

City of Jurupa Valley

**MEETING AGENDA
OF THE PLANNING COMMISSION
Wednesday June 9, 2021
Regular Meeting: 7:00 P.M.
City of Jurupa Valley City Hall
City Council Chambers
8930 Limonite Ave., Jurupa Valley, CA 92509**

- A.** *As a courtesy to those in attendance, we ask that cell phones be turned off or set to their silent mode and that you keep talking to a minimum so that all persons can hear the comments of the public and Planning Commission.*
- B.** *A member of the public who wishes to speak under Public Comments must fill out a “Speaker Card” and submit it to the Planning Secretary BEFORE the Chair calls for Public Comments on an agenda item. Each agenda item up will be open for public comments before taking action. Public comments on subjects that are not on the agenda can be made during the “Public Appearance/Comments” portion of the agenda.*
- C.** *Members of the public who wish to comment on the CONSENT CALENDAR may do so during the Public Comment portion of the Agenda prior to the adoption of the Consent Calendar.*
- D.** *As a courtesy to others and to assure that each person wishing to be heard has an opportunity to speak, please limit your comments to 3 minutes.*

REGULAR SESSION

1. 7:00 P.M. – Call to Order and Roll Call

- Penny Newman, Chair
- Arlene Pruitt, Chair Pro Tem
- Armando Carmona, Commissioner
- Hakan Jackson, Commissioner
- Laura Shultz, Commissioner

2. Pledge of Allegiance

3A. Public Appearance/Comments (30 minutes)

Persons wishing to address the Planning Commission on subjects other than those listed on the Agenda are requested to do so at this time. A member of the public who wishes to speak under Public Appearance/Comments OR the Consent Calendar must fill out a "Speaker Card" and submit it to the Planning Secretary BEFORE the Chair calls for Public Comments on an agenda item. When addressing the Planning Commission, please come to the podium and state your name and address for the record. While listing your name and address is not required, it helps us to provide follow-up information to you if needed. In order to conduct a timely meeting, we ask that you keep your comments to 3 minutes. Government Code Section 54954.2 prohibits the Planning Commission from taking action on a specific item until it appears on an agenda.

4. Approval of Agenda

5A. Consent Calendar

5.1 Approval of the Minutes

- May 26, 2021

5.2 Summary of City Council Actions & Development Update

5B. Consideration of Any Items Removed from the Consent Calendar

6. Public Hearings

6.1 PROPOSAL: TO ALLOW THE LEGALIZATION OF A (2,312 SQUARE FOOT) GAZEBO AND MA19200 (SDP19092) TO ALLOW THE LEGALIZATION OF A (2,284 SQUARE FOOT) BARN

LOCATION: 5250 STONE AVENUE (APN: 166-090-002)

APPLICANT: GLORIA DE HARO

Staff has determined that the project qualifies for an exemption pursuant to Section 15301 Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines because it involves the legalization of existing structures.

RECOMMENDATION

By motion, adopt Planning Commission Resolution No. 2021-06-09-01 approving 1) MA17239 (SDP1768) legalizing a 2,312 square-foot gazebo and approving 2) MA19200 (SDP19092) legalizing a 2,284 square-foot barn as residential accessory structures at 5250 Stone Avenue.

6.2 PROPOSAL: MASTER APPLICATION (MA) NO. 18008: (GPA18001, CZ20004, DA18001, SDP18048 & VAR18005) "AGUA MANSA ROAD DEVELOPMENT PROJECT" – TWO (2) INDUSTRIAL WAREHOUSE BUILDINGS TOTALING 335,002 SQUARE FEET ON 23.4 ACRES

LOCATION: 12340 AGUA MANSA ROAD (APNS: 175-210-062; 063; 032 & 034)

APPLICANT: CARSON-VA INDUSTRIAL II, LP

The City of Jurupa Valley has prepared a Draft Environmental Impact Report, Final Environmental Impact Report, findings pursuant to the California Environmental Quality

Act, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program. [Link to EIR](#)

RECOMMENDATION

By motion, adopt Planning Commission Resolution No. 2021-06-09-03, recommending that the City Council 1) certify the Draft Environmental Impact Report (EIR) and Mitigation Monitoring and Report Program; 2) approve General Plan Amendment No. 18001; 3) approve Change of Zone No. 20004; 4) approve Site Development Permit No. 18048; 5) approve Variance No. 18005; and 6) approve Development Agreement No. 18001 to allow the development of two (2) industrial warehouse buildings totaling 335,002 square feet to be located at 12340 Agua Mansa Road (APNs: 175-210-062; 063; 032 & 034).

7. Commission Business

7.1 CONFORMANCE OF THE CITY OF JURUPA VALLEY'S CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2021-2022 WITH THE CITY OF JURUPA VALLEY GENERAL PLAN

Pursuant to California Environmental Quality Act ("CEQA"), Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, Section 15378(b)(4), City staff determined that the City of Jurupa Valley's Capital Improvement Program (CIP) for Fiscal Year 2020/2021 through Fiscal Year 2021/2022 is not a project as defined by CEQA and is therefore exempt from CEQA requirements.

RECOMMENDATION

By motion, adopt Planning Commission Resolution No. 2021-06-09-03, finding that the City of Jurupa Valley's Capital Improvement Program (CIP) for Fiscal Year 2020- 2021 (FY 20/21) is consistent with the City of Jurupa Valley's General Plan.

8. Public Appearance/Comments

9. Planning Commissioner's Reports and Comments

10. Community Development Director's Report

11. Adjournment to the June 23, 2021 Regular Meeting

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if you need special assistance to participate in a meeting of the Jurupa Valley Planning Commission, please call 951-332-6464. Notification at least 48 hours prior to the meeting or time when services are needed will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Agendas of public meetings and any other writings distributed to all, or a majority of, the Jurupa Valley Planning Commission in connection with a matter subject to discussion or consideration at an open meeting of the Planning Commission are public records. If such writing is distributed less than 72 hours prior to a public meeting, the writing will be made available for public inspection at the City of Jurupa Valley, 8930 Limonite Ave., Jurupa Valley, CA 92509, at the time the writing is distributed to all, or a majority of, the Jurupa Valley Planning Commission. The Planning Commission may also post the writing on its Internet website at www.jurupavalley.org.

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[RETURN TO AGENDA](#)

**AGENDA ITEM NO. 5A
MINUTES
PLANNING COMMISSION
May 26th 2021**

1. Call to Order and Roll Call

A Study Session of the Jurupa Valley Planning Commission meeting was called to order at 6:00 p.m. on May 26, 2021 at the City Council Chambers, 8930 Limonite Ave., Jurupa Valley.

Members present:

- Penny Newman, Chair
- Arleen Pruitt, Chair Pro Tem
- Hakan Jackson, Commission Member
- Laura Shultz, Commission Member
- Armando Carmona, Commission Member (arrived at 6:10 pm)

2. Public Appearance/Comments - None

3. Commission Business

**3.1 STUDY SESSION – MULTI –FAMILY DEVELOPMENT STANDARDS TO CONSIDER
THE ADDITION OF GUEST PARKING REQUIREMENTS FOR MARKET-RATE
MULTI-FAMILY HOUSING DEVELOPMENT**

Ms. Tamara Campbell, Principal Planner, provided a PowerPoint presentation summarizing the March 24th Planning Commission approval of modifications to Multi-Family Residential Development Standards and discussion recommended changes to require guest parking spaces at market rate multifamily developments.

COMMISSIONER DISCUSSION

The Planning Commission directed that new regulations be brought back for consideration and that the following issues be clarified:

- Concerns for “spillover” parking in affordable housing complex be addressed
- Incorporate guest parking in the Parking Management Plan
- Recommend guest parking rate of 1 space for each 4 dwelling units
- Require Parking Management Plan when more than 3 units proposed
- Handicapped spaces are included in the Parking Management Plan
- Recommend Parking Management Plan be included in CC&Rs for multi-family developments.

- Parking Management Plan to address procedures for violations.

NO PUBLIC COMMENTS RECEIVED

REGULAR SESSION

1. 7:00 P.M. – Call to Order and Roll Call

Members present:

- Penny Newman, Chair
- Arleen Pruitt, Chair Pro Tem
- Armando Carmona, Commission Member
- Hakan Jackson, Commission Member
- Laura Shultz, Commission Member

2. Pledge of Allegiance – Commissioner Hakan Jackson led the Pledge of Allegiance.

3A. Public Appearance / Comments - NONE

4. Approval of Agenda

Commissioner Shultz moved and Commissioner Carmona seconded, a motion to approve the May 26, 2021 agenda. The motion was approved 5-0.

Ayes: Newman, Pruitt, Carmona, Jackson, Shultz

Noes: None

Abstained: None

Absent: None

5. Consent Calendar

A. Approval of the Minutes

B. Development Updates

Commissioner Shultz moved and Commissioner Jackson seconded, a motion to approve the Consent Calendar. The motion was approved 5-0.

Ayes: Newman, Pruitt, Carmona, Jackson, Shultz

Noes: None

Abstained: None

Absent: None

6. Public Hearings

6.1 MASTER APPLICATION (MA) NO. MA20090: PROPOSED CHANGE OF ZONE FROM GENERAL COMMERCIAL (C-1/C-P) TO PLANNED RESIDENTIAL (R-4) AND TENTATIVE TRACT MAP FOR “MONTECITO,” A 25-LOT SINGLE-FAMILY SUBDIVISION LOCATION: 5250 STONE AVENUE (APN 166-00-002)

Ms. Andrea Hoff, Associate Planner, provided a PowerPoint presentation and provided a summary and background of the 5.32 acre project previously presented at a City Council study session as part of pre-application for 25 single family lots, a retention basin, and two private HOA maintained streets. Ms. Hoff provided a site plan and noted the 25 homes consists of seven single story and 18 two-story homes and three different floor plans. The project also includes landscaping, street improvements on Mission and Agate, internal traffic calming and community identification signage with decorative paving at entrance to the community. Ms. Hoff summarized the General Plan consistency and Change of Zone for the proposed area as well as Environmental Review.

COMMISSIONER DISCUSSION

- Other commercial interest in the area
- Class 3 Bike lanes proposed
- Traffic calming measures proposed along with other street improvements were clarified by the Engineering staff
- Agreement for traffic signal on Agate and Mission was well received
- Environmental Review; Mitigated Negative Declaration and Cultural Resources were clarified by Mr. Ernest Perea, CEQA Administrator

PUBLIC HEARING OPENED.

Planning Secretary, Ms. Grizelda Reed, read an email submitted by applicant/owner Mr. Roger Hobbs providing a summary of the proposed project and amenities and plan to break ground in September.

Mr. Robert Beers, Consultant for the project thanked the Commissioners and noted developer is in agreement with Conditions of Approval and looks forward to moving ahead with this project.

PUBLIC HEARING CLOSED

Commissioner Shultz moved and Commissioner Jackson seconded a motion to adopt Resolution No. 2021-05-26-2021 recommending that the City Council approve Change of Zone C-1/C-P to Planned Residential R-4, Tentative Tract Map 37893 and Neighborhood Development Plan (NDP) for the project as required by the R-4 zoning classification. The motion was approved 5-0.

Ayes: Newman, Pruitt, Carmona, Jackson, Shultz

Noes: None

Abstained: None

Absent: None

7. Commission Business

7.1 STUDY SESSION : STUDY SESSION TO CONSIDER ZONING CODE AMENDMENT FOR A COMMUNITY BENEFIT PERMIT ENTITLEMENT PROCESS FOR ORGANIZATIONS PROVIDING A COMMUNITY SERVICE TO THE CITIZENS OF JURUPA VALLEY

Ms. Tamara Campbell, Principal Planner, provided a PowerPoint presentation for a proposed Community Benefit Permit Entitlement process. Ms. Campbell reviewed the details of the proposed process that would include:

- Community Benefit Permit Process applied when Conditional Use Permit required for use
- Notification to surrounding community required
- Process would be discretionary at a Director's Public Hearing
- Organizations must be 501(c) (3)
- Submittal of management plan of nonprofit's operational practices required
- A maximum 45-day permit review period

Ms. Campbell provided a summary of additional requirements and noted a comparison of Conditional Use Permits and Community Benefit Permits.

PUBLIC COMMENTS

Planning Secretary, Ms. Grizelda Reed, read an email submitted by resident Ms. Kim Johnson stating she was not in favor of proposed Ordinance.

COMMISSIONER DISCUSSION

- Public noticing requirement prior to hearing was clarified
- The Appeal process for the Permit was clarified
- Conditional Use Permit verses Community Benefit Entitlement was clarified by City Attorney
- Concern for Community Benefit Entitlement as a remedy for Code Violations discussed
- Non-profit status requirements was clarified

8. Public Appearance / Comments – NONE

9. Planning Commissioners' Reports and Comments -NONE

10. Community Development Department Report

Mr. Joe Perez, Community Development Director, thanked the Commissioners for attending the May 20th Joint Session with Council. R Perez said the updated Housing Element would now be submitted to HCD. He also provide an update on the City transition of contract employees and discussed plans for Planning Commission workshops.

Respectfully submitted,

Joe Perez, Community Development Director
Secretary of the Planning Commission

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[RETURN TO AGENDA](#)

STAFF REPORT

DATE: June 9, 2021
TO: CHAIR NEWMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: JOE PEREZ, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: AGENDA ITEM NO. 5.2
SUMMARY OF CITY COUNCIL & COMMUNITY DEVELOPMENT DIRECTOR
ACTIONS AND DEVELOPMENT UPDATE

RECOMMENDATION

That the Planning Commission receive and file the development update.

CITY COUNCIL ACTIONS AT THE June 3, 2021 MEETING

Council Business – Initiation of a General Plan Amendment to allow a 250-Acre Mixed Use Project to include warehouse and distribution uses outside of Mira Loma and Agua Mansa Warehouse and Distribution Center Overlay. The City Council hear this request regarding a proposed development on a 250-acre site located south of State Route 60, east of Rubidoux Boulevard, west of the Santa Ana River and north of 34th Street. The proposed components of the project include warehouse distribution center and logistics, retail/commercial, community-oriented services, hospitality, residential and parks, and recreation uses. Several residents spoke and expressed concerns with the warehouse distribution use and its potential impacts to surrounding residential areas others supported the project. After deliberation the City Council voted to initiate a General Plan Amendment for the project with the condition that the warehouse distribution not exceed 1.5 million square feet in building area and that the developer fund a third-party consultant and an environmental justice group for project oversight.

COMMUNITY DEVELOPMENT DIRECTOR HEARING May 25, 2021

Public Hearing – Revised Plot Plan Permit for Del Rio Food Facility Addition of a Cold Storage. On May 25, 2021 a Community Development Director's public hearing was held to consider a Revised Permit application seeking to expand the Del Real Foods manufacturing facility located at 11041 Inland Avenue in the Mira Loma community. The project proposal is to modify the original entitlement (Plot Plan No. 14203) to allow the addition of 15,024 sf of refrigerated warehouse to the existing 112,000 sf building. The addition will serve as the new shipping/receiving area, including offices, restrooms, tamale packing area, and breakroom. The Revised Permit (MA21055, PP14203R1) was approved with conditions, including but not limited to refurbishing landscaping on

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Etiwanda and JCSD water/sewer capacity improvements. The project will reduce dock doors (from 11 to 7), while improving efficiency of logistical operations, leading to less truck idling on-site and on nearby streets and will not result in any loss of parking or landscaping.

DEVELOPMENT UPDATES

Housing Element.

On May 20, 2021 the City hosted a Joint Study Session between City Council and Planning Commission for the review of the Public Draft document for the Housing Element. This meeting included a presentation on the Housing Element document, the timeline and a review of the site inventory list for future housing. This meeting was attended by the public and local non-profits. Discussion of the housing element and housing sites inventory included the following community preferences:

- Housing development for diverse income and affordability levels
- Housing policy to promoted housing for all and future ownership
- Housing developments that met the requirements of the Environmental Justice Element
- Housing of different densities imbedded throughout the community
- Housing near transportation and commercial corridors

City of JURUPA VALLEY California

NOW AVAILABLE ON THE CITY'S WEBSITE

HOUSING ELEMENT 2021-2029
PUBLIC REVIEW DRAFT

COMMENT PERIOD ENDS JULY 16, 2021

The City invites you to review and comment on the Draft Housing Element for the planning period 2021-2029. Please email your comments to: jward@jurupavalley.org

The discussion was insightful in determining additional modifications for the Sites Inventory for the Housing Element and has been updated to reflect the comments received at the May 20th, meeting.

The City, on May 27th, 2021 officially submitted the Draft Housing Element to the State of California, Department of Housing and Community Development (HCD). HCD has 60 days to review the document and reply with comments and corrections. Concurrently the

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community of Jurupa Valley has the chance to review the Public Draft Document as well and has an opportunity to provide the City with comments through July 15th, 2021. The Public Review Draft is now available on the City Website and the notice/ flyer was sent out to all community groups and those who have signed up for notifications.

Housing Element Link: [2021 -2029 Housing Element](#)

Prepared by:



Joe Perez
Community Development Director

Reviewed by:

//s// Serita Young

Serita Young
Deputy City Attorney

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STAFF REPORT

DATE: JUNE 9, 2021
TO: CHAIR NEWMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: JOE PEREZ, COMMUNITY DEVELOPMENT DIRECTOR
BY: MIGUEL DEL RIO, ASSISTANT PLANNER
SUBJECT: AGENDA ITEM NO. 6.1

PROPOSAL: MA17239 (SDP1768) TO ALLOW THE LEGALIZATION OF A (2,312 SQUARE FOOT) GAZEBO AND MA19200 (SDP19092) TO ALLOW THE LEGALIZATION OF A (2,284 SQUARE FOOT) BARN

LOCATION: 5250 STONE AVENUE (APN: 166-090-002)

APPLICANT: GLORIA DE HARO

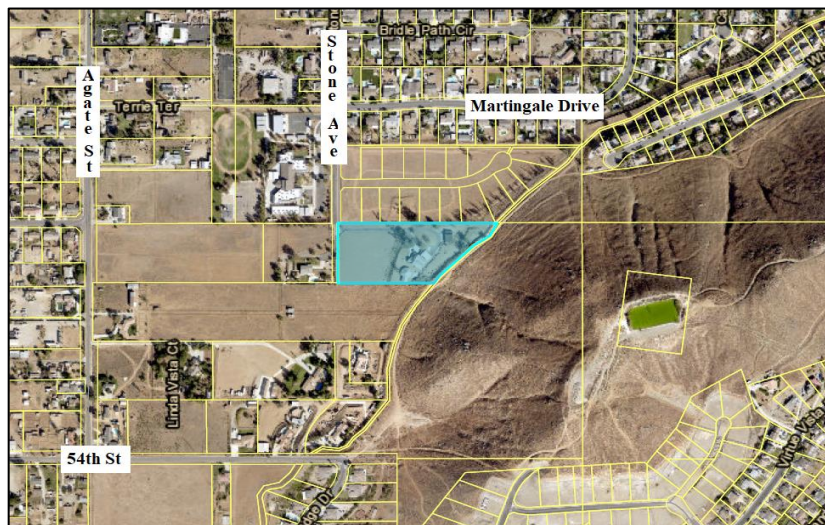
RECOMMENDATION

Conduct a public hearing and by motion, adopt Planning Commission Resolution No. 2021-06-09-01 approving 1) MA17239 (SDP1768) legalizing a 2,312 square-foot gazebo and approving 2) MA19200 (SDP19092) legalizing a 2,284 square-foot barn as residential accessory structures at 5250 Stone Avenue.

PROJECT DESCRIPTION

The applicant submitted two Site Development Permit applications to legalize two separate detached accessory structures at 5250 Stone Avenue (APN:166-090-002). The structures to be legalized include a 2,312 square foot gazebo and a 2,284 square foot barn as accessory structures to a 3,438 square-foot single family residence located on 5.28 acres. See Project Location Map below:

PROJECT SITE



City of Jurupa Valley

BACKGROUND

This item was originally scheduled to be heard on May 12, 2021. However, due to a lack of quorum, the item was continued to a June 9, 2021 Planning Commission Meeting.

- I. **Code Enforcement.** In 2017, the Code Enforcement Department received a complaint for an illegally constructed gazebo and issued a notice of violation to the property owner for the unpermitted structure. In response to the notice of violation, the applicant applied for a Site Development Permit (SDP1768) to legalize the 2,312 square-foot gazebo.

In 2018, it was discovered that a barn on the site was also constructed without building permits. In 2019, the applicant submitted a second Site Development Permit (SDP19092) for legalization of the barn as well as additional area to the existing barn.

- II. Per Section 9.240.170 (Detached Accessory Buildings) of the Jurupa Valley Municipal Code, detached accessory structures larger than one hundred and twenty (120) square feet require approval of a Site Development Permit unless the proposed structure is equal to or less than six hundred and fifty (650) square feet and is proposed on a property that does not have an existing detached accessory structure larger than one hundred and twenty (120) square feet. In this case both structures are larger than six hundred and fifty (650) square feet and will require approval of a Site Development Permit. In 2017, the applicant submitted a request for Site Development Permit to legalize the gazebo and in 2019, applied to legalize the barn. The project was noticed to property owners within 1,000 feet of the subject site for comments or concerns. The Community Development Department received several comments from the surrounding neighborhood indicating that they were not happy with the legalization of this structure because it was used for celebrations that were a disturbance to the surrounding neighborhood.
- III. **Community Development Director's Action.** The approval body of a Site Development Permit is the Community Development Director. However, Ordinance No. 2015-11 gives the Community Development Director authority to refer Site Development Permit applications to the Planning Commission if the proposed use will have a major significant impact on the community. Additionally, the item shall go to a public hearing.

ANALYSIS

- I. **Project Design.** The proposed project is a request to A) legalize a 2,312 square foot gazebo and B) to legalize and enlarge a freestanding barn to 2,284 square feet. The two detached buildings are accessory structures to the 3,438 square-foot single-family dwelling on the site. The barn is intended for the keeping of horses while the gazebo is intended to be used for shade and as an outdoor gathering area for personal use. Table 1 below presents general project information:

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TABLE 1: GENERAL PROJECT INFORMATION

ACCESSOR'S PARCEL NUMBER	APN: 166-090-002
TOTAL ACREAGE OF PROJECT SITE	5.28
EXISTING GENERAL PLAN LAND USE DESIGNATION	Country Neighborhood - Low Density Residential (LDR)
EXISTING GENERAL PLAN OVERLAY	Equestrian Lifestyle Overlay (ELO)
EXISTING ZONING CLASSIFICATION	Light Agriculture (A-1)

The gazebo is twenty (20) feet and nine (9) inches high. The structure is shaped like a key and measures seventy-six (76) feet and ten (10) inches long by forty-seven (47) feet and ten (10) inches wide. The structure features interlocking roof tiles and smooth cylindrical concrete columns.

The barn is 16 feet 2 inches high and measures 59 feet 4 inches wide by 38 feet 6 inches deep. The barn is features vertical wood siding and asphalt shingles.

Although the two structures are already built, the City should review this request as if the project is not yet constructed and may require changes to the structures or conditions of approval to ensure the project is consistent with the General Plan, Municipal Code and the Site Development Permit findings.

- II. **Environmental Review.** The project is exempt pursuant to Section 15301 Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines because it involves the legalization of existing structures. Note, CEQA review does not consider whether a structure has a building permit when assessing project environmental impacts, therefore, the gazebo and barn are considered existing facilities under CEQA.
- III. **General Plan Land Use Designation: County Neighborhood – LDR.** The property has a General Plan Land Use Designation of County Neighborhood-Low Density Residential (LDR) that permits detached single-family residential dwellings and ancillary structures. The project is consistent with the General Plan.
- IV. **Title 9 Zoning Ordinance.** The project (both accessory structures) complies with the applicable provisions of Title 9.
 - a. **Zoning Designation – A-1 (Light Agriculture).** The project property is zoned A-1 (Light Agriculture). The proposed project is subject to the A-1 zone development standards in Section 9.175.030 of the Jurupa Valley Municipal Code. As proposed on the plans, the project meets all development standards.
 - b. **Detached Accessory Structures.** The initial submittal was Site Development Permit No. 1768 for the legalization of a 2,312 square foot gazebo. The second submittal was Site Development Permit No. 19092 for the legalization and addition

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to a barn totaling 2,284 square-feet. Both structures are detached accessory structures to the existing single family home on the lot.

The gazebo is located 336 feet from the front/west property line, 12 feet from the nearest side/south property line, and 153 feet from the rear/east property line. Additionally, the gazebo is located approximately 450 feet from the nearest neighboring dwelling.

The barn is located approximately 575 feet from the front/west property line, 242 feet from the rear/east property line, 23 feet from the side/north property line, and 133 feet from the side/south property line. The structures meet all development standards and regulations set forth in Section 9.240.170. (Detached Accessory Buildings) of the Municipal Code, including height. The Municipal Code does not specify a maximum size for detached accessory structures.

- c. Public Comments.** The Community Development Department received the following comments:
- i. **2017:** Nine members of the surrounding community provided letters of opposition to this project. The main concerns are that the surrounding community has been impacted by loud parties hosted on the lot and they believe the approval of these structures would continue to encourage large gatherings that are disruptive to the neighborhood. The size of the structures is also a concern because some community members believe the large size suggest that the structures are designed for large gatherings. Additionally, they believe that the site improvements provide the potential for commercial events in a residential area that create traffic and attract people who cause disturbances to the neighborhood. Other concerns include construction noise and dust, and the structures not being built per the California Building Code.
 - ii. **2020:** Four members of the surrounding community provided letters of opposition to the project. The concerns were similar to those highlighted in the letters received in 2017. Again, the size of the structures and the loud parties were a main topic of concern.
- d. Referral to Planning Commission.** The Community Development Director is referring the Site Development Permits to the Planning Commission due to the residents of the surrounding area expressing their concerns with the size and use of the proposed structures. The surrounding property owners believe the gazebo, in particular, has been used as a commercial venue for events like weddings, birthdays, etc.
- e. Proposed Conditions of Approval.** The following Conditions of Approval are recommended to alleviate impacts of the proposed structures on the neighborhood and prevent them from being used for any commercial activity on the property:
- i. The structures will require building permit issuance and the property owner would have to apply for building permits subsequent of a site development permit approval. This condition would ensure the structures are built to code and are safe.

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- ii. A condition preventing the structures and the site from being used for any purpose that is atypical of a residence has been imposed on the property to prohibit the operation of a commercial event venue use.
- iii. A condition requiring that the use of these structures comply with the Jurupa Valley Noise Ordinance has been included to prevent excessive noise. Per Section 11.05.040 of the Jurupa Valley Municipal Code, sound shall not exceed fifty-five (55) decibels from the hours of 7:00AM to 10:00PM, and forty-five (45) decibels from the hours of 10:00PM to 7:00AM.
- iv. A condition requiring the Community Development Department to conduct a six (6) month review and report back to the Planning Commission has been included to ensure the project is in compliance with the municipal code, general plan, and conditions of approval.
- v. A condition has been imposed that would authorize the Community Development Director to revoke the Site Development Permit if the conditions of approval are violated or the use proves to be detrimental to the health, safety, and/or general welfare of the community. Revocation of the Site Development Permit would require that the structures be demolished in order for the site to be in compliance with the Jurupa Valley Municipal Code. This condition will furthermore aid in preventing any impacts on the surrounding neighborhood.

V. FINDINGS FOR APPROVAL OF A SITE DEVELOPMENT PERMIT (SDP)

Per Section 9.240.330(3) Requirements for Approval, no Site Development Permit shall be approved unless it complies with all the following findings:

- a. The proposed use must conform to all the requirements of the Jurupa Valley General Plan and with all applicable requirements of State law and the ordinances of the City. *The proposed structures as conditioned conform to all requirements of the Jurupa Valley General Plan and all requirements of the State law. All requirements set forth in the Jurupa Valley Municipal code relevant to this project have also been met.*
- b. The overall development of the land shall be designed for the protection of the public health, safety and general welfare; to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property. The plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion; and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof.
- c. *The proposed gazebo and barn are accessory structures to an existing single family home on a residential lot. The structures as conditioned conform to the logical development of the land and are compatible to the present and future logical development of the surrounding property as the surrounding area makes use of detached accessory structures intended for similar uses. Location and need for*

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dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion were considered on the original subdivision of land. The proposed structures drain on the property into permeable surfaces, do not create any additional traffic, and have no direct impacts on public health, safety, and general welfare.

- d.** All site development permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Title 7 in such a manner that each building is located on a separate legally divided parcel. *A condition has been recommended on this approval prohibiting the sale of any existing or subsequently constructed structures until the parcel on which the building(s) are erected is divided and a final map has been recorded.*

NOTICING REQUIREMENTS

Per Section 9.240.330 and Section 9.240.250 of the Municipal Code, a Notice of Planning Commission Hearing was mailed out on April 27, 2021 to all owners of real property located within one thousand (1,000) feet of 5250 Stone Avenue and a notice was publicized in the Press Enterprise Newspaper on May 31, 2021.

CONCLUSION

Both of the detached accessory buildings as conditioned are consistent with the Jurupa Valley General Plan and in compliance with the Municipal Code. The design of the project will not cause substantial environmental damage, harm any wildlife, nor cause serious public health problems. The subject site is suitable for the proposed development and with the recommended conditions of approval does not present impacts on surrounding property. In the event the applicant does not adhere to the required conditions of approval and uses the site as a commercial venue that impact the surrounding neighborhood, the City has the ability to revoke the Site Development Permit for the accessory structures.

Prepared by:



*Miguel Del Rio
Assistant Planner*

Reviewed by:

//s// Serita Young

*Serita Young
Deputy City Attorney*

Submitted by:



*Joe Perez
Community Development Director*

City of Jurupa Valley

ATTACHMENTS

1. Resolution No. 2021-06-09-01
 - a. Exhibit A. Recommended Conditions
2. Director Referral to Community Development Commission
 - a. Received Comments
3. Proposed Plans

ATTACHMENT NO. 1

Resolution No. 2021-06-09-01

RESOLUTION NO. 2021-06-09-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF JURUPA VALLEY APPROVING SITE DEVELOPMENT PERMIT NO. 1768 TO LEGALIZE THE CONSTRUCTION OF A 2,312 SQUARE FOOT GAZEBO AND SITE DEVELOPMENT PERMIT NO. 19092 TO LEGALIZE THE CONSTRUCTION OF A 2,284 SQUARE FOOT BARN ON APPROXIMATELY 5.28 ACRES OF REAL PROPERTY LOCATED AT 5250 STONE AVENUE (APN: 166-090-002) IN THE LIGHT AGRICULTURE (A-1) ZONE, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA GUIDELINES SECTION 15301

THE PLANNING COMMISSION OF THE CITY OF JURUPA VALLEY DOES RESOLVE AS FOLLOWS:

Section 1. **Project.** Gloria de Haro (the “Applicant”) has applied for Site Development Permit No. 1768 (Master Application No. 17239 or MA No. 17239) to legalize the construction of a 2,312 square foot gazebo, and Site Development Permit No. 19092 (Master Application No. 19200 or MA No. 19200) to legalize the construction of a 2,284 square foot barn, on approximately 5.28 acres of single-family residential real property located at 5250 Stone Avenue (APN: 166-090-002) in the Light Agriculture (A-1) Zone and designated Country Neighborhood - Low Density Residential (LDR) with an Equestrian Lifestyle (EL) Overlay (collectively, the “Project”).

Section 2. **Site Development Permit No. 1768.**

(a) The Applicant is seeking approval of Site Development Permit No. 1768 to legalize the construction of a 2,312 square foot gazebo, a detached accessory building, on approximately 5.28 acres of single-family residential real property located at 5250 Stone Avenue (APN: 166-090-002) in the Light Agriculture (A-1) Zone.

(b) Section 9.240.170.D.(1)(a) of the Jurupa Valley Municipal Code provides that where the principal use of a lot is a one (1) family dwelling, the approval of a Site Development Permit pursuant to Section 9.240.330 of the Jurupa Valley Municipal Code shall be required for a detached accessory building with a floor area of six hundred and fifty-one (651) square feet or more.

(c) Section 9.240.330(4) of the Jurupa Valley Municipal Code provides that the Community Development Director shall approve, conditionally approve, or disapprove a Site Development Permit based upon the standards in subsection (4)(c) of Section 9.240.330 of the Jurupa Valley Municipal Code within thirty (30) days after accepting a completed application and give notice of the decision, including any required conditions of approval, by mail, to the applicant and any other persons requesting notice. Further, the Community Development Director may refer review of a Site Development Permit application that does not require a public hearing to the Planning Commission for review, a full hearing and the Planning Commission’s approval,

conditional approval, or disapproval in cases where Planning Department staff determines the proposed use will have a major significant impact on the community.

(d) Section 9.240.330.(3) of the Jurupa Valley Municipal Code provides that no site development permit shall be approved unless it complies with the following standards:

1) The proposed use must conform to all the requirements of the City of Jurupa General Plan and with all applicable requirements of State law and the ordinances of the City of Jurupa Valley.

2) The overall development of the land shall be designed for the protection of the public health, safety and general welfare; to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property. The plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion; and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof.

3) All site development plans which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Title 7 of the Jurupa Valley Municipal Code in such a manner that each building is located on a separate legally divided parcel.

(e) Section 9.240.330.(5)(b) of the Jurupa Valley Municipal Code provides that an appeal of the Planning Commission decision to the City Council shall be filed and processed pursuant to Section 9.05.100 of the Jurupa Valley Municipal Code and subject to the provisions of Section 9.05.110 of the Jurupa Valley Municipal Code.

(f) Section 9.240.330(7)(a) of the Jurupa Valley Municipal Code provides that any Site Development Permit that is approved shall be used within two (2) year from the effective date thereof, or within such additional time as may be specified in the conditions of approval, which shall not exceed a total of five (5) years; otherwise, the Site Development Permit shall be null and void.

Section 3. Site Development Permit No. 19092.

(a) The Applicant is seeking approval of Site Development Permit No. 19092 to legalize the construction of a 2,284 square foot barn, a detached accessory building, on approximately 5.28 acres of single-family residential real property located at 5250 Stone Avenue (APN: 166-090-002) in the Light Agriculture (A-1) Zone.

(b) Section 9.240.170.D.(1)(a) of the Jurupa Valley Municipal Code provides that where the principal use of a lot is a one (1) family dwelling, the approval of a Site Development Permit pursuant to Section 9.240.330 of the Jurupa Valley Municipal Code shall be required for a detached accessory building with a floor area of six hundred and fifty-one (651) square feet or more.

(c) Section 9.240.330(4) of the Jurupa Valley Municipal Code provides that the Community Development Director shall approve, conditionally approve, or disapprove a Site Development Permit based upon the standards in subsection (4)(c) of Section 9.240.330 of the Jurupa Valley Municipal Code within thirty (30) days after accepting a completed application and give notice of the decision, including any required conditions of approval, by mail, to the applicant and any other persons requesting notice. Further, the Community Development Director may refer review of a Site Development Permit application that does not require a public hearing to the Planning Commission for review, a full hearing and the Planning Commission's approval, conditional approval, or disapproval in cases where Planning Department staff determines the proposed use will have a major significant impact on the community.

(d) Section 9.240.330.(3) of the Jurupa Valley Municipal Code provides that no site development permit shall be approved unless it complies with the following standards:

1) The proposed use must conform to all the requirements of the City of Jurupa General Plan and with all applicable requirements of State law and the ordinances of the City of Jurupa Valley.

2) The overall development of the land shall be designed for the protection of the public health, safety and general welfare; to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property. The plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion; and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof.

3) All site development plans which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Title 7 of the Jurupa Valley Municipal Code in such a manner that each building is located on a separate legally divided parcel.

(e) Section 9.240.330.(5)(b) of the Jurupa Valley Municipal Code provides that an appeal of the Planning Commission decision to the City Council shall be filed and processed pursuant to Section 9.05.100 of the Jurupa Valley Municipal Code and subject to the provisions of Section 9.05.110 of the Jurupa Valley Municipal Code.

(f) Section 9.240.330(7)(a) of the Jurupa Valley Municipal Code provides that any Site Development Permit that is approved shall be used within two (2) year from the effective date thereof, or within such additional time as may be specified in the conditions of approval, which shall not exceed a total of five (5) years; otherwise, the Site Development Permit shall be null and void.

Section 4. **Procedural Findings.** The Planning Commission of the City of Jurupa Valley does hereby find, determine and declare that:

(a) The applications for MA Nos. 17239 and 19200 were processed including, but not limited to a public notice, in the time and manner prescribed by State law and Jurupa Valley Ordinances.

(b) On June 9, 2021, the Planning Commission of the City of Jurupa Valley held a public hearing on MA Nos. 17239 and 19200, at which time all persons interested in the Project had the opportunity and did address the Planning Commission on these matters. Following the receipt of public testimony the Planning Commission closed the public hearing.

(c) All legal preconditions to the adoption of this Resolution have occurred.

Section 5. California Environmental Quality Act Findings. The Planning Commission of the City of Jurupa Valley does hereby find and determine, in connection with the approval of the Project, and based on its own independent judgment, that the Project is exempt from the requirements of the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res. Code, § 21000 *et seq.*) and the State Guidelines (the “Guidelines”) (14 Cal. Code Regs. §15000 *et seq.*). Pursuant to Guidelines Section 15301, the proposed Project is categorically exempt from environmental review as it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing private structures, facilities, mechanical equipment, involving negligible or no expansion of existing or former use.

Section 6. Findings for Approval of Site Development Permit No. 1768. The Planning Commission of the City of Jurupa Valley hereby finds and determines that Site Development Permit No. 1768 should be approved because:

(a) The proposed use, as conditioned, conforms to all the requirements of the City of Jurupa General Plan. The subject site has a General Plan land use designation of Country Neighborhood - Low Density Residential (LDR) with an Equestrian Lifestyle (EL) Overlay and the proposed Project demonstrates consistency with the General Plan and the LDR land use designation and the EL Overlay.

(b) The proposed use conforms with all applicable requirements of State law.

(c) The proposed use conforms with the ordinances of the City of Jurupa Valley. The subject site is zoned Light Agriculture (A-1) and the proposed Project demonstrates compliance with Title 9 (Planning and Zoning) of the Jurupa Valley Municipal Code and the development standards applicable to premises in the A-1 Zone and detached accessory buildings. All requirements set forth in the Jurupa Valley Municipal Code relevant to the proposed Project have also been met.

(d) The overall development of the land is designed for the protection of the public health, safety and general welfare in that the gazebo is located within a residential property, is located approximately twenty-five (25) feet away from the nearest neighboring structure, it shall meet all applicable requirements of the California Building Code, and has no direct impacts on public health, safety, and general welfare.

(e) The overall development of the land, as conditioned, is designed to conform to the logical development of the land in that the gazebo is residential accessory structures to an existing single-family residence.

(f) The overall development of the land, as conditioned, is designed to be compatible with the present and future logical development of the surrounding property in that the surrounding area makes use of detached accessory structures intended for similar uses.

(g) The plan considers the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion in that these items were considered on the original subdivision of land and the gazebo does not create any additional traffic.

(h) The plan takes into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof in that the gazebo drains on the property into permeable surfaces in order to accommodate any additional drainage.

(i) The site development plan does not permit the construction of more than one structure on a single legally divided parcel. A Condition of Approval has been recommended to prohibit the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided per Title 7 (Subdivisions) of the Jurupa Valley Municipal Code.

Section 7. Findings for Approval of Site Development Permit No. 19092. The Planning Commission of the City of Jurupa Valley hereby finds and determines that Site Development Permit No. 19092 should be approved because:

(a) The proposed use, as conditioned, conforms to all the requirements of the City of Jurupa General Plan. The subject site has a General Plan land use designation of Country Neighborhood - Low Density Residential (LDR) with an Equestrian Lifestyle (EL) Overlay and the proposed Project demonstrates consistency with the General Plan and the LDR land use designation and the EL Overlay.

(b) The proposed use conforms with all applicable requirements of State law.

(c) The proposed use conforms with the ordinances of the City of Jurupa Valley. The subject site is zoned Light Agriculture (A-1) and the proposed Project demonstrates compliance with Title 9 (Planning and Zoning) of the Jurupa Valley Municipal Code and the development standards applicable to premises in the A-1 Zone and detached accessory buildings. All requirements set forth in the Jurupa Valley Municipal Code relevant to the proposed Project have also been met.

(d) The overall development of the land is designed for the protection of the public health, safety and general welfare in that the barn is located within a residential property, is located approximately one hundred (100) feet away from the nearest neighboring structure, it shall meet all applicable requirements of the California Building Code, and has no direct impacts on public health, safety, and general welfare.

(e) The overall development of the land, as conditioned, is designed to conform to the logical development of the land in that the barn is a residential accessory structure to an existing single-family residence.

(f) The overall development of the land, as conditioned, is designed to be compatible with the present and future logical development of the surrounding property in that the surrounding area makes use of detached accessory structures intended for similar uses.

(g) The plan considers the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion in that these items were considered on the original subdivision of land and the barn does not create any additional traffic.

(h) The plan takes into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof in that the barn drains on the property into permeable surfaces in order to accommodate any additional drainage.

(i) The site development plan does not permit the construction of more than one structure on a single legally divided parcel. A Condition of Approval has been recommended to prohibit the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided per Title 7 (Subdivisions) of the Jurupa Valley Municipal Code.

Section 8. Approval of Master Application Nos. 17239 and 19200 with Conditions.
Based on the foregoing, the Planning Commission of the City of Jurupa Valley hereby approves Master Application Nos. 17239 and 19200 (Site Development Permit Nos. 1768 and 19092, respectively) to legalize the construction of a 2,312 square foot gazebo and a 2,284 square foot barn, detached accessory buildings, on approximately 5.28 acres of single-family residential real property located at 5250 Stone Avenue (APN: 166-090-002) in the Light Agriculture (A-1) Zone and designated Country Neighborhood - Low Density Residential (LDR) with an Equestrian Lifestyle (EL) Overlay, subject to the recommended conditions of approval attached hereto as Exhibit "B".

Section 9. Certification. The Community Development Director shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Jurupa Valley on this 9th day of June, 2021.

Penny Newman
Chair of Jurupa Valley Planning Commission

ATTEST:

Joe Perez
Community Development Director/Secretary to the Planning Commission

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF JURUPA VALLEY)

I, Joe Perez, Community Development Director of the City of Jurupa Valley, do hereby certify that the foregoing Resolution No. 2021-05-12-01 was duly adopted and passed at a meeting of the Planning Commission of the City of Jurupa Valley on the 9th day of June, 2021, by the following vote, to wit:

AYES: COMMISSION MEMBERS:

NOES: COMMISSION MEMBERS:

ABSENT: COMMISSION MEMBERS:

ABSTAIN: COMMISSION MEMBERS:

JOE PEREZ
COMMUNITY DEVELOPMENT DIRECTOR

EXHIBIT A OF ATTACHMENT NO. 1

Recommended Conditions

**CONDITIONS OF APPROVAL FOR (SDP19092 & SDP1768)
PLANNING COMMISSION RESOLUTION NO. 2021-06-09-01**

EXHIBIT A

PLANNING DEPARTMENT

1. **PROJECT PERMITTED.** MA19200 (SDP19092) is an approval to legalize a 2,284 square foot barn and MA17239 (SDP1768) is an approval to legalize a 2,312 square foot gazebo at 5250 Stone Avenue (APN:166-090-002). Both structures are for the incidental and accessory uses to the principal (residential) use of the property.
2. **INDEMNIFY CITY.** The applicant, the property owner or other holder of the right to the development entitlement(s) or permit(s) approved by the City for the project, if different from the applicant (herein, collectively, the "Indemnitor"), shall indemnify, defend, and hold harmless the City of Jurupa Valley and its elected city council, its appointed boards, commissions, and committees, and its officials, employees, and agents (herein, collectively, the "Indemnitees") from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either (i) the City's approval of the project, including without limitation any judicial or administrative proceeding initiated or maintained by any person or entity challenging the validity or enforceability of any City permit or approval relating to the project, any condition of approval imposed by City on such permit or approval, and any finding or determination made and any other action taken by any of the Indemnitees in conjunction with such permit or approval, including without limitation any action taken pursuant to the California Environmental Quality Act ("CEQA"), or (ii) the acts, omissions, or operations of the Indemnitor and the directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the Indemnitor with respect to the ownership, planning, design, construction, and maintenance of the project and the property for which the project is being approved. The City shall notify the Indemnitor of any claim, lawsuit, or other judicial or administrative proceeding (herein, an "Action") within the scope of this indemnity obligation and request that the Indemnitor defend such Action with legal counsel reasonably satisfactory to the City. If the Indemnitor fails to so defend the Action, the City shall have the right but not the obligation to do so and, if it does, the Indemnitor shall promptly pay the City's full cost thereof. Notwithstanding the foregoing, the indemnity obligation under clause (ii) of the first sentence of this condition shall not apply to the extent the claim arises out of the willful misconduct or the sole active negligence of the City.
3. **CONSENT TO CONDITIONS.** Within thirty (30) days after project approval, the owner or designee shall submit written consent to the required conditions of approval to the Planning Director or designee.
4. **FEES.** The approval of MA19200 (SDP19092) and MA17239 (SDP1768) shall not become effective until all planning fees have been paid in full.
5. **APPROVAL PERIOD.** This approval shall be used within two (2) years of the approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within two (2) year period which is thereafter diligently pursued to completion or to the actual occupancy of existing buildings or land under the terms of the authorized use. Prior to the expiration of the two (2) year period, the permittee may request up to three (3) years of extension of time in which to begin substantial construction or use of this permit. Should the extension be obtained and no substantial construction or use of this permit be initiated within five (5) years of the approval date this permit, it shall become null and void.

**CONDITIONS OF APPROVAL FOR (SDP19092 & SDP1768)
PLANNING COMMISSION RESOLUTION NO. 2021-06-09-01**

6. **CONFORMANCE TO APPROVED EXHIBITS.** The project shall be in conformance to the approved plans (listed below) with any changes in accordance to these conditions of approval: Architectural Plan Set (cover sheet dated: March 22, 2021)
7. **MAINTENANCE OF PROPERTY.** The applicant shall maintain the property and be kept free of debris, weeds, abandoned vehicles, code violations, and any other factor or condition that may contribute to potential blight or crime.
8. **SALE OF INDIVIDUAL BUILDINGS.** No structure constructed on the project site may be sold until the subject project on which the structure is located is divided and a final map recorded in accordance with the City's subdivision regulations such that the structure is located on a separate legally divided parcel.
9. **PROHIBITION OF COMMERCIAL EVENTS.** The property shall not be used as a commercial venue for public or private events. The detached accessory structures are approved to be for residential accessory use and shall not be used for practices that are atypical of a single-family residence.
10. **SIX-MONTH REVIEW PERIOD.** The Jurupa Valley Community Development Department will review the property's adherence to these conditions of approval and provide a report on the project finding to the Planning Commission, six (6) months after the project's date of approval.
11. **REVOCAION OF SITE DEVELOPMENT PERMIT.** The Director of Community Development shall hold the right to revoke SDP19092 and SDP1768 if the Conditions of Approval are violated or the use proves to be detrimental to the health, safety, and/or general welfare of the community.
12. **BUILDING PERMITS REQUIRED.** Issuance of building permits by the Jurupa Valley Building and Safety Department is required for this project. The property owner or designee shall submit a building permit application on forms provided by the Building and Safety Department.
13. **NOISE.** No person shall create any sound or allow the creation of any sound on the property that causes the exterior sound level to exceed fifty-five (55) decibels from the hours of 7:00AM to 10:00PM and forty-five (45) decibels from the hours of 10:00PM to 7:00AM.

The Applicant hereby agrees that these Conditions of Approval are valid and lawful and binding on the Applicant, and its successors and assigns, and agrees to the Conditions of Approval.

Applicant's name (Print Form): _____

Applicant's name (Signature): _____

Date: _____

ATTACHMENT NO. 2

Director Referral to Planning Commission

City of Jurupa Valley

Lorena Barajas Mayor, Chris Barajas Mayor Pro Tem,
Leslie Altamirano, Council Member, Brian Berkson, Council Member, Guillermo Silva, Council Member

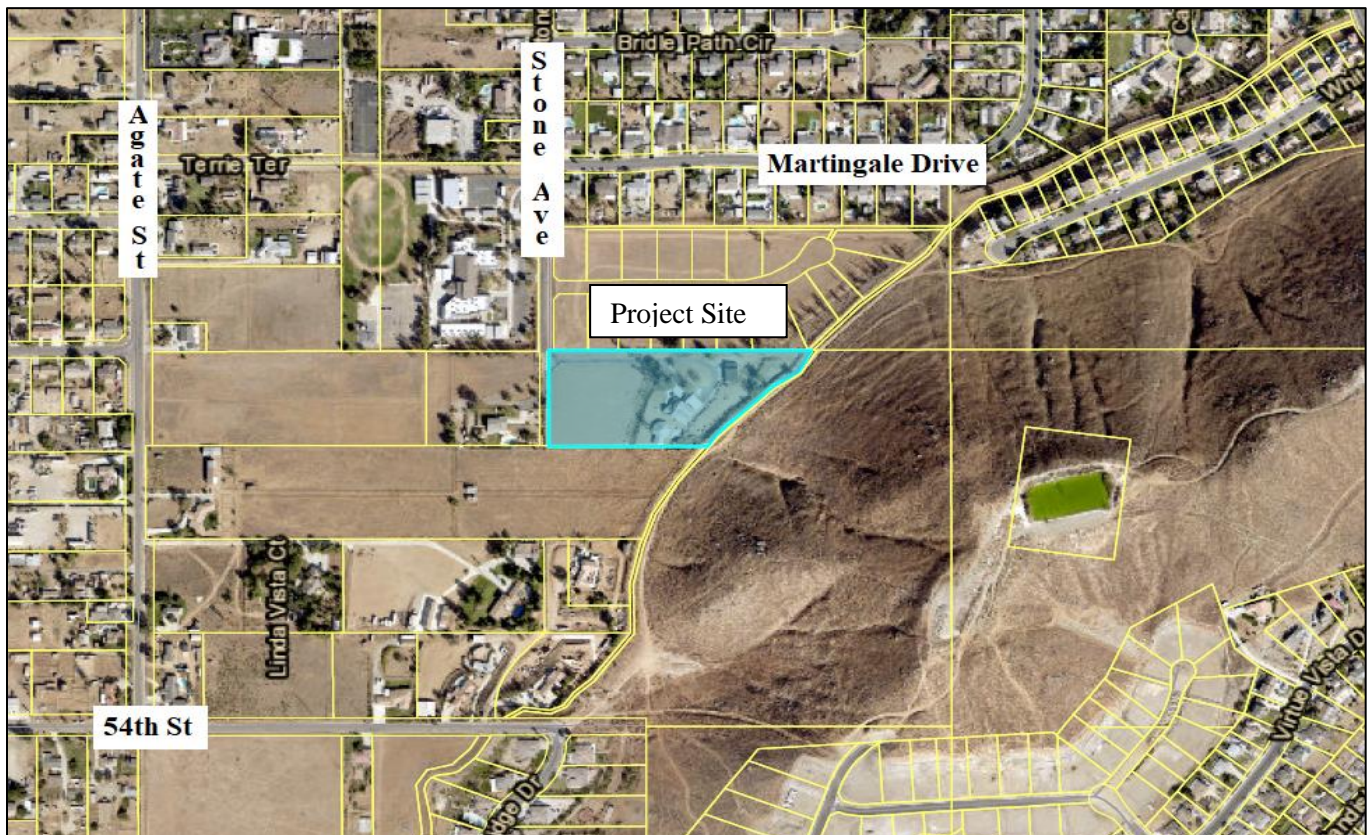
COMMUNITY DEVELOPMENT DIRECTOR'S ACTION

TYPE OF ACTION	REFER CASE TO THE PLANNING COMMISSION
DIRECTOR'S DECISION DATE	APRIL 6, 2021
CASE(S)	MA17239 (SDP1768) & MA19200 (SDP19092)
APPLICANT	GLORIA DE HARO
PROJECT ADDRESS	5250 STONE AVENUE (APN: 166-090-002)
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)	THIS PROJECT IS EXEMPT PURSUANT TO SECTION 15301 EXISTING FACILITIES

PROJECT DESCRIPTION

The proposed project is to legalize two (2) detached accessory structures on 5.28 acres of land at 5250 Stone Avenue. The detached structures are a (a) 2,312 square-foot freestanding foot patio cover and (b) 2,284 square-foot barn.

PROJECT SITE



BACKGROUND

In 2017, the Code Enforcement Department received a complaint for an illegally constructed gazebo and issued a notice of violation to the property owner for the unpermitted structure. In response to the notice of violation, the applicant submitted an application for a Site Development Permit (SDP1768) to legalize the gazebo. In 2018, it was discovered that a barn on the site was also constructed without building permits. In 2019, the applicant submitted a second Site Development Permit (SDP19092) for legalization of the barn.

ANALYSIS

Site Development Permit No. 1768 – 2,312-square-foot patio cover

In 2017, Site Development Permit (SDP) No. 1768 was submitted for the legalization of a 2,312 square-foot detached patio cover that was constructed without permits. The application was reviewed and recommended for approval to the Planning Director. Prior to the Planning Director taking action on the application, the Director mailed a notice to property owners within a 1,000-foot radius of the project site. The notice informed them of the intended action to approve the patio cover and invited the owners to provide comments. Nine (9) responses opposing the recommendation of approval were received. The comments are attached to this referral and a summary of the comments is as follows:

- **Events.** A main topic of concern were celebrations that were said to have occurred at the property. The neighbors believe that the site is being used as a commercial event venue.
- **Noise.** Another main topic of concern was noise that was said to be created from the lot. A majority of the responses included complaints of loud parties as well as loud construction noise.
- **Traffic.** The potential of traffic created from events being hosted on the site came up as a concern.
- **Loitering.** The potential for people who partake in events loitering in the community was a concern of one resident.
- **Unsafe Structures.** Since the surrounding neighbors learned that the structures were constructed without building permits, the concern that the structures were unsafe and not built in compliance with the California Building Code was presented.

The application became inactive until 2019. In 2020, a second and updated notice was mailed to the property owners within a 1,000-foot radius of the project site. The updated notice included the following information:

- Intended action of approval
- The applicant's intent of the use of the patio: personal and non-commercial use.
- Invitation for comments

We received four (4) comment letters. The comments are attached to this referral and a summary of the comments is as follows:

- **Events.** The potential for the structure to be used as a commercial event venue was a main topic of concern once again.
- **Noise.** Excessive noise created by potential events on the site was a main topic of concern.
- **Traffic.** Another main concern was the potential traffic being created by events hosted at the site.
- **Deaths Connected to Property.** The subject property was connected to the deaths of three men whose bodies were found in an abandoned car in the city of Burbank, California on April 17, 2018. The families of the deceased told authorities that the men were last known to be making their way to 5250 Stone Street. This news has become a big concern and was referenced in all four received letters.

- **New Tract Homes.** The surrounding neighbors are concerned that the new property owners that will occupy the properties recently approved as part of Tract No. 36702 will also be impacted by the approval of these structures. Since the homes are currently in construction, the existing neighbors fear that new neighbors will not be aware of the impacts when they purchase the newly subdivided properties. Tract No. 36702 is located immediately north of the project site and is comprised of seventeen half-acre lots.

In general, the main concern from the neighbors is that the freestanding patio will be used as a commercial venue and that the community will have to endure the impacts that are created from said events.

Site Development Permit No. 19092 – 2,284 square-foot Barn

In 2019, Site Development Permit No. 19092 was submitted by the property owner to legalize a second detached accessory structure on the same property. The structure is a 2,284 square foot barn. Although the barn in general does not violate any rules or regulations of the Municipal Code or General Plan, the size of this structure is comparable to the freestanding patio cover and it was determined by the Community Development Director that this structure also be reviewed under the same circumstances as the freestanding patio cover. It is typical that the Community Development Department review all detached accessory structures that are proposed to be built or legalized, under one Site Development Permit. For that reason, the two (2) Site Development Permits have been grouped as one project.

DIRECTOR ACTION

In accordance with Sec. 9.240.330 “Site Development Permits,” the Community Development Director may refer review of a Site Development Permit to the Planning Commission where the Community Development Department staff determines the proposed use will have major significant impacts on the Community,

Due to the expressed concerns from the neighbors that it may have major significant impact on the community, the Director referred these projects to the Planning Commission for action.

Prepared by:



Miguel Del Rio

Assistant Planner

Submitted by:



Joe Perez

Community Development Director

EXHIBIT A OF ATTACHMENT NO. 2

Received Comments

Miguel DelRio

From: Derek Carrington <carringtongroup@sbcglobal.net>
Sent: Saturday, May 15, 2021 10:18 PM
To: Terri Rollings; Lorena Barajas; Chris Barajas; Paul Toor; bbirkson@jurupavalley.org; Guillermo Silva; Leslie Altamirano; Miguel DelRio; Irwin Salas
Cc: Kwynn Rentfro; Brian Schafer; Brian Schafer
Subject: Fw: Triple Homicide/Jurupa Valley/Burbank/Bakersfield-April 2018
Attachments: Stone Street.pdf; Stone Ave 2.pdf

NO to Case Number MA17239 Permit #1768
MA19200 #19092
Gloria De Haro, Applicant
5250 Stone APN 166090002

*"Environmental Justice: Goal: October 2014
'An open and transparent public process that improves the quality of life
relative to a cleaner and healthier environment.'*

This is NOT **TRANSPARENCY by the planning department...**
not contacting the neighborhood in a timely manner to comment on the
proposed project; those of us who will be greatly effected if this case is approved.
[http://civicsolutions.com/wordpress/wp-content/uploads/Oct-2014-Jurupa-Valley-
Environmental-Justice-Element.pdf](http://civicsolutions.com/wordpress/wp-content/uploads/Oct-2014-Jurupa-Valley-Environmental-Justice-Element.pdf)

We want to address this to:

City Council:

[Barajas, Lorena](#)
[Barajas, Chris](#)
[Berkson, Brian](#)
[Silva, Guillermo](#)
[Altamirano, Leslie](#)

Mayor
Mayor Pro-Tempore
Council Member
Council Member
Council Member

Paul Toor
Works

City Engineer/Director of Public

Planning Commission:

- Penny Newman, Chair
- Arleen Pruitt, Chair Pro Tem
- Hakan Jackson, Commissioner
- Laura Shultz, Commissioner
- Armando Carmona, Commissioner

see Attachments below from e-mail 6/8/2018

RE: Case # MA17239 MA19200 Gloria De Haro APN 166090002

Attention: Planning Department-**Miguel Del Rio**

1. We received 'Notice of Planning commission Hearing' on 5/14/2021 postage meter dated 5/5/2021 Date of Hearing May 12th by midnight. THIS IS INSUFFICIENT NOTICE TO RESPOND IN TIMELY MANNER!

2. Has the '2,284 sq ft BARN' structure been cleared of being an 'active' "CRIME SCENE" for the Triple Homicide? (see attachments)

Please contact Lead Investigator Ted Gonzales, Riv. Co. Sheriff Office
or
Detective Aaron Kay akay@burbankca.gov
Burbank Police Department
Investigations-Crimes Against Persons
Desk 818.238.3243
cell 818.822.4127
Fax 818 238.3269

3. The Gazebo was entirely built on weekends with ZERO-No Permits. When Code Enforcement visited the site and required them to cease construction; Occupants completely disregarded any enforcement and even continued to do additions to the residence.

4. At the time of purchase of property Gloria De Haro had an Entertainment Business in L.A. and the Gazebo was used several times from the Labor Day Weekend up through the time of the crime the next year for Loud Parties. This is NOT Commercial property!

5. Please contact or see file notes by Rick Fisher, Associate Planner in 2017. This would produce information regarding the case showing that this should NOT be APPROVED!

Approval of an 'Unpermitted 2,312 sq ft. **gazebo**' that was previously used on multiple occasions for entertainment; loud decibels of raucous all night - all weekend parties in a residential neighborhood inviting questionable elements into the neighborhood with overwhelming parking in residential streets is disastrous.

Approval of legalization of a 2284 sq ft. **barn** for 'Residential accessory structures' that has been the location of a Triple Homicide...The '*Crime Scene*' without further investigation to where the investigation has lead and is it closed and complete; or does it remain unsolved and pending?

We realize with the passage of time there has been many changes in the Director and Planning Commission and we bring this attention to our Honorable Councilpersons. The positions of City have transitioned to new individuals...
...but the PROBLEMS with this residence: 5250 Stone Avenue cannot be approved. The activities created havoc at this address and the horrific crime ... we hope never is repeated again in our fair community.

**Please view this email as
our
RESPONSE in OPPOSITION that MA17239 MA19200
be
NOT approved!'**

Sincerely,

Derek and Danielle Carrington
(951) 685-4430

Previous E-mails of June 8, 2018

----- Forwarded Message -----

From: Derek Carrington <carringtongroup@sbcglobal.net>
To: AKAY@burbankca.gov <AKAY@burbankca.gov>
Sent: Friday, June 8, 2018, 06:56:15 PM PDT
Subject: Fw: Triple Homicide/Jurupa Valley/Burbank/Bakersfield-April 2018

[Hi Aaron <AKay@burbankca.gov>](mailto:AKay@burbankca.gov)

Forwarding what I sent to the City Council, City Manager and Riverside County Sheriff. Thank you for allowing us to submit any information that might lend assistance in solving crime.

Derek and Danielle Carrington

carringtongroup@sbcglobal.net

Today at 5:43 PM
Hi Derek and Danielle,

I received notification that you have a PDF file that you want to pass along. Please forward it to this e-mail address.

Thank you,

Detective Aaron Kay
Burbank Police Department
Investigations - Crimes Against Persons
Desk: 818-238-3243
Cell: 818-822-4127
Fax: 818-238-3269

On Friday, June 1, 2018 10:13 PM, Derek Carrington <carringtongroup@sbcglobal.net> wrote:

[Police Investigating Crime In Riverside County Possibly Linked To 3 Men Found Dead In Burbank](#)

**Police Investigating Crime In Riverside County
Possibly Linked To 3 Men Fou...**

Two of the three men found dead in an SUV in Burbank Tuesday were identified as brothers Lucas Amiana, 23, and J...

Miguel DelRio

From: kaktuskrn <kaktuskrn@gmail.com>
Sent: Sunday, May 9, 2021 6:50 PM
To: Miguel DelRio
Subject: Case#MA17239 AND MA19200

We live at 8171 Whitney Drive. We actually saw the 3 men in a razor driving up the hill from that house and down our street before we heard later that evening 3 distinct shots fired and I said jokingly "I wonder who just got murdered". We called that the "death barn" ever since. That barn needs to be demolished in my opinion as the memory is so sad.

I do not care for the loud music and parties that come from that gazebo. Karen Peterson

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

Miguel DelRio

From: Teresa Peterson <rtzpeterson@gmail.com>
Sent: Saturday, May 8, 2021 7:58 AM
To: Miguel DelRio
Subject: Case # MA17239 & MA19200

Dear Miguel Del Rio,

I am wanting comment on the legalization for the gazebo and the barn at 5250 Stone Avenue. First off I live at the end of Whitney Dr. and have to stare at that barn, it is very ugly. The barn is in need of paint and repair. In my opinion I think it needs torn down. Also 3 men were murdered in that barn. The gazebo looks ok but has brought lots of people to have loud parties and causes NO peace in the community. Thank you for your time.

Sincerely,

Teresa Peterson

Miguel DelRio

To: Derek Carrington
Cc: Kwynn Rentfro; Brian Schafer; Brian; Brian Schafer
Subject: RE: 5250 Stone Avenue Jurupa Valley, Ca Case # MA17239 SDP1768

From: Derek Carrington <carringtongroup@sbcglobal.net>
Sent: Tuesday, July 28, 2020 9:45 PM
To: Miguel DelRio <mdelrio@jurupavalley.org>
Cc: Kwynn Rentfro <kwynn@shutterblindusa.com>; Brian Schafer <ischabri@yahoo.com>; Brian <brian1954@earthlink.net>; Brian Schafer <bjs5455@yahoo.com>
Subject: 5250 Stone Avenue Jurupa Valley, Ca Case # MA17239 SDP1768

NO

We are opposed to a Site Development Permit to legalize the 'fraudulently erected' 'existing 2,312 square foot (Seriously is this considered a Small Structure?)

This project was 'carded' by Code Enforcement and owner never ceased construction; but proceeded illegally with construction. Was there ever a 'Permit' applied for? or for addition to the house or the pool they tore out and did they put another pool in?

The structure was illegally built for 'Commercial venue' so we have a difficult time believing that once approved it will NOT be for private and/or public events.

We have already 'endured' endless parties, entire weekends, entire holidays...night and day. Mass murders. Ridiculous NOISE-Excessive and Illegal Parking; Uncertain Activities, Car Haulers at this address.

Recheck your CEQA Guidelines this is not NEW Construction nor is it '**CONVERSION**' of Small Structures?

We are very confused that this seems to be even proposed to the Planning Director. And we question the Director's Proposed Decision to APPROVE?

There is ZERO integrity with Jesse Sazueta as far as ANY compliance with Code Enforcement, Law Enforcement or the Neighborhood affected by their deliberate activities.

Precisely what would be the purpose for the 'Detached Patio Cover?'

Thank you for allowing us to offer our input and 'Public Comment'
Derek and Danielle Carrington
(951) 685-4430

[https://govt.westlaw.com/calregs/Document/IE165F5D0D48811DEBC02831C6D6C108E?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/IE165F5D0D48811DEBC02831C6D6C108E?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))

Miguel DelRio

To: Kelly E. Scroggins
Subject: RE: Case #MA17239, SDP1768

From: Kelly E. Scroggins <kelly.scroggins@jUSD.k12.ca.us>
Sent: Friday, July 24, 2020 1:00 PM
To: Miguel DelRio <mdelrio@jurupavalley.org>
Subject: Case #MA17239, SDP1768

I am writing concerning the proposed legalization of an existing 2312 square foot detached patio cover at 5250 Stone Ave. I am OPPOSED to legalizing this structure. When it was being built years ago, I contacted the city regarding the size of this structure. I was assured at that time that it was permitted and that I had been "notified" about the structure prior to it being built (I was NOT). I was AGAIN assured that it was permitted when the previous owners began having weddings, quinceneras, and LARGE LOUD events almost every weekend and I contacted the city (and sheriff's department) over this issue. I was also assured that the property and owners were being contacted because of the concern...and then three murders occurred on the property. I contacted the city AGAIN after this horrific occurrence and was still told it was permitted. And NOW I receive notification that you would like me to know that the new owners wish to "legalize" it??? If you have never seen this structure, you should drive by. It is larger than ANY "detached patio cover" that exists at any home and I dare say it is larger than any of the JUSD parks structures or pretty much any gazebo type structure that exists in Jurupa Valley. It is a ridiculously large structure for a "single family dwelling" (I don't even believe that the measurement of 2,312 s.f. on the notice is correct). I also know the notice says that **"the structure to be legalized and the property as a whole is not approved to serve as a commercial venue for private and/or public events"**. However, the new owners are also fixing up a red barn that exists on the property at this moment. I am POSITIVE they will be using this property for "private and/or public events". I also believe that the potential residents of the new Stone Ranch subdivision that is being constructed as I write this should be notified of this request as well. Those houses are directly adjacent to the 5250 Stone Ave. property and will likely be impacted by the noise and traffic that I feel will more than likely be coming from that property if this structure is legalized. At a minimum, this issue should be "tabled" until those houses are built and those residences have an opportunity to voice their concerns as well. I'm pretty sure the owner is trying to avoid having them be contacted which is why they are just now asking to have it "legalized".

Thank you for your time in this matter.

Kelly E. Scroggins (8133 Martingale Dr. Jurupa Valley CA 92509 (951)640-7182)
Camino Real Elementary
5th Grade Teacher/Tech Coordinator

Miguel DelRio

To: Kwynn Rentfro
Subject: RE: Case # MA17239 SDP1768

From: Kwynn Rentfro <kwynn@shutterblindusa.com>
Sent: Tuesday, July 28, 2020 11:56 PM
To: Miguel DelRio <mdelrio@jurupavalley.org>
Subject: Case # MA17239 SDP1768

No, No, No.... We are opposed to a Site Permit for a 2.312 sft. Structure at 5250 Stone Ave Jurupa Valley, Ca. 92509 Where a double murder took place, traffic and loud music all night long with other illegal activity...No Way!

Kwynn Rentfro
951 907 2412
Concerned Neighbor

--

Kwynn Rentfro
Builder Sales
Cell 909 438-8168
kwynn@shutterblindusa.com

Pacific Wholesale Shutters and Blinds
4833 Schaefer Ave, Chino, CA 91710
www.shutterblindusa.com

Miguel DelRio

To: Osmar Aguilar
Cc: sarasmile31@gmail.com
Subject: RE: Site Development Permit Case No. MA17239, SDP1768

-----Original Message-----

From: Osmar Aguilar <osmarandsara@sbcglobal.net>
Sent: Thursday, July 16, 2020 1:39 PM
To: Miguel DelRio <mdelrio@jurupavalley.org>
Cc: sarasmile31@gmail.com
Subject: Site Development Permit Case No. MA17239, SDP1768

Dear Planning Assistant:

I am against issuing a permit for the the existing 2,312 sq. foot detached patio located at 5250 Stone Avenue. This patio is larger than my entire HOUSE. It is obvious that the only reason a patio this big was built is to host large gatherings consisting of hundreds of people with live music, alcohol consumption, etc. Please note that this house already has hosted loud parties in the past and according to neighbors, police have already been called before, and this was BEFORE the patio was built.

I am also concerned that the property in question was implicated in the murders of three men a few years ago and this property is within 100 yards of an elementary school (Stone Avenue Elementary) In addition, I noticed that the property owner on record is a Gloria de Haro, however, the permit applicant is Jesse Sazueta. Who is Mr. Sazueta, and is he legally able to apply for a permit even though he is not the owner of said property?

Secondly, some time ago I was viewing property tax records and it seemed that this property had delinquent taxes at that time, I don't now what the status of their delinquent taxes is now. Does the city of Jurupa have no problem issuing permits to a property that has delinquent property taxes?

Lastly, there is a new subdivision being built adjacent to the property in question. I think that a permit should not be issued until the subdivision is completed and the new homeowners are allowed to provide their input.

Yours truly,

Osmar Aguilar

8068 Martingale Drive

Jurupa Valley, CA 92509

Letter to Planning

Derek and Danielle Carrington
P.O. Box 33555
Jurupa Valley, Ca 92509

November 30, 2017

Thomas G. Merrrell, AICP, Planning Director:
Rick Fisher, Case Planner:
City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley, Ca 92509

Case Number: MA17239, SDP1768
Jesse Sazueta-5250 Stone Avenue

Dear Sirs:

As local residents southerly of single family home at 5250 Stone Avenue; we are **"OPPOSED"** We say **"NO"** to proposed detached patio cover. (which is already there).

1. It is already erected without permission. (Disregard of our City regulations)
2. We have already endured loud noisy parties the weekend of Labor Day; Friday September 1st and Saturday, September 2nd, 2017; that went from mid-afternoon 3:30-4:00 until 2:30-3:00 a.m. without compliance for NOISE Ordinance 7.35.010 General Noise Regulation.
3. Violations of the local Fire Department regulations.
4. Crime of Elder and Adult Abuse in California; see S 368 (see attachment)
"willfully causing or permitting any elder or dependent adult to suffer or inflict thereon, unjustifiable physical pain or mental suffering."

The surrounding neighbors including us and our disabled daughter; who suffers seizures from the disease Tuberous Sclerosis are elderly or disabled or both.

The above applicant with total disregard of the safety of the community has 'moved a massive amount of dirt' from the canal/hillside that will endanger and put at peril homes, animals, properties westerly of the single family residence.

This parcel: APN 166090002 is Not zoned for Commercial Activities.

It is zoned for Agriculture A-1/Equestrian
PROTECTED EQUESTRIAN SPHERE POLICY AREA

Thank you for inviting us to give input regarding this case prior to the action of the planning director. It is in the best interest of the community's health, safety and welfare that you deny the approval of applicant; Jesse Sazueta.

Thank you,

Derek and Danielle Carrington
5370 Linda Vista Court
Jurupa Valley, Ca 92509

See Attachments: 5 Copies

Property – for proposed site development application:

APN :	166090002
Address :	5250 STONE AVE
Year Built :	1966
Acres :	5.28
Land Square Feet :	229997
County Service Area :	Not Available
Drainage Fee Area :	Not Available
Agriculture Preserve :	Not Available
Specific Plan :	Not Available
Policy Area :	PROTECTED EQUESTRIAN SPHERE POLICY AREA
Redevelopment Area :	Not Available
General Plan :	RC-LDR
Zoning :	A-1

Rick Fisher

From: Derek Carrington <carringtongroup@sbcglobal.net>
Sent: Wednesday, December 27, 2017 8:09 PM
To: Keith Clarke; Jose Ibarra; Kwynn Rentfro; Irwin Salas
Cc: Rick Fisher
Subject: 5250 Stone Avenue apn 166090002

Hello Gentlemen:

cc:

To our neighbors George and Kwynn Rentfro; who live next door to this parcel and have indicated to us that there is 'sped-up activity' at apn 166090002 5250 Stone Street.

The Rentfros have taken pictures and conjecture is a speedy party is in the planning; very possible New Year's.

They are currently with an application to planning. MA17239 SDP1768 ~ Jesse Sazueta.

We know your deepest desires are to spend the holidays with your families as is our desire as well. So...we hope as the old saying goes...

"an ounce of prevention is worth a pound of cure".

We request a visit to this address; since they have had violations and are in construction while awaiting Planning's approval or denial.

We recognize the City 'endeavors' to be kindly considerate and give the citizens of Jurupa Valley the benefit of the doubt vs. being 'proactive' and reign with an iron hand, ...we truly appreciate that philosophy and approach. But sadly there are masses moving into the area and taking full advantage of our fair city.

It is best to contact us via e-mail; due to the holidays we are not at the recycling center.

As always we thank you for your consideration and for your assistance in keeping our wonderful community of Jurupa Valley a place where all of it's residents can be heard and enjoy the peaceful atmosphere of country living.

Happy New Year
May 2018 be wonderful and awesome.

Derek and Danielle Carrington
(951) 685-1987 (home phone number)

Kwynn Amy Rentfro
8450 54 St
Jurupa Valley, Ca. 92509 (951) 907-2412
Kwynn@shutterblindusa.com

RECEIVED

DEC 15 2017
15 12P

CITY OF JURUPA VALLEY

December 15 th 2107

Attn:

Thomas G. Merrell, AICP, Planning Director

Rick Fisher, Case Planner:

Case Number # MA17239,SDP1768

Jesse Sazueta – 5250 Stone Ave

To Whom It May Concern:

We are the surrounding neighbors of the single family home located at 5250 Stone Ave
We are Opposed and say NO – to the detached Pavilion Dance Floor not a detached Patio
and are currently still building at this time and adding on a covered carport to the Pavilion
with out a permit.

They have already compromised the Utility Road Grade to fill in the Swimming pool and
starting building this Pavilion and has a big pile of dirt and concrete from the Pool they
covered up and it sand blasting our property, when the wind blows

My father and I are the first house to South of this dwelling

I myself have a sleeping disorder and diagnosed with Essential Tremors due to Stress
related issues, if I don't get the equate sleep my head shakes uncontrollable. I also, take
care of 80 yr disabled father with stage 4 Kidney Failure and doesn't sleep very well it is
annoying to hear all this construction going on and the noise it is brining.

We have already had to endure loud noisy parties on going to wee hours of the morning
and have had to call the

Sheriff to complain several times..... We have a General Noise Regulation and Crime of
Elderly and Adult Abuse....this is an on going Health Hazard and Nuisance

Our neighbor to the South of us has a disabled daughter with Grand Mal Seizures and
doesn't sleep at all.

These new home owner's have no disregard for the neighbors surrounding and we have
been in our family home since 1972 and the other neighbors since 1980 to 1988, 1995

Thank You for letting us voice our opinion in this matter –

Yours Truly,

Kwynn A. Rentfro

George Rentfro
8450 54th Street
Jurupa Valley, Ca 92509

December 14, 2017

Thomas G. Merrrell, AICP, Planning Director:
Rick Fisher, Case Planner:
City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley, Ca 92509

Case Number: MA17239, SDP1768
Jesse Sazueta-5250 Stone Avenue



Dear Sirs:

As local residents southerly of single family home at 5250 Stone Avenue; we are **"OPPOSED"** We say **"NO"** to proposed detached patio cover. (which is already there).

1. It is already erected without permission. (Disregard of our City regulations)
2. We have already endured loud noisy parties the weekend of Labor Day; Friday September 1st and Saturday, September 2nd, 2017; that went from mid-afternoon 3:30-4:00 until 2:30-3:00 a.m. without compliance for NOISE Ordinance 7.35.010 General Noise Regulation.
3. Violations of the local Fire Department regulations.
4. Crime of Elder and Adult Abuse in California; see S 368 (see attachment)
"willfully causing or permitting any elder or dependent adult to suffer or inflict thereon, unjustifiable physical pain or mental suffering."

The surrounding neighbors including us and our disabled daughter; who suffers seizures from the disease Tuberous Sclerosis are elderly or disabled or both.

The above applicant with total disregard of the safety of the community has 'moved a massive amount of dirt' from the canal/hillside that will endanger and put at peril homes, animals, properties westerly of the single family residence.

This parcel: APN 166090002 is Not zoned for Commercial Activities.

It is zoned for Agriculture A-1/Equestrian

PROTECTED EQUESTRIAN SPHERE POLICY AREA

Thank you for inviting us to give input regarding this case prior to the action of the planning director. It is in the best interest of the community's health, safety and welfare that you deny the approval of applicant; Jesse Sazueta.

Thank you,

George Rentfro
8450 54th Street
Jurupa Valley, Ca 92509

See Attachments: Regarding existence of pool, 2 pages.

Property – for proposed site development application:

APN : 166090002

Address : 5250 STONE AVE

Year Built : 1966

Acres : 5.28

Land Square Feet : 229997

County Service Area : Not Available

Drainage Fee Area : Not Available

Agriculture Preserve : Not Available

Specific Plan : Not Available

Policy Area : PROTECTED EQUESTRIAN SPHERE POLICY AREA

Redevelopment Area : Not Available

General Plan : RC-LDR

Zoning : A-1

Additional Notes: I have watched this project
from the start:

1) truck loads of dirt brought in / no compaction to stabilize
ground.

2) Remove concrete from swimming pool / fill pool area with
dirt from CANAL sides.

3) presently building a roof approx. 30' long with 4 $\frac{1}{2}$ " pipes
connected roof of patio.

4) A LARGE pile of dirt by concrete / wind is blowing to my
YARD.

AP Smith 12-14-17

Re:site development proposal 5250 Stone Ave

Christy Rizzo <2masters53@gmail.com>

Thu 12/14/2017 3:29 PM

To:Rick Fisher <rfisher@jurupavalley.org>;

My name is

Christy Rizzo and I live at 8168 Martingale Drive , across the field from this property in question. I watched them build the proposed property development, which I am sure is not up to code nor permitted prior to the structure being built. I am livid that this has happened. You can see it from Stone Ave, from our houses on Martingale and from Agate. It looks like they are preparing to make it a venue for large events, such as weddings, quincineras, large birthday celebrations etc! They have already had events, that lasted well into the night that were extremely noisy. I did call the Sheriff to report the noise. We have enormous amount of traffic on Martingale and Stone Ave already and large events would cause an excess of cars trying to get up to the location I am appalled that they built this monstrosity BEFORE we were asked for public comment. I believe it should Not be approved and they be made to remove it!

My cell # is 909-730-0527

Thank you, Christy Rizzo (I have lived in my home for 29+ years, original owner).

Sent from my iPad

Derek and Danielle Carrington
P.O. Box 33555
Jurupa Valley, Ca 92509

November 30, 2017

Thomas G. Merrrell, AICP, Planning Director:
Rick Fisher, Case Planner:
City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley, Ca 92509

Case Number: MA17239, SDP1768
Jesse Sazueta-5250 Stone Avenue

RECEIVED

DEC 5 2017

CITY OF JURUPA VALLEY

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"willfully causing or permitting any elder or dependent adult to suffer or inflict thereon, unjustifiable physical pain or mental suffering."

The surrounding neighbors including us and our disabled daughter; who suffers seizures from the disease Tuberos Sclerosis are elderly or disabled or both.

The above applicant with total disregard of the safety of the community has 'moved a massive amount of dirt' from the canal/hillside that will endanger and put at peril homes, animals, properties westerly of the single family residence.

This parcel: APN 166090002 is Not zoned for Commercial Activities.

It is zoned for Agriculture A-1/Equestrian

PROTECTED EQUESTRIAN SPHERE POLICY AREA

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Thank you,



Derek and Danielle Carrington
5370 Linda Vista Court
Jurupa Valley, Ca 92509

See Attachments: 5 Copies

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Redevelopment Area :	Not Available
General Plan :	RC-LDR
Zoning :	A-1

Derek and Danielle Carrington
P.O. Box 33555
Jurupa Valley, Ca 92509

November 30, 2017

Thomas G. Merrrell, AICP, Planning Director:
Rick Fisher, Case Planner:
City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley, Ca 92509

Case Number: MA17239, SDP1768
Jesse Sazueta-5250 Stone Avenue

Dear Sirs:

As local residents southerly of single family home at 5250 Stone Avenue; we are
"OPPOSED" We say "**NO**" to proposed detached patio cover. (which is already there).

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PROTECTED EQUESTRIAN SPHERE POLICY AREA

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Thank you,

Derek and Danielle Carrington
5370 Linda Vista Court
Jurupa Valley, Ca 92509

See Attachments: 5 Copies

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Policy Area :	PROTECTED EQUESTRIAN SPHERE POLICY AREA
Redevelopment Area :	Not Available
General Plan :	RC-LDR
Zoning :	A-1

Rick Fisher

From: Osmar Aguilar <osmarandsara@sbcglobal.net>
Sent: Tuesday, November 28, 2017 3:07 PM
To: Rick Fisher
Subject: Case #MA17239, SDP1768

Below please find my comments regarding this case.

I live at 8068 Martingale Drive in Jurupa Valley and I am OPPOSED to this development permit for a detached patio cover. My primary concern is that a cover this size will be used to host frequent live and/or DJ music in our neighborhood as a business. My concern would be the noise level emanating from such events. As you are aware, excessive noise due to amplified music would be in violation of Riverside County's noise ordinance #847.

I have already seen the patio cover (it is visible from the access road behind the applicant's property). A cover that size would lead me to believe that the applicant is planning to host large parties and or events, possibly with the intention of doing so as a business.

Thank you.

-Osmar Aguilar

This email has been checked for viruses by Avast antivirus software.

<https://www.avast.com/antivirus>

Rick Fisher

From: Clifford Bragg Jr. <clbragg@gmx.com>
Sent: Thursday, November 30, 2017 9:34 AM
To: Rick Fisher
Subject: case # MA17239, SDP1768

To whom it may concern, I live on Martingale Dr close to where this resident is located. I feel that if they start having big parties that it may bring a lot of noise and strangers coming into our neighbor hood. We like taking walks with our dogs on the road behind that house and we dont want trash and people hanging around outside there property.
Thank You,
A concern citizen

Rick Fisher

From: Roberto Gonzalez
Sent: Thursday, November 30, 2017 3:22 PM
To: Rick Fisher
Subject: Comments for MA17239 5250 Stone Ave Jesse Sazueta Legalizing existing detached Patio (2312.60 sq/ft)
Attachments: Voice Message.wav

Hey Rick,

I have another one for you. I received a call from Kwynn Rentfro and she is a neighbor to 5250 Stone Avenue. The resident mentioned that the detached accessory structure is often used as a dance hall and the late night parties frequently keep them awake, she also mentioned that it impacts several of her health conditions. Kwynn mentioned that she is very interested in making sure that the project doesn't get approved. She can be reached at 951-237-9449. I've attached the VM to this email.

Sincerely,

RG

From: Roberto Gonzalez
Sent: Thursday, November 30, 2017 11:19 AM
To: Rick Fisher
Subject: Comments for MA17239 5250 Stone Ave Jesse Sazueta Legalizing existing detached Patio (2312.60 sq/ft)

Hey Rick,

Stanley Smith from 5289 Stone Avenue called regarding the public comment portion of MA17239. He mentioned that he is fine with the project. He would only like for the neighbor at the subject property to clean up cement piles on his property. Stanley Smith lives at 5289 Stone Avenue his telephone number is 951-685-4841.

Sincerely,



Roberto Gonzalez | Assistant Planner
City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley, CA 92509
t. 951-332-6464 | e. rgonzalez@jurupavalley.org
Public Counter Hours are Mon-Fri, 8a-12p

Rick Fisher

From: Grizelda Reed
Sent: Tuesday, December 12, 2017 11:10 AM
To: Rick Fisher
Subject: MA17239 PUBLIC NOTICE REQUEST FOR INFORMAITON

Importance: High

MA17239	5250 Stone Ave	Jesse Sazueta	Legalizing existing detached Patio (2312.60 sq/ft)		10/16/2017		R. Fisher
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Rick,

Allison received a public notice regarding this project and would like a call to discuss project. She can be reached at 951-233-8876. Thank you

Grizelda D. Reed | Planning Department

City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley, CA 92509
t. 951-332-6464 ext. 223 | e. greed@jurupavalley.org
<http://www.jurupavalley.org>

12/12/17- phone conv. with Allison. She is not in favor of allowing this structure to stay. She says loud parties occur every weekend.

