SPECIAL MEETING OF THE UPLAND PLANNING COMMISSION AGENDA

July 8, 2020 at 6:30 PM
Council Chambers

ROBIN ASPINALL, CHAIR
GARY SCHWARY, VICE CHAIR
CAROLYN ANDERSON, COMMISSIONER
THOMAS GRAHN, COMMISSIONER
SERGE MAYER, COMMISSIONER
ALEXANDER NOVIKOV, COMMISSIONER
PATRICK SHIM, COMMISSIONER

CALL TO ORDER OF THE PLANNING COMMISSION REGULAR MEETING

PLEDGE OF ALLEGIANCE

ROLL CALL OF THE PLANNING COMMISSION	Chair Aspinall, Vice Chair Schwary, Commissioners Anderson, Grahn, Mayer, Novikov and Shim
APPROVAL OF MINUTES	May 27, 2020 and June 10, 2020
COUNCIL ACTIONS	Robert D. Dalquest, Development Services Director June 1, 2020, June 8, 2020 and June 22, 2020
FUTURE AGENDA ITEMS	Mike Poland, Contract Planning Manager

ORAL COMMUNICATIONS

This is the time for any citizen to comment on any items that are not listed on the agenda under "Public Hearings" but within the Planning Commission's purview. Anyone wishing to address the Planning Commission should submit a speaker card to the Planning Secretary prior to speaking. The speakers are requested to keep their comments to five (5) minutes. The use of visual aids will be included in the time limit. Under the provisions of the Brown Act, the Planning Commission is prohibited from taking action on items not listed on the agenda.

PUBLIC HEARINGS

1. PUBLIC HEARING FOR CONDITIONAL USE PERMIT NO. 20-0003, DEVELOPMENT PLAN REVIEW NO. 20-0004, AND ENVIRONMENTAL ASSESSMENT REVIEW NO. EAR-20-0002.

Project Description: Consideration for 64 apartments within 14 buildings on 3.18 acres.

Project Location: Property is located at 1252 E. 7TH Street, further described as Assessor's Parcel Number 1047-181-02, and zoned Multi-Family Residential Low (10-20 DU/AC, MFR-L).

STAFF:	Joshua Winter, Associate Planner
APPLICANT:	Naji Garabet 1245 Hicrest Road Glendora, CA 91741
RECOMMENDATION:	That the Planning Commission: 1. Receive staff's presentation; and 2. Hold a public hearing and receive testimony from the public; and 3. Find that the project is Categorically Exempt from environmental proceedings pursuant to Section 15332, Class 32, in that it consists of a project characterized as in-fill development per the California Environmental Quality Act Guidelines; and 4. Move to adopt a Resolution Conditional Use Permit No. 20-0003 and Development Plan Review No. 20-0004, subject to conditions of approval as set forth in the draft resolution.
COUNCIL HEARING REQUIRED:	No
APPEAL PERIOD:	July 9, 2020 – July 18, 2020

2. PUBLIC HEARING TO CONSIDER ZONE CODE TEXT AMENDMENT NO. 20-0002.

Project Description: Consideration of an Ordinance adding Chapter 17.23.1 to the Upland Municipal Code related to regulating Short-Term Rentals in Single-Family Residential (RS) zones, Multi-Family Residential (RM) zones and residential specific plans.

Project Location: Citywide.

STAFF:	Robert D. Dalquest, Development Services Director
APPLICANT:	City of Upland 460 North Euclid Avenue Upland, CA 91786

RECOMMENDATION:	That the Planning Commission: 1. Receive staff's presentation; and 2. Hold a public hearing and receive testimony from the public; and 3. Find that this Ordinance qualifies under the general rule that CEQA applies only to projects, which have the potential for causing significant effect on the environment. Pursuant to State CEQA Guidelines Section 15061(B)(3); and 4. Approve a Resolution recommending that the City Council adopt an Ordinance (Zone Code Text Amendment No. ZA-20-0002) regulating Short-Term Rentals.
COUNCIL HEARING REQUIRED:	Yes
APPEAL PERIOD:	NA

3. PUBLIC HEARING TO CONSIDER ZONE CODE TEXT AMENDMENT NO. 20-0003.

Project Description: Consideration of an Ordinance amending Upland Municipal Code Chapter 17.40 Telecommunication Facilities (to be renamed Wireless Communications Facilities).

Project Location: Citywide.

STAFF:	Robert D. Dalquest, Development Services Director
APPLICANT:	City of Upland 460 North Euclid Avenue Upland, CA 91786
RECOMMENDATION:	That the Planning Commission: 1. Receive staff's presentation; and 2. Hold a public hearing and receive testimony from the public; and 3. Find that this Ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly.; and 4. Approve a Resolution recommending that the City Council adopt an Ordinance (Zone Code Text Amendment No. ZA-20-0003) regulating Wireless Communications Facilities.
COUNCIL HEARING REQUIRED:	Yes
APPEAL PERIOD:	NA

BUSINESS ITEMS - None.

COMMISSION COMMUNICATIONS

ADJOURNMENT

Adjourn to the next regular scheduled Planning Commission meeting on July 22, 2020.

NOTICE TO PUBLIC: All maps, environmental information, and other data pertinent to this item are filed in the City of Upland Development Services Department and will be available for public inspection by appointment prior to the meeting at 460 North Euclid Avenue during normal business hours. To schedule an appointment, please call 931-4305.

If you wish to appeal a decision of the Planning Commission, you must do so within ten (10) calendar days following the meeting. Please contact the Planning Division for information regarding the appeal procedure.

If you challenge the public hearing(s) or the related environmental determinations, in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Upland, at or prior to, the public hearing.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at 931-4305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

POSTING STATEMENT: On July 2, 2020, at least 72 hours prior to the meeting, a true and correct copy of this agenda was posted at 460 N. Euclid Avenue (Upland City Hall), 450 N. Euclid Avenue (Upland Public Library), and the City's website at www.uplandca.gov per Government Code Section 54954.2.

MINUTES OF A REGULAR MEETING OF THE UPLAND PLANNING COMMISSION HELD WEDNESDAY, MAY 27, 2020 AT 6:30 P.M.

CALL TO ORDER OF THE PLANNING COMMISSION REGULAR MEETING

Chair Aspinall called the Regular Meeting of the Upland Planning Commission to order and due to the meeting being conducted through Zoom was off-site of the Council Chambers of the Upland City Hall at 6:31 P.M.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by *Vice Chair Schwary*.

ROLL CALL

MEMBERS PRESENT:	Commissioners Anderson, Mayer, Novikov, Shim, Vice Chair Schwary, and Chair Aspinall
MEMBERS ABSENT:	Commissioner Walker
ALSO PRESENT:	Development Services Director and Planning Commission Secretary Dalquest, Contract Planning Manager Poland, Senior Administrative Assistant Davidson, Deputy City Attorney Shah.

This Planning Commission meeting was conducted pursuant to the Governor's Executive Order N-29-20 which suspended certain requirements of the Brown Act. The Planning Commission Chair and members of the Commission were present via videoconference and the public was able to observe the meeting via live stream on the City's website or on the public access cable channels. Public comment was taken via telephone.

APPROVAL/MINUTES

Moved by *Vice Chair Schwary,* to approve of the minutes of the Planning Commission meeting of March 25, 2020.

The motion was seconded by *Commissioner Anderson*.

The motion carried by the following vote (6-0-1):

AYES: *Commissioners Anderson, Mayer, Novikov, Shim, Vice Chair Schwary, and Chair Aspinall*

NAYS: None ABSTAINED: None

ABSENT: *Commissioner Walker*

COUNCIL ACTIONS

Development Services Director Dalquest provided a brief follow up on the April 1st City Council Special Meeting, noting that the City Council approved the Bridge Development project and related Development Agreement. He also provided a follow up on the April 13th City Council Regular Meeting, noting the City Council approved the Villa Serena residential project and adopted changes as recommended by the Planning Commission. He also provided a follow up on the April 27th City Council Regular Meeting, noting the City Council had the second reading for the Bridge Development Agreement and Ordinance as well as a policy discussion concerning land use regulations for warehouse facilities. *Development Services Director Dalquest* indicated he led the discussion based on uses in surrounding cities and differences in warehouse supply chains and spoke about takeaways from the discussion. He also provided a follow up on the May 11th City Council Regular Meeting, noting the City Council approved a two-year extension for the Enclave Development Agreement; and the City Council approved an ordinance prohibiting

smoking and vaping in public spaces. He also indicated that the City Council Meeting of May 26, 2020 was continued due to technical difficulties.

Chair Aspinall inquired as to the land use regulation discussion at the April 27, 2020 City Council Meeting and inquired whether the Planning Commission would participate in a workshop regarding land use.

In response to *Chair Aspinall's* inquiry, *Development Services Director Dalquest* indicated that due to the COVID-19 pandemic, the workshop for the telecommunications ordinance will only involve the Planning Commission, however, Council may be in audience attendance, and is scheduled for June 10, 2020.

FUTURE AGENDA ITEMS

Contract Planning Manager Poland indicated that, as previously mentioned, the Planning Commission would have a special workshop on June 10, 2020 to review the wireless telecommunications ordinance. He also indicated that at the June 24th regular meeting, the Commission will hold a public hearing on the proposed wireless telecommunications ordinance. Additionally, the Commission will consider code amendments for Accessory Dwelling Units; short-term rentals; and sign code as it relates to an electronic reader board at the high school. He also indicated that a 64-unit apartment project proposal will also potentially go before the Commission at the June 24th meeting.

ORAL COMMUNICATIONS

Chair Aspinall stated this is the time for any citizen to comment on any items that are not listed on the agenda under "Public Hearings" but within the Planning Commission's purview. Anyone wishing to address the Planning Commission should submit a speaker card to the Planning Secretary prior to speaking. The speakers are requested to keep their comments to five (5) minutes. The use of visual aids will be included in the time limit. Under the provisions of the Brown Act, the Planning Commission is prohibited from acting on items not listed on the agenda.

Noting there were no members of the public wishing to address the Commission, *Chair Aspinall* closed the oral communications.

PUBLIC HEARINGS

1. PUBLIC HEARING FOR CONDITIONAL USE PERMIT NO. 19-09, SITE PLAN NO. 19-06, DESIGN REVIEW NO. 19-11, TENTATIVE TRACT MAP NO. 19-02 (TTM NO. 20299), AND ENVIRONMENTAL ASSESSMENT REVIEW NO. EAR-0083.

Project Description: Consideration for 26 townhome units in seven (7) separate buildings on 1.6 acres.

Project Location: Property is located at 1332, 1336 and 1344 E. 9th Street, further described as Assessor's Parcel Numbers 1046-501-07, 08, and 09, and zoned RM-20 (Residential Multi-Family Low).

STAFF:	Mike Poland, Contract Planning Manager
APPLICANT:	Matt Livingston Ridge Crest Real Estate, LLC RC Homes, Inc. 1800 S. Brand Blvd.; Suite 203 Glendale, CA 91204
RECOMMENDATION:	That the Planning Commission: 1. Receive staff's presentation; and 2. Hold a public hearing and receive testimony from the public; and 3. Find that the project is Categorically Exempt from environmental proceedings pursuant to Section 15332, Class 32, in that it consists of a project characterized as in-fill development per the California Environmental Quality Act Guidelines; and

	4. Move to adopt a Resolution approving Conditional Use Permit No. 19-09, Site Plan No. 19-06, Design Review No. 19-11, and Tentative Tract Map No. 19-02 (TTM No. 20299), subject to conditions of approval as set forth in the draft resolution dated May 27, 2020.
COUNCIL HEARING REQUIRED:	None
APPEAL PERIOD:	May 28, 2020 – June 6, 2020

Contract Planning Manager Poland presented the details of the report, including the request, site approval, Phase 1 approved plan, zoning, General Plan, design consideration, landscaping, site features, access, environmental assessment, analysis, and staff recommendation.

Vice Chair Schwary requested clarification on previous Planning Commission approvals related to this project.

In response to *Vice Chair Schwary's* inquiry, *Contract Planning Manager Poland* indicated that there were 56-units on 3.2 acres previously approved under Phase 1. He also indicated that the current request is for 26 units on 1.6 acres, which equals a density of 16.4 units.

Chair Aspinall inquired as to the construction access points. She also inquired as the placement of the park, and if it will be within the gated development. She also inquired about public parking accommodations.

In response to *Chair Aspinall's* inquiry, *Contract Planning Manager Poland* indicated that Phase 2 construction will utilize 9th Street and will not impact residents in Phase 1. He also indicated that the park will be located outside of the vehicular gates, but inside the pedestrian access gates. He also clarified that public park patrons may park their vehicles on 9th Street and also on Bodenheimer.

Commissioner Mayer inquired as to the white areas on depicted on the landscape plan, adjacent to the use easement.

In response to *Commissioner Mayer's* inquiry, *Contract Planning Manager Poland* indicated the areas will be additional guest parking spaces. He also indicated that the developer was granted an encroachment land use agreement with County Flood Control to utilize the area as part of Phase 2. He also noted that the County does not allow buildings along the encroachment area, only parking or landscaping, and clarified that the white area would be common areas inside of the gate.

Commissioner Mayer requested confirmation as to who the responsibility of the maintenance of said area would be.

In response to *Commissioner Mayer's* inquiry, *Contract Planning Manager Poland* clarified that although the easement is owned by the County, all mentions of "owner/developer" within the agreement refers to the developer, and the developer would be responsible for all maintenance and upkeep where mentioned.

Commissioner Novikov inquired as the flow of traffic to access the 210 freeway.

In response to *Commissioner Novikov's* inquiry, *Contract Planning Manager Poland* indicated traffic studies were conducted as part of Phase 1 and Phase 2, and that all access to-and-from the site will go off of Bodenheimer and 9th Street only.

Chair Aspinall opened the public hearing.

Matt Livingston, applicant, spoke about the transformative nature of the project, history of the site, and vision for the property. He also spoke about the architecture of the project, layout of the properties, and expressed his happiness to be a part of the Upland community.

Chair Aspinall inquired whether the homes will be for sale.

In response to *Chair Aspinall's* inquiry, *Matt Livingston* confirmed the townhomes will all be for sale and a homeowners association will manage the property.

Chair Aspinall commented positively on the project and the proposal.

Matt Livingston thanked the City for keeping business moving and projects coming before the Commission considering the current environment.

Seeing no further members of the public wishing to address the Commission, *Chair Aspinall* closed the public hearing.

Commissioner Mayer commented positively on the design on the project.

Vice Chair Schwary moved to find that the project is Categorically Exempt from environmental proceedings pursuant to Section 15332, Class 32, in that it consists of a project characterized as in-fill development per the California Environmental Quality Act Guidelines; and moved to adopt a Resolution approving Conditional Use Permit No. 19-09, Site Plan No. 19-06, Design Review No. 19-11, and Tentative Tract Map No. 19-02 (TTM No. 20299), subject to conditions of approval as set forth in the draft resolution dated May 27, 2020.

The motion was seconded by *Commissioner Anderson.*

The motion carried by the following vote: (6-0-1):

AYES: *Commissioners Anderson, Mayer, Novikov, Shim, Vice Chair Schwary, and Chair Aspinall*

NAYS: None ABSTAINED: None

ABSENT: *Commissioner Walker*

2. PUBLIC HEARING TO CONSIDER RECOMMENDING THAT THE CITY COUNCIL APPROVE VEHICLE MILES TRAVELED (VMT) THRESHOLDS FOR CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE RELATED TO TRANSPORTATION ANALYSIS.

Project Description: Consideration of conforming to State Law Senate Bill ("SB") 743 by replacing vehicular Level of Service (LOS) with Vehicle Miles Traveled (VMT) transportation analysis metric under the California Environmental Quality Act (CEQA).

Project Location: Citywide

STAFF:	Mike Poland, Contract Planning Manager
APPLICANT:	City of Upland 460 North Euclid Avenue Upland, CA 91786
RECOMMENDATION:	That the Planning Commission: 1. Receive staff's presentation; and 2. Hold a public hearing and receive testimony from the public; and 3. Find this project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), and the environmental regulations of the City. The project qualifies for a Class 8 categorical exemption (Actions by a Regulatory Agency for Protection of the Environment) in accordance with the requirements of Section 15308 of the State CEQA Guidelines. The revised CEQA thresholds will be compliant with a State mandate (Senate Bill 743) and will be used in a regulatory process that involves procedures for the protection of the environment. The new Local Transportation Assessment Guidelines will provide the City with project specific transportation information

	that can be used in the local regulatory process in which protection of the environment is considered.; and 4. Adopt a Resolution recommending the City Council adopt a Resolution approving Vehicle Miles Traveled (VMT) thresholds for California Environmental Quality Act compliance related to transportation analysis.
COUNCIL HEARING REQUIRED:	Yes
APPEAL PERIOD:	N/A

Contract Planning Manager Poland presented the details of the report, including current methodology, differences from the current methodology through the proposed Vehicle Miles Traveled (VMT) method, and proposed VMT thresholds. He also introduced the City's traffic consultant, Delia Votsch, Fehr and Peers, who will present further details of the report.

Delia Votsch presented details of the report including the evolution of CEQA guideline updates; SB 743 overview; CEQA guidelines adoption with SB 743 implementation; changes as a result of SB 743; what Vehicle Miles Traveled (VMT) is, and how it's calculated; key questions that need to be answered; how the City can comply with SB 743; Traffic Study procedure; and staff recommendations.

Vice Chair Schwary inquired as to the options available to the Planning Commission.

In response to *Vice Chair Schwary's* inquiry, *Delia Votsch* indicated the State is mandating that VMT be adopted as the metric for CEQA analysis starting July 1, 2020, as such, in order to be compliant with State law, VMT must be adopted. She also indicated there is some local discretion on the threshold chosen and indicated that each local jurisdiction in San Bernardino County is taking a slightly different approach. She also indicated that City staff chose the preferred threshold.

Chair Aspinall inquired as to the degree to which City staff's approach to thresholds falls as compared to other jurisdictions.

In response to *Chair Aspinall's* inquiry, *Delia Votsch* indicated that the City's threshold choice trends towards the more lenient side, which will lead to fewer significant transportation impacts. She also indicated that there is a balance between the need to protect the environment, but also encourage development.

Chair Aspinall requested clarification as to whether the City also require developers to submit a Level of Services analysis in addition to fulfilling CEQA requirements.

In response to *Chair Aspinall's* inquiry, *Development Services Director Dalquest* indicated the City will still require a Level of Service analysis as part of the traffic study, as indicated in the General Plan. He also explained the different Level of Service metrics based on various areas in the City.

Chair Aspinall requested clarification on how trucks are included in the VMT calculation.

In response to *Chair Aspinall's* inquiry, *Delia Votsch* explained that truck vehicle miles are also calculated within the VMT calculation, and that truck VMT can also be isolated within the calculations. She also indicated that truck VMT is generally included within typical calculations that will be presented.

Commissioner Mayer requested clarification as to what circumstances would bring about this requirement.

In response to *Commissioner Mayer's* inquiry, *Delia Votsch* indicated that if a project is already exempt from CEQA, the VMT will not be required.

Development Services Director Dalquest added that the VMT will be required for Environmental Impact Reports (EIR's) and Mitigated Negative Declarations (MND's) as part of the traffic study if there are no CEQA exemptions. *Chair Aspinall* inquired whether this requirement will go into effect for any new projects beginning on July1st.

In response to *Chair Aspinall's* inquiry, *Development Services Director Dalquest* confirmed that the VMT will be in place for traffic study requirements effective July 1st.

Chair Aspinall clarified that the City Council is the ultimate approval body for this item, and that it is the Planning Commission's responsibility to make a recommendation the City Council.

Commissioner Mayer inquired whether the VMT threshold chosen best aligns with the goals of the City.

In response to *Commissioner Mayer's* inquiry, *Development Services Director Dalquest* confirmed that he believes the VMT threshold chosen best aligns with the goals of the City. He also noted that Level of Service analysis' are also being taken in accordance with the General Plan.

Commissioner Mayer inquired as to the effect more leniency would have on the City.

In response to *Commissioner Mayer's* inquiry, *Delia Votsch* explained that the more leniency, the lower the potential is for there to be more significant transportation impacts in the EIR. She also indicated that there must be a balance in meeting the intent of SB 743 and goals of the legislation, where taking more lenient threshold could also lead to potential challenges.

Development Services Director Dalquest added that conversely, if there were more stringent requirements, an EIR would be required for projects you would normally not require an EIR for.

Commissioner Mayer requested clarification whether this threshold will help determine whether a project requires an EIR.

In response to *Commissioner Mayer's* inquiry, *Delia Votsch* indicated that if CEQA analysis is required, but is determined to be below the threshold, then it would be a less than significant impact and can be covered in an MND. She also added that if the analysis is determined to be above the threshold, the MND would be required to be bumped up to a full EIR.

Contract Planning Manager Poland indicated that VMT is only one element which determines necessity for EIRs.

Commissioner Mayer inquired as to future impacts of a more lenient threshold may cause.

In response to *Commissioner Mayer's* inquiry, *Delia Votsch* indicated that there are potential for legal challenges of the CEQA documents. She also advised consulting the City Attorney, and noted that she believes staff has already done so, for legal defensibility or potential for litigation with regards to this action.

Development Services Director Dalquest inquired as to the number of cities who have indicated or are leaning towards using San Bernardino County as the measure for leniency versus their own City average.

In response to *Development Services Director Dalquest's* inquiry, *Delia Votsch* indicated that about half of the Cities are using the County average versus half who are using their own City average.

Development Services Director Dalquest inquired as to the reasons Cities may have chosen to go with their own City average.

In response to *Development Services Director Dalquest's* inquiry, *Delia Votsch* indicated that there are a number of factors involved, but some decision factors involve benchmarks to better align with General Plan goals, and to better encourage development within the City. She also indicated that it is a unique decision which differs from city to city.

Development Services Director Dalquest inquired that given the variation of the transit zones in the City which would be potentially screened out of doing a VMT analysis and others that are residential, does *Delia Votsch* feel that the metric chosen would be appropriate for the City.

In response to *Development Services Director Dalquest's* inquiry, *Delia Votsch* indicated that she feels the metric chosen would be appropriate for the City, noting a large portion of the City is screen based on areas either being a transit priority area or a low VMT zone.

Chair Aspinall opened the public hearing.

Lois Sicking Dieter spoke about the VMT tools and uses in surrounding counties. She indicated that there are a number of methodology options for calculating VMT. She expressed concern for the leniency option selected for calculating VMT in the City and indicated she will be reviewing the methodology in detail and will be providing further comments in the future related to the thresholds. She also encouraged the Commission to make the recommendation to the Council where she intends to speak again. She spoke about the cost effectiveness for implementing a VMT analysis software program and having more conservative VMT thresholds to provide a defensible position on future proposed projects. She expressed support for smart development, while maintaining health and safety for the residents of Upland.

Noting no further members who wished to address the Commission by means of contacting the City Clerk's office prior to the meeting, *Chair Aspinall* closed the public hearing.

Chair Aspinall moved to find this project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), and the environmental regulations of the City. The project qualifies for a Class 8 categorical exemption (Actions by a Regulatory Agency for Protection of the Environment) in accordance with the requirements of Section 15308 of the State CEQA Guidelines. The revised CEQA thresholds will be compliant with a State mandate (Senate Bill 743) and will be used in a regulatory process that involves procedures for the protection of the environment. The new Local Transportation Assessment Guidelines will provide the City with project specific transportation information that can be used in the local regulatory process in which protection of the environment is considered; and moved to adopt a Resolution recommending the City Council adopt a Resolution approving Vehicle Miles Traveled (VMT) thresholds for California Environmental Quality Act compliance related to transportation analysis.

The motion was seconded by *Vice Chair Schwary.*

The motion carried by the following vote: (6-0-1):

AYES: *Commissioners Anderson, Mayer, Novikov, Shim, Vice Chair Schwary, and Chair Aspinall*

NAYS: None ABSTAINED: None

ABSENT: *Commissioner Walker*

Development Services Director Dalquest indicated the item is scheduled to be heard at the June 22, 2020 City Council meeting.

BUSINESS ITEMS – None.

COMMISSION COMMUNICATION

Vice Chair Schwary welcomed *Commissioners Mayer and Shim* to the Planning Commission and expressed gratitude for having their fresh insight.

Commissioner Anderson indicated that she may be unable to attend the June 10th workshop.

ADJOURNMENT

There being no further business to come before the Planning Commission, *Chair Aspinall* adjourned the meeting at 8:00 P.M., to the regular meeting of the Planning Commission on June 24, 2020, at 6:30 P.M.

Respectfully submitted,

Robert D. Dalquest, Secretary
Upland Planning Commission

MINUTES OF A SPECIAL WORKSHOP OF THE UPLAND PLANNING COMMISSION HELD WEDNESDAY, JUNE 10, 2020 AT 6:30 P.M.

CALL TO ORDER OF THE PLANNING COMMISSION REGULAR MEETING

Chair Aspinall called the Special Workshop of the Upland Planning Commission to order and due to the meeting being conducted through Zoom was off-site of the Council Chambers of the Upland City Hall at 6:33 P.M.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by *Commissioner Novikov*.

ROLL CALL

MEMBERS PRESENT:	Commissioners Anderson, Mayer, Novikov, Shim, Walker, Vice Chair Schwary, and Chair Aspinall
MEMBERS ABSENT:	None.
ALSO PRESENT:	Development Services Director and Planning Commission Secretary Dalquest, Associate Planner Winter, City Attorney Flower, Senior Administrative Assistant Davidson

This Planning Commission meeting was conducted pursuant to the Governor's Executive Order N-29-20 which suspended certain requirements of the Brown Act. The Planning Commission Chair and members of the Commission were present via videoconference and the public was able to observe the meeting via live stream on the City's website or on the public access cable channels. Public comment was taken via telephone.

ORAL COMMUNICATIONS

Chair Aspinall stated this is the time for any citizen to comment on any items that are not listed on the agenda under "Public Hearings" but within the Planning Commission's purview. Anyone wishing to address the Planning Commission should submit a speaker card to the Planning Secretary prior to speaking. The speakers are requested to keep their comments to five (5) minutes. The use of visual aids will be included in the time limit. Under the provisions of the Brown Act, the Planning Commission is prohibited from acting on items not listed on the agenda.

Noting there were no members of the public wishing to address the Commission, *Chair Aspinall* closed the oral communications.

WORKSHOP

1. Proposed Wireless Telecommunication Regulations

Development Services Director Dalquest introduced the item, and indicated due to the length of the draft ordinance, staff felt it would be beneficial to conduct a workshop prior to the public hearing scheduled for the June 24th regular Planning Commission meeting.

Associate Planner Winter presented the details of the proposed wireless telecommunications ordinance, including the types of telecommunications facilities and characteristics; small cell facilities and 5G; factors driving deployment; and types of entities deploying wireless.

City Attorney Flower spoke about the regulatory background, including State and Federal regulations related to telecommunications facilities and local control; the Federal Telecommunications Act of 1996; consideration of radio frequency (RF) emissions; zoning regulation prohibitions; the Spectrum Act/The Middle Class Tax Relief and Job Creation Act of 2012; State laws regarding telecommunications in the right-of-way; time, place, and manner

restrictions; FCC report and order establishing new categories for "small wireless facilities"; requirements for local regulations of small wireless facilities; local fee limits; "safe harbor fees"; and current legal challenge to the FCC order.

Vice Chair Schwary spoke about past public comments received, where concerns were expressed related to the potential negative effects cell towers can have on the health of surrounding residents. He reiterated that the City is restricted by federal law from denying applications for wireless telecommunications sites on the basis of potential health effects, and inquired as to how the City could get around these regulations to be able to take the public's concerns into consideration.

In response to *Vice Chair Schwary's* inquiry, *City Attorney Flower* indicated that the law is restrictive on local discretion related to public health concerns. He indicated the issue of RF emissions is not a part of the current legal challenge and that the current legal challenge only relates to small cell facilities.

Commissioner Walker inquired whether the City is able to file an amicus brief contingent upon the determination of the current legal challenge to defer any final decision until after the challenge resolved.

In response to *Commissioner Walker's* inquiry, *City Attorney Flower* indicated that the matter has been fully briefed before the 9th circuit and there is no longer an opportunity to file an Amicus Brief. He also indicated that other cities are already involved are representing the same legal interests as the City of Upland and indicated that it is in the best interest of the City to continue to follow federal laws regarding small cell facilities. He indicated the City has already adopted code amendments and policies to govern small cell sites, and that if this ordinance is adopted, it would supersede previous amendments.

Commissioner Walker inquired as to the time frame from submittal of the application to Planning Commission decision.

In response to *Commissioner Walker's* inquiry, *City Attorney Flower* indicated the City has 60 days to approve modifications or colocations; 90 days for small cell sites; and up to 150 days for a new macro structures.

Development Services Director Dalquest added that the clock begins once the application is deemed complete. He also spoke briefly about the submittal requirements staff must review during that period.

City Attorney Flower also spoke about the application and review process, including the time frame for staff to respond to the applicant, before the submittal may be deemed complete.

Commissioner Walker inquired whether there are any existing applicants for this infrastructure and if there is a time limitation to draft and adopt this ordinance.

In response to *Commissioner Walker's* inquiry, *Development Services Director Dalquest* indicated there is currently one (1) small cell facility that has been incomplete for some time, as well as two (2) cell towers that are waiting for the ordinance to be completed. He indicated once the ordinance is in effect, the Department will be processing a CUP for a cell tower at Memorial Park and a colocation at Flowers Field. He also spoke about the history of the ordinance, as directed by the Council.

City Attorney Flower indicated that without an updated ordinance, the City is unable to exert as much control as it could over cell sites.

Chair Aspinall inquired whether the City is at any risk for litigation from the applicants who are currently waiting for the passage of an ordinance.

In response to *Chair Aspinall's* inquiry, *Development Services Director Dalquest* indicated that one (1) of the applications is still considered incomplete; staff is currently working on the lease for the site proposed at Memorial Park; and the other application for Flowers Field was recently submitted.

Commissioner Walker inquired whether the City is still able to process applications without an ordinance.

In response to *Commissioner Walker's* inquiry, *City Attorney Flower* indicated that oftentimes wireless companies

are usually patient to wait and see what transpires if they know an ordinance amendment is coming forward. However, without ordinances, the City cannot apply any aesthetic standards and indicated that the sooner the City adopts updated regulations, the better.

Commissioner Walker expressed concern for timing with regards to expiring terms and including new perspectives in crafting the ordinance if it is not completed prior to the turnover.

In response to *Commissioner Walker's* inquiry, *Development Services Director Dalquest* indicated that the item is scheduled to be heard on June 24th and the current Planning Commission that is in place will hear the item and make a recommendation to Council.

Chair Aspinall inquired whether there is any conflict with what was adopted previously and what is being proposed now. She also requested clarification on the ordinance approval process.

In response to *Chair Aspinall's* inquiry, *City Attorney Flower* indicated the ordinance is designed to supersede the resolution, as such, the resolution would no longer be in effect if the ordinance is adopted. He also noted that the ordinance is updated, but the same basic regulations will still be in place.

In response to *Chair Aspinall's* inquiry, *Development Services Director* clarified the adoption process and indicated that as the ordinance is a legislative decision, the Planning Commission action would be to make a recommendation to the City Council.

Associate Planner Winter spoke about the key elements of the proposed wireless telecommunications ordinance, including permit application requirements; zone and location requirements; design and development standards; Conditions of Approval; operations and maintenance standards; findings; and provisions for permit expiration, and revocation, cessation, and abandonment.

Commissioner Anderson expressed concerns for dense residential areas with regards to cell coverage.

In response to *Commissioner Anderson's* inquiry, *Associate Planner Winter* indicated that towers are prohibited in residential areas, and cell companies oftentimes look for parks and similar areas to address gaps in cell coverage.

City Attorney Flower indicated that even if zoning allowed, oftentimes due to the size of the footprint, cell companies have a difficult time finding a location to install towers. He also spoke about requirements the City built in to the ordinance for circumstances allowing small cell facilities in residential areas.

Commissioner Anderson inquired as to any stipulations to maintenance requirements for camouflage around the cell sites.

In response to *Commissioner Anderson's* inquiry, *Associate Planner Winter* indicated there are maintenance requirements, follow-up checks and enforcement on cell tower camouflage.

Commissioner Mayer inquired as to the hierarchy of ideal locations for the cell sites.

In response to *Commissioner Mayer's* inquiry, *City Attorney Flower* indicated that location preference is more a matter of aesthetic control rather than RF.

Development Services Director Dalquest spoke about operations and maintenance standards as outlined in the proposed draft ordinance.

City Attorney Flower clarified that the provisions applies to the small cell sites, where there isn't discretionary control over to look at the sites on a case-by-case basis.

Commissioner Mayer requested clarification on provisions for allowing cells in residential areas.

In response to *Commissioner Mayer's* inquiry, *Development Services Director Dalquest* spoke about eligible facility requests with regards to colocation. He also spoke about the criteria in the FCC standards which define eligible facility requests.

Commissioner Mayer inquired as to how many towers the City has in residential zones.

In response to *Commissioner Mayer's* inquiry, *Development Services Director Dalquest* indicated there are very few cell towers in residential areas, if any, but more than likely there are none.

Discussion ensued related to the history of the cell tower at St. Anthony.

City Attorney Flower explained that if there is an existing site in a residential zone area, the eligible facility request is permitted by right.

Commissioner Mayer inquired as to the process for selecting cell sites and staff's qualifications for reviewing them.

In response to *Commissioner Mayer's* inquiry, *Development Services Director Dalquest* explained the process for identifying areas and justifications the applicants must make. He also indicated the ordinance provides provisions for hiring experts should that knowledge and expertise be needed.

City Attorney Flower also added that the ordinance also requires the applicant to pay for the cost of the third party consultant, should the services be needed.

Commissioner Mayer inquired as to the hierarchy as it relates to new towers not being placed within 200 feet within a residential zone.

In response to *Commissioner Mayer's* inquiry, *Development Services Director Dalquest* indicated that cell companies are outright prohibited from placing a new site within 200 feet of a residential zone, however, should the applicant show the necessity, the applicant may provide a justification for placement.

Commissioner Mayer requested renderings of the small cell facilities.

In response to *Commissioner Mayer's* inquiry, *Development Services Director Dalquest* provided a description of the small cell facilities, including dimensions.

Vice Chair Schwary inquired as to legal restrictions for extending the 200 feet boundary from residential zones.

In response to *Chair Schwary's* inquiry, *City Attorney Flower* indicated there is no statue that specifies the 200 feet boundary, instead the line around residential areas is a policy decision based on suggestion.

Commissioner Walker inquired whether the City has a third party consultant who is available to either confirm or challenge gaps of coverage. She also inquired as to the potential impacts of increasing the distance from residential areas to existing structures.

