



STAFF REPORT

PLANNING DEPARTMENT

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

PLANNING COMMISSION STAFF REPORT

GENERAL PLAN AMENDMENT DRC2015-00114, SPECIFIC PLAN AMENDMENT DRC2015-00040, DEVELOPMENT CODE AMENDMENT DRC2015-00115 – SC RANCHO DEVELOPMENT CORP. (LEWIS OPERATING CORP.)

April 27, 2016

Page 2

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 STAFF REPORT

GENERAL PLAN AMENDMENT DRC2015-00114, SPECIFIC PLAN AMENDMENT DRC2015-00040,
DEVELOPMENT CODE AMENDMENT DRC2015-00115 – SC RANCHO DEVELOPMENT CORP.
(LEWIS OPERATING CORP.)

April 27, 2016

Page 3

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

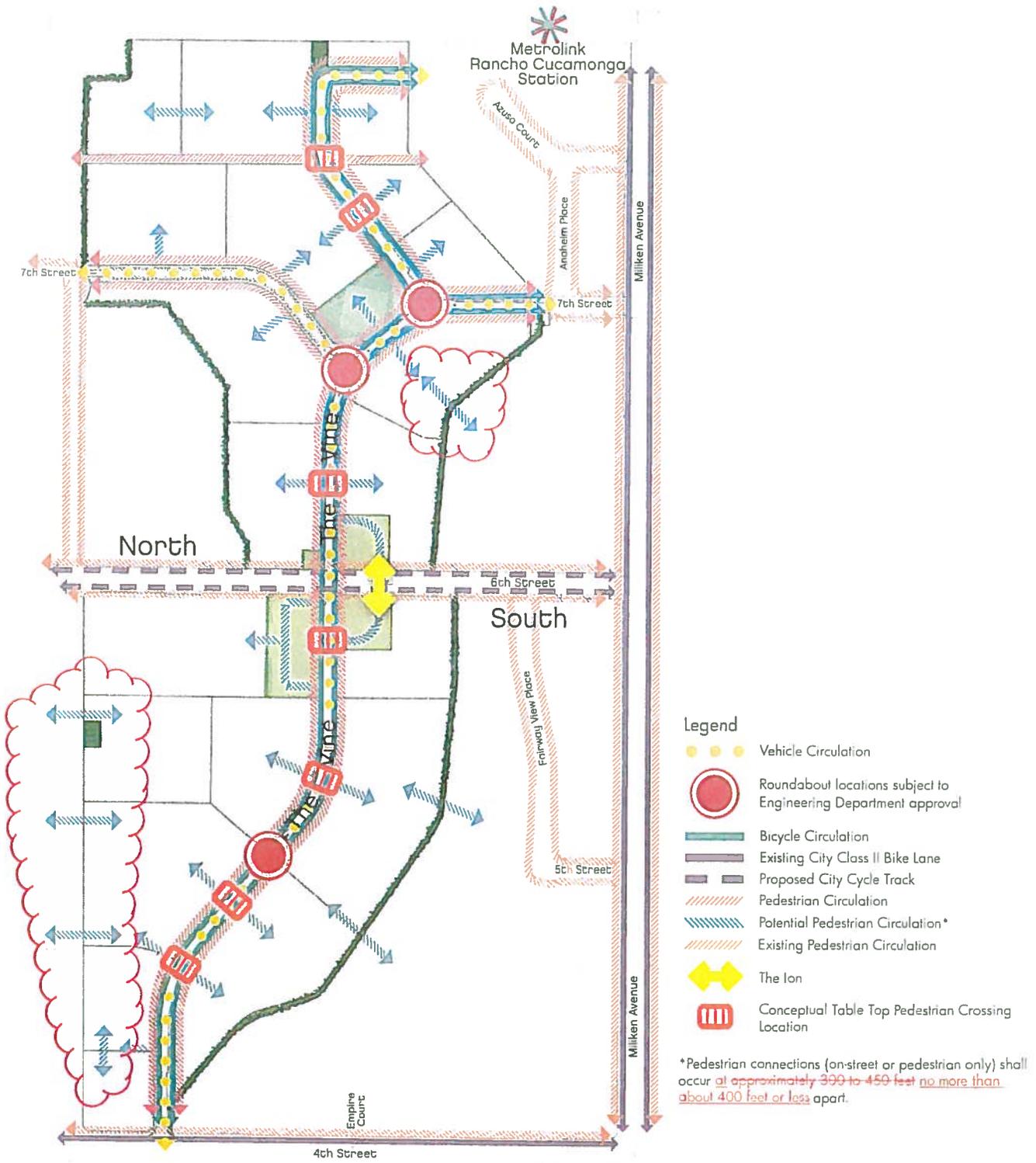
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Attachments: Exhibit A - Draft Text Revisions
Draft Resolution Recommending Approval of General Plan Amendment
DRC2015-00114
Draft Resolution Recommending Approval of Specific Plan Amendment
DRC2015-00040
Draft Resolution Recommending Approval of Development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