Margie Gould
5256 Agate St.
Jurupa Valley, Ca. 92509

Thomas G. Merrell, AICP, Planning Director
Rich Fisher, Case Planner
City of Jurupa Valley
8930 Limonite Ave.
Jurupa Valley, Ca. 92509

Case # MA17239, SDP1768
Jesse Sazuta 5250 Stone Ave.

Dear Sir

This letter is in regards to the building that is currently going on at 5250 Stone Ave. I am the daughter in law of Ms Gould who resides at 5256 Agate St. Her property and the property in question sit next to each other at the upper north/east portion of her property. Ms. Gould is 90 years so and has lived in the Jurupa community for 47 years. Her home sits on approximately 13 acres.

In the past couple of months she has noticed a HUGE detached gazebo and what appears to be a long parking structure that was built where the pool of the previous owner Walt Smith had his pool. Which I have been informed has not been permitted by our City planners or building and safety. As you may not see but I can they are now adding an extension onto the the back patio for I am assuming a venue of some sort. On Friday September 1 and 2 the noise was so loud that she hardly got any sleep. Is this allowed? Isn't there a noise ordinance in the City of Jurupa? Isn't this horse property with horse trails all around.

My mother in law is 90 years old and very frail, she needs to have her sleep and is unable to get her proper rest with all this going on. Doesn't this fall into the Elder Abuse S368 section "willfully causing or permitting any elder or dependent adult to suffer of inflict thereon, unjustifiable physical pain or mental suffering". We are no way against people doing what they want to do with there property but there are laws that all of us have had to abide by and follow. One being permits am I not correct. And if you have no record of a pool being there prior contact a real estate agent who can give you pictures of the yards while it was on the market, or contact th county of Riverside Im sure they have a copy of permit. Mr Smith was on the planning commission back in the day.

Please consider this situation and we are hoping that you will make all resident follow the same set of rules. That Gazebo is HUGE and if they put it on top of the pool area that was filled in isn't there a compaction test needed to make sure it stable? It would be tragic to have hundreds of people under the roof and it collapse!

Thank you for your time
Donna Gould Edwards for
Margie Gould

Rick Fisher

From: KELLY SCROGGINS <welvjr8@sbcglobal.net>
Sent: Saturday, December 16, 2017 9:19 AM
To: Rick Fisher
Subject: 5250 Stone Ave

I'm writing in response to the invitation for public comment about the proposed patio cover at the above address. I live on Martingale Dr. I'm wondering if this is a valid request or if this is being done in "hindsight"? The said property already has a HUGE gazebo-type structure that was built recently. The property now hosts SEVERAL parties/events every month that are a noise and traffic disturbance. If this is for another structure, I am OPPOSED to it being built. And I'd also like to know why if this is an additional structure, we were not notified about the large one that has already been built and whether or not that property has been zoned for a "business"?

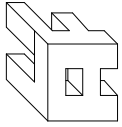
Thank you for your time.

Kelly Scroggins
(951) 640-7182

[Sent from Yahoo Mail for iPad](#)

ATTACHMENT NO. 3

Exhibits / Plans

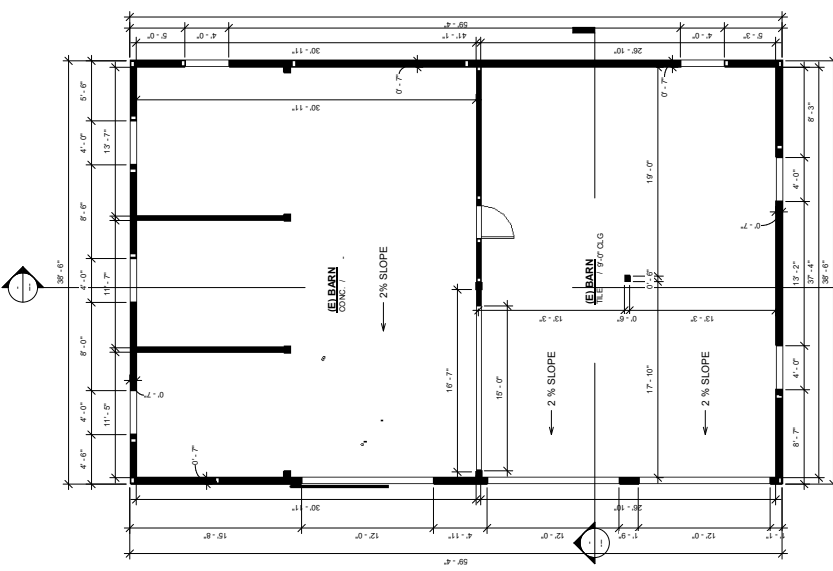
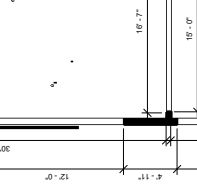
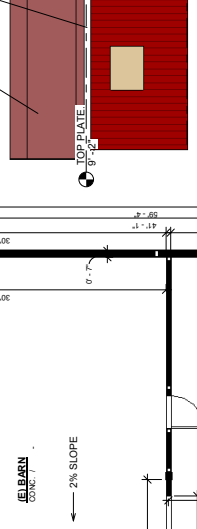
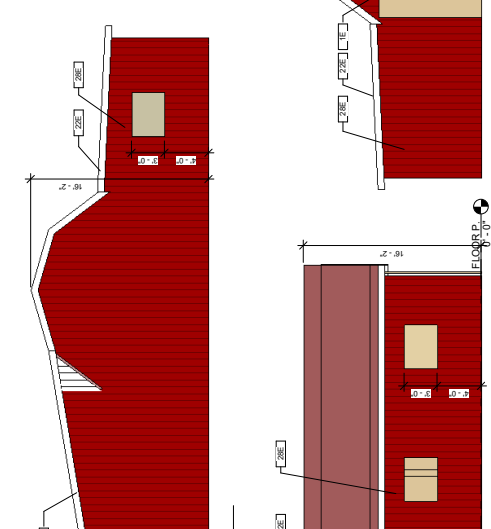
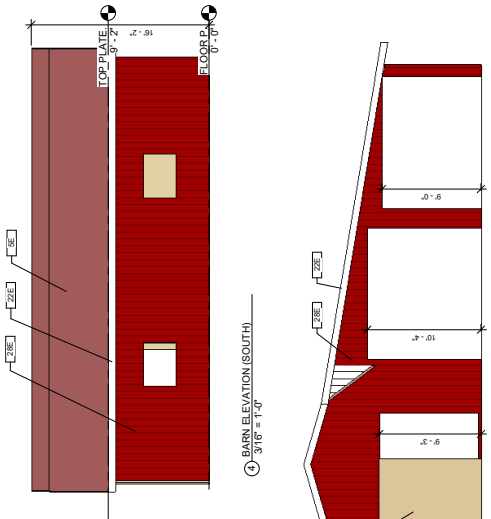


LUIS A. FERREYRA
 DESIGN
 Luis A. Ferreyra
 Designer
 12011 Avenida St.
 Rancho Conejo, CA 91739 • mferreyra@earthlink.net
 Cell: (909) 921-6299
 Fax: (909) 921-6298

HARO RESIDENCE
 5250 STONE AVE JURUPA VALLEY, CA 92509
 MS CLORIN HARO

Project number	3481
Date	AUG 22 2020
Drawn by	LUIS FERREYRA
Checked by	LAF
Scale	A-1
	3/16" = 1'-0"

No.	Description	Date



PLANNOTES	
1E	FINISH DATE
1E	IN CERTAIN CASES, COORDINATION LANDMARK SOLUTIONS AND LANDMARK PRO
1E	COULD BE AFFECTED BY THE DESIGN OF THE WALLS AND CEILING. PLEASE CHECK WITH THE
2E	2X 8 BENT RESAWNT FASAL BARK W/ MATCH EXISTING ELEV.
2E	VERTICAL WOOD SING.

City of Jurupa Valley

[RETURN TO AGENDA](#)

STAFF REPORT

DATE: JUNE 9, 2021
TO: CHAIR NEWMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: JOE PEREZ, COMMUNITY DEVELOPMENT DIRECTOR
BY: ROCIO LOPEZ, SENIOR PLANNER
SUBJECT: AGENDA ITEM NO. 6.2
MASTER APPLICATION (MA) NO. 18008 (GPA18001, CZ20004, DA18001, SDP18048 & VAR18005)
PROJECT: "AGUA MANSA ROAD DEVELOPMENT PROJECT" – TWO (2) INDUSTRIAL WAREHOUSE BUILDINGS TOTALING 335,002 SQUARE FEET ON 23.4 ACRES
LOCATION: 12340 AGUA MANSA ROAD (APNS: 175-210-062; 063; 032 & 034)
APPLICANT: CARSON-VA INDUSTRIAL II, LP

RECOMMENDATION

By motion, adopt Planning Commission Resolution No. 2021-06-09-02, recommending that the City Council 1) certify the Draft Environmental Impact Report (EIR) and Mitigation Monitoring and Report Program; 2) approve General Plan Amendment No. 18001; 3) approve Change of Zone No. 20004; 4) approve Site Development Permit No. 18048; 5) approve Variance No. 18005; and 6) approve Development Agreement No. 18001 to allow the development of two (2) industrial warehouse buildings totaling 335,002 square feet to be located at 12340 Agua Mansa Road (APNs: 175-210-062; 063; 032 & 034).

PROPOSAL

The applicant ("Applicant" or "Carson-VA Industrial II, LP") is proposing to develop a 23.4-acre parcel with two (2) speculative industrial buildings totaling 335,002 square feet. While the buildings are speculative, the applicant wants to have the option of allowing warehouse and distribution use in case there are interested tenants from this industry.

The project site is located at the northwest corner of Hall Avenue and Agua Mansa Road near the City border with the City of Rialto, see Exhibit A for project location. The site is surrounded by industrial land uses to the southwest, south and southeast. There are residential land uses combined with existing industrial uses to the north; and there is the recently approved Agua Mansa Commerce Park within the Agua Mansa Warehouse and Distribution Center Overlay

(AMO) and Agua Mansa Specific Plan on the former Riverside Cement property located to the west.

Table 1 presents general project information and Table 2 presents all of the requested entitlements for this project.

EXHIBIT A: SITE LOCATION MAP

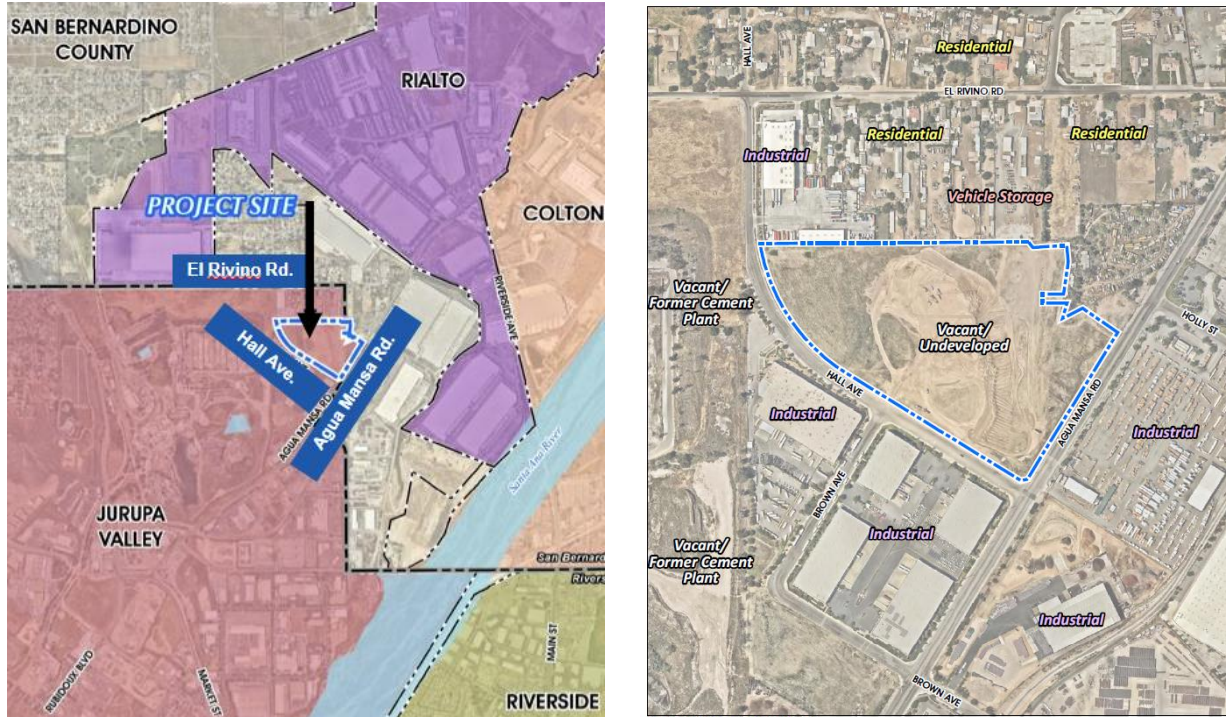


TABLE 1: PROJECT INFORMATION	
PROJECT AREA	23.4 acres
EXISTING GENERAL PLAN LAND USE DESIGNATION	HI (Heavy Industrial)
EXISTING GENERAL PLAN OVERLAY	None
EXISTING SPECIFIC PLAN	Agua Mansa Specific Plan
EXISTING ZONING	M-SC (Manufacturing-Service Commercial)
EXISTING LAND USE	Vacant land

TABLE 2. ENTITLEMENTS	
ENTITLEMENTS	PURPOSE
General Plan Amendment (GPA)	Amend the General Plan to establish the Agua Mansa Warehouse and Distribution Center Overlay (AMO) on the project site to allow for logistic uses. The term “logistic uses” references warehouse distribution centers, intermodal transfer facilities (railroad to truck), trucking terminals, or cross-dock facilities.
Change of Zone (CZ)	Change the underlying zoning classification from Manufacturing-Service Commercial (M-SC) to Manufacturing-Medium (M-M) to be consistent with the Agua Mansa Warehouse and Distribution Center Overlay policy.
Site Development Permit (SDP)	The construction of two (2) industrial buildings totaling 335,002 square feet and related site improvements including landscaping, parking, and infrastructure facilities.
Variance (VAR)	Agua Mansa Specific Plan (AMSP) requires buildings within 100 feet of a residential area to be a maximum of 35 feet in height; however, since a portion of the building (1.3%) is within 100 feet of a residential area, a Variance is required to construct Building A with a maximum height of 45 feet.
Development Agreement (DA)	An agreement between the applicant and the City that provides the City community benefits that help offset impacts from the proposed industrial uses . The DA also establishes a list of permitted uses (see Exhibit D).

EXISTING LAND USE, SPECIFIC PLAN AND ZONING

GENERAL PLAN LAND USE

The site is located within the HI (Heavy Industrial) General Plan Land Use designation. The Heavy Industrial land use designation allows for intense industrial activities that may have significant impacts (noise, vibration, glare, odors) on surrounding uses. It also allows for warehousing, distribution, and logistics centers within the Agua Mansa Warehouse and Distribution Center Overlay. Floor area ratios range from 0.15 to 0.5. The project is consistent with the goals and policies outlined within the HI land use element.

Applicable Policies within the HI are as follows:

- **LUE 3.13 Commercial Trucks.** Manage commercial truck traffic, access, loading, and parking to minimize potential impacts on adjacent residential and commercial properties.

Project: *Truck access will be restricted from El Rivino Road and taken primarily from Rubidoux Boulevard, Market Street, Hall Avenue and Riverside Avenue to access the SR-60 and I-10 Freeways. According to the Traffic Impact Report prepared for this*

project, it was determined that the proposed truck routes from the south (SR-60 via Rubidoux Blvd. and Market Street) and north (I-10 via Riverside Dr.) provide the least impact possible to residents. Please refer to the Project Description section of this report for detailed information.

- **LUE 3.14 Encroachment.** Protect industrial and business park designated areas from encroachment by incompatible or noise-sensitive uses that could be impacted by industrial activity, such as housing and schools.

Project: The Project proposes to extend the Agua Mansa Warehouse and Distribution Overlay (AMO) to this site. The AMO allows industrial uses, including logistics. The land use designation and zoning is industrial.

While there are residential land uses located to the north of the project site, the closest residential property to the project's northern boundary line is approximately 510 feet away. Additionally, many of these residential properties contain other industrial land uses within the rear yards, such as truck storage and pallet yards.

The building setbacks range from 50 to 480 feet south of the northern property line. In addition, the project proposes a row of dense 15-gallon Afghan Pine trees spaced 30 feet on center along the driveway located at the rear of the two buildings. A condition has been added to increase the tree size of all specimen trees which provide screening to be a minimum 36-inch box size. The project will be conditioned to provide an additional row of 36-inch box Afghan Pine trees along the length of the northern property line. This is in addition to the proposed 25-to-40-foot wide landscape setback areas along Hall Avenue and Agua Mansa Road.

- **LUE 3.15 Locations.** Concentrate industrial and business park uses near major transportation facilities and utilities and along public transit corridors. Avoid sitting such uses close to residentially zoned neighborhoods or where truck traffic will be routed through residential neighborhoods.

Project: The proposed project would allow development with land uses that are compatible with the existing Heavy Industrial land use designation. The City's Traffic Engineering Division reviewed the project's design layout and determined no hazardous transportation design features would be introduced into the area. Additionally, required roadway improvements would be completed within existing public rights-of-way and in accordance with City's design standards.

The project would be conditioned with directional signs placed at each driveway egress location in order to minimize potential truck traffic impacts to residentially zoned land uses located to the north of the project site by restricting right turns onto Hall Avenue from the northern driveway. This will reduce truck traffic impacts to the neighboring community along the northern and southern sides of El Rivino Road. Please refer to the CUP findings section of this report for detailed information. If the project is approved, the applicant will be required to develop and implement a construction traffic control plan that reroutes traffic safety during construction.

- **LUE 3.17 Toxic Materials.** Prohibit the development of industrial and business park uses that use, store, produce, or transport toxic substances, or that generate unacceptable levels of noise or air pollution.

***Project:** While there is no end-user (tenant) at this point, it is anticipated that the proposed warehouse will be used to store a variety of merchandise. There is no proposed storage, production, or transportation of any toxic substances. Additionally, it is anticipated that the site will be inspected routinely by the City's Environmental Programs inspector for compliance with the County Regional Water Quality Control Board criteria.*

As for noise concerns, the Mitigation Measure and Reporting Program ensure compliance with Chapter 11.05. - Noise Regulations of the JVMC and the Noise Element of the City's General Plan. Additionally, the project will need to comply with the South Coast Air Quality Management (SCAQMD) Rule 403 for air quality compliance.

- **LUE 3.18 Infrastructure.** Require that new industrial and business park developers provide adequate parking, transportation facilities, including sidewalks and trails, street trees, water resources, sewer facilities, and other utilities to serve new industrial and business park businesses in addition to meeting the needs of existing residents and businesses.

***Project:** The project provides adequate passenger and truck parking facilities and includes various public right-of-way improvements such as new landscaped parkways with street trees, sidewalks and landscaped setbacks along Hall Avenue and Agua Mansa Road. Additionally, the project is required to provide adequate water and sewer connectivity to existing infrastructure.*

- **LUE 3.19 Architectural Compatibility.** Ensure that new industrial and business park development is designed to enhance and be architecturally compatible with its surroundings and with designated scenic highways or public view corridors by providing high quality architecture, landscaping, and site improvements.

***Project:** The project includes a modern architectural design that is compatible with and enhances the neighboring industrial land uses, including those within close proximity of the subject site. Additionally, the entire property will be developed extensively, including concrete walls to conceal truck loading doors, lush landscaping and new parking facilities. The proposed architectural design is an improvement to the vacant site.*

ZONING CODE

Per the Zoning Code, (Title 9) , Warehouse and Distribution uses are permitted subject to a Conditional Use Permit and provided the property is located within either the Mira Loma Warehousing and Distribution Overlay (MLO) or the Agua Mansa Warehouse and Distribution Center Overlay (AMO).

The subject site is located outside of the AMO; however, in 2018, the City Council initiated a General Plan Amendment (GPA) to consider extending the overlay to the project site. For further detail please refer to the Background section of this report. Furthermore, as required within the AMO policies, the project requires a Change of Zone from M-SC to M-M (Medium-Manufacturing) in order to permit warehouse and distribution uses.

While the M-M zone includes a variety of industrial uses as outlined in Section 9.150.020, the list of permitted uses has been further refined as shown in Exhibit "D" of the proposed Development Agreement (DA), see Attachment 12.

AGUA MANSÁ INDUSTRIAL CORRIDOR SPECIFIC PLAN NO. 210

Although the underlying industrial zone allows light and heavy industrial and manufacturing uses with some commercial uses, the Agua Mansa Industrial Corridor Specific Plan No. 210 includes more intensive industrial uses than the underlying zoning.

The Agua Mansa Industrial Corridor Specific Plan (AMSP) was adopted by the County and other nearby jurisdictions. The boundaries of the Specific Plan extend beyond the City’s boundaries. The Specific Plan’s intent is to maximize the potential of intensive industrial development within the designated area while minimizing adverse impacts to the environment and more sensitive land uses in the vicinity.

This project site is designated as Heavy Industrial under this Specific Plan and allows for manufacturing, resource extraction, compounding of material, packaging, treatment, processing or assembly of goods. The proposed warehouse and distribution use and proposed entitlements are consistent with the uses outlined in the AMSP.

The project meets all of the development standards in the M-M zone and Agua Mansa Specific Plan, including required on-site parking, setbacks and landscaping requirements, see Table 3. However, since the AMSP requires that buildings within 100 feet of a residential area be a maximum of 35 feet in height, the applicant is requesting a Variance to allow a 45-foot height for Building A, see the Variance section of this report for further details.

TABLE 3: APPLICABLE DEVELOPMENT STANDARDS		
Zoning Standards	AMSP Standards	Comply With The Standards?
10,000 square foot minimum lot size	15,000 square foot minimum lot size	Yes, the project site is 23.4 acres
Where the front, side, or rear yard adjoins a street, 25-foot setback	25-foot front; 0 side and 0 rear; 20-foot min. side and rear when abutting residential	Yes, 25 to 40-foot front yard landscaped setbacks are proposed
25- foot setback at residential side	See above	Yes, building setbacks are proposed from 50 to 480 feet from the northern property line, adjacent to residential zone
Landscaped setback 10 feet	Landscape setback 10 feet	Yes, See rows above
Maximum height: 40 feet at building setback and 50 feet elsewhere	Height No limit. Within 100 feet of residential 35 feet	Yes (M-M) / No, requires an approved Variance (AMSP) The tallest portion of the structures is 45 feet in height, beyond the 40-foot setback as shown on the elevations
Landscaping: 10% minimum of the site proposed for development	Landscape 10% of Required Front Setback Area	Yes, the entire site provides 35% landscaping as shown on the site plan

TABLE 3: APPLICABLE DEVELOPMENT STANDARDS

Zoning Standards	AMSP Standards	Comply With The Standards?
Landscaping: Minimum 20-foot landscaped strip adjacent to R-A zoned lots, unless a tree screen or other buffer treatment is approved by the hearing body. However, in no case shall said landscaping be less than ten (10) feet wide.	N/A	Yes, there is a 50 to 480 foot landscaped setback range from Bldg. A and Bldg. B to the R-A zone along the northern property line
Required parking: Office area (1/250 sf) Warehouse area (1/2000 sf)	1 space per 1,000 sq. ft. of gross floor area up to 10,000 sq. ft.; 1 space per 2,000 sq. ft. for areas beyond 10,000 sq. ft.	Yes, 81 parking spaces required for Bldg. A & 87 spaces provided. 118 required for Bldg. B & 147 provided.
Masonry wall: A six (6) foot high solid masonry wall or combination landscaped earthen berm and masonry wall for property lines that adjoin residential use, <i>unless otherwise approved by the hearing body.</i>	Adjacent to residential a 7-foot high masonry wall on the property line and a 20-foot building set-back in the side or rear yard .	Yes, a seven (7) foot high masonry wall is proposed along the entire northern property line and the buildings are setback between 50 to 400 feet from the rear property line as shown on the site plan.
Trash collection areas: Trash collection areas shall be screened by landscaping or architectural features be screened from a public street or from residential	N/A	Yes, the trash enclosure units are screened from public view as shown on the site plan.
Outside storage and service areas: Outside storage and service areas shall be screened by structures or landscaping.	Permitted but must be screened from residential properties within 300 ft.	N/A No outside storage and service areas are proposed. The loading areas are however surrounded by screen walls and dense landscaping.
Utilities: Utilities shall be installed underground except electrical lines rated at thirty-three (33) kV or greater.	N/A	Yes, per Condition of Approval No. 2.14
Mechanical Equipment: Mechanical equipment used in the manufacturing process required to be enclosed in a building, and roof-mounted accessory equipment may be required to be screened from view.	N/A	Yes, as shown on the elevations.

TABLE 3: APPLICABLE DEVELOPMENT STANDARDS		
Zoning Standards	AMSP Standards	Comply With The Standards?
Lighting: All lighting fixtures, including spot lights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas, shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.	N/A	Yes, per Condition of Approval No. 11.

BACKGROUND OF ENTITLEMENT PROCESS

CITY COUNCIL INITIATION OF GENERAL PLAN AMENDMENT

On April 5, 2018, the City Council initiated a General Plan Amendment (GPA) to allow the review of the applicant’s proposed project, which as explained previously, includes warehouse and distribution use, on the project site. Although the City Council initiated the GPA, it should not be construed that the City Council will necessarily approve the project.

In May 2018, the applicant submitted the proposed “Agua Mansa Road Development” project for two buildings with a total square-footage of 335,002 on approximately 23 acres. The entitlements include those noted in the section above. The currently proposed conceptual site plan did not have any major changes from the site plan that was presented to the City Council in 2018.

ENVIRONMENTAL JUSTICE (EJ) INFORMATIONAL SESSION – NOVEMBER 30, 2020

On November 30, 2020, the City hosted the 1st Informational Session for this project in compliance with the General Plan’s Environmental Justice Element. The meeting was held at 6:30 p.m. in a meeting hall located at 2625 Avalon Street, Jurupa Valley.

There were several purposes for this meeting:

- To explain the application process of the project and how citizens can participate in the whole process;
- To introduce the project and explain potential impacts; and
- To explain the California Environmental Quality Act process.

City staff, the applicant and their team, and a Spanish translation services consultant were all present and ready to provide the presentation and assist with questions and answers. No one from the community attended the session, nor were there calls or correspondence received regarding this meeting.

Notification Process. The City mailed a 20-day bilingual notice of the information session to (1) property owners within 1,000 feet of the boundaries of the project site, (2) residents in the Belltown neighborhood, and (3) the Center for Community Action and Environmental Justice CCAEJ. The notice and maps of the notified areas are provided as attachments to this report.

2021 PLANNING COMMISSION STUDY SESSION

On March 10, 2021, the proposed project was presented to the Planning Commission at their regular meeting. The presentation generally covered the details of the proposed project and the process, including the information session and public outreach.

The applicant also provided a brief presentation which included history of the Carson company and their industrial projects. After hearing presentations by staff and the applicant, the Planning Commission discussed the following topics:

- Concern that public informational meeting was not well attended due to the date being too close to the winter holidays
- Clarification of the truck moratorium and if it pertains to this proposed project
- Request to review the terms of Development Agreement
- Clarification of the variance request regarding building height
- Suggested that an additional information session be held
- Clarification of drought tolerant landscaping
- Request to review applicant's labor agreement for proposed project
- Additional information regarding the types of jobs expected to be produced
- Types of enforcement capabilities the City has to enforce conditions of approval and DA requirements
- Clear identification of truck routes
- Add more evergreens and dense landscaping along northern property line
- Consider air filters/ filtration system for homes impacted by project

The excerpt of the Planning Commission Minutes is provided as Attachment 4. Staff worked with the applicant to address the Planning Commissioners' concerns. Please reference the Response to Planning Commission Comments section of this report for further details. Additionally, the applicant addressed the Planning Commission's comments in their response letter provided as Attachment 6.

ENVIRONMENTAL JUSTICE (EJ) INFORMATIONAL SESSION – APRIL 20, 2021

On April 20, 2021, the City hosted the second Informational Session for this project to address the Planning Commission's concerns that the first Informational Session was held too close to the holidays, and therefore was not an ideal time for community members in attend. The EJ Informational Session notice is included as Attachment 5. The same notification process was utilized from the first Informational Session.

The meeting was held at the same location as the first Informational Session, starting at 6:30 p.m. and ending at 8:30 p.m. Attendees consisted of planning, engineering staff, the project applicant and three (3) members of the public.

The purpose of the meeting was to provide an introduction of the project, with the applicant making a brief presentation and staff reviewing the environmental review process. Additionally, the

meeting invited the public to comment and provide feedback on the project throughout the various stages of the discretionary review process, particularly at public hearing forums.

Comments and concerns that were raised by members of the public during the Q&A portion of the meeting were as follows:

- Street and bridge modifications (e.g., Market St. bridge and the off ramp)
- Street improvements to the Rubidoux Blvd. off/on ramps at the 60 freeway
- Discussion of other industrial projects within the Rubidoux Blvd. area which could affect Belltown residents
- Number of other warehouse/distribution centers are being proposed in this area
- Possible green upgrades to the development (e.g., solar panels, green rooftops, etc.)
- Air filtration systems available to residents in the immediate vicinity and Belltown residential neighborhood
- Types of community benefits (in Development Agreement) that would benefit the Rubidoux/Belltown area
- Clarification on how City funds are allocated for projects such as street improvements
- Purpose of North Rubidoux Master Plan (NRMP) and how much funding the project would contribute to the plan
- Jobs for residents
- Possible future tenants

Please see Table 5 (Response to Public Comments) for further details.

RESPONSE TO PLANNING COMMISSION COMMENTS

After the March 10, 2021 Study Session with the Planning Commission, the applicant worked with staff on addressing the Commission’s concerns and suggestions. The applicant’s detailed response is provided as Attachment 6 and a summary is outlined in Table 4.

TABLE 4. SUMMARY OF RESPONSES TO 2021 STUDY SESSION	
PLANNING COMMISSION FEEDBACK	UPDATES
<p>Concern that public informational meeting was not well attended due to the date being close to the winter holidays</p> <p>Suggested that an additional information session be held</p>	<ul style="list-style-type: none"> • Staff conducted 2nd EJ Information Session meeting on April 20, 2021 • Applicant conducted outreach to nearby residents • Applicant met with the Center for Community Action and Environmental Justice (CCA EJ) representatives on-site and provided project details <p>Staff mailed public notices to property owners and occupants within 1,000 feet of the project boundaries. Additionally, staff provided notices to residents beyond the 1,000 feet and included the Belltown neighborhood, see Attachment 8.</p>

TABLE 4. SUMMARY OF RESPONSES TO 2021 STUDY SESSION	
PLANNING COMMISSION FEEDBACK	UPDATES
Clarification of the truck moratorium on this proposed project	The current citywide truck moratorium would not apply to this site since the applicant is seeking a General Plan Amendment (GPA) to include the subject property into the Agua Mansa Warehouse and Distribution Overlay (AMO).
Request to review the terms of Development Agreement Review labor agreement for proposed project Additional information regarding the types of jobs expected to be produced	<ul style="list-style-type: none"> • The Development Agreement (DA) is provided as Attachment 12 and is discussed within the Analysis section of this report. • Please reference applicant's detailed responses included as Attachment 6.
Clarification of the variance request regarding Building A's height	The Agua Mansa Specific Plan (AMSP) requires a maximum 35-foot height limit for buildings within 100 feet of a residential property line. Approximately 1.3% of Building A (which is 45 feet in height) falls within the 100-foot setback and therefore requires a Variance, see Exhibit 4 in Attachment 6.
Types of enforcement capabilities the City has to enforce conditions of approval and DA	There are several enforcement provisions within the DA including withholding building permits, withholding certificates of occupancy, periodic reviews that require the Developer to demonstrate compliance and legal remedies due to a material default by Developer. Please reference applicant's detailed responses in Attachment 6.
Clear identification of truck routes	Trucks heading southbound from the I-10 freeway to the site would utilize Agua Mansa Rd. and turn right on Hall Avenue to access the site. Trucks traveling north from the SR-60 freeway would utilize Rubidoux Blvd. to Market St. then turn left onto Agua Mansa Rd., then left onto Hall Avenue. Trucks exiting the site would utilize either Hall Avenue or Brown Avenue to access Agua Mansa Road, see Exhibit C within this report for the truck route map.
Add more evergreens and dense landscaping along northern property line	The applicant has agreed to the Planning Commission's request to add landscape screening with natural air filtration capabilities along the northern property lines adjacent to R-A lots. Additionally, staff has added Condition No. 10 vii requiring that all trees which provide screening be a minimum of 36-inch box size.

TABLE 4. SUMMARY OF RESPONSES TO 2021 STUDY SESSION	
PLANNING COMMISSION FEEDBACK	UPDATES
Include drought tolerant landscaping	Proposed landscaping plans will shield the project from public and residential views and include drought-tolerant trees/plants/shrubs.
Consider air filters/ filtration system for homes impacted by project	<ul style="list-style-type: none"> Applicant has agreed to expand the IQ Air filtration program to the residences south of El Rivino Rd., between Hall Ave. and Agua Mansa Rd. The Agua Mansa Commerce Park developer had previously endowed the IQ Air Foundation to install air filtration systems for all other areas proximate to Carson's proposed truck routes, including 1) the Belltown community west of Rubidoux (bounded by 28th St, Avalon St, 30th St and Rubidoux); 2) the Belltown community east of Rubidoux Blvd. (bounded by Hall, 24th St, 26th and Market), and 3) Unincorporated San Bernardino County north of El Rivino (bounded by Kiningham Dr, El Rivino Rd, Cactus Avenue and Brown Avenue/Hallbrook Ln). The project will provide an added row of 36-inch box Afghan Pine trees to add natural air filtration to the project.

RESPONSE TO PUBLIC COMMENTS

After the April 20, 2021 EJ Informational Session with local residents, Planning staff worked with internal departments and with the applicant to address the public's comments and suggestions, see Table 5.

TABLE 5. SUMMARY OF RESPONSES TO INFORMATIONAL EJ SESSION	
PUBLIC COMMENTS	UPDATES
<ul style="list-style-type: none"> Street and bridge modifications (e.g., Market St. bridge and the off ramp) Street improvements to the Rubidoux Blvd. off/on ramps at the 60 freeway 	<ul style="list-style-type: none"> Per the project's Traffic Impact Analysis (TIA), the Market Street widening is included in the City's 5-year Capital Improvement Project (CIP) and construction is set to begin within the next two years. That segment of Market Street that is within the project limits of the Market Street widening Capital Improvements Project (CIP) was analyzed by the City's Engineering Department and the findings concluded mitigation measures for the following impacted intersections:

<ul style="list-style-type: none"> • Street improvements to the Rubidoux Blvd. off/on ramps at the 60 freeway 	<ul style="list-style-type: none"> ✓ Market Street/Via Cerro: The proposed improvements were not included in the project fair share because this is fully funded by the Transportation Uniform Mitigation Fee (TUMF) Program. TUMF is a regional fee program designed to provide transportation and transit infrastructure that mitigates the impact of new growth in western Riverside County. ✓ Market Street/Rivera Street: No feasible mitigation due to right-of-way constraints; ✓ Market Street/ 60-FWYWB/EB Ramps: This is within Caltrans right-of-way and there are no upcoming projects to widen the ramps. <ul style="list-style-type: none"> • Roadway segments on Market Street from Agua Mansa Road to Via Cerro, and Via Cerro to Rivera Street were not included to be mitigated since impacts were not deemed significant under CEQA. None the less widening of these road segments are planned and funded by the TUMF Program.
<p>Discussion of other industrial projects within the Rubidoux Blvd. area which could affect Belltown residents</p>	<p>The following are active industrial projects along Rubidoux Blvd. and in close proximity to the Belltown neighborhood:</p> <ul style="list-style-type: none"> • A 122,000 square foot cold storage facility under construction at the southwest corner area of Rubidoux Blvd. and 26th Street; • A 42,120 square foot industrial building (Midlands Carrier) used for the manufacturing of refrigeration units located on the east side of Rubidoux Blvd. between 26th and 28th Streets; • Five industrial buildings, totaling 190,000 square feet, recently approved for manufacturing type uses located on the east side of Rubidoux Blvd. between 26th and 28th Streets • Agua Mansa Commerce Park: approved for a 4.4 million square-foot industrial park with a total of 6 buildings. Located at the southwest corner of El Rivino Road and Hall Avenue, bordered to the west by Rubidoux Blvd. and to the east by Hall Avenue. • Rio Vista Specific Plan: 1,697 residential units and 3.28 million square feet of business park and light industrial buildings.
<p>Number of other warehouse/distribution centers which are being proposed in this area</p>	<p>At this time, the only project which was recently approved outside of the Mira Loma Warehouse and Distribution Center Overlay (MLO) is the Agua Mansa Commerce Park, located south of El Rivino Road between Rubidoux Blvd. and Hall Avenue. In 2020, the City Council approved the Agua Mansa Warehouse and</p>

	<p>Distribution Center Overlay (AMO) and the Agua Mansa Commerce Park Specific Plan which includes the construction of a 4.4 million square-foot industrial park with a total of 6 buildings. Five of the proposed buildings are designed to accommodate logistic uses. This project is currently under review, with final maps being processed. Demolition and grading for this project is underway.</p> <p>In addition to this current request, there is one other applicant that has started discussions on a request for a GPA that would allow logistics uses outside the MLO and AMO areas. The proposed site is generally located west of Canal Street between 28th and 24th Streets, located in close proximity to Rubidoux Blvd. and the Belltown neighborhood.</p>
<p>Possible green upgrades to the development (e.g., solar panels, green rooftops, etc.)</p>	<p>Per the City’s Building and Safety Department, the project will be required to comply with the 2019 California Green Building Code and the 2019 California Energy Code. Both codes emphasize building concepts having a reduced negative impact or positive environmental impact and encourages sustainable construction practices in the following areas:</p> <ol style="list-style-type: none"> 1. Planning and design 2. Energy efficiency 3. Water efficiency 4. Material conservation and resource efficiency 5. Environmental quality
<p>Air filtration systems available to residents in the immediate vicinity and Belltown residential neighborhood</p>	<p>As a condition of approval for the Agua Mansa Commerce Park, Condition No. 24 was added which required the applicant to establish an air filtration program to provide and install air filtration units and/or filters to approximately 260 single-family homes in the Belltown community and within 1,000 feet of the project site. On August 4, 2020, the developer entered into an agreement with IQ Air and CCAEJ to implement the air filtration program per the adopted conditions. The developer funded the program and CCAEJ, as the community partner, is appointed to implement the plan. CCAEJ recently circulated an outreach letter to the homes in the selected communities. Maps of the targeted homes are attached as an exhibit to the agreement, see Attachment 7. Staff is waiting for an update from CCAEJ on the distribution of these units.</p> <p>The applicant has agreed to expand the IQ Air filtration program to the residences south of El Rivino Rd. and bounded between Hall Ave. and Agua Mansa Rd. This area was not included in the list of targeted homes.</p>

<p>Types of community benefits (in Development Agreement) that would benefit the Rubidoux/Belltown area</p>	<p>The applicant has proposed entering into a Development Agreement with the City to provide community benefits to offset negative aspects or impacts of the proposed warehouse distribution use or related logistics use. Community benefits or other obligations of a Development Agreement are in addition to any requirements (e.g., off-site improvements and payments of fees) of a project that would be required per a code, mitigation measures, or conditions of approval. The applicant's response letter includes details of the community benefits included within the Development Agreement, see Attachments 6 and 12.</p>
<p>Clarification on how City funds are allocated for projects such as street improvements</p>	<p>In regards to street improvements, the City has a 5-year Capital Improvement Program (CIP) that uses a variety of funding sources to support projects. The City Council reviews the budget every year and adopts an annual budget for CIP project to be funded throughout the fiscal year.</p> <p>The CIP identifies projects, scopes, budgets, and possible funding mechanisms.</p>
<p>Purpose of North Rubidoux Master Plan (NRMP) and how much funding the project would contribute to the plan</p>	<p>Please reference the North Rubidoux Master Plan (NRMP) discussion within the Analysis section of this report.</p>
<p>Jobs for residents</p>	<p>The applicant has agreed to include provisions in the lease agreement which would require the future business (tenants) to give preference to local residents during the hiring process</p>

PROJECT DESCRIPTION

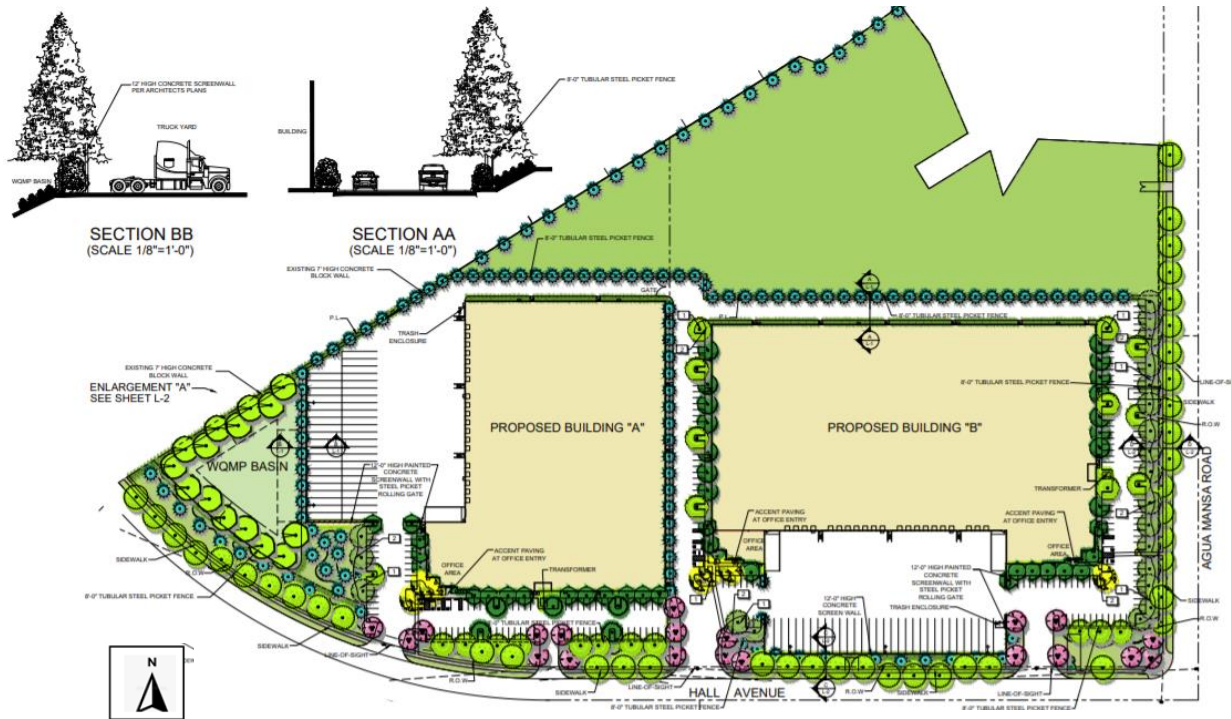
The project includes development of the 23.4-acre vacant site with two (2) industrial buildings (“Building A” and “Building B”) totaling 335,002 square feet and related site improvements including landscaping, parking, and infrastructure facilities. Building A consists of 140,198 square feet and Building B consists of 194,804 square feet.

Building A proposes 19 dock high doors oriented towards the west side of the site and customer parking is located along the south of the building. The dock high doors will face existing and proposed industrial land uses along Hall Avenue. Building A also includes 43 trailer parking spaces located to the west of the building in addition to 87 standard parking spaces located to the south of the building. Building B proposes 21 loading bay doors oriented south facing Hall Avenue and existing industrial land uses across the street. Building B includes 31 trailer parking spaces located to the south of the building and 147 standard parking spaces located to the east of the building.

The two (2) buildings are oriented towards the southern property line away from the northern property line and from M-SC (Manufacturing-Service Commercial) and R-A (Residential Agricultural) zones. The project includes a combined 35% of landscaped open space, with the majority of landscape located along the northern portion of the site, serving to buffer a variety of

land uses, including residential land uses with light industrial business activities. Exhibit B depicts the proposed site plan.

EXHIBIT B: PROPOSED SITE PLAN



Operational Characteristics

At this time the future occupant(s) of the project's buildings is unknown. The applicant expects that the buildings will be occupied by logistics operators or an operator whose use is identified as a permitted use in the M-M zone. It should be noted that, since the ultimate use and tenant of the buildings are unknown at this time, the Environmental Impact Report (EIR) assumes the maximum potential impacts. As a result, impacts of a full range of potential occupants were considered and determined to be allowed. For purposes of evaluation in the EIR, the project is assumed to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night.

The buildings are designed such that business operations would be conducted within the enclosed buildings, with the exception of traffic movement, parking, and the loading and unloading of tractor trailers at designated loading bays located west of Building A and south of Building B. The outdoor cargo handling equipment used during loading, and unloading of trailers (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts) is required to be non-diesel powered per the project's Mitigation Monitoring and Reporting Program. The dock doors that are in use at any given time are usually selected based on interior building operational efficiencies. In other words, trucks dock in the position closest to where the goods carried by the truck are stored inside the warehouse. As a result, many dock door positions are frequently inactive throughout the day.

Architectural Style

Buildings A and B consist of concrete tilt-up construction, with decorative architectural focal points at the main office entrance areas. The building facades will feature reveals along all panel walls, spandrel glass and decorative metal canopies throughout focal points of all building elevations. Colors will consist of whites, a variety of greys, blue reflective glazing, and clear anodized mullions, see the Colored Elevations within Attachment 13. The roll-up doors will also be colored to match the building.

Trash Enclosures

The development will contain trash enclosures, one (1) serving each building throughout the site. The trash enclosures will be eight (8) feet in height and contain a trellis cover, colored concrete tilt-up panels to match the buildings and wrought iron, self-closing doors with opaque screening.

Access, Circulation and Parking

Vehicular access to the site is provided from three (3) proposed driveways along Hall Avenue. As demonstrated in Table 3, the project exceeds parking requirements per Section 9.240.120 (Off-Street Vehicle Parking), with 87 parking spaces being provided for Building A (81 required) and 147 spaces being provided for Building B (118 required).

Trucks accessing the site from SR-60 and I-10 freeways would utilize Rubidoux Boulevard, Market Street, Hall Avenue, and Riverside Avenue. Specifically, trucks heading southbound from the I-10 freeway to the site would utilize Agua Mansa Rd. and turn right on Hall Avenue to access the site. Trucks traveling north from the SR-60 freeway would utilize Rubidoux Blvd. to Market St., then turn left onto Agua Mansa Rd., then left onto Hall Avenue. Trucks exiting the site would utilize either Hall Avenue or Brown Avenue to access Agua Mansa Road, see Exhibit C.

Truck access to the loading dock areas are shown along the west side of Building A and along the south side of Building B. A condition of approval has been included which restricts trucks from turning right past the last northern driveway to prevent trucks from traveling north to El Rivino Road. This will reduce truck traffic impacts to the neighboring community along the northern and southern sides of El Rivino Road.

The project is forecast to generate vehicular and truck traffic from construction and operational activities. The project is forecast to generate 1,670 daily passenger car equivalent (PCE) trips when operational. According to the Traffic Impact Analysis prepared for this project, actual truck trips (2-, 3-, and 4+ axle trucks) are as follows: Building A at 117 and Building B at 164, for a daily total of 281 truck trips.

EXHIBIT C. PROPOSED TRUCK ROUTES



Lighting

The project includes the installation of outdoor nighttime lighting throughout the site. Exterior light poles would be installed throughout the parking lots on the site to provide lighting for security and way-finding. Additionally, exterior lighting in the form of wall mounted lights and sconces would be installed on all sides of Building A and Building B. Lighting would be subject to compliance with Section 9.148.040 of the City of Jurupa Valley Municipal Code (J.V.M.C), which states all lighting fixtures and other means of illumination for signs, structures, landscaping, parking, loading,

unloading and similar areas, shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.

A Photometric Plan will be required as part of the building plan check process to ensure that the site contains ample parking lot lighting and building mounted lighting coverage.

Landscaping

The proposed landscape plan meets the zoning code requirements, see Conceptual Landscape Plan within Attachment 13, including compliance with Chapter 9.283. - Water Efficient Landscape Design Requirements of the municipal code. The applicant has agreed to incorporate additional landscaping along the entire northern property line per the Planning Commission's recommendation at the March 10, 2021 study session, see the Response to Planning Commission Comments section for detailed information.

The project proposes up to 35% overall landscaping throughout the site in compliance with the goals and policies listed within the City's Noise and Air Quality General Plan Elements. There is an approximate area ranging from 50 to 440 feet of open space between the proposed buildings and the northern residential properties. Additionally, the closest residential property to the project's northern boundary line is approximately 510 feet away. The topography of the open space area is much higher than the rest of the project site and the northern properties. As a result, the height variance creates a physical buffer. Afghan Pine trees are proposed along the entire southern perimeter of the open space area, and will also be conditioned along the entire northern property line, to filter air pollutants and further screen the buildings. Exhibit D provides a section showing Building B and the northern property line along with placement of the Afghan Pine trees and Exhibit E shows the tree image. Condition 10 vii requires that all screen trees located within the front, side and rear yard areas provided minimum 36-inch boxed sized trees.

EXHIBIT D: INTERIOR CROSS SECTION

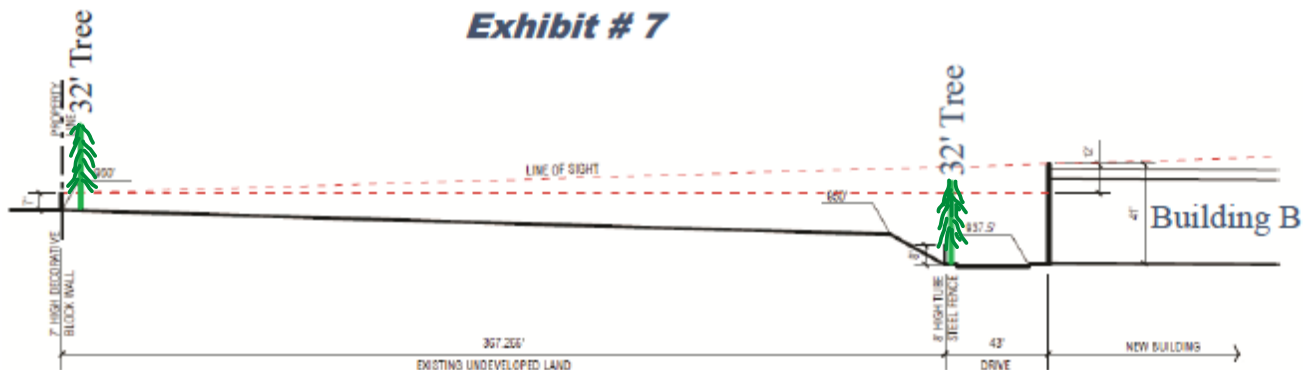


EXHIBIT E: AFGHAN PINES



The project provides a variety of dense landscaping screening adjacent to the rear driveway located behind both buildings as well as landscaping within the front, side and rear setback areas. The width of the landscaped area along the streets varies between 25 feet to 40 feet. The distance between Building A to the street varies between 95 feet to 470 feet. The distance between Building B to the street varies between 115 feet to 210 feet. The landscape buffer reduces air contaminants and helps to also buffer any potential noise and lighting.

A condition of approval has been included requiring the applicant to enter into a Landscape Maintenance Agreement with the City for the continual maintenance of the landscaping in the public right-of-way. See Exhibit F for a view of the street sections.

EXHIBIT F: AGUA MANSA ROAD STREET SECTION

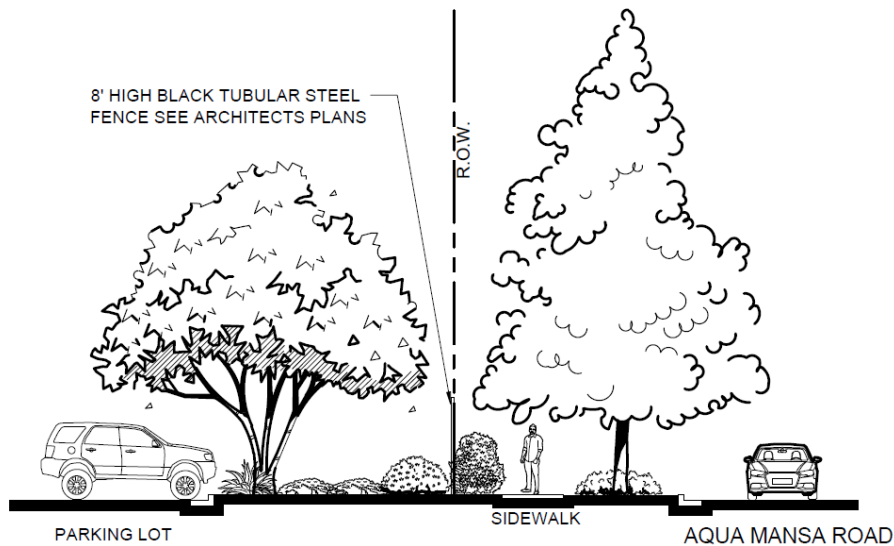


EXHIBIT F: HALL AVENUE STREET SECTION



Walls and Fencing

The project includes the construction of an 8-foot tubular steel picket fence along the property line contiguous with Agua Mansa Avenue and along the back of the landscaped setback area along Hall Avenue, and along the northern drive aisle. Additionally, a 12-foot concrete screen wall is proposed along the project site's frontage with Hall Avenue to shield the site from public view. The project will also include an extension of the Inland Empire Cold Storage facility's existing 7-foot high masonry wall located along the northern property line.

The wall will be extended to cover the entire northern boundary; the newly constructed extension of the concrete block wall along the northern property line will be 7-feet in height. The Fence and Wall Plan is included within the architectural plans provided as Attachment 13.

Water and Wastewater Improvements

Water service will be provided by West Valley Water District (WVWD) and sewer service will be provided by the Rubidoux Community Services District (RCSD) via connections within Hall Avenue. The project will connect to an existing 16-inch diameter water main and connect to an existing 8-inch diameter sewer main in Hall Avenue.

Drainage Improvements

The project's on-site stormwater management facilities include a network of stormwater drains, underground stormwater pipes, underground infiltration chambers, and a infiltration basin. Drainage from the northcentral and northwestern portions of the site would be directed to the infiltration basin. Stormwater runoff will percolate into the ground with the excess water overflowing into a storm drain riser and new storm drain that connects to the Riverside County Flood Control and Water Conservation District's ("RCFCWCD") system in Hall Avenue. An existing 39-inch reinforced concrete pipe (RCP) storm drain which crosses the project site would be relocated approximately 235 feet to the northwest, and increased to a 42-inch RCP to accommodate the project, and would convey drainage from the development to the northwest

(Inland Empire Cold Storage site) and a portion of adjacent residential lots on the south side of El Rivino Road.

Construction Schedule

The applicant indicates that permits will be obtained once the plan check is complete and estimates completion of the project within 12 months of ground-breaking. It should be noted that during the overall construction phase of the project, traffic to-and-from the subject property would be generated by activities such as construction employee trips, delivery of construction materials, and use of heavy equipment.

Distribution of Plans

The proposed development plans were circulated to service providers (County Fire Department, Department of Environmental Health, Sheriff Department, etc.) and utility companies, allowing each entity the opportunity to review the proposal and determine the impacts of the development relative to their services. In addition, the plans were circulated to internal agencies such as the Departments of Engineering, Building and Safety, Public Works, Code Enforcement and the City's Environmental Consultant.

We received comments and recommended conditions from several external and internal agencies. Comments from these agencies have been considered and incorporated as modifications to the plans or as part of recommended conditions to this project.

ANALYSIS

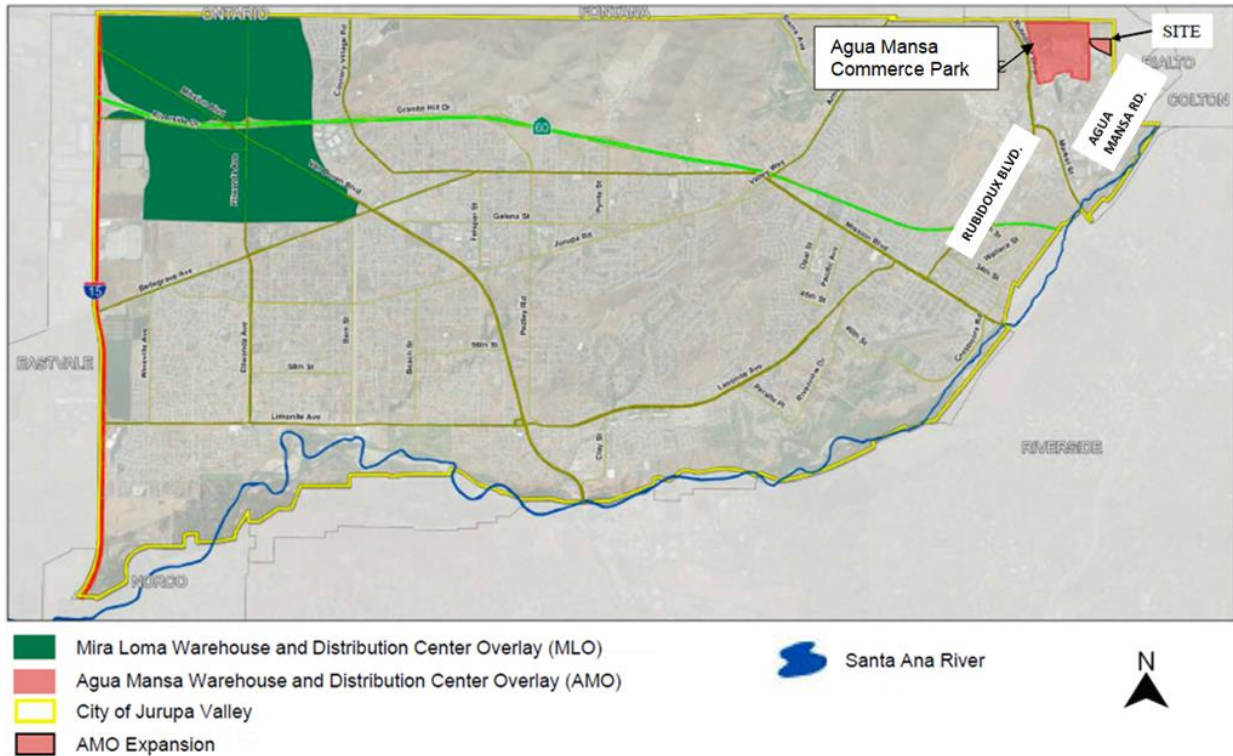
Amendments to Allow Proposed Logistic Uses on Project Site

The project requires a General Plan Amendment (GPA) to permit warehousing, distribution and logistics uses within the designated Agua Mansa Warehouse and Distribution Center Overlay (AMO). The applicant has submitted a GPA application with their proposal requesting an amendment to the General Plan to expand the AMO to their project site, see Exhibit G.

Currently, the AMO is only established on the Agua Mansa Commerce Park Specific Plan project site. It was approved for 4.4 million square-feet of industrial park to accommodate warehouse and distribution uses among other industrial uses. The Agua Mansa Commerce Park Specific Plan project is located across the street, to the west of the project site, bounded by Rubidoux Blvd. to the west, El Rivino Rd. to the north, and Hall Ave. to the east.

For comparison, the proposed project has approximately 7% of the building area (combined 335,000 square-feet) and 8% of the site area of the Agua Mansa Commerce Park project.

EXHIBIT G: PROPOSED AMO EXPANSION



In order for the City Council to approve the proposed Agua Mansa Warehouse and Distribution Center Overlay on the project site, the requirements presented in Table 6 must be met.

The map of the Agua Mansa Warehouse and Distribution Center Overlay was adopted by City Council in April 2020 and established the overlay on the Agua Mansa Commerce Park site. The AMO included minor amendments to the General Plan to reflect this new overlay, see Attachment 11.

TABLE 6. AGUA MANSA WAREHOUSE AND DISTRIBUTION CENTER OVERLAY	
REQUIREMENT	IS THE PROJECT CONSISTENT?
Development Agreement with the City that provides for community benefits that offset the loss of potential manufacturing or commercial use that would otherwise generate higher paying jobs and tax base	Yes. Please refer to Table 7 below.
Project exemplifies extraordinary design quality consisting of a campus-like setting that enhances and beautifies the streetscape and surrounding areas	Yes. The proposed elevations and landscape plans provide extraordinary design quality consistent with this requirement. See project plans under Attachment 13.

<p>Project provides for adequate protection of residential neighborhoods from truck traffic and air pollution</p>	<p>Yes. The project proposes a vast open space area between the proposed buildings and the northern residential properties. This landscape open space area ranges from 50 to 480 feet from Bldgs. A and B to the northern property line. The topography of the open space area is much higher than the rest of the project site and the northern properties. As a result, it creates a physical buffer. Additionally, the project includes a seven (7) foot high masonry wall along the entire northern property line to further screen the project site from any sensitive land uses.</p> <p>With the implementation of the project conditions and mitigation measures, the project provides for adequate protection.</p>
<p>The project is consistent with the goals of the 2017 General Plan</p>	<p>Yes. The property has a General Plan land use designation of Heavy Industrial (HI). The proposed development of two industrial buildings for future warehouse and distribution use is consistent with the goals and policies of the HI General Plan land use designation.</p>
<p>One of the following zoning classifications applies to the project site:</p> <ul style="list-style-type: none"> a) S-P (Specific Plan); b) M-M (Manufacturing - Medium); or c) M-H (Manufacturing - Heavy). 	<p>Yes. The applicant proposed to change the zone from M-SC to M-M in order to be consistent with the AMO requirements. See Attachment 9, Change of Zone exhibit.</p>

Development Agreement

The proposed Development Agreement (DA) includes proposed community benefits to offset the (1) potential for reduced employment and tax base and (2) impacts of industrial truck traffic.

The term of the DA is for ten years with the option of a ten-year extension with mutual consent. The benefit of the DA for the applicant is the protection of the approvals. Typically, a Site Development Permit and a Conditional Use Permit have a two (2) year approval period to begin substantial construction. If construction does not commence within the approval period, the entitlements expire, unless an extension is granted.

The DA allows for the approval period of the entitlement to be extended to ten (10) years. The GPA and CZ do not have approval periods. Once it becomes adopted and effective, the GPA and CZ would not change unless the City amends it again. Table 7 is a summary of the proposed community benefits that would be provided by the applicant to the City.

TABLE 7: PROPOSED COMMUNITY BENEFITS OF DEVELOPMENT AGREEMENT		
Type of Community Benefit	Purpose	Amount of Payment to City
One-time Community Benefit Contribution	Municipal purposes	\$335,002 one-time payment Based on \$1.00 per square foot of first-floor (grade level) and \$1.00 per square foot of mezzanine for each building.
Annual General Fund Special Assessment	Cover project impacts associated with streets, public services, and other maintenance	\$33,500 every year in perpetuity Based on \$0.10 per square-foot of each building constructed, with a credit for point of sales tax paid to the City thirty (30) calendar days after City issues a certificate of occupancy for a building on a per-building and pro rata basis
One-time Contribution to North Rubidoux Master Plan (NRMP)	Cover cost of preparing the NRMP and CEQA document that would establish goals, objectives, and policies designed to protect the residential neighborhoods in Belltown and westerly of Rubidoux Boulevard.	\$43,500 one-time payment
Administrative Fee	Cover costs of City processing	\$15,000 annually, until each building obtains a Certificate of Occupancy.
Public Safety CFD Services Fee	To help cover costs of the following services: (1) police protection services; (2) fire protection services; (3) ambulance and paramedic services; and (4) the operation and maintenance of flood and storm protection services.	\$50,000 per year in perpetuity

Street Maintenance CFD	In order to finance maintenance of the following streets: (1) Rubidoux Boulevard between El Rivino Road and State Route 60; (2) Hall Avenue between El Rivino Road and Agua Mansa Road; (3) Market Street between Rubidoux Boulevard and State Route 60; (4) El Rivino Road between Rubidoux Boulevard and Agua Mansa Road; and (5) Agua Mansa Road between Market Street and El Rivino Road; (6) Brown Avenue between Hall Avenue and Agua Mansa Road; and (7) State Route 60 on-ramp at Rubidoux Boulevard.	\$40,000 per year in perpetuity
Municipal In-Lieu Fee	Agreed upon fee for approval of the project.	\$201,000 one-time fee

North Rubidoux Master Plan (NRMP)

The North Rubidoux Master Plan (NRMP) is a future planning policy document that will be incorporated into the General Plan, to establish goals, objectives and policies designed to protect the residential neighborhoods in Bell Town and those westerly of Rubidoux Blvd. Part of the DA's proposed community benefit includes a contribution to cover a portion of the cost for the preparation of the NRMP, and the appropriate California Environmental Quality Act (CEQA) document.

Due to the remnant County zoning of this area, there is a mixture of incompatible uses, which has allowed industrial uses to mix among or in close proximity to residential uses. This has produced blight resulting in a lower quality of life and lower property values for these residential areas.

The NRMP would delineate the areas for industrial expansion in this area and provide policies that protect the residential areas. Once funded, the Master Plan will establish these new policies through a citizen participation process involving all stakeholders. Residents, property owners, developers and public agencies would be involved in identifying appropriate residential, commercial, and industrial land uses, and establish non-invasive truck routes, to be incorporated into the Master Plan.

Environmental Justice Element

The Environmental Justice (EJ) Element within the City's General Plan seeks to minimize and equalize the effect of environmental hazards among all people regardless of race, ethnicity, or income level. The Element seeks to address environmental justice through a set of comprehensive objectives and policies which will be used by the City in planning for the physical development of the City.

The project shall adhere to the following objectives and policies within the EJE:

EJ-2.2: Require that proposals for new sensitive land uses (or developments near existing sensitive land uses) incorporate adequate setbacks, barriers, and landscaping or other measures as necessary to minimize air quality impacts.

The project proposes a vast open space area between the proposed buildings and the northern residential properties. This landscape open space area ranges from 50 to 480 feet from Bldgs. A and B to the northern property line. The topography of the open space area is much higher (by approximately 30 feet) than the rest of the project site and the northern properties. As a result, it creates a physical buffer. In addition, the project proposes a row of dense 36-inch box Afghan Pine trees along the driveway located at the rear of the two buildings. The project will further be conditioned to provide an additional row of landscape buffering to include 36-inch box Afghan Pine trees along the entire northern property line to help filter air pollutants and further screen the buildings. This is in addition to the proposed 25-to-40-foot landscape setback areas along Hall Avenue and Agua Mansa Road.

In addition, the project will include a 7-foot-high screen wall that provides an effective barrier to the sensitive land uses located to the north and east of the subject site. A condition of approval also mandates dust control measures during construction activities.

EJ-2.4: Require, wherever possible, existing sources of stationary emissions near sensitive land uses to relocate and/or incorporate measures to minimize emissions.

The closest residence to the north is located more than 500 feet from Building A and more than 800 feet from Building B. The subject site will be adequately screened with the proposed 7-foot high block walls and dense landscaped screening proposed along the entire northern property line, in addition to a second row of landscape screening running along the north side of the rear driveway. If in the future, an end user occupies the site that has unique operating characteristics that may result in environmental impacts not analyzed within the Environmental Impact Report, then further CEQA review may be required.

Importantly, while the properties located to the north of the subject site are currently designated for residential land use by the General Plan, Agua Mansa Industrial Corridor Specific Plan, and the Zoning Map, the majority of these properties have existing industrial operations as well. Because the homes are built close to the front property line, a large portion of the lots are used for industrial uses such as pallet yards and truck parking and storage. See Exhibit H for Conceptual Photo Simulation of the project site with the existing surrounding land uses. See Exhibit I for an aerial of existing residential properties with industrial operations.

EXHIBIT H. CONCEPTUAL PHOTO SIMULATION



EXHIBIT I. EXISTING RESIDENTIAL PROPERTIES WITH INDUSTRIAL LAND USES



EJ-2.6: Identify resources for the existing sensitive receptors experiencing adverse air quality issues to incorporate measures to improve air quality such as separation/setbacks, landscaping, barriers, ventilation systems, air filters/cleaners and other measures.

There will be a large separation between the buildings and residential structures, with the closest residence located more than 500 feet from Building A and more than 800 feet from Building B. Additionally, the project will include a double row of dense landscaping, including 36-inch box Afghan Pine trees which have been documented to reduce fine particulate matter, filtering the air.

The applicant has also agreed to expand the IQ Air Filtration Program to the residences south of El Rivino Rd., between Hall Ave. and Agua Mansa Rd. The Agua Mansa Commerce Park developer had previously endowed the IQ Air Foundation to install air filtration systems for areas near proposed truck routes for the Agua Mansa Road project, including 1) the Belltown community west of Rubidoux (bounded by 28th St, Avalon St, 30th St and Rubidoux); 2) the Belltown community east of Rubidoux Blvd. (bounded by Hall, 24th St, 26th and Market), and 3) unincorporated San Bernardino County north of El Rivino (bounded by Kiningham Dr, El Rivino Rd, Cactus Avenue and Brown Avenue/Hallbrook Ln).

EJ-2.7: Designate truck routes to avoid residential areas including low-income and minority neighborhoods.

The site will be accessed via three (3) 40-foot wide driveways along Hall Avenue. There are no driveways proposed along Agua Mansa Road. Trucks accessing the site from SR-60 and I-10 freeways would utilize Rubidoux Boulevard, Market Street, Hall Avenue and Riverside Avenue.

A condition has been included requiring on-site signage at all driveways which restricts trucks from turning right past the last northern driveway to prevent trucks from traveling north to El Rivino Road. This will reduce truck traffic impacts to the neighboring community along the northern and southern sides of El Rivino Road.

EJ-2.10: Ensure that low-income and minority populations have equal access and influence in the land use decision-making process through such methods as bilingual notices, posting bilingual notices at development sites, conducting informational meetings with interpreters, etc.

On November 30, 2020 and April 20, 2021 the City hosted Environmental Justice Informational Sessions and mailed a 20-day bilingual notice of the information session to (1) property owners within 1,000 feet of the boundaries of the project site, (2) residents in the Belltown neighborhood, and (3) the Center for Community Action and Environmental Justice CCAEJ. The meeting included a Spanish translation consultant. The notice and maps of the notified areas are provided as Attachments 5 and 8.

While there was no one from the public present at the first EJ meeting, the second EJ meeting was attended by three Jurupa Valley residents. Their comments are included within Table 5 (Response of Public Comments).

Additionally, the applicant sent out community outreach letters to the same addresses postmarked on November 17, 2020 and included their contact information in both English and Spanish. The applicant also met with CCAEJ via zoom on March 31, 2021 and at the subject property on April 14, 2021.

Finally, the City mailed out bilingual public hearing notices 10-days prior to the May 26, 2021 Planning Commission hearing to (1) property owners within 1,000 feet of the boundaries of the project site, (2) residents in the Belltown neighborhood, and (3) the Center for Community Action

and Environmental Justice CCAEJ. Additionally, legal advertisements were published in the Press Enterprise. As of the date of this staff report, no comments have been received.

EJ-2.11: Ensure that low-income and minority populations understand the potential for adverse pollution, noise, odor, vibrations, lighting and glare when new commercial and industrial developments are proposed.

See EJ-2.10 noted above. The public hearing notice included a project description of the development. If in the future, an end user occupies the site that has unique operating characteristics that may result in environmental impacts not analyzed within the EIR, then further CEQA review may be required.

EJ-2.12: Ensure that low-income and minority populations understand the effect of projects with toxic materials or emissions.

Please reference EJ-2.10.

EJ-2.13: Initiate outreach efforts as early as possible in the decision making process before significant resources have been invested in a particular outcome.

Please reference EJ-2.10.

FINDINGS FOR APPROVAL OF A GENERAL PLAN AMENDMENT

Per Section 9.30.40 of the JVMC Section (F) (2), a Planning Commission resolution recommending approval of a General Plan Amendment and a City Council resolution approving a General Plan Amendment shall include the following findings:

1. The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.

The subject site has a General Plan Land Use Designation of Heavy Industrial (HI) for the 23.4-acre subject site. The proposed General Plan Amendment to include this property within the Agua Mansa Warehouse and Distribution Center Overlay (AMO) is consistent with the goal and policies within the HI land use designation, which includes warehouse and distribution, logistics and other general industrial land uses. Furthermore, it is consistent with the proposed M-M (Manufacturing-Medium) zoning classification.

2. An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.

The proposed amendment will include the subject site into the Agua Mansa Warehouse and Distribution Center Overlay (AMO) and does not have any bearing on the Housing Element nor does it proposed any changes to the State Housing Element law as the proposed use is entirely industrial in nature.

3. An amendment is required to expand basic employment job opportunities (jobs that contribute directly to the city's economic base) and that would improve the ratio of jobs-to-workers in the city.

The amendment and the subsequent development would expand basic employment job opportunities and the ratio of jobs-to-workers in the City by providing jobs ranging from construction workers necessary for the development to the jobs necessary to operate the proposed industrial land use, including office uses. This project would help promote jobs for people of all income levels, including low-income residents.

CHANGE OF ZONE

Section 9.285.020 of the JVMC provides two requirements that must be met before setting a Change of Zone for a public hearing. Planning staff has determined that the two requirements below have been satisfied:

1. All procedures required by the Jurupa Valley Rules Implementing the California Environmental Quality Act (Pub. Resources Code Section 21000 et seq.) to hear a matter have been completed.

The City has prepared an Environmental Impact Report (EIR) in accordance with all CEQA requirements.

2. The requested Change of Zone is consistent with the Jurupa Valley General Plan.

According to the General Plan Land Use Element, the proposed M-M (Manufacturing – Medium) zone is a designated zone which is consistent with the Heavy Industrial (HI) General Plan Land Use Designation and with the proposed Agua Mansa Warehouse and Distribution Center Overlay (AMO), if approved.

FINDINGS FOR APPROVAL OF A SITE DEVELOPMENT PERMIT (SDP)

Per Section 9.240.330(3) Requirements for Approval, no Site Development Permit shall be approved unless it complies with the following standards:

- A. The proposed use must conform to all the requirements of the City of Jurupa Valley General Plan and with all applicable requirements of State law and the ordinances of the City of Jurupa Valley.

The subject site is currently zoned M-SC (Manufacturing-Service Commercial). The project includes a Change of Zone from M-SC to M-M (Manufacturing-Medium) in order to be consistent with the proposed General Plan Amendment to include the subject site into the Agua Mansa Warehouse and Distribution Center Overlay (AMO). The property has a General Plan Land Use designation of Heavy Industrial (HI). The proposed development of two industrial buildings for future warehouse and distribution use is consistent with the General Plan intent for Heavy Industrial and is a allowed use in the AMO and the MM zoning district.

- B. The overall development of the land shall be designed for the protection of the public health, safety, and general welfare; to conform to the logical development of the land and to be compatible with the present and logical development of the surrounding property. The plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion; and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof.

The proposed development, as demonstrated in the Site Plan, has been designed to protect the health, safety, and general welfare of surrounding sensitive land uses by incorporating screen walls and dense landscaping along the entire northern property line and by locating loading doors towards the western and southern portions of the buildings, facing similar industrial land uses. The building layout, landscaping and public improvements conform to the logical development of the land and are compatible with the present and future development of the surrounding area.

The project will require public right-of-way improvements and dedication along Hall Avenue and El Rivino Road, including landscaped parkway, sidewalk, curb and gutter. Furthermore, the Preliminary Water Quality Management Plan was reviewed and approved by Engineering Department for the grading and drainage requirements outlined under the Engineering section of the Conditions of Approval.

- C. All site development permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with County Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.

Staff has conditioned that the applicant is prohibited from selling any constructed structures until the parcel on which the building(s) are located is divided and a final map is recorded.

VARIANCE

Section 9.240.270. (Variances) states that variances may be granted when, because of special circumstances applicable to a parcel of property, including size, shape, topography, location or surroundings, the strict application of City standards deprives a property owner of privileges enjoyed by other property owners in the vicinity that is under the same zoning classification.

FINDINGS FOR GRANTING A VARIANCE – TITLE 9 (ZONING) SECTION 9.240.270

The above findings can be made to support a recommendation for granting a variance to permit a deviation of 10 feet from the maximum 35-foot height limit for buildings within 100' of a residential property line, as required by the Agua Mansa Specific Plan (AMSP). Approximately 1.3% of Building A falls within the 100' setback. As indicated by the following facts, there are unique or special circumstances that exist for this lot:

1. The project site is surrounded by several industrial buildings located immediately across Hall Avenue which exceed the 35-foot height limit.
2. Modern day manufacturing, warehouse and distribution buildings similar to the project size range are built with minimum clearance heights of 32', which means the lowest point inside the building is 32'. A roof deck is typically 4'-5' above that. In addition, parapet walls are constructed on the building exterior to shield views of the roof structure.
3. In order for the proposed buildings to enjoy privileges of other neighboring warehouse buildings and operate functionally, a minimum 32' clearance is needed and is consistent with other nearby industrial buildings having 36 to 40 foot minimum height clearance.
4. The proposed building height variance would be mitigated by:
 1. The fact that Building A is located between 95' – 470' from Hall Ave. and the nearest residential structure is located approximately 510' to the north.
 2. Limited frontage (76.5 lineal feet) falls within the setback
 3. A 7' decorative block wall and Afghan Pines would offer screening of the building.
 4. The nearest residential structure from our property line is 460'
 5. The nearest residential structure to a proposed dock door is 550'

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Final Environmental Impact Report was prepared for the Aqua Mansa Road Development Project. All impacts, with the exception of Air Quality and Greenhouse Gas Emission, of the proposed Aqua Mansa Road Development Project can be mitigated to a level of less than significant with the implementation of the mitigation measures.

The impacts which cannot be mitigated to a level of less than significant are as follows:

Air Quality

1. The Project would result in a cumulatively considerable net increase of NO_x emissions during long-term operation of the project. The vast majority of NO_x emissions (by weight) would be generated by Project mobile sources (traffic). Because of the size and scale of the project, impacts are significant and unavoidable.
2. Because the emissions for NO_x, would exceed the applicable SCAQMD emissions thresholds, the project would have the potential to conflict with the Air Quality Management Plan which is a significant and unavoidable impact.

The project will include the following mitigation measures:

MM 4.2-1: All truck/dock bays that serve cold storage facilities within the proposed buildings shall be electrified to facilitate plug-in capability and support use of electric standby and/or hybrid electric transport refrigeration units. All site and architectural plans submitted to the City of Jurupa Valley shall note all the truck/dock bays designated for electrification. Prior to the issuance of a Certificate of Occupancy for a cold storage user, the City of Jurupa Valley Building and Safety Department shall verify electrification of the designated truck/dock bays.

MM 4.2-2: Indoor material handling equipment used throughout the project area would be electric and would not be diesel-powered. Prior to issuance of an Occupancy Permit for a new tenant/business entity, the project developer/facility owner and tenant/business entity shall provide to the City of Jurupa Valley Planning Department a signed document (verification document) noting that the project development/facility owner has disclosed to the tenant/business entity the requirement to use electric-powered equipment for daily operations, to the maximum extent feasible. This verification document shall be signed by authorized agents for the project developer/facility owner and tenant/business entities. During operation, the building tenant and/or building owner shall maintain a list of all off-road equipment used onsite. The equipment list shall state the makes, models, and numbers. These records shall be made available to the City of Jurupa Valley upon request.

MM 4.2-3: Only electric-powered off-road equipment (e.g., yard trucks/hostlers) shall be utilized onsite for daily warehouse and business operations, to the maximum extent feasible. Prior to issuance of an Occupancy Permit for a new tenant/business entity, the project developer/facility owner and tenant/business entity shall provide to the City of Jurupa Valley Planning Department a signed document (verification document) noting that the project development/facility owner has disclosed to the tenant/business entity the requirement to use electric-powered equipment for daily operations, to the maximum extent feasible. This verification document shall be signed by authorized agents for the project developer/facility owner and tenant/business entities. During operation, the building tenant and/or building owner shall maintain a list of all off-road equipment used

onsite. The equipment list shall state the makes, models, and numbers. These records shall be made available to the City of Jurupa Valley upon request.

Greenhouse Gas (GHG) Emissions

1. The Project would generate a substantial increase in GHG emissions and exceed the SCAQMD Their 3 threshold of 3,000 MT CO₂e/year. The vast majority GHG emissions (72%) would be generated by project mobile sources (traffic). Mobile sources of emissions are not under the control of the City. Thus, GHG emissions are considered significant and unavoidable.

The project will include the following mitigation measures:

MM 4.7-1: Prior to the issuance of a building permit, the Project Applicant shall ensure that the project's buildings are designed to meet or exceed the California Building Standards Code's (CBSC) Title 24 energy standard, including but not limited to, any combination of the following:

- a. Increase insulation such that heat transfer and thermal bridging is minimized;
- b. Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption; and
- c. Incorporate ENERGY STAR® or better related windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

MM 4.7-2: Prior to the issuance of a building permit, the Project Applicant shall ensure that the project's buildings will be installed with efficient lighting and lighting control systems.

MM 4.7-3: Prior to the issuance of a building permit, the Project Applicant shall devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:

- a. Create water-efficient landscapes within the development;
- b. Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls;
- c. Use reclaimed water, if available, for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water, if available;
- d. Design buildings to be water-efficient. Install water-efficient fixtures and appliances, including low-flow faucets and waterless urinals; and
- e. Restrict watering methods (e.g. prohibit systems that apply water to non-vegetated surfaces) and control runoff.

MM 4.7-4: Prior to issuance of building permits, the Project Applicant shall demonstrate that the tilt-up concrete warehouse building would be constructed with rooftops that can support tenant improvements for solar panels (i.e., solar ready).

Statement of Overriding Considerations

When there are impacts which cannot be mitigated to a level of less than significant, the City is required to prepare and adopt a Statement of Overriding Considerations. In conclusion, the City finds that the foregoing benefits provided through approval of the Project outweigh the identified significant adverse environmental impacts. The City further finds that each of the individual benefits discussed above outweighs the unavoidable adverse environmental effects identified in the Final EIR and, therefore, finds those impacts to be acceptable. The City further finds that each of the benefits listed within Exhibit A of Attachment 1, is sufficient justification for the City Council to override these unavoidable environmental impacts.

Public Review of the Draft Environmental Impact Report (DEIR)

During the 45 public review period (November 6, 2020 through December 21, 2020) of the Draft Environmental Impact Report (DEIR), the City has received comments from the following agencies, departments, or individuals and has provided responses to those comments:

1. California Air Resources Board
2. Riverside County Flood Control and Water Conservation District
3. Southern California Gas Company

These comments and City's responses are included in the Final Environmental Impact Report provided under Attachment 4.

NOTIFICATION PROCESS

The Planning Division mailed a detailed project information sheet with the required public hearing notices in both English and Spanish to (1) property owners and occupants within 1,000 feet of the boundaries of the project site, (2) property owners and occupants within the Belltown neighborhood, and (3) to the Center for Community Action and Environmental Justice (CCA EJ).


Notices were mailed 10-days prior to the public hearing date. Additionally, a legal advertisement was published in the Press Enterprise. As of the date of this staff report, there have not been any inquiries or correspondence from any property owners or residents related to this Project.

CONCLUSION

Implementation of the project would allow land uses identified as permitted uses within Exhibit D of the Development Agreement (DA), which are generally more restrictive than the uses permitted with the M-M (Manufacturing-Medium) zone. The uses identified in Exhibit D of the DA are also consistent with the industrial land uses, goals and policies within the Agua Mansa Warehouse and Distribution Center Overlay (AMO), the Heavy Industrial (HI) land use designation and the M-M zone. Both the DA and the AMO policies are included as attachments. Note that the AMO policies document was recently approved by the City Council in April 2020. Examples of permitted uses include general manufacturing types of uses, some service and commercial uses and other more intense uses requiring conditional use permits (CUP).

The proposed project, as designed, complies with the overall goals and policies within the HI (Heavy Industrial) land use designation and within the Agua Mansa Industrial Corridor Specific Plan. With the approved General Plan Amendment and Change of Zone, the project will also comply with the Agua Mansa Warehouse and Distribution Center Overlay (AMO) and with the M-M (Manufacturing-Medium) Zone.

