

RESOLUTION NO. 2022-048 - PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN BERNARDINO, CALIFORNIA, FORWARDING A RECOMMENDATION TO THE MAYOR AND CITY COUNCIL RECOMMENDING ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; APPROVAL OF DEVELOPMENT CODE AMENDMENT (ZONING MAP AMENDMENT) 21-05 TO CHANGE THE ZONING DISTRICT CLASSIFICATION OF A PARCEL CONTAINING A TOTAL OF 6.10 ACRES FROM RESIDENTIAL LOW (RL) TO RESIDENTIAL SUBURBAN (RS); AND, SUBDIVISION 21-11 (TENTATIVE TRACT MAP 20421) ALLOWING THE SUBDIVISION OF THE PROPERTY INTO TWENTY-FIVE (25) SINGLE-FAMILY RESIDENTIAL LOTS RANGING IN SIZE FROM 7,372 TO 9,700 SQUARE FEET LOCATED ON THE SOUTHWEST CORNER OF W. BELMONT AVENUE AND N. OLIVE AVENUE (APN: 0261-151-10) WITHIN THE RESIDENTIAL LOW (RL) ZONE.

WHEREAS, on September 28, 2021, pursuant to the requirements of Chapter 19.42 (Development Code Amendments), Chapter 19.74 (Zoning Map Amendments), and Chapter 19.66 (Subdivision Maps) of the City of San Bernardino Development Code, an application for Development Code Amendment (Zoning Map Amendment) 21-05 and Subdivision 21-11 (Tentative Tract Map 20421) was duly submitted by:

Property Owner: Inland Self Storage Management
P.O. Box 8008
Newport Beach, CA 92658

Applicant: Rene Jacober
P.O. Box 8008
Newport Beach, CA 92658

APN: 0261-151-10
Lot Area: 6.10 acres

WHEREAS, together, Development Code Amendment (Zoning Map Amendment) 21-05 and Subdivision 21-11 (Tentative Tract Map 20421) constitute the Belmont Residential Subdivision Project ("Project"); and

WHEREAS, Development Code Amendment (Zoning Map Amendment) 21-05 is a request to change the Zoning District Classification of a parcel containing a total of 6.10 acres from Residential Low (RL) to Residential Suburban (RS);

WHEREAS, Subdivision 21-11 (Tentative Tract Map 20421) is a request to allow the subdivision of a subdivision of the property into twenty-five (25) single-family residential lots ranging in size from 7,372 to 9,700 square feet;

WHEREAS, the Planning Division of the Community and Economic Development Department has reviewed Subdivision 21-11 (Tentative Tract Map 20421) for compliance with the California Subdivision Map Act, consistency with the City of San Bernardino General Plan and compliance with the City of San Bernardino Development Code;

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”; Public Resources Code, Section 21000 et seq.), Section 21067, and State CEQA Guidelines (California Code Regulations, Section 15000 et seq.), Section 15367, the City of San Bernardino is the lead agency for the Project;

WHEREAS, Planning Division of the Community and Economic Development Department of the City of San Bernardino determined that pursuant to State CEQA Guidelines Section 15073, preparation of a Mitigated Negative Declaration was the appropriate environmental review procedure under CEQA, because all potentially significant impacts of the Project can be mitigated to a level of less than significant;

WHEREAS, pursuant to requirements of § 15063 of the California Environmental Quality Act, the Planning Division of the Community and Economic Development Department accepted the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared by Romo Planning Group, Inc. on behalf of and submitted by the applicant (Rene Jacober) for Development Code Amendment (Zoning Map Amendment) 21-05 and Subdivision 21-11 (Tentative Tract Map 20421);

WHEREAS, on September 10, 2022, pursuant to requirements of §15072 and §15073 of the California Environmental Quality Act, the Planning Division of the Community and Economic Development Department published a Notice of Intent to Adopt a Mitigated Negative Declaration and commenced the required twenty (20) day public review period on the Initial Study/Mitigated Negative Declaration for Development Code Amendment (Zoning Map Amendment) 21-05, and Subdivision 21-11 (Tentative Tract Map 20421);

WHEREAS, on September 14, 2022, pursuant to the requirements of Section 19.44.030 (Project Review) of the City of San Bernardino Development Code, the Development and Environmental Review Committee reviewed the application and moved the Mitigated Negative Declaration, Development Code Amendment (Zoning Map Amendment) 21-05, and Subdivision 21-11 (Tentative Tract Map 20421) to the Planning Commission for consideration;

WHEREAS, on October 1, 2022, pursuant to the requirements of Section 19.52.020 (Hearings and Appeals - Application Processing) of the City of San Bernardino Development Code, the City gave public notice by advertising in the San Bernardino Sun, a newspaper of general circulation within the City of San Bernardino of the holding of a public hearing at which the Mitigated Negative Declaration, Development Code Amendment (Zoning Map Amendment) 21-05, and Subdivision 21-11 (Tentative Tract Map 20421) would be considered;

WHEREAS, on October 11, 2020, pursuant to the requirements of Section 19.52.040 of the City of San Bernardino Development Code, the Planning Commission opened and continued the duly-noticed public hearing for the consideration of the Mitigated Negative Declaration, Development Code Amendment (Zoning Map Amendment) 21-05, and Subdivision 21-11 (Tentative Tract Map 20421) to allow completion of mailing notices to the property owners and tenants within 1,000 feet of the subject property of the holding of a public hearing at which the Mitigated Negative Declaration, Development Code Amendment (Zoning Map Amendment) 21-05, and Subdivision 21-11 (Tentative Tract Map 20421) would be considered;