Planning Area I

RANCHO CUCAMONGA IASP SUB-AREA 18 SPECIFIC PLAN

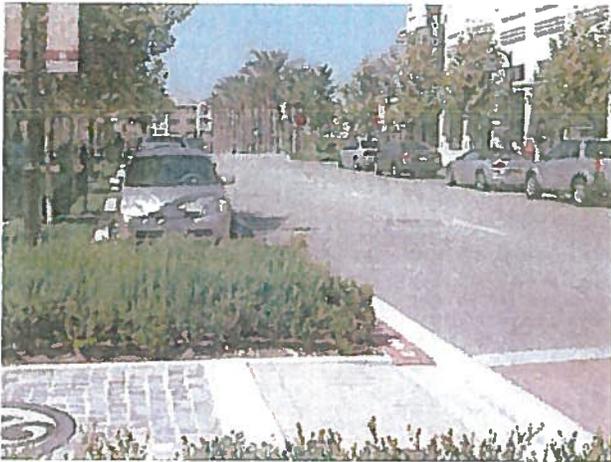
Section 7



Note: Figure not to scale

Figure 7.22: Overall Circulation Diagram

PC 4-27-16
EXHIBIT A



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

13 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 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 Long Sections through Figure 7.43: Alley Section.

C. Bicycle Circulation

C.1. Bike Lane Standards

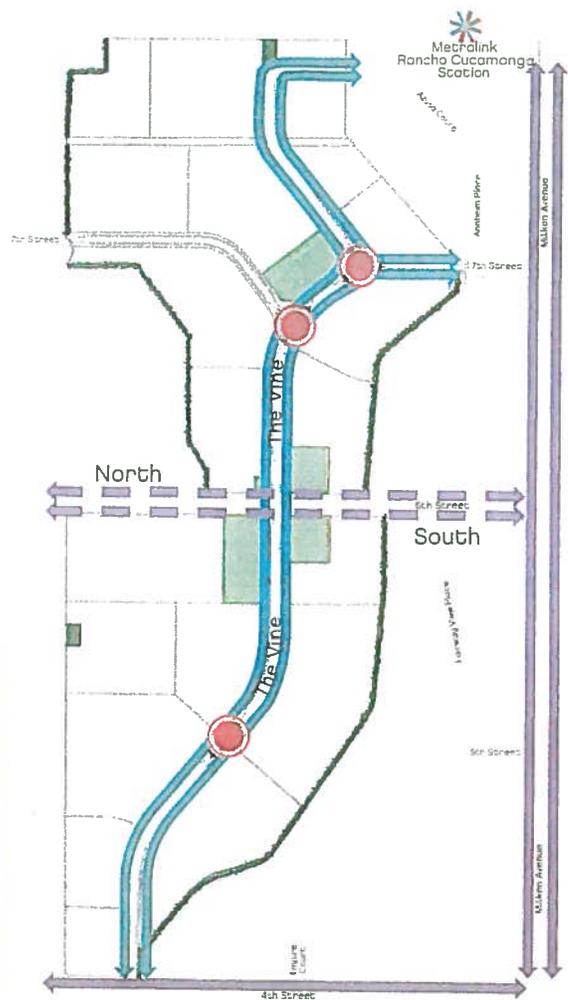
There is an existing City Class II Bike Lane located on 4th Street. There is a proposed City cycle track on 6th Street; the portion along the Empire Lakes frontage will be installed at the time of development. The Vine will provide buffered bicycle lanes allowing connection between 6th Street and the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

