan Amendment includes a continuous pedestrian and bikeway corridor along the Vine that links users from the Metrolink station to 4th Street. Pedestrians may also use the existing 6th Street undercrossing to avoid the 6th Street intersection. The Vine is designed to include a protected bike lane for enhanced bicycle connectivity traveling north/south through the site. The Transit Placetype facilitates easy pedestrian and bicycle access through the site and supports transit and multi-modal users with commercial, retail, and services. At the time of development, plans will be reviewed by the City and/or transit agency for appropriate bus stops/shelter locations. Transit services may include, but not be limited to car-share facilities, bike-share stations, transit pass kiosks, or concierge services. All projects would meet CALGreen requirements related to bicycle parking.

- **Goal CS-1, "Provide attractive, high-quality community services facilities that adequately meet the community's need," and related policies.** Parkland/recreation facilities include the provision of on-site facilities and open space; provision of a 25,000 square foot joint use facility to be used by the Community Services Department, Library Department and Police Department or alternative community benefit agreed to be the City and the Property Owner/Developer; and payment of applicable mitigation fees. The Specific Plan Amendment requires the development of "3rd Place spaces" throughout the project to provide smaller passive and programmed open spaces; private recreation amenities will be provided in the REC Placetype.

- **Goal HE-1, "Allow and create new opportunities that enable a broad range of housing types, maintain a balanced supply of ownership and rental units, and provide sufficient numbers of dwelling units to accommodate expected new household formations," and related policies.** The Project would promote the development of up to 3,450 attached and detached medium-high and high-density housing units, Live-Work units, and Shopkeeper units.

The Council finds that the Project is more than merely "consistent" with the City's General Plan; the Project represents a specific and unusual opportunity to promote infill development on an already developed site, near to transit, in a manner that will advance important City policies and goals identified in the General Plan.

2. The Project would repurpose the existing golf course within a highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.

Because of its location, the Project site represents an unusual opportunity to promote environmentally beneficial infill development within the City. There are few other currently developed sites in the City that can be repurposed to create new housing opportunities and mixed-use development without causing any direct residential displacement. The project site also provides a rare opportunity to promote infill development on a site already surrounded by existing active development, and with significant proximity to existing employment, transit and entertainment uses, as described in Chapters 3 and 4 of the EIR.

3. **The Project would decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.**

As described in Chapters 3 and 4 of the EIR, the Project is located close to both transit service and existing employment-generating uses. For example, the Rancho Cucamonga Metrolink Station is immediately adjacent to and east of the northern portion of the project site, the entire project site is located in a High Quality Transit Area (HQTA), and the northern portion of the site (north of 6th Street) is in a Southern California Association of Governments' (SCAG)-designated Transit Priority Area. The area immediately surrounding the Project Site contains light and heavy industrial uses, office uses, and commercial/retail uses. By locating housing opportunities at a location near both transit and employment-generating uses, the Project will decrease dependency on the automobile and reduce associated air pollution and greenhouse gases, among other environmental benefits.

4. **The Project would provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.**

As described in Section 3.5.2 of the EIR and Section 7.3.6 of the Specific Plan Amendment, approval of the Project would result in the creation of a multi-modal circulation system that would address both regional and local circulation requirements and reinforce the goal of creating a pedestrian-friendly environment. The overall circulation concept places an emphasis on pedestrian, bicycle, and vehicular connectivity emanating from the Metrolink Station and major circulation corridors. The system is designed to provide easy access to the Metrolink Station for increased transit usage, which leads to a reduction in the number and length of vehicle trips, and associated reduction in greenhouse gas (GHG) emissions and an increase in energy conservation.

Primary vehicular access to Planning Area I is provided from 7th Street, 6th Street, and 4th Street. The overall on-site circulation concept places an emphasis on pedestrian, bicycle, and vehicular connectivity emanating from the Metrolink Transit Station and major circulation corridors. Internal circulation would be provided via a network of public and/or private residential collector roadways and local streets designed with on-street parking, street frontages and shaded pedestrian links and open spaces. A continuous connection from 4th Street to the Metrolink Station, via the proposed "Vine" and the Ion (pedestrian undercrossing at 6th Street) would allow seamless pedestrian connections without crossing a major road. Within the Placetypes, transitional spaces and pathways would connect enclaves and promote pedestrian circulation.

The Council finds that creation of the multi-modal circular system would provide significant benefits to the City and the region by, among other things, reducing dependence on the automobile, promoting pedestrian and bicycle usage, improving transportation efficiencies, enhancing the area surrounding the Metrolink station, conserving energy and reducing GHG emissions and air pollution.

5. **The Project would provide a range of housing options to meet the needs of a variety of demographics.**

The proposed Specific Plan Amendment would allow for the development of up to 3,450 residential units, including attached and detached high density and medium-high density housing. This would provide new housing options for workforce families and young professionals and would allow entry level and move-up home ownership opportunities in an urban setting. As described in more detail in Section 4.11, Population and Housing, the provision of housing at the project site would assist the City in its ability to achieve its share of the Regional Housing Needs Assessment (RHNA), as allocated by the Southern California Association of Governments (SCAG).

The Council finds that the Project would provide significant benefits to the City and region by maximizing the opportunity to create new and varied housing options on an infill site with direct proximity to transit.

6. Approval of the Specific Plan Amendment would result in the development of an attractive, viable development project that yields a reasonable return on investment.

The Specific Plan Amendment would establish a set of Landscape Design standards, Architectural Guidelines, and a Landscape Design scheme. The conceptual development plan strategically locates a range of Placetypes, which encourage variety within the built environment by addressing the relationship of the built form to people places rather than the strict relationship of uses to each other. The Urban Design Standards would prescribe the specific development potential and land uses as appropriate for each Placetype, and establish appropriate setbacks, edge conditions, open space requirements, and parking requirements, among other features.

The Architectural Guidelines would provide a design framework for parcels and buildings to convey an aesthetically interesting community identity within an urban living environment, promoting engaging streetscapes without limiting the product type or configuration of the built environment to allow for the greatest adaptability to market changes. The Guidelines would provide appropriate site planning criteria, scale, massing and articulation regulations, roof design requirements, and regulation of elevations, color application, and architectural styles, among other features. Under the Guidelines, the built environment at the Project site would exhibit design quality, including consideration of articulated entries and facades, proportionate windows, and quality building materials.

Finally, the Specific Plan Amendment's attention to landscape design will promote a distinct landscape character with a creative and unique landscape aesthetic. Streets will be designed to be enjoyable, walkable, and interactive to pedestrians. Interior streetscapes shall be designed to provide a cohesive and hierarchal element tying the community together as a whole. Wall treatments will be made more apparent and distinct with decorative pilasters accentuated by selected accent trees and plants for visual impact. Trees shall be strategically located so as not to interfere with driving visibility.

Sustainability is also an integral to Planning Area I's design, with features including the use of recycled water for landscaping, storm water management, and energy efficiency. The proposed project would also include the installation of on-site storm drain, water quality, water, sewer, electricity, natural gas, and telecommunications infrastructure systems to serve the proposed land uses. The on-site utility infrastructure would connect to existing utilities in the vicinity of the project site or new utility lines that would be installed in the roadways adjacent to the project site.

Together, establishment of these urban design standards, architectural guidelines, and landscape design schemes, among other features of the Project, will ensure that development at the project site will be of high quality design, attractive, and in keeping with the City's policies and priorities for development and design.

The City Council also finds that the density of development permitted through the Specific Plan Amendment is both appropriate for the site and also necessary to facilitate development of the site and result in an economically viable project.

7. The Project would provide tax revenue and employment opportunities and attendant economic benefits to the City.

During project construction, a number of design, engineering, and construction-related jobs would be created. In addition, as explained in Section 4.11, Population and Housing, of the EIR, buildout of the maximum amount of development allowed by the proposed Specific Plan Amendment would result in up to 3,450 residential units and 220,000 sf of non-residential uses, which could generate approximately 341 net new employment opportunities. As residential development occurs onsite, project residents and employees would seek shopping, entertainment, employment, home improvement, auto maintenance, and other economic opportunities in the surrounding area. In addition to the proposed non-residential uses, the proposed project is located near and within walking distance of existing employment and retail areas in the cities of Rancho Cucamonga and Ontario. The influx of new residents would spur economic development and business growth in these areas. All of this increased employment and economic activity would create additional tax revenue to the City and the region.

The Council finds that this additional tax revenue and economic activity would provide significant benefit to the City and to the region.

VI. FINDINGS REGARDING PROJECT ALTERNATIVES

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. The concept of "feasibility" encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509 [court upholds CEQA findings rejecting alternatives in reliance on applicant's project objectives]; see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (*CNPS*) ["an alternative 'may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record'"] (quoting Kostka & Zischke, *Practice Under the Cal. Environmental Quality Act* [Cont.Ed.Bar 2d ed. 2009] (*Kostka*), § 17.39, p. 825); *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166 (*Bay-Delta*) ["[i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary project objectives"; "a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal"].) Moreover, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors." (*City of Del Mar*, *supra*, 133 Cal.App.3d at p. 417; see also *CNPS*, *supra*, 177 Cal.App.4th at p. 1001 ["an alternative that 'is impractical or undesirable from a policy

standpoint' may be rejected as infeasible"] [quoting *Kostka, supra*, § 17.29, p. 824]; *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 17.)

Where an alternatives analysis required, CEQA requires evaluations of alternatives that can reduce the significance of identified Project impacts that will not be avoided or substantially lessened by mitigation measures and can "feasibly attain most of the basic objectives of the proposed Project." Thus, overall Project objectives were considered by the City in evaluating the alternatives.

The objectives that have been established for the proposed project are listed below.

1. Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan.*

2. Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.

3. Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.

4. Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.

5. Provide a range of housing options to meet the needs of a variety of demographics.

6. Develop an attractive, viable project that yields a reasonable return on investment.

The following findings and brief explanation of the rationale for the findings regarding Project alternatives identified in the EIR are set forth to comply with the requirements of Section 15091(a)(3) of the CEQA Guidelines.

The consideration of alternatives is an integral component of the CEQA process. The selection and evaluation of a reasonable range of alternatives provides the public and decision-makers with information on ways to avoid or lessen environmental impacts created by a proposed project. When selecting alternatives for evaluation, CEQA requires alternatives that meet most of the basic objectives of the Project, while avoiding or substantially lessening the Project's significant effects.

Four alternatives to the Project were defined and analyzed.

Alternative 1: No Project

As required by CEQA Guideline § 15126.6, the EIR describes and analyzes a "no project" alternative for the purpose of comparing the impacts of approving the Project with the impacts of not approving the Project. As described in Chapter 5, the EIR analyzes both types of no project alternative described in Guideline § 15126.6(e)(3). Under the "No Project/No Development Alternative," the development project would not proceed, and the existing golf course would remain operational. The "No Project/Existing General Plan and Zoning Alternative" assumes

continued operation of the golf course, but also redevelopment of Planning Area III with 290,000 square feet of mixed use commercial development.

Findings Regarding Environmental Impacts

The No Project/No Development Alternative would avoid significant air quality (operational, cumulative and AQMP consistency), construction-related noise, population and housing, and operational traffic impacts that would occur with implementation of the proposed project. Because no development would occur under the No Project/No Development Alternative, there would also be less impacts for the following environmental topics: aesthetics, biological resources, cultural resources, geology and soils, GHG emissions, hazardous and hazardous materials, hydrology and water quality, land use and planning, operational noise, public services and recreation, and utilities and service systems. The project's impacts for these topics are less than significant.

The No Project/Existing General Plan and Zoning Alternative would avoid significant air quality impacts that would occur with implementation of the proposed project, with the exception of direct and cumulative operational NOx emissions primarily from mobile sources. Population and housing impacts would also be avoided because the growth from development of Planning Area III is anticipated in the City and regional and local growth projections. Significant and unavoidable construction-related noise impacts that would occur with the proposed project would be reduced but would still be significant and unavoidable. The trip generation from this alternative would be reduced, thereby reducing traffic impacts compared to the proposed project. Less than significant project intersection impacts would be avoided at nine study area intersections; however, significant and unavoidable traffic impacts would only be avoided at two study area intersections. The proposed project's impacts along three freeway segments and at three freeway ramps where the project would cause a segment at LOS C or better without the project to become LOS D or worse with the project would be avoided with this alternative under the Existing Plus Project, and Completion Year 2024 Plus Project conditions. No cumulative traffic impacts would be avoided. The freeway facilities that are already operating at LOS D or worse under all traffic conditions would have significant and unavoidable impacts with this alternative, consistent with the proposed project. The amount of GHG emissions with development of 290,000 sf of mixed commercial uses in Planning Area III would be reduced compared to the proposed project, but the GHG impacts would be significant and unavoidable because the established efficiency threshold would not be met. This alternative would not conflict with any local or regional planning programs and would not result in any land use impacts, similar to the proposed project. There would be less impacts for the following environmental topics: aesthetics, biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, operational noise, public services and recreation, and utilities and service systems. The project's impacts for these topics are less than significant.

Findings Regarding Project Objectives

The two No Project alternatives would generally attain one of the Project Objectives (consistency with the General Plan) because they would be consistent with the existing General Plan land use designation and Zoning for the site, as outlined in the existing Empire Lakes/IASP Sub-Area 18 Specific Plan. The No Project alternatives would not attain any of the other project objectives, or attain the objectives to the same extent as the proposed project. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan.*** Under the No Project/No Development Alternative and No Project/Existing

General Plan and Zoning Alternative, the existing golf course would remain operational and would be consistent with the land use and zoning designations for the project site, which assume continued use of the site as a golf course or open space use, and potential redevelopment of Planning Area III. However, this alternative would not implement General Plan goals and policies to the same extent as the project to provide mixed use and high density residential areas near transit and along transit routes and to provide bicycle and pedestrian facility connections.

2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The No Project/No Development Alternative and No Project/Existing General Plan and Zoning Alternative would retain the golf course and would not introduce any new housing near existing employment, transit, and entertainment uses.

3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** The No Project/No Development Alternative would not decrease dependency on the automobile as it would not introduce any housing near existing employment-generation uses and transit service. There would be new employees generated with redevelopment of Planning Area III with mixed use commercial under the No Project/Existing General Plan and Zoning Alternative; however, there would not be efficient access to existing transit along 4th Street or the Metrolink Station.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** The No Project/No Development Alternative and No Project/Existing General Plan and Zoning Alternative would not introduce any new pedestrian, bicycle, or transit facilities that would decrease dependency on the automobile. The golf course would remain and would continue to be accessible only to golf course patrons.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The No Project/No Development Alternative and No Project/Existing General Plan and Zoning Alternative would not provide any housing.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** While development of Planning Area III, which encompasses only 11.5 acres of the approximately 160.4-acre site, may yield a reasonable return on investment, as previously noted, it is unknown if the golf course would remain operational if the project does not proceed. It is possible that continued operation of the golf course under both No Project alternatives would not yield a reasonable return on investment.

The EIR, including Section 5.0, contains additional facts and analysis supporting this Finding. Since Alternative 1 is infeasible in light of the Project Objectives, the City Council hereby rejects Alternative 1.

Alternative 2: Higher Density (4,000 Residential Units)

The purpose of the Higher Density Alternative is to further meet the project objectives related to the provision of housing near existing employment, transit, and entertainment uses and to reduce vehicle miles traveled (VMT). The Higher Density Alternative would involve a modification to the proposed Specific Plan Amendment to allow for a maximum of 4,000 residential units (2,100 north of 6th Street and 1,900 south of 6th Street) (refer to Table 5-1). The conceptual development plan by Placetype for this alternative would be the same as the proposed project, as presented in Exhibit 3-3. The distribution of Placetypes and permitted density ranges established in the proposed

Specific Plan Amendment would also be the same as with the proposed project. This information is provided in Table 7.1, PAI [Planning Area I] Development Program, of the proposed Specific Plan Amendment included in Appendix B, which is reproduced as Table 3-1 in Section 3, Project Description, of this Draft EIR. In summary, and as shown in Table 3-1 in Section 3, Project Description, there would be 220,000 square feet (sf) on non-residential development, 6.8 acres in the Recreation Placetype, 0.6 acres of Urban Plaza, 1.4 acres associated with the Metropolitan Water District (MWD) easement, and 17.4 acres of Roads and Miscellaneous Open Space, consistent with the proposed Specific Plan Amendment.

Findings Regarding Environmental Impacts

Due to the increase in the number of dwelling units and associated increase in population under the Higher Density Alternative, significant and unavoidable air quality, construction-related noise, population and housing, and traffic impacts resulting from the project would also occur with this alternative. Additionally, there would be increased traffic impacts with new significant and unavoidable intersection impacts at two locations. Thus, this alternative would worsen already significant impacts under Project conditions. For all other topical areas, including GHG emissions, similar or slightly increased impact levels would occur with this alternative compared to the proposed project; however, the impacts would be less than significant, consistent with the proposed project.

Findings Regarding Project Objectives

The Higher Density Alternative would meet most of the project objectives, but may not meet the objective for a reasonable return on investment. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan*.** Consistent with the proposed project, the Higher Density Alternative would not be consistent with the land use and zoning designations for the project site, which assume continued use of the site as a golf course or open space use. A General Plan Amendment and Zoning Amendment would be required. However, consistent with the proposed project, this alternative would implement General Plan goals and policies to provide mixed use and high density residential areas near transit and along transit routes and to provide bicycle and pedestrian facility connections.
2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The Higher Density Alternative would meet this objective to a greater extent than the proposed project as it would involve the redevelopment of the golf course with 4,000 new high-density and medium-high density dwelling near existing employment, transit, and entertainment uses that currently surround or are in proximity to the project site. This is an increase of 550 dwelling units compared to the proposed project.
3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** Consistent with the proposed project, the Higher Density Alternative would decrease dependency on the automobile as it would involve the construction of new housing and employment-generating uses near existing employment-generating uses and transit service.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** Consistent with the proposed project, the Higher Density Alternative would involve the construction of a multi-modal circulation system that accommodates not only vehicular circulation, but also pedestrian and bicycle facilities that would provide safe and efficient connections to existing and planned pedestrian and bicycle facilities and transit lines adjacent to the project site. The circulation system would also allow for continuous circulation that connects 4th Street to the Metrolink Station.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The Higher Density Alternative would allow for the development of up to 4,000 dwelling units, an increase of approximately 16 percent compared to the proposed Specific Plan Amendment, which would allow for up to 3,450 dwelling units. Based on the City's General Plan (Table LU-16, Land Plan Summary-Residential Designations), there would be 12,323 acres of residential development at buildout of the City. Of this amount, only 689 acres (approximately 6 percent) are identified for high density, medium-high density, and mixed use residential development. Consistent with the proposed project, the Higher Density Alternative would include high-density and medium-high density residential units that would help meet the needs of variety of demographics.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** This alternative would meet the objective to provide an attractive project since the development would comply with the development standard and guidelines outlined in the proposed Specific Plan Amendment. However, the construction costs for higher density development, which typically involves more wrap and podium type products, are substantially higher than wood frame, slab on grade products, which are anticipated with the proposed project. . In order to achieve that density proposed in the High Density Alternative, the Project Applicant would need to build more product types in the upper density ranges including five- to six- story podium, elevator buildings with underground parking. This type of construction typically costs up to 65 percent more than the cost to construct housing up to three levels without elevators. With the rents and sales prices in the local housing market fixed within a range supportable by median incomes, a greater proportion of higher density products would not be economically supportable. The increase costs with higher density development may be cost prohibitive so the assurance of a reasonable return on investment for this level of density would be questionable.

The EIR, including Section 5.0, contains facts and analysis supporting this Finding. Because this alternative would not avoid or substantially lessen any significant environmental effects of the Project, the Council hereby rejects Alternative 2.

<u>Alternative 3 - Reduced Development Area/Executive Golf Course Alternative (2,650 Units North of 6th Street Only)</u>

In Notice of Preparation (NOP) comment letters and during the Draft EIR public scoping process, several members of the public raised concerns regarding the loss of the existing Empire Lakes Golf Course. It was requested that the Draft EIR consider an alternative that would allow for development north of 6th Street while the area south of 6th Street be retained for golf course use, potentially as an executive golf course. The Reduced Development Area/Executive Golf Course Alternative has been developed to respond to these requests and to reduce construction-related and operational impacts resulting from the proposed project. With respect to the reduction in impacts, with the reduced number of units, this alternative addresses significant and unavoidable long-term air quality impacts (project and cumulative), inconsistency with the AQMP, construction-related

noise impacts, population and housing growth, and direct and cumulative traffic impacts. Construction impacts are reduced due to the reduction in development area (limited to the area north of 6th Street).

Findings Regarding Environmental Impacts

Operation-related air quality, construction-related noise, population and housing, and traffic impacts would be reduced with the Reduced Development Area/Executive Golf Course Alternative; however, they would still be significant and unavoidable, similar to the proposed project. This alternative would avoid four intersection impacts where the project's impact is less than significant with mitigation, and one significant and unavoidable intersection impact, and the significant and unavoidable operational PM2.5 impact and associated cumulative air quality impact resulting from the proposed project.

Because the physical impact area under the Reduced Development Area/Executive Golf Course Alternative would be reduced and there would be less residential units and associated population and traffic with development of only the area north of 6th Street, this alternative would have less impacts related to aesthetics, construction-related air quality emissions, biological resources, hazards and hazardous materials, hydrology/water quality, land use and planning, operational noise, and public services and recreation. Impacts related to cultural resources and geology and soils would be similar. The overall GHG emissions from this alternative would also be less than the proposed project; however, the efficiency threshold would be higher. The proposed project would result in less than significant impacts for each of these environmental topics.

Findings Regarding Project Objectives

The Reduced Development Area/Executive Golf Course Alternative would meet the project objectives, but not to the same extent as the proposed project because the amount of housing near transit is not maximized. Additionally, this alternative does not accomplish the same level of multi-modal circulation that would be provided by the project. These are key components of reducing dependency on the automobile and reducing associated air pollution and GHG emissions. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan.*** Consistent with the proposed project, development of the portion of the project site north of 6th Street would not be consistent with the land use and zoning designations for this site, which assume continued use of the site as a golf course or open space use. A General Plan Amendment and Zoning Amendment would be required. However, this alternative would implement General Plan goals and policies to provide mixed use and high-density residential areas near transit and along transit routes and to provide bicycle and pedestrian facility connections.
2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The Reduced Development Area/Executive Golf Course Alternative would meet this objective but not to the same extent as the proposed project. This alternative would provide 2,650 dwelling units compared to 3,450 dwelling units with the proposed project, a reduction of approximately 23 percent. With a reduction in units to accommodate retention of a portion of the golf course, the provision of housing near existing employment, transit, and entertainment uses is not being maximized.

3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** Consistent with the proposed project, the Reduced Development Area/Executive Golf Course Alternative would decrease dependency on the automobile as it would involve the construction of new housing and employment-generating uses near existing employment-generating uses and transit service but with fewer units this alternative would not maximize this objective.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** The Reduced Development Area/Executive Golf Course Alternative would involve the construction of multi-modal circulation system that accommodates not only vehicular circulation, but also pedestrian and bicycle facilities that would provide safe and efficient connections to existing and planned pedestrian and bicycle facilities and transit lines adjacent to the project site. However, these facilities would be limited to the area north of 6th Street and would not provide similar connectivity from 4th Street, which provides pedestrian, transit, and bicycle facilities. Therefore, the Reduced Development Area/Executive Golf Course Alternative would not meet this object to the same extent as the proposed project.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The Reduced Development Area/Executive Golf Course Alternative would involve the development of up to 2,650 dwelling units, a decrease of approximately 23 percent compared to the proposed Specific Plan Amendment, which would allow for up to 3,450 dwelling units. Based on the City's General Plan (Table LU-16, Land Plan Summary-Residential Designations), there would be 12,323 acres of residential development at buildout of the City. Of this amount, only 689 acres (approximately 6 percent) are identified for high-density, medium-high density, and mixed use residential development. The Reduced Development Area/Executive Golf Course Alternative would include high-density and medium-high density residential units, which would help the meet the needs of variety of demographics, but not to the same extent as the proposed project.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** This alternative would develop 2,650 units and 220,000 sf non-residential uses on the portion of the site north of 6th Street. The southern half of the project site would remain as an executive golf course. It is uncertain whether the return from 2,650 units and 220,000 sf of non-residential uses could support the development costs or that development returns could support the infrastructure and improvements costs required for the overall project. Additionally, it is unknown if operation of an executive golf course on the southern portion of the project site is economically viable.

The EIR, including Section 5.0, contains facts and analysis supporting this Finding. Since Alternative 3 is infeasible in light of the Project Objectives, it is hereby rejected by the City Council.

Alternative 4 – Increased Non-Residential/Optimized Mixed-Use (375,000 sf Non-Residential and 1,200 Units)

The purpose of this alternative is to address comments raised at the Draft EIR scoping meeting that (1) the project should have more non-residential development to provide a better balance for a mixed use development and (2) the residential development allowed by the proposed Specific Plan Amendment is too dense (with high-density residential uses). This alternative assumes that there would be an increase in non-residential development compared to the proposed Specific Plan

Amendment (375,000 sf compared to 220,000 sf) and that the residential density would be reduced (1,200 units compared to 3,450 units).

Findings Regarding Environmental Impacts

Operation-related air quality, construction-related noise, population and housing, and traffic impacts would be reduced with the Increased Non-Residential Development/Optimized Mixed Use Alternative; however, they would still be significant and unavoidable, similar to the proposed project. This alternative would avoid one significant and unavoidable intersection impact, and the significant and unavoidable for operational CO and PM2.5 impacts and associated cumulative air quality impacts resulting from the proposed project.

Because the physical impact area under this alternative is the same as with the proposed project, impacts related to biological resources, cultural resources, and geology and soils would be the same as the proposed project and would be less than significant. For all other topical areas, similar or reduced impact levels would occur with this alternative compared to the proposed project and would be less than significant.

Findings Regarding Project Objectives

The Increased Non-Residential Development/Optimized Mixed Use Alternative would not meet all of the project objectives, and with the exception of providing a multi-modal circulation system, would not meet any of the objects to the same extent as the proposed project. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan*.** Consistent with the proposed project, the Increased Non-Residential Development/Optimized Mixed Use Alternative would not be consistent with the land use and zoning designations for the project site, which assume continued use of the site as a golf course, or open space use. A General Plan Amendment and Zoning Amendment would be required. This alternative would implement goals and policies to provide mixed use and residential areas near transit and along transit routes, and to provide bicycle and pedestrian facility connections, although not to the same extent as the proposed project. The General Plan goals and policies focus on the provision of high-density housing near transit facilities, consistent with project objectives discussed below.

2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The Increased Non-Residential Development/Optimized Mixed Use Alternative would not meet this objective. While the golf course would be redeveloped with a mixed use development, the residential development is not maximized as demonstrated with the reduction in units (1,200 units compared to 3,450 units with the proposed project), and the lower densities that would be attained with 1,200 units (density ranges of 8 to 18 dwelling units per acre compared to 14 to 80 dwelling units per acre anticipated with the proposed project). Additionally, an important component of the proposed project is to provide higher-density residential uses in an area that already has employment-generating uses, transit, and entertainment uses. Increasing the non-residential development on the project site negates the benefit of providing housing by existing non-residential development. The "balance" of land uses that the proposed project is attempting to attain is not focused on the project site, but rather the larger area surrounding the project site, which is largely developed with non-residential

uses. As further discussed in this Draft EIR, this strategy is consistent with local and regional goals to reduce vehicle miles traveled and associated air quality and GHG emissions.

3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** The Increased Non-Residential Development/Optimized Mixed Use Alternative would meet this goal by providing housing and employment-generating uses on the project site, which is currently developed with a golf course. However, this goal would not be met to the same extent as the proposed project due to the substantial reduction in the number of units.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** Consistent with the proposed project, the Increased Non-Residential Development/Optimized Mixed Use Alternative would involve the construction of a multi-modal circulation system that accommodates not only vehicular circulation, but also pedestrian and bicycle facilities that would provide safe and efficient connections to existing and planned pedestrian and bicycle facilities and transit lines adjacent to the project site. The circulation system would also allow for continuous circulation that connects 4th Street to the Metrolink Station.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The Increased Non-Residential Development/Optimized Mixed Use Alternative would involve the development of up to 1,200 dwelling units compared to the proposed project, which would allow for up to 3,450 dwelling units. Based on the City's General Plan (Table LU-16, Land Plan Summary-Residential Designations), there would be 12,323 acres of residential development at buildout of the City. Of this amount, only 689 acres (approximately 6 percent) are identified for high-density, medium-high density, and mixed use residential development. The Increased Non-Residential Development/Optimized Mixed Use Alternative would include residential uses, but it would not provide higher density uses, which are limited in the City and needed to help meet the needs of variety of demographics. Therefore, while this alternative would generally meet this objective, it would not meet it to the same extent as the proposed project.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** This alternative would only develop 1,200 units, which is approximately 35 percent of the units allowed by the proposed Specific Plan Amendment. The development of 375,000 sf of non-residential uses represents an approximately 70 percent increase in non-residential compared to the proposed project. With the existing commercial, office and industrial uses surrounding the project site, and the current market conditions, it is uncertain whether there is a demand for 375,000 sf of non-residential development at the project site and whether it would be economically viable. In the 2nd quarter of 2015, the City of Rancho Cucamonga had approximately 658,000 sf of non-residential building space available, and the City of Ontario had approximately 777,000 sf available. This represents approximately 89 percent of the available building space in the western area of the Inland Empire, which includes the cities of Chino, Chino Hills, Fontana, Ontario and Rancho Cucamonga. Additionally, there has been a negative absorption through the 2nd quarter of 2015 (CBRE 2015). It is also uncertain whether the return from the development under this alternative could support the development costs or that development returns could support the infrastructure and improvements costs required for the overall project which would encompass the entire 160.4-acre site.

The EIR, including Section 5.0, contains facts and analysis supporting this Finding. Since Alternative 4 is infeasible in light of the Project objectives, the Council hereby rejects Alternative 4.

Environmentally Superior Alternative

The State CEQA Guidelines require the identification of an environmentally superior alternative to the Project. (CEQA Guidelines, Section 15126.6(e)(2).) An environmentally superior alternative is an alternative to the Project that would reduce and/or eliminate the significant adverse environmental impacts associated with the Project without creating other significant adverse environmental impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the Project. Selection of an environmentally superior alternative is based on an evaluation of the extent to which the alternatives reduce or eliminate the significant impacts associated with the Project and on a comparison of the remaining environmental impacts of each alternative. Section 15126.6(e)(2) of the State CEQA Guidelines states that, if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

The No Project/Existing General Plan and Zoning Alternative, even with redevelopment of Planning Area III, has the least impact to the environment and would avoid significant and unavoidable impacts of the project associated with air quality (with the exception of operational NOx emissions), and population and housing. Significant and unavoidable construction-related noise impacts and traffic impacts resulting from the proposed project would not be avoided but would be substantially reduced. GHG emissions would be reduced overall but with this alternative the efficiency threshold would not be met. This alternative, which involves continued operation of a golf course at the project site, would be consistent with the existing General Plan and zoning designations for the site, but would not meet the project objectives or not meet them to the same extent as the proposed project.

With regard to the remaining development alternatives, the Reduced Development Area/Executive Golf Course is environmentally superior to the project. As shown in Table 5-17 of the EIR, it would have less impacts for more environmental impact categories compared to the Higher Density Alternative, which has greater impacts than the project and the Increased Non-Residential Development/Optimized Mixed Use Alternative. The reduction in impacts for the Reduced Development Area/Executive Golf Course Alternative is due to the fact that this alternative would not involve development of the portion of the project site south of 4th Street (approximately 78.4 acres). This area would continue in its current condition with a golf course. Therefore, project impacts associated with physical changes to the site would be eliminated in this area.

Additionally, the Reduced Development Area/Executive Golf Course Alternative would involve the development of up to 2,650 residential units and 220,000 sf of non-residential uses concentrated in the portion of the project site north of 6th Street (82 acres). The reduction of 800 units would result in reduced trip generation (refer to Table 5-12) and reduced housing and population growth. Reduce traffic would reduce not only traffic impacts, but also operational air quality impacts, GHG emissions, and traffic noise. The reduction in housing and associated new residents would lessen the impacts of the project associated with unanticipated population and housing growth. This includes impacts to public services (fire, police, schools, libraries, and parks/recreation). However,

even with these reduced impacts, the Reduced Development Area/Executive Golf Course Alternative would not avoid the project's significant unavoidable impacts related to air quality (operational, cumulative, and AQMP consistency), construction-related noise impacts, population and housing growth, and traffic (direct and cumulative).

The Council hereby finds that the environmentally superior alternative is Alternative 1, and that Alternative 3 is the environmentally superior alternative among the other alternatives. However, for the reasons discussed above, Alternatives 1 and 3 are rejected because they are not feasible in light of the project objectives, among other factors.

VII. FINDINGS REGARDING RECIRCULATION OF THE DRAFT EIR

The City Council adopts the following findings with respect to whether to recirculate the Draft EIR. Under section 15088.5 of the CEQA Guidelines, recirculation of an EIR is required when "significant new information" is added to the EIR after public notice is given of the availability of the Draft EIR for public review but prior to certification of the Final EIR. The term "information" can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(CEQA Guidelines, § 15088.5.)

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The above standard is "not intend[ed] to promote endless rounds of revision and recirculation of EIRs." (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1132.) "Recirculation was intended to be an exception, rather than the general rule." (*Ibid.*)

The City Council recognizes that the Final EIR contains minor additions, clarifications, modifications, and other changes to the Draft EIR.

CEQA case law emphasizes that "'[t]he CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal.'" (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736-737; see also *River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11.) "CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process. In short, a project must be open for public discussion and subject to agency modification during the CEQA process." (*Concerned Citizens of Costa Mesa, Inc. v. 33rd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 936 (internal citations omitted).) Here, the changes made to the Draft EIR in the Final EIR are exactly the kind of revisions that the case law recognizes as legitimate and proper.

The City Council finds that none of the revisions to the Draft EIR made by, or discussion included in, the Final EIR involves "significant new information" triggering recirculation because the changes do not result in any new significant environmental effects, substantial increase in the severity of previously identified significant effects, or feasible project alternatives that would clearly lessen the environmental effects of the project. Under such circumstances, the City Council hereby finds that recirculation of the EIR is not required.

EMPIRE LAKES/IASP SUB-AREA 18
SPECIFIC PLAN AMENDMENT PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment Project

Applicant: City of Rancho Cucamonga

Prepared by: City of Rancho Cucamonga

Date: March 2016

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Aesthetics					
PDF 1-1 Section 7.3.4, Development Standards, of the proposed Empire Lakes/Industrial Area Specific Plan (IASP) Sub-Area 18 Specific Plan Amendment includes development standards by Placetype for PAI, including, but not limited to maximum building heights. Structures shall not exceed 70 feet above ground north of 6th Street, 60 feet above ground south of 6th Street, and 45 feet above ground adjacent to existing residential uses within 20 feet of the PAI boundary line. Compliance with the established height limits shall be confirmed by the City in accordance with implementation provisions outlined in Section 7.7 of the Empire Lakes/IASP Sub-Area 18 Specific Plan.	PD	A	Prior to issuance of building permits	C	
PDF 1-2 The construction staging area shall be located as far as possible from residential neighborhoods east of the project site, and perimeter fencing shall be installed to obstruct views from adjacent ground level vantage points into the project site during construction. Implementation of this feature shall be verified by the City during construction.	BO	C	During construction	A	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 1-1 The maximum height of walls, fences and gates would not exceed the limits established in Section 17.48.050 of the City of Rancho Cucamonga Development Code, unless otherwise determined necessary for noise attenuation. Compliance with these requirements shall be confirmed by the Planning Department prior to issuance of building permits.	PD	A	Prior to issuance of building permits	C	
MM 1-1 Prior to the issuance of grading permits, the Property Owner/Developer shall provide evidence to the City that the contractor specifications require that the construction staging area be located as far as possible from the existing residential development east of the project site to minimize light intrusion. Temporary nighttime lighting installed during construction for security or any other purpose shall be downward-facing and hooded or shielded to prevent light from spilling outside the staging area and from directly broadcasting security light into the sky or onto adjacent residential properties. Compliance with this measure shall be verified by the City's Building and Safety Services Department during inspections of the construction site.	BO	B/C	Prior to the issuance of grading permits, and during construction	A/C	
Air Quality					
RR 2-1 During construction of future development in Planning Area (PA) 1, the Contractor shall comply with South Coast Air Quality Management District (SCAQMD) Rules 402 and 403, in order to minimize short-term emissions of dust and particulates. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the	BO	B/C	During plan check and construction activities	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
atmosphere beyond the property line of the emission source. This requirement shall be included as notes on the contractor specifications. Table 1 of Rule 403 prescribes the Best Available Control Measures that are applicable to all construction projects and is included in Appendix C. The developer of each project in PAI shall provide the City of Rancho Cucamonga with a SCAQMD-approved Dust Control Plan or other sufficient proof of compliance with Rule 403, prior to grading permit issuance.					
RR 2-2 Architectural coatings shall be selected so that the volatile organic compound (VOC) content of the coatings is compliant with SCAQMD Rule 1113. This requirement shall be included as notes on the contractor specifications. The specifications for each project in PAI shall be reviewed by the City of Rancho Cucamonga Building and Safety Services Department for compliance with this requirement prior to issuance of a building permit.	BO	A	Prior to issuance of building permits	C	
RR 2-3 Industrial, commercial, medical office, or similar uses developed in the Shopkeeper Units or Live/Work Units shall comply with SCAQMD Rule 201 and Regulation II (requiring a Permit to Construct prior to the installation of any equipment that may cause air contaminants) as well as Rule 203 (requiring a Permit to Operate prior to the use of any equipment that may cause air contaminants). These rules and regulation are required unless the equipment or aspects of the project are exempt under Rule 219, which identifies those equipment, processes, or operations that do not require permits. The developer of each project in PAI shall provide the City of Rancho Cucamonga with the SCAQMD-approved Permit to Construct and Permit to	BO	A	Prior to issuance of occupancy permits	D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Operate or other sufficient proof of compliance with Rules 201 and 203, prior to occupancy permit issuance.					
RR 2-4 Future development in PAI shall comply with SCAQMD Rule 445, Wood Burning Devices. Rule 445 was adopted to reduce emissions of fine particulate matter with a diameter of 2.5 microns or less (PM2.5) and precludes the installation of indoor or outdoor wood burning devices (i.e., fireplaces/hearths) in new development on or after March 9, 2009.	BO	A	Prior to issuance of building permits	C	
RR 2-5 Future development in PAI shall include bicycle parking in compliance with established standards in Section 17.64.100, Bicycle Parking Requirements, of the City of Rancho Cucamonga Development Code. These standards establish the required number and types of long-term and short-term bicycle parking spaces required in residential and visitor-attracting land uses.	PD	A	Prior to issuance of building permits	C	
RR 2-6 Future development in PAI shall operate in compliance with established standards in Section 17.66.060, Odor, Particulate Matter, and Air Containment Standards, of the City of Rancho Cucamonga Development Code. These standards address compliance with the rules and regulations of the air pollution control district and the state Health and Safety Code related to odorous emissions, particulate matter, and air containment; noxious odor emissions; restrictions on emission of dust and particulate matter; and location of exhaust air ducts away from abutting residentially zoned properties.	BO	A	Prior to issuance of building permits	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 2-1 Prior to issuance of each grading and building permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that construction documents require construction contractors to implement the measure listed below. The contractor shall comply with the identified requirements, and verification that the contractor has complied shall be confirmed by the Building and Safety Services Department during construction. All off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by the California Air Resources Board (CARB). Any emissions-control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified Tier specification shall be provided to the Building and Safety Services Department at the time of mobilization of each applicable unit of equipment.	BO	B/C	Prior to issuance of grading and building permits / during construction	A/D	
MM 2-2 Construction activities for future development within PAI shall include the following measures to reduce criteria pollutant emissions. These measures shall be incorporated into the contractor specifications and shall be verified during review of project plans and specifications and during construction. • All construction equipment shall be maintained in	BO	B/C	Prior to issuance of building permits / during construction	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
good operating condition so as to reduce operational emissions. The contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturers' specifications. Maintenance records shall be available at the construction site for City verification. • The construction contractor shall utilize electric or clean alternative fuel-powered equipment where feasible. • The construction contractor shall ensure that construction-grading plans include a statement that work crews will shut off equipment when not in use.					
MM 2-3 Prior to the issuance of each non-residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits. • For buildings with 25,000 square feet or more net area and with more than ten tenant-occupants (i.e., employees), changing/shower facilities shall be provided as specified in Section A5.106.4.3, Nonresidential Voluntary Measures, of the California Green Building Standards (CALGreen) Code. • Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1, Nonresidential	BO	A/B/D	Prior to issuance of building permits and occupancy permits	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Voluntary Measures, of the CALGreen Code. • Facilities shall be installed to support future electric vehicle charging at each non-residential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3, Nonresidential Voluntary Measures (Tier 1), of the CALGreen Code.					
MM 2-4 Prior to the issuance of each residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs or specifications. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits. • One- and two-family dwellings shall provide for the future installation of electric vehicle charging, as specified in Section A4.106.8.1, Residential Voluntary Measures, of the CALGreen Code. • Visitor parking shall include preferentially located parking spaces for alternative-fueled vehicles. • Bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5).	BO	A/B/D	Prior to issuance of building permits and occupancy permits	C/D	
MM 2-5 Prior to issuance of each building permit for parking structures and parking lots with 20 or more parking spaces, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have	BO	A/B/D	Prior to issuance of building permits and occupancy permits	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
been incorporated into the parking facility. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits. • The parking facility shall include a minimum of five percent preferentially located parking spaces for alternative-fueled (electric, natural gas, or similar low-emitting technology) vehicles. • The parking facility shall include at least one electric vehicle charging station. Electrical lines shall be designed and sized to add additional charging stations for up to three percent of the total parking spaces when a demand is demonstrated. The design and installation shall be consistent with Section A4.106.8.2, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5). • For residential parking facilities, bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen code.					
MM 2-6 Once constructed, the Property Owner/Developer shall ensure that the tenants/operators of non-residential uses include the following features and procedures. Proof of compliance shall be provided to the City of Rancho Cucamonga within one month following the issuance of each occupancy permit. • Post signs requiring that trucks shall not be left idling for prolonged periods (i.e., in excess of 5 minutes, as	CE	D	One month after issuance of occupancy permit	D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
required by State law). • Post both bus and Metrolink schedules in conspicuous areas. • Configure the employee work schedules around the Metrolink schedule to the extent reasonably feasible.					
Biological Resources					
RR 3-1 All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA), the Golden Eagle Protection Act, and California Fish and Game Code Sections 3503, 3511 and 3513. The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by completing the following: • Construction activities involving vegetation removal shall be conducted between September 2 and January 31. If construction occurs inside the peak nesting season (between February 1 and September 1), a pre-construction survey (or possibly multiple surveys) by a qualified Biologist shall be conducted within 72 hours prior to construction activities to identify any active nesting locations. If the Biologist does not find any active nests, the construction work shall be allowed to proceed. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to active avian nests shall occur. If the biologist finds an active nest on the project site and determines that the nest may be impacted,	PD	B/C	Prior to construction/ during construction	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
the Biologist shall delineate an appropriate buffer zone around the nest. The size of the buffer shall be determined by the biologist in consultation with California Department of Fish and Wildlife (CDFW), and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. These buffers are typically 300 feet from the nests of non-listed species and 500 feet from the nests of listed species. Any active nests observed during the survey shall be mapped on an aerial photograph. Only construction activities (if any) that have been approved by a Biological Monitor shall take place within the buffer zone until the nest is vacated. The Biologist shall serve as a Construction Monitor when construction activities take place near active nest areas to ensure that no inadvertent impacts on these nests occur. Results of the pre-construction survey and any subsequent monitoring shall be provided to the Property Owner/Developer, CDFW and the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until written authorization is received by the applicant from CDFW.					
RR 3-2 All construction activities shall comply with Sections 3503, 3503.5, 3511 and 3513 of the *California Fish and Game Code*, which protect active nests of any raptor species, including common raptor species. Compliance with	PD	B/C	Prior to construction/ during construction	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
these codes shall be accomplished by completing the following: • If vegetation is to be cleared during the potential raptor nesting season (December 1 to August 31), all suitable habitat within 500 feet of the project site shall be thoroughly surveyed for the presence of nesting raptors by a qualified Biologist within 72 hours prior to clearing. If the Biologist does not find any active nests, the construction work shall be allowed to proceed. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to active avian nests shall occur. If any active nests are detected, the area shall be flagged and mapped on the construction plans with a buffer. The size of the buffer shall be determined by the biologist in consultation with CDFW, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. These buffers are typically 500 feet from the nests of raptors. The buffer area shall be avoided until the nesting cycle is complete or until it is determined that the nest has failed. Results of the pre-construction survey and any subsequent monitoring shall be provided to the Property Owner/Developer, CDFW and the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
designated buffer area shall not proceed until authorization is received by the applicant from CDFW. • Although presumed absent, prior to development of the project site, a pre-construction burrowing owl clearance survey shall be conducted to ensure burrowing owls remain absent from the project site. The clearance survey shall be conducted in accordance with the CDFW 2012 Staff Report on Burrowing Owl Mitigation which requires that two clearance surveys be conducted 14 – 30 days and 24 hours prior to any grading or vegetation removal on the project site. If burrowing owls are observed on the project site during the pre-construction surveys, a burrowing owl passive relocation plan shall be prepared and submitted to CDFW for review and approval prior to commencement of vegetation clearing/grubbing, grading, and construction activities on the project site. The burrowing owl relocation plan shall outline methods to passively relocate any burrowing owls occurring on the project site and ensure compliance with the MBTA and *California Fish and Game Code*.					
RR 3-3 All tree replacement, protection, and maintenance associated with implementation of the proposed project shall be conducted in accordance with the requirements set forth in Chapter 17.80 of the City's Development Code).	PD	A	Prior to issuance of grading permit/during construction	A/C	
RR 3-4 In compliance with the City's Tree Removal Permit process (Rancho Cucamonga Development Code, Chapter 17.16.080), the Property Owner/Developer shall obtain a Tree Removal Permit from the Planning Director prior to	PD	B	Prior to tree removal	D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
removal, relocation, or destruction of any heritage tree. The Tree Removal Permit application shall be submitted with each tentative subdivision map. Conditions imposed by the Planning Director for replacement of removed trees or tree relocation shall be completed by the Property Owner/Developer.					
Cultural Resources					
RR 4-1 If human remains are encountered during the conduct of ground-disturbing activities, Section 7050.5 of the California Health and Safety Code states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition of the materials pursuant to Section 5097.98 of the California Public Resources Code. The provisions of Section 15064.5 of the California Environmental Quality Act Guidelines shall also be followed. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC). The NAHC will determine and notify a Most Likely Descendent (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The descendent must complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. These requirements shall be included as notes on the contractor specification and verified by the Community Development Department, prior to issuance of grading permits.	PD/BO	C	Prior to issuance of grading permit/during grading and construction	C/D	
MM 4-1 Prior to site preparation or grading activities, construction personnel shall be instructed by a qualified	PD	B	Prior to the start of demolition,	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Archaeologist and qualified Paleontologist of the potential for encountering unique archaeological and/or paleontological resources and instructed on steps to take in the event such resources are encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that might be expected, the type of activities that may result in impacts, and the legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until a qualified Archaeologist or Paleontologist, as appropriate, assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of archaeological and paleontological resources is prohibited.			site clearing or grading		
MM 4-2 In the event that cultural resources are inadvertently unearthed during excavation and grading activities, the Contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The Property Owner/Developer shall retain a qualified Archaeologist (Project Archaeologist), subject to approval by the City of Rancho Cucamonga, to evaluate the significance of the find and to determine an appropriate course of action. All artifacts except for human remains and related grave goods or sacred objects belong to the Property Owner. All artifacts discovered at the development site shall be inventoried and analyzed by the Project Archaeologist. If any artifacts of Native American origin are discovered, the Property Owner/Developer and Project Archaeologist shall notify the City of Rancho Cucamonga Planning Department	PD	C	During grading and construction	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

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and the appropriate local Native American tribe identified by the Native American Heritage Commission. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the tribe. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling (see RR 4-1). Native American artifacts that cannot be avoided or relocated at the project site shall be prepared in a manner for curation and the Project Archaeologist shall deliver the materials to an accredited curation facility approved by the City of Rancho Cucamonga within a reasonable amount of time. Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts shall be subjected to curation or returned to the Property Owner, as deemed appropriate. Once ground-altering activities have ceased or the Project Archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Rancho Cucamonga Planning Department. A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Rancho Cucamonga Planning Department, shall signify completion					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the Archaeological Information Center (AIC) at the San Bernardino County Museum and the Native American tribe, as appropriate.					
MM 4-3 If any paleontological resources (i.e., plant or animal fossils) are encountered before or during grading, the Property Owner/Developer shall retain a qualified Paleontologist to monitor construction activities, and to take appropriate measures to protect or preserve them for study. The paleontologist shall submit a report of findings that will also provide specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Where mitigation monitoring is appropriate, the program must include, but not be limited to, the following measures: • Assign a Paleontological Monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full time during earth-disturbing activities. • Divert earth-disturbing activities away from the immediate area of the discovery until the Paleontological Monitor has completed salvage. If construction personnel make the discovery, the grading contractor shall immediately divert construction and notify the Paleontological Monitor of the find. • Prepare, identify, and curate all recovered fossils for documentation in the summary report and transfer to an appropriate depository (e.g., San Bernardino	PD	C	During grading and construction	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
County Museum). • Prepare and submit a technical report describing the identification, salvage, evaluation, and treatment of all fossils discovered during grading to the City of Rancho Cucamonga. Transfer collected specimens with a copy of the report to the depository.					
Geology and Soils					
RR 5-1 In accordance with the City's Building Regulations, as contained in Title 15, Buildings and Construction, of the Rancho Cucamonga Municipal Code, which includes adoption of the 2013 California Building Code (CBC), all construction in Planning Area (PA) 1 shall comply with the CBC and the amendments and exemptions to the CBC that the City has adopted. This Title requires site-specific investigation and establishes construction standards and inspection procedures to ensure that development does not pose a threat to public safety.	BO	B/C	Prior to issuance of building permits	A/C	
RR 5-2 All grading operations and construction in PAI shall be conducted in conformance with the applicable City of Rancho Cucamonga Grading Standards (Municipal Code Chapter 19.04). Grading operations shall also be consistent with the recommendations included in the most current geotechnical reports for the project area prepared by the Engineer of Record.	BO	B/C	During construction	A/C	
RR 5-3 Development in PAI shall comply with Section 17.66.060 of the Rancho Cucamonga Development Code, with regard to dust control. Specifically, "no dust or particulate matter shall be emitted that is detectable by a reasonable person without instruments". Further the project shall comply with the rules and regulations of the South	BO	B/C	Prior to issuance of building permits/ during construction	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Coast Air Quality Management District and the California Health and Safety Code related to dust control.					
RR 5-4 In accordance with Chapter 17.56, Landscaping Standards, of the Rancho Cucamonga Development Code, which establishes minimum landscape requirements to control soil erosion, among other purposes, development in PAI shall submit preliminary and final landscape and irrigation plans as part of the design review process (Section 17.20.040 of the Rancho Cucamonga Development Code).	PD	A	Prior to approval of site plans	C/D	
MM 5-1 Prior to approval of each tentative tract map and/or development application, supplemental geotechnical investigations prepared by a qualified engineer licensed by the State of California to perform such work, shall be provided to the City Engineer. The supplemental geotechnical investigation shall include sampling of representative soils and laboratory tests, as necessary, to confirm the information provided in the Geotechnical Feasibility Study Proposed Mixed-Use Commercial and Residential Development Empire Lakes Golf Course Property Rancho Cucamonga, California (dated March 23, 2015, and prepared by LOR Geotechnical Group, Inc.) (Geotechnical Feasibility Study). The supplemental geotechnical investigation shall incorporate recommendations from the 2015 Geotechnical Feasibility Study, listed below, and shall identify additional site-specific recommendations developed based on the results of the site-specific analysis. Recommendations shall include, but not be limited to, the following areas, as identified in the 2015 Geotechnical Feasibility Study: • General Site Grading	CE/BO	A/B/C	Prior to approval of each tentative tract map and/or development application	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
• Initial Site Preparation • Preparation of Fill Areas • Preparation of Foundation Areas • Engineered Compacted Fill • Short-Term Excavations • Slope Construction • Slope Protection • Soil Expansiveness • Foundation Design • Settlement • Slabs-on-Grade • Wall Pressures • Pavement Design • Sulfate Protection • Supplemental Geotechnical Investigation and Plan Reviews • Construction Monitoring The City Engineer shall confirm that site-specific recommendations are incorporated into the project.					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 5-2 The final grading plan, appropriate certifications and compaction reports shall be completed, submitted, and approved by the Building and Safety Official prior to the issuance of building permits.	BO	A/B	Prior to issuance of building permits	C/D	
MM 5-3 A separate grading plan check submittal shall be required where improvements being proposed would generate 50 cubic yards or more of combined cut and fill. The grading plan shall be prepared, stamped, and signed by a California registered Civil Engineer.	CE	A/B	Prior to issuance of building permits	C/D	
Greenhouse Gas Emissions					
PDF 6-1 The proposed project shall include the planting of a minimum of 5,600 new trees to provide sequestration of CO2 thereby reducing the net GHG emissions attributable to the project.	PD	A/B	Prior to approval of each tentative tract map and/or development application	C/D	
RR 6-1 Projects shall be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods. The 2013 standards, which were effective July 1, 2014, are approximately 25–30 percent more energy efficient than the 2008 Building and Energy Efficiency Standards.	BO	A/B	Prior to issuance of building permits	C	
RR 6-2 The project shall be designed in accordance with the applicable California Green Building Standards (CALGreen) Code (24 CCR 11).	BO	A/B	Prior to issuance of building permits	C	
RR 6-3 The Property Owner/Developer shall install recycled water systems for all projects with a total landscape area equal to or greater than 2,500 square feet as required	CE	A/B	Prior to issuance of building permits	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
by Section 17.82 of the Rancho Cucamonga Municipal Code.					
RR 6-4 The project shall be designed in accordance with the applicable residential and non-residential sections of the CALGreen Building Code as designated in the City of Rancho Cucamonga Green Building Compliance Matrices, as required by Section 17.50 of the Rancho Cucamonga Municipal Code.	BO	A/B	Prior to issuance of building permits	C	
MM 6-1 Prior to the issuance of each building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that high efficiency non-incandescent light bulbs and lighting fixtures shall be installed in residential and non-residential buildings, and Energy Star-rated appliances for clothes washers, dish washers, refrigerators, and fans shall be installed in all residences. Alternatively, the Property Owner/Developer or its contractors shall submit for approval alternate measures to provide GHG emissions reductions equivalent to those achieved by the installation of high-efficiency lighting and Energy Star appliances, which is 814 MTCO2e per year, as shown in Table 4.6-14.	BO	A/B	Prior to issuance of building permits	C/D	
Hazards and Hazardous Materials					
PDF 7-1 As identified in Table 7.4, Development Standards, of the proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment, and in compliance with the height restrictions identified in Section 5.3.2 of the Empire Lakes/IASP Sub-Area 18 Specific Plan, primary buildings in PAI north 6th Street shall not exceed 70 feet and primary buildings south of 6th Street shall not exceed 60 feet.	PD	A/B	Prior to approval of each tentative tract map and/or development application	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 7-1. Future development in the Empire Lakes/IASP Sub-Area 18 Planning Area (PA) I shall comply with the Hazardous Materials Transportation Act, as administered by the U.S. Department of Transportation, which governs the transport of hazardous materials and wastes. Vehicles transporting hazardous materials are required to comply with the regulations, as implemented by the California Department of Transportation (Caltrans).	FC	C/E	During construction and operations	A/B	
RR 7-2 Future development in PAI shall comply with the Resource Conservation and Recovery Act (RCRA), the California Hazardous Waste Control Act, and the California Accidental Release Prevention Program, where applicable, which collectively manage the transport, storage, use, and disposal of hazardous materials and wastes.	FC	C/E	During construction and operations	A/B	
RR 7-3 Future development in PAI shall comply with Section 17.66.040, Hazardous Materials, of the City of Rancho Cucamonga Development Code to ensure that required information is reported to the Rancho Cucamonga Fire District, as the regulatory authority. Businesses required by State law to prepare hazardous materials release response plans and Hazardous Materials Inventory Statements shall, upon request, submit copies of these plans, including any revisions, to the Fire District. Underground storage of hazardous materials shall comply with all applicable requirements and shall comply with the procedures for notification outlined in this section.	FC	E	During operations	A/B/D	
RR 7-4 PAI is within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ONT ALUCP). As identified in Section 7.7.5, ALUCP Compliance, of the proposed Specific Plan Amendment, construction activities and future development	PD	A/B	Prior to approval of each tentative tract map and/or development application	B/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
in PAI shall be implemented in compliance with the applicable policies and requirements as identified in the ONT ALUCP. These include, but are not limited to: • **Compliance with Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace, Subpart C, Obstruction Standards (Airspace Protection Policy A1).** As identified in Section 5.3.2, Architecture/Building Heights/Massing, of the Empire Lakes/IASP Sub-Area 18 Specific Plan, building height limits in Sub-Area 18 shall not exceed the height limits prescribed in the ONT ALUCP. Proposed structures shall comply with Federal Aviation Administration (FAA) height restrictions. Prior to approval of each tract map and/or parcel map, whichever comes first, the Property Owner/Developer shall submit an FAA Determination of No Hazard to Air Navigation to the City of Rancho Cucamonga. The Property Owner/Developer shall notify the FAA via filing FAA Form 7460-1 to initiate the FAA review and determination process. The Property Owner/Developer shall comply with the requirements of the FAA determination, including but not limited to further aeronautical study; installation of roof-top obstruction lighting; and/or marking requirements, if necessary. • **Avigation Easement.** In compliance with ONT ALUCP Airspace Protection Policy A2b and Special Compatibility Policy SP1a, an avigation easement shall be dedicated to the owner/operator of the Ontario International Airport for any portion of PAI					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
that is within the High Terrain Zone, which includes the areas between 4th Street and 6th Street. • **Real Estate Transaction Disclosure.** In compliance with Airport Land Use Compatibility Plan for LA/Ontario Airport's (ONT ALUCP's) Overflight Policy O2, a Real Estate Transaction Disclosure is required for all development in PAI. State Law (Business and Professions Code Section 11010) provides the following disclosure language: NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example, noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.					
Hydrology and Water Quality					
RR 8-1 The Property Owner/Developer shall comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit) applicable at the time a grading permit is issued. The Property Owner/Developer shall prepare and implement	BO	A/B/C	Prior to issuance of grading permits/ during construction	A/B/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
a Storm Water Pollution Prevention Plan (SWPPP), which must include erosion- and sediment-control Best Management Practices (BMPs) that will meet or exceed measures required by the determined risk level of the Construction General Permit, as well as BMPs that control the other potential construction related pollutants. A Construction Site Monitoring Program that identifies monitoring and sampling requirements during construction is a required component of the SWPPP. Evidence of compliance with the NPDES Construction General Permit shall be provided to the City's Building and Safety Services Director prior to issuance of a grading permit.					
RR 8-2 The Property Owner/Developer shall comply with Section 19.20.260, Water Quality Management Plan, of the Rancho Cucamonga Municipal Code, which requires that all qualifying land development/redevelopment projects submit and have approved a water quality management plan (WQMP) to the City's Building and Safety Services Director on a form provided by the City. The WQMP shall identify all BMPs to be incorporated into the project to control storm water and non-storm water pollutants during and after construction.	BO	A/B	Prior to issuance of grading permits	D	
RR 8-3 The Property Owner/Developer shall comply with Chapter 19.20 of the Rancho Cucamonga Municipal Code, which is the City's Storm Water and Urban Runoff Management and Discharge Control Ordinance and which provides regulations to comply with the Clean Water Act (CWA), the California Porter-Cologne Water Quality Control Act, and the NPDES permit for San Bernardino County. This ordinance prohibits the discharge of specific pollutants into the storm water; regulates connections to the storm drain	BO	E	During operations	A/B	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
system; and requires development projects to implement permanent BMPs on individual sites to reduce pollutants in the storm water.					
RR 8-4 The Property Owner/Developer shall comply with Chapter 6.6, Storm Water Drainage System, of the City of Ontario Municipal Code, for the necessary connections to the City of Ontario storm drain system. The Chapter provides regulations to comply with the CWA, the California Porter-Cologne Water Quality Control Act, and the NPDES permit for San Bernardino County, and to effectively prohibit non-storm water discharges into the City's storm water drainage system. In addition to dischargers in the City of Ontario, this chapter applies to dischargers outside the City who, by agreement with the City, utilize the City's storm water drainage system.	CE	B/E	Prior to issuance of building permits/ during operations	A/C	
Noise					
PDF 10-1 As identified in Section 7.3.4(b), Rail Road Edge, of the proposed Specific Plan Amendment, a solid wall shall be installed along the northern property line to provide noise reduction and a visual barrier from the adjacent rail line. The wall shall be at least six feet high. Where feasible, a berm, or berm-wall combination may be used.	BO	B	Prior to issuance of building permits	C	
RR 10-1 Noise-generating construction activities shall comply with Section 17.66.050(D)(4) of the City of Rancho Cucamonga Development Code as follows: • Construction adjacent to residences shall be limited to the hours of 7:00 AM to 8:00 PM, Monday through Saturday, with no construction on Sundays or National Holidays and shall not exceed 65 dBA at the	BO	C	During grading and construction	A	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
adjacent property line. • Construction adjacent to commercial or industrial uses shall be limited to the hours of 6:00 AM to 10:00 PM on all days and shall not exceed 70 dBA at the adjacent property line.					
RR 10-2 Future development in Planning Area (PA) 1 shall comply with Title 24 of the California Building Standards Code, which establishes building standards applicable to all occupancies throughout the state. Title 24 requires that residential structures (other than detached single-family dwellings) be designed to prevent the intrusion of exterior noise such that the interior noise level (CNEL) with windows closed shall not exceed 45 dBA in any habitable room.	BO	A/B	Prior to issuance of building permits	C	
RR 10-3 Noise-generating operational equipment in PAI shall be designed and installed to comply with Section 17.66.050(F)(1) of the City of Rancho Cucamonga Development Code, which limits exterior noise to residential receptors to 65 A-weighted decibels (dBA) or less between 7:00 AM and 10:00 PM and to 60 dBA or less between 10:00 PM and 7:00 AM. (Noise levels are determined based on measurements at the adjacent residential property line).	CE	B/E	Prior to issuance of building permits	A/C	
RR 10-4 Operations and businesses in PAI shall be conducted to comply with Section 17.66.050(G) of the City's Development Code, which has the following provisions: • Commercial and office activities shall not create exterior noise that, when measured at the adjacent property line, exceeds 65 dBA between 10:00 PM and 7:00 AM and that exceeds 70 dBA between 7:00 AM and 10:00 PM.	CE	E	During operations	A	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
• Between 10:00 PM and 7:00 AM, no loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects shall cause a noise disturbance to a residential area. • Between 10:00 PM and 8:00 AM, no repairing, rebuilding, modifying, or testing or any motor vehicle, motorcycle, or motorboat shall cause a noise disturbance in an adjacent residential area.					
MM 10-1 Prior to the issuance of each grading permit, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the equipment to be used for demolition and grading that would occur within 25 feet of an off-site structure shall not include vibratory rollers, large bulldozers, or similar heavy equipment. Vibratory rollers operated in the static mode would be allowed.	PD	A/B/C	Prior to issuance of grading permits/ During construction	A/C/D	
MM 10-2 Prior to issuance of building permits for buildings within 200 feet of the railroad tracks north of the project site, the Property Owner/Developer shall submit a vibration analysis to the City of Rancho Cucamonga Building Official that demonstrates that anticipated building vibrations, based on the best available forecast of future rail operations, would not exceed the vibration impact criteria recommended by the Federal Transit Administration or similar authority. The vibration analysis shall describe if increased setback or vibration-reducing structural building elements are required to achieve the performance standard.	BO	A/B	Prior to issuance of building permits	D	
MM 10-3 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences, the	PD	A/B/C	Prior to issuance of demolition or	A/C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Property Owner/Developer shall submit construction plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the installation of a temporary noise barrier between the construction area and the adjacent residences is required. The barrier shall be 12 feet high and solid from the ground to the top. The barrier shall be constructed with plywood that is at least ½ inch thick or with another material that creates a noise transmission loss of at least 20 dBA. For maximum effectiveness, the barrier shall be located as close as feasible to the residences or as close as feasible to the noise sources. Where feasible, the barrier shall remain in place until the completion of construction near residences.			grading permits/ during construction		
MM 10-4 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences or within 325 feet of commercial or industrial buildings, the Property Owner/Developer shall submit a construction-related noise mitigation plan to the Rancho Cucamonga Planning Department. The plan shall depict the location of the construction equipment and how the noise from this equipment would be mitigated during construction of the project. The plan shall demonstrate that the construction plans and specifications include the following noise-abatement, notification, and control measures: • All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State-required noise-attenuation devices. • Stationary construction equipment shall be placed such that emitted noise is directed away from	PD	B/C	Prior to issuance of demolition or grading permits/ during construction	A/C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
sensitive noise receivers. • On-site and off-site construction haul routes shall be designed to avoid noise-sensitive uses, as feasible. • If a perimeter block wall is required for a project, the wall shall be constructed as early as possible during the first phase of construction. • A "Construction Noise Coordinator" shall be identified. The Construction Noise Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Construction Noise Coordinator shall notify the City within 48 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler) and shall implement reasonable measures to resolve the compliant, as deemed acceptable by the Planning Department. Signs shall be posted at the construction that include the contact information for the Construction Noise Coordinator.					
MM 10-5 Prior to the issuance of each permit for site clearing and demolition, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that, if crushing, grinding, chipping or similar equipment is to be used, the equipment must be located at least 500 feet from residences and at least 300 feet from commercial or industrial buildings and oriented so that the noisiest side is facing away from the residences.	PD	A/B/C	Prior to issuance of demolition or grading permits	A/C/D	

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Key to Checklist Abbreviations

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 10-6 Prior to issuance of building permits for buildings adjacent to 4th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 4th Street. The Property Owner/Developer shall also submit plans and specifications showing that: • All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed. • All exterior use areas within 200 feet of 4th Street shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.	BO	A/B	Prior to issuance of building permits	C/D	
MM 10-7 Prior to issuance of building permits for buildings adjacent to 6th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 6th Street. The Property Owner/Developer shall also submit plans and specifications showing that: • All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with	BO	A/B	Prior to issuance of building permits	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
windows closed. • All exterior use areas shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.					
MM 10-8 Prior to issuance of building permits for buildings facing adjacent to or near the northern property line, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing the rail line. The Property Owner/Developer shall also submit plans and specifications showing that: • All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.	BO	A/B	Prior to issuance of building permits	C/D	
Public Services					
PDF 12-1 In compliance with Section 7.4.1, Site Planning Criteria, of the proposed Specific Plan Amendment, appropriate Crime Prevention Through Environmental Design (CPTED) features, as determined by Rancho Cucamonga Police Department (RCPD) in coordination with the Community Services Department and the Public Works Service Department, shall be implemented in Planning Area I. CPTED features incorporated into the design of spaces shall include, but not be limited to, territorial reinforcement, strategic natural surveillance, well-lit spaces, and	PD/PO	A/B	Prior to issuance of building permits	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
appropriate maintenance. CPTED review of each proposed development shall be completed by the RCPD prior to issuance of building permits. Additionally, infrastructure to support the RCPD electronic systems shall be provided; the systems to be installed shall be coordinated with and approved by the RCPD.					
PDF 12-2 To provide space for the Library Services, Community Services, and Police Departments, and ancillary use by the Public Works Department, a Joint Use Public Facility shall be accommodated within PAI. The provisions for ensuring implementation of this facility in PAI shall be outlined in the proposed Development Agreement between the Project Applicant and the City. The resources provided by the Joint Use Public Facility shall be sufficient to adequately serve the future project residents, employees and visitors, as determined by the City. The final size, location, operational requirements, and design features of the facility shall be determined during the master planning stage of the area north of 6th Street in coordination with the respective City departments. It is expected that the Joint Use Public Facility would be up to 25,000 sf, and the square footage would be within the maximum amount of non-residential development allowed by the proposed Specific Plan Amendment. In the event the Development Agreement is not approved, establishment of provisions for implementation of a Joint Use Public Facility within PAI shall be required as a Condition of Approval. The condition shall be included in the Mitigation Monitoring Program and specify that construction of the facility shall commence no later than the issuance of the building permit for the 2,000th residential dwelling unit.	PD	B	Prior to approval of Development Agreement or prior to issuance of building permit for the 2,000th residential dwelling unit	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
PDF 12-3 As shown on Exhibit 3-4, Conceptual Development Plan by Placetype, the Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment includes three central community recreation (REC) areas (approximately 6.8 acres) and a 0.6-acre Urban Plaza. The (REC) areas may include the following types of amenities: fitness area, pool and spa, community meeting rooms, and plaza space.	PD	B	Prior to approval of each tentative tract map and/or development application	C	
PDF 12-4 The proposed/potential Development Agreement for the proposed project, or separate agreement between the City and the Property Owner/Developer or entity under common ownership, shall address the Rancho Cucamonga Fire Protection District's (RCFPD) acquisition, at fair market value, of the property at Assessor Parcel Number No. 1077-422-58, or other site acceptable to the Rancho Cucamonga Fire Protection District (RCFPD) for a potential future fire station within 0.5-mile of the identified fire station site. A purchase and sale agreement shall be executable immediately upon granting of any final approvals for the General Plan Amendment and Specific Plan Amendment. If no final approvals are granted the purchase and sale agreement may only be executed if both parties mutually agree.	PD/FC	B	Upon granting of final approvals or as mutually agreed upon	D	
RR 12-1 The Property Owner/Developer shall comply with all applicable codes, ordinances and standard conditions, including the current edition of the California Fire Code and the Rancho Cucamonga Fire Protection District (RCFPD) Fire Protection Standards and Guidance Documents, regarding fire prevention and suppression measures, fire hydrants, automatic fire extinguishing systems, access, water availability, and fire sprinkler system, among other measures. Prior to issuance of building permits, the	FC/BO	A/B/D	Prior to issuance of building permits and occupancy permits	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Planning Department and RCFPD shall verify compliance with applicable codes and that appropriate fire safety measures are included in the project design. All such codes and measures shall be implemented prior to occupancy.					
RR 12-2 Pursuant to Chapter 3.52 (Community and Recreation Center Impact Fee), Chapter 3.56 (Library Impact Fee), Chapter 3.64 (Police Impact Fee), and Chapter 3.68 (Park In-Lieu/Park Impacts Fees) of the City's Municipal Code, prior to issuance of each building permit, the Property Owner/Developer shall be responsible for payment of the City's Development Impact Fees in an amount established by City Council Resolution. The fees paid shall be that in effect at the time of issuance of the building permit, subject to applicable fee credits for community facilities provided as part of the project.	PD	A/B	Prior to issuance of building permits	C	
RR 12-4 Prior to the issuance of each building permit, the Property Owner/Developer shall pay applicable developer's fees to the impacted school district(s) pursuant to Section 65995 of the California Government Code. Under State law, payment of the developer fees provides full and complete mitigation of the project's impacts on school facilities. Evidence that these fees have been paid shall be submitted to the Planning Department.	PD	A/B	Prior to issuance of building permits	C	
RR 12-3 Pursuant to Chapter 16.32, Park and Recreational Land, of the City's Municipal Code, as a condition to the approval of a tentative map, parcel map, planned community, land development or real estate development (assuming future project entitlements include one or more of these approvals), the Property Owner/Developer shall dedicate land, pay in-lieu fees, or do a combination of both for the provision of neighborhood and community park or	PD	A/B		C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
recreational purposes. Land to satisfy dedication requirements is required to be conveyed to the City at the time of recordation of the final map or parcel map. In lieu fees are required to be paid to the City prior to the issuance of building permits. The provision of on-site private open space and recreational facilities may be credited against the parkland dedication and/or fee requirement at the discretion of the Planning Commission, assuming standards outlined in the Municipal Code are met.					
Transportation/Traffic					
PDF 13-1 The Property Owner/Developer shall construct the following intersection improvements at the project access locations: • 7th Street and Cleveland Avenue: Side-street stop control • 7th Street and Anaheim Place: Side-street stop control • 6th Street and Project Access: Signalized intersection • 4th Street and Project Access: Signalized intersection • Site access improvements at the Metrolink Transit Station.	CE	C/D	Prior to issuance of occupancy permits	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 13-1 Work within streets, sidewalks, and public places shall comply with Title 12 of the City of Rancho Cucamonga Municipal Code, and Chapter 3 of the City of Ontario Municipal Code, which require an encroachment permit from the City. The City of Rancho Cucamonga also requires compliance with applicable standards in the Manual on Uniform Traffic Control Devices (MUTCD). Application for the permit shall be made as part of the respective plan check process and prior to any work on public areas or rights-of-way.	CE	B/C	Prior to issuance of building permits/ during construction	A/B/C	
RR 13-2 In accordance with Chapter 3.28, City-Wide System Fees for Transportation Development, of the City of Rancho Cucamonga Municipal Code, prior to the issuance of each building permit, the Property Owner/Developer shall pay applicable city-wide transportation development impact fees to the satisfaction of the City Engineering Department. These impact fees, along with the use of State and federal funds, is expected to implement various freeway, highway, and roadway projects in and near Rancho Cucamonga.	CE	A/B	Prior to issuance of building permits	C	
RR 13-3 The Property Owner/Developer shall comply with the City's Transportation Demand Management Ordinance, which calls for the provision of amenities or programs to encourage the use of alternative modes of travel by employees; patrons; and visitors of commercial, industrial, office, and mixed use developments. These may include, but are limited to shower facilities, preferred parking, bicycle storage, video conference facilities, transit improvements, and other measures to reduce vehicle trips in the City. These facilities shall be shown in the site improvement and building plans submitted to the City during the permit process.	PD/CE	A	Prior to issuance of building permits	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 13-4 In accordance with Chapter 10.56, Truck Routes and Restrictions, of the City of Rancho Cucamonga Municipal Code, commercial vehicles and vehicle combinations described in Sections 35400 and 35401 of the California Vehicle Code, or their successor provisions, and vehicles which exceed a maximum gross weight of three tons shall use designated truck routes. Non-designated truck routes shall be used only as necessary for the purpose of making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on a city street or for the purpose of delivering materials to be used in the repair, alteration, remodeling, or construction of any building or structure upon a city street for which a building permit has previously been obtained.	CE	C/E	During construction and operations	A	
MM 13-1 Prior to the issuance of the first occupancy permit, and in coordination with the City of Rancho Cucamonga, the Property Owner/Developer shall implement the following intersection improvements: 2. **Foothill Boulevard and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length. 3. **Foothill Boulevard and Rochester Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length. 4. **Foothill Boulevard and Day Creek Boulevard.** Convert the rightmost northbound through lane into	CE	B	Prior to the issuance of the first occupancy permit	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
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a through/right shared lane. 7. **Arrow Route and Haven Avenue.** Modify the southbound approach from having two left turn lanes, two through lanes, and one through/right shared lane to having two left turn lanes, three through lanes, and one right turn lane (MM 13-1). 8. **Arrow Route and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would require changing the coordinated cycle length. 13. **6th Street and Haven Avenue.** To achieve additional lanes on the northbound and westbound approach, modify the northbound approach from having two left-turn lanes, two through lanes, and one shared through/right-turn lane to having two left-turn lanes, three through lanes, and one right-turn lane. Modify the westbound approach from having one left-turn lane, two through lanes, and one right-turn lane to having two left-turn lanes, two through lanes, and one right-turn lane. 14. **6th Street and Cleveland Avenue.** Install a traffic signal and signal interconnect and other appropriate traffic signal hardware to ensure coordination with upstream and downstream signals. This improvement is consistent with planned improvements within the City of Rancho Cucamonga's DIF Program (refer to RR 13-2), and the Property Owner/Developer may be eligible for partial reimbursement with implementation of this mitigation measure.					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 13-2 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that optimization of the PM-coordinated cycle lengths, and/or adjustment and optimization of the coordinated maximum splits for the PM signal timing plan, as appropriate, at the City of Ontario's **4th Street and Haven Avenue, 4th Street and Milliken Avenue,** and **Inland Empire Boulevard and Haven Avenue** intersections have been completed, and that the coordinated cycle length for other locations these intersections are in coordination with have been re-evaluated, if required. The Property Owner/Developer shall pay its fair share fee to the City of Ontario for these improvements prior to the 2,001st occupancy permit or when signal timing enhancements are deemed necessary by the City of Ontario.	CE	D	Prior to issuance of occupancy permits	D	
MM 13-3 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that adjustment and optimization of coordinated maximum splits for the PM signal timing plan at the Caltrans intersection of **I-10 Westbound Ramps-Ontario Mills Parkway and Milliken Avenue** has been completed. This would not require changing the coordinated cycle length.	CE	D	Prior to issuance of occupancy permits	D	
MM 13-4 Prior to issuance of building permits, the Property/Owner Developer shall pay its fair share fee to the City of Rancho Cucamonga for the following measures required to mitigate Cumulative Year (2036) Plus Project conditions: • **Foothill Boulevard and Day Creek Boulevard.** Adjust, optimize and maintain the coordinated PM	CE	B	Prior to issuance of building permits	B	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length. • **6th Street and Haven Avenue.** Adjust, optimize and maintain the coordinated the PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length. • **6th Street and Milliken Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length. The fair share payment amount shall be established by the City of Rancho Cucamonga Engineering Department. The timing of implementation of the improvements shall be determined by the City and, to the extent feasible, shall be completed by the City in the timeframe necessary to avoid identified significant cumulative impacts.					
MM 13-5 Prior to the issuance of a demolition permit or grading permit, whichever occurs first, the Property Owner/Developer shall submit a Traffic Control Plan to the Engineering Services Department for review and approval. The Traffic Control Plan shall describe in detail safe detours and provide temporary traffic control during construction activities for the project. To reduce traffic congestion, the Plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls (e.g., a flag person) during all phases of construction to maintain smooth traffic flow; dedicated turn lanes for movement of construction trucks and equipment on and off site; scheduling of construction activities that affect traffic flow on	CE	A/B	Prior to issuance of a demolition permit or grading permit, whichever is first	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
the arterial system to off-peak hours; consolidation of truck deliveries; rerouting of construction trucks away from congested streets or sensitive receptors; and/or signal synchronization to improve traffic flow.					
Utilities and Service Systems					
Water Supply					
PDF 14-1 The 12-foot 8-inch Metropolitan Water District (MWD) Meadow Upper Feeder located in the existing 40-foot-wide easement that traverses the northern portion of the project site shall be protected in place during construction. Any encroachment to the easement during construction would be conducted in compliance with applicable MWD encroachment specifications.	PD	B	Prior to issuance of building permits	C	
RR 14-1 Prior to approval of a tentative map that includes a subdivision involving more than 500 dwelling units, the Property Owner/Developer shall demonstrate compliance with applicable requirements of SB 221 (Government Code Section 66473.7(b)(2)) in order to demonstrate the availability of an adequate and reliable water supply.	PD	A	Prior to approval of tentative maps	D	
RR 14-2 Water and sewer plans shall be designed and constructed to meet the applicable requirements of the Cucamonga Valley Water District (CVWD) Municipal Code and City of Rancho Cucamonga Development Code. Approval of the plans by the CVWD is required prior to final map approval or issuance of permits, whichever occurs first.	CE	A/B	Prior to final map approval or issuance of building permits, whichever occurs first	B/D	
RR 14-3 Landscaping associated with future development in Planning Area (PA) I shall be implemented in compliance with Chapter 17.56 of the City of Rancho Cucamonga Development Code, which requires preparation and review of landscape and irrigation plans during the Design Review	PD	A/B	During design review	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
process. A preliminary landscape plan and irrigation plan shall be submitted to the designated approving authority, which shall be the same as the designated approving authority of the requested entitlement, and shall show a water budget that includes the estimated water use (in gallons); the irrigated area (in square feet); the precipitation rate; the flow rate in gallons per minute; the conceptual locations for trees, shrubs, ground cover, and other vegetation; and a corresponding list of planting material by species, quantity, and size. Pursuant to Section 17.56.030(B) of the Development Code, the final landscape planting and irrigation plans shall be prepared by a registered licensed Landscape Architect and shall be in substantial compliance with the preliminary landscape and irrigation plan approved by the designated approving authority.					
RR 14-4 Landscape plans prepared for future development in PAI shall be in compliance with Chapter 17.82, Water Efficient Landscaping, of the City Rancho Cucamonga Development Code, which includes requirements for development of a water budget, landscape design guidelines, soil and grading requirements, and a requirement to use recycled water.	PD	A/B	Prior to issuance of building permits	C	
Solid Waste Disposal					
RR 14-5 Demolition and construction activities in PAI shall be conducted in compliance with requirements of Section 8.19.280, Construction and Demolition Waste, of the City's Municipal Code. Construction and demolition waste shall be made available for deconstruction, salvage, and recovery prior to demolition. Inclusive of the recovered and salvaged materials, the following specified percentages of waste	CE	A/B/D	Prior to issuance of demolition, grading, and building permits/after construction	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
tonnage of demolition and construction waste shall be diverted from landfills through recycling, reuse, and diversion: 50 to 75 percent of demolition waste tonnage that includes concrete and asphalt; 15 percent of demolition waste tonnage that excludes concrete and asphalt; 50 to 75 percent of roofing waste tonnage; and 50 to 75 percent of construction and remodeling waste tonnage. Prior to issuance of each Demolition or Building Permit, a "Form CD-1 Waste Management and Recycling Plan" shall be submitted to the Engineering Services Department.					
RR 14-6 Development in PAI shall comply with Chapter 8.17, Residential Refuse, Recyclables and Green Waste Collection, of the City's Municipal Code. The collection and disposal of refuse, recyclables or green waste shall only be conducted by entities issued a permit to do so by the City, with certain exceptions, as identified in the Municipal Code.	CE	E	After issuance of occupancy permits	A	

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PD: Planning Director CE: City Engineer or designee BO: Building Official or designee PO: Police Captain or designee FC: Fire Chief or designee	A: With Each New Development B: Prior to Construction C: Throughout Construction D: On Completion E: During Occupancy/Operations	A: On-site Inspection B: Other Agency Permit / Approval C: Plan Check D: Separate Submittal (Reports/Studies/Plans)

RESOLUTION NO. 16-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RECOMMENDING APPROVAL OF SPECIFIC PLAN AMENDMENT DRC2015-00040, A REQUEST TO AMEND THE RANCHO CUCAMONGA INDUSTRIAL AREA SPECIFIC PLAN (IASP) SUBAREA 18 SPECIFIC PLAN, A SPECIFIC PLAN THAT APPLIES TO PROPERTIES LOCATED NORTH OF 4TH STREET, SOUTH OF THE BNSF/METROLINK RAIL LINE, WEST OF MILLIKEN AVENUE, AND EAST OF UTICA/CLEVELAND AVENUES, TO DELETE TEXT, GRAPHICS, AND EXHIBITS RELATING TO THE EMPIRE LAKES GOLF COURSE, AN EXISTING PRIVATE GOLF COURSE OF 160 ACRES THAT IS LOCATED WITHIN THE SUBJECT SPECIFIC PLAN AREA, AND INSERT TEXT, GRAPHICS, AND EXHIBITS THAT WILL DESCRIBE THE DESIGN AND TECHNICAL STANDARDS/GUIDELINES FOR A PROPOSED MIXED USE, HIGH DENSITY RESIDENTIAL/COMMERCIAL DEVELOPMENT THAT IS PROPOSED TO REPLACE THE GOLF COURSE; AND MAKING FINDINGS IN SUPPORT THEREOF - APNS: 0209-272-11, -15, -17, -20, -22 THROUGH -28, 0210-082-41, -49 THROUGH -52, 0210-082-61, -64, -65, -67 THROUGH –69, -71 THROUGH -74, -78, -79, -84, -88 THROUGH -90, 0210-581-01 THROUGH -06, 0210-591-02 THROUGH -14, AND 0210-623-66.

A. Recitals.

1. SC Rancho Development Corp., an entity of Lewis Operating Corp., filed an application for Specific Plan Amendment DRC2015-00040 as described in the title of this Resolution. Hereinafter in this Resolution, the subject General Plan Amendment is referred to as "the application."

2. On April 13, 2016 and continued to April 27, 2016, the Planning Commission conducted a duly noticed public hearing on the application and concluded said hearing on that date.

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

B. Resolution.

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

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

2. Findings. Based upon the substantial evidence presented to this Commission during the above-referenced public hearing on April 13, 2016 and April 27, 2016, including written and oral staff reports, together with public testimony, this Commission hereby specifically finds as follows:

a. The application applies to a property that is currently improved with the Empire Lakes Golf Course, a privately owned and operated 18-hole golf course with an area of 160 acres.

b. Development of the subject property is governed by the Rancho Cucamonga Industrial Area Specific Plan (IASP) Subarea 18 Specific Plan, the City's Development Code, and the City's General Plan.

c. The Specific Plan, as it was originally approved in 1994, consists of eleven (11) "Planning Areas" which are identified with Roman numerals, i.e. Planning Area IA/IB through X. The golf course is within "Planning Area IA", "Planning Area IB", and (partly) "Planning Area III" of the Specific Plan.

d. The overall area of the Specific Plan is 347 acres. The Specific Plan is bound by 4th Street to the south, Milliken Avenue to the east, Cleveland Avenue and Utica Avenue to the west, and 8th Street and the BNSF/Metrolink rail line to the north. The golf course is generally located at the center, and covers about 46%, of the Specific Plan. Both the Specific Plan and the golf course are bisected into north and south halves by 6th Street.

e. To the east of the golf course are multi-family residences within four (4) apartment complexes ("Village at the Green", "Reserve at Empire Lakes", "Ironwood at Empire Lakes", and "AMLI at Empire Lakes"). Adjacent to the northeast corner of the golf course are office buildings and the Rancho Cucamonga Metrolink station. To the west of the part of the golf course located south of 6th Street is an office complex comprised of multiple tenants including Southern California Edison (SCE) and Inland Empire Health Plan (IEHP). To the west of the part of the golf course located north of 6th Street are logistics/manufacturing buildings. To the north of the golf course, beyond the BNSF/Metrolink rail line, are additional logistics/manufacturing buildings. To the south, on the opposite side of 4th Street, is vacant land within the City of Ontario.

f. The zoning designations surrounding the Empire Lakes Specific Plan are as follows: north - Minimum Impact/Heavy Industrial (MI/HI) District; south - Ontario Center Specific Plan (2254-SP) (in the City of Ontario); east - General Industrial (GI) District and Industrial Park (IP) District, and Industrial Park (IP) District, (Industrial Commercial Overlay District (ICOD)); and west - General Industrial (GI) District and Industrial Park (IP) District.

g. Concurrent with this application, the applicant has also applied for General Plan Amendment DRC2015-00114 and Development Code Amendment DRC2015-00115. The purpose of these applications is to enable the applicant to 'redevelop' the golf course with a mixed use project, transit-oriented, high density development.

h. Specific Plan Amendment DRC2015-00040 will amend the Empire Lakes Specific Plan. This amendment will re-designate "Planning Area IA", "Planning Area IB", and part of "Planning Area III" of the existing Specific Plan as "Planning Area 1 (PA1)". The amendment will also revise and/or delete existing text, graphics, and exhibits that are associated with, or refer to, the above-noted Planning Areas and the existing golf course. In addition, new design and technical standards/guidelines will be created and incorporated, as a new section (chapter) that will be used to govern development within Planning Area 1 (PA1). This new section will be identified as Section 7 in the proposed amended Specific Plan, and follow the existing six (6) sections (chapters) of the existing Specific Plan.

i. A Notice of Preparation (NOP) for the Environmental Impact Report was prepared and circulated with the Initial Study on April 27, 2015 to the State Clearinghouse (SCH

No. 2015041083), and to public agencies that have discretionary approval power over the project, i.e. "Responsible Agencies" and Native American Governments. Also, the NOP was made available for review at the Archibald and Paul A. Biane Libraries, at City Hall, and on the City's website. Per State law, the comment period ended 30 days after the date of circulation (in this case, May 26, 2015). However, as the Public Scoping meeting was scheduled for June 10, 2015, comments, if any, in response to the NOP were accepted until that date. The Initial Study was made available to the public during and after the comment period. The City received several comment letters in response to the NOP.

j. The City conducted a noticed Public Scoping meeting during a Planning Commission meeting on June 10, 2015. The notice for this scoping meeting appeared in the Inland Valley Daily Bulletin newspaper and notices were mailed to the owners of all properties located within 1,000 feet of the Empire Lakes Specific Plan planning area.

k. A Draft EIR was prepared and was distributed to all Responsible and Trustee agencies, and individuals who had expressed interest in the project and/or had previously requested copies. The Draft EIR was distributed for a 45-day public review period on November 10, 2015, with the comment period expiring on December 24, 2015. During the 45-day public review period, the Draft EIR and technical appendices were made available for review at the Archibald Library, the Paul A. Biane Library, the Planning Information and Services Counter at City Hall, and on the City's website. Comment letters were received from the City of Ontario, San Bernardino County Department of Public Works, Metrolink, and several members of the public during the public comment period that specifically discussed the Draft EIR. Written responses to all significant environmental issues raised were prepared and made available in the Final EIR.

l. A "Findings of Fact in Support of Determinations related to Significant Environmental Impacts" has been prepared and are attached (as Attachment "A") to this Resolution.

m. Environmental impacts identified in the Final EIR that will be "less than significant" without mitigation measure or project design features are described in Section A, page 7 of Attachment "A".

n. Environmental impacts identified in the Final EIR that will be "less than significant" after mitigation measures have been implemented are described in Section B, page 15 of Attachment "A". In accordance with CEQA requirements, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared to assure compliance with the adopted mitigation measures.

o. Environmental impacts identified in the Final EIR that will be "significant and unavoidable" despite the implementation of all feasible mitigation measures are described in Section C, page 25 of Attachment "A".

p. A proposed Statement of Overriding Considerations for the environmental impacts that cannot be fully mitigated to a "less than significant level" is located in Section V, page 40 of Attachment "A". The proposed Statement provides substantial evidence that the environmental risks of the application have been balanced against its benefits.

q. Based on the totality of the administrative record, the Planning Commission finds that the Final EIR complies with the requirements of CEQA and recommends that the City Council certify the Final EIR as being prepared in compliance with CEQA and that the City Council also adopt the Mitigation Monitoring and Reporting Program (MMRP) Attachment B.

r. Approval of the application would not be materially injurious or detrimental to the adjacent properties.

s. The findings set forth in this Resolution reflect the independent judgment of the Planning Commission.

C. Recommendation. On the basis of the foregoing and the totality of the administrative record before it, the Planning Commission hereby recommends that the City Council certify the Final EIR, adopt the Findings and Statement of Overriding Considerations contained in Attachment A, adopt the Mitigation Monitoring and Reporting Program (MMRP) Attachment B, as conditions of approval, and approve Specific Plan Amendment DRC2015-00040.

The Secretary to this Commission shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED THIS 27TH DAY OF APRIL 2016.

PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA

BY: _____
Ravenel Wimberly, Chairman

ATTEST:_____
Candyce Burnett, Secretary

I, Candyce Burnett, Secretary of the Planning Commission of the City of Rancho Cucamonga, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Rancho Cucamonga, at a regular meeting of the Planning Commission held on the 27th day of April 2016, by the following vote-to-wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

FINDINGS OF FACT IN SUPPORT OF DETERMINATIONS

RELATED TO SIGNIFICANT ENVIRONMENTAL IMPACTS

State CEQA Guidelines Sections 15090, 15091 and 15093

For

RANCHO CUCAMONGA INDUSTRIAL AREA SPECIFIC PLAN

(ALSO KNOWN AS EMPIRE LAKES)

SUB-AREA 18 SPECIFIC PLAN AMENDMENT PROJECT

Final Environmental Impact Report

(State Clearinghouse No. 2015041083)

Lead Agency: City of Rancho Cucamonga

I. INTRODUCTION

The following findings of fact are based in part on the information contained in the Draft and Final Environmental Impact Report ("EIR") for the Rancho Cucamonga Industrial Area Specific Plan ("IASP") (also referred to as Empire Lakes) Sub-Area 18 Specific Plan Amendment Project ("Project"), as well as additional facts found in the complete record of proceedings. The EIR is hereby incorporated by reference and is available for review at the City of Rancho Cucamonga Planning Department (10500 Civic Center Drive), Archibald Library (7368 Archibald Avenue), and Paul A. Biane Library (12505 Cultural Center Drive). The EIR is also available at the City's website:
http://www.cityofrc.us/cityhall/planning/current_projects/empire_lakes_specific_plan_project/default.asp

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute provides that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 goes on to provide that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental

effect as identified in the Final EIR. The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and such changes have been adopted by such other agency or can and should be adopted by such other agency. The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR. (CEQA Guidelines, § 15091.) Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*).)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509 [court upholds CEQA findings rejecting alternatives in reliance on applicant's project objectives]; see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (*CNPS*) ["an alternative 'may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record'"] (quoting Kostka & Zischke, *Practice Under the Cal. Environmental Quality Act* [Cont.Ed.Bar 2d ed. 2009] (*Kostka*), § 17.39, p. 825); *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166 (*Bay-Delta*) ["[i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary project objectives"; "a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal"].) Moreover, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors." (*City of Del Mar*, *supra*, 133 Cal.App.3d at p. 417; see also *CNPS*, *supra*, 177 Cal.App.4th at p. 1001 ["an alternative that 'is impractical or undesirable from a policy standpoint' may be rejected as infeasible"] [quoting *Kostka*, *supra*, § 17.29, p. 824]; *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 17.)

For purposes of these findings (including the table described below), the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise potentially significant effect to a less than significant level. Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] *or* substantially lessen[ed]," these findings, for purposes of clarity, in each case will specify whether the effect in question has been "avoided" (i.e., reduced to a less than significant level).

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources

Code, § 21081, subd. (b).) The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II, supra*, 52 Cal.3d at p. 576.) An agency's determination that a project's benefits outweigh significant effects that cannot be mitigated "lies at the core of the lead agency's discretionary responsibility under CEQA." (*City of Marina v. Board of Trustees of the Cal. State Univ.* (2006) 39 Cal.4th 341, 368.) The EIR for the Project concluded the Project would create some significant and unavoidable impacts; thus, a Statement of Overriding Considerations is required.

These findings constitute the City's best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures as measures built into the design of the Project itself or as conditions of Project approval. (See Public Resources Code § 21081.6, subd. (b); Guidelines, § 15126.4, subd. (a)(2).) These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City Council adopts a resolution approving the Project.

In addition, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project, and is being approved by the City Council by the same Resolution that has adopted these findings. The City will use the MMRP to track compliance with Project mitigation measures. The Mitigation Monitoring and Reporting Program will remain available for public review during the compliance period. The Final Mitigation Monitoring and Reporting Program is attached to and incorporated into the environmental document approval resolution and is approved in conjunction with certification of the EIR and adoption of these Findings of Fact.

II. FINDINGS CERTIFYING THE ENVIRONMENTAL IMPACT REPORT

When approving a project for which an EIR has been prepared, the lead agency must certify that the EIR complies with CEQA, that the EIR reflects the lead agency's independent judgment and analysis, and that the EIR was presented to the decision-making body of the lead agency, which reviewed and considered the information contained in the EIR before approving the project. (Public Resources Code § 21082.1, subd. (c); Guidelines, § 15090, subd. (a).)

The Rancho Cucamonga City Council hereby finds, determines and certifies that the EIR complies with CEQA, for reasons explained in the EIR itself, and in staff reports and other information in the record of proceeding. The Council hereby finds, determines and certifies that the EIR reflects the City's independent judgment and analysis. The Council also hereby finds, determines and certifies that the EIR was presented to the Council, and that the Council reviewed and considered the information in the draft and final EIR before approving the project.

III. FINDINGS REGARDING THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT

In compliance with Section 15201 of the State CEQA Guidelines, the City has taken steps to provide opportunities for public participation in the environmental review process. An Initial Study (IS) and Notice of Preparation (NOP) were distributed on April 27, 2015, to federal, State, regional, and local government agencies and interested parties for a 30-day public review period to solicit

comments and to inform agencies and the public of the proposed project. The project was described; potential environmental effects associated with project implementation were identified; and agencies and the public were invited to review and comment on the Initial Study and NOP. The City received 15 comment letters in response to the IS/NOP, and eight letters or email correspondence after the end of the scoping period. Table 2-1 of the DEIR summarizes the NOP comments and other correspondence received addressing environmental and related issues. Additionally, the City of Rancho Cucamonga held a scoping meeting for the Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment EIR on June 10, 2015, at the City of Rancho Cucamonga City Council chambers. The issues raised by commenters at the scoping meeting are summarized in Chapter 2.2.1 of the EIR.

Based on the Initial Study and Notice of Preparation, and on public comments received during scoping, the City has identified environmental issues for which the proposed project would result in no impacts or less than significant impacts, and therefore these issues were not discussed in detail in the EIR. This includes the entirety of the Agriculture and Forestry Resources and Mineral Resources topical areas, and individual checklist questions listed on Appendix G to the CEQA Guidelines within the remaining environmental issue areas. Refer to Section 7.1, Effects Determined Not to be Significant, for a summary discussion of the environmental effects which were found to be less than significant.

To address potentially significant environmental effects in the remaining topical areas, an Environmental Impact Report (EIR) was prepared for this project in accordance with the California Environmental Quality Act (CEQA) Guidelines. As required by CEQA, the EIR includes appropriate review, analysis, and mitigation measures for the environmental impacts of the proposed project. This Final EIR could be utilized by other permitting agencies in their capacity as Responsible and Trustee agencies under CEQA.

Based on the analysis contained in the Initial Study and comments received in response to the Notice of Preparation, a Draft EIR was prepared and circulated for a public review period, beginning on November 10, 2015, and concluding on December 24, 2015. In total, over 230 Notices of availability of the Draft EIR were distributed. The Draft EIR was also available on the City's webpage, as well as the Planning Information and Services Counter at City Hall, the Archibald Library, and the Paul A. Biane Library. A Planning Commission Workshop to discuss the Project was held on Tuesday, November 10, 2015 at 4:30 pm in the Tri-Communities Room at City Hall. Materials from these meetings, including agendas, staff reports, and presentations were made available at the City's website. The applicant conducted the first of several planned Community Meetings on Thursday, December 10, 2015 at The Courtyard Marriott at 11525 Mission Vista Drive, Rancho Cucamonga. Materials from these meetings, including agendas, staff reports, and presentations were made available at the City's website. Three additional Community Meetings were held by the applicant on January 14th, 21st and 28th at the Four Points Sheraton, 11960 Foothill Boulevard, Rancho Cucamonga.

Thirty-five written comment letters from individuals or agencies/organizations were received on the Draft EIR during this public review period, and three additional letters were received after the end of the public review period. A letter was also received from the State Clearinghouse acknowledging compliance with CEQA review requirements. As required by Section 15088 of the State CEQA Guidelines, responses to these comments were prepared and provided to the agencies a minimum of 10 days prior to this hearing. Written responses were also provided to interested parties that submitted return addresses.