WHEREAS, on October 27, 2022, pursuant to the requirements of Section 19.52.020 (Hearings and Appeals - Application Processing) of the City of San Bernardino Development Code, the City gave public notice by mailing notices to the owners and tenants of property located within 1,000 feet of the subject property of the holding of a public hearing at which the Mitigated Negative Declaration, Development Code Amendment (Zoning Map Amendment) 21-05, and Subdivision 21-11 (Tentative Tract Map 20421) would be considered;

WHEREAS, on November 8, 2022, pursuant to the requirements of Section 19.52.040 (Hearings and Appeals – Hearing Procedures) of the City of San Bernardino Development Code, the Planning Commission held the duly-noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Mitigated Negative Declaration, Development Code Amendment (Zoning Map Amendment) 21-05, and Subdivision 21-11 (Tentative Tract Map 20421) and at which meeting the Planning Commission considered the Mitigated Negative Declaration, Development Code Amendment (Zoning Map Amendment) 21-05, and Subdivision 21-11 (Tentative Tract Map 20421); and

WHEREAS, no comments made in the public hearing conducted by the Planning Commission, and no additional information submitted to the Planning Commission, has produced substantial new information requiring substantial revisions that would trigger recirculation of the Mitigated Negative Declaration or additional environmental review under State CEQA Guidelines Section 15073.5; and

WHEREAS, pursuant to the requirements of Chapter 19.52 (Hearing and Appeals), Chapter 19.42 (Development Code Amendments), Chapter 19.74 (Zoning Map Amendments), and Chapter 19.66 (Subdivision Maps) of the City of San Bernardino Development Code, the Planning Commission has the authority to recommend to the Major and City Council the adoption of the Mitigated Negative Declaration, and approval of Development Code Amendment (Zoning Map Amendment) 21-05, and Subdivision 21-11 (Tentative Tract Map 20421).

NOW THEREFORE, the Planning Commission of the City of San Bernardino does hereby resolve, determine, find, and order as follows:

SECTION 1. ENVIRONMENTAL DETERMINATION:

In accordance with Section 15063 (Initial Study) of the California Environmental Quality Act (CEQA), the applicant submitted and the Planning Division accepted an Initial Study/Mitigated Negative Declaration prepared in connection with Development Code Amendment (Zoning Map Amendment) 21-05 and Subdivision 21-11 (Tentative Tract Map 20421). Accordingly, pursuant to Section 15072 (Notice of Intent to Adopt a Negative Declaration or Mitigated Negative

Declaration) of CEQA, a Notice of Intent to Adopt a Mitigated Negative Declaration for Development Code Amendment (Zoning Map Amendment) 21-05 and Subdivision 21-11 (Tentative Tract Map 20421) ("Project") was posted on September 10, 2022 for the CEQA-mandated twenty (20) day public review and comment period. During the CEQA-mandated twenty (20) day public review and comment period for the Draft Initial Study/Mitigated Negative Declaration for the Project comments were received from the Yuhaaviatam of San Manuel Nation. Responses to the comments were prepared and included in the Final Initial Study/Mitigated Negative Declaration.

On November 8, 2022, during a duly-noticed public hearing, the Planning Commission considered the Final Initial Study/Mitigated Negative Declaration for the recommendation to the Mayor and City Council for the adoption of the Mitigated Negative Declaration, and the approval of Development Code Amendment (Zoning Map Amendment) 21-05 and Subdivision 21-11 (Tentative Tract Map 20421) for the Project.

Based upon the findings made herein and its independent judgment and analysis, the Planning Commission hereby recommends that the Mayor and City Council adopt the Mitigated Negative Declaration for the Project, and the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit B, and that the Mayor and City Council impose each mitigation measure as a condition of approval on the Project, in accordance with CEQA and the State CEQA Guidelines.

SECTION 2. FINDINGS FOR DEVELOPMENT CODE AMENDMENT (ZONING MAP AMENDMENT) 21-05:

Section 19.42.050 (Findings) and 19.74.050 (Findings) of the City of San Bernardino Development Code requires that Development Code Amendment (Zoning Map Amendment) applications meet certain findings prior to their approval by the Mayor and City Council. Accordingly, the following findings are provided in support of the recommendation by the Planning Commission for the approval of Development Code Amendment (Zoning Map Amendment) 21-05:

Finding No. 1: The proposed amendment is consistent with the General Plan.

Finding of Fact: The proposed amendment will change the Zoning District Classification from Residential Low (RL) to Residential Suburban (RS) for the entirety of the project site containing approximately 6.10 acres. The Residential Suburban (RS) Zoning District Classification is intended to provide for residential development with a maximum of 4.5 units residences per net acre. The proposed amendment will allow for the future development of a single-family subdivision comprised of twenty-five (25) detached single-family residences, which provides a density of 4.1 residences per acre, and is consistent with the surrounding single-family residential developments within the project area. Therefore, the proposed project is consistent with the following General Plan goals and policies:

General Plan Land Use Element Policy 2.2.1: Ensure compatibility between land uses and quality design through adherence to standards and regulations in the Development

Code and policies and guidelines in the Community Design Element.

General Plan Land Use Element Goal 2.4: Enhance the quality of life and economic vitality in San Bernardino by strategic in-fill of new development and revitalization of existing development.

General Plan Community Design Element Goal 5.4: Ensure individual projects are well designed and maintained.

Finding No. 2: The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

Finding of Fact: The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that the proposed amendment to change the Zoning District Classification of the entirety of the project site from residential Low (RL) to Residential Suburban (RS) will facilitate the future development of a single-family subdivision comprised of twenty-five (25) detached single-family residences which is consistent with the surrounding single-family residential developments. The project site is generally flat, with access from W. Belmont Avenue and N. Olive Avenue, fully served by utility providers, and will not result in the need for the excessive provision of services. Additionally, any potential impacts created by the proposed amendment have been addressed in the Draft Initial Study/Mitigated Negative Declaration and appropriate mitigation measures have been included within the Mitigation Monitoring and Reporting Program.