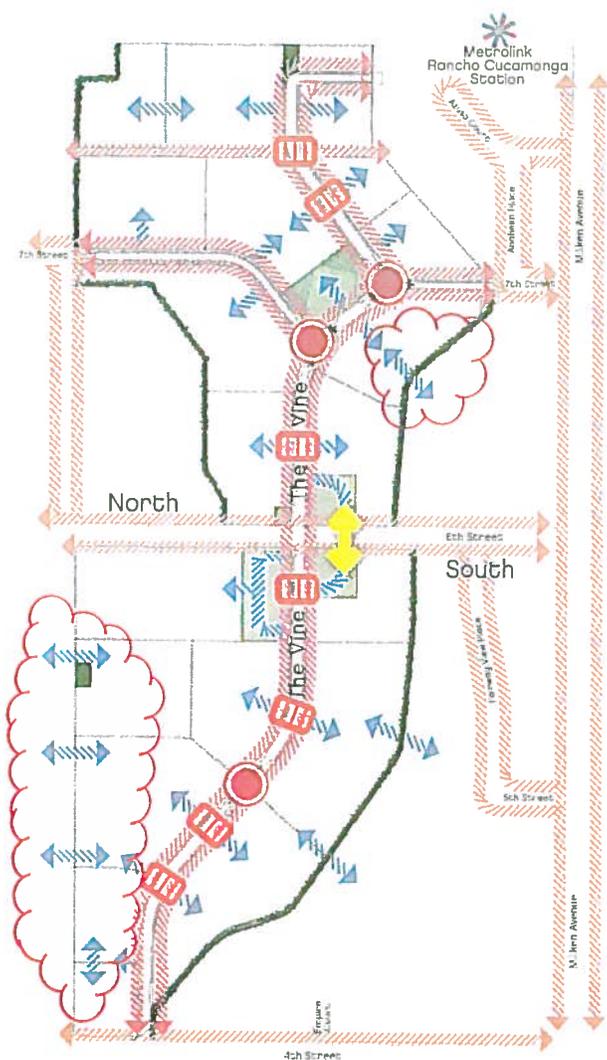
The PAI primary pedestrian circulation feature is the 16-foot pedestrian realm provided on each side of the Vine that links with 4th Street and the Metrolink Station. This space will provide strong north/south connectivity throughout. The pedestrian realm will be designed with vegetation and hardscape 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).



Note: Figure not to scale.

- Legend**
-  Roundabout locations subject to Engineering Department approval
 -  Bicycle Circulation
 -  Existing City Class II Bike Lane
 -  Proposed City Cycle Track

Figure 7.23: Bicycle Circulation Diagram



Legend

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

Note: Figure not to scale.

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 width of 4th Street and north of the north turn about) 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. Redesign elements include crosswalks at mid-block street crossings with center islands and knee-lap to curbs. Pedestrian crossing islands are either left by site configuration, visibility and safety conditions.



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 feet~~ 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/Pine/Walnut or Oak 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 other land property. Refer to Figure Z-52, Pedestrian Connections to Adjacent Property for an example of these connections.

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

A. Product 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.

Community 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 Amenities

Public realm amenities such as: benches at intersections, art, as well as the various streets and public realm amenities.

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.

PC Reso # 16-18
PC 4-27-16

PLANNING COMMISSION RESOLUTION NO. 16-18
GENERAL PLAN AMENDMENT DRC2015-00114 - SC RANCHO DEVELOPMENT CORP. (LEWIS
OPERATING CORP.)

April 27, 2016

Page 2

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.

PLANNING COMMISSION RESOLUTION NO. 16-18
GENERAL PLAN AMENDMENT DRC2015-00114 - SC RANCHO DEVELOPMENT CORP. (LEWIS
OPERATING CORP.)

April 27, 2016

Page 3

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.

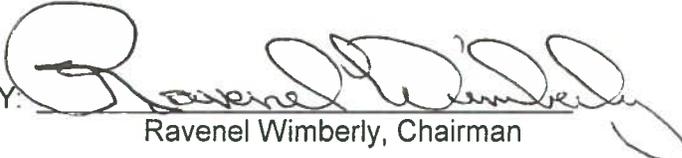
x. The findings set forth in this Resolution reflect the independent judgment of the Planning Commission.