For the purposes of CEQA, and the findings herein set forth, the administrative record for the Project consists of those items listed in Public Resources Code section 21167.6, subdivision (e).

The record of proceedings for the City's decision on the Project consists of the following documents, at a minimum, which are incorporated by reference and made part of the record supporting these findings:

- The NOP and all other public notices issued by the City in conjunction with the Project;
- The Draft EIR for the Project and all documents relied upon or incorporated by reference;
- All comments submitted by agencies or members of the public during the 45-day comment period on the Draft EIR;
- All comments and correspondence submitted to the City during the public comment period on the Draft EIR, in addition to all other timely comments on the Draft EIR;
- The Final EIR for the Project, including the Planning and Historic Commission staff report, minutes of the Planning Commission public hearing; City Council staff report; minutes of the City Council public hearing; comments received on the Draft EIR; the City's responses to those comments; technical appendices; and all documents relied upon or incorporated by reference;
- The mitigation monitoring and reporting program (MMRP) for the Project;
- All findings and resolutions adopted by the City in connection with the Project, and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, up through the close of the public hearing;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings and public hearings;
- All resolutions adopted by the City regarding the Project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- The City's General Plan and applicable Specific Plans and all updates and related environmental analyses;
- Matters of common knowledge to the City, including, but not limited to Federal, State, and local laws and regulations;
- The City's Zoning Code;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

Pursuant to Guidelines section 15091(e), the administrative record of these proceedings is located and available for review at 10500 Civic Center Drive, during normal business hours. The custodian of these documents and other materials is the City of Rancho Cucamonga Planning Department.

The City has relied on all of the documents listed above in reaching its decisions on the proposed Project even if not every document was formally presented to the City Council or City Staff as part of the City files generated in connection with the Project. Documents set forth above that are not found in the Project files include prior planning or legislative decisions of which the Board of Supervisors was aware in approving the Project, and documents that influenced the expert advice provided to City Staff or consultants, who then provided advice to the Planning Commission and the City Council as final decision maker. (See *City of Santa Cruz v. Local Agency Formation*

Commission (1978) 76 Cal.App.3d 381, 391-391; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.) Such documents form part of the underlying factual basis for the City's decisions relating to approval of the Project. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.)

Based upon the evidence before it, the City finds that the Project will result in one or more "significant and unavoidable" impacts. Therefore, a statement of overriding considerations is required. In other words, the City must consider whether overriding economic, social, and other considerations outweigh the significant, unavoidable effects of the Project. The required statement of overriding considerations is included herein.

The EIR's analysis of each topical issue describes applicable Regulatory Requirements (RR)s, Project Design Features (PDFs), and project-specific Mitigation Measures (MMs). These components are described below.

- **Regulatory Requirements.** RRs are based on federal, State, or local regulations or laws that are frequently required independently of CEQA review and also serve to offset or prevent specific impacts.

- **Project Design Features.** PDFs are specific project components or design elements that have been incorporated into the project to prevent the occurrence of, or to reduce the significance of, potential environmental effects. Because PDFs have been incorporated into the project, they do not constitute mitigation measures, as defined by CEQA. However, if applicable, PDFs are identified for each topical issue and are included in the MMRP developed for, and to be implemented as a part of, the proposed project. Where, in the absence of the implementation of a PDF, a significant impact could occur, the PDF is a binding obligation by the Project Applicant that is enforceable by the City as if it were a MM.

- **Mitigation Measures.** Where a potentially significant environmental effect has been identified and is not reduced to a level considered less than significant through the application of PDFs or RRs, project-specific MMs have been recommended in accordance with CEQA.

The Findings below describe in detail the PDFs and MMs in the EIR, since both types of measures prevent or reduce the significance of impacts that the Project would otherwise potentially have on the environment. These Findings refer to RRs to the extent that they are relevant to the City's analysis of environmental effects, but the full text of the RRs is not provided below. For the details of applicable RRs, please see the appropriate text in the EIR, which these Findings incorporate by reference.

The Findings below describe numbered impacts (e.g, Impact 1.1) that were analyzed in detail in the EIR. Other, non-numbered impacts were analyzed and considered less than significant in the Initial Study (included as Appendix A to the EIR), as described in Section 7.0 of the EIR. Impacts are presented below in summary form. For a detailed description of impacts, please see the appropriate text of the IS and EIR, which these Findings incorporate by reference.

Finally, for some impacts analyzed in the EIR, the EIR concludes that certain aspects of the impact can be mitigated to a less than significant level with mitigation, while certain other aspects of the

impact remain significant and unavoidable even with mitigation. For example, in analyzing Impact Threshold 2.2 – "Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?" – the EIR concludes that regional and local construction emissions would be less than significant after mitigation, but that certain long-term regional operational emissions would be significant and unavoidable. In order to organize impacts to correspond with their applicable mitigation measures, Section III-C of these Findings, "Findings With Respect to Significant Effects That Cannot Be Mitigation to a Less Than Significant Level," lists all impacts in which any aspect of the impact is considered significant and unavoidable. Section V of these Findings, the Statement of Overriding Considerations, addresses only those aspects of each impact area in which an impact is considered significant and unavoidable after mitigation.

A. FINDINGS WITH RESPECT TO EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT WITHOUT MITIGATION MEASURES OR PROJECT DESIGN FEATURES

The City agrees with the characterization in the Final EIR with respect to all impacts identified as "less than significant" and finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the project are not significant or are less than significant, and do not require mitigation, as described in the Final EIR. Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3); 15091.) Note that impacts are presented below in summary form. For a full description of impacts, see the appropriate text in the EIR, which the Council hereby incorporates by reference into these findings.

1. Aesthetics

As described in the IS, the project would have no significant impact in the following area:

- **Damage Scenic Resources within a State Scenic Highway:** There are no State scenic highways or highways eligible for Scenic highway designation in or near the City, and the project site is not visible from any designated scenic highways.

2. Air Quality

Impact 2.4: The proposed project would have a less than significant impact related to (1) off-site CO hotspots, (2) exposure of persons to construction and operational phase criteria pollutants, (3) exposure of persons to construction and operational phase TACs generated on site, and (4)TAC on-site impacts from off-site warehouse/distribution center and train operations.

In addition the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Objectionable Odors:** Construction odors would be temporary and would dissipate rapidly from the source with an increase in distance. During operation, some odors associated with residential uses would be expected to occur, but these types of odors are not generally

considered objectionable. The proposed Specific Plan Amendment does not allow any and uses that are associated with odor complaints, according to the South Coast Air Quality Management District's (SCAQMD's) *CEQA Air Quality Handbook*.

3. Biological Resources

Impact 3.1: The project site and surrounding properties do not support native plant communities, nor do they provide suitable habitat for sensitive plant or wildlife species. Therefore, the proposed project would not impact Candidate, Sensitive, or Special Status species.

Impacts 3.2 and 3.3: The project site and surrounding properties do not support riparian habitat; USACE, CDFW, or RWQCB jurisdictional areas; or sensitive natural communities. Therefore, no impact would occur.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Habitat Conservation Plan or Other Approved Local, Regional, or State Habitat Conservation Plan:** The City of Rancho Cucamonga, and specifically the project site, is not located within an adopted Habitat Conservation Plan; Natural Communities Conservation Plan; or other approved local, regional, or State habitat conservation plan area.

4. Cultural Resources

Impact 4.3: Construction activities would not disturb known human remains. However, if human remains are encountered in subsurface soils, implementation of RR 4-1 would ensure potential impacts are less than significant.

In addition the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Historical Resource:** No historical resources are present, and none would be impacted by project implementation.

5. Geology and Soils

Impact 5.2: The potential for secondary seismic hazards at the site is low. There would be a less than significant impact related to seismic-related ground failure.

Impact 5.3: With adherence to City, regional, and State regulations related to management of windblown dust and other sources of soil erosion (RR 5-3, RR 5-4, RR 2-1, and RR 8-3), there would be a less than significant impact related to soil erosion during construction and no impact during operation of the project.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following areas, as described in the IS:

- **Rupture of a Known Earthquake Fault:** No active or potentially active faults are known to exist at the project site and the project site is not within a current State of California Earthquake Fault Zone, or any existing or proposed Alquist-Priolo Earthquake Zones. The lack of active faults on the project site would preclude impacts related to surface fault rupture, and no mitigation is required.

- **Seismic-Related Ground Failure, Including Liquefaction:** The project site is underlain by relatively dense, alluvial materials; therefore, the potential for settlement is considered low. There would be less than significant impacts related to liquefaction and other ground failure.

- **Landslides:** The Geotechnical Investigation concludes that there would be no impacts related to landslides due to the low relief of the site and surrounding region. There would be no impacts related to landslides.

- **Soils Incapable of Supporting Septic Tanks:** The proposed project will connect to existing sewer facilities; therefore, septic tanks or an alternative wastewater disposal system would not be permitted or utilized.

6. Greenhouse Gas Emissions

No impacts were identified as less than significant without mitigation.

7. Hazards and Hazardous Materials

Impact 7.1: Construction and operation of the proposed project would involve handling of hazardous materials in limited quantities and typical to urban environments. Through compliance with existing hazardous materials regulations applicable to the proposed project (RR 7-1 through

RR 7-3), there would be less than significant impacts associated with the transport, use, or disposal of hazardous materials during construction or operation of the proposed project.

Impact 7.2: Existing and past use of the project site and existing uses surrounding the project site have involved the uses of hazardous materials. However, the existing and previous use of hazardous materials would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. This impact is less than significant.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Emissions and/or Handling of Hazardous Materials Substances or Waste within One-Quarter Mile of an Existing or Proposed School:** There are no schools located within 0.25 mile of the project site, and proposed land uses would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste.
- **Located on a Site Included on a List of Hazardous Materials Sites that would create a Significant Hazard to the Public or Environment:** Based on a Phase I Environmental Site Assessment, no hazardous materials sites would would pose an adverse environmental impact to the project site, and the project site is not included on any Cortese list.
- **Private Airstrip Safety Hazard:** The proposed project is not located in the vicinity of a private airstrip, would not expose people to excessive noise levels, and would not adversely affect activities at any airport.
- **Impair Implementation of or Interfere with an Emergency Response Plan:** The proposed project does not include any uses that would impede or interfere with implementation of the City's current and planned emergency response plans or hazardous mitigation plans.
- **Wildland Fires:** The project site is located outside all designated fire hazard areas.

8. Hydrology and Water Quality

Impacts 8.1 and 8.2: Short-term construction and long-term operation of development under the proposed Specific Plan Amendment would generate pollutants that may enter storm water. However, compliance with existing regulations, as identified in RR 8-1 through RR 8-4, would prevent the violation of water quality standards and the degradation of storm water quality. Impacts would be less than significant.

Impacts 8.3 and 8.4: Changes in drainage patterns would occur on the site, but storm water would continue to be discharged into the 4th Street storm drain. There is capacity at these downstream

storm drainage facilities to handle runoff from the site. Runoff will be conveyed to the Guasti-Cucamonga Regional Park and Turner Basins for ground percolation and would not lead to erosion, siltation, or flooding. Impacts would be less than significant.

Impacts 8.5 and 8.6: Storm water runoff from the site would increase flows in downstream lines, but would not exceed the capacities of the 66-inch line in Cleveland Avenue and the 4th Street Storm Drain. Storm water pollutants and storm water runoff quantities would be reduced by on-site BMPs. No expansion of existing off-site storm drain facilities is needed. Impacts would be less than significant.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following areas, as described in the IS:

- **Substantially Deplete Groundwater Supplies or Interfere with Groundwater Recharge:** The project site is not in a recharge basin, and the proposed project would not deplete groundwater supplies or interfere with groundwater recharge.
- **Housing or Structures in a 100-year Flood Hazard Area:** The project site is located in a minimum flood hazard area, and does not contain any drainages or large water bodies that would pose a flood hazard.
- **Expose People or Structures to Significant Risk as a Result of the Failure of a Levee or Dam:** The project site is located in a minimum flood hazard area and is located outside all identified dam inundation areas.
- **Inundation by Seiche, Tsunami, or Mudflow:** There is no potential for the project site to be affected by a seiche or tsunami (earthquake-generated wave) due to the absence of any large open bodies of water near the site.

9. Land Use

Impact 9.1: No conflict with applicable regional or local land use plans and policies would occur with the proposed Specific Plan Amendment. Impacts would be less than significant.

In addition the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Physically Divide an Established Community:** Because the surrounding developments exist independent of each other and independent of the existing golf course development, implementation of the proposed project would not physically divide an established community.

- **Conflict with a Habitat Conservation Plan:** As discussed in Section III-A-3, above, and in Section 7.1.4 of the EIR, the project site is not within a Habitat Conservation Plan or Natural Community Conservation Plan.

10. Noise

The project would have no significant impact in the following areas, as described in the IS:

- **Expose People Residing or Working in the Project Area to Excessive Noise Levels Due to Airport or Airstrip Noise:** The *LA/Ontario International Airport Land Use Compatibility Plan* (ONT LUCP) states that Rancho Cucamonga is not an affected jurisdiction for noise.
- **Expose People Residing or Working in the Project Area to Excessive Noise Levels Due to Private Airstrip Noise:** The proposed project is not located in the vicinity of a private airstrip and would not expose people to excessive noise levels.

11. Population and Housing

The project would have no significant impact in the following areas, as described in the IS:

- **Displace Substantial Numbers of Existing Housing or People:** Implementation of the proposed project would not result in the removal of existing housing; would not require the construction of replacement housing; and would not displace any existing residents.

12. Public Services

Impact 12.3: Implementation of the proposed project would generate additional students in the Cucamonga School District and Chaffey Joint Union High School District. Payment of required new development fees pursuant to Section 65995 of the California Government Code (RR 12-4) would result in less than significant impacts to school services.

13. Transportation/Traffic

Impact 13.5: The proposed project promotes the use of alternative transportation systems. Impacts related to potential conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities would be less than significant.

In addition to the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Changes in Air Traffic Patterns:** The anticipated increase in population and employment would not impact air traffic volumes and the project would not include any uses that would change air traffic patterns.

14. Utilities and Service Systems

Impact 14.1: Development allowed by the proposed Specific Plan Amendment would require water supplies from the Cucamonga Valley Water District (CVWD). The Water Supply Assessment (WSA) shows that CVWD has available water supplies to meet the water demands of the project for the next twenty years through 2035, including demands during normal, single dry and multiple dry years. The CVWD has concurred with the findings of the WSA that available water supplies would be adequate to serve the project. Any future development meeting the applicable requirements would have to comply with RR 14-1, regarding compliance with SB 221 and water conservation requirements (refer to RR 14-4 and RR 16-3). Impacts would be less than significant.

Impact 14.3: Wastewater generated by residential, non-residential, and associated uses allowed by the proposed Specific Plan Amendment would be treated at the Inland Empire Utilities Agency's Regional Plant No. 4, which has available treatment capacity. Impacts would be less than significant.

Impact 14.4: Development allowed by the proposed Specific Plan Amendment would be served by a landfill with available capacity. Impacts would be less than significant.

Impact 14.5: Construction and operation associated with implementation the proposed project would be conducted in compliance with applicable statutes and regulations related to solid waste. No impact would occur.

Impact 14.6: Development allowed by the proposed Specific Plan Amendment would require the construction and installation of new electricity, natural gas, and telecommunications infrastructure on site. However, no off-site improvements are needed beyond that planned by utility purveyors. Construction of infrastructure improvements in and immediately adjacent to the project area would result in short-term impacts related to air quality, noise, and traffic. These impacts are addressed in Section 4.2, Air Quality; Section 4.10, Noise; Section 4.6, Greenhouse Gas; and Section 4.13, Transportation and Traffic. No additional impacts related to construction and operation of utility systems would occur.

In addition to the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following areas, as described in the IS:

- **Exceed Wastewater Treatment Requirements of the Applicable Regional Water Quality Control Board:** New development in the City would be required to comply with all applicable wastewater discharge requirements of the National Pollutant Discharge Elimination System program, as enforced by the Santa Ana Regional Water Quality Control Board. Therefore, implementation of the project would not result in an exceedance of wastewater treatment requirements and impacts would be less than significant.

- **Comply with Federal, State, and Local Statutes and Regulations Related to Solid Waste:** The proposed project would be required to coordinate with Burrtec Waste Industries to develop a collection program for recyclables in accordance with local and State programs, including the California Solid Waste Reuse and Recycling Act of 1991. Additionally, the proposed project would be required to comply with applicable practices enacted by the City under the California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939) and any other applicable local, State, and federal solid waste management regulations. In summary, the proposed project would comply with all regulatory requirements regarding solid waste.

15. Agriculture and Forestry Resources

As described in the IS, the project would have no significant impact in the following areas:

- **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to Non-Agricultural Use:** Because the project site is not designated as Prime, Unique, or Statewide Important Farmland, no impact would occur.

- **Conflict with Agricultural Zoning or a Williamson Act Contract:** The project site and surrounding areas are not zoned for agricultural uses, and are not covered under a Williamson Act Contract.

- **Conflict with Zoning for Forest Land or Timberland, Cause Forest Land or Timberland to Be Rezoned, or Result in the Loss or Conversion of Forest Land to Non-Forest Use:** There are no existing forest lands, nor is there zoning for forest lands or timberland in the City, including the project site.

- **Involve Other Changes that Could Result in Conversion of Farmland or Forest Land:** There is no existing farmland, forest lands, or areas zoned for agriculture, or timberlands on the project site or in the immediately surrounding areas.

16. Mineral Resources

As described in the IS, the project would have no significant impact in this area:

- **Loss of Availability of a Known, Valuable Mineral Resource or a Locally Important Mineral Resource Recovery Site:** The project site is not located in an aggregate resource area. Accordingly, no impact to availability of a locally important mineral resource recovery site would occur.

B. FINDINGS WITH RESPECT TO EFFECTS DETERMINED TO BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The EIR identified certain potentially significant effects that could result from the project. However, the City finds for each of the significant or potentially significant impacts identified in this section that based upon substantial evidence in the record, changes or alterations have been required or incorporated into the project which avoid or substantially lessen the significant effects as identified in the Final EIR and, thus, that adoption of the mitigation measures set forth below will reduce these significant or potentially significant effects to less-than-significant levels. Adoption of the recommended mitigation measures will effectively make the mitigation measures part of the project. Impacts and Mitigation Measures are presented below in summary form. For a detailed description of impacts and Mitigation Measures, see the appropriate text in the EIR.

As stated in Part I of these findings, above, the City hereby binds itself to implement these measures as measures built into the design of the Project itself or as conditions of Project approval.

1. Aesthetics

Impact 1.1: While views from the City's designated view corridor on 6th Street would change, northerly views would continue to be available from nearby north-south streets and on site along the Vine. Impacts on scenic vistas would be less than significant.

Implementation of the following measure would ensure that impacts would be less than significant:

PDF 1-1: Section 7.3.4, Development Standards, of the proposed Empire Lakes/Industrial Area Specific Plan (IASP) Sub-Area 18 Specific Plan Amendment includes development standards by Placetype for PAI [Planning Area I], including, but not limited to maximum building heights. Structures shall not exceed 70 feet above ground north of 6th Street, 60 feet above ground south of 6th Street, and 45 feet above ground adjacent to existing residential uses within 20 feet of the PAI boundary line. Compliance with the established height limits shall be confirmed by the City in accordance with implementation provisions outlined in Section 7.7 of the Empire Lakes/IASP Sub-Area 18 Specific Plan.

Impact 1.2: Changes in the visual character of the site (as seen by those traveling along adjacent roadways, adjacent residents, and adjacent employees) would occur with implementation of development allowed by the proposed Specific Plan Amendment. However, development of the proposed buildings and the associated uses in compliance with Regulatory Requirements, the

development standards and design guidelines identified in the proposed Specific Plan Amendment, including height restrictions (refer to PDF 1-1), and PDF 1-2 would create a visually cohesive community that would not substantially degrade the existing visual character or quality of the site and its surroundings.

Implementation of the following measure would ensure that impacts would be less than significant:

PDF 1-2: The construction staging area shall be located as far as possible from residential neighborhoods east of the project site, and perimeter fencing shall be installed to obstruct views from adjacent ground level vantage points into the project site during construction. Implementation of this feature shall be verified by the City during construction.

Impact 1.3: Potentially construction-related lighting impacts would be reduced to a less than significant level with incorporation of MM 1-1 into the proposed project. New sources of light and glare would be introduced with the proposed project; however, adherence to the development standards and design guidelines (architectural and landscape) outlined in the proposed Specific Plan Amendment, would ensure that potential impacts related to light and glare are less than significant.

MM 1-1 Prior to the issuance of grading permits, the Property Owner/Developer shall provide evidence to the City that the contractor specifications require that the construction staging area be located as far as possible from the existing residential development east of the project site to minimize light intrusion. Temporary nighttime lighting installed during construction for security or any other purpose shall be downward-facing and hooded or shielded to prevent light from spilling outside the staging area and from directly broadcasting security light into the sky or onto adjacent residential properties. Compliance with this measure shall be verified by the City's Building and Safety Services Department during inspections of the construction site.

2. Air Quality

No impacts were found less than significant with mitigation.

3. Biological Resources

Impact 3.4: Vegetation and trees on the project site and in the vicinity have the potential to provide suitable nesting opportunities for avian and raptor species. Compliance with the MBTA and Sections 3503, 3503.5, 3511 and 3513 of the California Fish and Game Code, as outlined in RR 3-1 and RR 3-2, and planting of new trees (refer to PDF 6-1), would ensure that potential impacts to nesting birds and raptors are less than significant.

PDF 6-1 The proposed project shall include the planting of a minimum of 5,600 new trees to provide sequestration of CO2 thereby reducing the net GHG emissions attributable to the project.

Impact 3.5: Removal of on-site heritage trees and potential eucalyptus windrows would be conducted in compliance with the City's tree protection policies/requirements, as outlined in RR 3-3 and RR 3-4. No impact would occur related to conflict with tree protection policies or ordinances. Refer to PDF 6-1, which addresses tree planting.

PDF 6-1 is described above.

4. Cultural Resources

Impact 4.1: The proposed project has a low potential to impact unknown archaeological resources; however, this is a potentially significant impact. Implementation of MM 4-1 and MM 4-2 would reduce this impact to a less than significant level:

MM 4-1 Prior to site preparation or grading activities, construction personnel shall be instructed by a qualified Archaeologist and qualified Paleontologist of the potential for encountering unique archaeological and/or paleontological resources and instructed on steps to take in the event such resources are encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that might be expected, the type of activities that may result in impacts, and the legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until a qualified Archaeologist or Paleontologist, as appropriate, assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of archaeological and paleontological resources is prohibited.

MM 4-2 In the event that cultural resources are inadvertently unearthed during excavation and grading activities, the Contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The Property Owner/Developer shall retain a qualified Archaeologist (Project Archaeologist), subject to approval by the City of Rancho Cucamonga, to evaluate the significance of the find and to determine an appropriate course of action. All artifacts except for human remains and related grave goods or sacred objects belong to the Property Owner.

All artifacts discovered at the development site shall be inventoried and analyzed by the Project Archaeologist. If any artifacts of Native American origin are discovered, the Property Owner/Developer and Project Archaeologist shall notify the City of Rancho Cucamonga Planning Department and the appropriate local Native American tribe identified by the Native American Heritage Commission. The significance of

Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the tribe. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling (see RR 4-1). Native American artifacts that cannot be avoided or relocated at the project site shall be prepared in a manner for curation and the Project Archaeologist shall deliver the materials to an accredited curation facility approved by the City of Rancho Cucamonga within a reasonable amount of time.

Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts shall be subjected to curation or returned to the Property Owner, as deemed appropriate.

Once ground-altering activities have ceased or the Project Archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Rancho Cucamonga Planning Department.

A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Rancho Cucamonga Planning Department, shall signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the Archaeological Information Center (AIC) at the San Bernardino County Museum and the Native American tribe, as appropriate.

Impact 4.2: The proposed project has the potential to impact non-renewable paleontological resources, resulting in a potentially significant impact. Implementation of MM 4-1 and MM 4-3 would reduce this impact to a less than significant level.

Please refer to MM 4-1 above.

MM 4-3 If any paleontological resources (i.e., plant or animal fossils) are encountered before or during grading, the Property Owner/Developer shall retain a qualified Paleontologist to monitor construction activities, and to take appropriate measures to protect or preserve them for study. The paleontologist shall submit a report of findings that will also provide specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Where mitigation monitoring is appropriate, the program must include, but not be limited to, the following measures:

- Assign a Paleontological Monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full time during earth-disturbing activities.

- Divert earth-disturbing activities away from the immediate area of the discovery until the Paleontological Monitor has completed salvage. If construction personnel

make the discovery, the grading contractor shall immediately divert construction and notify the Paleontological Monitor of the find.

- Prepare, identify, and curate all recovered fossils for documentation in the summary report and transfer to an appropriate depository (e.g., San Bernardino County Museum).

- Prepare and submit a technical report describing the identification, salvage, evaluation, and treatment of all fossils discovered during grading to the City of Rancho Cucamonga. Transfer collected specimens with a copy of the report to the depository.

5. Geology & Soils

Impact 5.1: With adherence to the City's Building Regulations/2013 CBC and the City's Grading Standards (RRs 5-1 and 5-2), all recommendations presented in the Geotechnical Feasibility Study, and any future site-specific geotechnical investigations (MM 5-1), there would be a less than significant impact related to strong ground shaking.

MM 5-1 Prior to approval of each tentative tract map and/or development application, supplemental geotechnical investigations prepared by a qualified engineer licensed by the State of California to perform such work, shall be provided to the City Engineer. The supplemental geotechnical investigation shall include sampling of representative soils and laboratory tests, as necessary, to confirm the information provided in the Geotechnical Feasibility Study Proposed Mixed-Use Commercial and Residential Development Empire Lakes Golf Course Property Rancho Cucamonga, California (dated March 23, 2015, and prepared by LOR Geotechnical Group, Inc.) (Geotechnical Feasibility Study). The supplemental geotechnical investigation shall incorporate recommendations from the 2015 Geotechnical Feasibility Study, listed below, and shall identify additional site-specific recommendations developed based on the results of the site-specific analysis. Recommendations shall include, but not be limited to, the following areas, as identified in the 2015 Geotechnical Feasibility Study:

- General Site Grading
- Initial Site Preparation
- Preparation of Fill Areas
- Preparation of Foundation Areas
- Engineered Compacted Fill
- Short-Term Excavations
- Slope Construction
- Slope Protection
- Soil Expansiveness
- Foundation Design
- Settlement
- Slabs-on-Grade
- Wall Pressures
- Pavement Design

- Sulfate Protection
- Supplemental Geotechnical Investigation and Plan Reviews
- Construction Monitoring

The City Engineer shall confirm that site-specific recommendations are incorporated into the project.

Impact 5.4: With adherence to the City's Building Regulations/2013 CBC, the City's Grading Standards (RR 5-1 and RR 5-2), and all recommendations presented in the Geotechnical Investigation and future site-specific geotechnical investigations and grading plan submittals (RR 5-2 and MM 5-1 through MM 5-3), there would be a less than significant impact related to unstable soils if encountered on the site.

Please refer to MM 5-1, above.

MM 5-2 The final grading plan, appropriate certifications and compaction reports shall be completed, submitted, and approved by the Building and Safety Official prior to the issuance of building permits.

MM 5-3 A separate grading plan check submittal shall be required where improvements being proposed would generate 50 cubic yards or more of combined cut and fill. The grading plan shall be prepared, stamped, and signed by a California registered Civil Engineer.

Impact 5.5: With adherence to the City's Building Regulations/2013 CBC, the City's Grading Standards (RR 5-1 and RR 5-2), and all recommendations presented in the Geotechnical Investigation and in future site-specific geotechnical investigations (RR 5-2 and MM 5-1), there would be a less than significant impact related to expansive soils if encountered on the site.

Refer to MM 5-1, above.

6. Greenhouse Gas Emissions

Impacts 6.1 and 6.2: With project implementation in accordance with RR 6-1 through RR 6-4, and incorporation of PDF 6-1 and MM 6-1 into the proposed project, the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment nor would the proposed project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

PDF 6-1 The proposed project shall include the planting of a minimum of 5,600 new trees to provide sequestration of CO2 thereby reducing the net GHG emissions attributable to the project.

MM 6-1 Prior to the issuance of each building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga

demonstrating that high efficiency non-incandescent light bulbs and lighting fixtures shall be installed in residential and non-residential buildings, and Energy Star-rated appliances for clothes washers, dish washers, refrigerators, and fans shall be installed in all residences. Alternatively, the Property Owner/Developer or its contractors shall submit for approval alternate measures to provide GHG emissions reductions equivalent to those achieved by the installation of high-efficiency lighting and Energy Star appliances, which is 814 MTCO2e per year, as shown in Table 4.6-14

7. Hazards and Hazardous Materials

Impact 7.3: The project site is within the Airport Influence Area for the LA/Ontario International Airport. With adherence to the requirements of the Ontario International Airport Land Use Compatibility Plan (RR 7-4) and proposed Specific Plan Amendment (PDF 7-1), the proposed project would not result in safety hazard to people residing or working on the site or in the project area. There would be a less than significant impact.

PDF 7-1 As identified in Table 7.4, Development Standards, of the proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment, and in compliance with the height restrictions identified in Section 5.3.2 of the Empire Lakes/IASP Sub-Area 18 Specific Plan, primary buildings in PAI [Planning Area I] north 6th Street shall not exceed 70 feet and primary buildings south of 6th Street shall not exceed 60 feet.

8. Hydrology and Water Quality

No impacts were found less than significant with mitigation.

9. Land Use

No impacts were found less than significant with mitigation.

10. Noise

Impact 10.1: The proposed project would result in less than significant increases in long-term ambient noise levels from project-generated traffic to off-site sensitive receptors, and at residences adjacent to the project site from noise generated on-site by traffic on project site roads. Potential noise impacts to on-site and off-site residential uses from operation of proposed uses in PAI [Planning Area I] would be less than significant with adherence to the noise standards outlined in the City's Development Code and the California Building Standards Code (refer to RR 10-3, and RR 10-4).

Implementation of the following Project Design Feature would also ensure that impacts would be less than significant:

PDF 10-1 As identified in Section 7.3.4(b), Rail Road Edge, of the proposed Specific Plan Amendment, a solid wall shall be installed along the northern property line to provide noise reduction and a visual barrier from the adjacent rail line. The wall shall be at least six feet high. Where feasible, a berm, or berm-wall combination may be used.

Impact 10.2: The proposed project would result in potentially significant construction vibration annoyance impacts to residents of adjacent buildings (from heavy equipment operation close to buildings). MM 10-1 would be incorporated into the project to reduce impacts to a less than significant level. There would be a less than significant impact for structural vibration impacts. Long-term vibration impacts to residences within 200 feet of the railroad tracks north of the project site would be potentially significant. MM 10-2 would be incorporated into the project to require a vibration analysis prior to the approval of building permits. With MM 10-2, impacts would be less than significant.

MM 10-1 Prior to the issuance of each grading permit, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the equipment to be used for demolition and grading that would occur within 25 feet of an off-site structure shall not include vibratory rollers, large bulldozers, or similar heavy equipment. Vibratory rollers operated in the static mode would be allowed.

MM 10-2 Prior to issuance of building permits for buildings within 200 feet of the railroad tracks north of the project site, the Property Owner/Developer shall submit a vibration analysis to the City of Rancho Cucamonga Building Official that demonstrates that anticipated building vibrations, based on the best available forecast of future rail operations, would not exceed the vibration impact criteria recommended by the Federal Transit Administration or similar authority. The vibration analysis shall describe if increased setback or vibration-reducing structural building elements are required to achieve the performance standard.

11. Population and Housing

No impacts were found less than significant with mitigation.

12. Public Services

Impact 12.1: If not already addressed through a separate agreement, the proposed/potential Development Agreement would include provisions regarding the Rancho Cucamonga Fire Protection District's (RCFPD) fair market value acquisition of property under common ownership as the Project Applicant for a future fire station (PDF 12-4). Additionally, implementing the

proposed project in compliance with applicable regulations related to fire protection service (refer to RR 12-1), and increases in property taxes collected by the RCFPD would ensure that impacts to fire protection services resulting from the project are less than significant.

PDF 12-4 The proposed/potential Development Agreement for the proposed project, or separate agreement between the City and the Property Owner/Developer or entity under common ownership, shall address the Rancho Cucamonga Fire Protection District's (RCFPD) acquisition, at fair market value, of the property at Assessor Parcel Number No. 1077-422-58, or other site acceptable to the Rancho Cucamonga Fire Protection District (RCFPD) for a potential future fire station within 0.5-mile of the identified fire station site. A purchase and sale agreement shall be executable immediately upon granting of any final approvals for the General Plan Amendment and Specific Plan Amendment. If no final approvals are granted the purchase and sale agreement may only be executed if both parties mutually agree.

Impact 12.2: The proposed project would not require the provision of new or physically altered off-site police protection facilities; however, an on-site substation shall be required in the future. The on-site police substation would be accommodated in the joint-use facility to be constructed as part of the project to accommodate the Community Services and Library Services departments (refer to PDF 12-2), and there would be no physical impacts to the environment beyond those addressed in this Draft EIR. Additionally, the Property Owner/Developer would pay the City's required Police Impact Fee (refer to RR 12-2), and any fees established through a Community Facilities District (or similar mechanism). With the construction of the required on-site police substation, and payment of the required fees, the project would result in a less than significant impact related to police services.

PDF 12-1 In compliance with Section 7.4.1, Site Planning Criteria, of the proposed Specific Plan Amendment, appropriate Crime Prevention Through Environmental Design (CPTED) features, as determined by Rancho Cucamonga Police Department (RCPD) in coordination with the Community Services Department and the Public Works Service Department, shall be implemented in Planning Area I. CPTED features incorporated into the design of spaces shall include, but not be limited to, territorial reinforcement, strategic natural surveillance, well-lit spaces, and appropriate maintenance. CPTED review of each proposed development shall be completed by the RCPD prior to issuance of building permits. Additionally, infrastructure to support the RCPD electronic systems shall be provided; the systems to be installed shall be coordinated with and approved by the RCPD.

PDF 12-2 To provide space for the Library Services, Community Services, and Police Departments, and ancillary use by the Public Works Department, a Joint Use Public Facility shall be accommodated within PAI [Planning Area I]. The provisions for ensuring implementation of this facility in PAI shall be outlined in the proposed Development Agreement between the Project Applicant and the City. The resources provided by the Joint Use Public Facility shall be sufficient to adequately serve the future project residents, employees and visitors, as determined by the City. The final size, location, operational requirements, and design features of the facility shall be determined during the master planning stage of the area north of 6th Street in coordination with the respective City departments. It is expected that the Joint Use Public Facility would be up to 25,000 sf, and the square footage would be within the

maximum amount of non-residential development allowed by the proposed Specific Plan Amendment.

In the event the Development Agreement is not approved, establishment of provisions for implementation of a Joint Use Public Facility within PAI shall be required as a Condition of Approval. The condition shall be included in the Mitigation Monitoring Program and specify that construction of the facility shall commence no later than the issuance of the building permit for the 2,000th residential dwelling unit.

Impact 12.4: The proposed project would increase the demand for library services provided by the City. The Property Owner/Developer would implement an onsite joint use facility to be used for library services (PDF 12-2), or provide an alternative community benefit agreed to by the City and Property Owner/Developer, and would pay the required City's Library Impact Fee (refer to RR 12-2). Therefore, the project would result in a less than significant impact related to library services.

Refer to PDF 12-2, above.

Impacts 12.5, 12.6 and 12.7: With incorporation of park, recreation, and community facilities into the proposed development in PAI [Planning Area I], including a joint-use public facility (refer to PDF 12-2 and PDF 12-3); adherence to the City's Local Park Ordinance (refer to RR 12-3); and payment of the required impact fees (refer to RR 12-2); the project would result in a less than significant impact related to the need to provide new or expanded park and recreational facilities and the potential for physical deterioration of park and recreation facilities due to increased use.

Refer to PDF 12-2, above.

PDF 12-3 As shown on Exhibit 3-4, Conceptual Development Plan by Placetype, the Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment includes three central community recreation (REC) areas (approximately 6.8 acres) and a 0.6-acre Urban Plaza. The (REC) areas may include the following types of amenities: fitness area, pool and spa, community meeting rooms, and plaza space.

13. Transportation/Traffic

Impacts 13.3 and 13.4: The proposed project provides adequate project access and an internal circulation system (refer to PDF 13-1), which would be in compliance with applicable requirements for emergency access (refer to RR 12-1). The proposed project would not create traffic hazards or result in inadequate emergency access. Impacts would be less than significant.

PDF 13-1 The Property Owner/Developer shall construct the following intersection improvements at the project access locations:

- 7th Street and Cleveland Avenue: Side-street stop control
- 7th Street and Anaheim Place: Side-street stop control
- 6th Street and Project Access: Signalized intersection
- 4th Street and Project Access: Signalized intersection
- Site access improvements at the Metrolink Transit Station.

14. Utilities and Service Systems

Impact 14.2: Development allowed by the proposed Specific Plan Amendment would require the construction of new water, recycled water, and sewer lines on site. However, no off-site improvements are needed. Construction of infrastructure improvements within and immediately adjacent to the project area would result in short-term impacts related to air quality, noise, greenhouse gas and traffic. These impacts are addressed in Section 4.2, Air Quality; Section 4.10, Noise; Section 4.6 Greenhouse Gas, and Section 4.13, Transportation and Traffic. No additional impacts related to construction and operation of utility systems would occur.

The following measure would ensure that impacts would be less than significant:

PDF 14-1 The 12-foot 8-inch Metropolitan Water District (MWD) Meadow Upper Feeder located in the existing 40-foot-wide easement that traverses the northern portion of the project site shall be protected in place during construction. Any encroachment to the easement during construction would be conducted in compliance with applicable MWD encroachment specifications.

15. Agriculture and Forestry Resources

No impacts were found less than significant with mitigation.

16. Mineral Resources

No impacts were found less than significant with mitigation.

C. FINDINGS WITH RESPECT TO SIGNIFICANT EFFECTS THAT CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

Note that impacts and analyses are presented below in summary form. For a full description of impacts, see the appropriate text in the EIR, which the Council hereby incorporates by reference into these Findings. Only impacts related to Air Quality, Noise, Population and Housing and Transportation were found to be significant and unavoidable.

CEQA requires that all feasible and reasonable mitigation be applied to reduce the Project's impacts. Although the following mitigation measures will not reduce impacts to a less than significant level, the City binds itself to implement these measures in order to lessen the impacts to the greatest extent feasible.

2. Air Quality

Impact 2.1: Significant and unavoidable conflict with the SCAQMD's 2012 AQMP due to long-term emissions of nonattainment pollutants exceeding SCAQMD significance thresholds and project trip generation substantially greater than trip generation anticipated in the General Plan for PAI [Planning Area I].

There is no feasible mitigation that would lessen or eliminate this impact, because even after implementation of all feasible measures discussed in Impact 2.2 below, the project would remain in conflict with SCAQMD's 2012 AQMP because the project was not included in the SCAQMD's projected growth estimates so the project remains inconsistent with the AQMP but provides mitigation recommended by SCAQMD.

Impact 2.2: Regional and local construction emissions would be less than significant with the incorporation of MM 2-1 and MM 2-2. Even with incorporation of MM 2-3 through MM 2-6, long-term regional operational emissions of O3 precursors (VOC and NOx), CO, PM10, and PM2.5 due to mobile and consumer product sources would be significant and unavoidable.

MM 2-1 Prior to issuance of each grading and building permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that construction documents require construction contractors to implement the measure listed below. The contractor shall comply with the identified requirements, and verification that the contractor has complied shall be confirmed by the Building and Safety Services Department during construction.

All off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by the California Air Resources Board (CARB). Any emissions-control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

A copy of each unit's certified Tier specification shall be provided to the Building and Safety Services Department at the time of mobilization of each applicable unit of equipment.

MM 2-2 Construction activities for future development within PAI [Planning Area I] shall include the following measures to reduce criteria pollutant emissions. These measures shall be incorporated into the contractor specifications and shall be verified during review of project plans and specifications and during construction.

- All construction equipment shall be maintained in good operating condition so as to reduce operational emissions. The contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturers' specifications. Maintenance records shall be available at the construction site for City verification.

- The construction contractor shall utilize electric or clean alternative fuel-powered equipment where feasible.

- The construction contractor shall ensure that construction-grading plans include a statement that work crews will shut off equipment when not in use.

MM 2-3 Prior to the issuance of each non-residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits.

- For buildings with 25,000 square feet or more net area and with more than ten tenant-occupants (i.e., employees), changing/shower facilities shall be provided as specified in Section A5.106.4.3, Nonresidential Voluntary Measures, of the California Green Building Standards (CALGreen) Code.

- Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1, Nonresidential Voluntary Measures, of the CALGreen Code.

- Facilities shall be installed to support future electric vehicle charging at each non-residential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3, Nonresidential Voluntary Measures (Tier 1), of the CALGreen Code.

MM 2-4 Prior to the issuance of each residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs or specifications. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits.

- One- and two-family dwellings shall provide for the future installation of electric vehicle charging, as specified in Section A4.106.8.1, Residential Voluntary Measures, of the CALGreen Code.

- Visitor parking shall include preferentially located parking spaces for alternative-fueled vehicles.

- Bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5).

MM 2-5 Prior to issuance of each building permit for parking structures and parking lots with 20 or more parking spaces, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the parking facility. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits.

- The parking facility shall include a minimum of five percent preferentially located parking spaces for alternative-fueled (electric, natural gas, or similar low-emitting technology) vehicles.

- The parking facility shall include at least one electric vehicle charging station. Electrical lines shall be designed and sized to add additional charging stations for up to three percent of the total parking spaces when a demand is demonstrated. The design and installation shall be consistent with Section A4.106.8.2, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5).

- For residential parking facilities, bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen code.

MM 2-6 Once constructed, the Property Owner/Developer shall ensure that the tenants/operators of non-residential uses include the following features and procedures. Proof of compliance shall be provided to the City of Rancho Cucamonga within one month following the issuance of each occupancy permit.

- Post signs requiring that trucks shall not be left idling for prolonged periods (i.e., in excess of 5 minutes, as required by State law).

- Post both bus and Metrolink schedules in conspicuous areas.

- Configure the employee work schedules around the Metrolink schedule to the extent reasonably feasible.

Impact 2.3: The proposed project would result in less than significant cumulative regional and local construction emissions with the incorporation of MM 2-1 and MM 2-2. The project would result in significant and unavoidable cumulative long-term regional emissions of O3 precursors (VOC and NOX), PM10, and PM2.5, all nonattainment pollutants, due to mobile and consumer products sources. As described for Threshold 2.2, even with implementation of MM 2-2 through MM 2-4, operational VOC, NOx, PM10, and PM2.5 emissions would exceed the significance thresholds and could contribute to existing violations of the O_3 and PM10 standards (VOC and NOx are O_3 precursors).

Please refer to MMs 2-1 through MM 2-6 above.

10. Noise

Impact 10.3: Construction of the proposed uses would result in temporary construction noise impacts from site preparation, demolition, grading, concrete and asphalt crushing, green waste mulching, and similar construction activities. Compliance with RR 10-1 and implementation of MM 10-3 through MM 10-5 would reduce impacts; however, because of the proximity of construction to existing structures, some of these activities may not be reduced to less than 65 dBA at residential receptors and 70 dBA at industrial or commercial receptors, this impact is considered significant and unavoidable under the City's Development Code.

MM 10-3 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences, the Property Owner/Developer shall submit construction plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the installation of a temporary noise barrier between the construction area and the adjacent residences is required. The barrier shall be 12 feet high and solid from the ground to the top. The barrier shall be constructed with plywood that is at least ½ inch thick or with another material that creates a noise transmission loss of at least 20 dBA. For maximum effectiveness, the barrier shall be located as close as feasible to the residences or as close as feasible to the noise sources. Where feasible, the barrier shall remain in place until the completion of construction near residences.

MM 10-4 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences or within 325 feet of commercial or industrial buildings, the Property Owner/Developer shall submit a construction-related noise mitigation plan to the Rancho Cucamonga Planning Department. The plan shall depict the location of the construction equipment and how the noise from this equipment would be mitigated during construction of the project. The plan shall demonstrate that the construction plans and specifications include the following noise-abatement, notification, and control measures:

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State-required noise-attenuation devices.
- Stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- On-site and off-site construction haul routes shall be designed to avoid noise-sensitive uses, as feasible.
- If a perimeter block wall is required for a project, the wall shall be constructed as early as possible during the first phase of construction.
- A "Construction Noise Coordinator" shall be identified. The Construction Noise Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Construction Noise Coordinator shall notify the City within 48 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler) and shall implement reasonable measures to resolve the compliant, as deemed

acceptable by the Planning Department. Signs shall be posted at the construction that include the contact information for the Construction Noise Coordinator.

MM 10-5 Prior to the issuance of each permit for site clearing and demolition, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that, if crushing, grinding, chipping or similar equipment is to be used, the equipment must be located at least 500 feet from residences and at least 300 feet from commercial or industrial buildings and oriented so that the noisiest side is facing away from the residences.

Impact 10.4: With implementation of MM 10-6 through MM 10-8, potential impacts related to operational noise that exceeds the General Plan noise and land use compatibility levels would be reduced to less than significant levels. Construction noise would potentially exceed the noise level limits established in the City's Development Code. With implementation of RR 10-1 and MM 10-3, MM 10-4, and MM 10-5, impacts from construction noise that exceed the City Development Code requirements would be reduced, but not to a less than significant level. This impact is significant and unavoidable.

Refer to MM 10-3 through MM 10-5 above.

MM 10-6 Prior to issuance of building permits for buildings adjacent to 4th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 4th Street. The Property Owner/Developer shall also submit plans and specifications showing that:

- All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.
- All exterior use areas within 200 feet of 4th Street shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.

MM 10-7 Prior to issuance of building permits for buildings adjacent to 6th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 6th Street. The Property Owner/Developer shall also submit plans and specifications showing that:

- All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.
- All exterior use areas shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.

MM 10-8 Prior to issuance of building permits for buildings facing adjacent to or near the northern property line, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing the rail line. The Property Owner/Developer shall also submit plans and specifications showing that:

- All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.

11. Population and Housing

Impact 11.1: Although the proposed project would be consistent with local, regional, at State policies that encourage mixed use higher density housing development near employment centers and transit opportunities, the proposed project could induce substantial housing and population growth in the City and region beyond the currently adopted growth forecasts, resulting in a significant and unavoidable project impact. The project would have a less than significant impact related to employment.

The project was not included in the City's General Plan, which assumed continued operation of the golf course, hence the project is inconsistent with the Population and Housing projections. However, there is no feasible mitigation to reduce the significance of this impact because it is not consistent with Project objectives or the principles of the General Plan to incorporate changes into the project that would avoid inducing housing and population growth in the City. For the City's analysis of lower-density alternatives to the Project, please see Section VI of these Findings and Section 5.0 of the EIR.

13. Transportation/Traffic

Impacts 13.1 and 13.2: Vehicle trips generated by operation of the proposed project would lead to study area intersections and freeway facilities operating at deficient LOS (exceeding City of Rancho Cucamonga, City of Ontario, and/or Caltrans standards). Implementation of RR 13-2 and RR 13-3, and MM 13-1 through MM 13-4, would reduce impacts, but some impacts would remain significant due to the lack of feasible mitigation or because the project Property Owner/Developer or the City of Rancho Cucamonga cannot guarantee the implementation of improvements in another jurisdiction which they do not control.

Specifically, the proposed project would result in significant and unavoidable project impacts at one study area intersection, which is also a San Bernardino County Congestion Management Plan (CMP) intersection, under the Existing Plus Project traffic analysis scenario, and at seven study area intersections (including 5 CMP intersections) under the Completion Year 2024 Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable impacts along segments of Interstate (I) 10 and I-15 and at I-10 and I-15 on- and off-ramps under these traffic analysis scenarios; I-10 and I-15 are also CMP facilities.

The proposed project would result in significant and unavoidable cumulative impacts at four study area intersections (including 3 CMP intersections) under the Cumulative Year (2036) Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable cumulative impacts along segments of I-10 and I-15 and at I-10 and I-15 on- and off-ramps under this traffic analysis scenario; I-10 and I-15 are also CMP facilities.

PDF 13-1 The Property Owner/Developer shall construct the following intersection improvements at the project access locations:

- 7th Street and Cleveland Avenue: Side-street stop control
- 7th Street and Anaheim Place: Side-street stop control
- 6th Street and Project Access: Signalized intersection
- 4th Street and Project Access: Signalized intersection
- Site access improvements at the Metrolink Transit Station.

MM 13-1 Prior to the issuance of the first occupancy permit, and in coordination with the City of Rancho Cucamonga, the Property Owner/Developer shall implement the following intersection improvements:

2. **Foothill Boulevard and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length.

3. **Foothill Boulevard and Rochester Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length.

4. **Foothill Boulevard and Day Creek Boulevard.** Convert the rightmost northbound through lane into a through/right shared lane.

7. **Arrow Route and Haven Avenue.** Modify the southbound approach from having two left turn lanes, two through lanes, and one through/right shared lane to having two left turn lanes, three through lanes, and one right turn lane (MM 13-1).

8. **Arrow Route and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would require changing the coordinated cycle length.

13. **6th Street and Haven Avenue.** To achieve additional lanes on the northbound and westbound approach, modify the northbound approach from having two left-turn lanes, two through lanes, and one shared through/right-turn lane to having two left-turn lanes, three through lanes, and one right-turn lane. Modify the westbound approach from having one left-turn lane, two through lanes, and one right-turn lane to having two left-turn lanes, two through lanes, and one right-turn lane.

14. **6th Street and Cleveland Avenue.** Install a traffic signal and signal interconnect and other appropriate traffic signal hardware to ensure coordination with upstream and downstream signals. This improvement is consistent with planned improvements within the City of Rancho Cucamonga's DIF Program

(refer to RR 13-2), and the Property Owner/Developer may be eligible for partial reimbursement with implementation of this mitigation measure.

MM 13-2 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that optimization of the PM-coordinated cycle lengths, and/or adjustment and optimization of the coordinated maximum splits for the PM signal timing plan, as appropriate, at the City of Ontario's **4th Street and Haven Avenue, 4th Street and Milliken Avenue,** and **Inland Empire Boulevard and Haven Avenue** intersections have been completed, and that the coordinated cycle length for other locations these intersections are in coordination with have been re-evaluated, if required.

MM 13-3 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that adjustment and optimization of coordinated maximum splits for the PM signal timing plan at the Caltrans intersection of **I-10 Westbound Ramps-Ontario Mills Parkway and Milliken Avenue** has been completed. This would not require changing the coordinated cycle length.

MM 13-4 Prior to issuance of buildings permits, the Property/Owner Developer shall pay its fair share fee to the City of Rancho Cucamonga for the following measures required to mitigate Cumulative Year (2036) Plus Project conditions:

- **Foothill Boulevard and Day Creek Boulevard.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.
- **6th Street and Haven Avenue.** Adjust, optimize and maintain the coordinated the PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.
- **6th Street and Milliken Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.

The fair share payment amount shall be established by the City of Rancho Cucamonga Engineering Department. The timing of implementation of the improvements shall be determined by the City and, to the extent feasible, shall be completed by the City in the timeframe necessary to avoid identified significant cumulative impacts.

MM 13-5 Prior to the issuance of a demolition permit or grading permit, whichever occurs first, the Property Owner/Developer shall submit a Traffic Control Plan to the Engineering Services Department for review and approval. The Traffic Control Plan shall describe in detail safe detours and provide temporary traffic control during construction activities for the project. To reduce traffic congestion, the Plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls (e.g., a flag person) during all phases of construction to maintain smooth traffic flow; dedicated turn lanes for movement of construction trucks and equipment on and off site; scheduling of construction activities that affect traffic flow on the arterial system to off-peak hours; consolidation of truck deliveries; rerouting of

construction trucks away from congested streets or sensitive receptors; and/or signal synchronization to improve traffic flow.

IV. FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH-INDUCING IMPACTS, AND ENERGY CONSERVATION

A. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project. Generally, a project would result in significant irreversible environmental changes if the following occurs:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

The project site has historically been used for agricultural purposes and was developed as a golf course in the mid-1990s. The proposed project would permanently alter the site by converting the existing golf course to a mixed-use community. Because no agricultural uses, sensitive biological resources, or significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site.

Construction and long-term operation of the proposed project would require the commitment and reduction of nonrenewable and/or slowly renewable resources, including petroleum fuels and natural gas (for vehicle emissions, construction, lighting, heating, and cooling of structures) as well as lumber, sand/gravel, steel, copper, lead, and other metals (for use in building and roadway construction and utility infrastructure). Other resources that are slow to renew and/or recover from environmental stressors would also be impacted by project implementation; these include air quality (through the combustion of fossil fuels and production of greenhouse gases) and water supply (through the increased potable water demands for drinking, cleaning, landscaping, and general maintenance needs).

An increased commitment of public services (e.g., police, fire, school, sewer, and water services) would also be required. Project development is an irreversible commitment of the land, energy resources, and public services. After the 50- to 75-year structural lifespan of the buildings is reached, it is improbable that the site would revert to permanently undeveloped conditions due to the large capital investment that will already have been committed.

B. GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines provides the following guidance on growth-inducing impacts: a project is identified as growth inducing if it "could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." To address this issue, Section 6.2 of the EIR examines whether the project would remove obstacles to growth, whether the project would result in the need to expand one or more public services to maintain desired levels of service, whether the project would encourage or facilitate economic effects that could result in other activities that could significantly affect the environment, and whether approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment.

1. Would this project remove obstacles to growth?

Existing roadways would be extended into the site and new roadways built on the site to serve individual structures and development. Roadway improvements proposed as mitigation for traffic impacts would serve the project and anticipated development in the area but would not provide the additional capacity to induce unplanned growth. As identified in Section 4.14 of the EIR, Utilities and Service Systems, the proposed Specific Plan Amendment would not involve development that would establish an essential public service or utility/service system. The project site and surrounding areas are already served by essential public services and an extensive network of utility/service systems and the other infrastructure necessary to accommodate or allow the existing conditions and planned growth.

The existing utility/service systems in the vicinity of the project site can serve the development allowed by the proposed Specific Plan Amendment with connections to on-site facilities. It should be noted that the Rancho Cucamonga Municipal Utility (RCMU) does not currently provide electricity service to the project site; however, it does plan to provide this service with an extension of a new electricity line to the project site. Electricity would also be available to the project site from adjacent Southern California Edison (SCE) facilities. The utility infrastructure installed as part of the proposed project would be sized and located expressly to serve the proposed project, and would not, therefore, induce growth in the project vicinity. Further, future development would be reviewed on a project-by-project basis at the time of proposed construction in order to determine the utility/service systems necessary to serve the proposed land uses.

With respect to changes in existing regulations pertaining to land development, the proposed project involves a General Plan Amendment to change the land use designation for the project site from "Open Space" to "Mixed Use", and a Zoning Amendment to update text related to the Mixed Use zone. These discretionary actions would allow for the development of a mixed-use community with up to 3,450 residential units, 220,000 square feet (sf) of non-residential development, and other supporting uses on the approximate 160.4-acre project site, which is currently developed with a golf course. The location of the project site adjacent to the Rancho Cucamonga Metrolink Station provides a unique opportunity for development of a dense urban community near transit. This is consistent with the General Plan's land use growth strategy, which focuses on the following three objectives:

- Protect and maintain established residential neighborhoods.
- Target new infill development opportunities.
- Integrate land use and transportation.

While the proposed General Plan and Zoning amendments would allow for growth at the project site that is not currently anticipated in the City's General Plan, approval of the project and these discretionary actions would not lead to similar regulatory changes that would remove an obstacle

to growth, because the areas adjacent to the project site are currently developed or are already planned for development. Additionally, as discussed in Section 4.9, Land Use and Planning, the proposed project would be consistent with the goals and policies of the City's General Plan and other relevant planning documents that address development in the City. The proposed project is not, therefore, considered to be growth inducing with respect to removal of obstacles to growth.

Refer to the discussion of Item 3 below, which addresses potential opportunities for redevelopment, revitalization or intensification of areas in the vicinity of the project site.

2. Would this project result in the need to expand one or more public services to maintain desired levels of service?

As discussed in Section 4.12, Public Services and Recreation, of the EIR, the proposed project would increase the demand for public services (police, fire, schools, libraries, and parks and recreational facilities). Based on input from the Community Services, Library Services, Police and Fire departments, new facilities would ultimately be needed to serve future residents of the proposed project and other development in the City that is or would be underserved in the future. As identified in PDF 12-2 in Section 4.12, as part of the proposed project, a Joint Use Public Facility would be implemented in PAI [Planning Area I] to accommodate the needs of the Rancho Cucamonga Community Services, Library Services, and Police departments. This facility would be available not only to future residents of the proposed project, but other residents in the City. With implementation of the community benefit as part of the project, project impacts related to parks/recreation, libraries and police protection would be less than significant. The proposed project would also contribute to the need for a new fire station to in order to provide an adequate level of fire protection service throughout the RCFPD's response system. To facilitate the eventual construction of a new fire station, and if not already addressed through a separate agreement, the proposed/potential Development Agreement would include provisions regarding the RCFPD's fair market value acquisition of property under common ownership as the Project Applicant. With this provision in an executed agreement, the project's impact on the response system that is not addressed by the increase in property taxes would be less than significant.

Additionally, funding mechanisms are in place through existing regulations and standard practices to accommodate growth in the City, including the proposed project. This project would not, therefore, have significant growth-inducing consequences with respect to public services.

3. Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

During project construction, a number of design, engineering, and construction-related jobs would be created. This would last until project construction is completed (assumed to be up to eight years). This growth in employment would be an indirect, growth-inducing effect of the proposed project.

As further discussed in Section 4.11, Population and Housing, of the EIR, buildout of the maximum amount of development allowed by the proposed Specific Plan Amendment would result in up to 3,450 residential units and 220,000 sf of non-residential uses. This could generate up to 10,488 new residents and approximately 341 net new employment opportunities. The increase in housing and population at the project site was not anticipated in the City of Rancho Cucamonga General Plan, which estimates the buildout conditions for the City (by 2030), or SCAG's 2012-2035 Regional Growth Forecasts. The adopted growth forecasts anticipate the continued operation of a golf course at the project site. Therefore, the housing and associated population growth resulting from implementation is considered a significant and unavoidable project impact for purposes of the

CEQA analysis. However, it is important to note that the proposed project would be consistent with local, regional, at State policies that encourage mixed use, higher density housing development near employment centers and transit opportunities (refer the policy consistency analysis provided in Section 4.9, Land Use and Planning, of the EIR.

With respect to employment, the City's General Plan estimates that there will be 103,400 employment opportunities in the City and SOI by 2030. Compared to the 2013 employment estimate of 72,600 jobs, this represents an increase of 30,800 jobs. Therefore, the employment generation estimated for the proposed project (net increase of 341 employees) represents approximately one percent of the total employment generation anticipated in the City and SOI with buildout of the General Plan. Further, it is expected that the short-term construction jobs and new positions during operation would be filled by workers who already reside in the local area or region.

As residential development occurs onsite, project residents and employees would seek shopping, entertainment, employment, home improvement, auto maintenance, and other economic opportunities in the surrounding area. In addition to the proposed non-residential uses, the proposed project is located near and within walking distance of existing employment and retail areas in the cities of Rancho Cucamonga and Ontario, which would help serve the employment and shopping needs of the future residents. However, the increased demand for such economic goods and services could encourage the creation of new businesses and/or the expansion of existing businesses that address these economic needs. This growth may be experienced in the areas in proximity to the project site that are either currently undeveloped or underutilized. However, this type of growth is already anticipated in the City's General Plan, even without the proposed project. Notably, the areas surrounding the project site within Industrial Area Specific Plan (IASP) Sub-Area 18, including the Rancho Cucamonga Metrolink Station, are designated as "Mixed Use Areas" in the City's General Plan. The intent of the Mixed Use designation in this area is to:

- Promote planning flexibility to achieve more creative and imaginative employment-generating designs.
- Integrate a wider range of retail commercial, service commercial, recreational, and office-related uses in this industrial area of the City.
- Allow for the sensitive inclusion of high-density residential development that offers high-quality multi-unit condominiums and apartments for employees desiring housing close to work and transit.

Additionally, as shown in the aerial photograph provided in Exhibit 4.9-6 in Section 4.9, Land Use and Planning, there are parcels immediately south of the project site that are currently undeveloped; however, this area is already planned for mixed use development associated with the approved Piemonte at Ontario Center. The approved development includes approximately 1.29 million sf of mixed retail, commercial, office, hotel and multi-family residential units at buildout (Ontario 2006).

Therefore, implementation of residential and non-residential uses allowed by the proposed Specific Plan Amendment would support existing uses in the area, and could encourage or facilitate the growth envisioned in the City of Rancho Cucamonga General Plan and planned in the City of Ontario.

4. Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

As identified above, the proposed project involves a General Plan Amendment and Zoning Amendment to allow for development of the proposed mixed use community, which is consistent with planning policies that encourage the introduction of higher density, mixed use development near transit to decrease dependency on the automobile and to reduce associated air pollution GHG emissions. However, no changes to any of the City's building safety standards (i.e., building, grading, plumbing, mechanical, electrical, fire codes) are proposed or required to implement this project. In addition to project design features and regulatory requirements, project-specific MMs have been identified in Sections 4.1 through 4.14 of this Draft EIR to ensure that implementation of the project complies with all applicable City plans, policies, and ordinances. This ensures that there are no conflicts with adopted land development regulations and that environmental impacts are minimized. The proposed project does not propose any precedent-setting actions that, if approved, would specifically allow or encourage other projects and resultant growth to occur.

C. ENERGY CONSERVATION

Section 21100(b)(3) of the *California Public Resources Code* and Appendix F to the CEQA Guidelines require a discussion of potential energy impacts of proposed projects. Appendix F states:

> The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:
>
> (1) Decreasing overall per capita energy consumption,
> (2) Decreasing reliance on fossil fuels such as coal, natural gas and oil, and
> (3) Increasing reliance on renewable energy sources.

Appendix F of the CEQA Guidelines also identifies that "EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy."

Section 6.3 of the EIR contains the required discussion of these issues, which is summarized below.

1. Short-Term Construction

For dust control, it is estimated that approximately 11.63 million gallons of water would be used during grading activities and 10 million gallons of water would be used during the building phases. A total of 606,959 kWh of electricity from water consumption, 670,939 gallons of diesel fuel, 927,377 gallons of gasoline, and 45.65 MWh of electricity from water consumption is estimated to be consumed during project construction. To reduce impacts, reclaimed water would be used for dust control, resulting in an estimated 81 percent savings in electricity use as well as the savings of potable water.

Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. The project also implements MM 2-2 which requires equipment to be properly maintained, minimize idling, and use electric or clean alternative fuel equipment where feasible. Furthermore, there are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the State. For comparison, the State of California consumed 14.70 billion gallons of gasoline and 2.78 billion gallons of diesel fuel in 2014 (BOE 2015a, 2015b). The estimated construction energy consumed by the proposed project would be spread over the

approximate eight year construction duration. Therefore, the proposed construction activities would not result in inefficient, wasteful, or unnecessary fuel consumption.

2. *Transportation*

The proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment involves the development of a mixed use community that would decrease dependency on the automobile by locating new housing near existing and planned employment-generating uses, local regional activity centers, and transit service. The overall circulation concept for the proposed project places an emphasis on pedestrian, bicycle, and vehicular connectivity emanating from the Metrolink Transit Station and major circulation corridors. The Vine provides a backbone of multi-modal connectivity from 4th Street to the Metrolink Transit Station, connecting all neighborhoods in between. This pedestrian-scaled roadway includes vehicular lanes, sharrows, on-street parking, and a variable median. To facilitate non-vehicular travel, the project would include bicycle parking facilities.

Additionally, as described in Section 4.2, Air Quality of this Draft EIR, mitigation measures (MMs) have been incorporated into the project to reduce vehicle emissions. MM 2-3 requires preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles; changing/shower facilities; and EV charging facilities for some nonresidential buildings. MM 2-4 and MM 2-5 require EV charging facilities, preferential visitor parking for alternative-fueled vehicles and bicycle parking for residential buildings and parking facilities. MM 2-6 includes operational measures that would limit truck idling and would provide incentives for employees of commercial and industrial businesses to commute by Metrolink or bus.

When taking into consideration the location of the project near transit, the high density of the proposed residential uses, and the mixed use nature of the proposed project, it is estimated that there would be an overall reduction in VMT from approximately 95.5 million VMT/year to 89.5 million VMT/year. This represents a reduction of approximately 6 million VMT/year or 6.2 percent. Based on the annual VMT, gasoline and diesel consumption rates were calculated using estimated miles per gallon factors based on San Bernardino County data for 2024 from EMFAC2014. It is estimated that the project-generated traffic would use 498,000 gallons of diesel fuel, and 2.8 million gallons of gasoline per year. Fuel consumption associated with vehicle trips generated by the proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment would not be considered inefficient, wasteful, or unnecessary.

3. *Energy Demand*

The proposed project would promote building energy efficiency through compliance with energy efficiency standards (Title 24 of the California Code of Regulations, and CALGreen, the 2013 California Green Buildings Standards Code) and the provision of energy efficiency measures that exceed required standards. Based on the CalEEMod, the electricity demand from the project would be approximately 16.3 million kilowatt hours per year (kWh/yr) and the natural gas consumption would be approximately 38 billion British Thermal Units per year (BTU/yr) (this includes peak demands), or 380,000 therms per year. Natural gas fireplaces would use approximately 19 billion BTU/yr. The electricity use associated with the project water consumption is estimated to be approximately 4.2 million kWh per year. San Bernardino County's total electrical and natural consumption in 2013 was approximately 14,000 million KWh and 503 million therms. At full build-out, project's electricity use would be approximately 0.14 percent of the existing electricity use in San Bernardino County and natural gas use would be approximately 0.08 percent of the existing natural gas use in San Bernardino County. Energy supplies to meet this demand are

available and development of new capacity is not required. With implementation of mitigation measure (MM) 6-1 and MM 6-2, identified in Section 4.6, Greenhouse Gas Emissions, the electricity and natural gas consumption would be reduced by 15 percent in residential land uses and 10 percent in non-residential land uses. The proposed project would not result in excessive long-term operational building energy demand.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

The analysis in Sections 4.1 through 4.14 of the EIR concludes that, despite implementation of mitigation measures, significant environmental impacts would result from the construction and operation of the proposed project. Significant and unavoidable impacts that would result from implementation of the proposed project include those listed below.

- **Operational Air Quality Impact.** Maximum daily emissions from project operations (mobile and consumer product sources) would exceed the South Coast Air Quality Management District's (SCAQMD's) CEQA significance thresholds for ozone (O_3) precursors (i.e., volatile organic compounds [VOCs] and nitrogen oxides [NOx]), carbon monoxide (CO), respirable particulate matter with a diameter of 10 microns or less (PM10), and fine particulate matter with a diameter of 2.5 microns or less (PM2.5).

- **Cumulative Air Quality Impact.** The project would result in significant and unavoidable cumulative long-term regional emissions of O_3 precursors (VOC and NOx), PM10, and PM2.5, all nonattainment pollutants, due to mobile and consumer product sources.

- **Air Quality Management Plan Consistency.** The proposed project would conflict with the SCAQMD's Air Quality Management Plan (AQMP) due to (1) the projected long-term operational emissions of non-attainment pollutants exceeding SCAQMD significance thresholds, which could increase the frequency or severity of existing air quality violations or delay timely attainment of air quality standards and (2) project trip generation at the project site substantially greater than trip generation anticipated in the General Plan for PAI [Planning Area I] resulting from proposed high density development and associated population growth in an area designated as a golf course in current planning documents.

- **Substantial Temporary or Periodic Increase in Noise.** Construction of the proposed uses would result in temporary noise impacts from construction activities because some of these activities may not be reduced to less than 65 A-weighted decibels (dBA) at residential receptors and 70 dBA at industrial or commercial receptors (the noise level standard established in the City's Development Code), and these noise levels would be substantially greater than existing noise levels that range from the low to high 50s dBA.

- **Construction-Related Noise Would Exceed Noise Standards.** Construction noise would potentially exceed the noise level limits established in the City's Development Code.

- **Population and Housing Growth.** With the development of up to 3,450 residential units, the proposed project would directly induce substantial housing and population growth in the City beyond adopted growth forecasts, resulting in a significant and unavoidable project impact. This is because the City's General Plan did not plan for the redevelopment of the project site. However, the proposed project would be consistent with local, regional, and State growth

strategies that encourage mixed use, higher density housing development near employment centers and transit opportunities.

- **Project-Related Traffic Impacts.** The proposed project would result in significant and unavoidable project impacts at one study area intersection, which is also a San Bernardino County Congestion Management Plan (CMP) intersection, under the Existing Plus Project traffic analysis scenario, and at seven study area intersections (including 5 CMP intersections) under the Completion Year 2024 Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable impacts along segments of Interstate (I) 10 and I-15 and at I-10 and I-15 on- and off-ramps under these traffic analysis scenarios; I-10 and I-15 are also CMP facilities.

- **Cumulative Traffic Impacts.** The proposed project would result in significant and unavoidable cumulative impacts at four study area intersections (including 3 CMP intersections) under the Cumulative Year (2036) Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable cumulative impacts along segments of I-10 and I-15 and at I-10 and I-15 on- and off-ramps under this traffic analysis scenario; I-10 and I-15 are also CMP facilities.

When an agency approves a project with significant environmental effects that will not be avoided or substantially lessened, in must adopt a "statement of overriding considerations" explaining that, because of the project's overriding benefits, the agency is approving the project despite its environmental harm. (14 Cal. Code Regs. § 15043.) The City's statement of overriding considerations for the Project is as follows:

The California Environmental Quality Act (CEQA) requires a public agency to balance the benefits of a proposed project against its significant unavoidable adverse impacts in determining whether to approve a project. The Project will result in environmental effects, which, although mitigated to the extent feasible by the implementation of mitigation measures required for the Project, will remain significant and unavoidable, as discussed in the Final Environmental Impact Report (EIR) and CEQA Findings of Fact. These impacts are summarized below and constitute those impacts for which this Statement of Overriding Considerations is made.

Findings:

The City Council hereby adopts all mitigation measures identified in the EIR. The City Council finds and determines in approving the Project that the Final EIR has considered the identified means of lessening or avoiding the Project's significant effects and that to the extent any significant direct or indirect environmental effects, including cumulative project impacts, remain unavoidable or not mitigated to below a level of significance after mitigation, such impacts are at an acceptable level in light of the social, legal, economic, environmental, technological and other project benefits discussed below, and such benefits override, outweigh, and make "acceptable" such remaining environmental impacts of the project (CEQA Guidelines Section 15092(b)).

The following benefits and considerations outweigh such significant and unavoidable adverse environmental impacts. All of these benefits and considerations are based on the facts set forth in the Findings, the Final EIR, and the record of proceedings for the Project. Each of these benefits and considerations is a separate and independent basis that justifies approval of the Project, so that if a court were to set aside the determination that any particular benefit or consideration will occur and justifies project approval, this City Council determines that it would stand by its determination that the remaining benefit(s) or consideration(s) is or are sufficient to warrant project approval.

Facts:

The Project would have the following benefits:

1. **Approval of the Project would ensure that development of the project site is accomplished consistent with numerous applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan.***

The proposed Specific Plan Amendment serves as a tool for implementing the preferred development strategies for Planning Area I of Industrial Area Specific Plan Sub-Area 18, a specific plan that is itself a tool for implementation of the City's General Plan. (See City of Rancho Cucamonga General Plan, at LU-48 through LU-53.) The Project includes high-density and medium-high density residential, mixed use, open space, and transit-oriented land uses near transit services, including the Rancho Cucamonga Metrolink Station and local regional activity centers.

As described in the EIR, at Table 4.9-2 in Section 4.9, and at Appendix D to Appendix B-2, approving the Project would further numerous goals and policies of the City of Rancho Cucamonga's General Plan. The City Council finds that the Project would advance and further the General Plan's policies and objectives for all of the reasons described in the EIR and its appendices. Particularly relevant goals and policies include, but are not limited to, the following:

- **Goal LU-1, "Ensure established residential neighborhoods are preserved and protected, and local and community-serving commercial and community facilities meet the needs of residents," and related policies.** The Project will support higher density living environments near transportation alternatives to protect existing neighborhoods from increased density pressures. The Project would encourage the development of commercial centers in the Transit Placetype, Mixed Use Placetype, and Mixed Use Overlay areas, serving a broad range of retail and service needs for the community.

- **Goal LU-2, "Facilitate sustainable and attractive infill development that complements surrounding neighborhoods and is accessible to pedestrians, bicycles, transit, and automobiles" and related policies.** The Project would promote mixed use and high density residential uses in a pedestrian-friendly setting with direct access to transit. The Specific Plan Amendment allows up to 3,450 residences, 220,000 square feet of non-residential, and 6.8 acres of recreation amenities within 0.5 mile of the Metrolink station. The Vine is designed as a "complete street," with pedestrian circulation provided by the Vine and through internal connections.

- **Goal LU-3, "Encourage sustainable development patterns that link transportation improvements and planned growth, create a healthy balance of jobs and housing, and protect the natural environment," and related policies.** The project would focus development on a previously disturbed infill site where development would cause minimal impact on natural resources and where residents would have access to existing infrastructure. In addition, the project would also encourage employment, professional, light industrial, and commercial uses on the project site in the Transit Placetype, Mixed Use Placetype, and Mixed Use Overlay areas.

- **Goal CM-2, "Plan, implement, and operate transportation facilities to support healthy and sustainable community objectives," and related policies such as CM-2.1, "Facilitate bicycling and walking citywide."** The Specific Plan Amendment includes a continuous pedestrian and bikeway corridor along the Vine that links users from the Metrolink station to 4th Street. Pedestrians may also use the existing 6th Street undercrossing to avoid the 6th Street intersection. The Vine is designed to include a protected bike lane for enhanced bicycle connectivity traveling north/south through the site. The Transit Placetype facilitates easy pedestrian and bicycle access through the site and supports transit and multi-modal users with commercial, retail, and services. At the time of development, plans will be reviewed by the City and/or transit agency for appropriate bus stops/shelter locations. Transit services may include, but not be limited to car-share facilities, bike-share stations, transit pass kiosks, or concierge services. All projects would meet CALGreen requirements related to bicycle parking.

- **Goal CS-1, "Provide attractive, high-quality community services facilities that adequately meet the community's need," and related policies.** Parkland/recreation facilities include the provision of on-site facilities and open space; provision of a 25,000 square foot joint use facility to be used by the Community Services Department, Library Department and Police Department or alternative community benefit agreed to be the City and the Property Owner/Developer; and payment of applicable mitigation fees. The Specific Plan Amendment requires the development of "3rd Place spaces" throughout the project to provide smaller passive and programmed open spaces; private recreation amenities will be provided in the REC Placetype.

- **Goal HE-1, "Allow and create new opportunities that enable a broad range of housing types, maintain a balanced supply of ownership and rental units, and provide sufficient numbers of dwelling units to accommodate expected new household formations," and related policies.** The Project would promote the development of up to 3,450 attached and detached medium-high and high-density housing units, Live-Work units, and Shopkeeper units.

The Council finds that the Project is more than merely "consistent" with the City's General Plan; the Project represents a specific and unusual opportunity to promote infill development on an already developed site, near to transit, in a manner that will advance important City policies and goals identified in the General Plan.

2. The Project would repurpose the existing golf course within a highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.

Because of its location, the Project site represents an unusual opportunity to promote environmentally beneficial infill development within the City. There are few other currently developed sites in the City that can be repurposed to create new housing opportunities and mixed-use development without causing any direct residential displacement. The project site also provides a rare opportunity to promote infill development on a site already surrounded by existing active development, and with significant proximity to existing employment, transit and entertainment uses, as described in Chapters 3 and 4 of the EIR.

3. **The Project would decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.**

As described in Chapters 3 and 4 of the EIR, the Project is located close to both transit service and existing employment-generating uses. For example, the Rancho Cucamonga Metrolink Station is immediately adjacent to and east of the northern portion of the project site, the entire project site is located in a High Quality Transit Area (HQTA), and the northern portion of the site (north of 6th Street) is in a Southern California Association of Governments' (SCAG)-designated Transit Priority Area. The area immediately surrounding the Project Site contains light and heavy industrial uses, office uses, and commercial/retail uses. By locating housing opportunities at a location near both transit and employment-generating uses, the Project will decrease dependency on the automobile and reduce associated air pollution and greenhouse gases, among other environmental benefits.

4. **The Project would provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.**

As described in Section 3.5.2 of the EIR and Section 7.3.6 of the Specific Plan Amendment, approval of the Project would result in the creation of a multi-modal circulation system that would address both regional and local circulation requirements and reinforce the goal of creating a pedestrian-friendly environment. The overall circulation concept places an emphasis on pedestrian, bicycle, and vehicular connectivity emanating from the Metrolink Station and major circulation corridors. The system is designed to provide easy access to the Metrolink Station for increased transit usage, which leads to a reduction in the number and length of vehicle trips, and associated reduction in greenhouse gas (GHG) emissions and an increase in energy conservation.

Primary vehicular access to Planning Area I is provided from 7th Street, 6th Street, and 4th Street. The overall on-site circulation concept places an emphasis on pedestrian, bicycle, and vehicular connectivity emanating from the Metrolink Transit Station and major circulation corridors. Internal circulation would be provided via a network of public and/or private residential collector roadways and local streets designed with on-street parking, street frontages and shaded pedestrian links and open spaces. A continuous connection from 4th Street to the Metrolink Station, via the proposed "Vine" and the Ion (pedestrian undercrossing at 6th Street) would allow seamless pedestrian connections without crossing a major road. Within the Placetypes, transitional spaces and pathways would connect enclaves and promote pedestrian circulation.

The Council finds that creation of the multi-modal circular system would provide significant benefits to the City and the region by, among other things, reducing dependence on the automobile, promoting pedestrian and bicycle usage, improving transportation efficiencies, enhancing the area surrounding the Metrolink station, conserving energy and reducing GHG emissions and air pollution.

5. **The Project would provide a range of housing options to meet the needs of a variety of demographics.**

The proposed Specific Plan Amendment would allow for the development of up to 3,450 residential units, including attached and detached high density and medium-high density housing. This would provide new housing options for workforce families and young professionals and would allow entry level and move-up home ownership opportunities in an urban setting. As described in more detail in Section 4.11, Population and Housing, the provision of housing at the project site would assist the City in its ability to achieve its share of the Regional Housing Needs Assessment (RHNA), as allocated by the Southern California Association of Governments (SCAG).

The Council finds that the Project would provide significant benefits to the City and region by maximizing the opportunity to create new and varied housing options on an infill site with direct proximity to transit.

6. Approval of the Specific Plan Amendment would result in the development of an attractive, viable development project that yields a reasonable return on investment.

The Specific Plan Amendment would establish a set of Landscape Design standards, Architectural Guidelines, and a Landscape Design scheme. The conceptual development plan strategically locates a range of Placetypes, which encourage variety within the built environment by addressing the relationship of the built form to people places rather than the strict relationship of uses to each other. The Urban Design Standards would prescribe the specific development potential and land uses as appropriate for each Placetype, and establish appropriate setbacks, edge conditions, open space requirements, and parking requirements, among other features.

The Architectural Guidelines would provide a design framework for parcels and buildings to convey an aesthetically interesting community identity within an urban living environment, promoting engaging streetscapes without limiting the product type or configuration of the built environment to allow for the greatest adaptability to market changes. The Guidelines would provide appropriate site planning criteria, scale, massing and articulation regulations, roof design requirements, and regulation of elevations, color application, and architectural styles, among other features. Under the Guidelines, the built environment at the Project site would exhibit design quality, including consideration of articulated entries and facades, proportionate windows, and quality building materials.

Finally, the Specific Plan Amendment's attention to landscape design will promote a distinct landscape character with a creative and unique landscape aesthetic. Streets will be designed to be enjoyable, walkable, and interactive to pedestrians. Interior streetscapes shall be designed to provide a cohesive and hierarchal element tying the community together as a whole. Wall treatments will be made more apparent and distinct with decorative pilasters accentuated by selected accent trees and plants for visual impact. Trees shall be strategically located so as not to interfere with driving visibility.

Sustainability is also an integral to Planning Area I's design, with features including the use of recycled water for landscaping, storm water management, and energy efficiency. The proposed project would also include the installation of on-site storm drain, water quality, water, sewer, electricity, natural gas, and telecommunications infrastructure systems to serve the proposed land uses. The on-site utility infrastructure would connect to existing utilities in the vicinity of the project site or new utility lines that would be installed in the roadways adjacent to the project site.

Together, establishment of these urban design standards, architectural guidelines, and landscape design schemes, among other features of the Project, will ensure that development at the project site will be of high quality design, attractive, and in keeping with the City's policies and priorities for development and design.

The City Council also finds that the density of development permitted through the Specific Plan Amendment is both appropriate for the site and also necessary to facilitate development of the site and result in an economically viable project.

7. The Project would provide tax revenue and employment opportunities and attendant economic benefits to the City.

During project construction, a number of design, engineering, and construction-related jobs would be created. In addition, as explained in Section 4.11, Population and Housing, of the EIR, buildout of the maximum amount of development allowed by the proposed Specific Plan Amendment would result in up to 3,450 residential units and 220,000 sf of non-residential uses, which could generate approximately 341 net new employment opportunities. As residential development occurs onsite, project residents and employees would seek shopping, entertainment, employment, home improvement, auto maintenance, and other economic opportunities in the surrounding area. In addition to the proposed non-residential uses, the proposed project is located near and within walking distance of existing employment and retail areas in the cities of Rancho Cucamonga and Ontario. The influx of new residents would spur economic development and business growth in these areas. All of this increased employment and economic activity would create additional tax revenue to the City and the region.

The Council finds that this additional tax revenue and economic activity would provide significant benefit to the City and to the region.

VI. FINDINGS REGARDING PROJECT ALTERNATIVES

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. The concept of "feasibility" encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509 [court upholds CEQA findings rejecting alternatives in reliance on applicant's project objectives]; see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (*CNPS*) ["an alternative 'may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record'"] (quoting Kostka & Zischke, *Practice Under the Cal. Environmental Quality Act* [Cont.Ed.Bar 2d ed. 2009] (*Kostka*), § 17.39, p. 825); *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166 (*Bay-Delta*) ["[i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary project objectives"; "a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal"].) Moreover, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors." (*City of Del Mar*, *supra*, 133 Cal.App.3d at p. 417; see also *CNPS*, *supra*, 177 Cal.App.4th at p. 1001 ["an alternative that 'is impractical or undesirable from a policy

standpoint' may be rejected as infeasible"] [quoting *Kostka, supra*, § 17.29, p. 824]; *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 17.)

Where an alternatives analysis required, CEQA requires evaluations of alternatives that can reduce the significance of identified Project impacts that will not be avoided or substantially lessened by mitigation measures and can "feasibly attain most of the basic objectives of the proposed Project." Thus, overall Project objectives were considered by the City in evaluating the alternatives.

The objectives that have been established for the proposed project are listed below.

1. Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan.*

2. Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.

3. Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.

4. Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.

5. Provide a range of housing options to meet the needs of a variety of demographics.

6. Develop an attractive, viable project that yields a reasonable return on investment.

The following findings and brief explanation of the rationale for the findings regarding Project alternatives identified in the EIR are set forth to comply with the requirements of Section 15091(a)(3) of the CEQA Guidelines.

The consideration of alternatives is an integral component of the CEQA process. The selection and evaluation of a reasonable range of alternatives provides the public and decision-makers with information on ways to avoid or lessen environmental impacts created by a proposed project. When selecting alternatives for evaluation, CEQA requires alternatives that meet most of the basic objectives of the Project, while avoiding or substantially lessening the Project's significant effects.

Four alternatives to the Project were defined and analyzed.

Alternative 1: No Project

As required by CEQA Guideline § 15126.6, the EIR describes and analyzes a "no project" alternative for the purpose of comparing the impacts of approving the Project with the impacts of not approving the Project. As described in Chapter 5, the EIR analyzes both types of no project alternative described in Guideline § 15126.6(e)(3). Under the "No Project/No Development Alternative," the development project would not proceed, and the existing golf course would remain operational. The "No Project/Existing General Plan and Zoning Alternative" assumes

continued operation of the golf course, but also redevelopment of Planning Area III with 290,000 square feet of mixed use commercial development.

Findings Regarding Environmental Impacts

The No Project/No Development Alternative would avoid significant air quality (operational, cumulative and AQMP consistency), construction-related noise, population and housing, and operational traffic impacts that would occur with implementation of the proposed project. Because no development would occur under the No Project/No Development Alternative, there would also be less impacts for the following environmental topics: aesthetics, biological resources, cultural resources, geology and soils, GHG emissions, hazardous and hazardous materials, hydrology and water quality, land use and planning, operational noise, public services and recreation, and utilities and service systems. The project's impacts for these topics are less than significant.

The No Project/Existing General Plan and Zoning Alternative would avoid significant air quality impacts that would occur with implementation of the proposed project, with the exception of direct and cumulative operational NOx emissions primarily from mobile sources. Population and housing impacts would also be avoided because the growth from development of Planning Area III is anticipated in the City and regional and local growth projections. Significant and unavoidable construction-related noise impacts that would occur with the proposed project would be reduced but would still be significant and unavoidable. The trip generation from this alternative would be reduced, thereby reducing traffic impacts compared to the proposed project. Less than significant project intersection impacts would be avoided at nine study area intersections; however, significant and unavoidable traffic impacts would only be avoided at two study area intersections. The proposed project's impacts along three freeway segments and at three freeway ramps where the project would cause a segment at LOS C or better without the project to become LOS D or worse with the project would be avoided with this alternative under the Existing Plus Project, and Completion Year 2024 Plus Project conditions. No cumulative traffic impacts would be avoided. The freeway facilities that are already operating at LOS D or worse under all traffic conditions would have significant and unavoidable impacts with this alternative, consistent with the proposed project. The amount of GHG emissions with development of 290,000 sf of mixed commercial uses in Planning Area III would be reduced compared to the proposed project, but the GHG impacts would be significant and unavoidable because the established efficiency threshold would not be met. This alternative would not conflict with any local or regional planning programs and would not result in any land use impacts, similar to the proposed project. There would be less impacts for the following environmental topics: aesthetics, biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, operational noise, public services and recreation, and utilities and service systems. The project's impacts for these topics are less than significant.

Findings Regarding Project Objectives

The two No Project alternatives would generally attain one of the Project Objectives (consistency with the General Plan) because they would be consistent with the existing General Plan land use designation and Zoning for the site, as outlined in the existing Empire Lakes/IASP Sub-Area 18 Specific Plan. The No Project alternatives would not attain any of the other project objectives, or attain the objectives to the same extent as the proposed project. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan*.** Under the No Project/No Development Alternative and No Project/Existing

General Plan and Zoning Alternative, the existing golf course would remain operational and would be consistent with the land use and zoning designations for the project site, which assume continued use of the site as a golf course or open space use, and potential redevelopment of Planning Area III. However, this alternative would not implement General Plan goals and policies to the same extent as the project to provide mixed use and high density residential areas near transit and along transit routes and to provide bicycle and pedestrian facility connections.

2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The No Project/No Development Alternative and No Project/Existing General Plan and Zoning Alternative would retain the golf course and would not introduce any new housing near existing employment, transit, and entertainment uses.

3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** The No Project/No Development Alternative would not decrease dependency on the automobile as it would not introduce any housing near existing employment-generation uses and transit service. There would be new employees generated with redevelopment of Planning Area III with mixed use commercial under the No Project/Existing General Plan and Zoning Alternative; however, there would not be efficient access to existing transit along 4th Street or the Metrolink Station.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** The No Project/No Development Alternative and No Project/Existing General Plan and Zoning Alternative would not introduce any new pedestrian, bicycle, or transit facilities that would decrease dependency on the automobile. The golf course would remain and would continue to be accessible only to golf course patrons.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The No Project/No Development Alternative and No Project/Existing General Plan and Zoning Alternative would not provide any housing.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** While development of Planning Area III, which encompasses only 11.5 acres of the approximately 160.4-acre site, may yield a reasonable return on investment, as previously noted, it is unknown if the golf course would remain operational if the project does not proceed. It is possible that continued operation of the golf course under both No Project alternatives would not yield a reasonable return on investment.

The EIR, including Section 5.0, contains additional facts and analysis supporting this Finding. Since Alternative 1 is infeasible in light of the Project Objectives, the City Council hereby rejects Alternative 1.

<u>Alternative 2: Higher Density (4,000 Residential Units)</u>

The purpose of the Higher Density Alternative is to further meet the project objectives related to the provision of housing near existing employment, transit, and entertainment uses and to reduce vehicle miles traveled (VMT). The Higher Density Alternative would involve a modification to the proposed Specific Plan Amendment to allow for a maximum of 4,000 residential units (2,100 north of 6th Street and 1,900 south of 6th Street) (refer to Table 5-1). The conceptual development plan by Placetype for this alternative would be the same as the proposed project, as presented in Exhibit 3-3. The distribution of Placetypes and permitted density ranges established in the proposed

Specific Plan Amendment would also be the same as with the proposed project. This information is provided in Table 7.1, PAI [Planning Area I] Development Program, of the proposed Specific Plan Amendment included in Appendix B, which is reproduced as Table 3-1 in Section 3, Project Description, of this Draft EIR. In summary, and as shown in Table 3-1 in Section 3, Project Description, there would be 220,000 square feet (sf) on non-residential development, 6.8 acres in the Recreation Placetype, 0.6 acres of Urban Plaza, 1.4 acres associated with the Metropolitan Water District (MWD) easement, and 17.4 acres of Roads and Miscellaneous Open Space, consistent with the proposed Specific Plan Amendment.

Findings Regarding Environmental Impacts

Due to the increase in the number of dwelling units and associated increase in population under the Higher Density Alternative, significant and unavoidable air quality, construction-related noise, population and housing, and traffic impacts resulting from the project would also occur with this alternative. Additionally, there would be increased traffic impacts with new significant and unavoidable intersection impacts at two locations. Thus, this alternative would worsen already significant impacts under Project conditions. For all other topical areas, including GHG emissions, similar or slightly increased impact levels would occur with this alternative compared to the proposed project; however, the impacts would be less than significant, consistent with the proposed project.

Findings Regarding Project Objectives

The Higher Density Alternative would meet most of the project objectives, but may not meet the objective for a reasonable return on investment. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan.*** Consistent with the proposed project, the Higher Density Alternative would not be consistent with the land use and zoning designations for the project site, which assume continued use of the site as a golf course or open space use. A General Plan Amendment and Zoning Amendment would be required. However, consistent with the proposed project, this alternative would implement General Plan goals and policies to provide mixed use and high density residential areas near transit and along transit routes and to provide bicycle and pedestrian facility connections.
2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The Higher Density Alternative would meet this objective to a greater extent than the proposed project as it would involve the redevelopment of the golf course with 4,000 new high-density and medium-high density dwelling near existing employment, transit, and entertainment uses that currently surround or are in proximity to the project site. This is an increase of 550 dwelling units compared to the proposed project.
3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** Consistent with the proposed project, the Higher Density Alternative would decrease dependency on the automobile as it would involve the construction of new housing and employment-generating uses near existing employment-generating uses and transit service.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** Consistent with the proposed project, the Higher Density Alternative would involve the construction of a multi-modal circulation system that accommodates not only vehicular circulation, but also pedestrian and bicycle facilities that would provide safe and efficient connections to existing and planned pedestrian and bicycle facilities and transit lines adjacent to the project site. The circulation system would also allow for continuous circulation that connects 4th Street to the Metrolink Station.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The Higher Density Alternative would allow for the development of up to 4,000 dwelling units, an increase of approximately 16 percent compared to the proposed Specific Plan Amendment, which would allow for up to 3,450 dwelling units. Based on the City's General Plan (Table LU-16, Land Plan Summary-Residential Designations), there would be 12,323 acres of residential development at buildout of the City. Of this amount, only 689 acres (approximately 6 percent) are identified for high density, medium-high density, and mixed use residential development. Consistent with the proposed project, the Higher Density Alternative would include high-density and medium-high density residential units that would help meet the needs of variety of demographics.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** This alternative would meet the objective to provide an attractive project since the development would comply with the development standard and guidelines outlined in the proposed Specific Plan Amendment. However, the construction costs for higher density development, which typically involves more wrap and podium type products, are substantially higher than wood frame, slab on grade products, which are anticipated with the proposed project. . In order to achieve that density proposed in the High Density Alternative, the Project Applicant would need to build more product types in the upper density ranges including five- to six- story podium, elevator buildings with underground parking. This type of construction typically costs up to 65 percent more than the cost to construct housing up to three levels without elevators. With the rents and sales prices in the local housing market fixed within a range supportable by median incomes, a greater proportion of higher density products would not be economically supportable. The increase costs with higher density development may be cost prohibitive so the assurance of a reasonable return on investment for this level of density would be questionable.

The EIR, including Section 5.0, contains facts and analysis supporting this Finding. Because this alternative would not avoid or substantially lessen any significant environmental effects of the Project, the Council hereby rejects Alternative 2.

Alternative 3 - Reduced Development Area/Executive Golf Course Alternative (2,650 Units North of 6th Street Only)

In Notice of Preparation (NOP) comment letters and during the Draft EIR public scoping process, several members of the public raised concerns regarding the loss of the existing Empire Lakes Golf Course. It was requested that the Draft EIR consider an alternative that would allow for development north of 6th Street while the area south of 6th Street be retained for golf course use, potentially as an executive golf course. The Reduced Development Area/Executive Golf Course Alternative has been developed to respond to these requests and to reduce construction-related and operational impacts resulting from the proposed project. With respect to the reduction in impacts, with the reduced number of units, this alternative addresses significant and unavoidable long-term air quality impacts (project and cumulative), inconsistency with the AQMP, construction-related

noise impacts, population and housing growth, and direct and cumulative traffic impacts. Construction impacts are reduced due to the reduction in development area (limited to the area north of 6th Street).

Findings Regarding Environmental Impacts

Operation-related air quality, construction-related noise, population and housing, and traffic impacts would be reduced with the Reduced Development Area/Executive Golf Course Alternative; however, they would still be significant and unavoidable, similar to the proposed project. This alternative would avoid four intersection impacts where the project's impact is less than significant with mitigation, and one significant and unavoidable intersection impact, and the significant and unavoidable operational PM2.5 impact and associated cumulative air quality impact resulting from the proposed project.

Because the physical impact area under the Reduced Development Area/Executive Golf Course Alternative would be reduced and there would be less residential units and associated population and traffic with development of only the area north of 6th Street, this alternative would have less impacts related to aesthetics, construction-related air quality emissions, biological resources, hazards and hazardous materials, hydrology/water quality, land use and planning, operational noise, and public services and recreation. Impacts related to cultural resources and geology and soils would be similar. The overall GHG emissions from this alternative would also be less than the proposed project; however, the efficiency threshold would be higher. The proposed project would result in less than significant impacts for each of these environmental topics.

Findings Regarding Project Objectives

The Reduced Development Area/Executive Golf Course Alternative would meet the project objectives, but not to the same extent as the proposed project because the amount of housing near transit is not maximized. Additionally, this alternative does not accomplish the same level of multi-modal circulation that would be provided by the project. These are key components of reducing dependency on the automobile and reducing associated air pollution and GHG emissions. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan*.** Consistent with the proposed project, development of the portion of the project site north of 6th Street would not be consistent with the land use and zoning designations for this site, which assume continued use of the site as a golf course or open space use. A General Plan Amendment and Zoning Amendment would be required. However, this alternative would implement General Plan goals and policies to provide mixed use and high-density residential areas near transit and along transit routes and to provide bicycle and pedestrian facility connections.
2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The Reduced Development Area/Executive Golf Course Alternative would meet this objective but not to the same extent as the proposed project. This alternative would provide 2,650 dwelling units compared to 3,450 dwelling units with the proposed project, a reduction of approximately 23 percent. With a reduction in units to accommodate retention of a portion of the golf course, the provision of housing near existing employment, transit, and entertainment uses is not being maximized.

3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** Consistent with the proposed project, the Reduced Development Area/Executive Golf Course Alternative would decrease dependency on the automobile as it would involve the construction of new housing and employment-generating uses near existing employment-generating uses and transit service but with fewer units this alternative would not maximize this objective.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** The Reduced Development Area/Executive Golf Course Alternative would involve the construction of multi-modal circulation system that accommodates not only vehicular circulation, but also pedestrian and bicycle facilities that would provide safe and efficient connections to existing and planned pedestrian and bicycle facilities and transit lines adjacent to the project site. However, these facilities would be limited to the area north of 6th Street and would not provide similar connectivity from 4th Street, which provides pedestrian, transit, and bicycle facilities. Therefore, the Reduced Development Area/Executive Golf Course Alternative would not meet this object to the same extent as the proposed project.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The Reduced Development Area/Executive Golf Course Alternative would involve the development of up to 2,650 dwelling units, a decrease of approximately 23 percent compared to the proposed Specific Plan Amendment, which would allow for up to 3,450 dwelling units. Based on the City's General Plan (Table LU-16, Land Plan Summary-Residential Designations), there would be 12,323 acres of residential development at buildout of the City. Of this amount, only 689 acres (approximately 6 percent) are identified for high-density, medium-high density, and mixed use residential development. The Reduced Development Area/Executive Golf Course Alternative would include high-density and medium-high density residential units, which would help the meet the needs of variety of demographics, but not to the same extent as the proposed project.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** This alternative would develop 2,650 units and 220,000 sf non-residential uses on the portion of the site north of 6th Street. The southern half of the project site would remain as an executive golf course. It is uncertain whether the return from 2,650 units and 220,000 sf of non-residential uses could support the development costs or that development returns could support the infrastructure and improvements costs required for the overall project. Additionally, it is unknown if operation of an executive golf course on the southern portion of the project site is economically viable.

The EIR, including Section 5.0, contains facts and analysis supporting this Finding. Since Alternative 3 is infeasible in light of the Project Objectives, it is hereby rejected by the City Council.

Alternative 4 – Increased Non-Residential/Optimized Mixed-Use (375,000 sf Non-Residential and 1,200 Units)

The purpose of this alternative is to address comments raised at the Draft EIR scoping meeting that (1) the project should have more non-residential development to provide a better balance for a mixed use development and (2) the residential development allowed by the proposed Specific Plan Amendment is too dense (with high-density residential uses). This alternative assumes that there would be an increase in non-residential development compared to the proposed Specific Plan

Amendment (375,000 sf compared to 220,000 sf) and that the residential density would be reduced (1,200 units compared to 3,450 units).

Findings Regarding Environmental Impacts

Operation-related air quality, construction-related noise, population and housing, and traffic impacts would be reduced with the Increased Non-Residential Development/Optimized Mixed Use Alternative; however, they would still be significant and unavoidable, similar to the proposed project. This alternative would avoid one significant and unavoidable intersection impact, and the significant and unavoidable for operational CO and PM2.5 impacts and associated cumulative air quality impacts resulting from the proposed project.