Finding No. 3: The proposed amendment would maintain the appropriate balance of land uses within the City.

Finding of Fact: The proposed amendment would result in the entirety of the project site having the Residential Suburban (RS) Zoning District Classification to allow for the future development of a single-family subdivision comprised of twenty-five (25) detached single-family residences. The subject property is located adjacent to an existing single-family residential neighborhood developed under the Residential Suburban (RS) classification, and would continue the established street pattern and lot configuration. Therefore, the proposed change from Residential Low (RL) to Residential Suburban (RS) for the project site would allow the proposed project nearby existing residential uses, thereby providing for an appropriate balance of land uses within the City.

Finding No. 4: The subject parcels are physically suitable (including, but not limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development.

Finding of Fact: The project site is currently comprised of one (1) parcel that is proposed to be subdivided into twenty-five (25) single-family residential lots which will be consistent with the surrounding development. The project site is generally flat, with access from W. Belmont Avenue and N. Olive Avenue. Utilities are available directly from the adjacent public rights-of-way. There are no physical constraints on the site, such as steep slopes or watercourses.

SECTION 3. FINDINGS FOR SUBDIVISION 21-11 (TENTATIVE TRACT MAP 20421):

Section 19.66.150 of the City of San Bernardino Development Code requires that Subdivision applications meet certain findings prior to the approval by the Planning Commission. Accordingly, the following findings are provided in support of the approval by the Planning Commission approval of Subdivision 21-11 (Tentative Tract Map 20421):

Finding No. 1: The proposed map is consistent with the General Plan.

Finding of Fact: The proposal is consistent with the following General Plan goals and policies:

- *Community Design Element Goal 5.5: Development attractive, safe and comfortable single-family neighborhoods.*
- *Housing Element Goal 3.1.1: Provide adequate sites to accommodate the production of a variety of housing types through land use designation, zoning, specific plans, and overlay zones.*
- *Land Use Element Goal 2.4: Enhance the quality of life and economic vitality in San Bernardino by strategic infill of new development and revitalization of existing development.*
- *Land Use Element Goal 2.6: Control development and the use of land to minimize adverse impacts.*

The proposed subdivision of a project site containing approximately 6.10 acres into twenty-five (25) single-family residential lots is consistent with the underlying General Plan Land Use Designation and Zoning District, subject to the approval of the associated zone change, and the surrounding residential land uses. The proposal will also offer additional housing opportunities in the area which is consistent with the General Plan goals cited above. The proposal is also consistent with the above Community Design goal in that it provides for the establishment of a future single-family neighborhood that will be developed consistently with the City's Development and Public Safety Codes.

Finding No. 2: The design and improvements of the proposed subdivision is consistent with the General Plan.

Finding of Fact: The design and improvements of the proposed subdivision is consistent with the General Plan in that it provides for a lot layout and density that is consistent with the underlying General Plan Land Use Designation and Zoning District, subject to the approval of the associated zone change. Further, the proposal implements General Plan Land Use Goal 2.2, which states: *“Promote development that integrates with surrounding land uses,”* in that the proposal has been designed to integrate with the existing adjacent single-family land uses, in terms of street design, scale and arrangement of the lots. In addition, the proposed subdivision implements General Plan Land Use Policy 2.7.5, which states: *“Required that developments conform to the availability of public infrastructure to accommodate its demands and mitigate its impacts,”* in that proposal will be adequately served by and connect to existing available public infrastructure in the vicinity and as conditioned, potential impacts will be mitigated.

Finding No. 3: The site is physically suitable for the type of development.

Finding of Fact: The site is physically suitable for the proposal to allow the subdivision of a parcel containing approximately 6.10 acres into twenty-five (25) single-family residential lots, in that the proposal meets or exceeds all development standards, as well as meets the intent of the residential design standards established by the City of San Bernardino Development Code.

Finding No. 4: The site is physically suitable for the proposed density of development.

Finding of Fact: The site is physically suitable for the proposed density to allow the subdivision of a parcel containing approximately 6.10 acres into twenty-five (25) single-family residential lots in that the proposed density is consistent with the maximum allowed by the Residential Suburban (RS) zoning district and can accommodate, and provides for all required on and off-site improvements.

Finding No. 5: The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat.

Finding of Fact: In accordance with Public Resources Code, Section 15074, a Mitigated Negative Declaration with the appropriate Mitigation Monitoring and Reporting Program (in order to ensure that the Mitigation Measures are implemented to prevent potential environmental impacts) was prepared in connection with the Project, including the proposed subdivision. Therefore, no significant negative impacts on the environment are anticipated.

Finding No. 6: The design of the subdivision or type of improvements will not cause serious public health problems.

Finding of Fact: The design of the proposed subdivision meets all of the applicable Development Code requirements and will not result in any serious public health problems. The proposed project will have access to existing public streets. Existing utilities and public services will be extended to serve the project site and ensure the maintenance of public health and safety.

Finding No. 7: The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Finding of Fact: City staff has reviewed the proposal and determined that the design of the proposed subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

The design of the subdivision will not conflict with any public or private easements. All documentation relating to easements and dedications will be reviewed and approved by the City Engineer prior to recordation of the Final Map. Existing easements will be reserved in place or relocated, as necessary.