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:

PLANNING COMMISSION RESOLUTION NO. 16-18
GENERAL PLAN AMENDMENT DRC2015-00114 - SC RANCHO DEVELOPMENT CORP. (LEWIS
OPERATING CORP.)
April 27, 2016
Page 5

AYES: COMMISSIONERS: MACIAS, MUNOZ, OAXACA, WIMBERLY

NOES: COMMISSIONERS: FLETCHER

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

**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 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 NO_x), PM₁₀, and PM_{2.5}, 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, NO_x, PM₁₀, and PM_{2.5} emissions would exceed the significance thresholds and could contribute to existing violations of the O₃ and PM₁₀ standards (VOC and NO_x are O₃ 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 complaint, 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 gas 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 (O₃) precursors (i.e., volatile organic compounds [VOCs] and nitrogen oxides [NO_x]), 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 (PM_{2.5}).
- **Cumulative Air Quality Impact.** The project would result in significant and unavoidable cumulative long-term regional emissions of O₃ precursors (VOC and NO_x), PM₁₀, and PM_{2.5}, 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, it 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 to 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 6 th Street, 60 feet above ground south of 6 th 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)

PC Reso # 16-18
Attachment B

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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BO: Building Official or designee	C: Throughout Construction	C: Plan Check
PO: Police Captain or designee	D: On Completion	D: Separate Submittal (Reports/Studies/Plans)
FC: Fire Chief or designee	E: During Occupancy/Operations	

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
<p>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.</p> <p>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.</p> <p>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</p>					
	BO	A	Prior to issuance of building permits	C	
	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 (PM _{2.5}) and precludes the installation of indoor or outdoor wood burning devices (i.e., fireplaces/hearthths) 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
<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <ul style="list-style-type: none"> All construction equipment shall be maintained in 	BO	B/C	Prior to issuance of grading and building permits / during construction	A/D	
	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
<p>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.</p> <ul style="list-style-type: none"> 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. 					
<p>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.</p> <ul style="list-style-type: none"> 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
<p>Voluntary Measures, of the CALGreen Code.</p> <ul style="list-style-type: none"> 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. 					
<p>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.</p> <ul style="list-style-type: none"> 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	
<p>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</p>	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
<p>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.</p> <ul style="list-style-type: none"> 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. 					
<p>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.</p> <ul style="list-style-type: none"> 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)

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<p>required by State law).</p> <ul style="list-style-type: none"> 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					
<p>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:</p> <ul style="list-style-type: none"> 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. <p>If the biologist finds an active nest on the project site and determines that the nest may be impacted,</p>	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
<p>RR 3-2 All construction activities shall comply with Sections 3503, 3503.5, 3511 and 3513 of the <i>California Fish and Game Code</i>, which protect active nests of any raptor species, including common raptor species. Compliance with</p> <p>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.</p>	PD	B/C	Prior to construction/ during construction	A/D	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

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<p>these codes shall be accomplished by completing the following:</p> <ul style="list-style-type: none"> 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. <p>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</p>					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

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<p>designated buffer area shall not proceed until authorization is received by the applicant from CDFW.</p> <ul style="list-style-type: none"> 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 <i>California Fish and Game Code</i>. 					
<p>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).</p>	PD	A	Prior to issuance of grading permit/during construction	A/C	
<p>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</p>	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 Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The descendant 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
<p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>					

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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
<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> 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)**

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<p>County Museum).</p> <ul style="list-style-type: none"> 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					
<p>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.</p>	BO	B/C	Prior to issuance of building permits	A/C	
<p>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.</p>	BO	B/C	During construction	A/C	
<p>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</p>	BO	B/C	Prior to issuance of building permits/ during construction	A/C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

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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: <ul style="list-style-type: none"> 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)

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<ul style="list-style-type: none"> • 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 <p>The City Engineer shall confirm that site-specific recommendations are incorporated into the project.</p>					

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**MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)**

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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 MTCO ₂ e 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 PAL 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)