Because the physical impact area under this alternative is the same as with the proposed project, impacts related to biological resources, cultural resources, and geology and soils would be the same as the proposed project and would be less than significant. For all other topical areas, similar or reduced impact levels would occur with this alternative compared to the proposed project and would be less than significant.

Findings Regarding Project Objectives

The Increased Non-Residential Development/Optimized Mixed Use Alternative would not meet all of the project objectives, and with the exception of providing a multi-modal circulation system, would not meet any of the objects to the same extent as the proposed project. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan*.** Consistent with the proposed project, the Increased Non-Residential Development/Optimized Mixed Use Alternative would not be consistent with the land use and zoning designations for the project site, which assume continued use of the site as a golf course, or open space use. A General Plan Amendment and Zoning Amendment would be required. This alternative would implement goals and policies to provide mixed use and residential areas near transit and along transit routes, and to provide bicycle and pedestrian facility connections, although not to the same extent as the proposed project. The General Plan goals and policies focus on the provision of high-density housing near transit facilities, consistent with project objectives discussed below.

2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The Increased Non-Residential Development/Optimized Mixed Use Alternative would not meet this objective. While the golf course would be redeveloped with a mixed use development, the residential development is not maximized as demonstrated with the reduction in units (1,200 units compared to 3,450 units with the proposed project), and the lower densities that would be attained with 1,200 units (density ranges of 8 to 18 dwelling units per acre compared to 14 to 80 dwelling units per acre anticipated with the proposed project). Additionally, an important component of the proposed project is to provide higher-density residential uses in an area that already has employment-generating uses, transit, and entertainment uses. Increasing the non-residential development on the project site negates the benefit of providing housing by existing non-residential development. The "balance" of land uses that the proposed project is attempting to attain is not focused on the project site, but rather the larger area surrounding the project site, which is largely developed with non-residential

uses. As further discussed in this Draft EIR, this strategy is consistent with local and regional goals to reduce vehicle miles traveled and associated air quality and GHG emissions.

3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** The Increased Non-Residential Development/Optimized Mixed Use Alternative would meet this goal by providing housing and employment-generating uses on the project site, which is currently developed with a golf course. However, this goal would not be met to the same extent as the proposed project due to the substantial reduction in the number of units.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** Consistent with the proposed project, the Increased Non-Residential Development/Optimized Mixed Use Alternative would involve the construction of a multi-modal circulation system that accommodates not only vehicular circulation, but also pedestrian and bicycle facilities that would provide safe and efficient connections to existing and planned pedestrian and bicycle facilities and transit lines adjacent to the project site. The circulation system would also allow for continuous circulation that connects 4th Street to the Metrolink Station.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The Increased Non-Residential Development/Optimized Mixed Use Alternative would involve the development of up to 1,200 dwelling units compared to the proposed project, which would allow for up to 3,450 dwelling units. Based on the City's General Plan (Table LU-16, Land Plan Summary-Residential Designations), there would be 12,323 acres of residential development at buildout of the City. Of this amount, only 689 acres (approximately 6 percent) are identified for high-density, medium-high density, and mixed use residential development. The Increased Non-Residential Development/Optimized Mixed Use Alternative would include residential uses, but it would not provide higher density uses, which are limited in the City and needed to help meet the needs of variety of demographics. Therefore, while this alternative would generally meet this objective, it would not meet it to the same extent as the proposed project.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** This alternative would only develop 1,200 units, which is approximately 35 percent of the units allowed by the proposed Specific Plan Amendment. The development of 375,000 sf of non-residential uses represents an approximately 70 percent increase in non-residential compared to the proposed project. With the existing commercial, office and industrial uses surrounding the project site, and the current market conditions, it is uncertain whether there is a demand for 375,000 sf of non-residential development at the project site and whether it would be economically viable. In the 2nd quarter of 2015, the City of Rancho Cucamonga had approximately 658,000 sf of non-residential building space available, and the City of Ontario had approximately 777,000 sf available. This represents approximately 89 percent of the available building space in the western area of the Inland Empire, which includes the cities of Chino, Chino Hills, Fontana, Ontario and Rancho Cucamonga. Additionally, there has been a negative absorption through the 2nd quarter of 2015 (CBRE 2015). It is also uncertain whether the return from the development under this alternative could support the development costs or that development returns could support the infrastructure and improvements costs required for the overall project which would encompass the entire 160.4-acre site.

The EIR, including Section 5.0, contains facts and analysis supporting this Finding. Since Alternative 4 is infeasible in light of the Project objectives, the Council hereby rejects Alternative 4.

Environmentally Superior Alternative

The State CEQA Guidelines require the identification of an environmentally superior alternative to the Project. (CEQA Guidelines, Section 15126.6(e)(2).) An environmentally superior alternative is an alternative to the Project that would reduce and/or eliminate the significant adverse environmental impacts associated with the Project without creating other significant adverse environmental impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the Project. Selection of an environmentally superior alternative is based on an evaluation of the extent to which the alternatives reduce or eliminate the significant impacts associated with the Project and on a comparison of the remaining environmental impacts of each alternative. Section 15126.6(e)(2) of the State CEQA Guidelines states that, if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

The No Project/Existing General Plan and Zoning Alternative, even with redevelopment of Planning Area III, has the least impact to the environment and would avoid significant and unavoidable impacts of the project associated with air quality (with the exception of operational NOx emissions), and population and housing. Significant and unavoidable construction-related noise impacts and traffic impacts resulting from the proposed project would not be avoided but would be substantially reduced. GHG emissions would be reduced overall but with this alternative the efficiency threshold would not be met. This alternative, which involves continued operation of a golf course at the project site, would be consistent with the existing General Plan and zoning designations for the site, but would not meet the project objectives or not meet them to the same extent as the proposed project.

With regard to the remaining development alternatives, the Reduced Development Area/Executive Golf Course is environmentally superior to the project. As shown in Table 5-17 of the EIR, it would have less impacts for more environmental impact categories compared to the Higher Density Alternative, which has greater impacts than the project and the Increased Non-Residential Development/Optimized Mixed Use Alternative. The reduction in impacts for the Reduced Development Area/Executive Golf Course Alternative is due to the fact that this alternative would not involve development of the portion of the project site south of 4th Street (approximately 78.4 acres). This area would continue in its current condition with a golf course. Therefore, project impacts associated with physical changes to the site would be eliminated in this area.

Additionally, the Reduced Development Area/Executive Golf Course Alternative would involve the development of up to 2,650 residential units and 220,000 sf of non-residential uses concentrated in the portion of the project site north of 6th Street (82 acres). The reduction of 800 units would result in reduced trip generation (refer to Table 5-12) and reduced housing and population growth. Reduce traffic would reduce not only traffic impacts, but also operational air quality impacts, GHG emissions, and traffic noise. The reduction in housing and associated new residents would lessen the impacts of the project associated with unanticipated population and housing growth. This includes impacts to public services (fire, police, schools, libraries, and parks/recreation). However,

even with these reduced impacts, the Reduced Development Area/Executive Golf Course Alternative would not avoid the project's significant unavoidable impacts related to air quality (operational, cumulative, and AQMP consistency), construction-related noise impacts, population and housing growth, and traffic (direct and cumulative).

The Council hereby finds that the environmentally superior alternative is Alternative 1, and that Alternative 3 is the environmentally superior alternative among the other alternatives. However, for the reasons discussed above, Alternatives 1 and 3 are rejected because they are not feasible in light of the project objectives, among other factors.

VII. FINDINGS REGARDING RECIRCULATION OF THE DRAFT EIR

The City Council adopts the following findings with respect to whether to recirculate the Draft EIR. Under section 15088.5 of the CEQA Guidelines, recirculation of an EIR is required when "significant new information" is added to the EIR after public notice is given of the availability of the Draft EIR for public review but prior to certification of the Final EIR. The term "information" can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

> (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
>
> (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
>
> (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
>
> (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(CEQA Guidelines, § 15088.5.)

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The above standard is "not intend[ed] to promote endless rounds of revision and recirculation of EIRs." (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1132.) "Recirculation was intended to be an exception, rather than the general rule." (*Ibid.*)

The City Council recognizes that the Final EIR contains minor additions, clarifications, modifications, and other changes to the Draft EIR.

CEQA case law emphasizes that "'[t]he CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal.'" (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736-737; see also *River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11.) "CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process. In short, a project must be open for public discussion and subject to agency modification during the CEQA process." (*Concerned Citizens of Costa Mesa, Inc. v. 33rd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 936 (internal citations omitted).) Here, the changes made to the Draft EIR in the Final EIR are exactly the kind of revisions that the case law recognizes as legitimate and proper.

The City Council finds that none of the revisions to the Draft EIR made by, or discussion included in, the Final EIR involves "significant new information" triggering recirculation because the changes do not result in any new significant environmental effects, substantial increase in the severity of previously identified significant effects, or feasible project alternatives that would clearly lessen the environmental effects of the project. Under such circumstances, the City Council hereby finds that recirculation of the EIR is not required.

EMPIRE LAKES/IASP SUB-AREA 18
SPECIFIC PLAN AMENDMENT PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment Project

Applicant: City of Rancho Cucamonga

Prepared by: City of Rancho Cucamonga

Date: March 2016

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Aesthetics					
PDF 1-1 Section 7.3.4, Development Standards, of the proposed Empire Lakes/Industrial Area Specific Plan (IASP) Sub-Area 18 Specific Plan Amendment includes development standards by Placetype for PAI, including, but not limited to maximum building heights. Structures shall not exceed 70 feet above ground north of 6th Street, 60 feet above ground south of 6th Street, and 45 feet above ground adjacent to existing residential uses within 20 feet of the PAI boundary line. Compliance with the established height limits shall be confirmed by the City in accordance with implementation provisions outlined in Section 7.7 of the Empire Lakes/IASP Sub-Area 18 Specific Plan.	PD	A	Prior to issuance of building permits	C	
PDF 1-2 The construction staging area shall be located as far as possible from residential neighborhoods east of the project site, and perimeter fencing shall be installed to obstruct views from adjacent ground level vantage points into the project site during construction. Implementation of this feature shall be verified by the City during construction.	BO	C	During construction	A	

Key to Checklist Abbreviations

Responsible Person	Monitoring Frequency	Method of Verification
PD: Planning Director CE: City Engineer or designee BO: Building Official or designee PO: Police Captain or designee FC: Fire Chief or designee	A: With Each New Development B: Prior to Construction C: Throughout Construction D: On Completion E: During Occupancy/Operations	A: On-site Inspection B: Other Agency Permit / Approval C: Plan Check D: Separate Submittal (Reports/Studies/Plans)

MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 1-1 The maximum height of walls, fences and gates would not exceed the limits established in Section 17.48.050 of the City of Rancho Cucamonga Development Code, unless otherwise determined necessary for noise attenuation. Compliance with these requirements shall be confirmed by the Planning Department prior to issuance of building permits.	PD	A	Prior to issuance of building permits	C	
MM 1-1 Prior to the issuance of grading permits, the Property Owner/Developer shall provide evidence to the City that the contractor specifications require that the construction staging area be located as far as possible from the existing residential development east of the project site to minimize light intrusion. Temporary nighttime lighting installed during construction for security or any other purpose shall be downward-facing and hooded or shielded to prevent light from spilling outside the staging area and from directly broadcasting security light into the sky or onto adjacent residential properties. Compliance with this measure shall be verified by the City's Building and Safety Services Department during inspections of the construction site.	BO	B/C	Prior to the issuance of grading permits, and during construction	A/C	
Air Quality					
RR 2-1 During construction of future development in Planning Area (PA) 1, the Contractor shall comply with South Coast Air Quality Management District (SCAQMD) Rules 402 and 403, in order to minimize short-term emissions of dust and particulates. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the	BO	B/C	During plan check and construction activities	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
atmosphere beyond the property line of the emission source. This requirement shall be included as notes on the contractor specifications. Table 1 of Rule 403 prescribes the Best Available Control Measures that are applicable to all construction projects and is included in Appendix C. The developer of each project in PAI shall provide the City of Rancho Cucamonga with a SCAQMD-approved Dust Control Plan or other sufficient proof of compliance with Rule 403, prior to grading permit issuance.					
RR 2-2 Architectural coatings shall be selected so that the volatile organic compound (VOC) content of the coatings is compliant with SCAQMD Rule 1113. This requirement shall be included as notes on the contractor specifications. The specifications for each project in PAI shall be reviewed by the City of Rancho Cucamonga Building and Safety Services Department for compliance with this requirement prior to issuance of a building permit.	BO	A	Prior to issuance of building permits	C	
RR 2-3 Industrial, commercial, medical office, or similar uses developed in the Shopkeeper Units or Live/Work Units shall comply with SCAQMD Rule 201 and Regulation II (requiring a Permit to Construct prior to the installation of any equipment that may cause air contaminants) as well as Rule 203 (requiring a Permit to Operate prior to the use of any equipment that may cause air contaminants). These rules and regulation are required unless the equipment or aspects of the project are exempt under Rule 219, which identifies those equipment, processes, or operations that do not require permits. The developer of each project in PAI shall provide the City of Rancho Cucamonga with the SCAQMD-approved Permit to Construct and Permit to	BO	A	Prior to issuance of occupancy permits	D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Operate or other sufficient proof of compliance with Rules 201 and 203, prior to occupancy permit issuance.					
RR 2-4 Future development in PAI shall comply with SCAQMD Rule 445, Wood Burning Devices. Rule 445 was adopted to reduce emissions of fine particulate matter with a diameter of 2.5 microns or less (PM2.5) and precludes the installation of indoor or outdoor wood burning devices (i.e., fireplaces/hearths) in new development on or after March 9, 2009.	BO	A	Prior to issuance of building permits	C	
RR 2-5 Future development in PAI shall include bicycle parking in compliance with established standards in Section 17.64.100, Bicycle Parking Requirements, of the City of Rancho Cucamonga Development Code. These standards establish the required number and types of long-term and short-term bicycle parking spaces required in residential and visitor-attracting land uses.	PD	A	Prior to issuance of building permits	C	
RR 2-6 Future development in PAI shall operate in compliance with established standards in Section 17.66.060, Odor, Particulate Matter, and Air Containment Standards, of the City of Rancho Cucamonga Development Code. These standards address compliance with the rules and regulations of the air pollution control district and the state Health and Safety Code related to odorous emissions, particulate matter, and air containment; noxious odor emissions; restrictions on emission of dust and particulate matter; and location of exhaust air ducts away from abutting residentially zoned properties.	BO	A	Prior to issuance of building permits	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 2-1 Prior to issuance of each grading and building permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that construction documents require construction contractors to implement the measure listed below. The contractor shall comply with the identified requirements, and verification that the contractor has complied shall be confirmed by the Building and Safety Services Department during construction. All off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by the California Air Resources Board (CARB). Any emissions-control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified Tier specification shall be provided to the Building and Safety Services Department at the time of mobilization of each applicable unit of equipment.	BO	B/C	Prior to issuance of grading and building permits / during construction	A/D	
MM 2-2 Construction activities for future development within PAI shall include the following measures to reduce criteria pollutant emissions. These measures shall be incorporated into the contractor specifications and shall be verified during review of project plans and specifications and during construction. • All construction equipment shall be maintained in	BO	B/C	Prior to issuance of building permits / during construction	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
good operating condition so as to reduce operational emissions. The contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturers' specifications. Maintenance records shall be available at the construction site for City verification. • The construction contractor shall utilize electric or clean alternative fuel-powered equipment where feasible. • The construction contractor shall ensure that construction-grading plans include a statement that work crews will shut off equipment when not in use.					
MM 2-3 Prior to the issuance of each non-residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits. • For buildings with 25,000 square feet or more net area and with more than ten tenant-occupants (i.e., employees), changing/shower facilities shall be provided as specified in Section A5.106.4.3, Nonresidential Voluntary Measures, of the California Green Building Standards (CALGreen) Code. • Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1, Nonresidential	BO	A/B/D	Prior to issuance of building permits and occupancy permits	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Voluntary Measures, of the CALGreen Code. • Facilities shall be installed to support future electric vehicle charging at each non-residential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3, Nonresidential Voluntary Measures (Tier 1), of the CALGreen Code.					
MM 2-4 Prior to the issuance of each residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs or specifications. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits. • One- and two-family dwellings shall provide for the future installation of electric vehicle charging, as specified in Section A4.106.8.1, Residential Voluntary Measures, of the CALGreen Code. • Visitor parking shall include preferentially located parking spaces for alternative-fueled vehicles. • Bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5).	BO	A/B/D	Prior to issuance of building permits and occupancy permits	C/D	
MM 2-5 Prior to issuance of each building permit for parking structures and parking lots with 20 or more parking spaces, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have	BO	A/B/D	Prior to issuance of building permits and occupancy permits	C/D	

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
been incorporated into the parking facility. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits. • The parking facility shall include a minimum of five percent preferentially located parking spaces for alternative-fueled (electric, natural gas, or similar low-emitting technology) vehicles. • The parking facility shall include at least one electric vehicle charging station. Electrical lines shall be designed and sized to add additional charging stations for up to three percent of the total parking spaces when a demand is demonstrated. The design and installation shall be consistent with Section A4.106.8.2, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5). • For residential parking facilities, bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen code.					
MM 2-6 Once constructed, the Property Owner/Developer shall ensure that the tenants/operators of non-residential uses include the following features and procedures. Proof of compliance shall be provided to the City of Rancho Cucamonga within one month following the issuance of each occupancy permit. • Post signs requiring that trucks shall not be left idling for prolonged periods (i.e., in excess of 5 minutes, as	CE	D	One month after issuance of occupancy permit	D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
required by State law). • Post both bus and Metrolink schedules in conspicuous areas. • Configure the employee work schedules around the Metrolink schedule to the extent reasonably feasible.					
Biological Resources					
RR 3-1 All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA), the Golden Eagle Protection Act, and California Fish and Game Code Sections 3503, 3511 and 3513. The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by completing the following: • Construction activities involving vegetation removal shall be conducted between September 2 and January 31. If construction occurs inside the peak nesting season (between February 1 and September 1), a pre-construction survey (or possibly multiple surveys) by a qualified Biologist shall be conducted within 72 hours prior to construction activities to identify any active nesting locations. If the Biologist does not find any active nests, the construction work shall be allowed to proceed. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to active avian nests shall occur. If the biologist finds an active nest on the project site and determines that the nest may be impacted,	PD	B/C	Prior to construction/ during construction	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
the Biologist shall delineate an appropriate buffer zone around the nest. The size of the buffer shall be determined by the biologist in consultation with California Department of Fish and Wildlife (CDFW), and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. These buffers are typically 300 feet from the nests of non-listed species and 500 feet from the nests of listed species. Any active nests observed during the survey shall be mapped on an aerial photograph. Only construction activities (if any) that have been approved by a Biological Monitor shall take place within the buffer zone until the nest is vacated. The Biologist shall serve as a Construction Monitor when construction activities take place near active nest areas to ensure that no inadvertent impacts on these nests occur. Results of the pre-construction survey and any subsequent monitoring shall be provided to the Property Owner/Developer, CDFW and the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until written authorization is received by the applicant from CDFW.					
RR 3-2 All construction activities shall comply with Sections 3503, 3503.5, 3511 and 3513 of the *California Fish and Game Code*, which protect active nests of any raptor species, including common raptor species. Compliance with	PD	B/C	Prior to construction/ during construction	A/D	

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
these codes shall be accomplished by completing the following: • If vegetation is to be cleared during the potential raptor nesting season (December 1 to August 31), all suitable habitat within 500 feet of the project site shall be thoroughly surveyed for the presence of nesting raptors by a qualified Biologist within 72 hours prior to clearing. If the Biologist does not find any active nests, the construction work shall be allowed to proceed. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to active avian nests shall occur. If any active nests are detected, the area shall be flagged and mapped on the construction plans with a buffer. The size of the buffer shall be determined by the biologist in consultation with CDFW, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. These buffers are typically 500 feet from the nests of raptors. The buffer area shall be avoided until the nesting cycle is complete or until it is determined that the nest has failed. Results of the pre-construction survey and any subsequent monitoring shall be provided to the Property Owner/Developer, CDFW and the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the					

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designated buffer area shall not proceed until authorization is received by the applicant from CDFW. • Although presumed absent, prior to development of the project site, a pre-construction burrowing owl clearance survey shall be conducted to ensure burrowing owls remain absent from the project site. The clearance survey shall be conducted in accordance with the CDFW 2012 Staff Report on Burrowing Owl Mitigation which requires that two clearance surveys be conducted 14 – 30 days and 24 hours prior to any grading or vegetation removal on the project site. If burrowing owls are observed on the project site during the pre-construction surveys, a burrowing owl passive relocation plan shall be prepared and submitted to CDFW for review and approval prior to commencement of vegetation clearing/grubbing, grading, and construction activities on the project site. The burrowing owl relocation plan shall outline methods to passively relocate any burrowing owls occurring on the project site and ensure compliance with the MBTA and *California Fish and Game Code*.					
RR 3-3 All tree replacement, protection, and maintenance associated with implementation of the proposed project shall be conducted in accordance with the requirements set forth in Chapter 17.80 of the City's Development Code).	PD	A	Prior to issuance of grading permit/during construction	A/C	
RR 3-4 In compliance with the City's Tree Removal Permit process (Rancho Cucamonga Development Code, Chapter 17.16.080), the Property Owner/Developer shall obtain a Tree Removal Permit from the Planning Director prior to	PD	B	Prior to tree removal	D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

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removal, relocation, or destruction of any heritage tree. The Tree Removal Permit application shall be submitted with each tentative subdivision map. Conditions imposed by the Planning Director for replacement of removed trees or tree relocation shall be completed by the Property Owner/Developer.					
Cultural Resources					
RR 4-1 If human remains are encountered during the conduct of ground-disturbing activities, Section 7050.5 of the California Health and Safety Code states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition of the materials pursuant to Section 5097.98 of the California Public Resources Code. The provisions of Section 15064.5 of the California Environmental Quality Act Guidelines shall also be followed. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC). The NAHC will determine and notify a Most Likely Descendent (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The descendent must complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. These requirements shall be included as notes on the contractor specification and verified by the Community Development Department, prior to issuance of grading permits.	PD/BO	C	Prior to issuance of grading permit/during grading and construction	C/D	
MM 4-1 Prior to site preparation or grading activities, construction personnel shall be instructed by a qualified	PD	B	Prior to the start of demolition,	A/D	

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Archaeologist and qualified Paleontologist of the potential for encountering unique archaeological and/or paleontological resources and instructed on steps to take in the event such resources are encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that might be expected, the type of activities that may result in impacts, and the legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until a qualified Archaeologist or Paleontologist, as appropriate, assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of archaeological and paleontological resources is prohibited.			site clearing or grading		
MM 4-2 In the event that cultural resources are inadvertently unearthed during excavation and grading activities, the Contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The Property Owner/Developer shall retain a qualified Archaeologist (Project Archaeologist), subject to approval by the City of Rancho Cucamonga, to evaluate the significance of the find and to determine an appropriate course of action. All artifacts except for human remains and related grave goods or sacred objects belong to the Property Owner. All artifacts discovered at the development site shall be inventoried and analyzed by the Project Archaeologist. If any artifacts of Native American origin are discovered, the Property Owner/Developer and Project Archaeologist shall notify the City of Rancho Cucamonga Planning Department	PD	C	During grading and construction	A/D	

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and the appropriate local Native American tribe identified by the Native American Heritage Commission. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the tribe. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling (see RR 4-1). Native American artifacts that cannot be avoided or relocated at the project site shall be prepared in a manner for curation and the Project Archaeologist shall deliver the materials to an accredited curation facility approved by the City of Rancho Cucamonga within a reasonable amount of time. Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts shall be subjected to curation or returned to the Property Owner, as deemed appropriate. Once ground-altering activities have ceased or the Project Archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Rancho Cucamonga Planning Department. A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Rancho Cucamonga Planning Department, shall signify completion					

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the Archaeological Information Center (AIC) at the San Bernardino County Museum and the Native American tribe, as appropriate.					
MM 4-3 If any paleontological resources (i.e., plant or animal fossils) are encountered before or during grading, the Property Owner/Developer shall retain a qualified Paleontologist to monitor construction activities, and to take appropriate measures to protect or preserve them for study. The paleontologist shall submit a report of findings that will also provide specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Where mitigation monitoring is appropriate, the program must include, but not be limited to, the following measures: • Assign a Paleontological Monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full time during earth-disturbing activities. • Divert earth-disturbing activities away from the immediate area of the discovery until the Paleontological Monitor has completed salvage. If construction personnel make the discovery, the grading contractor shall immediately divert construction and notify the Paleontological Monitor of the find. • Prepare, identify, and curate all recovered fossils for documentation in the summary report and transfer to an appropriate depository (e.g., San Bernardino	PD	C	During grading and construction	A/D	

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
County Museum). • Prepare and submit a technical report describing the identification, salvage, evaluation, and treatment of all fossils discovered during grading to the City of Rancho Cucamonga. Transfer collected specimens with a copy of the report to the depository.					
Geology and Soils					
RR 5-1 In accordance with the City's Building Regulations, as contained in Title 15, Buildings and Construction, of the Rancho Cucamonga Municipal Code, which includes adoption of the 2013 California Building Code (CBC), all construction in Planning Area (PA) 1 shall comply with the CBC and the amendments and exemptions to the CBC that the City has adopted. This Title requires site-specific investigation and establishes construction standards and inspection procedures to ensure that development does not pose a threat to public safety.	BO	B/C	Prior to issuance of building permits	A/C	
RR 5-2 All grading operations and construction in PAI shall be conducted in conformance with the applicable City of Rancho Cucamonga Grading Standards (Municipal Code Chapter 19.04). Grading operations shall also be consistent with the recommendations included in the most current geotechnical reports for the project area prepared by the Engineer of Record.	BO	B/C	During construction	A/C	
RR 5-3 Development in PAI shall comply with Section 17.66.060 of the Rancho Cucamonga Development Code, with regard to dust control. Specifically, "no dust or particulate matter shall be emitted that is detectable by a reasonable person without instruments". Further the project shall comply with the rules and regulations of the South	BO	B/C	Prior to issuance of building permits/ during construction	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Coast Air Quality Management District and the California Health and Safety Code related to dust control.					
RR 5-4 In accordance with Chapter 17.56, Landscaping Standards, of the Rancho Cucamonga Development Code, which establishes minimum landscape requirements to control soil erosion, among other purposes, development in PAI shall submit preliminary and final landscape and irrigation plans as part of the design review process (Section 17.20.040 of the Rancho Cucamonga Development Code).	PD	A	Prior to approval of site plans	C/D	
MM 5-1 Prior to approval of each tentative tract map and/or development application, supplemental geotechnical investigations prepared by a qualified engineer licensed by the State of California to perform such work, shall be provided to the City Engineer. The supplemental geotechnical investigation shall include sampling of representative soils and laboratory tests, as necessary, to confirm the information provided in the Geotechnical Feasibility Study Proposed Mixed-Use Commercial and Residential Development Empire Lakes Golf Course Property Rancho Cucamonga, California (dated March 23, 2015, and prepared by LOR Geotechnical Group, Inc.) (Geotechnical Feasibility Study). The supplemental geotechnical investigation shall incorporate recommendations from the 2015 Geotechnical Feasibility Study, listed below, and shall identify additional site-specific recommendations developed based on the results of the site-specific analysis. Recommendations shall include, but not be limited to, the following areas, as identified in the 2015 Geotechnical Feasibility Study: • General Site Grading	CE/BO	A/B/C	Prior to approval of each tentative tract map and/or development application	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
• Initial Site Preparation • Preparation of Fill Areas • Preparation of Foundation Areas • Engineered Compacted Fill • Short-Term Excavations • Slope Construction • Slope Protection • Soil Expansiveness • Foundation Design • Settlement • Slabs-on-Grade • Wall Pressures • Pavement Design • Sulfate Protection • Supplemental Geotechnical Investigation and Plan Reviews • Construction Monitoring The City Engineer shall confirm that site-specific recommendations are incorporated into the project.					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 5-2 The final grading plan, appropriate certifications and compaction reports shall be completed, submitted, and approved by the Building and Safety Official prior to the issuance of building permits.	BO	A/B	Prior to issuance of building permits	C/D	
MM 5-3 A separate grading plan check submittal shall be required where improvements being proposed would generate 50 cubic yards or more of combined cut and fill. The grading plan shall be prepared, stamped, and signed by a California registered Civil Engineer.	CE	A/B	Prior to issuance of building permits	C/D	
Greenhouse Gas Emissions					
PDF 6-1 The proposed project shall include the planting of a minimum of 5,600 new trees to provide sequestration of CO2 thereby reducing the net GHG emissions attributable to the project.	PD	A/B	Prior to approval of each tentative tract map and/or development application	C/D	
RR 6-1 Projects shall be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods. The 2013 standards, which were effective July 1, 2014, are approximately 25–30 percent more energy efficient than the 2008 Building and Energy Efficiency Standards.	BO	A/B	Prior to issuance of building permits	C	
RR 6-2 The project shall be designed in accordance with the applicable California Green Building Standards (CALGreen) Code (24 CCR 11).	BO	A/B	Prior to issuance of building permits	C	
RR 6-3 The Property Owner/Developer shall install recycled water systems for all projects with a total landscape area equal to or greater than 2,500 square feet as required	CE	A/B	Prior to issuance of building permits	C	

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
by Section 17.82 of the Rancho Cucamonga Municipal Code.					
RR 6-4 The project shall be designed in accordance with the applicable residential and non-residential sections of the CALGreen Building Code as designated in the City of Rancho Cucamonga Green Building Compliance Matrices, as required by Section 17.50 of the Rancho Cucamonga Municipal Code.	BO	A/B	Prior to issuance of building permits	C	
MM 6-1 Prior to the issuance of each building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that high efficiency non-incandescent light bulbs and lighting fixtures shall be installed in residential and non-residential buildings, and Energy Star-rated appliances for clothes washers, dish washers, refrigerators, and fans shall be installed in all residences. Alternatively, the Property Owner/Developer or its contractors shall submit for approval alternate measures to provide GHG emissions reductions equivalent to those achieved by the installation of high-efficiency lighting and Energy Star appliances, which is 814 MTCO2e per year, as shown in Table 4.6-14.	BO	A/B	Prior to issuance of building permits	C/D	
Hazards and Hazardous Materials					
PDF 7-1 As identified in Table 7.4, Development Standards, of the proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment, and in compliance with the height restrictions identified in Section 5.3.2 of the Empire Lakes/IASP Sub-Area 18 Specific Plan, primary buildings in PAI north 6th Street shall not exceed 70 feet and primary buildings south of 6th Street shall not exceed 60 feet.	PD	A/B	Prior to approval of each tentative tract map and/or development application	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 7-1. Future development in the Empire Lakes/IASP Sub-Area 18 Planning Area (PA) I shall comply with the Hazardous Materials Transportation Act, as administered by the U.S. Department of Transportation, which governs the transport of hazardous materials and wastes. Vehicles transporting hazardous materials are required to comply with the regulations, as implemented by the California Department of Transportation (Caltrans).	FC	C/E	During construction and operations	A/B	
RR 7-2 Future development in PAI shall comply with the Resource Conservation and Recovery Act (RCRA), the California Hazardous Waste Control Act, and the California Accidental Release Prevention Program, where applicable, which collectively manage the transport, storage, use, and disposal of hazardous materials and wastes.	FC	C/E	During construction and operations	A/B	
RR 7-3 Future development in PAI shall comply with Section 17.66.040, Hazardous Materials, of the City of Rancho Cucamonga Development Code to ensure that required information is reported to the Rancho Cucamonga Fire District, as the regulatory authority. Businesses required by State law to prepare hazardous materials release response plans and Hazardous Materials Inventory Statements shall, upon request, submit copies of these plans, including any revisions, to the Fire District. Underground storage of hazardous materials shall comply with all applicable requirements and shall comply with the procedures for notification outlined in this section.	FC	E	During operations	A/B/D	
RR 7-4 PAI is within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ONT ALUCP). As identified in Section 7.7.5, ALUCP Compliance, of the proposed Specific Plan Amendment, construction activities and future development	PD	A/B	Prior to approval of each tentative tract map and/or development application	B/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
in PAI shall be implemented in compliance with the applicable policies and requirements as identified in the ONT ALUCP. These include, but are not limited to: • **Compliance with Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace, Subpart C, Obstruction Standards (Airspace Protection Policy A1).** As identified in Section 5.3.2, Architecture/Building Heights/Massing, of the Empire Lakes/IASP Sub-Area 18 Specific Plan, building height limits in Sub-Area 18 shall not exceed the height limits prescribed in the ONT ALUCP. Proposed structures shall comply with Federal Aviation Administration (FAA) height restrictions. Prior to approval of each tract map and/or parcel map, whichever comes first, the Property Owner/Developer shall submit an FAA Determination of No Hazard to Air Navigation to the City of Rancho Cucamonga. The Property Owner/Developer shall notify the FAA via filing FAA Form 7460-1 to initiate the FAA review and determination process. The Property Owner/Developer shall comply with the requirements of the FAA determination, including but not limited to further aeronautical study; installation of roof-top obstruction lighting; and/or marking requirements, if necessary. • **Avigation Easement.** In compliance with ONT ALUCP Airspace Protection Policy A2b and Special Compatibility Policy SP1a, an avigation easement shall be dedicated to the owner/operator of the Ontario International Airport for any portion of PAI					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
that is within the High Terrain Zone, which includes the areas between 4th Street and 6th Street. • **Real Estate Transaction Disclosure.** In compliance with Airport Land Use Compatibility Plan for LA/Ontario Airport's (ONT ALUCP's) Overflight Policy O2, a Real Estate Transaction Disclosure is required for all development in PAI. State Law (Business and Professions Code Section 11010) provides the following disclosure language: NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example, noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.					
Hydrology and Water Quality					
RR 8-1 The Property Owner/Developer shall comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit) applicable at the time a grading permit is issued. The Property Owner/Developer shall prepare and implement	BO	A/B/C	Prior to issuance of grading permits/ during construction	A/B/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
a Storm Water Pollution Prevention Plan (SWPPP), which must include erosion- and sediment-control Best Management Practices (BMPs) that will meet or exceed measures required by the determined risk level of the Construction General Permit, as well as BMPs that control the other potential construction related pollutants. A Construction Site Monitoring Program that identifies monitoring and sampling requirements during construction is a required component of the SWPPP. Evidence of compliance with the NPDES Construction General Permit shall be provided to the City's Building and Safety Services Director prior to issuance of a grading permit.					
RR 8-2 The Property Owner/Developer shall comply with Section 19.20.260, Water Quality Management Plan, of the Rancho Cucamonga Municipal Code, which requires that all qualifying land development/redevelopment projects submit and have approved a water quality management plan (WQMP) to the City's Building and Safety Services Director on a form provided by the City. The WQMP shall identify all BMPs to be incorporated into the project to control storm water and non-storm water pollutants during and after construction.	BO	A/B	Prior to issuance of grading permits	D	
RR 8-3 The Property Owner/Developer shall comply with Chapter 19.20 of the Rancho Cucamonga Municipal Code, which is the City's Storm Water and Urban Runoff Management and Discharge Control Ordinance and which provides regulations to comply with the Clean Water Act (CWA), the California Porter-Cologne Water Quality Control Act, and the NPDES permit for San Bernardino County. This ordinance prohibits the discharge of specific pollutants into the storm water; regulates connections to the storm drain	BO	E	During operations	A/B	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
system; and requires development projects to implement permanent BMPs on individual sites to reduce pollutants in the storm water.					
RR 8-4 The Property Owner/Developer shall comply with Chapter 6.6, Storm Water Drainage System, of the City of Ontario Municipal Code, for the necessary connections to the City of Ontario storm drain system. The Chapter provides regulations to comply with the CWA, the California Porter-Cologne Water Quality Control Act, and the NPDES permit for San Bernardino County, and to effectively prohibit non-storm water discharges into the City's storm water drainage system. In addition to dischargers in the City of Ontario, this chapter applies to dischargers outside the City who, by agreement with the City, utilize the City's storm water drainage system.	CE	B/E	Prior to issuance of building permits/ during operations	A/C	
Noise					
PDF 10-1 As identified in Section 7.3.4(b), Rail Road Edge, of the proposed Specific Plan Amendment, a solid wall shall be installed along the northern property line to provide noise reduction and a visual barrier from the adjacent rail line. The wall shall be at least six feet high. Where feasible, a berm, or berm-wall combination may be used.	BO	B	Prior to issuance of building permits	C	
RR 10-1 Noise-generating construction activities shall comply with Section 17.66.050(D)(4) of the City of Rancho Cucamonga Development Code as follows: • Construction adjacent to residences shall be limited to the hours of 7:00 AM to 8:00 PM, Monday through Saturday, with no construction on Sundays or National Holidays and shall not exceed 65 dBA at the	BO	C	During grading and construction	A	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
adjacent property line. • Construction adjacent to commercial or industrial uses shall be limited to the hours of 6:00 AM to 10:00 PM on all days and shall not exceed 70 dBA at the adjacent property line.					
RR 10-2 Future development in Planning Area (PA) 1 shall comply with Title 24 of the California Building Standards Code, which establishes building standards applicable to all occupancies throughout the state. Title 24 requires that residential structures (other than detached single-family dwellings) be designed to prevent the intrusion of exterior noise such that the interior noise level (CNEL) with windows closed shall not exceed 45 dBA in any habitable room.	BO	A/B	Prior to issuance of building permits	C	
RR 10-3 Noise-generating operational equipment in PAI shall be designed and installed to comply with Section 17.66.050(F)(1) of the City of Rancho Cucamonga Development Code, which limits exterior noise to residential receptors to 65 A-weighted decibels (dBA) or less between 7:00 AM and 10:00 PM and to 60 dBA or less between 10:00 PM and 7:00 AM. (Noise levels are determined based on measurements at the adjacent residential property line).	CE	B/E	Prior to issuance of building permits	A/C	
RR 10-4 Operations and businesses in PAI shall be conducted to comply with Section 17.66.050(G) of the City's Development Code, which has the following provisions: • Commercial and office activities shall not create exterior noise that, when measured at the adjacent property line, exceeds 65 dBA between 10:00 PM and 7:00 AM and that exceeds 70 dBA between 7:00 AM and 10:00 PM.	CE	E	During operations	A	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
• Between 10:00 PM and 7:00 AM, no loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects shall cause a noise disturbance to a residential area. • Between 10:00 PM and 8:00 AM, no repairing, rebuilding, modifying, or testing or any motor vehicle, motorcycle, or motorboat shall cause a noise disturbance in an adjacent residential area.					
MM 10-1 Prior to the issuance of each grading permit, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the equipment to be used for demolition and grading that would occur within 25 feet of an off-site structure shall not include vibratory rollers, large bulldozers, or similar heavy equipment. Vibratory rollers operated in the static mode would be allowed.	PD	A/B/C	Prior to issuance of grading permits/ During construction	A/C/D	
MM 10-2 Prior to issuance of building permits for buildings within 200 feet of the railroad tracks north of the project site, the Property Owner/Developer shall submit a vibration analysis to the City of Rancho Cucamonga Building Official that demonstrates that anticipated building vibrations, based on the best available forecast of future rail operations, would not exceed the vibration impact criteria recommended by the Federal Transit Administration or similar authority. The vibration analysis shall describe if increased setback or vibration-reducing structural building elements are required to achieve the performance standard.	BO	A/B	Prior to issuance of building permits	D	
MM 10-3 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences, the	PD	A/B/C	Prior to issuance of demolition or	A/C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Property Owner/Developer shall submit construction plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the installation of a temporary noise barrier between the construction area and the adjacent residences is required. The barrier shall be 12 feet high and solid from the ground to the top. The barrier shall be constructed with plywood that is at least ½ inch thick or with another material that creates a noise transmission loss of at least 20 dBA. For maximum effectiveness, the barrier shall be located as close as feasible to the residences or as close as feasible to the noise sources. Where feasible, the barrier shall remain in place until the completion of construction near residences.			grading permits/ during construction		
MM 10-4 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences or within 325 feet of commercial or industrial buildings, the Property Owner/Developer shall submit a construction-related noise mitigation plan to the Rancho Cucamonga Planning Department. The plan shall depict the location of the construction equipment and how the noise from this equipment would be mitigated during construction of the project. The plan shall demonstrate that the construction plans and specifications include the following noise-abatement, notification, and control measures: • All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State-required noise-attenuation devices. • Stationary construction equipment shall be placed such that emitted noise is directed away from	PD	B/C	Prior to issuance of demolition or grading permits/ during construction	A/C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
sensitive noise receivers. • On-site and off-site construction haul routes shall be designed to avoid noise-sensitive uses, as feasible. • If a perimeter block wall is required for a project, the wall shall be constructed as early as possible during the first phase of construction. • A "Construction Noise Coordinator" shall be identified. The Construction Noise Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Construction Noise Coordinator shall notify the City within 48 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler) and shall implement reasonable measures to resolve the compliant, as deemed acceptable by the Planning Department. Signs shall be posted at the construction that include the contact information for the Construction Noise Coordinator.					
MM 10-5 Prior to the issuance of each permit for site clearing and demolition, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that, if crushing, grinding, chipping or similar equipment is to be used, the equipment must be located at least 500 feet from residences and at least 300 feet from commercial or industrial buildings and oriented so that the noisiest side is facing away from the residences.	PD	A/B/C	Prior to issuance of demolition or grading permits	A/C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 10-6 Prior to issuance of building permits for buildings adjacent to 4th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 4th Street. The Property Owner/Developer shall also submit plans and specifications showing that: • All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed. • All exterior use areas within 200 feet of 4th Street shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.	BO	A/B	Prior to issuance of building permits	C/D	
MM 10-7 Prior to issuance of building permits for buildings adjacent to 6th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 6th Street. The Property Owner/Developer shall also submit plans and specifications showing that: • All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with	BO	A/B	Prior to issuance of building permits	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
windows closed. • All exterior use areas shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.					
MM 10-8 Prior to issuance of building permits for buildings facing adjacent to or near the northern property line, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing the rail line. The Property Owner/Developer shall also submit plans and specifications showing that: • All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.	BO	A/B	Prior to issuance of building permits	C/D	
Public Services					
PDF 12-1 In compliance with Section 7.4.1, Site Planning Criteria, of the proposed Specific Plan Amendment, appropriate Crime Prevention Through Environmental Design (CPTED) features, as determined by Rancho Cucamonga Police Department (RCPD) in coordination with the Community Services Department and the Public Works Service Department, shall be implemented in Planning Area I. CPTED features incorporated into the design of spaces shall include, but not be limited to, territorial reinforcement, strategic natural surveillance, well-lit spaces, and	PD/PO	A/B	Prior to issuance of building permits	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
appropriate maintenance. CPTED review of each proposed development shall be completed by the RCPD prior to issuance of building permits. Additionally, infrastructure to support the RCPD electronic systems shall be provided; the systems to be installed shall be coordinated with and approved by the RCPD.					
PDF 12-2 To provide space for the Library Services, Community Services, and Police Departments, and ancillary use by the Public Works Department, a Joint Use Public Facility shall be accommodated within PAI. The provisions for ensuring implementation of this facility in PAI shall be outlined in the proposed Development Agreement between the Project Applicant and the City. The resources provided by the Joint Use Public Facility shall be sufficient to adequately serve the future project residents, employees and visitors, as determined by the City. The final size, location, operational requirements, and design features of the facility shall be determined during the master planning stage of the area north of 6th Street in coordination with the respective City departments. It is expected that the Joint Use Public Facility would be up to 25,000 sf, and the square footage would be within the maximum amount of non-residential development allowed by the proposed Specific Plan Amendment. In the event the Development Agreement is not approved, establishment of provisions for implementation of a Joint Use Public Facility within PAI shall be required as a Condition of Approval. The condition shall be included in the Mitigation Monitoring Program and specify that construction of the facility shall commence no later than the issuance of the building permit for the 2,000th residential dwelling unit.	PD	B	Prior to approval of Development Agreement or prior to issuance of building permit for the 2,000th residential dwelling unit	C/D	

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Key to Checklist Abbreviations

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
PDF 12-3 As shown on Exhibit 3-4, Conceptual Development Plan by Placetype, the Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment includes three central community recreation (REC) areas (approximately 6.8 acres) and a 0.6-acre Urban Plaza. The (REC) areas may include the following types of amenities: fitness area, pool and spa, community meeting rooms, and plaza space.	PD	B	Prior to approval of each tentative tract map and/or development application	C	
PDF 12-4 The proposed/potential Development Agreement for the proposed project, or separate agreement between the City and the Property Owner/Developer or entity under common ownership, shall address the Rancho Cucamonga Fire Protection District's (RCFPD) acquisition, at fair market value, of the property at Assessor Parcel Number No. 1077-422-58, or other site acceptable to the Rancho Cucamonga Fire Protection District (RCFPD) for a potential future fire station within 0.5-mile of the identified fire station site. A purchase and sale agreement shall be executable immediately upon granting of any final approvals for the General Plan Amendment and Specific Plan Amendment. If no final approvals are granted the purchase and sale agreement may only be executed if both parties mutually agree.	PD/FC	B	Upon granting of final approvals or as mutually agreed upon	D	
RR 12-1 The Property Owner/Developer shall comply with all applicable codes, ordinances and standard conditions, including the current edition of the California Fire Code and the Rancho Cucamonga Fire Protection District (RCFPD) Fire Protection Standards and Guidance Documents, regarding fire prevention and suppression measures, fire hydrants, automatic fire extinguishing systems, access, water availability, and fire sprinkler system, among other measures. Prior to issuance of building permits, the	FC/BO	A/B/D	Prior to issuance of building permits and occupancy permits	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Planning Department and RCFPD shall verify compliance with applicable codes and that appropriate fire safety measures are included in the project design. All such codes and measures shall be implemented prior to occupancy.					
RR 12-2 Pursuant to Chapter 3.52 (Community and Recreation Center Impact Fee), Chapter 3.56 (Library Impact Fee), Chapter 3.64 (Police Impact Fee), and Chapter 3.68 (Park In-Lieu/Park Impacts Fees) of the City's Municipal Code, prior to issuance of each building permit, the Property Owner/Developer shall be responsible for payment of the City's Development Impact Fees in an amount established by City Council Resolution. The fees paid shall be that in effect at the time of issuance of the building permit, subject to applicable fee credits for community facilities provided as part of the project.	PD	A/B	Prior to issuance of building permits	C	
RR 12-4 Prior to the issuance of each building permit, the Property Owner/Developer shall pay applicable developer's fees to the impacted school district(s) pursuant to Section 65995 of the California Government Code. Under State law, payment of the developer fees provides full and complete mitigation of the project's impacts on school facilities. Evidence that these fees have been paid shall be submitted to the Planning Department.	PD	A/B	Prior to issuance of building permits	C	
RR 12-3 Pursuant to Chapter 16.32, Park and Recreational Land, of the City's Municipal Code, as a condition to the approval of a tentative map, parcel map, planned community, land development or real estate development (assuming future project entitlements include one or more of these approvals), the Property Owner/Developer shall dedicate land, pay in-lieu fees, or do a combination of both for the provision of neighborhood and community park or	PD	A/B		C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
recreational purposes. Land to satisfy dedication requirements is required to be conveyed to the City at the time of recordation of the final map or parcel map. In lieu fees are required to be paid to the City prior to the issuance of building permits. The provision of on-site private open space and recreational facilities may be credited against the parkland dedication and/or fee requirement at the discretion of the Planning Commission, assuming standards outlined in the Municipal Code are met.					
Transportation/Traffic					
PDF 13-1 The Property Owner/Developer shall construct the following intersection improvements at the project access locations: • 7th Street and Cleveland Avenue: Side-street stop control • 7th Street and Anaheim Place: Side-street stop control • 6th Street and Project Access: Signalized intersection • 4th Street and Project Access: Signalized intersection • Site access improvements at the Metrolink Transit Station.	CE	C/D	Prior to issuance of occupancy permits	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 13-1 Work within streets, sidewalks, and public places shall comply with Title 12 of the City of Rancho Cucamonga Municipal Code, and Chapter 3 of the City of Ontario Municipal Code, which require an encroachment permit from the City. The City of Rancho Cucamonga also requires compliance with applicable standards in the Manual on Uniform Traffic Control Devices (MUTCD). Application for the permit shall be made as part of the respective plan check process and prior to any work on public areas or rights-of-way.	CE	B/C	Prior to issuance of building permits/ during construction	A/B/C	
RR 13-2 In accordance with Chapter 3.28, City-Wide System Fees for Transportation Development, of the City of Rancho Cucamonga Municipal Code, prior to the issuance of each building permit, the Property Owner/Developer shall pay applicable city-wide transportation development impact fees to the satisfaction of the City Engineering Department. These impact fees, along with the use of State and federal funds, is expected to implement various freeway, highway, and roadway projects in and near Rancho Cucamonga.	CE	A/B	Prior to issuance of building permits	C	
RR 13-3 The Property Owner/Developer shall comply with the City's Transportation Demand Management Ordinance, which calls for the provision of amenities or programs to encourage the use of alternative modes of travel by employees; patrons; and visitors of commercial, industrial, office, and mixed use developments. These may include, but are limited to shower facilities, preferred parking, bicycle storage, video conference facilities, transit improvements, and other measures to reduce vehicle trips in the City. These facilities shall be shown in the site improvement and building plans submitted to the City during the permit process.	PD/CE	A	Prior to issuance of building permits	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 13-4 In accordance with Chapter 10.56, Truck Routes and Restrictions, of the City of Rancho Cucamonga Municipal Code, commercial vehicles and vehicle combinations described in Sections 35400 and 35401 of the California Vehicle Code, or their successor provisions, and vehicles which exceed a maximum gross weight of three tons shall use designated truck routes. Non-designated truck routes shall be used only as necessary for the purpose of making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on a city street or for the purpose of delivering materials to be used in the repair, alteration, remodeling, or construction of any building or structure upon a city street for which a building permit has previously been obtained.	CE	C/E	During construction and operations	A	
MM 13-1 Prior to the issuance of the first occupancy permit, and in coordination with the City of Rancho Cucamonga, the Property Owner/Developer shall implement the following intersection improvements: 2. **Foothill Boulevard and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length. 3. **Foothill Boulevard and Rochester Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length. 4. **Foothill Boulevard and Day Creek Boulevard.** Convert the rightmost northbound through lane into	CE	B	Prior to the issuance of the first occupancy permit	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

a through/right shared lane. 7. **Arrow Route and Haven Avenue.** Modify the southbound approach from having two left turn lanes, two through lanes, and one through/right shared lane to having two left turn lanes, three through lanes, and one right turn lane (MM 13-1). 8. **Arrow Route and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would require changing the coordinated cycle length. 13. **6th Street and Haven Avenue.** To achieve additional lanes on the northbound and westbound approach, modify the northbound approach from having two left-turn lanes, two through lanes, and one shared through/right-turn lane to having two left-turn lanes, three through lanes, and one right-turn lane. Modify the westbound approach from having one left-turn lane, two through lanes, and one right-turn lane to having two left-turn lanes, two through lanes, and one right-turn lane. 14. **6th Street and Cleveland Avenue.** Install a traffic signal and signal interconnect and other appropriate traffic signal hardware to ensure coordination with upstream and downstream signals. This improvement is consistent with planned improvements within the City of Rancho Cucamonga's DIF Program (refer to RR 13-2), and the Property Owner/Developer may be eligible for partial reimbursement with implementation of this mitigation measure.					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 13-2 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that optimization of the PM-coordinated cycle lengths, and/or adjustment and optimization of the coordinated maximum splits for the PM signal timing plan, as appropriate, at the City of Ontario's 4th **Street and Haven Avenue, 4th Street and Milliken Avenue,** and **Inland Empire Boulevard and Haven Avenue** intersections have been completed, and that the coordinated cycle length for other locations these intersections are in coordination with have been re-evaluated, if required. The Property Owner/Developer shall pay its fair share fee to the City of Ontario for these improvements prior to the 2,001st occupancy permit or when signal timing enhancements are deemed necessary by the City of Ontario.	CE	D	Prior to issuance of occupancy permits	D	
MM 13-3 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that adjustment and optimization of coordinated maximum splits for the PM signal timing plan at the Caltrans intersection of **I-10 Westbound Ramps-Ontario Mills Parkway and Milliken Avenue** has been completed. This would not require changing the coordinated cycle length.	CE	D	Prior to issuance of occupancy permits	D	
MM 13-4 Prior to issuance of building permits, the Property/Owner Developer shall pay its fair share fee to the City of Rancho Cucamonga for the following measures required to mitigate Cumulative Year (2036) Plus Project conditions: • **Foothill Boulevard and Day Creek Boulevard.** Adjust, optimize and maintain the coordinated PM	CE	B	Prior to issuance of building permits	B	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length. • **6th Street and Haven Avenue.** Adjust, optimize and maintain the coordinated the PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length. • **6th Street and Milliken Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length. The fair share payment amount shall be established by the City of Rancho Cucamonga Engineering Department. The timing of implementation of the improvements shall be determined by the City and, to the extent feasible, shall be completed by the City in the timeframe necessary to avoid identified significant cumulative impacts.					
MM 13-5 Prior to the issuance of a demolition permit or grading permit, whichever occurs first, the Property Owner/Developer shall submit a Traffic Control Plan to the Engineering Services Department for review and approval. The Traffic Control Plan shall describe in detail safe detours and provide temporary traffic control during construction activities for the project. To reduce traffic congestion, the Plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls (e.g., a flag person) during all phases of construction to maintain smooth traffic flow; dedicated turn lanes for movement of construction trucks and equipment on and off site; scheduling of construction activities that affect traffic flow on	CE	A/B	Prior to issuance of a demolition permit or grading permit, whichever is first	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
the arterial system to off-peak hours; consolidation of truck deliveries; rerouting of construction trucks away from congested streets or sensitive receptors; and/or signal synchronization to improve traffic flow.					
Utilities and Service Systems					
Water Supply					
PDF 14-1 The 12-foot 8-inch Metropolitan Water District (MWD) Meadow Upper Feeder located in the existing 40-foot-wide easement that traverses the northern portion of the project site shall be protected in place during construction. Any encroachment to the easement during construction would be conducted in compliance with applicable MWD encroachment specifications.	PD	B	Prior to issuance of building permits	C	
RR 14-1 Prior to approval of a tentative map that includes a subdivision involving more than 500 dwelling units, the Property Owner/Developer shall demonstrate compliance with applicable requirements of SB 221 (Government Code Section 66473.7(b)(2)) in order to demonstrate the availability of an adequate and reliable water supply.	PD	A	Prior to approval of tentative maps	D	
RR 14-2 Water and sewer plans shall be designed and constructed to meet the applicable requirements of the Cucamonga Valley Water District (CVWD) Municipal Code and City of Rancho Cucamonga Development Code. Approval of the plans by the CVWD is required prior to final map approval or issuance of permits, whichever occurs first.	CE	A/B	Prior to final map approval or issuance of building permits, whichever occurs first	B/D	
RR 14-3 Landscaping associated with future development in Planning Area (PA) I shall be implemented in compliance with Chapter 17.56 of the City of Rancho Cucamonga Development Code, which requires preparation and review of landscape and irrigation plans during the Design Review	PD	A/B	During design review	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
process. A preliminary landscape plan and irrigation plan shall be submitted to the designated approving authority, which shall be the same as the designated approving authority of the requested entitlement, and shall show a water budget that includes the estimated water use (in gallons); the irrigated area (in square feet); the precipitation rate; the flow rate in gallons per minute; the conceptual locations for trees, shrubs, ground cover, and other vegetation; and a corresponding list of planting material by species, quantity, and size. Pursuant to Section 17.56.030(B) of the Development Code, the final landscape planting and irrigation plans shall be prepared by a registered licensed Landscape Architect and shall be in substantial compliance with the preliminary landscape and irrigation plan approved by the designated approving authority.					
RR 14-4 Landscape plans prepared for future development in PAI shall be in compliance with Chapter 17.82, Water Efficient Landscaping, of the City Rancho Cucamonga Development Code, which includes requirements for development of a water budget, landscape design guidelines, soil and grading requirements, and a requirement to use recycled water.	PD	A/B	Prior to issuance of building permits	C	
Solid Waste Disposal					
RR 14-5 Demolition and construction activities in PAI shall be conducted in compliance with requirements of Section 8.19.280, Construction and Demolition Waste, of the City's Municipal Code. Construction and demolition waste shall be made available for deconstruction, salvage, and recovery prior to demolition. Inclusive of the recovered and salvaged materials, the following specified percentages of waste	CE	A/B/D	Prior to issuance of demolition, grading, and building permits/after construction	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
tonnage of demolition and construction waste shall be diverted from landfills through recycling, reuse, and diversion: 50 to 75 percent of demolition waste tonnage that includes concrete and asphalt; 15 percent of demolition waste tonnage that excludes concrete and asphalt; 50 to 75 percent of roofing waste tonnage; and 50 to 75 percent of construction and remodeling waste tonnage. Prior to issuance of each Demolition or Building Permit, a "Form CD-1 Waste Management and Recycling Plan" shall be submitted to the Engineering Services Department.					
RR 14-6 Development in PAI shall comply with Chapter 8.17, Residential Refuse, Recyclables and Green Waste Collection, of the City's Municipal Code. The collection and disposal of refuse, recyclables or green waste shall only be conducted by entities issued a permit to do so by the City, with certain exceptions, as identified in the Municipal Code.	CE	E	After issuance of occupancy permits	A	

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RESOLUTION NO. 16-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RECOMMENDING APPROVAL OF DEVELOPMENT CODE AMENDMENT DRC2015-00115, A REQUEST TO AMEND THE DEVELOPMENT CODE OF THE CITY RANCHO CUCAMONGA BY REVISING TEXT, GRAPHICS, AND EXHIBITS WITHIN THE DEVELOPMENT CODE THAT APPLIES TO PROPERTIES, INCLUDING THE EMPIRE LAKES GOLF COURSE, AN EXISTING, PRIVATE GOLF COURSE OF 160 ACRES, WITHIN THE RANCHO CUCAMONGA INDUSTRIAL AREA SPECIFIC PLAN (IASP) SUBAREA 18 SPECIFIC PLAN, A SPECIFIC PLAN THAT APPLIES TO PROPERTIES LOCATED NORTH OF 4TH STREET, SOUTH OF THE BNSF/METROLINK RAIL LINE, WEST OF MILLIKEN AVENUE, AND EAST OF UTICA/CLEVELAND AVENUES, AND INSERT TEXT AND GRAPHICS IN CONJUNCTION WITH A PROPOSED MIXED USE, HIGH DENSITY RESIDENTIAL/COMMERCIAL DEVELOPMENT THAT IS PROPOSED TO REPLACE THE GOLF COURSE, AND MAKING FINDINGS IN SUPPORT THEREOF. APNS: 0209-272-11, -15, -17, -20, -22 THROUGH -28, 0210-082-41, -49 THROUGH -52, 0210-082-61, -64, -65, -67 THROUGH –69, -71 THROUGH -74, -78, -79, -84, -88 THROUGH -90, 0210-581-01 THROUGH -06, 0210-591-02 THROUGH -14, AND 0210-623-66.

A. Recitals.

1. SC Rancho Development Corp., an entity of Lewis Operating Corp., filed an application for Development Code Amendment DRC2015-00115 as described in the title of this Resolution. Hereinafter in this Resolution, the subject General Plan Amendment is referred to as "the application."

2. On April 13, 2016 and continued to April 27, 2016, the Planning Commission conducted a duly noticed public hearing on the application and concluded said hearing on that date.

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

B. Resolution.

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

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

2. Findings. Based upon the substantial evidence presented to this Commission during the above-referenced public hearing on April 13, 2016 and April 27, 2016, including written and oral staff reports, together with public testimony, this Commission hereby specifically finds as follows:

a. The application applies to a property that is currently improved with the Empire Lakes Golf Course, a privately owned and operated 18-hole golf course with an area of 160 acres.

b. Development of the subject property is governed by the Rancho Cucamonga Industrial Area Specific Plan (IASP) Subarea 18 Specific Plan, the City's Development Code, and the City's General Plan.

c. The Specific Plan, as it was originally approved in 1994, consists of eleven (11) "Planning Areas" which are identified with Roman numerals, i.e. Planning Area IA/IB through X. The golf course is within "Planning Area IA", "Planning Area IB", and (partly) "Planning Area III" of the Specific Plan.

d. The overall area of the Specific Plan is 347 acres. The Specific Plan is bound by 4th Street to the south, Milliken Avenue to the east, Cleveland Avenue and Utica Avenue to the west, and 8th Street and the BNSF/Metrolink rail line to the north. The golf course is generally located at the center, and covers about 46%, of the Specific Plan. Both the Specific Plan and the golf course are bisected into north and south halves by 6th Street.

e. To the east of the golf course are multi-family residences within four (4) apartment complexes ("Village at the Green", "Reserve at Empire Lakes", "Ironwood at Empire Lakes", and "AMLI at Empire Lakes"). Adjacent to the northeast corner of the golf course are office buildings and the Rancho Cucamonga Metrolink station. To the west of the part of the golf course located south of 6th Street is an office complex comprised of multiple tenants including Southern California Edison (SCE) and Inland Empire Health Plan (IEHP). To the west of the part of the golf course located north of 6th Street are logistics/manufacturing buildings. To the north of the golf course, beyond the BNSF/Metrolink rail line, are additional logistics/manufacturing buildings. To the south, on the opposite side of 4th Street, is vacant land within the City of Ontario.

f. The zoning designations surrounding the Empire Lakes Specific Plan are as follows: north - Minimum Impact/Heavy Industrial (MI/HI) District; south - Ontario Center Specific Plan (2254-SP) (in the City of Ontario); east - General Industrial (GI) District and Industrial Park (IP) District, and Industrial Park (IP) District, (Industrial Commercial Overlay District (ICOD)); and west - General Industrial (GI) District and Industrial Park (IP) District.

g. Concurrent with this application, the applicant has also applied for General Plan Amendment DRC2015-00114 and Specific Plan Amendment DRC2015-00040. The purpose of these applications is to enable the applicant to 'redevelop' the golf course with a new mixed use, transit-oriented, high density development project.

h. Development Code Amendment DRC2015-00115 amends the Development Code to revise text and graphics that apply to the existing Specific Plan so that they reflect the amended Specific Plan. In addition, a new land use table that will apply only to Planning Area 1 will be incorporated.

i. A Notice of Preparation (NOP) for the Environmental Impact Report was prepared and circulated with the Initial Study on April 27, 2015 to the State Clearinghouse (SCH No. 2015041083), and to public agencies that have discretionary approval power over the project, i.e. "Responsible Agencies" and Native American Governments. Also, the NOP was made available for review at the Archibald and Paul A. Biane Libraries, at City Hall, and on the City's website. Per State law, the comment period ended 30 days after the date of circulation (in this case, May 26, 2015). However, as the Public Scoping meeting was scheduled for June 10, 2015, comments, if any, in response to the NOP were accepted until that date. The Initial Study

was made available to the public during and after the comment period. The City received several comment letters in response to the NOP.

j. The City conducted a noticed Public Scoping meeting during a Planning Commission meeting on June 10, 2015. The notice for this scoping meeting appeared in the Inland Valley Daily Bulletin newspaper and notices were mailed to the owners of all properties located within 1,000 feet of the Empire Lakes Specific Plan planning area.

k. A Draft EIR was prepared and was distributed to all Responsible and Trustee agencies, and individuals who had expressed interest in the project and/or had previously requested copies. The Draft EIR was distributed for a 45-day public review period on November 10, 2015, with the comment period expiring on December 24, 2015. During the 45-day public review period, the Draft EIR and technical appendices were made available for review at the Archibald Library, the Paul A. Biane Library, the Planning Information and Services Counter at City Hall, and on the City's website. Comment letters were received from the City of Ontario, San Bernardino County Department of Public Works, Metrolink, and several members of the public during the public comment period that specifically discussed the Draft EIR. Written responses to all significant environmental issues raised were prepared and made available in the Final EIR.

l. A "Findings of Fact in Support of Determinations related to Significant Environmental Impacts" has been prepared and are attached (as Attachment "A") to this Resolution.

m. Environmental impacts identified in the Final EIR that will be "less than significant" without mitigation measure or project design features are described in Section A, page 7 of Attachment "A".

n. Environmental impacts identified in the Final EIR that will be "less than significant" after mitigation measures have been implemented are described in Section B, page 15 of Attachment "A". In accordance with CEQA requirements, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared to assure compliance with the adopted mitigation measures.

o. Environmental impacts identified in the Final EIR that will be "significant and unavoidable" despite the implementation of all feasible mitigation measures are described in Section C, page 25 of Attachment "A".

p. A proposed Statement of Overriding Considerations for the environmental impacts that cannot be fully mitigated to a "less than significant level" is located in Section V, page 40 of Attachment "A". The proposed Statement provides substantial evidence that the environmental risks of the application have been balanced against its benefits.

q. Based on the totality of the administrative record, the Planning Commission finds that the Final EIR complies with the requirements of CEQA and recommends that the City Council certify the Final EIR as being prepared in compliance with CEQA and that the City Council also adopt the Mitigation Monitoring and Reporting Program (MMRP) Attachment B.

r. Approval of the application would not be materially injurious or detrimental to the adjacent properties.

s. The findings set forth in this Resolution reflect the independent judgment of the Planning Commission.

C. Recommendation. On the basis of the foregoing and the totality of the administrative record before it, the Planning Commission hereby recommends that the City Council certify the Final EIR, adopt the Findings and Statement of Overriding Considerations contained in Attachment A, adopt the Mitigation Monitoring and Reporting Program (MMRP) Attachment B, as conditions of approval, and approve Development Code Amendment DRC2015-00115.

The Secretary to this Commission shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED THIS 27TH DAY OF APRIL 2016.

PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA

BY: _____
Ravenel Wimberly, Chairman

ATTEST:_____
Candyce Burnett, Secretary

I, Candyce Burnett, Secretary of the Planning Commission of the City of Rancho Cucamonga, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Rancho Cucamonga, at a regular meeting of the Planning Commission held on the 27th day of April 2016, by the following vote-to-wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:

FINDINGS OF FACT IN SUPPORT OF DETERMINATIONS

RELATED TO SIGNIFICANT ENVIRONMENTAL IMPACTS

State CEQA Guidelines Sections 15090, 15091 and 15093

For

RANCHO CUCAMONGA INDUSTRIAL AREA SPECIFIC PLAN

(ALSO KNOWN AS EMPIRE LAKES)

SUB-AREA 18 SPECIFIC PLAN AMENDMENT PROJECT

Final Environmental Impact Report

(State Clearinghouse No. 2015041083)

Lead Agency: City of Rancho Cucamonga

I. INTRODUCTION

The following findings of fact are based in part on the information contained in the Draft and Final Environmental Impact Report ("EIR") for the Rancho Cucamonga Industrial Area Specific Plan ("IASP") (also referred to as Empire Lakes) Sub-Area 18 Specific Plan Amendment Project ("Project"), as well as additional facts found in the complete record of proceedings. The EIR is hereby incorporated by reference and is available for review at the City of Rancho Cucamonga Planning Department (10500 Civic Center Drive), Archibald Library (7368 Archibald Avenue), and Paul A. Biane Library (12505 Cultural Center Drive). The EIR is also available at the City's website:
http://www.cityofrc.us/cityhall/planning/current_projects/empire_lakes_specific_plan_project/default.asp

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute provides that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 goes on to provide that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental

effect as identified in the Final EIR. The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and such changes have been adopted by such other agency or can and should be adopted by such other agency. The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR. (CEQA Guidelines, § 15091.) Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*).)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509 [court upholds CEQA findings rejecting alternatives in reliance on applicant's project objectives]; see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (*CNPS*) ["an alternative 'may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record'"] (quoting Kostka & Zischke, *Practice Under the Cal. Environmental Quality Act* [Cont.Ed.Bar 2d ed. 2009] (*Kostka*), § 17.39, p. 825); *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166 (*Bay-Delta*) ["[i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary project objectives"; "a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal"].) Moreover, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors." (*City of Del Mar*, *supra*, 133 Cal.App.3d at p. 417; see also *CNPS*, *supra*, 177 Cal.App.4th at p. 1001 ["an alternative that 'is impractical or undesirable from a policy standpoint' may be rejected as infeasible"] [quoting *Kostka*, *supra*, § 17.29, p. 824]; *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 17.)

For purposes of these findings (including the table described below), the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise potentially significant effect to a less than significant level. Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] *or* substantially lessen[ed]," these findings, for purposes of clarity, in each case will specify whether the effect in question has been "avoided" (i.e., reduced to a less than significant level).

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources

Code, § 21081, subd. (b).) The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II*, *supra*, 52 Cal.3d at p. 576.) An agency's determination that a project's benefits outweigh significant effects that cannot be mitigated "lies at the core of the lead agency's discretionary responsibility under CEQA." (*City of Marina v. Board of Trustees of the Cal. State Univ.* (2006) 39 Cal.4th 341, 368.) The EIR for the Project concluded the Project would create some significant and unavoidable impacts; thus, a Statement of Overriding Considerations is required.

These findings constitute the City's best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures as measures built into the design of the Project itself or as conditions of Project approval. (See Public Resources Code § 21081.6, subd. (b); Guidelines, § 15126.4, subd. (a)(2).) These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City Council adopts a resolution approving the Project.

In addition, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project, and is being approved by the City Council by the same Resolution that has adopted these findings. The City will use the MMRP to track compliance with Project mitigation measures. The Mitigation Monitoring and Reporting Program will remain available for public review during the compliance period. The Final Mitigation Monitoring and Reporting Program is attached to and incorporated into the environmental document approval resolution and is approved in conjunction with certification of the EIR and adoption of these Findings of Fact.

II. FINDINGS CERTIFYING THE ENVIRONMENTAL IMPACT REPORT

When approving a project for which an EIR has been prepared, the lead agency must certify that the EIR complies with CEQA, that the EIR reflects the lead agency's independent judgment and analysis, and that the EIR was presented to the decision-making body of the lead agency, which reviewed and considered the information contained in the EIR before approving the project. (Public Resources Code § 21082.1, subd. (c); Guidelines, § 15090, subd. (a).)

The Rancho Cucamonga City Council hereby finds, determines and certifies that the EIR complies with CEQA, for reasons explained in the EIR itself, and in staff reports and other information in the record of proceeding. The Council hereby finds, determines and certifies that the EIR reflects the City's independent judgment and analysis. The Council also hereby finds, determines and certifies that the EIR was presented to the Council, and that the Council reviewed and considered the information in the draft and final EIR before approving the project.

III. FINDINGS REGARDING THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT

In compliance with Section 15201 of the State CEQA Guidelines, the City has taken steps to provide opportunities for public participation in the environmental review process. An Initial Study (IS) and Notice of Preparation (NOP) were distributed on April 27, 2015, to federal, State, regional, and local government agencies and interested parties for a 30-day public review period to solicit

comments and to inform agencies and the public of the proposed project. The project was described; potential environmental effects associated with project implementation were identified; and agencies and the public were invited to review and comment on the Initial Study and NOP. The City received 15 comment letters in response to the IS/NOP, and eight letters or email correspondence after the end of the scoping period. Table 2-1 of the DEIR summarizes the NOP comments and other correspondence received addressing environmental and related issues. Additionally, the City of Rancho Cucamonga held a scoping meeting for the Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment EIR on June 10, 2015, at the City of Rancho Cucamonga City Council chambers. The issues raised by commenters at the scoping meeting are summarized in Chapter 2.2.1 of the EIR.

Based on the Initial Study and Notice of Preparation, and on public comments received during scoping, the City has identified environmental issues for which the proposed project would result in no impacts or less than significant impacts, and therefore these issues were not discussed in detail in the EIR. This includes the entirety of the Agriculture and Forestry Resources and Mineral Resources topical areas, and individual checklist questions listed on Appendix G to the CEQA Guidelines within the remaining environmental issue areas. Refer to Section 7.1, Effects Determined Not to be Significant, for a summary discussion of the environmental effects which were found to be less than significant.

To address potentially significant environmental effects in the remaining topical areas, an Environmental Impact Report (EIR) was prepared for this project in accordance with the California Environmental Quality Act (CEQA) Guidelines. As required by CEQA, the EIR includes appropriate review, analysis, and mitigation measures for the environmental impacts of the proposed project. This Final EIR could be utilized by other permitting agencies in their capacity as Responsible and Trustee agencies under CEQA.

Based on the analysis contained in the Initial Study and comments received in response to the Notice of Preparation, a Draft EIR was prepared and circulated for a public review period, beginning on November 10, 2015, and concluding on December 24, 2015. In total, over 230 Notices of availability of the Draft EIR were distributed. The Draft EIR was also available on the City's webpage, as well as the Planning Information and Services Counter at City Hall, the Archibald Library, and the Paul A. Biane Library. A Planning Commission Workshop to discuss the Project was held on Tuesday, November 10, 2015 at 4:30 pm in the Tri-Communities Room at City Hall. Materials from these meetings, including agendas, staff reports, and presentations were made available at the City's website. The applicant conducted the first of several planned Community Meetings on Thursday, December 10, 2015 at The Courtyard Marriott at 11525 Mission Vista Drive, Rancho Cucamonga. Materials from these meetings, including agendas, staff reports, and presentations were made available at the City's website. Three additional Community Meetings were held by the applicant on January 14th, 21st and 28th at the Four Points Sheraton, 11960 Foothill Boulevard, Rancho Cucamonga.

Thirty-five written comment letters from individuals or agencies/organizations were received on the Draft EIR during this public review period, and three additional letters were received after the end of the public review period. A letter was also received from the State Clearinghouse acknowledging compliance with CEQA review requirements. As required by Section 15088 of the State CEQA Guidelines, responses to these comments were prepared and provided to the agencies a minimum of 10 days prior to this hearing. Written responses were also provided to interested parties that submitted return addresses.

For the purposes of CEQA, and the findings herein set forth, the administrative record for the Project consists of those items listed in Public Resources Code section 21167.6, subdivision (e).

The record of proceedings for the City's decision on the Project consists of the following documents, at a minimum, which are incorporated by reference and made part of the record supporting these findings:

- The NOP and all other public notices issued by the City in conjunction with the Project;
- The Draft EIR for the Project and all documents relied upon or incorporated by reference;
- All comments submitted by agencies or members of the public during the 45-day comment period on the Draft EIR;
- All comments and correspondence submitted to the City during the public comment period on the Draft EIR, in addition to all other timely comments on the Draft EIR;
- The Final EIR for the Project, including the Planning and Historic Commission staff report, minutes of the Planning Commission public hearing; City Council staff report; minutes of the City Council public hearing; comments received on the Draft EIR; the City's responses to those comments; technical appendices; and all documents relied upon or incorporated by reference;
- The mitigation monitoring and reporting program (MMRP) for the Project;
- All findings and resolutions adopted by the City in connection with the Project, and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, up through the close of the public hearing;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings and public hearings;
- All resolutions adopted by the City regarding the Project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- The City's General Plan and applicable Specific Plans and all updates and related environmental analyses;
- Matters of common knowledge to the City, including, but not limited to Federal, State, and local laws and regulations;
- The City's Zoning Code;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

Pursuant to Guidelines section 15091(e), the administrative record of these proceedings is located and available for review at 10500 Civic Center Drive, during normal business hours. The custodian of these documents and other materials is the City of Rancho Cucamonga Planning Department.

The City has relied on all of the documents listed above in reaching its decisions on the proposed Project even if not every document was formally presented to the City Council or City Staff as part of the City files generated in connection with the Project. Documents set forth above that are not found in the Project files include prior planning or legislative decisions of which the Board of Supervisors was aware in approving the Project, and documents that influenced the expert advice provided to City Staff or consultants, who then provided advice to the Planning Commission and the City Council as final decision maker. (See *City of Santa Cruz v. Local Agency Formation*

Commission (1978) 76 Cal.App.3d 381, 391-391; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.) Such documents form part of the underlying factual basis for the City's decisions relating to approval of the Project. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.)

Based upon the evidence before it, the City finds that the Project will result in one or more "significant and unavoidable" impacts. Therefore, a statement of overriding considerations is required. In other words, the City must consider whether overriding economic, social, and other considerations outweigh the significant, unavoidable effects of the Project. The required statement of overriding considerations is included herein.

The EIR's analysis of each topical issue describes applicable Regulatory Requirements (RR)s, Project Design Features (PDFs), and project-specific Mitigation Measures (MMs). These components are described below.

- **Regulatory Requirements.** RRs are based on federal, State, or local regulations or laws that are frequently required independently of CEQA review and also serve to offset or prevent specific impacts.

- **Project Design Features.** PDFs are specific project components or design elements that have been incorporated into the project to prevent the occurrence of, or to reduce the significance of, potential environmental effects. Because PDFs have been incorporated into the project, they do not constitute mitigation measures, as defined by CEQA. However, if applicable, PDFs are identified for each topical issue and are included in the MMRP developed for, and to be implemented as a part of, the proposed project. Where, in the absence of the implementation of a PDF, a significant impact could occur, the PDF is a binding obligation by the Project Applicant that is enforceable by the City as if it were a MM.

- **Mitigation Measures.** Where a potentially significant environmental effect has been identified and is not reduced to a level considered less than significant through the application of PDFs or RRs, project-specific MMs have been recommended in accordance with CEQA.

The Findings below describe in detail the PDFs and MMs in the EIR, since both types of measures prevent or reduce the significance of impacts that the Project would otherwise potentially have on the environment. These Findings refer to RRs to the extent that they are relevant to the City's analysis of environmental effects, but the full text of the RRs is not provided below. For the details of applicable RRs, please see the appropriate text in the EIR, which these Findings incorporate by reference.

The Findings below describe numbered impacts (e.g, Impact 1.1) that were analyzed in detail in the EIR. Other, non-numbered impacts were analyzed and considered less than significant in the Initial Study (included as Appendix A to the EIR), as described in Section 7.0 of the EIR. Impacts are presented below in summary form. For a detailed description of impacts, please see the appropriate text of the IS and EIR, which these Findings incorporate by reference.

Finally, for some impacts analyzed in the EIR, the EIR concludes that certain aspects of the impact can be mitigated to a less than significant level with mitigation, while certain other aspects of the

impact remain significant and unavoidable even with mitigation. For example, in analyzing Impact Threshold 2.2 – "Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?" – the EIR concludes that regional and local construction emissions would be less than significant after mitigation, but that certain long-term regional operational emissions would be significant and unavoidable. In order to organize impacts to correspond with their applicable mitigation measures, Section III-C of these Findings, "Findings With Respect to Significant Effects That Cannot Be Mitigation to a Less Than Significant Level," lists all impacts in which any aspect of the impact is considered significant and unavoidable. Section V of these Findings, the Statement of Overriding Considerations, addresses only those aspects of each impact area in which an impact is considered significant and unavoidable after mitigation.

A. FINDINGS WITH RESPECT TO EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT WITHOUT MITIGATION MEASURES OR PROJECT DESIGN FEATURES

The City agrees with the characterization in the Final EIR with respect to all impacts identified as "less than significant" and finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the project are not significant or are less than significant, and do not require mitigation, as described in the Final EIR. Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3); 15091.) Note that impacts are presented below in summary form. For a full description of impacts, see the appropriate text in the EIR, which the Council hereby incorporates by reference into these findings.

1. Aesthetics

As described in the IS, the project would have no significant impact in the following area:

- **Damage Scenic Resources within a State Scenic Highway:** There are no State scenic highways or highways eligible for Scenic highway designation in or near the City, and the project site is not visible from any designated scenic highways.

2. Air Quality

Impact 2.4: The proposed project would have a less than significant impact related to (1) off-site CO hotspots, (2) exposure of persons to construction and operational phase criteria pollutants, (3) exposure of persons to construction and operational phase TACs generated on site, and (4)TAC on-site impacts from off-site warehouse/distribution center and train operations.

In addition the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Objectionable Odors:** Construction odors would be temporary and would dissipate rapidly from the source with an increase in distance. During operation, some odors associated with residential uses would be expected to occur, but these types of odors are not generally

considered objectionable. The proposed Specific Plan Amendment does not allow any and uses that are associated with odor complaints, according to the South Coast Air Quality Management District's (SCAQMD's) *CEQA Air Quality Handbook.*

3. Biological Resources

Impact 3.1: The project site and surrounding properties do not support native plant communities, nor do they provide suitable habitat for sensitive plant or wildlife species. Therefore, the proposed project would not impact Candidate, Sensitive, or Special Status species.

Impacts 3.2 and 3.3: The project site and surrounding properties do not support riparian habitat; USACE, CDFW, or RWQCB jurisdictional areas; or sensitive natural communities. Therefore, no impact would occur.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Habitat Conservation Plan or Other Approved Local, Regional, or State Habitat Conservation Plan:** The City of Rancho Cucamonga, and specifically the project site, is not located within an adopted Habitat Conservation Plan; Natural Communities Conservation Plan; or other approved local, regional, or State habitat conservation plan area.

4. Cultural Resources

Impact 4.3: Construction activities would not disturb known human remains. However, if human remains are encountered in subsurface soils, implementation of RR 4-1 would ensure potential impacts are less than significant.

In addition the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Historical Resource:** No historical resources are present, and none would be impacted by project implementation.

5. Geology and Soils

Impact 5.2: The potential for secondary seismic hazards at the site is low. There would be a less than significant impact related to seismic-related ground failure.

Impact 5.3: With adherence to City, regional, and State regulations related to management of windblown dust and other sources of soil erosion (RR 5-3, RR 5-4, RR 2-1, and RR 8-3), there would be a less than significant impact related to soil erosion during construction and no impact during operation of the project.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following areas, as described in the IS:

- **Rupture of a Known Earthquake Fault:** No active or potentially active faults are known to exist at the project site and the project site is not within a current State of California Earthquake Fault Zone, or any existing or proposed Alquist-Priolo Earthquake Zones. The lack of active faults on the project site would preclude impacts related to surface fault rupture, and no mitigation is required.

- **Seismic-Related Ground Failure, Including Liquefaction:** The project site is underlain by relatively dense, alluvial materials; therefore, the potential for settlement is considered low. There would be less than significant impacts related to liquefaction and other ground failure.

- **Landslides:** The Geotechnical Investigation concludes that there would be no impacts related to landslides due to the low relief of the site and surrounding region. There would be no impacts related to landslides.

- **Soils Incapable of Supporting Septic Tanks:** The proposed project will connect to existing sewer facilities; therefore, septic tanks or an alternative wastewater disposal system would not be permitted or utilized.

6. Greenhouse Gas Emissions

No impacts were identified as less than significant without mitigation.

7. Hazards and Hazardous Materials

Impact 7.1: Construction and operation of the proposed project would involve handling of hazardous materials in limited quantities and typical to urban environments. Through compliance with existing hazardous materials regulations applicable to the proposed project (RR 7-1 through

RR 7-3), there would be less than significant impacts associated with the transport, use, or disposal of hazardous materials during construction or operation of the proposed project.

Impact 7.2: Existing and past use of the project site and existing uses surrounding the project site have involved the uses of hazardous materials. However, the existing and previous use of hazardous materials would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. This impact is less than significant.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Emissions and/or Handling of Hazardous Materials Substances or Waste within One-Quarter Mile of an Existing or Proposed School:** There are no schools located within 0.25 mile of the project site, and proposed land uses would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste.

- **Located on a Site Included on a List of Hazardous Materials Sites that would create a Significant Hazard to the Public or Environment:** Based on a Phase I Environmental Site Assessment, no hazardous materials sites would would pose an adverse environmental impact to the project site, and the project site is not included on any Cortese list.

- **Private Airstrip Safety Hazard:** The proposed project is not located in the vicinity of a private airstrip, would not expose people to excessive noise levels, and would not adversely affect activities at any airport.

- **Impair Implementation of or Interfere with an Emergency Response Plan:** The proposed project does not include any uses that would impede or interfere with implementation of the City's current and planned emergency response plans or hazardous mitigation plans.

- **Wildland Fires:** The project site is located outside all designated fire hazard areas.

8. Hydrology and Water Quality

Impacts 8.1 and 8.2: Short-term construction and long-term operation of development under the proposed Specific Plan Amendment would generate pollutants that may enter storm water. However, compliance with existing regulations, as identified in RR 8-1 through RR 8-4, would prevent the violation of water quality standards and the degradation of storm water quality. Impacts would be less than significant.

Impacts 8.3 and 8.4: Changes in drainage patterns would occur on the site, but storm water would continue to be discharged into the 4th Street storm drain. There is capacity at these downstream

storm drainage facilities to handle runoff from the site. Runoff will be conveyed to the Guasti-Cucamonga Regional Park and Turner Basins for ground percolation and would not lead to erosion, siltation, or flooding. Impacts would be less than significant.

Impacts 8.5 and 8.6: Storm water runoff from the site would increase flows in downstream lines, but would not exceed the capacities of the 66-inch line in Cleveland Avenue and the 4th Street Storm Drain. Storm water pollutants and storm water runoff quantities would be reduced by on-site BMPs. No expansion of existing off-site storm drain facilities is needed. Impacts would be less than significant.

In addition the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following areas, as described in the IS:

- **Substantially Deplete Groundwater Supplies or Interfere with Groundwater Recharge:** The project site is not in a recharge basin, and the proposed project would not deplete groundwater supplies or interfere with groundwater recharge.
- **Housing or Structures in a 100-year Flood Hazard Area:** The project site is located in a minimum flood hazard area, and does not contain any drainages or large water bodies that would pose a flood hazard.
- **Expose People or Structures to Significant Risk as a Result of the Failure of a Levee or Dam:** The project site is located in a minimum flood hazard area and is located outside all identified dam inundation areas.
- **Inundation by Seiche, Tsunami, or Mudflow:** There is no potential for the project site to be affected by a seiche or tsunami (earthquake-generated wave) due to the absence of any large open bodies of water near the site.

9. Land Use

Impact 9.1: No conflict with applicable regional or local land use plans and policies would occur with the proposed Specific Plan Amendment. Impacts would be less than significant.

In addition the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Physically Divide an Established Community:** Because the surrounding developments exist independent of each other and independent of the existing golf course development, implementation of the proposed project would not physically divide an established community.

- **Conflict with a Habitat Conservation Plan:** As discussed in Section III-A-3, above, and in Section 7.1.4 of the EIR, the project site is not within a Habitat Conservation Plan or Natural Community Conservation Plan.

10. Noise

The project would have no significant impact in the following areas, as described in the IS:

- **Expose People Residing or Working in the Project Area to Excessive Noise Levels Due to Airport or Airstrip Noise:** The *LA/Ontario International Airport Land Use Compatibility Plan* (ONT LUCP) states that Rancho Cucamonga is not an affected jurisdiction for noise.

- **Expose People Residing or Working in the Project Area to Excessive Noise Levels Due to Private Airstrip Noise:** The proposed project is not located in the vicinity of a private airstrip and would not expose people to excessive noise levels.

11. Population and Housing

The project would have no significant impact in the following areas, as described in the IS:

- **Displace Substantial Numbers of Existing Housing or People:** Implementation of the proposed project would not result in the removal of existing housing; would not require the construction of replacement housing; and would not displace any existing residents.

12. Public Services

Impact 12.3: Implementation of the proposed project would generate additional students in the Cucamonga School District and Chaffey Joint Union High School District. Payment of required new development fees pursuant to Section 65995 of the California Government Code (RR 12-4) would result in less than significant impacts to school services.

13. Transportation/Traffic

Impact 13.5: The proposed project promotes the use of alternative transportation systems. Impacts related to potential conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities would be less than significant.

In addition to the foregoing impact area, which was analyzed in detail in the EIR, the project would also have no significant impact in the following area, as described in the IS:

- **Changes in Air Traffic Patterns:** The anticipated increase in population and employment would not impact air traffic volumes and the project would not include any uses that would change air traffic patterns.

14. Utilities and Service Systems

Impact 14.1: Development allowed by the proposed Specific Plan Amendment would require water supplies from the Cucamonga Valley Water District (CVWD). The Water Supply Assessment (WSA) shows that CVWD has available water supplies to meet the water demands of the project for the next twenty years through 2035, including demands during normal, single dry and multiple dry years. The CVWD has concurred with the findings of the WSA that available water supplies would be adequate to serve the project. Any future development meeting the applicable requirements would have to comply with RR 14-1, regarding compliance with SB 221 and water conservation requirements (refer to RR 14-4 and RR 16-3). Impacts would be less than significant.

Impact 14.3: Wastewater generated by residential, non-residential, and associated uses allowed by the proposed Specific Plan Amendment would be treated at the Inland Empire Utilities Agency's Regional Plant No. 4, which has available treatment capacity. Impacts would be less than significant.

Impact 14.4: Development allowed by the proposed Specific Plan Amendment would be served by a landfill with available capacity. Impacts would be less than significant.

Impact 14.5: Construction and operation associated with implementation the proposed project would be conducted in compliance with applicable statutes and regulations related to solid waste. No impact would occur.

Impact 14.6: Development allowed by the proposed Specific Plan Amendment would require the construction and installation of new electricity, natural gas, and telecommunications infrastructure on site. However, no off-site improvements are needed beyond that planned by utility purveyors. Construction of infrastructure improvements in and immediately adjacent to the project area would result in short-term impacts related to air quality, noise, and traffic. These impacts are addressed in Section 4.2, Air Quality; Section 4.10, Noise; Section 4.6, Greenhouse Gas; and Section 4.13, Transportation and Traffic. No additional impacts related to construction and operation of utility systems would occur.

In addition to the foregoing impact areas, which were analyzed in detail in the EIR, the project would also have no significant impact in the following areas, as described in the IS:

- **Exceed Wastewater Treatment Requirements of the Applicable Regional Water Quality Control Board:** New development in the City would be required to comply with all applicable wastewater discharge requirements of the National Pollutant Discharge Elimination System program, as enforced by the Santa Ana Regional Water Quality Control Board. Therefore, implementation of the project would not result in an exceedance of wastewater treatment requirements and impacts would be less than significant.

- **Comply with Federal, State, and Local Statutes and Regulations Related to Solid Waste:** The proposed project would be required to coordinate with Burrtec Waste Industries to develop a collection program for recyclables in accordance with local and State programs, including the California Solid Waste Reuse and Recycling Act of 1991. Additionally, the proposed project would be required to comply with applicable practices enacted by the City under the California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939) and any other applicable local, State, and federal solid waste management regulations. In summary, the proposed project would comply with all regulatory requirements regarding solid waste.

15. Agriculture and Forestry Resources

As described in the IS, the project would have no significant impact in the following areas:

- **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to Non-Agricultural Use:** Because the project site is not designated as Prime, Unique, or Statewide Important Farmland, no impact would occur.

- **Conflict with Agricultural Zoning or a Williamson Act Contract:** The project site and surrounding areas are not zoned for agricultural uses, and are not covered under a Williamson Act Contract.

- **Conflict with Zoning for Forest Land or Timberland, Cause Forest Land or Timberland to Be Rezoned, or Result in the Loss or Conversion of Forest Land to Non-Forest Use:** There are no existing forest lands, nor is there zoning for forest lands or timberland in the City, including the project site.

- **Involve Other Changes that Could Result in Conversion of Farmland or Forest Land:** There is no existing farmland, forest lands, or areas zoned for agriculture, or timberlands on the project site or in the immediately surrounding areas.

16. Mineral Resources

As described in the IS, the project would have no significant impact in this area:

- **Loss of Availability of a Known, Valuable Mineral Resource or a Locally Important Mineral Resource Recovery Site:** The project site is not located in an aggregate resource area. Accordingly, no impact to availability of a locally important mineral resource recovery site would occur.

B. FINDINGS WITH RESPECT TO EFFECTS DETERMINED TO BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The EIR identified certain potentially significant effects that could result from the project. However, the City finds for each of the significant or potentially significant impacts identified in this section that based upon substantial evidence in the record, changes or alterations have been required or incorporated into the project which avoid or substantially lessen the significant effects as identified in the Final EIR and, thus, that adoption of the mitigation measures set forth below will reduce these significant or potentially significant effects to less-than-significant levels. Adoption of the recommended mitigation measures will effectively make the mitigation measures part of the project. Impacts and Mitigation Measures are presented below in summary form. For a detailed description of impacts and Mitigation Measures, see the appropriate text in the EIR.

As stated in Part I of these findings, above, the City hereby binds itself to implement these measures as measures built into the design of the Project itself or as conditions of Project approval.

1. Aesthetics

Impact 1.1: While views from the City's designated view corridor on 6th Street would change, northerly views would continue to be available from nearby north-south streets and on site along the Vine. Impacts on scenic vistas would be less than significant.

Implementation of the following measure would ensure that impacts would be less than significant:

PDF 1-1: Section 7.3.4, Development Standards, of the proposed Empire Lakes/Industrial Area Specific Plan (IASP) Sub-Area 18 Specific Plan Amendment includes development standards by Placetype for PAI [Planning Area I], including, but not limited to maximum building heights. Structures shall not exceed 70 feet above ground north of 6th Street, 60 feet above ground south of 6th Street, and 45 feet above ground adjacent to existing residential uses within 20 feet of the PAI boundary line. Compliance with the established height limits shall be confirmed by the City in accordance with implementation provisions outlined in Section 7.7 of the Empire Lakes/IASP Sub-Area 18 Specific Plan.

Impact 1.2: Changes in the visual character of the site (as seen by those traveling along adjacent roadways, adjacent residents, and adjacent employees) would occur with implementation of development allowed by the proposed Specific Plan Amendment. However, development of the proposed buildings and the associated uses in compliance with Regulatory Requirements, the

development standards and design guidelines identified in the proposed Specific Plan Amendment, including height restrictions (refer to PDF 1-1), and PDF 1-2 would create a visually cohesive community that would not substantially degrade the existing visual character or quality of the site and its surroundings.

Implementation of the following measure would ensure that impacts would be less than significant:

PDF 1-2: The construction staging area shall be located as far as possible from residential neighborhoods east of the project site, and perimeter fencing shall be installed to obstruct views from adjacent ground level vantage points into the project site during construction. Implementation of this feature shall be verified by the City during construction.

Impact 1.3: Potentially construction-related lighting impacts would be reduced to a less than significant level with incorporation of MM 1-1 into the proposed project. New sources of light and glare would be introduced with the proposed project; however, adherence to the development standards and design guidelines (architectural and landscape) outlined in the proposed Specific Plan Amendment, would ensure that potential impacts related to light and glare are less than significant.

MM 1-1 Prior to the issuance of grading permits, the Property Owner/Developer shall provide evidence to the City that the contractor specifications require that the construction staging area be located as far as possible from the existing residential development east of the project site to minimize light intrusion. Temporary nighttime lighting installed during construction for security or any other purpose shall be downward-facing and hooded or shielded to prevent light from spilling outside the staging area and from directly broadcasting security light into the sky or onto adjacent residential properties. Compliance with this measure shall be verified by the City's Building and Safety Services Department during inspections of the construction site.

2. Air Quality

No impacts were found less than significant with mitigation.

3. Biological Resources

Impact 3.4: Vegetation and trees on the project site and in the vicinity have the potential to provide suitable nesting opportunities for avian and raptor species. Compliance with the MBTA and Sections 3503, 3503.5, 3511 and 3513 of the California Fish and Game Code, as outlined in RR 3-1 and RR 3-2, and planting of new trees (refer to PDF 6-1), would ensure that potential impacts to nesting birds and raptors are less than significant.

PDF 6-1 The proposed project shall include the planting of a minimum of 5,600 new trees to provide sequestration of CO2 thereby reducing the net GHG emissions attributable to the project.

Impact 3.5: Removal of on-site heritage trees and potential eucalyptus windrows would be conducted in compliance with the City's tree protection policies/requirements, as outlined in RR 3-3 and RR 3-4. No impact would occur related to conflict with tree protection policies or ordinances. Refer to PDF 6-1, which addresses tree planting.

PDF 6-1 is described above.

4. Cultural Resources

Impact 4.1: The proposed project has a low potential to impact unknown archaeological resources; however, this is a potentially significant impact. Implementation of MM 4-1 and MM 4-2 would reduce this impact to a less than significant level:

MM 4-1 Prior to site preparation or grading activities, construction personnel shall be instructed by a qualified Archaeologist and qualified Paleontologist of the potential for encountering unique archaeological and/or paleontological resources and instructed on steps to take in the event such resources are encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that might be expected, the type of activities that may result in impacts, and the legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until a qualified Archaeologist or Paleontologist, as appropriate, assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of archaeological and paleontological resources is prohibited.

MM 4-2 In the event that cultural resources are inadvertently unearthed during excavation and grading activities, the Contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The Property Owner/Developer shall retain a qualified Archaeologist (Project Archaeologist), subject to approval by the City of Rancho Cucamonga, to evaluate the significance of the find and to determine an appropriate course of action. All artifacts except for human remains and related grave goods or sacred objects belong to the Property Owner.

All artifacts discovered at the development site shall be inventoried and analyzed by the Project Archaeologist. If any artifacts of Native American origin are discovered, the Property Owner/Developer and Project Archaeologist shall notify the City of Rancho Cucamonga Planning Department and the appropriate local Native American tribe identified by the Native American Heritage Commission. The significance of

Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the tribe. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling (see RR 4-1). Native American artifacts that cannot be avoided or relocated at the project site shall be prepared in a manner for curation and the Project Archaeologist shall deliver the materials to an accredited curation facility approved by the City of Rancho Cucamonga within a reasonable amount of time.

Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts shall be subjected to curation or returned to the Property Owner, as deemed appropriate.

Once ground-altering activities have ceased or the Project Archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Rancho Cucamonga Planning Department.

A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Rancho Cucamonga Planning Department, shall signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the Archaeological Information Center (AIC) at the San Bernardino County Museum and the Native American tribe, as appropriate.

Impact 4.2: The proposed project has the potential to impact non-renewable paleontological resources, resulting in a potentially significant impact. Implementation of MM 4-1 and MM 4-3 would reduce this impact to a less than significant level.

Please refer to MM 4-1 above.

MM 4-3 If any paleontological resources (i.e., plant or animal fossils) are encountered before or during grading, the Property Owner/Developer shall retain a qualified Paleontologist to monitor construction activities, and to take appropriate measures to protect or preserve them for study. The paleontologist shall submit a report of findings that will also provide specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Where mitigation monitoring is appropriate, the program must include, but not be limited to, the following measures:

- Assign a Paleontological Monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full time during earth-disturbing activities.

- Divert earth-disturbing activities away from the immediate area of the discovery until the Paleontological Monitor has completed salvage. If construction personnel

make the discovery, the grading contractor shall immediately divert construction and notify the Paleontological Monitor of the find.

- Prepare, identify, and curate all recovered fossils for documentation in the summary report and transfer to an appropriate depository (e.g., San Bernardino County Museum).

- Prepare and submit a technical report describing the identification, salvage, evaluation, and treatment of all fossils discovered during grading to the City of Rancho Cucamonga. Transfer collected specimens with a copy of the report to the depository.

5. Geology & Soils

Impact 5.1: With adherence to the City's Building Regulations/2013 CBC and the City's Grading Standards (RRs 5-1 and 5-2), all recommendations presented in the Geotechnical Feasibility Study, and any future site-specific geotechnical investigations (MM 5-1), there would be a less than significant impact related to strong ground shaking.