Prepared by:



Rocio Lopez
Senior Planner

Submitted by:



Joe Perez
Community Development Director

Reviewed by:

//s// Serita Young

Serita Young
Deputy City Attorney

ATTACHMENTS

1. Resolution No. 2021-06-09-02
 - a. Exhibit A. Facts and Findings / Statement of Overriding Considerations
 - b. Exhibit B. Mitigation Monitoring and Reporting Program
 - c. Exhibit C. Conditions of Approval
2. Draft Environmental Impact Report (Available on the City's website page under Development Services/Planning/Environmental Reports at "MA18008 Agua Mansa Road Development Project": <https://www.jurupavalley.org/DocumentCenter/Index/68>)
3. Final Environmental Impact Report (FEIR) is available on the City's website under Development Services/Planning/Environmental Reports at "MA18008 Agua Mansa Road Development Project": <https://www.jurupavalley.org/DocumentCenter/Index/68>)
4. Excerpt of the March 10, 2021 Planning Commission Minutes
5. EJ Informational Session notice (April 20, 2021)
6. Applicant's Response to March 10, 2021 Planning Commission Study Session Comments
7. Air Filtration Agreement between Agua Mansa Commerce Park and CCAEJ
8. Radius Map and EJ map for public noticing
9. Proposed Change of Zone and General Plan Amendment Exhibits
10. Mira Loma and Agua Mansa Warehouse and Distribution Center Overlays
11. Adopted Agua Mansa Warehouse and Distribution Center Overlay General Plan policies
12. Proposed Development Agreement
13. Proposed Plans (Architectural Set; Civil Set and Concept Landscape Plan Set)

ATTACHMENT 1

Resolution No. 2021-06-09-02

RESOLUTION NO. 2021-06-09-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF JURUPA VALLEY RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY CERTIFY AN ENVIRONMENTAL IMPACT REPORT AND ADOPT STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CONSTRUCTION OF TWO SPECULATIVE INDUSTRIAL WAREHOUSE BUILDINGS ON APPROXIMATELY 23.4 ACRES OF REAL PROPERTY LOCATED AT 12340 AGUA MANSA ROAD (APNS: 175-210-032, -034, -062, -063), AND APPROVE GENERAL PLAN AMENDMENT NO. 18001, CHANGE OF ZONE NO. 20004, VARIANCE NO. 18005, SITE DEVELOPMENT PERMIT NO. 18048, AND DEVELOPMENT AGREEMENT NO. 18001 TO PERMIT THE CONSTRUCTION OF TWO SPECULATIVE INDUSTRIAL WAREHOUSE BUILDINGS ON APPROXIMATELY 23.4 ACRES OF REAL PROPERTY LOCATED AT 12340 AGUA MANSA ROAD (APNS: 175-210-032, -034, -062, -063)

THE PLANNING COMMISSION OF THE CITY OF JURUPA VALLEY DOES RESOLVE AS FOLLOWS:

Section 1. **Project.** Carson-VA Industrial II, LP (the “Applicant”) has applied for General Plan Amendment No. 18001, Change of Zone No. 20004, Variance No. 18005, Site Development Permit No. 18048, and Development Agreement No. 18001 (collectively, Master Application No. 18008 or MA No. 18008) to permit the construction of two (2) speculative industrial warehouse buildings totaling 335,002 square feet on approximately 23.4 acres of real property located at 12340 Agua Mansa Road (APNs: 175-210-032, -034, -062, -063) in the Agua Mansa Industrial Corridor Specific Plan and designated Heavy Industrial (HI) with Specific Plan Overlay (the “Agua Mansa Road Development Project” or “Project”).

Section 2. **General Plan Amendment.**

(a) The Applicant is seeking approval of General Plan Amendment No. 18001 to establish the Agua Mansa Warehouse and Distribution Center Overlay on the Project site.

(b) Section 9.30.010.A. of the Jurupa Valley Municipal Code provides that any amendment to any part of the Jurupa Valley General Plan, shall be adopted in accordance with the provisions of Section 65300 *et seq.* of the Government Code, as now written or hereafter amended, and Chapter 9.30 of the Jurupa Valley Municipal Code.

(c) Section 9.30.010.B. of the Jurupa Valley Municipal Code provides that the initiation of proceedings for the amendment of any part of the Jurupa Valley General Plan shall

be conducted in accordance with the provisions of Chapter 9.30 of the Jurupa Valley Municipal Code.

(d) Section 9.30.040.D. of the Jurupa Valley Municipal Code provides that the owner of real property, or a person authorized by the owner, seeking to change the land use designation on that real property, shall have the right to apply for a General Plan amendment without having to request that the City Council adopt an order initiating proceedings for an amendment as detailed in Section 9.30.040. Instead, the owner of real property, or a person authorized by the owner, seeking to change the land use designation on that real property may apply for a General Plan amendment through the Planning Department and pay the required fee. Upon submittal of an application, the amendment shall be processed, heard and decided in accordance with Sections 9.30.010 and 9.30.100 of the Jurupa Valley Municipal Code.

(e) Section 9.30.100.(1) of the Jurupa Valley Municipal Code provides that proposals to amend any part of the Jurupa Valley General Plan shall be heard by the Planning Commission during a public hearing on the matter. Further, Government Code Section 65353 provides that when a city has a planning commission authorized by local ordinance or resolution to review and recommend action on a proposed general plan, the commission shall hold at least one public hearing before approving a recommendation on the adoption of a general plan.

(f) Section 9.30.100.(2) of the Jurupa Valley Municipal Code provides that after closing the public hearing, the Planning Commission shall make a recommendation for approval or disapproval within a reasonable time, by resolution, including therein its findings, and transmit it to the City Council with a copy mailed to the applicant. A recommendation for approval shall be made by the affirmative vote of not less than a majority of the total membership of the Planning Commission. If the Planning Commission cannot reach a decision within a reasonable time after closing the hearing, that fact shall be reported to the City Council and shall be deemed a recommendation to deny the proposal. Further, Government Code Section 65354 provides that the planning commission shall make a written recommendation on the adoption of a general plan, that a recommendation for approval shall be made by the affirmative vote of not less than a majority of the total membership of the commission, and that the planning commission shall send its recommendation to the legislative body.

(g) Section 9.30.100.(3) of the Jurupa Valley Municipal Code provides that upon receipt of a recommendation of the Planning Commission on an amendment of the General Plan, the City Clerk must set the matter for public hearing before the City Council at the earliest convenient day and give notice of public hearing in the same manner as notice was given of the hearing before the Planning Commission.

Section 3. **Change of Zone.**

(a) The Applicant is seeking approval of Change of Zone No. 20004 to rezone approximately 23.4 acres of real property located at 12340 Agua Mansa Road (APNs: 175-210-032, -034, -062, -063) from Manufacturing-Service Commercial (M-SC) Zone to Manufacturing-Medium (M-M) Zone.

(b) Section 9.285.040.(1) of the Jurupa Valley Municipal Code provides that the Planning Commission shall hold a public hearing on proposed amendments to the City's Zoning Ordinance that propose to change property from one zone to another.

(c) Section 9.285.040.(3) of the Jurupa Valley Municipal Code provides that after closing the public hearing the Planning Commission shall render its decision within a reasonable time and transmit it to the City Council in the form of a written recommendation, which shall contain the reasons for the recommendation and, if the recommendation is to change a zone classification on property, the relationship of the proposed amendment to applicable general and specific plans. A copy of the recommendation shall be mailed to the applicant and proof thereof shall be shown on the original transmitted to the City Council. If the Planning Commission does not reach a decision due to a tie vote, that fact shall be reported to the City Council and the failure to reach a decision shall be deemed a recommendation against the proposed amendment.

(d) Section 9.285.040.(4)(a) of the Jurupa Valley Municipal Code provides that upon receipt of a recommendation for approval by the Planning Commission, the City Clerk shall set the matter for public hearing before the City Council at the earliest convenient day, and give notice of the time and place of the hearing in the same manner as notice was given of the hearing before the Planning Commission.

Section 4. Variance.

(a) The Applicant is seeking approval of Variance No. 18005 from the maximum building height requirement of thirty-five (35) feet for buildings on premises in the Agua Mansa Industrial Corridor Specific Plan area that are within one hundred (100) feet of a residential area, as set forth in Section 4.2.2 of the Agua Mansa Industrial Corridor Specific Plan, to permit a maximum building height of 45 feet for Building A, a portion of which (1.3%) is within one hundred (100) feet of a residential area.

(b) Section 9.240.270.A. of the Jurupa Valley Municipal Code provides that variances from the terms of Title 9 (Planning and Zoning) of the Jurupa Valley Municipal Code, may be granted when, because of special circumstances applicable to a parcel of property, including size, shape, topography, location or surroundings, the strict application of Title 9 deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification. A variance may not be granted for a parcel of property that authorizes a use or activity that is not otherwise expressly authorized by the zone regulation governing the parcel of property, but must be limited to modifications of property development standards, such as lot size, lot coverage, yards, and parking and landscape requirements.

(c) Section 9.240.270.D. of the Jurupa Valley Municipal Code provides that any variance granted shall be subject to such conditions as are necessary so that the adjustment does not constitute a grant of special privileges that is inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated, and which are necessary to protect the health, safety and general welfare of the community.

(d) Section 9.240.270.C. of the Jurupa Valley Municipal Code provides that all public hearings on variances that require approval of a land division shall be heard by the hearing body that has jurisdiction of the principal application.

(e) Section 9.240.270.C. of the Jurupa Valley Municipal Code further provides that a public hearing shall be held on all variance applications in accordance with the provisions of Section 9.240.250, and all the procedural requirements and rights of appeal as set forth therein shall govern the hearing.

(f) Section 9.05.110 of the Jurupa Valley Municipal Code provides that notwithstanding any other provisions of this title, in the event that a project requires a general plan amendment, zone change, specific plan amendment, development agreement or other legislative action in addition to the tentative subdivision map, site development permit, conditional use permit, variance or other quasi-judicial land use applications for the project, the Planning Commission shall make a recommendation to the City Council to approve, modify or deny the applications for the legislative action for the project and a recommendation to the City Council to approve, conditionally approve or deny the quasi-judicial land use applications. The Council shall hear the applications for the legislative actions along with the applicable procedures of Section 9.05.100. The decision of the City Council shall be made by ordinance or resolution as required by law and shall require three (3) affirmative votes of the City Council. The purpose of this section is to enable the City Council to hear and decide all of the land use entitlements for a project in a comprehensive and coordinated manner.

Section 5. Site Development Permit.

(a) The Applicant is seeking approval of Site Development Permit No. 18048 to develop approximately 23.4 acres of real property located at 12340 Agua Mansa Road (APNs: 175-210-032, -034, -062, -063) with two (2) industrial speculative warehouse buildings totaling 335,002 square feet.

(b) Section 9.150.020.(2)(a) of the Jurupa Valley Municipal Code provides that certain industrial and manufacturing uses are permitted in the Manufacturing-Medium (M-M) Zone provided a Site Development Permit is approved pursuant to the provisions of Section 9.240.330 of the Jurupa Valley Municipal Code.

(c) Section 9.240.330.(3) of the Jurupa Valley Municipal Code provides that no site development permit shall be approved unless it complies with the following standards:

1) The proposed use must conform to all the requirements of the City of Jurupa General Plan and with all applicable requirements of State law and the ordinances of the City of Jurupa Valley.

2) The overall development of the land shall be designed for the protection of the public health, safety and general welfare; to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property. The plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion;

and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof.

3) All site development plans which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Riverside County Ordinance No. 460, as adopted by the City of Jurupa Valley pursuant to Chapter 1.35 of the Jurupa Valley Municipal Code, in such a manner that each building is located on a separate legally divided parcel.

(d) Section 9.240.330.(4)(d)(i) of the Jurupa Valley Municipal Code provides that a site development permit application that requires the approval of a general plan amendment, a specific plan amendment, or a change of zone shall be heard in accordance with the provisions of Section 9.285.040, as discussed in Paragraphs (b)-(d) of Section 3 of this Resolution, and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing.

(e) Section 9.05.110 of the Jurupa Valley Municipal Code provides that notwithstanding any other provisions of this title, in the event that a project requires a general plan amendment, zone change, specific plan amendment, development agreement or other legislative action in addition to the tentative subdivision map, site development permit, conditional use permit, variance or other quasi-judicial land use applications for the project, the Planning Commission shall make a recommendation to the City Council to approve, modify or deny the applications for the legislative action for the project and a recommendation to the City Council to approve, conditionally approve or deny the quasi-judicial land use applications. The Council shall hear the applications for the legislative actions along with the applicable procedures of Section 9.05.100. The decision of the City Council shall be made by ordinance or resolution as required by law and shall require three (3) affirmative votes of the City Council. The purpose of this section is to enable the City Council to hear and decide all of the land use entitlements for a project in a comprehensive and coordinated manner.

Section 6. Development Agreement.

(a) The Applicant is seeking approval of Development Agreement No. 18001, which agreement would provide: (i) the Applicant with assurance that development of the Project may proceed subject to the rules and regulations in effect at the time of Project approval, (ii) the City with assurance that certain obligations of the Applicant's will be met.

(b) California Government Code Sections 65864-65869.5 (the "Development Agreement Act") authorize the City to enter into a binding development agreement for the development of real property within its jurisdiction with persons having legal or equitable interest in such real property.

(c) Section 65867 of the Development Agreement Act provides that a public hearing on an application for a development agreement shall be held by the planning agency and by the legislative body. Notice of intention to consider adoption of a development agreement

shall be given as provided in Government Code Sections 65090 and 65091 in addition to any other notice required by law for other actions to be considered concurrently with the development agreement.

(d) Section 65867.5(b) of the Development Agreement Act provides that a Government Code Section 65867.5 provides that a development agreement shall not be approved unless the legislative body finds that the provisions of the agreement are consistent with the general plan and any applicable specific plan.

Section 7. **Procedural Findings.** The Planning Commission of the City of Jurupa Valley does hereby find, determine and declare that:

(a) The application for MA No. 18008 was processed including, but not limited to a public notice, in the time and manner prescribed by State law and Jurupa Valley Ordinances.

(b) On June 9, 2021, the Planning Commission of the City of Jurupa Valley held a public hearing on MA No. 18008, at which time all persons interested in the Project had the opportunity and did address the Planning Commission on these matters. Following the receipt of public testimony the Planning Commission closed the public hearing.

(c) All legal preconditions to the adoption of this Resolution have occurred.

Section 8. **California Environmental Quality Act Findings and Recommendation for Certification of Environmental Impact Report and Adoption of Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program.** The Planning Commission hereby recommends that the City Council of the City of Jurupa Valley make the following environmental findings and determinations in connection with the approval of the Project:

Procedural Findings. The City Council of the City of Jurupa Valley (City) does hereby find, determine, and declare that:

(a) The Applicant has applied for General Plan Amendment No. 18001, Change of Zone No. 20004, Variance No. 18005, Site Development Permit No. 18048, and Development Agreement No. 18001 (collectively, Master Application No. 18008 or MA No. 18008) to permit the construction of two (2) industrial speculative warehouse buildings totaling 335,002 square feet on approximately 23.4 acres of real property located at 12340 Agua Mansa Road (APNs: 175-210-032, -034, -062, -063) in the Agua Mansa Industrial Corridor Specific Plan and designated Heavy Industrial (HI) with Specific Plan Overlay (the “Project”).

(b) The proposed Project was processed, including, but not limited to, all public notices, in the time and manner prescribed by State and local law, including the California Environmental Quality Act (Pub. Resources Code, § 21000 *et seq.*) (“CEQA”) and the CEQA Guidelines (14. Cal. Code Regs. § 15000 *et seq.*)

(c) Pursuant to CEQA, the City is the lead agency for the proposed Project because it is the public agency with the authority and principal responsibility for reviewing, considering, and potentially approving the proposed Project.

(d) The City determined that an environmental impact report (EIR) would be required for the proposed Project and issued a Notice of Preparation (NOP) on January 13, 2020. The NOP was sent to the State Clearinghouse (SCH #2020010137), responsible agencies, trustee agencies, and interested parties and posted on the City's website on January 13, 2020. The thirty (30)-day public review period ran from January 13, 2020 to February 11, 2020, and its purpose was to receive comments and input from interested public agencies and private parties on issues to be addressed in the EIR for the proposed Project.

(e) In accordance with CEQA Guidelines Section 15082(c)(1), a scoping meeting was held during the NOP review period, on January 28, 2020, to solicit additional suggestions on the scope of the Draft EIR. Attendees were provided an opportunity to identify verbally or in writing the issues they felt should be addressed in the Draft EIR; three (3) written comments were received during the scoping meeting.

(f) The scope of the Draft EIR was determined based on the NOP, comments received in response to the NOP, and technical input from environmental consultants.

(g) Thereafter, the City contracted for the independent preparation of a Draft EIR for the proposed Project, including preparation and review, as applicable, of all necessary technical studies and reports in support of the Draft EIR. In accordance with CEQA and the CEQA Guidelines, the City analyzed the proposed Project's potential impacts on the environment, potential mitigation, and potential alternatives to the proposed Project.

(h) Upon completion of the Draft EIR in November 2020, the City initiated a public comment period by preparing and sending a Notice of Availability (NOA) for the Draft EIR to all interested persons, agencies, and organizations; the NOA also was published in the Press Enterprise. The City also filed a Notice of Completion (NOC) with the State Office of Planning and Research. The Draft EIR was made available for a forty-five (45)-day public review period beginning November 6, 2020, and ending on December 21, 2020.

(i) Copies of the Draft EIR were sent to various public agencies, as well as to organizations and individuals requesting copies. In addition, copies of the documents have been available for public review and inspection at the Jurupa Valley City Hall. The DEIR was also made available for download via the City's website: <http://www.jurupavalley.org>.

(j) In response to the Draft EIR, written comments were received from various agencies, individuals, and organizations. In compliance with CEQA Guidelines Section 15088, the City prepared written responses to all comments that were timely received on the Draft EIR. None of the comments presented any new significant environmental impacts or otherwise constituted significant new information requiring recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

(k) The Final EIR consists of the Draft EIR and all of its appendices, the comments and responses to comments on the Draft EIR, and clarifications/revisions to the Draft

EIR. The Final EIR was made available to the public and to all commenting agencies at least ten (10) days prior to certification of the Final EIR, in compliance with Public Resources Code Section 21092.5(a).

(l) On _____, 2021, the City Council, at a duly noticed public hearing, considered the proposed Project and the Final EIR, at which time the City staff presented its report and interested persons had an opportunity to be heard and to present evidence regarding the proposed Project and the Final EIR.

(m) Section 15091 of the CEQA Guidelines requires that the City, before approving a project for which an EIR is required, make one or more of the following written finding(s) for each significant effect identified in the EIR accompanied by a brief explanation of the rationale for each finding:

1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR; or,

2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or,

3) 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.

(n) These required written findings are set forth in Exhibit "A" to the City Council Resolution and incorporated herein by reference as if set forth in full, and are hereby adopted.

1) Environmental impacts determined during the scoping process to be less than significant and not potentially impacted by the proposed Project are described in Appendix A of the Draft EIR.

2) Environmental impacts determined in the EIR to be less than significant and not requiring mitigation are described in Section 3.0 of the Findings of Exhibit "A."

3) Environmental impacts determined in the EIR to be less than significant with mitigation are described in Section 4.0 of the Findings of Exhibit "A."

4) Environmental impacts that remain significant and unavoidable despite the imposition of all feasible mitigation are described in Section 5.0 of the Findings of Exhibit "A."

5) Alternatives to the proposed Project that might eliminate or reduce significant environmental impacts are described in Section 7.0 of the Findings of Exhibit "A."

(o) CEQA Guidelines Section 15093 requires that if a project will cause significant unavoidable adverse impacts, the City must adopt a Statement of Overriding Considerations prior to approving the project. A Statement of Overriding Considerations states that any significant adverse project effects are acceptable if expected project benefits outweigh unavoidable adverse environmental impacts. The Statement of Overriding Considerations is attached hereto as Exhibit "A," is incorporated herein by reference as if set forth in full, and is hereby adopted.

(p) CEQA Section 21081.6 requires the City to prepare and adopt a Mitigation Monitoring and Reporting Program for any project for which mitigation measures have been imposed to ensure compliance with the adopted mitigation measures. The Mitigation Monitoring and Reporting Program is attached to this Resolution as Exhibit "B," is herein incorporated by reference as if set forth in full, and is hereby adopted.

(q) Prior to taking action, the City Council has heard, been presented with, reviewed, and considered the information and data in the administrative record, including the Final EIR, the written and oral comments on the Draft EIR and Final EIR, responses to comments, staff reports and presentations, and all oral and written testimony presented during the public hearings on the proposed Project.

(r) Custodian of Records. The City Clerk of the City of Jurupa Valley is the custodian of records, and the documents and other materials that constitute the record of proceedings upon which this decision is based are located at the Office of the City Clerk, City of Jurupa Valley, 8930 Limonite Avenue, Jurupa Valley, California, 92509.

Substantive Findings. The City Council of the City of Jurupa Valley, California does hereby:

(a) Declare that the above Procedural Findings are true and correct, and hereby incorporates them herein by this reference.

(b) Find that agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Final EIR and the proposed Project.

(c) Find and declare that the City Council has independently considered the administrative record before it, which is hereby incorporated by reference and which includes the Final EIR, the written and oral comments on the Draft EIR, staff reports and responses to comments incorporated into the Final EIR, and all testimony related to environmental issues regarding the proposed Project.

(d) Find and determine that the Final EIR fully analyzes and discloses the potential impacts of the proposed Project, and that those impacts have been mitigated or avoided to the extent feasible for the reasons set forth in the Findings attached as Exhibit "A" and incorporated herein by reference, with the exception of those impacts found to be significant and unmitigable as discussed therein.

(e) Find and declare that the Final EIR reflects the independent judgment of the City Council. The City Council further finds that the additional information provided in the

staff reports, in comments on the Draft EIR, the responses to comments on the Draft EIR, and the evidence presented in written and oral testimony does not constitute new information requiring recirculation of the EIR under CEQA. None of the information presented has deprived the public of a meaningful opportunity to comment upon a substantial environmental impact of the proposed Project or a feasible mitigation measure or alternative that the City has declined to implement.

(f) Certify the Final EIR as being in compliance with CEQA. The City Council further adopts the Findings pursuant to CEQA and the Statement of Overriding Considerations as set forth in Exhibit “A” and adopts the Mitigation Monitoring and Reporting Program attached as Exhibit “B.” The City Council further determines that all of the findings made in this Resolution (including Exhibit “A”) are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence that has been presented at the hearings before the City Council, and in the record of the proceedings. The City Council further finds that each of the overriding benefits stated in Exhibit “A,” by itself, would individually justify proceeding with the proposed Project despite any significant unavoidable impacts identified in the Final EIR or alleged in the record of proceedings.

(g) The City Council hereby imposes as a condition on the Project each mitigation measure specified in Exhibit “B,” and directs City staff to implement and to monitor the mitigation measures as described in Exhibit “B.”

(h) The City Council hereby directs staff to file a Notice of Determination as set forth in Public Resources Code Section 21152.

Section 9. Findings for Recommendation of Approval of General Plan Amendment. The Planning Commission of the City of Jurupa Valley does hereby recommend that the City Council of the City of Jurupa Valley find and determine that General Plan Amendment No. 18001 should be adopted because:

(a) The proposed amendment would either contribute to the purposes of the 2017 Jurupa Valley General Plan or, at a minimum, would not be detrimental to those purposes. The 23.4-acre Project site has a General Plan land use designation of Heavy Industrial (HI). The proposed Amendment, to include the Project site within the Agua Mansa Warehouse and Distribution Center Overlay (AMO) is consistent with the goal and policies within the HI land use designation, which includes warehouse and distribution, logistics, and other general industrial land uses. Furthermore, it is consistent with the proposed Manufacturing-Medium (M-M) zoning classification for the Project site.

(b) The proposed amendment will include the Project site into the AMO and does not have any bearing on the General Plan Housing Element, nor does it propose any changes to the State housing element laws as the proposed use is entirely industrial in nature.

(c) The amendment and the subsequent development would expand basic employment job opportunities and the ratio of jobs-to-workers in the City by providing jobs ranging from construction workers necessary for the development to the jobs necessary to

operate the proposed industrial land use, including office uses. The proposed Project would help promote jobs for people of all income levels, including low-income residents.

Section 10. Findings for Recommendation of Approval of Change of Zone. The Planning Commission of the City of Jurupa Valley does hereby recommend that the City Council of the City of Jurupa Valley find and determine that Change of Zone No. 18008 should be adopted because:

(a) The proposed Change of Zone No. 18008 will be consistent with the 2017 Jurupa Valley General Plan, as amended by General Plan Amendment No. 18001. According to the General Plan Land Use Element, the proposed Manufacturing – Medium (M-M) Zone is a zoning classification that is consistent with the Heavy Industrial (HI) General Plan land use designation and with the proposed AMO, if approved.

Section 11. Findings for Approval of Variance. The Planning Commission of the City of Jurupa Valley does hereby recommend that the City Council of the City of Jurupa Valley find and determine that the proposed Variance No. 18005 should be granted because:

(a) The following special circumstances apply to the subject parcel of property and the strict application of the maximum building height requirement of thirty-five (35) feet for buildings on premises in the Agua Mansa Industrial Corridor Specific Plan area that are within one hundred (100) feet of a residential area, as set forth in Section 4.2.2 of the Agua Mansa Industrial Corridor Specific Plan, will deprive the subject parcel of property of privileges enjoyed by other properties in the vicinity under the same M-M zoning classification:

1) The Project site is surrounded by several industrial buildings located immediately across Hall Avenue that exceed the 35-foot height limit.

2) Modern day manufacturing, warehouse, and distribution buildings similar to the project size range are built with minimum clearance heights of 32 feet, which means the lowest point inside the building is 32 feet. A roof deck is typically 4 to 5 feet above the minimum clearance height and parapet walls are constructed on the building exterior to shield views of the roof structure.

3) In order for the proposed buildings to enjoy privileges of other neighboring warehouse buildings and to operate functionally, a minimum 32-foot clearance is needed and is consistent with other nearby industrial buildings having 36 to 40 foot minimum height clearance.

4) The proposed building height variance would be mitigated by:

a) The fact that Building A is located between 95 to 470 feet from Hall Avenue and the nearest residential structure is located approximately 510 feet to the north;

b) Limited frontage (76.5 lineal feet) falls within the setback;

- c) A 7 foot decorative block wall and Afghan Pines would offer screening of the building;
- d) The nearest residential structure from our property line is 460 feet away; and
- e) The nearest residential structure to a proposed dock door is 550 feet away.

(b) The adjustment does not constitute a grant of special privileges that is inconsistent with the limitations upon other properties in the vicinity and the M-M Zone, and will not be detrimental to the health, safety, and general welfare of the community because the proposed Project meets the intent of the City of Jurupa Valley Municipal Code and is consistent with the 2017 Jurupa Valley General Plan.

Section 12. Findings for Recommendation of Approval of Site Development Permit. The Planning Commission of the City of Jurupa Valley does hereby recommend that the City Council of the City of Jurupa Valley find and determine that Site Development Permit No. 18048 should be approved because:

(a) The proposed use will conform to all the requirements of the 2017 Jurupa Valley General Plan, as amended by General Plan Amendment No. 18001. The subject property has a General Plan Land Use designation of Heavy Industrial (HI). The proposed development of two industrial buildings for future warehouse and distribution use is consistent with the General Plan intent for Heavy Industrial (HI) and is an allowed use in the Agua Mansa Warehouse and Distribution Center Overlay (AMO). The proposed Project includes a Change of Zone from Manufacturing-Service Commercial (M-SC) to Manufacturing-Medium (M-M) in order to be consistent with the proposed General Plan Amendment to include the subject site into the AMO.

(b) The proposed use will conform to all applicable requirements of State law in that the project and process are consistent with applicable requirements.

(c) The proposed use will conform to all applicable requirements of the ordinances of the City of Jurupa Valley. The Project site is currently zoned Manufacturing-Service Commercial (M-SC). The Project includes an application for a Change of Zone from M-SC to Manufacturing-Medium (M-M). The proposed development of two industrial buildings for future warehouse and distribution use is an allowed use in the M-M Zone.

(d) The proposed overall development of the land, as demonstrated in the Site Plan, is designed for the protection of the public health, safety and general welfare of surrounding sensitive land uses by incorporating screen walls and dense landscaping along the entire northern property line and by locating loading doors towards the western and southern portions of the buildings, facing similar industrial land uses.

(e) The proposed overall development of the land is designed to conform to the logical development of the land in that the site is relatively flat and suitable for the proposed industrial development.

(f) The proposed overall development of the land is designed to be compatible with the present and future logical development of the surrounding property in that the project site is immediately surrounded by existing industrial uses in industrial zones within the Agua Mansa Industrial Corridor Specific Plan.

(g) The proposed site development plans consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion. The proposed Project will require public right-of-way improvements and dedication along Hall Avenue and El Rivino Road, including landscaped parkway, sidewalk, curb and gutter.

(h) The proposed site development plans take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof. The Preliminary Water Quality Management Plan was reviewed and approved by Engineering Department for the grading and drainage requirements outlined under the Engineering section of the proposed Conditions of Approval.

(i) The proposed site development plans do not permit the construction of more than one structure on a single legally divided parcel. The proposed Project has been conditioned to prohibit the applicant from selling any constructed structures until the parcel on which the building(s) are located is divided and a final map is recorded.

Section 13. Findings for Recommendation of Approval of Development Agreement. The Planning Commission of the City of Jurupa Valley does hereby recommend that the City Council of the City of Jurupa Valley find and determine that Development Agreement No. 18001 should be approved because:

(a) Development Agreement No. 18001 is consistent with the 2017 Jurupa Valley General Plan, as amended by General Plan Amendment No. 18001, including the goals and objectives thereof and each element thereof in that the Development Agreement would obligate the applicant to (1) provide a one-time community benefit payment for the City to use towards municipal purposes which can include meeting the General Plan's goals and objectives; and (2) provide payments for a planning study, North Rubidoux Master Plan, that would establish goals, objectives, and policies designed to protect residential neighborhoods consistent with the General Plan.

Section 14. Recommendation of Approval of Master Application No. 18008 with Conditions. Based on the foregoing, the Planning Commission hereby recommends that:

(a) The City Council of the City of Jurupa Valley approve Master Application No. 18008 (General Plan Amendment No. 18001, Change of Zone No. 20004, Variance No. 18005, Site Development Permit No. 18048, and Development Agreement No. 18001) to permit the construction of two (2) industrial speculative warehouse buildings totaling 335,002 square feet on approximately 23.4 acres of real property located at 12340 Agua Mansa Road (APNs: 175-210-032, -034, -062, -063) in the Agua Mansa Industrial Corridor Specific Plan and designated Heavy Industrial (HI) with Specific Plan Overlay, subject to the recommended conditions of approval attached hereto as Exhibit "C."

(b) The City Council's approval of General Plan Amendment No. 18001, Variance No. 18005, and Site Development Permit No. 18048 shall not be effective until the effective date of the ordinance adopting Change of Zone No. 20004 or Development Agreement No. 18001, whichever date occurs latest.

Section 15. **Certification.** The Community Development Director shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Jurupa Valley on this 9th day of June, 2021.

Penny Newman
Chair of Jurupa Valley Planning Commission

ATTEST:

Joe Perez
Community Development Director/Secretary to the Planning Commission

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF JURUPA VALLEY)

I, Joe Perez, Community Development Director of the City of Jurupa Valley, do hereby certify that the foregoing Resolution No. 2021-06-09-02 was duly adopted and passed at a meeting of the Planning Commission of the City of Jurupa Valley on the 9th day of June, 2021, by the following vote, to wit:

AYES: COMMISSION MEMBERS:

NOES: COMMISSION MEMBERS:

ABSENT: COMMISSION MEMBERS:

ABSTAIN: COMMISSION MEMBERS:

JOE PEREZ
COMMUNITY DEVELOPMENT DIRECTOR

EXHIBIT A TO ATTACHMENT 1

Findings and Statement of Overriding Considerations

“EXHIBIT A”

**Facts and Findings Regarding the
Environmental Effects of the Approval of the:**

Agua Mansa Road Development Project

State Clearinghouse No. 2020010137

Lead Agency

City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley, CA 92509

CEQA Consultant

T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

Project Applicant

Carson-VA Industrial II, LP
100 Bayview Circle, Suite 3500
Newport Beach, CA 92660

May 2021

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1.0 INTRODUCTION AND PURPOSE

The City Council of the City of Jurupa Valley (the “City Council”) in approving the Agua Mansa Road Development project (the “Project”) makes the Findings described below. The Findings are based upon the entire record before the City Council, as described in Subsection 1.3 below, including the Environmental Impact Report (“EIR”) prepared for the Project with the City of Jurupa Valley (the “City”) acting as lead agency under the California Environmental Quality Act (“CEQA”).

Hereafter, the Notice of Preparation, Notice of Availability, Draft EIR, Technical Studies, and Final EIR (containing responses to public comments on the Draft EIR and textual revisions to the Final EIR), will be referred to collectively herein as the “EIR” unless otherwise specified.

1.1 FINDINGS REQUIRED UNDER CEQA

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 statute also 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 lessen such significant effects.” Finally, Section 21002 indicates 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 described in Public Resources Code Section 21002 is 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 finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. The third finding is that specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the 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."

1.2 PROJECT SUMMARY

1.2.1 SITE LOCATION

The Project site consists of 23.44-gross acres in the City of Jurupa Valley, Riverside County, California. From a regional perspective, the Project site is located in the northeast portion of the City of Jurupa Valley, to the south of the City of Rialto and to the west of the City of Colton. Interstate

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10 (I-10) is located approximately 2.5 miles north of the Project site, I-215 is located approximately 2.4 miles east of the Project site, and State Route (SR-) 60 is located approximately 1.9 miles south of the Project site. At the local scale, the Project site is immediately bounded by Agua Mansa on the southeast, Hall Avenue on the south and west, and existing industrial development and residences to the north.

1.2.2 PROJECT OVERVIEW

The Project is a proposal to develop an approximately 23.44 gross-acre property to accommodate two industrial buildings (“Building A” and “Building B”) totaling 335,002 square feet (s.f.) and related site improvements including landscaping, parking, and infrastructure facilities. Building A on the western portion of the site would include a total of 140,198 s.f. of building area, with 137,198 s.f. dedicated to warehouse uses and 3,000 s.f. for mezzanine/office use. Building B on the eastern portion of the site would include a total of 194,804 s.f. of building area, with 188,804 s.f. dedicated to warehouse uses and 6,000 s.f. for mezzanine/office use. Additionally, Building A would include 19 loading bays at the west end of the building and Building B would include 21 loading bays at the south end of the building. Vehicular access to the site would be provided by four driveways providing connection to Hall Avenue.

1.2.3 PROJECT OBJECTIVES

The underlying purpose of the Project is to develop a vacant, undeveloped, and under-utilized site in an area of the City with predominantly industrial uses, with two industrial buildings. The following is a list of specific objectives that the proposed Project is intended to achieve:

1. To develop a vacant and underutilized property with industrial uses to help meet the substantial and unmet regional demands for goods movement facilities consistent with Southern California Association of Governments’ Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy).
2. To expand economic development and facilitate job creation in the City of Jurupa Valley by establishing new industrial development adjacent to already-established industrial uses.
3. To develop Class A speculative industrial buildings in Jurupa Valley that are designed to meet contemporary industry standards, accommodate a wide variety of users, and are economically competitive with similar warehouse buildings in the local area and region.
4. To develop industrial buildings in close proximity to key freeway infrastructure (the I-10, I-215, and SR-60 Freeways), thereby reducing goods movement travel distances.
5. To develop a vacant property that is readily accessible to existing and available infrastructure, including roads and utilities.

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6. To attract new businesses to the City of Jurupa Valley in proximity to residences thereby providing a more equal jobs-housing balance in the Inland Empire area that will reduce the need for members of the local workforce to commute outside the area for employment.

1.2.4 CITY OF JURUPA VALLEY ACTIONS COVERED BY THE EIR

The following discretionary and administrative actions are required of the City to implement the Project. The EIR prepared for the Project covers all discretionary and administrative approvals which may be needed to construct or implement the Project, whether or not they are explicitly listed below.

- Approve General Plan Amendment (GPA) No. 18001;
- Approve Zone Change (ZC) No. 20004;
- Approve Development Agreement (DA) No. 18001;
- Approve Site Development Permit (SDP) No. 18048; and
- Approve Variance No. 18005.

1.2.5 APPROVALS FROM OTHER AGENCIES

The California Public Resource Code (§ 21104) requires that all EIRs be reviewed by responsible and trustee agencies (see also CEQA Guidelines Section 15082 and Section 15086(a)). As defined by CEQA Guidelines Section 15381, “the term ‘Responsible Agency’ includes all public agencies other than the Lead Agency that have discretionary approval power over the project.” A “Trustee Agency” is defined in CEQA Guidelines Section 15386 as “a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California.”

The anticipated agencies expected to use the EIR are described below. However, the EIR can be used by any Trustee Agency or Responsible Agency, whether identified in the EIR or not, as part of their decision-making processes in relation to the proposed Project.

Responsible Agency	Action
Santa Ana Regional Water Quality Control Board	<ul style="list-style-type: none"> • Issuance of National Pollution Discharge Elimination System (NPDES) Permit.
Riverside County Flood Control and Water Conservation District	<ul style="list-style-type: none"> • Approval of master plan drainage infrastructure.
Southern California Gas Company and Southern California	<ul style="list-style-type: none"> • Issuance of approvals necessary for the installation of new SoCalGas and SCE facilities/connections to service the Project.
South Coast Air Quality Management District	<ul style="list-style-type: none"> • Issuance of permits that allow for the construction and operation of the proposed Project to ensure that emissions do not result in significant impacts to air quality.
Rubidoux Community Services District	<ul style="list-style-type: none"> • Issuance of approvals required for the installation of new RCSD facilities/connections to service the Project.
Trustee Agency	Action
Native American Heritage Commission	<ul style="list-style-type: none"> • Ensuring California Native American tribes have accessibility to ancient Native American cultural resources on public lands

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Responsible Agency	Action
	overseeing the treatment and disposition of inadvertently discovered Native American human remains and burial items, and administering the California Native American Graves Protection and Repatriation Act.

1.3 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City conducted an extensive environmental review of the Project to ensure that the City’s decision makers and the public are fully informed about the potential significant environmental effects of the Project; to identify ways that environmental damage can be avoided or significantly reduced; and to prevent significant, avoidable damage to the environment by requiring changes in the Project using mitigation measures which have been found to be feasible. To do this, the City, acting as lead agency under CEQA, undertook the following:

- Circulated a Notice of Preparation (NOP) to the California Office of Planning and Research (the “State Clearinghouse”), Responsible Agencies, Trustee Agencies, and other interested parties on January 11, 2020 for a 30-day review period between January 13, 2020 and February 11, 2020;
- Held a publicly noticed EIR Scoping Meeting at City Hall, located at 8930 Limonite Avenue, Jurupa Valley, CA on January 28, 2020, to solicit comments from the public on the environmental issue areas that should be analyzed in the EIR;
- Sent a Notice of Completion (NOC) and copies of the Draft EIR to the California Office of Planning and Research, State Clearinghouse, on January 13, 2020;
- Mailed a Notice of Availability (NOA) to all Responsible Agencies, Trustee Agencies, the Riverside County Clerk, other interested parties, and organizations and individuals who had previously requested the Notice to inform recipients that the Draft EIR was available for a 45-day review period beginning on November 6, 2020, and ending on December 21, 2020;
- Published the NOA in The Press-Enterprise, which is the newspaper of general circulation in the area affected by the Project, on November 6, 2020;
- Made an electronic copy of the Draft EIR available on the City’s website;
- Conducted two (2) Environmental Justice Informational Sessions on November 30, 2020 and April 20, 2021.
- Conducted a Planning Commission Study Session on March 10, 2021.
- Prepared responses to comments on the Draft EIR received during the 45-day comment period on the Draft EIR, which have been included in the Final EIR;

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- Mailed notice of the Planning Commission hearing to all property owners and occupants within a 1,000-foot radius of the Project site, to residents in the Belltown neighborhood and to the Center for Community Action and Environmental Justice (CCA EJ).
- Held a Planning Commission hearing on June 9, 2021.
- Sent individual responses to all public agencies, organizations, and individuals who submitted comments on the Draft EIR on [date to be inserted];
- Mailed notice of the City Council hearing to all property owners and occupants within a 1,000-foot radius of the Project site, to residents in the Belltown neighborhood and to the Center for Community Action and Environmental Justice (CCA EJ).
- [Insert City Council hearing date]

All the documents identified above and all the documents which are required to be part of the record pursuant to Public Resources Code §21167.6(e) are on file with the City of Jurupa Valley Planning Division located at 8930 Limonite Avenue in Jurupa Valley, CA 92509. Questions should be directed to Rocio Lopez, Senior Planner.

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2.0 ENVIRONMENTAL IMPACTS AND FINDINGS

The EIR was prepared by T&B Planning, Inc., an independent, professional consulting firm hired by the City of Jurupa Valley and working under the supervision and direction of the Planning staff of the City’s Planning Division. The professional qualifications and reputation of the EIR Consultant, the supervision and direction of the EIR Consultant by City staff, the thorough and independent review of the Draft EIR and Final EIR, including comments and responses by City staff, and the review and careful consideration of the Final EIR by the City Council, including comments and responses, all conclusively show that the Final EIR is the product of and reflects the independent judgment and analysis of the City as the Lead Agency.

Based on the Initial Study, Technical Appendix A to the Draft EIR, and the responses of the NOP, the EIR analyzed 14 potential areas where significant environmental impacts could result from the development of the Project. The 14 potential areas where significant environmental impacts could result from the development of the Project include: aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, tribal cultural resources, and utilities and service systems.

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3.0 ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The City Council hereby finds that the following potential environmental impacts associated with the implementation of the Agua Mansa Road Development Project are less-than-significant and therefore do not require the imposition of mitigation measures.

3.1 AESTHETICS

3.1.1 THRESHOLD A

Impact Statement: The Project would not have a substantial effect on a scenic vista.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.1.6 of the DEIR. The proposed Project would be required to implement Plans, Policies, or Programs (PPP) 4.1-1 through 4.1-3 to comply with the City’s Municipal Code to reduce impacts to aesthetics. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

Substantive Evidence

The City’s General Plan defines scenic vistas as “points or corridors that are accessible to the public and that provide a view of scenic areas and/or landscapes.” The Project site is located approximately 0.68-mile west of the Santa Ana River, approximately 2.31 miles east of the Jurupa Mountains, and 4.06 miles northeast of the Pedley Hills. Due to distance from identified scenic vistas, intervening development, and topography, the Project site and the immediate surrounding area do not provide publicly accessible vantage points to view these scenic areas. Further, the Project site is not located near a scenic corridor. The public rights-of-way surrounding the Project site provide distant and partial views of the San Bernardino Mountains (approximately 12.7 miles) and San Gabriel Mountains (approximately 14.8 miles) to the north and northwest; La Loma Hills (approximately 1.20 miles), Blue Mountain (approximately 4.30 miles) and Sugarloaf Mountain (approximately 3.67 miles) to the east; and Rattlesnake Mountain (approximately 1.3 miles) to the west. Additionally, the County of San Bernardino General Plan does not specify identify any scenic vistas. The Project site is in an area previously developed with predominantly industrial uses and is not located near any identified scenic resource. Therefore, similar to the findings in other jurisdictions, implementation of the Project would not impact any scenic vistas under the jurisdiction of San Bernardino County. (EIR, pp. 4.1-11 – 4.1-13)

3.1.2 THRESHOLD B

Impact Statement: The Project would not damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

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Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.1.6 of the DEIR. The proposed Project, which includes design features that are intended to create aesthetical pleasing industrial buildings and site design, would comply with the City’s Municipal Code with respect to Threshold b. This City Council finds that the development of the proposed Project would result in no impacts with respect to Threshold b; therefore, no mitigation is required.

Substantive Evidence

According to California Department of Transportation’s (Caltrans’) list of designated and eligible routes, and pursuant to the Streets and Highway Code, Sections 260-263, there are no Officially-Designated State scenic highways within the City of Jurupa Valley or in proximity to the Project site. As previously stated, the nearest Officially-Designated State scenic highway is State Route 38 (SR-38) located approximately 16.3 miles east of the Project site and the nearest eligible scenic highway is Interstate 215 (I-215) from SR-74 near Romoland to SR-74 near Perris located approximately 20 miles southeast of the Project site. As the site would not be visible from SR-38 or the eligible portion I-215 due to distance, intervening development, and topography, the Project does not have the potential to substantially damage any scenic resources, including trees, rock outcroppings, or historic buildings, within a scenic highway. No impacts would occur. (EIR, p 4.1-14)

3.1.3 THRESHOLD C

Impact Statement: The Project would not, in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.

Findings

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.1.6 of the DEIR. The proposed Project would be required to implement PPPs 4.1-1 through 4.1-3 to comply with the City’s Municipal Code to reduce impacts to aesthetics. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

Substantive Evidence

Buildout of the Project would change the existing visual character of the Project site from vacant and undeveloped to a developed site consisting of two industrial warehouse buildings totaling 335,002 square feet (sf) and associated site improvements. The Project would be visually compatible with the existing industrial uses that surround the Project site, and would be compliant with the General Plan policies and Code requirements pertaining to scenic quality. The Project Applicant would incorporate several landscaping treatments to screen portions of the proposed buildings from the surrounding development. With the proposed Zone Change, the Project will be consistent with applicable zoning requirements. Accordingly, the Project would not conflict with applicable zoning and other regulations governing scenic quality and impacts would be less than significant. (EIR, p. 4.1-20)

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3.1.4 THRESHOLD D

Impact Statement: The Project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

Findings

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.1.6 of the DEIR. The proposed Project would be required to implement PPP 4.1-3 to comply with the City’s Municipal Code to reduce light impacts. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold d; therefore, no mitigation is required.

Substantive Evidence

Under existing conditions, the Project site is vacant and undeveloped and does not produce any light or glare; therefore, implementation of the Project would result in an increase in ambient light generation, primarily associated with building lights, security/parking lot lighting. The Project would implement parking lot and building lighting based on City approval for consistency with the City’s lighting standards. Although the Project would increase the light levels relative to existing conditions within the Project site, the proposed lighting levels would be consistent with the lighting that occurs under existing conditions within the surrounding area that is associated with existing industrial/residential development. Furthermore, coverings, fixtures, placement, and orientation of the proposed lighting have been designed to limit spillage of light on to adjacent properties or create a substantial new source of sky glow in accordance with Section 9.148.040 of the City’s Municipal Code. Further, compliance with Section 9.150 will ensure that the Project’s proposed lighting would not substantially affect daytime or nighttime views within the area and impacts would be less than significant. Lastly, the Project would introduce limited sources of glare which would be partially screened by vegetation for nearby motorists and residents. As such, impacts related to glare would be less than significant. (EIR, p. 4.1-21)

3.2 AIR QUALITY

3.2.1 THRESHOLD C

Impact Statement: The Project would not expose sensitive receptors to substantial pollutant concentrations.

Findings

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.2.6 of the DEIR. The proposed Project would be required to implement PPPs 4.2-1 through 4.2-4 to comply with the City’s Municipal Code to reduce impacts to air quality. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

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Substantive Evidence

Project-related construction emissions would not exceed the South Coast Air Quality Management District (SCAQMD) localized significance thresholds (LST) for NO_x, CO, PM₁₀, or PM_{2.5} at the nearest sensitive receptor. Accordingly, construction of the Project would not result in the exposure of any sensitive receptors to substantial pollutant concentrations. Project-related operational emissions would not exceed SCAQMD’s LST for NO_x, CO, PM₁₀, or PM_{2.5} at the nearest sensitive receptor. Accordingly, construction of the Project would not result in the exposure of any sensitive receptors to substantial pollutant concentrations.

Further, given the extremely low level of CO concentrations in the Project area, and minor traffic impact increases at affected intersections, Project-related vehicles are not expected to contribute significantly to result in the CO concentrations exceeding the State or federal CO standards. Because no CO hot spots would occur, there would be no Project-related impacts on CO concentrations.

All health risk levels to nearby residents and workers from Project-related emissions of TAC would be well below SCAQMD’s Health Risk Assessment (HRA) thresholds; therefore, the Project would not expose sensitive receptors to substantial pollutant concentrations and the resulting impact would be less than significant. (EIR, pp. 4.2-34 – 4.2-37)

3.2.2 THRESHOLD D

Impact Statement: The Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Findings

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.2.6 of the DEIR. The proposed Project would be required to implement PPP 4.2-5 to comply with the City’s Municipal Code to reduce impacts to air quality. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold d; therefore, no mitigation is required.

Substantive Evidence

The Project could produce odors during proposed construction activities resulting from construction equipment exhaust, application of asphalt, and/or the application of architectural coatings; however, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short-term, and intermittent in nature. In addition, construction activities on the Project site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance. Accordingly, the proposed Project would not create objectionable odors affecting a substantial number of people during construction. Therefore, the Project would result in less-than-significant odor impacts during short-term construction activities. Land uses generally associated with odor complaints include agricultural uses (livestock and farming); wastewater treatment plants; food processing plants; chemical plants; composting operations; refineries; landfills; dairies; and

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fiberglass molding facilities. The Project consists of industrial uses, similar in nature to the existing surrounding uses, and would not include land uses typically associated with emitting objectionable odors. Additionally, the temporary storage of refuse associated with the proposed Project’s long-term operational use could be a potential source of odor; however, Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City’s solid waste regulations, thereby precluding any significant odor impact. Furthermore, the proposed Project would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance, during long-term operation. No sources of objectionable odors have been identified during operation of the Project. Therefore, the Project would result in less than significant impacts associated with emissions of objectionable odors. (EIR, pp. 4.2-38 – 4.2-39)

3.3 BIOLOGICAL IMPACTS

3.3.1 THRESHOLD B

Impact Statement: The Project would not have a substantial adverse effect on any riparian habitat or other sensitive community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Services.

Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.3.6 of the DEIR. The proposed Project would be required to implement PPP 4.3-1 to comply with the City’s Municipal Code to reduce impacts to biological resources. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

Substantial Evidence

The Project would have no potential to result in a substantial adverse effect on any riparian habitat or any Corps, Regional Water Quality Water Board (RWQCB) or California Department of Fish and Wildlife (CDFW) jurisdictional features. Although the Project site is located within a Narrow Endemic Plant Species (NEPS) Survey Area as established by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), no suitable habitat was observed for the three (3) narrow endemic plant species that were identified for the Project area (San Miguel savory [Clinopodium chandleri = Satureja c.], San Diego ambrosia [Ambrosia pumila], and Brand’s phacelia [Phacelia stellaris]). As described under Subsection 4.3.1 and within the analysis under Threshold a, the Project site is heavily disturbed, and contains only disturbed and developed vegetation communities. No special-status plants or special-status habitats are present at the Project site and the site does not currently contain any sensitive habitat. Accordingly, the Project would not impact any native vegetation communities, including special-status communities (Brand's phacelia, San Diego ambrosia, and San Miguel savory) because there is no suitable habitat for these species on the Project site. Therefore, the Project would have a less than significant impact on riparian habitat or other sensitive natural communities. (EIR, p. 4.3-15)

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3.3.2 THRESHOLD C

Impact Statement: The Project would not have substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Findings

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.3.6 of the DEIR. The proposed Project would be required to implement PPP 4.3-1 to comply with the City’s Municipal Code to reduce impacts to biological resources. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold c; therefore, no mitigation is required.

Substantial Evidence

The Project-specific *Habitat Suitability Evaluation* (EIR *Technical Appendix C*) included an assessment consistent with MSHCP requirements for vernal pools, which are defined as seasonal wetlands that occur in depression areas that have wetland indicators of all three parameters (soils, vegetation, and hydrology). According to the Project-specific Habitat Suitability Evaluation, no evidence of vernal pools or other wetland features were recorded on the site during the field survey. The Project site has well-drained sandy soils, with no areas of visible ponding, no hydrophytic vegetation, no highwater marks, waterways, or other evidence of water flow. Therefore, implementation of the Project would result in no impacts to State or federally protected wetlands. (EIR, p. 4.3-16)

3.3.3 THRESHOLD E

Impact Statement: The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings

Potential impacts of the Project related to Threshold e are discussed in detail in Section 4.3.6 of the DEIR. The proposed Project would be required to implement PPP 4.3-1 to comply with the City’s Municipal Code to reduce impacts to biological resources. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold e; therefore, no mitigation is required.

Substantial Evidence

The Project would be consistent with all applicable General Plan policies pertaining to biological resources including Conservation and Open Space Policies COS 1.2 (Protection of Significant Trees), 1.3 (Other Significant Vegetation), 2.1 (MSHCP Implementation), and 2.3 (Biological Reports). Therefore, the Project would not conflict with any of the City’s General Plan policies related to the protection of biological resources. No impacts would occur.

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The City of Jurupa Valley Municipal Code does not contain any ordinances related to the preservation of trees. As such, the implementation of the Project does not have the potential to conflict with such ordinances. No impacts would occur. (EIR, p. 4.3-19)

3.4 CULTURAL RESOURCES

3.4.1 THRESHOLD A

Impact Statement: The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.4.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

Substantial Evidence

Previous cultural resource work in the Project vicinity has resulted in six (6) cultural resources being recorded within 1 mile of the Project site in Riverside County. Of these six resources, one resource includes a portion of the project site (P-33-16364/CA-RIV-8513). One historic-period map (USGS 1896) indicates there was no development in the Project area prior to 1896.

Historic period cultural resource P-33-16364/CA-RIV-8513 was originally recorded as a historic period archaeological site consisting of “a steel tank, a large steel pipe junction, a large patch of asphalt pavement, two borrow pits, a steel rail, several steel and iron pipes, and a dirt access road.” According to the site record, no historic period artifacts were observed in associated site features; the construction and use date of the resource is unknown.

The results of the October 30, 2018, records search at the South Central Coastal Information Center (SCCIC) indicate that two previous cultural resources studies have involved the Project site: a cultural resources assessment and a cultural resources survey. An additional 48 cultural resources studies have been conducted within one (1) mile of the Project site. Previous cultural resource work in the Project site search radius in San Bernardino County has resulted in 16 cultural resources being recorded in San Bernardino County within 1 mi of the Project Site. None of those cultural resources were recorded within the Project site.

The first development within the Project site includes the planting of groves of trees between 1938 and 1948. The first building on-site appears between 1946 and 1948. The groves disappear by 1959 and additional buildings are identified on-site. These building are demolished by 1978. Between 1978 and 2012, the Project site experiences little change.

During the pedestrian survey, careful attention was paid in the area of P-33-16364/CA-RIV-8513 to look for remnants of the historic period site. It is possible that the P-33-16364/CA-RIV-8513 site features may be associated with the buildings that appear on the aerial photographs and topographic

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maps discussed above; however, the age of the features is unknown, and current research discovered that not enough detail exists in aerial photographs to determine an approximate time that the features were constructed. During the pedestrian field survey, the surveyor observed the steel tank, steel pipe junction, and asphalt pavement that are noted in the original site record. However, no historic period artifacts were found on the Project site, and the age and use date of the site remains unknown. No evidence was identified during the background research to associate the site features with events that have made a contribution to the broad patterns of California’s history and cultural heritage or individuals important to the past. Additionally, the site features do not embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values, and it does not seem likely to yield information important to the past. Additionally, the City’s General Plan does not identify any structures within the Project site. Therefore, impacts would be less than significant. (EIR, pp. 4.4-7 – 4.4-10)

3.4.2 THRESHOLD C

Impact Statement: The Project would not disturb any human remains, including those interred outside of formal cemeteries.

Findings

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.4.6 of the DEIR. The proposed Project would be required to implement PPP 4.4-1 to comply with the City’s Municipal Code to reduce impacts to cultural resources. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold c; therefore, no mitigation is required.

Substantial Evidence

The Project site does not contain a cemetery and no known cemeteries are located within the immediate site vicinity. Field surveys conducted on the Project site by LSA did not identify the presence of any human remains and no human remains are known to exist beneath the surface of the Project site. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction.

If human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California Health and Safety Code, § 7050.5, “Disturbance of Human Remains.” According to § 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner is required to contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code § 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her

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authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code § 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code § 7050.5 and Public Resources Code § 5097.98, any potential impacts to human remains, including human remains of Native American descent, would be less than significant and mitigation is not required. (EIR, pp. 4.4-12 – 4.4-13)

3.5 ENERGY

3.5.1 THRESHOLD A

Impact Statement: The Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.5.6 of the DEIR. The proposed Project would be required to implement PPPs 4.5-1 through 4.5-6 to comply with the City’s Municipal Code to reduce impacts to energy resources. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

Substantial Evidence

Construction activities are not anticipated to result in an inefficient use of energy, as gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs constructing the Project. Energy usage on the Project site during construction would be temporary in nature and would be relatively small in comparison to the State’s available energy sources. Therefore, construction activities would not result in the wasteful, inefficient, or unnecessary consumption of energy resources.

The estimated potential increased electricity demand associated with operation of the Project is 4,433,010 Kilowatt hour (kWh) per year, less than 0.03 percent of Riverside County’s total electricity demand. The Project would result in the annual consumption of approximately 182,306 gallons of gasoline and 187,743 gallons of diesel. In 2015, vehicles in California consumed approximately 15.1 billion gallons of gasoline and 4.2 billion gallons of diesel (LSA, 2020b); therefore, gasoline and diesel demand generated by vehicle trips associated with the proposed project would be a minimal fraction of gasoline and diesel fuel consumption in California, and by extension, in Riverside County. Similarly, the fuel efficiency of the trucks associated with project operations would also increase throughout the life of the Project. Therefore, implementation of the Project

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would not result in a substantial increase in transportation-related energy uses. Project operations would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. (EIR, pp. 4.5-10 – 4.5-13)

3.5.2 THRESHOLD B

Impact Statement: The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.5.6 of the DEIR. The proposed Project would be required to implement PPPs 4.5-1 through 4.5-6 to comply with the City’s Municipal Code to reduce impacts to energy resources. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

Substantial Evidence

The Project was analyzed for consistency with the SCAQMD’s Air Quality Management Plan (AQMP) and the Western Riverside Council of Governments’ (WRCOG’s) Climate Action Plan (CAP). As discussed in Subsection 4.5 of the EIR, the Project would be consistent with the WRCOG’s CAP greenhouse gas (GHG) policies and goals. Compliance with the WRCOG’s CAP would help to reduce energy and natural gas consumption as well as gasoline usage. Therefore, the Project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy and would incorporate renewable-energy or energy-efficiency measures into building design, equipment uses, and transportation. As indicated above, energy usage on the Project site during construction would be temporary in nature and would be minimal compared to State energy demands, and the Project would comply with Title 24 and CALGreen Code standards and be consistent with Municipal Code requirements and the WRCOG’s CAP. Thus, the Project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and not result in any irreversible or irretrievable commitments of energy. Therefore, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

3.6 GEOLOGY AND SOILS

3.6.1 THRESHOLD A

Impact Statement: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, and/or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42).
2. Strong seismic ground shaking.

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3. Seismic-related ground failure, including liquefaction.
4. Landslides.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.6.6 of the DEIR. The proposed Project would be required to implement PPPs 4.6-1 and 4.6-2 to comply with the City’s Municipal Code to reduce impacts to geologic and soil resources. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

Substantial Evidence

No active or potentially active faults are known to exist at the Project site and the Project site does not lie within any Alquist-Priolo Earthquake Fault Zones and as shown in the City’s General Plan, Figure 8-4, *Mapped Fault Zones*. The nearest known active fault is the San Jacinto Fault located approximately 4 miles to the northeast of the Project site. Because the Project site is not located within an Alquist-Priolo Earthquake Fault Zone and because no known active faults underlie the Project site, the Project site would not be exposed to fault rupture during a seismic event and no impact would occur.

As with much of the southern California region, the Project site is located in a seismically active area. The buildings and supporting infrastructure improvements proposed within the Project site would be subject to ground shaking during seismic events along local and regional faults that would occur during the lifetime operation of the proposed Project. Therefore, the Project has the potential to expose people or structures to adverse effects associated with seismic events. The requirements of design and construction applicable to the Project identified in the California Building Standards Commission (CBSC) California Green Building Standards (CALGreen) regulations are designed to ensure that buildings are able to withstand the levels of seismic ground shaking to which the proposed Project would be subject. Accordingly, the Project would have a less than significant impact associated with seismically-induced ground shaking and mitigation is not required.

The potential for liquefaction at the Project site is low due to a historic high groundwater level at 50 feet or greater below grade and stiff, fine-grained soils encountered with depth. Additionally, as shown in General Plan Figure 8-5, *Liquefaction Susceptibility in Jurupa Valley*, the Project site is not identified as being susceptible to liquefaction. Thus, the proposed Project would have a less than significant impact regarding seismic-related ground failure, including liquefaction.

The topography of the Project site is relatively flat in the south and southwesterly portions of the Project site with a step up in elevation along the eastern portion of the Project site. Additionally, the City of Jurupa Valley General Plan Figure 8-6, *Landslide Susceptibility in Jurupa Valley*, does not identify the Project site as within an area at risk of landslide (City of Jurupa Valley, 2017a). Thus, the occurrence of mass movement failures such as landslides, rockfalls, or debris flows within such areas is generally not considered common and the Project would have no impact with respect to landslides. (EIR, pp. 4.6-10 – 4.6-13)

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3.6.2 THRESHOLD B

Impact Statement: The Project would not result in substantial soil erosion or loss of topsoil.

Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.6.6 of the DEIR. The proposed Project would be required to implement PPPs 4.6-2 through 4.6-4 to comply with the City’s Municipal Code to reduce impacts to geologic and soil resources. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

Substantial Evidence

The proposed grading activities associated with the Project would temporarily expose underlying soils to water and air which would increase erosion susceptibility while the soils are exposed. Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities. The NPDES permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area. As part of the mandatory Municipal Code and NPDES requirements, the Project Applicant would also be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) that would identify construction best management practices (BMPs). BMPs (i.e. silt fencing, sand bags, etc.) that would be implemented during the construction phase to reduce the Project site’s potential for soil erosion or the loss of topsoil. In addition, construction activities associated with the Project would be required to comply with SCAQMD Rule 403, Fugitive Dust, which would preclude wind-related erosion hazards during construction activities. Mandatory compliance with the Project’s NPDES permit and these regulatory requirements of the SCAQMD (i.e., SCAQMD Rule 403) would ensure that water and wind erosion during the Project’s construction-related activities would be minimized. Accordingly, construction-related impacts associated with soil erosion and loss of topsoil would be less than significant.

Following construction, wind and water erosion on the Project site would be minimized, as the areas disturbed during construction would be landscaped or covered with impervious surfaces (i.e., building foundations and paved parking areas). Only nominal areas of exposed soil, if any, would occur in the Project site’s landscaped areas. Implementation of the Project would redesign the drainage and conveyance of stormwater throughout the Project site. Drainage from the northwest portion of the site would be directed to the proposed infiltration basin at the north end of the development. Stormwater runoff from 85th percentile rain events will percolate into the ground; however, runoff in excess of this amount will overflow into a storm drain riser and flow into a relocated storm drain pipe which connects to the Riverside County Flood Control and Water Conservation District (RCFCWCD) system in Hall Avenue. Drainage from the southwest portion of the site would be directed to underground infiltration chambers beneath the proposed trailer parking stalls associated with Building B. Storm runoff from the 85th percentile events will percolate into the

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ground; however, runoff in excess of this amount will overflow into two existing 24-inch storm drain laterals which connects to the RCFCWCD’s 51-inch Reinforced concrete pipe (RCP) storm drain in Hall Avenue. The proposed Project’s stormwater capture, detention, and stormwater conveyance system is designed to be consistent with design flow rates of RCFCWCD stormwater conveyance system; therefore, implementation of the Project would not result in excess surface runoff which would cause erosion or loss of topsoil. Adherence to the requirements noted in the Project’s required WQMP (*Technical Appendix H2* of the EIR), and City of Jurupa Valley Municipal Code Chapter 6.05, *Storm Water/Urban Runoff Management and Discharge Controls*, would ensure that the Project’s potential erosion impacts during operation would be less than significant. (EIR, pp. 4.6-13 – 4.6-14)

3.6.3 THRESHOLD C

Impact Statement: The Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or offsite landslide, lateral spreading, subsidence, liquefaction or collapse.

Findings

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.6.6 of the DEIR. The proposed Project would be required to implement PPPs 4.6-1 and 4.6-2 to comply with the City’s Municipal Code to reduce impacts to geologic and soil resources. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

Substantial Evidence

As discussed above, the Project site and the surrounding properties are relatively flat. Thus, the potential occurrence of mass movement failures such as landslides, rockfalls, or debris flows within the Project area is considered very low. Additionally, since the depth to groundwater is in excess of 50 feet below ground surface (bgs), the potential for liquefaction is considered low. Nevertheless, because the Project site does contain uncompacted fill soils, there is a potential that development within the Project site could result in potentially significant settlement. However, the potential for settlement is limited by PPP 4.6-1 and 4.6-2 and additional remedial measures to address soil settlement, as recommended by the Project’s Geotechnical Investigation. With the implementation of the recommendations provided in the Project-specific Geotechnical Investigation, the Project’s potential impacts related to geologic stability will be less than significant levels. Further, compliance with the standards of CBSC CALGreen and Title 8, Buildings and Construction, of the City of Jurupa Valley Municipal Code would ensure that the Project would not result in any potential impacts associated with lateral spreading, subsidence, or collapse. (EIR, pp. 4.6-15 – 4.6-16)

3.6.4 THRESHOLD D

Impact Statement: The Project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.

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Findings

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.6.6 of the DEIR. The proposed Project would be required to implement PPPs 4.6-1 and 4.6-2 to comply with the City’s Municipal Code to reduce impacts to geologic and soil resources. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold d; therefore, no mitigation is required.

Substantial Evidence

The uppermost soils at the Project site consist of granular soils and are considered to have a very low expansion potential (Expansion Index = 0-20). Additionally, mandatory implementation of the standards of CBSC CALGreen and Title 8, *Buildings and Construction*, of the City of Jurupa Valley Municipal Code, would further ensure that impacts associated with expansive soils would be less than significant and mitigation is not required. (EIR, p. 4.6-17)

3.6.5 THRESHOLD E

Impact Statement: The Project would not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

Findings

Potential impacts of the Project related to Threshold e are discussed in detail in Section 4.6.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold e; therefore, no mitigation is required.

Substantial Evidence

The Project proposes to install wastewater collection and conveyance facilities that would connect to the City’s municipal sewer system. No septic tanks or alternative waste water disposal systems are proposed as part of the Project. Accordingly, no impact would occur. (EIR, p. 4.6-18)

3.7 GREENHOUSE GAS EMISSIONS

3.7.1 THRESHOLD B

Impact Statement: The Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.7.6 of the DEIR. The proposed Project would be required to implement PPPs 4.7-1 through 4.7-6 to comply with the City’s Municipal Code to reduce impacts to greenhouse gas emissions. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

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❑ Substantial Evidence

The WRCOG Subregional CAP establishes policies and priorities to enable member jurisdictions, including Jurupa Valley, to implement strategies that successfully address state legislation Assembly Bill (AB) 32 and Senate Bill (SB) 375. The CAP addresses the overall GHG emissions in Western Riverside County by preparing GHG inventories, identifying emissions reduction targets, and developing and evaluating GHG emissions to 80 percent below 1990 levels by 2050 in accordance with Executive Order S-3-05, AB 52, and SB 375. Until the City formally adopts a CAP, local development is not required to be consistent on a project-by-project evaluation of GHG emissions identified in the WRCOG Subregional CAP, therefore, the project has been evaluated relative to the goals of AB 32, SB 32, the City’s adopted General Plan policies that pertain to GHG emissions, and Southern California Association of Governments’ (SCAG’s) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

Energy efficiency measures are intended to maximize energy efficient building and appliance standards, pursue additional efficiency efforts including new technologies and new policy and implementation mechanisms, and pursue comparable investment in energy efficiency from all retail providers of electricity in California. In addition, these measures are designed to expand the use of green building practices to reduce the carbon footprint of California’s new and existing inventory of buildings. The proposed Project would be constructed to CalGreen Building Code standards. Therefore, the proposed Project would not conflict with AB 197 energy efficiency measures.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. Increasing the efficiency of water transport and reducing water use would reduce greenhouse gas emissions. The proposed Project would comply with the CalGreen Building Code standards and would include low-flow plumbing fixtures, drought-tolerant landscaping, and other features that would reduce water demand. Therefore, the proposed Project would not conflict with any of the AB 197 water conservation and efficiency measures.

The goal of transportation and motor vehicle measures is to develop regional GHG emissions reduction targets for passenger vehicles. Specific regional emission targets for transportation emissions would not directly apply to the proposed Project. The Project site is in proximity to an existing bus route which would encourage the use of alternate means of transportation. Therefore, the proposed Project would not conflict with the identified AB 197 transportation and motor vehicle measures.

California Air Resources Board (CARB) 2035 Scoping Plan, Table 4.7-6, CARB 2035 Scoping Plan, identifies the 2035 Scoping Plan’s measures applicable to the Project and provides a consistency analysis regarding the Project’s compliance with the measure. Compliance with the measures applicable to the Project would ensure the Project is consistent with the CARB 2035 Scoping Plan. (EIR, p. 4.7-19 – 4.7-22)

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3.8 HAZARDS AND HAZARDOUS MATERIALS

3.8.1 THRESHOLD A

Impact Statement: The Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.8.6 of the DEIR. The proposed Project would be required to implement PPPs 4.8-1 and 4.8-2 to comply with the City’s Municipal Code to reduce impacts to hazards and hazardous materials. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

Substantial Evidence

The Project site does not contain any hazards, nor is the Project site affected by any off-site hazards. No unusual or noxious odors, pools of liquid or potentially hazardous substances, hazardous materials storage structures, stained soil, aboveground storage tanks, pits, or ponds were observed. A water tunnel and associated infrastructure was observed in the southeastern portion of the Project site; however, the water tunnel was determined to have relatively little to no probability of impacting the Project site. Furthermore, the historical agricultural use of the Project site does not represent a recognized environmental condition (REC) or a human health risk. No RECs or Historical Recognized Conditions (HRECs) were identified that would negatively impact the environment. As a result, implementation of the Project would result in less than significant impacts related to on-site soil contamination.

Heavy equipment that would be used during construction of the proposed Project would be fueled and maintained by substances such as oil, diesel fuel, gasoline, hydraulic fluid, and other liquid materials that would be considered hazardous if improperly stored or handled. In addition, materials such as paints, roofing materials, solvents, and other substances typically used in building construction would be located on the Project site during construction. Construction activities would also be short-term or one time in nature and would cease upon completion of the proposed Project’s construction phase. Project construction workers would also be trained in safe handling and hazardous materials use per Hazardous Waste Operations and Emergency Response (HAZWOPER) regulations. Additionally, the use, storage, transport, and disposal of construction-related hazardous materials would be required to conform to existing laws and regulations including the U.S. Department of Transportation regulations listed in the Code of Federal Regulations (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; and the California Occupational Safety and Health Administration standards. Any Project-related hazardous waste generation, transportation, treatment, storage, and disposal will be conducted in compliance with the Subtitle C of the Resource Conservation and Recovery Act (RCRA) (Code of Federal Regulations, Title 40, Part 263). The proposed Project would also be constructed in accordance with the regulations of Riverside County Department of Environmental Health (RCDEH), which serves as the designated Certified Unified Program Agency (CUPA). Construction

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activities required to develop the Project site would involve the disturbance of onsite soils. As stated, there were no identified impacted soils found onsite; no RECs or HRECs were identified that would negatively impact the environment. Therefore, the risk of exposure of hazardous materials to workers and the public through the routine, transport, use, or disposal of contaminated soils would be less than significant.

Any business that operates any of the facilities at the Project site and that handles and/or stores substantial quantities of hazardous materials (as defined by Riverside County Ordinance or § 25500 of California Health and Safety Code, Division 20, Chapter 6.95) would be required to prepare and submit a Hazards Materials Business Emergency Plan (HMBEP) to the RCDEH in order to register the business as a hazardous materials handler. Such business is also required to comply with California’s Hazardous Materials Release Response Plans and Inventory Law, which require immediate reporting to Riverside County Fire Department and State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business.

The operation of the Project would be required to comply with all applicable federal, State, and local regulations to ensure the proper transport, use, and disposal of hazardous substances (as described in Subsection 4.8.3). With mandatory regulatory compliance, potential hazardous materials impacts associated with long-term operation of the Project is not expected to pose a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, nor would the Project increase the potential for accident operations which could result in the release of hazardous materials into the environment.

With mandatory regulatory compliance with federal, State, and local laws (as described above), potential hazardous materials impacts associated with long-term operation of the Project are regarded as less than significant and mitigation is not required. (EIR, p. 4.8-10 – 4.8-12)

3.8.2 THRESHOLD B

Impact Statement: The Project 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.

Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.8.6 of the DEIR. The proposed Project would be required to implement PPPs 4.8-1 and 4.8-2 to comply with the City’s Municipal Code to reduce impacts to hazards and hazardous materials. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

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❑ Substantial Evidence

The Project’s Phase I Environmental Site Assessment did not identify any potential hazardous materials at the Project site, or any RECs or HRECs. Accordingly, there would be no impact with respect to 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 associated with the existing conditions at the Project site.

Impacts due to construction activities would not cause a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and a less than significant impact would occur. Additionally, project construction workers would also be trained in safe handling and hazardous materials use per HAZWOPER regulations. Additionally, the use, storage, transport, and disposal of construction-related hazardous materials would be required to conform to existing laws and regulations including the U.S. Department of Transportation regulations listed in the Code of Federal Regulations (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; and the California Occupational Safety and Health Administration standards. Any Project-related hazardous waste generation, transportation, treatment, storage, and disposal will be conducted in compliance with the Subtitle C of the Resource Conservation and Recovery Act (RCRA) (Code of Federal Regulations, Title 40, Part 263). The proposed Project would also be constructed in accordance with the regulations of RCDEH, which serves as the designated CUPA.

The long-term operation of the proposed Project would not result in any significant adverse effects associated with hazardous materials handling or disposal. The operation of the proposed Project would not include any components associated with the transport, use, or disposal of hazardous materials beyond those typical of a similar land use, which would be conducted in accordance with all applicable local, State, and federal regulations. Any business that operates any of the facilities at the Project site and that handles and/or stores substantial quantities of hazardous materials (as defined by Riverside County Ordinance or § 25500 of California Health and Safety Code, Division 20, Chapter 6.95) would be required to prepare and submit an Hazardous Materials Business Emergency Plan (HMBEP) to the RCDEH in order to register the business as a hazardous materials handler. General cleaning activities on-site that contain toxic substances are usually low in concentration and small in amount; therefore, there is no significant risk to humans or the environment from the use of such cleaning products. Accordingly, the proposed Project 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, and impacts would be less than significant. No mitigation is required. (EIR, pp. 4.8-13 – 4.8-14)

3.8.3 THRESHOLD C

Impact Statement: The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

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Findings

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.8.6 of the DEIR. The proposed Project would be required to implement PPPs 4.8-1 and 4.8-2 to comply with the City’s Municipal Code to reduce impacts to hazards and hazardous materials. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold c; therefore, no mitigation is required.

Substantial Evidence

The nearest existing school to the Project site is Walter Zimmerman Elementary School, located approximately 1.9-miles northwest of the Project site. Additionally, there are no schools planned within 0.25-mile of the Project site. Accordingly, the Project has no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of an existing or proposed school. Thus, no impact would occur and mitigation is not required. (EIR, p. 4.8-15)

3.8.4 THRESHOLD D

Impact Statement: The Project site would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment.

Findings

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.8.6 of the DEIR. The proposed Project would be required to implement PPPs 4.8-1 and 4.8-2 to comply with the City’s Municipal Code to reduce impacts to hazards and hazardous materials. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold d; therefore, no mitigation is required.

Substantial Evidence

The Project site is not located on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (DTSC, n.d.). As mentioned in Subsection 4.8.1A, impacted groundwater beneath offsite properties could migrate into or toward the Project site. As stated, the listed up-gradient property, Oakmont El Rivino, LLC, is located approximately 1,180 feet northwest (potentially upgradient) of the Project site. It is listed in the San Bernardino County Permit database as a result of being a small quantity generator of potentially hazardous materials (type not specified). Hazardous material releases have not been reported at this property. The remaining listed properties are located cross or down gradient of the Project site. Hazardous materials released at these properties would be anticipated to migrate past or away from the Project site. The records search included two properties listed in the “Orphan Summary” of Environmental Data Resources, Inc. (EDR’s) report. Based on a review of the addresses provided for the orphan properties, neither is located within one mile of the Project site. However, based on a review of properties within the site vicinity and data made available during the assessment conducted by Black Rock Geosciences,

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there is a relatively low potential that contaminants from offsite properties have migrated to the site and have impacted the underlying soil and/or groundwater. Accordingly, no significant impact would occur. (EIR, p. 4.8-16)

3.8.5 THRESHOLD E

Impact Statement: The Project site is not within two miles of an airport and the Project site is not identified as within a airport influence area.

Findings

Potential impacts of the Project related to Threshold e are discussed in detail in Section 4.8.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold e; therefore, no mitigation is required.

Substantial Evidence

The Project site is not within two miles of an airport and the Project site is not identified as within a AIA for airports in Riverside or San Bernardino County. As such, no impact would occur. (EIR, p. 4.8-17)

3.8.6 THRESHOLD F

Impact Statement: The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Findings

Potential impacts of the Project related to Threshold f are discussed in detail in Section 4.8.6 of the DEIR. The proposed Project would be required to implement PPPs 4.8-2 to comply with the City’s Municipal Code to reduce impacts to emergency response or evacuation plans. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold f; therefore, no mitigation is required.

Substantial Evidence

The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, the proposed Project would be required to maintain adequate access for emergency vehicles. As part of the City’s discretionary review process, the City reviewed the proposed Project’s access driveways and circulation to ensure appropriate emergency ingress and egress would be available to Project site, and determined that the proposed Project would not substantially impede emergency response routes in the local area. Accordingly, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan. Thus, no impact would occur and mitigation is not required. (EIR, p. 4.8-18)

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3.8.7 THRESHOLD G

Impact Statement: The Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Findings

Potential impacts of the Project related to Threshold g are discussed in detail in Section 4.8.6 of the DEIR. The proposed Project would be required to implement PPPs 4.8-2 to comply with the City’s Municipal Code to reduce impacts to wildland fires. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold g; therefore, no mitigation is required.

Substantial Evidence

According to the City’s General Plan the Project site is not located in an area that is susceptible to wildfire hazards and is not identified as within a “High” fire hazard Zone in Figure 8-10, Wildfire Severity Zones in Jurupa Valley, of the City’s General Plan. The Project site and surrounding areas contain relatively little topographic relief and a paucity of flammable vegetation, due largely to the presence of development and/or routine weed abatement to preclude fire hazards. Furthermore, the nearest wildland region where land is substantially undeveloped with flammable vegetation is located approximately 2.5 miles to the west (Jurupa Mountains) and is separated by intervening development. The Project would not introduce hazards such as non-irrigated landscaping etc. Accordingly, the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impact would occur. (EIR, p. 4.8-19)

3.9 HYDROLOGY AND WATER QUALITY

3.9.1 THRESHOLD A

Impact Statement: The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.9.6 of the DEIR. The proposed Project would be required to implement PPPs 4.9-1 and 4.9-4 to comply with the City’s Municipal Code to reduce impacts to hydrology and water quality. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

Substantial Evidence

Mandatory compliance with the SWPPP and the erosion control plan would ensure that implementation of the Project would not result in a violation of any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated

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with construction activities would be less than significant and no mitigation measures would be required.

To meet the requirements of the City’s NPDES permit and in accordance with the City of Jurupa Valley Municipal Code Chapter 6.05, the Project Applicant would be required to prepare and implement a Water Quality Management Plan (WQMP), which is a Project site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, under long-term conditions via BMPs. Implementation of the WQMP ensures on-going, long-term protection of the watershed basin.

In addition to mandatory implementation of a WQMP, the NPDES program also requires industrial land uses to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program. Under the effective NPDES Industrial General Permit, the Project Applicant (or the Project’s occupant(s)) would be required to comply with the SWPPP for operational activities. Because the permit is dependent upon the operational activities of the building, and the Project’s future building occupants and their operations are not known at this time, details of the SWPPP (including BMPs) cannot be determined at this time. However, based on the requirements of the NPDES Industrial General Permit, it is assured that mandatory compliance with all applicable regulations would further reduce potential water quality impacts during long-term Project operation. Impacts would be less than significant and mitigation is not required. (EIR, pp. 4.9-9 – 4.9-11)

3.9.2 THRESHOLD B

Impact Statement: The Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the basin.

Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.9.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

Substantial Evidence

The Project would be served with potable water from West Valley Water District (WVWD), 60% of water supply demand for WVWD and for all water users in the San Bernardino Valley Regional Urban Water Quality Management Plan (UWMP) is groundwater extracted from the San Bernardino Area. The UWMP calculates that the district’s water demand (both potable and non-potable water) for the year 2040 is anticipated to be approximately around 27,312 acre-feet. Implementation of the proposed Project would require water at a rate of 0.97 acre-feet per year per acre (County of Riverside, 2015). As the Project site is a total of approximately 23.44 acres, the Project would require approximately 22.7 acre-feet of water per year. Water supplies are projected to significantly

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exceed demand through 2040 under normal, historic single-dry and historic multiple-dry year conditions. Furthermore, WVWD forecasted water demand projections are based on population projections from SCAG, which rely on adopted general plan land use designations. As described in Section 5, *Other CEQA Considerations*, of the EIR, the Project was determined to not result in substantial population or employment growth. Although the Project proposes a General Plan Amendment to allow logistics use within the Project site, the proposed Project is consistent with the underlying General Plan land use designation of Heavy Industrial, which would remain. Because the Project would be consistent with the City of Jurupa Valley General Plan land use designation for the site, and the Project would not result in substantial direct or indirect population growth, the water demand associated with the Project was considered in the demand anticipated by the UWMP. It should also be noted the Project Applicant does not propose the use of any wells or other groundwater extraction activities. Accordingly, implementation of the proposed Project would not substantially or directly decrease groundwater supplies and the Project’s impact to groundwater supplies would be less than significant.

Development of the Project would increase impervious surface coverage on the Project site, which would, in turn, reduce the amount of water percolating down into the groundwater sub-basin that underlies the Project site (i.e., Riverside County portion of the Riverside-Arlington Sub-basin). Percolation is just one of several sources of groundwater recharge for the Riverside-Arlington Sub-basin. The Project would include the installation of an infiltration basin, an underground chambers system, and permeable landscape areas on the Project site to continue allowing the direct percolation of Project runoff into the Riverside-Arlington Sub-basin. Based on the small size of the Project site in relation to the size of the groundwater basin and the design features proposed by the Project to allow percolation, implementation of the Project is determined to result in incremental changes to local percolation and would not result in substantial adverse effects to local groundwater recharge. No component of the Project would obstruct with or prevent implementation of the management plan for the Riverside-Arlington Sub-basin. (EIR, pp. 4.9-12 – 4.9-13)

3.9.3 THRESHOLD C

Impact Statement: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows.

Findings

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.9.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

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❑ Substantial Evidence

The Project would include the installation of an integrated, on-site system of underground storm drain pipes, catch basins, an underground infiltration basin, and an underground chamber system. The integrated storm water system is designed to capture on-site stormwater runoff flows, convey the runoff across the site, and treat the runoff to minimize the amount of water-borne pollutants transported from the Project site (as described in detail in EIR Section 3.0, *Project Description*). Pursuant to City of Jurupa Valley Municipal Code Section 8.70.060, the Project’s construction contractor would be required to implement an erosion control plan to minimize water- and windborne erosion during construction activities. Furthermore, implementation of SWPPP requirements including site-specific BMPs would ensure no substantial erosion would occur and runoff from the Project site would be similar to existing conditions. Furthermore, compliance with the WQMP, and long-term maintenance of on-site stormwater conveyance and retention infrastructure by the property owner or operator to ensure their long-term effectiveness, would be required by the City (pursuant to Municipal Code Chapter 6.05). Therefore, stormwater runoff flows leaving the Project site would not carry substantial amounts of sediment. Impacts would be less than significant and no mitigation is required.

Total peak flows leaving the Project site, all of which would be discharged to the existing storm drain beneath Agua Mansa Road, would be 35.0 cfs, which is 5.5 cfs more than the peak flow under existing conditions of 29.5 cfs. The existing storm drain system is designed to accommodate 58.0 cfs, which is 23.0 cfs more than the volume of peak stormwater flow under post-development conditions; therefore, implementation of the Project would not substantially increase the rate or amount of surface water runoff from the site in a manner that would result in flooding on- or off-site. Impacts would be less than significant and no mitigation is required.

The Project’s construction contractors would be required to comply with a NPDES Construction General Permit, NPDES Industrial General Permit, a site-specific SWPPP, an erosion control plan, and the Preliminary WQMP (*Technical Appendix H2*) to ensure that Project-related construction activities and operational activities do not result in substantial amounts of polluted runoff. Impacts would be less than significant and no mitigation is required.

The entire western portion of the Project site is located within an identified Zone X (shaded). Zone X is defined as an area of moderate flood hazard, usually between the limits of the 100-year and 500-year floods. The remaining portion of the Project site, a small sliver along the eastern boundary, is identified as within Zone D. Zone D is defined as an area with possible but undetermined flood hazards (FEMA, n.d.). Additionally, the Project site is not identified within a flood hazard area per the Riverside County GIS database (RCIT, 2020). Accordingly, the Project site is not located within a 100-year flood hazard area and would have no potential to impede or redirect flood flows within a 100-year floodplain. (EIR, pp. 4.9-14 – 4.9-17)

3.9.4 THRESHOLD D

Impact Statement: The Project would not result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

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Findings

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.9.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold d; therefore, no mitigation is required.

Substantial Evidence

The Pacific Ocean is located more than 41 miles southwest of the Project site; consequently, there is no potential for the Project site to be inundated by a tsunami. The nearest large bodies of surface water are approximately 12.7 miles southwest of the Project (Lake Mathews) and approximately 15.6 miles southeast of the Project (Lake Perris), respectively, which are both too far away from the subject property to result in inundation in the event of a seiche. The Project also is located outside of the 100-year floodplain. Accordingly, implementation of the Project would not risk release of pollutants due to inundation. No impact would occur. (EIR, p. 4.9-18)

3.9.5 THRESHOLD E

Impact Statement: The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Findings

Potential impacts of the Project related to Threshold e are discussed in detail in Section 4.9.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold e; therefore, no mitigation is required.

Substantial Evidence

The Project site is located within the Santa Ana River Basin and Project-related construction and operational activities would be required to comply with the Santa Ana RWQCB’s Santa Ana River Basin Water Quality Control Plan by preparing and adhering to a SWPPP and WQMP and by installing and maintaining the on-site stormwater infrastructure that is designed to minimize impacts associated with water quality and polluted runoff from the Project site. Implementation of the Project would not conflict with or obstruct the Santa Ana River Basin Water Quality Control Plan and impacts would be less than significant and no mitigation is required.