In response to *Commissioner Walker's* inquiry, *Development Services Director Dalquest* indicated that the City does not currently maintain a list of consultants, however, it is at staff's discretion to obtain consultants. He also indicated that each placement is evaluated on a case-by-case basis, and provided examples.

Discussion ensued related to existing towers and existing, legal non-conforming rights, should new structures be introduced as a result of extended distance requirements.

Development Services Director spoke about the history of the item, noting the Council Advisory Committee heard the item previously, and were all supportive of the ordinance.

Associate Planner Winter spoke about the one (1) change the Council Advisory Committee had to the draft ordinance as it related to towers on city property. He indicated that it was their recommendation to codify how a cell tower can be approved on city property, and outlining the lease process.

Chair Aspinall opened oral communications.

Senior Administrative Assistant Davidson indicated that staff made multiple attempts to contact the speaker by phone and email and were unable to make contact.

Development Services Director Dalquest made a corrections to the hierarchy as noted on page 27 of the draft ordinance.

Chair Aspinall also noted a correction to page 2 of the draft ordinance in relation to the numbering.

Development Services Director Dalquest spoke about next steps in the process.

COMMISSION COMMUNICATION

Chair Aspinall spoke about the expiring terms of *Commissioner's Mayer* and *Walker* and the recent appointment of one (1) new Planning Commissioner by the City Council at their previous meeting. She requested that *City Attorney Flower* provide an explanation of the Planning Commission's role in the transition and appointment of new Commissioners.

In response to *Chair Aspinall's* request, *City Attorney Flower* explained that the City Council is the deciding authority for appointing Planning Commissioners.

Commissioner Anderson requested clarification in regard to Planning Commission term provisions, as set forth by the City Council.

In response to *Commissioner Anderson's* inquiry, *Vice Chair Schwary* explained his understanding of the approval process for consecutive terms. He also spoke about his history of appointments and confirmation by Council and spoke about the opinions of the Council to have rotation and term limits on the Commission.

Commissioner Novikov requested clarification on the process for consideration of candidates for the Planning Commission.

In response to *Commissioner Novikov's* inquiry, *City Attorney Flower* indicated that as a matter of law, the Government Code notes appointments are subject to approval by the City Council, the City Council adopted a Resolution that sets forth a process with a subcommittee formed for purposes of conducting interviews, and can use any criteria they wish to use to evaluate and confirm appointments.

Commissioner Walker inquired as to availability of the video stream of the meeting.

In response to *Commissioner Walker's* inquiry, *Senior Administrative Assistant Davidson* indicated the videos are archived and available the next day on the City's website.

Chair Aspinall permitted public comment on the previous Workshop.

Natasha Walton, resident, spoke about the importance of maintaining open spaces in the City. She expressed concern with cell phone towers in recreational spaces. She also spoke about the current cell phone tower and related lease at the Skate Park, and limitations for further recreation development as a result of the cell tower location. She recommended the City consider shorter term leases on cell tower sites and consider placing the towers on private property away from residences and open space. She also expressed concern with potential crowding at Memorial Park and future technology changes.

ADJOURNMENT

There being no further business to come before the Planning Commission, *Chair Aspinall* adjourned the meeting at 8:00 P.M., to the regular meeting of the Planning Commission on June 24, 2020, at 6:30 P.M.

Respectfully submitted,

Robert D. Dalquest, Secretary
Upland Planning Commission

PLANNING COMMISSION REPORT

ITEM NO. 1

DATE: **July 8, 2020**

TO: **PLANNING COMMISSION**

FROM: **ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR**

PREPARED BY: **JOSHUA WINTER, ASSOCIATE PLANNER**

SUBJECT: **CONDITIONAL USE PERMIT NO. CUP-20-0003, DEVELOPMENT PLAN REVIEW NO. DPR-20-0004, AND ENVIRONMENTAL ASSESSMENT REVIEW NO. EAR-20-0002 FOR THE DEVELOPMENT OF 64 APARTMENTS WITHIN 16 BUILDINGS AT A DENSITY OF 20 DWELLING UNITS PER ACRE INCLUDING ASSOCIATED IMPROVEMENTS ON A 3.18 ACRE PARCEL WITHIN THE MULTI-FAMILY RESIDENTIAL LOW (10-20 DU/AC, MFR-L) GENERAL PLAN DESIGNATION AND MULTI-FAMILY RESIDENTIAL (RM-20) ZONE LOCATED AT 1252 E. 7TH STREET (APN: 1047-181-02).**

REQUEST

The applicant requests the approval of a 64-unit townhouse style apartment project at a density of 20 du/ac with related site improvements (See Exhibit A – Draft Resolution). The request includes the following applications:

Conditional Use Permit (CUP-20-0003). For apartment projects over 15 dwelling units per acre, a Conditional Use Permit pursuant to the Upland Municipal Code Section 17.44.040 is required.

*Development Plan Review (*DPR-20-0004). A Development Plan Review is required in accordance with the Upland Municipal Code to provide for the review and approval of development projects consistent with the provisions of the Zoning Ordinance, where review is required or necessary to ensure compliance with adopted City standards,

to provide appropriate on-site design of parking, circulation, building location, landscaping and lighting, and any other applicable zoning regulations. In addition the DPR is used to regulate architectural design and landscape design.

Environmental Assessment Review (EAR-20-0002). The purpose of the Environmental Assessment Review is for the applicant to inform the City of the basic components of the proposed project so that the City may review the project pursuant to City policies, ordinances, and guidelines; the California Environmental Quality Act (CEQA) guidelines; and the City's Rules and Procedures to implement the CEQA Guidelines.

SYNOPSIS

<table>
<tr><td>Applicant:</td><td>Naji Garabet</td></tr>
<tr><td>Representative:</td><td>N/A</td></tr>
<tr><td>Property Owner:</td><td>Kiva LLC (Naji Garabet)</td></tr>
<tr><td>Property Location:</td><td>The project site is located at 1252 E. 7th Street, approximately 600 feet east of the intersection of Campus Avenue and 7th Street further described as Assessor's Parcel Number (1047-181-02).</td></tr>
<tr><td>Existing General Plan Land Use Designation:</td><td>Multi-Family Residential Low (10-20 du/ac, MFR-L)</td></tr>
<tr><td>Existing Zoning Classification:</td><td>Multi-Family Residential (RM-20)</td></tr>
<tr><td>Site Size:</td><td>3.18 Acres</td></tr>
<tr><td>Building/Suite Size:</td><td>Multi-Family Residential</td></tr>
<tr><td>Access:</td><td>Provided from 7th Street</td></tr>
<tr><td>Existing Conditions:</td><td>The applicant is currently demolishing the existing 32,000 square foot industrial building.</td></tr>
<tr><td>Surrounding Land Uses:</td><td>
<table>
<tr><td>Direction</td><td>Land Use</td><td>General Plan</td><td>Zone</td></tr>
<tr><td>North</td><td>Single-Family Residential</td><td>SFR-M</td><td>RS-4</td></tr>
<tr><td>East</td><td>U.S. Army Reserve Center</td><td>MFR-L</td><td>RM-20</td></tr>
<tr><td>South</td><td>City of Ontario</td><td>City of Ontario</td><td>City of Ontario</td></tr>
<tr><td>West</td><td>Industrial</td><td>MFR-L</td><td>RM-20</td></tr>
</table>
See Exhibit B – Vicinity Map</td></tr>
<tr><td>Previous Applications/Entitlement:</td><td>N/A</td></tr>
</table>

AUTHORIZATION/GUIDELINES

Upland Municipal Code Section 17.44.040 C requires the Planning Commission to approve, conditionally approve, or deny all conditional use permit applications. In addition, Section 17.43.050 E requires that if one or more planning entitlement applications are submitted concurrently for a single project, each planning entitlement application shall be acted upon concurrently by the highest reviewing authority. In this case, the highest reviewing authority is the Planning Commission, therefore the Planning Commission will take action on the formal planning entitlement applications discussed above for the project.

PUBLIC NOTICE

This project included multiple modes of notifying the public, in accordance with Upland Municipal Code (UMC) Section 17.46.020.

1. On June 25, 2020, a Notice of Public Hearing was posted on the Notice of Filing sign at the project site.

2. On June 25, 2020, a Notice of Public Hearing was mailed to all property owners within 300 feet of the project site. This resulted in a total of 39 property owners being noticed.

3. On June 26, 2020, the Public Hearing Notice was also published in the Inland Valley Daily Bulletin, as well as posted in two physical locations (Upland City Hall and Upland Library) on June 25, 2020.

PROJECT BACKGROUND

According to building permit records, the existing building on the site was built in 1969. Currently, the site contains an approximately 32,000 square foot industrial building, which the applicant is actively working to demolish. The site has been used by a variety of industrial users, but has been vacant for the last 3-4 years. In 2015, as part of the General Plan update, the City of Upland rezoned the property from Industrial Neighborhood (IN) to Multi-Family Residential (RM-20). This zoning district allows for a density from 10 to 20 dwelling units per acre.

ANALYSIS

General Plan

The project site is located within the General Plan Designation of Multi-Family Residential - Low (10-20 du/ac, MFR-M). The project is consistent with the General Plan Goals and Policies as listed in Table 1 below:

Table 1

Policy	**Consistency**
Policy LU-1.2 Permitted Densities and Intensities. Ensure existing and future zoning designations correspond to the permitted density and intensity ranges as listed in Table LU-1 of the Land Use Element.	The project density is 20 dwelling units/acre, which is allowed within the General Plan Land Use Designation and Zone
Policy LU-1.5 Range of Housing Types and Densities. Provide high-quality housing in a range of types, densities, and unit sizes that meets the housing needs of residents of all income levels.	The project provides townhome style apartment units that will meet the needs of housing seekers at the Market-Rate level. The Project adds to the City's housing stock for renters in the City's efforts to address the housing needs of all income levels.
Policy CC-2.6 Neighborhood Enhancement. Promote infill development, redevelopment, rehabilitation, and reuse efforts that contribute positively (e.g., site layout and architectural design) to existing neighborhoods and surrounding uses.	The proposed development will be an enhancement to the neighborhood because it will result in the construction of a high quality residential land use, additional housing, and the elimination of a currently non-conforming use and building, largely in disrepair.
Policy HE-1.3 Neighborhood Improvement. Encourage maintenance, and upgrading of neighborhoods through property maintenance codes, graffiti abatement, high quality infill housing, and replacement of deteriorated infrastructure.	The proposed development will upgrade the property site with high quality in fill housing.

Zoning

The project site is within the Multi-family Residential (RM-20) Zoning District. The RM-20 is intended to provide areas for a variety of low-density multi-family residential developments at densities up to 20 units per net acre, exclusive of City and state density bonuses. Housing types include two- to three-story single-unit housing, duplexes, triplexes, townhomes and courtyard housing. Development of this type is typically characterized by shared open spaces with lush landscaping; medium front, side, and rear yards; and shared driveways and parking. (See Exhibit C – General Plan and Zoning Designation)

Development Plan

The project complies with all required development standards as shown in Table 2 below.

Table 2

Development Standard	**Code Requirement**	**Provided**
Front Yard Setback (East)	20 feet	20 feet
Rear Yard Setback (West)	15 feet	15 feet
Side Yard Setback (North)	5 feet	5 feet
Side Yard Setback (South)	5 feet	10 feet
Height	40 feet	37 feet 3 inches
Residential Density	Min 10 du/ac – Max 20 du/ac	20.1 du/ac (See Note 1)
Parking Requirement	• 2 for each unit in a garage – 128 Parking Spaces • .5 additional for 3 bedroom units – 1 Parking Space • Guest parking: 51-100 units: 1 space per 5 units – 13 Parking Spaces **Total required – 142 Parking Spaces**	• 128 in a garage. • 1 for the 2, 3 bedroom units • 13 guest parking spaces. **Total Provided - 143 Parking Spaces**
Unit Size	600 square feet min.	1,315 square feet min.
Site Landscaping	5% (5,445 square feet)	17% (23,650 square feet)
Private Open Space	100 square foot per unit Total Required: 6,400 sq. ft.	Unit A: 170 square feet Unit B: 230 square feet Unit C: 138 square feet Unit D: 200 square feet Total: 12,846 square feet

Common Open Space	250 square foot per unit (16,000 square feet) including 1 major recreation facility and 1 minor facility.	14,760 square feet of common open space with 3 major recreation facilities and 2 minor recreation facilities (See Note 2)

Notes

1. According to UMC 17.10.040 General Rules of Measurement, whenever Zoning Code requires consideration of distances, parking spaces, dwelling units, or other aspects of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction of a whole number, the results will be rounded as follows:
    a. Fractions of ½ or greater shall be rounded up to the nearest whole number, and,
    b. Fractions of less than ½ shall be rounded down to the nearest whole number, except as otherwise provided
        - The project density is 20.1 du/ac, therefore, the density has been rounded down to 20 du/ac.

2. According to UMC 17.04.040 C. 3. B, the review authority, in this case the Planning Commission, may permit the common open space to be decreased or eliminated as long as there is an equal increase in private open space or open space on site for public use that results in the same total open space square footage as otherwise required. In this case, the proposed project provides 14,760 square feet of common open space, 1,240 square feet less than required, but the project also includes 12,846 square feet of private open space, or 6,446 square feet more than required. Staff supports the reduction in common open space because the increase in private open space far exceeds the total requirement and the project provides additional common open space amenities as shown in the table.

The project's layout consists of 16 Buildings, which are built around a center drive isle. Buildings will primarily be built around a common open space element, with garage parking accessible from internal drives aisles. Building 11, located on the west side of the site, will contain the leasing office for the complex. Building 4B, will contain a recreation room and restroom facilities for the pool and spa open space element. As discussed in the Table 2, the project meets all required development standards. (See Exhibit D – Project Plans)

Parking and Circulation

Access to the project site is provided via a gated entrance off of 7th Street, at the northern boundary of the site. This entrance leads to the primary 30 foot wide drive aisle the proceeds south through the project site. At the end of the primary drive aisle a "Hammerhead" that provides turn around space for emergency vehicles, as

well as garage access for the units at the southern boundary of the site. Garage access is provided via internal drive aisles between buildings. These drive aisles are 26 feet wide, and adequate for building access and Fire Department access. Guest parking spaces are dispersed throughout the site, immediately available off of the main drive isle. The primary entrance will be gated, with access provided via key fobs for residents and a call box for guests.

The site will also include the provisions of curb, gutter and sidewalk along the primary drive aisle to provide pedestrian access throughout the site the project site, including access to the public right of way and all open space amenities. As mentioned in Table 2, the site provides a total of 143 parking stalls, consisting of 128 garage spaces, 1 additional spaces for the 2, 3 bedroom units and 13 guest parking spaces.

Architecture

The proposed project features two and three-story townhouse style apartment buildings in a modern style. The two story units are located around the north, east and west perimeter of the site, with the 3 story units towards the interior of the site to soften views from neighboring properties and from the street frontage. In addition, the elevation difference adds depth to the project from the street, and provides for a better transition from the surrounding single-family residences in the vicinity of the project. Building massing is varied by employing a variety of techniques, balconies, wall pop-outs, parapet height and material variation. The building roof form is flat, but varies the parapet height to create visual interest, and includes the use of roof-top patios. The design utilizes smooth stucco wall, with color blocking in grey and white. The design also utilizes Hardie board shiplap siding to add variation in wall texture. The design techniques utilized create visual interest, and give a degree of individuality to each unit. The Project elevations are contained within Exhibit E Project Plans.

The project proposes 4 floor plans as identified in Table 3:

Table 3

Plan	*Number of units*	*Plan Size (SF)*	*Number of Bedrooms*	*Number of Bathrooms*
A	*6*	*1305 square feet*	*2*	*3*
B	*40*	*1460 square feet*	*2*	*3*
C	*16*	*1315 square feet*	*2*	*3*
D	*2*	*1845 square feet*	*3*	*3*

Landscaping

The project includes new landscaping totaling 17% of the site, exceeding the 10% requirement. The preliminary planting plan provided utilizes a variety of trees, shrubs and ground covers to compliment the residential buildings. The plants have been selected for drought tolerance and to create a variety of colors textures and depth to the project site. Trees include peppermint trees, Olive trees and Pink Melalueca among others. Ground covers and shrubs includes Myporum, orchard rock rose and

California Meadow Sedge among others. The landscape design and materials incorporated will provide an attractive environment for the future residents of this project as well as benefit the surrounding existing residents by greatly beautifying the current site. Conditions of Approval are included for requiring landscaping be maintained to ensure the site does not fall into poor condition. Conditions of approval are also included requiring a final landscape and irrigation plan be submitted for plan check prior to the issuance of permits. (See Exhibit F – Preliminary Landscape Plans)

Open Space

The project proposes a variety of open space elements throughout the site. The project includes private open space that consists of balconies and roof mounted patios, all in excess if the minimum size as shown in Table 2.

The Project provides 14,760 square feet of common open space, which is adequate for the proposed use. The common open space is provided through-out the site, in courtyards of proposed buildings. The open space is activated with a variety of amenities, including a pool and spa, children's play area, 2 BBQ areas, and a small gym adjacent to the leasing office. The plan also includes passive recreations amenities, including shaded siting areas.

ENVIRONMENTAL ASSESSMENT

Planning Division staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) Guidelines. The project is considered to be exempt under Section 15332 (In-Fill Development Projects) as the project meets the following requirements identified in the aforementioned exemption:

1. The project is consistent with the applicable General Plan designations and all applicable General Plan policies as well as with the applicable zoning designation and regulations.

2. The proposed development occurs within the City limits on a project site of no more than five acres substantially surrounded by urban uses.

3. The project site has no value as a habitat for endangered, rare or threatened species.

    a. A Biological Resource Assessment (BRA) was prepared for the project site. The BRA concludes that sensitive plant or wildlife species, do not exist on the project site are not expected to occur within the area given the highly disturbed nature of the site and developed nature of the surrounding land uses. The proposed project, therefore, would not affect any sensitive species that would require further investigation or mitigation (See Exhibit G – Biological Resources Assessment).

4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

   a. Traffic: A Traffic Analysis was prepared for the project which determined that the number of trips generated by the project would not create a significant impact. Trip rates were calculated based on the Multi-family Housing Low-Rise (220) trip rates from the Institute of Transportation Engineers Trip Generation Manual (10th Addition (ITE, 2017). It was determined that the project would generate 470 total daily trips and 30 a.m. peak hour trips and 36 p.m. peak hour trips which is below the 50 peak hours trips that would necessitate a Traffic Impact Analysis. Even though, Staff required the applicant to provide a Level of Service (LOS) Analysis for the nearby intersection of 7th Street and Campus Avenue. The LOS Analysis found that, with the new project, the Level of service would remain at a LOS B or during both a.m. and p.m. peak hours, exceeding the General Plan Goal of maintaining an LOS D (General Plan Policy CIR-1.1). Therefore the project will not result in a significant impact related to traffic. (See Exhibit H – Traffic Summary)

   b. Noise: A Noise Impact Analysis was prepared for the project. The analysis determined that the project would comply with the construction and operational noise within the Upland Municipal Code and that the project would not result in a less than significant impact. Conditions of Approval have been added to the Resolution outlining the required Best Management Practices to reduce the construction noise and vibration impacts to ensure compliance with noise level limitations. (See Exhibit I – Noise Analysis)

   c. Air Quality: An Air Quality was prepared for the project. The analysis determined that emissions associated with construction and operation of the project would be below South Coast Air Quality Maintenance District (SCAQMD), therefore the project will have a less than significant impact on Air Quality. Conditions of Approval have been added to the Resolution outlining the required Best Management Practices (BMPs) to reduce the Air Quality impacts to ensure compliance. (See Exhibit J – Air Quality Analysis)

   d. Water Quality: A Water Quality Management Plan was prepared for the project. The Project will implement BMPs that have been reviewed by the Public Works Department and determined to be sufficient. Therefore, the project will not result in a significant impact related to the water quality of the site or surrounding properties.

5. The site can be adequately served by all required utilities and public services.

REQUIRED FINDINGS

In order to approve the project, the Planning Commission is required to make certain findings. Section 1 of the draft resolution contains recommended findings for the Planning Commission's consideration.

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee reviewed the project, and recommended approval, subject to conditions of approval that have been incorporated into the draft resolution. The conditions of approval will ensure that the development meets all development standards within the Upland Municipal Code and will ensure that the proposed use is compatible with the surrounding land uses.

RECOMMENDED ACTION

The Planning Division recommends that the Planning Commission adopt a Resolution entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND APPROVING CONDITIONAL USE PERMIT NO. CUP-20-0003, DEVELOPMENT PLAN REVIEW NO. DPR-20-0004, AND ENVIRONMENTAL ASSESSMENT REVIEW NO. CONDITIONAL USE PERMIT NO. CUP-20-0003, DEVELOPMENT PLAN REVIEW NO. DPR-20-0004 FOR THE DEVELOPMENT OF 64 APARTMENTS WITHIN 14 BUILDINGS AT A DENSITY OF 20 DWELLING UNITS PER ACRE INCLUDING ASSOCIATED IMPROVEMENTS ON A 3.18 ACRE PARCEL WITHIN THE MULTI-FAMILY RESIDENTIAL LOW(10-20 DU/AC, MFR-L) GENERAL PLAN DESIGNATION AND MULTI-FAMILY RESIDENTIAL (RM-20) ZONE LOCATED AT 1252 E. 7TH STREET (APN: 1047-181-02).

MOTION

- Find that the project is Categorically Exempt from environmental proceedings pursuant to Article 19, Section 15332, In-Fill Development Projects, Class 32 (a-e), of the California Environmental Quality Act, since the proposed project is consistent with applicable general plan designations and policies as well as applicable zoning designation and regulations; occurs within city limits on a property that is no more than five acres substantially surrounded by urban uses; has no value as habitat for endangered, rare or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

- Move to adopt a Resolution Approving Conditional Use Permit No. CUP-20-0003, Development Plan Review No. DPR-20-0004 for the development of 64 townhouse apartments within 16 buildings at a density of 20 units per acre including associated improvements on a 3.18 acre parcel.

EXHIBITS

Exhibit A: Draft Resolution
Exhibit B: Vicinity Map
Exhibit C: General Plan and Zoning Map
Exhibit D: Project Plans
Exhibit E: Project Rendering
Exhibit F: Preliminary Landscape
Exhibit G: Biological Resources Assessment
Exhibit H: Traffic Impact Analysis
Exhibit I: Noise Analysis
Exhibit J: Air Quality Analysis

Exhibit A – Draft Resolution

EXHIBIT A

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND APPROVING CONDITIONAL USE PERMIT NO. CUP-20-0003, DEVELOPMENT PLAN REVIEW NO. DPR-20-0004, AND ENVIRONMENTAL ASSESSMENT REVIEW NO. EAR-20-0002 FOR THE DEVELOPMENT OF 64 APARTMENTS WITHIN 16 BUILDINGS AT A DENSITY OF 20 DWELLING UNITS PER ACRE INCLUDING ASSOCIATED IMPROVEMENTS ON A 3.18 ACRE PARCEL WITHIN THE MULTI-FAMILY RESIDENTIAL LOW(10-20 DU/AC, MFR-L) GENERAL PLAN DESIGNATION AND MULTI-FAMILY RESIDENTIAL (RM-20) ZONE LOCATED AT 1252 E. 7TH STREET (APN: 1047-181-02).

Intent of the Parties and Findings

WHEREAS, Naji Garabet (Applicant) has filed applications requesting approval of the Project;

WHEREAS, Upland Municipal Code Section 17.44.040 C. requires the Planning Commission to approve, conditionally approve, or deny all conditional use permit applications;

WHEREAS, Upland Municipal Code Section 17.43.050 E. requires that if one or more permit application is submitted concurrently for a single proposed project, each application shall be acted upon concurrently by the highest review authority. In this case, the highest review authority is the City Council, therefore the Planning Commission shall make a recommendation to the City Council;

WHEREAS, Upland Municipal Code Section 17.44.040 provides that the Planning Commission may attach conditions to the approval of the project as needed to ensure compliance with the Zoning Ordinance, other City Ordinances, the General Plan, and any other applicable community or specific plan, previously approved subdivisions and parcel maps and easements;

WHEREAS, the project is considered a project as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.;

WHEREAS, The Development Services Director has determined that the project qualifies for a Categorical Exemption from the provisions of CEQA per Section 15332, Class 32, In-Fill Development Projects, of the CEQA Guidelines;

WHEREAS, The City of Upland Planning Division on June 25, 2020, posted two (2) true and correct copies of the legal notice at the Upland City Hall Bulletin Board and at the Upland Public Library in accordance with the Upland Municipal Code Section 17.46.020;

WHEREAS, The City of Upland Planning Division on June 25, 2020, mailed the public hearing notice to each property owner within a 300-foot radius of the project site indicating the date and time of the public hearing in compliance with state law concerning the Project;

WHEREAS, The City of Upland Planning Division on June 26, 2020, published a legal notice in the Inland Valley Daily Bulletin, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning the Project; and

WHEREAS, The City of Upland Planning Commission conducted a duly noticed public hearing on July 8, 2020, at which time it received public testimony concerning the Project, and considered the CEQA Exemption for the proposed project and the project itself.

NOW, THEREFORE, the Planning Commission hereby finds, determines and resolves as follows:

Section 1. FINDINGS. The Planning Commission hereby makes the following findings and determinations in connection with the approval of the Project:

A. The above Recitals are true and correct.

B. The project is consistent with the following General Plan Policies:

1. Policy LU-1.2 Permitted Densities and Intensities. Ensure existing and future zoning designations correspond to the permitted density and intensity ranges as listed in Table LU-1 of the Land Use Element.

   Fact: The project density is 20 dwelling units/acre, which is allowed within the General Plan Land Use Designation and Zone.

2. Policy LU-1.5 Range of Housing Types and Densities. Provide high-quality housing in a range of types, densities, and unit sizes that meets the housing needs of residents of all income levels.

   Fact: The project provides townhome style apartment units that will meet the needs of housing seekers at the Market-rate level. The Project adds to the City's housing stock for renters in the City's efforts to address the housing needs of all income levels.

3. Policy CC-2.6 Neighborhood Enhancement. Promote infill development, redevelopment, rehabilitation, and reuse efforts that contribute positively (e.g., site layout and architectural design) to existing neighborhoods and surrounding uses.

   Fact: The proposed development will be an enhancement to the neighborhood because it will result in the construction of a high quality residential land use, additional housing, and the elimination of a currently non-conforming use and building, largely in disrepair.

4. Policy HE-1.3 Neighborhood Improvement. Encourage maintenance, and upgrading of neighborhoods through property maintenance codes,

graffiti abatement, high quality infill housing, and replacement of deteriorated infrastructure.

Fact: The proposed development will upgrade the property site with high quality in fill housing.

C. Section 17.44.040 F. the Planning Commission may approve an application for a Conditional Use Permit only if the proposed project complies with applicable standards in the Zoning Ordinance, other City ordinances, the General Plan, and any other applicable community or specific plans, and as supported by all of the following findings:

1. Finding: The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses near the subject property.

   Evidence: The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses near the subject property in that the use is surrounded primarily by residential land uses. The development meets all applicable development standards and the operation of the use will not result in any significant impacts to the environment or surrounding uses.

2. Finding: The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g. fire and medical) access and public services and utilities.

   Evidence: The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency (e.g. fire and medical) access and public services and utilities because the proposed use meets or exceeds all applicable development standards for the zone. The site shape and size are able to accommodate all requirements for access (i.e. drive aisle size, pedestrian access, etc.) The project provides for adequate fire lanes and access for emergency and/or public service vehicles. The site location is accessible immediately off of the public street system (7th Street).

3. Finding: The proposed use will not be detrimental to the public health, safety, and welfare of the persons residing or working in the neighborhood of the proposed use.

   Evidence: No evidence exists to suggest that the proposed use will be detrimental to or endanger the public health, safety, or general welfare. The project will result in the elimination of a large vacant property. The project will not result in any significant impacts to the environment or surrounding uses.

D. Upland Municipal Code Section 17.44.030(H) provides that the approval body, before it may approve a Development Plan (Site Plan and Design Review), shall make a determination to allow the activity based upon the following findings:

1. Finding: The design and layout of the proposed project will not interfere with the use and enjoyment of existing and future neighboring properties and structures.

   Evidence: The design and layout of the project includes the construction of a private drive isle and circulation improvements. The project meets or exceeds required development standards including open space and parking requirements. A traffic analysis was prepared for the project and found that the project would not result in any significant impacts to the surrounding neighborhood. Therefore, the proposed project will not interfere with the use and enjoyment of existing and future neighboring properties and structures.

2. Finding: The proposed architectural design makes use of appropriate materials, texture, and color, and will remain aesthetically appealing and appropriately maintained.

   Evidence: The proposed architectural design makes use of gable pop-outs, varied setbacks and recessed porches, masonry materials and stucco walls in multiple colors that create aesthetically appealing buildings. Conditions of approval are included to ensure the buildings will remain aesthetically appealing and appropriately maintained.

3. Finding: The proposed landscaping design, including color, location, size, texture, type, and coverage of plant materials, as well as provisions for irrigation, maintenance, and protection of landscaping elements, will complement structures and provide an attractive environment.

   Evidence: The landscape plan proposes the use of plant material that provide varied color and texture. The plans shows landscaping that includes a variety of plants materials, distinct in color and size, as well a large number of new trees all of which will be maintained by the property owner. Conditions of approval are included requiring the submittal of final landscape and irrigation plans for review and approval. Therefore, the proposed landscaping design is sufficient in terms of color, location, size, texture, type, and coverage of plant materials, as well as provisions for irrigation, maintenance, and protection of landscaping elements, will complement structures and provide an attractive environment.

4. Finding: The proposed design will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity of the proposed project.

Evidence: The proposed design includes adequate Emergency Vehicle Access. The project has been conditioned by the Upland Police Department with multiple safety requirements, and will include complete plan check reviews by the Upland Building Division and San Bernardino County Fire Department thereby protecting safety and welfare. The project will result in improvements to a currently site in disrepair. Therefore, the proposed design will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity of the proposed project.

Section 3. DETERMINATION. In light of the evidence presented at the hearing on this application, and based on the findings set forth above, the Planning Commission hereby finds that the requirements necessary for the approval of the Project, subject to all applicable provisions of the Upland Municipal Code, and the following conditions of approval:

10.0 General Conditions

10.1 The approved project includes the construction of 64 residential dwelling units at a density of 20 dwelling units per acre and related site improvements. Expansion of project beyond the scope and nature of the project, which would increase the projected scale of the project, shall not be permitted except upon application for and approval of modification to this approval.

10.2 All Ordinances, Policy Resolutions, and Standards of the City in effect at the time this project is approved shall be complied with as a condition of this approval.

10.3 Development of the project shall be consistent with the stamped approved plans on file with the City of Upland Planning Division.

10.4 Prior to issuance of permits, all tract maps and development plans shall be subject to plan check with the Planning Division, Building Division, Engineering Division, Public Works Department and Fire Department.

10.5 No construction or grading shall commenced until the applicable final maps, final grading and improvement plans have been approved.

10.6 All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash, and debris at all times. Dead, damaged, and/or missing landscaping shall be replaced/replanted, subject to the satisfaction of the Planning Division.

10.7 To the maximum extent permitted by law, Applicant must defend, indemnify, and hold City and its elected officials, officers, contractors serving as City officials, agents, and employees ("Indemnitees") harmless from liability for damage and/or claims for damage for personal injuries, including death, and claims for property damage, and

with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with Conditional Use Permit No. CUP-20-0003, Development Plan Review No. DPR-20-0004, And Environmental Assessment Review No. EAR-20-0002 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims for damage, as described above, regardless of whether or not the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. The City shall have the right to select counsel of its choice that the Applicant reasonably approves. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge or take any position adverse to the Applicant in connection with such third-party challenge.

10.8 Within 15 business days of this approval the Property Owner or Project Applicant shall submit to the Development Services Department written evidence of agreement with all conditions of this approval before the approval becomes effective. (UMC 17.45.030)

10.9 The developer shall not engage in any construction activities other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in case of urgent necessity in the interest of public health and safety or as otherwise approved by the Development Services Director.

10.10 Termination of approval if either: (1) development has not been diligently commenced and actively pursued to completion thereafter within a two (2) year period from the date of approval (i.e. July 8, 2022); or, (2) if the use approved hereunder is discontinued for a period of one hundred and eighty days or longer; or, (3) non-compliance with any provision of the Upland Municipal (UMC) not specifically waived in compliance with City procedures.

20.0 Planning Division Conditions

20.1 Prior to the issuance of building permits, a wall and fence plan shall be provided to the Planning Division for review and approval. Perimeter Fences/walls proposed for the project shall be of decorative masonry

materials (e.g. split face block). Front yard fencing and interior yard fencing materials may include decorative tubular steel with masonry columns spaced to the satisfaction of the Development Services Director.

20.2 Prior to the issuance of building permits, the applicant is required to submit a final landscape and irrigation plan for review and approval by the Planning Division. Landscape plans will include all open space areas, common landscaped area and right-of-way landscaping.

20.3 Prior to the issuance of building permits, the applicant is required to submit a final lighting and photometric plan. All lighting shall be "dark sky" complaint and shall comply with the provision of UMC 17.17.

20.4 Prior to the issuance of building permits, the applicant shall include, on the plans submitted for plan check, the plans shall identify locations of mailboxes for review and approval by the Development Services Department.

20.5 Prior to the issuance of building permits, the applicant shall include, on the plans submitted for plan check, enhanced paving materials (e.g. stamped concrete, pavers, etc.) from the north property line, south 60 feet. The materials shall be approved by the Development Services Director or designee.

20.6 Prior to the issuance of building permits, the applicant shall include, on the plans submitted for plan check, cut sheets for all open space amenities including, but not limited to, tables, chairs, BBQs, play equipment, etc.) Amenities shall be of high quality, to the satisfaction of the Development Services Director.

20.7 During construction, the applicant shall comply with the following Best Management Practices for noise management during construction.

a. Re-route truck traffic away from residential streets, if possible. Select streets with fewest homes, if no alternatives are available.

b. Locate equipment on the construction lot as far away from noise sensitive receivers as possible.

c. Combine noisy operations to occur in the same time period. The total noise will not increase significantly and the duration of the noise impact will be less.

d. It is unlawful for any person to engage in or permit the erection (including excavation), demolition, alteration or repair of any building other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in case of urgent necessity in the interest of

public health and safety, and then only with a permit from the building inspector, which permit may be granted for a period not to exceed three days or less while the emergency continues, and which permit may be renewed for periods of three days or less while the emergency continues. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m., and if he or she shall further determine that loss or inconvenience would result to any party in interest, he or she may grant permission for such work to be done within the hours of 6:00 p.m. and 7:00 a.m., upon application being made at the time the permit for the work is awarded or during the progress of the work.

e. Use specially quieted equipment when possible, such as quieted and enclosed air compressors, residential or critical grade mufflers on all engines.

f. Stationary equipment will be located as far away from sensitive receptors as possible. Loud, disrupting construction activities in noise sensitive areas will be conducted during hours that are least disturbing to adjacent and nearby residents.

g. If noise above the stated regulation will be generated for long periods of time, construct barriers to block the line of sight to noise sensitive receivers.