MM 5-1 Prior to approval of each tentative tract map and/or development application, supplemental geotechnical investigations prepared by a qualified engineer licensed by the State of California to perform such work, shall be provided to the City Engineer. The supplemental geotechnical investigation shall include sampling of representative soils and laboratory tests, as necessary, to confirm the information provided in the Geotechnical Feasibility Study Proposed Mixed-Use Commercial and Residential Development Empire Lakes Golf Course Property Rancho Cucamonga, California (dated March 23, 2015, and prepared by LOR Geotechnical Group, Inc.) (Geotechnical Feasibility Study). The supplemental geotechnical investigation shall incorporate recommendations from the 2015 Geotechnical Feasibility Study, listed below, and shall identify additional site-specific recommendations developed based on the results of the site-specific analysis. Recommendations shall include, but not be limited to, the following areas, as identified in the 2015 Geotechnical Feasibility Study:

- General Site Grading
- Initial Site Preparation
- Preparation of Fill Areas
- Preparation of Foundation Areas
- Engineered Compacted Fill
- Short-Term Excavations
- Slope Construction
- Slope Protection
- Soil Expansiveness
- Foundation Design
- Settlement
- Slabs-on-Grade
- Wall Pressures
- Pavement Design

- Sulfate Protection
- Supplemental Geotechnical Investigation and Plan Reviews
- Construction Monitoring

The City Engineer shall confirm that site-specific recommendations are incorporated into the project.

Impact 5.4: With adherence to the City's Building Regulations/2013 CBC, the City's Grading Standards (RR 5-1 and RR 5-2), and all recommendations presented in the Geotechnical Investigation and future site-specific geotechnical investigations and grading plan submittals (RR 5-2 and MM 5-1 through MM 5-3), there would be a less than significant impact related to unstable soils if encountered on the site.

Please refer to MM 5-1, above.

MM 5-2 The final grading plan, appropriate certifications and compaction reports shall be completed, submitted, and approved by the Building and Safety Official prior to the issuance of building permits.

MM 5-3 A separate grading plan check submittal shall be required where improvements being proposed would generate 50 cubic yards or more of combined cut and fill. The grading plan shall be prepared, stamped, and signed by a California registered Civil Engineer.

Impact 5.5: With adherence to the City's Building Regulations/2013 CBC, the City's Grading Standards (RR 5-1 and RR 5-2), and all recommendations presented in the Geotechnical Investigation and in future site-specific geotechnical investigations (RR 5-2 and MM 5-1), there would be a less than significant impact related to expansive soils if encountered on the site.

Refer to MM 5-1, above.

6. Greenhouse Gas Emissions

Impacts 6.1 and 6.2: With project implementation in accordance with RR 6-1 through RR 6-4, and incorporation of PDF 6-1 and MM 6-1 into the proposed project, the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment nor would the proposed project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

PDF 6-1 The proposed project shall include the planting of a minimum of 5,600 new trees to provide sequestration of CO2 thereby reducing the net GHG emissions attributable to the project.

MM 6-1 Prior to the issuance of each building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga

demonstrating that high efficiency non-incandescent light bulbs and lighting fixtures shall be installed in residential and non-residential buildings, and Energy Star-rated appliances for clothes washers, dish washers, refrigerators, and fans shall be installed in all residences. Alternatively, the Property Owner/Developer or its contractors shall submit for approval alternate measures to provide GHG emissions reductions equivalent to those achieved by the installation of high-efficiency lighting and Energy Star appliances, which is 814 MTCO2e per year, as shown in Table 4.6-14

7. Hazards and Hazardous Materials

Impact 7.3: The project site is within the Airport Influence Area for the LA/Ontario International Airport. With adherence to the requirements of the Ontario International Airport Land Use Compatibility Plan (RR 7-4) and proposed Specific Plan Amendment (PDF 7-1), the proposed project would not result in safety hazard to people residing or working on the site or in the project area. There would be a less than significant impact.

PDF 7-1 As identified in Table 7.4, Development Standards, of the proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment, and in compliance with the height restrictions identified in Section 5.3.2 of the Empire Lakes/IASP Sub-Area 18 Specific Plan, primary buildings in PAI [Planning Area I] north 6th Street shall not exceed 70 feet and primary buildings south of 6th Street shall not exceed 60 feet.

8. Hydrology and Water Quality

No impacts were found less than significant with mitigation.

9. Land Use

No impacts were found less than significant with mitigation.

10. Noise

Impact 10.1: The proposed project would result in less than significant increases in long-term ambient noise levels from project-generated traffic to off-site sensitive receptors, and at residences adjacent to the project site from noise generated on-site by traffic on project site roads. Potential noise impacts to on-site and off-site residential uses from operation of proposed uses in PAI [Planning Area I] would be less than significant with adherence to the noise standards outlined in the City's Development Code and the California Building Standards Code (refer to RR 10-3, and RR 10-4).

Implementation of the following Project Design Feature would also ensure that impacts would be less than significant:

PDF 10-1 As identified in Section 7.3.4(b), Rail Road Edge, of the proposed Specific Plan Amendment, a solid wall shall be installed along the northern property line to provide noise reduction and a visual barrier from the adjacent rail line. The wall shall be at least six feet high. Where feasible, a berm, or berm-wall combination may be used.

Impact 10.2: The proposed project would result in potentially significant construction vibration annoyance impacts to residents of adjacent buildings (from heavy equipment operation close to buildings). MM 10-1 would be incorporated into the project to reduce impacts to a less than significant level. There would be a less than significant impact for structural vibration impacts. Long-term vibration impacts to residences within 200 feet of the railroad tracks north of the project site would be potentially significant. MM 10-2 would be incorporated into the project to require a vibration analysis prior to the approval of building permits. With MM 10-2, impacts would be less than significant.

MM 10-1 Prior to the issuance of each grading permit, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the equipment to be used for demolition and grading that would occur within 25 feet of an off-site structure shall not include vibratory rollers, large bulldozers, or similar heavy equipment. Vibratory rollers operated in the static mode would be allowed.

MM 10-2 Prior to issuance of building permits for buildings within 200 feet of the railroad tracks north of the project site, the Property Owner/Developer shall submit a vibration analysis to the City of Rancho Cucamonga Building Official that demonstrates that anticipated building vibrations, based on the best available forecast of future rail operations, would not exceed the vibration impact criteria recommended by the Federal Transit Administration or similar authority. The vibration analysis shall describe if increased setback or vibration-reducing structural building elements are required to achieve the performance standard.

11. Population and Housing

No impacts were found less than significant with mitigation.

12. Public Services

Impact 12.1: If not already addressed through a separate agreement, the proposed/potential Development Agreement would include provisions regarding the Rancho Cucamonga Fire Protection District's (RCFPD) fair market value acquisition of property under common ownership as the Project Applicant for a future fire station (PDF 12-4). Additionally, implementing the

proposed project in compliance with applicable regulations related to fire protection service (refer to RR 12-1), and increases in property taxes collected by the RCFPD would ensure that impacts to fire protection services resulting from the project are less than significant.

PDF 12-4 The proposed/potential Development Agreement for the proposed project, or separate agreement between the City and the Property Owner/Developer or entity under common ownership, shall address the Rancho Cucamonga Fire Protection District's (RCFPD) acquisition, at fair market value, of the property at Assessor Parcel Number No. 1077-422-58, or other site acceptable to the Rancho Cucamonga Fire Protection District (RCFPD) for a potential future fire station within 0.5-mile of the identified fire station site. A purchase and sale agreement shall be executable immediately upon granting of any final approvals for the General Plan Amendment and Specific Plan Amendment. If no final approvals are granted the purchase and sale agreement may only be executed if both parties mutually agree.

Impact 12.2: The proposed project would not require the provision of new or physically altered off-site police protection facilities; however, an on-site substation shall be required in the future. The on-site police substation would be accommodated in the joint-use facility to be constructed as part of the project to accommodate the Community Services and Library Services departments (refer to PDF 12-2), and there would be no physical impacts to the environment beyond those addressed in this Draft EIR. Additionally, the Property Owner/Developer would pay the City's required Police Impact Fee (refer to RR 12-2), and any fees established through a Community Facilities District (or similar mechanism). With the construction of the required on-site police substation, and payment of the required fees, the project would result in a less than significant impact related to police services.

PDF 12-1 In compliance with Section 7.4.1, Site Planning Criteria, of the proposed Specific Plan Amendment, appropriate Crime Prevention Through Environmental Design (CPTED) features, as determined by Rancho Cucamonga Police Department (RCPD) in coordination with the Community Services Department and the Public Works Service Department, shall be implemented in Planning Area I. CPTED features incorporated into the design of spaces shall include, but not be limited to, territorial reinforcement, strategic natural surveillance, well-lit spaces, and appropriate maintenance. CPTED review of each proposed development shall be completed by the RCPD prior to issuance of building permits. Additionally, infrastructure to support the RCPD electronic systems shall be provided; the systems to be installed shall be coordinated with and approved by the RCPD.

PDF 12-2 To provide space for the Library Services, Community Services, and Police Departments, and ancillary use by the Public Works Department, a Joint Use Public Facility shall be accommodated within PAI [Planning Area I]. The provisions for ensuring implementation of this facility in PAI shall be outlined in the proposed Development Agreement between the Project Applicant and the City. The resources provided by the Joint Use Public Facility shall be sufficient to adequately serve the future project residents, employees and visitors, as determined by the City. The final size, location, operational requirements, and design features of the facility shall be determined during the master planning stage of the area north of 6th Street in coordination with the respective City departments. It is expected that the Joint Use Public Facility would be up to 25,000 sf, and the square footage would be within the

maximum amount of non-residential development allowed by the proposed Specific Plan Amendment.

In the event the Development Agreement is not approved, establishment of provisions for implementation of a Joint Use Public Facility within PAI shall be required as a Condition of Approval. The condition shall be included in the Mitigation Monitoring Program and specify that construction of the facility shall commence no later than the issuance of the building permit for the 2,000th residential dwelling unit.

Impact 12.4: The proposed project would increase the demand for library services provided by the City. The Property Owner/Developer would implement an onsite joint use facility to be used for library services (PDF 12-2), or provide an alternative community benefit agreed to by the City and Property Owner/Developer, and would pay the required City's Library Impact Fee (refer to RR 12-2). Therefore, the project would result in a less than significant impact related to library services.

Refer to PDF 12-2, above.

Impacts 12.5, 12.6 and 12.7: With incorporation of park, recreation, and community facilities into the proposed development in PAI [Planning Area I], including a joint-use public facility (refer to PDF 12-2 and PDF 12-3); adherence to the City's Local Park Ordinance (refer to RR 12-3); and payment of the required impact fees (refer to RR 12-2); the project would result in a less than significant impact related to the need to provide new or expanded park and recreational facilities and the potential for physical deterioration of park and recreation facilities due to increased use.

Refer to PDF 12-2, above.

PDF 12-3 As shown on Exhibit 3-4, Conceptual Development Plan by Placetype, the Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment includes three central community recreation (REC) areas (approximately 6.8 acres) and a 0.6-acre Urban Plaza. The (REC) areas may include the following types of amenities: fitness area, pool and spa, community meeting rooms, and plaza space.

13. Transportation/Traffic

Impacts 13.3 and 13.4: The proposed project provides adequate project access and an internal circulation system (refer to PDF 13-1), which would be in compliance with applicable requirements for emergency access (refer to RR 12-1). The proposed project would not create traffic hazards or result in inadequate emergency access. Impacts would be less than significant.

PDF 13-1 The Property Owner/Developer shall construct the following intersection improvements at the project access locations:

- 7th Street and Cleveland Avenue: Side-street stop control
- 7th Street and Anaheim Place: Side-street stop control
- 6th Street and Project Access: Signalized intersection
- 4th Street and Project Access: Signalized intersection
- Site access improvements at the Metrolink Transit Station.

14. Utilities and Service Systems

Impact 14.2: Development allowed by the proposed Specific Plan Amendment would require the construction of new water, recycled water, and sewer lines on site. However, no off-site improvements are needed. Construction of infrastructure improvements within and immediately adjacent to the project area would result in short-term impacts related to air quality, noise, greenhouse gas and traffic. These impacts are addressed in Section 4.2, Air Quality; Section 4.10, Noise; Section 4.6 Greenhouse Gas, and Section 4.13, Transportation and Traffic. No additional impacts related to construction and operation of utility systems would occur.

The following measure would ensure that impacts would be less than significant:

PDF 14-1 The 12-foot 8-inch Metropolitan Water District (MWD) Meadow Upper Feeder located in the existing 40-foot-wide easement that traverses the northern portion of the project site shall be protected in place during construction. Any encroachment to the easement during construction would be conducted in compliance with applicable MWD encroachment specifications.

15. Agriculture and Forestry Resources

No impacts were found less than significant with mitigation.

16. Mineral Resources

No impacts were found less than significant with mitigation.

C. FINDINGS WITH RESPECT TO SIGNIFICANT EFFECTS THAT CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

Note that impacts and analyses are presented below in summary form. For a full description of impacts, see the appropriate text in the EIR, which the Council hereby incorporates by reference into these Findings. Only impacts related to Air Quality, Noise, Population and Housing and Transportation were found to be significant and unavoidable.

CEQA requires that all feasible and reasonable mitigation be applied to reduce the Project's impacts. Although the following mitigation measures will not reduce impacts to a less than significant level, the City binds itself to implement these measures in order to lessen the impacts to the greatest extent feasible.

2. Air Quality

Impact 2.1: Significant and unavoidable conflict with the SCAQMD's 2012 AQMP due to long-term emissions of nonattainment pollutants exceeding SCAQMD significance thresholds and project trip generation substantially greater than trip generation anticipated in the General Plan for PAI [Planning Area I].

There is no feasible mitigation that would lessen or eliminate this impact, because even after implementation of all feasible measures discussed in Impact 2.2 below, the project would remain in conflict with SCAQMD's 2012 AQMP because the project was not included in the SCAQMD's projected growth estimates so the project remains inconsistent with the AQMP but provides mitigation recommended by SCAQMD.

Impact 2.2: Regional and local construction emissions would be less than significant with the incorporation of MM 2-1 and MM 2-2. Even with incorporation of MM 2-3 through MM 2-6, long-term regional operational emissions of O3 precursors (VOC and NOx), CO, PM10, and PM2.5 due to mobile and consumer product sources would be significant and unavoidable.

MM 2-1 Prior to issuance of each grading and building permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that construction documents require construction contractors to implement the measure listed below. The contractor shall comply with the identified requirements, and verification that the contractor has complied shall be confirmed by the Building and Safety Services Department during construction.

All off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by the California Air Resources Board (CARB). Any emissions-control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

A copy of each unit's certified Tier specification shall be provided to the Building and Safety Services Department at the time of mobilization of each applicable unit of equipment.

MM 2-2 Construction activities for future development within PAI [Planning Area I] shall include the following measures to reduce criteria pollutant emissions. These measures shall be incorporated into the contractor specifications and shall be verified during review of project plans and specifications and during construction.

- All construction equipment shall be maintained in good operating condition so as to reduce operational emissions. The contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturers' specifications. Maintenance records shall be available at the construction site for City verification.

- The construction contractor shall utilize electric or clean alternative fuel-powered equipment where feasible.

- The construction contractor shall ensure that construction-grading plans include a statement that work crews will shut off equipment when not in use.

MM 2-3 Prior to the issuance of each non-residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits.

- For buildings with 25,000 square feet or more net area and with more than ten tenant-occupants (i.e., employees), changing/shower facilities shall be provided as specified in Section A5.106.4.3, Nonresidential Voluntary Measures, of the California Green Building Standards (CALGreen) Code.

- Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1, Nonresidential Voluntary Measures, of the CALGreen Code.

- Facilities shall be installed to support future electric vehicle charging at each non-residential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3, Nonresidential Voluntary Measures (Tier 1), of the CALGreen Code.

MM 2-4 Prior to the issuance of each residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs or specifications. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits.

- One- and two-family dwellings shall provide for the future installation of electric vehicle charging, as specified in Section A4.106.8.1, Residential Voluntary Measures, of the CALGreen Code.

- Visitor parking shall include preferentially located parking spaces for alternative-fueled vehicles.

- Bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5).

MM 2-5 Prior to issuance of each building permit for parking structures and parking lots with 20 or more parking spaces, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the parking facility. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits.

- The parking facility shall include a minimum of five percent preferentially located parking spaces for alternative-fueled (electric, natural gas, or similar low-emitting technology) vehicles.

- The parking facility shall include at least one electric vehicle charging station. Electrical lines shall be designed and sized to add additional charging stations for up to three percent of the total parking spaces when a demand is demonstrated. The design and installation shall be consistent with Section A4.106.8.2, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5).

- For residential parking facilities, bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen code.

MM 2-6 Once constructed, the Property Owner/Developer shall ensure that the tenants/operators of non-residential uses include the following features and procedures. Proof of compliance shall be provided to the City of Rancho Cucamonga within one month following the issuance of each occupancy permit.

- Post signs requiring that trucks shall not be left idling for prolonged periods (i.e., in excess of 5 minutes, as required by State law).

- Post both bus and Metrolink schedules in conspicuous areas.

- Configure the employee work schedules around the Metrolink schedule to the extent reasonably feasible.

Impact 2.3: The proposed project would result in less than significant cumulative regional and local construction emissions with the incorporation of MM 2-1 and MM 2-2. The project would result in significant and unavoidable cumulative long-term regional emissions of O3 precursors (VOC and NOX), PM10, and PM2.5, all nonattainment pollutants, due to mobile and consumer products sources. As described for Threshold 2.2, even with implementation of MM 2-2 through MM 2-4, operational VOC, NOx, PM10, and PM2.5 emissions would exceed the significance thresholds and could contribute to existing violations of the O_3 and PM10 standards (VOC and NOx are O_3 precursors).

Please refer to MMs 2-1 through MM 2-6 above.

10. Noise

Impact 10.3: Construction of the proposed uses would result in temporary construction noise impacts from site preparation, demolition, grading, concrete and asphalt crushing, green waste mulching, and similar construction activities. Compliance with RR 10-1 and implementation of MM 10-3 through MM 10-5 would reduce impacts; however, because of the proximity of construction to existing structures, some of these activities may not be reduced to less than 65 dBA at residential receptors and 70 dBA at industrial or commercial receptors, this impact is considered significant and unavoidable under the City's Development Code.

MM 10-3 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences, the Property Owner/Developer shall submit construction plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the installation of a temporary noise barrier between the construction area and the adjacent residences is required. The barrier shall be 12 feet high and solid from the ground to the top. The barrier shall be constructed with plywood that is at least ½ inch thick or with another material that creates a noise transmission loss of at least 20 dBA. For maximum effectiveness, the barrier shall be located as close as feasible to the residences or as close as feasible to the noise sources. Where feasible, the barrier shall remain in place until the completion of construction near residences.

MM 10-4 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences or within 325 feet of commercial or industrial buildings, the Property Owner/Developer shall submit a construction-related noise mitigation plan to the Rancho Cucamonga Planning Department. The plan shall depict the location of the construction equipment and how the noise from this equipment would be mitigated during construction of the project. The plan shall demonstrate that the construction plans and specifications include the following noise-abatement, notification, and control measures:

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State-required noise-attenuation devices.
- Stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- On-site and off-site construction haul routes shall be designed to avoid noise-sensitive uses, as feasible.
- If a perimeter block wall is required for a project, the wall shall be constructed as early as possible during the first phase of construction.
- A "Construction Noise Coordinator" shall be identified. The Construction Noise Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Construction Noise Coordinator shall notify the City within 48 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler) and shall implement reasonable measures to resolve the compliant, as deemed

acceptable by the Planning Department. Signs shall be posted at the construction that include the contact information for the Construction Noise Coordinator.

MM 10-5 Prior to the issuance of each permit for site clearing and demolition, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that, if crushing, grinding, chipping or similar equipment is to be used, the equipment must be located at least 500 feet from residences and at least 300 feet from commercial or industrial buildings and oriented so that the noisiest side is facing away from the residences.

Impact 10.4: With implementation of MM 10-6 through MM 10-8, potential impacts related to operational noise that exceeds the General Plan noise and land use compatibility levels would be reduced to less than significant levels. Construction noise would potentially exceed the noise level limits established in the City's Development Code. With implementation of RR 10-1 and MM 10-3, MM 10-4, and MM 10-5, impacts from construction noise that exceed the City Development Code requirements would be reduced, but not to a less than significant level. This impact is significant and unavoidable.

Refer to MM 10-3 through MM 10-5 above.

MM 10-6 Prior to issuance of building permits for buildings adjacent to 4th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 4th Street. The Property Owner/Developer shall also submit plans and specifications showing that:

- All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.
- All exterior use areas within 200 feet of 4th Street shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.

MM 10-7 Prior to issuance of building permits for buildings adjacent to 6th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 6th Street. The Property Owner/Developer shall also submit plans and specifications showing that:

- All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.
- All exterior use areas shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.

MM 10-8 Prior to issuance of building permits for buildings facing adjacent to or near the northern property line, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing the rail line. The Property Owner/Developer shall also submit plans and specifications showing that:

- All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.

11. Population and Housing

Impact 11.1: Although the proposed project would be consistent with local, regional, at State policies that encourage mixed use higher density housing development near employment centers and transit opportunities, the proposed project could induce substantial housing and population growth in the City and region beyond the currently adopted growth forecasts, resulting in a significant and unavoidable project impact. The project would have a less than significant impact related to employment.

The project was not included in the City's General Plan, which assumed continued operation of the golf course, hence the project is inconsistent with the Population and Housing projections. However, there is no feasible mitigation to reduce the significance of this impact because it is not consistent with Project objectives or the principles of the General Plan to incorporate changes into the project that would avoid inducing housing and population growth in the City. For the City's analysis of lower-density alternatives to the Project, please see Section VI of these Findings and Section 5.0 of the EIR.

13. Transportation/Traffic

Impacts 13.1 and 13.2: Vehicle trips generated by operation of the proposed project would lead to study area intersections and freeway facilities operating at deficient LOS (exceeding City of Rancho Cucamonga, City of Ontario, and/or Caltrans standards). Implementation of RR 13-2 and RR 13-3, and MM 13-1 through MM 13-4, would reduce impacts, but some impacts would remain significant due to the lack of feasible mitigation or because the project Property Owner/Developer or the City of Rancho Cucamonga cannot guarantee the implementation of improvements in another jurisdiction which they do not control.

Specifically, the proposed project would result in significant and unavoidable project impacts at one study area intersection, which is also a San Bernardino County Congestion Management Plan (CMP) intersection, under the Existing Plus Project traffic analysis scenario, and at seven study area intersections (including 5 CMP intersections) under the Completion Year 2024 Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable impacts along segments of Interstate (I) 10 and I-15 and at I-10 and I-15 on- and off-ramps under these traffic analysis scenarios; I-10 and I-15 are also CMP facilities.

The proposed project would result in significant and unavoidable cumulative impacts at four study area intersections (including 3 CMP intersections) under the Cumulative Year (2036) Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable cumulative impacts along segments of I-10 and I-15 and at I-10 and I-15 on- and off-ramps under this traffic analysis scenario; I-10 and I-15 are also CMP facilities.

PDF 13-1 The Property Owner/Developer shall construct the following intersection improvements at the project access locations:

- 7th Street and Cleveland Avenue: Side-street stop control
- 7th Street and Anaheim Place: Side-street stop control
- 6th Street and Project Access: Signalized intersection
- 4th Street and Project Access: Signalized intersection
- Site access improvements at the Metrolink Transit Station.

MM 13-1 Prior to the issuance of the first occupancy permit, and in coordination with the City of Rancho Cucamonga, the Property Owner/Developer shall implement the following intersection improvements:

2. **Foothill Boulevard and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length.

3. **Foothill Boulevard and Rochester Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length.

4. **Foothill Boulevard and Day Creek Boulevard.** Convert the rightmost northbound through lane into a through/right shared lane.

7. **Arrow Route and Haven Avenue.** Modify the southbound approach from having two left turn lanes, two through lanes, and one through/right shared lane to having two left turn lanes, three through lanes, and one right turn lane (MM 13-1).

8. **Arrow Route and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would require changing the coordinated cycle length.

13. **6th Street and Haven Avenue.** To achieve additional lanes on the northbound and westbound approach, modify the northbound approach from having two left-turn lanes, two through lanes, and one shared through/right-turn lane to having two left-turn lanes, three through lanes, and one right-turn lane. Modify the westbound approach from having one left-turn lane, two through lanes, and one right-turn lane to having two left-turn lanes, two through lanes, and one right-turn lane.

14. **6th Street and Cleveland Avenue.** Install a traffic signal and signal interconnect and other appropriate traffic signal hardware to ensure coordination with upstream and downstream signals. This improvement is consistent with planned improvements within the City of Rancho Cucamonga's DIF Program

(refer to RR 13-2), and the Property Owner/Developer may be eligible for partial reimbursement with implementation of this mitigation measure.

MM 13-2 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that optimization of the PM-coordinated cycle lengths, and/or adjustment and optimization of the coordinated maximum splits for the PM signal timing plan, as appropriate, at the City of Ontario's **4th Street and Haven Avenue, 4th Street and Milliken Avenue,** and **Inland Empire Boulevard and Haven Avenue** intersections have been completed, and that the coordinated cycle length for other locations these intersections are in coordination with have been re-evaluated, if required.

MM 13-3 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that adjustment and optimization of coordinated maximum splits for the PM signal timing plan at the Caltrans intersection of **I-10 Westbound Ramps-Ontario Mills Parkway and Milliken Avenue** has been completed. This would not require changing the coordinated cycle length.

MM 13-4 Prior to issuance of buildings permits, the Property/Owner Developer shall pay its fair share fee to the City of Rancho Cucamonga for the following measures required to mitigate Cumulative Year (2036) Plus Project conditions:

- **Foothill Boulevard and Day Creek Boulevard.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.

- **6th Street and Haven Avenue.** Adjust, optimize and maintain the coordinated the PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.

- **6th Street and Milliken Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.

The fair share payment amount shall be established by the City of Rancho Cucamonga Engineering Department. The timing of implementation of the improvements shall be determined by the City and, to the extent feasible, shall be completed by the City in the timeframe necessary to avoid identified significant cumulative impacts.

MM 13-5 Prior to the issuance of a demolition permit or grading permit, whichever occurs first, the Property Owner/Developer shall submit a Traffic Control Plan to the Engineering Services Department for review and approval. The Traffic Control Plan shall describe in detail safe detours and provide temporary traffic control during construction activities for the project. To reduce traffic congestion, the Plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls (e.g., a flag person) during all phases of construction to maintain smooth traffic flow; dedicated turn lanes for movement of construction trucks and equipment on and off site; scheduling of construction activities that affect traffic flow on the arterial system to off-peak hours; consolidation of truck deliveries; rerouting of

construction trucks away from congested streets or sensitive receptors; and/or signal synchronization to improve traffic flow.

IV. FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH-INDUCING IMPACTS, AND ENERGY CONSERVATION

A. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project. Generally, a project would result in significant irreversible environmental changes if the following occurs:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

The project site has historically been used for agricultural purposes and was developed as a golf course in the mid-1990s. The proposed project would permanently alter the site by converting the existing golf course to a mixed-use community. Because no agricultural uses, sensitive biological resources, or significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site.

Construction and long-term operation of the proposed project would require the commitment and reduction of nonrenewable and/or slowly renewable resources, including petroleum fuels and natural gas (for vehicle emissions, construction, lighting, heating, and cooling of structures) as well as lumber, sand/gravel, steel, copper, lead, and other metals (for use in building and roadway construction and utility infrastructure). Other resources that are slow to renew and/or recover from environmental stressors would also be impacted by project implementation; these include air quality (through the combustion of fossil fuels and production of greenhouse gases) and water supply (through the increased potable water demands for drinking, cleaning, landscaping, and general maintenance needs).

An increased commitment of public services (e.g., police, fire, school, sewer, and water services) would also be required. Project development is an irreversible commitment of the land, energy resources, and public services. After the 50- to 75-year structural lifespan of the buildings is reached, it is improbable that the site would revert to permanently undeveloped conditions due to the large capital investment that will already have been committed.

B. GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines provides the following guidance on growth-inducing impacts: a project is identified as growth inducing if it "could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." To address this issue, Section 6.2 of the EIR examines whether the project would remove obstacles to growth, whether the project would result in the need to expand one or more public services to maintain desired levels of service, whether the project would encourage or facilitate economic effects that could result in other activities that could significantly affect the environment, and whether approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment.

1. Would this project remove obstacles to growth?

Existing roadways would be extended into the site and new roadways built on the site to serve individual structures and development. Roadway improvements proposed as mitigation for traffic impacts would serve the project and anticipated development in the area but would not provide the additional capacity to induce unplanned growth. As identified in Section 4.14 of the EIR, Utilities and Service Systems, the proposed Specific Plan Amendment would not involve development that would establish an essential public service or utility/service system. The project site and surrounding areas are already served by essential public services and an extensive network of utility/service systems and the other infrastructure necessary to accommodate or allow the existing conditions and planned growth.

The existing utility/service systems in the vicinity of the project site can serve the development allowed by the proposed Specific Plan Amendment with connections to on-site facilities. It should be noted that the Rancho Cucamonga Municipal Utility (RCMU) does not currently provide electricity service to the project site; however, it does plan to provide this service with an extension of a new electricity line to the project site. Electricity would also be available to the project site from adjacent Southern California Edison (SCE) facilities. The utility infrastructure installed as part of the proposed project would be sized and located expressly to serve the proposed project, and would not, therefore, induce growth in the project vicinity. Further, future development would be reviewed on a project-by-project basis at the time of proposed construction in order to determine the utility/service systems necessary to serve the proposed land uses.

With respect to changes in existing regulations pertaining to land development, the proposed project involves a General Plan Amendment to change the land use designation for the project site from "Open Space" to "Mixed Use", and a Zoning Amendment to update text related to the Mixed Use zone. These discretionary actions would allow for the development of a mixed-use community with up to 3,450 residential units, 220,000 square feet (sf) of non-residential development, and other supporting uses on the approximate 160.4-acre project site, which is currently developed with a golf course. The location of the project site adjacent to the Rancho Cucamonga Metrolink Station provides a unique opportunity for development of a dense urban community near transit. This is consistent with the General Plan's land use growth strategy, which focuses on the following three objectives:

- Protect and maintain established residential neighborhoods.
- Target new infill development opportunities.
- Integrate land use and transportation.

While the proposed General Plan and Zoning amendments would allow for growth at the project site that is not currently anticipated in the City's General Plan, approval of the project and these discretionary actions would not lead to similar regulatory changes that would remove an obstacle

to growth, because the areas adjacent to the project site are currently developed or are already planned for development. Additionally, as discussed in Section 4.9, Land Use and Planning, the proposed project would be consistent with the goals and policies of the City's General Plan and other relevant planning documents that address development in the City. The proposed project is not, therefore, considered to be growth inducing with respect to removal of obstacles to growth.

Refer to the discussion of Item 3 below, which addresses potential opportunities for redevelopment, revitalization or intensification of areas in the vicinity of the project site.

2. Would this project result in the need to expand one or more public services to maintain desired levels of service?

As discussed in Section 4.12, Public Services and Recreation, of the EIR, the proposed project would increase the demand for public services (police, fire, schools, libraries, and parks and recreational facilities). Based on input from the Community Services, Library Services, Police and Fire departments, new facilities would ultimately be needed to serve future residents of the proposed project and other development in the City that is or would be underserved in the future. As identified in PDF 12-2 in Section 4.12, as part of the proposed project, a Joint Use Public Facility would be implemented in PAI [Planning Area I] to accommodate the needs of the Rancho Cucamonga Community Services, Library Services, and Police departments. This facility would be available not only to future residents of the proposed project, but other residents in the City. With implementation of the community benefit as part of the project, project impacts related to parks/recreation, libraries and police protection would be less than significant. The proposed project would also contribute to the need for a new fire station to in order to provide an adequate level of fire protection service throughout the RCFPD's response system. To facilitate the eventual construction of a new fire station, and if not already addressed through a separate agreement, the proposed/potential Development Agreement would include provisions regarding the RCFPD's fair market value acquisition of property under common ownership as the Project Applicant. With this provision in an executed agreement, the project's impact on the response system that is not addressed by the increase in property taxes would be less than significant.

Additionally, funding mechanisms are in place through existing regulations and standard practices to accommodate growth in the City, including the proposed project. This project would not, therefore, have significant growth-inducing consequences with respect to public services.

3. Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

During project construction, a number of design, engineering, and construction-related jobs would be created. This would last until project construction is completed (assumed to be up to eight years). This growth in employment would be an indirect, growth-inducing effect of the proposed project.

As further discussed in Section 4.11, Population and Housing, of the EIR, buildout of the maximum amount of development allowed by the proposed Specific Plan Amendment would result in up to 3,450 residential units and 220,000 sf of non-residential uses. This could generate up to 10,488 new residents and approximately 341 net new employment opportunities. The increase in housing and population at the project site was not anticipated in the City of Rancho Cucamonga General Plan, which estimates the buildout conditions for the City (by 2030), or SCAG's 2012-2035 Regional Growth Forecasts. The adopted growth forecasts anticipate the continued operation of a golf course at the project site. Therefore, the housing and associated population growth resulting from implementation is considered a significant and unavoidable project impact for purposes of the

CEQA analysis. However, it is important to note that the proposed project would be consistent with local, regional, at State policies that encourage mixed use, higher density housing development near employment centers and transit opportunities (refer the policy consistency analysis provided in Section 4.9, Land Use and Planning, of the EIR.

With respect to employment, the City's General Plan estimates that there will be 103,400 employment opportunities in the City and SOI by 2030. Compared to the 2013 employment estimate of 72,600 jobs, this represents an increase of 30,800 jobs. Therefore, the employment generation estimated for the proposed project (net increase of 341 employees) represents approximately one percent of the total employment generation anticipated in the City and SOI with buildout of the General Plan. Further, it is expected that the short-term construction jobs and new positions during operation would be filled by workers who already reside in the local area or region.

As residential development occurs onsite, project residents and employees would seek shopping, entertainment, employment, home improvement, auto maintenance, and other economic opportunities in the surrounding area. In addition to the proposed non-residential uses, the proposed project is located near and within walking distance of existing employment and retail areas in the cities of Rancho Cucamonga and Ontario, which would help serve the employment and shopping needs of the future residents. However, the increased demand for such economic goods and services could encourage the creation of new businesses and/or the expansion of existing businesses that address these economic needs. This growth may be experienced in the areas in proximity to the project site that are either currently undeveloped or underutilized. However, this type of growth is already anticipated in the City's General Plan, even without the proposed project. Notably, the areas surrounding the project site within Industrial Area Specific Plan (IASP) Sub-Area 18, including the Rancho Cucamonga Metrolink Station, are designated as "Mixed Use Areas" in the City's General Plan. The intent of the Mixed Use designation in this area is to:

- Promote planning flexibility to achieve more creative and imaginative employment-generating designs.
- Integrate a wider range of retail commercial, service commercial, recreational, and office-related uses in this industrial area of the City.
- Allow for the sensitive inclusion of high-density residential development that offers high-quality multi-unit condominiums and apartments for employees desiring housing close to work and transit.

Additionally, as shown in the aerial photograph provided in Exhibit 4.9-6 in Section 4.9, Land Use and Planning, there are parcels immediately south of the project site that are currently undeveloped; however, this area is already planned for mixed use development associated with the approved Piemonte at Ontario Center. The approved development includes approximately 1.29 million sf of mixed retail, commercial, office, hotel and multi-family residential units at buildout (Ontario 2006).

Therefore, implementation of residential and non-residential uses allowed by the proposed Specific Plan Amendment would support existing uses in the area, and could encourage or facilitate the growth envisioned in the City of Rancho Cucamonga General Plan and planned in the City of Ontario.

4. Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

As identified above, the proposed project involves a General Plan Amendment and Zoning Amendment to allow for development of the proposed mixed use community, which is consistent with planning policies that encourage the introduction of higher density, mixed use development near transit to decrease dependency on the automobile and to reduce associated air pollution GHG emissions. However, no changes to any of the City's building safety standards (i.e., building, grading, plumbing, mechanical, electrical, fire codes) are proposed or required to implement this project. In addition to project design features and regulatory requirements, project-specific MMs have been identified in Sections 4.1 through 4.14 of this Draft EIR to ensure that implementation of the project complies with all applicable City plans, policies, and ordinances. This ensures that there are no conflicts with adopted land development regulations and that environmental impacts are minimized. The proposed project does not propose any precedent-setting actions that, if approved, would specifically allow or encourage other projects and resultant growth to occur.

C. ENERGY CONSERVATION

Section 21100(b)(3) of the *California Public Resources Code* and Appendix F to the CEQA Guidelines require a discussion of potential energy impacts of proposed projects. Appendix F states:

> The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:
>
> (1) Decreasing overall per capita energy consumption,
> (2) Decreasing reliance on fossil fuels such as coal, natural gas and oil, and
> (3) Increasing reliance on renewable energy sources.

Appendix F of the CEQA Guidelines also identifies that "EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy."

Section 6.3 of the EIR contains the required discussion of these issues, which is summarized below.

1. Short-Term Construction

For dust control, it is estimated that approximately 11.63 million gallons of water would be used during grading activities and 10 million gallons of water would be used during the building phases. A total of 606,959 kWh of electricity from water consumption, 670,939 gallons of diesel fuel, 927,377 gallons of gasoline, and 45.65 MWh of electricity from water consumption is estimated to be consumed during project construction. To reduce impacts, reclaimed water would be used for dust control, resulting in an estimated 81 percent savings in electricity use as well as the savings of potable water.

Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. The project also implements MM 2-2 which requires equipment to be properly maintained, minimize idling, and use electric or clean alternative fuel equipment where feasible. Furthermore, there are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the State. For comparison, the State of California consumed 14.70 billion gallons of gasoline and 2.78 billion gallons of diesel fuel in 2014 (BOE 2015a, 2015b). The estimated construction energy consumed by the proposed project would be spread over the

approximate eight year construction duration. Therefore, the proposed construction activities would not result in inefficient, wasteful, or unnecessary fuel consumption.

2. *Transportation*

The proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment involves the development of a mixed use community that would decrease dependency on the automobile by locating new housing near existing and planned employment-generating uses, local regional activity centers, and transit service. The overall circulation concept for the proposed project places an emphasis on pedestrian, bicycle, and vehicular connectivity emanating from the Metrolink Transit Station and major circulation corridors. The Vine provides a backbone of multi-modal connectivity from 4th Street to the Metrolink Transit Station, connecting all neighborhoods in between. This pedestrian-scaled roadway includes vehicular lanes, sharrows, on-street parking, and a variable median. To facilitate non-vehicular travel, the project would include bicycle parking facilities.

Additionally, as described in Section 4.2, Air Quality of this Draft EIR, mitigation measures (MMs) have been incorporated into the project to reduce vehicle emissions. MM 2-3 requires preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles; changing/shower facilities; and EV charging facilities for some nonresidential buildings. MM 2-4 and MM 2-5 require EV charging facilities, preferential visitor parking for alternative-fueled vehicles and bicycle parking for residential buildings and parking facilities. MM 2-6 includes operational measures that would limit truck idling and would provide incentives for employees of commercial and industrial businesses to commute by Metrolink or bus.

When taking into consideration the location of the project near transit, the high density of the proposed residential uses, and the mixed use nature of the proposed project, it is estimated that there would be an overall reduction in VMT from approximately 95.5 million VMT/year to 89.5 million VMT/year. This represents a reduction of approximately 6 million VMT/year or 6.2 percent. Based on the annual VMT, gasoline and diesel consumption rates were calculated using estimated miles per gallon factors based on San Bernardino County data for 2024 from EMFAC2014. It is estimated that the project-generated traffic would use 498,000 gallons of diesel fuel, and 2.8 million gallons of gasoline per year. Fuel consumption associated with vehicle trips generated by the proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment would not be considered inefficient, wasteful, or unnecessary.

3. *Energy Demand*

The proposed project would promote building energy efficiency through compliance with energy efficiency standards (Title 24 of the California Code of Regulations, and CALGreen, the 2013 California Green Buildings Standards Code) and the provision of energy efficiency measures that exceed required standards. Based on the CalEEMod, the electricity demand from the project would be approximately 16.3 million kilowatt hours per year (kWh/yr) and the natural gas consumption would be approximately 38 billion British Thermal Units per year (BTU/yr) (this includes peak demands), or 380,000 therms per year. Natural gas fireplaces would use approximately 19 billion BTU/yr. The electricity use associated with the project water consumption is estimated to be approximately 4.2 million kWh per year. San Bernardino County's total electrical and natural consumption in 2013 was approximately 14,000 million KWh and 503 million therms. At full build-out, project's electricity use would be approximately 0.14 percent of the existing electricity use in San Bernardino County and natural gas use would be approximately 0.08 percent of the existing natural gas use in San Bernardino County. Energy supplies to meet this demand are

available and development of new capacity is not required. With implementation of mitigation measure (MM) 6-1 and MM 6-2, identified in Section 4.6, Greenhouse Gas Emissions, the electricity and natural gas consumption would be reduced by 15 percent in residential land uses and 10 percent in non-residential land uses. The proposed project would not result in excessive long-term operational building energy demand.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

The analysis in Sections 4.1 through 4.14 of the EIR concludes that, despite implementation of mitigation measures, significant environmental impacts would result from the construction and operation of the proposed project. Significant and unavoidable impacts that would result from implementation of the proposed project include those listed below.

- **Operational Air Quality Impact.** Maximum daily emissions from project operations (mobile and consumer product sources) would exceed the South Coast Air Quality Management District's (SCAQMD's) CEQA significance thresholds for ozone (O_3) precursors (i.e., volatile organic compounds [VOCs] and nitrogen oxides [NOx]), carbon monoxide (CO), respirable particulate matter with a diameter of 10 microns or less (PM10), and fine particulate matter with a diameter of 2.5 microns or less (PM2.5).

- **Cumulative Air Quality Impact.** The project would result in significant and unavoidable cumulative long-term regional emissions of O_3 precursors (VOC and NOx), PM10, and PM2.5, all nonattainment pollutants, due to mobile and consumer product sources.

- **Air Quality Management Plan Consistency.** The proposed project would conflict with the SCAQMD's Air Quality Management Plan (AQMP) due to (1) the projected long-term operational emissions of non-attainment pollutants exceeding SCAQMD significance thresholds, which could increase the frequency or severity of existing air quality violations or delay timely attainment of air quality standards and (2) project trip generation at the project site substantially greater than trip generation anticipated in the General Plan for PAI [Planning Area I] resulting from proposed high density development and associated population growth in an area designated as a golf course in current planning documents.

- **Substantial Temporary or Periodic Increase in Noise.** Construction of the proposed uses would result in temporary noise impacts from construction activities because some of these activities may not be reduced to less than 65 A-weighted decibels (dBA) at residential receptors and 70 dBA at industrial or commercial receptors (the noise level standard established in the City's Development Code), and these noise levels would be substantially greater than existing noise levels that range from the low to high 50s dBA.

- **Construction-Related Noise Would Exceed Noise Standards.** Construction noise would potentially exceed the noise level limits established in the City's Development Code.

- **Population and Housing Growth.** With the development of up to 3,450 residential units, the proposed project would directly induce substantial housing and population growth in the City beyond adopted growth forecasts, resulting in a significant and unavoidable project impact. This is because the City's General Plan did not plan for the redevelopment of the project site. However, the proposed project would be consistent with local, regional, and State growth

strategies that encourage mixed use, higher density housing development near employment centers and transit opportunities.

- **Project-Related Traffic Impacts.** The proposed project would result in significant and unavoidable project impacts at one study area intersection, which is also a San Bernardino County Congestion Management Plan (CMP) intersection, under the Existing Plus Project traffic analysis scenario, and at seven study area intersections (including 5 CMP intersections) under the Completion Year 2024 Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable impacts along segments of Interstate (I) 10 and I-15 and at I-10 and I-15 on- and off-ramps under these traffic analysis scenarios; I-10 and I-15 are also CMP facilities.

- **Cumulative Traffic Impacts.** The proposed project would result in significant and unavoidable cumulative impacts at four study area intersections (including 3 CMP intersections) under the Cumulative Year (2036) Plus Project traffic analysis scenario. Additionally, the proposed project would have significant and unavoidable cumulative impacts along segments of I-10 and I-15 and at I-10 and I-15 on- and off-ramps under this traffic analysis scenario; I-10 and I-15 are also CMP facilities.

When an agency approves a project with significant environmental effects that will not be avoided or substantially lessened, in must adopt a "statement of overriding considerations" explaining that, because of the project's overriding benefits, the agency is approving the project despite its environmental harm. (14 Cal. Code Regs. § 15043.) The City's statement of overriding considerations for the Project is as follows:

The California Environmental Quality Act (CEQA) requires a public agency to balance the benefits of a proposed project against its significant unavoidable adverse impacts in determining whether to approve a project. The Project will result in environmental effects, which, although mitigated to the extent feasible by the implementation of mitigation measures required for the Project, will remain significant and unavoidable, as discussed in the Final Environmental Impact Report (EIR) and CEQA Findings of Fact. These impacts are summarized below and constitute those impacts for which this Statement of Overriding Considerations is made.

Findings:

The City Council hereby adopts all mitigation measures identified in the EIR. The City Council finds and determines in approving the Project that the Final EIR has considered the identified means of lessening or avoiding the Project's significant effects and that to the extent any significant direct or indirect environmental effects, including cumulative project impacts, remain unavoidable or not mitigated to below a level of significance after mitigation, such impacts are at an acceptable level in light of the social, legal, economic, environmental, technological and other project benefits discussed below, and such benefits override, outweigh, and make "acceptable" such remaining environmental impacts of the project (CEQA Guidelines Section 15092(b)).

The following benefits and considerations outweigh such significant and unavoidable adverse environmental impacts. All of these benefits and considerations are based on the facts set forth in the Findings, the Final EIR, and the record of proceedings for the Project. Each of these benefits and considerations is a separate and independent basis that justifies approval of the Project, so that if a court were to set aside the determination that any particular benefit or consideration will occur and justifies project approval, this City Council determines that it would stand by its determination that the remaining benefit(s) or consideration(s) is or are sufficient to warrant project approval.

Facts:

The Project would have the following benefits:

1. **Approval of the Project would ensure that development of the project site is accomplished consistent with numerous applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan.***

The proposed Specific Plan Amendment serves as a tool for implementing the preferred development strategies for Planning Area I of Industrial Area Specific Plan Sub-Area 18, a specific plan that is itself a tool for implementation of the City's General Plan. (See City of Rancho Cucamonga General Plan, at LU-48 through LU-53.) The Project includes high-density and medium-high density residential, mixed use, open space, and transit-oriented land uses near transit services, including the Rancho Cucamonga Metrolink Station and local regional activity centers.

As described in the EIR, at Table 4.9-2 in Section 4.9, and at Appendix D to Appendix B-2, approving the Project would further numerous goals and policies of the City of Rancho Cucamonga's General Plan. The City Council finds that the Project would advance and further the General Plan's policies and objectives for all of the reasons described in the EIR and its appendices. Particularly relevant goals and policies include, but are not limited to, the following:

- **Goal LU-1, "Ensure established residential neighborhoods are preserved and protected, and local and community-serving commercial and community facilities meet the needs of residents," and related policies.** The Project will support higher density living environments near transportation alternatives to protect existing neighborhoods from increased density pressures. The Project would encourage the development of commercial centers in the Transit Placetype, Mixed Use Placetype, and Mixed Use Overlay areas, serving a broad range of retail and service needs for the community.

- **Goal LU-2, "Facilitate sustainable and attractive infill development that complements surrounding neighborhoods and is accessible to pedestrians, bicycles, transit, and automobiles" and related policies.** The Project would promote mixed use and high density residential uses in a pedestrian-friendly setting with direct access to transit. The Specific Plan Amendment allows up to 3,450 residences, 220,000 square feet of non-residential, and 6.8 acres of recreation amenities within 0.5 mile of the Metrolink station. The Vine is designed as a "complete street," with pedestrian circulation provided by the Vine and through internal connections.

- **Goal LU-3, "Encourage sustainable development patterns that link transportation improvements and planned growth, create a healthy balance of jobs and housing, and protect the natural environment," and related policies.** The project would focus development on a previously disturbed infill site where development would cause minimal impact on natural resources and where residents would have access to existing infrastructure. In addition, the project would also encourage employment, professional, light industrial, and commercial uses on the project site in the Transit Placetype, Mixed Use Placetype, and Mixed Use Overlay areas.

- **Goal CM-2, "Plan, implement, and operate transportation facilities to support healthy and sustainable community objectives," and related policies such as CM-2.1, "Facilitate bicycling and walking citywide."** The Specific Plan Amendment includes a continuous pedestrian and bikeway corridor along the Vine that links users from the Metrolink station to 4th Street. Pedestrians may also use the existing 6th Street undercrossing to avoid the 6th Street intersection. The Vine is designed to include a protected bike lane for enhanced bicycle connectivity traveling north/south through the site. The Transit Placetype facilitates easy pedestrian and bicycle access through the site and supports transit and multi-modal users with commercial, retail, and services. At the time of development, plans will be reviewed by the City and/or transit agency for appropriate bus stops/shelter locations. Transit services may include, but not be limited to car-share facilities, bike-share stations, transit pass kiosks, or concierge services. All projects would meet CALGreen requirements related to bicycle parking.

- **Goal CS-1, "Provide attractive, high-quality community services facilities that adequately meet the community's need," and related policies.** Parkland/recreation facilities include the provision of on-site facilities and open space; provision of a 25,000 square foot joint use facility to be used by the Community Services Department, Library Department and Police Department or alternative community benefit agreed to be the City and the Property Owner/Developer; and payment of applicable mitigation fees. The Specific Plan Amendment requires the development of "3rd Place spaces" throughout the project to provide smaller passive and programmed open spaces; private recreation amenities will be provided in the REC Placetype.

- **Goal HE-1, "Allow and create new opportunities that enable a broad range of housing types, maintain a balanced supply of ownership and rental units, and provide sufficient numbers of dwelling units to accommodate expected new household formations," and related policies.** The Project would promote the development of up to 3,450 attached and detached medium-high and high-density housing units, Live-Work units, and Shopkeeper units.

The Council finds that the Project is more than merely "consistent" with the City's General Plan; the Project represents a specific and unusual opportunity to promote infill development on an already developed site, near to transit, in a manner that will advance important City policies and goals identified in the General Plan.

2. The Project would repurpose the existing golf course within a highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.

Because of its location, the Project site represents an unusual opportunity to promote environmentally beneficial infill development within the City. There are few other currently developed sites in the City that can be repurposed to create new housing opportunities and mixed-use development without causing any direct residential displacement. The project site also provides a rare opportunity to promote infill development on a site already surrounded by existing active development, and with significant proximity to existing employment, transit and entertainment uses, as described in Chapters 3 and 4 of the EIR.

3. **The Project would decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.**

As described in Chapters 3 and 4 of the EIR, the Project is located close to both transit service and existing employment-generating uses. For example, the Rancho Cucamonga Metrolink Station is immediately adjacent to and east of the northern portion of the project site, the entire project site is located in a High Quality Transit Area (HQTA), and the northern portion of the site (north of 6th Street) is in a Southern California Association of Governments' (SCAG)-designated Transit Priority Area. The area immediately surrounding the Project Site contains light and heavy industrial uses, office uses, and commercial/retail uses. By locating housing opportunities at a location near both transit and employment-generating uses, the Project will decrease dependency on the automobile and reduce associated air pollution and greenhouse gases, among other environmental benefits.

4. **The Project would provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.**

As described in Section 3.5.2 of the EIR and Section 7.3.6 of the Specific Plan Amendment, approval of the Project would result in the creation of a multi-modal circulation system that would address both regional and local circulation requirements and reinforce the goal of creating a pedestrian-friendly environment. The overall circulation concept places an emphasis on pedestrian, bicycle, and vehicular connectivity emanating from the Metrolink Station and major circulation corridors. The system is designed to provide easy access to the Metrolink Station for increased transit usage, which leads to a reduction in the number and length of vehicle trips, and associated reduction in greenhouse gas (GHG) emissions and an increase in energy conservation.

Primary vehicular access to Planning Area I is provided from 7th Street, 6th Street, and 4th Street. The overall on-site circulation concept places an emphasis on pedestrian, bicycle, and vehicular connectivity emanating from the Metrolink Transit Station and major circulation corridors. Internal circulation would be provided via a network of public and/or private residential collector roadways and local streets designed with on-street parking, street frontages and shaded pedestrian links and open spaces. A continuous connection from 4th Street to the Metrolink Station, via the proposed "Vine" and the Ion (pedestrian undercrossing at 6th Street) would allow seamless pedestrian connections without crossing a major road. Within the Placetypes, transitional spaces and pathways would connect enclaves and promote pedestrian circulation.

The Council finds that creation of the multi-modal circular system would provide significant benefits to the City and the region by, among other things, reducing dependence on the automobile, promoting pedestrian and bicycle usage, improving transportation efficiencies, enhancing the area surrounding the Metrolink station, conserving energy and reducing GHG emissions and air pollution.

5. **The Project would provide a range of housing options to meet the needs of a variety of demographics.**

The proposed Specific Plan Amendment would allow for the development of up to 3,450 residential units, including attached and detached high density and medium-high density housing. This would provide new housing options for workforce families and young professionals and would allow entry level and move-up home ownership opportunities in an urban setting. As described in more detail in Section 4.11, Population and Housing, the provision of housing at the project site would assist the City in its ability to achieve its share of the Regional Housing Needs Assessment (RHNA), as allocated by the Southern California Association of Governments (SCAG).

The Council finds that the Project would provide significant benefits to the City and region by maximizing the opportunity to create new and varied housing options on an infill site with direct proximity to transit.

6. Approval of the Specific Plan Amendment would result in the development of an attractive, viable development project that yields a reasonable return on investment.

The Specific Plan Amendment would establish a set of Landscape Design standards, Architectural Guidelines, and a Landscape Design scheme. The conceptual development plan strategically locates a range of Placetypes, which encourage variety within the built environment by addressing the relationship of the built form to people places rather than the strict relationship of uses to each other. The Urban Design Standards would prescribe the specific development potential and land uses as appropriate for each Placetype, and establish appropriate setbacks, edge conditions, open space requirements, and parking requirements, among other features.

The Architectural Guidelines would provide a design framework for parcels and buildings to convey an aesthetically interesting community identity within an urban living environment, promoting engaging streetscapes without limiting the product type or configuration of the built environment to allow for the greatest adaptability to market changes. The Guidelines would provide appropriate site planning criteria, scale, massing and articulation regulations, roof design requirements, and regulation of elevations, color application, and architectural styles, among other features. Under the Guidelines, the built environment at the Project site would exhibit design quality, including consideration of articulated entries and facades, proportionate windows, and quality building materials.

Finally, the Specific Plan Amendment's attention to landscape design will promote a distinct landscape character with a creative and unique landscape aesthetic. Streets will be designed to be enjoyable, walkable, and interactive to pedestrians. Interior streetscapes shall be designed to provide a cohesive and hierarchal element tying the community together as a whole. Wall treatments will be made more apparent and distinct with decorative pilasters accentuated by selected accent trees and plants for visual impact. Trees shall be strategically located so as not to interfere with driving visibility.

Sustainability is also an integral to Planning Area I's design, with features including the use of recycled water for landscaping, storm water management, and energy efficiency. The proposed project would also include the installation of on-site storm drain, water quality, water, sewer, electricity, natural gas, and telecommunications infrastructure systems to serve the proposed land uses. The on-site utility infrastructure would connect to existing utilities in the vicinity of the project site or new utility lines that would be installed in the roadways adjacent to the project site.

Together, establishment of these urban design standards, architectural guidelines, and landscape design schemes, among other features of the Project, will ensure that development at the project site will be of high quality design, attractive, and in keeping with the City's policies and priorities for development and design.

The City Council also finds that the density of development permitted through the Specific Plan Amendment is both appropriate for the site and also necessary to facilitate development of the site and result in an economically viable project.

7. The Project would provide tax revenue and employment opportunities and attendant economic benefits to the City.

During project construction, a number of design, engineering, and construction-related jobs would be created. In addition, as explained in Section 4.11, Population and Housing, of the EIR, buildout of the maximum amount of development allowed by the proposed Specific Plan Amendment would result in up to 3,450 residential units and 220,000 sf of non-residential uses, which could generate approximately 341 net new employment opportunities. As residential development occurs onsite, project residents and employees would seek shopping, entertainment, employment, home improvement, auto maintenance, and other economic opportunities in the surrounding area. In addition to the proposed non-residential uses, the proposed project is located near and within walking distance of existing employment and retail areas in the cities of Rancho Cucamonga and Ontario. The influx of new residents would spur economic development and business growth in these areas. All of this increased employment and economic activity would create additional tax revenue to the City and the region.

The Council finds that this additional tax revenue and economic activity would provide significant benefit to the City and to the region.

VI. FINDINGS REGARDING PROJECT ALTERNATIVES

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. The concept of "feasibility" encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509 [court upholds CEQA findings rejecting alternatives in reliance on applicant's project objectives]; see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (*CNPS*) ["an alternative 'may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record'"] (quoting Kostka & Zischke, *Practice Under the Cal. Environmental Quality Act* [Cont.Ed.Bar 2d ed. 2009] (*Kostka*), § 17.39, p. 825); *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166 (*Bay-Delta*) ["[i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary project objectives"; "a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal"].) Moreover, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors." (*City of Del Mar*, *supra*, 133 Cal.App.3d at p. 417; see also *CNPS*, *supra*, 177 Cal.App.4th at p. 1001 ["an alternative that 'is impractical or undesirable from a policy

standpoint' may be rejected as infeasible"] [quoting *Kostka, supra*, § 17.29, p. 824]; *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 17.)

Where an alternatives analysis required, CEQA requires evaluations of alternatives that can reduce the significance of identified Project impacts that will not be avoided or substantially lessened by mitigation measures and can "feasibly attain most of the basic objectives of the proposed Project." Thus, overall Project objectives were considered by the City in evaluating the alternatives.

The objectives that have been established for the proposed project are listed below.

1. Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan.*

2. Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.

3. Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.

4. Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.

5. Provide a range of housing options to meet the needs of a variety of demographics.

6. Develop an attractive, viable project that yields a reasonable return on investment.

The following findings and brief explanation of the rationale for the findings regarding Project alternatives identified in the EIR are set forth to comply with the requirements of Section 15091(a)(3) of the CEQA Guidelines.

The consideration of alternatives is an integral component of the CEQA process. The selection and evaluation of a reasonable range of alternatives provides the public and decision-makers with information on ways to avoid or lessen environmental impacts created by a proposed project. When selecting alternatives for evaluation, CEQA requires alternatives that meet most of the basic objectives of the Project, while avoiding or substantially lessening the Project's significant effects.

Four alternatives to the Project were defined and analyzed.

Alternative 1: No Project

As required by CEQA Guideline § 15126.6, the EIR describes and analyzes a "no project" alternative for the purpose of comparing the impacts of approving the Project with the impacts of not approving the Project. As described in Chapter 5, the EIR analyzes both types of no project alternative described in Guideline § 15126.6(e)(3). Under the "No Project/No Development Alternative," the development project would not proceed, and the existing golf course would remain operational. The "No Project/Existing General Plan and Zoning Alternative" assumes

continued operation of the golf course, but also redevelopment of Planning Area III with 290,000 square feet of mixed use commercial development.

Findings Regarding Environmental Impacts

The No Project/No Development Alternative would avoid significant air quality (operational, cumulative and AQMP consistency), construction-related noise, population and housing, and operational traffic impacts that would occur with implementation of the proposed project. Because no development would occur under the No Project/No Development Alternative, there would also be less impacts for the following environmental topics: aesthetics, biological resources, cultural resources, geology and soils, GHG emissions, hazardous and hazardous materials, hydrology and water quality, land use and planning, operational noise, public services and recreation, and utilities and service systems. The project's impacts for these topics are less than significant.

The No Project/Existing General Plan and Zoning Alternative would avoid significant air quality impacts that would occur with implementation of the proposed project, with the exception of direct and cumulative operational NOx emissions primarily from mobile sources. Population and housing impacts would also be avoided because the growth from development of Planning Area III is anticipated in the City and regional and local growth projections. Significant and unavoidable construction-related noise impacts that would occur with the proposed project would be reduced but would still be significant and unavoidable. The trip generation from this alternative would be reduced, thereby reducing traffic impacts compared to the proposed project. Less than significant project intersection impacts would be avoided at nine study area intersections; however, significant and unavoidable traffic impacts would only be avoided at two study area intersections. The proposed project's impacts along three freeway segments and at three freeway ramps where the project would cause a segment at LOS C or better without the project to become LOS D or worse with the project would be avoided with this alternative under the Existing Plus Project, and Completion Year 2024 Plus Project conditions. No cumulative traffic impacts would be avoided. The freeway facilities that are already operating at LOS D or worse under all traffic conditions would have significant and unavoidable impacts with this alternative, consistent with the proposed project. The amount of GHG emissions with development of 290,000 sf of mixed commercial uses in Planning Area III would be reduced compared to the proposed project, but the GHG impacts would be significant and unavoidable because the established efficiency threshold would not be met. This alternative would not conflict with any local or regional planning programs and would not result in any land use impacts, similar to the proposed project. There would be less impacts for the following environmental topics: aesthetics, biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, operational noise, public services and recreation, and utilities and service systems. The project's impacts for these topics are less than significant.

Findings Regarding Project Objectives

The two No Project alternatives would generally attain one of the Project Objectives (consistency with the General Plan) because they would be consistent with the existing General Plan land use designation and Zoning for the site, as outlined in the existing Empire Lakes/IASP Sub-Area 18 Specific Plan. The No Project alternatives would not attain any of the other project objectives, or attain the objectives to the same extent as the proposed project. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan.*** Under the No Project/No Development Alternative and No Project/Existing

General Plan and Zoning Alternative, the existing golf course would remain operational and would be consistent with the land use and zoning designations for the project site, which assume continued use of the site as a golf course or open space use, and potential redevelopment of Planning Area III. However, this alternative would not implement General Plan goals and policies to the same extent as the project to provide mixed use and high density residential areas near transit and along transit routes and to provide bicycle and pedestrian facility connections.

2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The No Project/No Development Alternative and No Project/Existing General Plan and Zoning Alternative would retain the golf course and would not introduce any new housing near existing employment, transit, and entertainment uses.

3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** The No Project/No Development Alternative would not decrease dependency on the automobile as it would not introduce any housing near existing employment-generation uses and transit service. There would be new employees generated with redevelopment of Planning Area III with mixed use commercial under the No Project/Existing General Plan and Zoning Alternative; however, there would not be efficient access to existing transit along 4th Street or the Metrolink Station.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** The No Project/No Development Alternative and No Project/Existing General Plan and Zoning Alternative would not introduce any new pedestrian, bicycle, or transit facilities that would decrease dependency on the automobile. The golf course would remain and would continue to be accessible only to golf course patrons.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The No Project/No Development Alternative and No Project/Existing General Plan and Zoning Alternative would not provide any housing.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** While development of Planning Area III, which encompasses only 11.5 acres of the approximately 160.4-acre site, may yield a reasonable return on investment, as previously noted, it is unknown if the golf course would remain operational if the project does not proceed. It is possible that continued operation of the golf course under both No Project alternatives would not yield a reasonable return on investment.

The EIR, including Section 5.0, contains additional facts and analysis supporting this Finding. Since Alternative 1 is infeasible in light of the Project Objectives, the City Council hereby rejects Alternative 1.

Alternative 2: Higher Density (4,000 Residential Units)

The purpose of the Higher Density Alternative is to further meet the project objectives related to the provision of housing near existing employment, transit, and entertainment uses and to reduce vehicle miles traveled (VMT). The Higher Density Alternative would involve a modification to the proposed Specific Plan Amendment to allow for a maximum of 4,000 residential units (2,100 north of 6th Street and 1,900 south of 6th Street) (refer to Table 5-1). The conceptual development plan by Placetype for this alternative would be the same as the proposed project, as presented in Exhibit 3-3. The distribution of Placetypes and permitted density ranges established in the proposed

Specific Plan Amendment would also be the same as with the proposed project. This information is provided in Table 7.1, PAI [Planning Area I] Development Program, of the proposed Specific Plan Amendment included in Appendix B, which is reproduced as Table 3-1 in Section 3, Project Description, of this Draft EIR. In summary, and as shown in Table 3-1 in Section 3, Project Description, there would be 220,000 square feet (sf) on non-residential development, 6.8 acres in the Recreation Placetype, 0.6 acres of Urban Plaza, 1.4 acres associated with the Metropolitan Water District (MWD) easement, and 17.4 acres of Roads and Miscellaneous Open Space, consistent with the proposed Specific Plan Amendment.

Findings Regarding Environmental Impacts

Due to the increase in the number of dwelling units and associated increase in population under the Higher Density Alternative, significant and unavoidable air quality, construction-related noise, population and housing, and traffic impacts resulting from the project would also occur with this alternative. Additionally, there would be increased traffic impacts with new significant and unavoidable intersection impacts at two locations. Thus, this alternative would worsen already significant impacts under Project conditions. For all other topical areas, including GHG emissions, similar or slightly increased impact levels would occur with this alternative compared to the proposed project; however, the impacts would be less than significant, consistent with the proposed project.

Findings Regarding Project Objectives

The Higher Density Alternative would meet most of the project objectives, but may not meet the objective for a reasonable return on investment. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan*.** Consistent with the proposed project, the Higher Density Alternative would not be consistent with the land use and zoning designations for the project site, which assume continued use of the site as a golf course or open space use. A General Plan Amendment and Zoning Amendment would be required. However, consistent with the proposed project, this alternative would implement General Plan goals and policies to provide mixed use and high density residential areas near transit and along transit routes and to provide bicycle and pedestrian facility connections.
2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The Higher Density Alternative would meet this objective to a greater extent than the proposed project as it would involve the redevelopment of the golf course with 4,000 new high-density and medium-high density dwelling near existing employment, transit, and entertainment uses that currently surround or are in proximity to the project site. This is an increase of 550 dwelling units compared to the proposed project.
3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** Consistent with the proposed project, the Higher Density Alternative would decrease dependency on the automobile as it would involve the construction of new housing and employment-generating uses near existing employment-generating uses and transit service.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** Consistent with the proposed project, the Higher Density Alternative would involve the construction of a multi-modal circulation system that accommodates not only vehicular circulation, but also pedestrian and bicycle facilities that would provide safe and efficient connections to existing and planned pedestrian and bicycle facilities and transit lines adjacent to the project site. The circulation system would also allow for continuous circulation that connects 4th Street to the Metrolink Station.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The Higher Density Alternative would allow for the development of up to 4,000 dwelling units, an increase of approximately 16 percent compared to the proposed Specific Plan Amendment, which would allow for up to 3,450 dwelling units. Based on the City's General Plan (Table LU-16, Land Plan Summary-Residential Designations), there would be 12,323 acres of residential development at buildout of the City. Of this amount, only 689 acres (approximately 6 percent) are identified for high density, medium-high density, and mixed use residential development. Consistent with the proposed project, the Higher Density Alternative would include high-density and medium-high density residential units that would help meet the needs of variety of demographics.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** This alternative would meet the objective to provide an attractive project since the development would comply with the development standard and guidelines outlined in the proposed Specific Plan Amendment. However, the construction costs for higher density development, which typically involves more wrap and podium type products, are substantially higher than wood frame, slab on grade products, which are anticipated with the proposed project. . In order to achieve that density proposed in the High Density Alternative, the Project Applicant would need to build more product types in the upper density ranges including five- to six- story podium, elevator buildings with underground parking. This type of construction typically costs up to 65 percent more than the cost to construct housing up to three levels without elevators. With the rents and sales prices in the local housing market fixed within a range supportable by median incomes, a greater proportion of higher density products would not be economically supportable. The increase costs with higher density development may be cost prohibitive so the assurance of a reasonable return on investment for this level of density would be questionable.

The EIR, including Section 5.0, contains facts and analysis supporting this Finding. Because this alternative would not avoid or substantially lessen any significant environmental effects of the Project, the Council hereby rejects Alternative 2.

Alternative 3 - Reduced Development Area/Executive Golf Course Alternative (2,650 Units North of 6th Street Only)

In Notice of Preparation (NOP) comment letters and during the Draft EIR public scoping process, several members of the public raised concerns regarding the loss of the existing Empire Lakes Golf Course. It was requested that the Draft EIR consider an alternative that would allow for development north of 6th Street while the area south of 6th Street be retained for golf course use, potentially as an executive golf course. The Reduced Development Area/Executive Golf Course Alternative has been developed to respond to these requests and to reduce construction-related and operational impacts resulting from the proposed project. With respect to the reduction in impacts, with the reduced number of units, this alternative addresses significant and unavoidable long-term air quality impacts (project and cumulative), inconsistency with the AQMP, construction-related

noise impacts, population and housing growth, and direct and cumulative traffic impacts. Construction impacts are reduced due to the reduction in development area (limited to the area north of 6th Street).

Findings Regarding Environmental Impacts

Operation-related air quality, construction-related noise, population and housing, and traffic impacts would be reduced with the Reduced Development Area/Executive Golf Course Alternative; however, they would still be significant and unavoidable, similar to the proposed project. This alternative would avoid four intersection impacts where the project's impact is less than significant with mitigation, and one significant and unavoidable intersection impact, and the significant and unavoidable operational PM2.5 impact and associated cumulative air quality impact resulting from the proposed project.

Because the physical impact area under the Reduced Development Area/Executive Golf Course Alternative would be reduced and there would be less residential units and associated population and traffic with development of only the area north of 6th Street, this alternative would have less impacts related to aesthetics, construction-related air quality emissions, biological resources, hazards and hazardous materials, hydrology/water quality, land use and planning, operational noise, and public services and recreation. Impacts related to cultural resources and geology and soils would be similar. The overall GHG emissions from this alternative would also be less than the proposed project; however, the efficiency threshold would be higher. The proposed project would result in less than significant impacts for each of these environmental topics.

Findings Regarding Project Objectives

The Reduced Development Area/Executive Golf Course Alternative would meet the project objectives, but not to the same extent as the proposed project because the amount of housing near transit is not maximized. Additionally, this alternative does not accomplish the same level of multi-modal circulation that would be provided by the project. These are key components of reducing dependency on the automobile and reducing associated air pollution and GHG emissions. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan.*** Consistent with the proposed project, development of the portion of the project site north of 6th Street would not be consistent with the land use and zoning designations for this site, which assume continued use of the site as a golf course or open space use. A General Plan Amendment and Zoning Amendment would be required. However, this alternative would implement General Plan goals and policies to provide mixed use and high-density residential areas near transit and along transit routes and to provide bicycle and pedestrian facility connections.
2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The Reduced Development Area/Executive Golf Course Alternative would meet this objective but not to the same extent as the proposed project. This alternative would provide 2,650 dwelling units compared to 3,450 dwelling units with the proposed project, a reduction of approximately 23 percent. With a reduction in units to accommodate retention of a portion of the golf course, the provision of housing near existing employment, transit, and entertainment uses is not being maximized.

3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** Consistent with the proposed project, the Reduced Development Area/Executive Golf Course Alternative would decrease dependency on the automobile as it would involve the construction of new housing and employment-generating uses near existing employment-generating uses and transit service but with fewer units this alternative would not maximize this objective.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** The Reduced Development Area/Executive Golf Course Alternative would involve the construction of multi-modal circulation system that accommodates not only vehicular circulation, but also pedestrian and bicycle facilities that would provide safe and efficient connections to existing and planned pedestrian and bicycle facilities and transit lines adjacent to the project site. However, these facilities would be limited to the area north of 6th Street and would not provide similar connectivity from 4th Street, which provides pedestrian, transit, and bicycle facilities. Therefore, the Reduced Development Area/Executive Golf Course Alternative would not meet this object to the same extent as the proposed project.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The Reduced Development Area/Executive Golf Course Alternative would involve the development of up to 2,650 dwelling units, a decrease of approximately 23 percent compared to the proposed Specific Plan Amendment, which would allow for up to 3,450 dwelling units. Based on the City's General Plan (Table LU-16, Land Plan Summary-Residential Designations), there would be 12,323 acres of residential development at buildout of the City. Of this amount, only 689 acres (approximately 6 percent) are identified for high-density, medium-high density, and mixed use residential development. The Reduced Development Area/Executive Golf Course Alternative would include high-density and medium-high density residential units, which would help the meet the needs of variety of demographics, but not to the same extent as the proposed project.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** This alternative would develop 2,650 units and 220,000 sf non-residential uses on the portion of the site north of 6th Street. The southern half of the project site would remain as an executive golf course. It is uncertain whether the return from 2,650 units and 220,000 sf of non-residential uses could support the development costs or that development returns could support the infrastructure and improvements costs required for the overall project. Additionally, it is unknown if operation of an executive golf course on the southern portion of the project site is economically viable.

The EIR, including Section 5.0, contains facts and analysis supporting this Finding. Since Alternative 3 is infeasible in light of the Project Objectives, it is hereby rejected by the City Council.

Alternative 4 – Increased Non-Residential/Optimized Mixed-Use (375,000 sf Non-Residential and 1,200 Units)

The purpose of this alternative is to address comments raised at the Draft EIR scoping meeting that (1) the project should have more non-residential development to provide a better balance for a mixed use development and (2) the residential development allowed by the proposed Specific Plan Amendment is too dense (with high-density residential uses). This alternative assumes that there would be an increase in non-residential development compared to the proposed Specific Plan

Amendment (375,000 sf compared to 220,000 sf) and that the residential density would be reduced (1,200 units compared to 3,450 units).

Findings Regarding Environmental Impacts

Operation-related air quality, construction-related noise, population and housing, and traffic impacts would be reduced with the Increased Non-Residential Development/Optimized Mixed Use Alternative; however, they would still be significant and unavoidable, similar to the proposed project. This alternative would avoid one significant and unavoidable intersection impact, and the significant and unavoidable for operational CO and PM2.5 impacts and associated cumulative air quality impacts resulting from the proposed project.

Because the physical impact area under this alternative is the same as with the proposed project, impacts related to biological resources, cultural resources, and geology and soils would be the same as the proposed project and would be less than significant. For all other topical areas, similar or reduced impact levels would occur with this alternative compared to the proposed project and would be less than significant.

Findings Regarding Project Objectives

The Increased Non-Residential Development/Optimized Mixed Use Alternative would not meet all of the project objectives, and with the exception of providing a multi-modal circulation system, would not meet any of the objects to the same extent as the proposed project. Specifically:

1. **Ensure that development of the project site is accomplished consistent with applicable goals and policies of the City of Rancho Cucamonga as set forth in the *Rancho Cucamonga General Plan*.** Consistent with the proposed project, the Increased Non-Residential Development/Optimized Mixed Use Alternative would not be consistent with the land use and zoning designations for the project site, which assume continued use of the site as a golf course, or open space use. A General Plan Amendment and Zoning Amendment would be required. This alternative would implement goals and policies to provide mixed use and residential areas near transit and along transit routes, and to provide bicycle and pedestrian facility connections, although not to the same extent as the proposed project. The General Plan goals and policies focus on the provision of high-density housing near transit facilities, consistent with project objectives discussed below.

2. **Repurpose the existing golf course within this highly active area to maximize housing near existing employment, transit, and entertainment uses, which are in proximity to the project site.** The Increased Non-Residential Development/Optimized Mixed Use Alternative would not meet this objective. While the golf course would be redeveloped with a mixed use development, the residential development is not maximized as demonstrated with the reduction in units (1,200 units compared to 3,450 units with the proposed project), and the lower densities that would be attained with 1,200 units (density ranges of 8 to 18 dwelling units per acre compared to 14 to 80 dwelling units per acre anticipated with the proposed project). Additionally, an important component of the proposed project is to provide higher-density residential uses in an area that already has employment-generating uses, transit, and entertainment uses. Increasing the non-residential development on the project site negates the benefit of providing housing by existing non-residential development. The "balance" of land uses that the proposed project is attempting to attain is not focused on the project site, but rather the larger area surrounding the project site, which is largely developed with non-residential

uses. As further discussed in this Draft EIR, this strategy is consistent with local and regional goals to reduce vehicle miles traveled and associated air quality and GHG emissions.

3. **Decrease dependency on the automobile and reduce associated air pollution and greenhouse gas emissions by locating new housing and new employment near existing employment-generating uses and transit service.** The Increased Non-Residential Development/Optimized Mixed Use Alternative would meet this goal by providing housing and employment-generating uses on the project site, which is currently developed with a golf course. However, this goal would not be met to the same extent as the proposed project due to the substantial reduction in the number of units.

4. **Provide a continuous multi-modal circulation system (which serves vehicular, pedestrian, and bicycle circulation) to allow future residents, employees and guests to access the Rancho Cucamonga Metrolink Station.** Consistent with the proposed project, the Increased Non-Residential Development/Optimized Mixed Use Alternative would involve the construction of a multi-modal circulation system that accommodates not only vehicular circulation, but also pedestrian and bicycle facilities that would provide safe and efficient connections to existing and planned pedestrian and bicycle facilities and transit lines adjacent to the project site. The circulation system would also allow for continuous circulation that connects 4th Street to the Metrolink Station.

5. **Provide a range of housing options to meet the needs of a variety of demographics.** The Increased Non-Residential Development/Optimized Mixed Use Alternative would involve the development of up to 1,200 dwelling units compared to the proposed project, which would allow for up to 3,450 dwelling units. Based on the City's General Plan (Table LU-16, Land Plan Summary-Residential Designations), there would be 12,323 acres of residential development at buildout of the City. Of this amount, only 689 acres (approximately 6 percent) are identified for high-density, medium-high density, and mixed use residential development. The Increased Non-Residential Development/Optimized Mixed Use Alternative would include residential uses, but it would not provide higher density uses, which are limited in the City and needed to help meet the needs of variety of demographics. Therefore, while this alternative would generally meet this objective, it would not meet it to the same extent as the proposed project.

6. **Develop an attractive, viable project that yields a reasonable return on investment.** This alternative would only develop 1,200 units, which is approximately 35 percent of the units allowed by the proposed Specific Plan Amendment. The development of 375,000 sf of non-residential uses represents an approximately 70 percent increase in non-residential compared to the proposed project. With the existing commercial, office and industrial uses surrounding the project site, and the current market conditions, it is uncertain whether there is a demand for 375,000 sf of non-residential development at the project site and whether it would be economically viable. In the 2nd quarter of 2015, the City of Rancho Cucamonga had approximately 658,000 sf of non-residential building space available, and the City of Ontario had approximately 777,000 sf available. This represents approximately 89 percent of the available building space in the western area of the Inland Empire, which includes the cities of Chino, Chino Hills, Fontana, Ontario and Rancho Cucamonga. Additionally, there has been a negative absorption through the 2nd quarter of 2015 (CBRE 2015). It is also uncertain whether the return from the development under this alternative could support the development costs or that development returns could support the infrastructure and improvements costs required for the overall project which would encompass the entire 160.4-acre site.

The EIR, including Section 5.0, contains facts and analysis supporting this Finding. Since Alternative 4 is infeasible in light of the Project objectives, the Council hereby rejects Alternative 4.

Environmentally Superior Alternative

The State CEQA Guidelines require the identification of an environmentally superior alternative to the Project. (CEQA Guidelines, Section 15126.6(e)(2).) An environmentally superior alternative is an alternative to the Project that would reduce and/or eliminate the significant adverse environmental impacts associated with the Project without creating other significant adverse environmental impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the Project. Selection of an environmentally superior alternative is based on an evaluation of the extent to which the alternatives reduce or eliminate the significant impacts associated with the Project and on a comparison of the remaining environmental impacts of each alternative. Section 15126.6(e)(2) of the State CEQA Guidelines states that, if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

The No Project/Existing General Plan and Zoning Alternative, even with redevelopment of Planning Area III, has the least impact to the environment and would avoid significant and unavoidable impacts of the project associated with air quality (with the exception of operational NOx emissions), and population and housing. Significant and unavoidable construction-related noise impacts and traffic impacts resulting from the proposed project would not be avoided but would be substantially reduced. GHG emissions would be reduced overall but with this alternative the efficiency threshold would not be met. This alternative, which involves continued operation of a golf course at the project site, would be consistent with the existing General Plan and zoning designations for the site, but would not meet the project objectives or not meet them to the same extent as the proposed project.

With regard to the remaining development alternatives, the Reduced Development Area/Executive Golf Course is environmentally superior to the project. As shown in Table 5-17 of the EIR, it would have less impacts for more environmental impact categories compared to the Higher Density Alternative, which has greater impacts than the project and the Increased Non-Residential Development/Optimized Mixed Use Alternative. The reduction in impacts for the Reduced Development Area/Executive Golf Course Alternative is due to the fact that this alternative would not involve development of the portion of the project site south of 4th Street (approximately 78.4 acres). This area would continue in its current condition with a golf course. Therefore, project impacts associated with physical changes to the site would be eliminated in this area.

Additionally, the Reduced Development Area/Executive Golf Course Alternative would involve the development of up to 2,650 residential units and 220,000 sf of non-residential uses concentrated in the portion of the project site north of 6th Street (82 acres). The reduction of 800 units would result in reduced trip generation (refer to Table 5-12) and reduced housing and population growth. Reduce traffic would reduce not only traffic impacts, but also operational air quality impacts, GHG emissions, and traffic noise. The reduction in housing and associated new residents would lessen the impacts of the project associated with unanticipated population and housing growth. This includes impacts to public services (fire, police, schools, libraries, and parks/recreation). However,

even with these reduced impacts, the Reduced Development Area/Executive Golf Course Alternative would not avoid the project's significant unavoidable impacts related to air quality (operational, cumulative, and AQMP consistency), construction-related noise impacts, population and housing growth, and traffic (direct and cumulative).

The Council hereby finds that the environmentally superior alternative is Alternative 1, and that Alternative 3 is the environmentally superior alternative among the other alternatives. However, for the reasons discussed above, Alternatives 1 and 3 are rejected because they are not feasible in light of the project objectives, among other factors.

VII. FINDINGS REGARDING RECIRCULATION OF THE DRAFT EIR

The City Council adopts the following findings with respect to whether to recirculate the Draft EIR. Under section 15088.5 of the CEQA Guidelines, recirculation of an EIR is required when "significant new information" is added to the EIR after public notice is given of the availability of the Draft EIR for public review but prior to certification of the Final EIR. The term "information" can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

> (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
>
> (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
>
> (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
>
> (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(CEQA Guidelines, § 15088.5.)

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The above standard is "not intend[ed] to promote endless rounds of revision and recirculation of EIRs." (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1132.) "Recirculation was intended to be an exception, rather than the general rule." (*Ibid.*)

The City Council recognizes that the Final EIR contains minor additions, clarifications, modifications, and other changes to the Draft EIR.

CEQA case law emphasizes that "'[t]he CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal.'" (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736-737; see also *River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11.) "CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process. In short, a project must be open for public discussion and subject to agency modification during the CEQA process." (*Concerned Citizens of Costa Mesa, Inc. v. 33rd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 936 (internal citations omitted).) Here, the changes made to the Draft EIR in the Final EIR are exactly the kind of revisions that the case law recognizes as legitimate and proper.

The City Council finds that none of the revisions to the Draft EIR made by, or discussion included in, the Final EIR involves "significant new information" triggering recirculation because the changes do not result in any new significant environmental effects, substantial increase in the severity of previously identified significant effects, or feasible project alternatives that would clearly lessen the environmental effects of the project. Under such circumstances, the City Council hereby finds that recirculation of the EIR is not required.

EMPIRE LAKES/IASP SUB-AREA 18
SPECIFIC PLAN AMENDMENT PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment Project

Applicant: City of Rancho Cucamonga

Prepared by: City of Rancho Cucamonga

Date: March 2016

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Aesthetics					
PDF 1-1 Section 7.3.4, Development Standards, of the proposed Empire Lakes/Industrial Area Specific Plan (IASP) Sub-Area 18 Specific Plan Amendment includes development standards by Placetype for PAI, including, but not limited to maximum building heights. Structures shall not exceed 70 feet above ground north of 6th Street, 60 feet above ground south of 6th Street, and 45 feet above ground adjacent to existing residential uses within 20 feet of the PAI boundary line. Compliance with the established height limits shall be confirmed by the City in accordance with implementation provisions outlined in Section 7.7 of the Empire Lakes/IASP Sub-Area 18 Specific Plan.	PD	A	Prior to issuance of building permits	C	
PDF 1-2 The construction staging area shall be located as far as possible from residential neighborhoods east of the project site, and perimeter fencing shall be installed to obstruct views from adjacent ground level vantage points into the project site during construction. Implementation of this feature shall be verified by the City during construction.	BO	C	During construction	A	

Key to Checklist Abbreviations

Responsible Person	Monitoring Frequency	Method of Verification
PD: Planning Director CE: City Engineer or designee BO: Building Official or designee PO: Police Captain or designee FC: Fire Chief or designee	A: With Each New Development B: Prior to Construction C: Throughout Construction D: On Completion E: During Occupancy/Operations	A: On-site Inspection B: Other Agency Permit / Approval C: Plan Check D: Separate Submittal (Reports/Studies/Plans)

MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 1-1 The maximum height of walls, fences and gates would not exceed the limits established in Section 17.48.050 of the City of Rancho Cucamonga Development Code, unless otherwise determined necessary for noise attenuation. Compliance with these requirements shall be confirmed by the Planning Department prior to issuance of building permits.	PD	A	Prior to issuance of building permits	C	
MM 1-1 Prior to the issuance of grading permits, the Property Owner/Developer shall provide evidence to the City that the contractor specifications require that the construction staging area be located as far as possible from the existing residential development east of the project site to minimize light intrusion. Temporary nighttime lighting installed during construction for security or any other purpose shall be downward-facing and hooded or shielded to prevent light from spilling outside the staging area and from directly broadcasting security light into the sky or onto adjacent residential properties. Compliance with this measure shall be verified by the City's Building and Safety Services Department during inspections of the construction site.	BO	B/C	Prior to the issuance of grading permits, and during construction	A/C	
Air Quality					
RR 2-1 During construction of future development in Planning Area (PA) 1, the Contractor shall comply with South Coast Air Quality Management District (SCAQMD) Rules 402 and 403, in order to minimize short-term emissions of dust and particulates. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the	BO	B/C	During plan check and construction activities	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
atmosphere beyond the property line of the emission source. This requirement shall be included as notes on the contractor specifications. Table 1 of Rule 403 prescribes the Best Available Control Measures that are applicable to all construction projects and is included in Appendix C. The developer of each project in PAI shall provide the City of Rancho Cucamonga with a SCAQMD-approved Dust Control Plan or other sufficient proof of compliance with Rule 403, prior to grading permit issuance.					
RR 2-2 Architectural coatings shall be selected so that the volatile organic compound (VOC) content of the coatings is compliant with SCAQMD Rule 1113. This requirement shall be included as notes on the contractor specifications. The specifications for each project in PAI shall be reviewed by the City of Rancho Cucamonga Building and Safety Services Department for compliance with this requirement prior to issuance of a building permit.	BO	A	Prior to issuance of building permits	C	
RR 2-3 Industrial, commercial, medical office, or similar uses developed in the Shopkeeper Units or Live/Work Units shall comply with SCAQMD Rule 201 and Regulation II (requiring a Permit to Construct prior to the installation of any equipment that may cause air contaminants) as well as Rule 203 (requiring a Permit to Operate prior to the use of any equipment that may cause air contaminants). These rules and regulation are required unless the equipment or aspects of the project are exempt under Rule 219, which identifies those equipment, processes, or operations that do not require permits. The developer of each project in PAI shall provide the City of Rancho Cucamonga with the SCAQMD-approved Permit to Construct and Permit to	BO	A	Prior to issuance of occupancy permits	D	

B, C, D 288

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Operate or other sufficient proof of compliance with Rules 201 and 203, prior to occupancy permit issuance.					
RR 2-4 Future development in PAI shall comply with SCAQMD Rule 445, Wood Burning Devices. Rule 445 was adopted to reduce emissions of fine particulate matter with a diameter of 2.5 microns or less (PM2.5) and precludes the installation of indoor or outdoor wood burning devices (i.e., fireplaces/hearths) in new development on or after March 9, 2009.	BO	A	Prior to issuance of building permits	C	
RR 2-5 Future development in PAI shall include bicycle parking in compliance with established standards in Section 17.64.100, Bicycle Parking Requirements, of the City of Rancho Cucamonga Development Code. These standards establish the required number and types of long-term and short-term bicycle parking spaces required in residential and visitor-attracting land uses.	PD	A	Prior to issuance of building permits	C	
RR 2-6 Future development in PAI shall operate in compliance with established standards in Section 17.66.060, Odor, Particulate Matter, and Air Containment Standards, of the City of Rancho Cucamonga Development Code. These standards address compliance with the rules and regulations of the air pollution control district and the state Health and Safety Code related to odorous emissions, particulate matter, and air containment; noxious odor emissions; restrictions on emission of dust and particulate matter; and location of exhaust air ducts away from abutting residentially zoned properties.	BO	A	Prior to issuance of building permits	C	

B, C, D 289

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 2-1 Prior to issuance of each grading and building permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that construction documents require construction contractors to implement the measure listed below. The contractor shall comply with the identified requirements, and verification that the contractor has complied shall be confirmed by the Building and Safety Services Department during construction. All off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by the California Air Resources Board (CARB). Any emissions-control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified Tier specification shall be provided to the Building and Safety Services Department at the time of mobilization of each applicable unit of equipment.	BO	B/C	Prior to issuance of grading and building permits / during construction	A/D	
MM 2-2 Construction activities for future development within PAI shall include the following measures to reduce criteria pollutant emissions. These measures shall be incorporated into the contractor specifications and shall be verified during review of project plans and specifications and during construction. • All construction equipment shall be maintained in	BO	B/C	Prior to issuance of building permits / during construction	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
good operating condition so as to reduce operational emissions. The contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturers' specifications. Maintenance records shall be available at the construction site for City verification. • The construction contractor shall utilize electric or clean alternative fuel-powered equipment where feasible. • The construction contractor shall ensure that construction-grading plans include a statement that work crews will shut off equipment when not in use.					
MM 2-3 Prior to the issuance of each non-residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits. • For buildings with 25,000 square feet or more net area and with more than ten tenant-occupants (i.e., employees), changing/shower facilities shall be provided as specified in Section A5.106.4.3, Nonresidential Voluntary Measures, of the California Green Building Standards (CALGreen) Code. • Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1, Nonresidential	BO	A/B/D	Prior to issuance of building permits and occupancy permits	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Voluntary Measures, of the CALGreen Code. • Facilities shall be installed to support future electric vehicle charging at each non-residential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3, Nonresidential Voluntary Measures (Tier 1), of the CALGreen Code.					
MM 2-4 Prior to the issuance of each residential building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have been incorporated into the building designs or specifications. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits. • One- and two-family dwellings shall provide for the future installation of electric vehicle charging, as specified in Section A4.106.8.1, Residential Voluntary Measures, of the CALGreen Code. • Visitor parking shall include preferentially located parking spaces for alternative-fueled vehicles. • Bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5).	BO	A/B/D	Prior to issuance of building permits and occupancy permits	C/D	
MM 2-5 Prior to issuance of each building permit for parking structures and parking lots with 20 or more parking spaces, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that the following features have	BO	A/B/D	Prior to issuance of building permits and occupancy permits	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
been incorporated into the parking facility. Proof of compliance shall be provided to the City of Rancho Cucamonga prior to the issuance of occupancy permits. • The parking facility shall include a minimum of five percent preferentially located parking spaces for alternative-fueled (electric, natural gas, or similar low-emitting technology) vehicles. • The parking facility shall include at least one electric vehicle charging station. Electrical lines shall be designed and sized to add additional charging stations for up to three percent of the total parking spaces when a demand is demonstrated. The design and installation shall be consistent with Section A4.106.8.2, Residential Voluntary Measures, of the CALGreen Code where this code is more stringent than City of Rancho Cucamonga Municipal Code Section 17.64.100 (RR 2-5). • For residential parking facilities, bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen code.					
MM 2-6 Once constructed, the Property Owner/Developer shall ensure that the tenants/operators of non-residential uses include the following features and procedures. Proof of compliance shall be provided to the City of Rancho Cucamonga within one month following the issuance of each occupancy permit. • Post signs requiring that trucks shall not be left idling for prolonged periods (i.e., in excess of 5 minutes, as	CE	D	One month after issuance of occupancy permit	D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
required by State law). • Post both bus and Metrolink schedules in conspicuous areas. • Configure the employee work schedules around the Metrolink schedule to the extent reasonably feasible.					
Biological Resources					
RR 3-1 All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA), the Golden Eagle Protection Act, and California Fish and Game Code Sections 3503, 3511 and 3513. The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by completing the following: • Construction activities involving vegetation removal shall be conducted between September 2 and January 31. If construction occurs inside the peak nesting season (between February 1 and September 1), a pre-construction survey (or possibly multiple surveys) by a qualified Biologist shall be conducted within 72 hours prior to construction activities to identify any active nesting locations. If the Biologist does not find any active nests, the construction work shall be allowed to proceed. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to active avian nests shall occur. If the biologist finds an active nest on the project site and determines that the nest may be impacted,	PD	B/C	Prior to construction/ during construction	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
the Biologist shall delineate an appropriate buffer zone around the nest. The size of the buffer shall be determined by the biologist in consultation with California Department of Fish and Wildlife (CDFW), and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. These buffers are typically 300 feet from the nests of non-listed species and 500 feet from the nests of listed species. Any active nests observed during the survey shall be mapped on an aerial photograph. Only construction activities (if any) that have been approved by a Biological Monitor shall take place within the buffer zone until the nest is vacated. The Biologist shall serve as a Construction Monitor when construction activities take place near active nest areas to ensure that no inadvertent impacts on these nests occur. Results of the pre-construction survey and any subsequent monitoring shall be provided to the Property Owner/Developer, CDFW and the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until written authorization is received by the applicant from CDFW.					
RR 3-2 All construction activities shall comply with Sections 3503, 3503.5, 3511 and 3513 of the *California Fish and Game Code*, which protect active nests of any raptor species, including common raptor species. Compliance with	PD	B/C	Prior to construction/ during construction	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
these codes shall be accomplished by completing the following: • If vegetation is to be cleared during the potential raptor nesting season (December 1 to August 31), all suitable habitat within 500 feet of the project site shall be thoroughly surveyed for the presence of nesting raptors by a qualified Biologist within 72 hours prior to clearing. If the Biologist does not find any active nests, the construction work shall be allowed to proceed. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to active avian nests shall occur. If any active nests are detected, the area shall be flagged and mapped on the construction plans with a buffer. The size of the buffer shall be determined by the biologist in consultation with CDFW, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. These buffers are typically 500 feet from the nests of raptors. The buffer area shall be avoided until the nesting cycle is complete or until it is determined that the nest has failed. Results of the pre-construction survey and any subsequent monitoring shall be provided to the Property Owner/Developer, CDFW and the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
designated buffer area shall not proceed until authorization is received by the applicant from CDFW. • Although presumed absent, prior to development of the project site, a pre-construction burrowing owl clearance survey shall be conducted to ensure burrowing owls remain absent from the project site. The clearance survey shall be conducted in accordance with the CDFW 2012 Staff Report on Burrowing Owl Mitigation which requires that two clearance surveys be conducted 14 – 30 days and 24 hours prior to any grading or vegetation removal on the project site. If burrowing owls are observed on the project site during the pre-construction surveys, a burrowing owl passive relocation plan shall be prepared and submitted to CDFW for review and approval prior to commencement of vegetation clearing/grubbing, grading, and construction activities on the project site. The burrowing owl relocation plan shall outline methods to passively relocate any burrowing owls occurring on the project site and ensure compliance with the MBTA and *California Fish and Game Code*.					
RR 3-3 All tree replacement, protection, and maintenance associated with implementation of the proposed project shall be conducted in accordance with the requirements set forth in Chapter 17.80 of the City's Development Code).	PD	A	Prior to issuance of grading permit/during construction	A/C	
RR 3-4 In compliance with the City's Tree Removal Permit process (Rancho Cucamonga Development Code, Chapter 17.16.080), the Property Owner/Developer shall obtain a Tree Removal Permit from the Planning Director prior to	PD	B	Prior to tree removal	D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
removal, relocation, or destruction of any heritage tree. The Tree Removal Permit application shall be submitted with each tentative subdivision map. Conditions imposed by the Planning Director for replacement of removed trees or tree relocation shall be completed by the Property Owner/Developer.					
Cultural Resources					
RR 4-1 If human remains are encountered during the conduct of ground-disturbing activities, Section 7050.5 of the California Health and Safety Code states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition of the materials pursuant to Section 5097.98 of the California Public Resources Code. The provisions of Section 15064.5 of the California Environmental Quality Act Guidelines shall also be followed. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC). The NAHC will determine and notify a Most Likely Descendent (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The descendent must complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. These requirements shall be included as notes on the contractor specification and verified by the Community Development Department, prior to issuance of grading permits.	PD/BO	C	Prior to issuance of grading permit/during grading and construction	C/D	
MM 4-1 Prior to site preparation or grading activities, construction personnel shall be instructed by a qualified	PD	B	Prior to the start of demolition,	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Archaeologist and qualified Paleontologist of the potential for encountering unique archaeological and/or paleontological resources and instructed on steps to take in the event such resources are encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that might be expected, the type of activities that may result in impacts, and the legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until a qualified Archaeologist or Paleontologist, as appropriate, assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of archaeological and paleontological resources is prohibited.			site clearing or grading		
MM 4-2 In the event that cultural resources are inadvertently unearthed during excavation and grading activities, the Contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The Property Owner/Developer shall retain a qualified Archaeologist (Project Archaeologist), subject to approval by the City of Rancho Cucamonga, to evaluate the significance of the find and to determine an appropriate course of action. All artifacts except for human remains and related grave goods or sacred objects belong to the Property Owner. All artifacts discovered at the development site shall be inventoried and analyzed by the Project Archaeologist. If any artifacts of Native American origin are discovered, the Property Owner/Developer and Project Archaeologist shall notify the City of Rancho Cucamonga Planning Department	PD	C	During grading and construction	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
and the appropriate local Native American tribe identified by the Native American Heritage Commission. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the tribe. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling (see RR 4-1). Native American artifacts that cannot be avoided or relocated at the project site shall be prepared in a manner for curation and the Project Archaeologist shall deliver the materials to an accredited curation facility approved by the City of Rancho Cucamonga within a reasonable amount of time. Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts shall be subjected to curation or returned to the Property Owner, as deemed appropriate. Once ground-altering activities have ceased or the Project Archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Rancho Cucamonga Planning Department. A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Rancho Cucamonga Planning Department, shall signify completion					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the Archaeological Information Center (AIC) at the San Bernardino County Museum and the Native American tribe, as appropriate.					
MM 4-3 If any paleontological resources (i.e., plant or animal fossils) are encountered before or during grading, the Property Owner/Developer shall retain a qualified Paleontologist to monitor construction activities, and to take appropriate measures to protect or preserve them for study. The paleontologist shall submit a report of findings that will also provide specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Where mitigation monitoring is appropriate, the program must include, but not be limited to, the following measures: • Assign a Paleontological Monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full time during earth-disturbing activities. • Divert earth-disturbing activities away from the immediate area of the discovery until the Paleontological Monitor has completed salvage. If construction personnel make the discovery, the grading contractor shall immediately divert construction and notify the Paleontological Monitor of the find. • Prepare, identify, and curate all recovered fossils for documentation in the summary report and transfer to an appropriate depository (e.g., San Bernardino	PD	C	During grading and construction	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
County Museum). • Prepare and submit a technical report describing the identification, salvage, evaluation, and treatment of all fossils discovered during grading to the City of Rancho Cucamonga. Transfer collected specimens with a copy of the report to the depository.					
Geology and Soils					
RR 5-1 In accordance with the City's Building Regulations, as contained in Title 15, Buildings and Construction, of the Rancho Cucamonga Municipal Code, which includes adoption of the 2013 California Building Code (CBC), all construction in Planning Area (PA) 1 shall comply with the CBC and the amendments and exemptions to the CBC that the City has adopted. This Title requires site-specific investigation and establishes construction standards and inspection procedures to ensure that development does not pose a threat to public safety.	BO	B/C	Prior to issuance of building permits	A/C	
RR 5-2 All grading operations and construction in PAI shall be conducted in conformance with the applicable City of Rancho Cucamonga Grading Standards (Municipal Code Chapter 19.04). Grading operations shall also be consistent with the recommendations included in the most current geotechnical reports for the project area prepared by the Engineer of Record.	BO	B/C	During construction	A/C	
RR 5-3 Development in PAI shall comply with Section 17.66.060 of the Rancho Cucamonga Development Code, with regard to dust control. Specifically, "no dust or particulate matter shall be emitted that is detectable by a reasonable person without instruments". Further the project shall comply with the rules and regulations of the South	BO	B/C	Prior to issuance of building permits/ during construction	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Coast Air Quality Management District and the California Health and Safety Code related to dust control.					
RR 5-4 In accordance with Chapter 17.56, Landscaping Standards, of the Rancho Cucamonga Development Code, which establishes minimum landscape requirements to control soil erosion, among other purposes, development in PAI shall submit preliminary and final landscape and irrigation plans as part of the design review process (Section 17.20.040 of the Rancho Cucamonga Development Code).	PD	A	Prior to approval of site plans	C/D	
MM 5-1 Prior to approval of each tentative tract map and/or development application, supplemental geotechnical investigations prepared by a qualified engineer licensed by the State of California to perform such work, shall be provided to the City Engineer. The supplemental geotechnical investigation shall include sampling of representative soils and laboratory tests, as necessary, to confirm the information provided in the Geotechnical Feasibility Study Proposed Mixed-Use Commercial and Residential Development Empire Lakes Golf Course Property Rancho Cucamonga, California (dated March 23, 2015, and prepared by LOR Geotechnical Group, Inc.) (Geotechnical Feasibility Study). The supplemental geotechnical investigation shall incorporate recommendations from the 2015 Geotechnical Feasibility Study, listed below, and shall identify additional site-specific recommendations developed based on the results of the site-specific analysis. Recommendations shall include, but not be limited to, the following areas, as identified in the 2015 Geotechnical Feasibility Study: • General Site Grading	CE/BO	A/B/C	Prior to approval of each tentative tract map and/or development application	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
• Initial Site Preparation • Preparation of Fill Areas • Preparation of Foundation Areas • Engineered Compacted Fill • Short-Term Excavations • Slope Construction • Slope Protection • Soil Expansiveness • Foundation Design • Settlement • Slabs-on-Grade • Wall Pressures • Pavement Design • Sulfate Protection • Supplemental Geotechnical Investigation and Plan Reviews • Construction Monitoring The City Engineer shall confirm that site-specific recommendations are incorporated into the project.					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 5-2 The final grading plan, appropriate certifications and compaction reports shall be completed, submitted, and approved by the Building and Safety Official prior to the issuance of building permits.	BO	A/B	Prior to issuance of building permits	C/D	
MM 5-3 A separate grading plan check submittal shall be required where improvements being proposed would generate 50 cubic yards or more of combined cut and fill. The grading plan shall be prepared, stamped, and signed by a California registered Civil Engineer.	CE	A/B	Prior to issuance of building permits	C/D	
Greenhouse Gas Emissions					
PDF 6-1 The proposed project shall include the planting of a minimum of 5,600 new trees to provide sequestration of CO2 thereby reducing the net GHG emissions attributable to the project.	PD	A/B	Prior to approval of each tentative tract map and/or development application	C/D	
RR 6-1 Projects shall be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods. The 2013 standards, which were effective July 1, 2014, are approximately 25–30 percent more energy efficient than the 2008 Building and Energy Efficiency Standards.	BO	A/B	Prior to issuance of building permits	C	
RR 6-2 The project shall be designed in accordance with the applicable California Green Building Standards (CALGreen) Code (24 CCR 11).	BO	A/B	Prior to issuance of building permits	C	
RR 6-3 The Property Owner/Developer shall install recycled water systems for all projects with a total landscape area equal to or greater than 2,500 square feet as required	CE	A/B	Prior to issuance of building permits	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
by Section 17.82 of the Rancho Cucamonga Municipal Code.					
RR 6-4 The project shall be designed in accordance with the applicable residential and non-residential sections of the CALGreen Building Code as designated in the City of Rancho Cucamonga Green Building Compliance Matrices, as required by Section 17.50 of the Rancho Cucamonga Municipal Code.	BO	A/B	Prior to issuance of building permits	C	
MM 6-1 Prior to the issuance of each building permit, the Property Owner/Developer and its contractors shall provide plans and specifications to the City of Rancho Cucamonga demonstrating that high efficiency non-incandescent light bulbs and lighting fixtures shall be installed in residential and non-residential buildings, and Energy Star-rated appliances for clothes washers, dish washers, refrigerators, and fans shall be installed in all residences. Alternatively, the Property Owner/Developer or its contractors shall submit for approval alternate measures to provide GHG emissions reductions equivalent to those achieved by the installation of high-efficiency lighting and Energy Star appliances, which is 814 MTCO2e per year, as shown in Table 4.6-14.	BO	A/B	Prior to issuance of building permits	C/D	
Hazards and Hazardous Materials					
PDF 7-1 As identified in Table 7.4, Development Standards, of the proposed Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment, and in compliance with the height restrictions identified in Section 5.3.2 of the Empire Lakes/IASP Sub-Area 18 Specific Plan, primary buildings in PAI north 6th Street shall not exceed 70 feet and primary buildings south of 6th Street shall not exceed 60 feet.	PD	A/B	Prior to approval of each tentative tract map and/or development application	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 7-1. Future development in the Empire Lakes/IASP Sub-Area 18 Planning Area (PA) I shall comply with the Hazardous Materials Transportation Act, as administered by the U.S. Department of Transportation, which governs the transport of hazardous materials and wastes. Vehicles transporting hazardous materials are required to comply with the regulations, as implemented by the California Department of Transportation (Caltrans).	FC	C/E	During construction and operations	A/B	
RR 7-2 Future development in PAI shall comply with the Resource Conservation and Recovery Act (RCRA), the California Hazardous Waste Control Act, and the California Accidental Release Prevention Program, where applicable, which collectively manage the transport, storage, use, and disposal of hazardous materials and wastes.	FC	C/E	During construction and operations	A/B	
RR 7-3 Future development in PAI shall comply with Section 17.66.040, Hazardous Materials, of the City of Rancho Cucamonga Development Code to ensure that required information is reported to the Rancho Cucamonga Fire District, as the regulatory authority. Businesses required by State law to prepare hazardous materials release response plans and Hazardous Materials Inventory Statements shall, upon request, submit copies of these plans, including any revisions, to the Fire District. Underground storage of hazardous materials shall comply with all applicable requirements and shall comply with the procedures for notification outlined in this section.	FC	E	During operations	A/B/D	
RR 7-4 PAI is within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ONT ALUCP). As identified in Section 7.7.5, ALUCP Compliance, of the proposed Specific Plan Amendment, construction activities and future development	PD	A/B	Prior to approval of each tentative tract map and/or development application	B/C	