The Project site is located within the portion of the Riverside-Arlington Sub-basin that is adjudicated under the 1969 Western-San Bernardino Judgment. Adjudicated basins, like the Riverside-Arlington Sub-basins are exempt from the 2014 Sustainable Groundwater Management Act (SGMA) because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the Sub-basin. No component of the Project would obstruct with or prevent implementation of the management plan for the Riverside-Arlington Sub-basin. As such, the Project’s construction and operation would not conflict with any sustainable groundwater

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management plan. Impacts would be less than significant and no mitigation is required. (EIR, p. 4.9-19)

3.10 LAND USE AND PLANNING

3.10.1 THRESHOLD A

Impact Statement: The Project would not physically divide an established community.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.10.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

Substantial Evidence

The Project site is generally located approximately 2.5 miles south of I-10, approximately 2.4 miles west of I-215, and approximately 1.9 miles north of SR-60. Directly surrounding the Project site is Agua Mansa Road to the east and Hall Avenue to the south and west. Although the Project site is predominantly surrounded by industrial and commercial development, there are residential land uses located directly to the north. The Project site is mostly undeveloped without any improvements; north of the Project site are industrial uses and residential uses with vehicle storage; east of the Project site are industrial land uses; south of the Project site are industrial uses; and, west of the Project site is vacant land that formerly contained the Riverside Cement Company Plant. As the Project site is surrounded by roadways and existing industrial development, implementation of the Project represents a logical expansion of industrial land uses into the Project site.

Additionally, although the site shares a property boundary with residential uses, the existing condition includes a dilapidated fence that provides separation between the residential uses and the Project site. It should be noted that the Project proposes the installment of a new 7-foot high block wall to replace the existing fence.

The Project site is currently physically separated from neighboring properties under existing conditions, and the Project does not propose any infrastructure or physical barriers to mobility in the area. Implementation of the Project would result in less than significant impacts associated with the physical division of an established community and development of the Project site with two industrial buildings would not physically divide an established community. (EIR, pp. 4.10-6 – 4.10-7)

3.10.2 THRESHOLD B

Impact Statement: The Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

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Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.10.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

Substantial Evidence

The land use plans, policies, and regulations applicable to the proposed Project include the City’s General Plan, SCAG’s 2016-2040 RTP/SCS, and 2020-2045 RTP/SCS (Connect SoCal). The Project’s compatibility with each of these plans, policies, and regulations is examined in detail in Tables 4.10-1 and 4.10-2 of the DEIR. During the City’s review of the Project’s application materials, the Jurupa Valley Planning Department reviewed the proposed development for consistency with all applicable policies of the General Plan and found that there would be no conflict with any applicable General Plan policies resulting from development of the Project site with the proposed Project. Furthermore, implementation of the proposed Project would not result in an inconsistency with the adopted 2016-2040 RTP/SCS or Connect SoCal.

The Project site has a land use designation of Heavy Industrial within both the City’s General Plan and the Agua Mansa Industrial Corridor Specific Plan. Although the proposed use on-site is allowable under the Specific Plan, the Project requires approval of Variance No. 18008 to allow building heights to exceed the 35-foot limit when within 100 feet of a residential area. Building A, proposed for a maximum height of 45-feet, is within 100-feet of the residential area north of the Project site; therefore, the Variance is required. Approval of the Variance would ensure that implementation of the Project is compliant with the design guidelines established in the Agua Mansa Industrial Corridor Specific Plan. (EIR 4.10-7 – 4.10-29)

3.11 NOISE

3.11.1 THRESHOLD C

Impact Statement: The Project is not located within vicinity of a private airstrip or airport land use plan, or within two miles of a public airport or public use airport.

Findings

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.11.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in impacts related to Threshold c; therefore, no mitigation is required.

Substantial Evidence

Flabob Airport (RIR) is located approximately 3.2 miles southwest of the Project site, and San Bernardino International Airport (SBD) is located approximately 8 miles northeast of the Project site. The Project site is not located within the 65 A-weighted decibels dBA Community Noise Equivalent Level (CNEL) noise contours of these airports (LSA, 2020d). In addition, the Project site is not located within the vicinity of a private airstrip. Therefore, the proposed Project would not expose

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people residing or working in the Project area to excessive noise levels from aircraft. No impacts would occur and no mitigation is required.

3.12 TRANSPORTATION

3.12.1 THRESHOLD A

Impact Statement: The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.12.6 of the DEIR. The proposed Project would be required to implement Project Design Features (PDFs) 4.12-1 and 4.12-2 to comply with the City’s Municipal Code to reduce impacts to transportation. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

Substantial Evidence

As demonstrated through the analysis in Section 4.12.6, implementation of the Project would be consistent with the goals and policies of SCAG’s regional planning programs. The Project does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect, including policies outlined in the City’s General Plan. Accordingly, impacts would be less than significant and no mitigation is required. (EIR, pp. 4.12-7 – 4.12.14)

3.12.2 THRESHOLD B

Impact Statement: The Project would not Conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b).

Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.12.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

Substantial Evidence

As per the City’s *Traffic Impact Analysis Guidelines*, the link-level boundary Vehicle Miles traveled (VMT) per service population within the City boundary was compared for no Project and plus Project conditions. The Project’s total VMT per employee does not exceed the City’s VMT per employee thresholds under either the base year or cumulative scenarios. Therefore, based on the City’s guidelines, the Project will not have a significant VMT impact. Impacts would be less than significant and no mitigation is required. The City’s total VMT per service population decreases with the implementation of the Project under cumulative conditions. Therefore, the Project would not

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have a significant VMT impact. Impacts would be less than significant and no mitigation is required. (EIR, pp. 4.12-15 – 4.12-16)

3.12.3 THRESHOLD C

Impact Statement: The Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.12.6 of the DEIR. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

Substantial Evidence

Proposed roadway improvements along the Project site frontage would occur within the public rights-of-way and would be installed in conformance with the City’s design standards (Refer to PDF 4.12-2). The City of Jurupa Valley Traffic Engineering Division reviewed the Project’s application materials (refer to EIR Section 3.0, Project Description) and determined that no hazardous transportation design features would be introduced by the Project either as Project components or through the implementation of the mitigation measures identified in the EIR. Accordingly, the proposed Project would not create or substantially increase safety hazards due to a design feature or incompatible use. The Project would result in a less-than-significant impact and no mitigation would be required. (EIR, p. 4.12-17)

3.12.4 THRESHOLD D

Impact Statement: The Project would not result in inadequate emergency access.

Findings

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.12.6 of the DEIR. The proposed Project would be required to implement PPP 4.8-2 to comply with the City’s Municipal Code to reduce impacts to transportation. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold d; therefore, no mitigation is required.

Substantial Evidence

During the course of the City of Jurupa Valley’s review of the proposed Project, the City evaluated the Project’s design, including but not limited to proposed driveway locations and parking lot/drive aisle configuration, to ensure that adequate access would be provided for emergency vehicles at Project build out. The Project would provide adequate emergency access along abutting roadways during temporary construction activities within the public right-of-way. Moreover, the Project Applicant would be required to comply with PPP 4.8-2 which would ensure that the Project is designed and constructed to provide adequate emergency access for emergency vehicles. Therefore,

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the Project would not result in inadequate emergency access and a less-than-significant impact would occur and no mitigation would be required.

The Project site does not provide access to any abutting parcels or nearby uses. Therefore, there is no potential for the Project to result in inadequate access to nearby uses. (EIR, p. 4.12-18)

3.13 UTILITIES AND SERVICE SYSTEMS

3.13.1 THRESHOLD A

Impact Statement: The Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.14.6 of the DEIR. The proposed Project would be required to implement PPPs 4.14-1 and 4.14-2 to comply with the City’s Municipal Code to reduce impacts to utilities and service systems. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold a; therefore, no mitigation is required.

Substantial Evidence

The installation of the utility and service system infrastructure improvements proposed by the Project Applicant would result in physical environmental impacts inherent in the Project’s construction process; however, these impacts have already been included in the analyses of construction-related effects presented throughout the EIR. In instances where the Project’s construction phase would result in specific, significant impacts, feasible mitigation measures are provided. The construction of infrastructure necessary to serve the proposed Project would not result in any significant physical effects on the environment that are not already identified and disclosed elsewhere in this the EIR. Accordingly, impacts would be less than significant and additional mitigation measures beyond those identified throughout other subsections of the EIR would not be required. (EIR, p. 4.14-8)

3.13.2 THRESHOLD B

Impact Statement: The Project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.14.6 of the DEIR. The proposed Project would be required to implement PPP 4.14-1 to comply with the City’s Municipal Code to reduce impacts to utilities and service systems. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold b; therefore, no mitigation is required.

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Substantial Evidence

WVWD is responsible for supplying potable water to the Project site. Implementation of the proposed Project would require water at a rate of 0.97 acre-feet per year per acre. As the Project site is a total of approximately 23.44 acres, the Project would require approximately 22.7 acre-feet of water per year.

As discussed in the WVWD’s UWMP, water supplies are projected to significantly exceed demand through 2040 under normal, historic single-dry and historic multiple-dry year conditions. Under each water planning scenario (normal year, single dry year, multiple dry years). WVWD forecasts for projected water demand are based on the population projections of the Southern California Association of Governments (SCAG), which rely on adopted general plan land use maps land use designations. Although the Project proposes a General Plan Amendment to allow logistics uses within the Project site, the General Plan Land Use Designation of Heavy Industrial would remain. Therefore, buildout of the Project site with industrial uses is consistent with the underlying General Plan land use designation and previously considered in the SCAG population projections and the UWMP. As stated above, the WVWD expects to have adequate water supplies to meet all its demands until at least 2040; therefore, sufficient water supplies available to serve the Project from existing entitlements/resources and no new or expanded entitlements are needed. Implementation of the Project would result in a less than significant impact. (EIR, p. 4.14-9)

3.13.3 THRESHOLD C

Impact Statement: The Project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments.

Findings

Potential impacts of the Project related to Threshold c are discussed in detail in Section 4.14.6 of the DEIR. The proposed Project would be required to implement PPPs 4.14-1 and 4.14-2 to comply with the City’s Municipal Code to reduce impacts to utilities and service systems. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold c; therefore, no mitigation is required.

Substantial Evidence

RCSD is responsible for supplying wastewater services to the Project site. Implementation of the proposed Project would generate wastewater at a rate of approximately 1,500 gallons per day per acre (County of Riverside, 2015). As the Project site is a total of approximately 23.44 acres, the Project would generate approximately 35,160 gallons of wastewater per day. The daily amount of wastewater generated would result in an annual generation of approximately 12.8 million gallons per year of wastewater that will be conveyed to the City of Riverside Water Quality Control Plant (RWQCP), which is located in the City of Riverside. The RWQCP currently has a capacity of 40 million gallons per day and has plans to expand its facilities by 6 million gallons per day to meet a

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capacity of 46 million gallons a day. The discharge rate of 35,160 gallons per day would utilize a nominal (approximately 0.09%) portion of the overall capacity of the RWQCP. As such, impacts would be less than significant. (EIR, p. 4.14-10)

3.13.4 THRESHOLD D

Impact Statement: The Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

Findings

Potential impacts of the Project related to Threshold d are discussed in detail in Section 4.14.6 of the DEIR. The proposed Project would be required to implement PPPs 4.14-3 and 4.14-4 to comply with the City’s Municipal Code to reduce impacts to utilities and service systems. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold d; therefore, no mitigation is required.

Substantial Evidence

Construction and operation of the proposed Project would result in the generation of solid waste, requiring disposal at a landfill. During construction of the proposed Project, solid waste in the form of demolition material and remnants of unused construction materials would require disposal at a landfill. Waste also would be generated by the construction process, primarily consisting of discarded materials and packaging. Section 5.408 of the 2016 California Green Building Standards Code (CALGreen; Part 11 of Title 24, California Code of Regulations) requires that 65 percent of construction/demolition waste be diverted from landfills, and 100 percent of trees, stumps, rocks, and associated vegetation and soils resulting from land clearing be reused or recycled.

Solid waste from the Project site will be hauled by Burrtec Waste Industries, Inc. and transferred to the Agua Mansa Material Recovery Facility (MRF)/Transfer Station. From the MRF, non-recyclable materials will likely be disposed at Badlands Sanitary Landfill or the El Sobrante Landfill. The Badlands Sanitary Landfill has a permitted disposal capacity of 4,800 tons per day with a remaining capacity of 15,748,799 cubic yards. The Badlands Sanitary Landfill is estimated to reach capacity, at the earliest time, in the year 2022. The El Sobrante Landfill has a permitted disposal capacity of 16,054 tons per day with a remaining capacity of 143,977,170 tons. The El Sobrante Landfill is estimated to reach capacity, at the earliest time, in the year 2051.

The current solid waste generation rates are anticipated to be 10.8 tons of solid waste per year for every 1,000 s.f. of industrial space. The Project currently proposes 335,002 s.f. of industrial building space which would result in approximately 3,618 tons of solid waste per year (10.8 tons x 335 thousand s.f.). As previously stated, the Badlands Sanitary Landfill has a permitted disposal capacity of 4,800 tons per day and the El Sobrante Landfill has a permitted disposal capacity of 16,054 tons per day. Since the Project is estimated to generate approximately 9.9 tons of solid waste per day (3,618 tons per year ÷ 365 days in a year), this amount represents a nominal portion of the landfill’s

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capacity and would not contribute significantly to the daily landfill capacity, and the landfill facilities are sufficient. Accordingly, impacts would be less than significant. (EIR, pp. 4.14-11 – 4.14-13)

3.13.5 THRESHOLD E

Impact Statement: The Project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Findings

Potential impacts of the Project related to Threshold e are discussed in detail in Section 4.14.6 of the DEIR. The proposed Project would be required to implement PPPs 4.14-3 and 4.14-4 to comply with the City’s Municipal Code to reduce impacts to utilities and service systems. This City Council finds that the development of the proposed Project will not result in significant impacts related to Threshold e; therefore, no mitigation is required.

Substantial Evidence

The California Integrated Waste Management Act (Assembly Bill (AB) 939), signed into law in 1989, established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the bill established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted.

The proposed Project would be required to coordinate with Burrtec Waste Industries, Inc., the waste hauler, to develop collection of recyclable material for the Project on a common schedule as set forth in applicable local, regional, and state programs. Recyclable materials that could be recycled by the Project include paper products, glass, aluminum, and plastic.

Additionally, the Project would be required to implement PPP 4.14-3 and PPP 4.14-4 and comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Act of 1991) and other applicable local, state, and federal solid waste disposal standards. This would ensure that the solid waste stream to regional landfills are reduced in accordance with existing regulations. Accordingly, impacts would be less than significant. (EIR, p. 4.14-13)

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4.0 ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

4.1 BIOLOGICAL RESOURCES

4.1.1 THRESHOLD A

Impact Statement: The Project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in EIR Section 4.3.6. Several marginally suitable burrows associated with California ground squirrels (although ground squirrels were not directly observed) were recorded within the Project site that could potentially be utilized by Burrowing Owl (BUOW); however, none of the burrows inspected during the field survey were determined to be currently or recently occupied by BUOW based on the lack of owl observations and absence of signs around burrow entrances. Further, there is a potential for nesting bird species to migrate onto the Project site prior to the commencement of construction activities. Absent mitigation, the Project could potentially disturb nesting birds if construction activities were to occur during nesting season (February 1 through August 31). Accordingly, construction-related impacts to nesting birds would be potentially significant if the species are present during construction activities.

The Project is required to comply with Mitigation Measures MM 4.3-1 and 4.3-2, which would reduce impacts to less than significant. The City Council has determined 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 EIR.

Substantial Evidence

In compliance with the Western Riverside County MSHCP, a BUOW habitat assessment was conducted during the field survey. No direct burrowing owl observations or signs (pellets, fecal material, or prey remains) were recorded during the BUOW habitat assessment associated with the Habitat Suitability Evaluation. Several marginally suitable burrows associated with California ground squirrels (although ground squirrels were not directly observed) were recorded within the Project site that could potentially be utilized by BUOW; however, none of the burrows inspected during the field survey were determined to be currently or recently occupied by BUOW based on the lack of owl observations and absence of signs around burrow entrances. The Project site is exposed to extensive and recurring disturbance-related activities reducing small mammal colonies (e.g., ground squirrel) and occluding potential burrows and resulting in low potential for BUOW habitat. However, some potential, albeit low, does exist for BUOW presence due to potentially suitable habitat both on- and off-site. Impacts to BUOW would be considered a potentially significant impact.

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Additionally, there is a potential for nesting bird species to migrate onto the Project site prior to the commencement of construction activities. Absent mitigation, the Project could potentially disturb nesting birds if construction activities were to occur during nesting season (February 1 through August 31). Accordingly, construction-related impacts to nesting birds would be potentially significant if the species are present during construction activities.

According to the Habitat Suitability Evaluation, the Project site’s existing conditions is not known or expected to support a Delhi Sands Flower-Loving Fly (DSFF) population. DSFF prefers sandy substrates with a sparse cover of perennial shrubs and other vegetation. No exposed natural or seminatural open areas with unconsolidated wind-worked granitic soils or dunes are present within the Project site. Moreover, the Project site would not be considered an important or viable property for the preservation or restoration of DSFF habitat due to the current absence of suitable habitat and surrounding commercial land uses that have fragmented habitats in the Project area. Further, all impacts to DSFF within the Project area have been previously fully mitigated via the purchase of off-site credits through the Western Riverside County Regional Conservation Authority. (EIR, pp. 4.3-12 – 4.3-14)

MM 4.3-1 Prior to issuance of any grading permits, the Project Applicant shall provide evidence to the Planning Department that the following actions shall be implemented:

1. A pre-construction presence/absence survey for burrowing owls shall be conducted at the Project site by a qualified biologist no less than 30 days prior to initiating ground disturbance activities.
2. If burrowing owls are not detected, no further requirements apply.
3. If burrowing owls are detected on-site during the pre-construction survey, the owls shall be relocated/excluded from the site outside of the breeding season following accepted protocols, and subject to the approval of the Western Riverside County Regional Conservation Authority (RCA) and wildlife agencies. A grading permit may be issued once the species has been relocated.
4. A copy of the results of the pre-construction survey (and all additional surveys) shall be provided to the City of Jurupa Valley Planning Department prior to the issuance of a grading permit or the granting of authorization for any vegetation clearing and ground disturbance activities at the Project site.

MM 4.3-2 Prior to the issuance of a grading permit, the Planning Department shall ensure that vegetation clearing and ground disturbing activities occur outside of the migratory bird nesting season (February 1 to August 31). If avoidance of the nesting season is not feasible, then the Project Applicant shall retain a qualified biologist to conduct a nesting bird survey no greater than three (3) days prior to any ground disturbance activities at the Project site, including disking, demolition activities, and grading. If

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active nests are identified during the nesting bird survey, the biologist shall establish suitable buffers around the nests (depending on the level of activity within the buffer and species detected), and the buffer areas shall be avoided by construction personnel until the biologist makes a determination that the nests are no longer occupied and that the juvenile birds can survive independently from the nests.

Incorporation of Mitigation Measures MM 4.3-1 and 4.3-2 would ensure the protection of burrowing owls and migratory birds through avoidance.

4.1.2 THRESHOLD D

Impact Statement: The Project has the potential to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings

Potential impacts of the Project related to Threshold d are discussed in detail in EIR Section 4.3.6. The proposed Project would be required to implement PPP 4.3-1 and 4.3-2 to comply with the City’s Municipal Code to reduce impacts to biological resources. Implementation of MM 4.3-1 and MM 4.3-2 (above) would reduce impacts to less than significant. The City Council has determined 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 EIR

Substantial Evidence

The Project site is heavily disturbed, has undergone routine disturbances to manage invasive plant growth and suppress fire risk, and does not contain any sensitive habitat or animal species. The Project is not expected to result in a loss of habitat for special status animals. No special-status animals were observed on the Project site as part of the field survey. In addition to featuring a high level of disturbance within the Project site, nearby urban development further reduces the Project site’s ability to facilitate wildlife movement. The Project site is not identified as a regionally important dispersal or seasonal migration corridor.

The Project site is located within the Western Riverside County MSHCP Burrowing Owl Survey Area and therefore has the potential to support burrowing owls. No direct burrowing owl observations or signs (pellets, fecal material, or prey remains) were recorded during the BUOW habitat assessment associated with the *Habitat Suitability Evaluation*. Although the Project site is exposed to extensive and recurring disturbance-related activities resulting in substantial negative impacts on potential BUOW habitat by reducing small mammal colonies (e.g., ground squirrel) and occluding potential burrows, some potential, albeit low, does exist for BUOW presence due to potentially suitable habitat both on- and off-site. As such, BUOW pre-construction surveys would be required prior to any development activities.

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Although the Project site does not contain any trees that would be suitable habitat for migratory and/or nesting birds, there is a potential for migratory and/or nesting bird species to be present on-site prior to the commencement of construction activities. Accordingly, construction-related impacts to migratory and/or nesting birds would be significant if the species are present on-site during construction activities. (EIR, pp. 4.3-17 – 4.3-18)

4.1.3 THRESHOLD F

Impact Statement: The Project has the potential to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings

Potential impacts of the Project related to Threshold f are discussed in detail in EIR Section 4.3.6. The proposed Project would be required to implement PPP 4.3-1 to comply with the City’s Municipal Code to reduce impacts to biological resources. Implementation of MM 4.3-1 (above) is necessary to ensure that the Project is consistent with Section 6.3.2 of the MSHCP Reserve assembly requirements. The City Council has determined 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 EIR.

Substantial Evidence

The proposed Project would be consistent with the biological requirements of the MSHCP Reserve Assembly Requirements, Section 6.3.2 (Additional Survey Needs and Procedures), Section 6.1.3 (Protection of Narrow Endemic Plant Species), and Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools), and Section 6.1.4 (Urban / Wildlands Interface). Implementation of MM 4.3-1 (above) would ensure that the Project is consistent with Section 6.3.2 (Additional Survey Needs and Procedures) of the MSHCP Reserve Assembly Requirements. Therefore, this impact is considered potentially significant. (EIR, p. 4.3-20)

4.2 CULTURAL RESOURCES

4.2.1 THRESHOLD B

Impact Statement: The Project has the potential to cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.

Findings

Potential impacts of the Project related to Threshold b are discussed in detail in EIR Section 4.4.6. A potential exists for ground disturbing activities to unearth previously unknown archaeological resources and result in a potentially significant impact. The Project is required to comply with Mitigation Measure MM 4.4-1, which would reduce impacts to less than significant. The City Council has determined that changes or alterations have been required in, or incorporated into, the

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project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

☐ Substantial Evidence

The site was originally recorded as a historic period archaeological site consisting of “a steel tank, a large steel pipe junction, a large patch of asphalt pavement, two borrow pits, a steel rail, several steel and iron pipes, and a dirt access road” (Cotterman, 2006). According to the site record, no historic period artifacts were observed in associated site features; the construction and use date of the resource is unknown. Therefore, this resource is not considered archaeologically significant. However, ground disturbing activities have the potential to unearth previously unknown archaeological resources and result in a potentially significant impact. (EIR, pp. 4.4-10 – 4.4-11)

MM 4.4-1 Prior to the issuance of any permits allowing ground-disturbing activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching) the Project Applicant/Developer shall submit proof that a qualified archaeologist meeting the Secretary of Interior's (36 CFR 61) Professional Qualifications Standards has been retained to conduct spot checks during ground disturbing activities at the following intervals: upon initial ground exposure within the Project site; upon a 50 percent completion milestone of ground disturbance; and, upon an 80 percent milestone of ground disturbance. If any potentially historic or archaeological resources are encountered during ground-disturbing activities, the archaeologist shall halt construction work within 50 feet of the find and assess the nature of the find for importance. If the discovery is determined to not be important by the archaeologist, work will be permitted to continue in the area. If a find is determined to be important by the archaeologist, additional investigation would be required, or the find can be preserved in place and construction may be allowed to proceed.

- Additional investigation work would include scientific recording and excavation of the important portion of the find.
- If excavation of a find occurs, the archaeologist shall draft a report of conclusion of excavation that identifies the find and summarizes the analysis conducted. The completed report shall be approved by the Planning Department and the Project Applicant/Developer shall provide verification that the report was submitted to the Eastern Information Center, University of California, Riverside prior to the issuance of an occupancy permit.
- Excavated finds shall be curated at a repository determined by the archaeologist and approved by the City with verification provided to the City prior to the issuance of an occupancy permit.

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The implementation of Mitigation Measure MM 4.4-1 would ensure that any previously undiscovered subsurface archaeological resources that may be encountered during Project construction would be identified and appropriately preserved. Accordingly, impacts would be less than significant with mitigation incorporated.

4.3 GEOLOGY AND SOILS

4.3.1 THRESHOLD F

Impact Statement: The Project has the potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Findings

Potential impacts of the Project related to Threshold f are discussed in detail in EIR Section 4.6.6. The Project site contains sediment with a high paleontological sensitivity. Ground disturbing activities have the potential to unearth previously unknown paleontological and/or unique geologic features. The Project is required to comply with Mitigation Measure MM 4.6-1, which would reduce impacts to less than significant. The City Council has determined 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 EIR.

Substantial Evidence

Due to the high paleontological sensitivity of the Old Eolian Deposits found throughout the entire Project site, and the Los Angeles County Museum (LACM) having scientifically significant fossil localities nearby from similar Quaternary deposits, impacts to paleontological resources is determined to be potentially significant. Implementation of MM 4.6-1 would ensure that impacts to scientifically significant paleontological resources will be reduced to a level that is less than significant. (EIR, pp. 4.6-18 – 4.6-21)

MM 4.6-1 Prior to the issuance of any permits allowing ground-disturbing activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching) the Project Applicant/Developer shall submit a Paleontological Resources Impact Mitigation Program (PRIMP) for this project. The PRIMP shall include the methods that will be used to protect paleontological resources that may exist within the project site, as well as procedures for monitoring, fossil preparation and identification, curation into a repository, and preparation of a final report at the conclusion of grading.

Excavation and grading activities in deposits with high paleontological sensitivity (the Old Eolian Deposits) shall be monitored by a paleontological monitor following the PRIMP.

- a. If paleontological resources are encountered during the course of ground disturbance, the paleontological monitor shall have the authority to halt

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construction activities and temporarily redirect work at least 50 away from the area of the find in order to assess its significance.

- b. In the event that paleontological resources are encountered when a paleontological monitor is not present, work in the immediate area of the find shall be redirected and a paleontologist shall be contacted to assess the find for significance and adjust the level of monitoring if needed.
- c. Collected resources shall be prepared to the point of identification, identified to the lowest taxonomic level possible, cataloged, and curated into the permanent collection of a scientific institution.
- d. At the conclusion of the monitoring program, a report of findings shall be prepared to document the results of the monitoring program.

The implementation of Mitigation Measures MM 4.6-1 would ensure that any previously undiscovered paleontological resources that may be encountered during Project construction would be identified and appropriately preserved. Accordingly, impacts would be less than significant with mitigation incorporated.

4.4 NOISE

4.4.1 THRESHOLD A

Impact Statement: The Project has the potential to generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.11.6 of the DEIR. The proposed Project would be required to implement PPPs 4.11-1 and 4.11-2 to comply with the City’s Municipal Code to reduce impacts to noise. The Project would result in significant noise impacts during short-term construction. The Project is required to comply with Mitigation Measure MM 4.11-1, which would reduce impacts to less than significant. The City Council has determined 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 EIR.

Substantial Evidence

As shown in Table 4.11-5, scrapers and dozers generate approximately 85 dBA Lmax at 50 ft and water trucks and pickup trucks generate approximately 55 dBA Lmax at 50 ft; pickup trucks generate approximately 55 dBA Lmax at 50 ft. In the event the above listed construction equipment was in use at the same time in the same location, the active construction areas would result in approximately 88 dBA Lmax at a distance of 50 ft. Construction noise levels would be 84 dBA Leq at a distance of 50 ft with a usage factor of 40 percent for each piece of construction equipment.

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Existing land uses in the vicinity of the Project may be subject to noise generated by on-site construction activities. The nearest residential property line boundary is located approximately 50 ft north of the Project site and would be subject to short-term noise, reaching 88 dBA Lmax or 84 dBA Leq or greater at the property line. This noise level would exceed the Federal Transit Administration (FTA’s) daytime and nighttime 8-hour construction noise criteria of 80 dBA Leq and 70 dBA Leq, respectively. However, it should be noted that many of residential properties are non-conforming and operate industrial activities, including vehicle and truck storage.

Other residences in the vicinity of the Project are located farther away and would be subject to a reduced short-term construction noise when compared to the residences north of the Project site. Compliance with the various permissible construction hours identified in the Agua Mansa Industrial Corridor (AMIC) Specific Plan, the City’s Municipal Code, and the San Bernardino County Code of Ordinances would be required, limiting construction to between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. In addition, Policy NE 3.5 of the Jurupa Valley General Plan Noise Element would limit commercial construction activities adjacent to or within 200 ft of residential uses to weekdays and would limit high-noise-generating construction activities (e.g., grading, demolition) near sensitive receptors to 9:00 a.m. to 3:00 p.m., Monday through Friday, excluding federal holidays. Even with these measures short-term construction noise impacts would be potentially significant. (EIR, pp. 4.11-23)

Draft EIR **Error! Reference source not found., Error! Reference source not found., Error! Reference source not found., Error! Reference source not found.,** and **Error! Reference source not found., Error! Reference source not found.,** list the traffic noise levels for the Existing (2018), Opening Year (2022), and Cumulative Opening Year (2022) baseline and with Project scenarios, respectively. These noise levels represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the location where the noise contours are drawn. The specific assumptions used in developing these noise levels and the model printouts are provided in Appendix A of the *Noise and Vibration Analysis*, which is included as *Technical Appendix I* to the EIR.

Off-site Project-related traffic noise impacts would occur with a project-related traffic noise increase of 3 dBA or greater. As previously mentioned, a noise level change of 3 dBA or less is generally considered to be below the threshold of noticeable hearing. Draft EIR **Error! Reference source not found., Error! Reference source not found.,** and **Error! Reference source not found.** show that the proposed Project would result in a traffic noise increase of up to 0.3 dBA along Agua Mansa road and up to 3.4 dBA along Hall Avenue in the vicinity of the Project. Although the Project could result in a noise increase greater than 3 dBA along segments of Hall Avenue between Project Driveway 3/Brown Avenue and Agua Mansa Road in the Existing Year (2018) and Opening Year (2022) scenarios, no off-site traffic noise impacts would occur because there are no noise-sensitive uses along Hall Avenue east of Project Driveway 1. Therefore, impacts associated with an increase in ambient noise due to traffic is considered less than significant. (EIR, pp. 4.11-16 – 4.11-19)

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Furthermore, the Proposed project would not result a substantial temporary or permanent increase in noise levels associated with stationary source operations, including on-site truck delivery, truck loading and unloading activities, heating, ventilation, and air conditioning (HVAC) noise, and parking lot activities. The Project would not exceed standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Project plus ambient noise levels are predicted to remain below 65 dBA Leq, therefore resulting in a less than significant impact. This impact is determined to be less than significant.

MM 4.11-1 Prior to issuance of demolition, grading and/or building permits, a note shall be provided on construction plans indicating that during grading, demolition, and construction, the Project Applicant shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:

- The project construction contractor shall limit construction activities to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday. Construction is prohibited outside these hours or at any time on Sunday or a federal holiday.
- The project construction contractor shall limit high-noise-generating construction activities (e.g., grading, demolition, or pile driving) within 200 ft of residential uses from 9:00 a.m. to 3:00 p.m., Monday through Friday. High-noise-generating construction activities are prohibited outside these hours or at any time on Sunday or a federal holiday.
- The project construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers consistent with manufacturer’s standards.
- The project construction contractor shall locate staging areas away from off-site sensitive uses during the later phases of project development.
- The project construction contractor shall place all stationary construction equipment so that the emitted noise is directed away from the sensitive receptors nearest the project site.
- Construction haul truck and materials delivery traffic shall avoid residential areas whenever feasible.
- The project construction contractor shall place a temporary construction barrier with a minimum height of 12 ft along the northern construction boundary such that the line-of-sight from ground-level construction equipment and sensitive receptors would be blocked. The temporary construction barrier may be a 0.5-inch thick plywood fence or another material that has a minimum Sound Transmission Class (STC) rating of 28.

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With implementation of MM 4.11-1, the Project construction would be required to limit construction activities, including high-noise-generating activities between certain hours, use noise mufflers, locate staging areas and stationary equipment away from off-site sensitive uses, and ensure that construction haul truck and material delivery avoids residential areas. Additionally, the project construction contractor shall place a temporary construction barrier (0.5-inch thick plywood fence or another material that has a minimum Sound Transmission Class (STC) rating of 28) with a minimum height of 12 ft along the northern construction boundary such that the line-of-sight from ground-level construction equipment and sensitive receptors would be blocked. Implementation of MM 4.11-1 would ensure that construction-related impacts are less than significant.

4.4.2 THRESHOLD B

Impact Statement: The Project has the potential to generate excessive groundborne vibration or groundborne noise levels.

Findings

Potential impacts of the Project related to Threshold b are discussed in detail in Section 4.11.6 of the DEIR. The proposed Project would be required to implement PPPs 4.11-1 and 4.11-2 to comply with the City’s Municipal Code to reduce impacts to noise. The Project is required to comply with Mitigation Measure MM 4.11-2, which would reduce impacts to less than significant. The City Council has determined 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 EIR.

Substantial Evidence

The nearest building structure to the Project construction boundary is a masonry industrial structure located approximately 10 ft to the north. A vibration level at 10 ft is 12 vibration decibels (VdB) higher than the vibration level at 25 ft. Table 4.11-11, Summary of Construction Equipment and Maximum Vibration Levels, shows that vibration at this structure would reach 99 VdB (or 0.191 PPV [in/sec]) ($87 \text{ VdB} + 12 \text{ VdB} = 99 \text{ VdB}$). This ground-borne vibration level would exceed the FTA damage threshold of 98 VdB (0.3 Peak Particle Velocity (PPV) [in/sec]) and is considered a potentially significant impact. (EIR, p. 4.11-25)

The nearest non-engineered or “fragile” building structure to the Project construction boundary is a storage shed located approximately 40 ft to the north. A vibration level at 40 ft is 6 VdB lower than the vibration level at 25 ft. As shown in Table 4.11-11, ground-borne vibration levels at this structure would reach up to 81 VdB (or 0.044 PPV [in/sec]) ($87 \text{ VdB} - 6 \text{ VdB} = 81 \text{ VdB}$). This vibration level would not exceed the threshold of 94 VdB (or 0.12 PPV [in/sec]) that would potentially damage vibration-sensitive buildings; therefore, short-term construction vibration impacts to non-engineered or fragile building structures is less than significant.

The nearest residential structure to the Project construction boundary is located approximately 460 ft to the north. A vibration level at 460 ft is 38 VdB lower than the vibration level at 25 ft. As shown

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Table 4.11-11, ground-borne vibration levels at this structure would reach up to 49 VdB (87 VdB - 38 VdB = 49 VdB). This ground-borne vibration level would not exceed the vibration threshold of 72 VdB that would result in annoyance or interfere with sleep at residential land uses. In addition, this vibration level would not exceed the threshold of 94 VdB (or 0.2 PPV [in/sec]) that would potentially damage non-engineered timber and masonry buildings. Therefore, short-term construction vibration impacts to residential structures is less than significant.

MM 4.11-2 The construction contractor shall restrict use of heavy equipment (e.g., large tracked bulldozers or loaded trucks) or use light construction equipment (e.g. small rubber tire bulldozers or pickup trucks) within 15 ft from the northern Project construction boundary.

Implementation of MM 4.11-2 would limit the use of heavy equipment (e.g., large tracked bulldozers or loaded trucks) or use of light construction equipment (e.g. small rubber tire bulldozers or pickup trucks) within 15 ft from the northern Project construction boundary. This limitation would reduce construction vibration levels to below the FTA’s vibration damage threshold. Therefore, ground-borne vibration impacts at the nearest industrial structure, located 10 ft to the north of the Project construction boundary, would be less than significant with implementation of MM 4.11-2.

4.5 TRIBAL CULTURAL RESOURCE

4.5.1 THRESHOLD A

Impact Statement: The Project has the potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code Section 5024.1(k), or*
- b. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of the Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Finding

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.13.6 of the DEIR. The Project site has not been identified as a location that is known to contain significant tribal cultural resources. However, there is a remote potential that resources could be encountered during ground-disturbing construction activities that occur in native soil. The Project is required to comply with Mitigation Measures MM 4.13-1 through 4.13-6, which would reduce impacts to less than

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significant. The City Council has determined 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 EIR.

☐ Substantive Evidence

The records search for the Project resulted one resource located within the Project site (P-33-16364/CA-RIV-8513). The resource was originally recorded as a historic period archaeological site consisting of “a steel tank, a large steel pipe junction, a large patch of asphalt pavement, two borrow pits, a steel rail, several steel and iron pipes, and a dirt access road” (Cotterman, 2006). According to the site record, no historic period artifacts were observed in associated site features; the construction and use date of the resource is unknown.

The age of P-33-16364 is unknown, and the site has had its information potential realized through documentation on the Department of Parks and Recreation (DPR) forms. No evidence was identified during the background research to associate the site features with events that have made a contribution to the broad patterns of California’s history and cultural heritage or individuals important to the past. Additionally, the site features do not embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values, and it does not seem likely to yield information important to the past. Therefore, this resource was determined not eligible for listing in the California Register of Historic Places.

Therefore, no resources were identified on the Project site that meet any of the four criteria listed above to be eligible for the California Register and no prehistoric resource sites or isolates were found on the Project site. Furthermore, no substantial evidence was presented to or found by the City of Jurupa Valley that led to the identification of any resources on the Project site that in the City’s discretion had the potential to be considered a tribal cultural resource.

As part of the mandatory AB 52 consultation process required by State law, the City of Jurupa Valley sent notification to the Native American tribes with possible traditional or cultural affiliation to the area that previously requested consultation pursuant to AB 52 requirements.

Of the tribes sent notification letters, all requested consultation, except the Viejas Band of Kumeyaay Indians as they stated the Project site is out of their culturally affiliated areas. As per standard City practice, the Soboba Band of Luiseño Indians, the Gabrieleño Band of Mission Indians-Kizh Nation, the Morongo Band of Mission Indians, and the San Manuel Band of Mission Indians were informed that the City would require implementation of their standard mitigation measures for tribal cultural resources.

The City of Jurupa Valley completed mandatory compliance with Public Resources Code § 21074 associated with the environmental review of the proposed Project. Because the Project site has not been identified as a location that is known to contain significant tribal cultural resources and due to the previously disturbed condition of the Project site, it can be reasonably assured that

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implementation of the Project would not affect tribal cultural resources. However, there is a remote potential that resources could be encountered during ground-disturbing construction activities that occur in native soil. Accordingly, there is a potential for significant impacts to occur if significant resources are discovered during the Project’s construction process. (EIR, pp. 4.13-7 – 4.13-10)

MM 4.13-1 **Retain Registered Professional Archaeologist:** Prior to the issuance of a grading permit, the Project Applicant shall retain a Registered Professional Archaeologist (“Project Archaeologist”) subject to the approval of the City to be on-call during all mass grading and trenching activities. The Project Archaeologist’s responsibilities include, but are not limited to perform the tasks that require the need for a qualified archaeologist pursuant to MM 4.13-2 through MM 4.13-6 below.

MM 4.13-2 **Cultural Resources Management Plan:** Prior to the issuance of a grading permit, the Project Archaeologist, in consultation with the Consulting Tribe(s), the Project Applicant, and the City, shall develop a Cultural Resources Management Plan (CRMP), to address the implementation of the City’s Tribal Cultural Resource Mitigation Measures MM 4.13-3 through MM 4.13-6, including but limited to, timing, procedures and considerations for Tribal Cultural Resources during the course of ground disturbing activities that will occur on the project site. The CRMP shall be subject to final approval by the City of Jurupa Planning Department.

MM 4.13-3 **Tribal Monitoring:** Prior to the issuance of a grading permit, the Project Applicant shall provide the City of Jurupa Valley evidence of agreements with the consulting tribe(s), for tribal monitoring. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. The Project Applicant is also required to provide a minimum of 30 days advance notice to the tribes of all ground disturbing activities.

MM 4.13-4 **Treatment and Disposition of Inadvertently Discovered Tribal Cultural Resources:** In the event that buried archaeological resources/Tribal Cultural Resources are uncovered during the course of ground disturbing activity associated with the project, all work must be halted in the vicinity of the discovery and the Project Archaeologist shall visit the site of discovery and assess the significance and origin of the archaeological resource in coordination with the consulting tribe(s). The following procedures will be carried out for treatment and disposition of the discoveries:

- 1) Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and
- 2) Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to

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cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Jurupa Valley Department with evidence of same:

- a) Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. This will require revisions to the grading plan, denoting the location and avoidance of the resource.
- b) Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed; location information regarding the reburial location shall be included into the final report required under TCR-4. Copies of the report shall be provided to the City for their records, the Consulting Tribe(s), and the Eastern Informational Center.
- c) Curation. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation.

MM 4.13-5 **Final Reporting:** In the event significant tribal cultural resources as defined by subdivision (c) of Public Resources Code Section 5024.1, or Tribal Cultural Resources as defined by Pub. Resources Code, § 21074 (a), are discovered on the Project site, prior to the issuance of a building permit, the Project Proponent shall submit a Phase IV Cultural Resources Monitoring Report that complies with the County of Riverside *Cultural Resources (Archaeological) Investigations Standard Scopes of Work* for review and approval to the City of Jurupa Valley Planning Department. Once the report is determined to be adequate, the Project Proponent shall provide (1) copy to the City of Jurupa Valley Planning Department, and provide the City of Jurupa Valley, evidence that two (2) copies have been submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy has been submitted to the Consulting Tribe(s) Cultural Resources Department(s).

MM 4.13-6 **Discovery of Human Remains:** In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).

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Implementation of Mitigation Measures MM 4.13-1 through 4.13-6, would require archaeological and tribal cultural monitors and ensure that any previously undiscovered tribal cultural resources encountered during grading activities are properly treated and reported. With implementation of mitigation, impacts would be less than significant.

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5.0 ENVIRONMENTAL IMPACTS THAT REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION

The Jurupa Valley City Council finds the project would result in significant and unavoidable impacts in the following impact categories after implementation of all feasible mitigation measures: Air Quality and Greenhouse Gas Emissions. In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Jurupa Valley cannot approve the project unless it first finds (1) under Public Resources Code Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations has been prepared.

5.1 AIR QUALITY

5.1.1 THRESHOLD A

Impact Statement: The Project would conflict with and/or obstruct implementation of the applicable air quality plan.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.2.6 of the DEIR. The proposed Project would be required to implement PPPs 4.2.1 through 4.2-5 to reduce impacts to air quality. The Project is required to comply with Mitigation Measures MM 4.2-1 through 4.2-3, which would reduce impacts to the extent feasible.

Substantial Evidence

Consistency with Criterion No. 1 refers to violations of the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS) would occur if LSTs were exceeded. As shown below under Threshold b, the Project’s short-term construction and long-term operational pollutant emissions would be below CEQA emissions thresholds established by SCAQMD.

Although the Project’s short-term and long-term activities would be below the SCAQMD emissions thresholds, the Project’s anticipated NOx emissions would exceed the applicable SCAQMD Regional Thresholds as evaluated under Threshold b. Therefore, the Project has the potential to conflict with the AQMP with respect to this criterion. Impacts would be potentially significant.

The 2016 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the SCAB are provided to SCAG which develops regional growth forecasts that

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are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in a City’s General Plan is consistent with the AQMP.

An amendment to the General Plan (GPA No. 18001) Agua Mansa Warehouse and Distribution Center Overlay would be required to extend the overlay boundaries to encompass the Project site, which would allow logistics uses at the Project site. The 2017 General Plan and the 1986 Agua Mansa Specific Plan No. 210 list the Project site land use designation as Heavy Industrial and the existing zoning as Manufacturing/Service Commercial (M-SC). The Project Applicant proposes a Zone Change (ZC No. 20004) to change the site’s zoning classification from M-SC to Manufacturing-Medium (M-M) to be consistent with the Agua Mansa Warehouse and Distribution Center Overlay. The proposed logistics use would result in traffic impacts similar to the existing designation and zoning. Thus, even though the Project requires a General Plan modification, the proposed Project, as analyzed, would result in air emissions that are consistent with the City’s plans. The City’s General Plan is consistent with the SCAG Regional Comprehensive Plan Guidelines and the SCAQMD AQMP. Pursuant to the methodology provided in Chapter 12 of the 1993 SCAQMD CEQA Air Quality Handbook, consistency with the 2016 AQMP is affirmed when a project would not increase the frequency or severity of an air quality standards violation or cause a new violation and is consistent with the growth assumptions in the AQMP.

Based on the AQMP consistency analysis presented herein, the Project would conflict with the Consistency Criterion No. 1 of the AQMP and the resulting impact would potentially significant. Although MMs 4.2-1 through 4.2-3 would be implemented as part of the Project to reduce the effects on potential impacts, significant and unavoidable impacts associated with NOx emissions would result during long-term operation of the Project, and no feasible mitigation measures exist that would reduce the Project’s NOx emissions to levels that are less than significant. All feasible mitigation measures have been imposed and impacts would remain significant and unavoidable. (EIR, pp. 4.2-29 – 4.2-30)

MM 4.2-1 All truck/dock bays that serve cold storage facilities within the proposed buildings shall be electrified to facilitate plug-in capability and support use of electric standby and/or hybrid electric transport refrigeration units. All site and architectural plans submitted to the City of Jurupa Valley shall note all the truck/dock bays designated for electrification. Prior to the issuance of a Certificate of Occupancy for a cold storage user, the City of Jurupa Valley Building and Safety Department shall verify electrification of the designated truck/dock bays.

MM 4.2-2 Indoor material handling equipment used throughout the project area would be electric and would not be diesel-powered. Prior to issuance of an Occupancy Permit for a new tenant/business entity, the project developer/facility owner and tenant/business entity shall provide to the City of Jurupa Valley Planning Department a signed document (verification document) noting that the project development/facility owner has disclosed to the tenant/business entity the requirement to use electric-powered equipment for daily operations, to the maximum extent feasible. This verification document shall be signed by authorized agents for

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the project developer/facility owner and tenant/business entities. During operation, the building tenant and/or building owner shall maintain a list of all off-road equipment used onsite. The equipment list shall state the makes, models, and numbers. These records shall be made available to the City of Jurupa Valley upon request.

- MM 4.2-3 Only electric-powered off-road equipment (e.g., yard trucks/hostlers) shall be utilized onsite for daily warehouse and business operations, to the maximum extent feasible. Prior to issuance of an Occupancy Permit for a new tenant/business entity, the project developer/facility owner and tenant/business entity shall provide to the City of Jurupa Valley Planning Department a signed document (verification document) noting that the project development/facility owner has disclosed to the tenant/business entity the requirement to use electric-powered equipment for daily operations, to the maximum extent feasible. This verification document shall be signed by authorized agents for the project developer/facility owner and tenant/business entities. During operation, the building tenant and/or building owner shall maintain a list of all off-road equipment used onsite. The equipment list shall state the makes, models, and numbers. These records shall be made available to the City of Jurupa Valley upon request.

5.1.2 THRESHOLD B

Impact Statement: The Project would result in a cumulatively considerable net increase of NOx emissions during long-term operation of the Project.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.2.6 of the Draft EIR. The proposed Project would be required to implement PPPs 4.2.1 through 4.2-4 to reduce impacts to air quality. The Project is required to comply with Mitigation Measures MM 4.2-1 through 4.2-3, which would reduce impacts to the extent feasible.

Substantial Evidence

The Project’s regional daily construction emissions of criteria pollutants would not exceed their respective SCAQMD thresholds. Further, the localized construction emissions would not result in a locally significant air quality impact. Therefore, the Project’s construction-related regional air quality impacts are considered less than significant.

Implementation of the Project would result in 282 truck trips and 1,317 total trips on a peak day. It should be noted that the default CalEEMod rates for Saturday and Sunday were used. The average haul truck round trip was assumed to be 25 miles (the Connect SoCal average truck trip length is 17.9 miles; 25 miles was used to be conservative). The CalEEMod fleet mix was adjusted to match the Agua Mansa Traffic Impact Analysis (see Draft EIR Subsection 4.12, *Transportation*, for further details regarding transportation analysis methodology). The SCAG average truck trip is

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approximately 17.41 miles; however, the transportation analysis for the Project included conservative truck trip lengths of 25 miles and 40 miles. Since a specific tenant is not yet known, the analysis findings will be based on the longer and more conservative 40-mile trip length. Therefore, NO_x emissions associated with the Project would exceed the SCAQMD’s threshold of significance for operational emissions. This impact would be considered potentially significant.

Operational emission rates would not exceed the LSTs for sensitive receptors in the project area. Therefore, the proposed operational activity would not result in a locally significant air quality impact.

In summary, the proposed Project would result in a less than significant LST impacts during construction and operation. Additionally, although the Project would not result in SCAQMD threshold exceedance for criteria pollutants during construction, but would result in exceedance of the NO_x threshold established by SCAQMD during long-term operation. Therefore, the Project would result in a potentially significant impact associated with NO_x emissions during long-term operation of the Project. (EIR, pp. 4.2-30 – 4.2-33)

However, after implementation of Mitigation Measure MMs 4.2-1 through 4.2-3, impacts would remain significant and unavoidable. Significant and unavoidable impacts associated with NO_x emissions would result during long-term operation of the Project, and no feasible mitigation measures exist that would reduce the Project’s NO_x emissions to levels that are less than significant.

5.2 GREENHOUSE GAS EMISSIONS

5.2.1 THRESHOLD A

Impact Statement: The Project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

Findings

Potential impacts of the Project related to Threshold a are discussed in detail in Section 4.7.6 of the DEIR. The proposed Project would be required to implement PPPs 4.7-1 through 4.7-6 to reduce impacts to greenhouse gas emissions. The Project is required to comply with Mitigation Measures MM 4.7-1 through 4.7-4, which would reduce impacts to the extent feasible.

Substantial Evidence

As shown on Table 4.7-5 of the EIR, when assuming an average 40-mile truck trip length, the Project would result in GHG emissions of 6,989 MT CO₂e/yr, which is also greater than the SCAQMD Tier 3 threshold of 3,000 MT CO₂e/yr and potentially significant.

Mobile-sources represent the vast majority of GHG emissions. The GHG emissions shown in Table 4.7-4 and Table 4.7-5 are principally (59 and 68 percent, respectively) from mobile source emissions. Area-source emissions would be associated with activities including landscaping and maintenance of proposed land uses, natural gas for heating, and other sources. Increases in stationary-source

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emissions would also occur at off-site utility providers as a result of demand for electricity, natural gas, and water by the proposed Project. (EIR, p. 4.7-18)

MM 4.7-1 Prior to the issuance of a building permit, the Project Applicant shall ensure that the Project’s buildings are designed to meet or exceed the California Building Standards Code’s (CBSC) Title 24 energy standard, including but not limited to, any combination of the following:

- a. Increase insulation such that heat transfer and thermal bridging is minimized;
- b. Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption; and
- c. Incorporate ENERGY STAR® or better related windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

MM 4.7-2 Prior to the issuance of a building permit, the Project Applicant shall ensure that the Project’s buildings will be installed with efficient lighting and lighting control systems.

MM 4.7-3 Prior to the issuance of a building permit, the Project Applicant shall devise a comprehensive water conservation strategy appropriate for the Project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:

- a. Create water-efficient landscapes within the development;
- b. Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls;
- c. Use reclaimed water, if available, for landscape irrigation within the Project. Install the infrastructure to deliver and use reclaimed water, if available;
- d. Design buildings to be water-efficient. Install water-efficient fixtures and appliances, including low-flow faucets and waterless urinals; and
- e. Restrict watering methods (e.g. prohibit systems that apply water to non-vegetated surfaces) and control runoff.

MM 4.7-4 Prior to issuance of building permits, the Project Applicant shall demonstrate that the tilt-up concrete warehouse building would be constructed with rooftops that can support tenant improvements for solar panels (i.e., solar ready).

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However, after implementation of mitigation measures, impacts would remain significant and unavoidable. Mobile source emissions are controlled by the State and federal governments. Thus, there are no feasible mitigation measures available to reduce the total project GHG emissions to less than 3,000 MT CO₂e/yr and regardless of the average truck trip length assumed these emissions would result in a significant and unavoidable impact. (EIR, p. 4.7-19)

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6.0 OTHER CEQA CONSIDERATIONS

6.1 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

The State CEQA Guidelines require EIRs to address any significant irreversible environmental changes that would be involved with the proposed action should it be implemented (CEQA Guidelines § 15126.2[c]). An environmental change would fall into this category if: a) the project would involve a large commitment of non-renewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environmental accidents; or d) the proposed consumption of resources is not justified (e.g., the project results in the wasteful use of energy).

Finding

The Project’s potential to result in growth-inducing impacts is discussed in detail in Subsection 5.2 of the EIR. Based on the entire record, the City finds that the Project the Project would not result in significant irreversible environmental changes.

Substantive Evidence

Determining whether the proposed Project may result in significant irreversible environmental changes requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them.

Natural resources, in the form of construction materials and energy resources, would be used in the construction of the proposed Project. The consumption of these natural resources would represent an irreversible change to the environment. However, the development of the Project site as proposed would have no measurable adverse effect on the availability of such resources, including resources that may be non-renewable (e.g., fossil fuels). Additionally, the Project is required by law to comply with the California Building Standards Code (CALGreen), which would minimize the Project’s demand for energy, including energy produced from non-renewable sources. A more detailed discussion of energy consumption is provided in Draft EIR Subsection 4.5, *Energy*.

Implementation of the Project would commit the Project site to industrial warehouse uses. As demonstrated in the analysis presented throughout Draft EIR Section 4.0, *Environmental Analysis*, construction, and long-term operation of the Project would be compatible with the existing and planned land uses that surround the Project site and would not result in significant physical environmental effects to nearby properties. Although the Project would cause unavoidable impacts to the environment associated with air quality and greenhouse gas emissions, these effects would not commit surrounding properties to land uses other than those that are present under existing conditions or planned by the City of Jurupa Valley General Plan. For this reason, the Project would not result in a significant, irreversible change to nearby, off-site properties.

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Because no significant natural resources occur within the Project site, the Project would not reduce the availability of any natural resources associated with long-term operational activities. Also, as discussed under Draft EIR Subsection 4.5, *Energy*, the Project would not result in a wasteful consumption of energy. Accordingly, the Project would not result in a significant, irreversible change to the environment related to energy use.

Draft EIR Subsection 4.8, *Hazards and Hazardous Materials*, provides an analysis of the proposed Project’s potential to transport or handle hazardous materials which, if released into the environment, could result in irreversible damage to the environment. As concluded in the analysis, compliance with federal, State, and local regulations related to hazardous materials would be required of all contractors working on the property during the Project’s construction and of all users that occupy the Project’s buildings. As such, construction and long-term operation of the proposed Project would not have the potential to cause significant irreversible damage to the environment, including damage that may result from upset or accident conditions.

As demonstrated in the analysis presented throughout EIR Subsections 4.1 through 4.14, implementation of the proposed Project would result in no significant and unavoidable environmental effects that cannot be feasibly reduced to below levels of significance, with the exception of significant and unavoidable impacts to air quality and greenhouse gas emissions. After the application of feasible mitigation measures with a proportional nexus to the Project’s impacts, the Project would cause or contribute less than significant impacts associated with all environmental issues analyzed, with the exception of impacts associated with air quality and greenhouse gas emissions. Based on the foregoing, the Project would not result in significant irreversible environmental changes pursuant to CEQA Guidelines §15126.2(c).

6.2 GROWTH INDUCING IMPACTS

CEQA requires a discussion of the ways in which the proposed Project could be growth inducing. The CEQA Guidelines identify a project as growth inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (CEQA Guidelines §15126.2(d)).

Finding

The Project’s potential to result in growth-inducing impacts is discussed in detail in Subsection 5.3 of the EIR. Based on the entire record, the City finds that the Project would not directly or indirectly induce growth in the surrounding area which could result in a significant adverse effect to the environment.

Substantive Evidence

The Project is zoned for Manufacturing-Service Commercial (M-SC) uses and is designated as Heavy Industrial by the City’s General Plan. Based on the City of Jurupa Valley General Plan EIR, approximately 1 employee is needed for every 1,200 sf of industrial development. This would mean

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that approximately 279 employees (335,002 sf x [1 employee/1,200 sf] = ~279 employees) would be required for the Project.

A project could indirectly induce growth at the local level by increasing the demand for additional goods, and services associated with an increase in population or employment and thus reducing or removing the barriers to growth. This typically occurs in suburban or rural environs where population growth results in increased demand for service and commodity markets responding to the new population of residents or employees. Economic growth would likely take place because of the Project’s operation as a warehouse/distribution/warehouse facility and all other legally permitted uses. The Project’s construction-related and operational-related employees would purchase goods and services in the region, but any secondary increase in employment associated with meeting these goods and services needs is expected to be marginal, accommodated by existing goods and service providers, and highly unlikely to result in any new physical impacts to the environment based on the amount of available warehouse/distribution facilities available in areas near the Project site, including the cities of Eastvale, Ontario, Chino, Fontana, and Norco. In addition, the Project would create jobs that likely would serve the housing units either already built or planned for development within Riverside County and/or the City of Jurupa Valley. Accordingly, the on-site employment generation would not induce substantial growth in the area because it is anticipated that the Project’s future employees would already be living in the Jurupa Valley/Riverside County area.

As previously stated, the General Plan land use designation for the site is Heavy Industrial. Land north of the Project site, and within the City of Jurupa Valley, is designated as Heavy Industrial and Low Density Residential and is currently developed with low-density, single-family residences and industrial buildings; land to the south of the Project site, and within the City Jurupa Valley, is designated as Heavy Industrial and is developed with industrial buildings; and, land to the west of the Project site, and within the City of Jurupa Valley, is designated as Business Park. It should be noted that land west of the Project site is a former mine that is currently undeveloped. The land to the northeast of the Project site, and within the City of Rialto, is designated as Light Industrial and General Industrial and is built out with industrial development. As the Project vicinity is predominantly built-out, the development of the Project is unlikely to affect the existing uses within the surrounding properties. The Project is limited to the Project site’s boundaries and does not include any components that would indirectly affect existing or planned uses on neighboring properties. Accordingly, the Project would not induce growth in the Project area.

Although the Project proposes a General Plan Amendment (GPA), implementation of the Project would not alter the site’s existing land use designation, but would modify the allowable uses permitted under the Heavy Industrial land use designation to include logistics uses. Currently, logistics uses within the City of Jurupa Valley is only allowed within the Mira Loma Warehouse and Distribution Center Overlay and Agua Mansa Warehouse and Distribution Center Overlay areas. The Project’s proposed GPA No. 18001 would allow logistics uses only within the Project site. The development of the proposed logistics uses on the Project site would not reasonably or foreseeably cause the redevelopment of other properties or cause development on other properties.

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Furthermore, the Project’s potential influence on other nearby properties to redevelop at greater intensities and/or different uses than the City’s General Plan and Zoning Code allow is speculative beyond the rule of reason; however, it should be noted that implementation of the Project would not result in the approval of logistics uses on any other property outside of the Project site. CEQA does not require the analysis of speculative effects (State CEQA Guidelines § 151454). If any other property owner were to propose redevelopment of a property in the Project vicinity or in any part of the City, the redevelopment project would require evaluation under CEQA based on its own merits, including an analysis of direct and cumulatively considerable effects.

Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Typically, the growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning agencies such as SCAG. Significant growth impacts also could occur if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies. In general, growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way. The Project would be consistent with the existing General Plan land use designation (Heavy Industrial) and Zoning classification (Manufacturing Service-Commercial) for the Project site. Further, implementation of the Project would not require the expansion of water and sewer infrastructure, as the Project would connect to existing water and sewer lines within Agua Mansa Road and Hall Avenue.

The Project site is located within a predominantly industrial portion of the City of Jurupa Valley and is bordered by industrial uses directly to the north, east, south, and southwest. Thus, the area surrounding the Project site is primarily characterized by industrial uses. The operation and maintenance of the Project would generate approximately 279 jobs, but any potential growth-inducing impact of the employment of persons at the Project site was accounted for in the City’s General Plan, as the Project would develop the Project site in compliance with the City’s General Plan land use designation (Heavy Industrial). Accordingly, the proposed Project would not directly promote growth either at the Project site or at the adjacent and surrounding properties that was not accounted for in the City’s General Plan.

In conclusion, it is unlikely, speculative, and not reasonably foreseeable that the Project would induce growth in the form of additional economic activity or employment that would result in measurable impacts on the off-site physical environment.

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7.0 ALTERNATIVES

7.4.1 ALTERNATIVE CONSIDERED AND REJECTED

An EIR is required to identify any alternatives that were considered by the Lead Agency but were rejected as infeasible. Among the factors described by CEQA Guidelines §15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR are: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the proposed Project, CEQA Guidelines §15126.6(f)(1) notes:

“Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries...and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site...”

In determining an appropriate range of alternatives to be evaluated in this Final EIR, possible alternatives were initially considered and, for a variety of reasons, rejected. Alternatives were rejected because either: 1) they could not accomplish the basic objectives of the Project, 2) they would not have resulted in a reduction of significant adverse environmental impacts, or 3) they were considered infeasible to construct or operate. (EIR, pp. 6-3 – 6-6)

1. *No Project/Existing General Plan and Zoning Alternative*

The No Project/Existing General Plan and Zoning Alternative would consider the development of the Project site with a use that conforms to the existing land use and zoning standards for the Project site, specifically the Heavy Industrial land use and the Manufacturing-Service Commercial zone. This alternative would include a 335,002 s.f. manufacturing use. The Existing General Plan and Zoning Alternative would include many of the site improvements discussed in Section 3.0, *Project Description*, of the EIR (i.e. utility, landscaping, and parking).

However, the EIR evaluated the proposed Project assuming conservative trip rates. Trip generation for the Project was developed using rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition) for Land Use 140 – “Manufacturing.” The trip generation rates and forecast of the vehicular trips anticipated to be generated by the proposed Project are very conservative because the Manufacturing trip rate is among the highest rates published in the ITE Trip Generation Manual for industrial and warehousing land uses. Several environmental analyses throughout the EIR rely on trip generation. By using a very conservative trip rate selection, Project average daily trips and peak hour trips are likely overestimated and provide a conservative approach for the analyses related to air quality, GHG emissions, energy, noise, and transportation.

Since the analysis in the EIR assumed a use with conservative trip rates, this alternative would result in the same impacts as the proposed Project. The City rejected this alternative because it would not substantially lessen or eliminate the Project’s significant and avoidable air quality and GHG emission impacts. (EIR, p. 6-4)

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2. *Alternative Sites*

The City considered but rejected an alternative that would develop the proposed Project on an alternative site. In making the decision to include or exclude analysis of an alternative site, the “*key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR*” (CEQA Guidelines §15126.6[f][2]).

The Project proposes to develop an approximately 23.44-acre site within the City with two industrial buildings totaling 335,002 s.f. It is unlikely that the Project’s significant and unavoidable impact under the topics of air quality (operational NO_x emissions) and GHG emissions would be avoided or substantially reduced by placing the Project in another location because they are caused by the operational characteristics of the Project and are not site-specific in nature.

Regarding the feasibility of finding another potential vacant location for the Project, land located south of the Project site, north of SR-60 (and west of Market Street) is currently vacant. However, because this land is located closer to sensitive land uses (the residences located north of the vacant land), this location could potentially have greater Project impacts. Similarly, there are no existing, developed sites for sale that are a similar size as the Project site within close proximity to the key freeway infrastructure (i.e. SR-60) and that could reasonably be controlled by the Project Applicant for the purpose of developing the proposed Project. Furthermore, the Project Applicant does not hold ownership control over any other parcels of land in or near the Project site that could be used as an alternative location for the proposed Project. Therefore, because an alternative location is not available that would avoid or substantially lessen the significant environmental effects of the Project, and because the Project Applicant does not have ownership control over, and cannot reasonably obtain ownership control over, any other parcels of land in the jurisdiction of the City that could accommodate the Project, an alternative location alternative is not feasible. Accordingly, the City is not obligated under CEQA to perform a detailed analysis of alternative sites in the EIR. (EIR, p. 6-4 – 6-5)

3. *Office Use Alternative*

The City considered an alternative that would develop general office uses at the Project site. The Office Use Alternative would consider the development of one or more professional office buildings at the Project site, which would contain individual office suites occupied by a range of professional tenants. The remaining areas of the Project site would be developed with parking areas, drive aisles, driveway(s), lighting, utility connections, stormwater treatment and conveyance facilities, and landscaped areas. Under the Office Use Alternative, vehicular access to the site would be similar to that which is proposed by the Project. Offices are a permitted use within the M-SC Zone pursuant to Section 9.148.020 of the City’s Municipal Code.

This alternative was rejected by the City as implementation would increase the Project’s environmental impacts (e.g., air quality, GHG emissions, and transportation/traffic) due to increased generation of vehicular trips. A 335,000 s.f. office building would generate 3,263 trips, an increase

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of 1,947 daily trips over the proposed Project.¹ Therefore, this alternative would not substantially lessen or eliminate the Project’s significant and avoidable air quality and GHG emission impacts.

Additionally, this alternative would fail to achieve the majority of the Project objectives. Specifically, the Office Use Alternative would not develop an industrial use (Objectives 1 and 3) within the City and within proximity to key freeway infrastructure (Objective 4). Furthermore, no entity has been identified that could purchase the property for office uses. Accordingly, this alternative was considered but rejected. (EIR, p. 6-5 – 6-6)

7.4.2 NO PROJECT/ NO DEVELOPMENT

The No Project/No Development Alternative considers no development on the Project site beyond what occurs on the site under existing conditions (as described in EIR Section 3.0). As such, the approximately 23.44-gross acre Project site would continue to consist of undisturbed, vacant land. Under this alternative, no improvements would be made to the Project site and none of the proposed Project’s internal parking, utility, and other infrastructure improvements would occur. This alternative was selected by the City to compare the environmental effects of the proposed Project with an alternative that would leave the Project site undeveloped in its general existing condition, as required by CEQA Guidelines section 15126.6(e)(1). (EIR, p. 6-6)

The No Project/No Development Alternative would result in no physical environmental impacts to the Project site beyond those that currently occur on the property which is primarily limited to on-going and required weed abatement. All significant and unavoidable impacts of the Project would be eliminated or lessened by the selection of the No Project/No Development Alternative.

This alternative would not receive benefit from the stormwater drainage and water quality filtration features that would be constructed by the proposed Project. The No Project/No Development Alternative also would fail to meet all of the Project’s objectives, as described in Subsection 6.1.1. (EIR, p. 6-10)

Thus, the City Council finds that each of the reasons set forth above would be an independent ground for rejecting the No Project/No Development Alternative, and by itself, independent of any other reason, would justify rejection of the No Project/No Development Alternative.

7.4.3 HIGH-CUBE WAREHOUSE ALTERNATIVE

The High-Cube Warehouse Alternative is provided for informational purposes and considers a proposal where the proposed 335,002 s.f. buildings would be occupied by a high-cube warehouse use. The High-Cube Warehouse Alternative would include the same site improvements discussed in Section 3.0, *Project Description*, of the Draft EIR (i.e. utility, landscaping, and parking). This alternative would also require a general plan amendment to extend the boundary of the Agua Mansa Warehouse and Distribution Center Overlay.

¹ Based on Trip Generation from the 10th Edition, Institute of Transportation Engineers (ITE), general office (Code 710) would generate 9.74 daily trips per thousand s.f. Project generated daily trips total 1,316 (see Technical Appendix J).

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This alternative was selected by the City to evaluate an alternative that allows for the Project site to be developed with a different industrial land use type (i.e., high-cube warehouse) that would reduce the Project’s significant unavoidable impacts related to air quality and GHG emissions. The High-Cube Warehouse Alternative is presented to provide an option and a point of comparison with the Project based on a possible end user/tenant on the site. The High-Cube Warehouse would generate 713 daily trips, including 41 a.m. peak hour, and 55 p.m. peak hour trips,² resulting in a reduction of 603 daily, 166 a.m. peak hour, and 171 p.m. peak hour trips compared to the proposed Project. (EIR, pp. 6-10 – 6.11)

The High-Cube Warehouse Alternative would result in similar impacts related to aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, tribal cultural resources, and utilities and service systems. This alternative would eliminate the significant unavoidable impact related to air quality. This alternative would reduce impacts related to energy, noise, and transportation, although these impact areas were determined to be less than significant or less than significant with incorporation of mitigation measures with implementation of the Project. However, impacts related to GHG emissions, while reduced, would continue to be significant and unavoidable.

Although the High-Cube Warehouse Alternative would reduce impacts related to reduction in trip generation (i.e. air quality, GHG emissions, energy, and noise), the trip generation forecast analyzed in the EIR is very conservative. The manufacturing trip rate used in the EIR is among the highest rates published in the ITE Trip Generation Manual for industrial and warehousing land uses. By using a very conservative trip rate selection, Project average daily trips and peak hour trips are likely overestimated and provide a conservative approach for the analysis related to air quality, GHG emissions, energy, noise, and transportation. (EIR p. 3-9). Importantly, and because the future tenant has not yet been identified, the EIR’s conservative approach allows for flexibility in selecting an end-user tenant at the proposed facility in accordance with the flexibility authorized by the Development Agreement, should it be approved by the City Council concurrently with the certification of this EIR.

Because the High-Cube Warehouse Alternative presents a scenario for a possible end user for the site based on the same type of land use, and is presented for informational purposes, the High-Cube Warehouse Alternative still would meet the Project objectives. (EIR, p. 6-14)

² WRCOG, Vehicle Mix Source: DRAFT TUMF High Cube Warehouse Trip Generation Study, WSP, January 29, 2019. Trip Rate for “High-Cube Fulfillment Center Warehouse – WSP”

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8.0 STATEMENT OF OVERRIDING CONSIDERATIONS

This Section specifically addresses §15093 of the CEQA Guidelines, which requires the City, acting as the Lead Agency, to balance the benefits of the Project against its significant and unavoidable adverse environmental impacts and determine whether the benefits which will accrue from the development of the Project outweigh its significant and unavoidable impacts. If the City finds that the major benefits of the Project outweigh its significant and unavoidable adverse environmental impacts, the City may approve the Project. Each of the separate benefits listed below are hereby determined to be, in itself, and independent of the Project’s other benefits, the basis for overriding all significant and unavoidable environmental impacts identified in the EIR.

As set forth in Section 3.0, above, the EIR identified all of the Project’s adverse environmental impacts and mitigation measures that can reduce the Project’s impacts to less-than-significant level where feasible, or to the lowest feasible levels. Mitigation imposed by the City must have a proportional nexus to the Project’s impacts. As further set forth in Section 5.0, the EIR presents evidence that implementing the Project would cause or contribute to impacts that would remain significant and unavoidable even after the imposition of all feasible mitigation measures. Finally, as set forth in Section 8.0, there are no feasible alternatives to the Project that would mitigate the Project’s significant and avoidable impacts to less-than-significant level or avoid those environmental impacts while still attaining most of the Project’s basic objectives. Based on the facts presented throughout this document, the City makes the following finding:

□ Finding

As the CEQA Lead Agency for the proposed Project, the City has reviewed the Project description and the alternatives to the Project, as presented in the EIR, and the City fully understands the Project and its alternatives. Further, the City finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the Project have been identified in the Final EIR, Final EIR, and public testimony. Having considered the potential for the Project to cause or contribute to significant and unavoidable adverse impacts to Air Quality and Greenhouse Gas Emissions, the City hereby determines that all feasible mitigation measures with proportional nexus to the Project’s impacts have been adopted to reduce or avoid the significant and unavoidable impacts identified in the EIR, and that no additional feasible mitigation or alternatives are available to further reduce or avoid significant impacts. Further, the City finds that economic, social, and other considerations of the Project outweigh the Project’s unavoidable impacts to Air Quality and Greenhouse Gas Emissions and that approval of the Project is appropriate. In making this finding, the City Council finds that each of the Project benefits separately and individually outweighs all of the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable. The Project would meet the following objectives:

- a) The Project would develop a vacant and underutilized property with industrial uses to help meet the substantial and unmet regional demands for goods movement facilities consistent with Southern California Association of Governments’ Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy).

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- b) The Project would expand economic development and facilitate job creation in the City of Jurupa Valley by establishing new industrial development adjacent to already-established industrial uses.
- c) The Project would develop Class A speculative industrial buildings in Jurupa Valley that are designed to meet contemporary industry standards, accommodate a wide variety of users, and are economically competitive with similar warehouse buildings in the local area and region.
- d) The Project would develop industrial buildings in close proximity to key freeway infrastructure (the I-10, I-215, and SR-60 Freeways), thereby reducing goods movement travel distances.
- e) The Project would develop a vacant property that is readily accessible to existing and available infrastructure, including roads and utilities.
- f) The Project would attract new businesses to the City of Jurupa Valley in proximity to residences thereby providing a more equal jobs-housing balance in the Inland Empire area that will reduce the need for members of the local workforce to commute outside the area for employment.

Furthermore, substantial evidence in the record demonstrates that approval and implementation of the Project will provide the benefits listed below:

- a) As set forth in detail in the Findings, all feasible mitigation measures have been imposed to reduce Project environmental effects to less than significant levels.
- b) The Project would develop an under-utilized property with a commercial/industrial park, which would assist the City in achieving the “Light Industrial” land uses envisioned for the Project site by the City of Jurupa Valley General Plan;
- c) The Project would develop the property with an employment-generating use;
- d) The Project would develop a commercial/industrial park that use that capitalizes on the transportation and locational strengths of Jurupa Valley;
- e) The Project would attract new employment-generating business to Jurupa Valley, thereby reducing the needs for the local workforce to commute outside the area for employment;
- f) The Project would increase the amount of available warehouse space in the City of Jurupa Valley;
- g) The new jobs provided by the Project will create direct and indirect economic benefits, such as increased tax income to the City and increased spending on goods and services;

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- h) Approval of the Project will result in the Project’s monetary contributions to established fee programs including, but not limited to, the City’s Development Impact Fee (DIF) which will be directed to needed local road improvements;

In conclusion, the City Council finds that the foregoing benefits provided through approval of the Project outweigh the identified significant adverse environmental impacts. The City Council further finds that each of the individual benefits discussed above outweighs the unavoidable adverse environmental effects identified in the Final EIR and, therefore, finds those impacts to be acceptable. The City Council further finds that each of the benefits listed above, standing alone, is sufficient justification for the City Council to override these unavoidable environmental impacts.

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9.0 ADDITIONAL FACTS ON RECORD

9.1 CUSTODIAN OF RECORD

The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Jurupa Valley, Planning Division, 8930 Limonite Avenue, Jurupa Valley, CA, 92660. The custodian for these records is the Planning Secretary. This information is provided in compliance with Public Resources Code § 21081.6.

EXHIBIT B TO ATTACHMENT 1

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program Agua Mansa Development Project

State Clearinghouse No. 2020010137

Prepared for:

City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley, CA 92509

Prepared by:

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May 2021

CEQA Requirements

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document that includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a Mitigation Monitoring and Reporting Program (MMRP) for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant environmental impacts. The appropriate reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code §21081.6).

The City of Jurupa Valley will coordinate the monitoring of the mitigation measures and regulatory requirements with each applicable City department or division, while various City departments/divisions would be responsible for monitoring and verifying compliance of specific mitigation measures and regulatory requirements (see the beginning on page 3). Monitoring will include: 1) verification that each mitigation measure and regulatory requirement has been implemented; 2) recordation of the actions taken to implement each mitigation measure and regulatory requirement; and 3) retention of records in the project file.

Project Objectives

The objectives of the proposed Agua Mansa Development Project (the “Project”) include the following:

- To develop a vacant and underutilized property with industrial uses to help meet the substantial and unmet regional demands for goods movement facilities consistent with Southern California Association of Governments’ Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy).
- To expand economic development and facilitate job creation in the City of Jurupa Valley by establishing new industrial development adjacent to already-established industrial uses.
- To develop Class A speculative industrial buildings in Jurupa Valley that are designed to meet contemporary industry standards, accommodate a wide variety of users, and are economically competitive with similar warehouse buildings in the local area and region.
- To develop industrial buildings in close proximity to key freeway infrastructure (the I-10, I-215, and SR-60 Freeways), thereby reducing goods movement travel distances.
- To develop a vacant property that is readily accessible to existing and available infrastructure, including roads and utilities.
- To attract new businesses to the City of Jurupa Valley in proximity to residences thereby providing a more equal jobs-housing balance in the Inland Empire area that will reduce the need for members of the local workforce to commute outside the area for employment.

Overview of the Project

The Project is a proposal to develop an approximately 23.44 gross-acre property to accommodate two industrial buildings (“Building A” and “Building B”) totaling 335,002 square feet (s.f.) and related site

improvements including landscaping, parking, and infrastructure facilities. Building A on the western portion of the site would include a total of 140,198 s.f. of building area, with 137,198 s.f. dedicated to warehouse uses and 3,000 s.f. for mezzanine/office use. Building B on the eastern portion of the site would include a total of 194,804 s.f. of building area, with 188,804 s.f. dedicated to warehouse uses and 6,000 s.f. for mezzanine/office use. Additionally, Building A would include 19 loading bays at the west end of the building and Building B would include 21 loading bays at the south end of the building. Vehicular access to the site would be provided by four driveways providing connection to Hall Avenue. See Figure 3, *Proposed Site Plan*, in Section 3.0, *Project Description*, of the EIR.

The principal discretionary actions required of the City of Jurupa Valley to implement the Project include: General Plan Amendment No. 18001, Zone Change No. 20004, Development Agreement No. 18001, Site Development Permit No. 18048, and Variance No. 18005. Refer to EIR Section 3.0, *Project Description*, for a detailed description of the proposed Project.

Mitigation Monitoring and Reporting Plan

This MMRP delegates responsibilities for monitoring the implementation of the Agua Mansa Development Project mitigation measures and applicable regulatory requirements, and allows responsible City entities flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure or regulatory requirement. The timing for monitoring and reporting is described in the monitoring and reporting summary table, below. Adequate monitoring requires demonstration of monitoring procedures and implementation of mitigation measures and regulatory requirements.

In order to enhance the effectiveness of the monitoring program, the City will utilize existing systems where appropriate. These inspectors are familiar with a broad range of regulatory issues and will provide first line oversight for much of the monitoring program during construction activities.

Program Changes

If minor changes are required to this MMRP, they will be made in accordance with the California Environmental Quality Act (CEQA) and would be permitted after further review by the City. Such changes could include reassignment of monitoring and reporting responsibilities and/or minor modifications to mitigation measures that achieve the same or better end results. No change will be permitted unless the Mitigation Monitoring and Reporting Program continues to satisfy the requirements of Public Resources Code §21081.6.

Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPs)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
4.1 Aesthetics						
Summary of Impacts						
Threshold a: Would the Project have a substantial adverse effect on a scenic vista?	No mitigation required	<p>PPP 4.1-1 Per the Development Standards identified in the Agua Mansa Industrial Corridor Specific Plan, development of Heavy Industrial uses within the Specific Plan areas, shall include the following measures:</p> <p>a. Where Heavy Industrial development is located across a street from residential, a 50-foot front setback shall be maintained. Of this 50-feet, the exterior 20 shall be landscaped while the remaining area may be used for parking. If the industrial development abuts a residential area, a 7-foot masonry wall shall be constructed on the property line and a 20-foot building setback shall be maintained in the side or rear yard, whichever is the case.</p> <p>b. Within 100 feet of an existing or planned residential area, the maximum building height shall be 45 feet. (Maximum building height has been revised consistent with Variance No. 18008)</p> <p>PPP 4.1-2 As required by the City of Jurupa Valley Zoning Ordinance Section 9.150.040(3)(c). The height of structures, including buildings, shall be as follows:</p> <p>a. Structures shall not exceed 40 feet at the yard setback line.</p>	N/A	N/A	N/A	Less than Significant Impacts

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDES
		<p>b. Buildings shall not exceed 50 feet unless a height up to 75 feet is approved pursuant to Section 9.240.370 Ordinance No. 2012-02.</p> <p>c. Buildings shall not exceed 50 feet unless a height up to 75 feet is approved pursuant to Section 9.240.370 Ordinance No. 2012-02.</p> <p>PPP 4.1-3 As required by City of Jurupa Valley Zoning Ordinance Section 9.150.040(11). All lighting fixtures, including spotlights, electrical reflectors, and other means of illumination for signs, structures, landscaping, parking, loading, unloading, and similar areas, shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.</p>				
Threshold b: Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No mitigation required.	N/A	N/A	N/A	N/A	No Impacts.
Threshold c: Would the Project in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	No mitigation required.	PPP 4.1-1, PPP 4.1-2, and PPP 4.1-3 would apply.	N/A	N/A	N/A	Less than Significant Impacts.
Threshold d: Would the Project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	No mitigation required.	PPP 4.1-3 would apply.	N/A	N/A	N/A	Less than Significant Impacts.

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDES
4.2 Air Quality						
Summary of Impacts						
<p>Threshold a: Would the Project conflict with or obstruct implementation of the applicable air quality plan?</p>	<p>MM 4.2-1: All truck/dock bays that serve cold storage facilities within the proposed buildings shall be electrified to facilitate plug-in capability and support use of electric standby and/or hybrid electric transport refrigeration units. All site and architectural plans submitted to the City of Jurupa Valley shall note all the truck/dock bays designated for electrification. Prior to the issuance of a Certificate of Occupancy for a cold storage user, the City of Jurupa Valley Building and Safety Department shall verify electrification of the designated truck/dock bays</p> <p>MM 4.2-2: Indoor material handling equipment used throughout the project area would be electric and would not be diesel-powered. Prior to issuance of an Occupancy Permit for a new tenant/business entity, the project developer/facility owner and tenant/business entity shall provide to the City of Jurupa Valley Planning Department a signed document (verification document) noting that the project development/facility owner has disclosed to the tenant/business entity the requirement to use electric-powered equipment for daily operations, to the maximum extent feasible. This verification document shall be signed by authorized agents for the project developer/facility owner and tenant/business entities. During operation, the building tenant and/or building owner shall maintain a list of all off-road equipment used onsite. The equipment list shall state the makes, models, and numbers. These records shall be made available to the City of Jurupa Valley upon request.</p>	<p>PPP 4.2-1 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 403, "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads.</p> <p>PPP 4.2-2 The Project is required to comply with California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025, "Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants from In-Use Heavy-Duty Diesel-Fueled Vehicles" and California Code of Regulations Title 13, Division 3, Chapter 10, Article 1, Section 2485, "Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling."</p> <p>PPP 4.2-3 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 1113, "Architectural Coatings" and Rule 431.2, "Sulfur Content of Liquid Fuels." Adherence to Rule 1113 limits the release of volatile organic compounds (VOCs) into the atmosphere during painting and application of other surface coatings. Adherence to Rule 431.2 limits the release of sulfur dioxide (SO₂) into the atmosphere from the burning of fuel.</p>	<p>Project Applicant</p> <p>Project Applicant</p>	<p>City of Jurupa Valley</p> <p>City of Jurupa Valley</p>	<p>Prior to issuance of grading permit</p> <p>Prior to issuance of a Certificate of Occupancy</p>	<p>Significant and Unavoidable Impacts with Mitigation.</p> <p>Significant and Unavoidable Impacts with Mitigation.</p>

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDEFS
	MM 4.2-3: Only electric-powered off-road equipment (e.g., yard trucks/hostlers) shall be utilized onsite for daily warehouse and business operations, to the maximum extent feasible. Prior to issuance of an Occupancy Permit for a new tenant/business entity, the project developer/facility owner and tenant/business entity shall provide to the City of Jurupa Valley Planning Department a signed document (verification document) noting that the project development/facility owner has disclosed to the tenant/business entity the requirement to use electric-powered equipment for daily operations, to the maximum extent feasible. This verification document shall be signed by authorized agents for the project developer/facility owner and tenant/business entities. During operation, the building tenant and/or building owner shall maintain a list of all off-road equipment used onsite. The equipment list shall state the makes, models, and numbers. These records shall be made available to the City of Jurupa Valley upon request.	<p>PPP 4.2-4 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 1186 "PM10 Emissions from Paved and Unpaved Roads and Livestock Operations" and Rule 1186.1, "Less-Polluting Street Sweepers." Adherence to Rule 1186 and Rule 1186.1 reduces the release of criteria pollutant emissions into the atmosphere during construction.</p> <p>PPP 4.2-5 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402 "Nuisance." Adherence to Rule 402 reduces the release of odorous emissions into the atmosphere.</p>	Project Applicant	City of Jurupa Valley	Prior to issuance of a Certificate of Occupancy	Significant and Unavoidable Impacts with Mitigation.
<u>Threshold b:</u> Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Mitigation Measures 4.2-1 through 4.2-3 shall apply.	PPP 4.2-1 through PPP 4.2-4 shall apply.	Project Applicant	City of Jurupa Valley	Prior to issuance of a grading permit and Certificate of Occupancy	Significant and Unavoidable impacts.
<u>Threshold c:</u> Would the Project expose sensitive receptors to substantial pollutant concentrations?	No mitigation is required.	PPP 4.2-1 through PPP 4.2-4 shall apply.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold d:</u> Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No mitigation is required.	PPP 4.2-5 shall apply.	N/A	N/A	N/A	Less-than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPs)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
	survey no greater than three (3) days prior to any ground disturbance activities at the Project site, including diskings, demolition activities, and grading. If active nests are identified during the nesting bird survey, the biologist shall establish suitable buffers around the nests (depending on the level of activity within the buffer and species detected), and the buffer areas shall be avoided by construction personnel until the biologist makes a determination that the nests are no longer occupied and that the juvenile birds can survive independently from the nests.					
<u>Threshold b:</u> Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	No mitigation is required	PPP 4.3-1 shall apply.	N/A	N/A	N/A	Less than Significant Impacts.
<u>Threshold c:</u> Would the Project have substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	No mitigation is required	PPP 4.3-1 shall apply.	N/A	N/A	N/A	No Impact.
<u>Threshold d:</u> Would the Project have substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	MM 4.3-1 and MM 4.3-2 are required.	PPP 4.3-1 and 4.3-2 shall apply.	Project Applicant	City of Jurupa Valley Planning Department	Prior to issuance of grading permit; during preconstruction survey.	Less than Significant Impact with Mitigation Incorporated.
<u>Threshold e:</u> Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No mitigation is required.	PPP 4.3-1 shall apply.	N/A	N/A	N/A	No Impact

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
Threshold F: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	MM 4.3-1 is required.	PPP 4.3-1 shall apply.	Project Applicant	City of Jurupa Valley Planning Department	Prior to issuance of grading permit; during preconstruction survey.	Less than Significant Impact with Mitigation Incorporated.
4.4 Cultural Resources						
Summary of Impacts						
Threshold a: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5	No mitigation is required.	N/A	N/A	N/A	N/A	Less than significant impact.
Threshold b: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	MM 4.4-1 Prior to the issuance of any permits allowing ground-disturbing activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching) the Project Applicant/Developer shall submit proof that a qualified archaeologist meeting the Secretary of Interior's (36 CFR 61) Professional Qualifications Standards has been retained to conduct spot checks during ground disturbing activities at the following intervals: upon initial ground exposure within the Project site; upon a 50 percent completion milestone of ground disturbance; and, upon an 80 percent milestone of ground disturbance. If any potentially historic or archaeological resources are encountered during ground-disturbing activities, the archaeologist shall halt construction work within 50 feet of the find and assess the nature of the find for importance. If the discovery is determined to not be important by the archaeologist, work will be permitted to continue in the area. If a find is determined to be important by the archaeologist, additional investigation would be required, or the find can be preserved in	N/A	Project Applicant.	City of Jurupa Valley Planning Department; Qualified Archaeologist	Prior to issuance of any permits allowing ground-disturbing activities.	Less than significant impact with mitigation incorporated.