SECTION 4. CONDITIONS OF APPROVAL:

The approval of Subdivision 21-11 (Tentative Parcel Map 20421) shall be subject to the following Conditions of Approval:

1. This approval is to change the Zoning District Classification of a parcel containing a total of 6.10 acres from Residential Low (RL) to Residential Suburban (RS); and, allow the subdivision of the property into twenty-five (25) single-family residential lots ranging in size from 7,372 to 9,377 square feet.. The project site is southwest corner of W. Belmont Avenue and N. Olive Avenue (APN: 0261-151-10) within the Residential Low (RL) zone.
2. The project shall be subject to all of the mitigation measures contained within the Mitigation Monitoring and Reporting Program (EXHIBIT "B"), dated November 8, 2022 and incorporated herein by reference, as Conditions of Approval.
3. Within two (2) years of the original approval date, the filing of the final map with the Mayor and City Council shall have occurred or the approval shall become null and void. Expiration of a tentative map shall terminate all proceedings and no final map shall be filed without first processing a new tentative map. The City Engineer must accept the final map or tentative map documents as adequate for approval by Mayor and City Council prior to forwarding them to the City Clerk. The date the final map shall be deemed filed with the Mayor and City Council is the date on which the City Clerk receives the map.

EXPIRATION DATE: November 8, 2024

4. The review authority may grant a time extension, for good cause, not to exceed twelve (12) months. Pursuant to §19.66.170(4) of the City of San Bernardino Development Code,

Subdivision 21-11 (Tentative Tract Map 20421) may be extended by the Planning Commission for a period not to exceed a total of three (3) years, or as the Subdivision Map Act is amended by the California Legislature. The applicant must file an application, the processing fees, and all required submittal items thirty (30) days prior to the expiration date. The review authority shall ensure that the project complies with all Development Code provisions in effect at the time of the requested extension.

5. In the event this approval is legally challenged, the City will promptly notify the applicant of any claim, action or proceeding and will cooperate fully in the defense of this matter. Once notified, the applicant agrees to defend, indemnify and hold harmless the City of San Bernardino (City), any departments, agencies, divisions, boards or commission of the City as well as predecessors, successors, assigns, agents, directors, elected officials, officers, employees, representatives and attorneys of the City from any claim, action or proceeding against any of the foregoing persons or entities.

The applicant further agrees to reimburse the City for any costs and attorneys' fees, which the City may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition. The costs, salaries, and expenses of the City Attorney and employees of his office shall be considered as "Attorney's fees" for the purpose of this condition. As part of the consideration for issuing this Development Permit, this condition shall remain in effect if the Development Permit is rescinded or revoked, whether or not at the request of applicant.

6. Construction-related activities may not occur between the hours of 8:00 pm and 8:00 am. No construction vehicles, equipment, or employees may be delivered to, or arrive at the construction site before 8:00 am or leave the site after 8:00 pm. Construction activities shall only occur Monday through Friday.
7. Minor Modifications to the plans shall be subject to approval by the Director through the Minor Modification Permit process. Any modification that exceeds 10% of the allowable measurable design/site considerations shall require the refilling of the original application.
8. The project shall comply with all applicable requirements of the Building and Safety Division, Police Department, Municipal Water Department, Public Works Department and the City Clerk's Office/Business Registration Division.
9. This approval shall comply with the requirements of other outside agencies (i.e., San Bernardino County Health Department, Division of Environmental Health Services, San Bernardino County Consolidated Fire District, and California Board of Equalization), as applicable.
10. The property owner shall be responsible for regular maintenance of the project site. The site shall be maintained in a clean condition and free of litter and any other undesirable material(s). Vandalism, graffiti, trash, and other debris shall be removed and cleaned up within twenty-four (24) hours of being reported.

11. Submittal requirements for permit applications (site improvements, landscaping, etc.) to Building Plan Check and/or Land Development must include all Conditions of Approval issued with this approval, printed on the plan sheets.
12. The proposed lots shall meet the minimum meet all minimum dimensions as required in Development Code Section 19.04.030, Table 04.02 (Residential Development Standards), for the Residential Suburban (RS) zoning district.
13. The applicant shall submit for, and obtain approval of, a Development Permit Type-P for the future construction of the twenty-five (25) single-family residences.
14. All conditions of the Public Works Department shall be met to the satisfaction of the City Engineer.
15. All Conditions of Approval and Standard Requirements shall be implemented and/or completed prior to final inspection and/or issuance of a Certificate of Occupancy.

Public Works Department

16. Mapping

- a. A Final Tract Map based upon field survey will be required.
- b. The applicant's surveyor/engineer shall submit a Final Tract Map with supporting documents for review and approval to Land Development. The Tract map shall be recorded prior to building permit issuance.

17. Offsite Street Improvement and Dedications

- a. For the streets listed below, dedication of adequate street right-of-way (R.W.) per the *General Plan (Chapter 6)* and *Municipal Code (19.20.030-18-A, 19.30.290, 19.30.300)*, shall provide the distance from street centerline to property line and placement of the curb line (C.L.) in relation to the street centerline shall be as follows:

<u>Street Name</u>	<u>Dedication</u> shall be Right of Way (feet) From Centerline	<u>Curb Widening</u> shall be Curb Line (feet) From Centerline
Belmont Avenue (0261-151-10)	30' Existing No Dedication "Local - Continuous"	20'± Existing None-Proposed Per General Plan
Olive Avenue (0261-151-10)	30' Existing No Dedication "Local - Continuous"	3'± Existing edge of pavement Required widening 20' Per General Plan
Rosemary Lane (0261-151-10)	25' Existing 5' Dedication or Road/Utility Easement For 30' half width Per General Plan	0' Existing 20' widening required from centerline Per General Plan