Key to Checklist Abbreviations

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
in PAI shall be implemented in compliance with the applicable policies and requirements as identified in the ONT ALUCP. These include, but are not limited to: • **Compliance with Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace, Subpart C, Obstruction Standards (Airspace Protection Policy A1).** As identified in Section 5.3.2, Architecture/Building Heights/Massing, of the Empire Lakes/IASP Sub-Area 18 Specific Plan, building height limits in Sub-Area 18 shall not exceed the height limits prescribed in the ONT ALUCP. Proposed structures shall comply with Federal Aviation Administration (FAA) height restrictions. Prior to approval of each tract map and/or parcel map, whichever comes first, the Property Owner/Developer shall submit an FAA Determination of No Hazard to Air Navigation to the City of Rancho Cucamonga. The Property Owner/Developer shall notify the FAA via filing FAA Form 7460-1 to initiate the FAA review and determination process. The Property Owner/Developer shall comply with the requirements of the FAA determination, including but not limited to further aeronautical study; installation of roof-top obstruction lighting; and/or marking requirements, if necessary. • **Avigation Easement.** In compliance with ONT ALUCP Airspace Protection Policy A2b and Special Compatibility Policy SP1a, an avigation easement shall be dedicated to the owner/operator of the Ontario International Airport for any portion of PAI					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
that is within the High Terrain Zone, which includes the areas between 4th Street and 6th Street. • **Real Estate Transaction Disclosure.** In compliance with Airport Land Use Compatibility Plan for LA/Ontario Airport's (ONT ALUCP's) Overflight Policy O2, a Real Estate Transaction Disclosure is required for all development in PAI. State Law (Business and Professions Code Section 11010) provides the following disclosure language: NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example, noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.					
Hydrology and Water Quality					
RR 8-1 The Property Owner/Developer shall comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit) applicable at the time a grading permit is issued. The Property Owner/Developer shall prepare and implement	BO	A/B/C	Prior to issuance of grading permits/ during construction	A/B/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
a Storm Water Pollution Prevention Plan (SWPPP), which must include erosion- and sediment-control Best Management Practices (BMPs) that will meet or exceed measures required by the determined risk level of the Construction General Permit, as well as BMPs that control the other potential construction related pollutants. A Construction Site Monitoring Program that identifies monitoring and sampling requirements during construction is a required component of the SWPPP. Evidence of compliance with the NPDES Construction General Permit shall be provided to the City's Building and Safety Services Director prior to issuance of a grading permit.					
RR 8-2 The Property Owner/Developer shall comply with Section 19.20.260, Water Quality Management Plan, of the Rancho Cucamonga Municipal Code, which requires that all qualifying land development/redevelopment projects submit and have approved a water quality management plan (WQMP) to the City's Building and Safety Services Director on a form provided by the City. The WQMP shall identify all BMPs to be incorporated into the project to control storm water and non-storm water pollutants during and after construction.	BO	A/B	Prior to issuance of grading permits	D	
RR 8-3 The Property Owner/Developer shall comply with Chapter 19.20 of the Rancho Cucamonga Municipal Code, which is the City's Storm Water and Urban Runoff Management and Discharge Control Ordinance and which provides regulations to comply with the Clean Water Act (CWA), the California Porter-Cologne Water Quality Control Act, and the NPDES permit for San Bernardino County. This ordinance prohibits the discharge of specific pollutants into the storm water; regulates connections to the storm drain	BO	E	During operations	A/B	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
system; and requires development projects to implement permanent BMPs on individual sites to reduce pollutants in the storm water.					
RR 8-4 The Property Owner/Developer shall comply with Chapter 6.6, Storm Water Drainage System, of the City of Ontario Municipal Code, for the necessary connections to the City of Ontario storm drain system. The Chapter provides regulations to comply with the CWA, the California Porter-Cologne Water Quality Control Act, and the NPDES permit for San Bernardino County, and to effectively prohibit non-storm water discharges into the City's storm water drainage system. In addition to dischargers in the City of Ontario, this chapter applies to dischargers outside the City who, by agreement with the City, utilize the City's storm water drainage system.	CE	B/E	Prior to issuance of building permits/ during operations	A/C	
Noise					
PDF 10-1 As identified in Section 7.3.4(b), Rail Road Edge, of the proposed Specific Plan Amendment, a solid wall shall be installed along the northern property line to provide noise reduction and a visual barrier from the adjacent rail line. The wall shall be at least six feet high. Where feasible, a berm, or berm-wall combination may be used.	BO	B	Prior to issuance of building permits	C	
RR 10-1 Noise-generating construction activities shall comply with Section 17.66.050(D)(4) of the City of Rancho Cucamonga Development Code as follows: • Construction adjacent to residences shall be limited to the hours of 7:00 AM to 8:00 PM, Monday through Saturday, with no construction on Sundays or National Holidays and shall not exceed 65 dBA at the	BO	C	During grading and construction	A	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
adjacent property line. • Construction adjacent to commercial or industrial uses shall be limited to the hours of 6:00 AM to 10:00 PM on all days and shall not exceed 70 dBA at the adjacent property line.					
RR 10-2 Future development in Planning Area (PA) 1 shall comply with Title 24 of the California Building Standards Code, which establishes building standards applicable to all occupancies throughout the state. Title 24 requires that residential structures (other than detached single-family dwellings) be designed to prevent the intrusion of exterior noise such that the interior noise level (CNEL) with windows closed shall not exceed 45 dBA in any habitable room.	BO	A/B	Prior to issuance of building permits	C	
RR 10-3 Noise-generating operational equipment in PAI shall be designed and installed to comply with Section 17.66.050(F)(1) of the City of Rancho Cucamonga Development Code, which limits exterior noise to residential receptors to 65 A-weighted decibels (dBA) or less between 7:00 AM and 10:00 PM and to 60 dBA or less between 10:00 PM and 7:00 AM. (Noise levels are determined based on measurements at the adjacent residential property line).	CE	B/E	Prior to issuance of building permits	A/C	
RR 10-4 Operations and businesses in PAI shall be conducted to comply with Section 17.66.050(G) of the City's Development Code, which has the following provisions: • Commercial and office activities shall not create exterior noise that, when measured at the adjacent property line, exceeds 65 dBA between 10:00 PM and 7:00 AM and that exceeds 70 dBA between 7:00 AM and 10:00 PM.	CE	E	During operations	A	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
• Between 10:00 PM and 7:00 AM, no loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects shall cause a noise disturbance to a residential area. • Between 10:00 PM and 8:00 AM, no repairing, rebuilding, modifying, or testing or any motor vehicle, motorcycle, or motorboat shall cause a noise disturbance in an adjacent residential area.					
MM 10-1 Prior to the issuance of each grading permit, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the equipment to be used for demolition and grading that would occur within 25 feet of an off-site structure shall not include vibratory rollers, large bulldozers, or similar heavy equipment. Vibratory rollers operated in the static mode would be allowed.	PD	A/B/C	Prior to issuance of grading permits/ During construction	A/C/D	
MM 10-2 Prior to issuance of building permits for buildings within 200 feet of the railroad tracks north of the project site, the Property Owner/Developer shall submit a vibration analysis to the City of Rancho Cucamonga Building Official that demonstrates that anticipated building vibrations, based on the best available forecast of future rail operations, would not exceed the vibration impact criteria recommended by the Federal Transit Administration or similar authority. The vibration analysis shall describe if increased setback or vibration-reducing structural building elements are required to achieve the performance standard.	BO	A/B	Prior to issuance of building permits	D	
MM 10-3 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences, the	PD	A/B/C	Prior to issuance of demolition or	A/C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Property Owner/Developer shall submit construction plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that the installation of a temporary noise barrier between the construction area and the adjacent residences is required. The barrier shall be 12 feet high and solid from the ground to the top. The barrier shall be constructed with plywood that is at least ½ inch thick or with another material that creates a noise transmission loss of at least 20 dBA. For maximum effectiveness, the barrier shall be located as close as feasible to the residences or as close as feasible to the noise sources. Where feasible, the barrier shall remain in place until the completion of construction near residences.			grading permits/ during construction		
MM 10-4 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences or within 325 feet of commercial or industrial buildings, the Property Owner/Developer shall submit a construction-related noise mitigation plan to the Rancho Cucamonga Planning Department. The plan shall depict the location of the construction equipment and how the noise from this equipment would be mitigated during construction of the project. The plan shall demonstrate that the construction plans and specifications include the following noise-abatement, notification, and control measures: • All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State-required noise-attenuation devices. • Stationary construction equipment shall be placed such that emitted noise is directed away from	PD	B/C	Prior to issuance of demolition or grading permits/ during construction	A/C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
sensitive noise receivers. • On-site and off-site construction haul routes shall be designed to avoid noise-sensitive uses, as feasible. • If a perimeter block wall is required for a project, the wall shall be constructed as early as possible during the first phase of construction. • A "Construction Noise Coordinator" shall be identified. The Construction Noise Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Construction Noise Coordinator shall notify the City within 48 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler) and shall implement reasonable measures to resolve the compliant, as deemed acceptable by the Planning Department. Signs shall be posted at the construction that include the contact information for the Construction Noise Coordinator.					
MM 10-5 Prior to the issuance of each permit for site clearing and demolition, the Property Owner/Developer shall submit plans and/or specifications to the Rancho Cucamonga Planning Department demonstrating that, if crushing, grinding, chipping or similar equipment is to be used, the equipment must be located at least 500 feet from residences and at least 300 feet from commercial or industrial buildings and oriented so that the noisiest side is facing away from the residences.	PD	A/B/C	Prior to issuance of demolition or grading permits	A/C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 10-6 Prior to issuance of building permits for buildings adjacent to 4th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 4th Street. The Property Owner/Developer shall also submit plans and specifications showing that: • All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed. • All exterior use areas within 200 feet of 4th Street shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.	BO	A/B	Prior to issuance of building permits	C/D	
MM 10-7 Prior to issuance of building permits for buildings adjacent to 6th Street, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing 6th Street. The Property Owner/Developer shall also submit plans and specifications showing that: • All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with	BO	A/B	Prior to issuance of building permits	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
windows closed. • All exterior use areas shall be located behind the buildings or shielded by a sound wall or other barrier to provide exterior noise levels not exceeding 70 dBA CNEL.					
MM 10-8 Prior to issuance of building permits for buildings facing adjacent to or near the northern property line, the Property Owner/Developer shall submit an acoustical study to the City of Rancho Cucamonga Building Official that demonstrates that the proposed architectural design would provide an interior noise level of 45 dBA CNEL or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings facing the rail line. The Property Owner/Developer shall also submit plans and specifications showing that: • All residential units shall be provided with a means of mechanical ventilation, as required by the California Building Code for occupancy with windows closed.	BO	A/B	Prior to issuance of building permits	C/D	
Public Services					
PDF 12-1 In compliance with Section 7.4.1, Site Planning Criteria, of the proposed Specific Plan Amendment, appropriate Crime Prevention Through Environmental Design (CPTED) features, as determined by Rancho Cucamonga Police Department (RCPD) in coordination with the Community Services Department and the Public Works Service Department, shall be implemented in Planning Area I. CPTED features incorporated into the design of spaces shall include, but not be limited to, territorial reinforcement, strategic natural surveillance, well-lit spaces, and	PD/PO	A/B	Prior to issuance of building permits	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
appropriate maintenance. CPTED review of each proposed development shall be completed by the RCPD prior to issuance of building permits. Additionally, infrastructure to support the RCPD electronic systems shall be provided; the systems to be installed shall be coordinated with and approved by the RCPD.					
PDF 12-2 To provide space for the Library Services, Community Services, and Police Departments, and ancillary use by the Public Works Department, a Joint Use Public Facility shall be accommodated within PAI. The provisions for ensuring implementation of this facility in PAI shall be outlined in the proposed Development Agreement between the Project Applicant and the City. The resources provided by the Joint Use Public Facility shall be sufficient to adequately serve the future project residents, employees and visitors, as determined by the City. The final size, location, operational requirements, and design features of the facility shall be determined during the master planning stage of the area north of 6th Street in coordination with the respective City departments. It is expected that the Joint Use Public Facility would be up to 25,000 sf, and the square footage would be within the maximum amount of non-residential development allowed by the proposed Specific Plan Amendment. In the event the Development Agreement is not approved, establishment of provisions for implementation of a Joint Use Public Facility within PAI shall be required as a Condition of Approval. The condition shall be included in the Mitigation Monitoring Program and specify that construction of the facility shall commence no later than the issuance of the building permit for the 2,000th residential dwelling unit.	PD	B	Prior to approval of Development Agreement or prior to issuance of building permit for the 2,000th residential dwelling unit	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
PDF 12-3 As shown on Exhibit 3-4, Conceptual Development Plan by Placetype, the Empire Lakes/IASP Sub-Area 18 Specific Plan Amendment includes three central community recreation (REC) areas (approximately 6.8 acres) and a 0.6-acre Urban Plaza. The (REC) areas may include the following types of amenities: fitness area, pool and spa, community meeting rooms, and plaza space.	PD	B	Prior to approval of each tentative tract map and/or development application	C	
PDF 12-4 The proposed/potential Development Agreement for the proposed project, or separate agreement between the City and the Property Owner/Developer or entity under common ownership, shall address the Rancho Cucamonga Fire Protection District's (RCFPD) acquisition, at fair market value, of the property at Assessor Parcel Number No. 1077-422-58, or other site acceptable to the Rancho Cucamonga Fire Protection District (RCFPD) for a potential future fire station within 0.5-mile of the identified fire station site. A purchase and sale agreement shall be executable immediately upon granting of any final approvals for the General Plan Amendment and Specific Plan Amendment. If no final approvals are granted the purchase and sale agreement may only be executed if both parties mutually agree.	PD/FC	B	Upon granting of final approvals or as mutually agreed upon	D	
RR 12-1 The Property Owner/Developer shall comply with all applicable codes, ordinances and standard conditions, including the current edition of the California Fire Code and the Rancho Cucamonga Fire Protection District (RCFPD) Fire Protection Standards and Guidance Documents, regarding fire prevention and suppression measures, fire hydrants, automatic fire extinguishing systems, access, water availability, and fire sprinkler system, among other measures. Prior to issuance of building permits, the	FC/BO	A/B/D	Prior to issuance of building permits and occupancy permits	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
Planning Department and RCFPD shall verify compliance with applicable codes and that appropriate fire safety measures are included in the project design. All such codes and measures shall be implemented prior to occupancy.					
RR 12-2 Pursuant to Chapter 3.52 (Community and Recreation Center Impact Fee), Chapter 3.56 (Library Impact Fee), Chapter 3.64 (Police Impact Fee), and Chapter 3.68 (Park In-Lieu/Park Impacts Fees) of the City's Municipal Code, prior to issuance of each building permit, the Property Owner/Developer shall be responsible for payment of the City's Development Impact Fees in an amount established by City Council Resolution. The fees paid shall be that in effect at the time of issuance of the building permit, subject to applicable fee credits for community facilities provided as part of the project.	PD	A/B	Prior to issuance of building permits	C	
RR 12-4 Prior to the issuance of each building permit, the Property Owner/Developer shall pay applicable developer's fees to the impacted school district(s) pursuant to Section 65995 of the California Government Code. Under State law, payment of the developer fees provides full and complete mitigation of the project's impacts on school facilities. Evidence that these fees have been paid shall be submitted to the Planning Department.	PD	A/B	Prior to issuance of building permits	C	
RR 12-3 Pursuant to Chapter 16.32, Park and Recreational Land, of the City's Municipal Code, as a condition to the approval of a tentative map, parcel map, planned community, land development or real estate development (assuming future project entitlements include one or more of these approvals), the Property Owner/Developer shall dedicate land, pay in-lieu fees, or do a combination of both for the provision of neighborhood and community park or	PD	A/B		C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
recreational purposes. Land to satisfy dedication requirements is required to be conveyed to the City at the time of recordation of the final map or parcel map. In lieu fees are required to be paid to the City prior to the issuance of building permits. The provision of on-site private open space and recreational facilities may be credited against the parkland dedication and/or fee requirement at the discretion of the Planning Commission, assuming standards outlined in the Municipal Code are met.					
Transportation/Traffic					
PDF 13-1 The Property Owner/Developer shall construct the following intersection improvements at the project access locations: • 7th Street and Cleveland Avenue: Side-street stop control • 7th Street and Anaheim Place: Side-street stop control • 6th Street and Project Access: Signalized intersection • 4th Street and Project Access: Signalized intersection • Site access improvements at the Metrolink Transit Station.	CE	C/D	Prior to issuance of occupancy permits	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 13-1 Work within streets, sidewalks, and public places shall comply with Title 12 of the City of Rancho Cucamonga Municipal Code, and Chapter 3 of the City of Ontario Municipal Code, which require an encroachment permit from the City. The City of Rancho Cucamonga also requires compliance with applicable standards in the Manual on Uniform Traffic Control Devices (MUTCD). Application for the permit shall be made as part of the respective plan check process and prior to any work on public areas or rights-of-way.	CE	B/C	Prior to issuance of building permits/ during construction	A/B/C	
RR 13-2 In accordance with Chapter 3.28, City-Wide System Fees for Transportation Development, of the City of Rancho Cucamonga Municipal Code, prior to the issuance of each building permit, the Property Owner/Developer shall pay applicable city-wide transportation development impact fees to the satisfaction of the City Engineering Department. These impact fees, along with the use of State and federal funds, is expected to implement various freeway, highway, and roadway projects in and near Rancho Cucamonga.	CE	A/B	Prior to issuance of building permits	C	
RR 13-3 The Property Owner/Developer shall comply with the City's Transportation Demand Management Ordinance, which calls for the provision of amenities or programs to encourage the use of alternative modes of travel by employees; patrons; and visitors of commercial, industrial, office, and mixed use developments. These may include, but are limited to shower facilities, preferred parking, bicycle storage, video conference facilities, transit improvements, and other measures to reduce vehicle trips in the City. These facilities shall be shown in the site improvement and building plans submitted to the City during the permit process.	PD/CE	A	Prior to issuance of building permits	C	

Key to Checklist Abbreviations

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
RR 13-4 In accordance with Chapter 10.56, Truck Routes and Restrictions, of the City of Rancho Cucamonga Municipal Code, commercial vehicles and vehicle combinations described in Sections 35400 and 35401 of the California Vehicle Code, or their successor provisions, and vehicles which exceed a maximum gross weight of three tons shall use designated truck routes. Non-designated truck routes shall be used only as necessary for the purpose of making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on a city street or for the purpose of delivering materials to be used in the repair, alteration, remodeling, or construction of any building or structure upon a city street for which a building permit has previously been obtained.	CE	C/E	During construction and operations	A	
MM 13-1 Prior to the issuance of the first occupancy permit, and in coordination with the City of Rancho Cucamonga, the Property Owner/Developer shall implement the following intersection improvements: 2. **Foothill Boulevard and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length. 3. **Foothill Boulevard and Rochester Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinated cycle length. 4. **Foothill Boulevard and Day Creek Boulevard.** Convert the rightmost northbound through lane into	CE	B	Prior to the issuance of the first occupancy permit	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

a through/right shared lane. 7. **Arrow Route and Haven Avenue.** Modify the southbound approach from having two left turn lanes, two through lanes, and one through/right shared lane to having two left turn lanes, three through lanes, and one right turn lane (MM 13-1). 8. **Arrow Route and Milliken Avenue.** Adjust, optimize, and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would require changing the coordinated cycle length. 13. **6th Street and Haven Avenue.** To achieve additional lanes on the northbound and westbound approach, modify the northbound approach from having two left-turn lanes, two through lanes, and one shared through/right-turn lane to having two left-turn lanes, three through lanes, and one right-turn lane. Modify the westbound approach from having one left-turn lane, two through lanes, and one right-turn lane to having two left-turn lanes, two through lanes, and one right-turn lane. 14. **6th Street and Cleveland Avenue.** Install a traffic signal and signal interconnect and other appropriate traffic signal hardware to ensure coordination with upstream and downstream signals. This improvement is consistent with planned improvements within the City of Rancho Cucamonga's DIF Program (refer to RR 13-2), and the Property Owner/Developer may be eligible for partial reimbursement with implementation of this mitigation measure.					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
MM 13-2 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that optimization of the PM-coordinated cycle lengths, and/or adjustment and optimization of the coordinated maximum splits for the PM signal timing plan, as appropriate, at the City of Ontario's **4th Street and Haven Avenue, 4th Street and Milliken Avenue,** and **Inland Empire Boulevard and Haven Avenue** intersections have been completed, and that the coordinated cycle length for other locations these intersections are in coordination with have been re-evaluated, if required. The Property Owner/Developer shall pay its fair share fee to the City of Ontario for these improvements prior to the 2,001st occupancy permit or when signal timing enhancements are deemed necessary by the City of Ontario.	CE	D	Prior to issuance of occupancy permits	D	
MM 13-3 Prior to the issuance of an occupancy permit, the Property Owner/Developer shall provide evidence to the City of Rancho Cucamonga that adjustment and optimization of coordinated maximum splits for the PM signal timing plan at the Caltrans intersection of **I-10 Westbound Ramps-Ontario Mills Parkway and Milliken Avenue** has been completed. This would not require changing the coordinated cycle length.	CE	D	Prior to issuance of occupancy permits	D	
MM 13-4 Prior to issuance of building permits, the Property/Owner Developer shall pay its fair share fee to the City of Rancho Cucamonga for the following measures required to mitigate Cumulative Year (2036) Plus Project conditions: • **Foothill Boulevard and Day Creek Boulevard.** Adjust, optimize and maintain the coordinated PM	CE	B	Prior to issuance of building permits	B	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length. • **6th Street and Haven Avenue.** Adjust, optimize and maintain the coordinated the PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length. • **6th Street and Milliken Avenue.** Adjust, optimize and maintain the coordinated PM signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length. The fair share payment amount shall be established by the City of Rancho Cucamonga Engineering Department. The timing of implementation of the improvements shall be determined by the City and, to the extent feasible, shall be completed by the City in the timeframe necessary to avoid identified significant cumulative impacts.					
MM 13-5 Prior to the issuance of a demolition permit or grading permit, whichever occurs first, the Property Owner/Developer shall submit a Traffic Control Plan to the Engineering Services Department for review and approval. The Traffic Control Plan shall describe in detail safe detours and provide temporary traffic control during construction activities for the project. To reduce traffic congestion, the Plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls (e.g., a flag person) during all phases of construction to maintain smooth traffic flow; dedicated turn lanes for movement of construction trucks and equipment on and off site; scheduling of construction activities that affect traffic flow on	CE	A/B	Prior to issuance of a demolition permit or grading permit, whichever is first	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
the arterial system to off-peak hours; consolidation of truck deliveries; rerouting of construction trucks away from congested streets or sensitive receptors; and/or signal synchronization to improve traffic flow.					
Utilities and Service Systems					
Water Supply					
PDF 14-1 The 12-foot 8-inch Metropolitan Water District (MWD) Meadow Upper Feeder located in the existing 40-foot-wide easement that traverses the northern portion of the project site shall be protected in place during construction. Any encroachment to the easement during construction would be conducted in compliance with applicable MWD encroachment specifications.	PD	B	Prior to issuance of building permits	C	
RR 14-1 Prior to approval of a tentative map that includes a subdivision involving more than 500 dwelling units, the Property Owner/Developer shall demonstrate compliance with applicable requirements of SB 221 (Government Code Section 66473.7(b)(2)) in order to demonstrate the availability of an adequate and reliable water supply.	PD	A	Prior to approval of tentative maps	D	
RR 14-2 Water and sewer plans shall be designed and constructed to meet the applicable requirements of the Cucamonga Valley Water District (CVWD) Municipal Code and City of Rancho Cucamonga Development Code. Approval of the plans by the CVWD is required prior to final map approval or issuance of permits, whichever occurs first.	CE	A/B	Prior to final map approval or issuance of building permits, whichever occurs first	B/D	
RR 14-3 Landscaping associated with future development in Planning Area (PA) I shall be implemented in compliance with Chapter 17.56 of the City of Rancho Cucamonga Development Code, which requires preparation and review of landscape and irrigation plans during the Design Review	PD	A/B	During design review	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST (Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
process. A preliminary landscape plan and irrigation plan shall be submitted to the designated approving authority, which shall be the same as the designated approving authority of the requested entitlement, and shall show a water budget that includes the estimated water use (in gallons); the irrigated area (in square feet); the precipitation rate; the flow rate in gallons per minute; the conceptual locations for trees, shrubs, ground cover, and other vegetation; and a corresponding list of planting material by species, quantity, and size. Pursuant to Section 17.56.030(B) of the Development Code, the final landscape planting and irrigation plans shall be prepared by a registered licensed Landscape Architect and shall be in substantial compliance with the preliminary landscape and irrigation plan approved by the designated approving authority.					
RR 14-4 Landscape plans prepared for future development in PAI shall be in compliance with Chapter 17.82, Water Efficient Landscaping, of the City Rancho Cucamonga Development Code, which includes requirements for development of a water budget, landscape design guidelines, soil and grading requirements, and a requirement to use recycled water.	PD	A/B	Prior to issuance of building permits	C	
Solid Waste Disposal					
RR 14-5 Demolition and construction activities in PAI shall be conducted in compliance with requirements of Section 8.19.280, Construction and Demolition Waste, of the City's Municipal Code. Construction and demolition waste shall be made available for deconstruction, salvage, and recovery prior to demolition. Inclusive of the recovered and salvaged materials, the following specified percentages of waste	CE	A/B/D	Prior to issuance of demolition, grading, and building permits/after construction	C/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
tonnage of demolition and construction waste shall be diverted from landfills through recycling, reuse, and diversion: 50 to 75 percent of demolition waste tonnage that includes concrete and asphalt; 15 percent of demolition waste tonnage that excludes concrete and asphalt; 50 to 75 percent of roofing waste tonnage; and 50 to 75 percent of construction and remodeling waste tonnage. Prior to issuance of each Demolition or Building Permit, a "Form CD-1 Waste Management and Recycling Plan" shall be submitted to the Engineering Services Department.					
RR 14-6 Development in PAI shall comply with Chapter 8.17, Residential Refuse, Recyclables and Green Waste Collection, of the City's Municipal Code. The collection and disposal of refuse, recyclables or green waste shall only be conducted by entities issued a permit to do so by the City, with certain exceptions, as identified in the Municipal Code.	CE	E	After issuance of occupancy permits	A	

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STAFF REPORT

PLANNING DEPARTMENT

RANCHO CUCAMONGA

DATE: April 27, 2016

TO: Chairman and Members of the Planning Commission
Chairman and Members of the Historic Preservation Commission

FROM: Candyce Burnett, Planning Director

BY: Tom Grahn, Associate Planner

SUBJECT: ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP SUBTT19968 - GFR INVESTMENTS - A request to subdivide 5.0 acres into 11 lots in the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210-Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Design Review DRC2015-00589 and Certificate of Appropriateness DRC2016-00180. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

ENVIRONMENTAL ASSESSMENT AND DESIGN REVIEW DRC2015-00589 – GFR INVESTMENTS - A Design Review for 10 lots within the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210-Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Tentative Tract Map SUBTT19968 and Certificate of Appropriateness DRC2016-00180. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

ENVIRONMENTAL ASSESSMENT AND CERTIFICATE OF APPROPRIATENESS DRC2016-00180 - GFR INVESTMENTS - A request to add a free standing garage, rear yard access driveway, perimeter walls, and remove an adjacent Eucalyptus windrow for the Ernst Mueller House, associated with a request to subdivide 5.0 acres into 11 lots in the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210-Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Tentative Tract Map SUBTT19968, and Design Review DRC2015-00589. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

RECOMMENDATION: Staff recommends that the Planning Commission and Historic Preservation Commission take the following actions:

- The Planning Commission adopt the attached Mitigated Negative Declaration for the project; and
- The Planning Commission approve Tentative Tract Map SUBTT19968 and Design Review DRC20154-00589 through the adoption of the attached Resolutions of Approval with Conditions; and
- The Historic Preservation Commission approve Certificate of Appropriateness DRC2016-00180 through the adoption of the attached Resolution of Approval with Conditions.

PROJECT AND SITE DESCRIPTION:

A. Project Density: 2.21 dwelling units/acre

B. Surrounding Land Use and Zoning:
North - 210-Freeway, Single-Family Residential; Very Low (VL) Residential District of the Etiwanda Specific Plan
South - Single-Family Residential; Low (L) Residential District of the Etiwanda Specific Plan
East - Single-Family Residential; Low (L) Residential District of the Etiwanda Specific Plan
West - Vacant and Single-Family Residential; Very Low (VL) and Low (L) Residential Districts of the Etiwanda Specific Plan

C. General Plan Designations:
Project Site - Low Residential
North - Very Low Residential
South - Low Residential
East - Low Residential
West - Very Low Residential and Low Residential

D. Site Characteristics: The proposed project is located at the southeast corner of East Avenue and Fisher Drive, directly south of the 210-Freeway (Exhibit A). The project site contains the Ernst Mueller House, a local historic landmark, which will be retained within the proposed project, and the Saint Clare of Assisi Episcopal Church, a temporary modular building that will be demolished. To the east, west, and south of the project site are existing single-family homes. Existing streets, Brownstone Place and Whitestone Place, which currently terminate at the project boundary will be extended through the project. The overall site is 4.98 acres, with an east-west dimension of approximately 380 feet and a north-south dimension of approximately 770 feet. A variety of trees and shrubs exist within the project site.

ANALYSIS:

A. Tentative Tract Map SUBTT19968 and Development Review DRC2015-00589: The proposed project involves the subdivision of a 5.0 acre parcel into 11 single-family residential lots (Exhibit B). The project site is located within the Low (L) Residential District of the Etiwanda Specific Plan (ESP), which permits a maximum of 4 dwelling units per acre, with a minimum lot size of 10,000 square feet and a minimum average lot size of 15,000 square feet. Lots within the proposed subdivision range in size from 13,387 square feet to 19,054 square feet, with an average lot size of 15,469 square feet, at a project density of 2.21 dwelling units per acre. The design of the subdivision complies with all applicable development standards of the Rancho Cucamonga Development Code (RCDC) and the Etiwanda Specific Plan (ESP).

Streets within the subdivision will follow a basic grid alignment and will connect with existing streets that terminate at the project boundary. Whitestone Place runs east-west and currently terminates at the projects northeastern boundary. Brownstone Place runs north-south and currently terminates mid-southern boundary of the project. Both streets will continue their existing alignment, connecting at an elbow in the northern portion of the project site, allowing for a typical grid lot configuration.

The Ernst Mueller House will remain in place and will be situated on Lot 5 within the proposed eleven (11) lot subdivision (Exhibits A, C, D, & E). The remaining ten (10) lots will be developed with single-family residences. As required by the ESP, the development of ten (10) single-family dwellings requires a minimum of 3 different floor plans and 2 elevations per floor plan. The project proposes four (4) distinct floor plans, Plans 1, 2, 2R, and 3, (Exhibit F) and two (2) elevations per floor plan (Exhibit G), including both Spanish Colonial and Craftsman designs.

Floor plans range in size from 3,208 square feet to 3,995 square feet. Plans 1 and 2 are single-story elevations, Plan 3 is a two-story elevation. The mix of proposed homes includes seven (7) single-story and three (3) two-story floor plans. The placement of the proposed homes complies with all applicable development standards of the ESP.

B. Certificate of Appropriateness DRC2016-00180: The project site contains the Ernst Mueller House, a designated local historic landmark. The Ernst Mueller House is significant for its association with Ernst Mueller, a prominent local citrus grower and the home is an excellent local example of early 20th century Craftsman styling. Significant background on this local historic landmark includes:

- On March 9, 1994 the Historic Preservation Commission recommended approval of landmark designation for the Ernst Mueller House, citrus groves to the interior of the site, Eucalyptus windrows traversing the site in east-west and north-south alignment, and Magnolia trees adjacent to East Avenue.

- On June 1, 1994, the City Council approved the landmark designation of the Ernst Mueller House noting that this house was "one of the few, if not the only, grove house still surrounded by a citrus grove in the Etiwanda town site."

- On August 10, 1994, the Historic Preservation Commission approved a landmark alteration permit for the construction of a one-story temporary church building and related parking lot within and surrounded by the then existing citrus grove. The landmark alteration permit, permitted the removal of a portion of an existing orange grove, but conditioned for the implementation of a replacement planting plan to restore the grove. Magnolia trees along East Avenue, Eucalyptus windrows on-site, citrus groves, and two Palm trees (located east of the house) were required to be preserved in-place unless approved otherwise through a Tree Removal Permit.

Site improvements, including the temporary church building and parking lot, and the replacement orange grove, were installed by the Saint Clare of Assisi Episcopal Church. No modifications to the Ernst Mueller House was requested or approved; however, various site improvements (i.e., sidewalk and landscape) were installed between the temporary church building and the house (Exhibit D). Mitigation measures associated with the development of the 210-Freeway, and improvements to East Avenue, resulted in the removal of the Magnolia trees, which were subsequently replanted east of and parallel to East Avenue. Unfortunately, due to the cost of irrigating and maintaining the Magnolia trees, the remaining orange grove, and the replacement orange grove, all of the Magnolia trees and citrus trees were removed by the Church. What remains of the original landmark designation are the Ernst Mueller House itself, the trees in close proximity to the house, and the Eucalyptus windrows throughout the site.

The proposed subdivision of the project site will allow for the retention of the Ernst Mueller House in a manner that retains the integrity of its original setting (Exhibits C & E). The Historic Preservation Commission is requested to review the proposed free standing garage, rear yard access driveway, perimeter walls, and removal of an adjacent Eucalyptus windrow. No modifications are proposed to the structure itself, but improvements are proposed to the future lot and setting of the Ernst Mueller House. Chapter 17.18.040 of the Rancho Cucamonga Municipal Code requires that any person desiring to carry out any alteration, restoration,

rehabilitation, construction, removal, relocation, or demolition to any Historic Landmark or Contributing Resource apply for a Certificate of Appropriateness. Approval of a Certificate of Appropriateness is therefore necessary before the applicant can begin grading and construction of proposed improvements.

The following improvements are proposed for the Ernst Mueller House:

- The Ernst Mueller House will be located on Lot 5 of the SUBTT19968 and will be situated in the center of the lot with generous side yard setbacks to the north and south (Exhibits C & E).

- The house currently has access off of East Avenue; a new driveway access will be from Brownstone Place, the future north-south oriented street to the east of the house.

- The house does not have a garage; the applicant is proposing a freestanding garage to the northeast of the structure. The proposed garage will be designed to match the design and materials of the Mueller House. The design of the proposed garage will be subject to Design Review Committee approval prior to issuance of a building permit.

- The East Avenue wall, and related parkway landscaping, will be installed along East Avenue. In order to retain the existing East Avenue orientation of the Ernst Mueller House, the existing trees adjacent to the house will be retained, the East Avenue wall will be set back to the front of the house, and additional landscaping will be installed.

- Existing trees in close proximity to the house, excluding the Eucalyptus Blue Gum windrow to the north, will be preserved in place. The existing Eucalyptus windrow will be replaced with a windrow of Spotted Gum Eucalyptus (*Eucalyptus maculata*). Additional discussion on the condition of the existing landmarked trees is discussed in the Tree Removal Permit section of this report.

The proposed improvements to the Ernst Mueller House are designed to retain the integrity of the existing historic landmark and therefore, staff supports the approval of Certificate of Appropriateness DRC2016-00180.

<u>Certificate of Appropriateness Facts for Finding</u>: The proposed Certificate of Appropriateness meets the following criteria established in Section 17.18.040 (E) of the Rancho Cucamonga Development Code.

1. The proposed subdivision, and the inclusion of the Ernst Mueller House on Lot 5 of the SUBTT19968 will provide sufficient area to retain the historic integrity of the structure. Therefore, the proposed project will not cause a substantial adverse change in the significance of a Historic Resource within the meaning of the California Environmental Quality Act (CEQA); and

2. The proposed project is consistent with the purposes of Chapter 17.18 of the Rancho Cucamonga Development Code; the proposal meets requirements of Section 17.18.040 because the proposed improvements are compatible with the historic representation of the Ernst Mueller House; will protect important features of the structure, and will enhance the value of the structure and its surroundings; and

3. The project is consistent with the Secretary of the Interior's Standards for Rehabilitation. No modifications, except routine maintenance are proposed for the Ernst Mueller House, and the proposed site improvements are appropriate to the era of significance, will re-create the appearance of the non-surviving historic property in setting, design, and materials.

C. Tree Removal Permit DRC2016-00292: The applicant has submitted a Tree Removal Permit application requesting the removal of most trees on the project site to accommodate proposed improvements (Exhibit D). The Tree Removal Permit will be reviewed administratively following the Planning Commission's action.

The Development Code defines Heritage trees as all Eucalyptus windrows, any tree in excess of thirty feet (30') in height and having a single trunk with a diameter of twenty inches (20") or more or a multi-trunk having a diameter of thirty inches (30") or more. The applicant submitted an Arborist Report, prepared by Jim Borer on May 19, 2015, that evaluated a total of 75 trees on the project site, 27 of these trees meet the height and dimension criteria for Heritage trees, and 63 trees are of a Eucalyptus variety, with some of the Eucalyptus trees situated in a windrow. The Arborist Report evaluated the location and condition of 3 Red Iron Bark (*Eucalyptus sideroxylon rosea*), 12 Red Gum (*Eucalyptus camuldulensis*), 39 Blue Gum (*Eucalyptus globulous*), 9 Silver Dollar (*Eucalyptus rudis*), 1 Italian Stone Pine (*Pinus pinea*), 3 Elderberry (*Sambucus species*), 1 Evergreen Ash (*Fraxinus uhdei*), 2 Walnut (*Juglans species*), 2 European Olive (Olean europaea), 2 Christmas Berry (*Heteromeles arbutifolia*), and1 Arizona Cypress (*Cupressus arizonica*), for a total of 75 trees. The Arborist Report evaluated the condition of the trees, whether they met Heritage Tree criteria, and their suitability for preservation. The Arborist Report did not address the trees in close proximity to the Ernst Mueller House as these trees will remain in place. This includes 4 Palm trees (2 in the front yard and 2 in the rear yard), 1 Italian Stone Pine, and a variety of smaller fruit and ornamental trees. These trees will remain in place and will be protected from damage during construction of the project site.

The 63 Eucalyptus trees are in poor health, several are dead, and their location conflicts with proposed improvements; 15 of these Eucalyptus trees meet the criteria for designation as Heritage trees. The Arborist Report identifies that the Eucalyptus trees are generally over-mature and declining in condition at this time. Additionally, many of these trees have structural defects and approximately half have regrown from stumps that were either cut down or failed in the past. Due to the general condition of the Eucalyptus trees, which have been effected by the drought, and the age of the Eucalyptus trees, many are near the end of their approximate 125 year life span, the project sites Eucalyptus trees will continue to decline. To mitigate this tree loss new Eucalyptus trees will be planted. Of the remaining 12 trees, 4 are exempt as fruit or nut bearing, and 6 do not meet the trunk diameter and height requirement as Heritage trees. The remaining 2 trees are not suitable candidates for relocation. The project site is within the Etiwanda Specific Plan area which requires that Eucalyptus trees that are part of a windrow be replaced with 5-gallon sized trees planted 8 feet on center. The project will be required to plant a windrow of Spotted Gum Eucalyptus trees at the required spacing along the rear property line of all 11 residential lots.

D. Neighborhood Meeting: A neighborhood meeting was conducted to gather input and comments from the owners of the surrounding properties within 660 feet of the project site. This meeting was held at the vacated Saint Clare of Assisi Episcopal Church on January 27, 2016. Several

property owners attended and asked questions regarding the timing of construction, floor plan size, anticipated sales price, and street connections.

E. Design Review Committee: The project was reviewed by the Design Review Committee (Oaxaca, Fletcher, and Granger) on January 19, 2016 and February 16, 2016. The Committee recommended approval of the project (Exhibit H).

F. Environmental Assessment: Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, City staff prepared an Initial Study of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined that, with the imposition of mitigation measures related to aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, and noise. There would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, a Mitigated Negative Declaration was prepared. Thereafter, City staff provided public notice of the public comment period and of the intent to adopt the Mitigated Negative Declaration. A Mitigation Monitoring Program has also been prepared to ensure implementation of, and compliance with, the mitigation measures for the project.

CORRESPONDENCE: This item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper, the property was posted, and notices were mailed to all property owners within a 660-foot plus radius of the project site. Staff has not received any comments regarding the proposed project.

Respectfully submitted,

Candyce Burnett
Planning Director

CB:TG/jp

Attachments: Exhibit A - Site Utilization Map
Exhibit B - Tentative Tract Map 19968
Exhibit C - Grading Plan
Exhibit D - Demolition Plan
Exhibit E - Landscape Plan
Exhibit F - Floor Plans
Exhibit G - Elevations
Exhibit H - Design Review Committee Action, February 16, 2016
Exhibit I - Initial Study Parts I, II, and III
Draft Resolution of Approval for Tentative Tract Map SUBTT19968
Draft Resolution of Approval for Design Review DRC2015-00589
Draft Resolution of Approval for Certificate of Appropriateness DRC2016-00180

EXHIBIT A

E, F, G 7

IN THE CITY OF RANCHO CUCAMONGA
COUNTY OF SAN BERNARDINO, CALIFORNIA

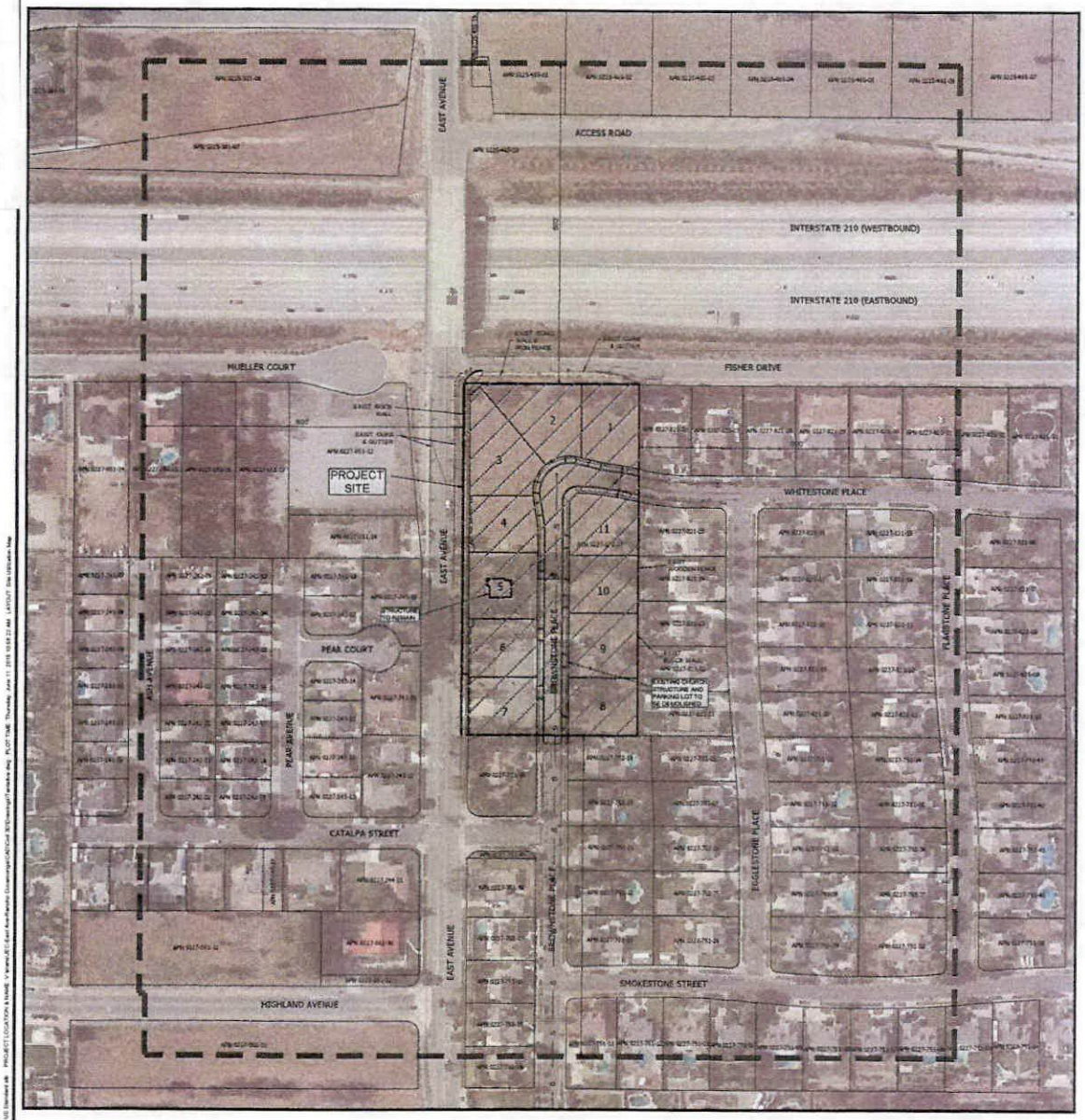
SITE UTILIZATION MAP
TENTATIVE TRACT No. 19968

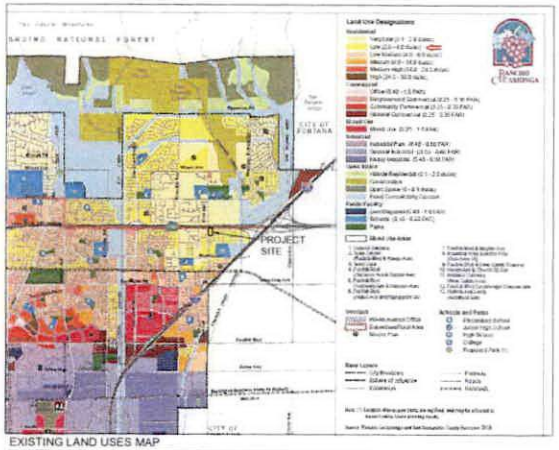
BEING A SUBDIVISION OF THE WEST 1/2 OF LOT 4, BLOCK "G", AS SHOWN ON THE MAP OF THE ETIWANDA COLONY LANDS RECORDED IN BOOK 2, PAGE 24 IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO

LUDWIG ENGINEERING

APRIL 2015

BENCH MARK
CITY OF RANCHO CUCAMONGA
BM # 100894
ELEVATION: 1510.427





EXISTING LAND USES MAP

N.T.S

EXISTING ZONING MAP

N.T.S

PLAN SUBMITTAL DATE:

DESCRIPTION OF CHANGE	DATE	CITY APPROVED

CITY OF RANCHO CUCAMONGA

SITE UTILIZATION MAP

TENTATIVE TRACT MAP No. 19968

APPROVED BY: CITY ENGINEER
DATE:
R.C.E. NO.

DESIGN
DRAWN
CHECKED

LUDWIG ENGINEERING ASSOCIATES, INC.
109 EAST THIAD STREET
SAN BERNARDINO, CA 92410
PHONE: 909-889-8217
FAX: 909-889-0153

JIMMY J. FRY RCE NO. C040882
DATE FILE NO.

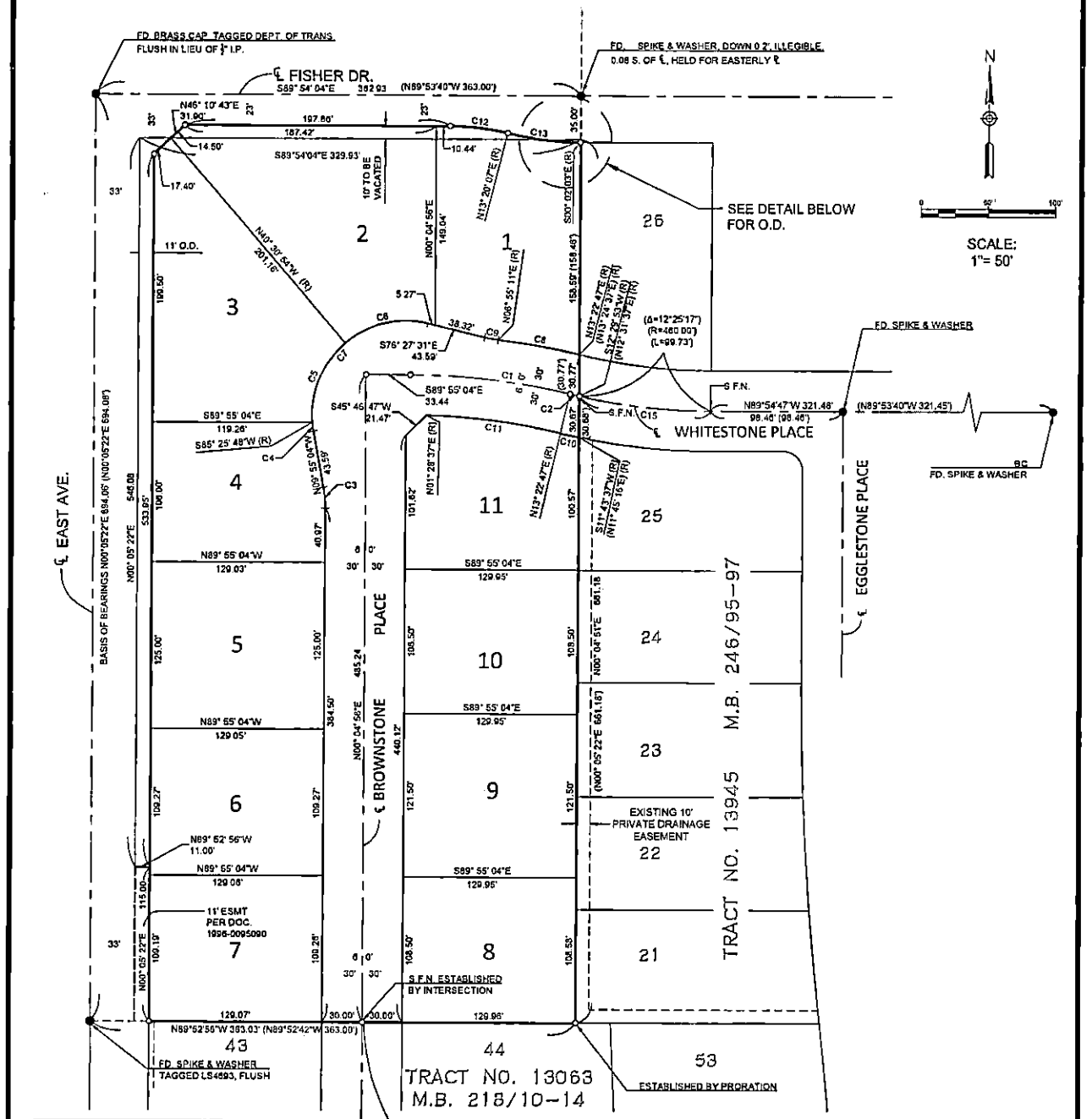
RECOMMENDED
SHEET 1 OF 1
DRAWING NO.

IN THE CITY OF RANCHO CUCAMONGA
COUNTY OF SAN BERNARDINO, CALIFORNIA

TRACT NO. 19968

BEING A SUBDIVISION OF THE WEST 1/2 OF LOT 4, BLOCK "G", AS SHOWN ON THE PRELIMINARY MAP OF THE ETIWANDA COLONY LANDS RECORDED IN BOOK 2, PAGE 24 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

LUDWIG ENGINEERING ASSOCIATES, INC. DECEMBER 2015



CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C1	13°17'51"	520.00'	120.66'	60.61'
C2	0°52'54"	460.00'	7.08'	3.54'
C3	10°00'00"	90.00'	15.71'	7.87'
C4	5°20'52"	70.00'	6.53'	3.27'
C5	54°03'18"	70.00'	66.04'	35.71'
C6	54°03'23"	70.00'	66.04'	35.71'
C7	113°27'33"	70.00'	138.62'	106.68'
C8	6°27'36"	550.00'	62.01'	31.04'
C9	6°37'18"	90.00'	10.40'	5.21'
C10	1°39'11"	490.00'	14.14'	7.07'
C11	11°54'10"	490.00'	101.79'	51.08'
C12	13°15'17"	188.79'	43.67'	21.94'
C13	14°47'35"	214.55'	55.40'	27.88'
C14	7°57'52"	214.55'	29.83'	14.94'
C15	12°24'40"	460.00'	99.64'	50.02'

EXHIBIT B

EXHIBIT C

E, F, G 9

IN THE CITY OF RANCHO CUCAMONGA
COUNTY OF SAN BERNARDINO, CALIFORNIA

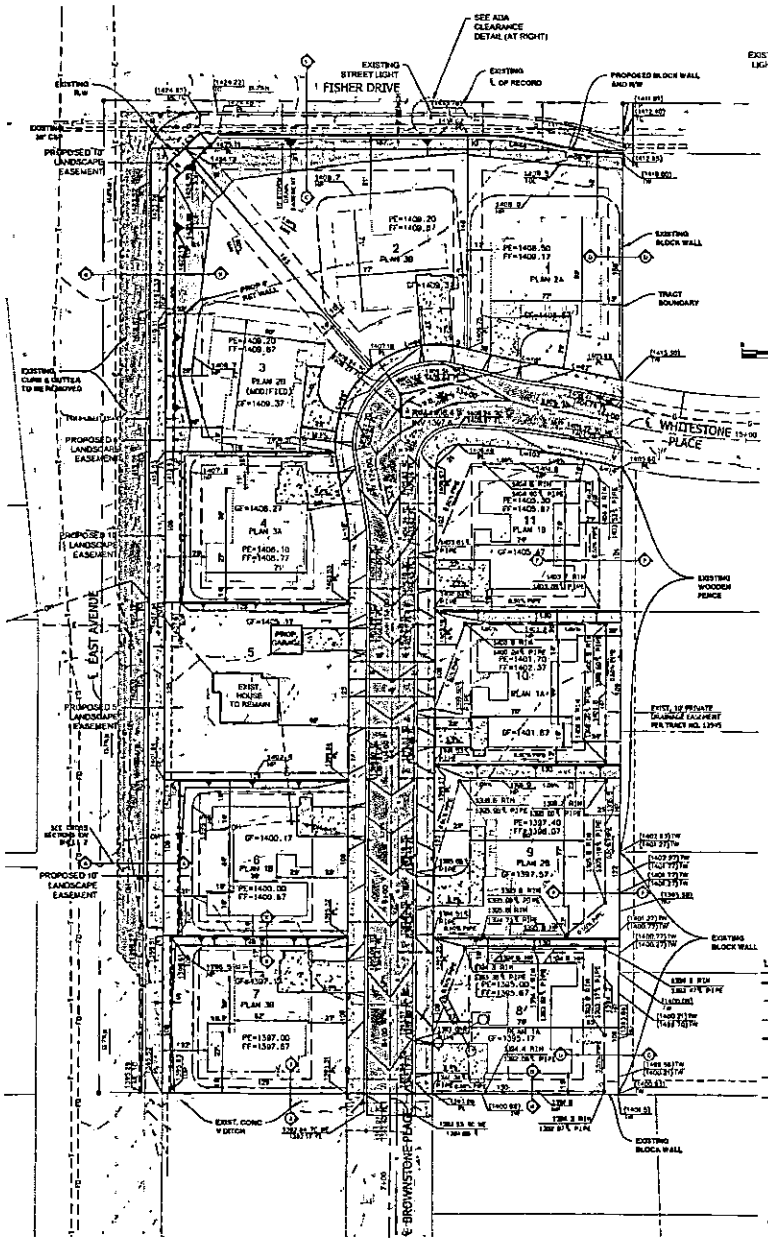
CONCEPTUAL GRADING PLAN
TENTATIVE TRACT MAP No. 19968

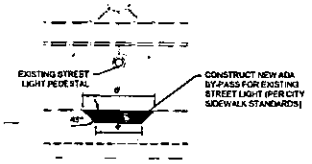
BEING A SUBDIVISION OF THE WEST 1/2 OF LOT 4, BLOCK "G", AS SHOWN ON THE MAP OF THE ETIWANDA COLONY LANDS RECORDED IN BOOK 2, PAGE 24 IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO

LUDWIG ENGINEERING ASSOCIATES, INC.

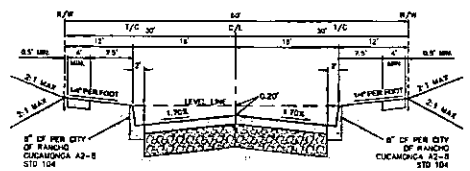
SEPTEMBER 2015

BENCH MARK
CITY OF RANCHO CUCAMONGA
BM # 10089A.
ELEVATION: 1510.427

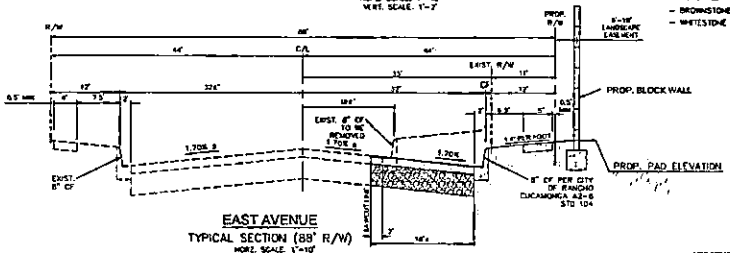




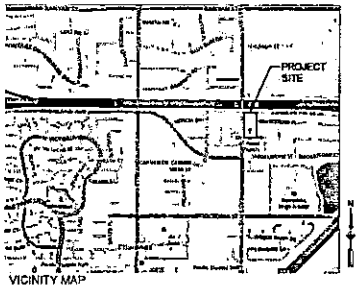
ADA CLEARANCE DETAIL
SCALE: 1" = 10'



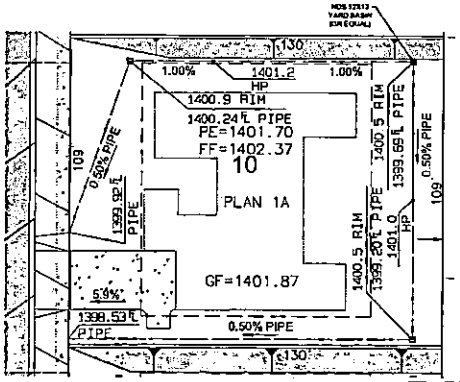
LOCAL STREETS
TYPICAL SECTION (60' R/W)
HORZ. SCALE: 1"=10'
VERT. SCALE: 1"=2'



EAST AVENUE
TYPICAL SECTION (88' R/W)
HORZ. SCALE: 1"=10'
VERT. SCALE: 1"=2'



VICINITY MAP
N.T.S.



TYPICAL LOT DRAINAGE DETAIL
SCALE: 1" = 20'

LEGEND & ABBREVIATIONS

	PROP. TRACT BOUNDARY	TC	TOP OF CURB
	EXIST. CONTOUR LINE AND ELEVATION	FL	FLOW LINE
	EXIST. EDGE OF ASPHALT PAVEMENT	CF	CURB FACE
	PROP. FLOWLINE	HP	HIGH POINT
	PROP. DRAIN INLET	FG	FINISH GRADE
	PROP. DRAIN PIPE	NG	NATURAL GROUND
S	PROP. SEWER LINE	ME	MATCH EXISTING
	PROP. ASPHALT PAVEMENT	PE	PAD ELEVATION
	PROP. CONC. PAVEMENT	PL	PROPERTY LINE
1.00%	PROP. GRADE	TW	TOP OF WALL
(1.00%)	EXIST. GRADE	℄	CENTERLINE
32.00	PROP. ELEVATION	R/W	RIGHT OF WAY
(32.00) TC	EXIST. ELEVATION	VC	VERTICAL CURVE
		GB	GRADE BREAK
	PROP. SLOPES 3:1 OR GREATER	BSL	BUILDING SETBACK LINE

PLAN SUBMITTAL DATE:

AREAS

TOTAL ACREAGE	4.98 AC.
TOTAL NUMBER OF LOTS	11 LOTS
TOTAL LETTERED LOTS	0 LOTS
UNITS PER ACRE RES.	2.2 UPA
MINIMUM LOT SIZE RES.	13,387 SF

NOTES

THIS TRACT CONTAINS 847 LF. OF NEW STREETS

CONTOUR SOURCE: LUDWIG ENGINEERING ASSOCIATES, INC. FIELD SURVEY MADE IN FEBRUARY 2015

BASIS OF BEARING IS THE C/L OF EAST AVENUE PER TRACT 13945 MB 245/95-97 BEING (N00°05'23"E)

BENCHMARK RANCHO CUCAMONGA CITY BENCHMARK # 10089A ELE=1510.427

IMPROVEMENTS ARE PER TYPICAL SUBDIVISION AND ARE TO BE BUILT ACCORDING TO CITY OF RANCHO CUCAMONGA STANDARDS.

PROPOSED STREET NAMES
- BROWNSTONE PLACE
- WHITESTONE PLACE

OWNER
THE BISHOP OF THE EPISCOPAL PROTESTANT CHURCH IN LOS ANGELES
PO BOX 3428
RANCHO CUCAMONGA, CA 91701

DEVELOPER
JEC ENTERPRISES, INC.
434 W 2ND ST
UPLAND, CA 91786

ENGINEER
LUDWIG ENGINEERING ASSOCIATES, INC.
109 EAST THIRD STREET
SAN BERNARDINO, CA 92410
PHONE: (909)889-8217
FAX: (909)889-0153

SOILS ENGINEER
JOHN R. BYERLY INC.
2257 SOUTH LILAC AVENUE
BLOOMINGTON, CA 92316-2907
PHONE: (909)877-1374

ASSESSOR'S PARCEL NO.
0227-071-17

ZONING & LAND USE
ETIWANDA SPECIFIC PLAN (SP-E)

GENERAL PLAN DESIGNATION
RESIDENTIAL LOW (2- 4 DU/AC)

PHASING
N/A

SERVICES

ELECTRICITY	SOUTHERN CALIFORNIA EDISON P.O. BOX 8400 RANCHO CUCAMONGA CA 91729 PH: (800) 655-4555
WATER/SEWER	CUCAMONGA VALLEY WATER DISTRICT 10440 ASHFORD ST RANCHO CUCAMONGA, CA 91730 PH: (909) 987-2591
GAS	SOUTHERN CALIFORNIA GAS COMPANY 216 N. EUCLID AVENUE ONTARIO, CA 91762 PH: (800) 427-2200
TELEPHONE	VERIZON PH: (800) 483-3000
CABLE	CHARTER COMMUNICATIONS 5244 UNIVERSITY PARKWAY, SUITE F SAN BERNARDINO, CA 92407 PH: (888) 438-2427

DRC 2015-00589
SUBTT19968

DESCRIPTION OF CHANGE	DATE	CITY APPROVED

CITY OF RANCHO CUCAMONGA

CONCEPTUAL GRADING PLAN

TENTATIVE TRACT MAP No. 19968

APPROVED BY: CITY ENGINEER — DATE: — R.C.E. NO.:

DESIGN S. Ibarra
DRAWN S. Ibarra
CHECKED J. Fry

LUDWIG ENGINEERING ASSOCIATES, INC.
109 EAST THIRD STREET
SAN BERNARDINO, CA 92410
PHONE: 909-889-8217
FAX: 909-889-0153

JOHN J. FRY — RCE NO. — DATE — FILE NO.

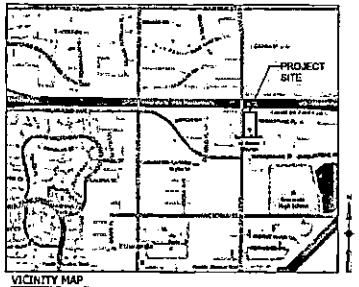
RECOMMENDED

SHEET 1 OF 4

DRAWING NO.

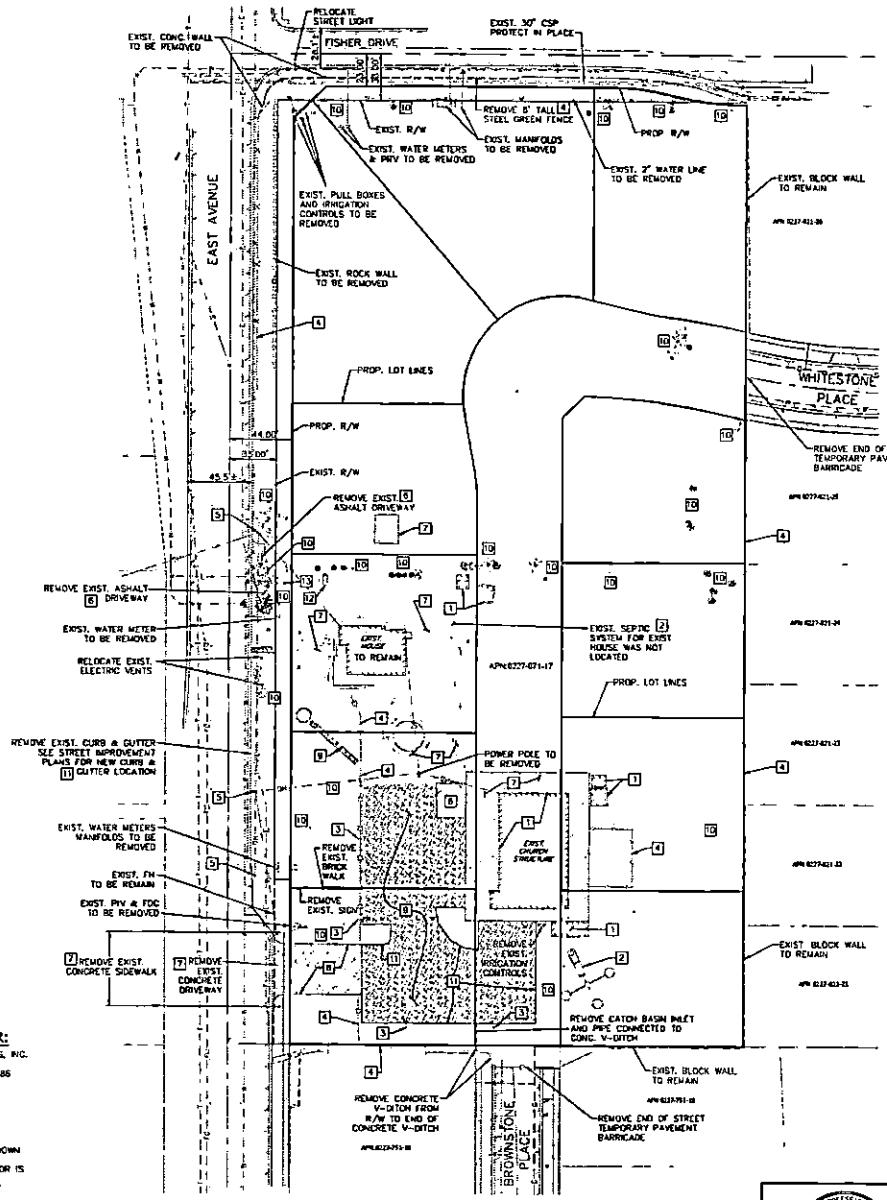
EXHIBIT D

E, F, G 10



VICINITY MAP
N.T.S

BENCH MARK
CITY OF RANCHO CUCAMONGA
BM # 100894
ELEVATION: 1510.427



DEMOLITION CONSTRUCTION NOTES

1. REMOVE STRUCTURE
2. REMOVE SEPTIC SYSTEM PER DEHS STANDARDS
3. REMOVE LIGHT POLE
4. REMOVE FENCE
5. EXIST. POWER POLES AND LINES TO BE UNDERGROUND BY DEVELOPER
6. REMOVE ASPHALT
7. REMOVE CONCRETE
8. REMOVE PAVERS
9. REMOVE GRAVEL
10. REMOVE TREES
11. REMOVE CURB
12. REMOVE PROPANE TANK
13. REMOVE 30" CONC. STAND PIPE

LEGEND AND ABBREVIATIONS

- PROPOSED TRACT BOUNDARY
- EXIST. ROCK WALL OR AS NOTED
- EXIST CHAINLINK FENCE OR AS NOTED
- EXIST. CONCRETE RETAINING WALL OR AS NOTED
- EXIST. EDGE OF ASPHALT PAVEMENT
- EXIST. STRUCTURE
- EXIST. WATER LINE OR AS NOTED
- EXIST. SEWER LINE
- EXIST. GAS LINE
- EXIST. TELEPHONE LINE
- EXIST. FIBER OPTICS LINE
- EXIST. OVERHEAD LINE OR AS NOTED
- EXIST. ELECTRIC LINE
- EXIST. SEWER MANHOLE
- EXIST. DRAINAGE MANHOLE
- EXIST. FIRE HYDRANT
- EXIST. POWER POLE OR AS NOTED
- EXIST. LIGHT POLE
- EXIST. WATER METER
- EXIST. WATER VALVE
- EXIST. GAS VALVE
- EXIST. GAS METER
- EXIST. ELECTRIC VAULT
- EXIST. ELECTRIC VENT
- EXIST. PULL BOX
- EXIST. CONCRETE
- EXIST. GRAVEL
- EXIST. PAVERS
- EXIST. TREES AND BUSHES

GENERAL NOTES

1. THE LOCATION OF THE SUBSTRUCTURES/UTILITIES SHOWN ON THESE PLANS WAS OBTAINED BY SEARCH OF AVAILABLE RECORDS. THERE IS NO ASSURANCE THAT THE RECORD INFORMATION IS ACCURATE, OR THAT ALL EXISTING SUBSTRUCTURES ARE SHOWN ON THESE PLANS. THE CONTRACTOR IS RESPONSIBLE FOR TAKING THE NECESSARY PRECAUTIONARY MEASURES TO PROTECT THE SUBSTRUCTURES SHOWN AND ANY OTHER SUBSTRUCTURES ENCOUNTERED NOT OF RECORD OR NOT SHOWN ON THESE PLANS
2. SAFE CONSTRUCTION PRACTICES DURING EXCAVATION INCLUDING PROPER SLOPES AND SHORING ARE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL COMPLY WITH ALL OSHA AND OTHER APPLICABLE SAFETY REGULATIONS. INFORMATION REGARDING SOIL CONDITIONS ARE CONTAINED IN THE SOIL REPORT FOR THE SITE WHICH IS AVAILABLE FOR REVIEW AT THE ENGINEER'S OFFICE.
3. THE CONTRACTOR SHALL SCHEDULE AND COORDINATED WITH THE VARIOUS COMPANIES AND AGENCIES WHO MAY BE AFFECTED BY THIS PROJECT. THE CONTRACTOR SHALL OBTAIN ANY REQUIRED PERMITS.
4. THE CONTRACTOR SHALL ADHERE TO ALL SAFETY CODES, REGULATIONS AND SPECIFICATIONS FOR THE DURATION OF THE PROJECT.
5. ALL ASPHALTIC CONCRETE AND CONCRETE PAVEMENT AND OTHER EXISTING SURFACES DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE RESTORED AT THE CONTRACTOR'S EXPENSE.

GENERAL DEMOLITION NOTES

1. SITE CLEANUP SHALL INCLUDE THE REMOVAL OF ALL TRASH AN DEBRIS FROM SITE. DEMOLITION SHALL INCLUDE THE COMPLETE REMOVAL OF THE STRUCTURE INCLUDING THE FOUNDATION SYSTEM AND ANY BASEMENTS.
2. THE DEMOLITION SITE SHOULD BE SECURED. IF THE DEMOLITION WORK WILL EXTEND BEYOND A 24-HOUR PERIOD, THE LOT MUST BE FENCED TO A HEIGHT OF 6 FEET TO SECURE THE SITE.
3. KEEP EROSION CONTROL MEASURES, (E.G. SILT FENCING, SANDBAGS, ETC) ON SITE DURING AND AFTER DEMOLITION SHOULD A STORM EVENT OCCUR DURING THE DEMOLITION PHASE.
4. CAP ALL SEWER AND WATER LINES WITH 5' TO PROPERTY LINE.
5. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS AND THE EXTENT OF THE REQUIRED DEMOLITION WORK.
6. CONTRACTOR SHALL EXERCISE CARE AS NOT TO DAMAGE EXISTING ADJACENT STRUCTURES THAT ARE SCHEDULED TO REMAIN
7. ALL ITEMS THAT ARE DAMAGED DURING DEMOLITION WORK AND OTHERWISE SCHEDULED TO REMAIN, SHALL BE REPLACED, REPAIRED OR RESTORED TO ITS ORIGINAL CONDITION.

ASSESSORS PARCEL NO.
0227-071-17

OWNER:
THE BISHOP OF THE PROTESTANT EPISCOPAL CHURCH IN LOS ANGELES
PO BOX 9425
RANCHO CUCAMONGA, CA 91701

DEVELOPER:
JEC ENTERPRISES, INC.
434 N 2ND ST.
UPLAND, CA 91786

PRIVATE ENGINEER'S NOTE TO CONTRACTOR

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES, CONDUITS, OR STRUCTURES SHOWN ON THESE PLANS ARE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITIES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN ON THESE DRAWINGS.

CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE COUNTY OF SAN BERNARDINO, THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER

DESCRIPTION OF CHANGE	DATE	CITY APPROVED

CITY OF RANCHO CUCAMONGA

DEMO PLAN

APN: 0227-071-17
6563 EAST AVENUE
RANCHO CUCAMONGA, CA 91762

TRACT MAP No. 19958

REGISTERED PROFESSIONAL ENGINEER — STEVEN A. FRY — NO. C042993 — Exp. 3-31-17 — CIVIL — STATE OF CALIFORNIA

Ludwig Engineering — ASSOCIATES, INC.

APPROVED BY: CITY ENGINEER — DATE: — R.C.E. NO.:

DESIGN — DRAWN — CHECKED

LUDWIG ENGINEERING ASSOCIATES, INC.
109 EAST THIRD STREET
SAN BERNARDINO, CA 92410
PHONE: 909-884-8217
FAX: 909-889-0153

STEVEN A. FRY — RCE NO. C042993 — DATE — FILE NO.

RECOMMENDED — SHEET 1 OF 1 — DRAWING NO.

EXHIBIT E

E, F, G 11

PLANTING NOTES

1. SHRUB LAYOUT AS SHOWN ON PLAN INDICATES "SHRUB MASSES." QUANTITIES ARE AS SHOWN ON PLAN ON CENTER SPACING AS SHOWN UNLESS NOTED. CONTRACTOR TO VERIFY QUANTITIES BASED ON SHRUBS AND SOD ADDITIONS. PLANT MATERIAL (AT NO ADDITIONAL COST TO THE OWNER) REQUIRED TO MAINTAIN DESIGN INTENT DUE TO EXISTING SITE CONDITIONS NOT ANTICIPATED DURING DESIGN. LAYOUT FACING WILL EITHER BE TRIANGULAR OR LINEAR AS SHOWN ON PLAN OR LEAD MD. LANDSCAPE ARCHITECT TO APPROVE FINAL LAYOUT IN FIELD PRIOR TO INSTALLATION.
2. CONTRACTORS SHALL NOTIFY THE LANDSCAPE ARCHITECT OF THE CONDITIONS WHICH PREVENT INSTALLATION PER PLANS AND SPECIFICATIONS.
3. CONTRACTOR SHALL BE LIABLE FOR REMOVING AND RE-INSTALLING IRRIGATION EQUIPMENT, AND REPLANTING AREAS WHICH ARE NOT WITHIN LIMITS PLAN AND SPECIFICATIONS.
4. REFER TO PLANTING SPECIFICATIONS FOR INSPECTIONS/CERTIFICATION SCHEDULE.
5. IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL PRIOR TO INSTALLATION OF PLANT MATERIALS.
6. TREES AND SHRUBS SHALL BE PLANTED AFTER CONCRETE PLACEMENT, BUT NOT BEFORE IRRIGATION COVERAGE TEST NO. 1 HAS BEEN APPROVED. (SEE SPECIFICATIONS).
7. PLACE TREES BETWEEN IRRIGATION HEADS WHENEVER POSSIBLE.
8. LANDSCAPE CONTRACTOR SHALL TAKE FOUR (4) SOIL SAMPLES FROM THE SITE AT LOCATIONS APPROVED BY THE LANDSCAPE ARCHITECT. THE SAMPLES SHALL BE TAKEN AT A DEPTH OF 12" AFTER ROUGH GRADING AND SUBMITTED TO AN APPROVED SOIL AND PLANT LABORATORY FOR AGRICULTURAL SUITABILITY TESTING. THE COST OF TESTING SHALL BE INCLUDED IN THE CONTRACTOR'S BID.
9. THE RECOMMENDATIONS OF THE SOIL REPORT SHALL SUPERSEDE THE SOIL PREPARATION AND BACKFILL MIX SPECIFICATIONS (SEE SPECIFICATIONS). THE CONTRACTOR SHALL SUBMIT A COPY OF ALL SOILS REPORTS TO THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION, OR THE SUPERSEDES.
10. SHREDDED BARK OR MULCH LOCATION: INSTALL SHREDDED MULCH IN ALL SHRUB AND GROUNDCOVER AREAS PER SPECIFICATIONS UNLESS OTHERWISE INDICATED ON PLANS.
11. CONTRACTOR IS RESPONSIBLE FOR ALL REPAIRS AND/OR REPLACEMENT OF ANY DAMAGED LANDSCAPE AREAS BEYOND THE LIMIT OF WORK INCLUDING REPAIRING ANY IRRIGATION LINES SCHEDULED TO REMAIN. THIS IS A DIRECT RESULT OF THE LANDSCAPE CONSTRUCTION UNDER HIS SUB-CONTRACTOR. REPLACEMENT SHALL BE EXACT DUPLICATION OF ORIGINAL WORK OR PLANTS, UNLESS OTHERWISE APPROVED BY THE LANDSCAPE ARCHITECT.
12. WHERE NEW GROUNDCOVER AREAS ARE ADJACENT TO NEW INSTALL CONCRETE MOWSTRIP ON HEADERBOARD AS INDICATED ON DRAWINGS.
13. CLEAN-UP SHALL TAKE PLACE ON A DAILY BASIS UNLESS OTHERWISE APPROVED BY THE OWNER'S REPRESENTATIVE.
14. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN ALL GRADES AND PLANTING AREAS AS SHOWN ON THE GRADING PLAN. WHERE SODDED TO BE INSTALLED ON A SWALE, THE FINISH GRADE MUST BE ADJUSTED SO THE SOD DOES NOT RESTRICT THE FLOW.

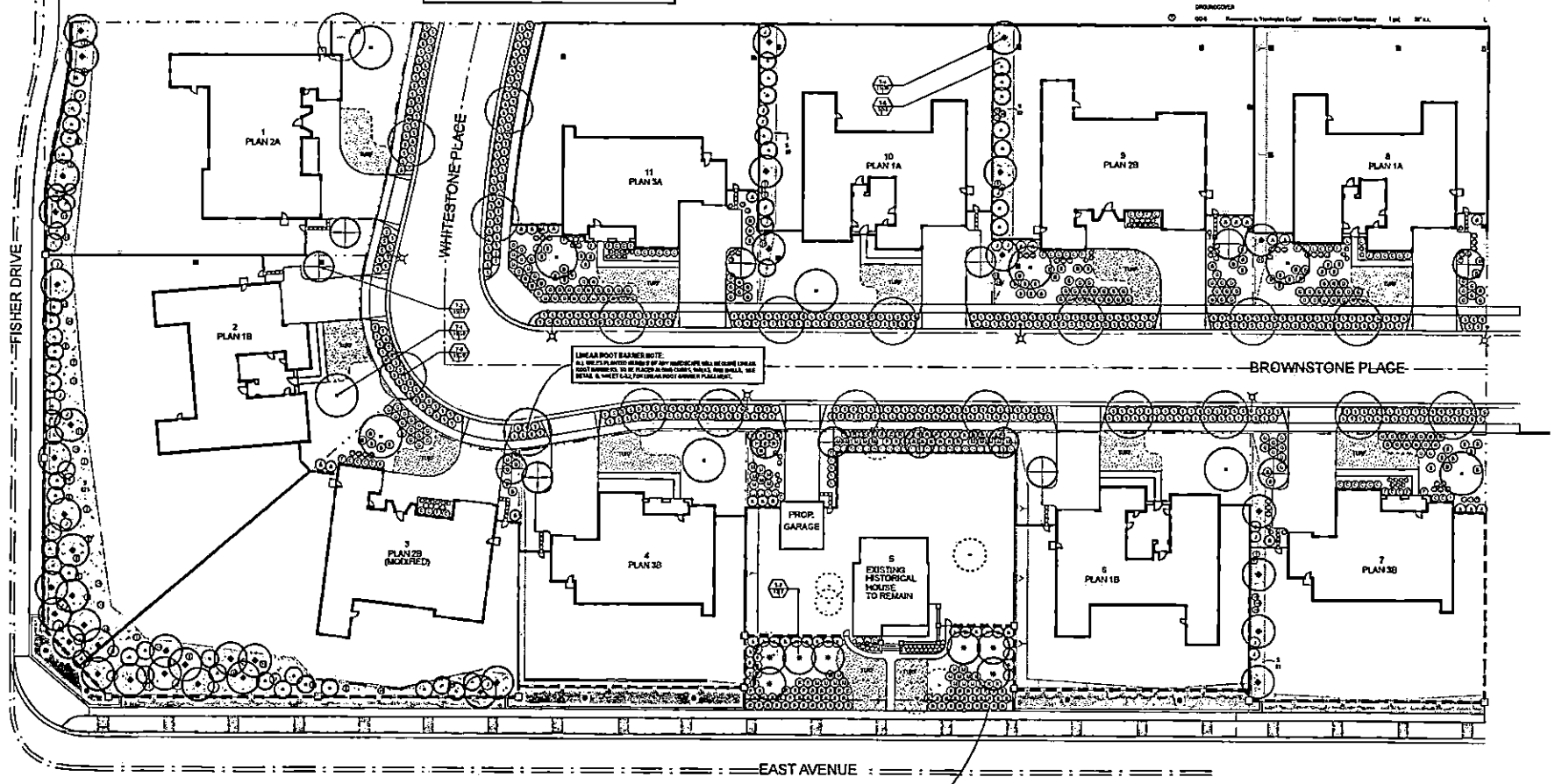
PLANTING LEGEND
TYPICAL FRONT YARDS, INTERIOR SLOPES, AND HISTORICAL HOME

SYMBOL/CALLOUT	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS	WATER USE
TREES						
T-3	Cercis occidentalis	Western Redbud	15 gal.	Per plan	Standard	L
SHRUBS						
S-1	* Lantana montevidensis	Trailing Lantana	5 gal.	Per plan	Seam	L
S-2	* Cistus x 'Sunset'	Sunset Rockrose	5 gal.	48" o.c.		L
S-3	* Cistus x 'Little Orfila'	Little Orfila Dwarf Cistus	5 gal.	42" o.c.		L
S-4	* Salvia 'Lively Berries'	Lively Berries Mex. Bush Sage	1 gal.	36" o.c.		L
S-5	* Arctostaphylos 'Sunset Dwarf' / Baccharis x 'Centennial Jay'	Sunset Dwarf Manzanita Pink / Centennial Jay Baccharis	1 gal.	32" o.c. / 36" o.c.		L
S-6	* Ceanothus x 'Julia' / Ceanothus x 'Frosty'	Julia Ceanothus / Frosty Lilac	5 gal. / 5 gal.	Per plan / Per plan		L
GROUNDCOVER						
GC-2	Hemerocallis 'Stella d'Oro'	Dwarf Lily of Nile	1 gal.	18" o.c.		L
STREET TREE						
T-6	Magnolia grandiflora	Southern Magnolia	15 gal.			M
PARKWAY GROUNDCOVER						
GC-3	* Pennisetum 'Washington Carpet'	Washington Carpet Fountain Grass	1 gal.	18" o.c.		L

*PLANTS TO BE USED FOR NORTH AND EAST 2 BUILDING & AND WHERE SHADE CONDITIONS OCCUR.
**PLANTS TO BE USED FOR ALL BUILDINGS.

SYMBOL/CALLOUT	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS	WATER USE
COTTAGE						
TREES						
T-1	Platanus acerifolia	London Plane Tree	15 gal.	Per plan		L
T-2	Liquidambar styraciflua	Copal Winds	15 gal.	Per plan	Standard	M
SHRUBS						
S-1	* Arbutus unedo 'Compacta'	Dwarf Strawberry Tree	15 gal.	Per plan	Seam	L
S-2	* Cistus 'Alpine Snow'	Variegated Sunshine Rockrose	5 gal.	48" o.c.		L
S-3	Berberis x 'Rose Glow' / Calliandra x 'Little Julia'	Japanese Barberry / Dwarf Calliandra	5 gal. / 5 gal.	42" o.c. / 42" o.c.		M / L
S-4	* Ceanothus 'Point Reyes'	Wavyleaf	5 gal.	36" o.c.		L
S-5	* Arctostaphylos 'Sensation'	Sensation Red Manzanita	1 gal.	32" o.c.		L
S-6	Cupressus sempervirens 'Tiny Tower' / Nandina domestica 'Gulf Stream'	Tiny Tower Italian Cypress / Gulf Stream Nandina	5 gal. / 5 gal.	Per Plan / Per Plan		L / M
GROUNDCOVER						
GC-4	* Rosmarinus x 'Prostratus'	Prostrate Creeping Rosemary	1 gal.	48" o.c.		L
GC-2	Hemerocallis 'Stella d'Oro'	Dwarf Lily of Nile	Sod			M
STREET TREE						
T-6	Magnolia grandiflora	Southern Magnolia	15 gal.			M
PARKWAY GROUNDCOVER						
GC-3	* Pennisetum 'Washington Carpet'	Washington Carpet Fountain Grass	1 gal.	18" o.c.		L

SYMBOL/CALLOUT	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS	WATER USE
EXISTING CONTROL AND WINDOWS						
TREES						
T-1	Brahea brandegeei	Mexican Blue Hesper Palm	15 gal.	Per plan	Standard	M
T-2	Leucaena leucocephala	Lemon Scented Tree Tree	5 gal.	Per plan	Standard	L
T-3	Eucalyptus ecornutata	Blue Gum	15 gal.	Per plan		L
SHRUBS						
S-1	Salvia greggii 'Desert Lavender'	Desert Lavender Autumn Sage	1 gal.	Per plan		L
S-2	Adenanthos 'Pink Cascade'	Woolbush	1 gal.	Per plan		L
S-3	Salvia x clevelandii 'Allen Chickering'	Allen Chickering Sage	1 gal.	Per plan		L
GROUNDCOVER						
GC-1	Trachelospermum x 'Virginia Trout'	Prostrate Creeping Star	1 gal.	18" o.c.		L
HISTORICAL HOME						
ANNUAL COLUMN	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**SPACING**	**COMMENTS**	**WATER USE**
TREES						
T-1	Citrus x 'Valencia'	Dwarf Valencia Orange	15 gal.	Per plan		M
T-2	Existing Tree				To Remain Protected Place	
SHRUBS						
S-10	Jasminum mesnyi 'Carnosum'	Dwarf Strawberry Tree	5 gal.	Per plan		L
S-11	Carissa macrocarpa	Natal Plum	5 gal.	48" o.c.		L
S-12	Berberis x 'Rose Glow'	Rose Glow Barberry	1 gal.	42" o.c.		M
S-13	Adenanthos 'Pink Cascade'	Woolbush	1 gal.	36" o.c.		L
S-14	Dodonaea viscosa 'Purpurea'	Purple Hopseed	1 gal.	36" o.c.		M
S-15	Teucrium fruticans	Bush Germander	1 gal.	36" o.c.		L
S-16	Ceanothus 'Julia Phelps'	Julia Phelps Wild Lilac	15 gal.	Per plan	Patio Trees Place	L
S-17	Lonicera x 'Chili Chief'	Chief Honeysuckle	1 gal.	36" o.c.		L
GROUNDCOVER						
GC-3	Pennisetum x 'Washington Carpet'	Washington Carpet Fountain Grass	1 gal.	36" o.c.		L



LINEAR ROOT BARRIER NOTE:
ALL SHRUBS WITHIN WITHIN 5' OF ANY HARDSCAPE WILL BE SUPPLIED LINEAR ROOT BARRIERS. TO BE PLACED IN THE CENTER, THREE FEET WIDE. SEE DETAIL 6, SHEET L-3.2, FOR LINEAR ROOT BARRIER PLACEMENT.

PHOTO SUBMITTAL NOTE:
ALL PLANT MATERIAL, INCLUDING TREES, SHRUBS AND VINES, SHALL BE INSPECTED AND APPROVED BY LANDSCAPE ARCHITECT. MIN PHOTO SUBMITTALS PRIOR TO DELIVERY TO SITE. PHOTO SUBMITTALS SHALL INCLUDE NURSERY SUPPLIER AND DATE OF PHOTOS. ANY MATERIAL DELIVERED TO SITE WITHOUT APPROVAL IS SUBJECT TO REJECTION. PHOTO SUBMITTALS SHALL BE SENT TO LANDSCAPE ARCHITECT A MINIMUM OF 48 HOURS PRIOR TO SHIPMENT OF MATERIAL. SUBMITTALS SHOULD INCLUDE SOME TYPE OF SCALE REFERENCE (IN PHOTO SE, PERSON, MEASURING TAPE, ETC.). TREES SHALL BE MARKED WITH ARROW FROM PROVENANCE IN CONTAINER AND CANOPY HEAD SIZE. LANDSCAPE ARCHITECT SHALL BE NOTIFIED OF ACCEPTED NURSERY DELIVERY TREES A MINIMUM OF 24 HOURS PRIOR TO SHIPMENT. REFER TO PLANTING SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS REGARDING QUALITY OF NURSERY STOCK.

PLANT SPACING NOTE:
SHRUB LAYOUT AS SHOWN ON PLAN INDICATES "SHRUB MASSES." QUANTITIES ARE AS SHOWN ON PLAN, ON CENTER SPACING AS SHOWN UNLESS NOTED. CONTRACTOR TO VERIFY QUANTITIES BASED ON SHRUBS AND SOD ADDITIONS. PLANT MATERIAL (AT NO ADDITIONAL COST TO THE OWNER) AS REQUIRED TO MAINTAIN DESIGN INTENT DUE TO EXISTING SITE CONDITIONS NOT ANTICIPATED DURING DESIGN. LAYOUT FACING WILL EITHER BE TRIANGULAR OR LINEAR AS INDICATED ON PLAN OR LEAD MD. LANDSCAPE ARCHITECT TO APPROVE FINAL LAYOUT IN FIELD PRIOR TO INSTALLATION.

MULCH NOTE:
INSTALL 3" LAYER OF CHIPPED MULCH IN ALL SHRUB AREAS (1 1/2" IN ALL GROUNDCOVER AREAS). MULCH SHALL BE MADE OF CHIPS AS WIDE AT EARTHBORN, INC. RIDGE, CA. CONTACT LOCAL PROVIDER (818) 768-2700. SUBMIT SAMPLE OF ANY ALTERNATIVE MULCH AND FINALS TO PURCHASER AND/OR PLACEMENT FOR OWNER'S REPRESENTATIVE'S APPROVAL.

TYPICAL FRONT YARD PLANTING NOTE:
LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR MODIFYING EACH FRONT YARD LANDSCAPING AS NECESSARY, IN ORDER TO MATCH EXISTING FIELD CONDITIONS (SUCH AS WALL RETAINS, ACCOMMODATE ALL FLOOR PLANS AND PROVIDE 100% COVERAGE FOR ALL PLANTED AREAS.