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RR 7-1 Future development in the Empire Lakes/ASP 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
<p>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:</p> <ul style="list-style-type: none"> • 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
<p>that is within the High Terrain Zone, which includes the areas between 4th Street and 6th Street.</p> <ul style="list-style-type: none"> Real Estate Transaction Disclosure. In compliance with Airport Land Use Compatibility Plan for LVOntario Airport's (ONT ALUCP's) Overflight Policy O2, a Real Estate Transaction Disclosure is required for all development in PAL 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					
<p>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</p>	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: <ul style="list-style-type: none">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. <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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
<ul style="list-style-type: none"> 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. 					
<p>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.</p>	PD	A/B/C	Prior to issuance of grading permits/ During construction	A/C/D	
<p>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.</p>	BO	A/B	Prior to issuance of building permits	D	
<p>MM 10-3 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences, the</p>	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
<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> • 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	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
<p>sensitive noise receivers.</p> <ul style="list-style-type: none"> 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 complaint, as deemed acceptable by the Planning Department. Signs shall be posted at the construction that include the contact information for the Construction Noise Coordinator. <p>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.</p>					
	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
<p>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:</p> <ul style="list-style-type: none"> 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	
<p>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:</p> <ul style="list-style-type: none"> 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
<p>windows closed.</p> <ul style="list-style-type: none"> 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. 					
<p>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:</p> <ul style="list-style-type: none"> 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					
<p>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</p>	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
<p>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.</p> <p>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.</p> <p>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.</p>	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/ASP 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: <ul style="list-style-type: none"> 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
<p>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.</p> <p>MM 13-1P 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:</p> <p>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.</p> <p>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.</p> <p>4. Foothill Boulevard and Day Creek Boulevard. Convert the rightmost northbound through lane into</p>	CE	C/E	During construction and operations	A	
	CE	B	Prior to the issuance of the first occupancy permit	C	

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

<p>a through/right shared lane.</p> <p>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).</p> <p>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.</p> <p>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.</p> <p>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.</p>			
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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
<p>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.</p>	CE	D	Prior to issuance of occupancy permits	D	
<p>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.</p>	CE	D	Prior to issuance of occupancy permits	D	
<p>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:</p> <ul style="list-style-type: none"> • 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
<p>signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.</p> <ul style="list-style-type: none"> 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. <p>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.</p>					
<p>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</p>	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
<p>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.</p>					
<p>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.</p>	PD	A/B	Prior to issuance of building permits	C	
<p>Solid Waste Disposal</p> <p>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</p>	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. 16-19

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.

PC Reso # 16-19
4-27-16

PLANNING COMMISSION RESOLUTION NO. 16-19
SPECIFIC PLAN AMENDMENT DRC2015-00040 - SC RANCHO DEVELOPMENT CORP. (LEWIS
OPERATING CORP.)

April 27, 2016

Page 2

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.

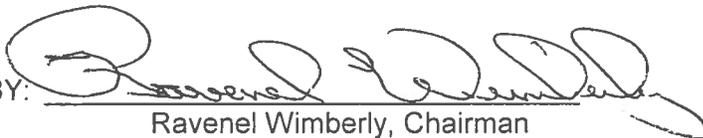
s. The findings set forth in this Resolution reflect the independent judgment of the Planning Commission.

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: MACIAS, MUNOZ, OAXACA, WIMBERLY

NOES: COMMISSIONERS: FLETCHER

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

**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

PC Reso # 16-19

Attachment A

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 (RRs), 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 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 NO_x), CO, PM₁₀, and PM_{2.5} 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 NO_x), PM₁₀, and PM_{2.5}, 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, NO_x, PM₁₀, and PM_{2.5} emissions would exceed the significance thresholds and could contribute to existing violations of the O₃ and PM₁₀ standards (VOC and NO_x are O₃ 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 complaint, 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 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 (O₃) precursors (i.e., volatile organic compounds [VOCs] and nitrogen oxides [NO_x]), 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 (PM_{2.5}).
- **Cumulative Air Quality Impact.** The project would result in significant and unavoidable cumulative long-term regional emissions of O₃ precursors (VOC and NO_x), PM₁₀, and PM_{2.5}, 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, it 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 6 th Street, 60 feet above ground south of 6 th 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)