20.8 During construction, the applicant shall comply with the following Best Management Practices for air quality management during construction. Prior to issuance of any Grading Permit, the Development Services Director and the Engineering/Land Development Division shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD's Rule and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance offsite. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

a. All active portions of the construction site shall be watered twice daily to prevent excessive amounts of dust;

b. Non-toxic soil stabilizers shall be applied to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain), according to manufacturers' specifications;

c. All excavating and grading operations shall be suspended when wind gusts (as instantaneous gust) exceed 25 miles per hour;

d. On-site vehicle speed shall be limited to 15 miles per hour; on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized;

e. Visible dust shall not cross the property line;

f. All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site;

g. Track-out devices shall be used at all construction site access points;

h. All delivery truck tires shall be watered down and/or scraped down prior to departing the job site;

i. A construction relations officer shall be appointed to act as a community liaison concerning on-site construction activity including resolution of issues related to fugitive dust generation;

j. Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway; and

k. Replace ground cover in disturbed areas as quickly as possible.

20.8 The applicant shall comply with a maintenance requirements in Upland Municipal Code Section 17.16. Structures or paved areas displaying any, but not limited to, evidence of the following shall be considered substandard and in violation of this Condition:

a. Broken or missing foundation.

b. Warping, bowing, or sagging of headers, sills, beams, eaves, doorways, doorjambs, or other similar structural members.

c. Inadequate site drainage and/or standing water adjacent to building foundations.

d. Broken or inoperable sanitary and plumbing facilities and/or fixtures.

e. Faulty, sagging, or leaking roof or rain gutter.

f. Missing roof tiles or other visible roofing material(s).

g. Broken or missing windows.

h. Holes in siding.

i. Peeling or cracking paint.

j. Damaged or deteriorating structures shall be repaired immediately.

30.0 Public Works Conditions

I Bonds

30.1 Executed Agreement for Construction of Improvements shall be submitted with securities/bonds to the satisfaction of the Public Works Director and the City Attorney, guaranteeing completion of all improvements.

II STREET IMPROVEMENTS

30.2 Asphalt paving, street signage, pavement markings and other improvements damaged during construction shall be replaced to the City's satisfaction.

30.3 All onsite improvements (pavement areas, drainage facilities, landscaped areas, etc.) shown on the plans and/or approved exhibit shall be constructed to City Standards.

30.4 Landscaping and irrigation plans shall be submitted for City review and approval. Drought tolerant and water efficient irrigation system shall be required. Parkway landscaping shall be maintained by the Owner/Developer. Landscaping shall comply with the latest State Landscaping Code.

30.5 In accordance with California Building Code, Title 24 and the requirements of the Americans with Disabilities Act (ADA), handicap facilities shall be constructed and existing facilities shall be reconstructed within the project limits, as necessary, in locations specified by the Director of Public Works/City Engineer and the Director of Community Development.

III UTILITY (WATER – SEWER – ENVIRONMENTAL)

Utility General

30.6 All units shall be served by utilities, allowing each unit to function separately and independent from one another.

30.7 The Owner is responsible for research on private utility lines (Gas, Edison, Telephone, Cable, Irrigation, etc.) to ensure there are no conflicts with the site.

30.8 Composite Utility Plans shall be submitted before the issuance of a Grading Permit. Any easements will be dedicated to the appropriate Utility Company as required to accommodate the location and maintenance of each facility.

Undergrounding

30.9 All developments within the City shall be served by underground utilities. All utility plans (Edison, Telephone, and Cable TV, among others) shall be submitted to the Public Works Department for review and approval prior to the issuance of any permits for utility work within public right-of-way or public easements.

Environmental

30.10 This project is subject to the General Construction Permit for Storm Water Discharges. The Owner/Developer is required to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for construction activities. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and be available at the job site at all times. **A copy of the Waste Discharger's Identification Number (WDID) from the SWRCB shall be provided to the City before the issuance of grading or building permits.**

30.11 This project is required to submit a Project Specific Water Quality Management Plan (WQMP) (reference the County of San Bernardino "Guidelines for New Development and Redevelopment") for review and approval by the City Of Upland, Public Works Department, and Environmental Division. WQMP is required to be bounded. Exhibits must be complete and legible. Standard paper size for exhibits is 24" x 36".**The subject WQMP shall be approved prior to the issuance of grading permit.**

30.12 The FINAL WQMP for this project is subject to review and approval to the satisfaction of the Public Works Director. The preliminary WQMP submitted with entitlement was approved in concept but may require additional conceptual review during development of the final WQMP.

Sewer

30.13 Proposed on-site sewer facilities shall be private and maintained by the Owner/Developer.

30.14 City staff will inspect all newly installed sewer mains with the TV camera before acceptance of the line.

30.15 Extend any sanitary sewer and water line facilities as necessary to serve the entire development, including the payment of any sewer and water connection fees as determined by the Public Works Director.

30.16 The Owner/Developer shall provide the necessary Sewer Service Backflow Prevention Device as required by the City.

30.17 The design of the on-site private sewer and sewer lift station shall be subject to the review and approval of the Public Works Director or his designated representative.

Water

30.18 Separate water meters shall be provided for domestic and landscaping purposes.

30.19 Proposed on-site private waterline shall be master metered and maintained by Owner/Developer.

30.20 All new and upgraded developments shall meet the requirements of Chapter 13 "Municipal Water System," Article VII, of the Upland Municipal Code. This Code pertains to water system connection fees, water additive fees, and the transfer of water stock to the City of Upland.

30.21 As-built plans of all underground utilities, including water facilities, shall be submitted prior to final occupancy release.

30.22 The provision of fire protection water systems, hydrants, and appropriate easements shall be in conformance with the Upland Fire and Public Works Department Standards.

30.23 All landscape meter(s) and approved Backflow Device(s) shall be installed and inspected, in accordance with the Public Works Department Standards.

30.24 All water facilities shall be installed outside any driveways and drive approaches, and shall be in accordance with the Public Works Department Standards.

IV GRADING - STORM DRAIN - EROSION CONTROL

30.25 Storm drain system(s) shall be constructed to the satisfaction of the Public Works Director.

30.26 A Drainage Study with hydrology/hydraulics analysis is required to be reviewed and approved by the Public Works Director or his designated representative. Any onsite or offsite drainage, which may impact this development or any adjacent property, or additional drainage created by this development, shall be addressed in accordance with the mitigation measures required in the hydrology report before issuance of any permits.

30.27 Proposed on-site drainage facilities shall be private and maintained by the Owner/Developer.

30.28 All drainage shall be directed on-site at the points so indicated upon the subject lot.

30.29 Temporary drainage controls may be required during construction phases as directed by the Public Works Director.

30.30 All catch basins and Storm Drain Inlet Facilities shall be stenciled with the appropriate "No Dumping" message.

30.31 Grading plan shall be prepared and shall conform to the requirements of California Building Code (CBC), latest edition. Said grading plan shall propose all applicable recommendations contained in the project's geotechnical report. Such grading plans shall be in compliance to the geotechnical report prepared for the site and shall also incorporate on the plans recommendations and BMPs proposed under the approved Site Specific WQMP.

30.32 An erosion control plan shall be required as directed by the Public Works Director. It shall be submitted to the Public Works department prior to issuance of grading permit.

30.33 No permanent building construction shall commence until rough grading is certified.

30.34 Control of dust shall be by sprinkling of water, use of approved dust preventives, modifications of operations or any other means acceptable to the Engineer, City of Upland, the Regional Water Quality Control Board (RWQCB), the AQMD, and any Health or Environmental Control Agency having jurisdiction over the facility. The Engineer shall have the authority to suspend all construction operations if, in their opinion, the Contractor fails to adequately provide for dust control.

V LANDSCAPING

30.35 All landscaping works proposed for this development shall comply with the latest State Landscaping Code

30.36 All landscape and irrigation systems, located in the public parkways, shall be connected to a water supply system that is metered to the property owner.

30.37 All developments require a tree-planting scheme. Residential developments require one tree per forty feet of residential street frontage with a minimum on one tree per lot.

a) If planting in an area without sidewalk, plant the trees four feet to six feet from the existing or planned curb or street

b) Plant trees a minimum of five feet from other utilities, a minimum of ten feet from driveways, water meters, water lines, sewer lines, traffic and directional signs, and fire hydrants, a minimum of fifteen feet from street lights, and a minimum of thirty feet from street corners.

30.38 The project frontage shall be fully landscaped, including an automatic irrigation system in accordance with a plan subject to review and approval by the Community Development Director and the Public Works Director. Drought tolerant and water efficient irrigation system shall be required. Parkway landscaping shall be maintained by the Owner/Developer.

30.39 After City approval of the landscaping plan, the Owner/Developer shall provide 180-day maintenance during the plant establishment period.

VII GENERAL ENGINEERING

30.40 Owner is required to arrange for a PRE-CONSTRUCTION MEETING with the Public Works Department 72 hours in advance before any permitted work can commence.

30.41 Public improvement plans and grading plans shall be submitted for plan check to the Public Works Department as a complete package. A complete package includes street, sewer, water, grading, drainage, and any appropriate reports and back up documents. Incomplete submittals shall be rejected.

30.42 All plans (including Landscaping Plans) depicting any work to be plan checked by Public Works shall be prepared on 24”x36” on City Standard title block. This includes street, sewer, water grading, storm drain, grading, erosion control, private street design, and landscape plans.

30.43 **As-built plans (including street, sewer, water, and storm drain and grading plans) shall be submitted prior to occupancy release**. Electronic drawing files on CD or USB drive shall be submitted to the City for file in the format acceptable by the City (high resolution PDF).

30.44 All Ordinances, Policy Resolutions, and Standards of the City in effect at the time this project is approved shall be complied with as a condition of approval.

30.45 No certificate of occupancy, or any other final clearance needed prior to occupancy, shall be given until all other conditions are met.

40.0 Police Department

40.1 The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Upland Police Department, and City Planning.

40.2 A 6-month review/inspection shall be conducted to ensure permittee's compliance with all operating conditions.

40.3 The Developer, builder, contractors, sub-contractors, and any other persons associated with this project shall adhere to the Upland Municipal Code (UMC) dealing with unnecessary noises under section 9.40.100. Furthermore, prior to the beginning of construction, a sign shall be posted at the entrance of the property educating everyone entering as to the authorized construction times and failure to comply with such requirements will result in an immediate citation for violating the aforementioned UMC section.

40.4 Prior to the issuance of building permits, the project must be enclosed with a 6-FT. high chain link fencing to prevent access to construction areas by the public and to minimize theft of building materials and equipment. All fencing and gates shall meet the approval of the Fire Department and Police Department.

40.5 Units with front and rear drive access shall affix or paint address numbering/lettering in a conspicuous location, free from plant obstruction, and readily visible to emergency services personnel on both front and rear accesses.

40.6 Prior to occupancy all private streets, parking areas, parking lots, and driveways shall be dedicated for off-road traffic, fire lane, soliciting, handicap, and loitering enforcement. The applicant must submit a written request to the City Clerk asking that a resolution from the City Council allow Police Enforcement of the above violations on the property. Once the resolution has been obtained, a sign shall be erected/posted at all access points stating the above listed locations and violations have been dedicated for enforcement by the Upland Police Department.

40.7 Prior to occupancy, the Police Department will conduct an on-site inspection of the property, checking proper lighting has been installed throughout the property, proper locks on exterior doors and doors leading

to the interior are in place and functioning properly. In addition, the Police Department will check that proper addressing/lettering has been installed.

40.8 If security gates are desired at any access points to the project, the Police Department and Fire Department will be provided access by the Knox Submaster System. If gates are not electronically operated, a "KNOX" padlock may be substituted for electrically operated override systems.

40.9 All fencing and gates shall meet the approval of the Fire Department and the Police Department.

40.10 The applicant shall submit for review by the Police Department the design and specifications for all proposed lighting fixtures proposed for the buildings, drive aisles, parkways, parking areas, pathways, and surrounding areas within the development. The fixtures shall be reviewed for quality, aesthetics, illumination values, sustainability values such as LED and shall be decoratively and architecturally consistent with the building design. The number, location, height, style and design shall be reviewed and approved by the Police Department prior to issuance of building permits.

40.11 Prior to the issuance of building permits, the applicant shall submit, for review and approval by the upland Police Department, a Photometric Study providing a minimum of two foot candle all around the structure and surveillance cameras all around the perimeter, common areas, and throughout the parking area, with the ability or resolution to make license plates discernable.

40.12 All exterior doors shall be equipped with a lighting device capable of providing a minimum of two foot-candle of light at ground level.

40.13 All exterior lighting lower than 12 feet from the ground level shall be enclosed in vandal-resistant covers.

40.14 Lighting shall be required in all area of public access.

40.15 Public parking areas and access thereto shall be provided with a maintained minimum of 2 foot candle power of light on the parking surface, from dusk to dawn, or as modified by the Chief of Police, based on documented proof that meeting the 2 foot candle power standard is impractical. Lighting shall be provided through the use of photo cells; use of low pressure sodium fixtures and bulbs is prohibited.

40.16 At a minimum, internally illuminated address signs/numbers are required for each building, to the satisfaction of the Deputy Fire Marshal and the Chief of Police.

40.17 Signs shall comply with all City of Upland sign requirements (UMC 17.15 et seq.). No more than 50% of the total window area and clear doors shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the public sidewalk or entrance to the premises (this applies to all windows of this location).

40.18 A digital video surveillance system is required at the premise. It is recommended to have a surveillance video/visual media that shall be maintained for a minimum of sixty (60) days and upon request, shall be accessible to law enforcement personnel for viewing, copying and collection purposes during regular business hours. The system shall be able to make license plates discernable. The video system shall cover all ingress and egress points of the parking lots, rec areas, buildings.

40.19 Provide UPD with contact information of person responsible for maintaining video equipment/system and who has access to retrieve and copy surveillance video. The surveillance video/visual media shall be remotely accessible to the Upland Police Department.

40.20 All landscaping must adhere to the 2’ 6’ rule (all ground cover landscaping must be maintained no higher than 2’ from ground level and all lower tree canopy must be maintained no lower than 6’ in height from the ground level).

40.21 Graffiti abatement by the business owner/licensee shall be immediate and ongoing on the licensed premises, but in no event shall graffiti be allowed unabated on the premises for more than 48 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee shall notify the City within 24 hours of any graffiti elsewhere on the property not under the business owner/licensee’s control so that it may be abated by the property owner.

40.22 Any vehicles not parked legally may be cited and/or towed if it is in violation of the California Vehicle Code and/or Upland Municipal Code.

50.0 Building and Safety

50.1 Full Design to be in compliance with City of Upland Construction Codes.

50.2 Soils report is required at the time of plan check submittal.

50.3 Provide full compliance ADA parking, Site Accessibility, and Parking.

50.4 A Demolition permit of existing building will only be issued after new building plan submittal.

50.5 To the satisfaction of the Building Official, abatement reports required prior to building demolition.

60.0 San Bernardino County Fire Protection District (SBCo FD)

The following shall be completed prior to permit issuance.

60.1 Access. The development shall have a minimum of 1 points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions. b. Multi-Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height.

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

60.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.

The Following shall be completed prior to Final Inspection.

60.4 Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.

60.5 Key Box. An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.

60.6 Additional Requirements. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office. Deferred Submittal required for UG Fire Water, Sprinklers and Alarms.

Standard Conditions

60.7 Standard A-1 FIRE APPARATUS ACCESS ROAD DESIGN, CONSTRUCTION AND MAINTENANCE. This standard shall apply to the design, construction and maintenance of all new fire apparatus access roads within the jurisdiction, as well as fire apparatus access roads at existing facilities when applied at the discretion of the fire code official.

60.8 Standard F-3 FIRE SPRINKLER SYSTEMS IN MULTI-FAMILY DWELLINGS. This standard, in conjunction with the latest edition of NFPA 13R, shall apply to the design and installation of, and the modification to, all fire sprinkler systems in multi-family dwellings within buildings up to and including four (4) stories, or sixty (60) feet, in height. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 13 or the California Fire Code.

60.9 Standard F-5 DESIGN, INSTALLATION AND MAINTENANCE OF FIRE ALARM SYSTEMS. This standard applies to all new installations and modifications of existing fire alarm systems, within new construction as well as building additions and tenant improvements within existing buildings. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 72 or the California Fire Code.

60.10 Standard W-2 ONSITE FIRE PROTECTION WATER SYSTEMS. This standard establishes minimum requirements for installation and maintenance of all private fire hydrants and appliances related to an onsite fire protection system.

70.0 Trash Services

70.1 Prior to issuance of grading permits, the developer or their contractor shall contact Burrtec to coordinate the preparation and implementation of a Construction Waste Management Plan.

80.0 Review/Compliance

80.1 The Planning Commission may review the use 90 days, 180 days, and on an annual basis following the date of final inspection, or as needed at the discretion of the Development Services Director, to determine whether the applicant and operators are operating the use in a manner that is compatible with the community. The Planning Commission may establish additional conditions of approval that are necessary to eliminate any issues that arise from the operation of the use that adversely impact the public health, welfare, and safety, or may direct staff to initiate revocation proceedings. The conditional use permit may be revoked if the permittee, his agents or assigns, or employee(s) of the establishment, or any other person connected or associated with the

permittee or his business establishment, or any person who is exercising managerial authority of the business establishment has:

a. Violated any rule, regulation, or condition of approval adopted by the Planning Commission relating to the conditional use permit or contained in the Upland Municipal Code, or state or federal regulations. Violation of any provision of the Upland Municipal Code (UMC) or the conditions of approval set forth in this resolution, shall be deemed to constitute an infraction of the Upland Municipal Code, and shall be subject to the applicable fines and penalties, including the possibility of revocation of this permit.

b. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety, and general welfare of the public, or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities that negatively affects adjacent properties or creates an increased demand for public services.

Section 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). The project is Categorically Exempt from environmental proceedings pursuant to Article 19, Section 15332, In-Fill Development Projects, Class 32 (a-e), of the California Environmental Quality Act, since the proposed project is consistent with applicable general plan designations and policies as well as applicable zoning designation and regulations; occurs within city limits on a property that is no more than five acres substantially surrounded by urban uses; has no value as habitat for endangered, rare or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

Section 5. APPEAL. Pursuant to Upland Municipal Code Section 17.47.040, the decision of the Planning Commission may be appealed to the City Council provided that written notice of the appeal is filed with the City Clerk within ten (10) days following the date the decision was rendered, unless a longer appeal period is specified as part of the project approval. Failure to file a timely appeal shall constitute a waiver of the right of appeal, and the decision of the Planning Commission shall be final.

Section 6. INCONSISTENCY. If any section, division, sentence, clause, phrase or portion of this resolution or the document in the record in support of this resolution is determined by a court of competent jurisdiction to be invalid, unenforceable, unconstitutional or otherwise void, that determination shall not affect the validity of the remaining sections, divisions, sentences, clauses, phrases of this resolution.

Section 7. CERTIFICATION. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and their certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED and ADOPTED this 8th day of July, 2020.

_____
Robin Aspinall, Chair

ATTEST:

_____

Robert D. Dalquest, SECRETARY

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Upland at a special adjourned meeting thereof held on the 8th day of July, 2020, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Robert D. Dalquest, SECRETARY

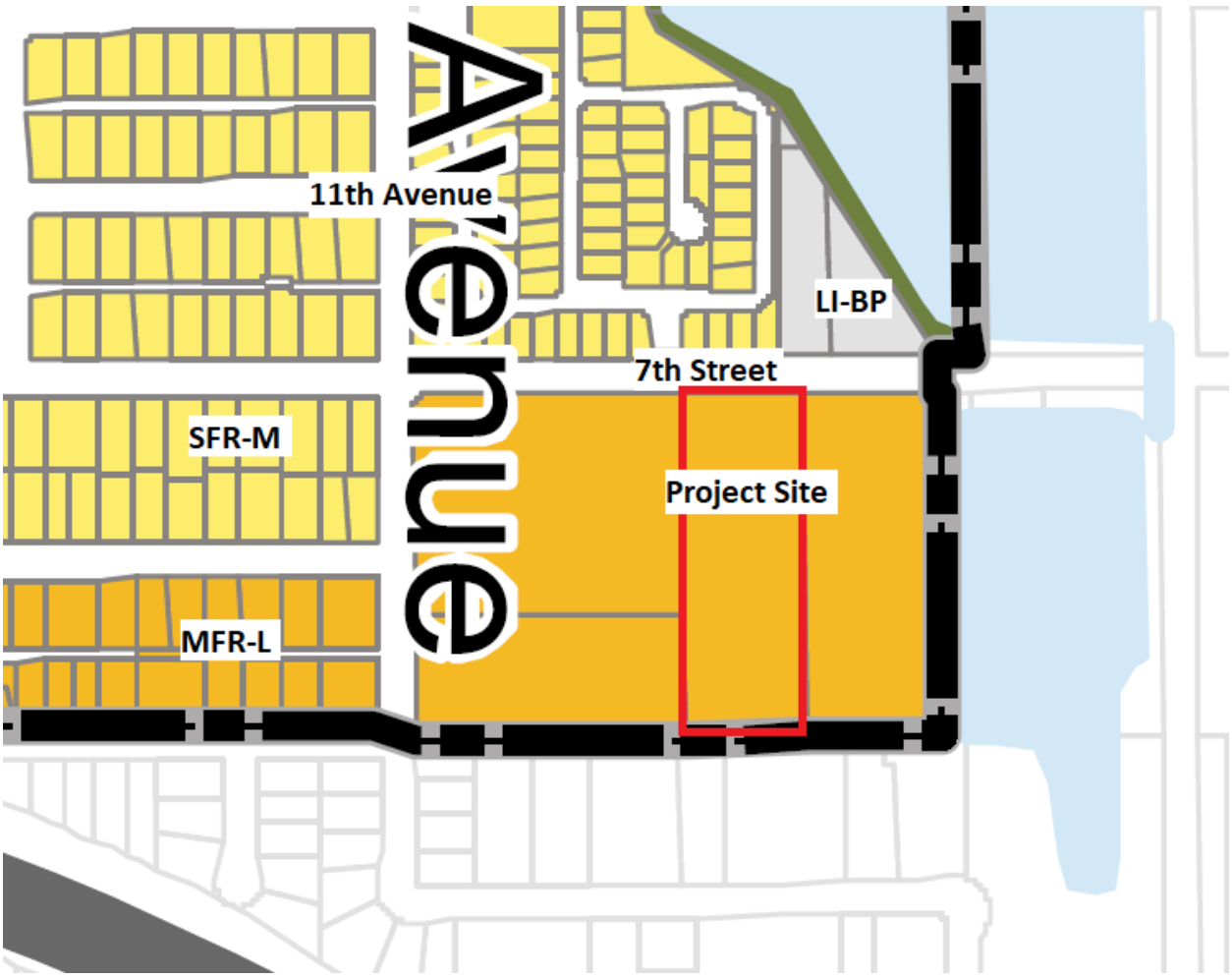
Exhibit B – Vicinity Map

Exhibit B - Vicinity Map

Exhibit C – General Plan and Zoning Map

Exhibit C - General Plan and Zoning Map

General Plan Land Use Map



MULTI-FAMILY RESIDENTIAL

LOW (10-20 du/ac; MFR-L)

Exhibit C - General Plan and Zoning Map

Zoning Map

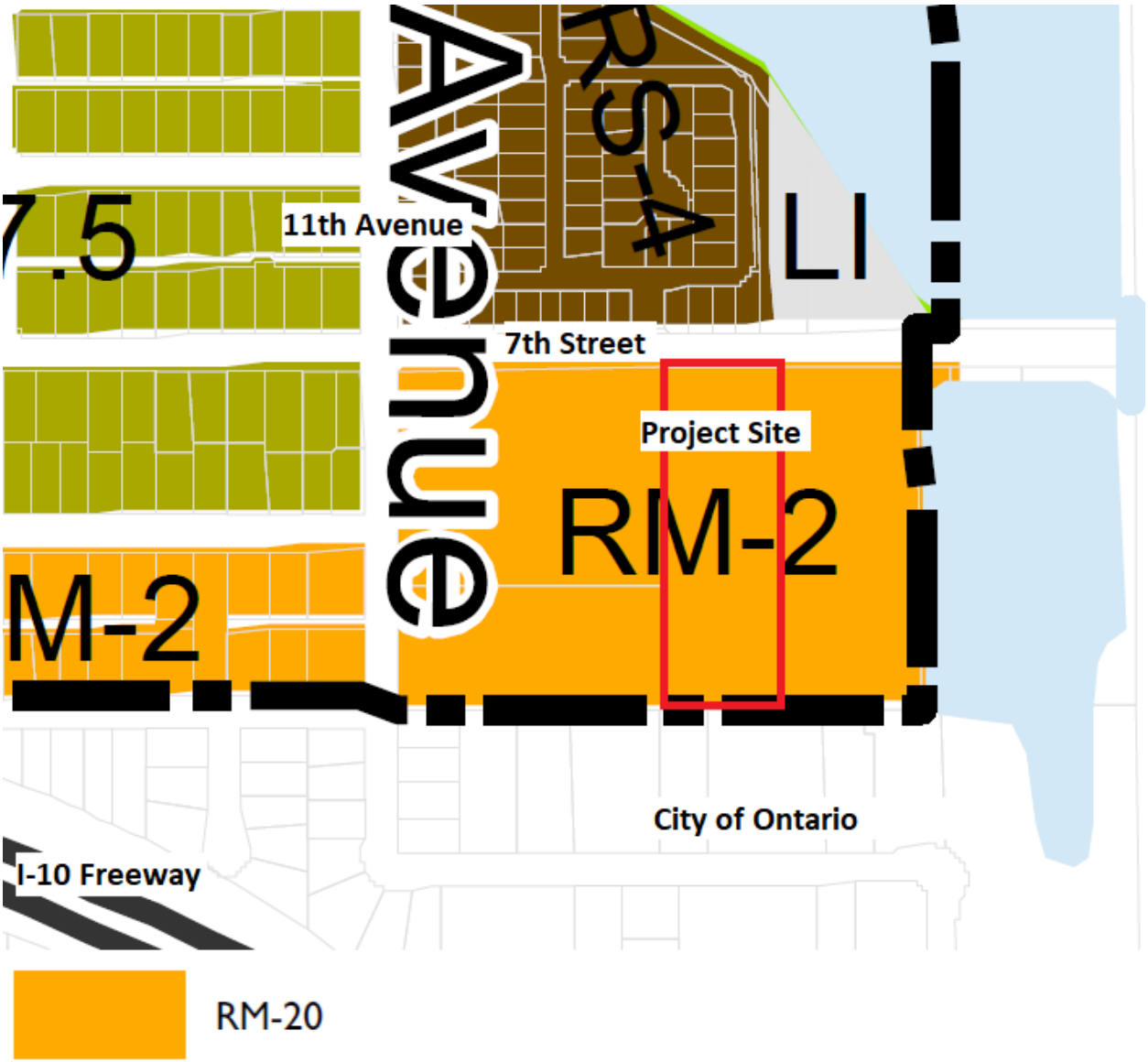
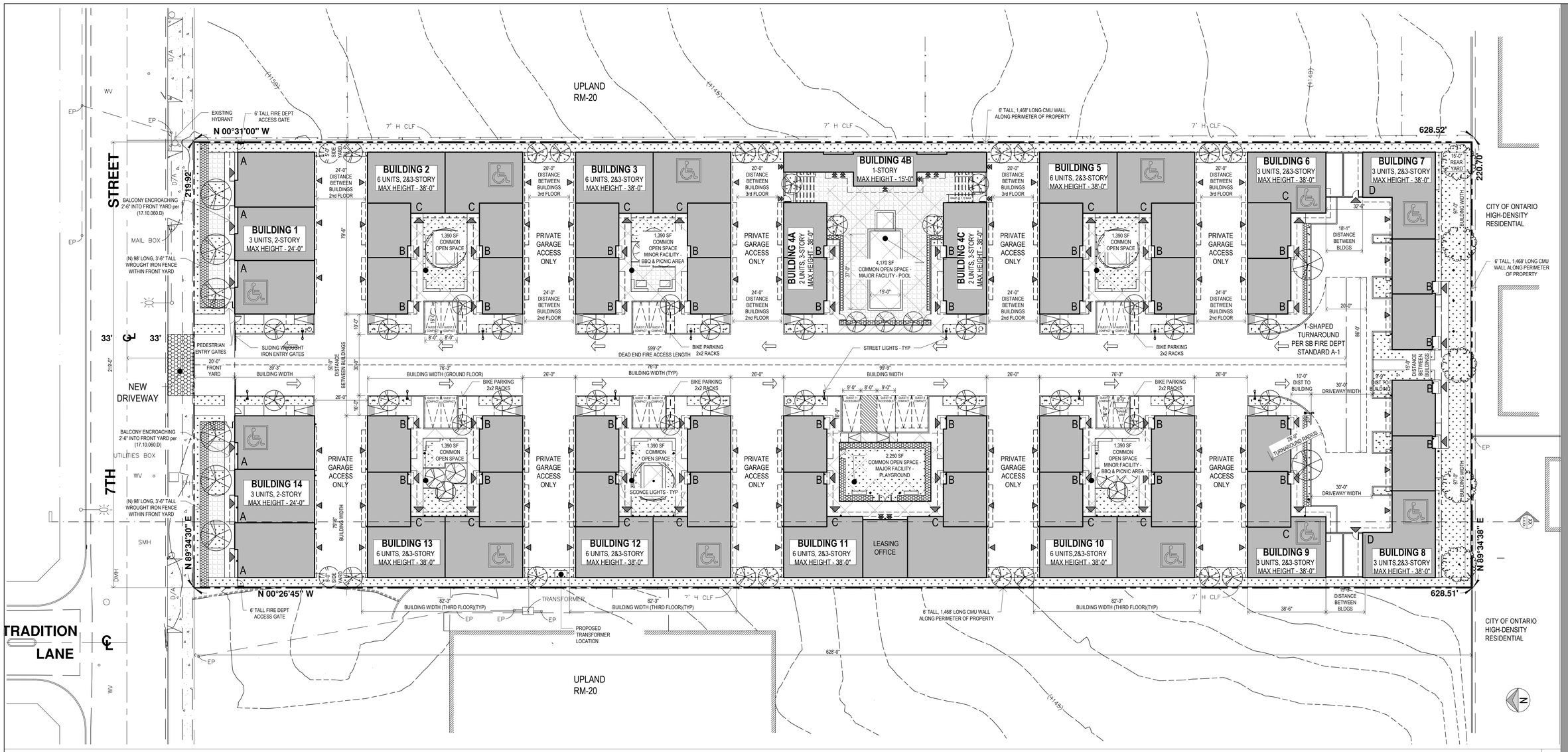
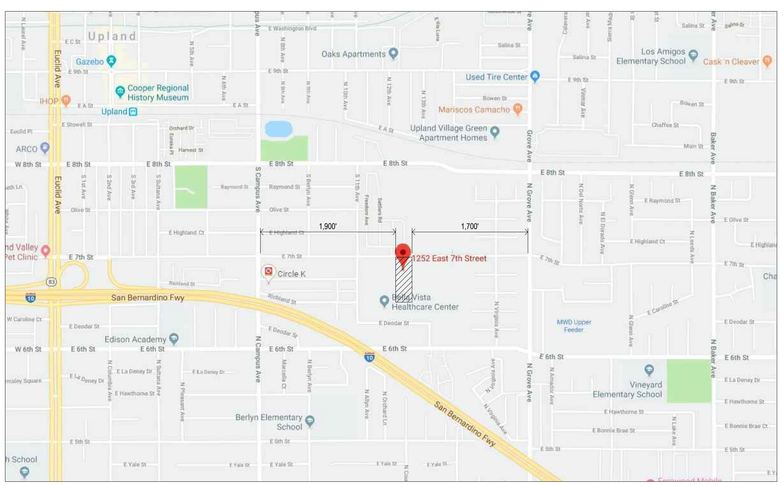


Exhibit D – Project Plans



SITE PLAN SCALE 1/20" = 1'-0" | 2



LOCATION MAP SCALE N.T.S. | 6

PARCEL # 104718102
GENERAL PLAN: RESIDENTIAL MULTI-FAMILY LOW
ZONING: RM-20; MIN 10 & MAX 20 UNITS per ACRE
SITE ACREAGE: GROSS - 3.18 --- 63.6 UNITS ALLOWED --- 64 UNITS
DENSITY BONUS: N/A
PROPOSED HEIGHT: 38'-0" max
BUILDING SQFT: GROSS - 120,500 SQFT TOTAL
DENSITY PROPOSED: 64 UNITS
UNIT A - (6) @ 1,755 SQFT INCLUDING 450 SQFT GARAGE
UNIT B - (40) @ 1,860 SQFT INCLUDING 400 SQFT GARAGE
UNIT C - (16) @ 1,730 SQFT INCLUDING 415 SQFT GARAGE
UNIT D - (2) @ 2,250 SQFT INCLUDING 405 SQFT GARAGE
LOT COVERAGE: 43,935 SQFT OF 138,520 SQFT = **32%**
LANDSCAPE: 23,650 SQFT OF 138,520 SQFT= **17%**
PAVED AREA (Street & Driveways): 44,360 SQFT OF 138,520 SQFT= **32%**
PAVED AREA (Sidewalk & Hardscape): 26,575 SQFT OF 138,520 SQFT= **19%**
FLOOR AREA RATIO: 120,500 SQFT TO 138,530 SQFT = .87 TO 1
PARKING REQUIREMENTS
IN PRIVATE GARAGE REQUIRED: 2 per UNIT ... 128 TOTAL
IN PRIVATE GARAGE PROVIDED: 128 TOTAL

FOR 3-BEDROOM UNITS REQUIRED: .5 ADDITIONAL per UNIT... 2 UNITS x .5 = 1 TOTAL
FOR 3-BEDROOM UNITS PROVIDED: **1 ADDITIONAL TOTAL (ACCESSIBLE) ON SITE**

GUEST REQUIRED: 1 per 5 UNITS ... 64 / 5 = 12.8 -- 13 TOTAL
GUEST PROVIDED: 14 TOTAL, 2 ACCESSIBLE (1 VAN) ON SITE

TOTAL REQUIRED: 142 TOTAL, **TOTAL PROVIDED: 128 +1 +14 = 143 TOTAL**

SHORT TERM BICYCLE REQUIRED: 10% OF REQUIRED CARS: 10% OF 143 = 14.3 OR 14
SHORT TERM BICYCLE PROVIDED: 24
LONG TERM BICYCLE REQUIRED: 1 per 5 UNITS: 64/5 = 12.8 OR 13
LONG TERM BICYCLE PROVIDED: 16 within Unit C garages
MOTORCYCLE PARKING AREA REQUIRED: 1 (56 SQFT MIN) **PROVIDED: 1 (128 SQFT)**