	“Local – Continuous”	
Shepherd Lane (0261-151-10)	25’ Existing 5’ Dedication or Road/Utility Easement For 30’ half width Per General Plan “Local - Continuous”	18’± Existing Required widening 20’ Per General Plan

b. Belmont Avenue – TI = 5.5 : * - **

- i. The street shall be rehabilitated to meet the requirements detailed in a soils report based on the “R” value of the subgrade and the Traffic Index, or the City has a minimum of 2” Grind and Overlay; However, if the Soils Report is obtained and indicates a thicker improvement, the thicker section shall be used.
- ii. When Striping, all striping shall be thermoplastic paint per section 84 of the Caltrans specifications.
- iii. The existing curb & gutter, and sidewalks fronting the site are in good condition, if any curb & gutter panels, and sidewalk panels are lifted, cracked, or do not meet current ADA requirements, each of the panels shall be replaced per city standards.
- iv. The corner shall be a 25’ Radius including a compliant ADA ramp with By-Pass and Truncated Domes.
- v. Construct Residential Driveway Approach per City Standard No. 203, including an accessible by-pass around the top of the drive approach. No Driveways closer than 100’ from BCR/ECR as directed by the City Engineer. On corner lots only one frontage may have a driveway.
- vi. When replacing/reconstructing Curb and Gutter panels, Construct 8" Curb and Gutter per City Standard No. 200, type “B”.
- vii. When replacing/reconstructing Cross Gutter Panels. Construct 6’ wide Cross Gutter with Apron per City Standard No 201.
- viii. When replacing/reconstructing Sidewalk panels, Construct Sidewalk per City Standard No. 202; Case "A" (6’ wide adjacent to curb).
- ix. An ADA Ramp shall be constructed at corner in accordance with the SPPWC (Standard Plans for Public Works Construction) or Caltrans Standard plans A88A.
- x. Install LED Street Lights System adjacent to the site in accordance with City Standard No’s. SL-1, SL-2, and SL-3. Also, a separate light plan shall be submitted in accordance with the City of San Bernardino Street Lighting Design Policies. Install ID Plate on Street light pole. Connect to Existing Street Light System.
- xi. Existing Street Light System shall be replaced to LED (Head-Bulb) in accordance with City Standard Nos. SL-1, SL-2, and SL-3. Also, a separate light plan may be submitted in accordance with the City of San Bernardino Street Lighting Design Policies. Install ID Plate on Street light pole. As directed by the City Engineer.
- xii. Survey Monuments and ties shall be placed, replaced, tied out and recorded at any corner or alignment changes that are adjacent to the project area in accordance to California Land Surveyors Association – Monument Preservation Guidelines,

Copies of Recorded Monuments/Ties shall be delivered to Public Works/Engineering.

Olive Avenue – TI = 5.5 : * - **

- xiii. The street shall be rehabilitated to meet the requirements detailed in a soils report based on the “R” value of the subgrade and the traffic Index, or the City has a minimum of 2” Grind and Overlay; However, if the Soils Report is obtained and indicates a thicker improvement, the thicker section shall be used.
- xiv. When Striping, all striping shall be thermoplastic paint per section 84 of the Caltrans specifications.
- xv. The corner shall be a 25’ Radius including Compliant ADA Ramp at Belmont and 35’ Radius including a compliant ADA ramp for Rosemary Lane and Sheppard Lane with By-Pass and Truncated Domes.
- xvi. Construct 8" Curb and Gutter per City Standard No. 200, type “B”.
- xvii. Construct 6’ wide Cross Gutter with Apron per City Standard No 201.
- xviii. Construct Sidewalk per City Standard No. 202; Case "A" (6’ wide adjacent to curb).
- xix. An ADA Ramp shall be constructed at corner in accordance with the SPPWC (Standard Plans for Public Works Construction) or Caltrans Standard plans A88A
- xx. Install LED Street Lights System adjacent to the site in accordance with City Standard No’s. SL-1, SL-2, and SL-3. Also, a separate light plan shall be submitted in accordance with the City of San Bernardino Street Lighting Design Policies. Install ID Plate on Street light pole. Connect to Existing Street Light System.
- xxi. Install 2-3” Conduit 36” under the sidewalk with pull rope and pull boxes for future Traffic connections.
- xxii. Survey Monuments and ties shall be placed, replaced, tied out and recorded at any corner or alignment changes that are adjacent to the project area in accordance to California Land Surveyors Association – Monument Preservation Guidelines, Copies of Recorded Monuments/Ties shall be delivered to Public Works/Engineering.

Rosemary Lane – TI = 4.5 : * - **

- xxiii. The street shall be rehabilitated to meet the requirements detailed in a soils report based on the “R” value of the subgrade and the Traffic Index, or the City has a minimum standard for new streets (4” AC over 8” Base). However, if the Soils Report is obtained and indicates a thicker improvement, the thicker section shall be used.
- xxiv. When Striping, all striping shall be thermoplastic paint per section 84 of the Caltrans specifications.
- xxv. Construct Residential Driveway Approach per City Standard No. 203, including an accessible by-pass around the top of the drive approach. No Driveways closer than 100’ from BCR/ECR as directed by the City Engineer. On corner lots only one frontage may have a driveway.
- xxvi. Construct 8" Curb and Gutter per City Standard No. 200, type “B”.
- xxvii. Construct 6’ wide Cross Gutter with Apron per City Standard No 201.

- xxviii. Construct Sidewalk per City Standard No. 202; Case "A" (6' wide adjacent to curb)
- xxix. An ADA Ramp shall be constructed at corner in accordance with the SPPWC (Standard Plans for Public Works Construction) or Caltrans Standard plans A88A.
- xxx. Install LED Street Lights System adjacent to the site in accordance with City Standard No's. SL-1, SL-2, and SL-3. Also, a separate light plan shall be submitted in accordance with the City of San Bernardino Street Lighting Design Policies. Install ID Plate on Street light pole. Connect to Existing Street Light System.
- xxxi. Survey Monuments and ties shall be placed, replaced, tied out and recorded at any corner or alignment changes that are adjacent to the project area in accordance to California Land Surveyors Association – Monument Preservation Guidelines, Copies of Recorded Monuments/Ties shall be delivered to Public Works/Engineering.