PC Reso #16-19
Attachment B

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
<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <ul style="list-style-type: none"> All construction equipment shall be maintained in 	BO	B/C	Prior to issuance of grading and building permits / during construction	A/D	
	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
<p>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.</p> <ul style="list-style-type: none"> 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. 					
<p>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.</p> <ul style="list-style-type: none"> 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
<p>Voluntary Measures, of the CALGreen Code.</p> <ul style="list-style-type: none"> 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. 					
<p>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.</p> <ul style="list-style-type: none"> 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	
<p>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</p>	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
<p>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.</p> <ul style="list-style-type: none"> 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. <p>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.</p> <ul style="list-style-type: none"> 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
<p>required by State law).</p> <ul style="list-style-type: none"> 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					
<p>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:</p> <ul style="list-style-type: none"> 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. <p>If the biologist finds an active nest on the project site and determines that the nest may be impacted,</p>	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
<p>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.</p>	PD	B/C	Prior to construction during construction	A/D	
<p>RR 3-2 All construction activities shall comply with Sections 3503, 3503.5, 3511 and 3513 of the <i>California Fish and Game Code</i>, which protect active nests of any raptor species, including common raptor species. Compliance with</p>					

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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
<p>these codes shall be accomplished by completing the following:</p> <ul style="list-style-type: none"> 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. <p>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</p>					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

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<p>designated buffer area shall not proceed until authorization is received by the applicant from CDFW.</p> <ul style="list-style-type: none"> 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 <i>California Fish and Game Code</i>. 					
<p>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).</p>	PD	A	Prior to issuance of grading permit/during construction	A/C	
<p>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</p>	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 descendant 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

Mitigation Measure No. / Implementing Action	Respon Mon
<p>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.</p> <p>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.</p> <p>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.</p> <p>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 complete</p>	

REPORTING PROGRAM CHECKLIST
(continued)

Item	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials

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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
<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> 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
<p>County Museum).</p> <ul style="list-style-type: none"> 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					
<p>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.</p>	BO	B/C	Prior to issuance of building permits	A/C	
<p>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.</p>	BO	B/C	During construction	A/C	
<p>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</p>	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: <ul style="list-style-type: none"> 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)

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<ul style="list-style-type: none"> 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 <p>The City Engineer shall confirm that site-specific recommendations are incorporated into the project.</p>					

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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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(Continued)

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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)

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<p>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:</p> <ul style="list-style-type: none"> <p>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/ASP 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.</p> <p>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</p> 					

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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
<p>that is within the High Terrain Zone, which includes the areas between 4th Street and 6th Street.</p> <ul style="list-style-type: none"> Real Estate Transaction Disclosure. In compliance with Airport Land Use Compatibility Plan for LA/Ontario Airport's (ONT ALUCP's) Overflight Policy 02, a Real Estate Transaction Disclosure is required for all development in PAL. 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					
<p>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</p>	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: <ul style="list-style-type: none"> 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
<p>adjacent property line.</p> <ul style="list-style-type: none"> 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. 					
<p>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.</p>	BO	A/B	Prior to issuance of building permits	C	
<p>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).</p>	CE	B/E	Prior to issuance of building permits	A/C	
<p>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:</p> <ul style="list-style-type: none"> 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
<ul style="list-style-type: none"> 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 of any motor vehicle, motorcycle, or motorboat shall cause a noise disturbance in an adjacent residential area. 					
<p>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.</p>	PD	A/B/C	Prior to issuance of grading permits/ During construction	A/C/D	
<p>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.</p>	BO	A/B	Prior to issuance of building permits	D	
<p>MM 10-3 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences, the</p>	PD	A/B/C	Prior to issuance of demolition or	A/C/D	

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(Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> • 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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(Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
<p>sensitive noise receivers.</p> <ul style="list-style-type: none"> 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 complaint, as deemed acceptable by the Planning Department. Signs shall be posted at the construction that include the contact information for the Construction Noise Coordinator. 					
<p>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.</p>	PD	A/B/C	Prior to issuance of demolition or grading permits	A/C/D	

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(Continued)

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<p>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:</p> <ul style="list-style-type: none"> 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	
<p>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:</p> <ul style="list-style-type: none"> 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
<p>windows closed.</p> <ul style="list-style-type: none"> 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. 					
<p>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:</p> <ul style="list-style-type: none"> 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					
<p>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</p>	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
<p>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.</p> <p>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.</p> <p>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.</p>	PD	B	Prior to approval of Development or 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/ASP 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)