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
	<p>place and construction may be allowed to proceed.</p> <ul style="list-style-type: none"> • Additional investigation work would include scientific recording and excavation of the important portion of the find. • If excavation of a find occurs, the archaeologist shall draft a report of conclusion of excavation that identifies the find and summarizes the analysis conducted. The completed report shall be approved by the Planning Department and the Project Applicant/Developer shall provide verification that the report was submitted to the Eastern Information Center, University of California, Riverside prior to the issuance of an occupancy permit. • Excavated finds shall be curated at a repository determined by the archaeologist and approved by the City with verification provided to the City prior to the issuance of an occupancy permit. 					
Threshold c: Would the Project disturb any human remains, including those interred outside of formal cemeteries?	No mitigation is required.	PPP 4.4-1 The Project is required to comply with the applicable provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq.	N/A	N/A	N/A	Less than significant impact.
4.5 Energy						
Summary of Impacts						
Threshold a: Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	No mitigation is required.	PPP 4.5-1 Prior to building permit issuance, the City shall verify that the following note is included on building plans. Project contractors shall be required to ensure compliance with the note and permit inspection by City of Jurupa Valley staff or its designee to ensure compliance. The note also shall be specified in bid documents issued to prospective construction contractors.	N/A	N/A	N/A	Less than Significant Impact.

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
		<p>PPP 4.5-2 Prior to the approval of landscaping plans, the City shall verify that the all landscaping will comply with City Ordinance No. 2015-17, "Water Efficient Landscape Requirements." Project contractors shall be required to ensure compliance with approved landscaping plans.</p> <p>PPP 4.5-3 Prior to issuance of a building permit, the Project Applicant shall submit energy usage calculations in the form of a Title 24 Compliance Report to the City of Jurupa Valley Planning Department showing that the Project will meet the current California Building Code Title 24 requirements. The City shall review and approve the report and ensure that building and site plan designs the meet current California Title 24 Energy Efficiency Standards.</p> <p>PPP 4.5-4 Prior to the issuance of a building permit, building plans shall be reviewed by the City Building Department to ensure that measures to reduce water consumption and the associated energy-usage are designed to comply with the mandatory 20% reduction in indoor water usage contained in the current CALGreen Code and the 30% reduction in outdoor water usage contained in the City's water efficient landscape requirements.</p> <p>PPP 4.5-5 The Project shall participate in established City-wide programs for industrial development projects to reduce solid waste generation, in accordance with the provisions of the</p>				

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
		Riverside Countywide Integrated Waste Management Plan. PPP 4.5-6 The Project is required to comply with the CALGreen Code, as required by the City's Municipal Code Section 8.05.010.				
Threshold b: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No mitigation is required	PPP 4.5-1 through 4.5-6 shall apply.	N/A	N/A	N/A	Less than Significant Impact

4.6 Geology and Soils

Summary of Impacts

Threshold a: Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42)? 2) Strong seismic ground shaking? 3) Seismic-related ground failure, including liquefaction? 4) Landslides?	No mitigation is required.	PPP 4.6-1 State law requires the design and construction of new structures comply with current California Building Code requirements which addresses general geologic, seismic, and soil constraints for new buildings, including ground shaking. Prior to grading and building permit issuance, the City shall verify that the following note is included on grading and building plans, and project contractors shall be required to ensure compliance with the note. This note also shall be specified in bid documents issued to prospective construction contractors. Construction activities shall occur in accordance with all applicable requirements of the California Code of Regulations (CCR), Title 24 (also known as the California Building Standards Code or the California Building Code) in effect at the time of construction. PPP 4.6-2 Prior to the issuance of grading and building permits, the City Engineering Department and City Building and Safety Department shall review the	N/A	N/A	N/A	Less than significant.
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THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
		detailed construction plans to ensure concurrence with the recommendations specified in the Project's Geotechnical Investigation.				
Threshold b: Would the Project result in substantial soil erosion or loss of topsoil?	No mitigation is required.	PPP 4.6-2 shall apply. PPP 4.6-3 Prior to grading permit issuance, the Project Proponent shall prepare a Stormwater Pollution Prevention Plan (SWPPP). Project contractors shall be required to ensure compliance with the Stormwater Pollution Prevention Plan and permit periodic inspection of the construction site by City of Jurupa Valley staff or its designee to confirm compliance. PPP 4.6-4 The Project shall be in compliance with Chapter 6.05, Storm Water/Urban Runoff Management and Discharge Controls of the City of Jurupa Valley Municipal Code.	N/A	N/A	N/A	Less than Significant Impact.
Threshold c: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	No mitigation is required.	PPP 4.6-1 and 4.6-2 shall apply.	N/A	N/A	N/A	Less than Significant Impact.
Threshold d: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	No mitigation is required.	PPP 4.6-1 and 4.6-2 shall apply.	N/A	N/A	N/A	Less than Significant Impact.
Threshold e: Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No mitigation is required.	N/A	N/A	N/A	N/A	No Impact.

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDES
<p>Threshold f: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p>MM 4.6-1 Prior to the issuance of any permits allowing ground-disturbing activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching) the Project Applicant/Developer shall submit a Paleontological Resources Impact Mitigation Program (PRIMP) for this project. The PRIMP shall include the methods that will be used to protect paleontological resources that may exist within the project site, as well as procedures for monitoring, fossil preparation and identification, curation into a repository, and preparation of a final report at the conclusion of grading.</p> <p>Excavation and grading activities in deposits with high paleontological sensitivity (the Old Eolian Deposits) shall be monitored by a paleontological monitor following the PRIMP.</p> <ul style="list-style-type: none"> a. If paleontological resources are encountered during the course of ground disturbance, the paleontological monitor shall have the authority to halt construction activities and temporarily redirect work at least 50 feet away from the area of the find in order to assess its significance. b. In the event that paleontological resources are encountered when a paleontological monitor is not present, work in the immediate area of the find shall be redirected and a paleontologist shall be contacted to assess the find for significance and adjust the level of monitoring if needed. c. Collected resources shall be prepared to the point of identification, identified to the 	<p>N/A</p>	<p>Project Applicant.</p>	<p>City of Jurupa Valley Planning Department.</p>	<p>Prior to issuance of any permits allowing ground-disturbing activities.</p>	<p>Less than Significant with Mitigation Incorporated.</p>

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
	<p>lowest taxonomic level possible, cataloged, and curated into the permanent collection of a scientific institution.</p> <p>d. At the conclusion of the monitoring program, a report of findings shall be prepared to document the results of the monitoring program.</p>					

4.7 Greenhouse Gas Emissions

Summary of Impacts

<p>Threshold a: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p>	<p>MM 4.7-1 Prior to the issuance of a building permit, the Project Applicant shall ensure that the Project's buildings are designed to meet or exceed the California Building Standards Code's (CBSC) Title 24 energy standard, including but not limited to, any combination of the following:</p> <p>a) Increase insulation such that heat transfer and thermal bridging is minimized;</p> <p>b) Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption; and</p> <p>c) Incorporate ENERGY STAR® or better related windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.</p>	<p>PPP 4.7-1 Prior to building permit issuance, the City shall verify that the following note is included on building plans. Project contractors shall be required to ensure compliance with the note and permit inspection by City of Jurupa Valley staff or its designee to ensure compliance. The note also shall be specified in bid documents issued to prospective construction contractors.</p> <p><i>"All installed appliances shall comply with California Code of Regulations Title 20 (Appliance Energy Efficiency Standards), which establishes energy efficiency requirements for appliances."</i></p> <p>PPP 4.7-2 Prior to the approval of landscaping plans, the City shall verify that the all landscaping will comply with City Ordinance No. 2015-17, "Water Efficient Landscape Requirements." Project contractors shall be required to ensure compliance with approved landscaping plans.</p>	Project Applicant	City of Jurupa Valley Building Department	Prior to issuance of building permits	Significant and Unavoidable Impacts with Mitigation.
	<p>MM 4.7-2 Prior to the issuance of a building permit, the Project Applicant shall ensure that the Project's buildings will be installed with efficient lighting and lighting control systems.</p>		Project Applicant	City of Jurupa Valley Planning Department	Prior to the issuance of building permits.	Significant and Unavoidable Impacts with Mitigation.
	<p>MM 4.7-3 Prior to the issuance of a building permit, the Project Applicant shall devise a comprehensive water conservation strategy appropriate for the Project and its location.</p>		Project Applicant	City of Jurupa Valley Building Department	Prior to the issuance of building permits.	Significant and Unavoidable Impacts with Mitigation.
		<p>PPP 4.7-3 Prior to issuance of a building permit, the Project Applicant shall submit energy usage calculations in the</p>				

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
	<p>The strategy may include the following, plus other innovative measures that may be appropriate:</p> <p>a) Create water-efficient landscapes within the development;</p> <p>b) Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls;</p> <p>c) Use reclaimed water, if available, for landscape irrigation within the Project. Install the infrastructure to deliver and use reclaimed water, if available;</p> <p>d) Design buildings to be water-efficient. Install water-efficient fixtures and appliances, including low-flow faucets and waterless urinals; and</p> <p>e) Restrict watering methods (e.g. prohibit systems that apply water to non-vegetated surfaces) and control runoff.</p> <p>MM 4.7-4: Prior to issuance of building permits, the Project Applicant shall demonstrate that the tilt-up concrete warehouse building would be constructed with rooftops that can support tenant improvements for solar panels (i.e., solar ready).</p>	<p>form of a Title 24 Compliance Report to the City of Jurupa Valley Planning Department showing that the Project will meet the current California Building Code Title 24 requirements. The City shall review and approve the Report, and ensure that building and site plan designs meet current California Title 24 Energy Efficiency Standards.</p> <p>PPP 4.7-4 Prior to the issuance of a building permit, building plans shall be reviewed by the City Building Department to ensure that measures to reduce water consumption and the associated energy-usage are designed to comply with the mandatory 20% reduction in indoor water usage contained in the current CALGreen Code and the 30% reduction in outdoor water usage contained in the City's water efficient landscape requirements. Additionally, the Project shall implement the following:</p> <p>PPP 4.7-5 The Project shall participate in established City-wide programs for industrial development projects to reduce solid waste generation, in accordance with the provisions of the Riverside Countywide Integrated Waste Management Plan.</p> <p>PPP 4.7-6 The Project is required to comply with the CALGreen Code, as required by the City's Municipal Code Section 8.05.010.</p>	<p>Project Applicant</p>	<p>City of Jurupa Valley</p>	<p>Prior to issuance of building permits.</p>	<p>Significant and Unavoidable Impacts with Mitigation.</p>

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
Threshold b: Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No mitigation is required.	PPP 4.7-1 through PPP 4.7-6 shall apply.	N/A	N/A	N/A	Less than Significant Impact
4.8 Hazards and Hazardous Materials						
Summary of Impacts						
Threshold a: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No mitigation is required.	<p>PPP 4.8-1 As required by Health and Safety Code 25507, a business shall establish and implement a business plan for emergency response to a release or threatened release of hazardous material in accordance with the standards prescribed in the regulations adopted pursuant to Section 25503 if the business handles a hazardous material or a mixture containing a hazardous material that has a quantity at any one time above the thresholds described in Section 25507(a) (1) through (6).</p> <p>PPP 4.8-2 The Project shall comply with all applicable City of Jurupa Valley Fire Department codes, ordinances, and standard conditions regarding fire prevention and suppression measure relating to water improvement plans, fire hydrants, automatic fire extinguishing systems, fire access, access gates, combustible construction, water availability, and fire sprinkler systems.</p>	N/A	N/A	N/A	Less than Significant Impact
Threshold b: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	No mitigation is required.	PPP 4.8-1 and 4.8-2 will apply.	N/A	N/A	N/A	Less than Significant Impact.
Threshold c: Would the Project emit hazardous emissions or handle hazardous	No mitigation is required.	PPP 4.8-1 and 4.8-2 will apply.	N/A	N/A	N/A	No Impact.

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?						
Threshold d: Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No mitigation is required.	PPP 4.8-1 and 4.8-2 will apply.	N/A	N/A	N/A	No Impact.
Threshold e: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area?	No mitigation is required.	N/A	N/A	N/A	N/A	No Impact.
Threshold f: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No mitigation is required.	PPP 4.8-2 will apply.	N/A	N/A	N/A	No Impact.
Threshold g: Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No mitigation is required.	PPP 4.8-2 will apply.	N/A	N/A	N/A	No Impact.
4.9 Hydrology and Water Quality						
Summary of Impacts						
Threshold a: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	No mitigation is required.	PPP 4.9-1 As required by Municipal Code Chapter 6.05.050, Storm Water/Urban Runoff Management and Discharge Controls, Section B (1), any person performing construction work in the city shall comply with the provisions of this chapter and shall control storm water runoff so as to prevent any likelihood of adversely affecting human health or the environment. The City Engineer shall identify the best management practices (BMPs) that may be implemented to prevent such deterioration and shall identify the manner of implementation.	N/A	N/A	N/A	Less than Significant Impact.

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
		<p>Documentation on the effectiveness of BMPs implemented to reduce the discharge of pollutants to the municipal separate storm sewer system (MS4) shall be required when requested by the City Engineer.</p> <p>PPP 4.9-2 As required by Municipal Code Chapter 6.05.050, Storm Water/Urban Runoff Management and Discharge Controls, Section B (2), any person performing construction work in the city shall be regulated by the State Water Resources Control Board in a manner pursuant to and consistent with applicable requirements contained in the General Permit No. CAS000002, State Water Resources Control Board Order Number 2009-0009-DWQ. The City may notify the State Board of any person performing construction work that has a non-compliant construction site per the General Permit.</p> <p>PPP 4.9-3 As required by Municipal Code Chapter 6.05.050, Storm Water/Urban Runoff Management and Discharge Controls, Section C, new development or redevelopment projects shall control storm water runoff so as to prevent any deterioration of water quality that would impair subsequent or competing uses of the water. The City Engineer shall identify the best management practices (BMPs) that may be implemented to prevent such deterioration and shall identify the manner of implementation. Documentation on the effectiveness of BMPs implemented to reduce the discharge of pollutants to the municipal separate storm sewer system (MS4)</p>				

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDES
		<p>shall be required when requested by the City Engineer.</p> <p>PPP 4.9-4 As required by Municipal Code Chapter 6.05.050, Storm Water/Urban Runoff Management and Discharge Controls, Section E, any person, or entity that owns or operates a commercial and/or industrial facility(s) shall comply with the provisions of this chapter. All such facilities shall be subject to a regular program of inspection as required by this chapter, any National Pollutant Discharge Elimination System (NPDES) permit issued by the State Water Resource Control Board, Santa Ana Regional Water Quality Control Board, Porter-Cologne Water Quality Control Act (Wat. Code Section 13000 et seq.), Title 33 U.S.C. Section 1251 et seq. (Clean Water Act), any applicable state or federal regulations promulgated thereto, and any related administrative orders or permits issued in connection therewith.</p>				
<p><u>Threshold b:</u> Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</p>	<p>No mitigation is required.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>Less than Significant Impact.</p>
<p><u>Threshold c:</u> Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in</p>	<p>No mitigation is required.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>Less than Significant Impact.</p>

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impeded or redirect flood flows?						
Threshold d: Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No mitigation is required.	N/A	N/A	N/A	N/A	No Impact.
Threshold e: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No mitigation is required.	PPP 4.9-1 through 4.9-4 will apply.	N/A	N/A	N/A	Less than Significant Impact.
4.10 Land Use and Planning						
Summary of Impacts						
Threshold a: Would the Project physically divide an established community?	No mitigation is required.	N/A	N/A	N/A	N/A	Less than Significant Impacts.
Threshold b: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No mitigation is required.	N/A	N/A	N/A	N/A	Less than Significant Impacts.
4.11 Noise						
Summary of Impacts						
Threshold a: Would the Project generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<p>MM 4.11-1 Prior to issuance of demolition, grading and/or building permits, a note shall be provided on construction plans indicating that during grading, demolition, and construction, the Project Applicant shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:</p> <ul style="list-style-type: none"> The project construction contractor shall limit construction activities between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday. Construction is prohibited outside 	<p>PPP 4.11-1 In order to ensure compliance with General Plan Policy NE 3.4 Construction Equipment. Require that all construction equipment utilize noise reduction features (i.e., mufflers and engine shrouds) that are at least as effective as those originally installed by the equipment's manufacturer.</p> <p>PPP 4.11-2 In order to ensure compliance with General Plan Policy NE 3.5 Construction Noise. Limit commercial construction activities within 200 feet of residential uses to weekdays, between 7:00 a.m. and 6:00 p.m.,</p>	Project Applicant.	City of Jurupa Valley Planning Department.	Prior to issuance of demolition, grading and/or building permits.	Less than significant with mitigation incorporated.

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDES
	<p>these hours or at any time on Sunday or a federal holiday.</p> <ul style="list-style-type: none"> • The project construction contractor shall limit high-noise-generating construction activities (e.g., grading, demolition, or pile driving) within 200 ft of residential uses from 9:00 a.m. to 3:00 p.m., Monday through Friday. High-noise-generating construction activities are prohibited outside these hours or at any time on Sunday or a federal holiday. • The project construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers consistent with manufacturer's standards. • The project construction contractor shall locate staging areas away from off-site sensitive uses during the later phases of project development. • The project construction contractor shall place all stationary construction equipment so that the emitted noise is directed away from the sensitive receptors nearest the project site. • Construction haul truck and materials delivery traffic shall avoid residential areas whenever feasible. • The project construction contractor shall place a temporary construction barrier with a minimum height of 12 ft along the northern construction boundary such that the line-of-sight from ground-level construction equipment and sensitive receptors would be blocked. The temporary construction barrier 	<p>and limit high noise-generating construction activities between 9:00 a.m. and 3:00 p.m.</p>				

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
	may be a 0.5-inch thick plywood fence or another material that has a minimum Sound Transmission Class (STC) rating of 28.					
Threshold b: Would the Project generate excessive groundborne vibration or groundborne noise levels?	MM 4.11-2 The construction contractor shall restrict use of heavy equipment (e.g., large tracked bulldozers or loaded trucks) or use light construction equipment (e.g. small rubber tire bulldozers or pickup trucks) within 15 ft from the northern Project construction boundary.	PPP 4.11-1 and 4.11-2 will apply.	Project Applicant, Construction Contractor.	City of Jurupa Valley Planning Department.	During construction activities involving heavy equipment or light construction equipment.	Less than significant with mitigation incorporated.
Threshold c: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	No Mitigation is required.	N/A	N/A	N/A	N/A	Less than Significant Impacts.
4.12 Transportation						
Summary of Impacts						
Threshold a: Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	No mitigation is required.	N/A	N/A	N/A	N/A	Less than Significant Impacts.
Threshold b: Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	No mitigation is required.	N/A	N/A	N/A	N/A	Less than Significant Impacts.
Threshold c: Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No mitigation is required.	N/A	N/A	N/A	N/A	Less than Significant Impacts.
Threshold d: Would the Project result in inadequate emergency access?	No mitigation is required.	PPP 4.8-2 will apply.	N/A	N/A	N/A	Less than Significant Impacts.
4.13 Tribal Cultural Resources						
Summary of Impacts						

Lead Agency: City of Jurupa Valley

SCH No. 2020010137

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
<p>Threshold a: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p> <p>2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</p>	<p>MM 4.13-1 Retain Registered Professional Archaeologist: Prior to the issuance of a grading permit, the Project Applicant shall retain a Registered Professional Archaeologist ("Project Archaeologist") subject to the approval of the City to be on-call during all mass grading and trenching activities. The Project Archaeologist's responsibilities include, but are not limited to perform the tasks that require the need for a qualified archaeologist pursuant to MM 4.13-2 through MM4.13-6 below.</p>	<p>PPP 4.13-1 The Project is required to comply with the applicable provisions of California Health and Safety Code § 7050.5 as well as Public Resources Code § 5097 et. seq.</p>	Project Applicant.	City of Jurupa Valley Planning Department.	Prior to the issuance of a grading permit; During grading activities.	Less than significant with mitigation incorporated.
	<p>MM 4.13-2 Cultural Resources Management Plan: Prior to the issuance of a grading permit, the Project Archaeologist, in consultation with the Consulting Tribe(s), the Project Applicant, and the City, shall develop a Cultural Resources Management Plan (CRMP), to address the implementation of the City's Tribal Cultural Resource Mitigation Measures MM 4.13-3 through MM 4.13-6, including but limited to, timing, procedures and considerations for Tribal Cultural Resources during the course of ground disturbing activities that will occur on the project site. The CRMP shall be subject to final approval by the City of Jurupa Planning Department.</p>		Project Applicant.	City of Jurupa Valley Planning Department.	Prior to the issuance of a grading permit; During grading activities.	Less than significant with mitigation incorporated.
	<p>MM 4.13-3 Tribal Monitoring: Prior to the issuance of a grading permit, the Project Applicant shall provide the City of Jurupa Valley evidence of agreements with the consulting tribe(s), for tribal monitoring. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. The Project Applicant is also required</p>		Project Applicant.	City of Jurupa Valley Planning Department.	Prior to the issuance of a grading permit; During grading activities.	Less than significant with mitigation incorporated.

Lead Agency: City of Jurupa Valley

SCH No. 2020010137

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPs)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDFS
	<p>to provide a minimum of 30 days advance notice to the tribes of all ground disturbing activities.</p> <p>MM 4.13-4 Treatment and Disposition of Inadvertently Discovered Tribal Cultural Resources: In the event that buried archaeological resources/Tribal Cultural Resources are uncovered during the course of ground disturbing activity associated with the project, all work must be halted in the vicinity of the discovery and the Project Archaeologist shall visit the site of discovery and assess the significance and origin of the archaeological resource in coordination with the consulting tribe(s). The following procedures will be carried out for treatment and disposition of the discoveries:</p> <p>1) Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and</p> <p>2) Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Jurupa Valley Department with evidence of same:</p> <p>a) Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. This will require revisions to the</p>		Project Applicant.	City of Jurupa Valley Planning Department.	Prior to the issuance of a grading permit; During grading activities.	Less than significant with mitigation incorporated.

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPs)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDES
	<p>grading plan, denoting the location and avoidance of the resource.</p> <p>b) Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed; location information regarding the reburial location shall be included into the final report required under TCR-4. Copies of the report shall be provided to the City for their records, the Consulting Tribe(s), and the Eastern Informational Center.</p> <p>c) Curation. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation.</p>					
	<p>MM 4.13-5 Final Reporting: In the event significant tribal cultural resources as defined by subdivision (c) of Public Resources Code Section 5024.1, or Tribal Cultural Resources as defined by Pub. Resources Code, § 21074 (a), are discovered on the Project site, prior to the issuance of a building permit, the Project Proponent shall submit a Phase IV Cultural Resources Monitoring Report that complies with the County of Riverside Cultural Resources (Archaeological) Investigations Standard Scopes of Work for review and approval to the City of Jurupa Valley Planning Department. Once the report is determined to</p>		Project Applicant.	City of Jurupa Valley Planning Department.	Prior to the issuance of a grading permit; During grading activities.	Less than significant with mitigation incorporated.

THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDES
	<p>be adequate, the Project Proponent shall provide (1) copy to the City of Jurupa Valley Planning Department, and provide the City of Jurupa Valley, evidence that two (2) copies have been submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy has been submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p> <p>MM 4.13-6 Discovery of Human Remains: In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).</p>					
			Project Applicant.	City of Jurupa Valley Planning Department.	Prior to the issuance of a grading permit; During grading activities.	Less than significant with mitigation incorporated.

4.14 Utilities and Service Systems

Summary of Impacts

<p>Threshold a: Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</p>	No mitigation is required.	<p>PPP 14.1-1 The Project is subject to compliance with the West Valley Water District and Rubidoux Community Services District rules, regulations, conditions, requirements, and payment of fees for commercial/industrial projects with respect to water and sewer service.</p> <p>PPP 14.1-2 Prior to the issuance of grading permit, the Project proponent shall be required to provide written verification to the City of Jurupa Valley Engineering Department that the Rubidoux Community Services District has verified that adequate capacity exists at the City of Riverside Water Quality Control Plant (RWQCP) to serve the Project and/or a Sewer Capacity Fee shall be paid.</p>	N/A	N/A	N/A	Less than Significant Impacts.
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THRESHOLD	MITIGATION MEASURES (MM)	PLANS, POLICIES, PROGRAMS (PPPS)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION, PPPS, AND PDES
<u>Threshold b:</u> Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	No mitigation is required.	PPP 4.14-1 will apply.	N/A	N/A	N/A	Less than Significant Impacts.
<u>Threshold c:</u> Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	No mitigation is required.	PPP 4.14-1 and PPP 4.14-2 will apply.	N/A	N/A	N/A	Less than Significant Impacts.
<u>Threshold d:</u> Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	No mitigation is required.	<p>PPP 4.14-3 The Project shall comply with Section 4.408 of the 2016 California Green Building Code Standards, which requires new development projects to submit and implement a construction waste management plan in order to reduce the amount of construction waste transported to landfills. Prior to the issuance of building permits, the City of Jurupa Valley shall confirm that a sufficient plan has been submitted, and prior to final building inspections, the City of Jurupa Valley shall review and verify the Contractor's documentation that confirm the volumes and types of waste that were diverted from landfill disposal, in accordance with the approved construction waste management plan.</p> <p>PPP 4.14-4 The Project shall participate in established programs for commercial development projects to reduce solid waste generation, in accordance with the provisions of the Riverside Countywide Integrated Waste Management Plan.</p>	N/A	N/A	N/A	Less than Significant Impacts.
<u>Threshold e:</u> Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No mitigation is required.	PPP 4.13-3 and PPP 4.14-4 will apply.	N/A	N/A	N/A	Less than Significant Impacts.

EXHIBIT C TO ATTACHMENT 1

Conditions of Approval

EXHIBIT C

ALL – The condition applies to all entitlements.

SDP – The condition applies to the Site Development Permit.

PLANNING DEPARTMENT

1. **ALL - PROJECT PERMITTED.** MA18008 (GPA18001, CZ20004, DA18001, SDP18048 and VAR18005) is for an approval of the following:
 - a) **GPA18001:** Establish “Agua Mansa Warehouse and Distribution Center Overlay” onto the project site.
 - b) **CZ20004:** Change zoning classification from M-SC (Manufacturing-Service Commercial) to M-M (Manufacturing-Medium).
 - c) **DA18001:** Development Agreement for the project site.
 - d) **SDP18048:** The construction of two (2) speculative industrial buildings totaling 335,002 square feet.
 - e) **VAR18005:** Variance of 10-feet for a portion of Building A from the required Agua Mansa Specific Plan 35-foot height limit.
2. **ALL - INDEMNIFY CITY.** The Applicant, the property owner or other holder of the right to the development entitlement(s) or permit(s) approved by the City for the project, if different from the applicant (herein, collectively, the “Indemnitor”), shall indemnify, defend, and hold harmless the City of Jurupa Valley and its elected city council, its appointed boards, commissions, and committees, and its officials, employees, and agents (herein, collectively, the “Indemnitees”) from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney’s fees, arising out of either (i) the City’s approval of the project, including without limitation any judicial or administrative proceeding initiated or maintained by any person or entity challenging the validity or enforceability of any City permit or approval relating to the project, any condition of approval imposed by City on such permit or approval, and any finding or determination made and any other action taken by any of the Indemnitees in conjunction with such permit or approval, including without limitation any action taken pursuant to the California Environmental Quality Act (“CEQA”), or (ii) the acts, omissions, or operations of the Indemnitor and the directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the Indemnitor with respect to the ownership, planning, design, construction, and maintenance of the project and the property for which the project is being approved. The City shall notify the Indemnitor of any claim, lawsuit, or other judicial or administrative proceeding (herein, an “Action”) within the scope of this indemnity obligation and request that the Indemnitor defend such Action with legal counsel reasonably satisfactory to the City. If the Indemnitor fails to so defend the Action, the City shall have the right but not the obligation to do so and, if it does, the Indemnitor shall promptly pay the City’s full cost thereof. Notwithstanding the foregoing, the indemnity obligation under clause (ii) of the first sentence of this condition shall not apply to the extent the claim arises out of the willful misconduct or the sole active negligence of the City.

3. **ALL - CONSENT TO CONDITIONS.** Within thirty (30) days after project approval, the owner or designee shall submit written consent to the required conditions of approval to the Community Development Director or designee.
4. **ALL - MITIGATION MEASURES.** This project shall be subject to, and comply with, all of the mitigation measures set forth in the Mitigation Monitoring and Reporting Program adopted by the Planning Resolution No. 2021-06-09-___in connection with the certification of the Environmental Impact Report (EIR) prepared for the project.
5. **ALL - FEES.** The approval of MA18008 (GPA18001, CZ20004, DA18001, SDP18048 and VAR18005) shall not become effective until all planning fees associated with the entitlements have been paid in full.
6. **ALL - CONFORMANCE TO APPROVED EXHIBITS.** The project shall be in conformance to the approved plans (listed below) with **changes** in accordance to these conditions of approval:
 - a) Architectural and Concept Landscape Plans dated 5/19/21
 - b) Conceptual Grading and Drainage Plan dated 8/12/19
 - c) Conceptual Utility Plan dated 8/12/19
7. **ALL - INCORPORATE CONDITIONS. Prior to the issuance of any building permit,** the owner or designee shall include within the first four pages of the working drawings a list of all conditions of approval imposed by the project's final approval.
8. **ALL - PLANNING REVIEW OF GRADING PLANS. Prior to the issuance of any grading permit,** the aesthetic impact of slopes and grade differences where the project adjoins streets or other properties shall be approved by the Community Development Director.
9. **ALL - COVENANTS, CONDITIONS & RESTRICTIONS (CC & RS). Prior to the issuance of any building permit,** CC & Rs shall be approved by the Community Development Director and City Attorney providing for maintenance of the property in perpetuity. The CC & R shall, at a minimum, include provisions such as the following items:
 - a) Formation of a Property Owner's Association (POA);
 - b) Reciprocal Access Agreements
 - c) Provisions for the Maintenance of the following items:
 1. Internal Roads
 2. Cross-Lot drainage
 3. Water Quality Management Plan (WQMP);
 4. On-site Landscaping;
 5. Walls & Fences;
 6. Other items the Planning Director and City Engineer deem appropriate.
10. **SDP - ON-SITE LANDSCAPING.**
 - a. **The following items shall be approved by the Community Development Director prior to the issuance of a building permit for the first industrial building:**

- i. Complete "Professional Services (PROS)" application (Planning) with deposit for the review of the final landscape, irrigation, and shading plans for the Specific Plan.
- ii. The total cost estimate of landscaping, irrigation, labor, and one-year maintenance.
- iii. Completed City Faithful Performance Bond for Landscape Improvements form with original signatures after the City provides the applicant with the required amount of bond. This bond is for landscaping not within publicly maintained areas. A performance bond shall be posted at 110% of the total cost estimate of landscaping, irrigation, labor, and one-year maintenance. The Community Development Director may consider a cash bond if appropriate.
- iv. Completed City Landscape Agreement with original signatures after the City has reviewed the submitted cost estimate.
- v. Final landscape, irrigation plans, shading plan with digital copies (CD format) that shall demonstrate compliance to the applicable provisions of Title 9 and these conditions of approval.
- vi. Landscape Plan shall include 36-inch box Afghan Pine (Pinus Eldarica) trees planted at 35-feet on center, or per spacing determined by the City's Landscape architect, along the entire northern property line, adjacent to any residential zoned property.
- vii. All screen trees shown within front, side, and rear of Buildings A and B shall be of a minimum 36-inch box size.

b. The following events shall be satisfied in the order listed prior to the issuance of the Certificate of Occupancy of each building:

- i. **Substantial Conformance Letter**: The Landscape Architect of Record shall conduct an inspection and submit a letter to the City of Jurupa Valley Planning Department once the Landscape Architect of Record has deemed the installation is in conformance to the approved plans.
- ii. **City Inspection**: The City landscape architect shall conduct an inspection of the installation to confirm the landscape and irrigation plan was constructed in accordance to the approved plans.

11. SDP - REVIEW OF PHOTOMETRIC PLANS. Each industrial building under MA18008 approval is subject to this condition.

A Photometric Plan and exhibits of lighting fixtures shall be approved by the Community Development Director **prior to the issuance of a building permit for the construction of the building.** Lighting shall not flood onto any adjoining properties unless there is a reciprocal agreement for shared lighting of parking area, circulation, and access. Light fixtures shall direct light only onto Project site. All lighting shall be consistent with Title 9 of the J.V.M.C.

12. SDP - TRASH ENCLOSURES.

- a. Detailed plans for trash enclosures shall be approved by the Community Development Director **prior to the issuance of a Building permit for each building.** The trash enclosures shall be consistent with Title 9 of the J.V.M.C.
- b. A clearance letter from the waste management provider shall be submitted to the

Planning Department.

13. **SDP - LANDSCAPE MAINTENANCE.** All landscaped areas shall be maintained as approved on the final landscape plans in an orderly, attractive and healthy condition. This shall include proper pruning, mowing of turf areas, weeding, removal of litter, fertilization, replacement of plants when necessary, and the regular application of appropriate quantities of water to all landscaped areas. Irrigation systems shall be maintained as approved on the final landscape plans in proper operating condition. Waterline breaks, head/emitter ruptures, overspray or runoff conditions and other irrigation system failures shall be repaired immediately. The applicant shall maintain canopy trees in a manner that they provide the required shade coverage and encourages the canopy to grow to provide shade. Avoid topping trees or pruning the trees in a manner that the trees do not achieve mature height and form.
14. **MAINTENANCE OF PROPERTY.** The applicant shall maintain the property free of debris, weeds, abandoned vehicles, code violations, and any other factor or condition that may contribute to potential blight or crime.
15. **ROOFTOP EQUIPMENT.** All rooftop equipment shall be screened from public view.
16. **SDP – BICYCLE FACILITIES. Prior to the issuance of any building permit,** plans for bicycle facilities shall be approved by the Community Development Director. Bicycle facilities shall be designed in accordance with Title 9 of the J.V.M.C.
17. **GRAFFITI PROTECTION FOR WALLS. Prior to the issuance of any building permit,** Plans that include anti-graffiti coating or protection for the exterior side of all perimeter walls and exterior of building walls to half the height of the structure, or 12 feet, whichever is greater, shall be approved by the Community Development Director

The applicant shall remove any graffiti on the property as soon as possible. In addition, if the applicant was notified by the City, the applicant shall remove the graffiti within 24-hours of the City's notice.
18. **JURUPA AREA RECREATION AND PARK DISTRICT - CFD. Prior to the issuance of any building permit,** the applicant shall annex into the existing Jurupa Area Recreation and Park District (JARPD) District-Wide Community Facilities District (CFD) or form a new Community Facilities District (CFD) to contribute to the cost of park maintenance.
19. **JURUPA AREA RECREATION AND PARK DISTRICT - FEES. Prior to the issuance of any building permit,** the applicant shall submit proof of satisfying any fees, dedications, or requirements by the Jurupa Area Recreation and Park District to the Building Official.
20. **IMPACT FEES.** The applicant shall pay the following impact fees (unless exempt) in accordance to Title 3 of the Municipal Code:
 - a) **Development Impact Fee (DIF) Program. Prior to final occupancy.** The applicant shall pay any owed DIFs by the required deadline pursuant to Chapter 3.75 of the Jurupa Valley Municipal Code.
 - b) **Multiple Species Habitat Conservation Plan Mitigation (MSHCP) Fee. Prior to the issuance of any building permit,** the applicant shall pay any owed MSHCP fees by the required deadline pursuant to Chapter 3.80 of the Municipal Code.
21. **TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM. Prior to final occupancy.** The applicant shall show proof of payment of TUMF fees by the required deadline pursuant to Chapter 3.70 of the Municipal Code.
22. **INSTALL CONDUIT FOR TRUCK CHARGING STATIONS.** Install conduit for future truck charging stations. Plan shall be submitted showing the location of the conduit for

future installation of two vehicle charging stations for the Community Development Director approval **prior to the issuance of the first building permit.** The conduit shall be installed **prior to the issuance of the Certificate of Occupancy.**

23. **ARB SIGN FOR IDLING.** All truck idling time (including off-road equipment used during construction or operation) with a gross vehicle weight rating (GVWR) 10,000 pounds or less shall be limited to a maximum of three (3) minutes within the site. A sign shall be placed at the truck entrance of the property and one sign at each row of truck parking at a height from the ground of 5 to 6 feet and shall not be less than 24 square inches in size.

The sign shall state the following: "The driver of a diesel-fueled motor vehicle with a gross vehicle weight rating (GVWR) greater than 10,000 pounds is prohibited from idling the vehicle's primary engine for more than five (5) minutes at any location and may not operate a diesel fueled auxiliary power system (APS) for more than 5 minutes at any location on the property. The minimum penalty for an idling violation is \$300.00. To report a violation, please contact 1-800-END-SMOG."

A plan that includes the locations and details of the sign shall be approved by the Community Development Director **prior to the issuance of a Building permit.** The signs shall be installed in accordance with this condition and approved plan **prior to the issuance of a Certificate of Occupancy.**

24. **TRAFFIC SIGNS - PROHIBITION OF TRUCK TRAFFIC INTO RESIDENTIAL NEIGHBORHOOD.** Trucks weighing over 5 tons shall not traverse into nearby residential neighborhoods, specifically along El Rivino Road. Directional signs shall inform truck drivers of this restriction and shall be placed at each driveway egress location. Such sign shall state: "No right turn past the project site".

- The applicant shall submit plans / exhibits to the Planning Department depicting the location, dimensions, and text of the direction signs. The plans shall be approved by the Community Development Director and City Engineer **prior to the issuance of a building permit.**
- The approved signs shall be installed **prior to the Certificate of Occupancy.**
- Persistent failure to abide by these restrictions shall be subject to revocation of the Site Development Permit.

25. **SDP - ESTABLISHMENT OF AN AIR FILTRATION PROGRAM. Prior to the issuance of any building permit.** The Applicant shall establish an air filtration program to provide and install air filtration units and/or filters to those single-family residential homes not included within the Agua Mansa Commerce Park Air Filtration Program (AFP) Agreement. The single-family homes to be added to the AFP Agreement include those homes located to the south of El Rivino Road, between Hall Avenue and Agua Mansa Road. This condition shall be at the Applicant's sole cost and subject to the approval of the City Manager.

26. **AQMD REPORTING.** The Applicant, or any successors in interest, shall notify the South Coast AQMD and the Community Development Director, that the building/project site is being leased/sold as a warehouse (including distribution). The notification shall be in the manner specified in paragraph (e)(1) of SCAQMD Rule 2305 Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (Waire) Program, and shall be filed prior to September 1, 2021, and subsequently thereafter when any of the following conditions occur:

1. Within 14 calendar days after a new warehouse operator utilizes at least 50,000 square feet of a warehouse that has greater than or equal to 100,000 square feet used for

warehousing activities.

2. Within 30 calendar days after a renovated warehouse has received a certificate of occupancy, such that the total warehouse space that may be used for warehousing activities has increased or decreased; or
3. Within three calendar days of a request from the Executive Officer of the SCAQMD and/or the Community Development Director.

ENGINEERING CONDITIONS

1. GENERAL REQUIREMENTS

- 1.1. The use hereby conditioned is for Site Development Permit (SDP18048), General Plan Amendment (GPA18001), Change of Zone (CZ20004), Variance (VAR18005), and Development Agreement (DA18001); being the development of Parcel A and B of Certificate of Lot Line Adjustment No. MA18008 recorded with the County Recorder's Office on November 1, 2019 (Instrument No. 2019-0445260). Exhibit titled Agua Mansa Road Development Plan prepared by RGA Office of Architectural Design revised August 5, 2019 is hereby referenced.
- 1.2. The entitlements listed in item 1.1 are subject to the provisions of the Development Agreement (DA18001).
- 1.3. It is assumed that any easements shown on the referenced exhibits are shown correctly and include all the easements that encumber the subject property. The Applicant shall secure approval from all (if any) easement holders for all grading and improvements which are proposed over the respective easement or provide evidence that the easement has been relocated, quitclaimed, vacated, abandoned, easement holder cannot be found, or is otherwise of no affect. Should such approvals or alternate action regarding the easements not be provided, the Applicant may be required to amend or revise the permit.
- 1.4. All on-site stormwater and water quality management post-construction facilities and features (BMPs) shall require maintenance by the property owner(s). Regulations for operations and maintenance shall be clearly stated in the CC&Rs.
 - 1.4.1. A cross-lot drainage easement/agreement shall be required among parcel(s) as applicable and opportune. Language shall be added to the CC&Rs.
- 1.5. Streetlights on Hall Avenue and Agua Mansa Road shall be required per City code and as necessary at the discretion of the City Engineer.
- 1.1. The project shall be annexed to Jurupa Valley L&LMD 89-1-C for street lighting and maintenance of landscape/irrigation, as applicable, within the public right-of-way unless otherwise specified or allowed by these conditions of approval.
- 1.2. A reciprocal access easement shall be required among parcel(s) as applicable and opportune. Maintenance responsibilities and mechanisms of common areas shall be included in the CC&Rs.
- 1.3. Riverside County Flood Control and Water Conservation District's ("RCFC&WCD", "District") conditions of approval identified in this document are based on the letter dated December 2, 2020 to the City, RE: MA18008 – Plan Check No.5; these conditions are subject to the District's compliance discretion.

- 1.3.1. Applicant is responsible for the realignment of the District's existing 39" RCP storm drain ("Hall Avenue Lateral") with a new 42" RCP.
 - 1.3.2. Applicant shall be required to install new catch basin ("A3") to connect to the newly constructed El Rivino storm drain ("Line A").
 - 1.3.3. An ingress/egress easement shall be required with Riverside County Flood Control and Water Conservation District for the Hall Avenue Lateral.
 - 1.3.4. Applicant shall enter into a Cooperative Agreement with Riverside County Flood Control and Water Conservation District for the construction and maintenance of the proposed Hall Avenue Lateral drainage facilities.
 - 1.3.5. Major flood control or drainage facilities are being proposed. These facilities shall be designed and constructed to District engineering and maintenance standards including those pertaining to facility alignment and maintenance access to both, inlets and outlet points. The Applicant shall consult with the District early in the design process regarding materials, hydraulic design, regulatory permitting and transfer of right-of-way.
- 1.4. The Applicant provided a Traffic Impact Analysis, prepared by LSA Associates, Inc., dated September 2020. The Engineering Department has reviewed the findings of the report and finds them acceptable. Fair share for certain improvements as specified in the approved Traffic Impact Analysis and summarized in Table A shall be required.
- a) Rubidoux Boulevard/20th Street – Market Street
 - b) Agua Mansa Road/Market Street
 - c) Riverside Avenue/Agua Mansa Road will require coordination with City of Colton and City of Rialto.

2. PRIOR TO GRADING PERMIT

- 2.1. No grading permit, including mass, rough, and/or precise, shall be issued until the associated Planning application(s) and pertinent permits are approved and in effect.
- 2.2. Prior to issuance of grading permit, grading plans shall be approved and securities in place.
- 2.3. All grading shall conform to the California Building Code, as adopted by the City of Jurupa Valley, the City's Municipal Code Title 8, and all other relevant laws, rules, and regulations governing grading in the City of Jurupa Valley. Grading shall be performed in accordance with the recommendations of the geotechnical report. Plans shall be approved by the City Engineer and securities shall be in place prior to permit issuance.
 - 2.3.1. A project related preliminary soils evaluation report was previously prepared; report prepared by NorCal Engineering, dated February 2020. Prior to approval of the grading plan, the Applicant shall submit a project specific final geotechnical report for review and approval of the Engineering Department. The final geotechnical report should address comments provided during the entitlement review of the preliminary geotechnical report (reference Interoffice Memorandum dated July 22, 2019).
 - 2.3.2. Final Geotechnical report shall reference final/updated plans for the project.

**AGUA MANSA ROAD DEVELOPMENT PROJECT (MA18008)
CONDITIONS OF APPROVAL (GPA18001, CZ20004, DA18001, SDP18048 & VAR18005)
PLANNING COMMISSION RESOLUTION NO. 2021-06-09-02**

JUNE 9, 2021

- 2.4. Prior to approval of the precise grading plan, the Applicant shall prepare a detailed final flood hazard/hydrology and hydraulics report for review and approval of the City Engineer. Please refer to comments on preliminary report based on the letter with Riverside County Flood Control and Water Conservation District dated May 5, 2021 to the City, RE: MA18008 – Plan Check No.6.
- 2.5. A hauling permit will be required for this project for the import/export of material using City streets, the review and approval of the haul route by the Engineering Department will be required. Where grading involves import or export the Applicant shall obtain approval for the import/export location, from the Engineering Department if located in the City. All materials for import/export shall be approved in accordance with Title 8 of the City of Jurupa Valley Code of Ordinances. If import/export location is outside of the City, the Applicant shall provide evidence that the jurisdictional agency has provided all necessary approvals for import/export to/from the site.
- 2.6. The grading plan shall provide for acceptance and proper disposal of all off-site drainage flowing onto or through the site. Should the quantities exceed the street capacity, the Applicant shall provide adequate drainage facilities and/or appropriate easements as approved by the City Engineer. All drainage easements, if any, shall be shown on the grading plans and noted as follows: "Drainage Easement - no building, obstructions, or encroachments by landfills are allowed", drainage easement record information shall be shown on the plans. If quantities exceed the existing infrastructure capacity, the Applicant is responsible to provide design and adequate sizing of the affected infrastructure.
- 2.7. Temporary erosion control measures shall be implemented immediately following rough/mass grading to prevent transport and deposition of debris onto downstream properties, public rights-of-way, or other drainage facilities. Erosion Control Plans showing these measures shall be submitted along with the grading plan for approval by the City Engineer.
- 2.8. It is assumed that the conceptual grading and the provisions for water quality management shown on the referenced exhibits and conceptual drawings accompanying this application can comply with all requirements for a Final Water Quality Management Plan (F-WQMP) without substantial change. Prior to approval of the precise grading plan, the Applicant shall prepare, or cause to be prepared, a Final WQMP in conformance with the requirements of the Riverside County Flood Control and Water Conservation District (RCFC&WCD) for approval of the City Engineer. 'No Dumping' stencils are required at catch basins per current City standards.
- 2.9. Prior to approval of the grading plan for disturbance of one or more acres the Applicant shall provide evidence that it has prepared and submitted to the State Water Resources Control Board (SWRCB) a Storm Water Pollution Prevention Plan (SWPPP) and that SWRCB issued a WDID number which shall be included on the face of the grading plan.
- 2.10. Precise grading plans shall show all existing and proposed improvements and be consistent with the approved site plan and conditions of approval.
- 2.11. Realignment of the existing 39" RCP storm drain with a new 42" RCP storm drain shall be to the extent of the District's approval.
- 2.12. Applicant shall obtain Encroachment Permit from the City for installation of proposed drainage facilities as specified in these conditions of approval.
- 2.13. Applicant shall provide streetlight plans for review and approval of the City Engineer. If existing

streetlights immediately adjacent to the project are not per current standards, Applicant will be responsible for updating to current LED standards.

- 2.14. Agua Mansa Road is a Primary Corridor and shall be improved as a Major Road with ultimate right-of-way width of 118-ft. Dedication from centerline to property line to meet half-ultimate width (59-ft) will be required. Improvements along Agua Mansa Road include, but are not limited to the following:
- a) Pavement treatment and curb and gutter repairs along the frontage as directed by the City Engineer at time of improvements' installations. Curb and gutter location shall remain as existing.
 - b) 19-ft parkway, 10 ft curb adjacent landscape, 5 ft sidewalk, 4 ft property line adjacent landscape.
 - c) Applicant will be required to underground or relocate any existing utilities that interfere with the installation of the conditioned parkway improvements along Agua Mansa Road.
- 2.15. Hall Street is a Secondary Road and shall be improved as such with an ultimate right-of-way width of 100-ft. The Applicant shall dedicate property to an ultimate half width right-of-way of 50-ft from centerline to property line. Improvements along Hall Avenue shall meet and improvements by north development (IE Cold Storage). Improvements include, but are not limited to the following:
- a) Pavement Treatment: Scope to be determined at time of technical plan review, but shall extend full width of roadway. Curb and gutter shall remain as existing.
 - b) 18-ft parkway, 9-ft curb adjacent landscape, 5-ft sidewalk, and 4-ft property line adjacent landscape.
 - c) Proposed driveways shall be per Riverside County Standard No.207A and perpendicular to the road centerline.
 - d) The driveway immediately in front of Building A on Hall Avenue shall be restricted to passenger vehicles only (no trucks).
 - e) Applicant shall obtain Encroachment Permit from the City for the installation of "NO STOPPING ANYTIME" signs at 300-ft spacing on Hall Avenue along the project frontage.
 - f) The eastern most driveway shall be restricted to right-in and right-out movements only.
- 2.16. Prior to precise grading permit, the Applicant shall provide plans for landscape and irrigation improvements within the public right-of-way for review and approval of the City Engineer. Plans shall conform to current City standards, Riverside County Ordinance 461 and 859, and requirements for landscape and irrigation improvements and per the City's L&LMD preparation guidelines.
- 2.16.1. Applicant is required to annex into Jurupa Valley Landscape & Lighting Maintenance District 89-1-C for maintenance of improvements within the public right-of-way. Prior to precise grading permit issuance, the Applicant shall start the annexation process.
- 2.16.2. The annexation shall be completed in a manner approved by the City Engineer and City Attorney.
- 2.16.3. Improvements to be included in the annexed zone include, but are not limited to, the maintenance of the following:

- a) Parkway landscape maintenance – if applicable and as determined by the City Engineer at the time of final plans review;
- b) Parkway tree trimming – if applicable and as determined by the City Engineer at the time of final plans review;
- c) Streetlight maintenance (if not by different public agency);
- d) Graffiti abatement.

3. PRIOR TO ISSUANCE OF BUILDING PERMIT

- 3.1. Rough grading must be completed as shown on the conceptual grading plans.
- 3.2. The Geotechnical Engineer shall certify to the completion of grading in conformance with the approved grading plans and the recommendations of the geotechnical report approved for this project and a licensed land surveyor shall certify to the completion of grading in conformance with the lines and grades shown on the approved grading plans.
- 3.3. The required water system, including fire hydrants, shall be installed and accepted by the appropriate service district prior to combustible materials being stored on site, unless the Applicant receives approval for a temporary fire suppression system or satisfies other requirements dictated by the Fire Marshal. All utility extensions within the site shall be placed underground unless otherwise specified or allowed by these conditions of approval.
- 3.4. All off-site improvement plans shall be approved per these conditions of approval.
- 3.5. Prior to Engineering clearance for Issuance of Building Permit, Applicant shall obtain acceptance of applicable improvements by the District. Written proof shall be provided to the Engineering Department.
 - 3.5.1. Improvements include, but may not be limited to, realignment of the existing 39” RCP storm drain with a new 42” RCP storm drain and new manhole at the upstream end of the alignment.
 - 3.5.2. Required ingress/egress easement shall be recorded prior to removal of the existing 39” RCP storm drain.
- 3.6. Developer shall submit cost estimates for all applicable fair share improvement costs, for review and approval of the City Engineer.
- 3.7. Off-site improvement bonds shall be in place and/or improvements installed and accepted by the City Engineer.
- 3.8. Right-of-way dedications, if any, shall be offered via the appropriate application process with the Engineering Department and accepted by the City Council.

4. PRIOR TO BUILDING PERMIT FINAL INSPECTION/ CERTIFICATE OF OCCUPANCY

- 4.1. The Applicant is responsible for the completion of all grading within the corresponding parcel for which occupancy is requested.
- 4.2. Prior to Certificate of Occupancy sign-off from Engineering, all improvements within the public right-of-way shall be completed and accepted by the City.

- 4.3. All fair share improvement costs, as shown in Table A, shall be paid to the City or provide proof of payment to the Engineering Department for applicable fair share improvements.
- 4.4. Prior to completion and acceptance of improvements or prior to the final building inspection, whichever occurs first and as determined by the City Engineer, assurance of maintenance is required by completing annexation to Jurupa Valley L&LMD 89-1-C for landscaping and irrigation as applicable, and streetlights unless otherwise maintained by a different public agency or the property owner.
 - 4.4.1. In case another public agency will be maintaining the improvements, proof of the annexation and completion of the process will be required to be submitted to the Engineering Department.
 - 4.4.2. In case the property owner will be maintaining the landscaping and irrigation within the parkway, the property owner shall enter into an agreement with the City for maintenance of certain parkway improvements as determined and approved by the City Engineer.
- 4.5. Prior to the first Certificate of Occupancy, Applicant shall ensure that all streetlights within the public right of way, required from this project, are energized.
- 4.6. Prior to Engineering clearance for Certificate of Occupancy, the Applicant shall complete improvements on El Rivino Road to the City Engineer's satisfaction:
 - 4.6.1. Improvements include, but may not be limited to, installation of new traffic rated inlet (for Lateral 3 connection) and protective AC Berm as needed.
 - 4.6.2. Applicant shall obtain Encroachment Permit from the City of Jurupa Valley prior to installation of the new catch basin.
 - 4.6.3. It shall be the Applicant's responsibility to coordinate requirements with the City of Rialto and other local agencies.
 - 4.6.4. If coordination with other public agencies precludes the construction of improvements on El Rivino Road prior to Engineering clearance for the Certificate of Occupancy, Applicant may provide a cash-in-lieu of construction payment to the City. Preparation of a cost estimate will be required for review and approval of the City Engineer.

TABLE A – FAIR SHARE INTERSECTION IMPROVEMENTS

Intersections	Description of Intersection Improvements
Intersection of Rubidoux Boulevard (NS) and 20 th Street/Market Street (EW)	Install geometries to provide: <ul style="list-style-type: none"> • NB: N/A. • SB: one LT lane. • EB: one RT lane • WB: two LT lanes. <p>Note: Add right-turn overlap phasing for northbound RT lane and retime signal timing from split phasing to protected phasing for the eastbound/westbound directions.</p>
Intersection of Agua Mansa Road (NS) and Market Street (EW)	Install geometries to provide: <ul style="list-style-type: none"> • NB: N/A. • SB: one RT lane. • EB: N/A. • WB: N/A. <p>Note: Add right-turn overlap phasing for the southbound RT lane.</p>
Intersection of Riverside Avenue (NS) and Agua Mansa Road (EW)	Modify geometries to provide: <ul style="list-style-type: none"> • NB: N/A. • SB: N/A. • EB: N/A. • WB: one shared TH/RT lane. <p>Note: Restriping of the existing westbound RT lane to a shared TH/RT lane will require coordination with the City of Colton and City of Rialto.</p>

The Applicant hereby agrees that these Conditions of Approval are valid and lawful and binding on the Applicant, and its successors and assigns, and agrees to the Conditions of Approval.

Applicant's name (Print Form): _____

Applicant's name (Signature): _____

Date: _____

ATTACHMENT 2

Draft Environmental Impact Report (DEIR)
(Available on the City's website under Development
Services/Planning/Environmental Reports at "MA18008
Agua Mansa Road Development Project"):
<https://www.jurupavalley.org/DocumentCenter/Index/68>

ATTACHMENT 3

Final Environmental Impact Report (FEIR)
(Available on the City's website under Development
Services/Planning/Environmental Reports at
"MA18008 Agua Mansa Road Development Project"):
<https://www.jurupavalley.org/DocumentCenter/Index/68>

ATTACHMENT 4

Excerpt of the March 10, 2021 Planning Commission Minutes

**EXCERPT OF THE PLANNING COMMISSION MINUTES OF THE MARCH 10, 2021
STUDY SESSION FOR MA18008**

7. COMMISSION BUSINESS

7.1 STUDY SESSION: MASTER APPLICATION (MA) NO. 18008 (GPA18001, CZ20004, DA18001, SDP18048 & VAR 18005) / PROJECT: “AGUA MANSA ROAD DEVELOPMENT PROJECT” – TWO (2) INDUSTRIAL WAREHOUSE BUILDINGS TOTALING 335,002 SQUARE-FEET ON 23.4 ACRES

Ms. Rocio Lopez, Senior Planner, provided a PowerPoint presentation of the staff report. The presentation generally covered the details of the proposed project and the process including the information session and public outreach to the residential neighborhoods.

Mr. Dan Darnell, applicant representative, provided a brief history of the Carson Company and their past projects. They provided detailed information of the proposed project's economic benefits to the community.

COMMISSIONER DISCUSSION

- Concern that public informational meeting was not well attended due to the date being close to the winter holidays
- Clarification of truck moratorium for this proposed project
- Request to review the terms of Development Agreement
- Clarification of the variance request regarding building height
- Suggested that an additional information session to be held
- Clarification of drought tolerant landscaping
- Request to review applicant's labor agreement for proposed project
- Additional information regarding the types of jobs expected to be produced
- Types of enforcement capabilities the City has to enforce conditions of approval and DA
- Clear identification of truck routes
- Add more evergreens and dense landscaping along northern property line
- Consider air filters/ filtration system for homes impacted by project

ATTACHMENT 5

EJ Informational Session notice (April 20, 2021)

City of Jurupa Valley

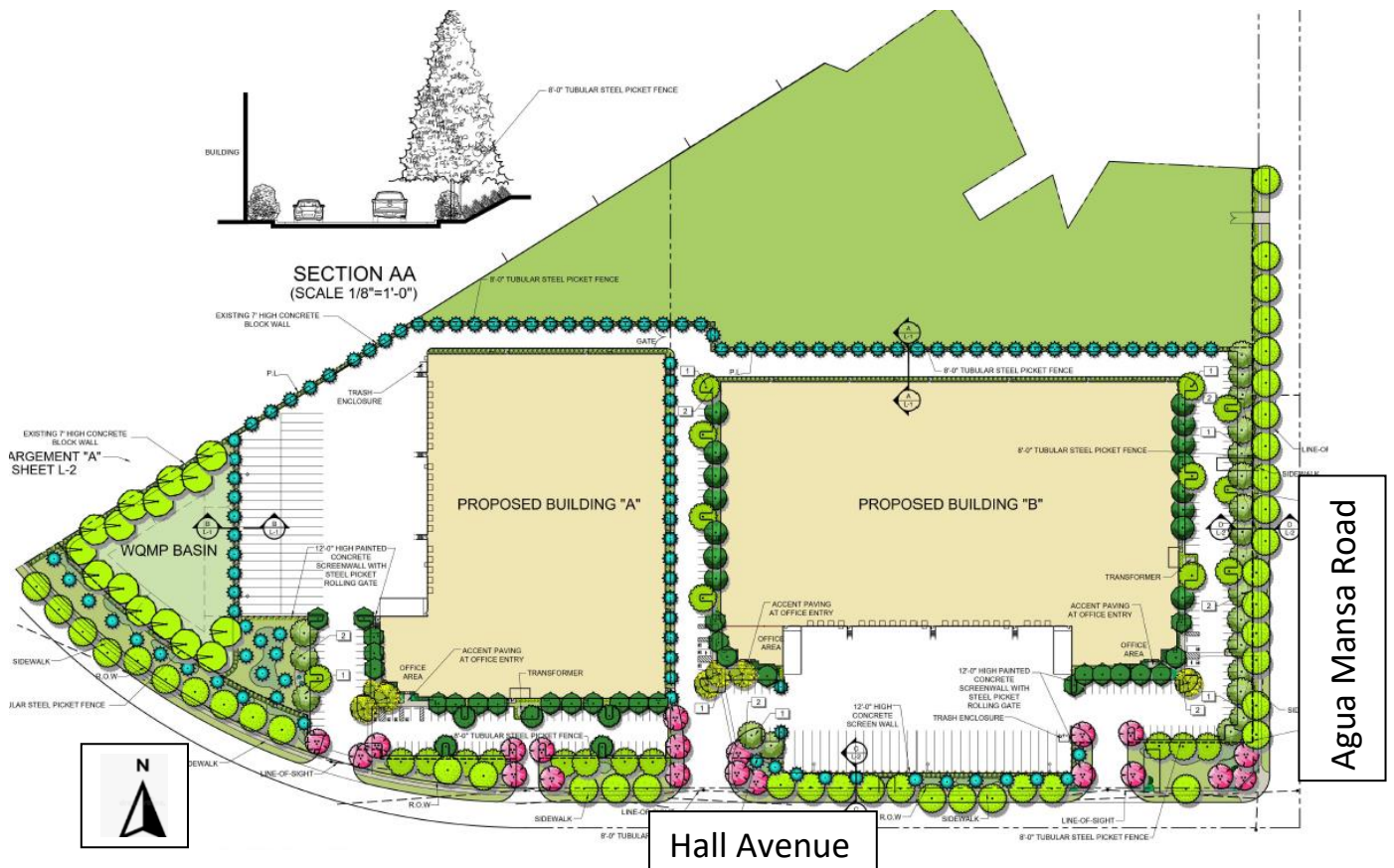
NOTICE OF AN INFORMATION SESSION FOR THE AGUA MANSA ROAD DEVELOPMENT PROJECT ON APRIL 20, 2021

CASE NUMBER: MA18008

INTRODUCTION

The City of Jurupa Valley will consider an application for an industrial project that would be built near your neighborhood. The industrial project is proposed to be located at 12340 Agua Mansa Road, south of El Rivino Road, east of Hall Avenue, and northwest of Agua Mansa Road. There are two buildings proposed on 23.4 acres of vacant land. Building A consists of 140,198 square feet and Building B consists of 194,804 square feet. The buildings are proposed to be used for warehouse and distribution use.

PROJECT LOCATION AND SITE PLAN



The City will hold an **information session with a Spanish translator** to provide information on the project and answer any questions. The information session details are as follows:

City of Jurupa Valley

DATE OF INFORMATION SESSION: April 20, 2021

TIME OF INFORMATION SESSION: 6:30 PM

LOCATION OF INFORMATION SESSION:

2625 Avalon Street, Jurupa Valley, CA 92509

The City welcomes any comment or question for this project. If you have any comments or need assistance, please contact Rocio Lopez (English and Spanish).

City Contact: Rocio Lopez, Senior Planner

Rocio Lopez email: rlopez@jurupavalley.org

City Address: 8930 Limonite Avenue, Jurupa Valley 92509

City Telephone: 951-332-6464 x 212

CITY PROCESS

This project requires a public hearing by the Planning Commission which will be held in the near future. The Planning Commission will make a decision on the application on a future date. A public notice will be mailed to you to inform you of the Planning Commission hearing date and location.

PROJECT INFORMATION	
CASE NUMBER(S)	MA18008 (GPA18001, CZ20004, DA18001, SDP18048 & VAR18005)
APPLICANT	Carson-VA Industries
PROJECT LOCATION(S)	12340 Agua Mansa Road (Northwest corner of Agua Mansa Road & Hall Avenue) / APNS: 175-210-032, 175-210-034 and 175-210-059
PROJECT	Two industrial buildings with a total of 335,002 square-feet.
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)	The EIR, all documents incorporated by reference, and technical appendices are available for viewing at the City of Jurupa Valley, 8930 Limonite Avenue, Jurupa Valley, California 92509. The EIR and technical appendices only are also available online for viewing at: https://www.jurupavalley.org/DocumentCenter/Index/68 .
ADDRESS WHERE DOCUMENTS MAY BE VIEWED	City Hall at 8930 Limonite Avenue, Jurupa Valley, California 92509
DATE, TIME AND LOCATION OF PUBLIC HEARING	The public hearing will be scheduled in the future. A separate notice shall be mailed out for the public hearing. The public hearing will be located at the Jurupa Valley City Hall, City Council Chamber located at 8930 Limonite Avenue, Jurupa Valley, CA 92509

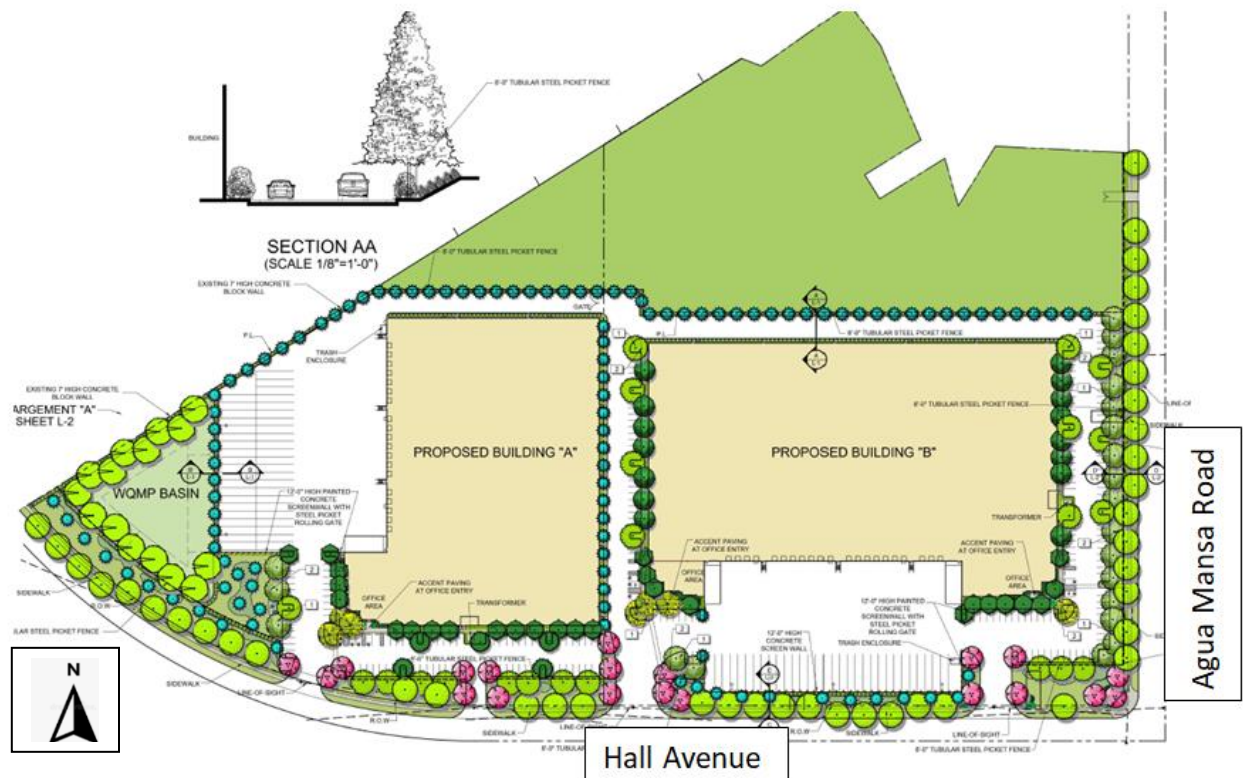
City of Jurupa Valley

AVISO DE SESIÓN INFORMATIVA PARA EL PROYECTO DE DESARROLLO “AGUA MANSO” / NÚMERO DE CASO: MA18008 EL 20 DE ABRIL DEL 2021

INTRODUCCIÓN

La ciudad de Jurupa Valley examinará una solicitud para un proyecto industrial que se construiría cerca de su vecindad. El proyecto industrial se propone ser ubicado en 12340 Agua Mansa Road, al sur de El Rivino Road, al este de Hall Avenue y al noroeste de Agua Mansa Road. Hay dos edificios propuestos en 23.4 acres de terreno baldío. El Edificio A consta de 140,198 pies cuadrados y el Edificio B consta de 194,804 pies cuadrados. Se propone que los edificios se utilicen para almacenamiento y distribución.

UBICACIÓN DEL PROYECTO Y EL DIAGRAMA DEL PROYECTO



La Ciudad llevará a cabo una sesión informativa con un traductor en español para brindar información sobre el proyecto y responder a cualquier pregunta. Los detalles de la sesión de información son los siguientes:

City of Jurupa Valley

FECHA DE LA SESIÓN INFORMATIVA: 20 de Abril del 2021

EL TIEMPO DE LA REUNIÓN: 6:30 de la tarde

UBICACIÓN DE LA SESIÓN INFORMATIVA:

2625 Avalon Street, Jurupa Valley, CA 92509

La Ciudad agradece cualquier comentario o pregunta sobre este proyecto. Si tiene algún comentario o necesita ayuda, comuníquese con Rocío López (inglés y español).

CONTACTO DE LA CIUDAD: Rocío López, Departamento de Planificación

CORREO ELECTRÓNICO: rlopez@jurupavalley.org

DIRECCIÓN DE LA CIUDAD: 8930 Limonite Avenue, Jurupa Valley 92509

TELÉFONO DE LA CIUDAD: 951-332-6464 x 212

PROCESO DE LA CIUDAD

Este proyecto requiere una audiencia pública de la Comisión de Planificación en el futuro. La Comisión de Planificación tomará una decisión sobre la solicitud en una fecha futura. Un anuncio público será enviado a usted para informarle de la fecha de audiencia de la Comisión de Planificación.

INFORMACIÓN SOBRE EL PROYECTO	
NÚMERO DE CASO (S)	MA18008 (GPA18001, CZ20004, DA18001, SDP18048 & VAR18005)
SOLICITANTE	Carson-VA Industries
UBICACIÓN DE PROYECTO(S)	12340 Agua Mansa Road (Esquina noroeste de las calles Agua Mansa Road & Hall Avenue) / Numero de parcelas: 175-210-032, 175-210-034 y 175-210-059
PROYECTO	Dos edificios industriales con un total de 335,002 pies cuadrados
LEY DE CALIDAD AMBIENTAL DE CALIFORNIA (CEQA)	El informe de impacto ambiental (EIR), todos los documentos incorporados por referencia y los apéndices técnicos están disponibles para su visualización en la Ciudad de Jurupa Valley, 8930 Limonite Avenue, Jurupa Valley, California 92509. El EIR y los apéndices técnicos también están disponibles en línea para su visualización en: https://www.jurupavalley.org/DocumentCenter/Index/68 .
DIRECCIÓN DONDE LOS DOCUMENTOS PUEDEN SER VISTOS	Ciudad de Jurupa Valley localizada en 8930 Limonite Avenue, Jurupa Valley, California 92509
FECHA, HORA Y LUGAR DE LA AUDIENCIA	La audiencia pública será programada en el futuro. Se enviará un aviso por separado para la audiencia pública. La audiencia pública estará ubicada en el Ayuntamiento de la Ciudad de Jurupa Valley, Cámara del Consejo de la ciudad ubicado en 8930 Limonite Avenue, Jurupa Valley, CA 92509

ATTACHMENT 6

Applicant's Response to March 10, 2021
Planning Commission Study Session Comments

Agua Mansa Road Development Project (MA 18008)

Applicant: Carson – VA Industrial II, LP (“Carson”)

Response to 3/10/2021 Planning Commission Study Session Questions

Questions:

- Development Agreement:
 - What are the financial terms of the Development Agreement (“D.A.”)?
 - What are the enforcement provisions in the D.A.?
 - What Community Benefits are included in the D.A.?
- Environmental Justice and Noticing:
 - There were concerns with the timing of the Environmental Justice Workshop
 - What were the notice dates?
 - What were the noticing requirements (radius, etc.)?
- Landscaping:
 - Do the landscaping plans provide lush barriers?
 - What is the landscaping like along the NW corner along the R-A shared PL?
 - Is there a need for additional landscape buffers along the northern property line shared with residential uses?
- Identify routes which provide the least impact on residents.
- Why is a building height variance being requested?
 - Provide visuals of building height area with adjacent land uses.
- What jobs will be created and what will average wages be like?

Answers:

- **Development Agreement:**
 - D.A. Fees are comprised of one-time and on-going fees:
 - **One-Time Fees** (also referred to as “Community Benefit Contributions”):

<i>One Time Fee</i>	<i>Payment</i>	<i>Payment Date</i>	<i>City Funding</i>
Community Benefit Fee	\$335,002 (\$1/SF)	30 days after Certificate of Occupancy	General Fund
Municipal In-Lieu Fee	\$201,000	30 days after Project Approvals	General Fund
North Rubidoux Master Plan	\$43,500	30 days after Project Approvals	General Fund w/ Planning earmark
Administrative Fee	\$10,000	30 days after Project Approvals	General Fund
Total	\$589,502		

- **On-Going Fees** (Community Benefit Contributions and Public Financing of Services and Improvements):

<i>On-Going Fees</i>	<i>Payment</i>	<i>1st Payment Date</i>	<i>City Funding</i>
General Fund Special Assessment	\$33,500 per year (\$0.10/sf/year), with a credit for point of sales tax paid to Jurupa Valley	30 days after Certificate of Occupancy	General Fund
Public Safety Services Fee	\$50,000 per year	Prior to issuance of Certificate of Occupancy	General Fund

Street Maintenance Fee	\$40,000 per year	Prior to issuance of Certificate of Occupancy	General Fund
Administrative Fee	\$5,000 per year until each building obtains a Certificate of Occupancy	Anniversary of Project Approvals	General Fund
Total (after C.O.):	\$123,500 per year		

○ Enforcement Mechanisms

- All One-Time Fees have hard timing and permitting enforcement mechanisms.
- Three of the One-Time Fees are required to be paid within 30 days after Project Approvals are granted, while the Community Benefit Fee is required to be paid 30 days after Certificate of Occupancy.
 - The City has the right to withhold permits until the required fees are paid.
 - Section 5.3 – “City shall not be obligated to issue permits for the Project if Developer has not paid the CBC”
- Two of the On-Going Fees are required to make their first payment prior to the certificate of occupancy, while payment of the first general fund special assessment fee is required no more than 30 days after Certificates of Occupancy are granted.
- The Administrative Fee will be paid on an annual basis on the anniversary of project approvals until each building obtains a certificate of occupancy.
- Annual payments of each On-Going Fees are required to be made on each anniversary of the first payment of each respective fee.
- Periodic Review
 - Developer and City shall review the Agreement at least once every year
 - Good Faith Compliance – During each review period, Developer shall be required to demonstrate good faith compliance to City with the terms of the D.A.
 - Initiation of Review by City Council – If City should have probable cause that Developer’s acts harm City’s general health, safety or welfare or if Developer has failed to act, Developer shall be required to demonstrate Good Faith Compliance to City Council.
- Default and Legal Remedies
 - If Developer does not pay On-Going Fees, Developer will be in Default of the D.A. and City will have the right to file a suit beyond any applicable cure periods.
 - City may also terminate or modify the D.A. due to a material default by Developer.
- **Conclusion: Jurupa Valley has several enforcement provisions including withholding building permits, withholding certificates of occupancy, periodic reviews that require Developer to demonstrate compliance and legal remedies due to a material default by Developer.**

● **Noticing Dates / EJ Workshop**

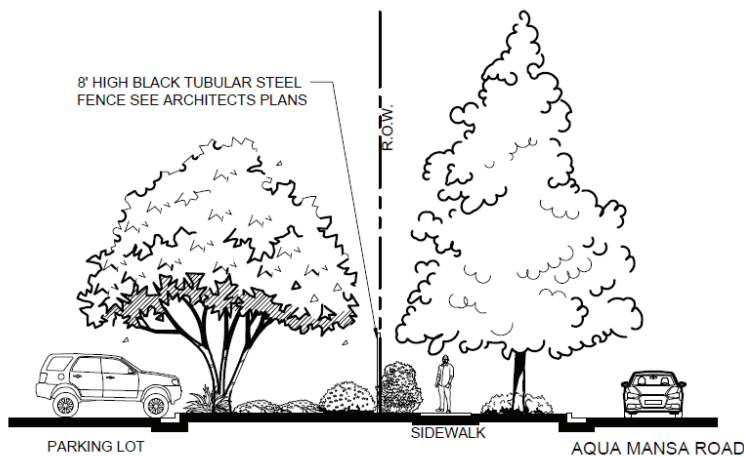
- Our EJ Workshop Notification letter was sent on 11/6/2020
 - 77 property owners were notified within the 1,000’ setback of our property lines, including residences on the north side of El Rivino and residences north-west of the El Rivino Road and Hall Avenue intersection.
 - The 1,000’ radius is over 3 times the City’s 300’ radius as identified in municipal code section 9.05.040.
 - See page 1 of “Attachment #1 Radius Maps” for a visual of the 1,000 setback noticing area.
 - The larger radius (1,000’) was used in order to reach a larger area of nearby residents who could be impacted by our proposed project.

- Property owners notified include residents of both Jurupa Valley and unincorporated San Bernardino County.
- In addition to the 77 property owners within the 1,000' setback, 237 property owners were notified in the Belltown Area, including the area east of the Union Pacific Rail Road (adjacent to Avalon Street), north of 26th Street, South of Market Street and west of the Santa Ana River.
 - See page 2 of “Attachment #1 Radius Map” for a visual of the Belltown noticing area.
 - The Center for Community Action and Environmental Justice (CCA EJ) was also notified.
- Carson independently sent out community outreach letters to the same addresses postmarked on 11/7/2020 with a phone number and email address to be reached in both English and Spanish
- Our DEIR Public Comment period was open 11/6/2020 - 12/21/2020 and all City notice requirements were followed, including advertisement in a public newspaper and on the City’s website
- Carson attended the EJ Workshop for the Agua Mansa Commerce Center (±4 million sf industrial project recently approved by City Council) on December 17th, 2019, along with a handful of city residents. This EJ Workshop fell within the same Thanksgiving to Christmas window as the Carson Companies EJ Workshop.
- **Conclusion: Carson has met and exceeded Planning Department noticing requirements for the EJ workshop and performed its own community outreach. Carson would like to be sure there is no doubt of its commitment to the community and has agreed to host another EJ Workshop on April 20th. On March 26th, Carson, in conjunction with the City’s planning staff, sent out 314 property owner notification letters and an additional 66 notices to non-owner residents within the 1000’ setback and Belltown area. CCA EJ has been sent another notification letter as well. Carson met with CCA EJ via zoom on 3/31 and at the subject property on 4/14.**

● **Landscaping**

- Our proposed project includes 24” box evergreen trees and dense shrubs to help screen the site from residential views. Plans include drought tolerant landscaping. A typical street adjacent cross-section is provided below:

Exhibit # 1



- Our project proposes extensive planting of 24” box Afghan Pines to obscure views of the proposed buildings from residential properties.
 - These trees grow to a height between 30’ - 60’ at maturity
 - Width at maturity is 25’ - 40’
 - This is an evergreen tree which keeps its foliage year round
 - It tolerates dry, windy and hot conditions very well
 - Provides valuable cover, nesting and breeding areas for upland game and songbirds

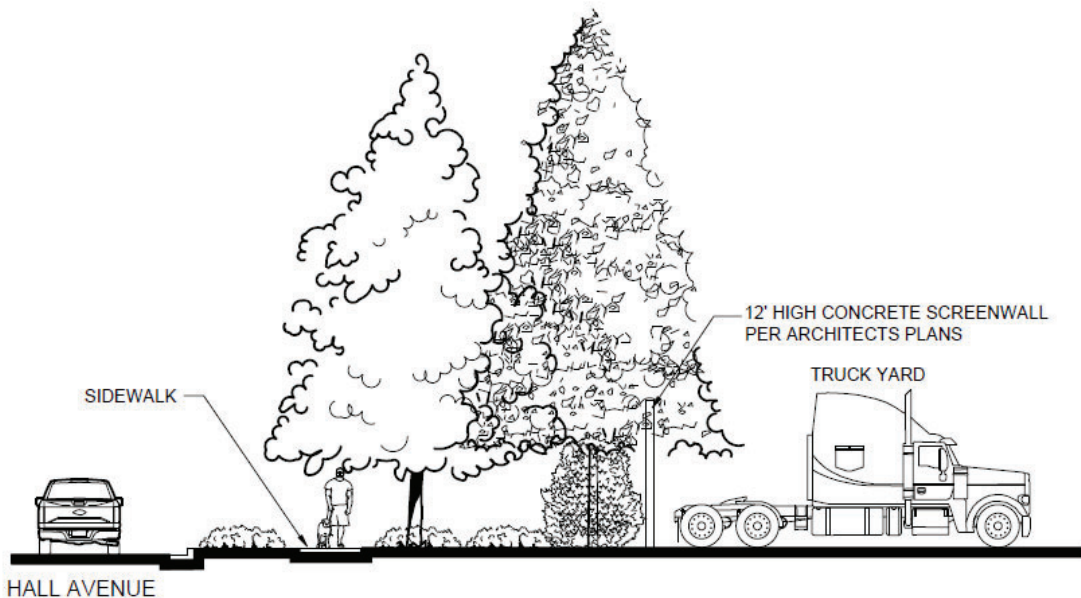
- Commonly planted in California and prominently featured in the recently approved Agua Mansa Commerce Park Specific Plan
- Provides natural air filtration from CO₂ to H₂O
- Reduces PM 2.5 pollution

Exhibit # 2



- In addition to the landscape screening, the project proposes an extensive wall and fencing plan that will block the public right-of-way view into the truck court, see cross section below:

Exhibit # 3



- Reference “Attachment #2 Landscaping Plans” to see our proposed landscaping plans. *While not shown on the landscaping plan, Carson has agreed to Chair Newman’s request to add landscape screening with natural air filtration capabilities along the northern property lines adjacent to R-A lots. Carson requests that this requirement be included as a condition of approval.*
- **Conclusion: Proposed landscaping plans will shield the project from public and residential views, include low and medium water consumption trees/plants/shrubs, and provide natural air filtration and shade.**

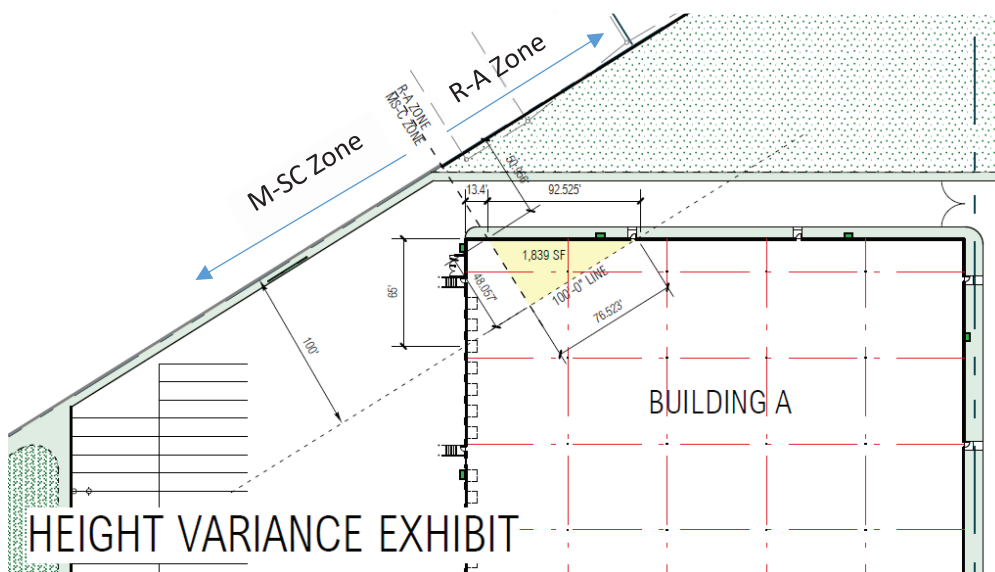
- **Building Height Variance Request**

- The Agua Mansa Specific Plan (AMSP) requires a maximum 35 foot height limit for buildings within 100’ of a residential property line.
- Approximately 1.3% of Building A falls within the 100’ setback, as shown on Exhibit #4.