Shepherd Lane – TI = 5.5 : * - **

- xxxii. The street shall be rehabilitated to meet the requirements detailed in a soils report based on the "R" value of the subgrade and the Traffic Index, or the City has a minimum standard for new streets (4" AC over 8" Base). However, if the Soils Report is obtained and indicates a thicker improvement, the thicker section shall be used.
- xxxiii. When Striping, all striping shall be thermoplastic paint per section 84 of the Caltrans specifications.
- xxxiv. Construct Residential Driveway Approach per City Standard No. 203, including an accessible by-pass around the top of the drive approach. No Driveways closer than 100' from BCR/ECR as directed by the City Engineer. On corner lots only one frontage may have a driveway.
- xxxv. Construct 8" Curb and Gutter per City Standard No. 200, type "B".
- xxxvi. Construct 6' wide Cross Gutter with Apron per City Standard No 201.
- xxxvii. Construct Sidewalk per City Standard No. 202; Case "A" (6' wide adjacent to curb).
- xxxviii. An ADA Ramp shall be constructed at corner in accordance with the SPPWC (Standard Plans for Public Works Construction) or Caltrans Standard plans A88A.
- xxxix. Install LED Street Lights System adjacent to the site in accordance with City Standard No's. SL-1, SL-2, and SL-3. Also, a separate light plan shall be submitted in accordance with the City of San Bernardino Street Lighting Design Policies. Install ID Plate on Street light pole. Connect to Existing Street Light System.
- xl. Survey Monuments and ties shall be placed, replaced, tied out and recorded at any corner or alignment changes that are adjacent to the project area in accordance to California Land Surveyors Association – Monument Preservation Guidelines, Copies of Recorded Monuments/Ties shall be delivered to Public Works/Engineering.

* These Conditions are set for an estimated construction with-in two years. If construction exceeds two years from D/ERC Approval these conditions shall be reviewed and updated as needed.

** If a Scoping Form is required, this form shall indicate the need of a Traffic Report, the results of the traffic report shall become conditions of this project which may increase or extend the above requirements in section 1(b) and 5(a).

- c. With Submittal of improvement plans including but not limited to grading plans, Street improvement plans, storm drain and retention/detention basin plans, and erosion/sediment control plans, The Applicant shall cause to be formed, or shall be annexed into an existing, Community Facilities District(s) (CFD) (2019-1 Service & 2018-1 Safety) for landscaping, lighting, streets, drainage facilities, street sweeping, graffiti removal, other infrastructure, and safety as required by the City to the satisfaction of the City Engineer. The Applicant shall initiate the maintenance and benefit assessment district(s) formation, or annexation, by submitting a landowner petition and consent form (provided by the City) and deposited necessary fees concurrent with the application for street and grading plan review and approval; and said maintenance and benefit assessment district(s) shall be established concurrent with the approval of the final map in the case of the subdivision of land, or prior issuance of any certificate of occupancy where there is no subdivision of land, and as approved by the City Engineer.
- d. If a drainage report is required by Land Development, A second copy of the drainage report will be delivered to public works, if offsite or overflow storm drain systems are identified, all systems shall be identified on the street improvement plans, and public storm drain shall be on a separate set of plans.
- e. A temporary construction encroachment permit from Public Works Department shall be required for utility cuts into existing streets or any work within City's right-of-way. Pavement restoration or trench repair shall be in conformance with City Standard No. 310. Public facilities shall be restored or constructed back to Public Works Department satisfaction.
- f. Any pavement works affecting the traffic loop detectors shall be coordinated and subjected to Public Works Traffic Division requirements.
- g. The applicant must post a performance bond prior to issuance of the off-site permit. The amount of the bond is to be determined by Public Works Department.
- h. The above conditions shall comply with current codes, policies, and standards at time of construction.
- i. Prior to Certificate of Occupancy or Completion of Project all As-Builts and Centerline Ties shall be submitted to Public Works.

18. Required Engineering Plans

- a. A complete submittal for plan checking shall consist of:
 - Street improvement plans (include general notes, engineering conditions, city standards, and cross sections in these plans),
 - If storm drain plans are required then public storm drains must be included on separate sheets with profiles in the street improvement plans, private storm drains shall be shown separate sheets with profiles in the on-site improvement plans,
 - If traffic signal modifications are required, then traffic signal plans shall be submitted on separate plan sheets included in the street improvement plans,
 - If signing and striping are required, then the signing and striping plan shall be on separate sheets included in the street improvement plans,
 - If lighting is required (more than 2) then the lighting for offsite plans shall be on separate sheets included in the street improvement plans, if two (2) or less then they can be included directly on the street improvement sheets,

- Lighting (on-site lighting may be included in on-site improvement plan or may be on a separate stand-alone plan),
 - Grading (may be incorporated with on-site improvement plan),
 - On-Site improvement plans and on-site landscaping and irrigation,
 - Water plans (shall be submitted to San Bernardino Municipal Water Department),
 - CFD's are required, the CFD Plans shall include Landscaping, Irrigation, Basins, etc. items that are included in the CFD that are not listed in the plans above, shall be on separate sheets included in the street improvement plans.
 - Other plans as required. Piecemeal submittal of various types of plans for the same project will not be allowed.
 - All required supporting calculations, studies and reports must be included in the initial submittal (including but not limited to drainage studies, soils reports, structural calculations)
- b. All off-site improvement plans submitted for plan check shall be prepared on the City's standard 24" x 36" sheets. A signature block (city standard block) satisfactory to the City Engineer or his designee can be found on the City Web Site http://www.sbcity.org/city_hall/public_works/engineering_division/engineering_development_resources. Engineering conditions of the project shall be inserted in the last pages of the plans.
 - c. After completion of plan checking, final mylar drawings with city standard block, stamped and signed by the Registered Civil Engineer in charge, shall be submitted to the City Engineer for approval.
 - d. Electronic files of all improvement plans/drawings shall be submitted to the City Engineer. The files shall be compatible with AutoCAD 2021 and include a .dxf file of the project. Files shall be on CD and shall be submitted at the same time the final mylar drawings are submitted for approval.
 - e. Copies of the City's design policies and procedures and standard drawings are available at the Public Works Counter for the cost of reproduction. They are also available at no charge at the Public Works Web Site at http://www.sbcity.org/city_hall/public_works/engineering_division/design_policy_and_procedure_documents.