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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)

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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: <ul style="list-style-type: none"> 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)

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<p>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.</p>	CE	B/C	Prior to issuance of building permits/ during construction	A/B/C	
<p>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.</p>	CE	A/B	Prior to issuance of building permits	C	
<p>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.</p>	PD/CE	A	Prior to issuance of building permits	C	

Key to Checklist Abbreviations

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

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
<p>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.</p> <p>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:</p> <p>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.</p> <p>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.</p> <p>4. Foothill Boulevard and Day Creek Boulevard. Convert the rightmost northbound through lane into</p>	CE	C/E	During construction and operations	A	
	CE	B	Prior to the issuance of the first occupancy permit	C	

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**MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)**

<p>a through/right shared lane.</p> <p>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).</p> <p>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.</p>			
<p>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.</p>			
<p>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.</p>			

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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
<p>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.</p>	CE	D	Prior to issuance of occupancy permits	D	
<p>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.</p>	CE	D	Prior to issuance of occupancy permits	D	
<p>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:</p> <ul style="list-style-type: none"> • 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
<p>signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.</p> <ul style="list-style-type: none"> 6th Street and Haven 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. 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. <p>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.</p>					
<p>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</p>	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
<p>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.</p>					
<p>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.</p>	PD	A/B	Prior to issuance of building permits	C	
Solid Waste Disposal					
<p>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</p>	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.

PC Reso # 16-20
4-27-16

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.

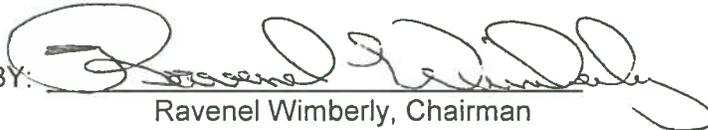
s. The findings set forth in this Resolution reflect the independent judgment of the Planning Commission.

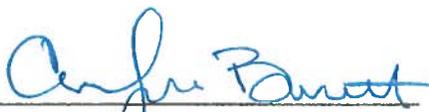
C. Recommendation. On the basis of the foregoing and the totality of the administrative record before it, the Planning Commission hereby recommends that the City Council certify the Final EIR, adopt the Findings and Statement of Overriding Considerations contained in Attachment A, adopt the Mitigation 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:	MACIAS, MUNOZ, OAXACA, WIMBERLY
NOES:	COMMISSIONERS:	FLETCHER
ABSENT:	COMMISSIONERS:	NONE
ABSTAIN:	COMMISSIONERS:	NONE

**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

PC Reso #16-20

Attachment A

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 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 MTCO_{2e} 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 NO_x), PM₁₀, and PM_{2.5}, 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, NO_x, PM₁₀, and PM_{2.5} emissions would exceed the significance thresholds and could contribute to existing violations of the O₃ and PM₁₀ standards (VOC and NO_x are O₃ 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 complaint, 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 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 (O₃) precursors (i.e., volatile organic compounds [VOCs] and nitrogen oxides [NO_x]), 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 (PM_{2.5}).
- **Cumulative Air Quality Impact.** The project would result in significant and unavoidable cumulative long-term regional emissions of O₃ precursors (VOC and NO_x), PM₁₀, and PM_{2.5}, 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, it 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 (HQT), 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 NO_x 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 6 th Street, 60 feet above ground south of 6 th 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)

PC Reso #16-20
Attachment B

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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FC: Fire Chief or designee	E: During Occupancy/Operations	

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
<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <ul style="list-style-type: none"> All construction equipment shall be maintained in 	BO	B/C	Prior to issuance of grading and building permits / during construction	A/D	
	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
<p>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.</p> <ul style="list-style-type: none"> 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. 					
<p>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.</p> <ul style="list-style-type: none"> 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
<p>Voluntary Measures, of the CALGreen Code.</p> <ul style="list-style-type: none"> 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. 					
<p>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.</p> <ul style="list-style-type: none"> 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	
<p>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</p>	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
<p>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.</p> <ul style="list-style-type: none"> 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. 					
<p>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.</p> <ul style="list-style-type: none"> 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
<p>required by State law).</p> <ul style="list-style-type: none"> 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					
<p>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:</p> <ul style="list-style-type: none"> 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	