TYPE OF BUILDING CONSTRUCTION: V-B
LOADING SPACE: NOT REQUIRED
OPEN SPACE REQUIREMENTS
COMMON REQUIRED: 250 SQFT per UNIT ... 250 x 64 = 16,000 SQFT
COMMON PROVIDED: 1,390(6) + 4,170 + 2,250 = 14,760 TOTAL

PRIVATE REQUIRED: 100 SQFT per UNIT ... 6,400 SQFT
UNIT A: 170 SQFT ROOF DECK x 6 = 1,020 SQFT
UNIT B: 230 SQFT ROOF DECK x 40 = 9,200 SQFT
UNIT C: 138 SQFT ROOF DECK x 16 = 2,208 SQFT
UNIT D: 200 SQFT DECK x 2 = 400 SQFT
PRIVATE PROVIDED: 12,864 SQFT TOTAL
DRAINAGE PLAN:
- DRAIN TOWARDS SOUTH PROPERTY LINE FOLLOWING EXISTING GRADE
- INFILTRATE DEPENDING ON SOIL CONDITIONS
STREET IMPROVEMENTS:
- CLOSE 2 EXISTING DRIVEWAY AT NE & NW CORNERS
- CONSTRUCT NEW DRIVEWAY IN THE MIDDLE OF SITE
FRONT YARD HARDSCAPE: 1,645 OF 4,380 SQFT = 38%

SCOPE OF WORK:
- DEMOLISH EXISTING BUILDING ON SITE
- (N) 64-UNIT APARTMENT COMPLEX ON 3.18 ACRE SITE. 16 BUILDINGS TOTAL
- (N) LANDSCAPING
- PROVIDE AUTOMATIC SPRINKLER SYSTEM per NFPA 13R

SITE PLAN NOTES SCALE N.T.S. | 5

LINE ABOVE
DRAINAGE LINE
PROPERTY LINE
FENCE
LANDSCAPING
OPEN SPACE
HARDSCAPING
UNIT ENTRANCE
GARAGE ENTRANCE
COMMON AREA ENTRANCE

SITE PLAN LEGEND SCALE N.T.S. | 4

T-1.10	TITLE PAGE
P-0.10	EXISTING SITE PICTURES
P-0.20	RENDERED IMAGES
A-0.10	SITE PLAN AND PROJECT INFORMATION
A-0.20	ENLARGED OPEN SPACE PLANS
A-0.30	FIRE DEPT SITE PLAN
A-0.40	WASTE MANAGEMENT PLAN
A-1.10	BUILDINGS 1 & 14 PLANS, SECTIONS, ELEVATIONS
A-1.20	BUILDINGS 2,3,5 & 10,12,13 TYPICAL FLOOR PLANS
A-1.30	BUILDING 11 FLOOR PLANS
A-1.40	BUILDINGS 6-9 FLOOR PLANS
A-1.50	BUILDINGS 4A, 4B, 4C FLOOR PLANS
A-2.10	SITE ELEVATIONS
A-2.20	BUILDINGS 2,3,5 & 10,12,13 TYPICAL ELEVATIONS
A-2.30	BUILDINGS 6-9 TYPICAL ELEVATIONS
A-2.40	BUILDINGS 4A, 4B, 4C TYPICAL ELEVATIONS
A-3.10	SITE SECTIONS
A-3.20	BUILDINGS 2-5 & 10-13 TYPICAL SECTIONS

SHEET INDEX SCALE N.T.S. | 3

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Naji Garabet
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APPLE ENGINEERING GROUP
9080 Telstar Ave., Suite 309
El Monte, CA 91731
t: (626) 552 - 9818
e: Applcivil@gmail.com

LANDSCAPE ARCHITECT
YAEL LIR LANDSCAPE ARCHITECTS
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South Pasadena, CA 91030
t: (323) 258 - 5222
e: yael@yaellir.com

ENVIRONMENTAL ANALYSIS
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4165 E. Thousand Oaks Blvd. Suite 290
Westlake Village, CA 91362
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ENVIRONMENTAL PHASE I & II
PARTNER ENGINEERING
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Torrance, CA 90501
t: 310.615.4500

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3646 Long Beach Blvd Space #103
Long Beach, California 90807-4014
Tel: 562.252.3316
fdiaz@aneconsult.com

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POLYTOPE STUDIO
222 Pacific Coast Hwy Suite 2000
El Segundo, California 90245
Tel: 424.666.7468

ARCHITECT
L+V ARCHITECTS INC.
8416 Harold Way
Los Angeles, CA 90069
t: (310) 914 - 5577
www.LVARCH.com

TRAFFIC ANALYSIS
Garland Associates
16787 Beach Blvd. #234
Huntington Beach, CA 92647
t: 714-330-8984

FIRE PROTECTION
H2O FIRE PROTECTION INC.
449 W Foothill Blvd. #282
Glendora, CA 91741
t: 909-394-7979

PROJECT TEAM SCALE N.T.S. | 1

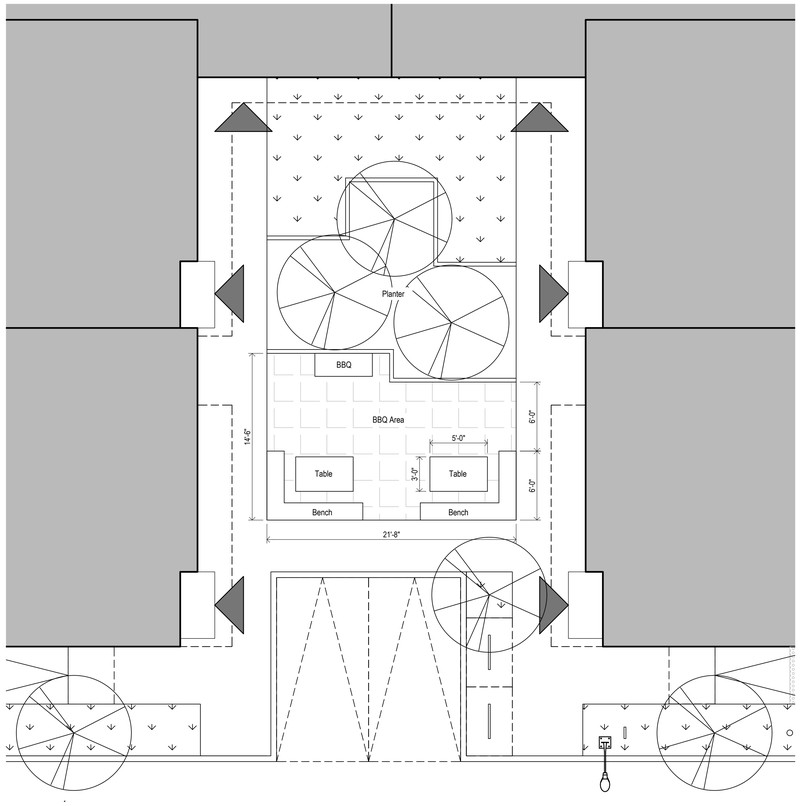
LICENSED ARCHITECT
VLADIMIR TOMALEVSKY
No. C 22417
06.30.2021
RENEWAL DATE
STATE OF CALIFORNIA

New 64-Unit Apartment Complex
1252 E 7th St
Upland, CA 91786

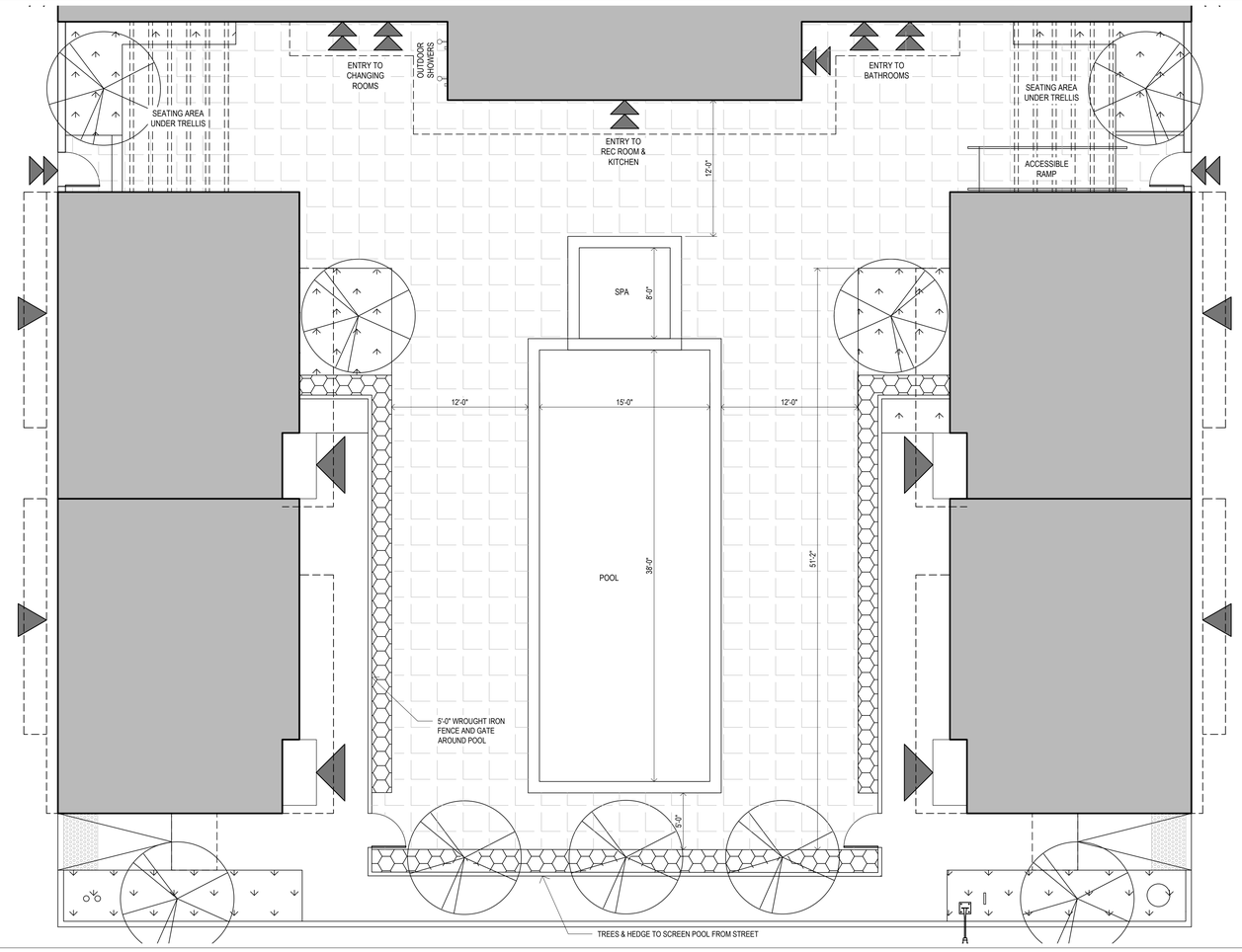
L+Varchitects inc.
8416 Harold Way
Los Angeles, CA 90069
t: 310. 914. 5577

SITE PLAN — title
04.27.2020 — date
1/20" =1'-0" — scale
A-0.10 — page
project #19.09

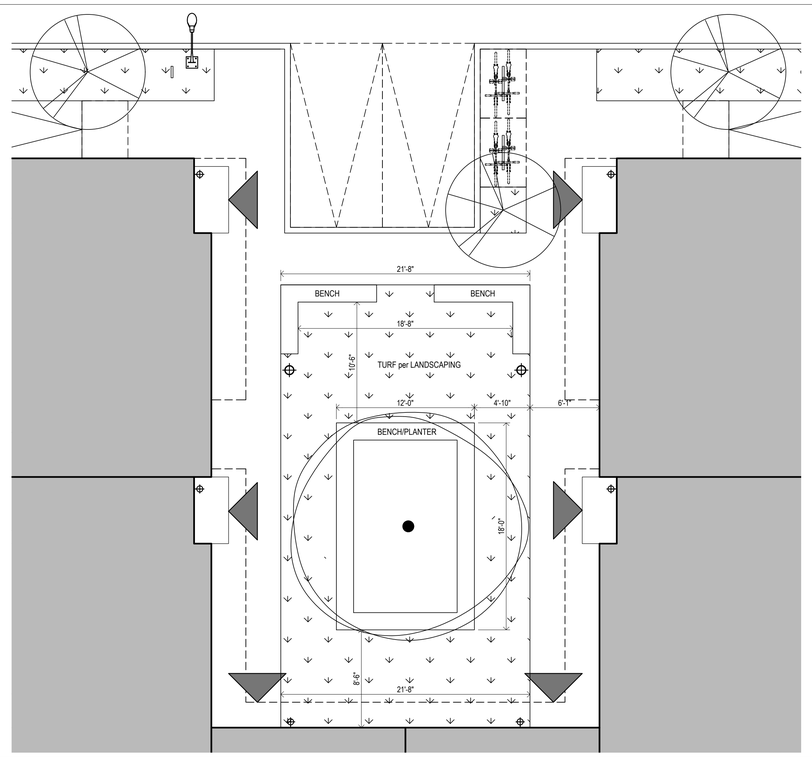
ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED IN OR BY THIS DRAWING(S) ARE OWNED BY L&V ARCHITECTS INC. AND WERE CREATED AND DEVELOPED FOR USE AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE DUPLICATED, USED BY OR DISCLOSED TO FOR ANY PURPOSE WHATSOEVER WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF L&V ARCHITECTS INC.



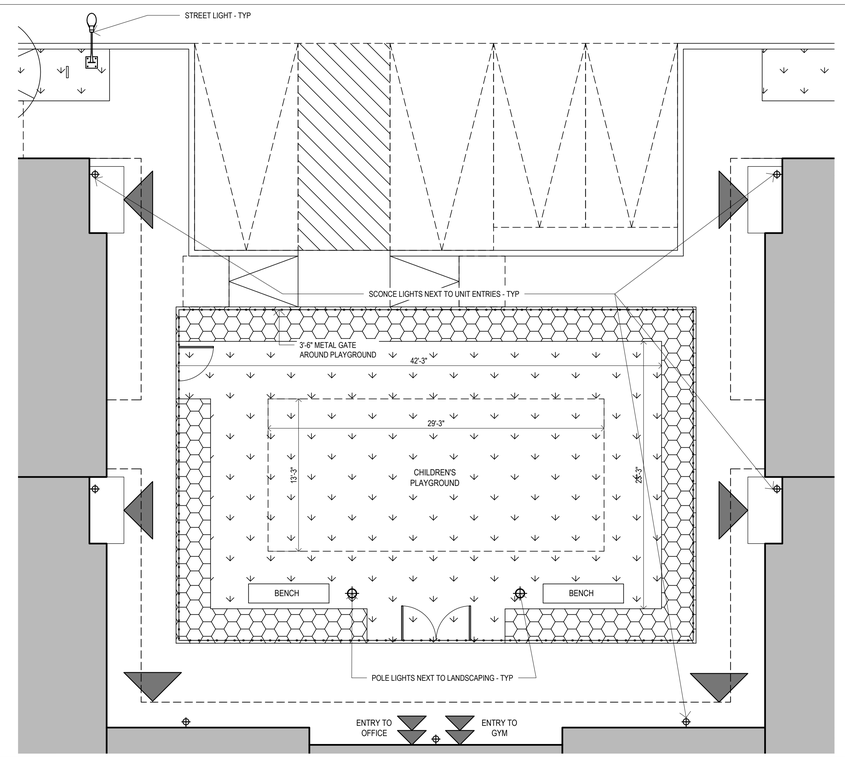
MINOR RECREATION - BBQ AREA (X2) SCALE: 3/16" = 1'-0" | 5



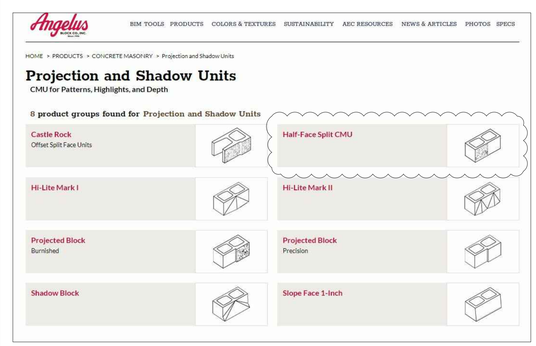
MAJOR RECREATION - POOL SCALE: 3/16" = 1'-0" | 3



LANDSCAPED COURTYARD OPEN SPACE (TYP) SCALE: 3/16" = 1'-0" | 4



MINOR RECREATION - PLAYGROUND SCALE: 3/16" = 1'-0" | 2



CMU BLOCK SPECIFICATION | 1

LICENSED ARCHITECT
VLADIMIR TOMALEVSKY
No. C 22417
06.30.2021
RENEWAL DATE
STATE OF CALIFORNIA

New 64-Unit Apartment Complex
1252 E 7th St
Upland, CA 91786

L+Varchitects inc.
8416 Harold Way
Los Angeles, CA 90069
t: 310. 914. 5577

OPEN SPACE PLANS — title
04.27.2020 — date
1/4" =1'-0" — scale
A-0.20 — page
project #19.09

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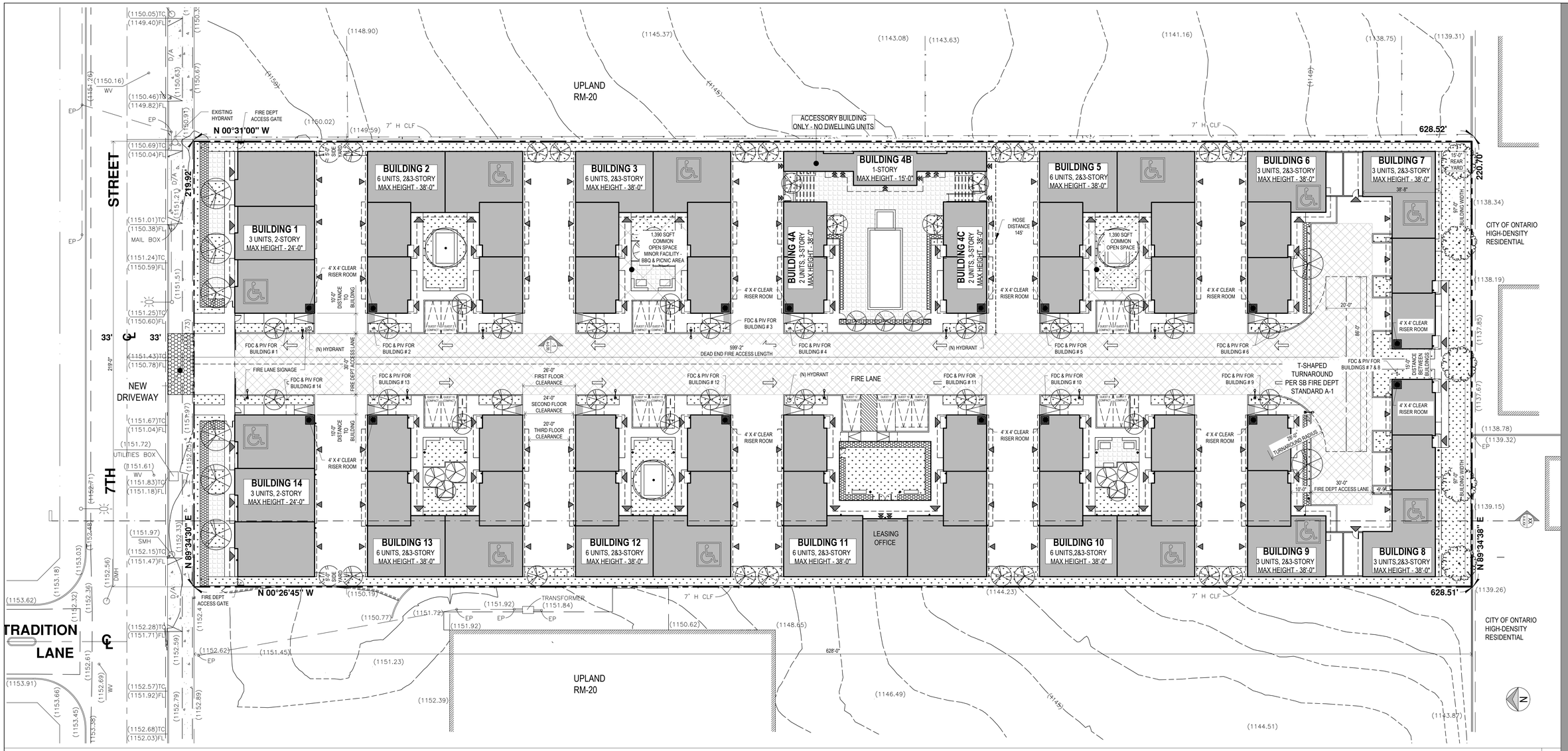

SITE PLAN SCALE 1/20" = 1'-0" | 2

- SCALE N.T.S. | 3

TYPICAL DRIVEWAY ELEVATION SCALE 1/16" = 1'-0" | 1

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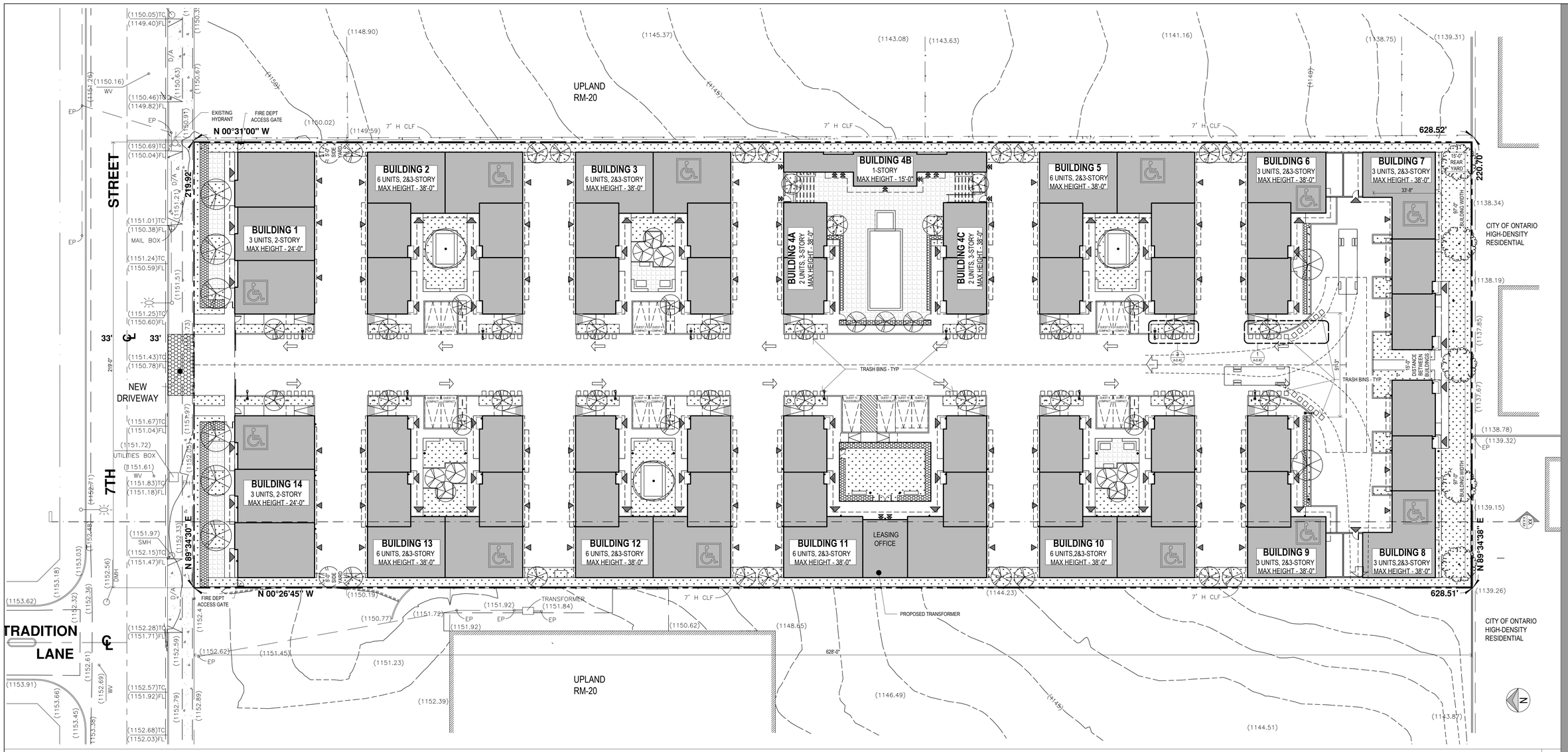
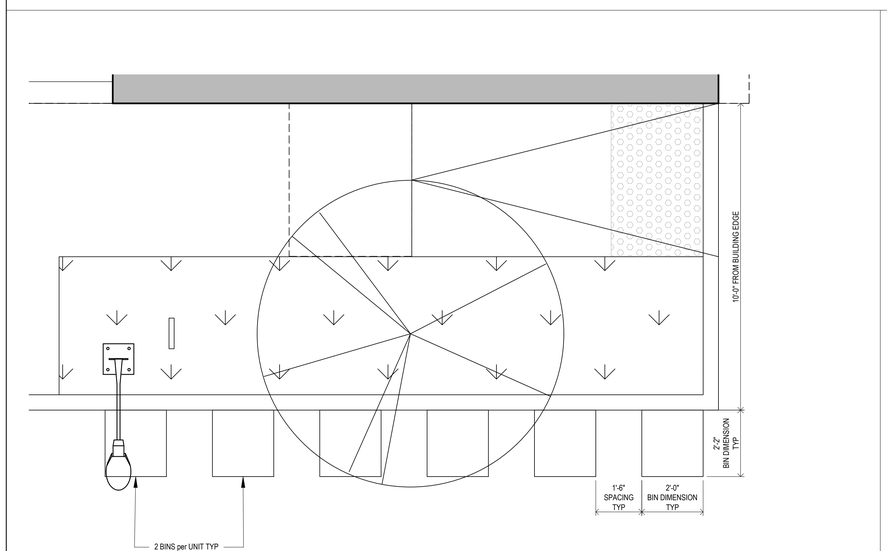
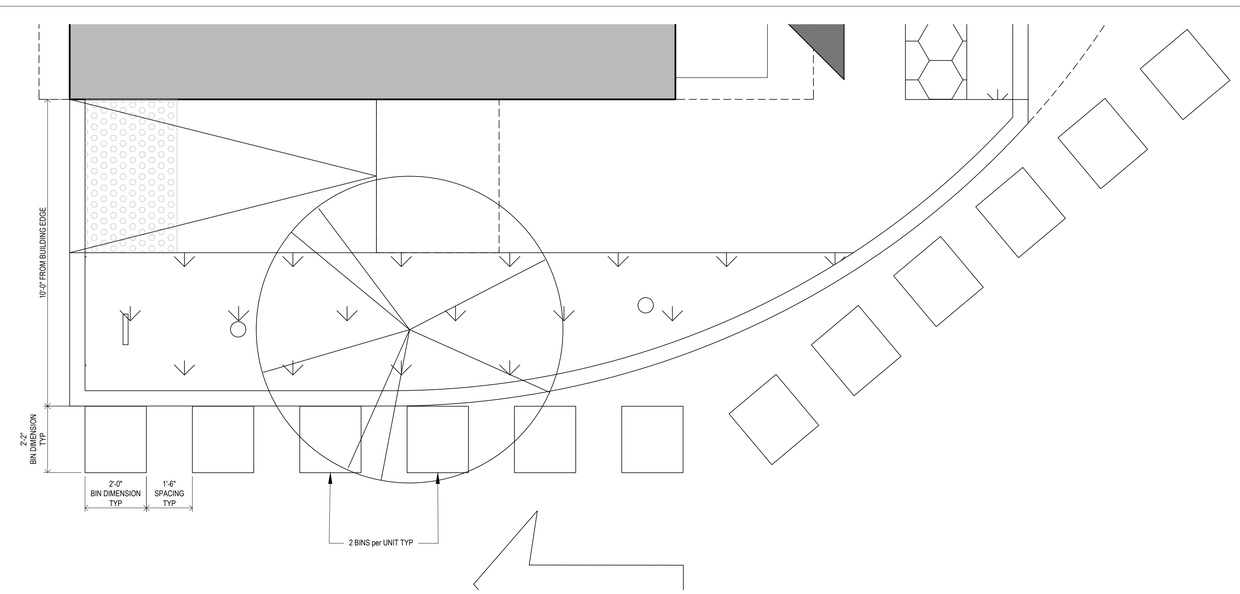
FIRE SITE PLAN — title
04.27.2020 — date
1/20" =1'-0" — scale
A - 0.30 — page
project #19.09



SITE PLAN SCALE 1/20" = 1'-0" | 2



BUILDINGS 1-5 & 10-14 TRASH LAYOUT (54 UNITS) SCALE 1/2" = 1'-0" | 3



BUILDINGS 6-9 TRASH LAYOUT (12 UNITS) SCALE 1/2" = 1'-0" | 1

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Los Angeles, CA 90069
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TRASH SERVICE PLAN — title
04.27.2020 — date
1/4" =1'-0" — scale
A - 0.40 — page
project #19.09

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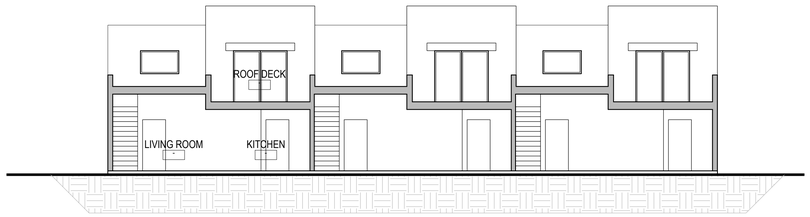
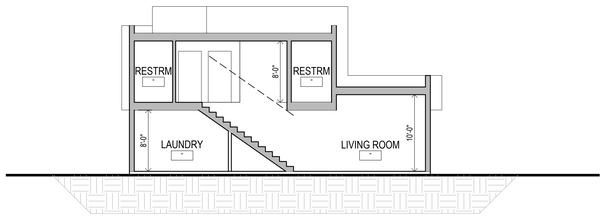
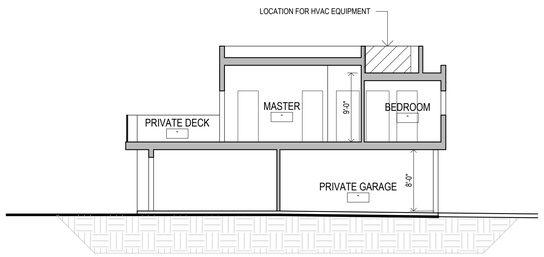


SECTION A

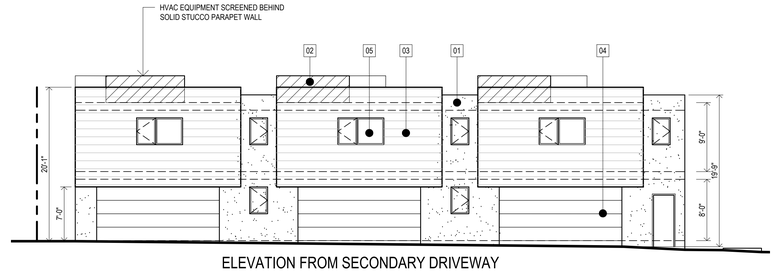


SECTION B

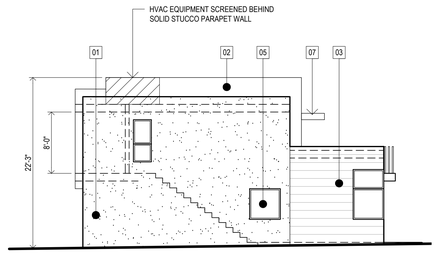


SECTION C

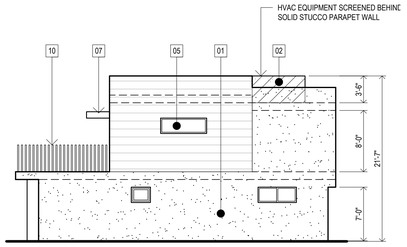
TYP. SECTIONS - BUILDINGS 1 &14 SCALE 1/8" = 1'-0" 7



ELEVATION FROM SECONDARY DRIVEWAY



ELEVATION FROM MAIN DRIVEWAY



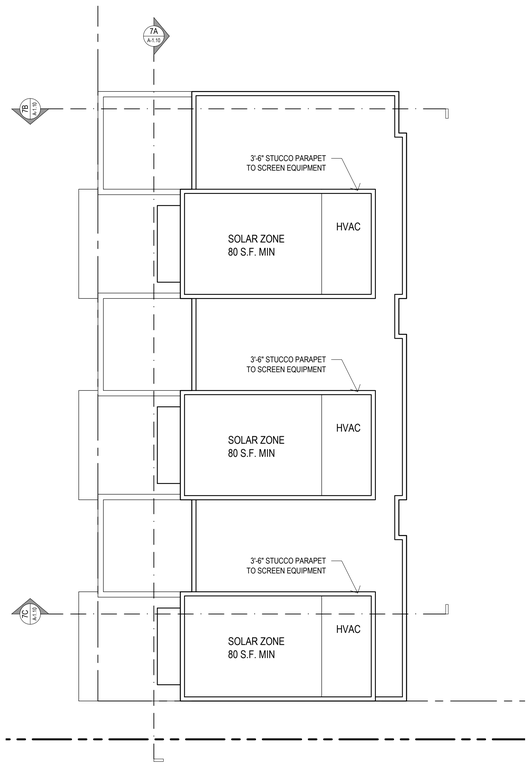
SIDE YARD ELEVATION

7TH STREET ELEVATION

TYP. ELEVATIONS - BUILDINGS 1 &14 SCALE 1/8" = 1'-0" 6

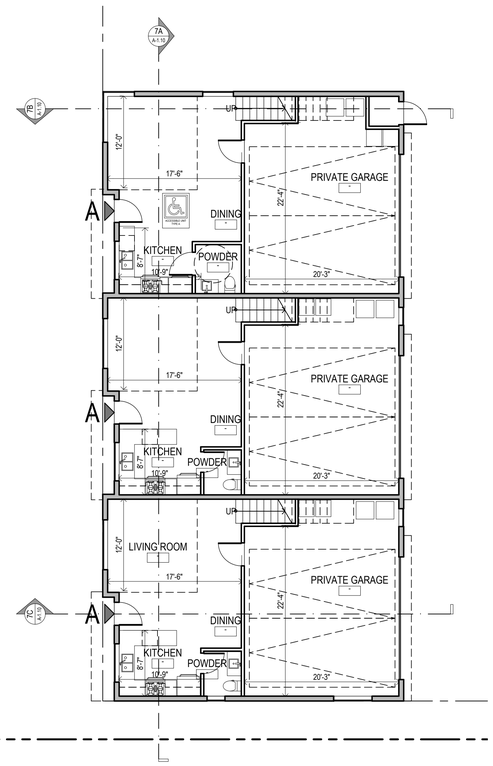
KEY NOTE	INFORMATION	FINISH REFERENCE
1	PLASTER - COLOR COAT - LIGHT	EF-1
2	PLASTER - COLOR COAT - LIGHT	EF-2
3	FIBER CEMENT SIDING	EF-3
4	GARAGE DOOR	EF-4
5	VINYL WINDOW PER SCHEDULE	EF-5
6	GUARDRAIL	EF-6
7	FASCIA	EF-7
8	WOOD TRELLIS	EF-8
9	UNIT ENTRY DOOR	EF-9
10	PLANTER	
11	BENCH	
12	GUTTER	
13	DOWNSPOUT	
14	EXPANSION JOINT	