- **Building Height Variance Justification**

- Modern day manufacturing, warehouse and distribution buildings in our proposed size range are built with minimum clearance heights of 32’, which means the lowest point inside the building is 32’. A roof deck is typically 4’-5’ above that. In addition, parapet walls are constructed on the building exterior to shield views of the roof structure.
- In order for our proposed buildings to meet market demands, a minimum 32’ clearance is needed:
 - Some of our competitors building 100,000 – 200,000 square foot buildings have started designing 36’- 40’ minimum clearance buildings.
 - Carson hasn’t seen users in this size range utilize that additional clearance.
 - Most users needing higher clear heights (greater than 32’) are installing extensive material handling equipment such as conveyor systems with some level of automation.
 - These systems are most common in mega big box distribution centers (500,000 SF+) as extensive economies of scale are needed to justify the upfront investment.
 - Large conveyor systems, mezzanine racking and automation are rare in buildings of our proposed sizes.
- Our proposed building height variance would be mitigated by:
 - The fact that Building A is located between 95’ – 470’ from Hall Ave. and the nearest residential structure is located approximately 510’ to the north, as shown on Exhibit 4 below.
 - Limited frontage (76.5 lineal feet) falls within the setback
 - A 7’ decorative block wall and Afghan Pines would offer screening of the building.
 - The nearest residential structure from our property line is 460’
 - The nearest residential structure to a proposed dock door is 550’
- The image below identifies the area of our building which would be greater than the Agua Mansa Specific Plan building height ordinance (see the 1,839 SF area highlighted in yellow in Exhibit #4 below). Only 1.3% of Building A’s area falls within the 100’ setback. A full sized version of Exhibit #4 can also be found in the attached Exhibits section of this document.

Exhibit # 4



- Below you will find a cross-section from the R-A lot within a 100' setback of proposed Building A. Note that the Afghan Pine shown is 30', however, these trees can be as tall as 60'. A full sized version of Exhibit #5 and Exhibit #6 can also be found in the attached Exhibits section of this document.

Exhibit # 5

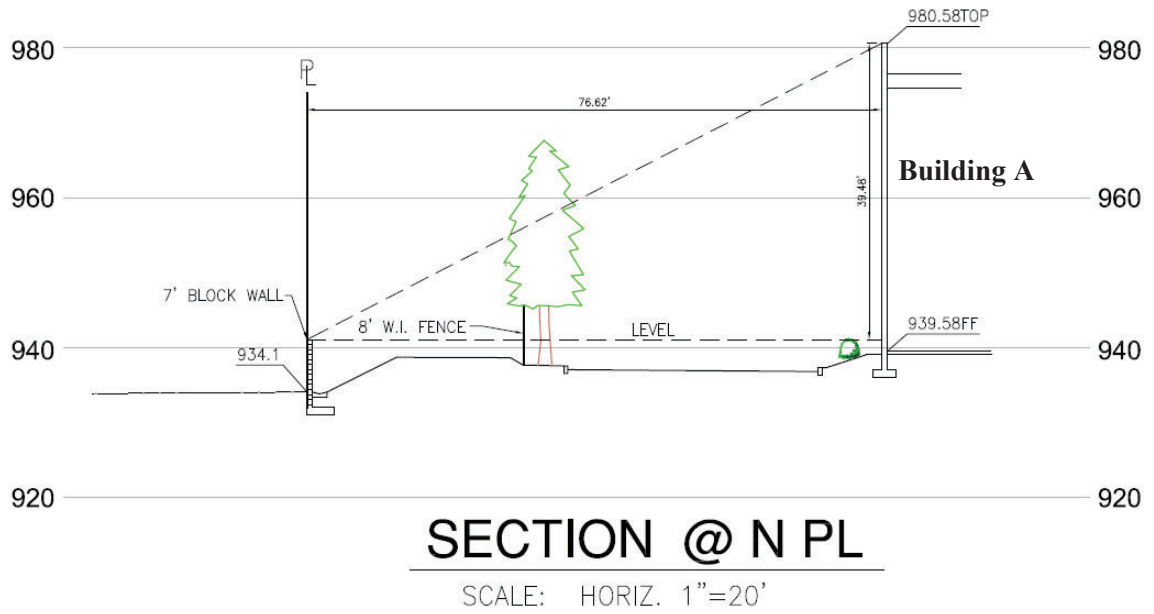
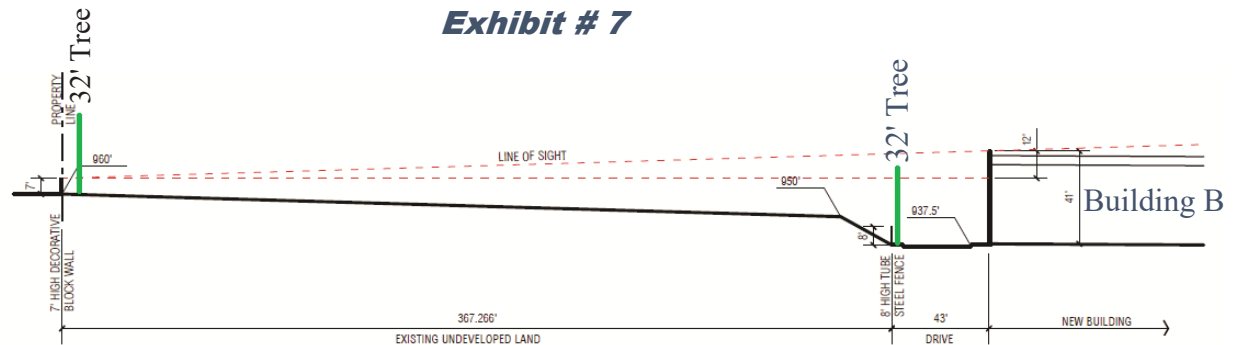


Exhibit # 6



- LEGEND**
- Nearest Residents within 500 feet
 - Nearest Workers within 500 feet
 - Loading Docks

- Below you will find a cross-section from the northern most property line looking directly south to the nearest proposed building. Note: the cross-section below does not depict an afghan pine, which will obstruct views of the buildings from the residential properties to the north, as Afghan Pines grow to be 30'- 60' at maturity.



SECTION B-B

(CUT FROM NORTH TO SOUTH, LOOKING EAST)

B

- The R-A lots located to the north of the Project Site are used for outdoor storage of concrete blocks, rocks and debris, which indicate commercial uses are utilizing the R-A lots which fall within the 100' building setback.
- Photos of the R-A zoned parcels which currently fall within the 100' setback are provided in Exhibits 8 and 9 below:

Exhibit # 8



Exhibit # 9



- **Conclusion: Our proposed building height variance on 1.3% of the northwest corner of Building A is necessary to meet modern demand for manufacturing/warehousing/logistics facilities of the proposed size ranges. Impacts are mitigated by the distance from residential structures and landscape screening provided by Afghan Pines. Additionally, there are numerous industrial buildings located to the north and south of the site with building clear heights ranging from 36' – 40'. Our proposed clear height is 32'. If you factor in a typical building foundation and , surrounding building heights on average range from 45' – 50'.**

• Truck Routes

- According to the Traffic Impact Report prepared for this Project, it was determined that the proposed truck routes from the south (SR-60 via Rubidoux Blvd and Market Street) and north (I-10 via Riverside Dr.) provide the least impact possible to residents.
 - Rubidoux is a major North/South arterial with few commercial and industrial uses between SR-60 (Jurupa Valley) and El Rivino Road (Jurupa Valley).
 - This is the most likely exit for truck traffic from the South due to proximity to the ports of LA/Long Beach
 - Market Street at SR-60 is commercial in nature. There is a portion of a Northside Riverside community south of the Santa Ana River near Market. The Belltown Community is generally located east of Rubidoux Blvd., west of Market St., north of the Santa Ana River and south of 24th street.
 - Market Street is less likely to be utilized as a trucking route to the site, as most truck traffic will be coming from the ports of LA/Long Beach, and truck maneuverability heading north is challenging from SR-60.
 - Market Street is also a challenging on-ramp for traffic heading east due to a short merging area and steep grade up.
 - Agua Mansa Road is a major Northeast/Southwest arterial from Rancho Ave (Colton) to its end on Market Street (Jurupa Valley) and uses are primarily industrial.
 - Riverside Drive is a major North/South arterial and uses along this thoroughfare are industrial and commercial in nature from the I-10 to Agua Mansa Road (and beyond).
 - Truck traffic on El Rivino Road, between Hall Avenue and Agua Mansa Road, is also prohibited.

- Carson has proposed to go one-step further and prohibit ALL truck traffic related to our project from using El Rivino Road.
 - Recently approved projects in the area propose truck routes on El Rivino Road between Cactus and Cedar, and use Cedar, Riverside Drive and Rancho Ave as routes to the I-10 Freeway, as well as Armstrong Road, Rubidoux and Market as access to/from SR-60. These truck routes pass through significantly more residential than our proposed truck routes.
 - Carson Companies proposed truck routes would provide fewer routes to the I-10 and thus a smaller impact to residences in the greater Agua Mansa corridor.
- Traffic Study:
 - Our traffic study projected our project would produce 281 truck trips per day. Round trip traffic is considered 2 truck trips (1 trip to the site, 1 trip from the site). Distribution of trucks follows:
 - 125 trucks are heavy duty (big-rigs)
 - 51 trucks are projected to be 3 axels (box trucks)
 - 105 2-axel trucks
 - 125 truck trips is equal to ±62 round trip big-rig trips per day
 - Our proposed truck route is provided below. A full sized version of Exhibit #10 can also be found in the attached Exhibits section of this document.

Exhibit # 10

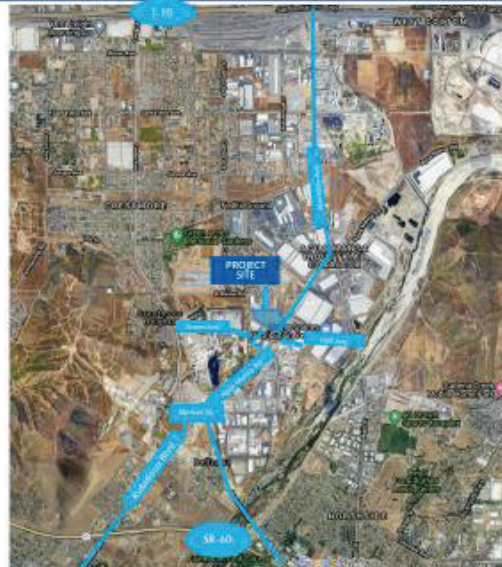
Truck Route

Truck Route 1

- **Exit SR-60 onto Rubidoux Blvd.**
- **Right onto Market St. and Immediate Left onto Agua Mansa Rd.**
- **Left onto Brown Ave. to access the Project Site on Hall Ave.**

Truck Route 2

- **Exit I-10 onto Riverside Ave.**
- **Right onto Agua Mansa Rd.**
- **Able to turn right onto Hall Ave from I-10, but need to use Brown Ave. heading back to I-10**



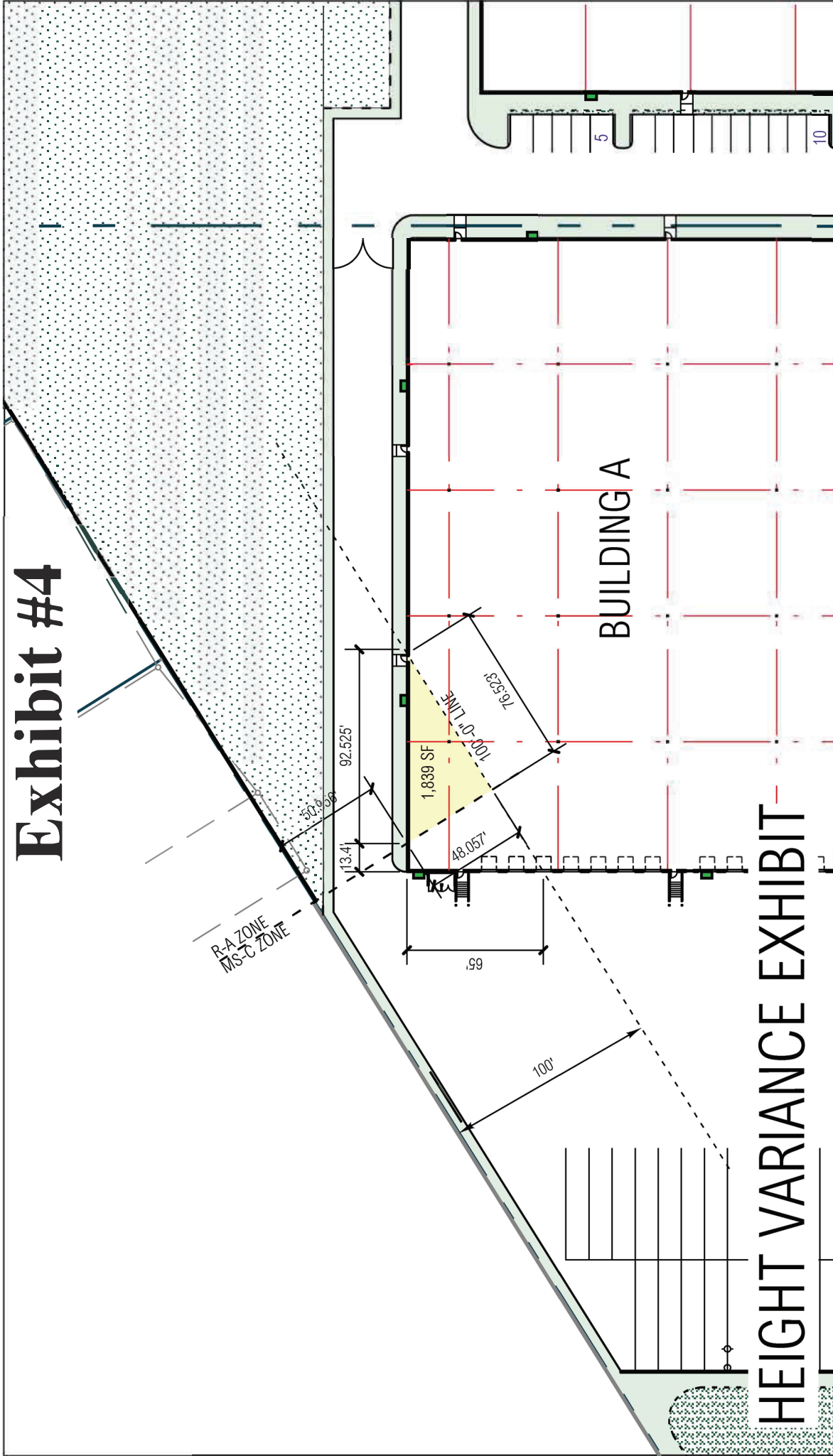
12

- **Conclusion:** There is a very limited number of residential uses within close proximity of the proposed truck routes, thus the proposed truck routes would have a minimal impact to residences between the project site and freeways. Additionally, the proposed truck routes are more restrictive than recently approved projects in the area. Carson has agreed in concept to expand the IQ Air air filtration program to the residences south of El Rivino Rd. and bounded between Hall Ave. and Agua Mansa Rd. Viridian Partners has previously endowed the IQ Air Foundation to install air filtration systems for all other areas proximate to Carson's proposed truck routes, including i) the Belltown community west of Rubidoux (bounded by 28th St, Avalon St, 30th St and Rubidoux), ii) the Belltown community west of Market (bounded by Hall, 24th St, 26th and Market), and iii) Unincorporated San Bernardino County north of El Rivino (bounded by Kiningham Dr, El Rivino Rd, Cactus Avenue and Brown Avenue/Hallbrook Ln).
- **Jobs:** Our project will create a variety of different jobs. Our proposed 18k SF of total office between our two buildings will create white collar jobs with potential positions including finance, tax, accounting, information technology, freight forwarding/brokerage, engineering, design, administrative staff and other office related positions. Warehouse positions will include warehouse management, inventory management positions, forklift drivers, fulfillment, reverse logistics, assembly, machine operators, etc.

- Based on data provided by Salary.com, a leading provider of compensation market data and analytics, we have found the following wage information:
 - Salaries can vary greatly in manufacturing/warehouse/logistics buildings based on the level of skill.
 - Manufacturing wages can range greatly:
 - Entry level machine operator: \$14/hr to \$23/hr (\$18 median)
 - Machine operators w/ experience: \$19/hr to \$32/hr (\$25 median)
 - Machine operator supervisor: \$31/hr to \$54/hr (\$41 median)
 - Engineering and design jobs can make well over \$100,000 per year
 - Warehouse hourly wages can range from \$15/hr (entry level) to \$60/hr + (warehouse supervisor)
 - Inventory management jobs can range from \$50,000 per year to \$79,000 per year (\$64,000 median)
- Automation: Whether it be ordering food (restaurant apps, delivery apps, pick up in-store), marketing (social media, email marketing) or industrial robots manufacturing pieces and parts of equipment, automation has become more common in every aspect of everyday life.
 - Often time the jobs that are lost to automation are replaced by higher paying jobs requiring technical skills. These jobs include mechanical jobs (jobs repairing/maintaining machines) or information technology jobs to monitor and program these machines.
 - Some warehouse operators have invested in material handling applications including material transfers, which require robots to pick up parts and move them to another location.
 - Warehouse automation is generally focused in the mega-big box distribution buildings (500k + SF) or extremely high throughput buildings, due to high initial investments.
 - Automated facilities must go through routine maintenance and occasional repair, which result in operational downtime.
 - Automation is not suitable for highly variable operations where the types of material can change (shape, size, weight, etc.).
 - On-site staff will need to be trained to manage and maintain automated system.
 - **Conclusion: Carson's proposed project will generate a variety of jobs at a time when jobs are needed most. Potential job creation will include positions ranging from post-graduate degrees to high school degrees. Jurupa Valley has a large residential base but does not have many opportunities for employment within City limits, and this project will help to solve the problem.**

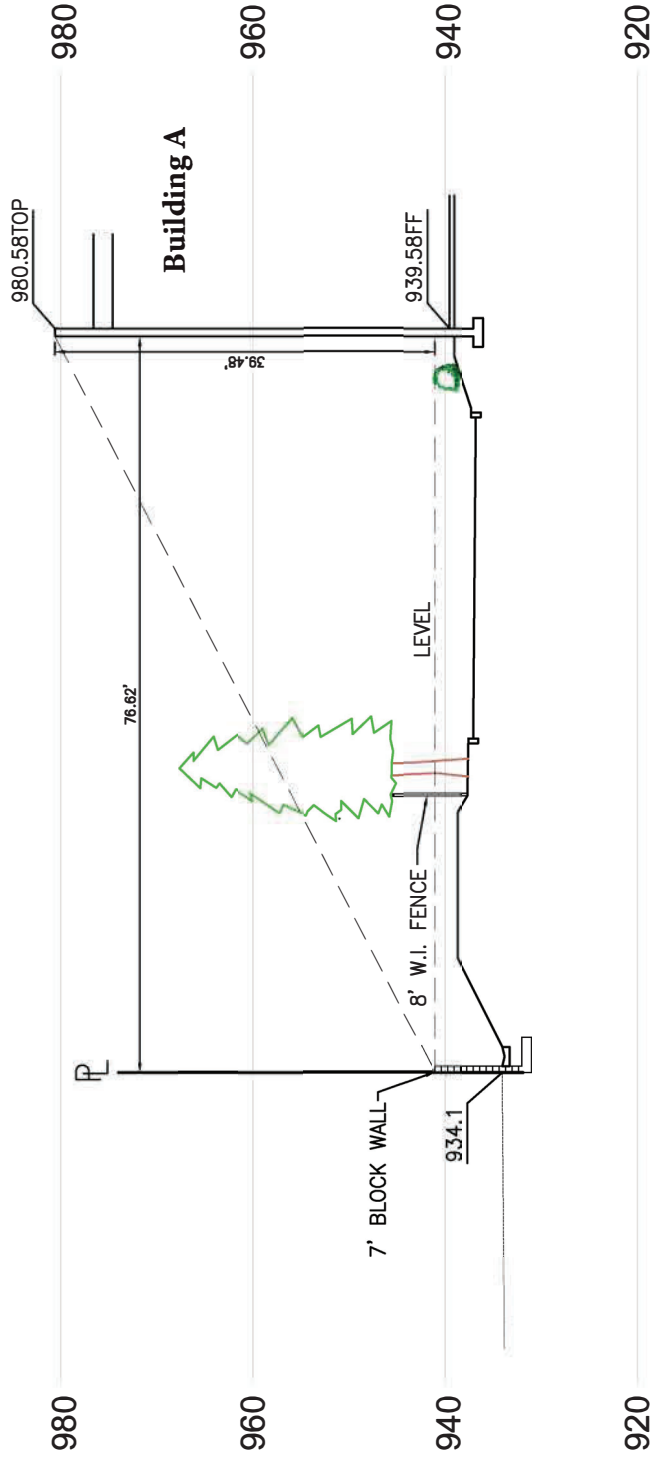
Exhibits

Exhibit #4



HEIGHT VARIANCE EXHIBIT

Exhibit #5



SECTION @ NPL

SCALE: HORIZ. 1"=20'

Exhibit #6

El Rinco Rd

Project Site

510' to Nearest Residence

Building A

Building B

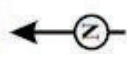
Hall Ave

Ava Mansa Rd

Hall St N

Brown Ave

LSA



LEGEND



- Nearest Residents within 500 feet
- Nearest Workers within 500 feet
- Loading Docks

FIGURE 3



Exhibit #10

Truck Route

Truck Route 1

- Exit SR-60 onto Rubidoux Blvd.
- Right onto Market St. and Immediate Left onto Agua Mansa Rd.
- Left onto Brown Ave. to access the Project Site on Hall Ave.

Truck Route 2

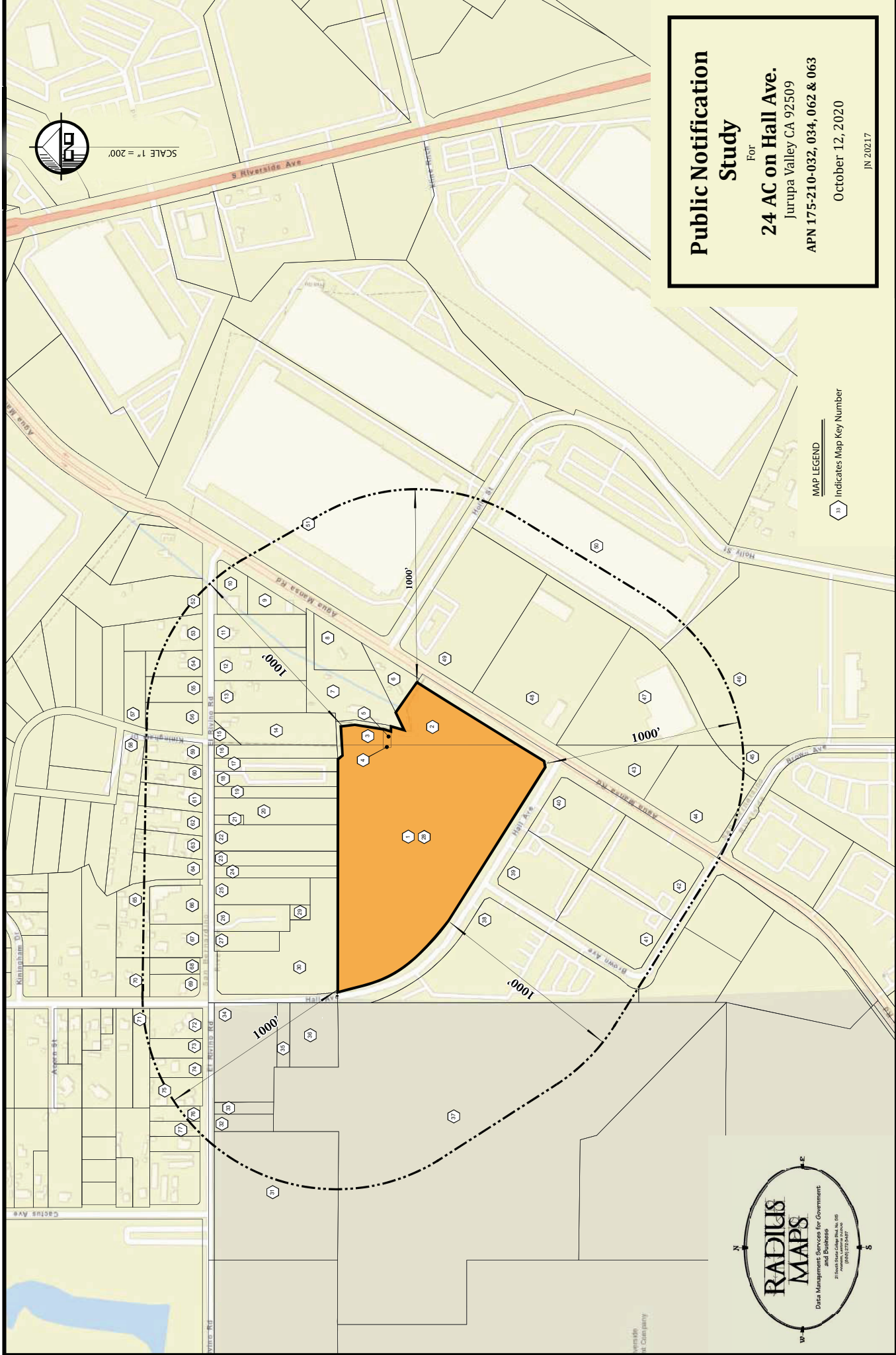
- Exit I-10 onto Riverside Ave.
- Right onto Agua Mansa Rd.
- Able to turn right onto Hall Ave from I-10, but need to use Brown Ave. heading back to I-10



Attachment #1

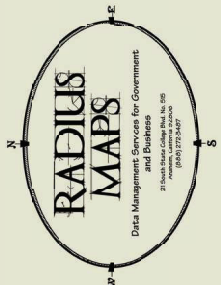
Radius Maps

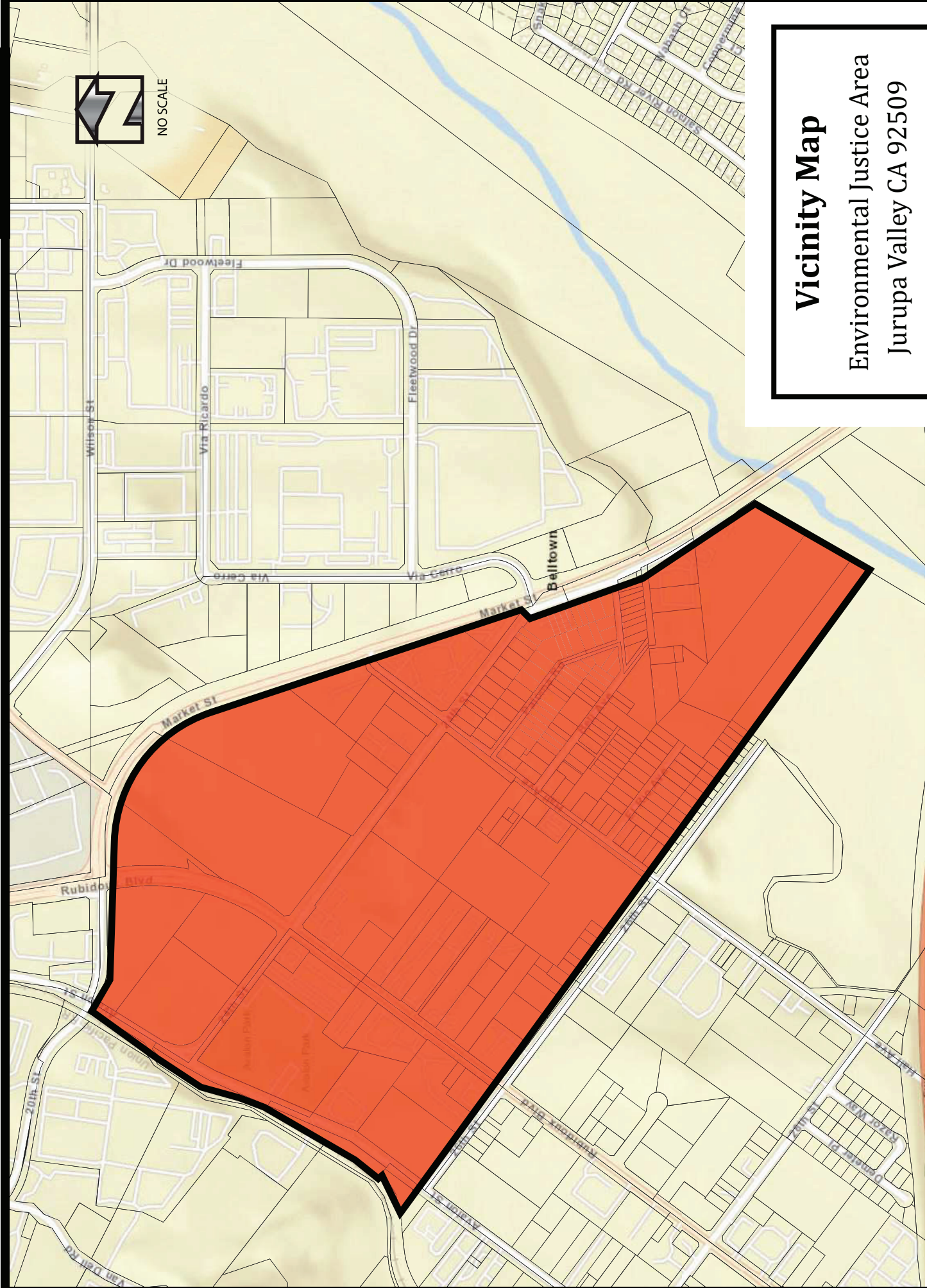
77 Property Owners and 19 non-owner residences notified



Public Notification Study
For
24 AC on Hall Ave.
Jurupa Valley CA 92509
APN 175-210-032, 034, 062 & 063
October 12, 2020
JN 20217

MAP LEGEND
[Symbol] Indicates Map Key Number





Vicinity Map

Environmental Justice Area
Jurupa Valley CA 92509

237 Owners Notified in Belltown Area; 47 Non-Owner Residences Notified

10-12-2020

Attachment # 2

Landscaping Plans



TREE LEGEND

TREES	BOTANICAL / COMMON NAME	HEIGHT	W.C.	W.C.	W.C.
	Redwood	100'	W	W	W
	Redwood	100'	W	W	W
	Redwood	100'	W	W	W
	Redwood	100'	W	W	W
	Redwood	100'	W	W	W
	Redwood	100'	W	W	W
	Redwood	100'	W	W	W
	Redwood	100'	W	W	W
	Redwood	100'	W	W	W
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	Redwood	100'	W	W	W
	Redwood	100'	W	W	W

CONCEPT PLANT SCHEDULE

SYMBOL	DESCRIPTION
	12" HIGH CONCRETE SCREEN WALL PER ARCHITECTS PLANS
	EXISTING 7' HIGH CONCRETE BLOCK WALL
	EXISTING 7' HIGH CONCRETE BLOCK WALL
	EXISTING 7' HIGH CONCRETE BLOCK WALL
	EXISTING 7' HIGH CONCRETE BLOCK WALL
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REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION
	12" HIGH CONCRETE SCREEN WALL PER ARCHITECTS PLANS
	EXISTING 7' HIGH CONCRETE BLOCK WALL
	EXISTING 7' HIGH CONCRETE BLOCK WALL
	EXISTING 7' HIGH CONCRETE BLOCK WALL
	EXISTING 7' HIGH CONCRETE BLOCK WALL
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	EXISTING 7' HIGH CONCRETE BLOCK WALL
	EXISTING 7' HIGH CONCRETE BLOCK WALL

NOTES
 1. ALL TREES WITHIN OF PROPOSED SMALL BERBERIS SHAW-DOWLING (W/SP) ARE NOT ALLOWED. ALL TREES WITHIN OF PROPOSED SMALL BERBERIS SHAW-DOWLING (W/SP) ARE NOT ALLOWED. ALL TREES WITHIN OF PROPOSED SMALL BERBERIS SHAW-DOWLING (W/SP) ARE NOT ALLOWED.
 2. NOTE QUANTITIES AND AREA CALCULATIONS SHOWN IN LEGEND ARE FOR REFERENCE ONLY. QUANTITIES AND AREA CALCULATIONS SHOWN IN LEGEND ARE FOR REFERENCE ONLY. QUANTITIES AND AREA CALCULATIONS SHOWN IN LEGEND ARE FOR REFERENCE ONLY.

SHREDDED MULCH NOTE
 ALL PLANTER AREAS TO RECEIVE A LAYER OF SHREDDED MULCH AVAILABLE FROM CARSON/1015/175/20/20

LANDSCAPE AREA (TO MEET MSC ZONE REQUIREMENTS)
 RECALCULATED TO MEET MSC ZONE 10%
 INCLUDING PLANTER AREAS: 10,100 SQ FT (10%)

***Carson has agreed to add landscape screening along northern property line as a Condition of Approval**

REVISIONS	

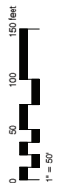
Hayrons
LANDSCAPE ARCHITECTURE
1745 S. Redwood Street - Suite 200
San Jose, CA 95128
Tel: (408) 435-1043 Fax: (408) 435-0916

CARSON
THE CARSON COMPANIES
10000 S. DE SOTO AVE
SUITE 200
MIRAMONTE, CA 91326
TEL: (626) 251-1000

PROPOSED DEVELOPMENT
AGUA MANSA ROAD DEVELOPMENT
12340 AGUA MANSA RD
JURUPA VALLEY, CA

SHEET TITLE: **TREE SHADE PLAN**

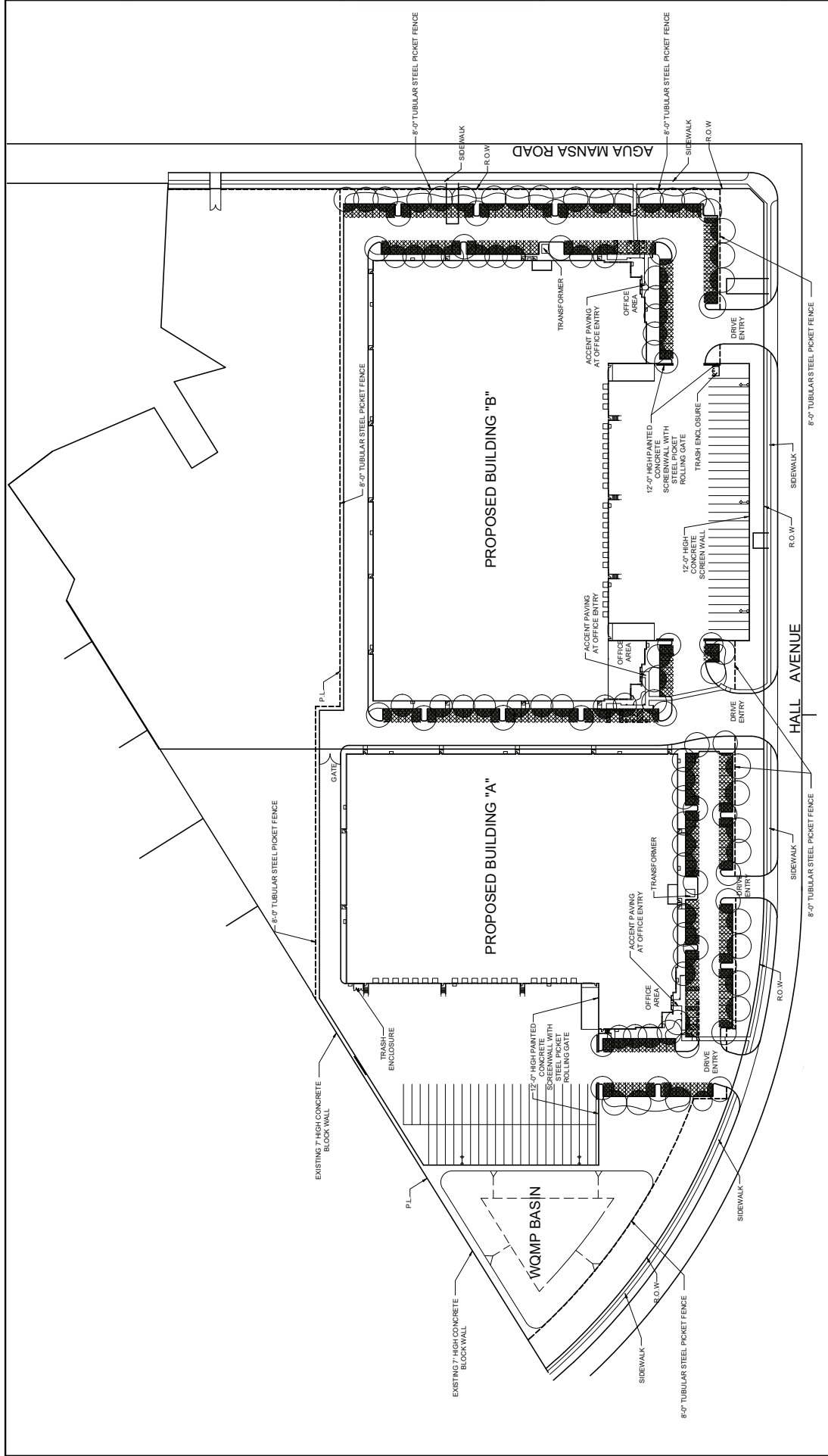
DATE: 7-10-19
JOB NO.: RGA00089
SHEET NOS.: 1-3
3 of 4 SHEETS

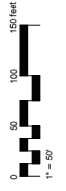


REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	SIZE
[Pattern]	PARKING LOT AREA	40.74 SF
[Pattern]	TREE SHADE	22.152 SF

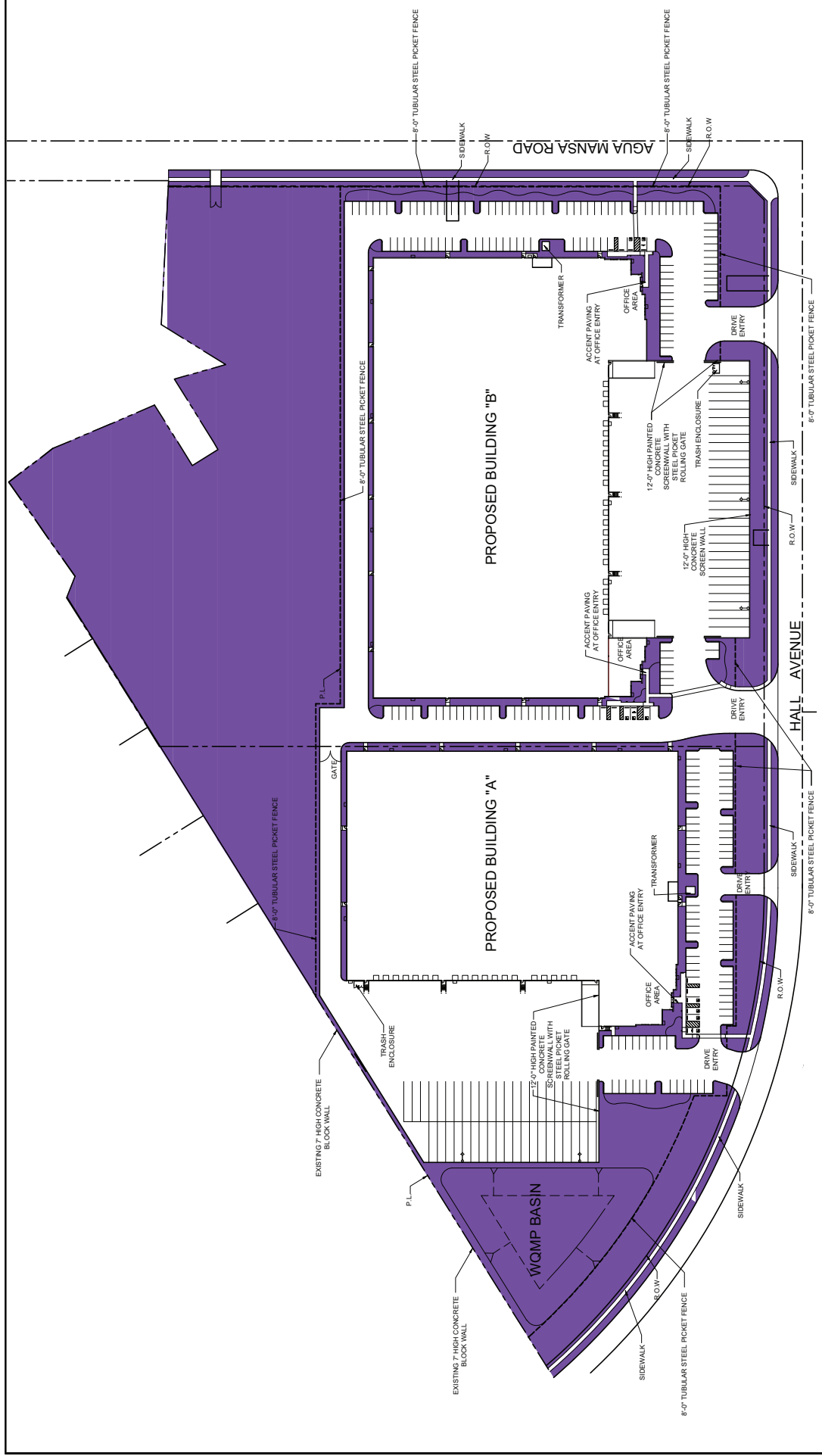
TOTAL PARKING TO BE SHADED = 40.74 SF, X 50% = 20.372 SF.
TREE SHADE IN PARKING AREAS = 22.152 SF, = 54%





REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	KEY
	PROPERTY OWNER MAINTAINED	454.062.11



REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	KEY
	PROPERTY OWNER MAINTAINED	454.062.11

ATTACHMENT 7

Air Filtration Agreement between Agua
Mansa Commerce Park and CCAEJ

April 9, 2020

Jean Kayano
Director
Center for Community Action and Environmental Justice
3848 Sunnyhill Drive
Jurupa Valley, CA 92509

and

Ms. Nancy Dinella
Community Outreach Director
IQAir North America Inc.

**RE: Memorandum of Understanding
Agua Mansa Commerce Center
Residential Air Filtration Program
Jurupa Valley, California**

Ms. Kayano and Ms. Dinella

Viridian Partners is pleased to provide the following Memorandum of Understanding (“MOU”) pursuant to which **Crestmore Redevelopment LLC (“Crestmore”)**, a Colorado limited liability company, the **Center for Community Action and Environmental Justice (“CCEJ”)**, and **IQ Air North America, Inc. (“IQAir”)** would implement a residential air filtration program (“Program”) within the City of Jurupa Valley and unincorporated San Bernardino County.

We look forward to working with you toward the successful implementation of the Program.

Respectfully;



Tate Goss
President
Viridian Partners



Erik Zitek
Regional Development Director
Viridian Partners

Cc: Mr. Anthony Kelly, Mayor of the City of Jurupa Valley
Mr. Rod Butler, City Manager of the City of Jurupa Valley
Mr. George Wentz, Assistant City Manager of the City of Jurupa Valley
Mr. Tom Merrill, Planning Director of the City of Jurupa Valley
Ms. Annette Tam, Assistant Planning Director of the City of Jurupa Valley

Table of Contents

Memorandum of Understanding

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Program.....	3
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Specifications	3
Funding Source	3
Roles and Responsibilities	4
Neighborhood Outreach	4
Installation, Monitoring, and Maintenance	4
Ownership of Unit(s)	4
Good Faith.....	4

Exhibit A – Implementation Map

Exhibit B – IQAir Program Budget

Exhibit C – HealthPro Plus Specifications

Proposed Redevelopment	<p>Redevelopment of the former Riverside Cement Company (“RCC”) plant located at 1500 Rubidoux Boulevard, Jurupa Valley California. The RCC site is a +/-280-acre brownfield property that has been impacted by over 100 years of mining and cement production and will be deed restricted for industrial re-use. The site will be remediated pursuant to a Department of Toxic Substances Control (“DTSC”) Response Plan (“RP”) and will be redeveloped into a 4.2 million square foot industrial park and 200,000 square foot business park, the (“Project”). An Environmental Impact Report (“EIR”) has been prepared for the redevelopment and is currently scheduled to be heard for certification by the City of Jurupa Valley City Council on April 16, 2020.</p>
Program	<p>A proactive air filtration program to provide air filtration units and/or filters to approximately 260 homes in proximity to the project (the “Program”). The Program will include partnering with the Center for Community Action and Environmental Justice (“CCA EJ”) and IQAir in a similar fashion as structured and implemented within Mira Loma. Per the map attached as Exhibit A, the Program will focus on homes located in</p> <ol style="list-style-type: none"> 1) Unincorporated San Bernardino County, north of El Rivino; 2) Belltown neighborhood, west of Market Street; and 3) Belltown neighborhood, west of Rubidoux Boulevard. <p>One (1) IQAir HealthPro Plus system (the “Air Filtration System”) would be installed in each home pursuant to the oversight detailed within this MOA.</p>
Term	<p>The Program would be implemented over a period of three (3) years. The Project would begin concurrently with and contingent upon Crestmore’s purchase of the land, commencement of the redevelopment of the Project, and funding of the escrow</p>
Specifications	<p>IQAir’s exclusive HyperHEPA filters stop ultrafine particles, including mold and viruses, (down to 0.003 microns). Detailed information regarding the HealthPro Plus is included in the attached as Exhibit C.</p>
Funding Source	<p>Crestmore would fund a one-time, fixed <u>\$521,772</u> Endowment into escrow, within thirty (30) days of Crestmore’s closing of the land purchase for the Project, and such Endowment would subsequently be managed and disbursed by the escrow agent as the Program is implemented (the escrow agent and escrow/disbursement terms to be mutually agreed upon in writing in advance by Crestmore, CCA EJ and IQAir).</p> <p>The Endowment would include:</p> <ol style="list-style-type: none"> 1) IQAir contract amount of \$463, 011 for equipment and installment, as outlined in the attached as Exhibit B; 2) A CCA EJ custodial fee of \$55,561 payable within five (5) business day establishing the escrow; and

- 3) A neighborhood canvassing fee \$3,200.00 (Example: 20hrs. x 4 people x 40 hours = \$3,200) payable from the escrow funds paid by Crestmore, to CCAEJ for homeowner outreach and canvassing the local area.

Roles and Responsibilities

Crestmore would be responsible for funding 100% of the Endowment escrow upon commencement of the Program and for paying the escrow agent's fees.

CCA EJ would be responsible for the following:

- Advertising the Program to the residents the three (3) neighborhoods;
- Management of the approvals, orders, and oversight of the residential survey and equipment installation; and

IQAir would be responsible for the installation, maintenance, and technical guidance to the homeowners, as necessary.

Neighborhood Outreach

CCA EJ would implement a letter writing campaign and canvas the neighborhoods outlined in **Exhibit A** to notify homeowners of the Program and how to obtain their air filtration system.

Installation, Monitoring, and Maintenance

IQAir would provide the air filtration systems and replacement filters at the time of delivery. In addition, IQAir would provide warranty and maintenance work as may be necessary.

IQAir and CCA EJ would provide on-site training to homeowners.

Ownership of Unit(s)

Homeowners will have the right to accept or reject the installation of an Air Filtration System. Should a homeowner accept an Air Filtration System, the system would become a fixture appurtenant to the real estate and would remain with the property during the life of the system.

If a homeowner rejects installation of a system, the funds otherwise earmarked for that home would be held in reserve for replacement filters in other units or in the case of severe need, the augmentation of the equipment in qualified homes.

Good Faith


Upon acceptance of this Memorandum of Understanding, Crestmore, CCA EJ and IQAir agree to negotiate in good faith a tri-party contract for the implementation of the Program within thirty (30) days following the date of this MOA. All information shared between the parties would be treated as confidential and proprietary to the party sharing the information.


This MOA is an outline of proposed terms to aid in the discussion of a potential transaction between Crestmore, CCAEJ, and IQAir, and is not legally binding. All binding rights and obligations would be included in a tri-party agreement, mutually approved and executed by the parties.

Agreed & Accepted:

Crestmore Redevelopment, LLC CCAEJ

IQAir North America, Inc.


By: _____
Title: Vice President
Date: 04/09/2020


By: _____
Title: Associate Director
Date: 4/14/20


By: _____
Title: CEO
Date: 4/15/2020

Belltown, west of Rubidoux

Bound by Rubidoux Boulevard, 28th Street, Avalon Street, and 30th Street





Bound by Rubidoux Boulevard, 28th Street, Avalon Street, and 30th Street

Belltown, west of Market



Bound by Market Street, 24th Street, Hall Avenue, 26th Street, undeveloped land and Adams Motorsports

Unincorporated San Bernardino County



Bound by El Rivino Road, Brown Avenue/Halbrook Lane, Kiningham Drive, Cactus Avenue



14351 Firestone Blvd.
La Mirada CA 90638
United States
1-877-715-4247

Bill To

Viridian
1805 Shea Center Dr
250
Highlands Ranch CO 80129
United States

Customer Notes

CCAEJ - Brownfield/Viridian Project. Includes 500 total Health Pro Plus systems and replacement filters for a total of 2 systems each at a total of 250 residences.

3/19/2020 - Per Nancy Dinella - Includes 264 total Health Pro Plus systems and replacement filters for a total of 1 system each at a total of 264 residences.

3/19/20: Revised per GDH

Quote

Date
2/25/2020

Quote #
034626

Ship To

Center for Community Action & Environmental Justice
3840 Sunnyhill Drive
Riverside CA 92509
United States

Item	Description	Quantity	Units	Rate	Tax	Amount
	Installation of 2 HealthPro Pluses in 250 homes					
1BB UA0 DGU / HealthPro Plus System	HealthPro Plus System	264	Each	899.00	Yes	237,336.00
Service Management Fees	Service Management Fees [Delivery/Installation: \$60 per system]	264		60.00		15,840.00
Subtotal						253,176.00
	5 Year supply of replacement filters					
102 10 10 00 / PreMax Pre-Filter	PreMax Pre-Filter (HP/HPP/HPC/CZ H13) [Filter Replacement: every 12-18 months]	1,056	Each	69.00	Yes	72,864.00
102 18 10 00 / V5-Cell Gas & Odor Filter (HPP)	V5-Cell Filter, Gas & Odor Control (HPP) [Filter Replacement: every 2 years]	528	Each	99.00	Yes	52,272.00
102 14 14 00 / HealthPro HyperHEPA Filter	HealthPro Series HyperHEPA Filter [Filter Replacement: every 4 years]	264	Each	199.00	Yes	52,536.00
Subtotal						177,672.00

Subtotal 430,848.00
Tax (CA-Riverside County, 7.75% (Jan 1, 2017) 7.75%) 32,163.12
Total \$463,011.12

Thank you for choosing IQAir!
Shipping cost subject to change based on actual package count at time of fulfillment. Please refer to your invoice.

 **IQAir**[®]



THE WORLD'S
MOST ADVANCED
AIR PURIFIER.



What Makes the IQAir® HealthPro® Plus the Best?

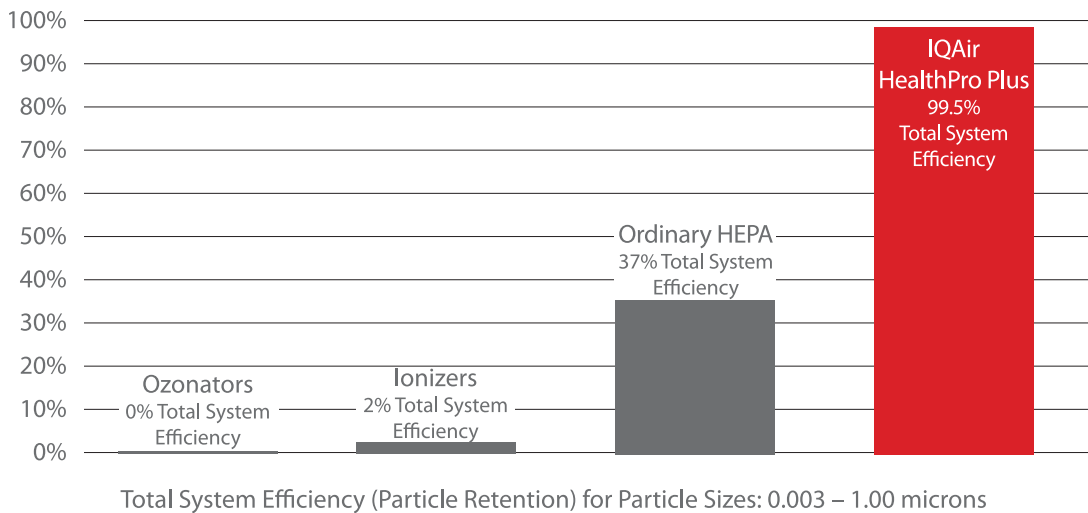


The Highest Total System Efficiency

Not all air cleaners are created equal and efficiency statements can be deceptive. For instance, air purifiers with HEPA filters often advertise inefficiencies of 99.97% for particles of 0.3 microns or larger – this is about 240 times smaller than the width of a human hair. That sounds very impressive, but this claim is based on the theoretical efficiency of the HEPA filter material used and not on the actual clean air produced by that air cleaner. System leakage and inferior construction can greatly reduce the air filtration efficiency of an air cleaner. Independent testing indicates that many commonly sold air cleaners – even some very popular brand names – don't meet 10% of their label claims. That's why IQAir is different.

High quality components and Swiss construction deliver the highest total system efficiency. Advanced testing with laser particle counters allows us to determine the actual filtration efficiency of the HealthPro Plus. The HealthPro Plus is the first air purifier to ever achieve a "0" (zero) reading on a particle counter test. This means that advanced testing equipment can find no particles escaping the advanced HyperHEPA filtration.

The HyperHEPA® Difference



The Smallest Particles are the Most Dangerous

Most air cleaners are designed and tested to filter particles 0.3 microns and larger, but this size range only makes up approximately 10% of all airborne particulates. A much more dangerous particle size that is not addressed by the majority of consumer air cleaners are ultra-fine particles. Numerous scientific studies have proven that ultra-fine particles are the most harmful to our health. Ultra-fine particles are defined as “those particles 0.1 microns in size and smaller.” These particles are in a size range much easier to inhale and absorb into our lungs than larger particulates. In the case of an ultra-fine airborne irritant such as cat allergens, the faster absorption rate can cause an almost instant allergic response.

After being inhaled into the lungs, ultra-fine particles can be absorbed through lung tissue and enter the human blood stream. Recent studies by the American Heart Association states these ultra-fine particles can significantly increase the risk of heart attacks and strokes. This is because ultra-fine particles are small enough to penetrate a cell’s mitochondria (the center and brain of the cell) and cause cell damage. A recent study from the California Air Resources Board estimates that ultra-fine particles subtract 10 years from a person’s life.

Guaranteed to Eliminate the Smallest Particles

IQAir’s HyperHEPA filtration is tested and certified to filter down to 0.003 microns (the world’s smallest particle) with a guaranteed minimum efficiency of over 99.5%. This is 100 times smaller than what can be achieved by ordinary HEPA technology. IQAir’s patented HyperHEPA can remove all particle sizes, down to the very smallest particles that can be measured and it does so at an efficiency rating that has never before been achieved in a home air cleaner. This is because the HealthPro Plus is the world’s first room air cleaner with filters certified under the most stringent filter standard EN (European Norm) 1822. IQAir’s HyperHEPA filter has received the official H12/H13 certification guaranteeing the cleanest, freshest air possible in your home.

IQAir: First in Air Quality



In 1963, the brothers Klaus and Manfred Hammes introduced the world’s first residential air cleaner. It was designed to help people who had coal burning stoves remove dust and soot from the air. Soon they discovered that people who had their air cleaners were experiencing better health. Manfred, a life-long allergy and asthma sufferer, was the first person to benefit from his own machine.

From Our Family to Yours



Today, the air cleaning legacy continues in the second generation of the Hammes family. Frank Hammes, President of IQAir, is responsible for revolutionizing the world of high-performance room air cleaners. His brother, Jens Hammes, works with doctors and scientists around the world to develop new uses for air cleaning technology. Klaus Hammes, IQAir’s founder, can still be found on the production line inspecting air cleaners. Our Swiss quality assurance provides you with the very best air cleaner you’ll ever own.

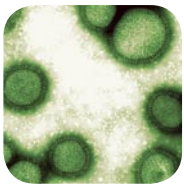
The HealthPro® Plus Removes the Most Allergens and Household Pollutants

For an air cleaner to effectively help reduce symptoms of allergies and asthma, it needs to remove significant amounts of airborne allergens and pollutants. Many people have purchased air cleaners only to be disappointed the device actually seemed to do little or nothing to improve their health. This is because most air cleaners cannot reduce the indoor concentrations of airborne irritants that cause allergies and asthma. In contrast, the HealthPro Plus' ultra-high efficiency filtration is so powerful, it can remove as much as 100 times the amount of air pollutants and allergens as some commonly sold air cleaners. In fact, it is the HealthPro Plus' outstanding performance at removing high concentrations of airborne pollution particles, chemicals, and gases that has earned it the reputation among doctors of being "...the air cleaner that works!"

There are thousands of substances that can create a toxic soup of indoor air pollution and allergens inside your home. The HealthPro Plus removes more of these harmful substances than any other air cleaner.



Pet Dander: Size 0.003-25 microns. Pet dander is the skin flakes and fur that your pet sheds. Pet dander is a known asthma and allergy trigger. Pet dander can be found anywhere in a home: floors, carpets, walls, furniture, bedding and ceilings. It is so small it can become attached to your clothing even if you do not own a pet.



Common Flu Virus: Size 0.005-0.3 microns. The flu is an airborne virus. People carrying the virus can be contagious for one to four days before they show symptoms. High efficiency air cleaning is an important tool to reduce the risk of infection.



Pollen: Size 0.35-250 microns. One of the most common allergens is pollen. It affects your nose, eyes, and mouth making it difficult to breathe. Most pollen that produces allergic reactions is from trees, grasses, and weeds.



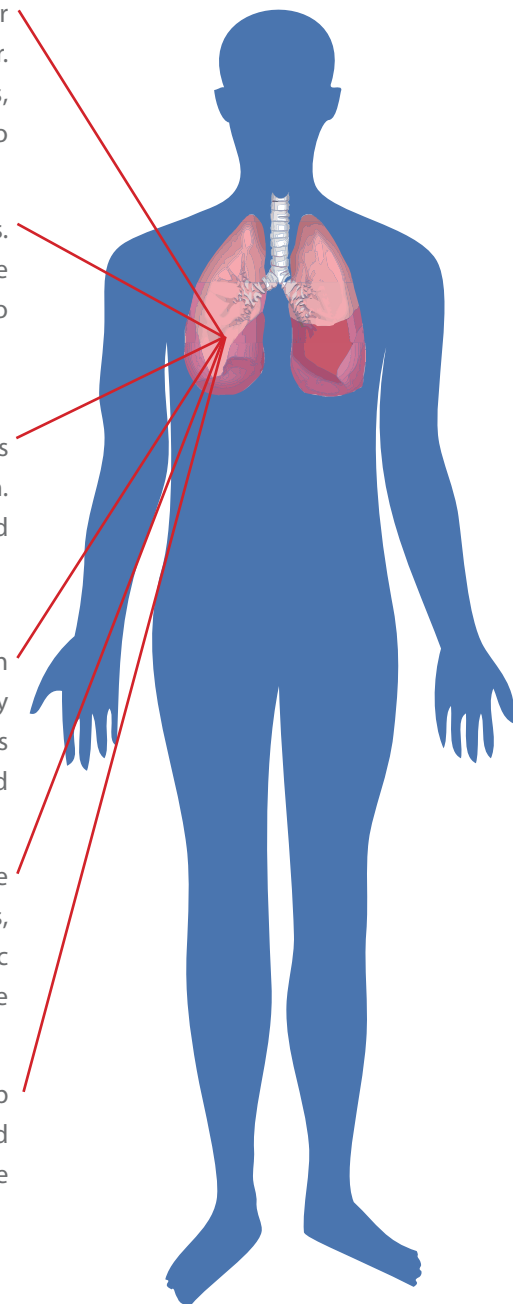
Mold Spores: Size 1-75 microns. Mold spores can be found anywhere in a home, inside walls, on floors and ceilings, and as they reproduce they can contribute significantly to creating an unhealthy environment. This is because the mold can contain toxins that can trigger asthma attacks and allergic symptoms.



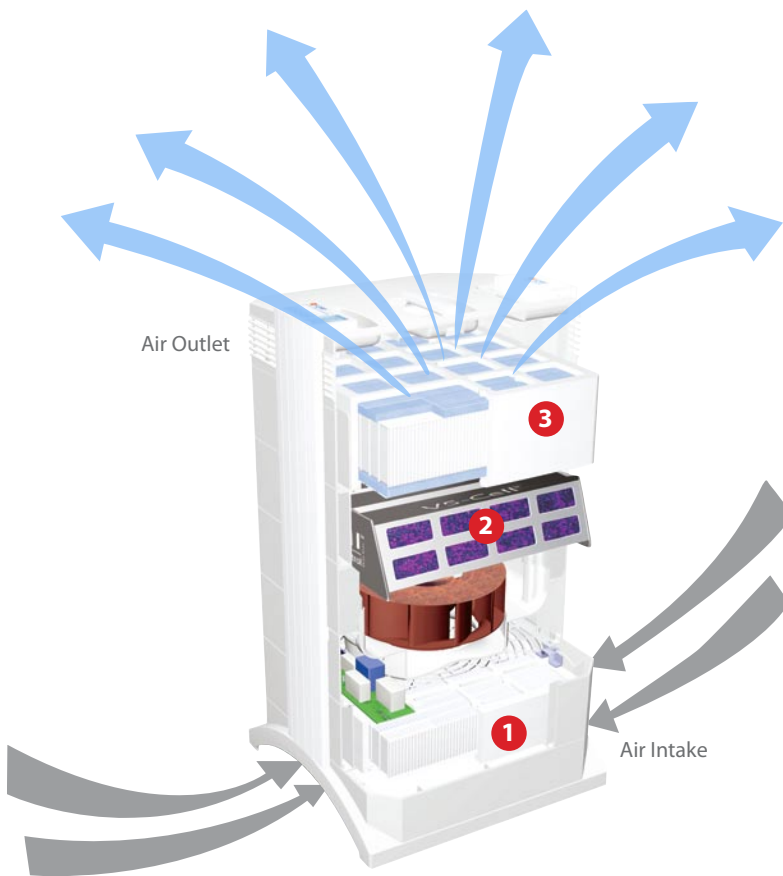
Dust Mites: Size 0.003-25 microns. Dust mites are tiny insects that thrive in warm, humid, and dark conditions like mattresses, carpets, sheets, pillows, and upholstery. Dustmites themselves do not cause allergic reactions, however their ultra-fine particle dung-pellets become airborne and cause breathing difficulties in sensitive people.



Household Cleaners and Chemicals (gases): Many people develop sensitivities to chemicals and gases inside their homes. These chemicals and gases may come from household cleaners, chemicals used to manufacture furniture, carpets, building materials, and many other sources.



How the HealthPro® Plus Works



Air is drawn in at the bottom of the air cleaner and passes through a series of filters. 100% filtered air is then expelled out of the top of the air cleaner.

- 1 Powerful Pre-filtration: PreMax™ Pre-Filter**
Eliminates micro-particles such as pollen, pet dander and mold spores.
- 2 The Most Advanced Gas & Odor Filter: V-5 Cell™ with Dual Filtration Technology**
Granular Activated Carbon Adsorption
Eliminates volatile organic compounds (VOC), which are responsible for odors.
Pelletized Chemisorption
Destroys harmful chemicals, such as formaldehyde, by an oxidation process inside a chemically active alumina pellet.
- 3 The Most Effective Particulate Filtration: HyperHEPA® Filtration**
Eliminates ultra-fine particles, such as bacteria, viruses and combustion particles from automobiles and smoke, through a tightly woven, nano-fiber structure.

The unique design of the HealthPro Plus helps prevent shortcutting, which reduces the effectiveness of most air cleaners. Shortcutting occurs when the air outlet and air intake of an air cleaner are positioned too close to one another. This allows the newly filtered air from the air cleaner to be immediately re-filtered, wasting precious air cleaning capacity that should be used to filter polluted room air. With its air intake and air outlet at opposite ends, the HealthPro Plus virtually eliminates shortcutting.

Real People, Real Results



Lisa Whiting and son

"Brant is what they term a very severe uncontrolled asthmatic. He has been in and out of the Intensive Care Unit. He actually had a cardiac and respiratory arrest from asthma. I checked into a lot of different air purifiers and finally settled on IQAir. It has changed our lives. Instead of waking up with nightly asthma attacks – he has had virtually no asthma attacks."



Yewki Tomita

"I am an elite athlete (gymnast) and being at my best at all times is crucial. I am very sensitive to environmental allergens, including trees, weeds, molds, dust and pets. I train two times a day, and I need to be at peak performance every time. After I started using IQAir, I saw an immediate improvement in my breathing and sleeping, and also my mental clarity improved. IQAir gives me a competitive edge that I will use for the rest of my life, even after my gymnastics career."

The #1 Rated Air Purifier



Consumers Digest

The HealthPro Plus has received Consumers Digest's prestigious BEST BUY award. Consumers Digest found the HealthPro Plus to be "ideal for allergy sufferers" and praised its ability to clean the air in large spaces.



PTPA

The HealthPro Plus has been selected as one of the Top 10 Products for Parents by Parent Tested Parent Approved (PTPA) Media. PTPA rates products based on the experiences of parent testers across North America, and reviews products from more than 500 companies to compile their annual Top 10 list.



Consumer Guide

The HealthPro Plus received Consumer Guide's prestigious Best Buy rating. Consumer Guide calls the HealthPro Plus "...the world's most advanced air cleaner available for homes and offices." And they noted that the HealthPro Plus offers its ultra-high efficiency performance while running quietly.



Newsweek

The HealthPro Plus passed Newsweek's toughest test! Newsweek Magazine tested the HealthPro Plus and reported: "We tested it in a basement that had been collecting dust for 20 years, and after two days, that musty smell was gone."



Reviewboard Magazine

The HealthPro Plus has been awarded Reviewboard Magazine's EDITOR'S CHOICE AWARD "BEST OF THE BEST" for two consecutive years. The HealthPro Plus is the first product ever to receive this award twice.



Discovery Health

When the Discovery Health TV series set out to examine the world of air cleaning, they found the HealthPro Plus to be the only air purifier to produce a "0" (zero) reading on a particle scan test. Their sensitive testing equipment could find no particles escaping the system's powerful HyperHEPA filtration.



Extreme Makeover: Home Edition

Whenever the popular ABC television show Extreme Makeover: Home Edition needs to create an ultra-clean home for a deserving family with health concerns, they turn to the world's leader in advanced air cleaning solutions: IQAir.



Consumer Search

Consumer Search reviews the reviewers and says the HealthPro Plus "is the best option for people with severe allergies." After looking at the many product reviews in the air cleaner category, Consumer Search says that IQAir is clearly #1.



100% Healthy Technology

The IQAir HealthPro Plus is 100% ozone-free. It is certified by the IAACM (International Association of Air Cleaner Manufacturers) to produce absolutely no ozone. Ozone is a lung irritant that is emitted from ionic air cleaners. Even small amounts of ozone are undesirable for allergy and asthma sufferers.

Compare for Yourself



Frank Hammes, President of IQAir

Our family's 40-year tradition of building the world's best air cleaners has allowed us to develop the HealthPro Plus. Since the HealthPro Plus was launched, it has received more #1 product reviews than any other air purifier on the market. Professional reviewers consider many criteria in making their decision as to what really constitutes the "best" air purifier. The one thing that none of the reviewers have failed to notice, though, is that they have never before evaluated an air purifier that has the air cleaning power of the IQAir HealthPro Plus. We are proud and honored that so many experts agree.

This is another reason why the HealthPro Plus has **more #1 product reviews** than any other air purifier. The HealthPro Plus' **HyperHEPA filtration is #1 for filtration efficiency**, and IQAir's patented V-5 filtration provides the **#1 most advanced gas and odor filtration available**. IQAir systems offer proven advantages other air purifiers simply don't have. Just take a look below.

#1 for Hospitals



IQAir makes the #1 air purifier used in hospitals worldwide. Many people consider hospitals the most critical health environment – a place where clean air literally means the difference between life and death. Doctors and other caregivers need to be protected from cross contamination of infectious disease while they care for patients. Patients need to be protected from viruses, bacteria, and other microscopic airborne pollutants that can hinder their recovery. Patients with severe allergies and asthma need relief from their respiratory symptoms. Patients with lung infections need an environment free of airborne contaminants. IQAir is very proud of its history of providing hospitals with the very best in air filtration systems.

The Hong Kong Hospital Authority tested many air purifiers. They determined that IQAir made the only room air purifiers suitable to fight against SARS.

Special Features	Ozonators	Ionizers	Ordinary HEPA	IQAir HealthPro® Plus
Captures Over 99.5% of Viruses				✓
Captures Over 99.5% of Bacteria				✓
Captures Over 99.5% of Pet Allergens				✓
Captures Over 99.5% of Mold Spores				✓
Captures Over 99.5% of Dust and Pollen				✓
Medical-Grade Filtration				✓
Advanced Gas & Odor Control				✓
100% Sealed Filtration				✓
Certified Ozone-Free by the IAACM			✓	✓
Filter Life Monitor				✓
Low Maintenance Requirements			✓	✓

5 Year Warranty



Engineered and built at the Hammes family factory in Switzerland, each IQAir air purifier is an example of Swiss precision engineering, superior craftsmanship, and continuous research and development. The Swiss IQAir production facility only uses the finest components, and great attention to detail is given to each IQAir system built (much like a fine Swiss watch). Our Swiss quality assurance provides you with the best air cleaner you'll ever own.

The IQAir HealthPro Plus is an investment in clean air for many years to come. IQAir is proud to cover the HealthPro Series in the US and Canada for a full five (5) years against defects in parts and labor. Filters are consumables and exempt from this warranty.

Chosen by the American Lung Association



IQAir is proud to have been chosen by the American Lung Association as their educational partner for the air cleaner industry. "We are honored to be selected as an American Lung Association partner", says IQAir President, Frank Hammes. "They are the world's most reputable organization committed to lung health." This exclusive partnership combines the American Lung Association's 100 year commitment to preventing lung disease and promoting lung health with IQAir's 45-year commitment to air cleaning excellence.

World-Class Performance: Swiss Quality



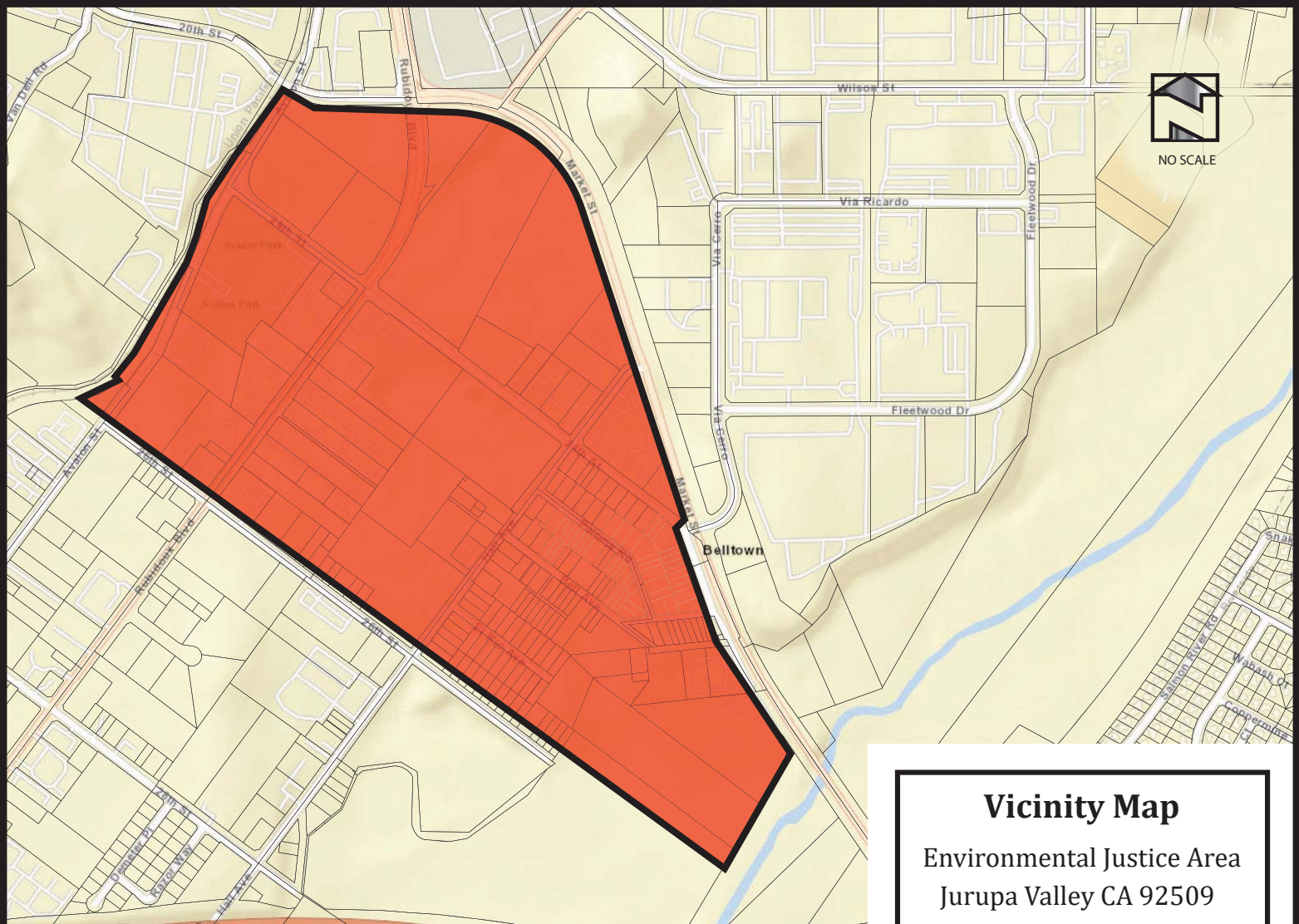
IQAir makes the only individually tested and certified air cleaners available for home use. This is a requirement we have for hospitals, and we provide this same level of testing and assurance to all of our customers. After all, your home, like a hospital, is a very important health environment. Each HealthPro Plus is individually tested and certified before it leaves our factory in Switzerland. Your HealthPro Plus arrives to you with a hand-signed certificate of performance, so that you will know the exact efficiency of your air cleaner.

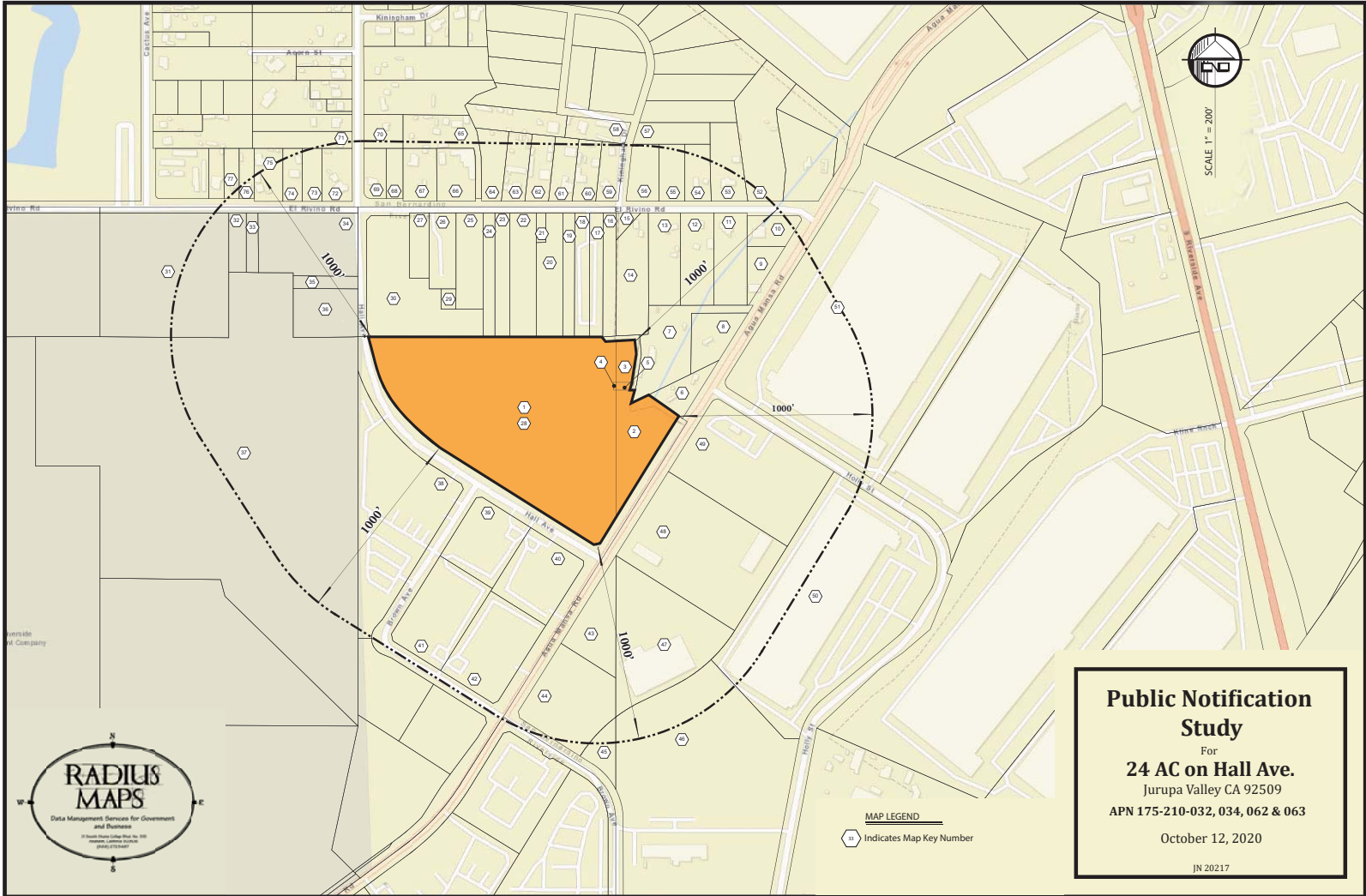
Contact your IQAir Authorized Dealer today:

Visit www.iqair.com

ATTACHMENT 8

Radius Map and EJ map for public noticing





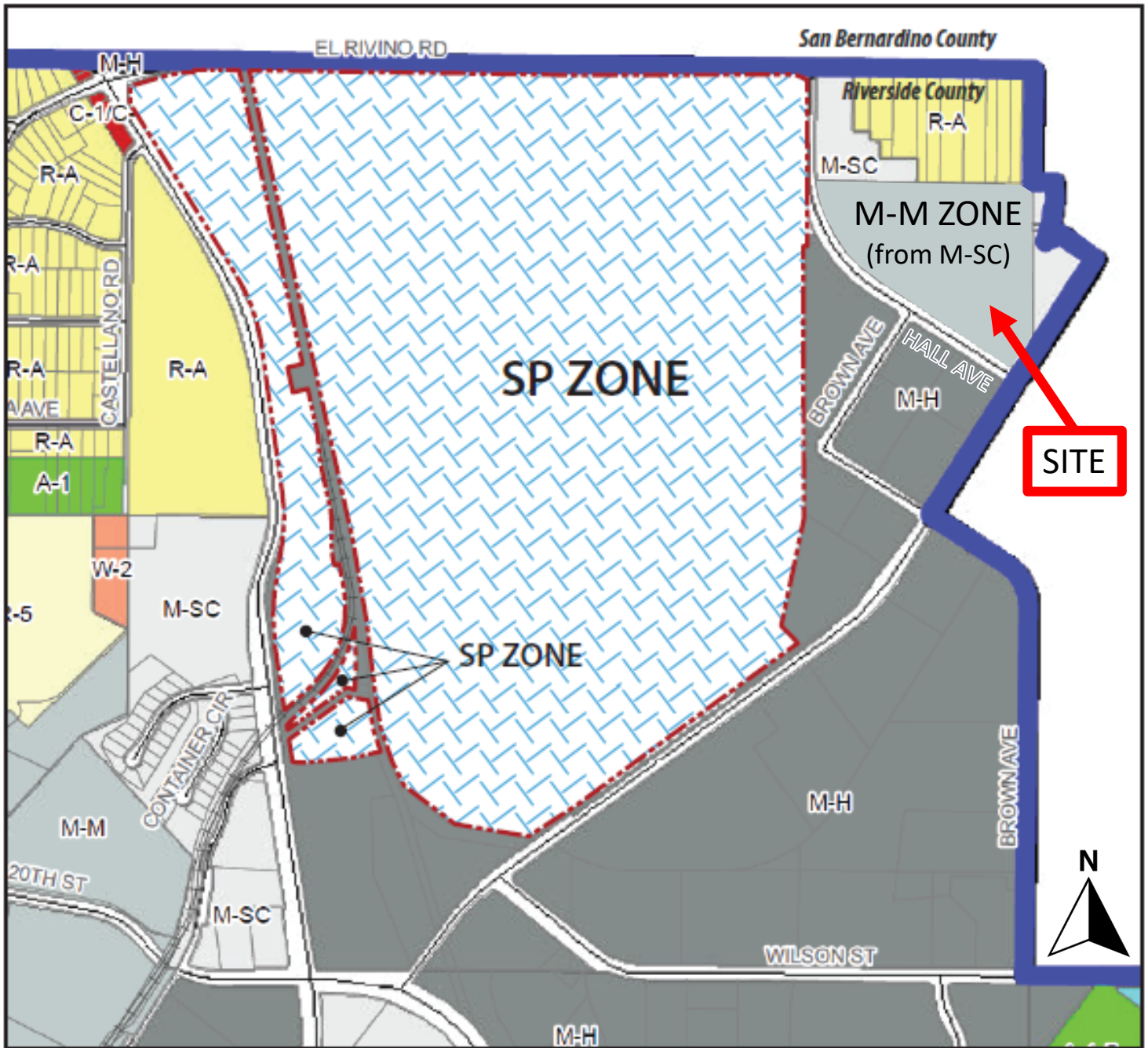
Public Notification Study
 For
24 AC on Hall Ave.
 Jurupa Valley CA 92509
 APN 175-210-032, 034, 062 & 063
 October 12, 2020
 JN 20217

MAP LEGEND
 [Hexagon with number] Indicates Map Key Number









ATTACHMENT 9

Proposed Change of Zone and General Plan Amendment Exhibits

MA18008 - CHANGE OF ZONE EXHIBIT



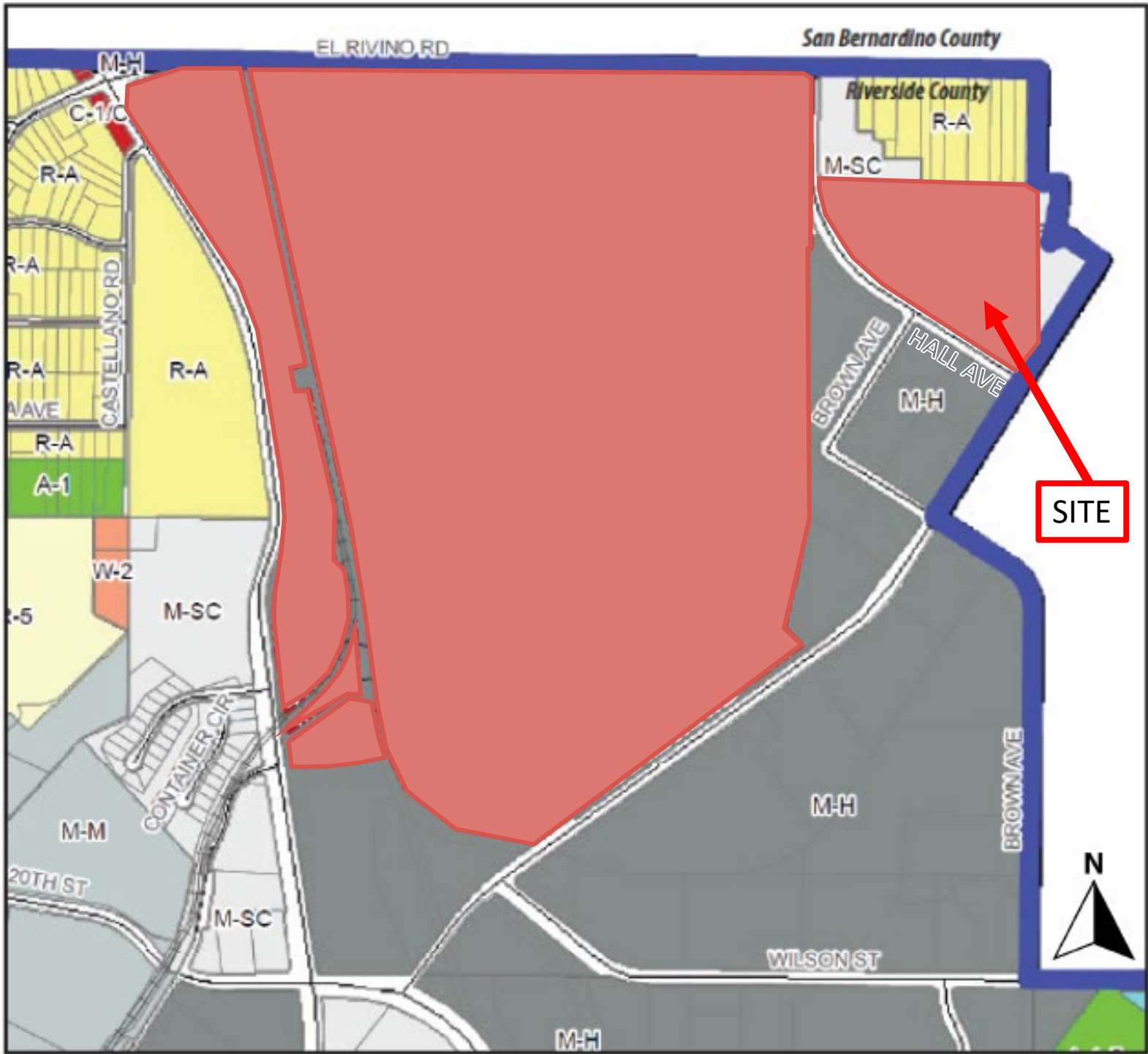
Zoning

-  R-A
-  W-2
-  A-1
-  C-1/C-P
-  M-SC
-  M-M
-  M-H
-  SP-ZONE

Base Map Features

-  City of Jurupa Valley Boundary
-  Railroads

MA18008 - GENERAL PLAN AMENDMENT



Zoning

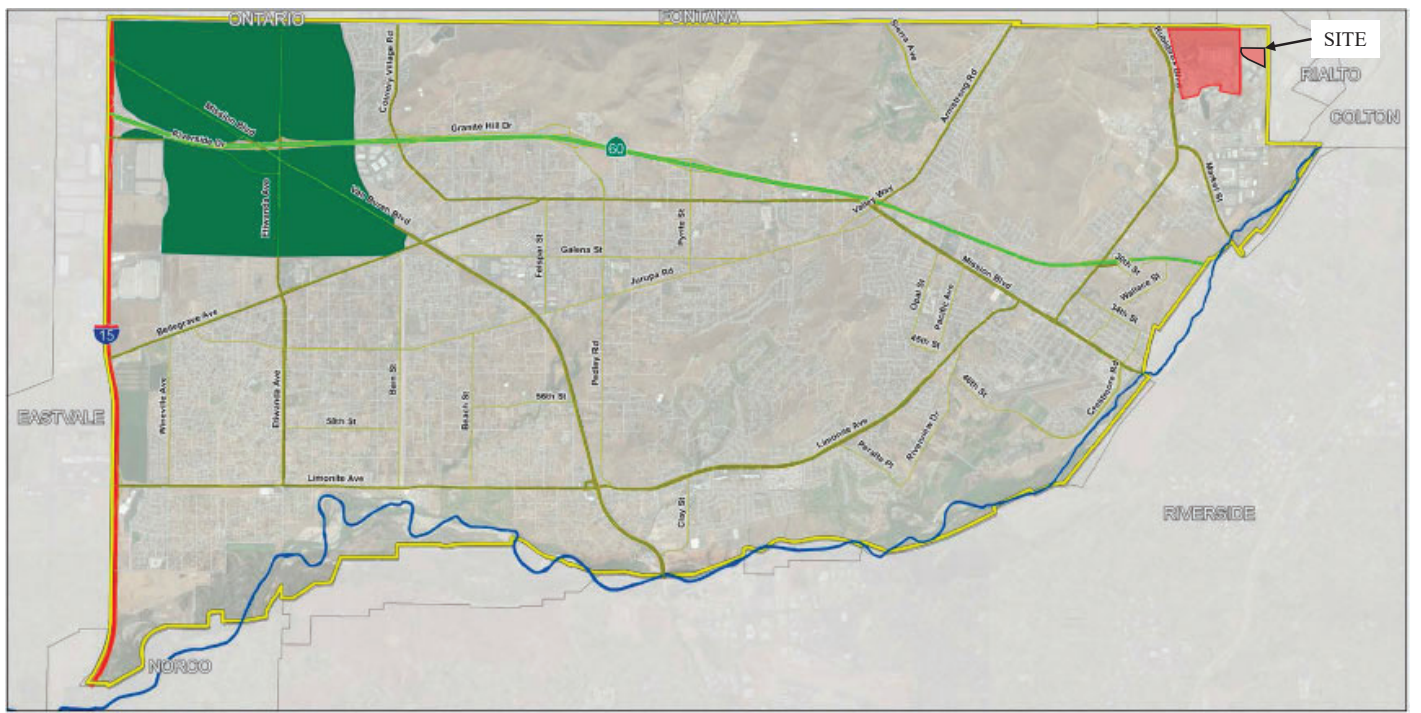
- R-A
- W-2
- A-1
- C-1/C-P
- M-SC
- M-M
- M-H
- Agua Mansa Overlay

Base Map Features

- City of Jurupa Valley Boundary
- Railroads

ATTACHMENT 10

Mira Loma and Agua Mansa Warehouse
and Distribution Center Overlays



Jurupa Valley Planning Department

- Mira Loma Warehouse and Distribution Center Overlay (MLO)
- Agua Mansa Warehouse and Distribution Center Overlay (AMO)
- City of Jurupa Valley
- AMO Expansion
- Santa Ana River

ATTACHMENT 11

Adopted Agua Mansa Warehouse and Distribution
Center Overlay General Plan policies

Agua Mansa Warehouse and Distribution Center Overlay

The Agua Mansa Warehouse and Distribution Center Overlay (AMO) is located in the northeast section of the City and allows for warehousing and distribution, logistics, and other goods storage facility uses provided the proposed use complies with the policies of this overlay. This overlay, in addition to the Mira Loma Warehouse and Distribution Center Overlay, is designed to limit the locations of warehousing, distribution, logistics, and similar uses to certain areas within the City, including the Agua Mansa Warehouse and Distribution Center Overlay area.