Key to Checklist Abbreviations

Responsible Person	Monitoring Frequency	Method of Verification
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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
<p>these codes shall be accomplished by completing the following:</p> <ul style="list-style-type: none"> 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. <p>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</p>					

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)

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<p>designated buffer area shall not proceed until authorization is received by the applicant from CDFW.</p> <ul style="list-style-type: none"> 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 <i>California Fish and Game Code</i>. 					
<p>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).</p>	PD	A	Prior to issuance of grading permit/during construction	A/C	
<p>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</p>	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 Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The descendant 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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(Continued)**

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
<p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>					

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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
<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> 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	During grading and construction	A/D	

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(Continued)

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials
<p>County Museum).</p> <ul style="list-style-type: none"> 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					
<p>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.</p>	BO	B/C	Prior to issuance of building permits	A/C	
<p>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.</p>	BO	B/C	During construction	A/C	
<p>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</p>	BO	B/C	Prior to issuance of building permits/ during construction	A/C	

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(Continued)

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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: <ul style="list-style-type: none"> 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
<ul style="list-style-type: none"> 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 <p>The City Engineer shall confirm that site-specific recommendations are incorporated into the project.</p>					

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**MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)**

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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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(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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(Continued)

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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 (OIA 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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(Continued)

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<p>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:</p> <ul style="list-style-type: none"> <p>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.</p> <p>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</p> 					

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(Continued)

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<p>that is within the High Terrain Zone, which includes the areas between 4th Street and 6th Street.</p> <ul style="list-style-type: none"> 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 PAL. 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					
<p>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</p>	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: <ul style="list-style-type: none"> 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. <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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
<ul style="list-style-type: none"> 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. 					
<p>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.</p>	PD	A/B/C	Prior to issuance of grading permits/ During construction	A/C/D	
<p>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.</p>	BO	A/B	Prior to issuance of building permits	D	
<p>MM 10-3 Prior to the issuance of each permit for demolition or grading within 500 feet of existing residences, the</p>	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
<p>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 1/2 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.</p> <p>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:</p> <ul style="list-style-type: none"> • 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	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
<p>sensitive noise receivers.</p> <ul style="list-style-type: none"> 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 complaint, as deemed acceptable by the Planning Department. Signs shall be posted at the construction that include the contact information for the Construction Noise Coordinator. 					
<p>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.</p>	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
<p>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:</p> <ul style="list-style-type: none"> 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	
<p>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:</p> <ul style="list-style-type: none"> 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
<p>windows closed.</p> <ul style="list-style-type: none"> 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. 					
<p>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:</p> <ul style="list-style-type: none"> 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					
<p>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</p>	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
<p>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.</p> <p>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.</p> <p>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.</p>	PD	B	Prior to approval of Development Agreement or prior to issuance of building permit for the 2,000 th 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/ASP 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:					
<ul style="list-style-type: none"> 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
<p>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.</p> <p>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:</p> <p>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.</p> <p>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.</p> <p>4. Foothill Boulevard and Day Creek Boulevard. Convert the rightmost northbound through lane into</p>	CE	C/E	During construction and operations	A	
	CE	B	Prior to the issuance of the first occupancy permit	C	

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**MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
(Continued)**

<p>a through/right shared lane.</p> <p>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).</p> <p>8. Arrow Route and Miliiken 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.</p>		
<p>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 to having two left-turn lanes, two through lanes, and one right-turn lane.</p>		
<p>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.</p>		

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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
<p>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.</p>	CE	D	Prior to issuance of occupancy permits	D	
<p>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.</p>	CE	D	Prior to issuance of occupancy permits	D	
<p>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:</p> <ul style="list-style-type: none"> • Foothill Boulevard and Day Creek Boulevard. Adjust, optimize and maintain the coordinated PM 	CE	B	Prior to issuance of building permits	B	

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
<p>signal timing plan for the expected traffic volume demand. This would not require changing the coordinate cycle length.</p> <ul style="list-style-type: none"> 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. <p>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.</p>					
<p>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</p>	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
<p>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.</p> <p>Solid Waste Disposal</p> <p>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</p>					
	PD	A/B	Prior to issuance of building permits	C	
	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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