19. **Traffic Requirements**

- a. All Traffic mitigation measures shall be implemented according to the recommendations of the City Traffic Engineer prior to Street Improvement plan approval.
- b. All Public Works offsite Mitigation Monitoring and Reporting Program items shall be shown with the Conditions of Approval on the last pages of Public Works Offsite Plans.
- c. The applicant submitted a scope of study form and a Vehicle Miles Traveled (VMT) assessment. The scope was approved and will not require a Traffic Impact Analysis study, and the Vehicle Miles Traveled (VMT) screening will not require a detailed screening analysis since the project is located within a low VMT area.

20. Integrated Solid Waste Management

- a. During demolition and/or construction, services are to be provided through the City of San Bernardino's franchised hauler Burrtec Waste Industries, Inc.
- b. Tentative Tract Map No. 20421 dated 9/27/2021, identifies twenty-five (25) single-family residential lots located on the southwest corner of W. Belmont Avenue and N. Olive Ave
- c. Burrtec Waste's review of the tentative tract map dated 9/27/2021, shows 25 single family residential lots with a minimum lot size of approximately 7,400 square feet, minimum frontage of 65 feet and 50-foot-wide streets.

Based upon the information provided, Burrtec will provide standard residential collection services to all units including trash, mixed recyclables, and residential organics.

Any changes to the overall project design or access may adversely impact Burrtec's ability to service the project. Any design modifications that could impact Burrtec's service will be subject to review and approval by Burrtec.

Burrtec's review of this project is limited to determining whether it meets Burrtec's minimum standards for waste and recycling collection services. Any comments or approvals by Burrtec are limited to these minimum standards as they relate to equipment and personnel and do not pertain to the project's compliance with applicable federal, state and local land use and environmental laws, building codes or other applicable government regulations. Any approvals by Burrtec do not warrant or represent that Burrtec accepts any liability relative to the performance of waste and recycling collection services within this project.

- d. Display clear street widths on the Site Plan.
- e. A minimum 11-foot space on the street along the curb adjacent to the driveway of each unit shall be clear for placement of residential carts on collection day, with a minimum 2-foot setback and 23-foot vertical clearance of all obstructions such as walls, trees, street light poles, mailboxes, fences, and raised landscaping.
- f. Each unit shall construct a 4'x11' concrete pad located out of view of the public right-of-way for storage of the residential carts. If visible from the public right-of-way, the storage area shall be screened.
- g. Burrtec Waste Truck Turning Radius – All corners and intersections on streets and driveways, shall have a turning radius adequate for a 35-foot long, three-axle collection truck. The minimum inside curb radius shall be at least 28 feet. The minimum outside curb radius shall be at least 42 feet. All streets and driveways shall comply with applicable City standards. Burrtec Waste's truck turning template may be obtained from the Public Works Department in PDF and CAD.
- h. Hammerhead Turnarounds – Shall meet or exceed San Bernardino County Fire Protection District Diagram A-1.12: Hammerhead Turnaround Detail dated July 1, 2021. San Bernardino County Hammerhead detail may be obtained from the Public Works Department.
- i. If gated, access shall be provided by means of a key, code, or remote.
- j. Senate Bill 1383 Short-Lived Climate Pollutants Reduction Act may apply.
- k. Upon completion, service is provided through the City of San Bernardino's franchised hauler Burrtec Waste Industries, Inc. 111 E. Mill Street, San Bernardino, CA 92408 (909) 804-4222.

21. **Required Engineering Permits**

- a. Final Tract Map (MP)
- b. Offsite improvement construction permit. (E).
- c. CFD/Street Dedication permit (RP).

SECTION 5. PLANNING COMMISSION ACTION:

The Planning Commission hereby takes the following action:

1. Adoption of Planning Commission Resolution No. 2022-048 - PC forwarding a recommendation that the Mayor and City Council:
 - a. **Adopt** the Mitigated Negative Declaration for Development Code Amendment (Zoning Map Amendment) 21-05 and Subdivision 21-11 (Tentative Parcel Map 20421), in accordance with Section 15074 of the Public Resources Code, and direct the Planning Commission Secretary to prepare and file with the Clerk of the County of San Bernardino a Notice of Determination as provided under Public Resources Code, Section 21152(c) and California Code of Regulations, Title 14, Section 15094;
 - b. **Adopt** the Mitigation Monitoring and Reporting Program Development Code Amendment (Zoning Map Amendment) 21-05 and Subdivision 21-11 (Tentative Parcel Map 20421); and
 - c. **Approve** Development Code Amendment (Zoning Map Amendment) 21-05 and Subdivision 21-11 (Tentative Parcel Map 20421) based on the Findings of Fact and subject to the recommended Conditions of Approval.

SECTION 6. SEVERABILITY:

If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

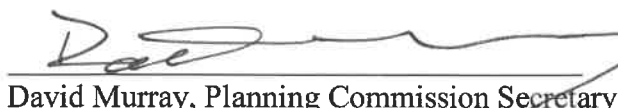
SECTION 7. CUSTODIAN OF RECORDS:

The location and custodian of the documents and any other material, which constitute the record of proceedings upon which the Planning Commission based its decision, is as follows: Genoveva Rocha, City Clerk, 201 North E Street (Building A), 909-384-5002.

PASSED, APPROVED AND ADOPTED this 8th day of November 2022.