The Agua Mansa Warehouse and Distribution Center Overlay may be established on a property or project site in order to allow logistics if the project includes a General Plan Amendment to establish the overlay on the site and is consistent with the policies in **LUE X.XX**.

Policies

LUE X.XX **Permitted Uses.** Permit warehousing and distribution uses, logistics, intermodal transfer facilities, trucking terminals, cross dock facilities, and other goods storage facilities in the Heavy Industrial land use designation only in the Agua Mansa Warehouse and Distribution Center Overlay area, subject to the following:

1. The project applicant enters into a development agreement with the City that provides for community benefits that off-set the loss of potential manufacturing or commercial uses that would otherwise generate higher paying jobs and tax base;
2. The project exemplifies extraordinary design quality consisting of a campus-like setting that enhances and beautifies the streetscape and surrounding areas;
3. The project provides for adequate protection of residential neighborhoods from truck traffic and air pollution;
4. The project is consistent with the goals of the 2017 General Plan; and
5. One of the following zoning classifications applies to the project site:
 - S-P (Specific Plan);
 - M-M (Manufacturing - Medium); or
 - M-H (Manufacturing - Heavy).

This policy shall not apply to firms that only store goods that are manufactured or assembled on-site. In such a case, the use shall be evaluated based on the underlying General Plan land use designation, and any potential impacts on the community from diesel and other hazardous emissions, traffic generation, local existing land use compatibility and other environmental and socioeconomic concerns. Any manufacturing project proposal outside of the aforementioned

area that is in excess of 200,000 square feet in size shall be required to obtain a Conditional Use Permit from the City. No warehouses, distribution centers, intermodal transfer facilities (railroad to truck), trucking terminals, or cross dock facilities shall be allowed outside of the boundaries of this overlay, except as otherwise permitted in the Mira Loma Warehouse and Distribution Center Overlay.

Agua Mansa Warehouse and Distribution Center Overlay

Adopted by City Council on April 16, 2020

NEW OVERLAY TO GENERAL PLAN (To be inserted after “Mira Loma Warehouse and Distributon Center Overlay” description on page 2-63

Agua Mansa Warehouse and Distribution Center Overlay

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The Agua Mansa Warehouse and Distribution Center Overlay may be established on a property or project site in order to allow logistics if the project includes a General Plan Amendment to establish the overlay on the site and is consistent with the policies in **LUE X.XX**.

Policies

LUE X.XX **Permitted Uses.** Permit warehousing and distribution uses, logistics, intermodal transfer facilities, trucking terminals, cross dock facilities, and other goods storage facilities in the Heavy Industrial land use designation only in the Agua Mansa Warehouse and Distribution Center Overlay area, subject to the following:

1. The project applicant enters into a development agreement with the City that provides for community benefits that off-set the loss of potential manufacturing or commercial uses that would otherwise generate higher paying jobs and tax base;
2. The project exemplifies extraordinary design quality consisting of a campus-like setting that enhances and beautifies the streetscape and surrounding areas;
3. The project provides for adequate protection of residential neighborhoods from truck traffic and air pollution;
4. The project is consistent with the goals of the 2017 General Plan; and
5. One of the following zoning classifications applies to the project site:
 - S-P (Specific Plan);
 - M-M (Manufacturing - Medium); or
 - M-H (Manufacturing - Heavy).

Agua Mansa Warehouse and Distribution Center Overlay
Adopted by City Council on April 16, 2020

This policy shall not apply to firms that only store goods that are manufactured or assembled on-site. In such a case, the use shall be evaluated based on the underlying General Plan land use designation, and any potential impacts on the community from diesel and other hazardous emissions, traffic generation, local existing land use compatibility and other environmental and socioeconomic concerns. Any manufacturing project proposal outside of the aforementioned area that is in excess of 200,000 square feet in size shall be required to obtain a Conditional Use Permit from the City. No warehouses, distribution centers, intermodal transfer facilities (railroad to truck), trucking terminals, or cross dock facilities shall be allowed outside of the boundaries of this overlay, except as otherwise permitted in the Mira Loma Warehouse and Distribution Center Overlay.

**Agua Mansa Warehouse and Distribution Center Overlay
Adopted by City Council on April 16, 2020**

PROMOTING ECONOMIC SUSTAINABILITY AND PROSPERITY (PAGE 2-22)

The 2017 General Plan provides for major employment centers at the I-15/SR 60 junction, in the Mira Loma Warehouse Center Overlay, shown in *Figure 2-7*, in the Agua Mansa Warehouse and Distribution Center Overlay, shown in *Figure -*, along sections of Van Buren Boulevard, and in the Agua Mansa area.

Typical employment uses within Business Park and Light Industrial designated areas include research and development, manufacturing, assembly, research institutions, academic institutions, medical facilities, and support commercial uses. Heavy Industrial designated areas accommodate the most intensive types of industrial activities, including heavy manufacturing and processing plants.

**Agua Mansa Warehouse and Distribution Center Overlay
Adopted by City Council on April 16, 2020**

HEAVY INDUSTRIAL (HI) (PAGE 2-40)

The Heavy Industrial land use designation allows for intense industrial activities that may have significant impacts (noise, vibration, glare, odors) on surrounding uses. It also allows for warehousing, distribution, and logistics centers within the Agua Mansa Warehouse and Distribution Center Overlay. Floor area ratios range from 0.15 to 0.5.

**Agua Mansa Warehouse and Distribution Center Overlay
Adopted by City Council on April 16, 2020**

**MIRA LOMA WAREHOUSE AND DISTRIBUTION CENTER OVERLAY (PAGES
2-62
TO 2-63)**

The Mira Loma Warehouse and Distribution Center Overlay (MLO) is located in the northwest section of the City and consists primarily of large logistics warehouses with storage, loading, and shipping facilities and industrial/manufacturing properties. The area has a high concentration of commercial and industrial truck traffic, and includes some small-scale retail commercial and services adjacent to a small residential neighborhood.

This overlay, in addition to the Agua Mansa Warehouse and Distribution Center Overlay, is designed to limit the locations of logistics and other similar supply-chain uses to certain areas within the City, including the Mira Loma Warehouse and Distribution Center Overlay area. Its boundaries are shown in Figure 2-7 (page 2-23). These uses generate a greater concentration of heavy commercial truck traffic than other typical manufacturing uses and thus, generate significant environmental impacts on air quality, noise, and traffic.

Policies

The following policies apply within the Mira Loma Warehouse and Distribution Center Overlay.

LUE 5.43 Permitted Uses. Permit warehousing and distribution uses, logistics, and other

goods storage facilities in the Business Park, Light Industrial, and Heavy Industrial land use designations only in the following area:

The area in Mira Loma defined and enclosed by these boundaries: San Sevaine Channel from Philadelphia Street southerly to Galena Street on the east, Galena Street from the San Sevaine Channel westerly to Wineville Road on the south, Wineville Road northerly to Riverside Drive, then Riverside Drive westerly to Milliken Avenue, then Milliken Avenue north to Philadelphia Street on the west, and Philadelphia Street easterly to the San Sevaine Channel on the north.

This policy shall not apply to firms that only store goods that are manufactured or assembled on-site. In such a case, the use shall be evaluated based on the underlying general plan land use designation, and any potential impacts on the community from diesel and other hazardous emissions, traffic generation, local existing land use compatibility, and other environmental and socioeconomic concerns. Any manufacturing project proposal outside the aforementioned area that is in excess of

Agua Mansa Warehouse and Distribution Center Overlay
Adopted by City Council on April 16, 2020

200,000 square feet in size shall be required to obtain a Conditional Use Permit from the City. No warehouses, distribution centers, intermodal transfer facilities (railroad to truck), trucking terminals, or cross dock facilities shall be allowed outside the ~~aforementioned area~~ boundaries of this overlay, except as otherwise permitted in the Agua Mansa Warehouse and Distribution Center Overlay.

LUE 7.7 **Industrial, Warehousing and Service-Commercial Growth Areas.** Limit industrial, warehousing and service-commercial uses to the Mira Loma Warehouse and Distribution Center Overlay (*Figure 2-7, page 2-23*), the Agua Mansa Warehouse and Distribution Center Overlay (*Figure - , page -*), and to other areas readily accessible from major highways or rail traffic, and sufficiently separated and buffered to protect residential uses.

Agua Mansa Warehouse and Distribution Center Overlay Adopted by City Council on April 16, 2020

ES 2 - INDUSTRIAL BASE

Jurupa Valley and the entire Inland Empire area is one of the fastest growing logistics hubs in California. Logistics refers to the flow of goods between producers and consumers. It includes warehousing, materials handling, and transportation. In addition, while such uses can be part of a robust local economy, they have some drawbacks. They can result in large areas with over concentrations of warehousing and truck parking, relatively low job and local revenue generation, and related traffic, air quality and paving impacts. As part of its industrial sector, the City also seeks to encourage clean industry, job-rich manufacturing businesses, and research and development parks to achieve long-term and sustainable economic health. In addition, the City encourages point-of-sale fulfillment centers to locate in Jurupa Valley to provide retail options for residents and visitors and improve the local tax base. It is the City's intent to continue to accommodate logistics uses in the Mira Loma Warehouse and Distribution Center and Agua Mansa Warehouse and Distribution Center Overlay areas while expanding the industrial base in a manner that promotes economic sustainability and that benefits the City and its residents.

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Agua Mansa Warehouse and Distribution Center Overlay
Adopted by City Council on April 16, 2020

ADD OVERLAY TO LAND USE SUMMARY ON PAGE 2-19 OF THE GENERAL PLAN

Land Use Designation	Allowed Density (Minimum Parcel Size per DU) or Development Intensity (Floor Area Ratio)	Notes
Agua Mansa Warehouse and Distribution Center Overlay (AMO)	Projects shall comply with the Heavy Industrial land use designation FAR, unless there is a FAR requirement in an underlying Specific Plan, in which case projects shall comply with the Specific Plan FAR.	Within the Overlay, Heavy Industrial land use designation, warehousing, logistics and distribution uses, and other goods storage facilities shall be permitted only in the AMO area, subject to satisfying all AMO policies (see Policy LUE X.XX).

**Agua Mansa Warehouse and Distribution Center Overlay
Adopted by City Council on April 16, 2020**

- Revise **Figure 2-5: 2017 General Plan Land Use Plan** to include new Overlay
- Revise **Figure 2-16: Land Use Overlays** to include new Overlay (page 2-44)
- Add **Figure _-_: Agua Mansa Warehouse and Distribution Center Overlay** to be located after Figure 2-7: Mira Loma Warehouse and Distribution Center Overlay on page 2-23.

ATTACHMENT 12

Proposed Development Agreement

CITY DRAFT: MAY 2021

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO

City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley CA 92509

Attn: City Clerk

Exempt from recording fees pursuant to Govt. Code Section 27383

(Space above for recorder's use)

DEVELOPMENT AGREEMENT

BY AND BETWEEN

THE

CITY OF JURUPA VALLEY

AND

CARSON-VA INDUSTRIAL II, LP

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (“Agreement”) is entered into as _____, 2021 (the “Effective Date”), by and between the CITY OF JURUPA VALLEY, a California municipal corporation and general law city existing under the Constitution of the State of the California (“City”), and CARSON-VA INDUSTRIAL II, LP, a Delaware limited partnership (“Developer”), pursuant to the authority of Sections 65864 through 65869.5 of the California Government Code (the “Development Agreement Legislation”) and Article XI, Section 2 of the California Constitution. City and Developer are occasionally referred to in this Agreement collectively as the “Parties.” Pursuant to the authority contained in the Development Agreement Legislation, as it applies to the City, pursuant to Article XI, Section 2 of the California Constitution, and in consideration of the recitals set forth in Section 1, the mutual covenants set forth in this Agreement, and for the further consideration described in this Agreement, the Parties agree as follows:

1. **RECITALS.** This Agreement is made for the following purposes and with respect to the following facts, which the Parties agree are true and correct:

1.1 The Development Agreement Legislation authorizes City to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property for the following purposes:

1.1.1 Ensuring high quality development in accordance with comprehensive plans;

1.1.2 Reducing uncertainty in the development approval process that might otherwise result in a waste of resources, discourage investment, and escalate the cost of development to the consumer;

1.1.3 Strengthening City’s comprehensive planning process to provide for the most efficient use of public and private resources by encouraging private participation in the comprehensive planning process;

1.1.4 Assuring owners of land that upon approval, they may proceed with their development projects in accordance with defined policies, rules, regulations, and conditions of approval; and

1.1.5 Providing for the financing and/or construction of necessary public facilities.

1.2 In addition to the general purposes stated above, the following are among the considerations supporting this Agreement:

1.2.1 This Agreement authorizes Developer to develop an approximately 23.44 acre property located within the City of Jurupa Valley, the County of Riverside, State of California (the “Property”), as described in Exhibit “A,” with two industrial buildings totaling 335,002 square feet for a variety of potential uses, including, but not limited to, manufacturing,

research and development, fulfillment center, e-commerce center, high-cube, general warehousing and distribution, and/or cross-dock uses, as more particularly described in this Agreement and as set forth in Exhibit “D”. However, this Agreement shall only become effective if the City Council adopts General Plan Amendment No. 18001 (“GPA No. 18001”) bringing the Project within the coverage of the Agua Mansa Overlay.

1.2.2 This Agreement will provide for both Parties: (a) a high quality development on the Property subject to this Agreement; (b) certainty in the type of development to be undertaken on the Property; and (c) the assurance of adequate public facilities to ensure the good of the community regardless of City’s legal authority to impose such requirements under constitutional or statutory authority.

1.2.3 For City, this Agreement serves to provide for: (a) employment growth anticipated to result from the Development of the Property, both during construction and use; (b) an increase in tax revenues anticipated to result from the Development of the Property; and (c) the achievement of the goals and directives of its General Plan.

1.2.4 The development of new industrial buildings and associated office space is an integral part of Developer’s development plans for the Property. Such facilities are expected to bring employment and increased tax revenue for City.

1.3 The property that is the subject of this Agreement is approximately 23.44 acres in size, is generally bounded on the south and west by Hall Avenue, on the east by Agua Mansa Road, and on the north by El Rivino Road, is referred to as Assessor’s Parcel Nos. 175-210-032, 175-210-034, 175-210-0062, and 175-210-063, and is described on Exhibit “A” and depicted on Exhibit “B” attached hereto (the “Property”). Developer acquired fee simple ownership of the Property on December 7, 2017.

1.4 The Property is subject to the Project Approvals and Applicable Regulations defined in Sections 2.17 and 2.2, respectively, of this Agreement.

1.5 The Parties desire to enter into a binding agreement for purposes of: (i) identifying the terms, conditions, and regulations for the Development of the Property; (ii) identifying Developer’s obligations to make certain Community Benefit Contribution, as defined in Section 2.8, on the terms and conditions set forth in this Agreement.

1.6 Developer desires to develop the Property in accordance with the provisions of this Agreement, the Applicable Regulations, and those other agencies exercising jurisdiction over the Property.

1.7 Developer has applied for, and City has approved, this Agreement in order to create beneficial development of the Property and a physical environment that will conform to and complement City’s goals, create development sensitive to human needs and values, facilitate efficient traffic circulation, and otherwise provide for the Development of the Property in accordance with City’s best interests.

1.8 The City Council has determined that this Agreement is consistent with City’s General Plan, including the goals and objectives thereof.

CITY DRAFT: MAY 2021

1.9 The following actions have been taken with respect to this Agreement and the Development:

1.9.1 On _____, 2021, following a duly noticed and conducted public hearing, the Planning Commission recommended that the City Council approve this Agreement.

1.9.2 On _____, 2021, after a duly noticed public hearing, the City Council adopted the following Resolutions approving certain entitlements for the Development: (1) Resolution No. 2021-____, Certifying the Environmental Impact Report, and (2) Resolution No. 2021-____, approving General Plan Amendment No. 18001 (GPA No. 18001), Site Development Permit No. 18048 (SDP No. 18048), and Variance No. 18005, a copy of which is on file in the City Clerk's Office at City Hall, which Resolution includes the findings pertaining thereto, including those relating to the CEQA documentation for the Development.

1.9.3 On _____, 2021, following a duly noticed public hearing, the City Council introduced Ordinance No. 2021-____ and on _____, 2021, held the second reading and adopted Ordinance No. 2021-____, approving Zone Change (ZC) No. 20004, a copy of which is on file in the City Clerk's Office at City Hall, which Ordinance includes the findings pertaining thereto, including those relating to the CEQA documentation for the Development and this Zone Change's consistency with City's General Plan and each element thereof and any specific plans relating to the Property.

1.9.4 On _____, 2021, following a duly noticed public hearing, the City Council introduced Ordinance No. 2021-____ and on _____, 2021, held the second reading and adopted Ordinance No. 2021-____, approving this Agreement, a copy of which is on file in the City Clerk's Office at City Hall, which Ordinance includes the findings pertaining thereto, including those relating to the CEQA documentation for the Development and this Agreement's consistency with City's General Plan and each element thereof and any specific plans relating to the Property.

1.10 All actions taken by City have been duly taken in accordance with all applicable legal requirements, including CEQA, and all other requirements for notice, public hearings, findings, votes and other procedural matters.

1.11 City has engaged in extensive studies and review of the potential impacts of the Development, as well as the various potential benefits to City by the Development, and has concluded that the Development is in City's best interests. In consideration of the Public Improvements to be provided by Developer to City, and in order to strengthen the planning process for the Property and to reduce the economic costs of Development of the Property, City intends to give Developer assurance that Developer can proceed with the Development of the Property in accordance with the Project Approvals and the City's Applicable Regulations. In reliance on City's covenants in this Agreement concerning the Development of the Property, Developer has and will in the future incur substantial costs in site preparation and construction of infrastructure and facilities in order to develop the Property.

1.12 Pursuant to Section 65867.5 of the Development Agreement Legislation, the City Council has found and determined that: (i) this Agreement implements the goals and policies of City’s General Plan, provides balanced and diversified land uses, and imposes appropriate standards and requirements with respect to land development and usage in order to maintain the overall quality of life and the environment within City; (ii) this Agreement is in the best interests of and not detrimental to the public health, safety, and general welfare of City and its residents; (iii) adopting this Agreement is consistent with City’s General Plan, and each element thereof and any applicable specific plan, and constitutes a present exercise of City’s police power; and (iv) this Agreement is being entered into pursuant to and in compliance with the requirements of Government Code Section 65867 of the Development Agreement Legislation.

2. **DEFINITIONS.** This Agreement uses a number of terms having specific meanings, as defined below. These specially defined terms are distinguished by having the initial letter capitalized when used in this Agreement. The defined terms include the following:

2.1 “*Agreement*” means this Development Agreement.

2.2 “*Applicable Regulations*” is defined in Section 4.1.4 of this Agreement.

2.3 “*Authorizing Ordinance*” means Ordinance No. 21-____ adopted by City on _____, 2021 approving this Agreement.

2.4 “*CEQA*” means the California Environmental Quality Act (Cal. Pub. Resources Code, § 21000 *et seq.*)

2.5 “*City*” means the City of Jurupa Valley, a California general law city and municipal corporation, duly organized and existing under the Constitution and laws of the State of California, and all of its officials, employees, agencies, and departments.

2.6 “*City Council*” means the City Council of City.

2.7 “*City Manager*” mans the City Manager of City.

2.8 “*Community Benefit Contribution*” or “*CBC*” means the payments described in Section 5.5 of this Agreement.

2.9 “*Developer*” means Carson-VA Industrial II, LP, a Delaware limited partnership, and all successors in interest, in whole or part, to this entity with respect to the Property.

2.10 “*Development*” means the improvement of the Property for the purposes consistent with this Agreement and the Project Approvals, including, without limitation, demolition, remediation, grading, the construction of infrastructure and public facilities related to the on-site improvements, the construction of structures and buildings, and the installation of landscaping subject to the Project Approvals.

CITY DRAFT: MAY 2021

2.11 “*Development Agreement Legislation*” means Sections 65864 through 65869.5 of the California Government Code as it exists on the Effective Date.

2.12 “*Effective Date*” means the date that this Agreement becomes effective in accordance with Section 3.2 of this Agreement.

2.13 “*MSHCP*” means the Western Riverside County Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan and related amendments and approvals associated therewith.

2.14 “*Net Square Footage*” means the amount of building area of Development.

2.15 “*Project*” means Development of the Property for industrial uses in accordance with the Project Approvals and this Agreement, inclusive of the permitted uses and Applicable Regulations set forth in this Agreement.

2.16 “*Project Approvals*” means all City approvals or entitlements, or both, pertaining to the Project, including, without limitation, the following resolutions and ordinances approving certain entitlements for the Project: (1) Resolution No. 2021-___, Certifying the Environmental Impact Report, (2) Resolution No. 2021-___, approving General Plan Amendment No. 18001 (GPA No. 18001), Site Development Permit No. 18048 (SDP No. 18048), and Variance No. 18005; (3) Ordinance No. 2021-___, adopting Zone Change (ZC) No. 2004; and (4) Ordinance No. 2021-___, approving this Agreement.

2.17 “*Property*” means the real property described in Exhibit “A” and depicted on Exhibit “B”.

2.18 “*Public Improvements*” means the improvements described in Exhibit “C”.

2.19 “*Reservation of Authority*” means the rights and authority excepted from the assurances and rights provided to Developer under this Agreement and reserved to City under Section 4.2 of this Agreement.

2.20 “*Site Map*” means the drawing of the site in its condition as of the Effective Date, attached to this Agreement as Exhibit “B”.

2.21 “*Subsequent Project Approvals*” means those Project Approvals issued subsequent to the Effective Date in connection with the Development of the Property.

2.22 “*Subsequent Land Use Regulations*” means all ordinances, resolutions, codes, rules, regulations, and official written policies of City adopted and effective after the Effective Date governing the Development and use of the Property.

2.23 “*Transferee*” means the person to whom Developer sells, assigns, or otherwise transfers all or any portion of Developer’s interests in the Property together with all its right, title, and interest in this Agreement in accordance with Section 12 of this Agreement.

3. GENERAL TERMS.

3.1 Binding Effect of Agreement. From and following the Effective Date, the Development, and City actions on applications for Subsequent Project Approvals affecting the Property, shall be subject to the terms and provisions of this Agreement. The provisions of this Agreement, to the extent permitted by law, constitute covenants that shall run with the Property for the benefit thereof, and the benefits and burdens of this Agreement shall bind and inure to the benefit of the Parties and all successors in interest to the Parties.

3.2 Effective Date. This Agreement, and the obligations of the Parties to this Agreement, shall be effective on the date that Ordinance No. 21-___ approving this Agreement becomes effective (the “Effective Date”). The Parties shall approve an operating memorandum pursuant to Section 3.4.4 confirming the Effective Date of this Agreement.

3.3 Term. The term of this Agreement shall commence on the Effective Date and shall continue for ten (10) consecutive calendar years thereafter (the “Term”), unless Term is otherwise terminated, modified, or extended by circumstances set forth in this Agreement or by mutual consent of the Parties after the satisfaction of all applicable public hearing and related procedural requirements. Notwithstanding the provisions of this Section 3.3, the provisions of Sections 5.3, 5.4, and 5.6, shall survive the expiration or termination of this Agreement. This Agreement may be extended for an additional ten (10) years upon the mutual consent of the Parties.

3.4 Amendment of Agreement.

3.4.1 Initiation of Amendment. Any Party may propose an amendment to this Agreement and both Parties agree that it may be beneficial to enter into additional agreements or modifications of this Agreement in connection with the implementation of the separate components of the Development.

3.4.2 Procedure. Except as set forth in Section 3.4.4 of this Agreement, the procedure for proposing and adopting an amendment to this Agreement shall be the same as the procedure required for entering into this Agreement in the first instance.

3.4.3 Consent. Except as expressly provided in this Agreement, any amendment, including an extension of the Term, to this Agreement shall require the written consent of both Parties, in accordance with law. No amendment to all or any provision of this Agreement shall be effective unless set forth in writing and signed by duly authorized representatives of each of the Parties.

3.4.4 Operating Memoranda. The Parties acknowledge that refinements and further development of the Project may demonstrate that changes are appropriate with respect to the details and performance of the Parties. The Parties desire to retain a certain degree of flexibility with respect to those items covered in general terms under this Agreement. If and when the Parties mutually find that changes, adjustments, or clarifications are appropriate to further the intended purposes of this Agreement, they may, unless otherwise required by law, effectuate such changes, adjustments, or clarifications without amendment to this Agreement through one or more operating memoranda mutually approved by the Parties. The operating

memoranda may be approved on City's behalf by the City Manager, or such person designated in writing by the City Manager, and by any corporate officer or other person designated for such purpose in a writing signed by a corporate officer on behalf of Developer. After execution of an operating memoranda it shall be attached to this Agreement as addenda and become a part of this Agreement. Unless otherwise required by law or by this Agreement, no such changes, adjustments, or clarifications shall require prior notice or hearing, public or otherwise.

3.4.5 Term of Map(s) and Other Project Approvals. Pursuant to California Government Code Sections 66452.6(a) and 65863.9, the term of any subdivision or parcel map that has been or in the future may be processed for all or any portion of the Property and the term of each of the Project Approvals (including, without limitation, Future Development Approvals) shall be deemed extended without further required action for a period of time through the scheduled termination date of this Agreement as set forth in Section 3.3 above.

3.4.6 Amendments to Project Approvals. It is contemplated by City and Developer that Developer may, from time to time, seek amendments to one or more of the Project Approvals. Any such amendments are deemed by City and Developer as being within the scope of this Agreement as long as they are consistent with the Applicable Regulations and shall, upon approval by City, continue to constitute the Project Approvals as referenced herein. The Parties agree that any such amendments shall not constitute an amendment to this Agreement nor require an amendment to this Agreement.

3.4.7 Public Improvement Phasing Flexibility. Notwithstanding the provisions of any phasing requirements in the Project Approvals, Developer and City recognize that economic and market conditions may necessitate changing the order in which the Public Improvements are constructed so long as the modification continues to ensure adequate Public Improvements are available to serve that portion of the Project being developed. Therefore, City acknowledges and agrees that the phasing and installation of public improvements shall be dependent upon the timing of the development of the Project, in order that public improvements shall only be required to be constructed when the development of the Project generates specific direct impacts which trigger the need for such public improvements.

3.5 Termination. Unless terminated earlier, pursuant to the terms of this Agreement, this Agreement shall automatically terminate and be of no further effect upon the expiration of the Term. The termination of this Agreement, for any reason, shall not, by itself, affect any right or duty arising from entitlements or approvals set forth under the Project Approvals.

4. DEVELOPMENT OF THE PROPERTY.

4.1 Right to Develop.

4.1.1 Right to Develop and Permitted Uses. Developer shall have a vested right, but not an obligation, to develop the Property during the term of this Agreement in accordance with, and to the extent of, the Project Approvals and this Agreement. The Property may be used, at the sole and absolute discretion of the Developer, for any of the permitted uses

listed in Section 9.150.020 of the Jurupa Valley Municipal Code (Exhibit “D”) Notwithstanding the provisions of Section 9.15.020 of the Jurupa Valley Municipal Code, Developer agrees that the uses that are struck through in Exhibit “D” shall not be permitted uses for the Property after the Effective Date of this Agreement. Pursuant to Jurupa Valley Municipal Code Section 9.150.020.(5), the requirements of a conditional use permit for uses listed in Sections 9.150.020.(3)(m)-(o)(n)-(p), (r)-(s), (v), (x)-(z), (bb), and (dd) of Exhibit “D” shall not apply to the Property, which is subject to this Agreement, and such uses shall be principally permitted on the Property. In addition, for those uses that require approval of a Site Development Permit, City shall endeavor to process applications for a Site Development Permit within thirty (30) calendar days of an application for a Site Development Permit being deemed complete.

4.1.2 Effect of Agreement on Applicable Regulations. Except as otherwise provided under the terms of this Agreement, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the rate or timing of development, the maximum height and size of proposed buildings, and the design, improvement and construction standards and specifications applicable to the Development, shall be those contained in the Project Approvals and those Applicable Regulations not inconsistent with the Project Approvals which were in full force and effect as of the Effective Date of this Agreement.

4.1.3 Applicable Regulations. The regulations applicable to the Development of the Property (“Applicable Regulations”) shall consist of the following:

4.1.3.1 General Development Regulations. Except as otherwise specified in this Agreement, the following shall govern the development of the Property: (1) the provisions of the Jurupa Valley Municipal Code in effect as of the Effective Date of this Agreement; (2) City ordinances and resolutions in effect as of the Effective Date of this Agreement, and (3) the City’s General Plan, and each element thereof, in effect as of the Effective Date of this Agreement.

4.1.4 Subsequent Project Approvals. City shall accept for processing, review and action all applications for Subsequent Project Approvals, and City staff shall use their reasonable efforts to process such applications in an expeditious manner, taking into account City’s staffing levels, and all requisite development fees shall be calculated and paid at such time as payment for such fees is due and payable, for all or a portion of the Property. City further agrees that, unless otherwise requested by Developer, it shall not, without good cause, amend or rescind any Subsequent Project Approvals respecting the Property after City has granted the same.

4.1.5 Development in Accordance with Agreement and Applicable Law; Timing of Development. Developer shall commence and complete the Development in accordance with this Agreement (including, without limitation, the Applicable Regulations and the Project Approvals) and in compliance with all laws, regulations, rules, and requirements of all non-City governing entities with jurisdiction over the Property. If Developer fails to commence substantial construction of the Development in accordance with this Agreement within twenty-four (24) months following the Effective Date, the Developer shall pay City as liquidated damages fifty thousand dollars (\$50,000) per year, or a prorated portion thereof, if

applicable, until Developer commences substantial construction of the Development, which construction Developer thereafter diligently pursues to completion of the Development.

Developer and City agree that based upon the circumstances now existing, known and unknown, it would be impractical or extremely difficult to establish City's damages by reason of Developer's failure to comply with its obligations set forth in the previous sentence of this Section. Accordingly, Developer and City agree that in the event of Developer's failure to comply with its obligations set forth in the previous sentence of this Section, City shall be entitled to the liquidated damages described above.

Developer initials: _____ City initials: _____

4.1.6 Amendments to Project Approvals. It is contemplated by the Parties that Developer may, from time to time, seek amendments to one or more of the Project Approvals. In the event Developer finds that such an amendment is appropriate or desirable, Developer may apply in writing for an amendment to the Project Approvals to effectuate such change. The Parties acknowledge that City shall be permitted to use its sole and absolute discretion in deciding whether to approve or deny any such amendment request; provided, however, that in exercising the foregoing sole and absolute discretion, City shall not apply a standard different than used in evaluating requests of other developers. Any such amendments are contemplated by the Parties as being within the scope of this Agreement as long as they are consistent with the Applicable Regulations and shall, upon approval by City, continue to constitute the Project Approvals as referenced in this Agreement. The Parties agree that any such approved amendments shall not constitute an amendment to this Agreement nor require an amendment to this Agreement.

4.2 Reservation of Authority by City.

4.2.1 *Limitations, Reservations, and Exceptions.* Notwithstanding any other provision of this Agreement, the following Subsequent Land Use Regulations shall apply to the Development:

4.2.1.1 Processing fees and charges of every kind and nature adopted by City pursuant to state law for costs related to City's processing of applications for Project Approvals.

4.2.1.2 Procedural regulations consistent with this Agreement relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals, and any other matters of procedure.

4.2.1.3 Changes adopted by the City Council in the Uniform Building Code, Uniform Fire Code, Uniform Plumbing Code, Uniform Mechanical Code, or National Electrical Code, Uniform Housing Code, Uniform Administrative Code and Uniform Code for the Abatement of Dangerous Buildings and similar uniform codes as required by and in accordance with the authority granted to City under state law.

4.2.1.4 Regulations that are not in conflict with the Project Approvals and this Agreement.

4.2.1.5 Regulations that are in conflict with the Project Approvals provided Developer has given written consent to the application of such regulations to the Development.

4.2.1.6 Federal, state, county, and multi-jurisdictional laws and regulations that preempt local regulations, or mandate the adoption of local regulations, and are in conflict with the Project Approvals.

4.2.1.7 Subsequent Land Use Regulations adopted by City in connection with any Subsequent Project Approvals, necessary to protect the imminent safety or health, or both, of the residents or occupants of the Property, or the residents or people of City, or both.

4.2.2 *Future Discretion of City.* Notwithstanding any other provision of this Section 4.2, this Agreement shall not prevent City, in acting on Subsequent Project Approvals, from denying or conditionally approving any Subsequent Project Approval on the basis of the Applicable Regulations or any Subsequent Land Use Regulations not in conflict with the Project Approvals.

4.2.3 *Modification or Suspension by Federal, State, County, or Multi-Jurisdictional Law.* In the event that Federal, State, County, or multi-jurisdictional laws or regulations, enacted after the Effective Date, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such Federal, State, County, or multi-jurisdictional laws or regulations, and this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provision impractical to enforce.

4.2.4 *Intent.* City acknowledges that Developer has reasonably entered into this Agreement and may proceed with the Development of the Property on the assumption that City has adequately provided for the public health, safety and welfare through the Applicable Regulations. In the event that any future, unforeseen public health or safety emergency arises, City shall attempt to address such emergency in such a way as not to impact the Development in accordance with the Project Approvals, and if that is not possible, to select that option for addressing the emergency which has the least adverse impact on the Development in accordance with the Project Approvals.

4.3 *Regulation by Other Public Agencies.* It is acknowledged by the Parties that other public agencies not subject to control by City may possess authority to regulate aspects of the Development, and this Agreement does not limit the authority of such other public agencies.

4.4 *Timing of Development.* Except as set forth in Agreement, regardless of any future enactment, by initiative, or otherwise, Developer shall have the discretion to develop the Property, or not develop the Property, in one phase or in multiple phases at such times as Developer deems appropriate within the exercise of its sole and absolute business judgment.

Specifically, City agrees that Developer shall be entitled to apply for and receive permits, maps, occupancy certificates, and other entitlements to develop and use the Property at any time, provided that such application is made in accordance with this Agreement and the Applicable Regulations. It is the intent of the Parties to cure the deficiency identified by the Supreme Court in *Pardee Construction Company v. City of Camarillo*, 37 Cal. 3d 465 (1984), which held the failure of a development agreement to specify the timing of development did not prevent a latter-enacted initiative from applying to the project approvals applicable to the development agreement in question in that case.

4.5 Vested Rights. By entering into this Agreement and relying thereon, Developer is obtaining the vested rights to proceed with the Development of the Property in accordance with the terms and conditions of this Agreement. By entering into this Agreement and relying thereon, City is securing certain public benefits which enhance the public health, safety and welfare, a partial listing of which benefits is set forth in Section 1 of this Agreement.

4.6 No Conflicting Enactments. Except as otherwise provided by this Agreement, neither the City Council nor any other agency of City shall enact a rule, regulation, ordinance, or other measure applicable to the Property that is inconsistent or conflicts with the terms of this Agreement.

4.6.1 Moratorium. It is the intent of the Parties that no moratorium or other limitation (whether relating to the Development of all or any part of the Development and whether enacted by initiative or otherwise) affecting parcel or subdivision maps (whether tentative, vesting tentative, or final), site development permits, precise plans, site development plans, grading permits, building permits, occupancy certificates, or other entitlements to use approved, issued, or granted within City, or portions of City, shall apply to the Development to the extent such moratorium or other limitation would restrict Developer's right to develop the Property as provided by this Agreement in such order and at such rate as Developer deems appropriate at its sole and absolute discretion, as provided by this Agreement. City shall reasonably cooperate with Developer in order to keep this Agreement in full force and effect. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Agreement, the Parties hereby agree to reasonably cooperate in defending such action. In the event of any litigation challenging the effectiveness of this Agreement, or any portion hereof, this Agreement shall remain in full force and effect while such litigation, including any appellate review, is pending. The filing of any third party lawsuit(s) against City or Developer relating to this Agreement, the Project Approvals or to other development issues affecting the Property shall not delay or stop the Development, processing, or construction of the Development, unless the third party obtains a court order preventing the activity.

4.6.2 Consistency Between this Agreement and Current Laws. City represents that at the Effective Date there are no rules, regulations, ordinances, policies, or other measures of City in force that would interfere with the Development and use of all or any part of the Property according this Agreement. In the event of any inconsistency between any Applicable Regulation, Development Approval, and this Agreement, the provisions of this Agreement shall control.

4.7 Amendments to Project Approvals. It is contemplated by the Parties that Developer may, from time to time, seek amendments to one or more of the Project Approvals. Any such amendments are contemplated by the Parties as being within the scope of this Agreement as long as they are consistent with the Applicable Regulations and shall, upon approval by City, continue to constitute the Project Approvals as referenced in this Agreement. The Parties agree that any such amendments shall not constitute an amendment to this Agreement nor require an amendment to this Agreement.

5. IMPACT FEES.

5.1 Development Impact Fees. The presently adopted Development Impact Fees of City (“DIF”) pursuant to Chapter 3.75 of the Jurupa Valley Municipal Code, as adopted by City Council Resolution No. 2021-02, as those rates may be revised from time-to-time, shall be the DIF and the DIF rates that shall be imposed upon parcels within the Property. Regarding each parcel within the Property, the DIF shall be payable at the time required by law. The Parties acknowledge that the DIF and the DIF rates shall apply only to City’s development impact fees and not to the Transportation Uniform Mitigation Fee (“TUMF”), to any similar regional impact fees, or to any other development impact fees imposed by another governmental agency not under City’s control, directly or indirectly. Developer shall be entitled to such credits against DIF as may be available under law. Under no circumstances shall this Agreement be deemed to fix DIF rates applicable to parcels within the Property. All persons or entities holding title or interest in any portion of the Property, including any, each, and all successors and assigns of Developer shall be separately responsible for payment of any and all DIF for that portion of the Property developed by such person or entity and shall not be responsible for payment of any DIF related to other portions of the Property.

5.2 TUMF Fees and Other Regional Impact Fees. The presently adopted TUMF, pursuant to Chapter 3.70 of the Jurupa Valley Municipal Code and as adopted by Ordinance No. 2017-31, shall be imposed upon Development within the Property at the rate in effect as of the date of issuance of each building permit for the Property. Developer shall be entitled to such credits as might be available pursuant to the terms of Chapter 3.70 of the Jurupa Valley Municipal Code or the terms of the future allowable fees.

5.3 MSHCP Fees and Other Regional Impact Fees. The presently adopted Western Riverside County Multi-Species Habitat Conservation Plan Fees (“MSHCP Fee”), pursuant to Chapter 3.80 of the Jurupa Valley Municipal Code and as adopted by Ordinance No. 2011-01, any future similar regional development impact fee, or any other development impact fees imposed by another governmental agency shall be imposed upon Development within the Property at the rate in effect as of the date of issuance of each building permit for the Property. Developer shall be entitled to such credits as might be available pursuant to the terms of Chapter 3.80 of the Jurupa Valley Municipal Code.

5.4 Application/Processing Fees. Developer shall pay the application and processing fees customarily imposed on the type of entitlement and/or permit sought at the rate, and in the amount, imposed by City pursuant to the fee schedule, resolution, or ordinance in effect at the time the application is deemed complete and accepted by City for action, which fees

are designed to reimburse City's expenses attributable to processing such applications for entitlements, permits, or both.

5.5 Community Benefit Contribution. In consideration of the benefits received by Developer pursuant to the terms of this Agreement, Developer shall pay to City the following Community Benefit Contributions ("CBCs"):

5.5.1 A one-time fee in the amount of one dollar (\$1.00) per square foot of total building footprint construction and one dollar (\$1.00) per square-foot for any mezzanine area planned for the entire Project site to be paid to City thirty (30) calendar days after City issues a certificate of occupancy for a building on a per-building and pro rata basis (i.e., if one building receives a certificate of occupancy for 194,804 square feet, then one hundred ninety four thousand eight hundred and four thousand (\$194,804.00) will be payable to the City within thirty (30) calendar days after City issues the certificate of occupancy for such building);

5.5.2 A General Fund Special Assessment in the amount of ten cents (\$0.10) per square foot of total building construction planned for the entire Project site per year, paid to City for the life of the Project, with a credit for point of sales tax paid to City thirty (30) calendar days after City issues a certificate of occupancy for a building on a per-building and pro rata basis; and

5.5.3 A Municipal in-lieu Fee one-time fee in the amount of two hundred and one thousand dollars (\$201,000) to be paid to City thirty (30) calendar days after City issues the Project Approvals.

City shall not be obligated to issue permits for the Project if Developer has not paid the CBC in accordance with this Section 5.5. City shall use the CBC for municipal purposes.

5.6 North Rubidoux Master Plan. Developer shall contribute a one-time payment of forty-three thousand five hundred dollars (\$43,500.00) as Developer's proportionate participation and/or funding of the planned North Rubidoux Master Plan. Developer shall make the payment within thirty (30) calendar days after the effective date of the Project Approvals.

5.7 Administrative Fee. Developer shall pay to City an administrative fee in the amount of ten thousand dollars (\$10,000.00) and five thousand dollars (\$5,000) annually, until each building obtained a Certificate of Occupancy, which shall compensate City for its costs incurred in drafting and processing this Agreement, including, without limitation, staff time and attorney fees and costs. The Administrative Fee shall be paid within thirty (30) days of the adoption of the Ordinance approving this Agreement.

6. OBLIGATIONS OF THE PARTIES.

6.1 Developer's Obligations to Construct Public Improvements. Developer shall, at its sole cost Developer and expense, design, construct, install, and finally complete Public Improvements. The design, construction, installation, and final completion of the Public Improvements shall be in conformance with City standards in effect as of the Effective Date of this Agreement and the plans and specifications for the Public Improvements, as approved by the

City Engineer. Except as otherwise provided in this Agreement, the Public Improvements shall be completed at such time as set forth in the conditions of approval for Development on the Property. The Parties shall enter into City's standard subdivision improvement agreement, or an applicable modification thereof, for the completion of the Public Improvements.

6.2 Local, State And Federal Laws. Developer and its contractors shall carry out the design and construction of all private improvements on the Property and all Public Improvements in conformity with all applicable laws (to the extent applicable), including, without limitation, all applicable federal, state and local occupation, employment, prevailing wage, safety and health laws, rules, regulations, and standards. Developer shall indemnify, defend, and hold the Indemnified Parties (as defined in Section 8.1) harmless from and against any cost, expense, claim, charge, or liability relating to or arising directly or indirectly from any breach by or failure of Developer or its contractor(s) or agents to comply with such laws, rules, regulations, and standards. Developer's indemnity obligations set forth in this Section 6.2 shall survive the termination or expiration of this Agreement.

6.3 Maintenance of Improvements. Responsibility for the ongoing maintenance of improvements provided by Developer pursuant to this Agreement shall be apportioned between the Parties in accordance with the terms of this Section 6.3.

6.3.1 City Maintenance of Dedicated Public Improvements. City shall maintain all dedicated and accepted Public Improvements, including, without limitation, public streets and related walls, streetlights, and public storm drainage facilities.

6.3.2 Developer Maintenance of Landscaping and Storm Drain Facilities. Developer shall maintain all landscaping on the Property and on adjacent City rights-of-way and all storm drainage facilities on the Property, with the exception of the storm drain facilities owned and maintained by the Riverside County Flood Control District.

6.4 Easements. City shall grant such easements over City property as are reasonably needed for the Development of the Property provided such easements do not impede or interfere with public services provided on such properties. Developer shall grant to City such easements over its property as are reasonably needed for the construction and maintenance of the Public Improvements, except to the extent such easements would have a material adverse economic effect on the Development. Such grants shall be at no additional cost to either Party.

6.5 Private Improvement Financing Mechanisms.

6.5.1 Industrial Development Bonds. If requested by Developer, City shall cooperate in the issuance of industrial development bonds, as allowed by state or federal law.

6.5.2 Cost of Creating Financing Mechanism. If the formation or establishment of any public financing mechanism is requested by Developer, Developer shall bear the full cost of creating any and all such financing mechanisms.

6.6 Public Financing of Services and Improvements.

6.6.1.1 City may, from time to time, establish one or more financing mechanisms, including, without limitation, assessment districts and/or community facilities district (“CFDs”), to finance the Public Improvements, public facilities, mitigation mechanisms, assessments, and/or fees that may be required in connection with the Development of the Project. City shall use reasonable efforts to develop and implement such financing mechanisms subject to public hearing and election requirements of applicable state and, and if tax-exempt bonds are to be issued, federal law, the Applicable Regulations, and the customary and reasonable industry standards for the development of such financings. The Parties acknowledge and agree that the establishment of financing mechanisms and the issuance of bonds are dependent on many factors that are not known at this time. The viability of the financing, the amount of special taxes or assessments for debt service, and available bond proceeds will be dependent on several factors existing at the time the bonds are sold, including, without limitation, the financial markets, interest rates on tax exempt financings, industrial, and commercial real estate markets, value of real property in the area, bond underwriting criteria, and ratings by bond-rating agencies.

6.6.1.2 Public Safety Services CFD. Pursuant to the Project Approvals, Developer and its successors shall pay to City an annual payment of fifty thousand dollars (\$50,000.00) subject to annual adjustments, for the Project’s share of public safety services (“Public Services Fee”). The Public Services Fee shall be first paid prior to issuance of the final first certificate of occupancy for a building on a per-building and pro rata basis (i.e., if one building receives a certificate of occupancy for 194,804 square feet, then twenty-nine thousand dollars (\$29,000.00) (i.e., fifty-eight percent of overall permitted 335,002 square feet will be payable to City within thirty (30) calendar days after City issues the certificate of occupancy for such building) (“First Public Services Fee Payment Date”). Thereafter, the Public Services Fee shall be paid within or at the twelve (12) month anniversary following the First Public Services Fee Payment Date applicable to each building on a pro rata basis. At its sole and absolute discretion, Developer may request to fulfill this requirement through a Public Safety Services CFD. Developer may file a Petition and Waiver with City to initiate formation of, or annexation to if one already exists, and pay all costs associated with the formation of, or annexation to, a CFD pursuant to the Mello-Roos Community Facilities Act of 1982 (Gov. Code, §§ 53311-53368.3), in order to provide a method of the rendering of public safety services for the Development. Developer shall form, or annex to, the CFD within twelve (12) months of the Effective Date of this Agreement. If formed, the CFD may finance the following services for the Development: (1) police protection services; (2) fire protection services; (3) ambulance and paramedic services; and (4) the operation and maintenance of flood and storm protection services. Developer shall complete the formation of, or annexation to, the CFD prior to the issuance of the first Certificate of Occupancy for the Development. Nothing herein obligates City to commence with the formation of a CFD. The Public Services Fee shall be paid during the Term of this Agreement.

6.6.1.3 Street Maintenance CFD. Pursuant to the Project Approvals, Developer and its successors shall pay to the City an annual payment of forty thousand dollars (\$40,000.00) subject to annual adjustments, for the Project’s share of street maintenance services (“Street Maintenance Fee”). The Street Maintenance Fee shall be first paid within thirty (30) days of issuance of the final certificate of occupancy for a building on a per building and pro rata basis (i.e., if one building receives a certificate of occupancy for 194,804 square feet, then twenty-three thousand dollars (\$23,000.00) (i.e., fifty eight percent of overall permitted 335,002

square feet will be payable to City within thirty (30) calendar days after City issues the certificate of occupancy for such building) (“First Street Maintenance Fee Payment Date”). Thereafter, the Street Maintenance Fee shall be paid within or at the twelve (12) month anniversary following the First Street Maintenance Payment Date applicable to each building on a pro rata basis. At its sole and absolute discretion, Developer may request to fulfill this requirement through a Street Maintenance Services CFD. Developer may file a Petition and Waiver with City to initiate formation of, or annexation to if one already exists, and pay all costs associated with the formation of, or annexation to, a CFD pursuant to the Mello-Roos Community Facilities Act of 1982 (Gov. Code, §§ 53311-53368.3), in order to finance maintenance of the following streets: (1) Rubidoux Boulevard between El Rivino Road and State Route 60; (2) Hall Avenue between El Rivino Road and Agua Mansa Road; (3) Market Street between Rubidoux Boulevard and State Route 60; (4) El Rivino Road between Rubidoux Boulevard and Agua Mansa Road; (5) Agua Mansa Road between Market Street and El Rivino Road (6) Brown Avenue between Hall Avenue and Agua Mansa Road; and (7) State Route 60 on-ramp at Rubidoux Boulevard. Developer shall form, or annex to, the CFD within twelve (12) months of the Effective Date of this Agreement. Developer shall complete the formation of, or annexation to, the CFD prior to the issuance of the first Certificate of Occupancy for the Development. Nothing herein obligates City to commence with the formation of a CFD. The Street Maintenance Fee shall be paid during the Term of this Agreement.

6.7 Further Assurances to Developer. The Parties further acknowledge that the public benefits to be provided by Developer to City pursuant to this Agreement are in consideration and reliance upon assurances that the Property can be developed in accordance with the Project Approvals and this Agreement. Accordingly, while recognizing that the Development of the Property may be affected by exercise of the authority and rights reserved and excepted as provided in Section 4.2 of this Agreement, Developer is concerned that normally the judiciary extends to local agencies significant deference in the adoption of land use regulations that might permit City, in violation of Section 4.2, to attempt to apply regulations that are inconsistent with the Project Approvals pursuant to the exercise of the authority and rights reserved and excepted as provided in Section 4.2 of this Agreement. Accordingly, Developer desires assurances that City shall not and City agrees that it shall not further restrict or limit the Development of the Property in violation of this Agreement except in strict accordance with the terms of this Agreement.

7. CITY’S OBLIGATIONS.

7.1 Property Approvals Independent. All approvals required for the Property which may be or have been granted, and all land use entitlements or approvals generally which have been issued or will be issued by City with respect to the Property, constitute independent actions and approvals by City. If any provision of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, or if this Agreement terminates for any reason, then such invalidity, unenforceability or termination of this Agreement or any part hereof shall not affect the validity or effectiveness of any such Property approvals or other land use approvals and entitlements. In such cases, such approvals and entitlements will remain in effect pursuant to their own terms, provisions, and the Conditions of Approval. It is understood by the Parties to this Agreement that pursuant to existing law, if this Agreement terminates or is held invalid or

unenforceable as described above, such approvals and entitlements shall not remain valid for the Term, but shall remain valid for the term(s) of such approvals and entitlements.

7.2 City Cooperation. City staff shall work cooperatively with Developer to assist in coordinating the expeditious processing and consideration of all necessary permits, entitlements and approvals. To the extent City or City's designee is unable to process and consider permits, entitlements and approvals in an expeditious manner, Developer may at Developer's expense fund the hiring of an outside contractor to assist City or City's designee in the expeditious processing and consideration of all necessary permits, entitlements and approvals, and City shall contract for those services.

8. INDEMNIFICATION.

8.1 Developer shall indemnify and hold harmless City and its agents, officers, consultants, contractors, attorneys, and employees ("Indemnified Parties") from and against any claims or proceeding against the Indemnified Parties to set aside, void, or annul the approval of this Agreement. Notwithstanding the provisions of Section 12.1.1 of this Agreement, Developer's obligation pursuant to this Section 8.1 is not a benefit or burden running with the land and shall not be assigned to any person without the prior express written consent of City, unless a transfer or assignment is made pursuant to Section 12 of this Agreement. Developer's duties under this Section 8.1 are solely subject to and conditioned upon the Indemnified Parties written request to Developer to indemnify the Indemnified Parties. Developer shall deposit the expected costs of defense, as reasonably determined by the City Attorney, with City within ten (10) business days of notice from City of the claim and shall add to the deposit within ten (10) business days from the request of City. Without in any way limiting the provisions of this Section 8.1, the Parties agree that this Section 8.1 shall be interpreted in accordance with the provisions of California Civil Code Section 2778 in effect as of the Effective Date.

8.2 Notwithstanding Section 8.1, and as a separate and distinct obligation of Developer, Developer shall indemnify and hold harmless the Indemnified Parties from and against each and every claim, action, proceeding, cost, fee, legal cost, damage, award, or liability of any nature arising from alleged damages caused to third parties and alleging that the Indemnified Parties is or are liable therefor as a direct or indirect result of City's approval of this Agreement. Developer's duties under this Section 8.2 are solely subject to and conditioned upon the Indemnified Parties written request to Developer to indemnify the Indemnified Parties. Developer shall deposit the expected costs of defense, as reasonably determined by the City Attorney, with City within ten (10) business days of notice from City of the claim and shall add to the deposit within ten (10) business days from the request of City. Without in any way limiting the provisions of this Section 8.2, the Parties agree that this Section 8.2 shall be interpreted in accordance with the provisions of California Civil Code Section 2778 in effect as of the Effective Date.

9. PERIODIC REVIEW OF COMPLIANCE WITH AGREEMENT.

9.1 Periodic Review. The Parties shall review this Agreement at least once every 12-month period from the Effective Date of this Agreement. City shall notify Developer

in writing of the date for review at least thirty (30) calendar days prior thereto. Such periodic review shall be conducted in accordance with Government Code Section 65865.1.

9.2 Good Faith Compliance. During each periodic review, Developer shall be required to demonstrate good faith compliance with the terms of this Agreement. Developer shall furnish such reasonable evidence of good faith compliance as City, in the exercise of its reasonable discretion, may require. If requested by Developer, City shall provide to Developer, a certificate that Developer or a duly authorized Transferee is in compliance with the terms of this Agreement.

9.3 Failure to Conduct Annual Review. City's failure to conduct the annual review shall not be a Developer default. Further, Developer shall not be entitled to any remedy for City's failure to conduct the annual review.

9.4 Initiation of Review by City Council. In addition to the annual review, the City Council may at any time initiate a review of this Agreement by giving written notice to Developer. Within thirty (30) calendar days following receipt of such notice, Developer shall submit evidence to the City Council of Developer's good faith compliance with this Agreement and such review and determination shall proceed in the same manner as provided for the annual review. The City Council shall initiate its review pursuant to this Section 9.4 only if it has probable cause to believe City's general health, safety, or welfare is at risk as a result of specific acts or failures to act by Developer.

9.5 Administration of Agreement. Any final decision by City staff concerning the interpretation and administration of this Agreement and Development of the Property in accordance with this Agreement may be appealed by Developer to the City Council, provided that any such appeal shall be filed with the City Clerk within ten (10) business days after Developer receives written notice that the staff decision is final. The City Council shall render its decision to affirm, reverse, or modify the staff decision within thirty (30) calendar days after the appeal was filed. The decision of the City Council as to the administration of this Agreement shall be final and is not appealable. The foregoing notwithstanding, breaches of this Agreement are subject to judicial relief as provided in this Agreement.

9.6 Availability of Documents. If requested by Developer, City shall provide to Developer copies of any documents, reports, or other items reviewed, accumulated, or prepared by or for City in connection with any periodic compliance review by City.

10. DEFAULT; REMEDIES; DISPUTE RESOLUTION.

10.1 Notice of Default. In the event of failure by a Party substantially to perform any material term or provision of this Agreement, the non-defaulting Party shall have those rights and remedies provided in this Agreement, provided that such non-defaulting Party has first provided to the defaulting Party a written notice of default in the manner required by this Section 10 identifying with specificity the nature of the alleged default and the manner in which said default may satisfactorily be cured.

10.2 Cure of Default. Upon the receipt of the notice of default, the alleged defaulting Party shall promptly commence to cure, correct, or remedy the identified default at the

earliest reasonable time after receipt of the notice of default and shall complete the cure, correction, or remedy of such default not later than ten (10) business days after receipt of notice thereof if the breach of this Agreement involves the payment of money, or not later than thirty (30) calendar days after receipt of notice thereof if the breach of this Agreement does not involve the payment of money; provided, however, that if such breach may not reasonably be cured within such thirty (30) calendar day period, then a default shall exist only if the cure of such breach is not commenced within such thirty (30) calendar day period or thereafter is not diligently prosecuted to completion.

10.3 Developer's Remedies. Due to the size, nature, and scope of the Property and the Development, it will not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, Developer may be foreclosed from other choices it may have had to utilize the Property and provide for other benefits. Developer has invested significant time and resources and performed extensive planning and processing of the Development of the Property in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Development and Project in reliance upon the terms of this Agreement, and it is not possible to determine the sum of money that would adequately compensate Developer for such efforts. For the above reasons, the Parties agree that damages would not be an adequate remedy if City fails to carry out its obligations under this Agreement and that Developer shall have the right to seek and obtain specific performance as a remedy for any breach of this Agreement. Moreover, City would not have consented to this Agreement if it were to be subject to damages for breach of this Agreement. Therefore, Developer specifically agrees that it has no authority under this Agreement or otherwise to seek monetary damages against City for any breach of this Agreement by City, and shall not to seek monetary damages against City for breach of this Agreement.

10.4 City Remedies. In the event of an uncured default by Developer of the terms of this Agreement, City, at its option, may institute legal action in law or in equity to cure, correct, or remedy such default, enjoin any threatened or attempted violation, or enforce the terms of this Agreement by specific performance as its sole and exclusive remedy. Furthermore, City, in addition to or as an alternative to exercising the remedies set forth in this Section 10, in the event of a material default by Developer, may give notice of its intent to terminate or modify this Agreement pursuant to this Agreement and/or the Development Agreement Legislation, in which event the matter shall be scheduled for consideration and review by the City Council in the manner set forth in this Agreement or the Development Agreement Legislation.

10.5 Judicial Review. Based on the foregoing, in the event Developer judicially (including by way of a reference proceeding) challenges the application of a Subsequent Land Use Regulation as being in violation of this Agreement and as not being a land use regulation adopted pursuant to the authority and rights reserved and excepted as provided in Section 4.2 of this Agreement, Developer shall bear the burden of proof in establishing that such rule, regulation, or policy is inconsistent with the Applicable Regulations, the Project Approvals, or both, and City shall thereafter bear the burden of proof in establishing that such regulation was adopted pursuant to and in accordance with the authority and rights reserved and excepted as provided in Section 4.2 of this Agreement and was not applied by City in violation of this Agreement.

11. MORTGAGEE PROTECTION; CERTAIN RIGHTS TO CURE.

11.1 Encumbrances on the Property. This Agreement shall not prevent or limit Developer from encumbering the Property or any portion thereof or any improvements thereon with any mortgage, deed of trust, sale and leaseback arrangement, or any other form of conveyance (“Mortgage”) in which the Property, or a portion thereof or interest therein, is pledged as security, and contracted for in good faith and fair value in order to secure financing with respect to the construction, development, use, or operation of the Property.

11.2 Mortgagee Protection. This Agreement shall be superior and senior to the lien of any Mortgage. Notwithstanding the foregoing, no breach of this Agreement shall defeat, render invalid, diminish, or impair the lien of any Mortgage made in good faith and for value, and any acquisition or acceptance of title or any right or interest in or with respect to the Property or any portion thereof by a holder of a beneficial interest under a Mortgage, or any successor or assignee to said holder (“Mortgagee”), whether pursuant to foreclosure, trustee’s sale, deed in lieu of foreclosure, lease termination, or otherwise, shall be subject to all of the terms and conditions of this Agreement.

11.3 Mortgagee Not Obligated. No Mortgagee will have any obligation or duty under this Agreement to perform the obligations of Developer or other affirmative covenants of Developer hereunder, or to guarantee such performance. In addition, the Mortgagee shall have no right to develop or operate the Property without fully complying with the terms of this Agreement, and to the extent that any covenant to be performed by Developer is a condition to the performance of a covenant by City, the performance thereof shall continue to be a condition precedent to City’s performance under this Agreement.

11.4 Notice of Default to Mortgagee; Right of Mortgagee to Cure. City shall, upon written request to City, deliver to each Mortgagee a copy of any notice of default given to Developer under the terms of this Agreement, at the same time such notice of default is provided to Developer. The Mortgagee shall have the right, but not the obligation, to cure, correct, or remedy the default, within sixty (60) calendar days after the receipt of such notice from City for monetary defaults, or within sixty (60) calendar days after Developer’s cure period has expired for non-monetary defaults, or, for such defaults that cannot reasonably be cured, corrected, or remedied within such period, the Mortgagee may cure, correct, or remedy the default if the Mortgagee commences to cure, correct, or remedy such default within such sixty (60) calendar day period, and continuously and diligently prosecutes such cure to completion. If the default is of a nature that can only be remedied or cured by such Mortgagee upon obtaining possession of the Property, such Mortgagee shall have the right to seek to obtain possession with diligence and continuity through foreclosure, a receiver or otherwise, and shall be permitted thereafter to remedy or cure the default within such time as is reasonably necessary to cure or remedy said default but in no event more than ninety (90) calendar days after obtaining possession. If any such default cannot, with diligence, be remedied or cured within such thirty (30) calendar day period, then such period shall be extended to permit the Mortgagee to effect a cure or remedy so long as Mortgagee commences said cure or remedy during such ninety (90) calendar day period, and thereafter diligently pursues such cure to completion.

12. TRANSFERS OF INTEREST IN PROPERTY OR AGREEMENT.

12.1 Transfers and Assignments.

12.1.1 Restrictions on Transfers. Developer may sell, assign, or otherwise transfer all or any portion of its interests in the Property together with all its right, title, and interest in this Agreement, or the portion thereof that is subject to the transferred portion of the Property, to any Transferee provided that: (1) the Transferee has specifically assumed in writing the obligations, or a portion of the obligations of Developer, to design, construct, install and finally complete the Public Improvements for the Property; (2) the Transferee has the experience and financial capacity to complete the Public Improvements; and (3) if applicable, the Transferee has obtained replacement bonds, accepted by City for the Public Improvements (in which event, City shall release Developer's corresponding Public Improvement bonds). In the event of any sale, assignment, or other transfer pursuant to this Section 12.1.1, (i) Developer shall notify City within twenty (20) business days prior to the transfer of the name of the Transferee, together with the corresponding entitlements being transferred to such Transferee and (ii) the agreement between Developer and Transferee pertaining to such transfer shall provide that the Transferee shall be liable for the performance of those obligations of Developer under this Agreement that relate to the Transferred Property, if any, or shall confirm that Developer and all Transferees shall remain jointly liable for the design and construction of Public Improvements pursuant to this Agreement. The following transfers shall not be subject to the foregoing restrictions: (1) transfers to easements or real property interests that are necessary to provide utility service to the Property or to extend infrastructure to the Property; and (2) transfers in reorganization of Developer, provided that management control of Developer does not change as a result of such reorganization.

12.1.2 Rights and Duties of Successors and Assigns. Any, each, and all successors and assigns of Developer shall have all of the same rights, benefits, duties, and obligations of Developer under this Agreement. All entities holding title to a portion of the Property shall be jointly liable for the design and construction of the Public Improvements for that portion of the Property as set forth in this Agreement, except as provided in this Agreement or as may be modified in an operating memorandum pursuant to Section 3.4.4.

13. ESTOPPEL CERTIFICATES.

13.1 Written Request. Either party may at any time deliver written notice to the other party requesting an estoppel certificate (the "Estoppel Certificate") stating: (1) this Agreement is in full force and effect and is a binding obligation of the Parties; (2) this Agreement has not been amended or modified either orally or in writing or, if so amended, identifying the amendments; and (3) no default in the performance of the requesting party's obligations under this Agreement exists or, if a default does exist, the nature and amount of any default.

13.2 Ten (10) Business Days to Respond. A Party receiving a request for an Estoppel Certificate shall provide a signed certificate to the requesting Party within ten (10) business days after receipt of the request.

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13.3 Authorized Signatories. The City Manager or any person designated by the City Manager may sign the Estoppel Certificates on City's behalf. Any officer of Developer may sign on Developer's behalf.

13.4 Reliance. An Estoppel Certificate may be relied on by assignees and mortgagees.

13.5 Failure to Provide Estoppel Certificate. Failure by a Party to provide an Estoppel Certificate within ten (10) calendar days after receipt of the request therefor shall be deemed confirmation that this Agreement is in full force and effect, has not been amended or modified either orally or in writing, and that no defaults in the performance of the requesting Party's obligations under this Agreement exist.

14. MISCELLANEOUS.

14.1 Interest of Developer. Developer represents and warrants that it has a legal or equitable interest in the Property and, as such, Developer is qualified to enter into and be a party to this Agreement under the Development Agreement Legislation.

14.2 Notices. All notices permitted or required under this Agreement must be in writing and shall be effectuated by: (i) personal delivery; (ii) first class mail, registered or certified, postage fully prepaid; or (iii) reputable same-day or overnight delivery service that provides a receipt showing date and time of delivery, addressed to the following Parties, or to such other address as any party may from time to time designate in writing in the manner as provided in this Agreement:

To City: City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley, California 92509
Attn: City Manager

With a copy to: Richards, Watson & Gershon
355 South Grand Avenue, 40th Floor
Los Angeles, California 90071
Attn: Peter M. Thorson, Esq.

To Developer: Carson-VA Industrial II, LP
100 Bayview Circle, Suite 3500
Newport Beach, CA 92660
Dan Darnell

With a copy to: Rutan & Tucker, LLP
18575 Jamboree Road, Suite 900
Irvine, CA 92612
Attn: John A. Ramirez, Esq.

Any written notice, demand, or communication shall be deemed received immediately if personally delivered or delivered by delivery service, and shall be deemed received on the third day from the date it is postmarked if delivered by registered or certified mail.

14.3 Force Majeure. In addition to specific provisions of this Agreement, performance by either Party under this Agreement shall not be deemed to be in default where delays or failures to perform are due to the elements, fire, earthquakes, or other acts of God, supply chain disruptions and delays related to the availability of construction materials and manpower, global pandemics or governmental orders imposed in response to public health crisis, failure of debt markets resulting in inability to obtain adequate financing, strikes, labor disputes, lockouts, acts of the public enemy, riots, insurrections, pending litigation, or governmental restrictions imposed or mandated by other governmental entities. The Parties may also extend times of performance under this Agreement in writing. In the event Developer desires to invoke these force majeure provisions, Developer shall notify City of a force majeure event within thirty (30) calendar days of the event and include a detailed description of the force majeure event and how it affects Developer's compliance with the terms of this Agreement.

14.4 Binding Effect. This Agreement, and all of the terms and conditions of this Agreement, shall be binding upon and inure to the benefit of the Parties, any subsequent developer of all or any portion of the Property or the Development, and their respective assigns, heirs or successors in interest, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Property. The provisions of this Agreement shall constitute mutual covenants that shall run with the land comprising the Property for the benefit thereof, and the burdens and benefits hereof shall bind and inure to the benefit of each of the Parties and all successors in interest to the Parties for the term of this Agreement.

14.5 Relationship of Parties. The Parties acknowledge that, in entering into and performing this Agreement, each of the Parties is acting as an independent entity and not as an agent of the other in any respect. The Parties renounce the existence of any form of joint venture or partnership between them, and agree that nothing contained in this Agreement or in any document executed in connection with the Development of the Property shall be construed as making the Parties joint ventures or partners.

14.6 Agreement Not to Benefit Third Parties. This Agreement is made for the sole benefit of the Parties, and no other person shall be deemed to have any privity of contract under this Agreement nor any right to rely on this Agreement to any extent for any purpose whatsoever, nor have any right of action of any kind on this Agreement nor be deemed to be a third party beneficiary under this Agreement.

14.7 Nonliability of City Officers and Employees. No City official, officer, employee, agent, or representative, acting in his or her official capacity, shall be personally liable

to Developer, or any successor or assign, for any loss, costs, damage, claim, liability, or judgment, arising out of or connection with this Agreement, or for any act or omission on City's part.

14.8 **Covenant Against Discrimination.** The Parties covenant and agree, for themselves and their respective successors and assigns, that there shall be no discrimination against, or segregation of, any person or group or persons on account of race, color, creed, religion, sex, marital status, national origin or ancestry, or any other impermissible classification, in the performance of this Agreement. Developer shall comply with the Americans with Disabilities Act of 1990, as amended (42 U.S.C. Section 12101 *et seq.*).

14.9 **No Waiver.** No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the Party against whom enforcement of a waiver is sought and referring expressly to this Section 14.9. No delay or omission by either Party in exercising any right or power accruing upon non-compliance or failure to perform by the other Party under any of the provisions of this Agreement shall impair any such right or power or be construed to be a waiver thereof, except as expressly provided in this Agreement. No waiver by either Party of any of the covenants or conditions to be performed by the other Party shall be construed or deemed a waiver of any succeeding breach or nonperformance of the same or other covenants and conditions of this Agreement.

14.10 **Severability.** If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect, to the extent that the invalidity or unenforceability does not impair the application of this Agreement as intended by the Parties.

14.11 **Construction.** The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either Party by reason of the authorship of this Agreement or any other rule of construction that might otherwise apply. As used in this Agreement, and as the context may require, the singular includes the plural and vice versa, the masculine gender includes the feminine and vice versa, "shall" is mandatory, and "may" is permissive.

14.12 **Attorneys' Fees.** If legal action is brought by either Party against the other for breach of this Agreement, including actions derivative from the performance of this Agreement, or to compel performance under this Agreement, the prevailing Party shall be entitled to an award of its costs, including reasonable attorneys' fees. Attorneys' fees under this Section 14.12 shall include attorneys' fees on any appeal and, in addition, a Party entitled to attorneys' fees shall be entitled to all other reasonable costs and expenses, including, without limitation, reasonable expert witness fees, incurred in connection with such action. In addition to the foregoing award of attorneys' fees to the prevailing Party, the prevailing Party in any lawsuit shall be entitled to its attorneys' fees incurred in any post-judgment proceedings to collect or enforce the judgment. This provision is separate and several and shall survive the merger of this Agreement into any judgment on this Agreement.

14.13 Recordation. This Agreement shall be recorded by City with the County Recorder of Riverside County within the period required by California Government Code Section 65868.5. Amendments approved by the Parties, and any cancellation or termination of this Agreement, shall be similarly recorded.

14.14 Captions and References. The captions of the sections of this Agreement are solely for convenience of reference, and shall be disregarded in the construction and interpretation of this Agreement. Reference in this Agreement to a section or exhibit are the sections and exhibits of this Agreement.

14.15 Time of Essence. Time is of the essence in the performance of this Agreement and for each and every term and condition of this Agreement as to which time is an element.

14.16 Entire Agreement. This Agreement, including all exhibits attached hereto, constitutes the entire agreement between the Parties with respect to the subject matter of this Agreement, and this Agreement supersedes all previous negotiations, discussions, and agreements between the Parties, and no parole evidence of any prior or other agreement shall be permitted to contradict or vary the terms of this Agreement.

14.17 Exhibits. Exhibits A – D, identified as follows, are attached to this Agreement and are incorporated into this Agreement as though set forth in full:

- A Legal Description of Property
- B Site Map
- C Public Improvements
- D List of Permitted Land Uses

14.18 Counterpart Signature Pages. The Parties may execute this Agreement in counterparts, and each of such counterparts for all purposes shall be deemed to be an original, and all of such shall constitute one and the same Agreement.

14.19 Authority to Execute. Developer warrants and represents that: (i) it is duly organized and existing; (ii) it is duly authorized to execute and deliver this Agreement; (iii) by so executing this Agreement, Developer is formally bound to the provisions of this Agreement; (iv) Developer's entering into and performance of its obligations set forth in this Agreement do not violate any provision of any other agreement to which Developer is bound; and (v) there is no existing or threatened litigation or legal proceeding of which Developer is aware that could prevent Developer from entering into or performing its obligations set forth in this Agreement.

14.20 No Brokers. Each Party represents to the other Party that it has not engaged the services of any finder or broker and that it is not liable for any real estate commissions, broker's fees, or finder's fees that may accrue by means of this Agreement, and shall hold harmless the other party from such commissions or fees as are alleged to be due from the party making such representations.

14.21 Subsequent Amendment to Authorizing Statute. This Agreement has been entered into in reliance upon the provisions of the Development Agreement Legislation in effect as of the Effective Date. Accordingly, subject to Section 4.2, to the extent that subsequent amendments to the Government Code would affect the provisions of this Agreement, such amendments shall not be applicable to this Agreement unless necessary for this Agreement to be enforceable or required by law or unless this Agreement is modified pursuant to the provisions set forth in this Agreement and Government Code Section 65868 as in effect on the Effective Date.

14.22 Interpretation and Governing Law. The language in all parts of this Agreement shall, in all cases, be construed as a whole and in accordance with its fair meaning. This Agreement and any dispute arising under this Agreement shall be governed and interpreted in accordance with the laws of the State of California. The Parties understand and agree that this Agreement is not intended to constitute, nor shall be construed to constitute, an impermissible attempt to contract away the legislative and governmental functions of City, and in particular, City's police powers. In this regard, this Agreement shall not be deemed to constitute the surrender or abnegation of City's governmental powers over the Property.

14.23 No Joint and Several Liability. At any time that there is more than one Developer, no breach of this Agreement by a Developer shall constitute a breach by any other Developer. Any remedy, obligation, or liability, including, without limitation, the obligations to defend and indemnify City, arising by reason of such breach shall be applicable solely to Developer that committed the breach. However, City shall send a copy of any notice of violation to all Developers, including those not in breach. In addition, a default by any Transferee shall only affect that portion of the Property owned by such Transferee and shall not cancel or diminish in any way Developer's rights under this Agreement with respect to any portion of the Property not owned by such Transferee. The Transferee shall be responsible for the reporting and annual review requirements relating to the portion of the Property owned by such Transferee, and any amendment to this Agreement between City and a Transferee shall only affect the portion of the Property owned by such Transferee.

[INTENTIONALLY LEFT BLANK; SIGNATURES ON NEXT PAGE]

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IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Reference Date.

“DEVELOPER”

Carson-VA Industrial II, LP
a Delaware limited partnership

By: _____

Name: _____

Its: _____

By: _____

Name: _____

Its: _____

[A resolution of signatory authority is required.]

“CITY”

CITY OF JURUPA VALLEY, a California
municipal corporation

Lorena Barajas, Mayor

ATTEST:

Victoria Wasko, CMC, City Clerk

APPROVED AS TO FORM:

RICHARDS WATSON & GERSHON

Peter M. Thorson, City Attorney

EXHIBIT A

(Description of Property)

EXHIBIT "A" - LEGAL DESCRIPTION

PARCEL A

THOSE PORTIONS OF PARCELS 2 AND 3 AND THAT PORTION OF LOT C OF PARCEL MAP NO. 24088, IN THE CITY OF JURUPA VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, IN SECTION 3, TOWNSHIP 2 SOUTH, RANGE 5 WEST, S.B.M., AS PER MAP RECORDED IN BOOK 177, PAGES 37 THROUGH 41, INCLUSIVE OF PARCEL MAPS, AS PER CERTIFICATE OF PARCEL MERGER NO. 1672, RECORDED JANUARY 3, 2008 AS INSTRUMENT NO. 2008-0002128 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL 2 OF PARCEL MAP NO. 24088 WITH THE CENTERLINE OF HALL AVENUE, 88.00 FEET WIDE AS SHOWN ON SAID PARCEL MAP 24088;

THENCE EASTERLY ALONG THE NORTH LINE OF SAID PARCEL 2 NORTH 89° 55' 14" EAST 1,009.55 FEET;

THENCE LEAVING SAID NORTH LINE, SOUTH 31° 54' 55" WEST 844.39 FEET TO SAID CENTERLINE OF HALL AVENUE;

THENCE NORTHWESTERLY ALONG SAID CENTERLINE OF HALL AVENUE, NORTH 58° 05' 05" WEST 186.18 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVED NORTHEASTERLY, HAVING A RADIUS OF 880.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49° 35' 10" AND AN ARC LENGTH OF 761.59 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 9.88 ACRES (GROSS) AND 8.95 ACRES (NET), MORE OR LESS.

PARCEL B

THOSE PORTIONS OF PARCELS 2, 3 AND 4 OF PARCEL MAP NO. 24088, IN THE CITY OF JURUPA VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, IN SECTION 3, TOWNSHIP 2 SOUTH, RANGE 5 WEST, S.B.M., AS PER MAP RECORDED IN BOOK 177, PAGES 37 THROUGH 41, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, TOGETHER WITH THAT PORTION OF PARCEL 9 OF PARCEL MAP NO. 12104, AS PER MAP RECORDED IN BOOK 168, PAGES 51 THROUGH 54, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, AS PER CERTIFICATE OF PARCEL MERGER NO.1672, RECORDED JANUARY 3, 2008 AS INSTRUMENT NO. 2008-0002128 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY.

Record Owner: CARSON-VA INDUSTRIAL II, L.P.

Address: 100 BAYVIEW PL. #3500
NEWPORT BEACH, CA 92660

Exhibit Prepared by: PLOTNIK & ASSOCIATES

Address: 18626 S. WILMINGTON AVE. #100
RANCHO DOMINGUEZ, CA 90220

Phone: (310) 605-6657

Scale: N/A

Assessor's Parcel Number(s): 175-210-034-7, 175-210-059-0 & 175-210-032-5



EXHIBIT "A" - LEGAL DESCRIPTION

PARCEL B-CONTINUED

EXCEPT THOSE PORTIONS LYING WEST OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL 2 OF PARCEL MAP NO. 24088 WITH THE CENTERLINE OF HALL AVENUE, 88.00 FEET WIDE;

THENCE EASTERLY ALONG THE NORTH LINE OF SAID PARCEL 2 NORTH 89° 55' 14" EAST 1,009.55 FEET;

THENCE LEAVING SAID NORTH LINE, SOUTH 31° 54' 55" WEST 844.39 FEET TO THE CENTERLINE OF HALL AVENUE, 88.00 FEET WIDE.

TOGETHER WITH LOT 7 OF RIVINO HEIGHTS AMENDED MAP NO. 1, IN THE CITY OF JURUPA VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16, PAGE 92 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

EXCEPT THAT PORTION LYING WESTERLY OF THE EASTERLY LINE OF THE NORTHWEST ONE- QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN.

ALSO EXCEPT THAT PORTION LYING SOUTHERLY OF THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE WEST SAN BERNARDINO COUNTY WATER COMPANY BY DEED RECORDED MARCH 3, 1987 AS INSTRUMENT NO. 87-068479 OF OFFICIAL RECORDS OF SAN BERNARDINO COUNTY.

AS PER CERTIFICATE OF COMPLIANCE E 0210-92 RECORDED 9/2/95 AS INSTRUMENT NO. 92-365492, OFFICIAL RECORDS OF THE COUNTY OF SAN BERNARDINO.

CONTAINING 16.24 ACRES (GROSS) AND 14.49 ACRES (NET), MORE OR LESS.

AS SHOWN ON EXHIBIT B ATTACHED HERETO.

Record Owner: CARSON-VA INDUSTRIAL II, L.P.