LEGEND 5

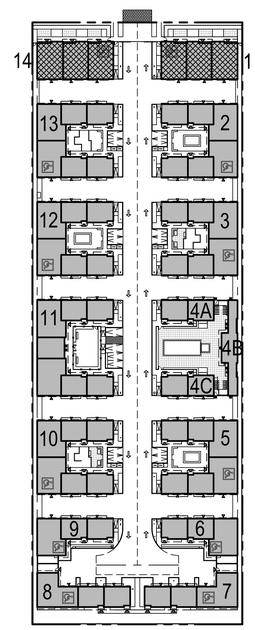


TYP. ROOF PLAN - BUILDINGS 1 &14 SCALE 1/8" = 1'-0" 4

TYP. SECOND FLOOR PLAN - BUILDINGS 1 &14 SCALE 1/8" = 1'-0" 3



TYP. FIRST FLOOR PLAN - BUILDINGS 1 &14 SCALE 1/8" = 1'-0" 2



NOTE:
1. BUILDING 14 IS A MIRRORED COPY OF BUILDING 1
2. ALL UNITS IN BUILDING 1&14 ARE TYPE A

BUILDING LEGEND SCALE 1/8" = 1'-0" 1

LICENSED ARCHITECT
VLADIMIR TOMALEVSKY
No. C 22417
06.30.2021
RENEWAL DATE
STATE OF CALIFORNIA

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BUILDINGS 1 &16 — title
04.27.2020 — date
1/8" =1'-0" — scale
A-1.10 — page
project #19.09

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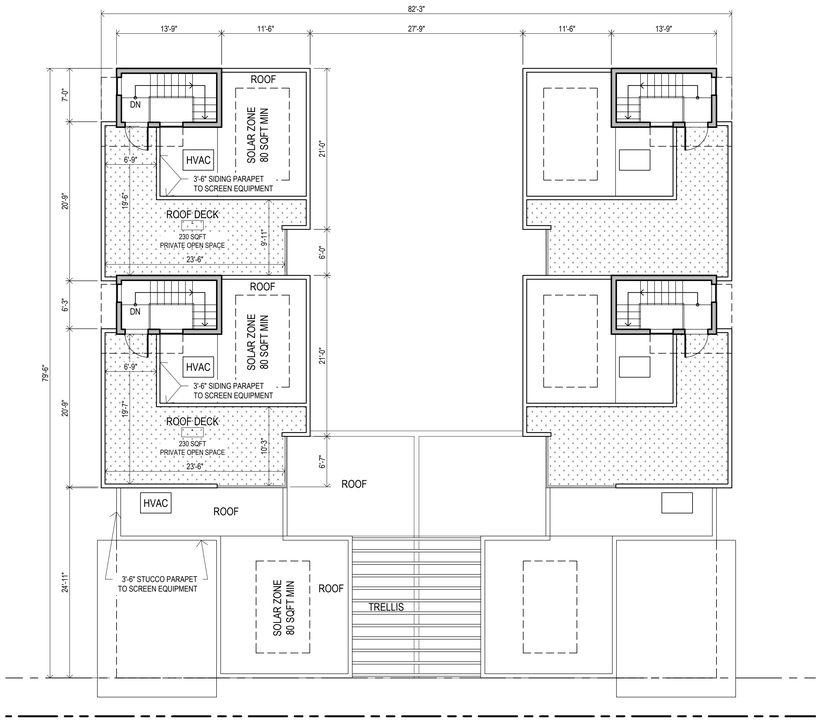
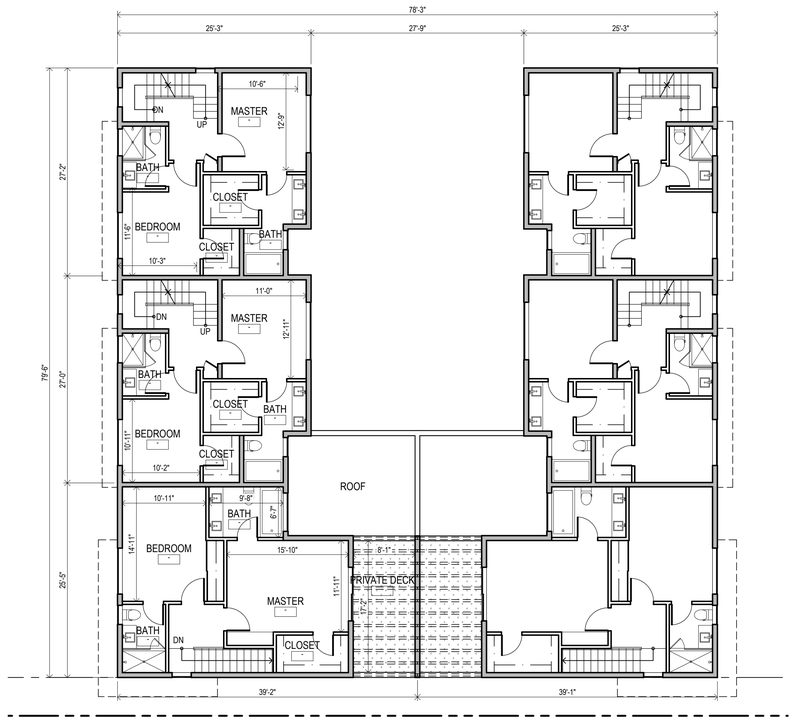
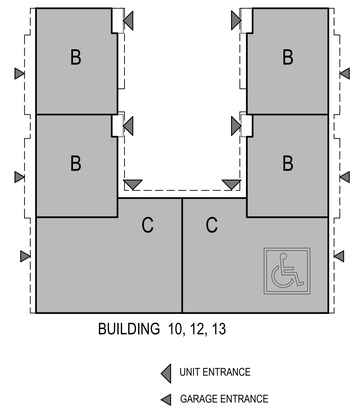


TYP. ROOF PLAN - BUILDINGS 2, 3, 5 & 10, 12, 13 SCALE 1/8" = 1'-0" | 6



TYP. SECOND FLOOR PLAN - BUILDINGS 2, 3, 5 & 10, 12, 13 SCALE 1/8" = 1'-0" | 4

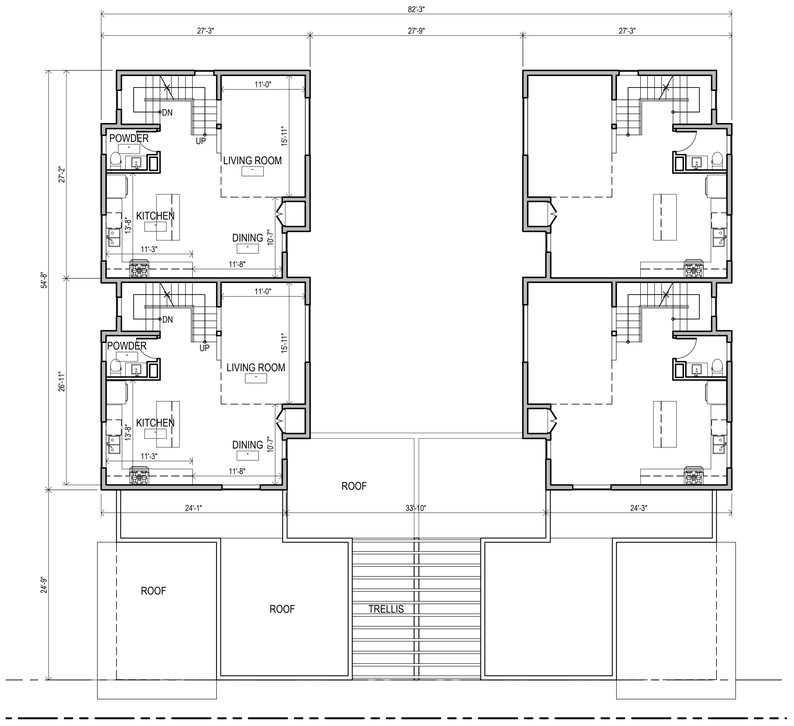


BUILDING 10, 12, 13

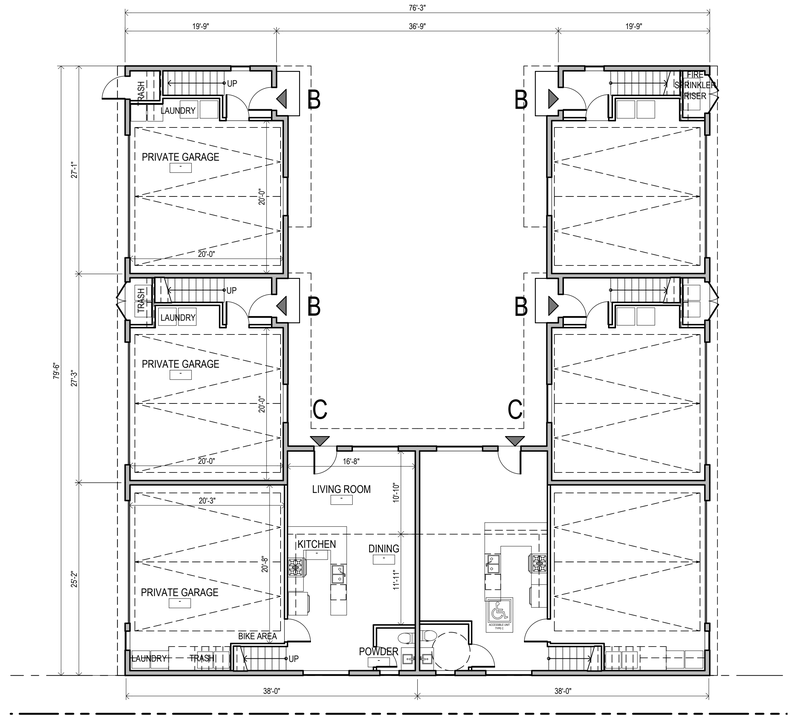
UNIT ENTRANCE

GARAGE ENTRANCE

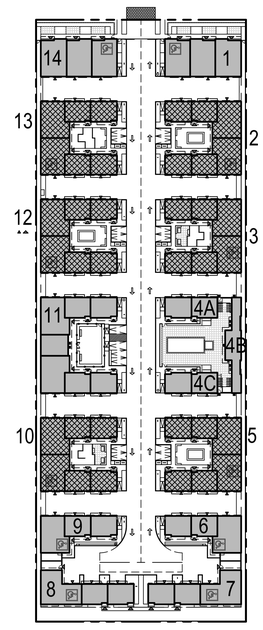
UNIT LEGEND SCALE 1/16" = 1'-0" | 2



TYP. THIRD FLOOR PLAN - BUILDINGS 2, 3, 5 & 10, 12, 13 SCALE 1/8" = 1'-0" | 5



TYP. FIRST FLOOR PLAN - BUILDINGS 2, 3, 5 & 10, 12, 13 SCALE 1/8" = 1'-0" | 3



NOTE:
BUILDINGS 2, 3 & 5 ARE A MIRRORED COPY OF BUILDINGS 12,14 & 15

BUILDING LEGEND SCALE 1/64" = 1'-0" | 1

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TYPICAL PLANS - BUILDINGS 2,3,5 & 10,12,13 — title

04.27.2020 — date

1/8" =1'-0" — scale

A-1.20 — page

project #19.09

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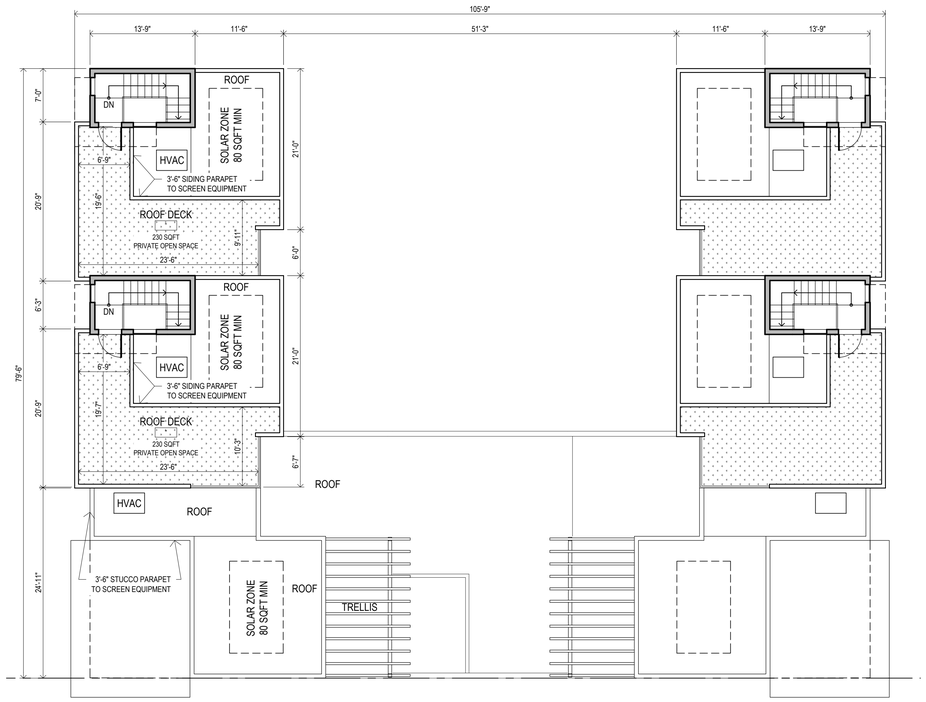
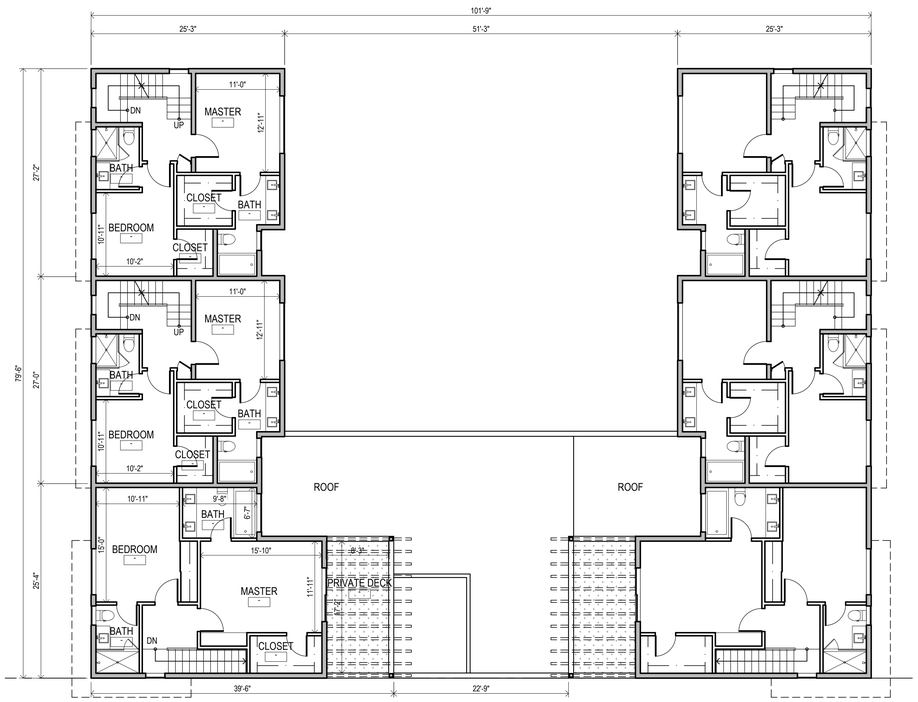
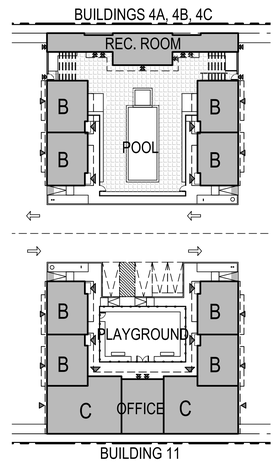


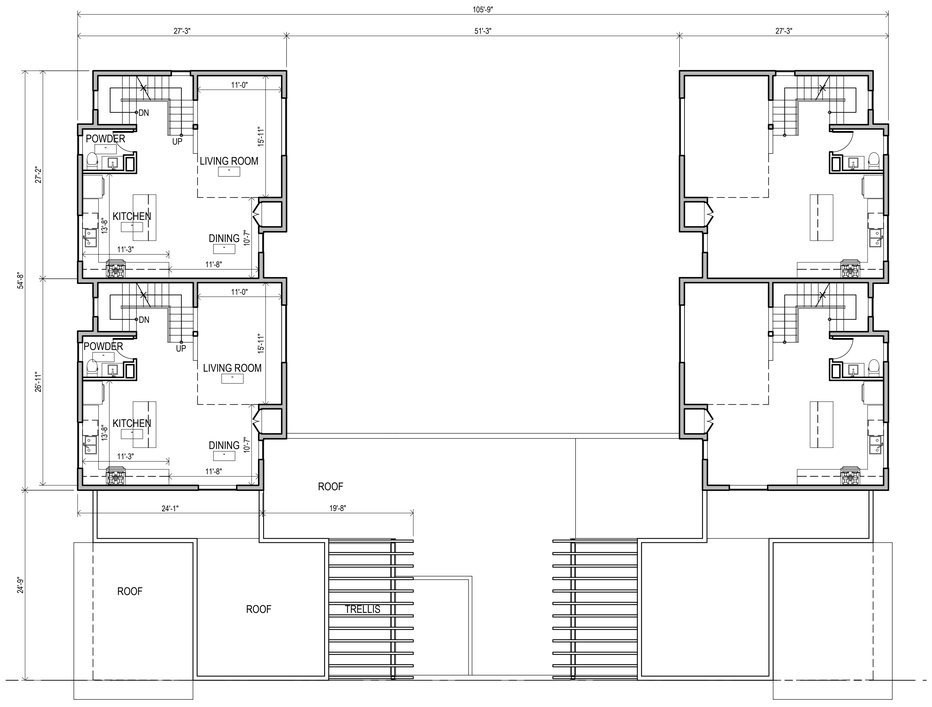
TYP ROOF PLAN - BUILDING 11 SCALE 1/8" = 1'-0" | 6



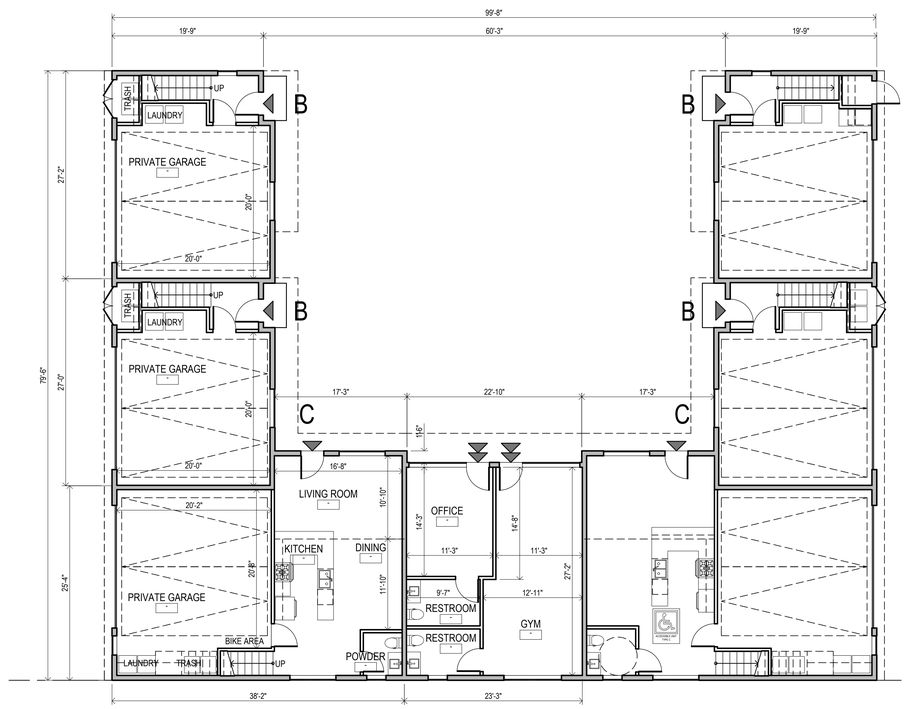
TYP SECOND FLOOR PLAN - BUILDING 11 SCALE 1/8" = 1'-0" | 4



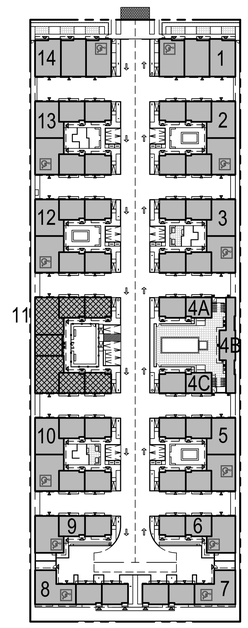
UNITS LEGEND SCALE 1/32" = 1'-0" | 2



TYP THIRD FLOOR PLAN - BUILDING 11 SCALE 1/8" = 1'-0" | 5



TYP FIRST FLOOR PLAN - BUILDING 11 SCALE 1/8" = 1'-0" | 3



BUILDINGS LEGEND SCALE 1/64" = 1'-0" | 1

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FLOOR PLANS - BUILDING 11 — title
04.27.2020 — date
1/8" =1'-0" — scale

A-1.30 — page

project #19.09

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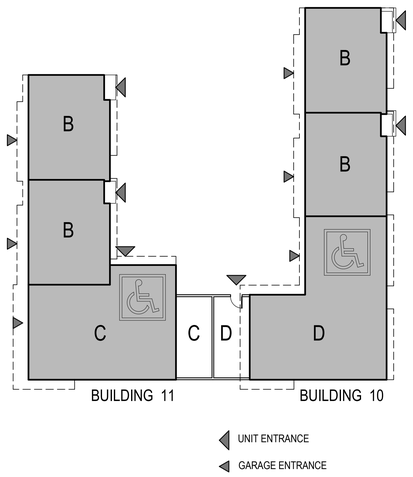
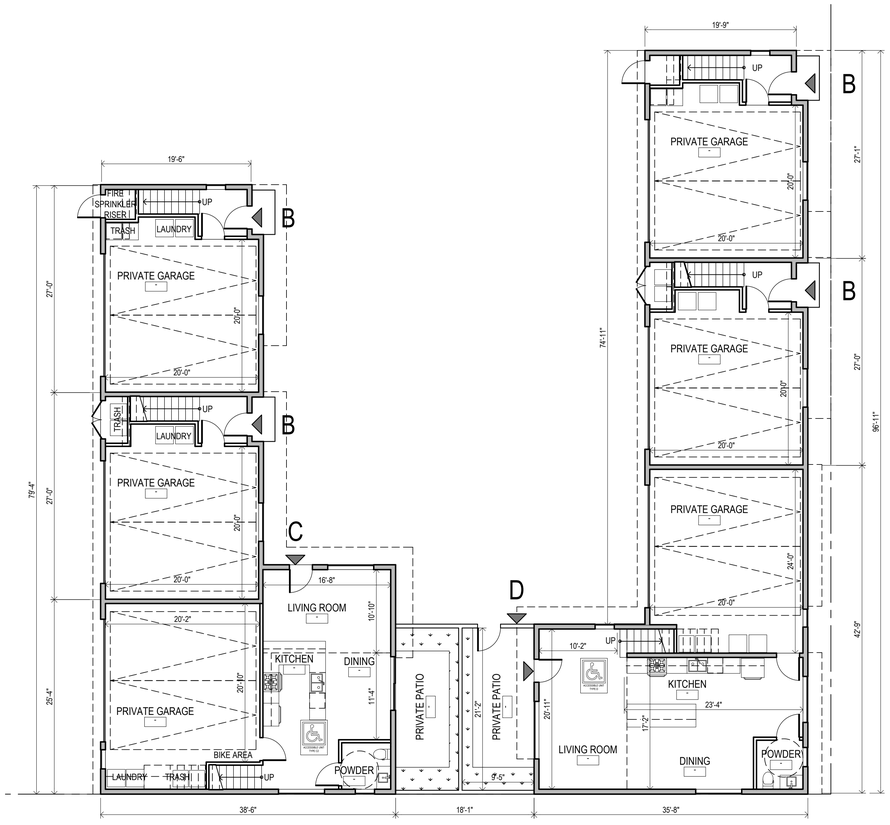
TYP. ROOF PLAN - BUILDINGS 6, 7, 8 & 9 SCALE 1/8" = 1'-0" | 6

TYP. SECOND FLOOR PLAN - BUILDINGS 6, 7, 8 & 9 SCALE 1/8" = 1'-0" | 4

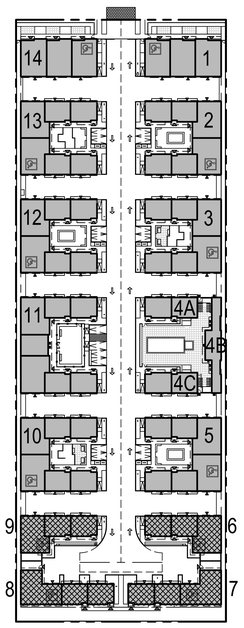


UNIT LEGEND SCALE 1/16" = 1'-0" | 2

TYP. THIRD FLOOR PLAN - BUILDINGS 6, 7, 8 & 9 SCALE 1/8" = 1'-0" | 5



TYP. FIRST FLOOR PLAN - BUILDINGS 6, 7, 8 & 9 SCALE 1/8" = 1'-0" | 3



NOTE:
BUILDINGS 8 & 9 ARE A MIRROR COPY OF BUILDINGS 6 & 7

BUILDING LEGEND SCALE 1/64" = 1'-0" | 1

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TYPICAL PLANS - BUILDINGS 6, 7, 8 & 9 — title
04.27.2020 — date
1/8" =1'-0" — scale
A-1.40 — page
project #19.09

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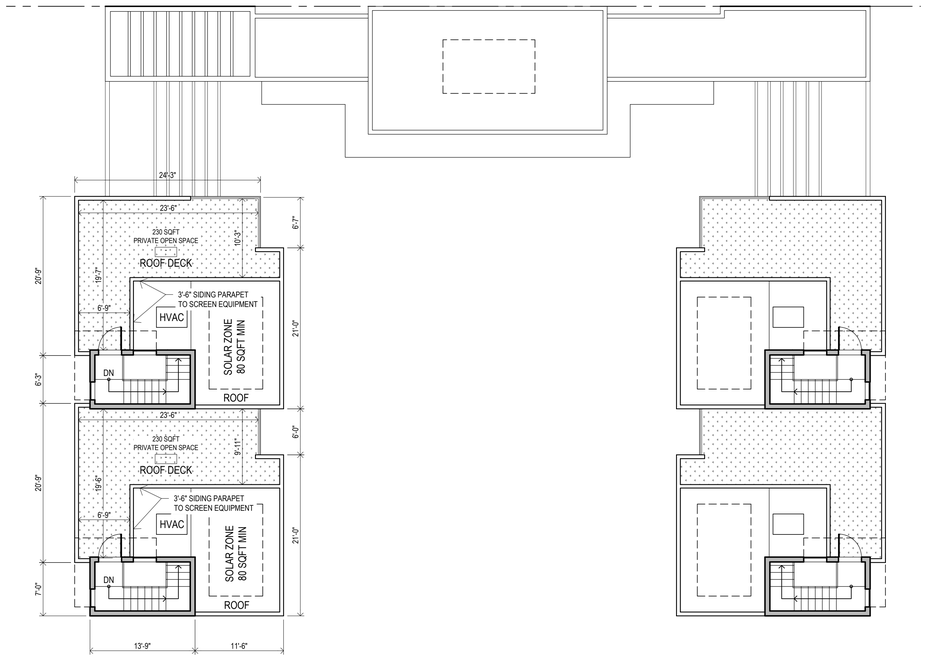
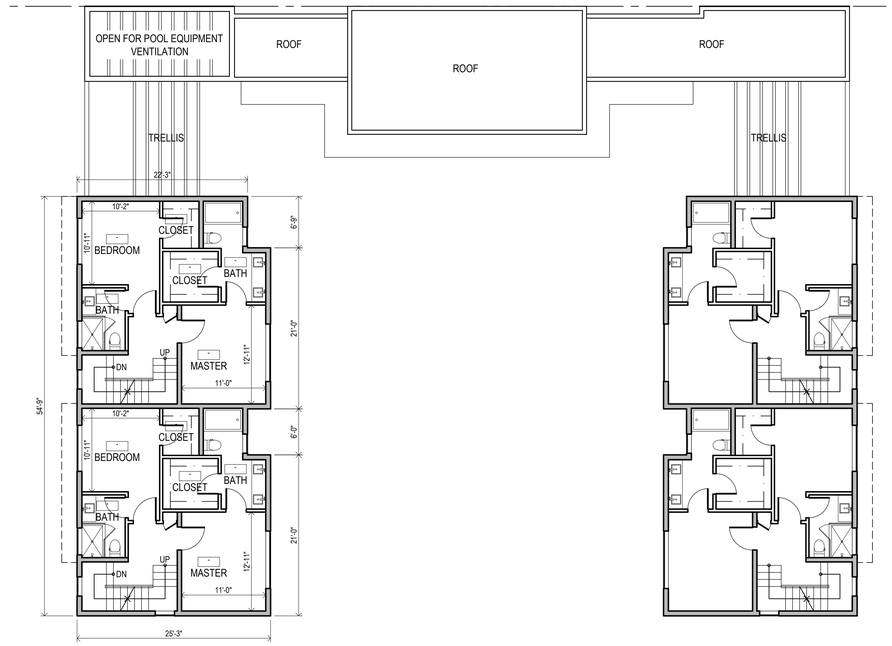
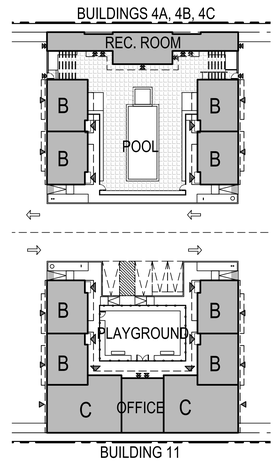


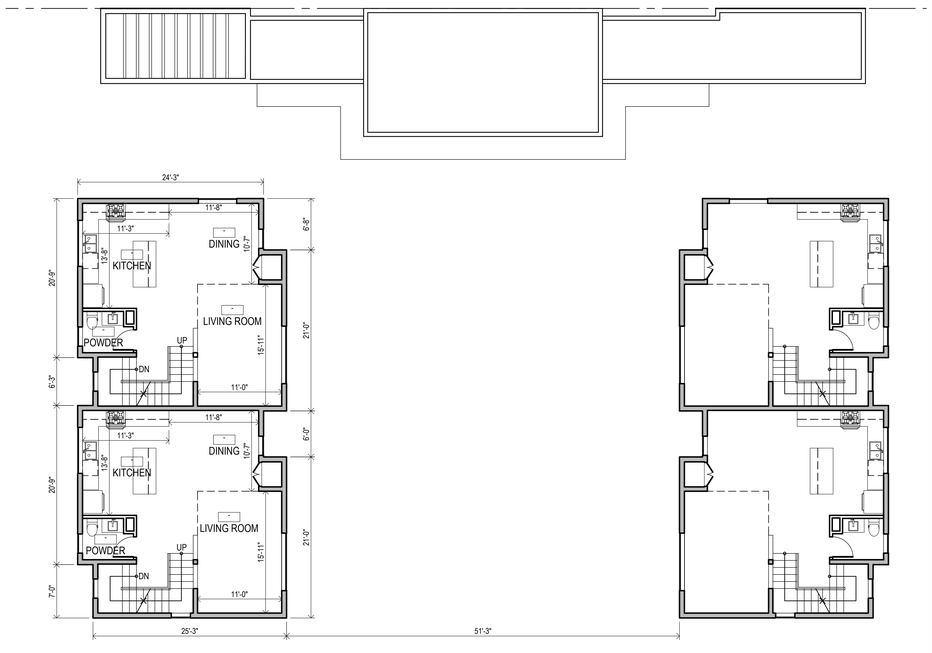
TYP ROOF PLAN - BUILDINGS 4A, 4B, 4C SCALE 1/8" = 1'-0" | 6



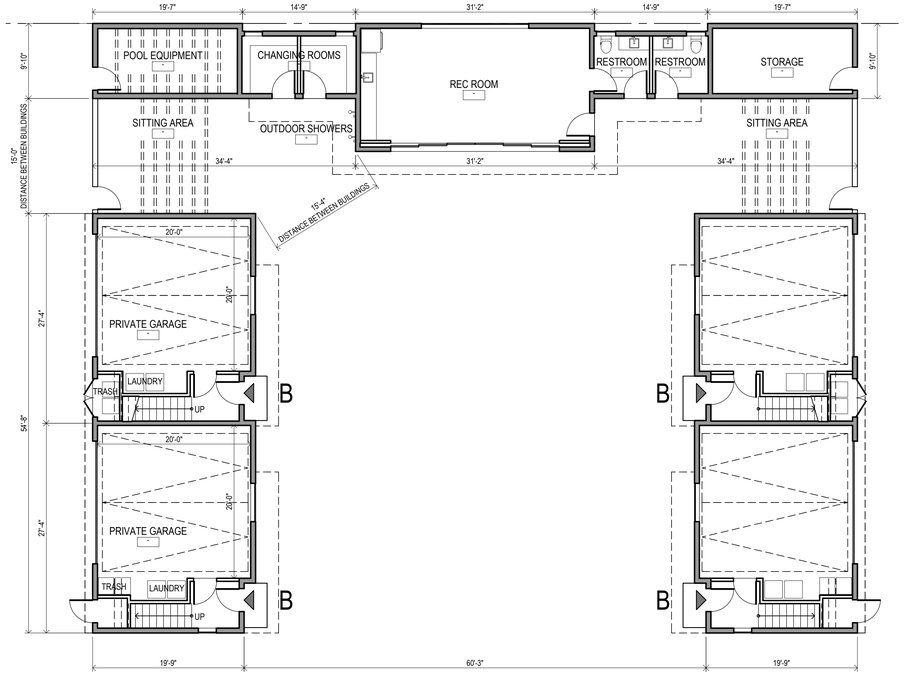
TYP SECOND FLOOR PLAN - BUILDINGS 4A, 4B, 4C SCALE 1/8" = 1'-0" | 4