Underground Service Alert
Call: TOLL FREE
1-800
422-4133
TWO WORKING DAYS BEFORE YOU DIG

SYMBOL LEGEND

TREES: CALLOUT & SYMBOL; SIZE (DIAMETER)
SHRUBS/GROUNDCOVER: CALLOUT & SYMBOL; QUANTITY

PLAN CROSS REFERENCES

FOR NOTES AND LEGENDS, SEE THIS SHEET
FOR DETAILS, SEE SHEET L-3.2
FOR SPECIFICATIONS, SEE SHEET L-4.2
FOR CORRESPONDING CONSTRUCTION PLAN SEE SHEET L-1.1
FOR CORRESPONDING IRRIGATION PLAN SEE SHEET L-2.1

0 10' 20' 40' 60'
SCALE: 1" = 20'

ARCHITERRA DESIGN GROUP
LANDSCAPE ARCHITECTURE AND PLANNING
10227-B Trademark Street
Rancho Cucamonga, CA 91730
(909) 989-5884
Fax (909) 989-5883
Richard Brommenschenkel
Prin. Lic. # 3894
Ali Lic. # 2411-6
Mir Lic. # 448

L.A. SEAL

PROJECT/CLIENT

EAST AVENUE TRACT
LANDSCAPE MASTER PLAN
CITY OF RANCHO CUCAMONGA
APN 1047-141-03
434 N. 2nd AVENUE
UPLAND, CA 91773

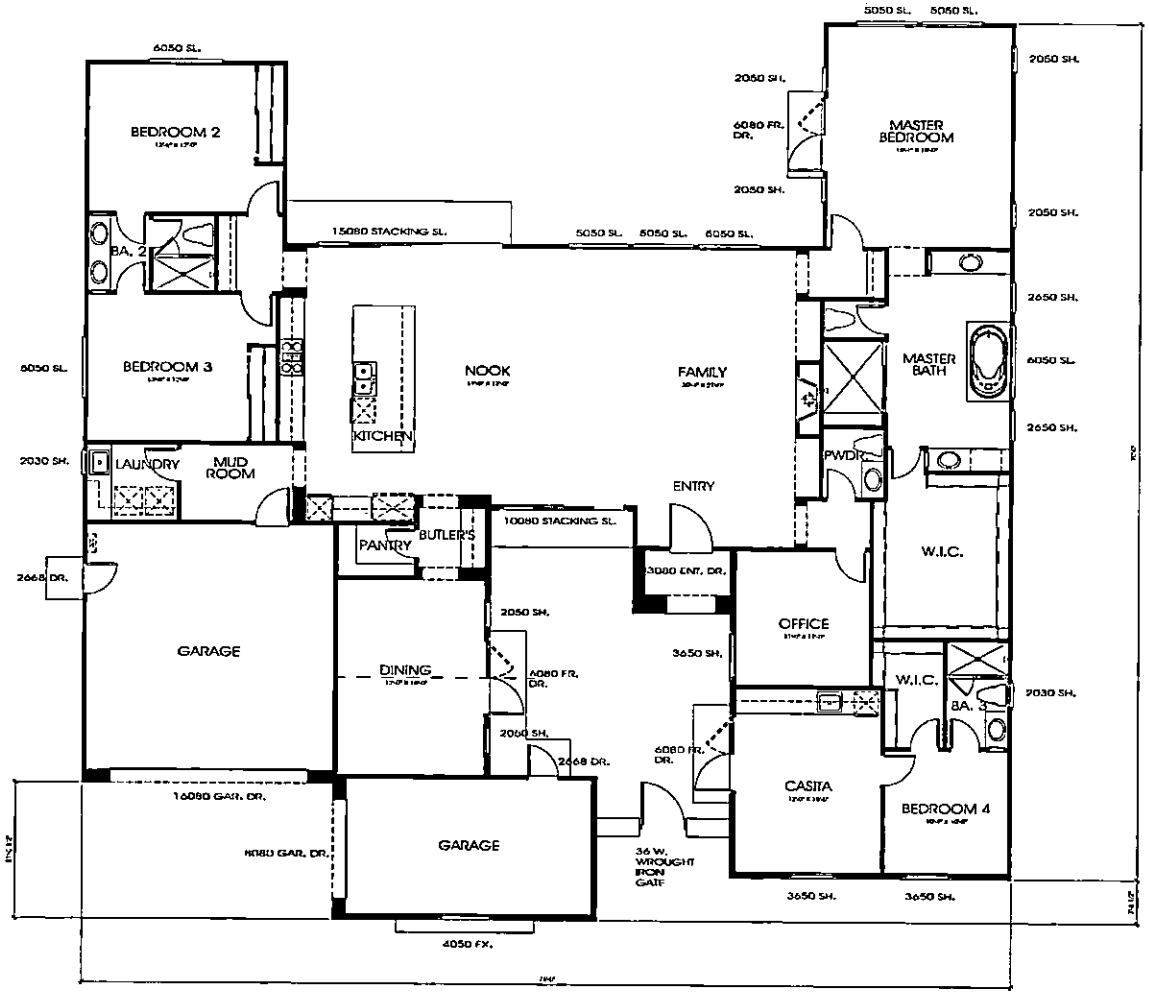
SHEET TITLE:
PLANTING PLAN

REVISIONS

DRAWN BY: JCC
CHECKED BY: JRC
DATE: 1/22/16
SCALE:
JOB NUMBER: 1517-3
SHEET NUMBER: L-3.1
6 OF 11 SHTS.

EXHIBIT F

E, F, G 12



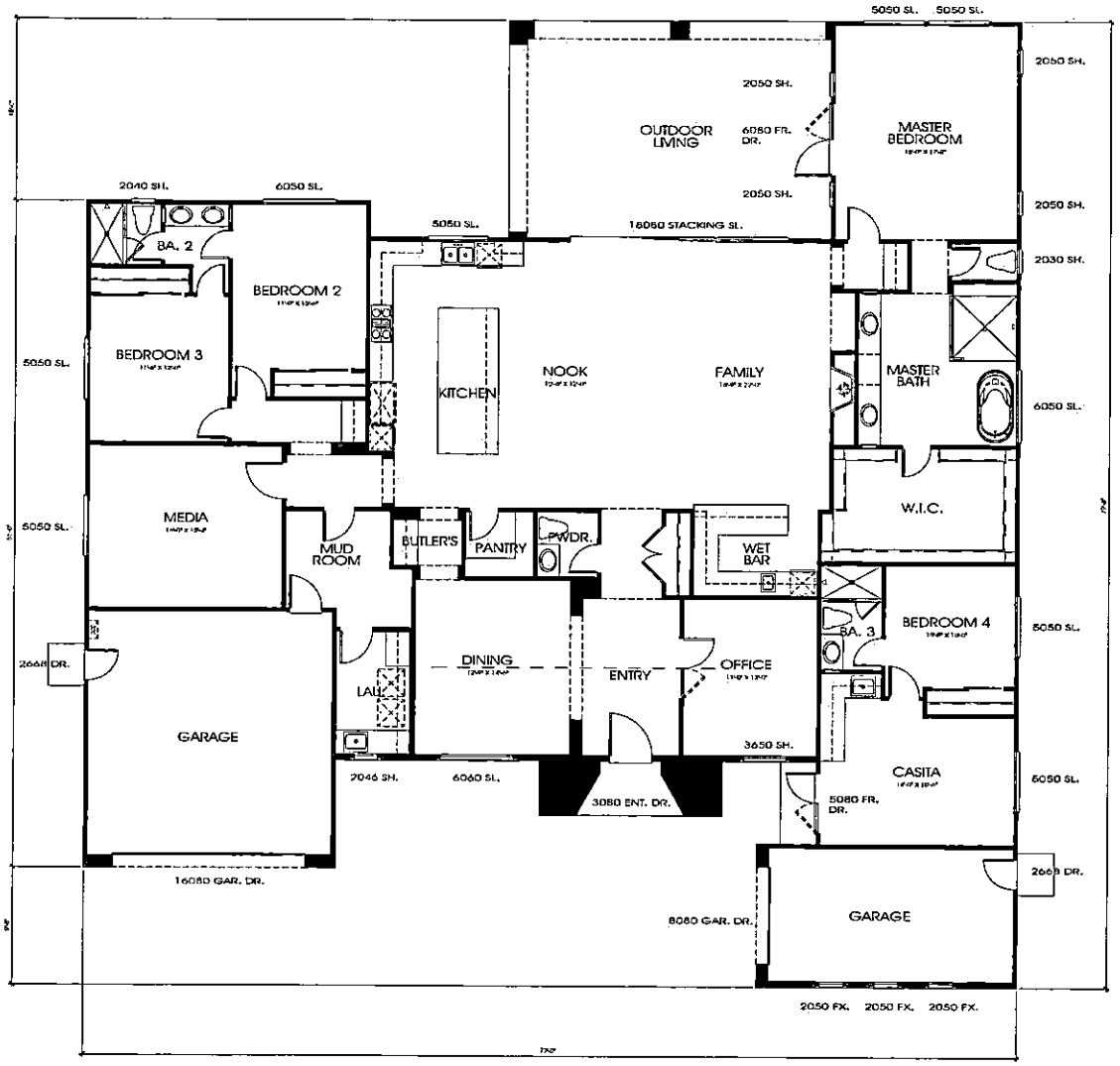
HANNOUCHE ARCHITECTS
949.241.2070

RANCHO CUCAMONGA

RANCHO CUCAMONGA, CA

PLAN #1

JEC Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400



FLOOR PLAN

3,539 S.F.

E, F, G 13

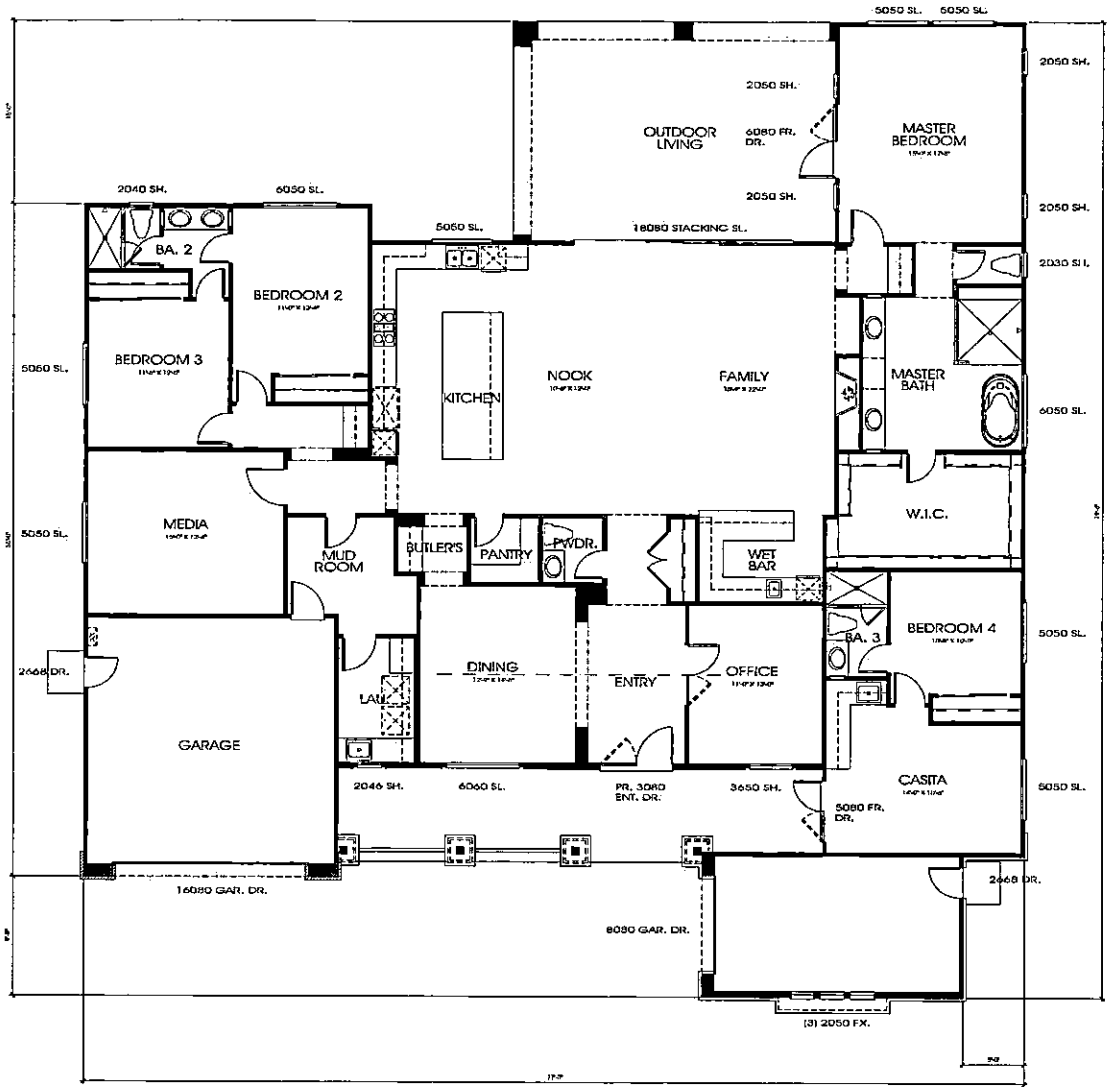
HANNOUCHE ARCHITECTS
949.261.2070

RANCHO CUCAMONGA

RANCHO CUCAMONGA, CA

PLAN #2

JEC Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400



FLOOR PLAN

3,539 S.F.

HANNOUCHE ARCHITECTS
949.261.2070

RANCHO CUCAMONGA

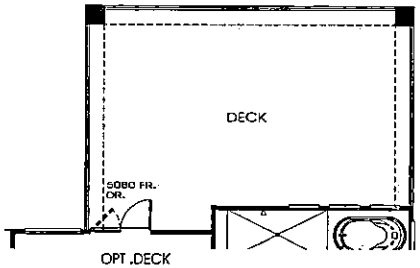
RANCHO CUCAMONGA, CA

PLAN #2X

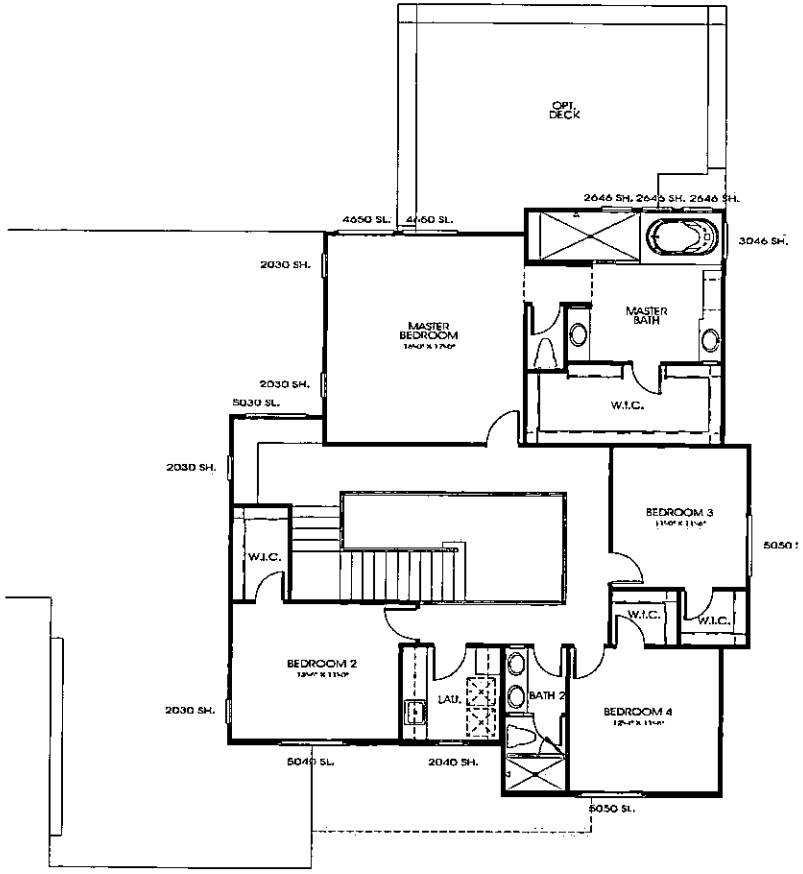
JEC Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400

E, F, G 14

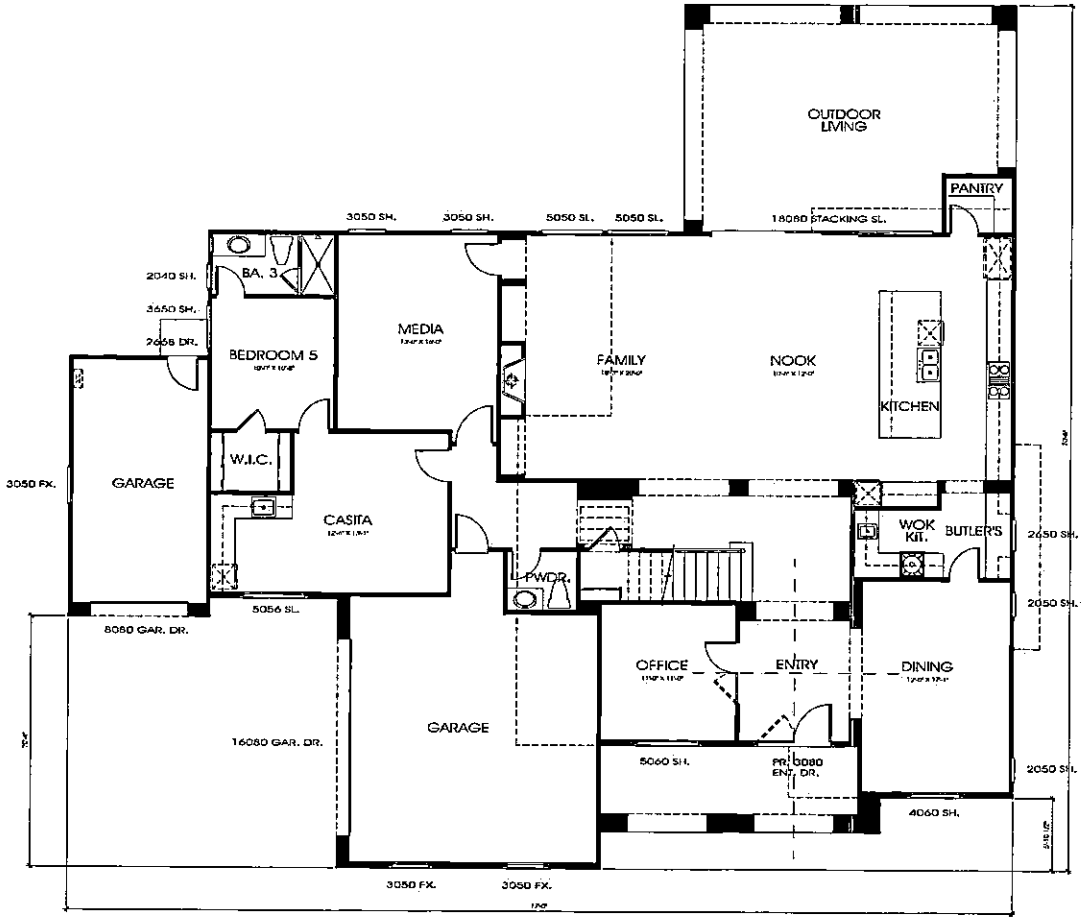
E, F, G 15



OPT .DECK



SECOND FLOOR PLAN 1,542 S.F.



FIRST FLOOR PLAN 2,453 S.F.
3,995 S.F.

HANNOUCHE ARCHITECTS
949.261.2070

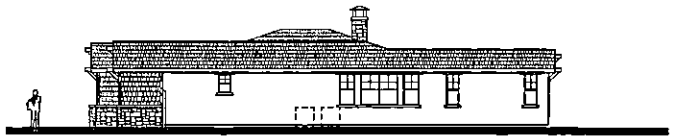
RANCHO CUCAMONGA

RANCHO CUCAMONGA, CA

PLAN #3

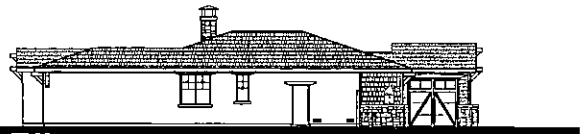
JEC Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400

EXHIBIT G

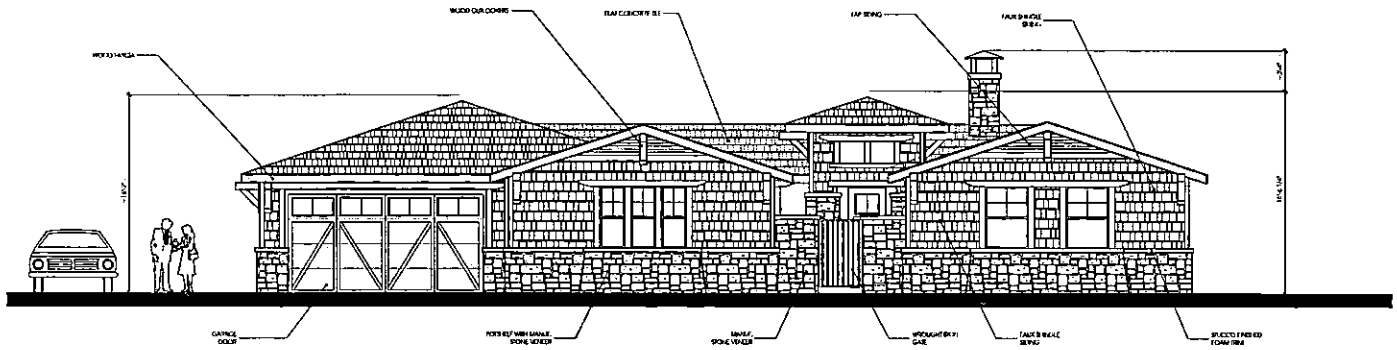


RIGHT ELEVATION

REAR ELEVATION



LEFT ELEVATION



FRONT ELEVATION

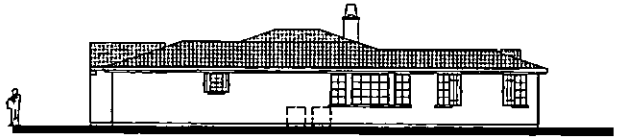
HANNOUCHE
ARCHITECTS
949.361.2870

RANCHO CUCAMONGA

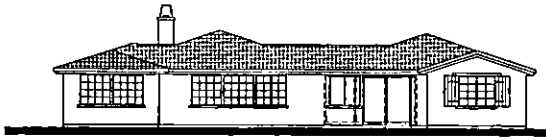
RANCHO CUCAMONGA, CA

PLAN #1
Craftsman

JEC Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400

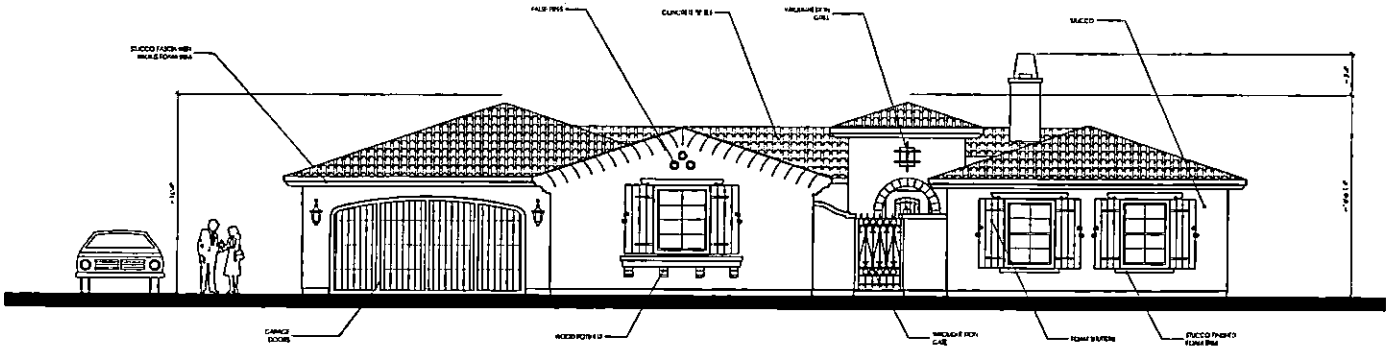


RIGHT ELEVATION



REAR ELEVATION

LEFT ELEVATION



FRONT ELEVATION

HANNOUCHE ARCHITECTS
949.261.2070

RANCHO CUCAMONGA

RANCHO CUCAMONGA, CA

PLAN #1
Spanish Colonial

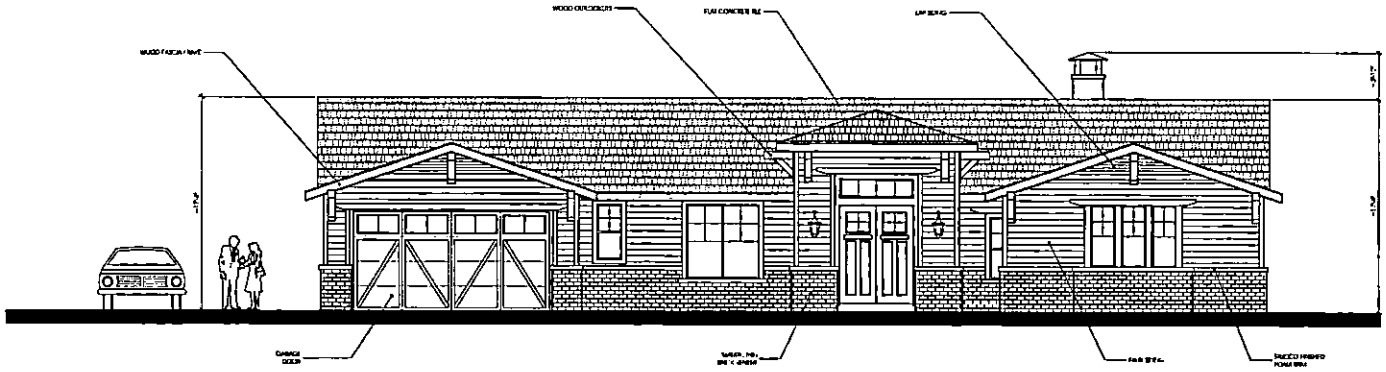
JEC Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400

E, F, G 17

RIGHT ELEVATION

REAR ELEVATION

LEFT ELEVATION



FRONT ELEVATION

HANNOUCHE ARCHITECTS
949.241.2070

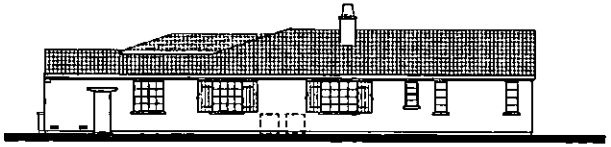
RANCHO CUCAMONGA

RANCHO CUCAMONGA, CA

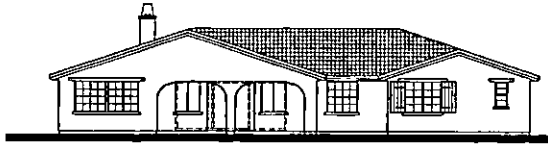
PLAN #2
Craftsman

JEC Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400

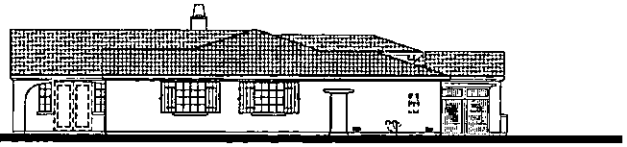
E, F, G 18



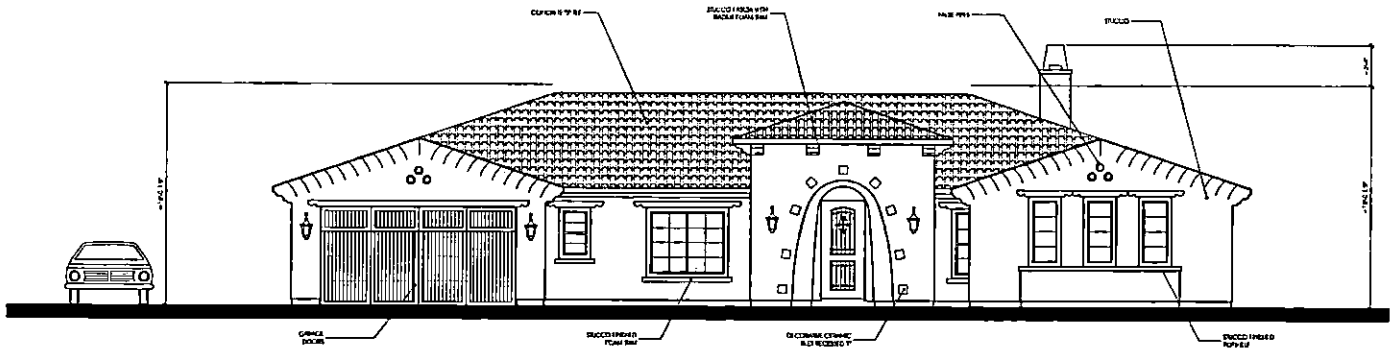
RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION



FRONT ELEVATION

HANNOUCHE
ARCHITECTS
949.261.2070

RANCHO CUCAMONGA

RANCHO CUCAMONGA, CA

PLAN #2
Spanish Colonial

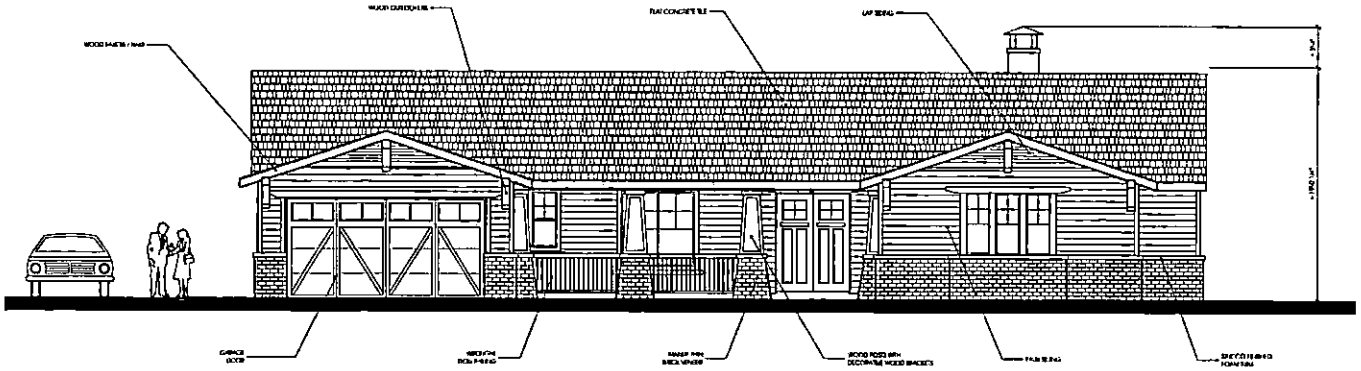
JEC Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400

E, F, G 19

RIGHT ELEVATION

REAR ELEVATION

LEFT ELEVATION



FRONT ELEVATION

E, F, G 20

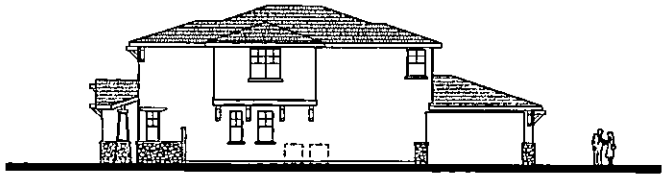
HANNOUCHE
ARCHITECTS
909.761.2078

RANCHO CUCAMONGA

RANCHO CUCAMONGA, CA

PLAN #2X
Craftsman

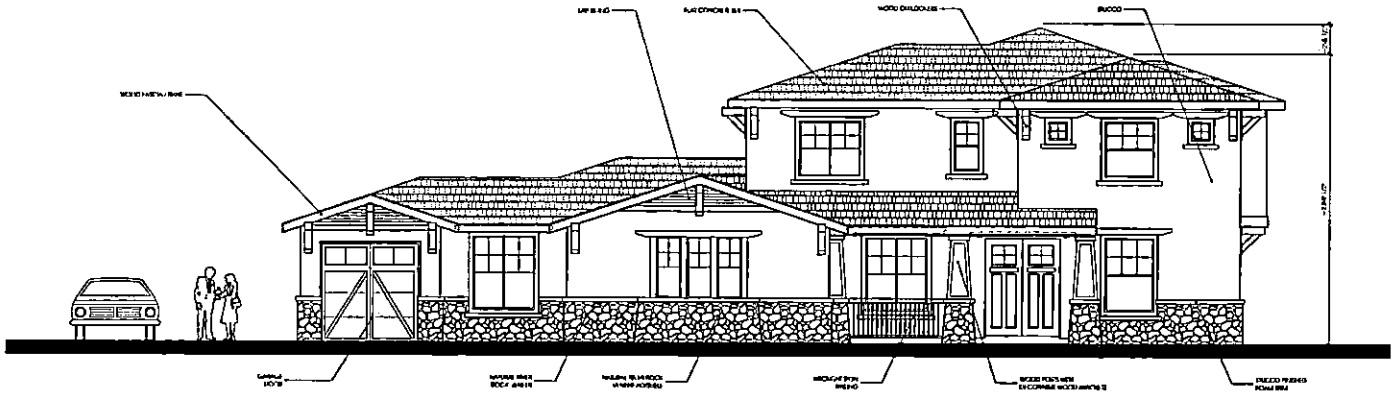
JEC Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400



RIGHT ELEVATION

REAR ELEVATION

LEFT ELEVATION



FRONT ELEVATION

HANNOUCHE
ARCHITECTS
949.261.2070

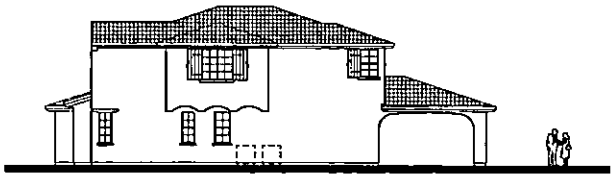
RANCHO CUCAMONGA

RANCHO CUCAMONGA, CA

PLAN #3
Craftsman

JEC Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400

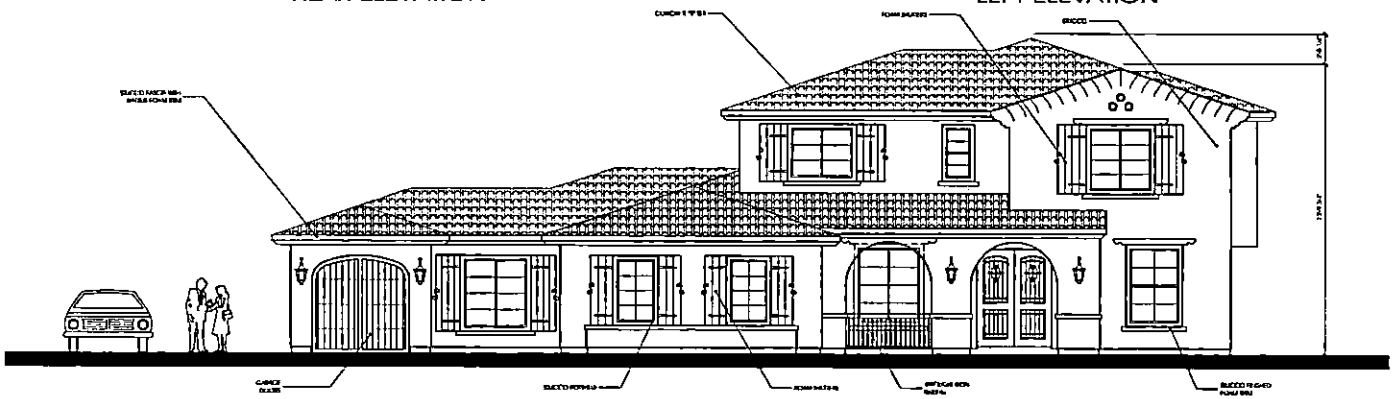
E, F, G 21



RIGHT ELEVATION

REAR ELEVATION

LEFT ELEVATION



FRONT ELEVATION

HANNOUCHE ARCHITECTS
949.241.2070

RANCHO CUCAMONGA

RANCHO CUCAMONGA, CA

PLAN #3
Spanish Colonial

JEC Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400

E, F, G 22

THE CITY OF RANCHO CUCAMONGA

DESIGN REVIEW COMMITTEE
ACTION AGENDA

February 16, 2016 - 7:00 P.M.

Rancho Cucamonga Civic Center
Rains Room
10500 Civic Center Drive
Rancho Cucamonga, California

I. CALL TO ORDER

Roll Call

Regular Members: Richard Fletcher _X_ Francisco Oaxaca ___
Candyce Burnett ___ Donald Granger _X_

Alternates: Ray Wimberly ___ Lou Munoz___
Rich Macias___

Additional Staff Present: Tom Grahn, Associate Planner and Dominick Perez, Associate Planner

II. PROJECT REVIEW ITEMS

The following items will be presented by the applicant and/or their representatives. Each presentation and resulting period of Committee comment is limited to 20 minutes. Following each presentation, the Committee will address major issues and make recommendations with respect to the project proposal. The Design Review Committee acts as an advisory Committee to the Planning Commission. Their recommendations will be forwarded to the Planning Commission as applicable. The following items do not legally require any public testimony, although the Committee may open the meeting for public input.

A. ENVIRONMENTAL ASSESSMENT AND DESIGN REVIEW DRC2015-00797 – RGA OFFICE OF ARCHITECTURE AND DESIGN: A proposal to construct an industrial building of 339,000 square feet on a parcel of 696,465 square feet (15.99 acres) in the General Industrial (GI) District located approximately 1,100 feet north of 6th Street and 395 feet north of the terminus of Santa Anita Avenue; APNs: 0229-271-24, 25, and 26. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

A. DRC2015-00797 Committee recommended approval and forwarded project to PC.

EXHIBIT H

DESIGN REVIEW COMMITTEE
ACTION AGENDA
February 16, 2016

B. ENVIRONMENTAL ASSESSMENT AND DESIGN REVIEW DRC2015-00589 – GFR HOMES - A Design Review for 10 lots within the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210 Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Tentative Tract Map SUBTT19968.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP SUBTT19968 - GFR HOMES - A request to subdivide 5.0 acres into 11 lots in the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210 Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Design Review DRC2015-00589.

B. DRC2015-00589 & SUBTT19968 Committee recommended approval and forwarded project to PC.

III. PUBLIC COMMENTS

This is the time and place for the general public to address the Committee. State law prohibits the Committee from addressing any issue not previously included on the Agenda. The Committee may receive testimony and set the matter for a subsequent meeting. Comments are limited to five minutes per individual.

IV. ADJOURNMENT

7:23 p.m.

The Design Review Committee has adopted Administrative Regulations that set an 11:00 p.m. adjournment time. If items go beyond that time, they shall be heard only with the consent of the Committee.

I, Jennifer Palacios, Office Specialist II with the Planning Department for the City of Rancho Cucamonga, hereby certify that a true, accurate copy of the foregoing agenda was posted on February 4, 2016, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 10500 Civic Center Drive, Rancho Cucamonga.

DESIGN REVIEW COMMENTS

7:00 p.m. Tom Grahn February 16, 2016

ENVIRONMENTAL ASSESSMENT AND DESIGN REVIEW DRC2015-00589 – GFR HOMES - A Design Review for 10 lots within the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210 Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Tentative Tract Map SUBTT19968.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP SUBTT19968 - GFR HOMES - A request to subdivide 5.0 acres into 11 lots in the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210 Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Design Review DRC2015-00589.

Design Parameters: The proposed project is located at the southeast corner of East Avenue and Fisher Drive, directly south of the 210 Freeway. The project site contains the Ernst Muller House, a local historic landmark, which will be retained within the proposed project, and the Saint Clare of Assisi Episcopal Church, a temporary modular building that will be demolished. To the east, west, and south of the project site are existing single family homes. Existing streets, Brownstone Place and Whitestone Place, which currently terminate at the project boundary will be extended through the project.

Lots within the proposed subdivision range in size from 13,387 square feet to 19,054 square feet, with an average lot size of 15,469 square feet. These lots exceed both the 10,000 square foot minimum lot size and the 15,000 minimum net average lot size. The proposed subdivision meets all other applicable development standards of the Etiwanda Specific Plan.

The 5 acre site is proposed to be subdivide into eleven (11) lots; one (1) lot will contain the Muller House, and ten (10) new homes will be developed. Per the Etiwanda Specific Plan, ten (10) single-family dwellings are required to provide a minimum of 3 different floor plans and 2 elevations per floor plan. The project proposes three (3) distinct floor plans, Plans 1, 2 and 3, and two (2) elevations per floor plan, including both Spanish Colonial and Craftsman. Floor plans range in size from 3,208 square feet to 3,995 square feet. Additionally, one (1) floor plan, a reverse of Plan 2, is provided as a Craftsman design. Plans 1 and 2 are single-story elevations, Plan 3 is a two-story elevation. The mix of proposed homes includes seven (7) single-story and three (3) two-story floor plans.

The Muller House will remain in place, on Lot-5; however, due to driveway access restrictions onto East Avenue, Lot-5 will gain driveway access from the interior street. All of the remaining 10 lots will obtain driveway access from the extension of the interior streets.

The project was previously reviewed by the Committee at the January 19, 2016 meeting. At that meeting the Committee recommended the following:

1. Revise the unit plotting of Lot 11 to provide a single-story elevation on this corner lot.

2. Provide additional variation in front yard setbacks.

3. On all side elevations identify the location of return walls, and on all Craftsman designed side elevations, logically terminate all accent materials at the return walls.

4. On all Craftsman designed elevations, utilize native rock for the fieldstone veneer. Other forms of stone may be manufactured products.

5. On all Craftsman elevations, expand the use of accent material on the rear and side elevations.

6. On the Plan 2, Spanish Colonial front elevation, the decorative ceramic tile should be inset to the adjacent stucco material.

The applicant has revised their proposed project to address all Committee recommendations.

Staff Comments: The following comments are intended to provide an outline for Committee discussion.

Major Issues: The following design issues will be the focus of Committee discussion regarding this project:

1. There are no major design issues.

Secondary Issues: Once all of the major issues have been addressed, and time permitting, the Committee will discuss the following secondary design issues:

1. There are no secondary design issues.

Policy Issues: The following items are a matter of Planning Commission policy and should be incorporated into the project design without discussion:

1. No policy issues have been identified.

Staff Recommendation: Staff recommends the Committee recommend approval of Design Review DRC2015-00589 and Tentative Tract SUBTT19968.

Design Review Committee Action:

The Committee recommended approval and forwarded project to Planning Commission.

Staff Planner:
Tom Grahn, Associate Planner

Members Present:
Commissioner Rich Fletcher & Donald Granger, Senior Planner

Additional Staff Present:
Dominick Perez, Associate Planner

City of Rancho Cucamonga

MITIGATION MONITORING PROGRAM

Project File No.: Tentative Tract Map SUBTT19968, Design Review DRC2015-00589 and Certificate of Appropriateness DRC2016-00180.

This Mitigation Monitoring Program (MMP) has been prepared for use in implementing the mitigation measures identified in the Mitigated Negative Declaration for the above-listed project. This program has been prepared in compliance with State law to ensure that adopted mitigation measures are implemented (Section 21081.6 of the Public Resources Code).

Program Components – This MMP contains the following elements:

1. Conditions of approval that act as impact mitigation measures are recorded with the action and the procedure necessary to ensure compliance. The mitigation measure conditions of approval are contained in the adopted Resolution of Approval for the project.
2. A procedure of 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 MMP has been designed to provide focused, yet flexible guidelines. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program.

Program Management – The MMP will be in place through all phases of the project. The project planner, assigned by the Planning Director, shall coordinate enforcement of the MMP. The project planner oversees the MMP and reviews the Reporting Forms to ensure they are filled out correctly and proper action is taken on each mitigation. Each City department shall ensure compliance of the conditions (mitigation) that relate to that department.

Procedures – The following steps will be followed by the City of Rancho Cucamonga.

1. A fee covering all costs and expenses, including any consultants' fees, incurred by the City in performing monitoring or reporting programs shall be charged to the applicant.
2. A MMP Reporting Form will be prepared for each potentially significant impact and its corresponding mitigation measure identified in the Mitigation Monitoring Checklist, attached hereto. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported. All monitoring and reporting documentation will be kept in the project file with the department having the original authority for processing the project. Reports will be available from the City upon request at the following address:

City of Rancho Cucamonga – Lead Agency
Planning Department
10500 Civic Center Drive
Rancho Cucamonga, CA 91730

EXHIBIT I

3. Appropriate specialists will be retained if technical expertise beyond the City staff's is needed, as determined by the project planner, or responsible City department, to monitor specific mitigation activities and provide appropriate written approvals to the project planner.
4. The project planner, or responsible City department, will approve, by signature and date, the completion of each action item that was identified on the MMP Reporting Form. After each measure is verified for compliance, no further action is required for the specific phase of development.
5. All MMP Reporting Forms for an impact issue requiring no further monitoring will be signed off as completed by the project planner or responsible City department at the bottom of the MMP Reporting Form.
6. Unanticipated circumstances may arise requiring the refinement or addition of mitigation measures. The project planner is responsible for approving any such refinements or additions. An MMP Reporting Form will be completed by the project planner or responsible City department and a copy provided to the appropriate design, construction, or operational personnel.
7. The project planner or responsible City department has the authority to stop the work of construction contractors if compliance with any aspects of the MMP is not occurring after written notification has been issued. The project planner or responsible City department also has the authority to hold certificates of occupancies if compliance with a mitigation measure attached hereto is not occurring. The project planner or responsible City department has the authority to hold issuance of a business license until all mitigation measures are implemented.
8. Any conditions (mitigation) that require monitoring after project completion shall be the responsibility of the City of Rancho Cucamonga Planning Department. The Department shall require the applicant to post any necessary funds (or other forms of guarantee) with the City. These funds shall be used by the City to retain consultants and/or pay for City staff time to monitor and report on the mitigation measure for the required period of time.
9. In those instances requiring long-term project monitoring, the applicant shall provide the City with a plan for monitoring the mitigation activities at the project site and reporting the monitoring results to the City. Said plan shall identify the reporter as an individual qualified to know whether the particular mitigation measure has been implemented. The monitoring/reporting plan shall conform to the City's MMP and shall be approved by the Community Development Director or Planning Director prior to the issuance of building permits.

Print Form

RANCHO CUCAMONGA
Planning Department
(909) 477-2750

ENVIRONMENTAL INFORMATION FORM (Part I - Initial Study)

(Please type or print clearly using ink. Use the tab key to move from one line to the next line.)

The purpose of this form is to inform the City of the basic components of the proposed project so that the City may review the project pursuant to City Policies, Ordinances, and Guidelines; the California Environmental Quality Act; and the City's Rules and Procedures to Implement CEQA. It is important that the information requested in this application be provided in full.

Upon review of the completed Initial Study Part I and the development application, additional information such as, but not limited to, traffic, noise, biological, drainage, and geological reports may be required. The project application will not be deemed complete unless the identified special studies/reports are submitted for review and accepted as complete and adequate. The project application will not be scheduled for Committees' review unless all required reports are submitted and deemed complete for staff to prepare the Initial Study Part II as required by CEQA. In addition to the filing fee, the applicant will be responsible to pay or reimburse the City, its agents, officers, and/or consultants for all costs for the preparation, review, analysis, recommendations, mitigations, etc., of any special studies or reports.

GENERAL INFORMATION

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. Please note that it is the responsibility of the applicant to ensure that the application is complete at the time of submittal; City staff will not be available to perform work required to provide missing information.

Application Number for the project to which this form pertains: _____

Project Title: JEC -East Avenue-Rancho Cucamonga

Name & Address of project owner(s): The Bishop of the Episcopal Protestant Church in Los Angeles,
a corporation sole
PO Box 9428
Rancho Cucamonga, CA 91701

Name & Address of developer or project sponsor:
JEC Enterprises. Inc.
434 N. 2nd Avenue
Upland, CA 91786

Contact Person & Address: Felix Robles

434 N. 2nd Avenue

Upland, CA 91786

Name & Address of person preparing this form (if different from above):

Ludwig Engineering Associates, Inc.

109 E. Third Street

San Bernardino, CA 92410

Telephone Number: (909) 884-8217

PROJECT INFORMATION & DESCRIPTION:

Information indicated by an asterisk (*) is not required of non-construction CUP's unless otherwise requested by staff.

**1) Provide a full scale (8-1/2 x 11) copy of the USGS Quadrant Sheet(s) which includes the project site, and indicate the site boundaries.*

2) Provide a set of color photographs that show representative views into the site from the north, south, east, and west; views into and from the site from the primary access points that serve the site; and representative views of significant features from the site. Include a map showing location of each photograph.

3) Project Location (describe):

SE Corner of Fisher Drive and East Avenue

4) Assessor's Parcel Numbers (attach additional sheet if necessary):

0227-071-17

**5) Gross Site Area (ac/sq. ft.):* 5-AC

**6) Net Site Area (total site size minus area of public streets & proposed dedications):*

3.5-AC

7) Describe any proposed general plan amendment or zone change which would affect the project site (attach additional sheet if necessary):

N/A

8) *Include a description of all permits which will be necessary from the City of Rancho Cucamonga and other governmental agencies in order to fully implement the project:*

N/A at this time.

9) *Describe the physical setting of the site as it exists before the project including information on topography, soil stability, plants and animals, mature trees, trails and roads, drainage courses, and scenic aspects. Describe any existing structures on site (including age and condition) and the use of the structures. Attach photographs of significant features described. In addition, cite all sources of information (i.e., geological and/or hydrologic studies, biotic and archeological surveys, traffic studies):*

The topography of the site slopes from three to four percent in a southeasterly direction. Because the site is relatively flat it is considered stable. Plants on site consist of Eucalyptus, Palm, and Pine trees, with native grasses and perennials. Animal life is consistent with urban areas found in the westerly valley region. There are no scenic views on or from the site with the exception of Mt Baldy to the North.

The site current has two structures. One structure has been used by the Episcopal Church for religious assembly and was built in _____ and is currently in good condition.

The second structure was built in 1914-1930 as a single family residence and is currently in good condition.

10) *Describe the known cultural and/or historical aspects of the site. Cite all sources of information (books, published reports and oral history):*

On the site exists the Ernst Mueller Family House, a Historic Landmark approved by

Resolution by the City Council of the City of Rancho Cucamonga, California,

Designation 94-01

Recorded: July 27, 1994 as Instrument No. 94320352 of Official Records

11) *Describe any noise sources and their levels that now affect the site (aircraft, roadway noise, etc.) and how they will affect proposed uses:*

The 210 Freeway is north of the site but there exists a sound wall which will minimize traffic noise.

12) *Describe the proposed project in detail. This should provide an adequate description of the site in terms of ultimate use that will result from the proposed project. Indicate if there are proposed phases for development, the extent of development to occur with each phase, and the anticipated completion of each increment. Attach additional sheet(s) if necessary:*

The existing 5-AC parcel will be subdivided into 11 single family lots.

Since there is only 11 lots proposed then no phasing is anticipated. Completion of the project to be

dependent on the release of permits and the contractor's schedule.

13) *Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.) and scale of development (height, frontage, setback, rear yard, etc.):*

The adjacent property to the North is owned by Caltrans and used for State Highway 210. The property to the

East and South has been developed as one & two story single family residence on approximately 14,000 sq ft

lots w/building setback est. in 1989 -1994 (front 30', side 5'-20', rear 25'). Plant & animal life is consistent with

urban development. Property to the West consist of a 1-story SFR on approx. 13,500 sq ft lots w/bldg setbacks

est. in 1959 -1976. Portion of the adjacent property to the West has been developed as a detention basin.

14) *Will the proposed project change the pattern, scale, or character of the surrounding general area of the project?*

The proposed project will not change the pattern, scale, or character of the surrounding area but rather it will conform to it.

15) *Indicate the type of short-term and long-term noise to be generated, including source and amount. How will these noise levels affect adjacent properties and on-site uses? What methods of soundproofing are proposed?*

The short-term noise will be generated from on-site grading due to earth moving equipment. Other sources of noise include light frame construction and the installation of underground utilities. Work to be performed during the daylight hours therefore no significant affects to the adjacent residences anticipated. Sound proofing barriers are not anticipated at this time.

*16) *Indicate proposed removals and/or replacements of mature or scenic trees:*

17) *Indicate any bodies of water (including domestic water supplies) into which the site drains:*

N/A at this time.

18) *Indicate expected amount of water usage. (See Attachment A for usage estimates). For further clarification, please contact the Cucamonga Valley Water District at (909) 987-2591.*

a. *Residential (gal/day)* 7040 *Peak use (gal/Day)* 7755

b. *Commercial/Ind. (gal/day/ac)* _____ *Peak use (gal/min/ac)* _____

19) *Indicate proposed method of sewage disposal:* ☐ *Septic Tank* ☒ *Sewer.*

If septic tanks are proposed, attach percolation tests. If discharge to a sanitary sewage system is proposed indicate expected daily sewage generation: (See Attachment A for usage estimates). For further clarification, please contact the Cucamonga Valley Water District at (909) 987-2591.

a. *Residential (gal/day)* 2970

b. *Commercial/Industrial (gal/day/ac)* _____

RESIDENTIAL PROJECTS:

20) *Number of residential units:* 11

Detached (indicate range of parcel sizes, minimum lot size and maximum lot size:

Parcels range from 13,387 sq ft to 19,054 sq ft.

Attached (indicate whether units are rental or for sale units): For Sale units

21) *Anticipated range of sale prices and/or rents:*

Sale Price(s) $ 780,000 *to* $ 820,000

Rent (per month) $_____ *to* $_____

22) *Specify number of bedrooms by unit type:*

PLAN ONE - FOUR BEDROOMS

PLAN TWO - FOUR BEDROOMS PLAN TWO-X FOUR BEDROOMS

PLAN THREE - FIVE BEDROOMS

23) *Indicate anticipated household size by unit type:*

PLAN ONE - 2.63

PLAN TWO - 2.63

PLAN THREE - 2.63

24) *Indicate the expected number of school children who will be residing within the project: Contact the appropriate School Districts as shown in Attachment B:*

a. *Elementary:* 4

b. *Junior High:* 2

c. *Senior High* 2.6

COMMERCIAL, INDUSTRIAL, AND INSTITUTIONAL PROJECTS

25) *Describe type of use(s) and major function(s) of commercial, industrial or institutional uses:*

N/A

26) *Total floor area of commercial, industrial, or institutional uses by type:* N/A

27) *Indicate hours of operation:* N/A

28) *Number of employees:*

Total: N/A

Maximum Shift:

Time of Maximum Shift:

29) *Provide breakdown of anticipated job classifications, including wage and salary ranges, as well as an indication of the rate of hire for each classification (attach additional sheet if necessary):*

N/A

30) *Estimation of the number of workers to be hired that currently reside in the City:*

*31) *For commercial and industrial uses only, indicate the source, type, and amount of air pollution emissions. (Data should be verified through the South Coast Air Quality Management District, at (818) 572-6283):*

N/A

ALL PROJECTS

32) *Have the water, sewer, fire, and flood control agencies serving the project been contacted to determine their ability to provide adequate service to the proposed project? If so, please indicate their response.*

The Cucamonga Valley Water District was contacted and will provide water and sewer.

The fire and flood control agencies will be contacted at the Full Submittal process.

33) *In the known history of this property, has there been any use, storage, or discharge of hazardous and/or toxic materials? Examples of hazardous and/or toxic materials include, but are not limited to PCB's; radioactive substances; pesticides and herbicides; fuels, oils, solvents, and other flammable liquids and gases. Also note underground storage of any of the above. Please list the materials and describe their use, storage, and/or discharge on the property, as well as the dates of use, if known.*

The city has no records that would substantiate storage of hazardous materials on this site.

34) *Will the proposed project involve the temporary or long-term use, storage, or discharge of hazardous and/or toxic materials, including but not limited to those examples listed above? If yes, provide an inventory of all such materials to be used and proposed method of disposal. The location of such uses, along with the storage and shipment areas, shall be shown and labeled on the application plans.*

No.

35) *The applicant shall be required to pay any applicable Fish and Game fee. The project planner will confirm which fees apply to this project. All checks are to be made payable to the Clerk of the Board Supervisors and submitted to the Planning Commission/Planning Director hearing:*

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for adequate evaluation of this project to the best of my ability, that the facts, statements, and information presented are true and correct tot he best of my knowledge and belief. I further understand that additional information may be required to be submitted before an adequate evaluation can be made by the City of Rancho Cucamonga.

Date: 6-9-15 *Signature:* [signature]

Title: President (Manager)

ATTACHMENT "A"

CITY OF RANCHO CUCAMONGA

ESTIMATED WATER USE AND SEWER FLOWS FOR NEW DEVELOPMENT
(Data Provided by Cucamonga Valley Water District February 2003)

Water Usage

Single-Family	705 gallons per EDU per day
Multi-Family	256 gallons per EDU per day
Neighborhood Commercial	1000 gal/day/unit (tenant)
General Commercial	4082 gal/day/unit (tenant)
Office Professional	973 gal/day/unit (tenant)
Institutional/Government	6412 gal/day/unit (tenant)
Industrial Park	1750 gal/day/unit (tenant)
Large General Industrial	2020 gal/day/unit (tenant)
Heavy Industrial (distribution)	1863 gal/day/unit (tenant)

Sewer Flows

Single-Family	270 gallons per EDU per day
Multi-Family	190 gallons per EDU per day
General Commercial	1900 gal/day/acre
Office Professional	1900 gal/day/acre Institutional/Government
Industrial Park	3000 gal/day/acre
Large General Industrial	2020 gal/day/acre
Heavy Industrial (distribution)	1863 gal/day/acre

Source: Cucamonga Valley Water District
Engineering & Water Resources Departments,
Urban Water Management Plan 2000

ATTACHMENT B

Contact the school district for your area for amount and payment of school fees:

Elementary School Districts

Alta Loma
9350 Base Line Road, Suite F
Rancho Cucamonga, CA 91730
(909) 987-0766

Central
10601 Church Street, Suite 112
Rancho Cucamonga, CA 91730
(909) 989-8541

Cucamonga
8776 Archibald Avenue
Rancho Cucamonga, CA 91730
(909) 987-8942

Etiwanda
6061 East Avenue
P.O. Box 248
Rancho Cucamonga, CA 91739
(909) 899-2451

High School

Chaffey High School
211 West 5th Street
Ontario, CA 91762
(909) 988-8511

City of Rancho Cucamonga
ENVIRONMENTAL CHECKLIST FORM
INITIAL STUDY PART II

BACKGROUND

1. **Project File:** Tentative Tract Map SUBTT19968, Design Review DRC2015-00589, Certificate of Appropriateness DRC2016-00180.

2. **Related Files:** N/A

3. **Description of Project:** The proposed subdivision of 5.0 acres into 11 lots and the development of 10 homes in the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210 Freeway, located at 6563 East Avenue.

4. **Project Sponsor Name and Address:**
   GFR Homes
   434 N. 2nd Street
   Upland, CA 91786

5. **General Plan Designation:** Low Residential

6. **Zoning:** Low (L) Residential District of the Etiwanda Specific Plan

7. **Surrounding Land Uses and Setting:** The proposed project is located at the southeast corner of East Avenue and Fisher Drive, directly south of the 210 Freeway. The project site contains the Ernst Muller House, a local historic landmark, which will be retained within the proposed project, and the Saint Clare of Assisi Episcopal Church, a temporary modular building that will be demolished. To the east, west, and south of the project site are existing single-family homes. Existing streets, Brownstone Place and Whitestone Place, which currently terminate at the project boundary will be extended through the project. The overall site is 5.0 acres and will be subdivided into 11 single-family lots, with an east-west dimension of approximately 330 feet and a north-south dimension of approximately 660 feet. Vegetation consists of various grass and weeds as well as a variety of mature trees.

8. **Lead Agency Name and Address:**
   City of Rancho Cucamonga
   Planning Department
   10500 Civic Center Drive
   Rancho Cucamonga, CA 91730

9. **Contact Person and Phone Number:**
   Tom Grahn, Associate Planner
   City of Rancho Cucamonga Planning Department
   (909) 477-2750, extension 4312

10. **Other agencies whose approval is required:** None.

GLOSSARY – The following abbreviations are used in this report:

CALEEMOD – California Emissions Estimator Model
CVWD – Cucamonga Valley Water District
EIR – Environmental Impact Report
FEIR – Final Environmental Impact Report

FPEIR - Final Program Environmental Impact Report
NPDES – National Pollutant Discharge Elimination System
NOx – Nitrogen Oxides
ROG – Reactive Organic Gases
PM_{10} – Fine Particulate Matter
RWQCB – Regional Water Quality Control Board
SCAQMD – South Coast Air Quality Management District
SWPPP – Storm Water Pollution Prevention Plan

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

(✓) Aesthetics	(✓) Agricultural Resources	(✓) Air Quality
(✓) Biological Resources	(✓) Cultural Resources	(✓) Geology & Soils
(✓) Greenhouse Gas Emissions	( ) Hazards & Waste Materials	(✓) Hydrology & Water Quality
( ) Land Use & Planning	( ) Mineral Resources	(✓) Noise
( ) Population & Housing	( ) Public Services	( ) Recreation
( ) Transportation/Traffic	( ) Utilities & Service Systems	(✓) Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

( ) I find that the proposed project COULD NOT have a significant effect on the environment. A NEGATIVE DECLARATION will be prepared.

(✓) I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by, or agreed to, by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

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

( ) I find that the proposed project MAY have a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standard and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

( ) I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects 1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and 2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prepared By: _____ Date: 3/21/2016

Reviewed By: DONALD GRANGER Date: 3/22/16

Rev 9-29-15

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

EVALUATION OF ENVIRONMENTAL IMPACTS

1. AESTHETICS. *Would the project:*				
a) Have a substantial adverse effect on a scenic vista?	( )	( )	( )	(✓)
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?	( )	( )	( )	(✓)
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	( )	( )	( )	(✓)
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	( )	( )	(✓)	( )

Comments:

a) There are no significant vistas within or adjacent to the project site. The site is not within a view corridor according to General Plan Figure LU-6.

b) The project site contains no scenic resources and no historic buildings within a State Scenic Highway. There are no State Scenic Highways within the City of Rancho Cucamonga.

c) The proposed project is located on the south side of the 210 Freeway, at the southeast corner of east of East Avenue, and is characterized by existing single-family homes to the east, south, and west, and the Ernst Muller House, a local historic landmark. The proposed project is similar in scale and massing as the existing single-family homes in the vicinity and the visual quality of the area will not be degraded as a result of this project. City standards require the developer to underground existing and new utility lines and facilities to minimize the unsightly appearance of overhead utility lines and utility enclosures in accordance with Planning Commission Resolution No. 87-96, unless exempted by said Resolution. The Ernst Muller House will be retained on the project site and will be preserved in a manner that protects its contribution to the community as a local historical landmark. The house will remain where it is currently situated facing East Avenue. Substantial building setbacks will situate the house at the center of the lot, existing trees located in close proximity to the house will remain protected in place, and a new freestanding garage and driveway access will orient to the local street, east of the house and to the interior of the project. Therefore, no adverse impacts are anticipated.

d) The project would increase the number of streetlights and security lighting used in the immediate vicinity. The design and placement of light fixtures require compliance with City standards that require shielding, diffusing, or indirect lighting to avoid glare. Lighting will be selected and located to confine the area of illumination to within the project site. Therefore, no adverse impacts are anticipated.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
2. AGRICULTURAL RESOURCES. *Would the project:*				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	( )	( )	(✓)	( )
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	( )	( )	( )	(✓)
c) Conflict with existing zoning for, or cause re-zoning of, forest land (as defined in Public Resources Code section 12220 (g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104 (g))?	( )	( )	( )	(✓)
d) Result in the loss of forest land or conversion of forest land to non-forest use?	( )	( )	( )	(✓)
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	( )	( )	( )	(✓)

Comments:

a) The site is not designated as Prime Farmlands, Unique Farmland, or Farmland of Statewide Importance. The proposed project is located at the southeast corner of East Avenue and Fisher Drive, directly south of the 210 Freeway. The project site contains the Ernst Muller House, a local historic landmark, which will be retained within the proposed project, and the Saint Clare of Assisi Episcopal Church, a temporary modular building that will be demolished. To the east, west, and south of the project site are existing single-family homes. Existing streets, Brownstone Place and Whitestone Place, which currently terminate at the project boundary will be extended through the project. The overall site is 5.0 acres and will be subdivided into 11 single-family lots. There are approximately 209 acres of Farmland of Local Importance, Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the City of Rancho Cucamonga according to the General Plan and the California Department of Conservation Farmland Map 2010. Concentrations of Important Farmland are sparsely located in the southern and eastern parts of the City that is characterized by existing and planned development. Farmland in the southern portion of the City is characterized by industrial, residential, and commercial land uses and Farmland in the eastern portion of the City is within the Etiwanda area and planned for development. Further, a large number of the designated farmland parcels are small, ranging from 3 acres to 30 acres, and their economic viability is doubtful; therefore, they are not intended to be retained as farmland in the General Plan Land Use Plan. The General Plan FPEIR identified the conversion of farmlands to urban uses as a significant unavoidable adverse impact for which a Statement of Overriding Considerations was ultimately adopted by the City Council. The proposed project is consistent with the General Plan for which the FPEIR was prepared and impacts evaluated.

b) There is no agriculturally zoned land within the City of Rancho Cucamonga. There are no Williamson Act contracts within the City. Therefore, no adverse impacts are anticipated.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

c) There are no lands within the City of Rancho Cucamonga zoned as forest land or timberland. Therefore no impacts would occur related to the conversion of forest land to non-forest use. Further, there are no areas within the City of Rancho Cucamonga that are zoned as forest land, timberland, or Timberland Production. Therefore, no adverse impacts are anticipated.

d) There are no lands within the City of Rancho Cucamonga that qualify as forest land or timberland. Therefore no impacts would occur related to the loss or conversion of forest land to non-forest use. Further, there are no areas within the City of Rancho Cucamonga that are zoned as forest land, timberland, or Timberland Production. Therefore, no adverse impacts are anticipated.

e) The proposed project is located on the south side of the 210 Freeway, at the southeast corner of east of East Avenue, and is characterized by existing single-family homes to the east, south, and west, and the Ernst Muller House, a local historic landmark. Furthermore, there are no lands within the City of Rancho Cucamonga that qualify as forest land and therefore, there is no potential for conversion of forest land to a non-forest use. Therefore, no adverse impacts are anticipated.

3. AIR QUALITY. *Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?	( )	( )	( )	(✓)
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	( )	(✓)	( )	( )
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors?	( )	(✓)	( )	( )
d) Expose sensitive receptors to substantial pollutant concentrations?	( )	(✓)	( )	( )
e) Create objectionable odors affecting a substantial number of people?	( )	( )	( )	(✓)

Comments:

a) As discussed in subsection b, the project would not exceed any air quality standards and would not interfere with the region's ability to comply with Federal and State air quality standards for Criterion 1 Increase in the Frequency or Severity of Violations (local air quality impacts) or Criterion 2 Exceed Assumptions in the AQMP (consistency with the 2003 AQMP). Therefore the project is consistent with the 2003 AQMP.

b) Both the State of California and the Federal government have established health-based ambient air quality standards (AAQS) for seven air pollutants. These pollutants include ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), coarse particulate matter with a diameter or 10 microns or less (PM_{10}), fine particulate matter less than 2.5 ($PM_{2.5}$) microns in diameter and lead. Among these pollutants, ozone and

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

particulate matter (PM_{10} and $PM_{2.5}$) are considered regional pollutants while the others have more localized effects. In addition, the State of California has set standards for sulfates, hydrogen sulfide (H_2S), vinyl chloride and visibility reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety.

The City of Rancho Cucamonga area is within the South Coast Air Basin, which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The California Clean Air Act (CCAA) provides the SCAQMD with the authority to manage transportation activities at indirect sources. Indirect sources of pollution are generated when minor sources collectively emit a substantial amount of pollution. Examples of this include motor vehicles at an intersection, a mall and on highways. SCAQMD also regulates stationary sources of pollution within a jurisdictional area. Direct emissions from motor vehicles are regulated by the Air Resources Board (ARB).

The combination of topography, low mixing height, abundant sunshine, and emissions from the second largest urban area in the United States gives the Basin the worst air pollution problem in the nation. The Basin experiences a persistent temperature inversion (increasing temperature with increasing altitude); this inversion (coupled with low wind speeds) limits the vertical dispersion of air contaminants, holding them relatively near the ground.

Pursuant to the Federal Clean Air Act (FCAA) of 1970, the EPA established national ambient air quality standards (NAAQS) for six major pollutants, termed criteria pollutants: ozone (O_3), coarse particulate matter with a diameter or 10 microns or less (PM_{10}), fine particulate matter less than 2.5 ($PM_{2.5}$) microns in diameter, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and lead.

Criteria pollutants are defined as those pollutants for which the Federal and State governments have established AAQS, or criteria, for outdoor concentrations in order to protect public health. Data collected at permanent monitoring stations are used by the EPA to classify regions as "attainment" or "non-attainment" depending on whether the regions met the requirements stated in the primary NAAQS. Nonattainment areas have additional restrictions as required by the EPA. The EPA has designated the Southern California Association of Governments (SCAG) as the Metropolitan Planning Organization (MPO) responsible for ensuring the Basin's compliance with the FCAA. The South Coast Air Basin is in Non-Attainment Status for Ozone, PM_{10} and $PM_{2.5}$.

Specific criteria for determining whether the potential air quality impacts of a project are significant are set forth in the SCAQMD's CEQA Air Quality Handbook. The criteria include daily emissions thresholds, compliance with State and national air quality standards, and consistency with the current AQMP. As prescribed by SCAQMD, an Air Quality and Greenhouse Gas Impact Analysis (Giroux & Associates, March 24, 2015) was prepared that utilizes CalEEMod (Version 2013.2.2) to evaluate short-term construction emissions and short-term construction emissions for localized significant thresholds, long-term operational emissions, operation emissions for localized significant thresholds, and Greenhouse Gas Emissions.

Short Term (Construction): Project Emissions and Impacts

The project proposes the subdivision of 5.0 acres into 11 single-family lots ranging in size from 13,387 square feet to 19,054 square feet, with an average lot size of 15,469 square

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

feet. These lots exceed both the 10,000 square foot minimum lot size and the 15,000 minimum net average lot size of the Low (L) Residential District of the Etiwanda Specific Plan. The potential emissions associated with construction of the project are described in the following sections.

Summary of Peak Construction Emissions (Estimated Maximum Daily Construction Emissions and Regional Thresholds)

Estimated Maximum Daily Construction Emissions and Regional Thresholds

Construction Phase	Maximum Emissions (lbs/day)				
	ROG	NO_x	CO	PM_{10}	$PM_{2.5}$
2016 Maximum lbs/day	12	55	42	21	13
SCAQMD Regional Thresholds	*75*	*100*	*550*	*150*	*55*
Threshold Exceeded 2016	No	No	No	No	No

Construction activities associated with the project will result in emissions of CO, VOCs, NO_x, SO_x, PM_{10} and $PM_{2.5}$ and are expected from the following construction activities: demolition, grading (including soil import/export), building construction, painting (architectural coatings), paving (curb, gutter, and flatwork), and construction worker commuting.

Localized Significance Summary in Pounds Per Day (Estimated Maximum Daily Construction Emissions and LSTs)

Estimated Maximum Daily Construction Emissions and LSTs

	NOx	CO	PM_{10}	$PM_{2.5}$
2016 Maximum lbs/day	40	30	6	4
Local Significance Threshold (on-site only)[1]	**270**	**2,193**	**16**	**4**
Threshold Exceeded 2016?	No	No	No	No

Equipment Exhausts and Related Construction Activities

Construction activities produce combustion emissions from various sources such as site grading, utility engines, on-site heavy-duty construction vehicles, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions from construction activities envisioned on site would vary daily as construction activity levels change. The use of construction equipment on site would result in localized exhaust emissions; however, as shown in the tables above, the amount will not exceed any Local Significance Threshold.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than, Significant Impact	No Impact

Fugitive Dust

Fugitive dust emissions are generally emissions associated with land clearing and exposure of soils to the air and wind, and cut-and-fill grading operations. Dust generated during construction varies substantially on a project-by project basis, depending on the level of activity, the specific operation and weather conditions at the time of construction. Construction emissions can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions and other factors. The proposed project will be required to comply with SCAQMD Rules 402 and 403 to control fugitive dust.

Architectural Coatings

Architectural coatings contain VOCs that are similar to ROCs and are part of the O_3 precursors. Based on the proposed project, it is estimated that the proposed project will result in a maximum of approximately 12 lbs of VOC per day (combined for all construction sources) during construction. Therefore, this VOC emission is the principal air emission and is less than the SCAQMD VOC threshold of 75 lbs/day.

Odors

Heavy-duty equipment in the project area during construction would emit odors. However, the construction activity would cease to occur after individual construction is completed. No other sources of objectionable odors have been identified for the proposed project, and no mitigation measures are required. In compliance with SCAQMD Rule 402 the proposed uses are not anticipated to emit any objectionable odors. Therefore, objectionable odors posing a health risk to potential on-site and existing off-site uses would not occur as a result of the proposed project.

Naturally Occurring Asbestos

The proposed project is located in San Bernardino County and it is not among the counties that are found to have serpentine and ultramafic rock in their soils. In addition, there has been no serpentine or ultramafic rock found in the project area. Therefore, the potential risk for naturally occurring asbestos (NOA) during project construction is small and less than significant.

Based on the discussion above and with implementation of the following Best Available Control Measures (BACM) identified in the Air Quality and Greenhouse Gas Study (Birdseye Planning Group, March 2015) as mitigation measures, short-term, construction impacts will be less-than-significant:

1) **All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.**

2) **The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the midmorning, afternoon, and after work is done for the day.**

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

3) **The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less.**

<u>Cumulative Impacts: Short-Term Construction Emissions</u>

Continued development will contribute to the pollutant levels in the Rancho Cucamonga area, which already exceed Federal and State standards. During the construction phases of development, on-site stationary sources, heavy-duty construction vehicles, construction worker vehicles, and energy use will generate emissions. In addition, fugitive dust would also be generated during grading and construction activities. While most of the dust would settle on or near the project site, smaller particles would remain in the atmosphere, increasing particle levels within the surrounding area. Construction is an on-going industry in the Rancho Cucamonga area. Construction workers and equipment work and operate at one development site until their tasks are complete. Nevertheless, fugitive dust and equipment emissions are required to be assessed. The General Plan Final Program Environmental Impact Report (FPEIR) analyzed the impacts of Air Quality based on the future build out of the City. Based upon on the Urban Emissions Model (URBEMIS7G) estimates in Table 4.3-3 of the General Plan (FPEIR), Nitrogen Dioxide (NO_2), Ozone (O_3), and Particulate Matter ($PM_{2.5}$ and PM_{10}) would exceed SCAQMD thresholds for significance; therefore, they would all be cumulatively considerable if they cannot be mitigated on a project basis to a level less-than-significant. This city-wide increase in emissions was identified as a significant unavoidable adverse impact for which a Statement of Overriding Considerations was ultimately adopted by the City Council as noted in the Section 4.3 of the General Plan FPEIR.

Based on the Air Quality and Greenhouse Gas Study (Birdseye Planning Group, March 2015), no short-term, operational impacts would occur as a result of the project. Because the project would result in minimal emissions that do not exceed any thresholds of significance, the project's contribution to cumulative impacts is also considered minimal. With implementation of the following best practices and mitigation measures from the City's 2010 General Plan FPEIR that are designed to minimize short-term air quality impacts, the project's contribution to cumulative impacts will be less-than-significant:

4) **All construction equipment shall be maintained in good operating condition so as to reduce operational emissions. The contractor shall ensure that all construction equipment is being properly serviced and maintained as per manufacturers' specifications. Maintenance records shall be available at the construction site for City verification.**

5) **Prior to the issuance of any grading permits, the developer shall submit construction plans to the City denoting the proposed schedule and projected equipment use. Construction contractors shall provide evidence that low emission mobile construction equipment will be utilized, or that their use was investigated and found to be infeasible for the project. Contractors shall also conform to any construction measures imposed by the South Coast Air Quality Management District (SCAQMD) as well as City Planning Staff.**

6) **The construction contractor shall utilize electric or clean alternative fuel powered equipment where feasible.**

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

7) **The construction contractor shall ensure that construction-grading plans include a statement that work crews will shut off equipment when not in use.**

8) **All asphalt shall meet or exceed performance standards noted in SCAQMD Rule 1108.**

9) **All paints and coatings shall meet or exceed performance standards noted in SCAQMD Rule 1113. Paints and coatings shall be applied either by hand or high-volume, low-pressure spray.**

10) **All construction equipment shall comply with SCAQMD Rules 402 and 403. Additionally, contractors shall include the following provisions:**

- **Reestablish ground cover on the construction site through seeding and watering.**
- **Pave or apply gravel to any on-site haul roads.**
- **Phase grading to prevent the susceptibility of large areas to erosion over extended periods of time.**
- **Schedule activities to minimize the amounts of exposed excavated soil during and after the end of work periods.**
- **Dispose of surplus excavated material in accordance with local ordinances and use sound engineering practices.**
- **Sweep streets according to a schedule established by the City if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling. Timing may vary depending upon the time of year of construction.**
- **Suspend grading operations during high winds (i.e., wind speeds exceeding 25mph) in accordance with Rule 403 requirements.**
- **Maintain a minimum 24-inch freeboard ratio on soils haul trucks or cover payloads using tarps or other suitable means.**

11) **The site shall be treated with water or other soil-stabilizing agent (approved by SCAQMD and Regional Water Quality Control Board (RWQCB)) daily to reduce PM_{10} emissions, in accordance with SCAQMD Rule 403.**

12) **Chemical soil-stabilizers (approved by SCAQMD and RWQCB) shall be applied to all inactive construction areas that remain inactive for 96 hours or more to reduce PM_{10} emissions.**

<u>Project Long Term (Operational) Emissions and Impacts</u>

Long-term air pollutant emissions are those associated with stationary sources and mobile sources involving any project-related changes. The proposed project would result in a net

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

increase in the amount of development in the area; therefore, the proposed project would result in net increases in both stationary and mobile source emissions. The stationary source emissions would come from additional natural gas consumption for on-site buildings and electricity for the lighting in the buildings and at the parking area. As shown in the following tables, project implementation will not exceed any significance thresholds. No long-term, operational impacts will occur as a result of the project.

Summary of Peak Operational Emissions

Estimated Operational Emissions

Emission Source	Estimated Emissions (lbs/day)					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area	.43	.01	.83	>1	.01	.01
Energy	.02	.09	.04	>1	.01	.01
Mobile	.38	1.18	4.55	.01	.73	.2
Maximum lbs/day	.83	1.28	5.42	.01	.75	.22
SCAQMD Thresholds	*55*	*55*	*550*	*150*	*150*	*55*
Threshold Exceeded?	No	No	No	No	No	No
Local Significance Thresholds	No Standard	270	2,193	No Standard	16	4
Threshold Exceeded?	N/A	No	No	N/A	No	No

Cumulative Impacts (Long Term/Operational Emissions)

The General Plan Final Program Environmental Impact Report (FPEIR) analyzed the potential impacts to air quality based on the future build out of the City. In the long-term, continued development would result in significant operational vehicle emissions based upon on the URBEMIS7G model estimates in Table 4.3-3 of the General Plan FPEIR; therefore, all developments would be cumulatively significant if they cannot be mitigated on a project basis to a less-than-significant level. This City-wide increase in emissions was identified as a significant unavoidable adverse impact for which a Statement of Overriding Considerations was ultimately adopted by the City Council as noted in the Section 4.3 of the General Plan FPEIR.

Based on the Air Quality and Greenhouse Gas Study (Birdseye Planning Group, March 2015), no long-term, operational impacts would occur as a result of the project. Because the project would result in minimal emissions that do not exceed any thresholds of significance, the project's contribution to cumulative impacts is also considered minimal. With implementation of the following mitigation measures from the City's 2010 General Plan FPEIR that are designed to minimize long-term, operational air quality impacts, the project's contribution to cumulative impacts will be less-than-significant:

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

13) **Provide adequate ingress and egress at all entrances to public facilities to minimize vehicle idling at curbsides.**

14) **Provide preferential parking to high occupancy vehicles and shuttle services.**

15) **Schedule truck deliveries and pickups during off-peak hours.**

16) **Improve thermal integrity of the buildings and reduce thermal load with automated time clocks or occupant sensors.**

17) **Landscape with native and/or drought-resistant species to reduce water consumption and to provide passive solar benefits.**

18) **Provide lighter color roofing and road materials and tree planting programs to comply with the AQMP Miscellaneous Sources MSC-01 measure.**

19) **Comply with the AQMP Miscellaneous Sources PRC-03, and Stationary Sources Operations Enhanced Inspection and Maintenance and ADV-MISC to reduce emissions of restaurant operations.**

20) **All residential and commercial structures shall be required to incorporate high-efficiency/low-polluting heating, air conditioning, appliances, and water heaters.**

21) **All residential and commercial structures shall be required to incorporate thermal pane windows and weather-stripping.**

c) As noted in the General Plan FEIR (Section 4.3), continued development would contribute to the pollutant levels in the Rancho Cucamonga area, which already exceed Federal and State standards. The General Plan FPEIR identified the citywide increase in emissions as a significant and adverse impact for which a Statement of Overriding Considerations was ultimately adopted by the City Council.

With implementation of mitigation measures listed in subsection b) above from the City's 2010 General Plan FPEIR, which are designed to minimize long-term, operational air quality impacts, cumulative impacts will be less-than-significant.

d) Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. According to the SCAQMD, projects have the potential to create significant impacts if they are located within 1/4 mile of sensitive receptors and would emit toxic air contaminants identified in SCAQMD Rule 1401. The project site is located within 1/4 mile of a sensitive receptors, Etiwanda High School. Potential impacts to air quality are consistent with the Public Health and Safety Super-Element within the Rancho Cucamonga General Plan.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

During construction, there is the possibility of fugitive dust to be generated from grading the site. The mitigation measures listed under subsection b above and the following mitigation measure will reduce any potential impact to less-than-significant levels.

22) **All new development in the City of Rancho Cucamonga shall comply with South Coast Air Quality Management District's Rule 445, Wood Burning Devices. Rule 445 was adopted in March 2008 to reduce emissions of $PM_{2.5}$ and precludes the installation of indoor or outdoor wood burning devices (i.e. fireplaces/hearths) in new development on or after March 9, 2009.**

e) Construction odors (Short-term) may include odors associated with equipment use including diesel exhaust or roofing, painting and paving. These odors are temporary and would dissipate rapidly. Operational odors (Long-term) are typically associated with the type of use. Odors from the proposed single-family residential use would most likely be from activities such as cooking; however, these odors would be minimal and not considered to be significant. Therefore, no adverse impacts are anticipated.

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

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Comments:

a) The project site is not within an area covered by any adopted Habitat Conservation Plan (HCP). The proposed project is located on the south side of the 210 Freeway, at the southeast corner of east of East Avenue, and is characterized by existing single-family homes to the east, south, and west, and the Ernst Muller House, a local historic landmark, and proposes the subdivision of 5.0 acres into 11 single-family lots and the development of 10 single-family homes. The site has been previously disrupted during prior agricultural use and annual discing for weed abatement. According to the General Plan Figure RC-4, and Section 4.4 of the General Plan FPEIR, the project site is not within an area of sensitive biological resources; therefore, development is not anticipated to adversely affect rare or endangered species of plants or animals because of the fact that the project is surrounded by urbanized land uses and is consistent with the General Plan Land Use Plan.

A Habitat Assessment Report was prepared for the project site (L&L Environmental, March 2015) which concluded that the proposed project is not anticipated to affect threatened or endangered species, or their critical habitat. The study finds that the site does not provide habitat for threatened or endangered species and that the wildlife species observed on the project site are common to urban or disturbed environments. The contribution of the project to cumulative biological impacts is not expected to be cumulatively considerable as the project site is within an urban area, is relatively small, and is isolated from areas of better habitat. The Habitat Assessment Report found no sign of burrowing owl activity during the survey, however, due to the presence of potential burrow sites and the ability of owls to begin using the site at any time, a preconstruction clearance survey is recommended prior to site disturbance. The site does contain a large number of mature trees which have the potential to provide nesting areas for migrating birds. To avoid any impact on nesting birds, it is recommended that a pre-construction nesting bird survey be conducted a maximum 3 days prior to ground breaking activity to avoid impact to birds protected under the Fish and Game Code and the Migratory Bird Act.

1) **Three days prior to the removal of vegetation or ground-disturbing activities, a breeding bird survey that is in conformance with the Migratory Bird Act shall be required to determine whether nesting is occurring. Occupied nests shall not be disturbed unless a qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying or incubation; or (b) the juveniles from the occupied nests are foraging independently and are capable of independent survival. If the biologist is unable to verify one of the above conditions, then no disturbance shall occur within 300 feet of non-raptor nests, and within 5,000 feet of raptor nests, during the breeding season to avoid abandonment of the young.**

   If nests are discovered, they shall be avoided through the establishment of an appropriate buffer setback, as determined by a qualified wildlife biologist. The temporary "no construction" area shall be maintained until the nest has completed its cycle, as determined by a qualified wildlife biologist. Once the nest cycle is complete and all nestlings have fledged and have left the nest, construction in the area may resume.

2) **Perform a Burrowing Owl Survey that is in conformance with the Department of Fish and Wildlife Staff Report on Burrowing Owl Mitigation and submit the written report outlining the findings to the California Department of Fish and Wildlife (CDFW) and the Planning Department within 30 days of**

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

groundbreaking activity. The survey shall include a habitat assessment, survey and impact analysis. The Burrowing Owl Survey shall follow the following protocol:

- **Burrowing Owl Survey methodology shall be based on Appendix D (Breeding and Non-breeding Season Surveys and Reports) of the CDFW Staff Report. Results of the pre-construction survey shall be provided to CDFW and the City. If the pre-construction survey does not identify burrowing owls on the project site, then no further mitigation is required. If burrowing owls are found to be utilizing the project site during the pre-construction survey, measures shall be developed by the qualified biologist in coordination with CDFW to avoid impacting occupied burrows during the nesting period. These measures shall be based on the most current CDFW protocols and will at minimum include establishment of buffer setbacks from occupied burrows and owl monitoring. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site shall be resurveyed for owls.**

- **During the non-breeding season from September 1 through January 31, if burrows are occupied by migratory or non-migratory resident burrowing owls during a pre-construction survey, burrow exclusion and/or closure may be used to exclude owls from those burrows. Burrow exclusion and/or closure should only be conducted by a qualified wildlife biologist in coordination with CDFW using the most current CDFW guidelines.**

- **During the avian nesting season from February 1 through August 31, if nests are discovered, they shall be avoided through establishment of an appropriate buffer setback, as determined by a qualified wildlife biologist. The temporary "no construction" area would have to be maintained until the nest has completed its cycle, as determined by a qualified wildlife biologist. Once the nest cycle is complete and all nestlings have fledged and have left the nest, construction in the area may resume.**

b) The project site is located in an urban area with no natural communities and no riparian habitat exists on-site. As a result, project implementation would have no impact on these resources.

c) No wetland habitat is present on-site. As a result, project implementation would have no impact on these resources.

d) The City is primarily located in an urban area that does not contain large, contiguous natural open space areas. Wildlife potentially may move through the north/south trending tributaries in the northern portion of the City and within the Sphere of Influence. Therefore no adverse impacts are anticipated.

e) The Development Code defines heritage trees as all eucalyptus windrows, any tree in excess of thirty feet (30') in height and having a single trunk with a diameter of twenty inches (20") or more or a multi-trunk having a diameter of thirty inches (30") or more. The Arborist Report (Jim Borer, May 19, 2015) evaluated a total of 75 trees on the project site

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

whose location conflicts with project improvements, 27 of these trees meet the height and dimension criteria for heritage trees, and 63 trees are of a Eucalyptus variety, with some of the eucalyptus trees situated in a windrow. The Arborist Report evaluated the location and condition of 3 Red Iron Bark (*Eucalyptus sideroxylon rosea*), 12 Red Gum (*Eucalyptus camuldulensis*), 39 Blue Gum (*Eucalyptus globulous*), 9 Silver Dollar (*Eucalyptus rudis*), 1 Italian Stone Pine (*Pinus pinea*), 3 Elderberry (*Sambucus species*), 1 Evergreen Ash (*Fraxinus uhdei*), 2 Walnut (*Juglans species*), 2 European Olive (Olean europaea), 2 Christmas Berry (*Heteromeles arbutifolia*) and, 1 Arizona Cypress (*Cupressus arizonica*), a total of 75 trees. The Arborist Report evaluated the condition of the trees, whether they met Heritage Tree criteria, and their suitability for preservation. The Arborist Report did not address the trees in close proximity to the Ernst Muller House as these trees will remain in place. This includes 4 Palm trees (2 in the front yard and 2 in the rear yard), 1 Italian Stone Pine, and a variety of smaller fruit and ornamental trees. These trees will remain in place and will be protected from damage during construction of the project site.

The 63 eucalyptus trees are in poor health, several are dead, and their location conflicts with proposed improvements; 15 of these eucalyptus trees meet the criteria for designation as heritage trees. Of the remaining 12 trees, 4 are exempt as fruit or nut bearing, and 6 do not meet the trunk diameter and height requirement as Heritage trees. The remaining 2 trees are not suitable candidates for relocation. The project site is within the Etiwanda Specific Plan area which requires that eucalyptus trees that are part of a windrow be replaced with 5-gallon sized trees planted 8 feet on center. The project will be required to plant eucalyptus trees at the required spacing along the rear property line of all 11 residential lots. The impact of the removal of the trees will be further mitigated by the Development Code requirement that new residential projects plant a minimum of two trees in the front yard area of each lot. The following mitigation measures will reduce impact to less-than-significant levels:

3) **Plant 5-gallon size eucalyptus trees in the rear yard off all 11 residential lots in a windrow along the rear property line at 8 feet on center. Adequate provisions for deep irrigation of the trees shall be shown on the Landscape Plans submitted with the Design Review application for the future residences on the lots.**

4) **All trees located on the future lot for the Ernst Muller House, except those associated with the Tree Removal Permit and evaluated under the project Arborist Report, shall remain in place and shall be protected in place during all construction activities. Construction barriers, situated outside of the drip line for all trees, shall be installed prior to the issuance of grading permits for the project.**

f) Neither the City nor the SOI are within an adopted HCP, NCCP, or other approved State Habitat Conservation Plan area. The project site is not located within a local conservation area according to the General Plan, Open Space and Conservation Plan, Figure RC-1. No conflicts with habitat conservation plans will occur. Therefore, no adverse impacts are anticipated.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
5. CULTURAL RESOURCES. *Would the project:*				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	( )	( )	(✓)	( )
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5?	( )	(✓)	( )	( )
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	( )	(✓)	( )	( )
d) Disturb any human remains, including those interred outside of formal cemeteries?	( )	( )	( )	(✓)
e) Directly or indirectly affect a Native American tribal cultural resource?	( )	(✓)	( )	( )

Comments:

a) The proposed project is located on the south side of the 210 Freeway, at the southeast corner of east of East Avenue, and is characterized by existing single-family homes to the east, south, and west, and the Ernst Muller House, a local historic landmark, and proposes the subdivision of 5.0 acres into 11 single-family lots and the development of 10 single-family homes. The Ernst Muller House, located at 6563 East Avenue, was designated as a local historic landmark on June 1, 1994, along with its surrounding landscape features. A Historic Resource Assessment and Impacts Analysis (Chattel, November 11, 2014) evaluated the proposed project. The proposed rehabilitation of the Ernst Muller House (following the Secretary of the Interiors Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings), the construction of East Avenue street improvements, construction of a driveway and garage for the Ernst Muller House, demolition of outbuildings east of the Ernst Muller House, removal of the temporary modular church building, and subdivision of the surrounding property into 11 lots was determined to have been designed with sensitivity to the early setting of the subject property. Therefore, no adverse impacts are anticipated.

b) There are no known archaeological sites or resources recorded on the project site; however, the Rancho Cucamonga area is known to have been inhabited by Native Americans according to the General Plan FPEIR (Section 4.6). Construction activity, particularly grading, soil excavation, and compaction, could adversely affect or eliminate existing and potential archaeological resources. The General Plan Final Program Environmental Impact Report (FPEIR) analyzed the impacts of Cultural Resources based on the future build out of the City. The following mitigation measures as identified in the FPEIR shall be implemented:

1) **If any prehistoric archaeological resources are encountered before or during grading, the developer will retain a qualified archaeologist to monitor construction activities, to take appropriate measures to protect or preserve them for study. With the assistance of the archaeologist, the City of Rancho Cucamonga will:**

- **Enact interim measures to protect undesignated sites from demolition or significant modification without an opportunity for the City to establish its archaeological value.**

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

- **Consider establishing provisions to require incorporation of archaeological sites within new developments, using their special qualities as a theme or focal point.**

- **Pursue educating the public about the archaeological heritage of the area.**

- **Prepare a mitigation plan consistent with Section 21083.2 Archaeological resources of CEQA to eliminate adverse project effects on significant, important, and unique prehistoric resources, including but not limited to, avoiding archaeological sites, capping or covering sites with soil, planning the site as a park or green space or paying an in-kind mitigation fee.**

- **Prepare a technical resources management report, documenting the inventory, evaluation, and proposed mitigation of resources within the project area. Submit one copy of the completed report with original illustrations, to the San Bernardino County Archaeological Information Center for permanent archiving.**

c) The General Plan FPEIR (Section 4.6) indicates that the Rancho Cucamonga area is on an alluvial fan. According to the research performed at the Natural History Museum of Los Angeles County and the San Bernardino County database, no paleontological sites or resources have been recorded within the City of Rancho Cucamonga or the Sphere-of-Influence, including the project site; however, the area has a high sensitivity rating for paleontological resources. The older alluvium, which would have been deposited during the wetter climate that prevailed 10,000-100,000 years ago during the Late Pleistocene epoch of the Quaternary period, when the last "Ice Age" and the appearance of modern man occurred, may contain significant vertebrate fossils. The project site is underlain by Quaternary alluvium per the Public Safety Element of the General Plan; therefore, the following mitigation measures shall be implemented:

2) **If any paleontological resource (i.e. plant or animal fossils) are encountered before or during grading, the developer will retain a qualified paleontologist to monitor construction activities, to take appropriate measures to protect or preserve them for study. The paleontologist shall submit a report of findings that will also provide specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Where mitigation monitoring is appropriate, the program must include, but not be limited to, the following measures:**

- **Assign a paleontological monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full-time during the interval of earth-disturbing activities.**

- **Should fossils be found within an area being cleared or graded, divert earth-disturbing activities elsewhere until the monitor has completed salvage. If construction personnel make the discovery, the grading contractor should immediately divert construction and notify the monitor of the find.**

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

- **Prepare, identify, and curate all recovered fossils for documentation in the summary report and transfer to an appropriate depository (i.e., San Bernardino County Museum).**

- **Submit summary report to City of Rancho Cucamonga. Transfer collected specimens with a copy of the report to San Bernardino County Museum.**

d) The proposed project is in an area that has already been disturbed by grading and surrounding development. The site has been previously disrupted during agricultural use of the site, the construction of surrounding infrastructure and surrounding developments, and annual discing for weed abatement. No known religious or sacred sites exist within the project area. No evidence is in place to suggest the project site has been used for human burials. The California Health and Safety Code (Section 7050.5) states that if human remains are discovered on-site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. As adherence to State regulations is required for all development, no mitigation is required in the unlikely event human remains are discovered on-site. Therefore, no adverse impacts are anticipated.

e) On February 4, 2016, per the requirements of AB52, the City submitted Tribal Consultation Requests to the Soboba Band of Luiseno Indians and the San Manual Band of Mission Indians. On February 9, 2016, the San Manuel Band of Mission Indians requested additional information about the project site to determine if the area is sensitive for tribal cultural resources and if consultation is necessary. On February 10, 2016, staff forwarded the Archaeological Resources Assessment (L&L Environmental, November 20, 2015), which includes a Cultural Resources Assessment of the project site, to the San Manuel Band of Mission Indians; no comments were received regarding that report. The following mitigation measure shall be implemented:

3) **The applicant shall contact the San Manuel Band of Mission Indians to discuss monitoring of the project during ground disturbance, and any trenching below the initial grade level, to ensure that cultural resources that may be encountered during ground disturbances are protected and preserved for study. The applicant shall submit the results of this consultation to the City prior to issuance of permits for grading of the site.**

6. GEOLOGY AND SOILS. *Would the project*: a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	( )	( )	( )	(✓)
ii) Strong seismic ground shaking?	( )	( )	( )	(✓)

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction?	( )	( )	( )	(✓)
iv) Landslides?	( )	( )	( )	(✓)
b) Result in substantial soil erosion or the loss of topsoil?	( )	(✓)	( )	( )
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	( )	( )	( )	(✓)
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	( )	( )	( )	(✓)
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	( )	( )	( )	(✓)

Comments:

a) No known faults pass through the site and it is not in an Earthquake Fault Zone, nor is it in the Rancho Cucamonga City Special Study Zone along the Red Hill Fault, according to the General Plan Figure PS-2, and Section 4.7 of the General Plan FPEIR. The Red Hill Fault (and Etiwanda Avenue Fault Scarp), passes within 1.0 mile northwest of the site, and the Cucamonga Fault Zone lies approximately 2.0 miles north. These faults are both capable of producing M_w 6.0-7.0 earthquakes. Also, the San Jacinto fault, capable of producing up to M_w 7.5 earthquakes is about 16 miles northeasterly of the site and the San Andreas, capable of up to M_w 8.2 earthquakes, is about 18 miles northeasterly of the site. Each of these faults can produce strong ground shaking. Adhering to the Uniform Building Code and Standard Conditions will ensure that geologic impacts are less-than-significant.

b) The City of Rancho Cucamonga is within a designated Soil Erosion Control Area Exhibit 4.7-4 of the General Plan FPEIR. The proposed project will require the excavation, stockpiling, and/or movement of on-site soils. The Rancho Cucamonga area is subject to strong Santa Ana wind conditions during September to April, which generates blowing sand and dust, and creates erosion problems. Construction activities may temporarily exacerbate the impacts of windblown sand, resulting in temporary problems of dust control; however, development of this project under the General Plan would help to reduce windblown sand impacts in the area as pavement, roads, buildings, and landscaping are established. Therefore, the following fugitive dust mitigation measures shall be implemented to reduce impacts to less-than-significant levels:

1) **The site shall be treated with water or other soil-stabilizing agent (approved by SCAQMD and RWQCB) daily to reduce PM_{10} emissions, in accordance with SCAQMD Rule 403 or re-planted with drought resistant landscaping as soon as possible.**

2) **Frontage public streets shall be swept according to a schedule established by the City to reduce PM_{10} emissions associated with vehicle tracking of soil off-site. Timing may vary depending upon the time of year of construction.**

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

3) **Grading operations shall be suspended when wind speeds exceed 25 mph to minimize PM_{10} emissions from the site during such episodes.**

4) **Chemical soil-stabilizers (approved by SCAQMD and RWQCB) shall be applied to all inactive construction areas that remain inactive for 96 hours or more to reduce PM_{10} emissions.**

c) The General Plan FPEIR (Section 4.7) indicates that there is a potential for the hillside areas at the northern end of the City and in the SOI for slope failure, landslides, and/or erosion. Areas subject to slope instability contain slopes of 30 percent or greater. Landslides may be induced by seismic activity, rain, or construction. The City Hillside Development Regulations prohibits the development within slopes of 30 percent or greater and limit the number of units that could be constructed within the Hillside Residential and Very Low Density Residential designations in the Hillside areas. The site is not within an Earthquake hazard zone or other unstable geologic unit or soil type according to General Plan FPEIR Exhibit 4.7-2. Soil types on-site consist of Tujunga Gravelly Loamy Sand (TvC) Soil association according to General Plan FPEIR Exhibit 4.7-3. Therefore, no adverse impacts are anticipated.

d) The majority of Rancho Cucamonga, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Soil types on-site consist of Tujunga Gravelly Loamy Sand (TvC) Soil association according to General Plan FPEIR Exhibit 4.7-3. These soils are typically found at the in the central and eastern sections of the City and consist of brown loamy sand and pale-brown coarse sand about 60 inches thick, somewhat excessively drained, and found on nearly level to moderately sloping alluvial fans. With adherence to standard building techniques in accordance with the building code, no adverse impacts are anticipated.

e) The project will connect to, and be served by, the existing local sewer system for wastewater disposal. No septic tanks or alternative wastewater disposal is proposed. No adverse impacts are anticipated.