Address: 100 BAYVIEW PL. #3500
NEWPORT BEACH, CA 92660

Exhibit Prepared by: PLOTNIK & ASSOCIATES

Address: 18626 S. WILMINGTON AVE. #100
RANCHO DOMINGUEZ, CA 90220

Phone: (310) 605-6657

Scale: N/A

Assessor's Parcel Number(s): 175-210-034-7, 175-210-059-0 & 175-210-032-5



9/12/19

EXHIBIT B
SITE MAP

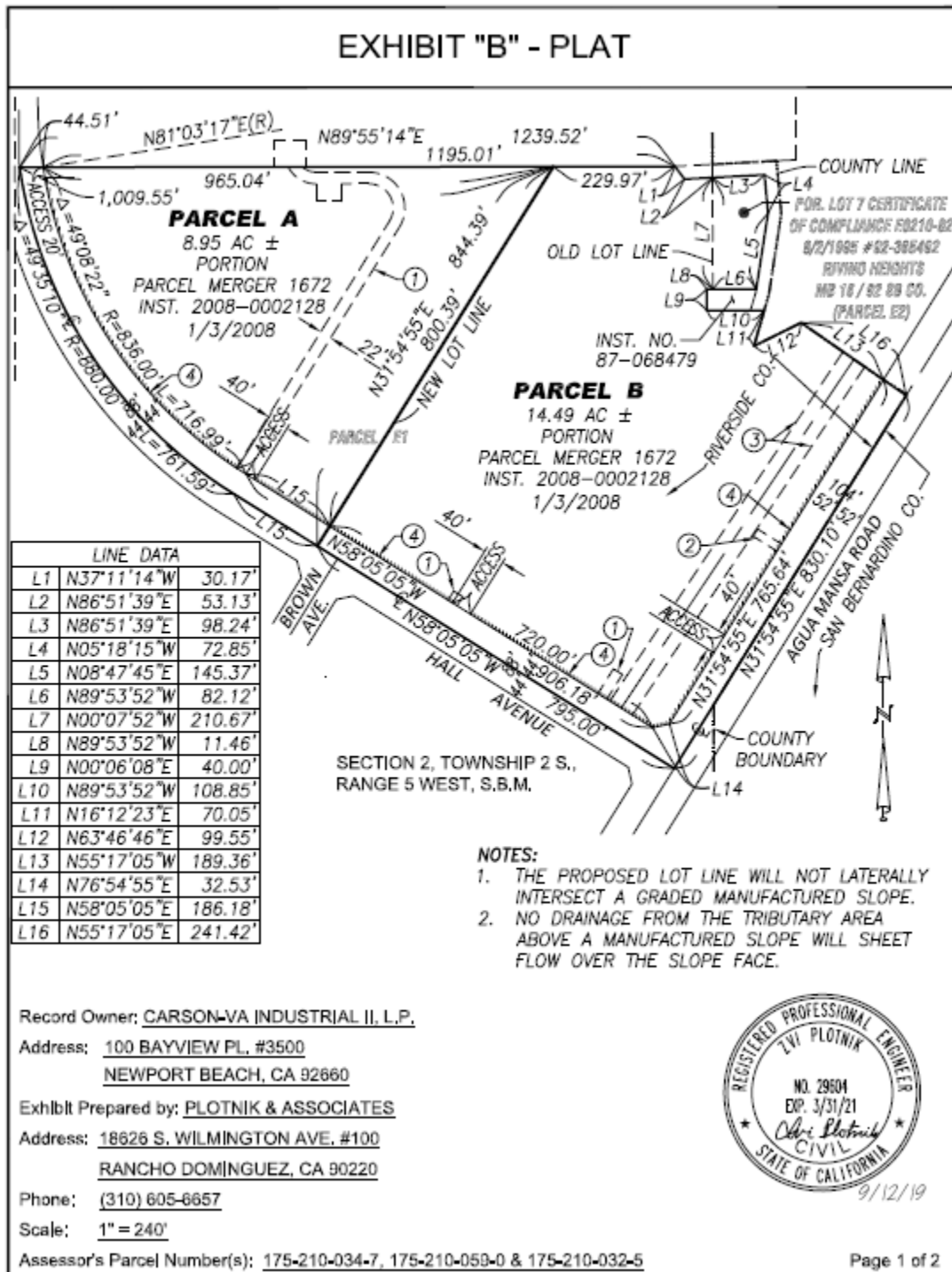


EXHIBIT C

PUBLIC IMPROVEMENTS

Various street improvements, sewer improvements, storm drain improvements, utility improvements and other improvements constructed either (a) as required by mitigation measures and conditions of approval issued by City in connection with the Project Approvals, and (b) additional improvements that may be requested by Developer and approved by City.

EXHIBIT D

LIST OF PERMITTED LAND USES

CHAPTER 9.150. – M-M ZONE (MANUFACTURING-MEDIUM)

Sec. 9.150.020. - Uses permitted.

- (1) ~~:Agricultural uses of the soils for crops including the grazing of not more than two (2) mature farm animals per acre and their immature offspring.~~
- (2) The following uses are permitted provided a site development permit is approved pursuant to the provisions of Section 9.240.330.
 - (a) The following industrial and manufacturing areas:
 - (i) Food products:
 - a. Meat and poultry products, including meat packing but not including slaughtering.
 - b. Dairy products, not including dairies.
 - c. Canning and preserving fruits and vegetables.
 - d. Grain and bakery products.
 - e. Sugar and confectionery products.
 - f. Beverages.
 - g. Ice.
 - h. Wineries, distilleries and breweries.
 - (ii) Textile products:
 - a. Cotton, wool, and synthetic weaving and finishing mills.
 - b. Wearing apparel and accessory products.
 - c. Knitting mills.
 - d. Floor covering mills.
 - e. Yarn and thread mills.
 - (iii) Lumber and wood products:
 - a. Saw and planing mills.
 - b. ~~Manufacture of containers and crates.~~
 - c. Fabricated wood buildings and structures.

- d. Manufacture of furniture and fixtures including cabinets, partitions and similar items.
- e. Paper shredding.
- (iv) Paper products:
 - a. Paper and paperboard mills.
 - b. Manufacture of containers and boxes.
 - c. Paper shredding.
 - d. Printing and publishing of newspapers, periodicals, books, forms, cards, and similar items.
 - e. Binding of books and other publications.
- (v) Chemicals and related products:
 - a. Manufacture of organic and inorganic compounds, not including those of a hazardous nature.
 - b. Manufacture of drugs and pharmaceuticals.
 - c. Soaps, cleaners, and toiletries.
 - d. Manufacture of agricultural chemicals, not including pesticides and fertilizers.
- (vi) Rubber, plastic and synthetic products:
 - a. Manufacture of tires and tubes.
 - b. Fabrication of rubber, plastic, and synthetic products.
- (vii) Leather products:
 - a. Tanning and finishing of leather.
 - b. Manufacture of handbags, luggage, footwear, and other personal leather goods.
- (viii) Stone, clay, glass, and concrete products:
 - a. Stone cutting and related activities.
 - b. Pottery and similar items.
 - c. Glass blowing, pressing and cutting.
 - d. Glassware products.
 - e. Manufacture of concrete, gypsum, plaster and mineral products.
- (ix) Metal products, fabricated:

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- a. Manufacture of cans and containers.
 - b. Cutlery, tableware, hand tools, and hardware.
 - c. Plumbing and heating items.
 - d. Wrought iron fabrication.
 - e. Manufacture and assembly of fencing.
 - f. Machine, welding, and blacksmith shops.
 - g. Metal stamps and forged metal products.
 - h. Manufacture of ordnance and firearms, not including explosives.
 - i. Jewelry.
- (x) Machinery:
- a. Engines, turbines, and parts.
 - b. Farm, garden, construction, and industrial machinery.
 - c. Office and computing machines.
 - d. Refrigeration and heating equipment.
 - e. Equipment sales, rental, and storage (*indoor storage only*)
- (xi) Electrical equipment:
- a. Electrical and electronic apparatus and components.
 - b. Appliances.
 - c. Lighting and wiring.
 - d. Radio, television, and communications equipment.
 - e. Musical and recording equipment.
- (xii) Transportation and related industries: Motorcycles, bicycles, and parts manufacture.
- (xiii) Engineering and scientific instruments:
- a. Measuring device, watches, clocks, and related items.
 - b. Optical goods.
 - c. Medical instruments, supplies, and equipment and photography equipment.
- (xiv) Industrial uses:
- a. Laboratories and research centers.

- b. Cotton ginning.
 - c. Public utility substations and storage yards.
 - d. Heliports.
 - e. ~~Animal training.~~
 - f. Communications and microwave installations.
 - g. Breweries, distilleries, and wineries.
 - h. Mini warehouses.
- (b) The following service and commercial uses:
- (i) Banks and financial institutions.
 - (ii) Blueprint and duplicating services.
 - (iii) ~~Gasoline and diesel service stations, not including the concurrent sale of beer and wine for off-premises consumption.~~
 - (iv) Laboratories, film, medical, research, or testing.
 - (v) Office equipment sales and service.
 - (vi) Offices, professional sales and service, including business, law, medical, dental, chiropractic, architectural, and engineering.
 - (vii) ~~Parking lots and parking structures.~~
 - (viii) ~~Restaurants and other eating establishments.~~
 - (ix) Vehicle and motorcycle repair shops.
 - (x) ~~Barber and beauty shops.~~
 - (xi) ~~Body and fender shops, and spray painting.~~
 - (xii) ~~Building materials sales yard.~~
 - (xiii) ~~Day care centers.~~
 - (xiv) ~~Health and exercise centers.~~
 - (xv) Hardware and home improvement centers.
 - (xvi) ~~Mobilehomes, provided they are kept mobile and licensed pursuant to state law, when used for: construction offices and caretaker's quarters on construction sites for the duration of a valid building permit; agricultural worker employment offices for a maximum of ninety (90) days in any calendar year; caretaker's quarters and office, in lieu of any other one (1) family dwelling, located on the same parcel as a permitted industrial use.~~
 - (xvii) ~~One (1) family dwellings on the same parcel as the industrial or~~

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~~commercial use provided such dwellings are occupied exclusively by the proprietor or caretaker of the use and their immediate family.~~

~~(xviii) Nurseries and garden supply.~~

~~(xix) Car and truck washes.~~

~~(xx) Feed and grain sales.~~

(xxi) Signs, on-site advertising.

~~(xxii) Churches, temples and other places of religious worship.~~

(3) The following uses are permitted, provided a conditional use permit has been granted pursuant to Section 9.240.280:

~~(a) Abattoirs.~~

~~(b) Cemeteries, crematories and mausoleums.~~

~~(c) Cotton ginning.~~

(d) Acid and abrasives manufacturing.

(e) Fertilizer production and processing organic or inorganic.

(f) Paints and varnishes manufacturing and incidental storage.

~~(g) Drive-in theaters.~~

~~(h) Airports.~~

~~(i) Sand blasting.~~

(j) Gas, steam, and oil drilling operations.

~~(k) Swap meets.~~

~~(l) Smelting metal and foundries.~~

~~(m) Lumber yards.~~

(n) Fabrication of manufactured housing and mobilehomes.

(o) Fabrication of metal buildings.

(p) Vehicles, aircraft, boats and parts manufacture.

~~(q) Railroad equipment.~~

(r) Travel trailers and recreational vehicles manufacture.

(s) ~~Draying, freighting and trucking operations.~~ Truck parking ancillary to warehouse or manufacturing.

~~(t) Railroad yards and stations.~~

~~(u) Vehicle storage and impoundment.~~

(v) ~~Trailer and boat storage.~~ Trailer storage ancillary to warehouse or manufacturing.

~~(w) Building movers storage yard.~~

(x) Mini storage facilities for the general public.

(y) Warehousing and distribution.

CITY DRAFT: MAY 2021

- (z) Cold storage plant.
 - ~~(aa) Contractor storage yards.~~
 - (bb) Truck and trailer sales and rental.
 - ~~(cc) Mobilehome sales lots.~~
 - (dd) Recycling collection facilities (entirely within a building)
 - ~~(ee) Auto wrecking and junk yards.~~
 - ~~(ff) Paper storage and recycling, not within a building.~~
 - ~~(gg) Concrete batch plants and asphalt plants.~~
 - ~~(hh) Recycling processing facilities.~~
 - ~~(ii) Recycling of wood, metal and construction wastes.~~
 - ~~(jj) Disposal service operations.~~
 - ~~(kk) Sewerage treatment plants.~~
 - ~~(ll) Dump sites.~~
 - ~~(mm) Natural gas, above ground storage.~~
 - ~~(nn) Petroleum and bulk fuel storage, above ground, pursuant to Chapter 5.65.~~
 - ~~(oo) Any mining operation that is subject to the California Surface Mining and Reclamation Act of 1975 (Pub. Resources Code Section 2710 et seq.) provided a valid surface mining permit has been granted pursuant to Chapter 5.65.~~
- (4) A conditional use permit required for the uses listed in subsection (3)(m)—(oo) of this section shall not be granted unless the applicant demonstrates that the proposed uses meets the general welfare standard articulated in Section 9.240.280(4) and meets all of the following additional findings:
- (a) The proposed use will not adversely affect any residential neighborhood or property in regards to aesthetics, solar access, privacy, noise, fumes, odors or lights.
 - (b) The proposed use will not impact traffic on local or collector streets.
 - (c) The proposed use is adequately buffered from sensitive uses in the vicinity that may include, but not be limited to, churches, child care facilities, schools, parks and recreation facilities.
 - (d) The proposed use does not pose a hazard or potential to subject other properties in the vicinity to potential blight or crime.
- (5) Development agreement. Notwithstanding any other provision, the requirements of a conditional use permit in subsection (3)(~~m~~—(~~oo~~)(n)-(p), (r)-(s), (v), (x)-(z), (bb), and (dd)) of this section shall not apply to any property for which a development agreement has been adopted by the City Council.
- ~~(6) Prospective application. No conditional use permit shall be required for those~~

CITY DRAFT: MAY 2021

~~uses which are being exercised and legally permitted on the effective date of Ordinance No. 2012-10, including properties which have received discretionary or ministerial approvals issued by the County or City of Jurupa Valley are still in effect, as of the effective date of Ordinance No. 2012-10.~~

~~(7) — Kennels and catteries are permitted provided they are approved pursuant to the provisions of Section 9.240.460.~~

~~(8) — Sex oriented businesses, subject to the provisions of Chapter 5.60. The uses listed in subsections (1), (2) and (3) of this section do not include sex oriented businesses.~~

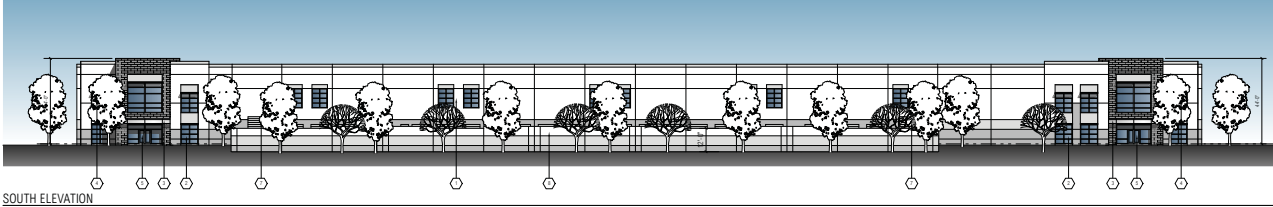
~~(9) — Any use that is not specifically listed in subsections (1) and (2) of this section may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.~~

~~(10) — Warehousing and shipping uses are prohibited as primary uses where they conflict with the Mira Loma Warehouse policy identified as Planning Department Policy Directive 12-01.~~

(Ord. No. 2012-02, § 1, 6-7-2012; Ord. No. 2012-10, § 1(C), 11-1-2012; Ord. No. 2017-09, § 7C., 9-21-2017)

ATTACHMENT 13

Proposed Plans (Architectural Set; Civil Set and Concept
Landscape Plan Set)



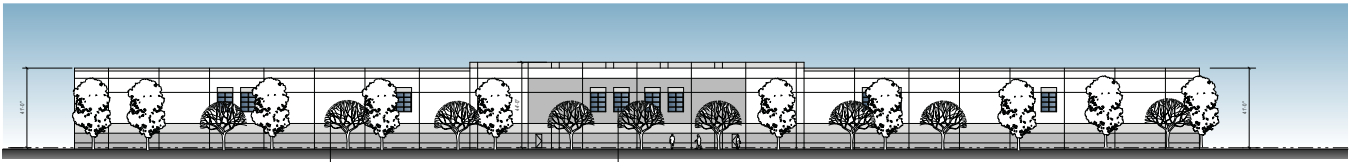
SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



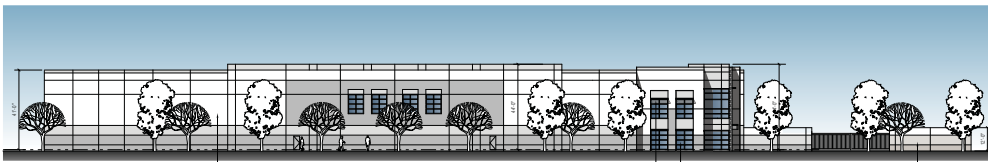
EAST ELEVATION
 SCALE: 1/8" = 1'-0"

KEYNOTES: ○

1. PAINTED CONCRETE TILT UP PANELS IN ACCORD WITH LOCAL CODES.
2. REFLECTIVE BLUE GLASS IN CLEAR ANODIZED ALUMINUM MULLION SYSTEM.
3. ALUMINUM FINISHING FINISH OVER FORM.
4. METAL SINKING DEVICE OVER UPPER LEVEL WINDOWS.
5. RECESSED ENTRY WITH PRIMARY GLASS ENTRANCE DOORS.
6. FINISHED 1/2" OF 1/2" GROUND WITH METAL TRACK DOOR ASSEMBLY WITH DOOR BLUMPS, SEE DOOR SCHEDULE.
7. FINISHED 1/2" OF 1/2" GROUND WITH METAL TRACK DOOR ASSEMBLY. SEE DOOR SCHEDULE.
8. CONCRETE TILT UP SCREEN WALL FINISH AND DETAILS AS SHOWN TO MATCH BUILDING.



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



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

P-1	[Color swatch]	GL-1	[Color swatch]
P-2	[Color swatch]	M-1	[Color swatch]
P-3	[Color swatch]		
P-4	[Color swatch]		

FINISH SCHEDULE

NO.	FINISH	LOCATION
1	PAINTED CONCRETE	SCREEN WALL
2	REFLECTIVE BLUE GLASS	WALLS
3	ALUMINUM FINISHING	WALLS
4	METAL SINKING DEVICE	WINDOWS
5	RECESSED ENTRY	ENTRANCE
6	FINISHED 1/2" OF 1/2" GROUND	ENTRANCE
7	FINISHED 1/2" OF 1/2" GROUND	ENTRANCE
8	CONCRETE TILT UP SCREEN WALL	SCREEN WALL

EXTERIOR ELEVATIONS

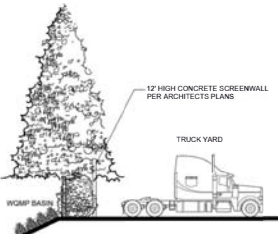
CONTRACT NO.
 PROFESSIONAL SEAL

AGUA MANSA ROAD DEVELOPMENT
 12340 AGUA MANSA ROAD
 JURUPA VALLEY, CA

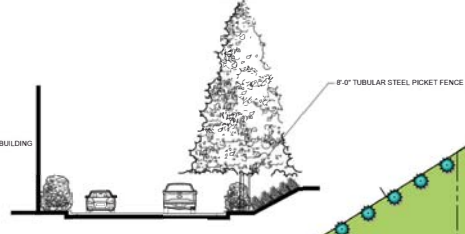
CARSON COMPANIES
 THE CARSON COMPANIES
 SUITE 500
 NEWPORT BEACH, CA 92660
 949-725-6500
 949-725-6550 FAX

NO.	DATE	DESCRIPTION
1	11-10-08	CONTRACT NO. 0800-08
2	11-10-08	11-10-08 10:45 AM
3	11-10-08	11-10-08 11:00 AM
4	11-10-08	11-10-08 11:15 AM
5	11-10-08	11-10-08 11:30 AM
6	11-10-08	11-10-08 11:45 AM
7	11-10-08	11-10-08 12:00 PM
8	11-10-08	11-10-08 12:15 PM
9	11-10-08	11-10-08 12:30 PM
10	11-10-08	11-10-08 12:45 PM
11	11-10-08	11-10-08 1:00 PM
12	11-10-08	11-10-08 1:15 PM
13	11-10-08	11-10-08 1:30 PM
14	11-10-08	11-10-08 1:45 PM
15	11-10-08	11-10-08 2:00 PM
16	11-10-08	11-10-08 2:15 PM
17	11-10-08	11-10-08 2:30 PM
18	11-10-08	11-10-08 2:45 PM
19	11-10-08	11-10-08 3:00 PM
20	11-10-08	11-10-08 3:15 PM
21	11-10-08	11-10-08 3:30 PM
22	11-10-08	11-10-08 3:45 PM
23	11-10-08	11-10-08 4:00 PM
24	11-10-08	11-10-08 4:15 PM
25	11-10-08	11-10-08 4:30 PM
26	11-10-08	11-10-08 4:45 PM
27	11-10-08	11-10-08 5:00 PM
28	11-10-08	11-10-08 5:15 PM
29	11-10-08	11-10-08 5:30 PM
30	11-10-08	11-10-08 5:45 PM
31	11-10-08	11-10-08 6:00 PM
32	11-10-08	11-10-08 6:15 PM
33	11-10-08	11-10-08 6:30 PM
34	11-10-08	11-10-08 6:45 PM
35	11-10-08	11-10-08 7:00 PM
36	11-10-08	11-10-08 7:15 PM
37	11-10-08	11-10-08 7:30 PM
38	11-10-08	11-10-08 7:45 PM
39	11-10-08	11-10-08 8:00 PM
40	11-10-08	11-10-08 8:15 PM
41	11-10-08	11-10-08 8:30 PM
42	11-10-08	11-10-08 8:45 PM
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45	11-10-08	11-10-08 9:30 PM
46	11-10-08	11-10-08 9:45 PM
47	11-10-08	11-10-08 10:00 PM
48	11-10-08	11-10-08 10:15 PM
49	11-10-08	11-10-08 10:30 PM
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51	11-10-08	11-10-08 11:00 PM
52	11-10-08	11-10-08 11:15 PM
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54	11-10-08	11-10-08 11:45 PM
55	11-10-08	11-10-08 12:00 AM

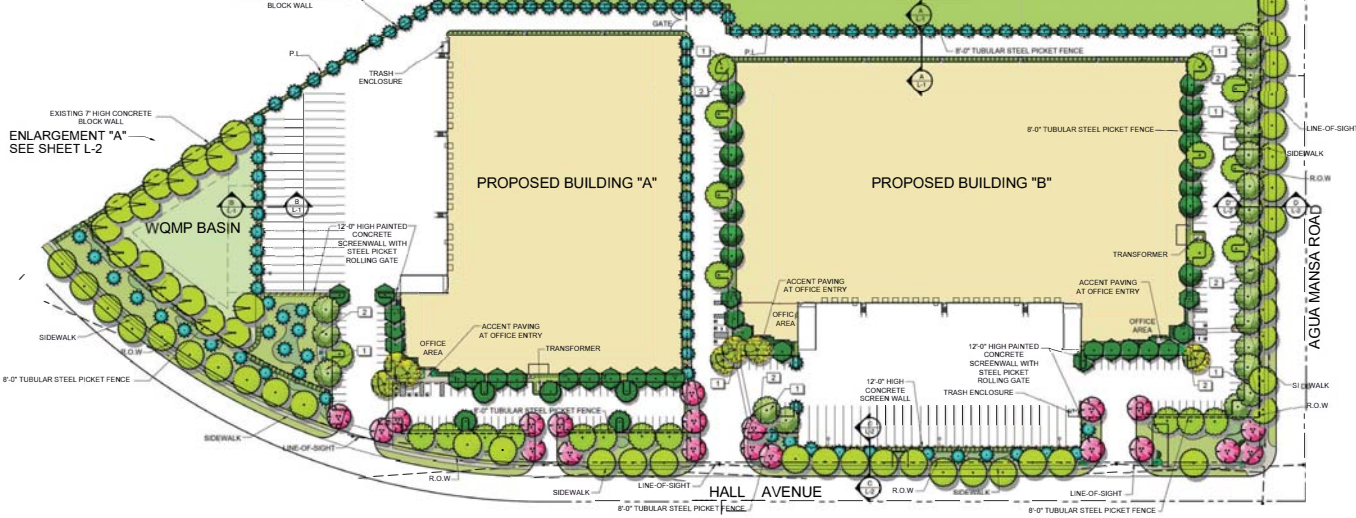
BUILDING B - EXTERIOR ELEVATIONS



SECTION BB
(SCALE 1/8"=1'-0")



SECTION AA
(SCALE 1/8"=1'-0")



TREE LEGEND

SYMBOL	SCIENTIFIC / COMMON NAME	COM	WQMP	HT
[Symbol]	Koeberlinia bipinnata / Chinese Flame Tree Standard	30	Med	20
[Symbol]	Palmetto x Desert Museum / Desert Museum Palo Verde - Standard	24	Low	21
[Symbol]	Palmetto x Desert Museum / Desert Museum Palo Verde - Standard	30	Low	7
[Symbol]	Pinus edulis / Pinyon Pine	15	Low	102
[Symbol]	Palmetto x Mesquite / California Sycamore	15	Med	15
[Symbol]	Palmetto x Mesquite / Bloodroot Tree	24	Med	43
[Symbol]	Podocarpus gracilior / Fern Pine	24	Med	15
[Symbol]	Prosopis juliflora / Chinese Mesquite	24	Low	5
[Symbol]	Pinus torreyana / Pinyon Pine	30	Low	22
[Symbol]	Taxodium distichum / Baldcypress	30	Med	27

CONCEPT PLANT SCHEDULE

SYMBOL	DESCRIPTION
[Symbol]	FOUNDATION PLANTING / MEDIO SCREEN - 2 GAL - MED WATER Baccharis pilularis / Silver Cholla - Space 30' x 3'
[Symbol]	LARGE ACCENT SCREENING - 1 GAL - LOW WATER Agave americana / Century Plant - Space 6' x 6'
[Symbol]	LARGE SCALE FOUNDATION SCREENING - 1 GAL - LOW WATER Callitriche sp. / Common Wintergreen - Space 2' x 2'
[Symbol]	SMALL ACCENT SCREENING - 1 GAL - LOW WATER Agave americana / Century Plant - Space 6' x 6'
[Symbol]	SMALL SCALE FOUNDATION PLANTING - 1 GAL - LOW WATER Callitriche sp. / Common Wintergreen - Space 2' x 2'

SYMBOL	DESCRIPTION
[Symbol]	NON IRRIGATED HYDROPHOBIC MIX Hydrophobic Soil Conditioner - Space 2' x 2'
[Symbol]	GROUND COVER PALETTE - LOW WATER USE - 1 GAL Lupinus albus / Broad Bean - Space 2' x 2'
[Symbol]	GROUND COVER PALETTE - MED WATER USE - 1 GAL Lupinus albus / Broad Bean - Space 2' x 2'
[Symbol]	GROUND COVER PALETTE - HIGH WATER USE - 1 GAL Lupinus albus / Broad Bean - Space 2' x 2'

NOTES

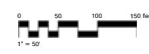
- ALL TREES WITHIN 5' OF HARDSCAPE SHALL BE IN A SHALLOW LINEAR SWAMP AROUND NOT ALLOWED. ROOT BARRIERS OF HIGH LINEAR ROOT BARRIERS SHALL BE CENTERED ON TREE AND EXTEND 5' IN BOTH DIRECTIONS FOR A TOTAL OF 10'
- NOTE QUANTITIES AND AREA CALCULATIONS SHOWN IN LEGEND ARE FOR REFERENCE ONLY. CONTRACTOR RESPONSIBLE FOR ALL QUANTITIES OF TREES OFFERS AND AREA CALCULATIONS TO SITE.

SHREDDED MULCH NOTE
ALL PLANTER AREAS TO RECEIVE A 4" LAYER OF SHREDDED COVER MULCH AVAILABLE FROM BERTHOLD (911794-020)

LANDSCAPE AREA (TO MEET M-SC ZONE REQUIREMENTS)
REQUIRED LANDSCAPE AREA TO MEET M-SC ZONE: 10%
LANDSCAPE AREA PROVIDED: 14,595 S.F. = 10.42%

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION
[Symbol]	3" THICK X 3/4" DECORATIVE GRAVEL - MAINTAIN GOLD OVER WEED BARRIER
[Symbol]	8" HIGHER CONCRETE BORDER COURSE TO SEPARATE SHELS AREAS FROM DECORATIVE GRAVEL
[Symbol]	3" THICK X 3/4" NATURAL COLORED GRAVEL



PRELIMINARY LANDSCAPE PLAN

AGUA MANSA ROAD DEVELOPMENT

12540 AGUA MANSA RD.

JURUPA VALLEY, CA

Environ
LANDSCAPE ARCHITECTURE & PLANNING

CARSON
THE CARSON COMPANY

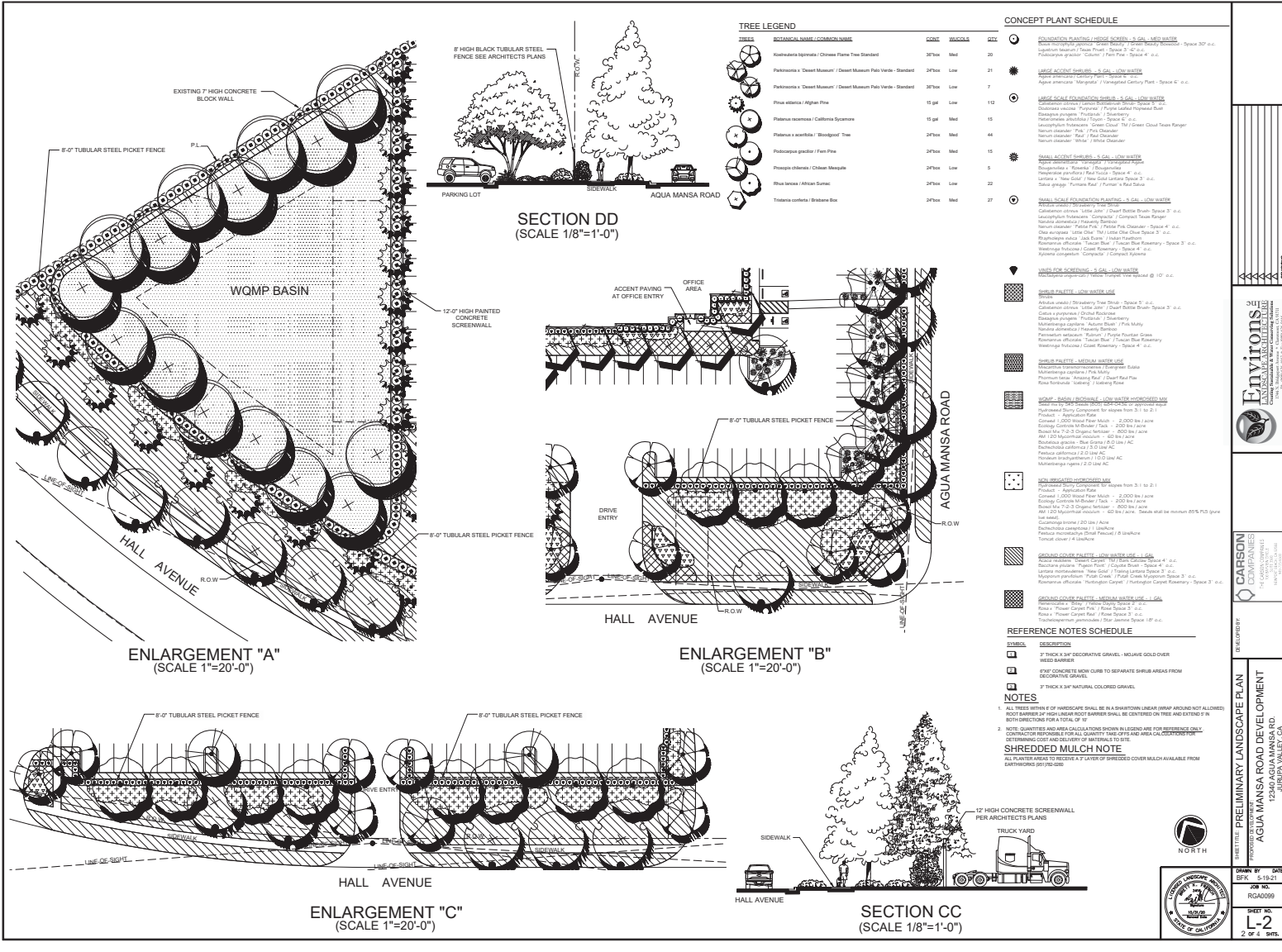
DATE: 5/15/21

JOB NO: RGA0099

SCALE: L-1

1 of 4

NORTH



TREE LEGEND

TREES	BOTANICAL NAME / COMMON NAME	COUNT	SIZE	DATE
[Symbol]	Roburata bipartita / Chinese Flame Tree Standard	30	Med	20
[Symbol]	Roburata bipartita / Chinese Flame Tree Standard	24	Low	21
[Symbol]	Roburata bipartita / Chinese Flame Tree Standard	30	Low	7
[Symbol]	Pinus edulis / Aleppo Pine	15	Low	10
[Symbol]	Platanus racemosa / California Sycamore	15	Med	15
[Symbol]	Platanus racemosa / California Sycamore	24	Med	44
[Symbol]	Photinia grandis / Flame Pine	24	Low	15
[Symbol]	Photinia grandis / Flame Pine	24	Low	5
[Symbol]	Pinus torreyana / Torrey Pine	24	Low	20
[Symbol]	Pinus torreyana / Torrey Pine	24	Low	27

CONCEPT PLANT SCHEDULE

SYMBOL	DESCRIPTION
[Symbol]	PLANTING MATERIALS: 6" GALV. STEEL WIRE MESH / 1/2" DIA. GALV. STEEL POSTS / 2" DIA. GALV. STEEL BRACKETS / 2" DIA. GALV. STEEL CAPS / 2" DIA. GALV. STEEL END CAPS / 2" DIA. GALV. STEEL CORNERS / 2" DIA. GALV. STEEL RISERS / 2" DIA. GALV. STEEL BRACKETS / 2" DIA. GALV. STEEL CAPS / 2" DIA. GALV. STEEL END CAPS / 2" DIA. GALV. STEEL CORNERS / 2" DIA. GALV. STEEL RISERS
[Symbol]	PLANTING MATERIALS: 6" GALV. STEEL WIRE MESH / 1/2" DIA. GALV. STEEL POSTS / 2" DIA. GALV. STEEL BRACKETS / 2" DIA. GALV. STEEL CAPS / 2" DIA. GALV. STEEL END CAPS / 2" DIA. GALV. STEEL CORNERS / 2" DIA. GALV. STEEL RISERS
[Symbol]	PLANTING MATERIALS: 6" GALV. STEEL WIRE MESH / 1/2" DIA. GALV. STEEL POSTS / 2" DIA. GALV. STEEL BRACKETS / 2" DIA. GALV. STEEL CAPS / 2" DIA. GALV. STEEL END CAPS / 2" DIA. GALV. STEEL CORNERS / 2" DIA. GALV. STEEL RISERS
[Symbol]	PLANTING MATERIALS: 6" GALV. STEEL WIRE MESH / 1/2" DIA. GALV. STEEL POSTS / 2" DIA. GALV. STEEL BRACKETS / 2" DIA. GALV. STEEL CAPS / 2" DIA. GALV. STEEL END CAPS / 2" DIA. GALV. STEEL CORNERS / 2" DIA. GALV. STEEL RISERS
[Symbol]	PLANTING MATERIALS: 6" GALV. STEEL WIRE MESH / 1/2" DIA. GALV. STEEL POSTS / 2" DIA. GALV. STEEL BRACKETS / 2" DIA. GALV. STEEL CAPS / 2" DIA. GALV. STEEL END CAPS / 2" DIA. GALV. STEEL CORNERS / 2" DIA. GALV. STEEL RISERS

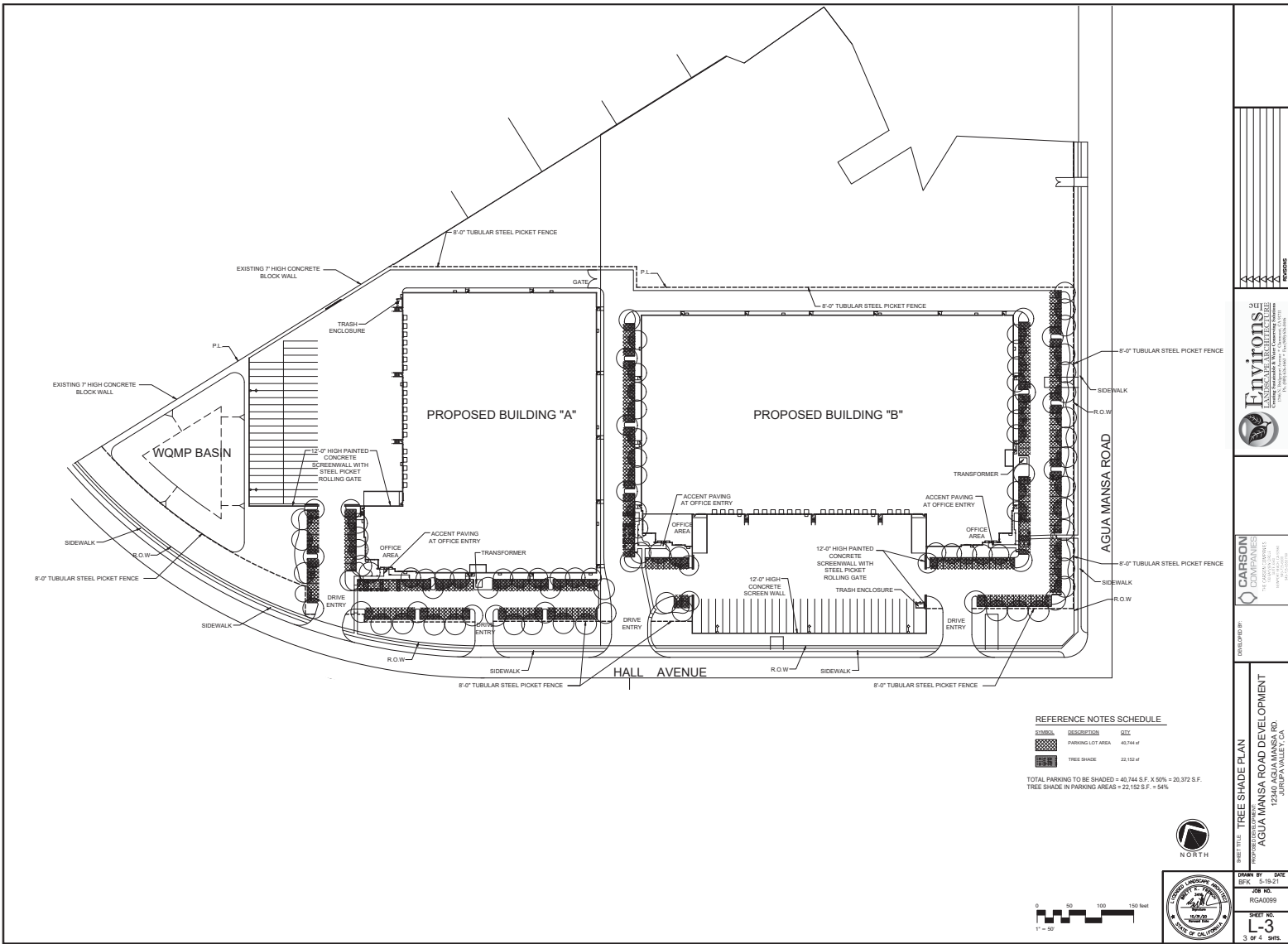
REFERENCE NOTES SCHEDULE

- 1. ALL TREES SPECIES OF LANDSCAPE SHALL BE IN A SHADY/TOWN LINEAR (WRAP AROUND NOT ALLOWED) ROOT BARRIER OF HIGH-LINEAR ROOT BARRIER SHALL BE CENTERED ON TREE AND EXTEND IN BOTH DIRECTIONS FOR A TOTAL OF 10'
- 2. NOTE: QUANTITIES AND AREA CALCULATIONS SHOWN IN LEGEND ARE FOR REFERENCE ONLY. CONTRACTOR RESPONSIBLE FOR ALL QUANTITY TAKE OFFS AND AREA CALCULATIONS. DETERMINING COST AND QUALITY OF MATERIALS TO SITE.

SHREDDED MULCH NOTE

ALL PLANTING AREAS TO BE 6" DEEP OF SHREDDED COVER MULCH AVAILABLE FROM ENVIRONMENTAL SERVICES INC.

PRELIMINARY LANDSCAPE PLAN
 PROJECT: **AGUA MANSA ROAD DEVELOPMENT**
 12340 AGUA MANSA RD.
 JURUPA VALLEY, CA
 SHEET NO: **L-2**
 DATE: 6/19/21
 JOB NO: R540099
 2 OF 4 SHEETS
Enviroins
 ENVIRONMENTAL SERVICES INC.
 12345 MAIN ST.
 JURUPA VALLEY, CA 94634
 TEL: (925) 555-1234
 FAX: (925) 555-5678
 www.enviroins.com
 REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
 LICENSE NO. 12345
CARSON COMPANIES
 12345 MAIN ST.
 JURUPA VALLEY, CA 94634
 TEL: (925) 555-1234
 FAX: (925) 555-5678
 www.carson.com
 REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
 LICENSE NO. 67890
DATE 6/19/21
JOB NO. R540099
SHEET NO. L-2
2 OF 4 SHEETS



EnviroS
 CONSULTING ENGINEERS & ARCHITECTS
 12000 AGUA MANSA ROAD, SUITE 200
 JUPITER VALLEY, CA 92033
 TEL: (949) 552-3333
 FAX: (949) 552-3334
 WWW: WWW.ENVIROCONSULTING.COM

CARSON
 CONSULTING ENGINEERS & ARCHITECTS
 12000 AGUA MANSA ROAD, SUITE 200
 JUPITER VALLEY, CA 92033
 TEL: (949) 552-3333
 FAX: (949) 552-3334
 WWW: WWW.CARSONCONSULTING.COM

DESIGNED BY
 CARSON

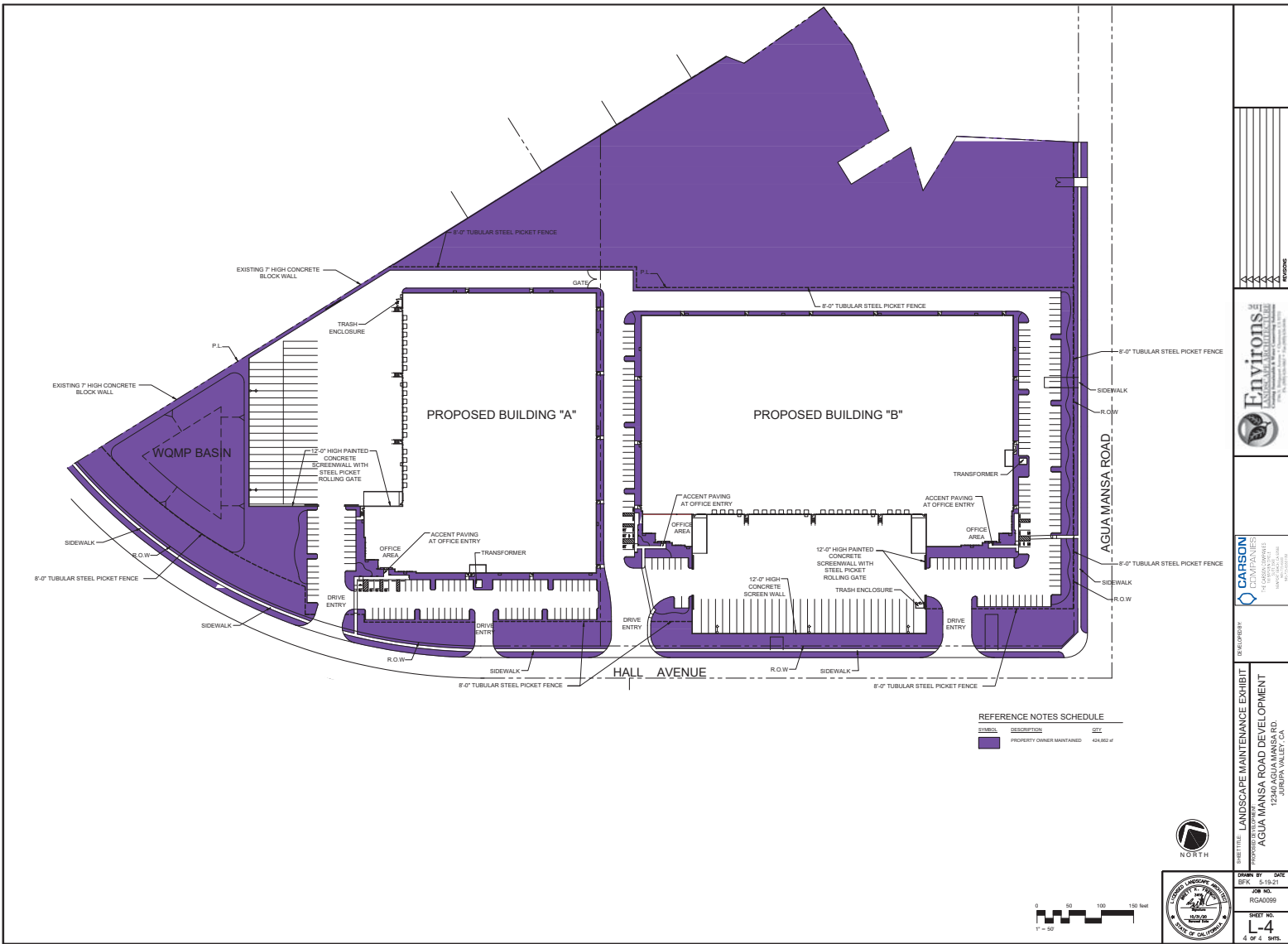
DATE
 5-19-21

PROJECT
 AGUA MANSA ROAD DEVELOPMENT
 12340 AGUA MANSA RD.
 JUPITER VALLEY, CA

JOB NO.
 RGA0099

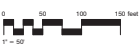
SHEET NO.
 1-3

SCALE
 3/4" = 1'-0"



REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	SIZE
[Purple Shaded Area]	PROPERTY OWNER MAINTAINED	10x100 ft.



PROFESSIONAL ENGINEER
 STATE OF CALIFORNIA
 LICENSE NO. 12345

Environics
 LANDSCAPE ARCHITECTURE
 12345 MAIN STREET
 JUPITER, FL 33456
 TEL: 561-555-1234

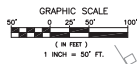
CARSON
 LANDSCAPE ARCHITECTS
 12345 MAIN STREET
 JUPITER, FL 33456
 TEL: 561-555-1234

SHEET TITLE: LANDSCAPE MAINTENANCE EXHIBIT
 PROJECT: AGUA MANSA ROAD DEVELOPMENT
 12345 AGUA MANSA RD.
 JUPITER, VALLEY, CA

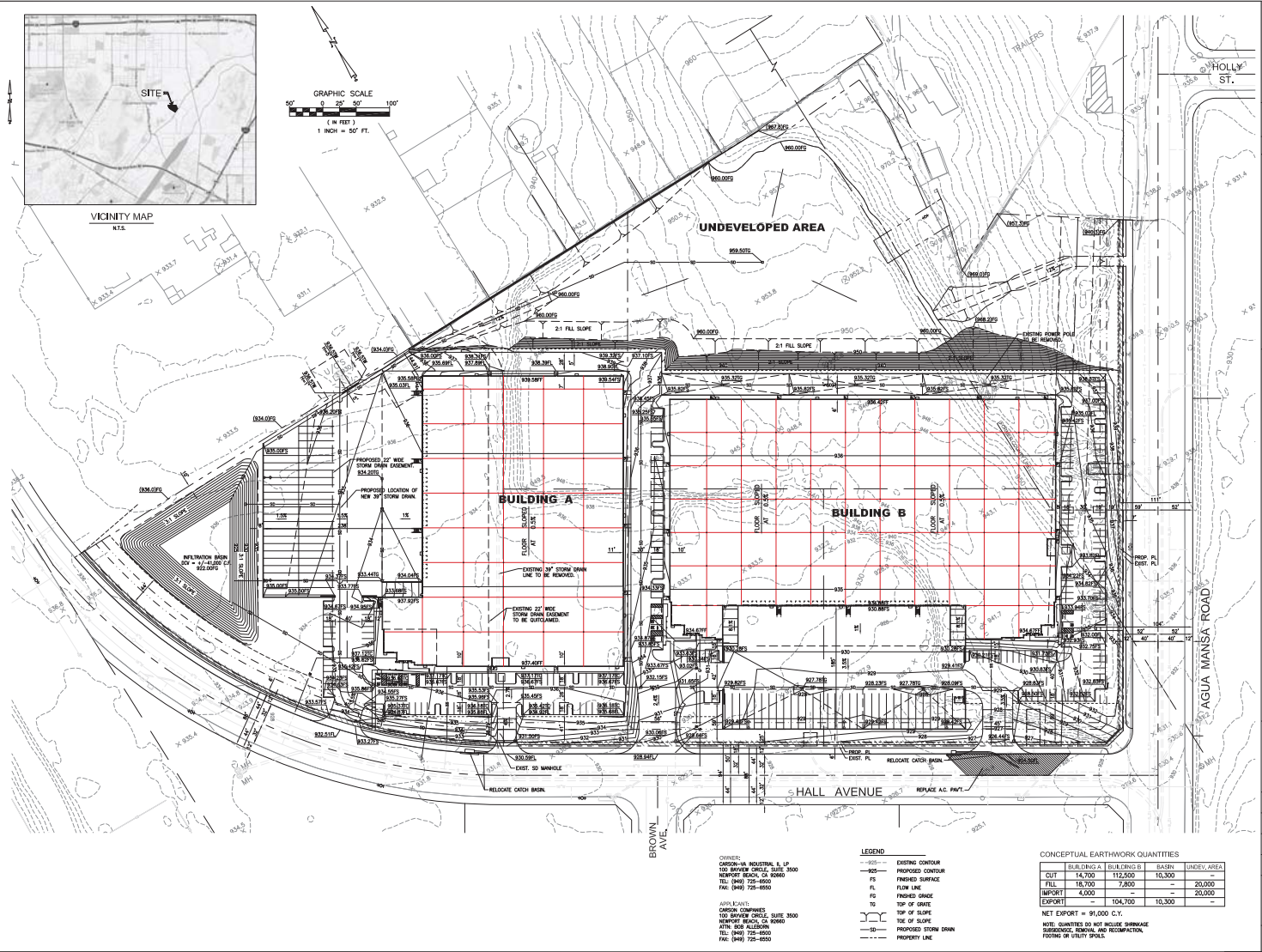
DRAWN BY: [Name]
 DATE: 6-19-21
 JOB NO.: [Number]
 RGS/K099
 SHEET NO.: L-4
 6 OF 4 SHEETS



VICINITY MAP
N.T.S.



GRAPHIC SCALE
(IN FEET)
1 INCH = 30 FT.



OWNER:
CARRARO INDUSTRIAL, L.P.
100 SHAWER CIRCLE SUITE 3000
SUNNYVALE, CA 95088
TEL: (949) 725-6500
FAX: (949) 725-6501

DESIGNER:
CARSON COMPANIES
130 SHAWER CIRCLE SUITE 3000
NEWPORT BEACH, CA 92660
ATTN: BOB ALLENBOM
TEL: (949) 725-6500
FAX: (949) 725-6501

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- FS FINISHED SURFACE
- FL FLOW LINE
- FG FINISHED GRADE
- TS TOP OF SLOPE
- TS OF SLOPE
- PROPOSED STORM DRAIN
- PROPERTY LINE

CONCEPTUAL EARTHWORK QUANTITIES

	BUILDING A	BUILDING B	BASIN	UNDEV. AREA
CUT	14,700	112,500	10,300	—
FILL	15,700	7,800	—	20,000
IMPORT	4,000	—	—	—
EXPORT	—	104,700	10,300	—
NET EXPORT = 91,000 C.Y.				

NOTE: QUANTITIES DO NOT INCLUDE SHORING
SUBSEQUENT BORING AND RECOMPACTING
FOOTING OR UTILITY SPACES

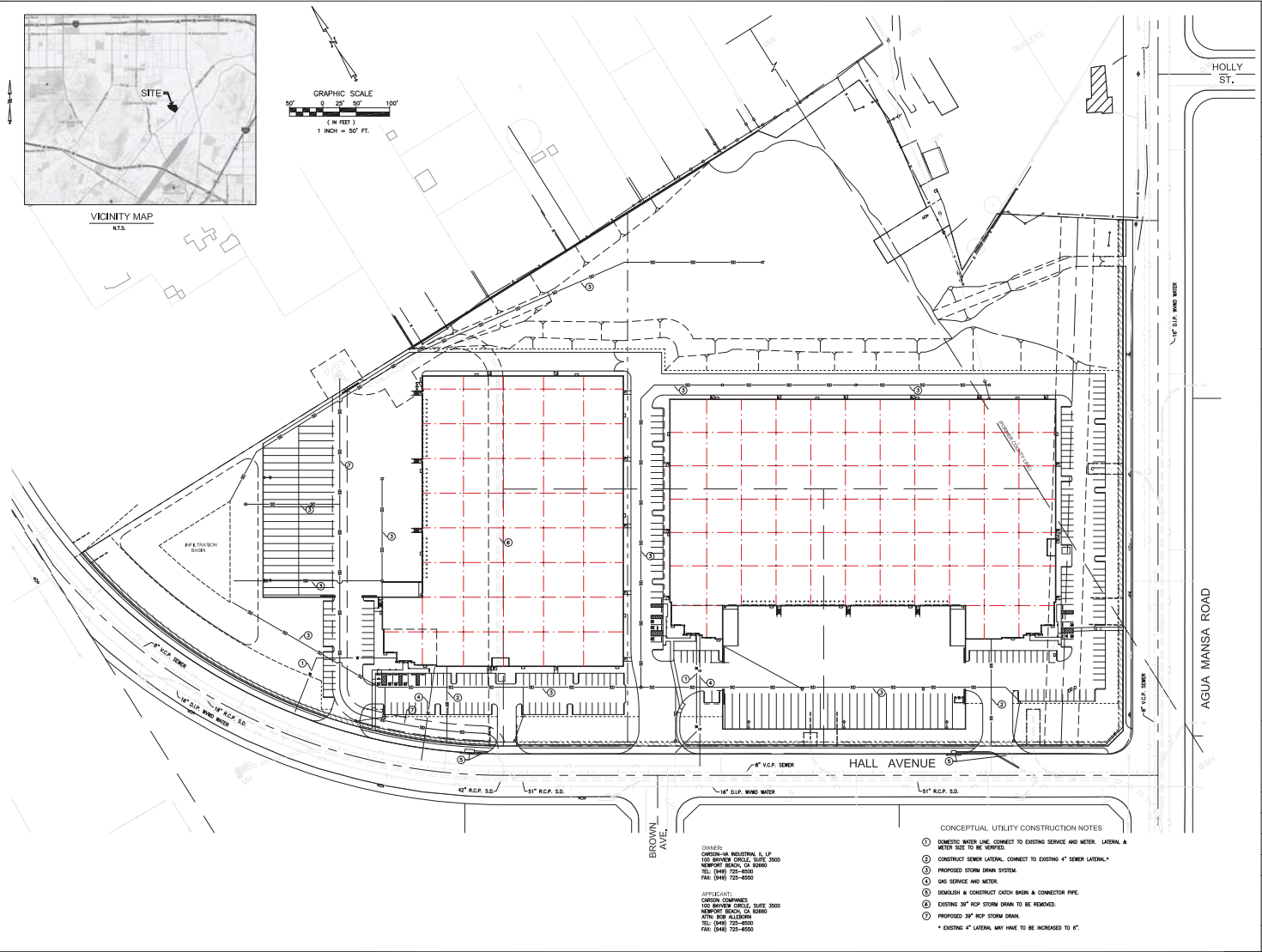
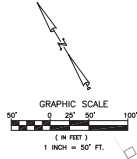

Plotnik & Associates
 CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE

AGUA MANSA ROAD
 CITY OF JURUPA VALLEY, CA
CONCEPTUAL GRADING & DRAINAGE PLAN

PROFESSIONAL STAMP
 DRAWN: JEK
 CHECKED: PC
 DATE: 8/12/19
 SCALE: 1" = 50'
 SHEET NO. 1/1
 PROJECT NUMBER 450.00



VICINITY MAP
N.T.S.



OWNER:
CARSON INDUSTRIAL & LP
125 BROWN CIRCLE SUITE 2000
NEWPORT BEACH, CA 92660
TEL: (949) 725-6000
FAX: (949) 725-6000

APPLICANT:
CARSON COMPANIES
125 BROWN CIRCLE SUITE 2000
NEWPORT BEACH, CA 92660
ATTN: BOB RULLMAN
TEL: (949) 725-6000
FAX: (949) 725-6000

- CONCEPTUAL UTILITY CONSTRUCTION NOTES
- ① DOMESTIC WATER LINE CONNECT TO EXISTING SERVICE AND METER. LATERAL & METER SIZE TO BE DETERMINED.
 - ② CONSTRUCT SEWER LATERAL CONNECT TO EXISTING 4" SEWER LATERAL.
 - ③ PROPOSED STORM DRAIN SYSTEM.
 - ④ GAS SERVICE AND METER.
 - ⑤ DEMOLISH & CONSTRUCT CATCH BASIN & CONNECTOR PIPE.
 - ⑥ EXISTING 36" RCP STORM DRAIN TO BE REMOVED.
 - ⑦ PROPOSED 36" RCP STORM DRAIN.
- * EXISTING 4" LATERAL MAY HAVE TO BE INCREASED TO 6".

NO.	DATE	REVISION
 Plotnik & Associates ARCHITECTS AND ENGINEERS 1000 JEFFERSON AVENUE, SUITE 100 OAKLAND, CALIFORNIA 94612		
AGUA MANSA ROAD CITY OF JURUPA VALLEY, CA CONCEPTUAL UTILITY PLAN		
PROFESSIONAL STAMP		
DRAWN:	JEK	
CHECKED:	PC	
DATE:	8/12/19	
SCALE:	1" = 50'	
SHEET NO.	1/1	
PROJECT NUMBER	450.00	

City of Jurupa Valley

RETURN TO AGENDA

STAFF REPORT

DATE: JUNE 9, 2021
TO: CHAIR PRUITT AND MEMBERS OF THE PLANNING COMMISSION
FROM: JOE PEREZ, COMMUNITY DEVELOPMENT DIRECTOR
BY: PAUL TOOR, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER
SUBJECT: AGENDA ITEM 7.1
CONFORMANCE OF THE CITY OF JURUPA VALLEY'S CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2021-2022 WITH THE CITY OF JURUPA VALLEY GENERAL PLAN

RECOMMENDATION

By motion, adopt Planning Commission Resolution No. 2021-06-09-03 finding that the City of Jurupa Valley's Capital Improvement Program (CIP) for Fiscal Year 2021-2022 (FY 21/22) is consistent with the City of Jurupa Valley's General Plan.

BACKGROUND

This is a request for the Planning Commission to review the FY 21/22 Capital Improvement Program (CIP) and make a determination that it is consistent with the General Plan. Each fiscal year, the City Council adopts an update of the CIP through the budget process. The CIP identifies the proposed capital improvements that occur over a five-year period. The CIP includes construction projects, purchases of land, equipment and contract services. The projects included are based on City Council direction and recommendations from staff experts of various disciplines.

State law (California Government Code Section 65401) requires a City's planning agency to review and report on the consistency of the CIP with the General Plan. The scope of the Planning Commission's review is limited to determining if CIP projects are consistent with the General Plan. It is the role of the City Council to review and direct the scope, phasing and cost of capital improvement projects.

The conformity determination or consistency analysis of the City's Capital Improvement Program (CIP) with the General Plan is intended to accomplish the following:

1. Implement and accomplish an adopted City goal, policy or program.
2. Determine the proposed action will not obstruct or preclude the achievement of other General Plan goals, policies or programs.

The City Engineer has prepared the City of Jurupa Valley five-year Capital Improvement Program (CIP) for FY 21/22 through FY 25/26. A copy of the five-year CIP is included as Attachment 1. The CIP includes 36 projects with an estimated budget of \$24,886,764 for FY 21/22. Although all funding sources are applicable for the CIP, not all funds are utilized in the current fiscal year. Revenue sources include the following:

- Road Maintenance and Rehabilitation Account (Senate Bill 1)

- Motor Vehicle Fuel Tax (Gas Tax)
- Measure “A” Local Streets and Roads (County ½ cent sales tax for transportation)
- Developer Impact Fees (DIF)
- Transportation Uniform Mitigation Fee (TUMF)
- Community Development Block Grant (CDBG)
- Active Transportation Projects (ATP)
- Highway Safety Improvement Program (HSIP)
- SB 821 Bicycle and Pedestrian Facilities Program State Grant through RCTC
- Mira Loma Road and Bridge Benefit District (MLRBBD)
- Local Roadway Safety Plan (LRSP)

ANALYSIS

Staff has reviewed the proposed 36 CIP projects and concludes that its components are consistent with the existing Land Use, Mobility, and Community Safety, Services and Facilities Elements and other related goals and policies of the City of Jurupa Valley’s General Plan. Provided below is a summary of how the CIP is consistent with the General Plan.

The primary City goal for the Land Use Element states:

To be a city that maintains and enhances its unique, small-town character and equestrian-friendly neighborhoods while promoting economic opportunities and prosperity for all. The City will accomplish this goal by preserving its semi-rural character and by realigning its mix of land uses to help provide the housing, shopping, employment, and cultural opportunities its residents desire while improving the quality and compatibility of land uses within each community.

The CIP is consistent with the General Plan Land Use Element through the implementation of City infrastructure projects that serve the City’s residential, commercial, industrial and mixed use land uses. These projects allow growth, spur employment and help maintain the City’s quality of life.

The value statement for the Mobility Element states:

Mobility. We support the creation and maintenance of transportation networks (e.g., multi-use equestrian, pedestrian and bicycle trails, complete streets, sidewalks, airport, rail, and public transit) that are safe, attractive, and efficient and provide connectivity to meet the diverse needs for the movement of people and goods.

The CIP is consistent with the General Plan Mobility Element through the implementation of projects including street maintenance and improvements, sidewalks and traffic signals that maintain and improve the City’s transportation network.

The value statement for the Community Services, Safety and Facilities Element includes:

Public Safety. Support for public safety, law enforcement and emergency medical services is a value that’s widely held by Jurupa Valley residents. We honor and respect the safety professionals who faithfully serve Jurupa Valley. We support strong, collaborative efforts to prevent crime and homelessness, enforce planning and building codes, and to improve the safety of neighborhoods, homes, public facilities, streets, trails, and other transportation facilities. We take proactive measures to cope with and recover from emergencies and natural and man-made disasters.

The CIP is consistent with the General Plan Community Services, Safety and Facilities Element through the implementation of projects that provide a safer transportation network through upgraded traffic signals and improved roadways. Storm drain improvements that reduce flooding, and projects that upgrade infrastructure to current State and local codes also improve safety.

On June 17, 2021, staff will present the Jurupa Valley CIP for FY 21/22 through FY 25/26 to City Council for their consideration.

ENVIRONMENTAL DETERMINATION

Pursuant to California Environmental Quality Act ("CEQA"), Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, Section 15378(b)(4), City staff determined that the City of Jurupa Valley's Capital Improvement Program (CIP) for Fiscal Year 2021/2022 through Fiscal Year 2025/2026 is not a project as defined by CEQA and therefore, exempt from CEQA requirements.

Prepared by:



Paul Toor
Director of Public Works/City Engineer

Submitted by:



Joe Perez
Community Development Director

Reviewed by:

//s// Serita Young

Serita R. Young
Deputy City Attorney

Attachments:

- 1) Capital Improvement Program for Fiscal Year 2021/2022 through Fiscal Year 2025/2026
- 2) Resolution No. 2021-06-09-03, a Resolution of the Planning Commission of the City of Jurupa Valley Finding the City of Jurupa Valley Capital Improvement Program (CIP) for Fiscal Year 2021/22 in Conformance with the City of Jurupa Valley General Plan.

ATTACHMENT 1



CAPITAL IMPROVEMENT PROGRAM FY 2021-2022 TO FY 2025-2026

PROJECT SUMMARY

PROJECT NUMBER	PROJECT NAME	SOURCE OF FUNDS	21/22 PROJECTED	22/23 PROJECTED	23/24 PROJECTED	24/25 PROJECTED	25/26 PROJECTED AND FUTURE YEARS	COST TO COMPLETE
13-H.1	MARKET ST. BRIDGE, CROSSING SANTA ANA RIVER	TUMF	\$ 502,200	\$ -	\$ 2,000,000	\$ 2,750,000	\$ 2,704,198	\$ 7,956,398
13-H.2	MISSION BLVD. BRIDGE, CROSSING SANTA ANA RIVER	Measure 'A'	\$ 566,621	\$ 265,000	\$ -	\$ -	\$ -	\$ 831,621
	BAIN ST. PAVEMENT REHABILITATION, 54TH TO BELLEGRAVE	Measure 'A'	\$ 135,000	\$ -	\$ -	\$ -	\$ -	\$ 135,000
		Gas Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
16-A.2		RMRA	\$ 73,537	\$ -	\$ -	\$ -	\$ -	\$ 73,537
		Unspecified	\$ -	\$ -	\$ -	\$ -	\$ 650,000	\$ 650,000
		TOTAL	\$ 208,537	\$ -	\$ -	\$ -	\$ 650,000	\$ 858,537
16-C.2	TRAFFIC SIGNAL INSTALLATION, PEDLEY AND JURUPA	DIF (Signals)	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ 20,000
16-F	CERTIFICATES OF PARTICIPATION (COP) SERIES 2016A - DEBT SERVICE	Measure 'A'	\$ -	\$ 1,057,800	\$ 1,060,000	\$ 1,055,800	\$ 1,059,250	\$ 6,351,850
	VAN BUREN BLVD. WIDENING, SANTA ANA RIVER TO LIMONITE	TUMF	\$ -	\$ 5,525,000	\$ -	\$ -	\$ -	\$ 5,525,000
17-B.1		DIF (Trans.)	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ 150,000
		TOTAL	\$ 150,000	\$ 5,525,000	\$ -	\$ -	\$ -	\$ 5,675,000
	LIMONITE AVE. WIDENING, BAIN TO HOMESTEAD	TUMF	\$ -	\$ 400,000	\$ 850,000	\$ -	\$ -	\$ 1,250,000
17-B.2		DIF (Trans.)	\$ 99,000	\$ -	\$ -	\$ -	\$ -	\$ 99,000
		Unspecified	\$ -	\$ -	\$ -	\$ -	\$ 7,500,000	\$ 7,500,000
		TOTAL	\$ 99,000	\$ 400,000	\$ 850,000	\$ -	\$ 7,500,000	\$ 8,849,000
	RUBIDOUX BLVD. AND SR60 INTERCHANGE IMPROVEMENTS	DIF (Rialto)	\$ 183,000	\$ -	\$ -	\$ -	\$ -	\$ 183,000
17-B.3		TUMF	\$ -	\$ 617,000	\$ -	\$ 1,542,914	\$ -	\$ 2,159,914
		Unspecified	\$ -	\$ -	\$ -	\$ -	\$ 40,000,000	\$ 40,000,000
		TOTAL	\$ 183,000	\$ 617,000	\$ -	\$ 1,542,914	\$ 40,000,000	\$ 42,342,914
17-B.5	JURUPA RD. AND VAN BUREN BLVD. GRADE SEPARATION	SB 132	\$ -	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ 200,000
18-C.1	MISSION BLVD. AND VALLEY WAY INTERSECTION IMPROVEMENTS	DIF (Signals)	\$ 155,000	\$ -	\$ -	\$ -	\$ -	\$ 155,000
19103	GRANITE HILL DR. PAVEMENT REHABILITATION, PYRITE TO EDGEWOOD POINT	RMRA	\$ 445,000	\$ -	\$ -	\$ -	\$ -	\$ 445,000
	PACIFIC AVE. PEDESTRIAN AND BICYCLE IMPROVEMENTS, 42ND TO MISSION	CDBG	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ 60,000
19106		Unspecified	\$ -	\$ -	\$ -	\$ -	\$ 670,000	\$ 670,000
		TOTAL	\$ 60,000	\$ -	\$ -	\$ -	\$ 670,000	\$ 730,000
	SUNNYSLOPE AREA SR2S SIDEWALK GAP CLOSURE	ATP	\$ 312,000	\$ 2,466,000	\$ -	\$ -	\$ -	\$ 2,778,000
19107		Measure 'A'	\$ 34,500	\$ 274,000	\$ -	\$ -	\$ -	\$ 308,500
		TOTAL	\$ 346,500	\$ 2,740,000	\$ -	\$ -	\$ -	\$ 3,086,500
19108	MARKET ST. WIDENING, SANTA ANA RIVER TO RUBIDOUX	TUMF	\$ 140,000	\$ 566,000	\$ 3,417,000	\$ -	\$ -	\$ 4,123,000



CAPITAL IMPROVEMENT PROGRAM FY 2021-2022 TO FY 2025-2026

PROJECT SUMMARY

PROJECT NUMBER	PROJECT NAME	SOURCE OF FUNDS		21/22 PROJECTED	22/23 PROJECTED	23/24 PROJECTED	24/25 PROJECTED	25/26 PROJECTED AND FUTURE YEARS	COST TO COMPLETE
19109	MISSION BLVD. AND RUBIDOUX BLVD. INTERSECTION IMPROVEMENTS	DIF (Signals)	\$ 189,000	\$ -	\$ -	\$ -	\$ -	\$ -	189,000
	MASTER PLAN OF STREETS	DIF (Trans.)	\$ 77,500	\$ -	\$ -	\$ -	\$ -	\$ -	77,500
19110		Unspecified	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
		TOTAL	\$ 77,500	\$ -	\$ -	\$ -	\$ -	\$ -	77,500
19111	TRAFFIC SIGNAL INSTALLATION, BEN NEVIS AND PEDLEY	DIF (Signals)	\$ 322,000	\$ -	\$ -	\$ -	\$ -	\$ -	322,000
	CITYWIDE GUARDRAIL REPLACEMENT	Measure 'A'	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
19112		Gas Tax	\$ -	65,000	\$ -	\$ -	\$ -	\$ -	65,000
		HSIP	\$ -	509,200	\$ -	\$ -	\$ -	\$ -	509,200
		TOTAL	\$ -	\$ 574,200	\$ -	\$ -	\$ -	\$ -	574,200
20102	2020-2021 CDBG - MISSION BLVD. ADA IMPROVEMENTS, BEN NEVIS TO VALLEY WAY	CDBG	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ -	25,000
	MISSION BLVD. PAVEMENT REHABILITATION - PH. 1, PYRITE TO VALLEY WAY	RMRA	\$ 1,300,000	\$ -	\$ -	\$ -	\$ -	\$ -	1,300,000
20103		Measure 'A'	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	200,000
		TOTAL	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	1,500,000
20106	2020-2021 MISC. TRAFFIC SIGNAL UPGRADES, LOCATIONS TBD	DIF (Signals)	\$ 180,000	\$ -	\$ -	\$ -	\$ -	\$ -	180,000
20107	2020-2021 CDBG - PACIFIC AVE. STREET IMPROVEMENT PROJECT, MISSION TO SR60	CDBG	\$ 450,000	\$ -	\$ -	\$ -	\$ -	\$ -	450,000
	LOCAL ROAD SAFETY PLAN (LRSP)	LRSP	\$ 36,000	\$ -	\$ -	\$ -	\$ -	\$ -	36,000
20108		Measure 'A'	\$ 4,000	\$ -	\$ -	\$ -	\$ -	\$ -	4,000
		TOTAL	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ -	40,000
	2021-2022 CITYWIDE PAVEMENT REHABILITATION, RUBIDOUX BLVD. - SR60 TO 29TH, LIMONITE AVE. - FELSPAR TO PEDLEY, JURUPA RD. - AGATE TO GALENA	RMRA	\$ -	1,000,000	\$ -	\$ -	\$ -	\$ -	1,000,000
21101		Measure 'A'	\$ -	500,000	\$ -	\$ -	\$ -	\$ -	500,000
		TOTAL	\$ -	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	1,500,000
21102	2021-2022 CDBG - OLD MIRA LOMA PAVEMENT REHABILITATION - PH. 1, 50TH, 48TH, MARTIN, TROTH, MARLATT, DODD	CDBG	\$ -	946,406	\$ -	\$ -	\$ -	\$ -	946,406
	MISSION BLVD. PAVEMENT REHABILITATION - PH. 2, BELLEGRAVE TO PYRITE	RMRA	\$ -	1,400,000	\$ -	\$ -	\$ -	\$ -	1,400,000
21103		Measure 'A'	\$ -	300,000	\$ -	\$ -	\$ -	\$ -	300,000
		TOTAL	\$ -	\$ 1,700,000	\$ -	\$ -	\$ -	\$ -	1,700,000
21104	2021-2022 MISC. TRAFFIC SIGNAL UPGRADES, LOCATIONS TBD	DIF (Signals)	\$ -	250,000	\$ -	\$ -	\$ -	\$ -	250,000
21105	2021-2022 MISC. DRAINAGE REPAIRS, LOCATIONS TBD	Gas Tax	\$ -	150,000	\$ -	\$ -	\$ -	\$ -	150,000
	CANTU GALLEANO RANCH RD. GAP CLOSURE	TUMF	\$ -	76,000	\$ -	\$ -	\$ -	\$ -	76,000
21106		Unspecified	\$ -	-	\$ -	\$ -	\$ -	600,000	600,000
		TOTAL	\$ -	\$ 76,000	\$ -	\$ -	\$ -	\$ 600,000	676,000



CAPITAL IMPROVEMENT PROGRAM FY 2021-2022 TO FY 2025-2026

PROJECT SUMMARY

PROJECT NUMBER	PROJECT NAME	SOURCE OF FUNDS	21/22 PROJECTED	22/23 PROJECTED	23/24 PROJECTED	24/25 PROJECTED	25/26 PROJECTED AND FUTURE YEARS	COST TO COMPLETE
21107	BELLEGRAVE AVE. WIDENING - CANTU GALLEANO RANCH TO VAN BUREN	TUMF	\$ -	\$ 140,000	\$ -	\$ -	\$ -	\$ 140,000
		Unspecified	\$ -	\$ -	\$ -	\$ -	\$ 675,000	\$ 675,000
		TOTAL	\$ -	\$ 140,000	\$ -	\$ -	\$ -	\$ 675,000
21108	RIVERSIDE DR. WIDENING - WEST CITY LIMITS TO ETIWANDA	MLRBBD	\$ -	\$ 1,850,000	\$ -	\$ -	\$ -	\$ 1,850,000
21109	2021-2022 CITYWIDE SLURRY SEAL, LOCATIONS TBD	Measure 'A'	\$ -	\$ 350,000	\$ -	\$ -	\$ -	\$ 350,000
21110	MISSION BLVD. PAVEMENT REHABILITATION - PH. 3, BEN NEVIS TO BELLEGRAVE	RMRA	\$ -	\$ -	\$ 1,400,000	\$ -	\$ -	\$ 1,400,000
		Measure 'A'	\$ -	\$ 80,000	\$ 400,000	\$ -	\$ -	\$ 480,000
		TOTAL	\$ -	\$ 80,000	\$ 1,800,000	\$ -	\$ -	\$ -
21111	VAN BUREN BLVD. PAVEMENT REHABILITATION - PH. 3, BELLEGRAVE TO ETIWANDA	RMRA	\$ -	\$ -	\$ 2,100,000	\$ -	\$ -	\$ 2,100,000
		Measure 'A'	\$ -	\$ 90,000	\$ -	\$ -	\$ -	\$ 90,000
		TOTAL	\$ -	\$ 90,000	\$ -	\$ 2,100,000	\$ -	\$ -
21112	CITYWIDE TRAFFIC SIGNAL COORDINATION AND SAFETY UPGRADES	HSIP	\$ 125,000	\$ 2,228,800	\$ -	\$ -	\$ -	\$ 2,353,800
		Unspecified	\$ 125,000	\$ 2,228,800	\$ -	\$ -	\$ -	\$ 2,353,800
		TOTAL	\$ -	\$ 250,000	\$ 4,457,600	\$ -	\$ -	\$ -
21113	MISSION BLVD. STREET IMPROVEMENTS, PYRITE TO ROUGHLY 1,300' EAST	Unspecified	\$ -	\$ -	\$ -	\$ -	\$ 2,000,000	\$ 2,000,000
22101	2022-2023 CITYWIDE SLURRY SEAL, LOCATIONS TBD	Measure 'A'	\$ -	\$ -	\$ 300,000	\$ -	\$ -	\$ 300,000
22102	2022-2023 CITYWIDE PAVEMENT REHABILITATION, LOCATIONS TBD	Measure 'A'	\$ -	\$ -	\$ 700,000	\$ -	\$ -	\$ 700,000
		RMRA	\$ -	\$ -	\$ 550,000	\$ -	\$ -	\$ 550,000
		TOTAL	\$ -	\$ -	\$ 1,250,000	\$ -	\$ -	\$ -
22103	2022-2023 CDBG - OLD MIRA LOMA PAVEMENT REHABILITATION - PH. 2, 58TH, 56TH, 54TH, RIDGEVIEW, TROTH, MARLATT, DODD	CDBG	\$ -	\$ -	\$ 850,000	\$ -	\$ -	\$ 850,000
		RMRA	\$ -	\$ -	\$ 100,000	\$ -	\$ -	\$ 100,000
		TOTAL	\$ -	\$ -	\$ 950,000	\$ -	\$ -	\$ -
22104	2022-2023 MISC. TRAFFIC SIGNAL UPGRADES, LOCATIONS TBD	DIF (Signals)	\$ -	\$ -	\$ 250,000	\$ -	\$ -	\$ 250,000
22105	2022-2023 MISC. DRAINAGE REPAIRS, LOCATIONS TBD	Gas Tax	\$ -	\$ -	\$ 150,000	\$ -	\$ -	\$ 150,000
22106	SIERRA AVE, ARMSTRONG TO CITY LIMITS AND/OR ARMSTRONG RD, SIERRA TO CITY LIMITS ROUNDABOUT STUDY AND INSTALLATION	Gas Tax	\$ -	\$ -	\$ 100,000	\$ -	\$ -	\$ 100,000
		Unspecified	\$ -	\$ -	\$ -	\$ 250,000	\$ -	\$ 250,000
		TOTAL	\$ -	\$ -	\$ 100,000	\$ 250,000	\$ -	\$ -
23101	2023-2024 CITYWIDE SLURRY SEAL, LOCATIONS TBD	Measure 'A'	\$ -	\$ -	\$ -	\$ 300,000	\$ -	\$ 300,000
23102	2023-2024 CDBG - GLEN AVON AREA PAVEMENT REHABILITATION, LOCATIONS TBD	CDBG	\$ -	\$ -	\$ -	\$ 875,000	\$ -	\$ 875,000



CAPITAL IMPROVEMENT PROGRAM FY 2021-2022 TO FY 2025-2026

PROJECT SUMMARY

PROJECT NUMBER	PROJECT NAME	SOURCE OF FUNDS	21/22 PROJECTED	22/23 PROJECTED	23/24 PROJECTED	24/25 PROJECTED	25/26 PROJECTED AND FUTURE YEARS	COST TO COMPLETE	
23103	2023-2024 MISC. TRAFFIC SIGNAL UPGRADES, LOCATIONS TBD	DIF (Signals)	\$ -	\$ -	\$ 250,000	\$ -	\$ -	250,000	
23104	2023-2024 MISC. DRAINAGE REPAIRS, LOCATIONS TBD	Gas Tax	\$ -	\$ -	\$ 150,000	\$ -	\$ -	150,000	
23105	2023-2024 CITYWIDE PAVEMENT REHABILITATION, LOCATIONS TBD	Measure 'A'	\$ -	\$ -	\$ 900,000	\$ -	\$ -	900,000	
24101	2024-2025 CITYWIDE SLURRY SEAL, LOCATIONS TBD	Measure 'A'	\$ -	\$ -	\$ -	\$ 300,000	\$ -	300,000	
24102	2024-2025 CITYWIDE PAVEMENT REHABILITATION, LOCATIONS TBD	RMRA	\$ -	\$ -	\$ -	\$ 2,150,000	\$ -	2,150,000	
		Measure 'A'	\$ -	\$ -	\$ -	\$ 900,000	\$ -	900,000	
TOTAL			\$ -	\$ -	\$ -	\$ 3,050,000	\$ -	3,050,000	
24103	2024-2025 CDBG - COUNTRY VILLAGE RD. PAVEMENT REHABILITATION, GRANITE HILL TO SAN SEVAINE CHANNEL	CDBG	\$ -	\$ -	\$ -	\$ 900,000	\$ -	900,000	
24104	2024-2025 MISC. TRAFFIC SIGNAL UPGRADES, LOCATIONS TBD	DIF (Signals)	\$ -	\$ -	\$ -	\$ 250,000	\$ -	250,000	
24105	2024-2025 MISC. DRAINAGE REPAIRS, LOCATIONS TBD	Gas Tax	\$ -	\$ -	\$ -	\$ 150,000	\$ -	150,000	
25101	2025-2026 CITYWIDE SLURRY SEAL, LOCATIONS TBD	Measure 'A'	\$ -	\$ -	\$ -	\$ -	\$ 300,000	300,000	
25102	2025-2026 CITYWIDE PAVEMENT REHABILITATION, LOCATIONS TBD	Measure 'A'	\$ -	\$ -	\$ -	\$ -	\$ 900,000	900,000	
		RMRA	\$ -	\$ -	\$ -	\$ -	\$ 2,200,000	2,200,000	
TOTAL			\$ -	\$ -	\$ -	\$ -	\$ 3,100,000	3,100,000	
25103	2025-2026 CDBG - SAN SEVAINE WAY PAVEMENT REHABILITATION, ETIWANDA TO MISSION	CDBG	\$ -	\$ -	\$ -	\$ -	\$ 925,000	925,000	
25104	2025-2026 MISC. TRAFFIC SIGNAL UPGRADES, LOCATIONS TBD	DIF (Signals)	\$ -	\$ -	\$ -	\$ -	\$ 250,000	250,000	
25105	2025-2026 MISC. DRAINAGE REPAIRS, LOCATIONS TBD	Gas Tax	\$ -	\$ -	\$ -	\$ -	\$ 150,000	150,000	
TBD	VALLEY WAY AND JURUPA RD. REALIGNMENT	Unspecified	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	1,500,000	
TBD	58TH ST. GAP CLOSURE	Unspecified	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	1,500,000	
TBD	CAMINO REAL WIDENING/INTERSECTION IMPROVEMENTS, JURUPA RD. TO 700' SOUTH	Unspecified	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000	3,000,000	
TBD	DALY AVE. STORM DRAIN IMPROVEMENTS	Unspecified	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	1,500,000	
TBD	PACIFIC AVE. STORM DRAIN IMPROVEMENTS	Unspecified	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000	1,000,000	
TOTAL			\$ 5,659,358	\$ 19,227,406	\$ 16,684,600	\$ 10,173,714	\$ 8,413,448	\$ 67,439,000	\$ 127,597,526

ATTACHMENT 2

RESOLUTION NO. 2021-06-09-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF JURUPA VALLEY FINDING THE CITY OF JURUPA VALLEY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEAR 2021-2022 IN CONFORMANCE WITH THE CITY OF JURUPA VALLEY GENERAL PLAN

THE PLANNING COMMISSION OF THE CITY OF JURUPA VALLEY DOES RESOLVE AS FOLLOWS:

Section 1. **Project and Procedural Findings.** The Planning Commission of the City of Jurupa Valley does hereby find, determine and declare that:

(a) Government Code Section 65401 provides that if a general plan or part thereof has been adopted, within such time as may be fixed by the legislative body, each county or city officer, department, board, or commission, and each governmental body, commission, or board, including the governing body of any special district or school district, whose jurisdiction lies wholly or partially within the county or city, whose functions include recommending, preparing plans for, or constructing, major public works, shall submit to the official agency, as designated by the respective county board of supervisors or city council, a list of the proposed public works recommended for planning, initiation or construction during the ensuing fiscal year. The official agency receiving the list of proposed public works shall list and classify all such recommendations and shall prepare a coordinated program of proposed public works for the ensuing fiscal year. Such coordinated program shall be submitted to the county or city planning agency for review and report to said official agency as to conformity with the adopted general plan or part thereof.

(b) The City Engineer of the City of Jurupa Valley has prepared a draft Capital Improvement Program (CIP) for Fiscal Year 2021-2022 and is prepared to submit same to the City of Jurupa Valley City Council.

(c) All legal preconditions to the adoption of this Resolution have occurred.

Section 2. **California Environmental Quality Act Findings and Recommendation for Determination of Exemption.** The Planning Commission hereby makes the following environmental findings and determinations in connection with the approval of the Capital Improvement Program (CIP) for Fiscal Year 2021-2022:

(a) City staff has determined that the City of Jurupa Valley’s Capital Improvement Program (CIP) for Fiscal Year 2021-2022 is exempt from the requirements of the California Environmental Quality Act (“CEQA”) and the City’s CEQA Guidelines pursuant to CEQA Guidelines Section 15378(b)(4) because the Plan is not a “project” as defined by CEQA, but involves the creation of government funding mechanisms or other government fiscal activities that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. The Planning Commission has reviewed City staff’s determination of exemption and, based on its own independent judgment, concurs with staff’s determination of exemption.

Section 3. **Findings for Recommendation of Approval of Plan.** The Planning Commission of the City of Jurupa Valley does hereby recommend that the City Council of the City of Jurupa Valley find and determine that the proposed Capital Improvement Program (CIP) for Fiscal Year 2021-2022 should be adopted because:

(a) The City of Jurupa Valley’s Capital Improvement Program (CIP) for Fiscal Year 2021-2022 is consistent with the City of Jurupa Valley’s General Plan.

Section 4. **Certification.** The Community Development Director shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Jurupa Valley on this 9th day of June, 2021.

Penny Newman
Chair of Jurupa Valley Planning Commission

ATTEST:

Joe Perez
Community Development Director

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF JURUPA VALLEY)

I, Joe Perez, Community Development Director of the City of Jurupa Valley, do hereby certify that the foregoing Resolution No. 2021-06-09-03 was duly adopted and passed at a meeting of the Planning Commission of the City of Jurupa Valley on the 9th day of June, 2021, by the following vote, to wit:

AYES: COMMISSION MEMBERS:

NOES: COMMISSION MEMBERS:

ABSENT: COMMISSION MEMBERS:

ABSTAIN: COMMISSION MEMBERS:

JOE PEREZ
COMMUNITY DEVELOPMENT DIRECTOR