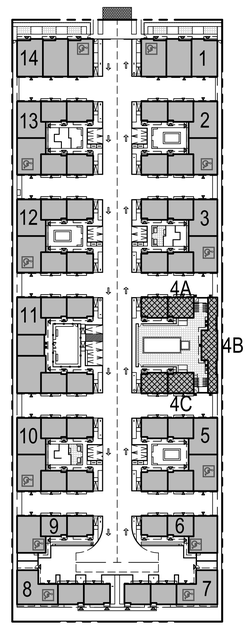
UNITS LEGEND SCALE 1/32" = 1'-0" | 2



TYP THIRD FLOOR PLAN - BUILDINGS 4A, 4B, 4C SCALE 1/8" = 1'-0" | 5



TYP FIRST FLOOR PLAN - BUILDINGS 4A, 4B, 4C SCALE 1/8" = 1'-0" | 3



BUILDINGS LEGEND SCALE 1/64" = 1'-0" | 1

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FLOOR PLANS - BUILDINGS 4,5,6 — title
04.27.2020 — date
1/8" =1'-0" — scale
A-1.50 — page
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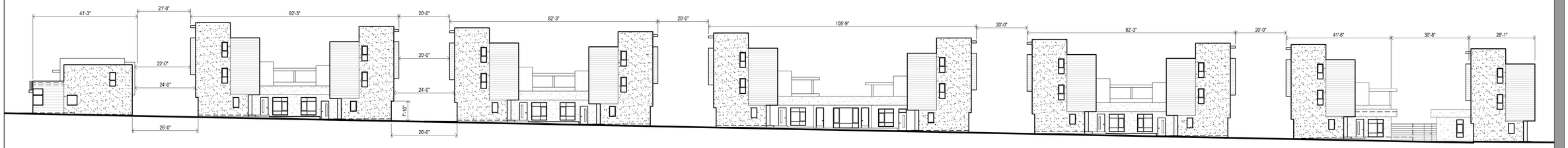
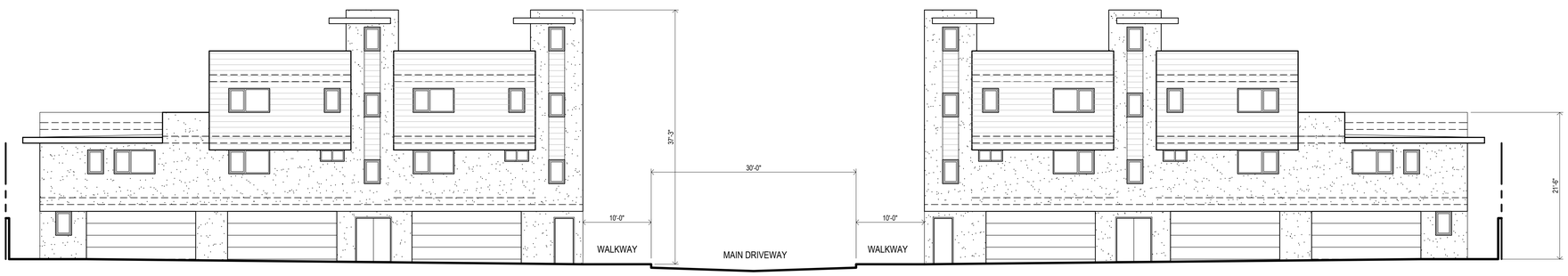
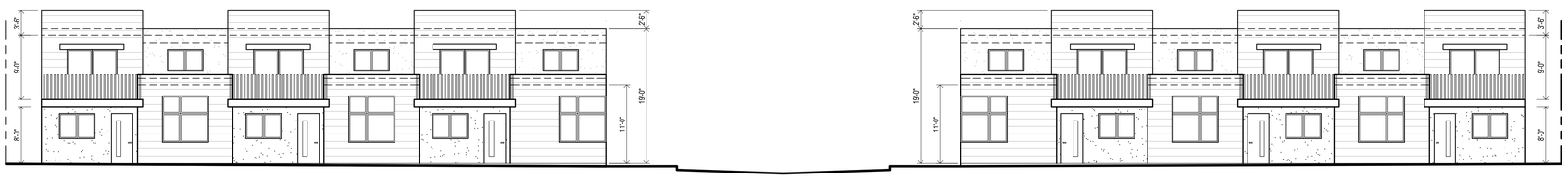


NOTE: FOR EXTERIOR FINISHES LEGEND AND SPECIFICATIONS
REFER TO PAGES A-2.20 & A-2.30

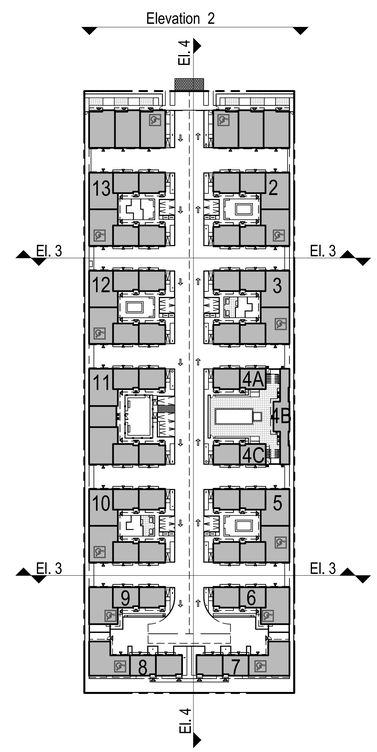
TYPICAL ELEVATION FROM MAIN DRIVEWAY (LOOKING EAST) SCALE 1/16" = 1'-0" | 4



TYPICAL ELEVATION FROM SECONDARY DRIVEWAY SCALE 1/8" = 1'-0" | 3



ELEVATION FROM 7th STREET (FRONT ELEVATION) SCALE 1/8" = 1'-0" | 2



LEGEND SCALE 1/64" = 1'-0" | 1

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ELEVATIONS — title
04.27.2020 — date
1/8" =1'-0"; 1/16"=1'-0" — scale

A-2.10 — page

project #19.09

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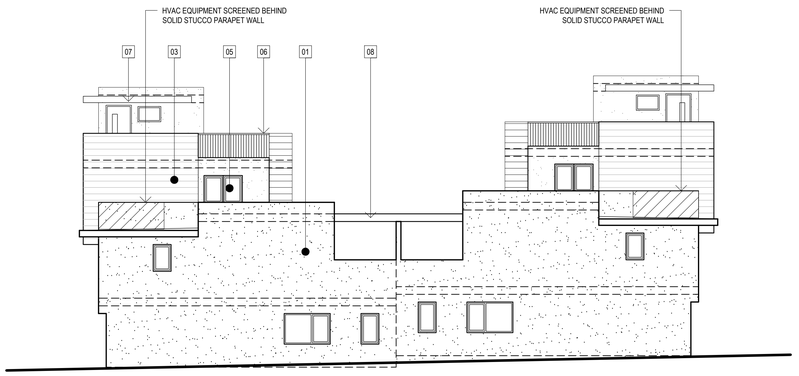
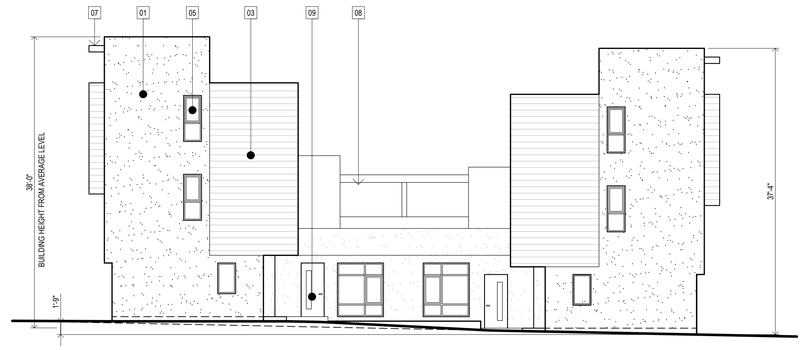
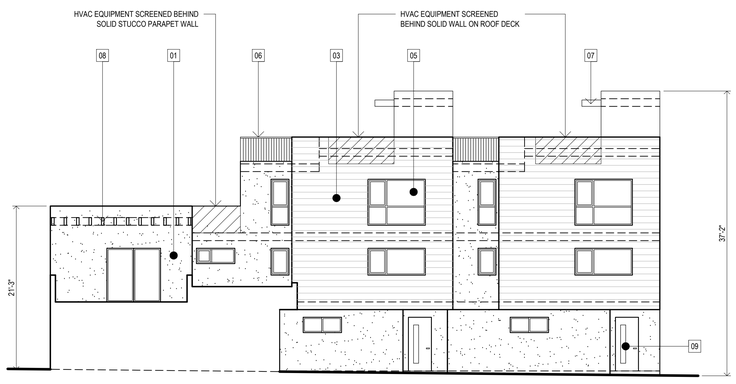


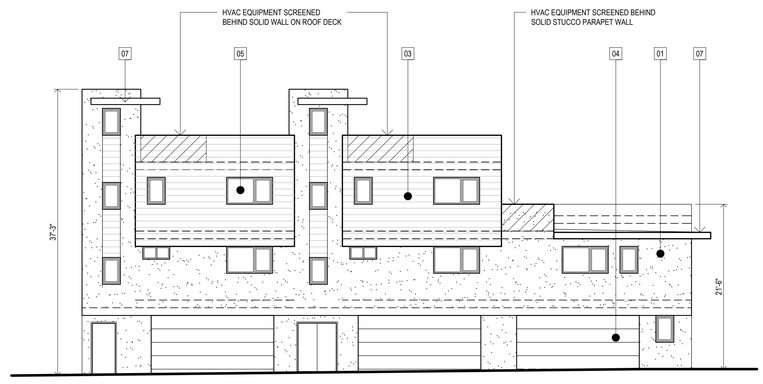
TYPICAL SIDE YARD ELEVATION AT BUILDINGS 2, 3, 5 & 10, 12, 13 SCALE 1/8" = 1'-0" | 7



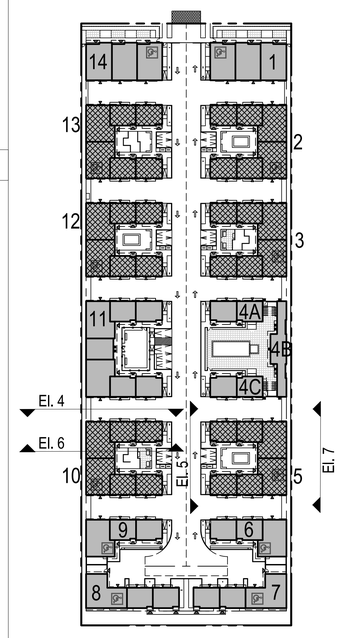
TYPICAL ELEVATION FROM MAIN DRIVEWAY AT BUILDINGS 2, 3, 5 & 10, 12, 13 SCALE 1/8" = 1'-0" | 5



TYPICAL COURTYARD ELEVATION AT BUILDINGS 2, 3, 5 & 10, 12, 13 SCALE 1/8" = 1'-0" | 6



TYPICAL ELEVATION FROM PRIVATE DRIVEWAY AT BUILDINGS 2, 3, 5 & 10, 12, 13 SCALE 1/8" = 1'-0" | 4



LEGEND SCALE 1/64" = 1'-0" | 3

EXTERIOR FINISHES

EF-1 Plaster (Smooth Trowel Finish) (Light)
Manufacturer - Merlex
Type - Polymer-modified base coat and anti-fracture membrane for smooth-troweled finishes
Application - Hand Applied with embedded mesh (BaseX system)
Finish - Santa Barbara (Smooth Troweled)
Color - P-6 El Dorado (A-BASE)
Note - See manufacturer's technical sheet for full specifications and application procedures
Website - http://www.merlex.com/index.htm

EF-2 Plaster (Smooth Trowel Finish) (Dark)
Manufacturer - Merlex
Type - Polymer-modified base coat and anti-fracture membrane for smooth-troweled finishes
Application - Hand Applied with embedded mesh (BaseX system)
Finish - Santa Barbara (Smooth Troweled)
Color - P-2090 Thunder Sky (B-BASE)
Note - See manufacturer's technical sheet for full specifications and application procedures
Website - http://www.merlex.com/index.htm

EF-3 Fiber Cement Siding
Manufacturer - James Hardie
Type - Artisan Shiplap Siding (Smooth)
Application - Shiplap w/ Mitered Corners (for paint)
Paint
Manufacturer - Dunn Edwards
Color - DE6104 "Chic Brick"
Note - See manufacturer's technical sheet for full specifications and application procedures
Website - http://www.artisanluxury.com/

EF-4 Garage door
Type - Metal per structural details | design per architectural 3/A-4.30
Manufactureer - Unique Garage Door
Product - Modern Smooth
Website - https://uniquegaragedoor.com/modern-smooth.php

Paint
Manufacturer - Dunn Edwards
Product - EVERSHIELD | Exterior flat paint | EVSH10
Primer - See manufacturers recommendations
Color - DE6370 Charcoal Smudge
Website - http://www.dunnedwards.com/

EF-5 Vinyl Window
Manufacturer - Milgard
Type - Vinyl - Style Line
Application - New Construction - Nail Fin
Color - Tan
Note: -
Website: - http://www.milgard.com/windows/style-line-series

EF-6 Metal Guard Rail
Type - Metal per structural details
Installation - Top mounted per structural details
Paint
Manufacturer - Dunn Edwards
Product - EVERSHIELD | Exterior flat paint | EVSH10
Primer - See manufacturers recommendations
Color - Charcoal Black
Website - http://www.dunnedwards.com/

EF-7 Metal Fascia
Manufacturer - Berridge
Type - Sheet metal | 22 ga.
Application - Over existing plaster
Color - Kynar 500 | Buckskin
Note - See manufacturer's technical sheet for full specifications and application procedures
Website - http://www.berridge.com

EXTERIOR FINISHES SPECIFICATIONS | 2

KEY NOTE	INFORMATION	FINISH REFERENCE
1	PLASTER - COLOR COAT - LIGHT	EF-1
2	PLASTER - COLOR COAT - LIGHT	EF-2
3	FIBER CEMENT SIDING	EF-3
4	GARAGE DOOR	EF-4
5	VINYL WINDOW PER SCHEDULE	EF-5
6	GUARDRAIL	EF-6
7	FASCIA	EF-7
8	WOOD TRELLIS	EF-8
9	UNIT ENTRY DOOR	EF-9
10	PLANTER	
11	BENCH	
12	GUTTER	
13	DOWNSPOUT	
14	EXPANSION JOINT	

EXTERIOR FINISHES LEGEND | 1

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ELEVATIONS — title
04.27.2020 — date
1/8" =1'-0" — scale
A-2.20 — page
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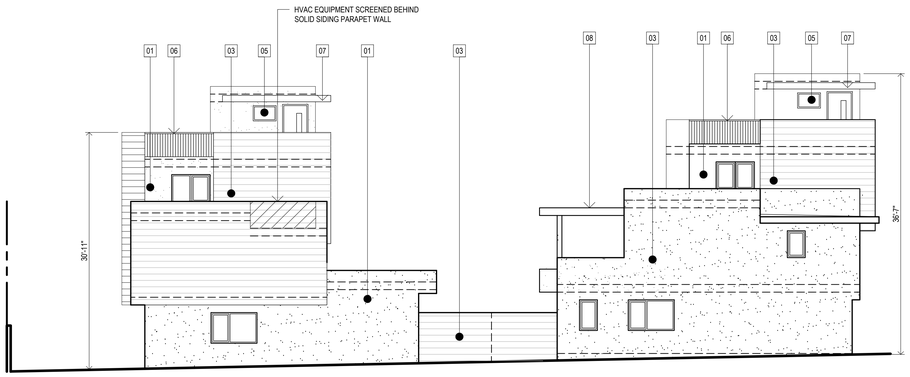
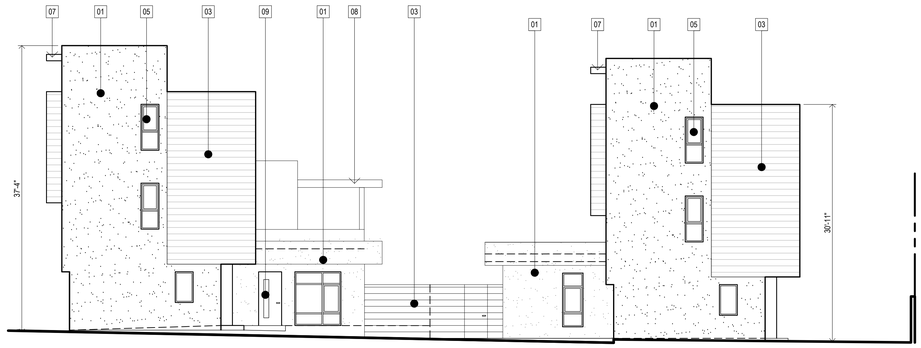
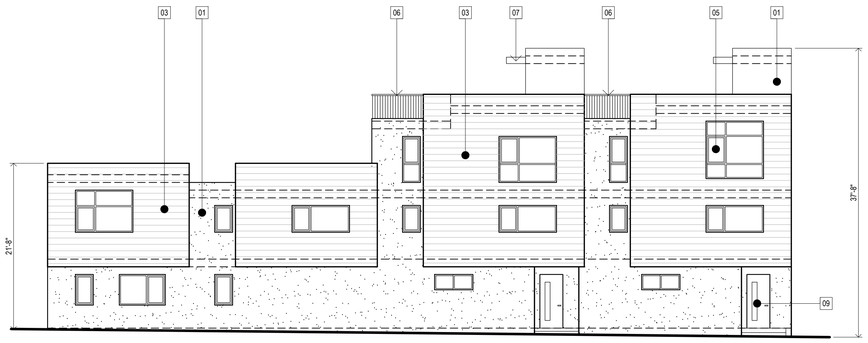


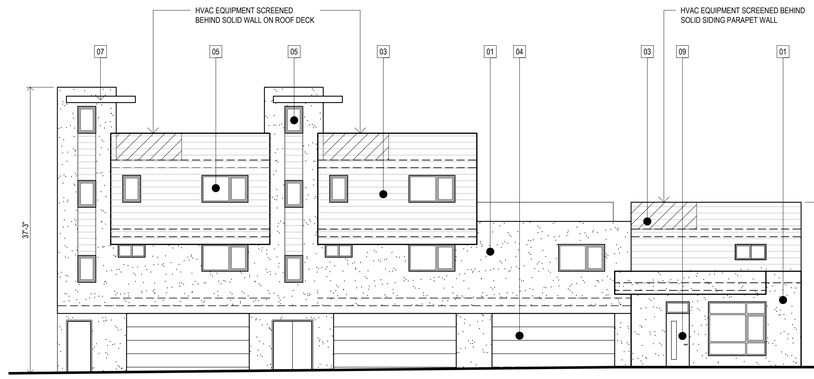
TYPICAL SIDE YARD ELEVATION AT BUILDINGS 8 & 9 SCALE 1/8" = 1'-0" | 7



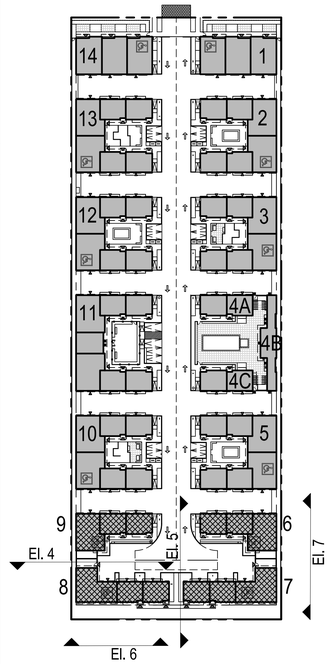
TYPICAL ELEVATION FROM MAIN DRIVEWAY AT BUILDINGS 8 & 9 SCALE 1/8" = 1'-0" | 5



TYPICAL REAR YARD ELEVATION AT BUILDINGS 9 & 10 SCALE 1/8" = 1'-0" | 6



TYPICAL ELEVATION FROM PRIVATE DRIVEWAY AT BUILDINGS 9 & 10 SCALE 1/8" = 1'-0" | 4



LEGEND SCALE 1/64" = 1'-0" | 3

EXTERIOR FINISHES

EF-1 Plaster (Smooth Trowel Finish) (Light)
Manufacturer - Merlex
Type - Polymer-modified base coat and anti-fracture membrane for smooth-troweled finishes
Application - Hand Applied with embedded mesh (BaseX system)
Finish - Santa Barbara (Smooth Troweled)
Color - P-6 El Dorado (A-BASE)
Note - See manufacturer's technical sheet for full specifications and application procedures
Website - http://www.merlex.com/index.htm

EF-2 Plaster (Smooth Trowel Finish) (Dark)
Manufacturer - Merlex
Type - Polymer-modified base coat and anti-fracture membrane for smooth-troweled finishes
Application - Hand Applied with embedded mesh (BaseX system)
Finish - Santa Barbara (Smooth Troweled)
Color - P-2090 Thunder Sky (B-BASE)
Note - See manufacturer's technical sheet for full specifications and application procedures
Website - http://www.merlex.com/index.htm

EF-3 Fiber Cement Siding
Manufacturer - James Hardie
Type - Artisan Shiplap Siding (Smooth)
Application - Shiplap w/ Mitered Corners (for paint)
Paint
Manufacturer - Dunn Edwards
Color - DE6104 "Chic Brick"
Note - See manufacturer's technical sheet for full specifications and application procedures
Website - http://www.artisanluxury.com/

EF-4 Garage door
Type - Metal per structural details | design per architectural 3/A-4.30
Manufactureer - Unique Garage Door
Product - Modern Smooth
Website - https://uniquegaragedoor.com/modern-smooth.php

Paint
Manufacturer - Dunn Edwards
Product - EVERSHIELD | Exterior flat paint | EVSH10
Primer - See manufacturers recommendations
Color - DE6370 Charcoal Smudge
Website - http://www.dunnedwards.com/

EF-5 Vinyl Window
Manufacturer - Milgard
Type - Vinyl - Style Line
Application - New Construction - Nail Fin
Color - Tan
Note: -
Website: - http://www.milgard.com/windows/style-line-series

EF-6 Metal Guard Rail
Type - Metal per structural details
Installation - Top mounted per structural details
Paint
Manufacturer - Dunn Edwards
Product - EVERSHIELD | Exterior flat paint | EVSH10
Primer - See manufacturers recommendations
Color - Charcoal Black
Website - http://www.dunnedwards.com/

EF-7 Metal Fascia
Manufacturer - Berridge
Type - Sheet metal | 22 ga.
Application - Over existing plaster
Color - Kynar 500 | Buckskin
Note - See manufacturer's technical sheet for full specifications and application procedures
Website - http://www.berridge.com

EXTERIOR FINISHES SPECIFICATIONS | 2

KEY NOTE	INFORMATION	FINISH REFERENCE
1	PLASTER - COLOR COAT - LIGHT	EF-1
2	PLASTER - COLOR COAT - LIGHT	EF-2
3	FIBER CEMENT SIDING	EF-3
4	GARAGE DOOR	EF-4
5	VINYL WINDOW PER SCHEDULE	EF-5
6	GUARDRAIL	EF-6
7	FASCIA	EF-7
8	WOOD TRELLIS	EF-8
9	UNIT ENTRY DOOR	EF-9
10	PLANTER	
11	BENCH	
12	GUTTER	
13	DOWNSPOUT	
14	EXPANSION JOINT	

EXTERIOR FINISHES LEGEND | 1

LICENSED ARCHITECT
VLADIMIR TOMALEVSKY
No. C 22417
06.30.2021
RENEWAL DATE
STATE OF CALIFORNIA

New 64-Unit Apartment Complex
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Upland, CA 91786

L+Varchitects inc.
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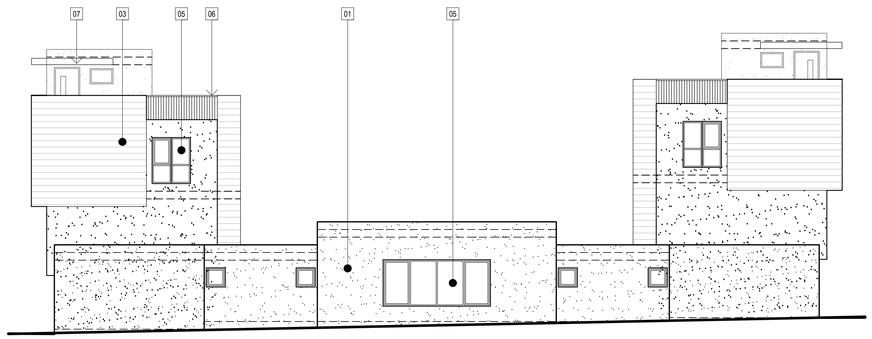
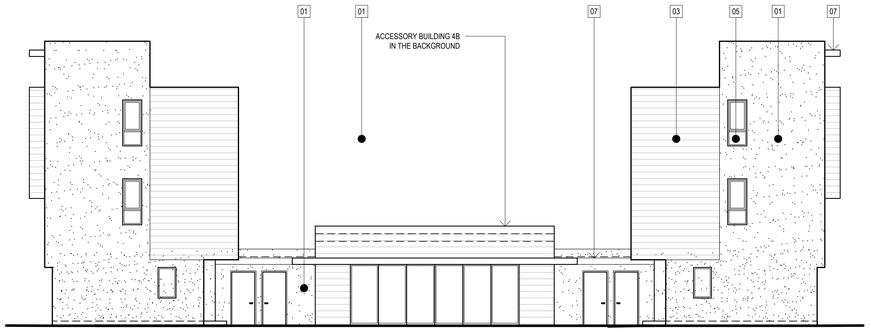
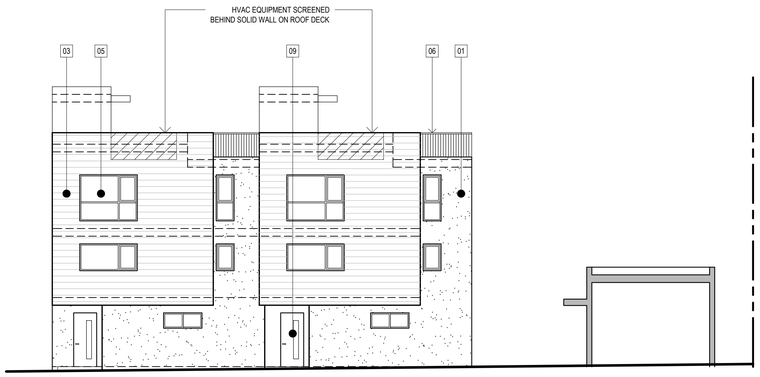


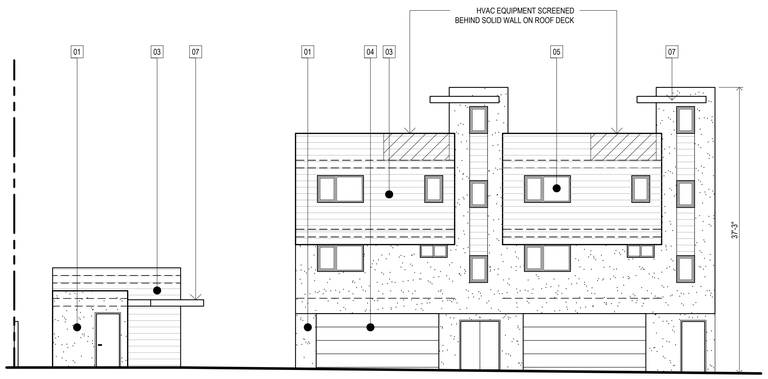
SIDE YARD ELEVATION AT BUILDINGS 4A, 4B & 4C SCALE 1/8" = 1'-0" | 7



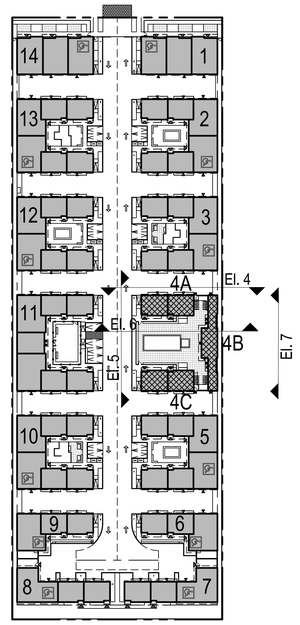
ELEVATION FROM MAIN DRIVEWAY AT BUILDINGS 4A, 4B & 4C SCALE 1/8" = 1'-0" | 5



COURTYARD ELEVATION AT BUILDINGS 4A, 4B SCALE 1/8" = 1'-0" | 6



ELEVATION FROM PRIVATE DRIVEWAY AT BUILDINGS 4A & 4B SCALE 1/8" = 1'-0" | 4



LEGEND SCALE 1/64" = 1'-0" | 3

EXTERIOR FINISHES

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Manufacturer - Merlex
Type - Polymer-modified base coat and anti-fracture membrane for smooth-troweled finishes
Application - Hand Applied with embedded mesh (BaseX system)
Finish - Santa Barbara (Smooth Troweled)
Color - P-6 El Dorado (A-BASE)
Note - See manufacturer's technical sheet for full specifications and application procedures
Website - http://www.merlex.com/index.htm

EF-2 Plaster (Smooth Trowel Finish) (Dark)
Manufacturer - Merlex
Type - Polymer-modified base coat and anti-fracture membrane for smooth-troweled finishes
Application - Hand Applied with embedded mesh (BaseX system)
Finish - Santa Barbara (Smooth Troweled)
Color - P-2090 Thunder Sky (B-BASE)
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Primer - See manufacturers recommendations
Color - DE6370 Charcoal Smudge
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Color - Tan
Note: -
Website: - http://www.milgard.com/windows/style-line-series

EF-6 Metal Guard Rail
Type - Metal per structural details
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Manufacturer - Dunn Edwards
Product - EVERSHIELD | Exterior flat paint | EVSH10
Primer - See manufacturers recommendations
Color - Charcoal Black
Website - http://www.dunnedwards.com/

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EXTERIOR FINISHES SPECIFICATIONS | 2

KEY NOTE	INFORMATION	FINISH REFERENCE
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4	GARAGE DOOR	EF-4
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6	GUARDRAIL	EF-6
7	FASCIA	EF-7
8	WOOD TRELLIS	EF-8
9	UNIT ENTRY DOOR	EF-9
10	PLANTER	
11	BENCH	
12	GUTTER	
13	DOWNSPOUT	
14	EXPANSION JOINT	

EXTERIOR FINISHES LEGEND | 1

LICENSED ARCHITECT
VLADIMIR TOMALEVSKY
No. C 22417
06.30.2021
RENEWAL DATE
STATE OF CALIFORNIA

New 64-Unit Apartment Complex
1252 E 7th St
Upland, CA 91786

L+Varchitects inc.
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t: 310. 914. 5577

ELEVATIONS — title
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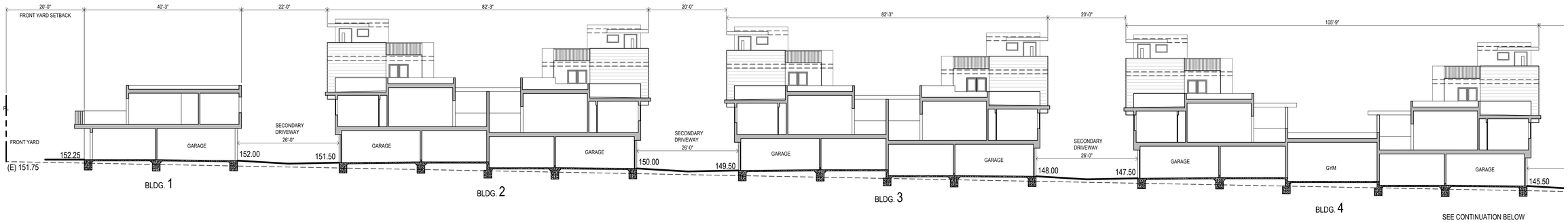
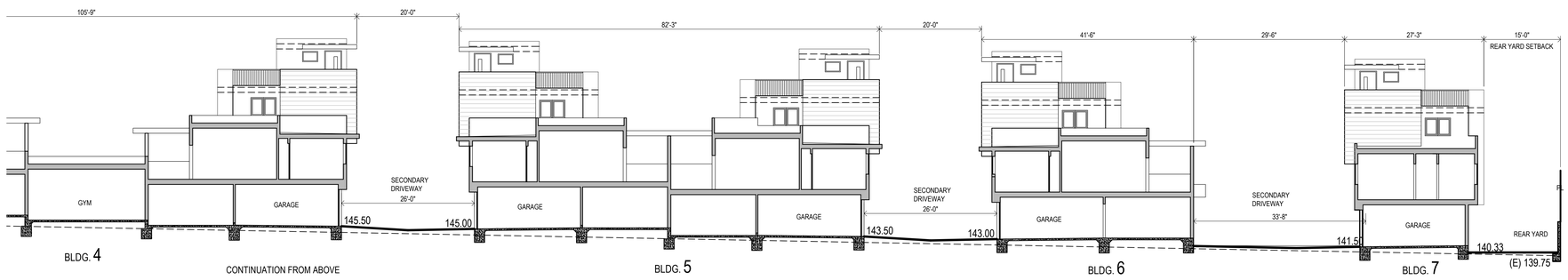
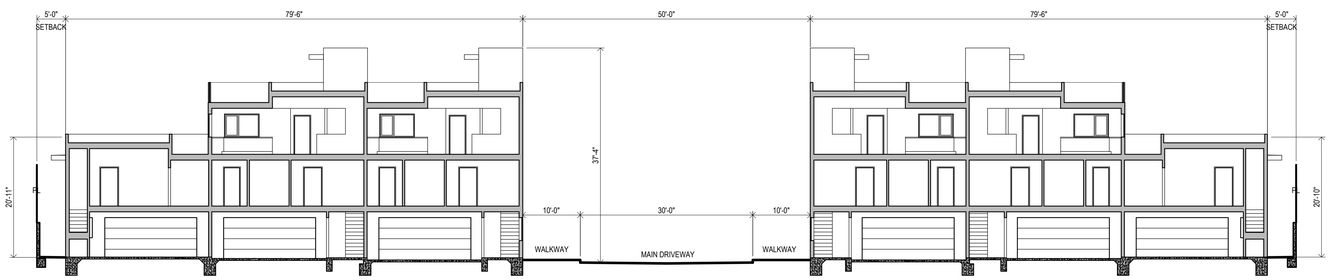
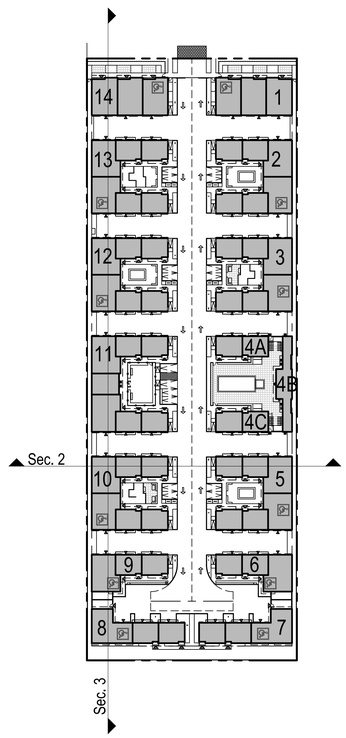