7. GREENHOUSE GAS EMISSIONS. *Would the project:*				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	( )	(✓)	( )	( )
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	( )	( )	(✓)	( )

Comments:

a) Regulations and Significance – The Federal government began studying the phenomenon of global warming as early as 1979 with the National Climate Protection Act (92 Stat. 601). In June of 2005, Governor Schwarzenegger established California's Green House Gas (GHG) emissions reduction target in Executive Order (EO) S-3-05. The EO created goals to reduce GHG emissions for the State of California to 2000 levels by 2010; GHG emissions reduced to 1990 levels by 2020; and GHG emissions reduced to 80 percent below 1990 levels by 2050. Additionally, on December 7, 2009, the U.S. Environmental Protection Agency (USEPA) issued findings regarding GHGs under rule 202(a) of the Clean Air Act: (1) that GHGs endanger human health; and (2) that this will be the first steps to regulating

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

GHGs through the Federal Clean Air Act. The USEPA defines 6 key GHGs (carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6)). The combined emissions of these well-mixed greenhouse gases from new motor vehicles and engines contribute to GHG pollution.

The western states, including Arizona, California, New Mexico, Oregon, Utah, and Washington, already experience hotter, drier climates. California is a substantial contributor of GHGs and is expected to see an increase of 3 to 4 degrees Fahrenheit (°F) over the next century.

Assembly Bill (AB) 32 requires that the California Air Resources Board (ARB), the lead agency for implementing AB 32, determine what the statewide GHG emission level was in 1990 and approve a statewide GHG emissions limit (427 million metric tons of CO_2 equivalent) to be achieved by 2020 and prepare a Scoping Plan to outline the main strategies for meeting the 2020 deadline. Significant progress can be made toward the 2020 goal through existing technologies and improving the efficiency of energy use. Other solutions would include improving the State's infrastructure, and transitioning to cleaner and more efficient sources of energy.

The ARB estimates that 38 percent of the State's GHG emissions in 2004 was from transportation sources followed by electricity generation (both in-State and out-of-State) at 28 percent and industrial at 20 percent. Residential and commercial activities account for 9 percent, agricultural uses at 6 percent, high global warming potential gases at 3 percent, and recycling and waste at 1 percent.

It is not anticipated that any single development project would have a substantial effect on global climate change but that GHG emissions from the project would combine with emissions across California, the United States, and the world to cumulatively contribute to global climate change. Therefore, consistent with the ARB's Climate Change Scoping Plan, the proposed project was evaluated for consistency with the Early Action Measures (Scoping Plan is a recommendation until adopted through normal rulemaking). The proposed project is assessed by determining its consistency with the 37 Recommended Actions identified by ARB. In compliance with Senate Bill (SB) 97 and CEQA, the project has been analyzed based on a qualitative analysis (CEQA 15064.4). Additionally, the ARB was directed through SB 375 to develop regional GHG emission reduction targets to be achieved within the automobile and light truck sectors for 2020 and 2035.

SCAQMD and ARB maintain ambient air quality monitoring stations in the Basin. The stations closest to the project site are the Upland station and the Fontana-Arrow Highway station. The Upland station monitors all criteria pollutants except PM_{10}, $PM_{2.5}$, and SO_2 which are monitored at the Fontana-Arrow Highway station. The ambient air quality in the project area for CO, NO_2, and SO_2 are consistently below the relevant State and Federal standards (based on ARB and EPA from 2007, 2008, and 2009 readings). Ozone, PM_{10}, and $PM_{2.5}$ levels all exceed State and Federal standards regularly.

Project Related Sources of GHG's – Based on the *Guidelines for the Implementation of California Environmental Quality Act*, Appendix G, a project would normally be considered to have a significant effect on air quality if the project would violate any ambient air quality standards, contribute substantially to an existing air quality violation, expose sensitive receptors to substantial pollutant concentrations, or conflict with adopted environmental plans and goals of the community. However, neither the CEQA statutes, Office of Planning and Research (OPR) guidelines, nor the draft proposed changes to the CEQA Guidelines

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

prescribe thresholds of significance or a particular methodology for performing an impact analysis. Significance criteria are left to the judgment and discretion of the Lead Agency.

The City of Rancho Cucamonga has not adopted a threshold of significance for GHG emissions. However, a screening threshold of 3,000 MTCO2e per year is based upon South Coast Air Quality Management District staff's proposed GHG screening threshold for stationary sources emissions for non-industrial projects, as described in the SCAQMD's Interim CEQA GHG Significance Threshold for Stationary Sources, Rules, and Plans.

Project related GHG's would include emissions from direct and indirect sources. Based on the Air Quality and Greenhouse Gas Study (Birdseye, March 2015), total project related emissions would be 222.43 $MTCO_2eq$/year, as shown in the following table:

Combined Annual Greenhouse Gas Emissions

Emission Source	Annual Emissions (CO_2E)
Construction	9 metric tons
Operational	
Energy	44 metric tons
Area	2.43 metric tons
Solid Waste	2.8 metric tons
Water	4.2 metric tons
Mobile	160 metric tons
Total	**222.43 metric tons**

As shown in the table, direct and indirect operational emissions associated with the project as compared to the SCAQMD's interim threshold of significance of 3,000 MTCO2e per year would result in a less than significant impact with respect to GHG emissions.

<u>Cumulative Short Term (Construction) GHG Emissions</u> – The General Plan FPEIR (Section 4.5) indicates that GHG emissions result from construction activities associated with diesel-powered construction equipment and other combustion sources (i.e. Generators, workers vehicles, material delivery, etc.). The GHG emitted by construction equipment is primarily carbon dioxide (CO_2). The highest levels of construction related GHG's occur during site preparation including demolition, grading and excavation. Construction related GHG's are also emitted from off-site haul trucks and construction workers traveling to the job site. Exhaust emissions from construction activities would vary each day with the changes in construction activity on site. The combustion of fossil-based fuels creates GHG's such as CO_2, Ch_4, and N_2O. CH_4 is emitted during the fueling of heavy equipment.

Based on the Air Quality and Greenhouse Gas Study (Birdseye, March 2015), no significant impacts to GHGs from short-term construction impacts would occur as a result of the project as shown in the table above. Because the project would result in minimal emissions that do not exceed the SCAQMD's interim threshold of significance, the project's contribution to cumulative impacts is also considered minimal. The proposed project would have less than a significant short-term cumulative impact with implementation of the following enforceable actions, which are included as mitigation measures in accordance with Mitigation Measure 4.5-1 of the 2010 General Plan Update FPEIR:

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

1) **The project must comply with all rules that assist in reducing short-term air pollutant emission in compliance with SCAQMD Rule 403 regarding fugitive dust including treating the site with water or other soil-stabilizing agent twice daily or replanting disturbed areas as quickly as possible.**

2) **The construction contractor shall select construction equipment based on low-emission factors and high energy efficiency and submit a statement on the grading plan that ensures all construction equipment will be tuned and maintained in accordance with the manufactures' specification.**

3) **Trucks shall not idle continuously for more than 5 minutes.**

4) **Alternative fuel powered equipment shall be utilized in lieu of gasoline- or diesel-powered engines where feasible.**

5) **Construction should be timed so as not to interfere with peak-hour traffic.**

6) **Ridesharing and transit incentives shall be supported and encouraged for the construction crew.**

Cumulative Long Term (Operational) GHG's Emissions – The primary source of GHG emissions generated by the proposed project would be from motor vehicles, combustion of natural gas for space and water heating, as well as off-site GHG emissions from generation of electricity consumed by the proposed land use development over a long term. CEQA requires the Lead Agency to review the project for "adequacy, completeness, and a good faith effort at full disclosure," to determine potential impacts of GHG's. Therefore the project has been analyzed based on methodologies and information available to the City at the time this document was prepared. Estimates are based on past performance and represent a scenario that is a worst case with the understanding that technology changes may reduce GHG emissions in the future. To date, there is no established quantified GHG emission threshold.

The project proposes the subdivision of 5.0 acres into 11 single-family lots. The majority of energy consumption typically occurs during project operation (more than 80 percent and less than 20 percent during construction activities). The proposed project will incorporate several design features that are consistent with the California Office of the Attorney General's recommended measures to reduce GHG emission including: water efficient landscaping, shade trees, and walkways that provide accessibility to public sidewalks.

The project is consistent with the California Environmental Protection Agency Climate Action Team proposed early action measures to mitigate climate change included in the CARB Scoping Plan mandated under AB 32. The proposed project will incorporate several design features including: water efficient landscaping, shade trees, and walkways that provide accessibility to public sidewalks. Additionally, the City is participating in the development of a Sustainable Communities Strategy (SCS) with SANBAG for the San Bernardino County area pursuant to Senate Bill (SB) 375.

Based on the Air Quality and Greenhouse Gas Study (Birdseye, March 2015), no significant impacts to GHGs from long-term, operational impacts would occur as a result of the project as shown in the table above. Because the project would result in minimal emissions that do not exceed the SCAQMD's interim threshold of significance, the project's contribution to cumulative impacts is also considered minimal. The proposed project would

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

have less than a significant long-term operational impact with implementation of the following enforceable actions, which are included as mitigation measures in accordance with Mitigation Measure 4.5-1 of the 2010 General Plan Update FPEIR:

7) **Construction and Building materials shall be produced and/or manufactured locally. Use "Green Building Materials" such as materials that are resource efficient, recycled and manufactured in an environmentally friendly way including low-volatile-organic-compound (VOC) materials.**

8) **Design all buildings to exceed California Building Code Title 24 energy standard including but not limited to any combination of:**

- **Increased insulation.**
- **Limit air leakage through the structure.**
- **Incorporate Energy Star or better rated windows, space heating and cooling equipment, light fixtures, and appliances.**
- **Landscape and develop site utilizing shade, prevailing winds and landscaping.**
- **Install efficient lighting and lighting control systems.**
- **Install light colored "cool" roofs and cool pavements.**
- **Install solar or light emitting diodes (LED's) for outdoor lighting.**

9) **Prepare a comprehensive water conservation strategy appropriate for the project and include the following:**

- **Install water efficient landscapes and irrigation systems and devices in compliance with the City of Rancho Cucamonga Water Efficient Landscape Ordinance.**
- **Use reclaimed water for landscaping within the project if available or as required by the Cucamonga Valley Water District (CVWD).**
- **Design building to be water efficient by installing water efficient fixtures and appliances including low flow faucets, dual flush toilets and waterless urinals/water heaters.**
- **Design irrigation to control runoff and to remove water to non-vegetated surfaces.**

10) **Reuse and recycle construction and demolition waste. Provide interior and exterior storage areas for recyclables and green waste in public areas. Educate employees about reducing waste and about recycling.**

b) No other applicable plans, policies, or regulations adopted for the purpose of reducing GHG emission apply to the project. The 2010 General Plan Update includes adopted policies

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

and Standard Conditions that respond to the Attorney General and the California Air Pollution Control Officers Association (CAPCOA). The General Plan policies and Standard Conditions guide infill and sustainable development reliant on pedestrian connections, re-use and rehabilitation of existing structures, link transportation opportunities, promote development that is sensitive to natural resources and incentivizes denser mixed use projects that maximizes diverse opportunities. The proposed project includes water efficient landscaping, shade trees, and walkways that provide accessibility to public sidewalks and therefore is consistent with the sustainability and climate change policies of the General Plan. The General Plan Final Program Environmental Impact Report (FPEIR) analyzed the impacts of GHG's and determined that GHG emissions would be cumulatively considerable, which would be a significant, unavoidable adverse cumulative impact. A Statement of Overriding Considerations was ultimately adopted by the City Council. Based on the Air Quality and Greenhouse Gas Study (Birdseye, March 2015), no significant impacts to GHGs from short-term, construction impacts or long-term, operational impacts would occur as a result of the project. Because the project would result in minimal emissions that do not exceed the SCAQMD's interim threshold of significance, the project's contribution to GHGs from short-term construction and long-term operational cumulative impacts is also considered minimal. With implementation of the mitigation measures listed in subsection a), less than significant impacts would occur as a result of the project. In addition, the proposed project would not hinder the State's GHG reduction goals established by AB 32 and therefore would be less than a significant impact.

8.	**HAZARDS AND WASTE MATERIALS.** *Would the project:*				
	a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	( )	( )	( )	(✓)
	b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	( )	( )	( )	(✓)
	c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	( )	( )	( )	(✓)
	d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	( )	( )	( )	(✓)
	e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	( )	( )	( )	(✓)
	f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	( )	( )	( )	(✓)

Issues and Supporting Information Sources:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	( )	( )	( )	(✓)
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	( )	( )	( )	(✓)

Comments:

a) Development within the City may utilize or generate hazardous materials or wastes. This is usually associated with individual households, small business operations, and maintenance activities like paints, cleaning solvents, fertilizers, and motor oil or through construction activities that would use paints, solvents, acids, curing compounds, grease, and oils. These materials would be stored and used at individual sites. The proposed project is located on the south side of the 210 Freeway, at the southeast corner of east of East Avenue, and is characterized by existing single-family homes to the east, south, and west, and the Ernst Muller House, a local historic landmark, and proposes the subdivision of 5.0 acres into 11 single-family lots and the development of 10 single-family homes. The City participates in a countywide interagency coalition, which is considered a full service Hazardous Materials Division that is more comprehensive than any other in the State. The City has an Emergency Operations Plan that meets State and Federal requirements and is in the process of updating the approved 2005 Local Hazard Mitigation Plan. Compliance with Federal, State, and local regulations concerning the storage and handling of hazardous materials and/or waste will reduce the potential for significant impacts to a level less-than-significant. Therefore, no adverse impacts are expected.

b) The proposed project does not include the use of hazardous materials or volatile fuels. The City participates in a countywide interagency coalition, which is considered a full service Hazardous Materials Division that is more comprehensive than any other in the State. The City has an Emergency Operations Plan that meets State and Federal requirements and is in the process of updating the approved 2005 Local Hazard Mitigation Plan. Compliance with Federal, State, and local regulations concerning the storage and handling of hazardous materials or volatile fuels will reduce the potential for significant impacts to a level less-than-significant. No adverse impacts are anticipated.

c) The project site is located within ¼ mile of a sensitive receptor, Etiwanda High School, located at 13500 Victoria Street, approximately 720 feet southeast of the project site. The project proposes the subdivision of 5.0 acres into 11 single-family lots and the development of 10 single-family homes and because it is located within ¼ mile of a sensitive receptor, the project will be required to comply with existing State and Federal standards on the use and transport of hazardous materials. The proposed project and use is not anticipated to emit hazardous materials or create objectionable odors. Therefore, no adverse impacts are anticipated.

d) The proposed project is not listed as a hazardous waste or substance materials site. Site inspections in November 2015 did not reveal the presence of discarded drums or illegal dumping of hazardous materials. Therefore, no impact is anticipated.

e) The site is not located within an airport land use plan according to the General Plan Figure PS-7 and General Plan FPEIR Exhibit 4.8-1 and is not within 2 miles of a public airport.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

The project site is located approximately 5 miles northerly of the Ontario Airport and is offset north of the flight path. Therefore, no impact is anticipated.

f) There are no private airstrips within the City. The nearest private airstrip, Cable Airport, is located approximately 2 and 1/2 miles to the west of the City's westerly limits. Therefore, no impact is anticipated.

g) The City has a developed roadway network that provides emergency access and evacuation routes to existing development. New development will be located on a site that has access to existing roadways. The City's Emergency Operation Plan, which is updated every 3 years, includes policies and procedures to be administered by the City of Rancho Cucamonga in the event of a disaster. Because the project includes at least two points of public street access and is required to comply with all applicable City codes, including local fire ordinances, no adverse impacts are anticipated.

h) Rancho Cucamonga faces the greatest ongoing threat from wind-driven fires in the Very High Fire Hazard Severity Zone found in the northern part of the City; however, the proposed project site is not located within a Very High Fire Hazard Severity Zone according to General Plan Figure PS-1. Therefore, no adverse impacts are anticipated.

9.	**HYDROLOGY AND WATER QUALITY.** *Would the project:*				
a)	Violate any water quality standards or waste discharge requirements?	( )	(✓)	( )	( )
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	( )	( )	( )	(✓)
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	( )	( )	( )	(✓)
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	( )	( )	( )	(✓)
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	( )	( )	( )	(✓)
f)	Otherwise substantially degrade water quality?	( )	( )	( )	(✓)
g)	Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	( )	( )	( )	(✓)

Issues and Supporting Information Sources:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
h)	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	( )	( )	( )	(✓)
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	( )	( )	( )	(✓)
j)	Inundation by seiche, tsunami, or mudflow?	( )	( )	( )	(✓)

Comments:

a) Water and sewer service is provided by the Cucamonga Valley Water District (CVWD). The project is designed to connect to existing water and sewer systems. The State of California is authorized to administer various aspects of the National Pollution Discharge Elimination System (NPDES) permit under Section 402 of the Clean Water Act. The General Construction Permit treats any construction activity over 1 acre as an industrial activity, requiring a permit under the State's General NPDES permit. The State Water Resource Control Board (SWRCB), through the Regional Water Quality Control Board (RWQCB), Santa Ana Region, administers these permits.

Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavating, or any other activity for new development or significant redevelopment. Prior to commencement of construction of a project, a discharger must submit a Notice of Intent (NOI) to obtain coverage under the General Permit. The General Permit requires all dischargers to comply with the following during construction activities, including site clearance and grading:

- Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) that would specify Best Management Practices (BMPs) to prevent construction pollutants from contacting storm water and with the intent of keeping all products of erosion from moving off-site into receiving waters.

- Eliminate or reduce non-storm water discharges to storm sewer systems and other waters of the nation.

- Perform inspections of all BMPs.

Waste discharges include discharges of storm water and construction project discharges. A construction project for new development or significant redevelopment requires an NPDES permit. Construction project proponents are required to prepare an SWPPP. To comply with the NPDES, the project's construction contractor will be required to prepare an SWPPP during construction activities, and a Water Quality Management Plan (WQMP) for post-construction operational management of storm water runoff. The applicant has submitted a WQMP (Ludwig Engineering, December 18, 2015), which identifies BMPs to minimize the amount of pollutants, such as eroded soils, entering the drainage system after construction. Runoff from driveways, roads and other impermeable surfaces must be controlled through an on-site drainage system. BMPs include both structural and non-structural control methods. Structural controls used to manage storm water pollutant levels include detention basins, oil/grit separators, and porous pavement. Non-structural controls focus on controlling pollutants at the source, generally through implementing erosion and sediment control plans, and various Business Plans that must be developed by any businesses that store and use hazardous materials. Practices such as periodic parking lot sweeping can substantially reduce the amount of pollutants entering the storm drain

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

system. The following mitigation measures are required to control additional storm water effluent:

Construction Activities:

1) **Prior to issuance of grading permits, the permit applicant shall submit to the Building Official for approval, a Storm Water Pollution Prevention Plan (SWPPP) specifically identifying Best Management Practices (BMPs) that shall be used on-site to reduce pollutants during construction activities entering the storm drain system to the maximum extent practical.**

2) **An Erosion Control Plan shall be prepared, included in the Grading Plan, and implemented for the proposed project that identifies specific measures to control on-site and off-site erosion from the time ground disturbing activities are initiated through completion of grading. This Erosion Control Plan shall include the following measures at a minimum: a) Specify the timing of grading and construction to minimize soil exposure to rainy periods experienced in Southern California, and b) An inspection and maintenance program shall be included to ensure that any erosion which does occur either on-site or off-site as a result of this project will be corrected through a remediation or restoration program within a specified time frame.**

3) **During construction, temporary berms such as sandbags or gravel dikes must be used to prevent discharge of debris or sediment from the site when there is rainfall or other runoff.**

4) **During construction, to remove pollutants, street cleaning will be performed prior to storm events and after the use of water trucks to control dust in order to prevent discharge of debris or sediment from the site.**

5) **Prior to issuance of grading or paving permits, the applicant shall obtain a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City Building Official for coverage under the NPDES General Construction Permit.**

Post-Construction Operational:

6) **Prior to issuance of building permits, the applicant shall submit to the City Building Official for approval of a Water Quality Management Plan (WQMP), including a project description and identifying Best Management Practices (BMPs) that will be used on-site to reduce pollutants into the storm drain system to the maximum extent practicable. The WQMP shall identify the structural and non-structural measures consistent with the Guidelines for New Development and Redevelopment adopted by the City of Rancho Cucamonga in June 2004.**

7) **Landscaping plans shall include provisions for controlling and minimizing the use of fertilizers/pesticides/herbicides. Landscaped areas shall be monitored and maintained for at least two years to ensure adequate**

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

coverage and stable growth. Plans for these areas, including monitoring provisions for a minimum of two years, shall be submitted to the City for review and approval prior to the issuance of grading permits.

b) According to CVWD, approximately 35 percent of the City's water is currently provided from water supplies coming from the underlying Chino and Cucamonga Groundwater Basins. CVWD complies with its prescriptive water rights as managed by the Chino Basin Watermaster and will not deplete the local groundwater resource. The proposed project will not deplete groundwater supplies, nor will it interfere with recharge because it is not within an area designated as a recharge basin or spreading ground according to General Plan Figure RC-3. Development of the site will require the grading and excavation, but would not affect the existing aquifer, estimated to be about 300 to 470 feet below the ground surface. As noted in the General Plan FPEIR (Section 4.9), continued development citywide will increase water needs but will not be a significant impact. CVWD has plans to meet this increased need to the year 2030. Therefore, no adverse impacts are anticipated.

c) The project will cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff because of the amount of new building and hardscape proposed on the site; however, the project will not alter the course of any stream or river. All runoff will be conveyed to existing storm drain facilities, which have been designed to handle the flows. The project design includes landscaping of all non-hardscape areas to prevent erosion. A Grading and Drainage Plan must be approved by the Building Official and City Engineer prior to issuance of grading permits. Therefore, the project will not result in substantial erosion or siltation on- or off-site. Therefore, no adverse impacts are anticipated.

d) The project will cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff because of the amount of new building and hardscape proposed on a site; however, the project will not alter the course of any stream or river. All runoff will be conveyed to existing storm drain facilities, which have been designed to handle the flows. A Grading and Drainage Plan must be approved by the Building Official and City Engineer prior to issuance of grading permits. Therefore, increase in runoff from the site will not result in flooding on- or off-site. Therefore, no impacts are anticipated.

e) The project will cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff because of the amount of new building and hardscape proposed on a site; however, all runoff will be conveyed to existing storm drain facilities, which have been designed to handle the flows. The project will not result in substantial additional sources of polluted runoff. A Grading and Drainage Plan must be approved by the Building Official and City Engineer prior to issuance of grading permits. Therefore, increase in runoff from the site will not result in flooding on- or off-site. Therefore, no impacts are anticipated.

f) Grading activities associated with the construction period could result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is for new development/significant redevelopment; therefore, is required to comply with the National Pollutant Discharge Elimination System (NPDES) to minimize water pollution. With implementation of the mitigation measures specified under subsection a), less than significant impacts are anticipated.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

8) **Prior to issuance of building permits, the applicant shall submit to the City Building Official for approval of a Water Quality Management Plan (WQMP), including a project description and identifying Best Management Practices (BMPs) that will be used on-site to reduce pollutants into the storm drain system to the maximum extent practicable. The WQMP shall identify the structural and non-structural measures consistent with the Guidelines for New Development and Redevelopment adopted by the City of Rancho Cucamonga in June 2004.**

9) **Prior to issuance of grading or paving permits, the applicant shall obtain a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City Building Official for coverage under the NPDES General Construction Permit.**

10) **The developer shall implement the BMPs identified in the Water Quality Management Plan prepared by (Ludwig Engineering, December 18, 2015) to reduce construction pollutants from entering the storm drain system to the maximum extent practical.**

g) The project site is not located within a 100-year flood hazard area according to General Plan Figure PS-5. Therefore, no adverse impacts are anticipated.

h) The project site is not located within a 100-year flood hazard area according to General Plan Figure PS-5. Therefore, no adverse impacts are anticipated.

i) The Rancho Cucamonga area is flood protected by an extensive storm drain system designed to adequately convey floodwaters from a 100-year storm event. The system is substantially improved and provides an integrated approach for regional and local drainage flows. This existing system includes several debris dams and levees north of the City, spreading grounds, concrete-lined channels, and underground storm drains as shown in General Plan Figure PS-6. The project site is not located within a 100-year flood hazard area according to General Plan Figure PS-5. Therefore, no adverse impacts are anticipated.

j) There are no oceans, lakes, or reservoirs near the project site; therefore impacts from seiche and tsunami are not anticipated. The Rancho Cucamonga area sits at the base of the steep eastern San Gabriel Mountains whose deep canyons were cut by mountain streams. Numerous man-made controls have been constructed to reduce the mudflow impacts to the level of non-significance within the City. This existing system includes several debris dams and levees north of the City, and spreading grounds both within and north of the City.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
10. LAND USE AND PLANNING. *Would the project:*				
a) Physically divide an established community?	( )	( )	( )	(✓)
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	( )	( )	( )	(✓)
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	( )	( )	( )	(✓)

Comments:

a) The proposed project is located on the south side of the 210 Freeway, at the southeast corner of east of East Avenue, and is characterized by existing single-family homes to the east, south, and west, and the Ernst Muller House, a local historic landmark, and proposes the subdivision of 5.0 acres into 11 single-family lots and the development of 10 single-family homes. This project will be of similar design and size to surrounding residential development to the north and west. The Ernst Muller House will be retained on the project site and will be preserved in a manner that protects its contribution to the community has a local historic landmark. The house will remain where it is currently situated facing East Avenue. Substantial building setbacks will situate the house at the center of the lot, existing trees located in close proximity to the house will remain protected in place, and a new freestanding garage and driveway access will orient to the local street, east of the house and to the interior of the project. The project will become a part of the larger community. Therefore, no adverse impacts are anticipated.

b) The project site land use designation is Low (L) Residential District of the Etiwanda Specific Plan. The proposed project is consistent with the General Plan and does not interfere with any policies for environmental protection, or SCAG's Regional Comprehensive Plan. Therefore, no adverse impacts are anticipated.

c) The project site is not located within any habitat conservation or natural community plan area. According to General Plan Figure RC-4 and Section 4.10 of the General Plan FPEIR, the project site is not within an area of sensitive biological resources; therefore, development will not adversely affect rare or endangered species of plants or animals because of the fact that the project is surrounded by urbanized land uses and is consistent with the General Plan Land Use Plan. Therefore, no adverse impacts are anticipated.

11. MINERAL RESOURCES. *Would the project:*				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	( )	( )	( )	(✓)
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	( )	( )	( )	(✓)

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Comments:

a) The site is not designated as a State Aggregate Resources Area according to the City General Plan, Figure RC-2 and Table RC-1. Therefore, no adverse impacts are anticipated.

b) The site is not designated by the General Plan, Figure RC-2 and Table RC-1, as a valuable mineral resource recovery site. Therefore, no adverse impacts are anticipated.

12. NOISE. *Would the project result in:*				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	( )	( )	(✓)	( )
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	( )	( )	( )	(✓)
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	( )	( )	( )	(✓)
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	( )	(✓)	( )	( )
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	( )	( )	( )	(✓)
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	( )	( )	( )	(✓)

Comments:

a) The project site is not within an area of noise levels exceeding City standards according to General Plan Figure PS-9 at build-out. The 210 Freeway is located to the north of the project site and is situated below grade with an existing 12 foot high sound wall located on the top of slope on the south side of the freeway, adjacent to Fisher Drive. However, due to the proximity of the 210 Freeway a Noise Study (Birdseye Planning Group, May 2015) was prepared for the project site, which concluded that with the following mitigation measures, the noise impacts on the project will be less than significant.

Exterior:

1) **Prior to the issuance of any grading plans a construction-related noise mitigation plan shall be submitted to the City for review and approval. The**

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Plan shall depict the location of the construction equipment and how the noise from this equipment would be mitigated during construction.

2) **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 the manufacturers' standards.**

3) **The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.**

4) **The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.**

5) **The construction contractor shall obtain the City's approval for its haul plan, with the planned haul truck routes avoiding residential areas to the extent feasible.**

6) **The construction contractor shall change the timing and/or sequence of the noisiest construction operations to avoid sensitive times of the day.**

7) **Prior to the issuance of any grading plans, the applicant shall submit a construction-related noise mitigation plan for Planning Director review and approval. This plan shall depict the location of construction equipment and how the noise from this equipment would be mitigated during construction of the project.**

Interior:

8) **To prevent sound leaks the following shall be provided:**

- **On concrete slab, the first layer of 5/8" gypsum board on the unit side should be sealed top and bottom with resilient caulk, as well as around the junction boxes.**
- **Window rough-in seams should be no greater than ¼", and all seams should be caulked with resilient caulking.**
- **Seal, caulk, gasket or weather-strip all joints and seams to eliminate air leakage through these assemblies. Includes around window and doorframes, at penetrations through walls, and all other openings in the building envelope.**

b) The normal operating uses associated with this type of project normally do not induce ground borne vibrations. Construction related vibration may create short term noise and vibration impacts. Therefore, no adverse impacts are anticipated.

c) The primary source of ambient noise levels in Rancho Cucamonga is traffic. The proposed project is located on the south side of the 210 Freeway, at the southeast corner of east of

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

East Avenue, and is characterized by existing single-family homes to the east, south, and west, and the Ernst Muller House, a local historic landmark, and proposes the subdivision of 5.0 acres into 11 single-family lots and the development of 10 single-family homes. Because the project will not significantly increase traffic as analyzed in Section 16 Transportation/Traffic; it will likely not increase ambient noise levels within the vicinity of the project. Therefore, no adverse impacts are anticipated.

d) The General Plan FPEIR (Section 4.12) indicates that during a construction phase, on-site stationary sources, heavy-duty construction vehicles, and construction equipment, will generate noise exceeding City standards. The following measures are provided to mitigate the short-term noise impacts:

9) **Construction or grading shall not take place between the hours of 8:00 p.m. and 6:30 a.m. on weekdays, including Saturday, or at any time on Sunday or a national holiday.**

10) **Construction or grading noise levels shall not exceed the standards specified in Development Code Section 17.66.050, as measured at the property line. Developer shall hire a consultant to perform weekly noise level monitoring as specified in Development Code Section 17.66.050. Monitoring at other times may be required by the Building Official. Said consultant shall report their findings to the Building Official within 24 hours; however, if noise levels exceed the above standards, then the consultant shall immediately notify the Building Official. If noise levels exceed the above standards, then construction activities shall be reduced in intensity to a level of compliance with above noise standards or halted.**

The preceding mitigation measures will reduce the disturbance created by on-site construction equipment but do not address the potential impacts because of the transport of construction materials and debris. The following mitigation measures shall then be required:

11) **Haul truck deliveries shall not take place between the hours of 8:00 p.m. and 6:30 a.m. on weekdays, including Saturday, or at any time on Sunday or a national holiday. Additionally, if heavy trucks used for hauling would exceed 100 daily trips (counting both to and from the construction site), then the developer shall prepare a noise mitigation plan denoting any construction traffic haul routes and include appropriate noise mitigation measures. To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings.**

e) The site is not located within an airport land use plan and is not within 2 miles of a public airport. The Project is located approximately 5.2 miles northerly of the Ontario Airport and is offset north of the flight path. Therefore, no adverse impacts are anticipated.

f) The nearest private airstrip, Cable Airport, is located approximately 2 1/2 miles to the west of the City's westerly limits. Therefore, no adverse impacts are anticipated.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
13. POPULATION AND HOUSING. *Would the project:*				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	( )	( )	( )	(✓)
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	( )	( )	( )	(✓)
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	( )	( )	( )	(✓)

Comments:

a) The project is located in a predominantly developed area and will include the subdivision of 5.0 acres into 11 single-family lots and the development of 10 single-family homes. It is estimated that the project will generate a population growth of approximately 30 persons. Although the project will increase the population growth in the area there will be a less than significant impact as the project is consistent with the underlying Zoning and General Plan Designation which density was analyzed as part of the build out in the General Plan FPEIR. Since the project is an infill project and surrounded by developed infrastructure, adequate schools and the utility capacities to serve the project, this minimal increase in population is considered less than significant. Construction activities at the site will be short-term and will not attract new employees to the area. Therefore, no adverse impacts are anticipated.

b) The project site contains an existing church and vacant land and, therefore, there will be no displacement of housing or people. No impacts are anticipated.

c) The project site contains an existing church and vacant land and, therefore, there will be no displacement of housing or people. No impacts are anticipated.

14. PUBLIC SERVICES. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
a) Fire protection?	( )	( )	( )	(✓)
b) Police protection?	( )	( )	( )	(✓)
c) Schools?	( )	( )	( )	(✓)
d) Parks?	( )	( )	( )	(✓)
e) Other public facilities?	( )	( )	( )	(✓)

Comments:

a) The project site, located south of the 210 Freeway and east of East Avenue, would be served by Fire Station #176 at 5840 East Avenue, located approximately 0.81 miles from the project site. The project will not require the construction of any new facilities or

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. Standard conditions of approval from the Uniform Building and Fire Codes will be placed on the project to lessen the future demand and impacts to fire services. Therefore, no adverse impacts are anticipated.

b) Additional police protection is not required as the addition of the project will not change the pattern of uses within the surrounding area and will not have a substantial increase in property to be patrolled as the project site is within an area that is regularly patrolled. Therefore, no adverse impacts are anticipated.

c) The site is in a developed area currently served by the Etiwanda School District and the Chaffey Joint Union High School District. The project will be required to pay School Fees as prescribed by State law prior to the issuance of building permits. Therefore, no adverse impacts are anticipated.

d) The site is in a developing area, currently served by the City of Rancho Cucamonga. The nearest park, Etiwanda Creek Park located at 5939 East Avenue, is located approximately 0.65 miles north of the project site. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. A standard condition of approval will require the developer to pay Park Development Fees. Therefore, no adverse impacts are anticipated.

e) The proposed project will utilize existing public facilities. The site is in a developing area, currently served by the City of Rancho Cucamonga. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. Cumulative development within Rancho Cucamonga will increase demand for library services. According to the General Plan FPEIR (Section 4.14), there will be a projected increase in library space demand but with the implementation of standard conditions the increase in Library Services would be mitigated to less than significant impact. Additionally, the Paul A. Biane Library has an additional 14,000 square foot shell of vacant library space that is planned for future Library use. The proposed project is consistent with the General Plan for which the FPEIR was prepared and impacts evaluated. Therefore, no adverse impacts are anticipated.

15. RECREATION. *Would the project:*				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	( )	( )	( )	(✓)
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	( )	( )	( )	(✓)

Comments:

a) The site is in a developed area, currently served by the City of Rancho Cucamonga. The nearest park, Etiwanda Creek Park located at 5939 East Avenue, is located approximately 0.65 miles north of the project site. This project is not proposing any new housing or large

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

employment generator that would cause an increase in the use of parks or other recreational facilities. A standard condition of approval will require the developer to pay Park Development Fees. Therefore, no adverse impacts are anticipated.

b) The project does not include the development of new or the expansion of existing recreational facilities. Therefore, no adverse impacts are anticipated.

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

Comments:

a) Implementation of the proposed project will generate 130 vehicle trips daily. The proposed project is located on the south side of the 210 Freeway, at the southeast corner of east of East Avenue, and is characterized by existing single-family homes to the east, south, and west, and the Ernst Muller House, a local historic landmark, and proposes the subdivision of 5.0 acres into 11 single-family lots and the development of 10 single-family homes. The Rancho Cucamonga Traffic Model estimates that each residence will generate 13 trips daily. As noted in the General Plan FPEIR (Section 4.16), continued development will contribute to the traffic load in the Rancho Cucamonga area. The proposed project is consistent with the General Plan for which the FPEIR was prepared and impacts evaluated. The project is in an area that is mostly developed with street improvements existing or included in project design. The project will not create a substantial increase in the number of vehicle trips, traffic volume, or congestion at intersections. The project site will be required to provide street improvements (curb, gutter and sidewalk) along the street

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

frontage of the site per City roadway standards. In addition, the City has established a Transportation Development fee that must be paid by the applicant prior to issuance of building permits. Fees are used to fund roadway improvements necessary to support adequate traffic circulation. Therefore, no adverse impacts are anticipated.

b) In November 2004, San Bernardino County voters passed the Measure I extension which requires local jurisdictions to impose appropriate fees on development for their fair share toward regional transportation improvement projects. On May 18, 2005, the City of Rancho Cucamonga adopted a Comprehensive Transportation Fee Schedule updating these development impact fees. As a result, the San Bernardino County Congestion Management Agency waived the Congestion Management Plan (CMP) Traffic Impact Analysis reporting requirement. This project will be required, as a condition of approval, to pay the adopted transportation development fee prior to issuance of building permit. The project is in an area that is mostly developed with all street improvements existing. The project will not negatively impact the level of service standards on adjacent arterials. The project will be required to provide street improvements (curb, gutter, and sidewalk) along the street frontage of the site. Therefore, no adverse impacts are anticipated.

c) Located approximately 5.2 miles northerly of the Ontario Airport, the site is offset north of the flight path and will not change air traffic patterns. Therefore, no adverse impacts are anticipated.

d) The project is in an area that is mostly developed. The project will be required to provide street improvements (curb, gutter, and sidewalk) along the street frontage of the site. The project design does not include any sharp curves or dangerous intersections or farming uses. The project will, therefore, not create a substantial increase in hazards because of a design feature. Therefore, no adverse impacts are anticipated.

e) The project will be designed to provide access for all emergency vehicles during construction and upon completion of the project and will therefore not create an inadequate emergency access. Therefore, no adverse impacts are anticipated.

f) The project proposes the subdivision of 5.0 acres into 11 single-family lots and the development of 10 single-family homes. The project design does not provide typical features to support transportation and vehicle trip reduction (e.g., bus bays, bicycle racks, carpool parking, etc.), but was designed to consider the infrastructure requirements for a single-family home, including local infrastructure (e.g., streets, sidewalks, and traffic/pedestrian signals), level topography, supporting transportation, and vehicle trip reduction. Therefore, no adverse impacts are anticipated.

17. UTILITIES AND SERVICE SYSTEMS. *Would the project:*				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	( )	( )	( )	(✓)
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	( )	( )	( )	(✓)

Issues and Supporting Information Sources:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	( )	( )	( )	(✓)
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	( )	( )	( )	(✓)
e)	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	( )	( )	( )	(✓)
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	( )	( )	( )	(✓)
g)	Comply with Federal, State, and local statutes and regulations related to solid waste?	( )	( )	( )	(✓)

Comments:

a) The proposed project is served by the CVWD sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 and RP-4 treatment plants. The RP-1 capacity is sufficient to exceed the additional development within the western and southern areas of the City. The RP-4 treatment plant has a potential ultimate capacity of 28 mgd which is considered more than adequate to capacity to treat all increases in wastewater generation for buildout of the General Plan. The project is required to meet the requirements of the Santa Ana Regional Water Quality Control Board regarding wastewater. Therefore, no adverse impacts are anticipated.

b) The proposed project is served by the CVWD sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-4 treatment plant located within Rancho Cucamonga and RP-1 located within City of Ontario, neither of which is at capacity. The project is required to meet the requirements of the Santa Ana Regional Water Quality Control Board regarding wastewater. Therefore, no adverse impacts are anticipated.

c) All runoff will be conveyed to existing storm drain facilities, which have been designed to handle the flows. A Grading and Drainage Plan must be approved by the Building Official and City Engineer prior to issuance of grading permits. Therefore, no adverse impacts are anticipated.

d) The project is served by the CVWD water system. There is currently a sufficient water supply available to the City of Rancho Cucamonga to serve this project. Therefore, no adverse impacts are anticipated.

e) The proposed project is served by the CVWD sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-4 treatment plant located within Rancho Cucamonga and RP-1 located within City of Ontario, neither of which is at capacity. Therefore, no adverse impacts are anticipated.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

f) Solid waste disposal will be provided by the current City contracted hauler who disposes the refuse at a permitted landfill with sufficient capacity to handle the City's solid waste disposal needs. Therefore, no adverse impacts are anticipated.

g) This project complies with Federal, State, and local statutes and regulations regarding solid waste. The City of Rancho Cucamonga continues to implement waste reduction procedures consistent with AB 939. Therefore, no adverse impacts are anticipated.

18. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	( )	(✓)	( )	( )
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	( )	( )	( )	(✓)
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	( )	(✓)	( )	( )

Comments:

a) The proposed project is located on the south side of the 210 Freeway, at the southeast corner of east of East Avenue, and is characterized by existing single-family homes to the east, south, and west, and the Ernst Muller House, a local historic landmark, and proposes the subdivision of 5.0 acres into 11 single-family lots and the development of 10 single-family homes. A Habitat Assessment Report was prepared for the project site (L&L Environmental, March 2015) which concluded that the proposed project is not anticipated to affect threatened or endangered species, or their critical habitat. The study finds that the site does not provide habitat for threatened or endangered species and that the wildlife species observed on the project site are common to urban or disturbed environments. The contribution of the project to cumulative biological impacts is not expected to be cumulatively considerable as the project site is within an urban area, is relatively small, and is isolated from areas of better habitat. The Habitat Assessment Report found no sign of burrowing owl activity during the survey, however, due to the presence of potential burrow sites and the ability of owls to begin using the site at any time, a preconstruction clearance survey is recommended prior to site disturbance. Mitigation measures have been added in the Biological Resources section of the study requiring the submission of a nesting bird survey and burrowing owl survey to the Planning Department prior to the issuance of a rough grading permit. No cultural resources are known to exist on the site; however, in the unlikely event that archaeological and paleontological resources are discovered during construction, mitigation measures are included to ensure proper handling and protection.

b) If the proposed project were approved, then the applicant would be required to develop the site in accordance with the City of Rancho Cucamonga General Plan. The 2010 General Plan was adopted along with the certification of a Program FEIR, Findings of Fact, and a Statement of Overriding Considerations for significant adverse environmental effects of build-out in the City and Sphere-of-Influence. The City made findings that adoption of the General Plan would result in significant adverse effects to Aesthetics, Agriculture and Forest Resources, Air Quality, Climate Change and Mineral Resources. Mitigation measures were adopted for each of these resources; however, they would not reduce impacts to less-than-significant levels. As such, the City adopted a Statement of Overriding Considerations balancing the benefits of development under the General Plan Update against the significant unavoidable adverse impacts (CEQA Guidelines Section 15092 and 15096(h)). These benefits include less overall traffic volumes by developing mixed-use projects that will be pedestrian friendly and conservation of valuable natural open space. With these findings and the Statement of Overriding Considerations, no further discussion or evaluation of cumulative impacts is required.

c) The proposed project is located on the south side of the 210 Freeway, at the southeast corner of east of East Avenue, and is characterized by existing single-family homes to the east, south, and west, and the Ernst Muller House, a local historic landmark, and proposes the subdivision of 5.0 acres into 11 single-family lots and the development of 10 single-family homes. Development of the proposed project would not cause substantial adverse effects on human beings, either directly or indirectly. The Initial Study identifies construction-related emissions of criteria pollutants as having a potentially significant impact. Proposed mitigation measures would further reduce emission levels. Impacts resulting from air quality would be short-term and would cease once construction activities were completed. The 210 Freeway is located to the north of the project site and is situated below grade with an existing 12-foot high sound wall located on the top of slope on the south side of the freeway, adjacent to Fisher Drive. Due to the proximity of the 210 Freeway noise impacts were evaluated and proposed interior and exterior mitigation measures would mitigate any noise related impacts. Mitigation measures contained in this Initial Study will ensure impacts are at less-than-significant levels.

EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier PEIR or Negative Declaration per Section 15063(c)(3)(D). The effects identified above for this project were within the scope of and adequately analyzed in the following earlier document(s) pursuant to applicable legal standards, and such effects were addressed by mitigation measures based on the earlier analysis. The following earlier analyses were utilized in completing this Initial Study and are available for review in the City of Rancho Cucamonga, Planning Division offices, 10500 Civic Center Drive (check all that apply):

(✓) General Plan FPEIR
(SCH#2000061027, Certified May 19, 2010)

(✓) General Plan FEIR
(SCH#2000061027, Certified October 17, 2001)

(✓) Master Environmental Assessment for the 1989 General Plan Update
(SCH #88020115, certified January 4, 1989)

TECHNICAL APPENDICES

(✓) Air Quality and Greenhouse Gas Study
(Birdseye Planning Group, March 2015)

(✓) Archaeological Resource Assessment
(L&L Environmental, November 20, 2015)

(✓) Habitat Assessment Report
(L&L Environmental, March 26, 2015)

(✓) Historic Resource Assessment
(Chattel, November 11, 2014)

(✓) Noise Study
(Birdseye Planning Group, May 2015)

(✓) Water Quality Management Plan
(Ludwig Engineering, December 18 2015)

APPLICANT CERTIFICATION

I certify that I am the applicant for the project described in this Initial Study. I acknowledge that I have read this Initial Study and the proposed mitigation measures. Further, I have revised the project plans or proposals and/or hereby agree to the proposed mitigation measures to avoid the effects or mitigate the effects to a point where clearly no significant environmental effects would occur.

GFR Homes

Applicant's Signature: Felix Rubles Date: 3-21-2016

Print Name and Title: FELIZANDO RUBLES SR PRESIDENT

MITIGATION MONITORING CHECKLIST (INITIAL STUDY PART III)

Project File No.: SUBTT19968 **Applicant:** GFR Homes

Initial Study Prepared by: Tom Grahn, Associate Planner **Date:** April 27, 2016

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
Section 3 – Air Quality						
Short Term (Construction) Emissions						
1) All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.	PD/BO	C	Review of plans	A/C		2/4
2) The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the midmorning, afternoon, and after work is done for the day.	PD	C	Review of plans	A/C		2/4
3) The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less.	PD	C	Review of plans	A/C		2/4
4) All construction equipment shall be maintained in good operating condition so as to reduce operational emissions. The contractor shall ensure that all construction equipment is being properly serviced and maintained as per manufacturers' specifications. Maintenance records shall be available at the construction site for City verification.	PD	C	Review of plans	A/C		2/4
5) Prior to the issuance of any grading permits, the developer shall submit Construction Plans to the City denoting the proposed schedule and projected equipment use. Construction contractors shall provide evidence that low-emission mobile construction equipment will be utilized, or that their use was investigated and found to be infeasible for the project. Contractors shall also conform to any	PD/BO	C	Review of plans	C		2

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
construction measures imposed by the South Coast Air Quality Management District (SCAQMD) as well as City Planning staff.						
6) The construction contractor shall utilize electric or clean alternative fuel powered equipment where feasible.	PD	C	Review of plans	A/C		2/4
7) The construction contractor shall ensure that construction-grading plans include a statement that work crews will shut off equipment when not in use.	PD	C	Review of plans	A/C		2/4
8) All asphalt shall meet or exceed performance standards noted in SCAQMD Rule 1108.	BO	B	Review of plans	A/C		2
9) All paints and coatings shall meet or exceed performance standards noted in SCAQMD Rule 1113. Paints and coatings shall be applied either by hand or high-volume, low-pressure spray.	BO	C	Review of plans	A/C		2/4
10) All construction equipment shall comply with SCAQMD Rules 402 and 403. Additionally, contractors shall include the following provisions:	PD	C	Review of plans	A/C		2/4
• Reestablish ground cover on the construction site through seeding and watering.	BO	C	Review of plans	A/C		2/4
• Pave or apply gravel to any on-site haul roads.	BO	C	Review of plans	A/C		2/4
• Phase grading to prevent the susceptibility of large areas to erosion over extended periods of time.	BO	C	Review of plans	A/C		2/4
• Schedule activities to minimize the amounts of exposed excavated soil during and after the end of work periods.	BO	C	Review of plans	A/C		2/4
• Dispose of surplus excavated material in accordance with local ordinances and use sound engineering practices.	BO	C	Review of plans	A		4
• Sweep streets according to a schedule established by the City if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling. Timing may vary depending upon the time of year of	BO	C	During construction	A		4

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
construction.						
• Suspend grading operations during high winds (i.e., wind speeds exceeding 25 mph) in accordance with SCAQMD Rule 403 requirements.	BO	C	During construction	A		4
• Maintain a minimum 24-inch freeboard ratio on soils haul trucks or cover payloads using tarps or other suitable means.	BO	C	During Construction	A		4
11) The site shall be treated with water or other soil-stabilizing agent (approved by SCAQMD and Regional Water Quality Control Board (RWQCB)) daily to reduce Particulate Matter PM_{10} emissions, in accordance with SCAQMD Rule 403.	BO	C	During construction	A		4
12) Chemical soil-stabilizers (approved by SCAQMD and RWQCB) shall be applied to all inactive construction areas that remain inactive for 96 hours or more to reduce PM_{10} emissions.	BO	C	During construction	A		4
Long Term Emissions						
13) Provide adequate ingress and egress at all entrances to public facilities to minimize vehicle idling at curbsides.	BO	C	Review of plans	A/C		2/4
14) Provide preferential parking to high occupancy vehicles and shuttle services.	BO	C	Review of plans	A/C		2/4
15) Schedule truck deliveries and pickups during off-peak hours.	BO	C	Review of plans	A/C		2/4
16) Improve thermal integrity of the buildings and reduce thermal load with automated time clocks or occupant sensors.	BO	C	Review of plans	A/C		2/4
17) Landscape with native and/or drought-resistant species to reduce water consumption and to provide passive solar benefits.	BO	C	Review of plans	A/C		2/4
18) Provide lighter color roofing and road materials and tree planting programs to comply with the AQMP Miscellaneous Sources MSC-01 measure.	BO	C	Review of plans	A/C		2/4
19) Comply with the AQMP Miscellaneous Sources PRC-03, and Stationary Sources Operations Enhanced Inspection and	BO	C	Review of plans	A/C		2/4

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
Maintenance and ADV-MISC to reduce emissions of restaurant operations.						
20) All residential and commercial structures shall be required to incorporate high-efficiency/low-polluting heating, air conditioning, appliances, and water heaters.	PD	C	Review of plans	D		2/3
21) All residential and commercial structures shall be required to incorporate thermal pane windows and weather-stripping.	PD	C	Review of plans	D		2/3
22) All new development in the City of Rancho Cucamonga shall comply with South Coast Air Quality Management District's Rule 445, Wood Burning Devices. Rule 445 was adopted in March 2008 to reduce emissions of $PM_{2.5}$ and precludes the installation of indoor or outdoor wood burning devices (i.e. fireplaces/hearths) in new development on or after March 9, 2009.	PD	C	Review of plans	D		2/3

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Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
Section 4 – Biological Resources						
1) Three days prior to the removal of vegetation or ground-disturbing activities, a breeding bird survey that is in conformance with the Migratory Bird Act shall be required to determine whether nesting is occurring. Occupied nests shall not be disturbed unless a qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying or incubation; or (b) the juveniles from the occupied nests are foraging independently and are capable of independent survival. If the biologist is unable to verify one of the above conditions, then no disturbance shall occur within 300 feet of non-raptor nests, and within 5,000 feet of raptor nests, during the breeding season to avoid abandonment of the young. If nests are discovered, they shall be avoided through the establishment of an appropriate buffer setback, as determined by a qualified wildlife biologist. The temporary "no construction" area shall be maintained until the nest has completed its cycle, as determined by a qualified wildlife biologist. Once the nest cycle is complete and all nestlings have fledged and have left the nest, construction in the area may resume.	PD	B	Review of plans	B		2/4
2) Perform a Burrowing Owl Survey that is in conformance with the Department of Fish and Wildlife Staff Report on Burrowing Owl Mitigation and submit the written report outlining the findings to the California Department of Fish and Wildlife (CDFW) and the Planning Department within 30 days of groundbreaking activity. The survey shall include a habitat assessment, survey and impact analysis. The Burrowing Owl Survey shall follow the following protocol:	PD	B	Review of plans	B		2/4

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
• Burrowing Owl Survey methodology shall be based on Appendix D (Breeding and Non-breeding Season Surveys and Reports) of the CDFW Staff Report. Results of the pre-construction survey shall be provided to CDFW and the City. If the pre-construction survey does not identify burrowing owls on the project site, then no further mitigation is required. If burrowing owls are found to be utilizing the project site during the pre-construction survey, measures shall be developed by the qualified biologist in coordination with CDFW to avoid Impacting occupied burrows during the nesting period. These measures shall be based on the most current CDFW protocols and will at minimum include establishment of buffer setbacks from occupied burrows and owl monitoring. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site shall be resurveyed for owls. • During the non-breeding season from September 1 through January 31, if burrows are occupied by migratory or non-migratory resident burrowing owls during a pre-construction survey, burrow exclusion and/or closure may be used to exclude owls from those burrows. Burrow exclusion and/or closure should only be conducted by a qualified wildlife biologist in coordination with CDFW using the most current CDFW guidelines. • During the avian nesting season from February 1 through August 31, if nests are discovered, they shall be avoided through establishment of an appropriate buffer						

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
setback, as determined by a qualified wildlife biologist. The temporary "no construction" area would have to be maintained until the nest has completed its cycle, as determined by a qualified wildlife biologist. Once the nest cycle is complete and all nestlings have fledged and have left the nest, construction in the area may resume.						
3) Plant 5-gallon size eucalyptus trees in the rear yard off all 11 residential lots in a windrow along the rear property line at 8 feet on center. Adequate provisions for deep irrigation of the trees shall be shown on the Landscape Plans submitted with the Design Review application for the future residences on the lots.	PD	B	Review of plans	B		2/4
4) All trees located on the future lot for the Ernst Muller House, except those associated with the Tree Removal Permit and evaluated under the project Arborist Report, shall remain in place and shall be protected in place during all construction activities. Construction barriers, situated outside of the drip line for all trees, shall be installed prior to the issuance of grading permits for the project.	PD	B	Review of plans	B		2/4
Section 5 – Cultural Resources						
1) If any prehistoric archaeological resources are encountered before or during grading, the developer will retain a qualified archaeologist to monitor construction activities, to take appropriate measures to protect or preserve them for study. With the assistance of the archaeologist, the City of Rancho Cucamonga will:						
• Enact interim measures to protect undesignated sites from demolition or significant modification without an opportunity for the City to establish its archaeological value.	PD/BO	C	Review of report	A/D		3/4
• Consider establishing provisions to require	PD/BO	C	Review of report	A/D		3/4

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
incorporation of archaeological sites within new developments, using their special qualities as a theme or focal point.						
• Pursue educating the public about the archaeological heritage of the area.	PD/BO	C	Review of report	A/D		3/4
• Prepare a mitigation plan consistent with Section 21083.2 Archeological resources of CEQA to eliminate adverse project effects on significant, important, and unique prehistoric resources, including but not limited to, avoiding archeological sites, capping or covering site with soil, planning the site as a park or green space or paying an in-kind mitigation fee.	P/D	B/C	Review of Plans/Report During Construction	A/D		
• Prepare a technical resources management report, documenting the inventory, evaluation, and proposed mitigation of resources within the project area. Submit one copy of the completed report, with original illustrations, to the San Bernardino County Archaeological Information Center for permanent archiving.	PD	C	Review of report	A/D		3/4
2) If any paleontological resource (i.e. plant or animal fossils) are encountered before or during grading, the developer will retain a qualified paleontologist to monitor construction activities, to take appropriate measures to protect or preserve them for study. The paleontologist shall submit a report of findings that will also provide specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Where mitigation monitoring is appropriate, the program must include, but not be limited to, the following measures:	PD	B	Review of report	A/D		4
• Assign a paleontological monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full-time during the interval of earth-disturbing activities.	PD	B	Review of report	A/D		4

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
• Should fossils be found within an area being cleared or graded, divert earth-disturbing activities elsewhere until the monitor has completed salvage. If construction personnel make the discovery, the grading contractor should immediately divert construction and notify the monitor of the find.	BO	B/C	Review of report	A/D		4
• Prepare, identify, and curate all recovered fossils for documentation in the summary report and transfer to an appropriate depository (i.e., San Bernardino County Museum).	PD	D	Review of report	D		3
• Submit summary report to City of Rancho Cucamonga. Transfer collected specimens with a copy to the report to San Bernardino County Museum.	PD	D	Review of report	D		3
3) The applicant shall contact the San Manuel Band of Mission Indians to discuss monitoring of the project during ground disturbance, and any trenching below the initial grade level, to ensure that prehistoric archaeological resources that may be encountered during grading, and trenching, are protected or preserved for study. The applicant shall submit the results of this consultation to the City prior to issuance of permits for grading of the site.	PD	B	Review of plans	C/D		2
Section 6 – Geology and Soils						
1) The site shall be treated with water or other soil-stabilizing agent (approved by SCAQMD and RWQCB) daily to reduce PM_{10} emissions, in accordance with SCAQMD Rule 403 or re-planted with drought resistant landscaping as soon as possible.	BO	C	During construction	A		4
2) Frontage public streets shall be swept according to a schedule established by the City to reduce PM_{10} emissions associated with vehicle tracking of soil off-site. Timing may vary depending upon the time of year of construction.	BO	C	During construction	A		4

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
3) Grading operations shall be suspended when wind speeds exceed 25 mph to minimize PM_{10} emissions from the site during such episodes.	BO	C	During construction	A		4
4) Chemical soil-stabilizers (approved by SCAQMD and RWQCB) shall be applied to all inactive construction areas that remain inactive for 96 hours or more to reduce PM_{10} emissions.	BO	C	During construction	A		4
Section 7 – Greenhouse Gas Emissions						
Cumulative Short Term (Construction) GHG Emissions						
1) The project must comply with all rules that assist in reducing short-term air pollutant emission in compliance with SCAWMD Rule 403 regarding fugitive dust including treating the site with water or other soil-stabilizing agent twice daily or replanting disturbed areas as quickly as possible.	BO	C	During construction	A		4
2) The construction contractor shall select construction equipment based on low-emission factors and high energy efficiency and submit a statement on the grading plan that ensures all construction equipment will be tuned and maintained in accordance with the manufactures' specification.	BO	C	During construction	A		4
3) Trucks shall not idle continuously for more than 5 minutes.	BO	C	During construction	A		4
4) Alternative fuel powered equipment shall be utilized in lieu of gasoline- or diesel-powered engines where feasible.	BO	C	During construction	A		4
5) Construction should be timed so as not to interfere with peak-hour traffic.	BO	C	During construction	A		4
6) Ridesharing and transit incentives shall be supported and encouraged for construction crew.	BO	C	During construction	A		4
Cumulative Long Term (Operational) GHG Emissions						
7) Construction and Building materials shall be produced and/or manufactured locally. Use	BO	A	During Construction	C		2

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
"Green Building Materials" such as materials that are resource efficient, recycled and manufactured in an environmentally friendly way including low-volatile-organic-compound (VOC) materials.						
8) Design all buildings to exceed California Building Code Title 24 energy standard including but not limited to any combination of: • Increased insulation. • Limit air leakage through the structure. • Incorporate Energy Star or better rated windows, space heating and cooling equipment, light fixtures, and appliances. • Landscape and developed site utilizing shade, prevailing winds, and landscaping. • Install efficient lighting and lighting control systems. • Install light colored "cool" roofs and cool pavements. • Install solar or light emitting diodes (LED's) for outdoor lighting.	BO	A	During Construction	C		2
9) Prepare a comprehensive water conservation strategy appropriate for the project and include the following: • Install water efficient landscapes and irrigation systems and devices in compliance with the City of Rancho Cucamonga Water Efficient Landscape Ordinance. • Use reclaimed water for landscaping within the project if available and/or install the infrastructure to deliver and use reclaimed water. • Design building to be water efficient by installing water efficient fixtures and appliances including low flow faucets, dual flush toilets, and waterless	BO	A	During Construction	C		2

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
urinals/water heaters. • Design irrigation to control runoff and to remove water to non-vegetated surfaces.						
10) Reuse and recycle construction and demolition waste. Provide interior and exterior storage areas for recyclables and green waste in public areas. Educated employees about reducing waste and about recycling.	CE	A	Review of plans		C	2
Section 9 – Hydrology and Water Quality						
Construction Activities						
1) Prior to issuance of grading permits, the permit applicant shall submit to Building Official for approval, Storm Water Pollution Prevention Plan (SWPPP) specifically identifying Best Management Practices (BMPs) that shall be used on-site to reduce pollutants during construction activities entering the storm drain system to the maximum extent practical.	BO	B/C/D	Review of plans	A/C		2/4
2) An Erosion Control Plan shall be prepared, included in the Grading Plan, and implemented for the proposed project that identifies specific measures to control on-site and off-site erosion from the time ground disturbing activities are initiated through completion of grading. This Erosion Control Plan shall include the following measures at a minimum: a) Specify the timing of grading and construction to minimize soil exposure to rainy periods experienced in Southern California, and b) An inspection and maintenance program shall be included to ensure that any erosion which does occur either on-site or off-site as a result of this project will be corrected through a remediation or restoration program within a specified time frame.	BO	B/C/D	Review of plans	A/C		2/4
3) During construction, temporary berms such as sandbags or gravel dikes must be used to prevent discharge of debris or sediment from the site when there is rainfall or other runoff.	BO	B/C/D	Review of plans	A/C		2/4

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
4) During construction, to remove pollutants, street cleaning will be performed prior to storm events and after the use of water trucks to control dust in order to prevent discharge of debris or sediment from the site.	BO	B/C/D	Review of plans	A/C		2/4
5) Prior to issuance of grading or paving permits, the applicant shall obtain a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City Building Official for coverage under the NPDES General Construction Permit.	BO	B/C/D	Review of plans	A/C		2/4
Post-Construction Operational						
6) Prior to issuance of building permits, the applicant shall submit to the City Building Official for approval of a Water Quality Management Plan (WQMP), including a project description and identifying Best Management Practices (BMPs) that will be used on-site to reduce pollutants into the storm drain system to the maximum extent practicable. The WQMP shall identify the structural and non-structural measures consistent with the Guidelines for New Development and Redevelopment adopted by the City of Rancho Cucamonga in June 2004.	BO	B/C/D	Review of plans	A/C		2/4
7) Landscaping plans shall include provisions for controlling and minimizing the use of fertilizers/pesticides/herbicides. Landscaped areas shall be monitored and maintained for at least two years to ensure adequate coverage and stable growth. Plans for these areas, including monitoring provisions for a minimum of two years, shall be submitted to the City for review and approval prior to the issuance of grading permits.	BO	B/C/D	Review of plans	A/C		2/4

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
Grading Activities						
8) Prior to issuance of building permits, the applicant shall submit to the City Engineer for approval of a Water Quality Management Plan (WQMP), including a project description and identifying Best Management Practices (BMPs) that will be used on-site to reduce pollutants into the storm drain system to the maximum extent practicable. The WQMP shall identify the structural and non-structural measures consistent with the Guidelines for New Development and Redevelopment adopted by the City of Rancho Cucamonga in June 2004.	BO	B/C/D	Review of plans	A/C		2/4
9) Prior to issuance of grading or paving permits, the applicant shall obtain a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City Building Official for coverage under the NPDES General Construction Permit.	BO	B/C/D	Review of plans	A/C		2/4
10) The developer shall implement the BMPs identified in the Water Quality Management Plan prepared by (HP Engineering, April 2015) to reduce construction pollutants from entering the storm drain system to the maximum extent practical.	BO	B/C/D	Review of plans	A/C		2/4
Section 12 – Noise						
Exterior						
1) Prior to the issuance of any grading plans a construction-related noise mitigation plan shall be submitted to the City for review and approval. The Plan shall depict the location of the construction equipment and how the noise from this equipment would be mitigated during construction.	PD/BO	B	Review of plans	A/C		2/4

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
2) 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 the manufacturers' standards.	BO	B	Review of plans	A/C		2/4
3) The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.	BO	B	Review of plans	A/C		2/4
4) The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.	BO	B	Review of plans	A/C		2/4
5) The construction contractor shall obtain the City's approval for its haul plan, with the planned haul truck routes avoiding residential areas to the extent feasible.	CE	B	Review of plans	D		2/4
6) The construction contractor shall change the timing and/or sequence of the noisiest construction operations to avoid sensitive times of the day.	PD/BO	C	Review of plans	A		2/4
7) Prior to the issuance of any grading plans, the applicant shall submit a construction-related noise mitigation plan for Planning Director review and approval. This plan shall depict the location of construction equipment and how the noise from this equipment would be mitigated during construction of the project.	PD	B	Review of plans	C		2/4
Interior						
8) To prevent sound leaks the following should be provided:	BO	B/C	Review of plans	A/C		2/3
• On concrete slab, the first layer of 5/8" gypsum board on the unit side should be sealed top and bottom with resilient caulk, as well as around the junction boxes.	BO	B/D	Review of plans	A/C		2/3
• Window rough-in seams should be no greater than ¼", and all seams should be caulked with resilient caulking.	BO	B/D	Review of plans	A/C		2/3

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
• Seal, caulk, gasket or weather-strip all joints and seams to eliminate air leakage through these assemblies. Includes around window and doorframes, at penetrations through walls, and all other openings in the building envelope.	BO	B/D	Review of plans	A/C		2/3
9) Construction or grading shall not take place between the hours of 8:00 p.m. and 6:30 a.m. on weekdays, including Saturday, or at any time on Sunday or a national holiday.	BO	B/C/D	Review of plans	A/C		2/4
10) Construction or grading noise levels shall not exceed the standards specified in Development Code Section 17.66.050, as measured at the property line. Developer shall hire a consultant to perform weekly noise level monitoring as specified in Development Code Section 17.66.050. Monitoring at other times may be required by the Building Official. Said consultant shall report their findings to the Building Official within 24 hours; however, if noise levels exceed the above standards, then the consultant shall immediately notify the Building Official. If noise levels exceed the above standards, then construction activities shall be reduced in intensity to a level of compliance with above noise standards or halted.	BO	B/C/D	Review of plans	A/C		2/4
11) Haul truck deliveries shall not take place between the hours of 8:00 p.m. and 6:30 a.m. on weekdays, including Saturday, or at any time on Sunday or a national holiday. Additionally, if heavy trucks used for hauling would exceed 100 daily trips (counting both to and from the construction site), then the developer shall prepare a noise mitigation plan denoting any construction traffic haul routes. To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings.	BO	B/C/D	Review of plans	A/C		2/4

Key to Checklist Abbreviations

Responsible Person	Monitoring Frequency	Method of Verification	Sanctions
CDD - Community Development Director or designee	A - With Each New Development	A - On-site Inspection	1 - Withhold Recordation of Final Map
PD - Planning Director or designee	B - Prior To Construction	B - Other Agency Permit / Approval	2 - Withhold Grading or Building Permit
CE - City Engineer or designee	C - Throughout Construction	C - Plan Check	3 - Withhold Certificate of Occupancy
BO - Building Official or designee	D - On Completion	D - Separate Submittal (Reports/Studies/ Plans)	4 - Stop Work Order
PO - Police Captain or designee	E - Operating		5 - Retain Deposit or Bonds
FC - Fire Chief or designee			6 - Revoke CUP
			7 - Citation

E, F, G 100

RESOLUTION NO. 16-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 19968, A REQUEST TO SUBDIVIDE 5.0 ACRES INTO 11 LOTS IN THE LOW (L) RESIDENTIAL DISTRICT OF THE ETIWANDA SPECIFIC PLAN ON THE EAST SIDE OF EAST AVENUE, SOUTH OF THE 210-FREEWAY, LOCATED AT 6563 EAST AVENUE; APN:, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0227-071-17.

A. Recitals.

1. GFR Homes filed an application for the approval of Tentative Tract Map No. 19968, as described in the title of this Resolution. Hereinafter in this Resolution, the subject Tentative Tract Map request is referred to as "the application."

2. On the 27th day of April 2016, the Planning Commission of the City of Rancho Cucamonga conducted a duly noticed public hearing on the application and concluded said hearing on that date.

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

B. Resolution.

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

1. This Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Based upon the substantial evidence presented to this Commission during the above-referenced public hearing on April 27, 2016, including written and oral staff reports, together with public testimony, this Commission hereby specifically finds as follows:

a. The application applies to a 5.0-acre site at the southeast corner of East Avenue and Fisher Drive, located at 6563 East Avenue, and is presently improved with the Ernst Mueller House, a local historic landmark, and the temporary Saint Clare of Assisi Episcopal Church building in the Low (L) Residential District of the Etiwanda Specific Plan; and

b. The properties to the east, west, and south of the project site are developed with single-family residential homes; the property to the north is the 210-Freeway; and

c. The project site is rectangular in shape with an east-west dimension of approximately 380 feet and a north-south dimension of approximately 770 feet; and

d. The site is located within the Low (L) Residential District of the Etiwanda Specific Plan (ESP), which permits a maximum density of 4 dwelling units per acre, with an average lot size of 15,000 and a minimum lot size of 10,000 square feet. Lots within the 11-lot proposed subdivision range in size from 13,387 square feet to 19,054 square feet, with an average lot size of 15,469 square feet, at a project density of 2.21 dwelling units per acre; and

e. The Ernst Mueller House, a local historic landmark, will remain in place and will be situated on Lot 5 within SUBTT19968T; and

f. The project complies with all applicable development standards of the ESP ad the Rancho Cucamonga Development Code (RCDC); and

g. A Neighborhood Meeting was conducted to gather input and comments from the owners of the surrounding properties within 660 feet of the site. The meeting was held at Summit Intermediate School on January 27, 2016. Several property owners attended and asked questions regarding the timing of construction, floor plan size, anticipated sales price, and street connections; and

h. The Design Review Committee reviewed the project on February 16, 2016 and recommended approval of the proposed subdivision to the Planning Commission; and

i. This application was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper, the property was posted, and notices were mailed to all property owners within a 660-foot radius of the project site.

3. Based upon the substantial evidence presented to this Commission during the above-referenced public hearing and upon the specific findings of facts set forth in paragraphs 1 and 2 above, this Commission hereby finds and concludes as follows:

a. That the tentative tract is consistent with the General Plan, Development Code, and any applicable specific plans; and

b. The design or improvements of the tentative tract is consistent with the General Plan, Development Code, and any applicable specific plans; and

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

d. The design of the subdivision is not likely to cause substantial environmental damage and avoidable injury to humans and wildlife or their habitat; and

e. The tentative tract is not likely to cause serious public health problems; and

f. The design of the tentative tract will not conflict with any easement acquired by the public at large, now of record, for access through or use of the property within the proposed subdivision.

4. Based upon the facts and information contained in the proposed Mitigated Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Mitigated Negative Declaration and Monitoring Program attached hereto, and incorporated herein by this reference, based upon the findings as follows:

a. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the City staff prepared an Initial Study of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined

that, with the imposition of mitigation measures, there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, a Mitigated Negative Declaration was prepared. Thereafter, the City staff provided public notice of the public comment period and of the intent to adopt the Mitigated Negative Declaration; and

b. The Planning Commission has reviewed the Mitigated Negative Declaration and all comments received regarding the Mitigated Negative Declaration and, based on the whole record before it, finds: (i) that the Mitigated Negative Declaration was prepared in compliance with CEQA; and (ii) that, based on the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment. The Planning Commission further finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission. Based on these findings, the Planning Commission hereby adopts the Mitigated Negative Declaration; and

c. The Planning Commission has also reviewed and considered the Mitigation Monitoring Program for the project that has been prepared pursuant to the requirements of Public Resources Code Section 21081.6 and finds that such Program is designed to ensure compliance with the mitigation measures during project implementation. The Planning Commission therefore adopts the Mitigation Monitoring Program for the project; and

d. The custodian of records for the Initial Study, Mitigated Negative Declaration, Mitigation Monitoring Program and all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based on is the Planning Director of the City of Rancho Cucamonga. Those documents are available for public review in the Planning Department of the City of Rancho Cucamonga located at 10500 Civic Center Drive, Rancho Cucamonga, California 91730, telephone (909) 477-2750.

5. Based upon the findings and conclusions set forth in paragraphs 1, 2, 3, and 4 above, this Commission hereby approves the application subject to each and every condition set forth below and in the Standard Conditions, attached hereto and incorporated herein by this reference.

Environmental Mitigation

Air Quality

Short Term (Construction) Emissions

1) All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

2) The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the midmorning, afternoon, and after work is done for the day.

3) The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less.

4) All construction equipment shall be maintained in good operating condition so as to reduce operational emissions. The contractor shall ensure that all construction equipment is being properly serviced and maintained as per manufacturers' specifications. Maintenance records shall be available at the construction site for City verification.

5) Prior to the issuance of any grading permits, the developer shall submit construction plans to the City denoting the proposed schedule and projected equipment use. Construction contractors shall provide evidence that low emission mobile construction equipment will be utilized, or that their use was investigated and found to be infeasible for the project. Contractors shall also conform to any construction measures imposed by the South Coast Air Quality Management District (SCAQMD) as well as City Planning Staff.

6) The construction contractor shall utilize electric or clean alternative fuel powered equipment where feasible.

7) The construction contractor shall ensure that construction-grading plans include a statement that work crews will shut off equipment when not in use.

8) All asphalt shall meet or exceed performance standards noted in SCAQMD Rule 1108.

9) All paints and coatings shall meet or exceed performance standards noted in SCAQMD Rule 1113. Paints and coatings shall be applied either by hand or high-volume, low-pressure spray.

10) All construction equipment shall comply with SCAQMD Rules 402 and 403. Additionally, contractors shall include the following provisions:

- Reestablish ground cover on the construction site through seeding and watering.
- Pave or apply gravel to any on-site haul roads.
- Phase grading to prevent the susceptibility of large areas to erosion over extended periods of time.
- Schedule activities to minimize the amounts of exposed excavated soil during and after the end of work periods.
- Dispose of surplus excavated material in accordance with local ordinances and use sound engineering practices.
- Sweep streets according to a schedule established by the City if silt is carried over to adjacent public thoroughfares or occurs as a

result of hauling. Timing may vary depending upon the time of year of construction.

- Suspend grading operations during high winds (i.e., wind speeds exceeding 25 mph) in accordance with Rule 403 requirements.

- Maintain a minimum 24-inch freeboard ratio on soils haul trucks or cover payloads using tarps or other suitable means.

11) The site shall be treated with water or other soil-stabilizing agent (approved by SCAQMD and Regional Water Quality Control Board (RWQCB)) daily to reduce PM_{10} emissions, in accordance with SCAQMD Rule 403.

12) Chemical soil-stabilizers (approved by SCAQMD and RWQCB) shall be applied to all inactive construction areas that remain inactive for 96 hours or more to reduce PM_{10} emissions.

Long Term Project Operational Impacts

13) Provide adequate ingress and egress at all entrances to public facilities to minimize vehicle idling at curbsides.

14) Provide preferential parking to high occupancy vehicles and shuttle services.

15) Schedule truck deliveries and pickups during off-peak hours.

16) Improve thermal integrity of the buildings and reduce thermal load with automated time clocks or occupant sensors.

17) Landscape with native and/or drought-resistant species to reduce water consumption and to provide passive solar benefits.

18) Provide lighter color roofing and road materials and tree planting programs to comply with the AQMP Miscellaneous Sources MSC-01 measure.

19) Comply with the AQMP Miscellaneous Sources PRC-03, and Stationary Sources Operations Enhanced Inspection and Maintenance and ADV-MISC to reduce emissions of restaurant operations.

20) All residential and commercial structures shall be required to incorporate high-efficiency/low-polluting heating, air conditioning, appliances, and water heaters.

21) All residential and commercial structures shall be required to incorporate thermal pane windows and weather-stripping.

22) All new development in the City of Rancho Cucamonga shall comply with South Coast Air Quality Management District's Rule 445, Wood Burning Devices. Rule 445 was adopted in March 2008 to reduce emissions of $PM_{2.5}$ and precludes the installation of indoor or outdoor wood burning devices (i.e. fireplaces/hearths) in new development on or after March 9, 2009.

Biological Resources

1) Three days prior to the removal of vegetation or ground-disturbing activities, a breeding bird survey that is in conformance with the Migratory Bird Act shall be required to determine whether nesting is occurring. Occupied nests shall not be disturbed unless a qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying or incubation; or (b) the juveniles from the occupied nests are foraging independently and are capable of independent survival. If the biologist is unable to verify one of the above conditions, then no disturbance shall occur within 300 feet of non-raptor nests, and within 5,000 feet of raptor nests, during the breeding season to avoid abandonment of the young.

   If nests are discovered, they shall be avoided through the establishment of an appropriate buffer setback, as determined by a qualified wildlife biologist. The temporary "no construction" area shall be maintained until the nest has completed its cycle, as determined by a qualified wildlife biologist. Once the nest cycle is complete and all nestlings have fledged and have left the nest, construction in the area may resume.

2) Perform a Burrowing Owl Survey that is in conformance with the Department of Fish and Wildlife Staff Report on Burrowing Owl Mitigation and submit the written report outlining the findings to the California Department of Fish and Wildlife (CDFW) and the Planning Department within 30 days of groundbreaking activity. The survey shall include a habitat assessment, survey and impact analysis. The Burrowing Owl Survey shall follow the following protocol:

   - Burrowing Owl Survey methodology shall be based on Appendix D (Breeding and Non-breeding Season Surveys and Reports) of the CDFW Staff Report. Results of the pre-construction survey shall be provided to CDFW and the City. If the pre-construction survey does not identify burrowing owls on the project site, then no further mitigation is required. If burrowing owls are found to be utilizing the project site during the pre-construction survey, measures shall be developed by the qualified biologist in coordination with CDFW to avoid Impacting occupied burrows during the nesting period. These measures shall be based on the most current CDFW protocols and will at minimum include establishment of buffer setbacks from occupied burrows and owl monitoring. If ground-disturbing activities are delayed or

suspended for more than 30 days after the pre-construction survey, the site shall be resurveyed for owls.

- During the non-breeding season from September 1 through January 31, if burrows are occupied by migratory or non-migratory resident burrowing owls during a pre-construction survey, burrow exclusion and/or closure may be used to exclude owls from those burrows. Burrow exclusion and/or closure should only be conducted by a qualified wildlife biologist in coordination with CDFW using the most current CDFW guidelines.

- During the avian nesting season from February 1 through August 31, if nests are discovered, they shall be avoided through establishment of an appropriate buffer setback, as determined by a qualified wildlife biologist. The temporary "no construction" area would have to be maintained until the nest has completed its cycle, as determined by a qualified wildlife biologist. Once the nest cycle is complete and all nestlings have fledged and have left the nest, construction in the area may resume.

3) Plant 5-gallon size eucalyptus trees in the rear yard off all 11 residential lots in a windrow along the rear property line at 8 feet on center. Adequate provisions for deep irrigation of the trees shall be shown on the Landscape Plans submitted with the Design Review application for the future residences on the lots.

4) All trees located on the future lot for the Ernst Mueller House, except those associated with the Tree Removal Permit and evaluated under the project Arborist Report, shall remain in place and shall be protected in place during all construction activities. Construction barriers, situated outside of the drip line for all trees, shall be installed prior to the issuance of grading permits for the project.

Cultural Resources

1) If any prehistoric archaeological resources are encountered before or during grading, the developer will retain a qualified archaeologist to monitor construction activities, to take appropriate measures to protect or preserve them for study. With the assistance of the archaeologist, the City of Rancho Cucamonga will:

- Enact interim measures to protect undesignated sites from demolition or significant modification without an opportunity for the City to establish its archaeological value.

- Consider establishing provisions to require incorporation of archaeological sites within new developments, using their special qualities as a theme or focal point.

- Pursue educating the public about the archaeological heritage of the area.

- Prepare a mitigation plan consistent with Section 21083.2 Archaeological resources of CEQA to eliminate adverse project effects on significant, important, and unique prehistoric resources, including but not limited to, avoiding archaeological sites, capping or covering sites with soil, planning the site as a park or green space or paying an in-kind mitigation fee.

- Prepare a technical resources management report, documenting the inventory, evaluation, and proposed mitigation of resources within the project area. Submit one copy of the completed report with original illustrations, to the San Bernardino County Archaeological Information Center for permanent archiving.

2) If any paleontological resource (i.e. plant or animal fossils) are encountered before or during grading, the developer will retain a qualified paleontologist to monitor construction activities, to take appropriate measures to protect or preserve them for study. The paleontologist shall submit a report of findings that will also provide specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Where mitigation monitoring is appropriate, the program must include, but not be limited to, the following measures:

- Assign a paleontological monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full-time during the interval of earth-disturbing activities.

- Should fossils be found within an area being cleared or graded, divert earth-disturbing activities elsewhere until the monitor has completed salvage. If construction personnel make the discovery, the grading contractor should immediately divert construction and notify the monitor of the find.

- Prepare, identify, and curate all recovered fossils for documentation in the summary report and transfer to an appropriate depository (i.e., San Bernardino County Museum).

- Submit summary report to City of Rancho Cucamonga. Transfer collected specimens with a copy of the report to San Bernardino County Museum.

3) The applicant shall contact the San Manuel Band of Mission Indians to discuss monitoring of the project during ground disturbance, and any trenching below the initial grade level, to ensure that prehistoric archaeological resources that may be encountered during grading,

and trenching, are protected or preserved for study. The applicant shall submit the results of this consultation to the City prior to issuance of permits for grading of the site.

Geology and Soils

1) The site shall be treated with water or other soil-stabilizing agent (approved by SCAQMD and RWQCB) daily to reduce PM_{10} emissions, in accordance with SCAQMD Rule 403 or re-planted with drought resistant landscaping as soon as possible.

2) Frontage public streets shall be swept according to a schedule established by the City to reduce PM_{10} emissions associated with vehicle tracking of soil off-site. Timing may vary depending upon the time of year of construction.

3) Grading operations shall be suspended when wind speeds exceed 25 mph to minimize PM_{10} emissions from the site during such episodes.

4) Chemical soil-stabilizers (approved by SCAQMD and RWQCB) shall be applied to all inactive construction areas that remain inactive for 96 hours or more to reduce PM_{10} emissions.

Greenhouse Gas Emissions

<u>Cumulative Short Term (Construction) GHG Emissions</u>

1) The project must comply with all rules that assist in reducing short-term air pollutant emission in compliance with SCAQMD Rule 403 regarding fugitive dust including treating the site with water or other soil-stabilizing agent twice daily or replanting disturbed areas as quickly as possible.

2) The construction contractor shall select construction equipment based on low-emission factors and high energy efficiency and submit a statement on the grading plan that ensures all construction equipment will be tuned and maintained in accordance with the manufactures' specification.

3) Trucks shall not idle continuously for more than 5 minutes.

4) Alternative fuel powered equipment shall be utilized in lieu of gasoline- or diesel-powered engines where feasible.

5) Construction should be timed so as not to interfere with peak-hour traffic.

6) Ridesharing and transit incentives shall be supported and encouraged for the construction crew.

Cumulative Long Term (Operational) GHG Emissions

7) Construction and Building materials shall be produced and/or manufactured locally. Use "Green Building Materials" such as materials that are resource efficient, recycled and manufactured in an environmentally friendly way including low-volatile-organic-compound (VOC) materials.

8) Design all buildings to exceed California Building Code Title 24 energy standard including but not limited to any combination of;

- Increased insulation.
- Limit air leakage through the structure.
- Incorporate Energy Star or better rated windows, space heating and cooling equipment, light fixtures, and appliances.
- Landscape and develop site utilizing shade, prevailing winds and landscaping.
- Install efficient lighting and lighting control systems.
- Install light colored "cool" roofs and cool pavements.
- Install solar or light emitting diodes (LED's) for outdoor lighting.

9) Prepare a comprehensive water conservation strategy appropriate for the project and include the following;

- Install water efficient landscapes and irrigation systems and devices in compliance with the City of Rancho Cucamonga Water Efficient Landscape Ordinance.
- Use reclaimed water for landscaping within the project if available and/or install the infrastructure to deliver and use reclaimed water.
- Design building to be water efficient by installing water efficient fixtures and appliances including low flow faucets, dual flush toilets and waterless urinals/water heaters.
- Design irrigation to control runoff and to remove water to non-vegetated surfaces.

10) Reuse and recycle construction and demolition waste. Provide interior and exterior storage areas for recyclables and green waste in public areas. Educate employees about reducing waste and about recycling.

Hydrology and Water Quality

Construction Activities

1) Prior to issuance of grading permits, the permit applicant shall submit to the Building Official for approval, a Storm Water Pollution Prevention Plan (SWPPP) specifically identifying Best Management Practices (BMPs) that shall be used on-site to reduce pollutants during construction activities entering the storm drain system to the maximum extent practical.

2) An Erosion Control Plan shall be prepared, included in the Grading Plan, and implemented for the proposed project that identifies specific measures to control on-site and off-site erosion from the time ground disturbing activities are initiated through completion of grading. This Erosion Control Plan shall include the following measures at a minimum: a) Specify the timing of grading and construction to minimize soil exposure to rainy periods experienced in Southern California, and b) An inspection and maintenance program shall be included to ensure that any erosion which does occur either on-site or off-site as a result of this project will be corrected through a remediation or restoration program within a specified time frame.

3) During construction, temporary berms such as sandbags or gravel dikes must be used to prevent discharge of debris or sediment from the site when there is rainfall or other runoff.

4) During construction, to remove pollutants, street cleaning will be performed prior to storm events and after the use of water trucks to control dust in order to prevent discharge of debris or sediment from the site.

5) Prior to issuance of grading or paving permits, the applicant shall obtain a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City Building Official for coverage under the NPDES General Construction Permit.

Post-Construction Operational

6) Prior to issuance of building permits, the applicant shall submit to the City Building Official for approval of a Water Quality Management Plan (WQMP), including a project description and identifying Best Management Practices (BMPs) that will be used on-site to reduce pollutants into the storm drain system to the maximum extent practicable. The WQMP shall identify the structural and non-structural measures consistent with the Guidelines for New

Development and Redevelopment adopted by the City of Rancho Cucamonga in June 2004.

7) Landscaping plans shall include provisions for controlling and minimizing the use of fertilizers/pesticides/herbicides. Landscaped areas shall be monitored and maintained for at least two years to ensure adequate coverage and stable growth. Plans for these areas, including monitoring provisions for a minimum of two years, shall be submitted to the City for review and approval prior to the issuance of grading permits.

8) Prior to issuance of building permits, the applicant shall submit to the City Building Official for approval of a Water Quality Management Plan (WQMP), including a project description and identifying Best Management Practices (BMPs) that will be used on-site to reduce pollutants into the storm drain system to the maximum extent practicable. The WQMP shall identify the structural and non-structural measures consistent with the Guidelines for New Development and Redevelopment adopted by the City of Rancho Cucamonga in June 2004.

9) Prior to issuance of grading or paving permits, the applicant shall obtain a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City Building Official for coverage under the NPDES General Construction Permit.

10) The developer shall implement the BMPs identified in the Water Quality Management Plan prepared by (HP Engineering, April 2015) to reduce construction pollutants from entering the storm drain system to the maximum extent practical.

Noise

<u>Exterior</u>

1) Prior to the issuance of any grading plans a construction-related noise mitigation plan shall be submitted to the City for review and approval. The Plan shall depict the location of the construction equipment and how the noise from this equipment would be mitigated during construction.

2) 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 the manufacturers' standards.

3) The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.

4) The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

5) The construction contractor shall obtain the City's approval for its haul plan, with the planned haul truck routes avoiding residential areas to the extent feasible.

6) The construction contractor shall change the timing and/or sequence of the noisiest construction operations to avoid sensitive times of the day.

7) Prior to the issuance of any grading plans, the applicant shall submit a construction-related noise mitigation plan for Planning Director review and approval. This plan shall depict the location of construction equipment and how the noise from this equipment would be mitigated during construction of the project.

Interior

8) To prevent sound leaks the following should be provided:

- On concrete slab, the first layer of 5/8" gypsum board on the unit side should be sealed top and bottom with resilient caulk, as well as around the junction boxes.

- Window rough-in seams should be no greater than ¼", and all seams should be caulked with resilient caulking.

- Seal, caulk, gasket or weather-strip all joints and seams to eliminate air leakage through these assemblies. Includes around window and doorframes, at penetrations through walls, and all other openings in the building envelope.

9) Construction or grading shall not take place between the hours of 8:00 p.m. and 6:30 a.m. on weekdays, including Saturday, or at any time on Sunday or a national holiday.

10) Construction or grading noise levels shall not exceed the standards specified in Development Code Section 17.66.050, as measured at the property line. Developer shall hire a consultant to perform weekly noise level monitoring as specified in Development Code Section 17.66.050. Monitoring at other times may be required by the Building Official. Said consultant shall report their findings to the Building Official within 24 hours; however, if noise levels exceed the above

standards, then the consultant shall immediately notify the Building Official. If noise levels exceed the above standards, then construction activities shall be reduced in intensity to a level of compliance with above noise standards or halted.

11) Haul truck deliveries shall not take place between the hours of 8:00 p.m. and 6:30 a.m. on weekdays, including Saturday, or at any time on Sunday or a national holiday. Additionally, if heavy trucks used for hauling would exceed 100 daily trips (counting both to and from the construction site), then the developer shall prepare a noise mitigation plan denoting any construction traffic haul routes and include appropriate noise mitigation measures. To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings.

6. The Secretary to this Commission shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED THIS 27TH DAY OF APRIL 2016.

PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA

BY: _____
Ravenel Wimberly, Chairman

ATTEST:_____
Candyce Burnett, Secretary

I, Candyce Burnett, Secretary of the Planning Commission of the City of Rancho Cucamonga, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Rancho Cucamonga, at a regular meeting of the Planning Commission held on the 27th day of April 2016, by the following vote-to-wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Conditions of Approval

RANCHO CUCAMONGA

Community Development Department

Project #:	SUBTT19968 DRC2014-00994, DRC2014-01052, DRC2015-00589, DRC2016-00180, DRC2016-00292
Project Name:	11 lot subdivision
Location:	6563 EAST AVE - 022707117-0000
Project Type:	Tentative Tract Map Certificate of Appropriateness, Courtesy Review, Design Review, Pre Application Review, Tree Removal Permit

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Please be advised of the following Special Conditions

1. The design of the proposed freestanding garage for the Ernst Mueller House shall be subject to design Review Committee approval prior to the issuance of building permits. The garage design shall match the design, materials, proportion, scale, and colors of the Ernst Mueller House.
2. Tree Removal Permit DRC2016-00292 shall be subject to Planning Director review and approval prior to the issuance of any permits.

Standard Conditions of Approval

3. For all residential development, provide conduit from each unit/lot and a pull box to connect to the street. Provide interior structured wiring for each house/building with minimum Category 5 copper wire, Radio Grade 6 coaxial cable, and a central distribution panel, prior to release of occupancy (fiber-to-the building, FTTB). Plans shall be submitted for Planning Director and Building Official review and approval prior to issuance of Building Permits.
4. All dwellings shall have the front, side and rear elevations upgraded with architectural treatment, detailing and increased delineation of surface treatment subject to Planning Director review and approval prior to issuance of Building Permits.
5. In those instances requiring long term monitoring (i.e. beyond final certificate of occupancy), the applicant shall provide a written monitoring and reporting program to the Planning Director prior to issuance of Building Permits. Said program shall identify the reporter as an individual qualified to know whether the particular mitigation measure has been implemented.
6. Mitigation measures are required for the project. The applicant is responsible for the cost of implementing said measures, including monitoring and reporting. Applicant shall be required to post cash, letter of credit, or other forms of guarantee acceptable to the Planning Director in the amount of $729 prior to the issuance of Building Permits, guaranteeing satisfactory performance and completion of all mitigation measures. These funds may be used by the City to retain consultants and/or pay for City staff time to monitor and report on the mitigation measures. Failure to complete all actions required by the approved environmental documents shall be considered grounds for forfeit.
7. The applicant shall agree to defend at his sole expense any action brought against the City, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any Court costs and attorney's fees which the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Standard Conditions of Approval

8. Copies of the signed Planning Commission Resolution of Approval, Conditions of Approval, and all environmental mitigations shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.
9. The applicant shall be required to pay California Department of Fish and Wildlife Notice of Exemption and Mitigated Negative Declaration fee in the amount of $2,260.25. All checks are to be made payable to the Clerk of the Board Supervisors and submitted to the Planning Commission Secretary prior to public hearing.
10. This tentative tract map or tentative parcel map shall expire, unless extended by the Planning Commission, unless a complete final map is filed with the Engineering Services Department within 3 years from the date of the approval.
11. For single-family residential development, all slope planting and irrigation shall be continuously maintained in a healthy and thriving condition by the developer until each individual unit is sold and occupied by the buyer. Prior to releasing occupancy for those units, an inspection shall be conducted by the Planning Department to determine that they are in satisfactory condition.
12. Existing trees required to be preserved in place shall be protected with a construction barrier in accordance with the Development Code Section 17.80.050, and so noted on the grading plans. The location of those trees to be preserved in place and new locations for transplanted trees shall be shown on the detailed landscape plans. The applicant shall follow all of the arborist's recommendations regarding preservation, transplanting, and trimming methods.
13. Front yard and corner side yard landscaping and irrigation shall be required per the Development Code and/or Etiwanda Specific Plan. This requirement shall be in addition to the required street trees and slope planting.
14. A detailed landscape and irrigation plan, including slope planting and model home landscaping in the case of residential development, shall be prepared by a licensed landscape architect and submitted for Planning Director review and approval prior to the issuance of Building Permits for the development or prior final map approval in the case of a custom lot subdivision. For development occurring in the Very High Fire Hazard Severity Zone, the landscape plans will also be reviewed by Fire Construction Services.
15. Landscaping and irrigation systems required to be installed within the public right-of-way on the perimeter of this project area shall be continuously maintained by the developer.
16. All private slopes of 5 feet or more in vertical height and of 5:1 or greater slope, but less than 2:1 slope, shall be, at minimum, irrigated and landscaped with appropriate ground cover for erosion control. Slope planting required by this section shall include a permanent irrigation system to be installed by the developer prior to occupancy.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Standard Conditions of Approval

17. All private slopes in excess of 5 feet, but less than 8 feet in vertical height and of 2:1 or greater slope shall be landscaped and irrigated for erosion control and to soften their appearance as follows: one 15-gallon or larger size tree per each 150 sq. ft. of slope area, 1-gallon or larger size shrub per each 100 sq. ft. of slope area, and appropriate ground cover. In addition, slope banks in excess of 8 feet in vertical height and 2:1 or greater slope shall also include one 5-gallon or larger size tree per each 250 sq. ft. of slope area. Trees and shrubs shall be planted in staggered clusters to soften and vary slope plane. Slope planting required by this section shall include a permanent irrigation system to be installed by the developer prior to occupancy.
18. All walls shall be provided with decorative treatment. If located in public maintenance areas, the design shall be coordinated with the Engineering Services Department.
19. Landscaping and irrigation shall be designed to conserve water through the principles of water efficient landscaping per Development Code Chapter 17.82.
20. The applicant shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes. Multi-family residential developments shall provide a solid overhead structure for mailboxes with adequate lighting. The final location of the mailboxes and the design of the overhead structure shall be subject to Planning Director review and approval prior to the issuance of Building Permits.
21. Approval of this request shall not waive compliance with all sections of the Development Code, all other applicable City Ordinances, and applicable Community, Specific Plans and/or Master Plans in effect at the time of Building Permit issuance.
22. Construct block walls between homes (i.e., along interior side and rear property lines), rather than wood fencing for permanence, durability, and design consistency.
23. The developer shall submit a construction access plan and schedule for the development of all lots for Planning Director and Engineering Services Department approval; including, but not limited to, public notice requirements, special street posting, phone listing for community concerns, hours of construction activity, dust control measures, and security fencing.
24. The project contains a designated Historical Landmark, the Ernst Mueller House. The site shall be developed and maintained in accordance with Certificate of Appropriateness No. DRC2016-00180. Any further modifications to the site including, but not limited to, exterior alterations and/or interior alterations which affect the exterior of the buildings or structures, removal of landmark trees, demolition, relocation, reconstruction of buildings or structures, or changes to the site, shall require a modification to the Certificate of Appropriateness subject to Historic Preservation Commission review and approval.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Standard Conditions of Approval

25. On corner side yards, provide minimum 5-foot setback between walls/fences and sidewalk. The 5-foot wall/fence setback and the parkway shall have landscape and irrigation in addition to the required street trees. Detailed landscape and irrigation plans shall be submitted for Planning Director review and approval prior to issuance of Building Permits. The parkway landscaping including trees, shrubs, ground covers and irrigation shall be maintained by the property owner. The developer shall provide each prospective buyer written notice of the parkway maintenance requirement, in a standard format as determined by the Planning Director, prior to accepting a cash deposit on any property.
26. All parkways, open areas, and landscaping shall be permanently maintained by the property owner, homeowners' association, or other means acceptable to the City. Proof of this landscape maintenance shall be submitted for Planning Director and Engineering Services Department review and approved prior to the issuance of Building Permits.
27. Occupancy of the facilities shall not commence until such time as all California Building Code and State Fire Marshal regulations have been complied with. Prior to occupancy, plans shall be submitted to the Rancho Cucamonga Fire Protection District and the Building and Safety Services Department to show compliance. The buildings shall be inspected for compliance and final acceptance granted prior to occupancy.
28. All site, grading, landscape, irrigation, and street improvement plans shall be coordinated for consistency prior to issuance of any permits (such as grading, tree removal, encroachment, building, etc.) or prior to final map approval in the case of a custom lot subdivision, or approved use has commenced, whichever comes first.
29. Six-foot decorative block walls shall be constructed along the project perimeter. If a double wall condition would result, the developer shall make a good faith effort to work with the adjoining property owners to provide a single wall. Developer shall notify, by mail, all contiguous property owners at least 30 days prior to the removal of any existing walls/fences along the project perimeter.
30. For residential development, return walls and corner side walls shall be decorative masonry.
31. Revised Site Plans and building elevations incorporating all Conditions of Approval shall be submitted for Planning Director review and approval prior to the issuance of Building Permits.
32. Where rock cobble is used, it shall be real river rock. Other stone veneers may be manufactured products.
33. Any approval shall expire if Building Permits are not issued or approved use has not commenced within 5 years from the date of approval or a time extension has been granted.
34. Front yard and corner side yard landscaping and irrigation shall be required per the Development Code and the Etiwanda Specific Plan. This requirement shall be in addition to the required street trees and slope planting.
35. The final design of the perimeter parkways, walls, landscaping, and sidewalks shall be included in the required landscape plans and shall be subject to Planning Director review and approval and coordinated for consistency with any parkway landscaping plan which may be required by the Engineering Services Department.