Monique Guerrero
San Bernardino Planning Commission

ATTEST:


David Murray, Planning Commission Secretary
City of San Bernardino, California

CERTIFICATION:


I, Jessica Nametz, Recording Secretary of the Planning Commission of the City of San Bernardino, California, do hereby certify that the foregoing Resolution No. 2022-048 - PC, was duly adopted by the Planning Commission of the City of San Bernardino, California, at a regular meeting thereof held on the 8th day of November 2022, by the following vote, to wit:

AYES: Lopez, Garcia, Quiel, Flores, Guerrero, and Armstead

NOES: None

ABSENT: Morales and Lewis

ABSTAIN: None



Jessica Nametz, Recording Secretary
City of San Bernardino, California

EXHIBIT A
APPROVED PLANS

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

PROJECT FILE NO.: Development Code Amendment 21-05 to change the Zoning District classification from RL (Residential Low) to Residential Suburban (RS) and Subdivision No. 21-11 (Tentative Tract Map No. 20421 to subdivide 6.10 gross acres into 25 single-family lots.

APPLICANT: Mr. Rene Jacober
Inland Self Storage Management
PO Box 8008, Newport Beach, CA 92658

INTRODUCTION

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring or Reporting, Section 15097 of the *CEQA Statute and Guidelines* provides additional direction on mitigation monitoring or reporting). The City of San Bernardino is the Lead Agency for the Belmont Residential Subdivision Project (the “Project”) located at the northwest corner of West Belmont Avenue and Olive Avenue, in the Verdemon area of the City of San Bernardino. An Initial Study has been prepared to address the potential environmental impacts of the Project. Where appropriate, this environmental document identified project design features or recommended mitigation measures to avoid or to reduce potentially significant environmental impacts of the Project. The Mitigation Monitoring and Reporting Program (MMRP) is designed to monitor implementation of the mitigation measures identified for the Project. The MMRP is subject to review and approval by the Lead Agency as part of the adoption of the Mitigated Negative Declaration and approval of project conditions. The required mitigation measures are listed and categorized by impact area, as identified in the Initial Study,


The first column of the MMRP table identifies the Mitigation Measure. The second column identifies the monitoring schedule or timing, while the third column names the party responsible for monitoring the required action. The fourth column, “Monitoring Procedure,” outlines the steps for monitoring the action identified in the mitigation measure. The fifth and sixth columns deal with reporting and provide spaces for comments and dates and initials. These last columns will be used by the City to ensure that individual mitigation measures have been monitored.

The Project Applicant shall be responsible for implementing all mitigation measures unless otherwise noted. The MMRP performance shall be monitored and reported annually to determine the effectiveness of the measures implemented in any given year and reevaluate the mitigation needs for the upcoming year.

City of San Bernardino
Community & Economic Development Department
Planning Division
Approved 11-8-22
Date: _____
By: _____


**BELMONT RESIDENTIAL SUBDIVISION PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM**


November 2022

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
CULTURAL RESOURCES					
CR-1: In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department shall be contacted regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.	In the event of discovery of resources during ground-disturbing activities.	San Bernardino Planning Division	Review report documenting findings and recommendations for treatment of cultural resources discovered.		
CR-2: If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to the Yuhaaviatam of San Manuel Nation for review and comment. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.	In the event of discovery of resources during ground-disturbing activities.	San Bernardino Planning Division	Review the Monitoring and Treatment Plan and verify compliance.		

**BELMONT RESIDENTIAL SUBDIVISION PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM**

November 2022

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
CR-3: If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.	In the event of discovery of inadvertent finds during ground-disturbing activities.	San Bernardino Planning Division	Stop work and contact the County Coroner.		
NOISE					
N-1: Prior to the issuance of grading and building permits, the contractor shall establish a Construction Management Plan that includes the following standards: <ul style="list-style-type: none"> • Construction shall adhere to the allowable operable hours as denoted within the SBMC Chapter 8.54. • During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. • The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site. 	Prior to the issuance of grading and building permits	San Bernardino Planning Division	During Grading and Building Planchecks, review Construction Management Plan and check for plan notes. On-site field inspection	 City of San Bernardino Community & Economic Development Department Planning Division Approved Date: 11-8-22 By:	

<ul style="list-style-type: none"> • Equipment shall be shut off and not left to idle when not in use. • The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and sensitive receptors nearest the project site during all project construction. • The contractor shall limit the use of vibratory and/or heavy equipment along the project boundaries to the greatest degree possible. 					
<p>TRIBAL CULTURAL RESOURCES</p> <p>TCR-1: The Yuhaaviatam of San Manuel Nation Cultural Resources Department shall be contacted of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with the Yuhaaviatam of San Manuel Nation, and all subsequent finds shall be subject to this plan. This plan shall allow for a monitor to be present that represents the Yuhaaviatam of San Manuel Nation for the remainder of the project, should the Yuhaaviatam of San Manuel Nation elect to place a monitor on-site.</p>	<p>In the event of discovery of tribal cultural resources during ground-disturbing activities.</p>	<p>San Bernardino Planning Division</p>	<p>Contact the Yuhaaviatam of San Manuel Nation and create cultural resources monitoring and treatment plan.</p>	<p>City of San Bernardino Community & Economic Development Department Planning Division Approved By:  Date: 11.8.22</p>	

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
TCR-2: Any and all cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to the Yuhaaviatam of San Manuel Nation. The Lead Agency and/or applicant shall, in good faith, consult with the Yuhaaviatam of San Manuel Nation throughout the life of the project.	In the event of discovery of tribal cultural resources during ground-disturbing activities.	San Bernardino Planning Division	Verify documents have been provided to the Yuhaaviatam of San Manuel Nation.		

City of San Bernardino
Community & Economic Development Department
Planning Division
Approved: 11-8-22
Date: 11-8-22
By: [Signature]