LONG SECTION SCALE 3/32" = 1'-0" | 3



TYPICAL CROSS SECTION SCALE 3/32" = 1'-0" | 2



LEGEND SCALE 1/64" = 1'-0" | 1

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SITE SECTIONS — title
04.27.2020 — date
3/32" =1'-0" — scale

A-3.10 — page

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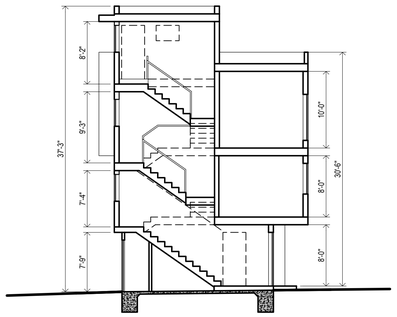
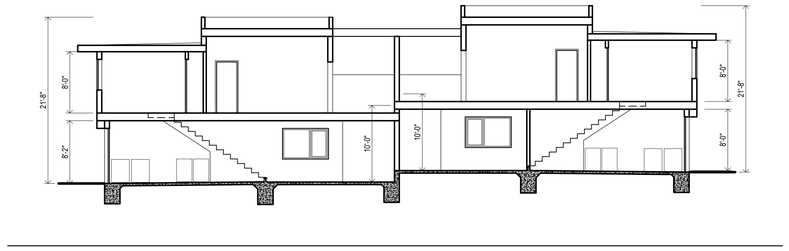
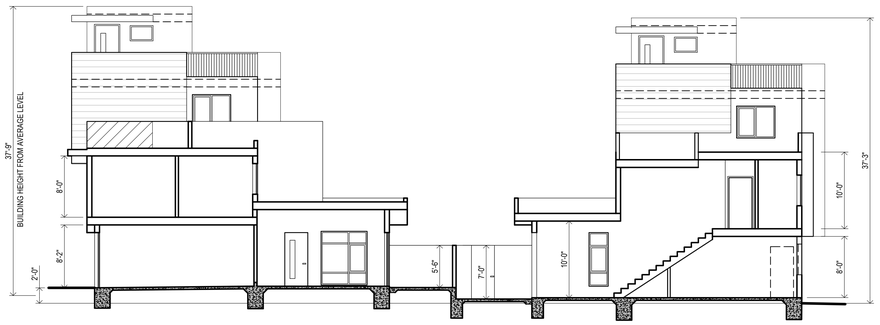


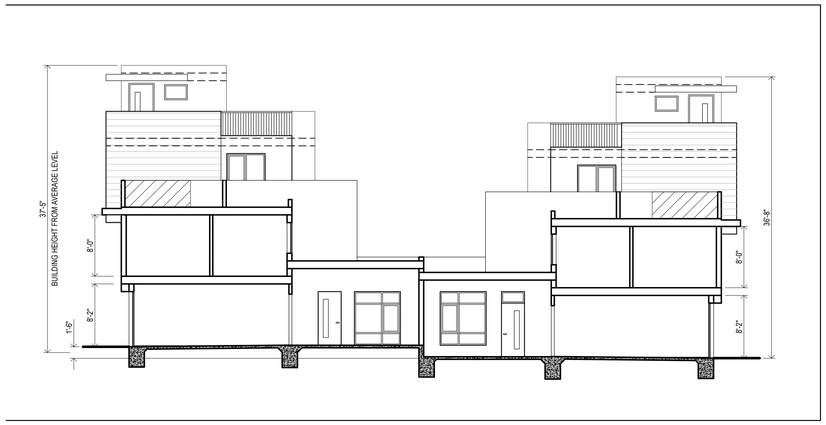
TYPICAL CROSS SECTION THROUGH THE THREE STORY UNITS AT BUILDINGS 2-13 SCALE 1/8" = 1'-0" | 7



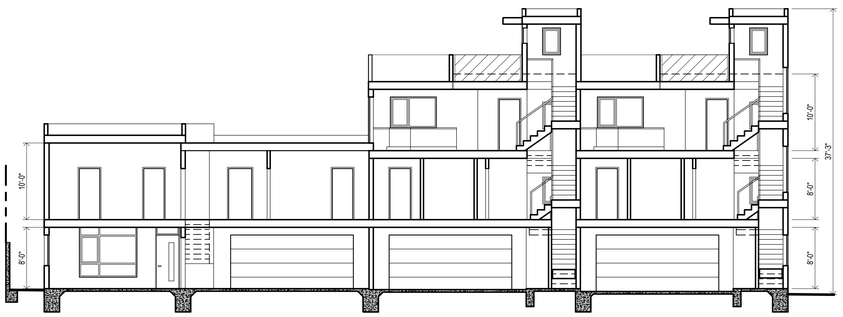
TYPICAL CROSS SECTION THROUGH REAR UNIT AT BUILDINGS 2,3,5 &10,12,13 SCALE 1/8" = 1'-0" | 4



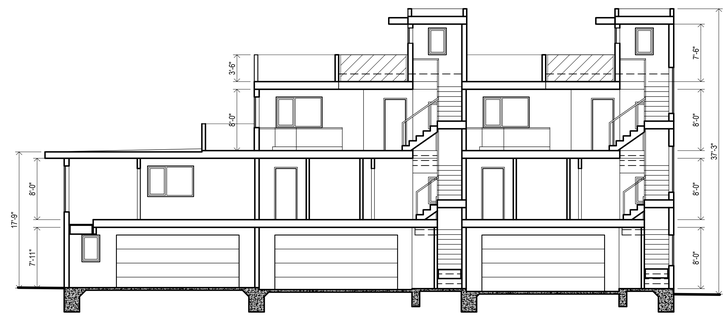
TYPICAL CROSS SECTION THROUGH BUILDINGS 6,7 & 8,9 SCALE 1/8" = 1'-0" | 6



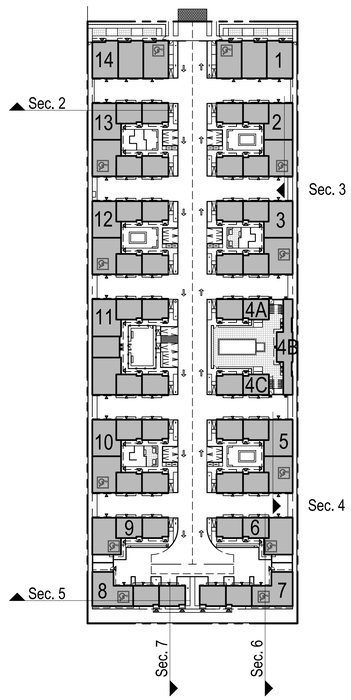
TYPICAL CROSS SECTION THROUGH GARAGE AT BUILDINGS 2,3,5 &10,12,13 SCALE 1/8" = 1'-0" | 3



TYPICAL LONG SECTION THROUGH GARAGE AT BUILDINGS 7 & 8 SCALE 1/8" = 1'-0" | 5



TYPICAL LONG SECTION THROUGH GARAGE AT BUILDINGS 2-6 & 9-13 SCALE 1/8" = 1'-0" | 2



LEGEND SCALE 1/64" = 1'-0" | 1

LICENSED ARCHITECT
VLADIMIR TOMALEVSKY
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BUILDING SECTIONS — title
04.27.2020 — date
1/8" =1'-0" — scale

A-3.20 — page

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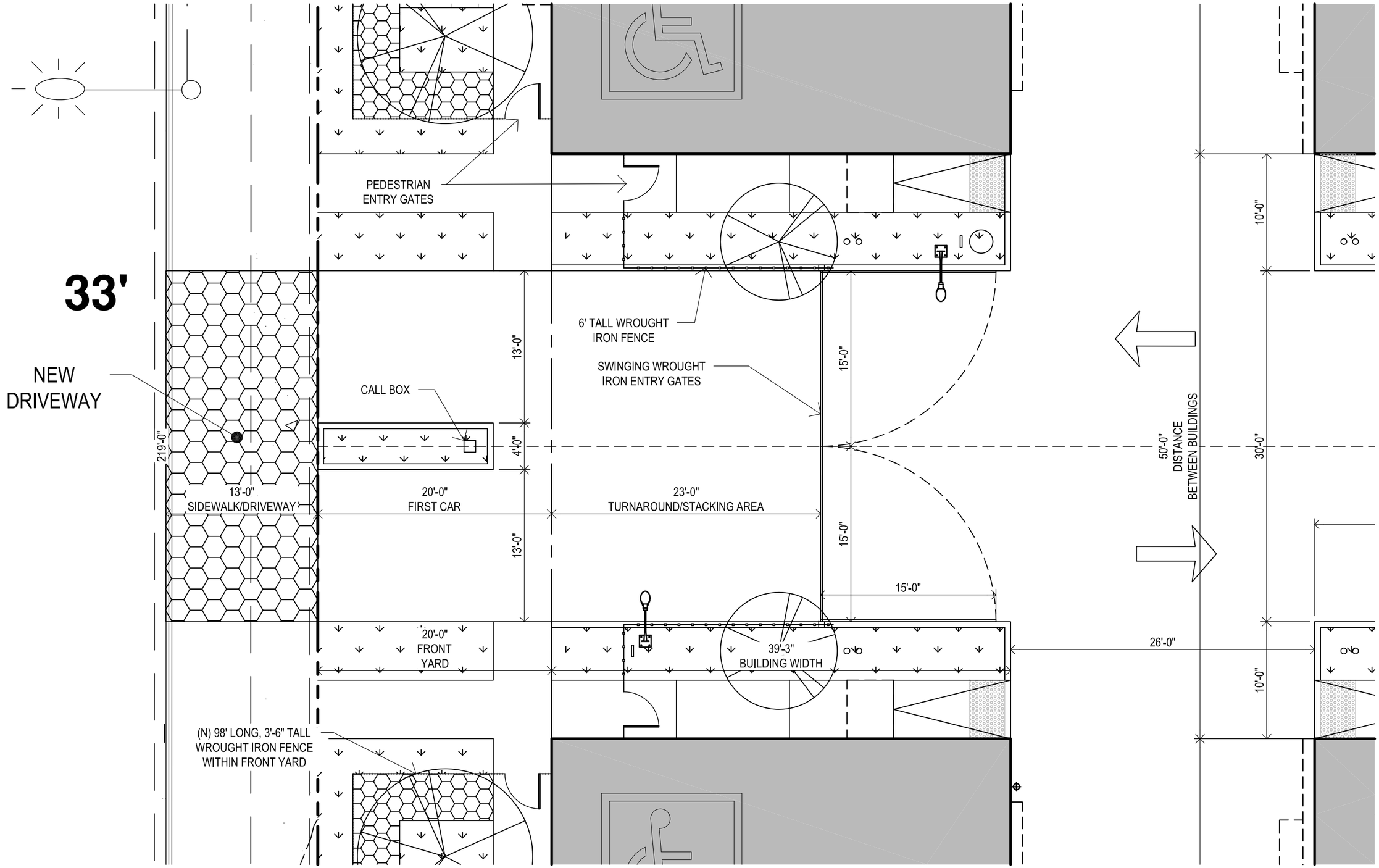

ENTRY GATES SCALE ⅛" = 1'-0" | 1

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LICENSED ARCHITECT
VLADIMIR TOMALEVSKI
C22417
RENEWAL DATE
STATE OF CALIFORNIA

NEW 64-UNIT APARTMENT COMPLEX
1252 E 7th St
UPLAND, CA 91786

L+V architects inc.
8416 Harold Way
Los Angeles, CA 90069
t: 310. 914. 5577

ENTRY GATE CONFIGURATION — title

06.02.2020 — date

⅛" = 1'-0" — scale

A-0.11 — page

PROJECT 19.09

Exhibit E – Project Rendering

New 64-Unit Townhouse Apartments

1252 E 7th Street Upland, CA 91786

Looking Down the Main Driveway SCALE N.T.S. | 3

Looking Across the Typical Courtyard SCALE N.T.S. | 2

Aerial Looking Towards SE SCALE N.T.S. | 1

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Exhibit F – Preliminary Landscape

TREE LEGEND

SYM.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	REMARKS	WUCOLS
	Agonis flexuosa	Peppermint Tree	24"box	26		low 0.3
	Cercidium 'Desert Museum'	Palo Verde	24"box	2		low 0.3
	Laurus nobilis	Sweet Bay	24"box	36	hedge	low 0.3
	Lyonothamnus floribundus	Catalina Ironwood	24"box	11		low 0.3
	Melaleuca nesophila	Pink Melaleuca	24"box	6		low 0.3
	Olea europea	Olive	24"box	6	fruitless	low 0.3
	Schinus molle	Cal. Pepper Tree	24"box	3		low 0.3
	Street tree	Per City req	24"box	3		

SHRUBS AND GROUND COVER LEGEND

SYM.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	REMARKS	WUCOLS
	Achillea m. 'Salmon Beauty'	Common Yarrow	5-gal	18"oc		low 0.3
	Myoporum p. 'Prostrate'	Myoporum	5-gal	24"oc		low 0.3
	Carex divulsa	Berkeley Sedge	5-gal	24"oc		low 0.3
	Chondropetalum elephantinum	Large Cape Rush	5-gal	6		low 0.3
	Cistus purpureus	Orchid Rockrose	5-gal	13		low 0.3
	Dianella r. 'Little Rev'	Flax Lilly	5-gal	92		low 0.3
	Distictis rivers	Royal Trumpet Vine	5-gal	18	train to wall	low 0.3
	Lonicera hispidula	Pink Honeysuckle	5-gal	250	train to wall	low 0.3
	Muhlenbergia dubia	Pine Muhly	5-gal	22		low 0.3
	Carex pansa	California Meadow Sedge	5-gal	36"oc		low 0.3
	Juncus patens	Ca. Grey Rush	5-gal	42		low 0.3
	Myoporum p. 'Prostrate'	Myoporum	5-gal	36"oc		low 0.3
	Parthenocissus tricuspidata	Boston Ivy	5-gal	30	train to wall	low 0.3
	Phormium t. 'Margaret Jones'	New Zealand Flax	5-gal	32		low 0.3
	Portulacaria afra	Elephant's Food	5-gal	75		low 0.3
	Portulacaria afra 'Prostrate Form'	Dwarf Elephant Food	5-gal	24"oc		low 0.3
	Portulacaria a. 'Variagata'	Yellow Rainbow Bush	5-gal	4		low 0.3
	Strelitzia juncea	Narrow-leafed Bird of Paradise	5-gal	13		low 0.3
	Westringia f. 'Blue Gem'	Coast Rosemary	5-gal	22		low 0.3
	Westringia f. 'Wynyabbie Gem'	Coast Rosemary	5-gal	30		low 0.3

NOTE:
All groundcover areas where plants are 3'oc or greater to have 2 layers of geotextile fabric in 2 different directions geotextile fabric installed 3" below finished grade w/ 3" shredded bark above to eliminate weed growth.

All trees to be planted with commercial root barriers.
3" deep shredded Cedar bark to spread between plants.

NOTE:
Waterproofing and drains in planters by others.

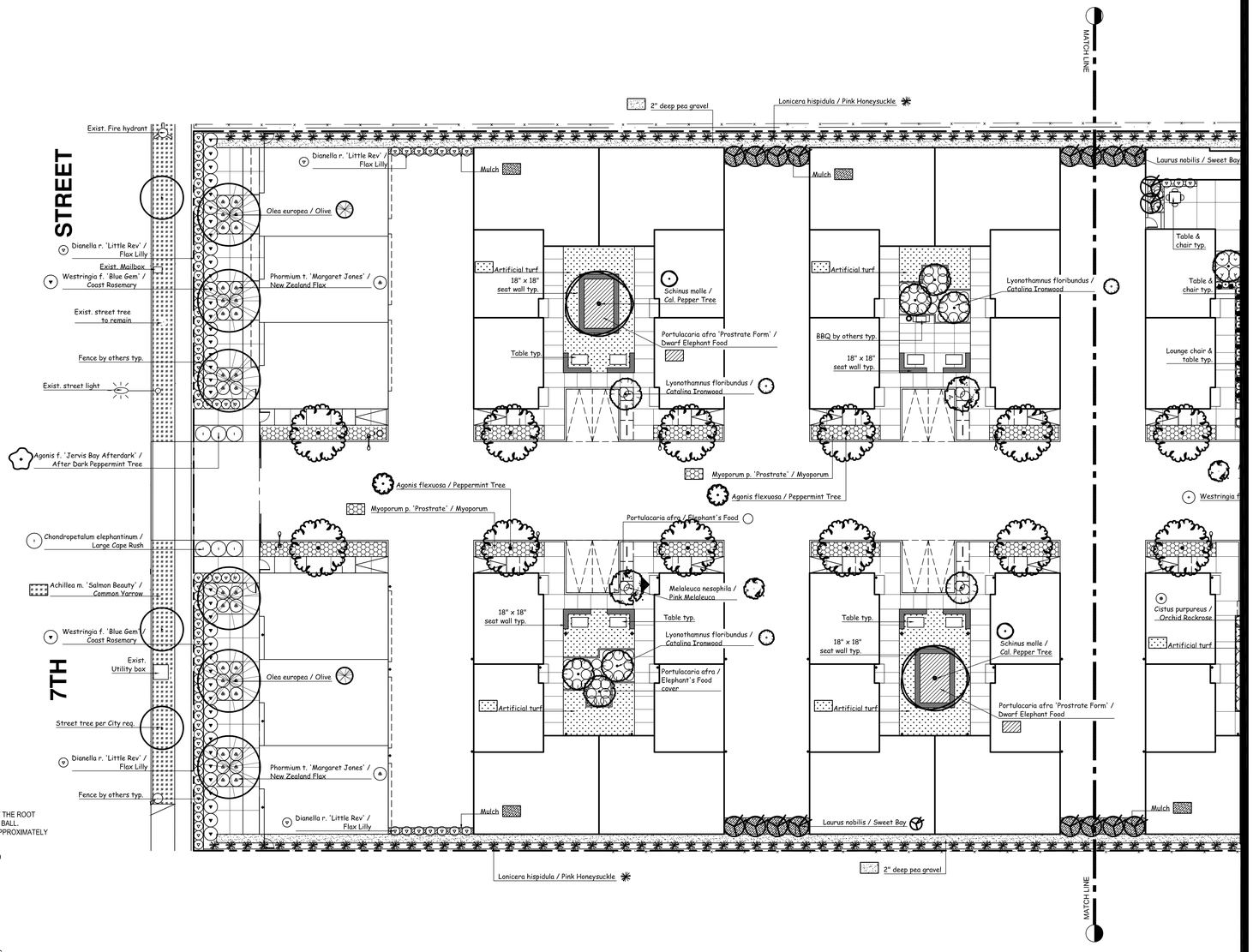
PLANTING NOTES

1. DRAWING IS DIAGRAMMATIC; CONTRACTOR TO VERIFY ALL LOCATIONS AND CONDITIONS ON SITE. COUNT ALL PLANT MATERIAL BEFORE BIDDING.
2. CONTRACTOR TO INSPECT ALL EXISTING CONDITIONS ON SITE AND LOCATE ALL EXISTING UTILITIES BEFORE CONSTRUCTION BEGINS.
3. CONTRACTOR TO REPAIR AT HIS OWN EXPENSE ALL PROPERTY DAMAGE WHICH OCCURS DURING PROJECT INSTALLATION.
4. NOTE ADDITIONAL REMARKS ON SPECIFIC PLANTS IN PLANT LIST.
5. ALL EXISTING PLANT MATERIAL TO BE REMOVED EXCEPT WHERE NOTED ON PLAN.
6. CONTRACTOR TO GUARANTEE ALL PLANT MATERIAL FOR 90 DAYS FROM THE DATE OF ACCEPTANCE BY OWNER. PALM TO BE GUARANTEED FOR THE PERIOD OF 1 YEAR.
7. FINISH GRADE TO BE 2" BELOW ALL WALKS, CURBS, AND PAVING.
8. ALL PLANTED AREAS SHALL RECEIVE THE FOLLOWING AMENDMENTS PER 1,000 SQ. FT. OF SURFACE AREA. ROTO-TILL AMENDMENTS TO A DEPTH OF 6"

   *150 LBS. GRO-POWER
   *3 CU YDS NITROGENIZED, MINERALIZED FIR BARK
   *ADD 8 LBS OF GRO-POWER CONTROLLED RELEASE 12-8-8 PER CU YD OF MIX.
9. PLANT HOLE TO BE TWICE AS WIDE AND DEEP AS THE PLANT ROOT BALL. BACKFILL AND COMPACT TO 80 % SOIL OF SITE AND 20 % FIR BARK, AS DEFINED IN #8. PROVIDE GRO-POWER PLANT TABLETS AT THE FOLLOWING RATES:

5 GAL	6-9
24" box	14-16

   PLACE RECOMMENDED TABLETS BETWEEN THE BOTTOM AND THE TOP OF THE ROOT BALL BUT NO HIGHER THAN 1/3 OF THE WAY UP TO THE TOP OF THE ROOT BALL. SPACE TABLETS EQUALLY AROUND THE PERIMETER OF THE ROOT BALL APPROXIMATELY 2" FROM THE ROOT TIPS. PALM TREES ARE NOT TO RECEIVE TABLETS.
10. ALL PROPOSED SHRUBS AND GROUND COVER AREAS ARE TO BE TREATED WITH A PRE-EMERGENT WEED KILLER (EPTAM / RONSTAR). APPLY PER MANUFACTURER'S SPECIFICATIONS: A) IMMEDIATELY AFTER PLANTING, B) AT THE BEGINNING OF THE MAINTENANCE PERIOD, AND C) AT THE END OF THE MAINTENANCE PERIOD.
11. CONTRACTOR TO INSTALL AND MAINTAIN LANSCAPE PLANTING IN ACCORDANCE WITH THE GOVERNING AGENCY'S GUIDELINES AND SPECIFICATIONS UNLESS NOTED OTHERWISE IN THESE NOTES OR ON THE PLANS.
12. SOIL SAMPLES TAKEN FROM VARIOUS LOCATIONS IN THE PLANTING AREAS WILL BE SENT TO A SOIL LAB FOR PROFESSIONAL ANALYSIS AND RECOMMENDATIONS FOR SOIL IMPROVEMENT. CONTRACTOR TO FOLLOW SOIL TESTING RECOMMENDATIONS.
13. USE OF CLASS I OR CLASS II COMPOSTPRODUCED USING CITY ORGANIC MATERIALS (TOPGRO® IN A MAJORITY OF LANDSCAPED AREAS



YAEL Lir
ASLA
Yael Lir Landscape Architects
1010 Sycamore Ave. Suite 313
South Pasadena, CA 91030
Tel 323.258.5222
Fax 323.258.5333
yael@yaellir.com

REVISIONS	DATE
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7.	
8.	
9.	

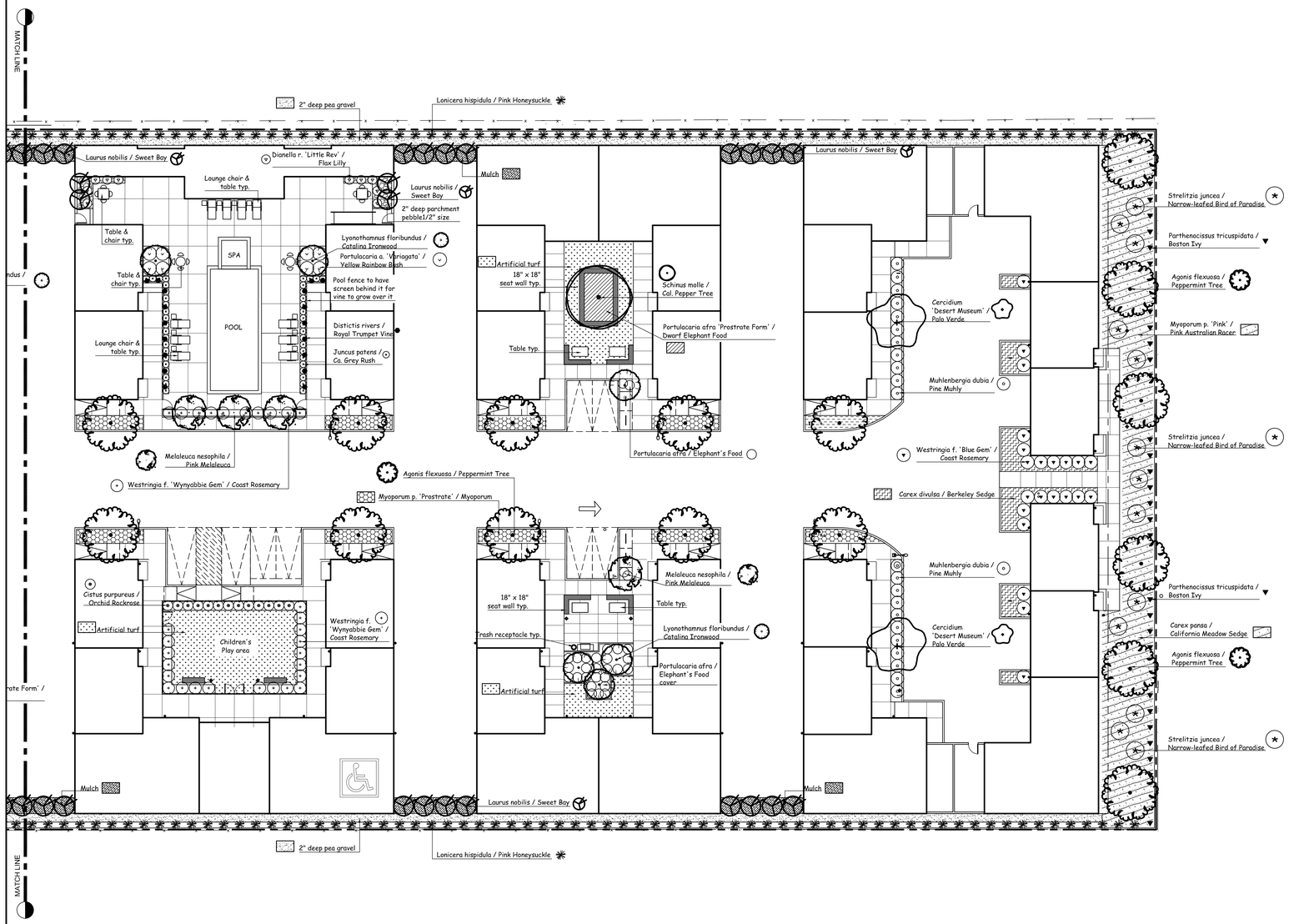
66 UNITS APARTMENTS
1252 E 7TH STREET
UPLAND, CA 91786

PLANTING PLAN

LICENSED LANDSCAPE ARCHITECT
YAEL LIR 3171
Signature
12-31-19
Renewal Date
Date
STATE OF CALIFORNIA

DATE:	NOV. 26, 2019
SCALE:	1/16"=1'-0"
JOB NUMBER:	212519
DRAWN BY:	

L-1



TREE LEGEND

SYM.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	REMARKS	WUCOLS
	Agonis flexuosa	Peppermint Tree	24"box	26		low 0.3
	Cercidium 'Desert Museum'	Palo Verde	24"box	2		low 0.3
	Laurus nobilis	Sweet Bay	24"box	36	hedge	low 0.3
	Lyonothamnus floribundus	Catalina Ironwood	24"box	11		low 0.3
	Melaleuca nesophila	Pink Melaleuca	24"box	6		low 0.3
	Olea europea	Olive	24"box	6	fruitless	low 0.3
	Schinus molle	Cal. Pepper Tree	24"box	3		low 0.3
	Street tree	Per City req	24"box	3		

SHRUBS AND GROUND COVER LEGEND

SYM.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	REMARKS	WUCOLS
	Achillea m. 'Salmon Beauty'	Common Yarrow	5-gal	18"oc		low 0.3
	Myoporum p. 'Prostrate'	Myoporum	5-gal	24"oc		low 0.3
	Carex divulsa	Berkeley Sedge	5-gal	24"oc		low 0.3
	Chondropetalum elephantinum	Large Cape Rush	5-gal	6		low 0.3
	Cistus purpureus	Orchid Rockrose	5-gal	13		low 0.3
	Dianella r. 'Little Rev'	Flax Lilly	5-gal	92		low 0.3
	Distictis rivers	Royal Trumpet Vine	5-gal	18	train to wall	low 0.3
	Lonicera hispidula	Pink Honeysuckle	5-gal	250	train to wall	low 0.3
	Muhlenbergia dubia	Pine Muhly	5-gal	22		low 0.3
	Carex pansa	California Meadow Sedge	5-gal	36"oc		low 0.3
	Juncus patens	Ca. Grey Rush	5-gal	42		low 0.3
	Myoporum p. 'Prostrate'	Myoporum	5-gal	36"oc		low 0.3
	Parthenocissus tricuspidata	Boston Ivy	5-gal	30	train to wall	low 0.3
	Phormium t. 'Margaret Jones'	New Zealand Flax	5-gal	32		low 0.3
	Portulacaria afra	Elephant's Food	5-gal	75		low 0.3
	Portulacaria afra 'Prostrate Form'	Dwarf Elephant Food	5-gal	24"oc		low 0.3
	Portulacaria a. 'Variagata'	Yellow Rainbow Bush	5-gal	4		low 0.3
	Strelitzia juncea	Narrow-leafed Bird of Paradise	5-gal	13		low 0.3
	Westringia f. 'Blue Gem'	Coast Rosemary	5-gal	22		low 0.3
	Westringia f. 'Wynyabbie Gem'	Coast Rosemary	5-gal	30		low 0.3

NOTE:
All groundcover areas where plants are 3'oc or greater to have 2 layers of geotextile fabric in 2 different directions geotextile fabric installed 3" below finished grade w/ 3" shredded bark above to eliminate weed growth.

All trees to be planted with commercial root barriers. 3" deep shredded Cedar bark to spread between plants.

NOTE:
Waterproofing and drains in planters by others.

REVISIONS	DATE
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ASLA
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66 UNITS APARTMENTS
1252 E 7TH STREET
UPLAND, CA 91786

PLANTING PLAN

LICENSED LANDSCAPE ARCHITECT
YAEL LIR 3777
Signature
12-31-19
Renewal Date
Date
STATE OF CALIFORNIA

DATE:	NOV. 26, 2019
SCALE:	1/16"=1'-0"
JOB NUMBER:	212519
DRAWN BY:	

L-2

SURVEY MONUMENT NOTE
SURVEY MONUMENTS THAT EXIST AS SHOWN ON RECORDED MAPS, HIGHWAY MAPS, OR POINTS THAT PROVIDE SURVEY CONTROL WITHIN THE CONSTRUCTION AREA, SHALL BE LOCATED AND REFERENCED BY A LICENSED LAND SURVEYOR OR REGISTERED CIVIL ENGINEER (AUTHORIZED TO PRACTICE LAND SURVEYING). BEFORE THE START OF CONSTRUCTION, CORNER RECORDS SHALL BE FILED WITH THE COUNTY SURVEYOR. THESE CORNER RECORDS SHALL DESCRIBE THE MONUMENTS FOUND WITH TIE DISTANCES TO REFERENCE POINTS FOR THE RESETTING OF A SURVEY MONUMENT. WHEN CONSTRUCTION IS COMPLETED, MONUMENTS SHALL BE SET AND CORNER RECORDS SHALL BE FILED WITH THE COUNTY SURVEYOR SHOWING THE NEW MONUMENTS.

CONTRACTOR'S RESPONSIBILITY FOR SAFETY
IN SUBMITTING A BID FOR THIS WORK, THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOBSITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER, THE ENGINEER AND THE CITY OF UPLAND AND ITS AGENTS OR REPRESENTATIVES HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER, THE ENGINEER, OR THE CITY OF UPLAND AND ITS AGENTS OR REPRESENTATIVES.
ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN ON OR RELATED TO THESE PLANS SHALL CONDUCT THEIR OPERATIONS SO THAT THE EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK AND THE PUBLIC IS PROTECTED. ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH THE "OCCUPATIONAL SAFETY AND HEALTH REGULATIONS" OF THE U.S. DEPARTMENT OF LABOR AND WITH "CONSTRUCTION SAFETY ORDERS." THE CIVIL ENGINEER SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THE CONTRACTOR OR SUBCONTRACTOR'S COMPLIANCE WITH SAID REGULATION AND ORDERS.

ENGINEERS NOTICE TO CONTRACTOR
THE EXISTENCE AND APPROXIMATE LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES OR STRUCTURES EXCEPT AS SHOWN ON THESE PLANS. THE ENGINEER NEITHER ASSUMES ANY LIABILITY AS TO THE EXACT LOCATION OF SAID LINES NOR FOR UTILITIES OR IRRIGATION LINES WHOSE LOCATIONS ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY AND IRRIGATION COMPANIES PRIOR TO WORK ON EXCAVATION TO DETERMINE EXACT LOCATION OF ALL LINES AFFECTING THIS WORK, WHETHER OR NOT SHOWN HEREON, AND FOR ANY DAMAGE OR PROTECTION OF THESE LINES.
THE CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT (U.S.A.), PHONE NUMBER 1-800-227-2600, TWO WORKING DAYS PRIOR TO DIGGING. NO CONSTRUCTION PERMIT, ISSUED BY THE PUBLIC WORKS DEPARTMENT, SHALL BE VALID INVOLVING UNDERGROUND FACILITIES, UNLESS THE APPLICANT HAS AN INQUIRY IDENTIFICATION NUMBER ISSUED BY U.S.A.
DECLARATION OF ENGINEER OF RECORD NOTE

DECLARATION OF ENGINEER OF RECORD
I HEREBY DECLARE THAT IN MY PROFESSIONAL OPINION, THE DESIGN OF THE IMPROVEMENTS AS SHOWN ON THESE PLANS COMPLIES WITH THE CURRENT PROFESSIONAL ENGINEERING STANDARDS AND PRACTICES. AS THE ENGINEER IN RESPONSIBLE CHARGE OF THE DESIGN OF THESE IMPROVEMENTS, I ACCEPT FULL RESPONSIBILITY FOR SUCH DESIGN. I UNDERSTAND AND ACKNOWLEDGE THAT THE PLAN CHECK OF THESE PLANS BY THE CITY OF UPLAND IS A REVIEW FOR THE LIMITED PURPOSE OF ENSURING THAT THESE PLANS COMPLY WITH CITY STANDARDS AND OTHER APPLICABLE CODES AND ORDINANCES. THE PLAN REVIEW PROCESS IS NOT A DETERMINATION OF THE TECHNICAL ADEQUACY OF THE DESIGN OF THE IMPROVEMENTS. SUCH PLAN CHECK DOES NOT THEREFORE RELIEVE ME OF MY DESIGN RESPONSIBILITY.
AS THE ENGINEER OF RECORD, I AGREE TO DEFEND AND INDEMNIFY THE CITY OF UPLAND, ITS OFFICERS, ITS AGENTS, AND ITS EMPLOYEES FROM ANY AND ALL LIABILITY, CLAIMS, DAMAGES, OR INJURIES TO ANY PERSON OR PROPERTY ARISING FROM NEGLIGENT ACTS, ERRORS OR OMISSIONS OF THE ENGINEER OF RECORD, HIS EMPLOYEES, HIS AGENTS OR HIS CONSULTANTS.
SIGNATURE: (REQUIRED AT MYLARS ONLY) DATE: _____
LICENSE NUMBER: _____

NOT FOR CONSTRUCTION NOTE:
PLEASE MARK ALL PLANS/ALL SHEETS EXCEPT MYLARS. NOT FOR CONSTRUCTION, FOR PLAN CHECK ONLY.