Project #:	SUBTT19968 DRC2014-00994, DRC2014-01052, DRC2015-00589, DRC2016-00180, DRC2016-00292
Project Name:	11 lot subdivision
Location:	6563 EAST AVE - 022707117-0000
Project Type:	Tentative Tract Map Certificate of Appropriateness, Courtesy Review, Design Review, Pre Application Review, Tree Removal Permit

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Standard Conditions of Approval

36. New windrow planting of Eucalyptus Maculata (Spotted Gum) is required. The size, spacing, staking, and irrigation of these trees shall be in conformance with the City's Development Code Chapter 17.80.
37. Access gates to the rear yards shall be constructed from a material more durable than wood gates. Acceptable materials include, but are not limited to, wrought iron and PVC.
38. The site shall be developed and maintained in accordance with the approved plans which include Site Plans, architectural elevations, exterior materials and colors, landscaping, sign program, and grading on file in the Planning Department, the conditions contained herein, the Development Code regulations, and the Etiwanda Specific Plan.
39. Street names shall be submitted for Planning Director review and approval in accordance with the adopted Street Naming Policy prior to approval of the final map

Engineering Services Department

Please be advised of the following Special Conditions

1. Fisher Drive was constructed by the City and is acceptable to remain as is. Existing frontage improvements shall be protected in place.
   a. Install cobble between the existing curb adjacent sidewalk and the proposed perimeter wall and remove the existing tubular steel fence.
   b. Sidewalk on Fisher Drive shall provide 4 feet of clearance around existing streetlights. Raised portion of the existing retaining wall shall be cut down to be flush with the sidewalk.
   c. Existing rights-of-way shall be vacated to the street side face of the perimeter wall. A storm drain easement for the existing CSP shall be provided on the final map
2. Dedicate an additional 11 feet along the East Avenue frontage, bringing the total to 44 feet measured from the street centerline, including corner cutoff right-of-way at Fisher Drive.
3. East Avenue frontage improvements to be in accordance with the Etiwanda Specific Plan and City "Secondary" standards as required and including:
   a. Widen the street to 32 feet measured from the street centerline.
   b. The 20-foot widening will include relocating the curb return and access ramp at the southeast corner of East Avenue and Fisher Drive.
   c. Provide curb and gutter, 5-foot sidewalk, streetlights, signing and striping as required.
   d. Existing driveway on East Avenue for the historical residence shall be removed. Driveway for proposed Lot 5 shall take access from the interior street.
   e. Walls along East Avenue to be consistent with Figure 5-28A of the Etiwanda Specific Plan.
4. Proposed interior street improvements to be in accordance with the Etiwanda Specific Plan and City "Local" standards as required and including:
   a. Provide curb and gutter, sidewalk, drive approaches, curb cores, street trees, streetlights, signing and striping as required.
   b. Knuckle to be in accordance with City Standard Plan 110.
   c. Historical residence on Lot 5 shall take access from the proposed local street.

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ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Engineering Services Department

Please be advised of the following Special Conditions

5. The existing overhead utilities on the project side of East Avenue shall be undergrounded from the first pole off site south of the south project boundary to the end of line pole near the north edge of the historical residence. All services crossing East Avenue shall be undergrounded at the same time.
6. Vacate or abandon the offer of dedication for extending Whitestone Place to Fisher Drive.
7. Street improvement plans, prepared by a registered Civil Engineer, shall be submitted to and approved by the City Engineer. Prior to any work being performed in public rights-of-way, fees shall be paid and a construction permit shall be obtained from the City Engineer's office. Security shall be posted and an agreement executed to the satisfaction of the City Engineer and City Attorney guaranteeing completion of the public improvements, prior to the issuance of a City construction permit.
8. Public improvement plans shall be 90 percent complete prior to the issuance of grading permits. Public improvement plans shall be 100 percent complete, signed by the City Engineer, and an improvement agreement and bonds executed by the developer, prior to final map approval.
9. Attached or detached dwelling units that provide complete independent living facilities for sleeping, eating, cooking and sanitation will be treated as second dwelling units for the purpose of development impact fees required prior to building permit issuance.
10. Show low rock planter wall and tall block wall in plan view along East Ave and S/E corner of East and Fisher. Show low rock planter wall at back of sidewalk in section A-A to be consistent with the plan view and landscape plan.

Standard Conditions of Approval

11. Street trees, a minimum of 15-gallon size or larger, shall be installed per City Standards in accordance with the City's street tree program. Match existing species to the south and east, if still on the list of approved street trees.
12. All existing easements lying within future rights-of-way shall be quit-claimed or delineated on the final map.
13. Prior to the issuance of building permits, a Diversion Deposit and related administrative fees shall be paid for the Construction and Demolition Diversion Program. The deposit is fully refundable if at least 50% of all wastes generated during construction and demolition are diverted from landfills, and appropriate documentation is provided to the City. Permits issued on or after June 2, 2014, must complete the reimbursement process through the City's Accelerate online portal within 60 days following the completion of the construction and/or demolition project or the deposit will be forfeited. Permits issued before June 2, 2014, require the following when applying for a deposit reimbursement: a completed CD-2 form, a copy of the cashier's receipt showing the deposit amount, and all weight tickets. Instructions and forms are available at the City's web site, www.CityofRC.us, under City Hall; Engineering; Environmental Programs.

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ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Engineering Services Department

Standard Conditions of Approval

14. A non-refundable deposit shall be paid to the City, covering the estimated operating costs for all new streetlights for the first six months of operation, prior to final map approval or prior to Building Permit issuance if no map is involved.
15. All required public landscaping and irrigation systems shall be continuously maintained by the developer until accepted by the City.
16. A signed consent and waiver form to join and/or form the appropriate Landscape and Lighting Districts shall be filed with the Engineering Services Department prior to final map approval or issuance of Building Permits whichever occurs first. Formation costs shall be borne by the developer.
17. Public landscape areas are required to incorporate substantial areas (40 percent) of mortared cobble or other acceptable non-irrigated surfaces.
18. A separate set of landscape and irrigation plans per Engineering Public Works Standards shall be submitted to the Engineering Services Department for review and approval prior to final map approval or issuance of Building Permits, whichever occurs first. The following landscaped parkways, medians, paseos, easements, trails or other areas shall be annexed into the Landscape Maintenance District: Fisher Drive and East Avenue, except for the Lot 5 frontage.
19. Pursuant to Municipal Code Section 16.37.010, no person shall make connections from a source of energy, fuel or power to any building or structure which is regulated by technical codes and for which a permit is required unless, in addition to any and all other codes, regulations and ordinances, all improvements required by these conditions of development approval have been completed and accepted by the City Council, except: that in developments containing more than one building, structure or unit, the development may have energy connections made in equal proportion to the percentage of completion of all improvements required by these conditions of development approval, as determined by the City Engineer, provided that reasonable, safe and maintainable access to the property exists. In no case shall more than 95 percent of the buildings, structures or units be connected to energy sources prior to completion and acceptance of all improvements required by these conditions of development approval.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Engineering Services Department

Standard Conditions of Approval

20. Improvement Plans and Construction:

a. Street improvement plans, including street trees, street lights, and intersection safety lights on future signal poles, and traffic signal plans shall be prepared by a registered Civil Engineer and shall be submitted to and approved by the City Engineer. Security shall be posted and an agreement executed to the satisfaction of the City Engineer and the City Attorney guaranteeing completion of the public and/or private street improvements, prior to final map approval or the issuance of Building Permits, whichever occurs first.

b. Prior to any work being performed in public right-of-way, fees shall be paid and a construction permit shall be obtained from the Engineering Services Department in addition to any other permits required.

c. Pavement striping, marking, traffic signing, street name signing, traffic signal conduit, and interconnect conduit shall be installed to the satisfaction of the City Engineer.

d. Signal conduit with pull boxes shall be installed with any new construction or reconstruction project along major or secondary streets and at intersections for future traffic signals and interconnect wiring. Pull boxes shall be placed on both sides of the street at 3 feet outside of BCR, ECR, or any other locations approved by the City Engineer.

Notes:

1) Pull boxes shall be No. 6 at intersections and No. 5 along streets, a maximum of 200 feet apart, unless otherwise specified by the City Engineer.

2) Conduit shall be 3-inch galvanized steel with pull rope or as specified.

e. Access ramps for the disabled shall be installed on all corners of intersections per City Standards or as directed by the City Engineer.

f. Existing City roads requiring construction shall remain open to traffic at all times with adequate detours during construction. Street or lane closure permits are required. A cash deposit shall be provided to cover the cost of grading and paving, which shall be refunded upon completion of the construction to the satisfaction of the City Engineer.

g. Concentrated drainage flows shall not cross sidewalks. Under sidewalk drains shall be installed to City Standards, except for single-family residential lots.

h. Street names shall be approved by the Planning Manager prior to submittal for first plan check.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Engineering Services Department

Standard Conditions of Approval

21. Install street trees per City street tree design guidelines and standards as follows. The completed legend (box below) and construction notes shall appear on the title page of the street improvement plans. Street improvement plans shall include a line item within the construction legend stating: "Street trees shall be installed per the notes and legend on Sheet ___ (typically Sheet 1)." Where public landscape plans are required, tree installation in those areas shall be per the public landscape improvement plans.

    Street Name: East Avenue - foreground / background
    Botanical Name: Eucalyptus sideroxylon "Rosea" / Geijera parviflora
    Common Name: Red Ironbark / Maidenhair Tree
    Min. Grow Space: 6 feet / 5 feet
    Spacing: 30 feet on center / 20 feet on center
    Size: 15 gallon
    Qty.: TBD

    Construction Notes for Street Trees:
    1) All street trees are to be planted in accordance with City standard plans.
    2) Prior to the commencement of any planting, an agronomic soils report shall be furnished to the City inspector. Any unusual toxicities or nutrient deficiencies may require backfill soil amendments, as determined by the City inspector.
    3) All street trees are subject to inspection and acceptance by the Engineering Services Department.
    Street trees are to be planted per public improvement plans only.
22. Provide separate utility services to each parcel including sanitary sewerage system, water, gas, electric power, telephone, and cable TV (all underground) in accordance with the Utility Standards. Easements shall be provided as required.
23. Water and sewer plans shall be designed and constructed to meet the requirements of the Cucamonga Valley Water District (CVWD), Rancho Cucamonga Fire Protection District, and the Environmental Health Department of the County of San Bernardino. A letter of compliance from the CVWD is required prior to final map approval or issuance of permits, whichever occurs first. Such letter must have been issued by the water district within 90 days prior to final map approval in the case of subdivision or prior to the issuance of permits in the case of all other residential projects.
24. Corner property line cutoffs shall be dedicated per City Standards.
25. Dedication shall be made of the following rights-of-way on the perimeter streets (measured from street centerline): 11 feet on East Avenue, bringing total to 44 feet
26. Prepare plans for the publicly maintained landscaping outside the perimeter walls on East Avenue and Fisher Drive. Incorporate attractive, low maintenance designs, consistent with Figure 5-28A of the Etiwanda Specific Plan, to the satisfaction of the City Engineer.

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ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Engineering Services Department

Standard Conditions of Approval

27. Public improvement plans shall be 90 percent complete prior to the issuance of grading permits. Public improvement plans shall be 100 percent complete, signed by the City Engineer, and an improvement agreement and bonds executed by the developer, prior to final map approval.

Building and Safety Services Department

Standard Conditions of Approval

1. Annexation of the parcel: Annexation of the parcel into the Community Facilities District #85-1 or #88-1 is required prior to the issuance of grading or Building Permits.
2. The house, garage and any other structures as required must be equipped with automatic fire sprinklers.
3. Provide compliance with the California Building Code (CBC) for property line clearances considering use, area, and fire-resistive requirements.
4. Provide compliance with the California Building Code for required occupancy separations.
5. Roofing material shall be installed per the manufacturer's "high wind" instructions.
6. Construction activity shall occur in accordance with the standards as stated in Chapter 17.66.050 D-4 of the Development Code.
7. Prior to the issuance of Building Permits for a new residential project or major addition, the applicant shall pay development fees at the established rate. Such fees may include, but are not limited to: City Beautification Fee, Park Fee, Drainage Fee, Transportation Development Fee, Permit and Plan Check Fees, and School Fees. The applicant shall provide a copy of the School Fees receipt to the Building and Safety Services Department prior to permit issuance.
8. The Building and Safety Official shall provide street addresses after tract/parcel map recordation and prior to issuance of Building Permits.
9. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number (i.e., SUBTT, SUBTPM, MDR, CUP, DRC, etc.). The applicant shall comply with the latest adopted California Codes, and all other applicable codes, ordinances, and regulations in effect at the time of permit application. Contact the Building and Safety Services Department for availability of the Code Adoption Ordinance and applicable handouts.

Grading Section

Standard Conditions of Approval

1. Prior to the issuance of a Grading Permit the City of Rancho Cucamonga's "Memorandum of Agreement of Storm Water Quality Management Plan" shall be submitted for review and approval by the Building Official and recorded with the County Recorder's Office.
2. Prior to issuance of a Grading Permit the applicant shall obtain a Waste Discharge Identification Number (WDID).

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ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Grading Section

Standard Conditions of Approval

3. A Grading Bond will be required to be submitted to the Building and Safety Services Department Official for review and approval prior to issuance of a Grading Permit.
4. Prior to issuance of a wall permit, on engineered combination garden/retaining walls along the property boundary the structural calculations for the wall shall assume a level toe/heel at the adjacent off-site property (i.e. a manufactured slope is not present).
5. Prior to issuance of a wall permit, a copy of the Grading Special Conditions of Approval shall be included within the engineered wall plans and calculations.
6. Prior to removing fences or walls along common lot lines and prior to constructing walls along common lot lines the applicant shall provide a letter from the adjacent property owner(s) allowing work on the adjacent property.
7. Grading of the subject property shall be in accordance with current adopted California Building Code, City Grading Standards, and accepted grading practices. The Grading and Drainage Plan(s) shall be in substantial conformance with the approved conceptual Grading and Drainage Plan.
8. A soils report shall be prepared by a qualified Engineer licensed by the State of California to perform such work. Two copies will be provided at grading and drainage plan submittal for review. Plans shall implement design recommendations per said report.
9. A geologic report shall be prepared by a qualified Engineer or Engineering Geologist and submitted at the time of application for Grading and Drainage Plan review.
10. The final Grading and Drainage Plan, appropriate certifications and compaction reports shall be completed, submitted, and approved by the Building and Safety Official prior to the issuance of building permits.
11. A separate Grading and Drainage Plan check submittal is required for all new construction projects and for existing buildings where improvements being proposed will generate 50 cubic yards or more of combined cut and fill. The Grading and Drainage Plan shall be prepared, stamped, and wet signed by a California licensed Civil Engineer.
12. The applicant shall comply with the City of Rancho Cucamonga Dust Control Measures and place a dust control sign on the project site prior to the issuance of a grading permit.
13. If a Rough Grading and Drainage Plan/Permit are submitted to the Building and Safety Official for review, that plan shall be a separate plan/permit from Precise Grading and Drainage Plan/Permit.
14. A drainage study showing a 100-year, AMC 3 design storm event for on-site drainage shall be prepared and submitted to the Building and Safety Official for review and approval for on-site storm water drainage prior to issuance of a grading permit. All reports shall be wet signed and sealed by the Engineer of Record.
15. It shall be the responsibility of the applicant to acquire any required off-site drainage easements prior to the issuance of a grading permit.
16. It shall be the responsibility of the applicant to obtain written permission from the adjacent property owner(s) to construct wall on property line or provide a detail(s) showing the perimeter wall(s) to be constructed offset from the property line.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Grading Section

Standard Conditions of Approval

17. All slopes shall be a minimum 2-foot offset from the public right of way or adjacent private property.
18. Private sewer, water, and storm drain improvements will be designed per the, latest adopted California Plumbing Code.
19. The applicant shall provide a grading agreement and grading bond for all cut and fill combined exceeding 5,000 cubic yards prior to issuance of a grading permit. The grading agreement and bond shall be approved by the Building and Safety Official.
20. The precise grading and drainage plan shall follow the format provided in the City of Rancho Cucamonga handout "Information for Grading Plans and Permit".
21. Grading Inspections: a) Prior to the start of grading operations the owner and grading contractor shall request a pre-grading meeting. The meeting shall be attended by the project owner/representative, the grading contractor and the Building Inspector to discuss about grading requirements and preventive measures, etc. If a pre-grading meeting is not held within 24 hours from the start of grading operations, the grading permit may be subject to suspension by the Building Inspector; b) The grading contractor shall call into the City of Rancho Cucamonga Building and Safety Department at least 1 working day in advance to request the following grading inspections prior to continuing grading operations: i) The bottom of the over-excavation; ii) Completion of Rough Grading, prior to issuance of the building permit; iii) At the completion of Rough Grading, the grading contractor or owner shall submit to the Permit Technicians (Building and Safety Front Counter) an original and a copy of the Pad Certifications to be prepared by and properly wet signed and sealed by the Civil Engineer and Soils Engineer of Record; iv) The rough grading certificates and the compaction reports will be reviewed by the Associate Engineer or a designated person and approved prior to the issuance of a building permit.
22. Prior to the issuance of the Certificate of Occupancy the engineer of record shall certify the functionality of the storm water quality management plan (WQMP) best management practices (BMP) devices.
23. The Water Quality Management Plan (WQMP) shall include a copy of the project Conditions of Approval.
24. Prior to the start of landscaping operations, the landscape architect and the landscape contractor shall provide a sample of the weed fabric barrier to the Project Planner, City of Rancho Cucamonga Planning Department. The weed barrier shall be permeable.
25. Prior to issuance of a grading permit and approval of the project specific water quality management plan all private storm water catch basin inlets shall include insert filters to capture those pollutants of concern as addressed in the in the final project-specific water quality management plan (WQMP). At a minimum catch basin insert filters to capture trash and other floating debris. All catch basin insert filters shall be maintained on a regular basis as described in the "Inspection and Maintenance Responsibility for Post Construction BMP" section of the final project-specific water quality management plan.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Grading Section

Standard Conditions of Approval

26. Prior to issuance of a grading permit the Final Project-Specific Water Quality Management Plan shall include a completed copy of "Worksheet H: Factor of Safety and Design Infiltration Worksheet" located in Appendix D "Section VII – Infiltration Rate Evaluation Protocol and Factor of Safety Recommendations, ..." of the San Bernardino County Technical Guidance Document for Water Quality Management Plans.
27. Prior to approval of the final project-specific water quality management plan the applicant shall have a soils engineer prepare a project-specific infiltration study for the project for the purposes of storm water quality treatment. The infiltration study and recommendations shall follow the guidelines in the current adopted "San Bernardino County Technical Guidance Document for Water Quality Management Plans".
28. Prior to issuance of a grading plan, the permitted grading plan set shall show in each of the typical sections and the plan view show how the separations between the building exterior and exterior ground surface meet the requirements of Sections CBC1804.3/CRC R401.3, CBC2304.11.2.2/CRC R317.1(2) and CBC2512.1.2/CRC R703.6.2.1 of the current adopted California Building Code/Residential Code.
29. Prior to issuance of a grading permit, the applicant shall obtain a signed and notarized letter from the adjacent property owner(s) for all work proposed on the adjacent property. The letter shall be scanned and pasted onto the permitted grading plan set. The letter shall show on either the title sheet or a detail sheet of the grading and drainage plan set.

Please be advised of the following Special Conditions

Project #:	SUBTT19968 DRC2014-00994, DRC2014-01052, DRC2015-00589, DRC2016-00180, DRC2016-00292
Project Name:	11 lot subdivision
Location:	6563 EAST AVE - 022707117-0000
Project Type:	Tentative Tract Map Certificate of Appropriateness, Courtesy Review, Design Review, Pre Application Review, Tree Removal Permit

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Please be advised of the following Special Conditions

1. 1. The public water supply and fire hydrants shall be design in accordance with RCFPD and CVWD Standards and Policies.
   2. The private water supply (when applicable) and fire hydrants shall be design in accordance with the RCFPD Ordinance, Standard 5-10 and the current edition of the California Fire Code.
   3. Fire review and approval of the public water plans to be submitted to CVWD for permit issuance.
   4. Building permits will not be issued until public fire protection water plans are approved and adequate water supply is provided for construction purposes.
   5. On all architectural plan sets to be submitted for building plan check provide a site plan that illustrate all the proposed public and private fire hydrants located on/and within 600-feet of the project site.
   6. The required fire flow for this project is calculated gallons per minute at a minimum residual pressure of 20-pounds per square inch. This requirement is made in accordance with California Fire Code Appendix, as adopted by the Fire District Ordinances. The required minimum fire flow for this project may be reduced by 50% when automatic fire sprinklers are installed.
   7. Public fire hydrants located within the immediate vicinity of the proposed project may be used to provide the required fire flow subject to Fire District review and approval. Private fire hydrants on adjacent property shall not be used to provide required fire flow.
   8. Single-family Residential Sales Model homes require approved Fire District vehicle access and water supply from a public or private water main system before construction.
   10 Fire Sprinklers: All structures must be equipped with automatic fire sprinklers in accordance with NFPA 13D and the current edition of the California Residential Code.
   11. Alternate Method Application: Fire Construction Services staff and the Fire Marshal will review all requests for alternate method, when submitted. The request must be submitted on the Fire District "Application for Alternate Method" form along with supporting documents and payment of the review fee.
   12. Annexation of the parcel map: the project must be annexed into the Community Facilities District #85-1 or #88-1. The annexation must be completed prior to the issuance of grading or building permits.

RESOLUTION NO. 16-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING DESIGN REVIEW DRC2015-00589, A DESIGN REVIEW FOR 10 LOTS WITHIN THE LOW (L) RESIDENTIAL DISTRICT OF THE ETIWANDA SPECIFIC PLAN ON THE EAST SIDE OF EAST AVENUE, SOUTH OF THE 210-FREEWAY, LOCATED AT 6563 EAST AVENUE; AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 0227-071-17.

A. Recitals.

1. GFR Homes filed an application for the approval of Design Review DRC2015-00589 as described in the title of this Resolution. Hereinafter in this Resolution, the subject Design Review request is referred to as "the application."

2. On the 27th day of April 2016 the Planning Commission of the City of Rancho Cucamonga conducted a noticed public hearing on the application and concluded said hearing on that date.

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

B. Resolution.

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

1. This Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Based upon the substantial evidence presented to this Commission during the above-referenced public hearing on April 27, 2016, including written and oral staff reports, together with public testimony, this Commission hereby specifically finds as follows:

a. The application applies to a 5.0-acre site at the southeast corner of East Avenue and Fisher Drive, located at 6563 East Avenue, and is presently improved with the Ernst Mueller House, a local historic landmark, and the temporary Saint Clare of Assisi Episcopal Church building in the Low (L) Residential District of the Etiwanda Specific Plan; and

b. The properties to the east, west, and south of the project site are developed with single-family residential homes; the property to the north is the 210- Freeway; and

c. The project site is rectangular in shape with an east-west dimension of approximately 380 feet and a north-south dimension of approximately 770 feet; and

d. The site is located within the Low (L) Residential District of the Etiwanda Specific Plan (ESP), which permits a maximum density of 4 dwelling units per acre, with an average lot size of 15,000 and a minimum lot size of 10,000 square feet. Lots within the 11-lot proposed subdivision range in size from 13,387 square feet to 19,054 square feet, with an average lot size of 15,469 square feet, at a project density of 2.21 dwelling units per acre; and

e. The Ernst Mueller House, a local historic landmark, will remain in place and will be situated on Lot 5 within SUBTT19968, the remaining ten (10) lots will be developed with single-family homes. The project proposes four (4) distinct floor plans, Plans 1, 2, 2R, and 3, and two (2) elevations per floor plan, including both Spanish Colonial and Craftsman designs. Floor plans range in size from 3,208 square feet to 3,995 square feet. Plans 1 and 2 are single-story elevations, Plan 3 is a two-story elevation. The mix of proposed homes includes seven (7) single-story and three (3) two-story floor plans; and

f. The design review project complies with all applicable development standards of the ESP ad the Rancho Cucamonga Development Code (RCDC); and

g. A Neighborhood Meeting was conducted to gather input and comments from the owners of the surrounding properties within 660 feet of the site. The meeting was held at Summit Intermediate School on January 27, 2016. Several property owners attended and asked questions regarding the timing of construction, floor plan size, anticipated sales price, and street connections; and

h. The Design Review Committee reviewed the project on February 16, 2016 and recommended approval of the proposed subdivision to the Planning Commission; and

i. This application was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper, the property was posted, and notices were mailed to all property owners within a 660-foot radius of the project site.

3. Based upon the substantial evidence presented to this Commission during the above-referenced public hearing and upon the specific findings of facts set forth in Paragraphs 1 and 2 above, this Commission hereby finds and concludes as follows:

a. That the proposed project is consistent with the objectives of the General Plan in that the project site is residentially zoned and is being subdivided for residential purposes. The project site is being developed with 10 single-family homes, and 1 retained local historic landmark, within an 11-lot residential subdivision with a project density of 2.21 dwelling units per acre, within the permitted density range of 2 to units per acre; and

b. That the proposed design is in accord with the objectives of the Development Code and the purposes of the district in which the site is located in that the proposed parcels are being subdivided for residential purposes and will be of similar size and density to those in the surrounding area. The proposed subdivision is designed consistent with the existing single-family residential properties to the east, south, and west of the project site; and

c. That the proposed design is in compliance with each of the applicable provisions of the Development Code and Etiwanda Specific Plan including project density, setbacks, landscaping, and lot coverage; and

d. That the proposed design, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity in that the lots will be used for residential development in accord with the Low (L) Residential District of the Etiwanda Specific Plan.

4. Based upon the facts and information contained in the proposed Mitigated Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Mitigated Negative Declaration and Monitoring Program attached hereto, and incorporated herein by this reference, based upon the findings as follows:

a. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the City staff prepared an Initial Study of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined that, with the imposition of mitigation measures, there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, a Mitigated Negative Declaration was prepared. Thereafter, the City staff provided public notice of the public comment period and of the intent to adopt the Mitigated Negative Declaration; and

b. The Planning Commission has reviewed the Mitigated Negative Declaration and all comments received regarding the Mitigated Negative Declaration and, based on the whole record before it, finds: (i) that the Mitigated Negative Declaration was prepared in compliance with CEQA; and (ii) that, based on the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment. The Planning Commission further finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission. Based on these findings, the Planning Commission hereby adopts the Mitigated Negative Declaration; and

c. The Planning Commission has also reviewed and considered the Mitigation Monitoring Program for the project that has been prepared pursuant to the requirements of Public Resources Code Section 21081.6 and finds that such Program is designed to ensure compliance with the mitigation measures during project implementation. The Planning Commission therefore adopts the Mitigation Monitoring Program for the project; and

d. The custodian of records for the Initial Study, Mitigated Negative Declaration, Mitigation Monitoring Program and all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based on is the Planning Director of the City of Rancho Cucamonga. Those documents are available for public review in the Planning Department of the City of Rancho Cucamonga located at 10500 Civic Center Drive, Rancho Cucamonga, California 91730, telephone (909) 477-2750.

5. Based upon the findings and conclusions set forth in Paragraphs 1, 2, 3, and 4 above, this Commission hereby approves the application subject to each and every condition set forth below and in the attached standard conditions incorporated herein by this reference.

6. The Secretary to this Commission shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED THIS 27TH DAY OF APRIL 2016.

PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA

BY: _____
Ravenel Wimberly, Chairman

ATTEST:_____
Candyce Burnett, Secretary

I, Candyce Burnett, Secretary of the Planning Commission for the City of Rancho Cucamonga, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Rancho Cucamonga, at a regular meeting of the Planning Commission held on the 27th day of April 2016, by the following vote-to-wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Conditions of Approval

RANCHO CUCAMONGA

Community Development Department

Project #:	DRC2015-00589 CEQA2015-00022
Project Name:	Design Review for 11 lots
Location:	6563 EAST AVE - 022707117-0000
Project Type:	Design Review CEQA Review

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Please be advised of the following Special Conditions

1. The design of the proposed freestanding garage for the Ernst Mueller House shall be subject to design Review Committee approval prior to the issuance of building permits. The garage design shall match the design, materials, proportion, scale, and colors of the Ernst Mueller House.
2. Tree Removal Permit DRC2016-00292 shall be subject to Planning Director review and approval prior to the issuance of any permits.
3. All Conditions of Approval and Mitigation Measures contained in the Planning Commission Resolution of Approval for SUBTT19968 shall apply.

Standard Conditions of Approval

4. For all residential development, provide conduit from each unit/lot and a pull box to connect to the street. Provide interior structured wiring for each house/building with minimum Category 5 copper wire, Radio Grade 6 coaxial cable, and a central distribution panel, prior to release of occupancy (fiber-to-the building, FTTB). Plans shall be submitted for Planning Director and Building Official review and approval prior to issuance of Building Permits.
5. Mitigation measures are required for the project. The applicant is responsible for the cost of implementing said measures, including monitoring and reporting. Applicant shall be required to post cash, letter of credit, or other forms of guarantee acceptable to the Planning Director in the amount of $729 prior to the issuance of Building Permits, guaranteeing satisfactory performance and completion of all mitigation measures. These funds may be used by the City to retain consultants and/or pay for City staff time to monitor and report on the mitigation measures. Failure to complete all actions required by the approved environmental documents shall be considered grounds for forfeit.
6. In those instances requiring long term monitoring (i.e. beyond final certificate of occupancy), the applicant shall provide a written monitoring and reporting program to the Planning Director prior to issuance of Building Permits. Said program shall identify the reporter as an individual qualified to know whether the particular mitigation measure has been implemented.
7. The applicant shall agree to defend at his sole expense any action brought against the City, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any Court costs and attorney's fees which the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Standard Conditions of Approval

8. Copies of the signed Planning Commission Resolution of Approval or Approval Letter, Conditions of Approval, and all environmental mitigations shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.
9. The applicant shall be required to pay California Department of Fish and Wildlife Notice of Exemption and Mitigated Negative Declaration fee in the amount of $2,260.25. All checks are to be made payable to the Clerk of the Board Supervisors and submitted to the Planning Commission Secretary prior to public hearing.
10. Any approval shall expire if Building Permits are not issued or approved use has not commenced within 5 years from the date of approval or a time extension has been granted.
11. For single-family residential development, all slope planting and irrigation shall be continuously maintained in a healthy and thriving condition by the developer until each individual unit is sold and occupied by the buyer. Prior to releasing occupancy for those units, an inspection shall be conducted by the Planning Department to determine that they are in satisfactory condition.
12. Front yard and corner side yard landscaping and irrigation shall be required per the Development Code and/or Etiwanda Specific Plan. This requirement shall be in addition to the required street trees and slope planting.
13. A detailed landscape and irrigation plan, including slope planting and model home landscaping in the case of residential development, shall be prepared by a licensed landscape architect and submitted for Planning Director review and approval prior to the issuance of Building Permits for the development or prior final map approval in the case of a custom lot subdivision. For development occurring in the Very High Fire Hazard Severity Zone, the landscape plans will also be reviewed by Fire Construction Services.
14. Landscaping and irrigation systems required to be installed within the public right-of-way on the perimeter of this project area shall be continuously maintained by the developer.
15. All private slopes of 5 feet or more in vertical height and of 5:1 or greater slope, but less than 2:1 slope, shall be, at minimum, irrigated and landscaped with appropriate ground cover for erosion control. Slope planting required by this section shall include a permanent irrigation system to be installed by the developer prior to occupancy.
16. All private slopes in excess of 5 feet, but less than 8 feet in vertical height and of 2:1 or greater slope shall be landscaped and irrigated for erosion control and to soften their appearance as follows: one 15-gallon or larger size tree per each 150 sq. ft. of slope area, 1-gallon or larger size shrub per each 100 sq. ft. of slope area, and appropriate ground cover. In addition, slope banks in excess of 8 feet in vertical height and 2:1 or greater slope shall also include one 5-gallon or larger size tree per each 250 sq. ft. of slope area. Trees and shrubs shall be planted in staggered clusters to soften and vary slope plane. Slope planting required by this section shall include a permanent irrigation system to be installed by the developer prior to occupancy.
17. All walls shall be provided with decorative treatment. If located in public maintenance areas, the design shall be coordinated with the Engineering Services Department.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Standard Conditions of Approval

18. Landscaping and irrigation shall be designed to conserve water through the principles of water efficient landscaping per Development Code Chapter 17.82.
19. The applicant shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes. Multi-family residential developments shall provide a solid overhead structure for mailboxes with adequate lighting. The final location of the mailboxes and the design of the overhead structure shall be subject to Planning Director review and approval prior to the issuance of Building Permits.
20. Approval of this request shall not waive compliance with all sections of the Development Code, all other applicable City Ordinances, and applicable Community, Specific Plans and/or Master Plans in effect at the time of Building Permit issuance.
21. Construct block walls between homes (i.e., along interior side and rear property lines), rather than wood fencing for permanence, durability, and design consistency.
22. The developer shall submit a construction access plan and schedule for the development of all lots for Planning Director and Engineering Services Department approval; including, but not limited to, public notice requirements, special street posting, phone listing for community concerns, hours of construction activity, dust control measures, and security fencing.
23. The site shall be developed and maintained in accordance with the approved plans which include Site Plans, architectural elevations, exterior materials and colors, landscaping, sign program, and grading on file in the Planning Department, the conditions contained herein, the Development Code regulations, and the Etiwanda Specific Plan.
24. The project contains a designated Historical Landmark. The site shall be developed and maintained in accordance with Certificate of Appropriateness No. . Any further modifications to the site including, but not limited to, exterior alterations and/or interior alterations which affect the exterior of the buildings or structures, removal of landmark trees, demolition, relocation, reconstruction of buildings or structures, or changes to the site, shall require a modification to the Certificate of Appropriateness subject to Historic Preservation Commission review and approval.
25. Occupancy of the facilities shall not commence until such time as all California Building Code and State Fire Marshal regulations have been complied with. Prior to occupancy, plans shall be submitted to the Rancho Cucamonga Fire Protection District and the Building and Safety Services Department to show compliance. The buildings shall be inspected for compliance and final acceptance granted prior to occupancy.
26. All site, grading, landscape, irrigation, and street improvement plans shall be coordinated for consistency prior to issuance of any permits (such as grading, tree removal, encroachment, building, etc.) or prior to final map approval in the case of a custom lot subdivision, or approved use has commenced, whichever comes first.
27. Six-foot decorative block walls shall be constructed along the project perimeter. If a double wall condition would result, the developer shall make a good faith effort to work with the adjoining property owners to provide a single wall. Developer shall notify, by mail, all contiguous property owners at least 30 days prior to the removal of any existing walls/fences along the project perimeter.
28. For residential development, return walls and corner side walls shall be decorative masonry.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Standard Conditions of Approval

29. Revised Site Plans and building elevations incorporating all Conditions of Approval shall be submitted for Planning Director review and approval prior to the issuance of Building Permits.
30. New windrow planting of Eucalyptus Maculata (Spotted Gum) is required. The size, spacing, staking, and irrigation of these trees shall be in conformance with the City's Development Code Chapter 17.80.
31. Access gates to the rear yards shall be constructed from a material more durable than wood gates. Acceptable materials include, but are not limited to, wrought iron and PVC.
32. Where rock cobble is used, it shall be real river rock. Other stone veneers may be manufactured products.
33. Street names shall be submitted for Planning Director review and approval in accordance with the adopted Street Naming Policy prior to approval of the final map.

Engineering Services Department

Please be advised of the following Special Conditions

1. The existing overhead utilities on the project side of East Avenue shall be undergrounded from the first pole off site south of the south project boundary to the end of line pole near the north edge of the historical residence. All services crossing East Avenue shall be undergrounded at the same time.
2. Dedicate an additional 11 feet along the East Avenue frontage, bringing the total to 44 feet measured from the street centerline, including corner cutoff right-of-way at Fisher Drive.
3. East Avenue frontage improvements to be in accordance with the Etiwanda Specific Plan and City "Secondary" standards as required and including:

   a. Widen the street to 32 feet measured from the street centerline.

   b. The 20-foot widening will include relocating the curb return and access ramp at the southeast corner of East Avenue and Fisher Drive.

   c. Provide curb and gutter, 5-foot sidewalk, streetlights, signing and striping as required.

   d. Existing driveway on East Avenue for the historical residence shall be removed. Driveway for proposed Lot 5 shall take access from the interior street.

   e. Walls along East Avenue to be consistent with Figure 5-28A of the Etiwanda Specific Plan.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Engineering Services Department

Please be advised of the following Special Conditions

4. Proposed interior street improvements to be in accordance with the Etiwanda Specific Plan and City "Local" standards as required and including:

   a. Provide curb and gutter, sidewalk, drive approaches, curb cores, street trees, streetlights, signing and striping as required.

   b. Knuckle to be in accordance with City Standard Plan 110.

   c. Historical residence on Lot 5 shall take access from the proposed local street.
5. Vacate or abandon the offer of dedication for extending Whitestone Place to Fisher Drive.
6. Street improvement plans, prepared by a registered Civil Engineer, shall be submitted to and approved by the City Engineer. Prior to any work being performed in public rights-of-way, fees shall be paid and a construction permit shall be obtained from the City Engineer's office. Security shall be posted and an agreement executed to the satisfaction of the City Engineer and City Attorney guaranteeing completion of the public improvements, prior to the issuance of a City construction permit.
7. Prepare plans for the publicly maintained landscaping outside the perimeter walls on East Avenue and Fisher Drive. Incorporate attractive, low maintenance designs, consistent with Figure 5-28A of the Etiwanda Specific Plan, to the satisfaction of the City Engineer.
8. Public improvement plans shall be 90 percent complete prior to the issuance of grading permits. Public improvement plans shall be 100 percent complete, signed by the City Engineer, and an improvement agreement and bonds executed by the developer, prior to final map approval.
9. Public improvement plans shall be 90 percent complete prior to the issuance of grading permits. Public improvement plans shall be 100 percent complete, signed by the City Engineer, and an improvement agreement and bonds executed by the developer, prior to final map approval.
10. Attached or detached dwelling units that provide complete independent living facilities for sleeping, eating, cooking and sanitation will be treated as second dwelling units for the purpose of development impact fees required prior to building permit issuance
11. Show low rock planter wall and tall block wall in plan view along East Ave and S/E corner of East and Fisher. Show low rock planter wall at back of sidewalk in section A-A to be consistent with the plan view and landscape plan.

Standard Conditions of Approval

12. Street trees, a minimum of 15-gallon size or larger, shall be installed per City Standards in accordance with the City's street tree program. Match existing species to the south and east, if still on the list of approved street trees.
13. Corner property line cutoffs shall be dedicated per City Standards.
14. Dedication shall be made of the following rights-of-way on the perimeter streets (measured from street centerline): 11 feet on East Avenue, bringing total to 44 feet.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Engineering Services Department

Standard Conditions of Approval

15. All existing easements lying within future rights-of-way shall be quit-claimed or delineated on the final map.
16. Prior to the issuance of building permits, a Diversion Deposit and related administrative fees shall be paid for the Construction and Demolition Diversion Program. The deposit is fully refundable if at least 50% of all wastes generated during construction and demolition are diverted from landfills, and appropriate documentation is provided to the City. Permits issued on or after June 2, 2014, must complete the reimbursement process through the City's Accelerate online portal within 60 days following the completion of the construction and/or demolition project or the deposit will be forfeited. Permits issued before June 2, 2014, require the following when applying for a deposit reimbursement: a completed CD-2 form, a copy of the cashier's receipt showing the deposit amount, and all weight tickets. Instructions and forms are available at the City's web site, www.CityofRC.us, under City Hall; Engineering; Environmental Programs.
17. A non-refundable deposit shall be paid to the City, covering the estimated operating costs for all new streetlights for the first six months of operation, prior to final map approval or prior to Building Permit issuance if no map is involved.
18. All required public landscaping and irrigation systems shall be continuously maintained by the developer until accepted by the City.
19. A signed consent and waiver form to join and/or form the appropriate Landscape and Lighting Districts shall be filed with the Engineering Services Department prior to final map approval or issuance of Building Permits whichever occurs first. Formation costs shall be borne by the developer.
20. Public landscape areas are required to incorporate substantial areas (40 percent) of mortared cobble or other acceptable non-irrigated surfaces.
21. A separate set of landscape and irrigation plans per Engineering Public Works Standards shall be submitted to the Engineering Services Department for review and approval prior to final map approval or issuance of Building Permits, whichever occurs first. The following landscaped parkways, medians, paseos, easements, trails or other areas shall be annexed into the Landscape Maintenance District:: Fisher Drive and East Avenue, except for the Lot 5 frontage.
22. Pursuant to Municipal Code Section 16.37.010, no person shall make connections from a source of energy, fuel or power to any building or structure which is regulated by technical codes and for which a permit is required unless, in addition to any and all other codes, regulations and ordinances, all improvements required by these conditions of development approval have been completed and accepted by the City Council, except: that in developments containing more than one building, structure or unit, the development may have energy connections made in equal proportion to the percentage of completion of all improvements required by these conditions of development approval, as determined by the City Engineer, provided that reasonable, safe and maintainable access to the property exists. In no case shall more than 95 percent of the buildings, structures or units be connected to energy sources prior to completion and acceptance of all improvements required by these conditions of development approval.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Engineering Services Department

Standard Conditions of Approval

23. Improvement Plans and Construction:

a. Street improvement plans, including street trees, street lights, and intersection safety lights on future signal poles, and traffic signal plans shall be prepared by a registered Civil Engineer and shall be submitted to and approved by the City Engineer. Security shall be posted and an agreement executed to the satisfaction of the City Engineer and the City Attorney guaranteeing completion of the public and/or private street improvements, prior to final map approval or the issuance of Building Permits, whichever occurs first.

b. Prior to any work being performed in public right-of-way, fees shall be paid and a construction permit shall be obtained from the Engineering Services Department in addition to any other permits required.

c. Pavement striping, marking, traffic signing, street name signing, traffic signal conduit, and interconnect conduit shall be installed to the satisfaction of the City Engineer.

d. Signal conduit with pull boxes shall be installed with any new construction or reconstruction project along major or secondary streets and at intersections for future traffic signals and interconnect wiring. Pull boxes shall be placed on both sides of the street at 3 feet outside of BCR, ECR, or any other locations approved by the City Engineer.

Notes:

1) Pull boxes shall be No. 6 at intersections and No. 5 along streets, a maximum of 200 feet apart, unless otherwise specified by the City Engineer.

2) Conduit shall be 3-inch galvanized steel with pull rope or as specified.

e. Access ramps for the disabled shall be installed on all corners of intersections per City Standards or as directed by the City Engineer.

f. Existing City roads requiring construction shall remain open to traffic at all times with adequate detours during construction. Street or lane closure permits are required. A cash deposit shall be provided to cover the cost of grading and paving, which shall be refunded upon completion of the construction to the satisfaction of the City Engineer.

g. Concentrated drainage flows shall not cross sidewalks. Under sidewalk drains shall be installed to City Standards, except for single-family residential lots.

h. Street names shall be approved by the Planning Manager prior to submittal for first plan check.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Engineering Services Department

Standard Conditions of Approval

24. Install street trees per City street tree design guidelines and standards as follows. The completed legend (box below) and construction notes shall appear on the title page of the street improvement plans. Street improvement plans shall include a line item within the construction legend stating: "Street trees shall be installed per the notes and legend on Sheet ___ (typically Sheet 1)." Where public landscape plans are required, tree installation in those areas shall be per the public landscape improvement plans.

    Street Name: East Avenue - foreground / background
    Botanical Name: Eucalyptus sideroxylon "Rosea" / Geijera parviflora
    Common Name: Red Ironbark / Maidenhair Tree
    Min. Grow Space: 6 feet / 5 feet
    Spacing: 30 feet on center / 20 feet on center
    Size: 15 gallon
    Qty.: TBD

    Construction Notes for Street Trees:
    1) All street trees are to be planted in accordance with City standard plans.
    2) Prior to the commencement of any planting, an agronomic soils report shall be furnished to the City inspector. Any unusual toxicities or nutrient deficiencies may require backfill soil amendments, as determined by the City inspector.
    3) All street trees are subject to inspection and acceptance by the Engineering Services Department.
    Street trees are to be planted per public improvement plans only.
25. Street trees, a minimum of 15-gallon size or larger, shall be installed per City Standards in accordance with the City's street tree program.
26. Provide separate utility services to each parcel including sanitary sewerage system, water, gas, electric power, telephone, and cable TV (all underground) in accordance with the Utility Standards. Easements shall be provided as required.
27. Water and sewer plans shall be designed and constructed to meet the requirements of the Cucamonga Valley Water District (CVWD), Rancho Cucamonga Fire Protection District, and the Environmental Health Department of the County of San Bernardino. A letter of compliance from the CVWD is required prior to final map approval or issuance of permits, whichever occurs first. Such letter must have been issued by the water district within 90 days prior to final map approval in the case of subdivision or prior to the issuance of permits in the case of all other residential projects.

Project #:	DRC2015-00589 CEQA2015-00022
Project Name:	Design Review for 11 lots
Location:	6563 EAST AVE - 022707117-0000
Project Type:	Design Review CEQA Review

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Engineering Services Department

Standard Conditions of Approval

28. Fisher Drive was constructed by the City and is acceptable to remain as is. Existing frontage improvements shall be protected in place.
    a. Install cobble between the existing curb adjacent sidewalk and the proposed perimeter wall and remove the existing tubular steel fence.
    b. Sidewalk on Fisher Drive shall provide 4 feet of clearance around existing streetlights. Raised portion of the existing retaining wall shall be cut down to be flush with the sidewalk.
    c. Existing rights-of-way shall be vacated to the street side face of the perimeter wall. A storm drain easement for the existing CSP shall be provided on the final map

RESOLUTION NO. 16-02

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING CERTIFICATE OF APPROPRIATENESS DRC2016-00180, A REQUEST TO ADD A FREE STANDING GARAGE, REAR YARD ACCESS DRIVEWAY, PERIMETER WALLS, AND REMOVE AN ADJACENT EUCALYPTUS WINDROW FOR THE ERNST MULLER HOUSE, ASSOCIATED WITH A REQUEST TO SUBDIVIDE 5.0 ACRES INTO 11 LOTS IN THE LOW (L) RESIDENTIAL DISTRICT OF THE ETIWANDA SPECIFIC PLAN ON THE EAST SIDE OF EAST AVENUE, SOUTH OF THE 210-FREEWAY, LOCATED AT 6563 EAST AVENUE; AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0208-101-23.

A. Recitals.

1. GFR Homes filed an application for the approval of Certificate of Appropriateness DRC2016-00180, as described in the title of this Resolution. Hereinafter in this Resolution, the subject Certificate of Appropriateness request is referred to as "the application."

2. On April 27, 2016, the Historic Preservation Commission of the City of Rancho Cucamonga conducted a noticed public hearing on the application and concluded said hearing on that date.

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

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the Historic Preservation Commission of the City of Rancho Cucamonga as follows:

1. The Historic Preservation Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced public hearing on April 27, 2016, including written and oral staff reports, together with public testimony, and pursuant to Section 17.18.020 of the Rancho Cucamonga Municipal Code, the Commission hereby specifically finds as follows:

a. The application applies to a 5.0-acre site at the southeast corner of East Avenue and Fisher Drive, located at 6563 East Avenue, and is presently improved with the Ernst Mueller House and the temporary Saint Clare of Assisi Episcopal Church building in the Low (L) Residential District of the Etiwanda Specific Plan; and

b. The project site is rectangular in shape with an east-west dimension of approximately 380 feet and a north-south dimension of approximately 770 feet; and

c. The properties to the east, west, and south of the project site are developed with single-family residential homes; the property to the north is the 210-Freeway; and

d. On June 1, 1994, the City Council approved the landmark designation of the Ernst Mueller House noting that this house was "one of the few, if not the only, grove house still surrounded by a citrus grove in the Etiwanda town site"; and

e. On August 10, 1994, the Historic Preservation Commission approved a landmark alteration permit for the construction of a one-story temporary church building and related parking lot within and surrounded by the then existing citrus grove. The landmark alteration permit permitted the removal of a portion of an existing orange grove, but conditioned for the implementation of a replacement planting plan to restore the grove. Other trees along East Avenue, Eucalyptus windrows, and two Palm trees (located east of the house) shall be preserved in-place unless approved otherwise through a Tree Removal Permit; and

f. The Ernst Mueller House will be located on Lot 5 of the SUBTT19968 and will be situated in the center of the lot with generous side yard setbacks to the north and south; and

g. Driveway access for the Ernst Mueller House will be from Brownstone Place, the future north-south street to the east of the house; and

h. A freestanding garage will be built northeast of the house and will be deigned to match the design and materials of the Ernst Mueller House; and

i. The East Avenue wall, and related parkway landscaping, will be installed along East Avenue. In order to retain the existing East Avenue orientation of the Ernst Mueller House, the existing trees adjacent to the house will be retained, the East Avenue wall will be set back to the front of the house, and additional landscaping will be installed; and

j. Existing trees in close proximity to the Ernst Mueller House, excluding the Eucalyptus Blue Gum windrow to the north, will be preserved in place. The existing Eucalyptus windrow will be replaced with a windrow of Red River Gum (*Eucalyptus camaldulensis*).

3. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced public hearing and upon the specific findings of facts set forth in paragraphs 1 and 2 above, the Commission hereby finds and concludes as follows:

a. The proposed subdivision, and the inclusion of the Ernst Mueller House on Lot 5 of the SUBTT19968 will provide sufficient area to retain the historic integrity of the structure. Therefore, the proposed project will not cause a substantial adverse change in the significance of a Historic Resource within the meaning of the California Environmental Quality Act (CEQA); and

b. The proposed project is consistent with the purposes of Chapter 17.18 of the Rancho Cucamonga Development Code; the proposal meets requirements of Section 17.18.040 because the proposed improvements are compatible with the historic representation of the Ernst Mueller House; will protect important features of the structure, and will enhance the value of the structure and its surroundings; and

c. The project is consistent with the Secretary of the Interior's Standards for Rehabilitation. No modifications, except routine maintenance are proposed for the Ernst Mueller House, and the proposed site improvements are appropriate to the era of significance, will re-create the appearance of the non-surviving historic property in setting, design, and materials.

4. Based upon the facts and information contained in the proposed Mitigated Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Mitigated Negative

Declaration and Monitoring Program attached hereto, and incorporated herein by this reference, based upon the findings as follows:

a. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the City staff prepared an Initial Study of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined that, with the imposition of mitigation measures, there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, a Mitigated Negative Declaration was prepared. Thereafter, the City staff provided public notice of the public comment period and of the intent to adopt the Mitigated Negative Declaration; and

b. The Planning Commission has reviewed the Mitigated Negative Declaration and all comments received regarding the Mitigated Negative Declaration and, based on the whole record before it, finds: (i) that the Mitigated Negative Declaration was prepared in compliance with CEQA; and (ii) that, based on the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment. The Planning Commission further finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission. Based on these findings, the Planning Commission hereby adopts the Mitigated Negative Declaration; and

c. The Planning Commission has also reviewed and considered the Mitigation Monitoring Program for the project that has been prepared pursuant to the requirements of Public Resources Code Section 21081.6 and finds that such Program is designed to ensure compliance with the mitigation measures during project implementation. The Planning Commission therefore adopts the Mitigation Monitoring Program for the project; and

d. The custodian of records for the Initial Study, Mitigated Negative Declaration, Mitigation Monitoring Program and all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based on is the Planning Director of the City of Rancho Cucamonga. Those documents are available for public review in the Planning Department of the City of Rancho Cucamonga located at 10500 Civic Center Drive, Rancho Cucamonga, California 91730, telephone (909) 477-2750.

5. Based upon the findings and conclusions set fort in paragraphs 1, 2, 3, and 4 above, the Historic Preservation Commission hereby approves Certificate of Appropriateness DRC2016-00180, subject to the attached Conditions of Approval

6. The Secretary to the Historic Preservation Commission shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED THIS 27TH DAY OF APRIL 2016.

HISTORIC PRESERVATION COMMISSION OF THE CITY OF RANCHO CUCAMONGA

BY: _____
Ravenel Wimberly, Chairman

ATTEST:_____
Candyce Burnett, Secretary

I, Candyce Burnett, Secretary of the Historic Preservation Commission for the City of Rancho Cucamonga, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Historic Preservation Commission of the City of Rancho Cucamonga, at a regular meeting of the Historic Preservation Commission held on the 27th day of April 2016, by the following vote-to-wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Conditions of Approval

RANCHO CUCAMONGA

Community Development Department

Project #:	DRC2016-00180 CEQA2016-00002
Project Name:	Ernst Muller House - Certificate of Appropriateness
Location:	6563 EAST AVE - 022707117-0000
Project Type:	Certificate of Appropriateness CEQA Review

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Please be advised of the following Special Conditions

1. The design of the proposed freestanding garage for the Ernst Mueller House shall be subject to Design Review Committee approval prior to the issuance of building permits. The garage design shall match the design, materials, proportion, scale, and colors of the Ernst Mueller House.

Standard Conditions of Approval

2. The applicant shall agree to defend at his sole expense any action brought against the City, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any Court costs and attorney's fees which the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.
3. Copies of the signed Planning Commission Resolution of Approval or Approval Letter, Conditions of Approval, and all environmental mitigations shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.
4. The applicant shall be required to pay California Department of Fish and Wildlife Notice of Exemption and Mitigated Negative Declaration fee in the amount of $2,260.25. All checks are to be made payable to the Clerk of the Board Supervisors and submitted to the Planning Commission Secretary prior to public hearing.
5. Any approval shall expire if Building Permits are not issued or approved use has not commenced within 5 years from the date of approval or a time extension has been granted.
6. For single-family residential development, all slope planting and irrigation shall be continuously maintained in a healthy and thriving condition by the developer until each individual unit is sold and occupied by the buyer. Prior to releasing occupancy for those units, an inspection shall be conducted by the Planning Department to determine that they are in satisfactory condition.
7. Existing trees in close proximity to the Ernst Mueller House, except for the Eucalyptus windrow to the north, shall be preserved in place and shall be protected with a construction barrier in accordance with the Development Code Section 17.80.050, and so noted on the grading plans. The location of those trees to be preserved in place shall be shown on the detailed landscape plans. The applicant shall follow all of the arborist's recommendations regarding preservation, transplanting, and trimming methods.
8. Front yard and corner side yard landscaping and irrigation shall be required per the Development Code and Etiwanda Specific Plan. This requirement shall be in addition to the required street trees and slope planting.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Standard Conditions of Approval

9. A detailed landscape and irrigation plan, including slope planting and model home landscaping in the case of residential development, shall be prepared by a licensed landscape architect and submitted for Planning Director review and approval prior to the issuance of Building Permits for the development or prior final map approval in the case of a custom lot subdivision. For development occurring in the Very High Fire Hazard Severity Zone, the landscape plans will also be reviewed by Fire Construction Services.
10. Landscaping and irrigation systems required to be installed within the public right-of-way on the perimeter of this project area shall be continuously maintained by the developer.
11. Tree maintenance criteria shall be developed and submitted for Planning Director review and approval prior to issuance of Building Permits. These criteria shall encourage the natural growth characteristics of the selected tree species.
12. All walls shall be provided with decorative treatment. If located in public maintenance areas, the design shall be coordinated with the Engineering Services Department.
13. Landscaping and irrigation shall be designed to conserve water through the principles of water efficient landscaping per Development Code Chapter 17.82.
14. New windrow planting of Eucalyptus Maculata (Spotted Gum) is required. The size, spacing, staking, and irrigation of these trees shall be in conformance with the City's Development Code Chapter 17.80.
15. The applicant shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes. Multi-family residential developments shall provide a solid overhead structure for mailboxes with adequate lighting. The final location of the mailboxes and the design of the overhead structure shall be subject to Planning Director review and approval prior to the issuance of Building Permits.
16. Approval of this request shall not waive compliance with all sections of the Development Code, all other applicable City Ordinances, and applicable Community, Specific Plans and/or Master Plans in effect at the time of Building Permit issuance.
17. Construct block walls between homes (i.e., along interior side and rear property lines), rather than wood fencing for permanence, durability, and design consistency.
18. The site shall be developed and maintained in accordance with the approved plans which include Site Plans, architectural elevations, exterior materials and colors, landscaping, sign program, and grading on file in the Planning Department, the conditions contained herein, the Development Code regulations, and the Etiwanda Specific Plan.
19. Occupancy of the facilities shall not commence until such time as all California Building Code and State Fire Marshal regulations have been complied with. Prior to occupancy, plans shall be submitted to the Rancho Cucamonga Fire Protection District and the Building and Safety Services Department to show compliance. The buildings shall be inspected for compliance and final acceptance granted prior to occupancy.

Project #:	DRC2016-00180 CEQA2016-00002
Project Name:	Ernst Muller House - Certificate of Appropriateness
Location:	6563 EAST AVE - 022707117-0000
Project Type:	Certificate of Appropriateness CEQA Review

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Standard Conditions of Approval

20. Six-foot decorative block walls shall be constructed along the project perimeter. If a double wall condition would result, the developer shall make a good faith effort to work with the adjoining property owners to provide a single wall. Developer shall notify, by mail, all contiguous property owners at least 30 days prior to the removal of any existing walls/fences along the project perimeter.
21. For residential development, return walls and corner side walls shall be decorative masonry.
22. Where rock cobble is used, it shall be real river rock. Other stone veneers may be manufactured products.
23. Street names shall be submitted for Planning Director review and approval in accordance with the adopted Street Naming Policy prior to approval of the final map

STAFF REPORT

Planning Department

RANCHO CUCAMONGA

DATE: April 27, 2016

TO: Chairman and Members of the Planning Commission

FROM: Candyce Burnett, Planning Director

BY: Jennifer Nakamura, Associate Planner

SUBJECT: CONDITIONAL USE PERMIT DRC2015-01149 - CARIYENIS WELLNESS - A request to operate a massage establishment within an existing 1,114 square foot tenant space within the General Industrial (GI) zoning district located at 9087 Arrow Route, Suite 100; APN: 0209-01-219. Planning Department staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines as a Class 1 (CEQA Guidelines Section 15301) exemption, which covers existing facilities.

RECOMMENDATION: Staff recommends approval of the Conditional Use Permit DRC2015-01149 through the adoption of the attached Resolution and conditions of approval.

SITE DESCRIPTION:

A. Surrounding Land Use and Zoning:
- Site - Multi-tenant Industrial Park – General Industrial (GI)
- North - Arrow Route, Apartment Complex – Medium Residential (M)
- South - Multi-tenant Industrial Park – General Industrial (GI)
- East - Wholesale Distribution Facility – General Industrial (GI)
- West - Multi-tenant Industrial Park – General Industrial (GI)

B. General Plan Designations:
- Site - General Industrial (GI)
- North - Medium Residential (MR)
- South - General Industrial (GI)
- East - General Industrial (GI)
- West - General Industrial (GI)

C. Site Characteristics: The project site is located on Arrow Route, between Hellman and Vineyard Avenues in the Arrow Business Park. The site is a multi-tenant business park which currently contains various office, light industrial, retail and service businesses. Building 3, where the massage establishment is being proposed, is currently occupied with 12 office uses, including the property management office and 2 indoor fitness uses. The site was developed with 371 parking stalls shared amongst all tenants. Per Table 17.64.050-1 of the Development Code, 4 parking spaces per 1,000 square feet of floor area is required. The lease space is 1,114 square feet, requiring 5 parking spaces. The site contains sufficient onsite parking for the various uses within the center.

ANALYSIS:

A. Background: In 2008 the Governor signed into law SB 731, which established uniform regulations for massage therapy and massage establishments. This law preempted most local land use, zoning and operational regulations provided that massage establishments and practitioners were certified by the California Massage Therapy Council.

Prior to the implementation of the SB 731, massage establishments were conditionally permitted in the General Commercial zoning district Citywide and within the Village Commercial zoning district of Victoria Arbors Master Plan. In 2012, as part of our comprehensive Development Code Update, massage establishments were permitted "by-right" in all commercial zones, as well as the Industrial Park and General Industrial zoning districts. This was done to bring the City's land use regulations on massage establishments into compliance with State law.

Massage establishments have proliferated in the City since the implementation of SB 731. Prior to the required land use changes, there were 7 massage establishments within the City. By the end of 2014 there were 42 establishments. This represents a 600% increase in less than 3 years. There is evidence in other jurisdictions that massage establishments are fronts for prostitution or human sex trafficking. Staff from the Rancho Cucamonga Police Department, Rancho Cucamonga Fire District, Planning, Building and Safety, Community Improvement and Business License have created a task force to perform inspections of all massage establishments in Rancho Cucamonga. As a result of this task force, 17 locations have been closed permanently and several have been closed pending proper permits.

On September 18, 2014, Governor Brown signed into law AB 1147 which amended the State's current massage therapy laws to expand local authority to adopt zoning regulations, business licensing, and reasonable health and safety requirements for massage establishments and practitioners. AB 1147 took effect on January 1, 2015. The City Council enacted an interim ordinance that now requires a City-issued Conditional Use Permit for new establishments intending to operate in the City after January 1, 2015.

B. Approving Authority: Chapter 17.16 of the Development Code authorizes the Planning Director to administratively review and decide all Conditional Use Permits, after a public notification period. This administrative review was predicated on the anticipation that the uses qualifying for a Conditional Use Permit were minor in nature, only have an impact on immediately adjacent properties, and could be modified and/or conditioned to ensure compatibility. The Planning Director, pursuant to Section 17.14.060.C of the Development Code, may at any point in the application review process, transfer decision making authority to the Planning Commission at her discretion because of policy implications, unique or unusual circumstances or the magnitude of the project. At this time the Planning Director is referring Conditional Use Permit applications for massage establishments to the Planning Commission for review and decision.

C. General: The applicant, Cariyenis Garcia, is requesting to operate a therapeutic massage clinic in an existing 1,114 square foot suite. The business proposes to be open Monday through Friday from 10:00 a.m. to 6:00 p.m. and Saturday from 10:00 a.m. to 3:00 p.m. The business will be closed on Sunday. The unit is currently vacant, and already improved with a reception area, 2 rooms to be used exclusively for massage treatment, 1 room for hypnotherapy, as well as a break room, restroom and storage. There will be a minimum of 2 employees up to a maximum of 4 on site with a dedicated receptionist. Because the applicant is offering massage services as part of their business, their land use is classified as a massage establishment based on the land use classifications of the Development Code and are subject to the Conditional Use Permit process.

D. Police Review: The Rancho Cucamonga Police Department has reviewed the application and has no comment at this time.

E. Land Use Compatibility: The site was developed to accommodate various office and services businesses with limited commercial uses. Massage establishments are generally compatible with typical commercial retail and services uses, such as the businesses that exist within this center. That being said, staff believes that the use is compatible with the area it is located.

F. Facts of Finding: Section 17.16.120 of the Development Code requires that a Conditional Use Permit can only be approved by the approving authority after finding the following. If all of these findings cannot be made, the permit shall be denied.

1. The proposed use is allowed within the applicable zoning district and complies with all other provisions of the Zoning Code, Municipal Code, General Plan, and any applicable Specific Plans or City regulations/standards.

   The proposed massage establishment is a permitted use within the General Commercial (GC) zoning district subject to approval of a Conditional Use Permit. The proposed business is in compliance with Development Code Section 17.102.080 (Special Regulated Uses – Massage Establishments), which requires massage establishments to operate between the hours of 7:00 a.m. and 10:00 p.m. The subject massage establishment proposes operating hours from 10:00 a.m. to 6:00 p.m., Monday through Friday, 10:00 a.m. to 3:00 p.m. Saturday and Closed on Sunday.

2. The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints and can be conditioned to meet all related performance criteria and development standards.

   The site, a multi-tenant industrial park, is currently fully developed. The site contains multiple buildings as well as sufficient onsite parking for the various industrial, office and service uses. The subject property is located along Arrow Route, which is fully improved and provides sufficient access to the site.

3. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity in which the project is located.

Staff has included a list of reasonable conditions of approval that will help ensure the proposed massage establishment is operating in an appropriate and legal manner. This includes a condition that subjects the conditional use permit to modification, suspension or revocation, where the Planning Commission finds that the owner, operator, or any person employed or retained by the massage establishment, has violated any provision of the Rancho Cucamonga Municipal Code, or other applicable law, rule or regulation.

G. Conditions of Approval: In approving a Conditional Use Permit, the approving authority may impose any reasonable conditions to ensure that the approval will comply with the findings required, as well as any performance criteria and development standards contained within the Development Code. The conditions of approval are attached to the resolution.

H. Environmental Assessment: The Planning Department Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. The project qualifies as a Class 1 exemption under State CEQA Guidelines Section 15301, which covers the operation, repair, and maintenance of existing private structures involving negligible or no expansion of use beyond that existing at the time of the lead agency's original determination. Because the project only involves outdoor special events to accommodate the subject use, staff concludes that there is no substantial evidence that the project will have a significant effect on the environment. The Planning Director has reviewed the Planning Department's determination of exemption, and based on his own independent judgment, concurs in the staff's determination of exemption.

CORRESPONDENCE: This item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on April 14, 2016, the property was posted, and notices were mailed to all property owners within a 660-foot radius of the project site. No comments have been received.

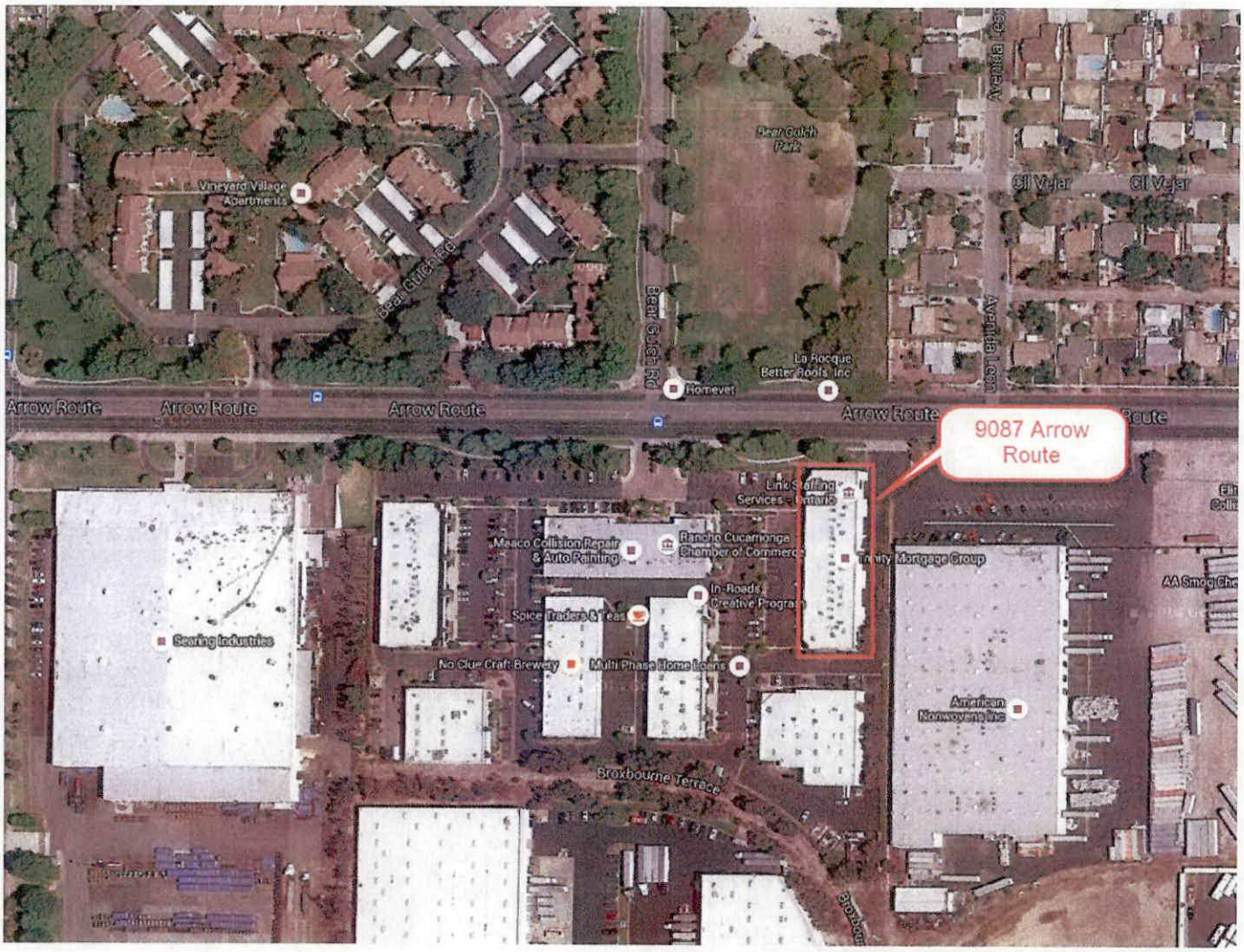
Respectfully submitted,

Candyce Burnett
Planning Director

CB:JN/ls

Attachments: Exhibit A - Aerial Photo
Exhibit B - Site Plan
Exhibit C - Floor Plan
Exhibit D - Project Statement from the Applicant
Resolution of Approval Conditional Use Permit DRC2015-01149

Aerial Photo



Inset View

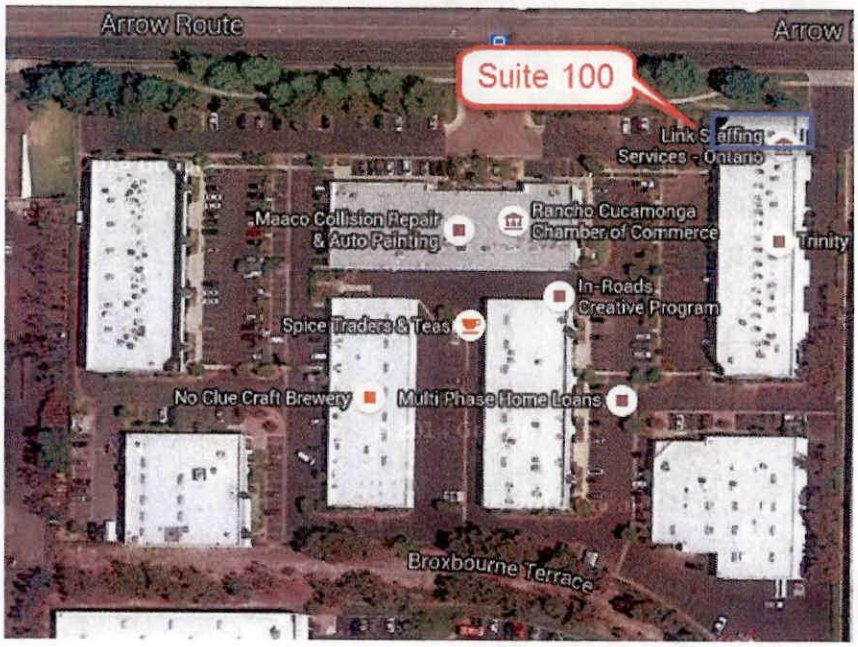
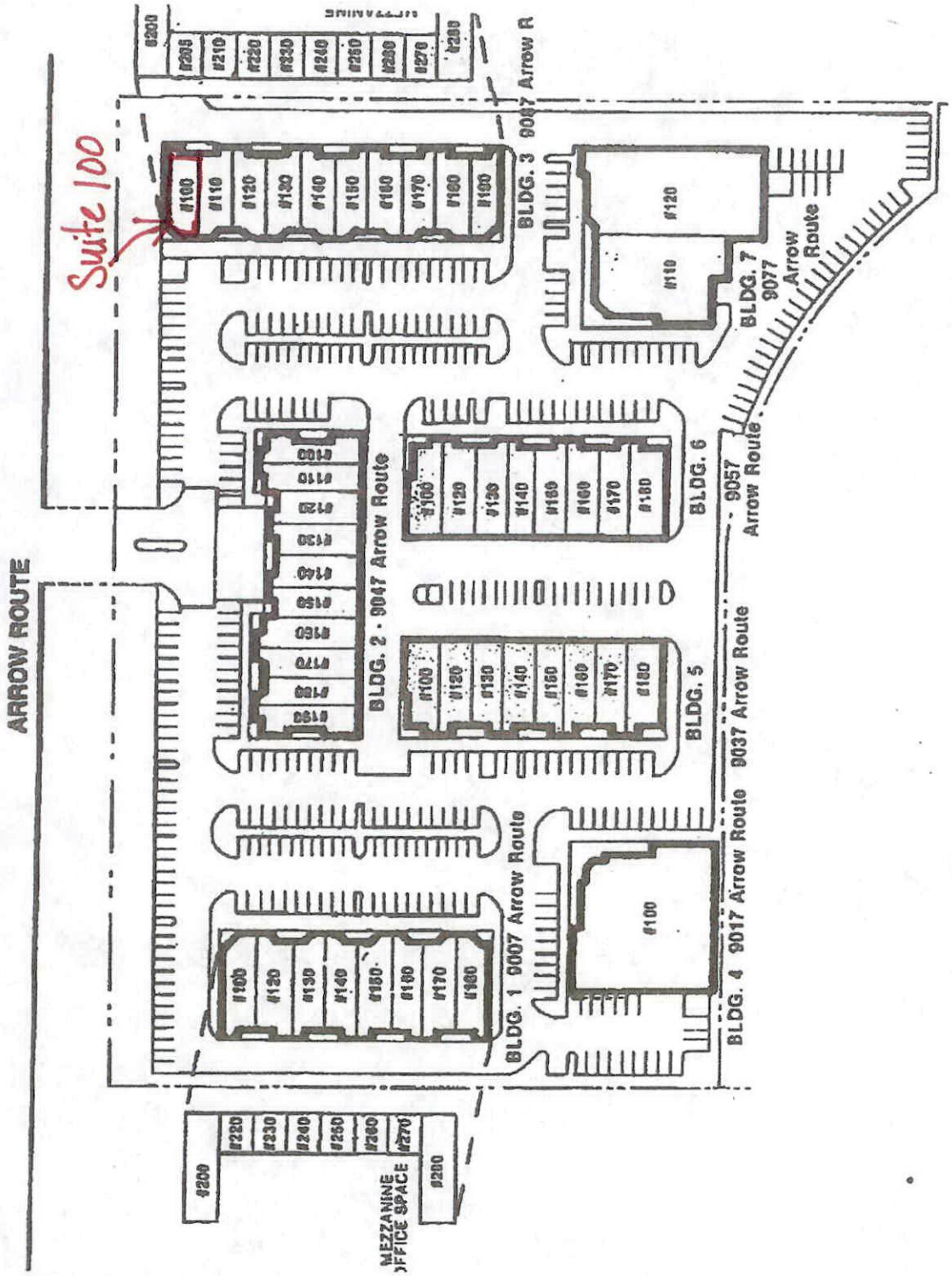


EXHIBIT A

ARROW BUSINESS PARK



For Leasing Information Please Contact:

Delmar

Don Barmakian
(909) 945-4599
donb@delmar1.com

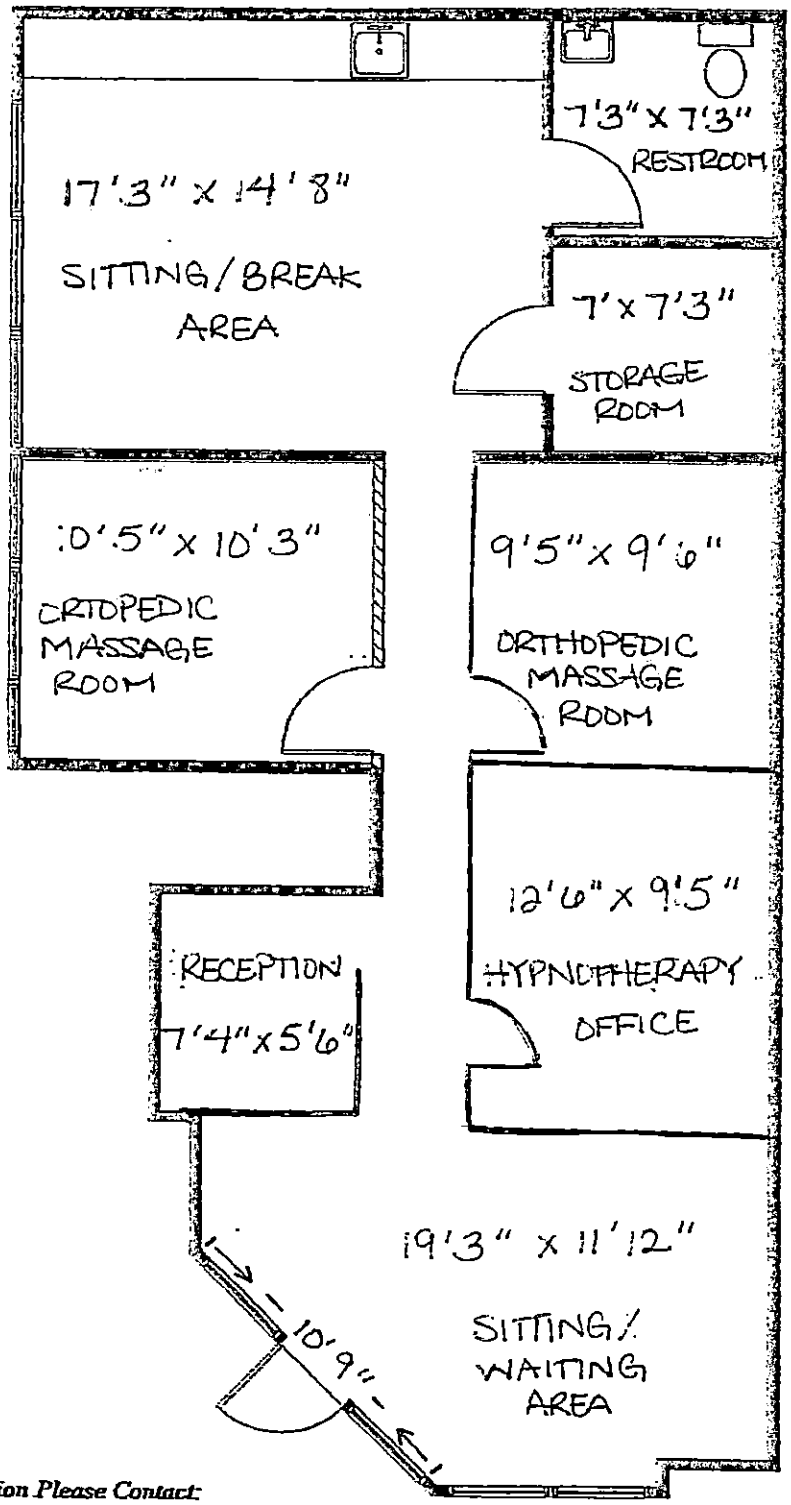
Mark McErlean
(909) 214-9125
markm@delmar1.com

Dave McErlean
(909) 370-5415
davem@delmar1.com

The information above has been obtained from sources deemed reliable. While we do not doubt its accuracy, we have not verified it and make no guarantee, warranty or representation about it. It is your responsibility to independently confirm its accuracy.

EXHIBIT B

ARROW BUSINESS PARK



9087 Arrow Route
Suite 100
± 1,114 sf

For Leasing Information Please Contact:

Lee & Associates®
COMMERCIAL REAL ESTATE SERVICES
Corp ID #00976995

Greg Martin
Lic. 01001749
(909) 373-2904
gmartin@lee-assoc.com

Brian Melkesian
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(909) 373-2943
bmelkesian@lee-assoc.com

The information above has been obtained from sources deemed reliable. While we do not doubt its accuracy, we have not verified it and make no guarantee, warranty or representation about it. It is your responsibility to independently confirm its accuracy.

EXHIBIT C

To Whom It May Concern, November 20, 2015

The purpose of this letter is to explain the business operation planned for the location of 9087 Arrow Rte., Suite 100, Rancho Cucamonga, CA 91730.

The business is intended to operate as a wellness clinic, and it's operation will consist of offering Hypnotherapy, Orthopedic/Sports massage therapy, and preventative massage, which will assist in maintaining physical balance and wellness, to its clients. The use of hot/cold therapy may also be integrated to any massage therapy service, in discretion to the client's needs. Other spa services will not be offered. The clients may be referred to the wellness clinic by a medical doctor, chiropractor, physical therapist, a personal injury lawyer, an athletic coach, or etc. The clinic will focus on treating clients with pain and injury, and the Hypnotherapy service will be focused on helping clients that are interested in behavioral modification or improvement, and/or stress management. The clinic will also play a significant part in informing and educating its clients of muscular pain and symptoms in regards to specific causes, injuries and conditions, and some alternative solutions that may be available for those conditions.

The planned hours of operation for the wellness clinic are Monday through Friday, opening at ten in the morning and closing at six in the evening, and Saturday, opening at ten in the morning and closing at three in the afternoon. Sunday it will be closed.

There will be a maximum of four employees operating the clinic on its largest shift.

The reason for requesting a Conditional Use Permit for this location is due to the zoning of the location, and nature of intended business use.

Respectfully,

Cariyenis Garcia

EXHIBIT D

RESOLUTION NO. 06-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT DRC2015-01149, A REQUEST TO OPERATE A MASSAGE ESTABLISHMENT WITHIN AN 1,114 SQUARE FOOT TENANT SPACE IN THE GENERAL INDUSTRIAL (GI) DISTRICT LOCATED AT 9087 ARROW ROUTE, SUITE 100; AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 0209-01-219.

A. Recitals.

1. Cariyenis Garcia, owner of Cariyenis Wellness, filed an application for the issuance of Conditional Use Permit DRC2015-01149, as described in the title of this Resolution. Hereinafter in this Resolution, the subject Conditional Use Permit request is referred to as "the application."

2. On the 27th day of April 2016, the Planning Commission of the City of Rancho Cucamonga conducted a duly noticed public hearing on the application and concluded said hearing on that date.

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

B. Resolution.

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

1. This Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Based upon the substantial evidence presented to this Commission during the above-referenced public hearing on April 27, 2016, including written and oral staff reports, together with public testimony, this Commission hereby specifically finds as follows:

a. The application applies to property within the General Industrial (GI) District located at 9087 Arrow Route, Suite 100. The subject property is currently developed with a multi-tenant industrial park that contains adequate onsite parking; and

b. The property to the north is developed with a public street and multi-family residential units and is located within the Medium (M) District, the property to the south is developed with a multi-tenant industrial park and is located within the General Industrial (GI) District, the property to the east is developed with a wholesale distribution facility and is located within the General Industrial (GI) District, and the property to the west is developed with a multi-tenant industrial park and is located within the General Industrial (GI) District; and

c. The application involves a request to operate a massage establishment within a 1,114 square foot tenant space; and

d. The massage establishment is requesting to be open Monday through Friday from 10:00 a.m. to 6:00 p.m. and Saturday from 10:00 a.m. to 3:00 p.m. The business will be closed on Sunday; and

e. The proposed services will include full body massage; and

f. The unit is currently improved with a reception area, 2 rooms to be used exclusively for massage treatment, 1 room for hypnotherapy, as well as a break room, restroom and storage; and

g. The Rancho Cucamonga Police Department has reviewed the application and inspected the site and has no comment at this time; and

h. The site was developed to accommodate various commercial retail and service businesses. Massage establishments are generally compatible with typical commercial retail and service uses, such as the businesses that exist within this shopping center. That being said, staff believes that the use is compatible with the area in which it is located; and

i. The Development Code requires all property owners within a 660 foot radius of the subject property to be notified for all Conditional Use Permit applications. The required notifications were mailed on April 11, 2016 and the property was posted by April 14, 2016. Planning Staff has not received any comments regarding this application.

3. Based upon the substantial evidence presented to this Commission during the above-referenced public hearing and upon the specific findings of facts set forth in paragraphs 1 and 2 above, this Commission hereby finds and concludes as follows:

a. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code, Municipal Code, General Plan, and any applicable Specific Plans or City regulations/standards. The proposed massage establishment is a permitted use within the General Industrial (GI) zoning district subject to approval of a Conditional Use Permit. The proposed business is in compliance with Development Code Section 17.102.080 (Special Regulated Uses – Massage Establishments), which requires massage establishments to operate between the hours of 7:00 a.m. and 10:00 p.m. The subject massage establishment proposes operating hours Monday through Friday from 10:00 a.m. to 6:00 p.m. and Saturday from 10:00 a.m. to 3:00 p.m. The business will be closed on Sunday.

b. The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints and can be conditioned to meet all related performance criteria and development standards. The site, a multi-tenant industrial park, is currently fully developed. The site contains multiple buildings as well as sufficient onsite parking for the various industrial and service uses. The subject property is located along Arrow Route, which is fully improved and provides sufficient access to the site.

c. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity in which the project is located. Staff has included a list of reasonable conditions that will help ensure the proposed massage establishment is operating in an appropriate and legal manner. This includes a condition that subjects the Conditional Use Permit to modification, suspension or revocation, where the Planning Commission finds that the owner, operator, or any person employed or retained by the massage establishment, has violated any provision of the Rancho Cucamonga Municipal Code, or other applicable law, rule or regulation.

4. The Planning Department Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. The project qualifies under the Class 1 exemption under State CEQA Guidelines Section 15301 *(Existing Facilities)* because the project involves the operation of a massage establishment that is located within an existing building on a site that is currently developed. In addition, there is no substantial evidence that the project may have a significant effect on the environment. The Planning Commission has reviewed the Planning Department's determination of exemption, and based on its own independent judgment, concurs in the staff's determination of exemption.

5. Based upon the findings and conclusions set forth in paragraphs 1, 2, 3, and 4 above, this Commission hereby approves the application subject to each and every condition set forth below and in the Standard Conditions, attached hereto and incorporated herein by this reference.

6. The Secretary to this Commission shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED THIS 27TH DAY OF APRIL 2016.

PLANNING COMMISSION OF THE CITY OF RANCHO CUCAMONGA

BY: _____
Ravenel Wimberly, Chairman

ATTEST:_____
Candyce Burnett, Secretary

I, Candyce Burnett, Secretary of the Planning Commission of the City of Rancho Cucamonga, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Rancho Cucamonga, at a regular meeting of the Planning Commission held on the 27th Day of April 2016, by the following vote-to-wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Conditions of Approval

RANCHO CUCAMONGA

Community Development Department

Project #:	DRC2015-01149
Project Name:	Cariyenis Wellness
Location:	9087 ARROW RTE - 020901219-0000
Project Type:	Conditional Use Permit

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Please be advised of the following Special Conditions

1. The applicant shall agree to defend at his sole expense any action brought against the City, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any Court costs and attorney's fees which the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve the applicant of his obligations under this condition.
2. Conditional Use Permit approval shall expire if building permits are not issued or approved use has not commenced within 5 years from the date of approval or the use is discontinued for more than 180 days. No extensions are allowed. Should this use be discontinued for more than 180 days, the approving authority may revoke this permit at a public hearing. If this business is closed for more than one calendar year this entitlement shall expire as outlined in Section 17.14.090 D. of the Rancho Cucamonga Development Code.
3. Occupancy of the facilities shall not commence until such time as all Uniform Building Code and State Fire Marshal regulations have been complied with. Prior to occupancy, plans shall be submitted to the Rancho Cucamonga Fire Protection District and the Building and Safety Department to show compliance. The buildings shall be inspected for compliance prior to occupancy.
4. The applicant shall be required to pay California Department of Fish and Wildlife Notice of Exemption fee in the amount of $50.00. All checks are to be made payable to the Clerk of the Board Supervisors and submitted to the Planning Commission Secretary prior to public hearing.
5. No massage establishment located in a building or structure with exterior windows fronting a public street, highway, walkway or parking area shall block visibility into the interior reception and waiting area through the use of curtains, closed blinds, tints or any other material that unreasonably obstructs, obscures, blurs, or darkens the view into the premises.
6. The business shall remain in compliance with all State, County, and Local regulations, including the conditions of the Conditional Use Permit at all times. If the operation of the facility does not remain in compliance with the conditions of approval, the Conditional Use Permit may be reviewed by the Planning Commission for possible modification of the conditions of approval, suspension or the revocation of the Conditional Use Permit.
7. Approval of this request shall not waive compliance with any sections of the Development Code, State Fire Marshal's regulations, Uniform building Code, or any other City Ordinances.
8. Hours of operation shall be limited to Monday through Friday from 10:00 a.m. to 6:00 p.m. and Saturday from 10:00 a.m. to 3:00 p.m. The business will be closed on Sunday.

Project #:	DRC2015-01149
Project Name:	Cariyenis Wellness
Location:	9087 ARROW RTE - 020901219-0000
Project Type:	Conditional Use Permit

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Please be advised of the following Special Conditions

9. Any modification or intensification of the use beyond what is specifically approved by this Conditional Use Permit, shall require review and approval by the approving authority.
10. Any modifications to the floor plan shall require review by the Planning Director and may require review by the approving authority.
11. Each person employed or acting as a massage technician or certified massage therapist shall have a valid certification issued by the California Massage Therapy Council (CAMTC) and shall be displayed in a conspicuous area open to the public at all times. It is unlawful for any owner, manager, operator, responsible managing employee, or permittee in charge of or in control of a massage establishment to employ or permit a person to act as a massage technician who is not in possession of a valid, unrevoked CAMTC certificate.
12. The possession of a valid conditional use permit does not authorize the possessor to perform work for which a CAMTC certificate is required.
13. A copy of the CAMTC certificate of each and every massage technician employed in the establishment shall be displayed in an open and conspicuous place on the premises.
14. The massage establishment shall keep a written record of the date and hour of each treatment, the name and address of each patron, the name of the CAMTC licensed technician administering the treatment, and the type of treatment administered. Such written record shall be maintained on forms approved by the director. Such records shall be open to inspection only by officials charged with enforcement of this permit, shall be available during all business hours of the establishment, and shall be used for no other purpose. Any unauthorized disclosure or use of such information by any officer or employee of the City or the County of San Bernardino, or the owner or employee of the massage establishment, shall constitute a misdemeanor and such persons shall be subject to the penalty of the provisions of this chapter in addition to any other penalties provided by law. Such records shall be maintained on the premises of the massage establishment for a period of 2 years.
15. No massage establishment shall operate as a school of massage, or use the same facilities as that of a school of massage.
16. No massage establishment shall be open for business without at least one CAMTC certified massage technician on the premises at all times who is in possession of a current, valid permit or massage certificate.
17. All clients and visitors shall be required to enter and exit through the main entry door. Except when there is no staff available to assure security for massage therapy clients and staff who are behind closed doors, no massage therapy may be carried on behind locked, closed doors.
18. The massage establishment shall have a manager on the premises at all times the massage establishment is open for business. The operator of each massage establishment shall file a statement with the Planning Director designating the person or persons who shall act as manager. The operator, or manager in the operator's absence shall be responsible for ensuring compliance with this permit.
19. All signs shall be in conformance with the current Ordinances of the City.

Project #:	DRC2015-01149
Project Name:	Cariyenis Wellness
Location:	9087 ARROW RTE - 020901219-0000
Project Type:	Conditional Use Permit

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Please be advised of the following Special Conditions

20. Minimum lighting shall be provided in accordance with Section 1205 of the Uniform Building Code or successor provision or provisions. In addition, at least one artificial light of not less than 40 watts shall be provided in each room or enclosure where massage services are performed on patrons.
21. Beds, floor mattresses and waterbeds are not permitted on the premises of the massage establishment, and no establishment shall be used for residential or sleeping purposes.
22. Water tables or shower tables are not permitted on the premises of the massage establishment.
23. No alcoholic beverages shall be sold, served or furnished to any client; nor shall any alcoholic beverages be permitted, kept or possessed on the premises of a massage establishment.
24. The massage establishment owner shall be responsible for the conduct of all massage establishment operators, employees, agents, independent contractors, or other representatives, while such persons are on the premises of the massage establishment or providing outcall massage services on behalf of the massage establishment.
25. All payments for massage therapy services, including gratuities or tips, shall be made only in the designated reception and waiting area and not in the massage therapy room. Any gratuities or tips that are solicited from the client in violation of this provision shall be presumed to be for the purpose of committing a sexually related act and may be grounds for the suspension or revocation of the conditional use permit.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Please be advised of the following Special Conditions

26. The massage establishment owner shall be deemed to know and understand the conditions of approval for this conditional use permit. This conditional use permit is subject to modification, suspension or revocation, where the Planning Commission finds that any of the following have occurred on even a single occasion:

A. The owner, operator, or any person employed or retained by the massage establishment, has violated any provision of the Rancho Cucamonga Municipal Code, or other applicable law, rule or regulation.

B. The owner, operator, or any person employed or retained by the massage establishment, has engaged in fraud or has knowingly made a misstatement of material fact either as part of the application or while working in or for the massage establishment.

C. The owner, operator, or any person employed or retained to provide services by the massage establishment, has been the subject of a permanent injunction against the conducting or maintaining of a nuisance pursuant to this code, or sections 11225 through 11235 of the California Penal Code, or any similar law in any state or other jurisdiction.

D. The owner, operator, or any person employed or retained to provide services by the massage establishment, has been convicted in a court of competent jurisdiction of any offense that relates directly to the conduct or operation of a massage establishment, or has at any time been convicted in a court of competent jurisdiction of any offense the commission of which occurred on the premises of a massage establishment or while performing out-call massage services.

E. The owner, operator, or any person employed or retained by the massage establishment, has been convicted in a court of competent jurisdiction of having violated, or has engaged in conduct constituting a violation of any of the following offenses: Sections 266, 266a, 266e, 266f, 266g, 266h, 266i, 266j, 315, 316, 318, 647(b), or 653.22 of the California Penal Code, or conspiracy or attempt to commit any such offense, or any similar offense in any state or other jurisdiction, whether or not any criminal prosecution has been pursued or conviction obtained for such acts, and whether or not such acts occurred with or without the actual knowledge of the owner.

F. The owner, operator, or any person employed or retained by the massage establishment, is currently required to register pursuant to the Sex Offender Registration Act (Chapter 5.5 commencing with section 290 of Title 9 of Part 1 of the California Penal Code), or any similar law in any state or other jurisdiction.

G. The owner has continued to operate the massage establishment after the Conditional Use Permit has been suspended.

H. Massage therapy has been performed for compensation by a person who is not a CAMTC certified massage professional, with or without the actual knowledge of the owner.

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:

Planning Department

Please be advised of the following Special Conditions

I. The owner, operator or any person employed or retained by the massage establishment, has engaged in conduct or committed acts that a reasonable person in the client's position would understand as an offer to perform on or engage in with a client acts that are sexual in nature or that involve the touching of the client's genitals, pubic area, anus, or areola.

J. Any other unprofessional conduct or violation of any applicable law, rule or regulation that is substantially related to the providing of massage therapy.

K. Any violation of the conditions of approval for the Conditional Use Permit.

27. The massage establishment shall allow appropriate City officials access to the premises in order to determine continued compliance with the approved conditional use permit, pursuant to Section 17.08.040 B of the Development Code.
28. Massage establishment shall at all times be equipped with an adequate supply of clean, sanitary towels, coverings and linens. Clean towels, coverings and linens shall be stored in enclosed cabinets. Towels and linens shall not be used on more than one patron, unless such towel or linen has first been laundered and disinfected. Disposable towels and coverings shall not be used on more than one patron. Soiled linens and towels shall be deposited in separate health department approved receptacles.
29. All employees, including massage technicians and certified massage therapist, shall be clean, and wear clean, non-transparent outer garments. Such garments shall not expose their genitals, pubic area, buttocks or chest.

Building and Safety Services Department

Please be advised of the following Special Conditions

1. When the CUP is approved submit Construction plans for review, approval and permit building permit issuance

STAFF REPORT

PLANNING DEPARTMENT

RANCHO CUCAMONGA

DATE: April 27, 2016

TO: Chairman and Members of the Planning Commission

FROM: Candyce Burnett

BY: Tabe van der Zwaag, Associate Planner

SUBJECT: ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT DRC2014-01132 - FOOTHILL & EAST, LLC - A request to eliminate Development Code Section 17.38.060 (H) (8), which requires the preservation of an existing grove of eucalyptus trees related to the development of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities for a site located on 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Zoning Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

ENVIRONMENTAL ASSESSMENT AND ZONING MAP AMENDMENT DRC2014-01131- FOOTHILL & EAST, LLC - A request to change the zoning designation for 8.8 acres of land from Community Commercial (CC) to Mixed Use (MU) related to the development of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP SUBTT19945 - FOOTHILL & EAST, LLC - A request to subdivide 8.8 acres of land for residential and commercial condominium purposes related to the development of a 193-unit, multi-family mixed use development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site of within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Development Review DRC2014-01130, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT REVIEW DRC2014-01130 - FOOTHILL & EAST, LLC - A request for site plan and architectural review of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a site located on 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

ENVIRONMENTAL ASSESSMENT AND MINOR EXCEPTION DRC2016-00169 - FOOTHILL & EAST, LLC - A request to reduce the required parking by up to 38 spaces related to the development of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site of 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Development Review DRC2014-01130, Tentative Tract Map SUBTT19945, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

ENVIRONMENTAL ASSESSMENT AND TREE REMOVAL PERMIT DRC2014-01134 - FOOTHILL & EAST, LLC - A request to remove approximately 184 trees related to the development of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site of 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

ENVIRONMENTAL ASSESSMENT AND UNIFORM SIGN PROGRAM DRC2015-00318 - FOOTHILL & EAST, LLC - A request to review the Uniform Sign Program related to the development of a 193-unit multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning

Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169 and Tree Removal Permit DRC2014-01134. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

BACKGROUND: The applicant has requested to continue the project to provide staff with adequate time to review the potential for permitting on-street parking on East Avenue to address a parking deficit.

RECOMMENDATION: Staff recommends this item be continued to the May 11, 2016 meeting date to provide staff adequate time to review the applicant's proposal for permitting on-street parking.

Respectfully submitted,

Candyce Burnett
Planning Director

CB:TV/jp

STAFF REPORT

PLANNING DEPARTMENT

RANCHO CUCAMONGA

DATE: April 27, 2016

TO: Chairman and Members of the Planning Commission

FROM: Candyce Burnett, Planning Director

BY: Mike Smith, Senior Planner
Tom Grahn, Associate Planner
Dominick Perez, Associate Planner

SUBJECT: ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT DRC2015-00887 - CITY OF RANCHO CUCAMONGA: An amendment to change the land use designations of multiple parcels at various locations within the City from their existing designations (which varies but includes, for example, General Commercial and Office Professional) to Mixed Use, and to correct, as necessary, existing tables and text in the General Plan that specify the uses and range of development required on various parcels in the City that are currently designated for Mixed Use development. Staff has prepared a Negative Declaration of environmental impacts for consideration. This item will be forwarded to the City Council for final action.

RECOMMENDATION: Staff recommends this item be continued to the May 11, 2016 meeting date to allow time for additional specific research and development of the staff report and the related exhibits.

Respectfully submitted,

Candyce Burnett
Planning Director

CB:MS/TG/DP/ls