GENERAL NOTES FOR GRADING PLANS
1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH CHAPTER 15.52 OF THE UPLAND MUNICIPAL CODE AND ANY SPECIAL REQUIREMENTS OF THE PERMIT. A COPY OF THE APPROVED GRADING PLAN SHALL BE RETAINED ON THE JOB SITE WHILE WORK IS IN PROGRESS. WHEN REFERENCED ON THE PLANS, A COPY OF CITY OF UPLAND STANDARD PLANS SHALL ALSO BE RETAINED ON THE SITE.
2. GRADING SHALL NOT BE STARTED WITHOUT FIRST NOTIFYING THE CITY OF UPLAND PUBLIC WORKS INSPECTOR AT (909) 291-2963. A PRE-GRADING MEETING ON THE SITE IS REQUIRED BEFORE START OF GRADING WITH THE FOLLOWING PEOPLE PRESENT: OWNER, GRADING CONTRACTOR, DESIGN CIVIL ENGINEER, SOILS ENGINEER, ENGINEERING GEOLOGIST, AND CITY INSPECTOR. THE REQUIRED INSPECTIONS FOR GRADING WILL BE EXPLAINED AT THIS MEETING.
3. ISSUANCE OF A GRADING PERMIT DOES NOT ELIMINATE THE NEED FOR PERMITS FROM OTHER AGENCIES WITH REGULATORY RESPONSIBILITIES FOR CONSTRUCTION ACTIVITIES ASSOCIATED WITH THE WORK AUTHORIZED ON THIS PLAN.
4. THE GRADING PERMIT AND AN APPROVED COPY OF THE GRADING PLAN SHALL BE ON THE PERMITTED SITE WHILE WORK IS IN PROGRESS.
5. PRELIMINARY SOIL AND GEOLOGY REPORTS AND ALL SUBSEQUENT REPORTS ARE CONSIDERED A PART OF THE APPROVED GRADING PLAN.
6. THE SOILS ENGINEER AND ENGINEERING GEOLOGIST SHALL PERFORM SUFFICIENT INSPECTIONS AND BE AVAILABLE DURING GRADING AND CONSTRUCTION TO VERIFY COMPLIANCE WITH THE PLANS, SPECIFICATIONS AND THE CODE WITHIN THEIR PURVIEW.
7. THE CIVIL ENGINEER SHALL BE AVAILABLE DURING GRADING TO VERIFY COMPLIANCE WITH THE PLANS, SPECIFICATIONS, CODE AND ANY SPECIAL CONDITIONS OF THE PERMIT WITHIN THEIR PURVIEW.
8. AREAS TO RECEIVE FILL SHALL BE PROPERLY PREPARED AND APPROVED IN WRITING BY THE SOILS ENGINEER BEFORE PLACING FILL.
9. FILLS SHALL BE BENCHED INTO COMPETENT MATERIAL AS REQUIRED BY THE SOILS ENGINEER.
10. ALL EXISTING FILLS SHALL BE APPROVED BY THE SOILS ENGINEER OR REMOVED BEFORE PLACING ADDITIONAL FILLS.
11. FILLS SHALL BE COMPACTED THROUGHOUT TO A MINIMUM OF 90% RELATIVE COMPACTION. AGGREGATE BASE FOR ASPHALTIC AREAS SHALL BE COMPACTED TO A MINIMUM OF 95% RELATIVE COMPACTION. MAXIMUM DENSITY SHALL BE IN ACCORDANCE WITH CALIFORNIA BUILDING CODE (LATEST EDITION).
12. CUT AND FILL SLOPES SHALL BE NO STEEPER THAN 2-FOOT HORIZONTAL TO 1-FOOT VERTICAL (2:1) EXCEPT WHERE SPECIFICALLY APPROVED OTHERWISE.
13. ALL CUT SLOPES SHALL BE INVESTIGATED BOTH DURING AND AFTER GRADING BY THE ENGINEERING GEOLOGIST TO DETERMINE IF ANY SLOPE STABILITY PROBLEM EXISTS. SHOULD EXCAVATION DISCLOSE ANY GEOLOGICAL HAZARDS OR POTENTIAL GEOLOGICAL HAZARDS, THE ENGINEERING GEOLOGIST SHALL SUBMIT RECOMMENDED TREATMENT TO THE CITY INSPECTOR FOR APPROVAL.
14. ALL TRENCH BACKFILLS SHALL BE TESTED AND APPROVED BY THE SOILS ENGINEER PER THE GRADING CODE.
15. ANY EXISTING IRRIGATION LINES AND CISTERNS SHALL BE REMOVED OR CRUSHED IN PLACE AND APPROVED BY THE CITY INSPECTOR AND SOILS ENGINEER.
16. ANY EXISTING WATER WELLS SHALL BE ABANDONED IN COMPLIANCE WITH THE SPECIFICATIONS APPROVED BY San Bernardino COUNTY DEPARTMENT OF PUBLIC HEALTH.
17. ANY EXISTING CESSPOOLS AND SEPTIC TANKS SHALL BE ABANDONED IN COMPLIANCE WITH THE CALIFORNIA PLUMBING CODE TO THE APPROVAL OF THE BUILDING OFFICIAL. A SEPARATE PERMIT MUST BE OBTAINED FROM THE CITY BUILDING DEPARTMENT.
18. THE CITY INSPECTOR, BEFORE EXCAVATION, SHALL APPROVE STOCKPILING OF EXCESS MATERIAL.
19. EXPORT SOIL MUST BE TRANSPORTED TO A LEGAL DUMP OR TO A PERMITTED SITE APPROVED BY THE CITY INSPECTOR.
20. THE PERMITTEE SHALL SUBMIT A HAUL ROUTE PLAN TO THE CITY ENGINEER WHEN EARTH AND/OR DEBRIS IS TRANSPORTED TO OR FROM A PERMITTED SITE ON PUBLIC ROADWAYS.
21. THE PERMITTEE IS RESPONSIBLE FOR DUST CONTROL MEASURES.
22. THE PERMITTEE SHALL GIVE REASONABLE NOTICE TO THE OWNER OF THE ADJOINING LANDS AND BUILDINGS BEFORE BEGINNING EXCAVATIONS, WHICH MAY AFFECT THE LATERAL AND SUBJACENT SUPPORT OF THE ADJOINING PROPERTY. THE NOTICE SHALL STATE THE INTENDED DEPTH OF EXCAVATION AND WHEN THE EXCAVATION WILL COMMENCE. THE PERMITTEE OR HIS AGENT SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED BY HIS/HER GRADING ACTIVITIES.
23. SLOPES EXCEEDING 5 FEET IN HEIGHT SHALL BE PLANTED WITH AN APPROVED PLANT MATERIAL. IN ADDITION, SLOPES EXCEEDING 15 FEET IN HEIGHT SHALL BE PROVIDED WITH AN APPROVED IRRIGATION SYSTEM UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER.
24. SANITARY FACILITIES SHALL BE MAINTAINED ON THE SITE.
25. THE LOCATION AND PROTECTION OF ALL UTILITIES IS THE RESPONSIBILITY OF THE PERMITTEE.
26. ALL WATER VALVES AND SEWER MANHOLES SHALL REMAIN ACCESSIBLE AND FREE OF DEBRIS THROUGHOUT ALL PHASES OF THE PROJECT.
27. INSTALL ¾"PLYWOOD FALSE BOTTOMS IN ALL SEWER MANHOLES WITHIN THE CONSTRUCTION AREA (CHECKED DAILY BY INSPECTOR).
28. PROVIDE TRAP AT FIRST MANHOLE DOWNSTREAM OF PROPOSED IMPROVEMENTS (CHECKED DAILY BY INSPECTOR).
29. APPROVED PROTECTIVE MEASURES AND TEMPORARY DRAINAGE PROVISIONS SHALL BE USED TO PROTECT ADJOINING PROPERTIES DURING GRADING.
30. GRADING OPERATIONS, INCLUDING MAINTENANCE OF EQUIPMENT, SHALL BE CONDUCTED BETWEEN THE HOURS OF 7:00 A.M. AND 3:30 P.M. MONDAY THROUGH FRIDAY. NO WORK SHALL BE ALLOWED ON WEEKENDS.
A ALL CONSTRUCTION VEHICLES OR EQUIPMENT, FIXED OR MOBILE, OPERATED WITHIN 1,000 FEET OF A DWELLING SHALL BE EQUIPPED WITH PROPERLY OPERATING AND MAINTAINED MUFFLERS.
B ALL OPERATIONS SHALL COMPLY WITH CITY OF UPLAND NOISE ORDINANCE (CHAPTER 4.5, UNNECESSARY NOISE.)
C STOCKPILING AND/OR VEHICLE STAGING AREAS SHALL BE LOCATED AS FAR AS PRACTICABLE FROM DWELLINGS AND WITHIN THE LIMITS OF GRADING PERMIT.
31. GRADING AND EXCAVATION SHALL BE HALTED DURING PERIODS OF HIGH WINDS. ACCORDING TO AQMD MEASURE F-4, HIGH WINDS ARE DEFINED AS 30 MPH OR GREATER. THIS LEVEL OCCURS ONLY UNDER EXTREME CONDITIONS, SUCH AS SANTA ANA WIND CONDITIONS. USE WATER TRUCK FOR DUST CONTROL.
32. THE CIVIL ENGINEER, AS A CONDITION OF ROUGH GRADE APPROVAL, SHALL PROVIDE A BLUE TOP WITH ACCOMPANYING WITNESS STAKE, SET AT THE CENTER OF EACH PAD REFLECTING THE PAD ELEVATION FOR PRECISE PERMITS AND A BLUE TOP WITH WITNESS STAKE SET AT THE DRAINAGE SWALE HIGH POINT REFLECTING THE HIGH POINT ELEVATION FOR ROUGH GRADING PERMITS.
33. THE ENGINEERING GEOLOGIST SHALL PERFORM PERIODIC INSPECTIONS AND SUBMIT A COMPLETE REPORT AND MAP UPON COMPLETION OF THE ROUGH GRADING.
34. THE GRADING CONTRACTOR SHALL SUBMIT A STATEMENT OF COMPLIANCE TO THE APPROVED GRADING PLAN BEFORE FINAL APPROVAL.
35. IN THE EVENT THAT SOIL CONTAMINATION IS DISCOVERED DURING EXCAVATION OR REMOVAL OF AN EXISTING TANK IS NECESSARY, WORK SHALL BE STOPPED UNTIL A SITE ASSESSMENT AND MITIGATION PLAN HAS BEEN PREPARED, SUBMITTED AND APPROVED BY COUNTY OF SAN BERNARDINO DEPARTMENT OF ENVIRONMENTAL HEALTH.
36. THE DEVELOPER SHALL BE RESPONSIBLE FOR SUBMITTING TO THE CITY PROOF THAT A NOTICE OF INTENT (NOI) FOR THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY HAS BEEN FILED WITH AND APPROVED BY THE STATE WATER RESOURCES CONTROL BOARD. CONSTRUCTION SHALL NOT COMMENCE WITHOUT THIS APPROVAL. THE DEVELOPER SHALL BE RESPONSIBLE TO COMPLY WITH THE GENERAL CONSTRUCTION ACTIVITY STORM WATER PERMIT BY IMPLEMENTING THEIR STORM WATER POLLUTION PREVENTION PLAN FOR THE DURATION OF THE PROJECT. INDICATE WDID NUMBER ON PLANS.

Design Professional's Statement
This grading plan was prepared under my direction and is in accordance with California Building Code (latest edition) and Chapter 15.52 of the Upland Municipal Code. The site grading and all applicable details conform to the provisions of Series CU-E of the Standard Drawings of the City of Upland, with Series ED-E of the Engineering Directives, and with any City of Upland Conditions of Approval concerning grading. In my opinion, adequate provisions have been made for the drainage of surface waters from each building site.

Apple Engineering Group
Firm Name
_____
Signature .
_____
Title RCE#
_____
Date .

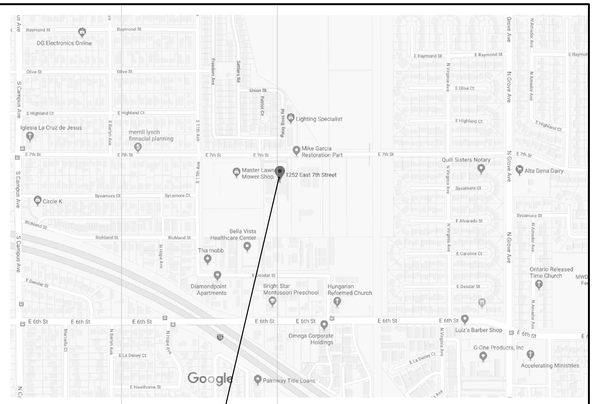
Statement of City Engineer
By my approval I hereby accept this grading plan and temporary erosion control plan as meeting the prerequisite for issuance of a grading permit and for record purposes. This grading plan and the temporary erosion control plan was prepared under the direction of a fully qualified professional who has stated that the plan conforms with all applicable requirements of the City. The design, elevations, details and features of the onsite grading have not been reviewed by the City, except as they relate to public improvements within adjacent right of ways and easements.

LEGEND:

PROPERTY LINE
CENTERLINE
CATCH BASIN
EX. STRUCTURE
FLOWLINE
PROP. BLDG.
WATER LINE — W —
GAS LINE — GAS —
STORM DRAIN — SD —
SEWER LINE — 8"SS —

ABBREVIATIONS

AC	-ASPHALTIC PAVEMENT
APN	-ASSESSOR PARCEL NUMBER
C&O	-COLDMILL AND OVERLAY
CBW	-CONCRETE BLOCK WALL
CB	-CATCH BASIN
CONC	-CONCRETE
CONST.	-CONSTRUCT
CL	-CENTERLINE
CLF	-CHAIN LINK FENCE
CL	-CENTERLINE
C&G	-CURB AND GUTTER
INV.	-INVERT ELEVATION
EX.	-EXISTING
FF	-FINISH FLOOR
FH	-FIRE HYDRANT
FL	-FLOWLINE
FG	-FINISHED GRADE
FS	-FINISHED SURFACE
HI.	-HIGH
NTS	-NOT TO SCALE
PCC	-PORTLAND CONCRETE CEMENT
PP	-POWER POLE
PROP.	-PROPOSE
PL	-PROPERTY LINE
R/W	-RIGHT OF WAY
S/W	-SIDEWALK
SF	-SQUARE FOOT
SMH	-SEWER MANHOLE
TC	-TOP OF CURB
TG	-TOP OF GRADE
TW	-TOP OF WALL
WM	-WATER METER
WV	-WATER VALVE
FIV	-FIRE INDICATOR VALVE
FDC	-FIRE DEPARTMENT CONNECTION



PROJECT LOCATION
1252 E. 7th St.

VICINITY MAP
T.G. # 602-D4 N.T.S.

DIGALERT
CALL TOLL FREE
1-800-227-2600
2 Working Days Before You Dig

SHEET INDEX

SHEET 1 OF 3	TITLE SHEET
SHEET 2 OF 3	GRADING & DRAINAGE PLAN
SHEET 3 OF 3	X-SECTION SHEET

GRADING & DRAINAGE PLAN

BENCH MARK NO.
SAN BERNARDINO COUNTY
FILED NOTES BOOK 4014 PAGE 2305, H.V.C. #3
ELEV. 1154.77
DATE 12-14-93
DESCRIPTION: SET C.C. NAIL ON CL OF 7TH ST ±198.71 EAST OF 11TH ST

REVISIONS

MARK	DATE	INITIAL	DESCRIPTION	DATE	APP'VD

PLANS PREPARED BY
APPLE ENGINEERING GROUP
SUBDIVISION ENGINEERING DESIGN SURVEYING
9080 TELSTAR AVENUE, SUITE 309
EL MONTE, CA 91731
TEL: (626) 552-9818
EMAIL: INFO@APPLEENGINEERING.NET
PREPARED UNDER THE SUPERVISION OF:
GUOXIN MIAO, P.E. RCE C73059

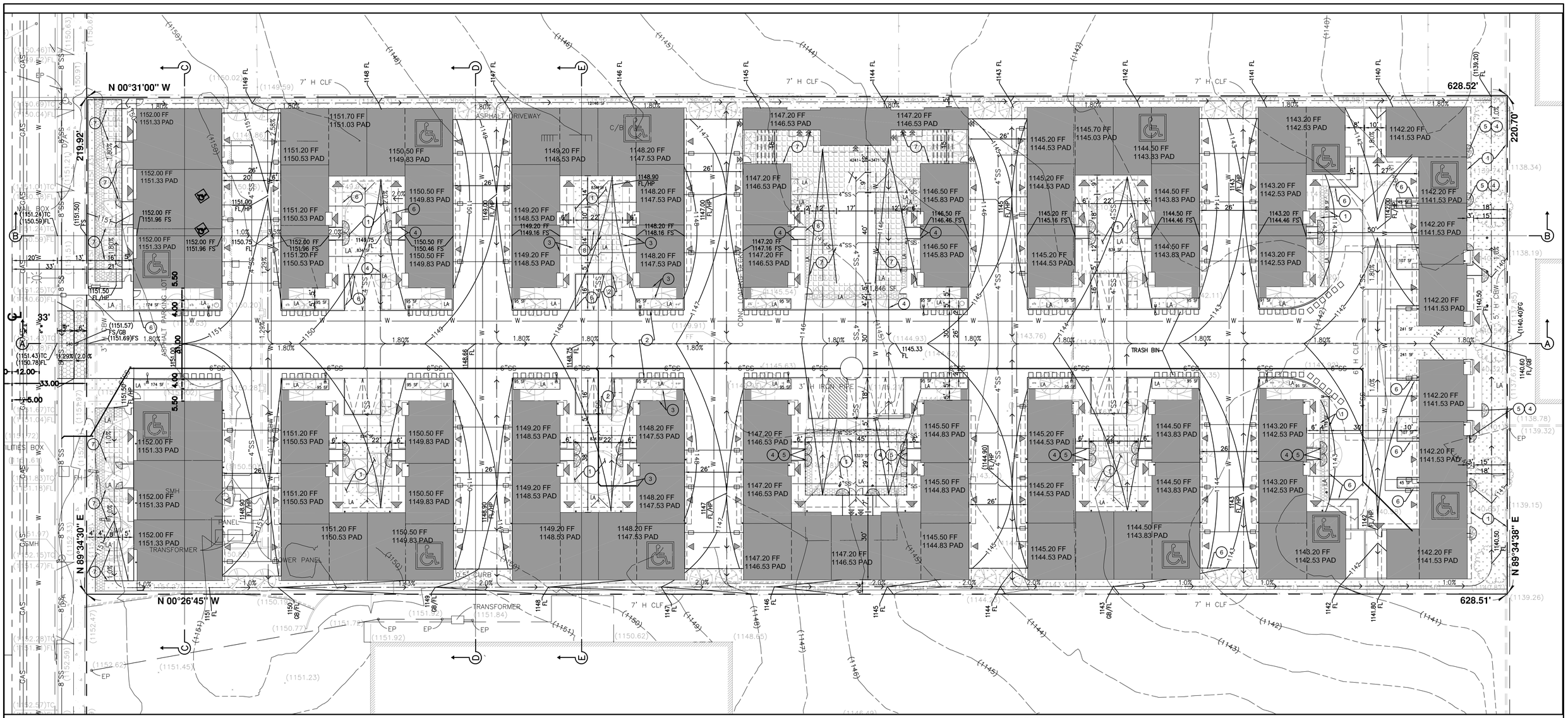
REGISTERED PROFESSIONAL ENGINEER
GUOXIN MIAO
No. 73059
Exp. 12/31/20
CIVIL
STATE OF CALIFORNIA

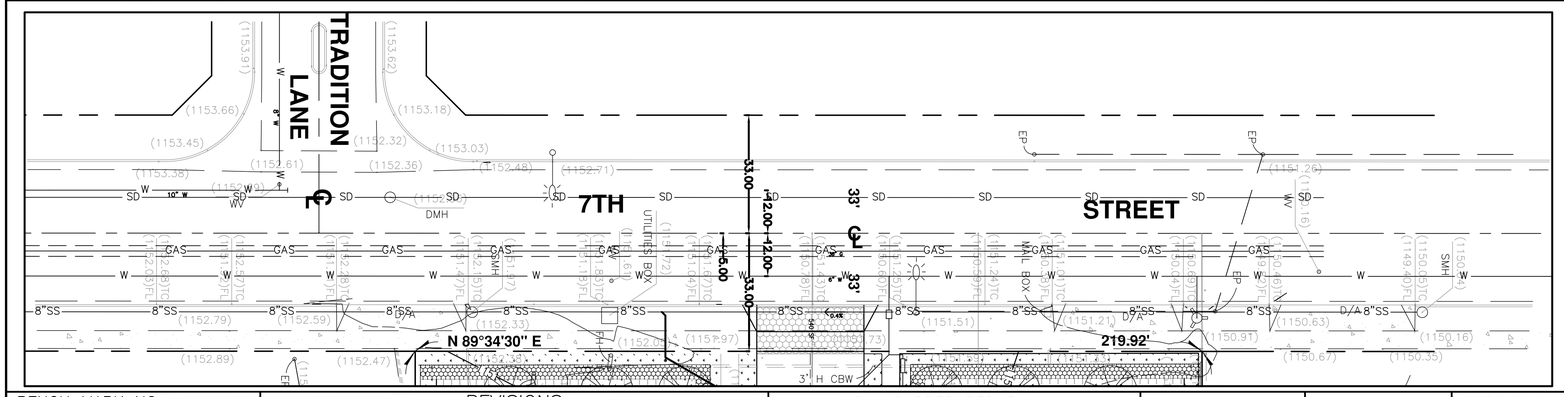
DRAWN BY: MIKE
DESIGNED BY: MIKE
CHECKED BY: MIKE
RECOMMENDED BY: MIKE

APPROVED BY:
DIRECTOR PUBLIC WORKS DATE
R.C.E. 44766 EXP. DATE 03/31/20
RECOMMENDED BY: ENGINEERING STAFF
RECOMMENDED BY: LAND DEVELOPMENT & TRANSPORTATION STAFF

CITY OF UPLAND
1252 EAST STREET
UPLAND, CA 91786

SHEET 1 OF 4 SHEETS
DRAWING NO.





CONSTRUCTION NOTES:

1. CONST. PLANTER BOX, DETAIL PER SAN BERNARDINO COUNTY WQMP MANUAL;
2. CONST. 6" PCC OVER 90% COMPACTED SOIL DRIVEWAY APPROACH & ON-SITE DRIVEWAY, DRIVEWAY APPROACH DETAIL PER SAN BERNARDINO COUNTY STD. PLAN;
3. CONST. 4" PCC SIDEWALK OVER 90% COMPACTED SOIL;
4. CONNECT 4" PVC DRAINAGE PIPE;
5. CONNECT 24" DIAMETER RIP RAP, ROCK SIZE 2"~4";
6. CONST. 6" PCC CURB, DETAIL PER SPPWC;
7. CONST. CONC. PAVER, DETAIL PER ARCHITECTURAL PLAN;
8. CONST. CONC. MOW CURB;

HYDROLOGY AREA CALCULATIONS:

	PERVIOUS AREA (SF/AC/%)	IMPERVIOUS AREA (SF/AC, %)	TOTAL AREA(SF/AC, %)
EXISTING	46,467/1.07, 34%	92,065/2.11, 66%	138,532/3.18, 100%
PROPOSE	17,480/0.401, 13%	121,052/2.61, 87%	

LID BMPs:

1. PROPOSE INFILTRATION TRENCH;
2. PLACE "NO DUMPING" SIGN AT THE BMPs;

GRADING & DRAINAGE PLAN

BENCH MARK NO.

SAN BERNARDINO COUNTY
FILED NOTES BOOK 4014 PAGE 2305, H.V.C. #3
ELEV. 1154.77
DATE 12-14-93
DESCRIPTION: SET C.C. NAIL ON CL OF 7TH ST ±198.71 EAST OF 11TH ST

REVISIONS

MARK	DATE	INITIAL	DESCRIPTION	DATE	APP'VD

PLANS PREPARED BY
APPLE ENGINEERING GROUP
SUBDIVISION ENGINEERING DESIGN SURVEYING
9080 TELSTAR AVENUE, SUITE 309
EL MONTE, CA 91731
TEL: (626) 552-9818
EMAIL: INFO@APPLEENGINEERING.NET
PREPARED UNDER THE SUPERVISION OF:
GUOXIN MIAO, P.E. RCE C73059

REGISTERED PROFESSIONAL ENGINEER GUOXIN MIAO No. 73059 Exp. 12/31/20 CIVIL STATE OF CALIFORNIA

DRAWN BY: MIKE
DESIGNED BY: MIKE
CHECKED BY: MIKE
RECOMMENDED BY: MIKE

APPROVED BY:
DIRECTOR PUBLIC WORKS DATE
R.C.E. 44766 EXP. DATE 03/31/20

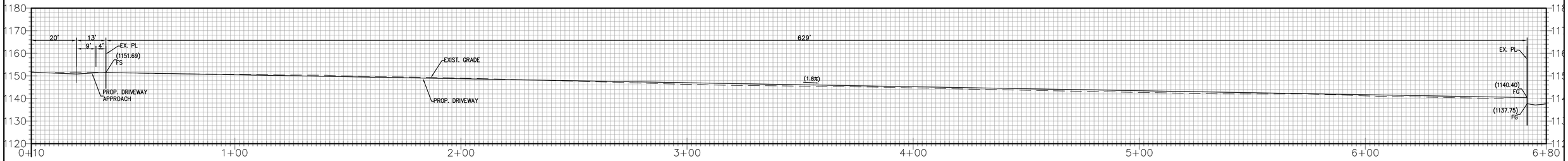
RECOMMENDED BY: ENGINEERING STAFF

RECOMMENDED BY: LAND DEVELOPMENT & TRANSPORTATION STAFF

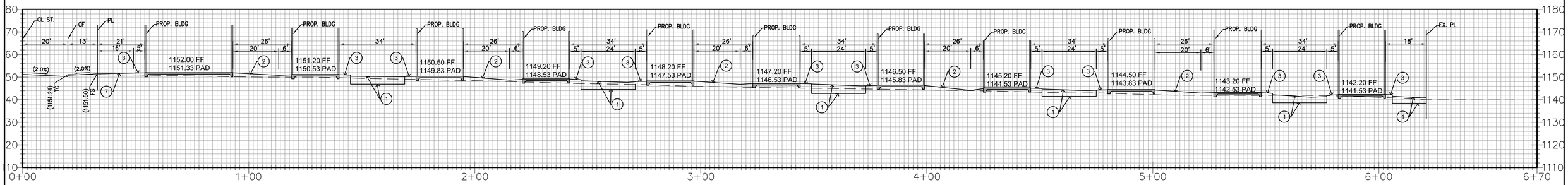
CITY OF UPLAND

1252 EAST STREET
UPLAND, CA 91786

SHEET 2 OF 4 SHEETS
DRAWING NO.



SECTION A-A



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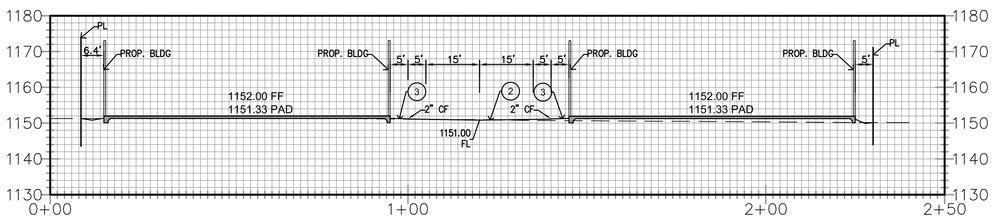

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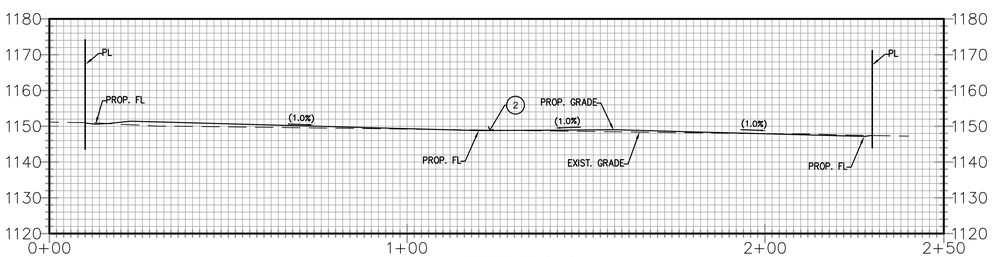
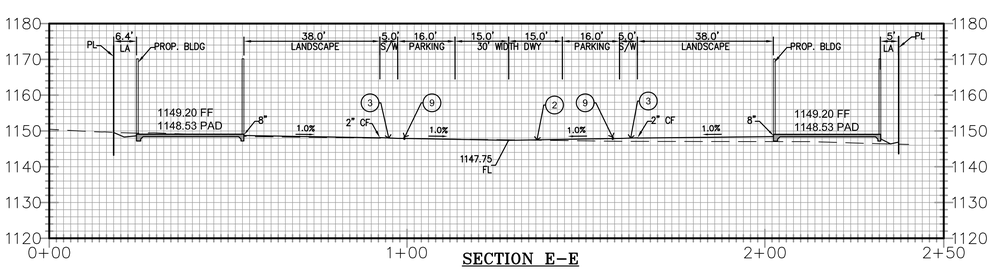


SECTION D-D



SECTION E-E

GRADING & DRAINAGE PLAN

BENCH MARK NO.

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ENGINEERING STAFF

RECOMMENDED BY:
LAND DEVELOPMENT & TRANSPORTATION STAFF

CITY OF UPLAND

1252 EAST STREET
UPLAND, CA 91786

SHEET 3 OF 4 SHEETS
DRAWING NO.

RET-1: Bioretention

Description

A bioretention area is a vegetated shallow depression that is designed to receive, retain, and infiltrate stormwater runoff from downspouts, piped inlets, or sheet flow from adjoining paved areas. A shallow ponding zone is provided above the vegetated surface for temporary storage of stormwater runoff. During storm events, stormwater runoff accumulates in the ponding zone and gradually infiltrates and filters through the bioretention soil media before infiltrating the underlying soil.

Stormwater runoff treatment occurs through a variety of natural mechanisms as stormwater runoff filters through the vegetated root zone. A portion of the water held in the root zone of the soil media is returned to the atmosphere through transpiration by the plants. Bioretention areas are typically planted with native, drought-tolerant plant species (i.e., wildflowers, sedges, rushes, ferns, shrubs, small trees) that do not require fertilization and can withstand wet soils for at least 24 hours.

A schematic of a typical bioretention area is presented in Figure E-1.

LID Ordinance Requirements

Bioretention can be used to meet the on-site retention requirement of the LID Ordinance. Bioretention will prevent pollutants in the SWQDv from being discharged off-site.

Advantages

- Provides shade and windbreaks
- Enhances site aesthetics
- Retains stormwater runoff and eliminates pollutant discharge
- May conserve water

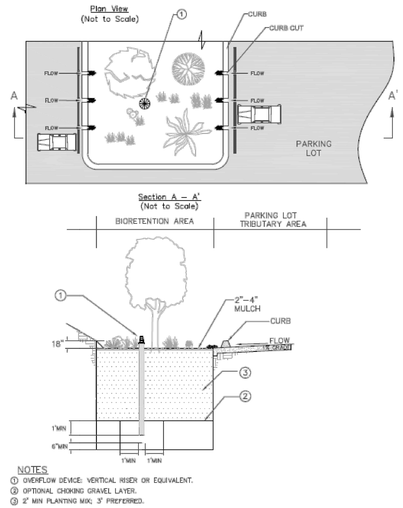

Figure E-1. Bioretention Area Schematic

Disadvantages

- May not be appropriate for industrial sites or locations with contaminated soils or where spills may occur because of the potential threat to groundwater contamination
- Is not suitable for areas with a shallow groundwater table or unstable surface stratum, including steep (greater than 20 percent) or unstable slopes
- May result in standing water, which may allow vector breeding

General Constraints and Implementation Considerations

- Bioretention areas can be applied in various settings, including, but not limited to:
  - Individual lots for rooftop, driveway, and other on-lot impervious surface
  - Shared facilities located in common areas for individual lots
  - Areas within loop roads or cul-de-sacs
  - Landscaped parking lot islands
  - Within right-of-ways along roads
  - Common landscaped areas in apartment complexes or other multi-family housing designs
  - Parks and along open space perimeters
- If tire curbs are provided and parking stalls are shortened, cars may overhang the bioretention area.
- Bioretention areas must be located sufficiently far from structure foundations to avoid damage to structures (as determined by a certified structural or geotechnical engineer).
- Any parking areas bordering the bioretention area must be monolithically poured concrete or deepended curb concrete to provide structural stability to the adjacent parking section.
- The overflow device must drain away from building foundations to the storm drain system or another suitable infiltration area.
- Bioretention areas cannot be located on sites with a slope greater than 20 percent (5:1).
- The project site must be graded to minimize erosion as stormwater runoff enters the bioretention area by creating sheet flow conditions rather than a concentrated stream condition or by providing energy dissipation devices at the inlet.
- The general landscape irrigation system should incorporate the bioretention area, as applicable. Sediment controls (i.e., silt fences) can be used around the bioretention area to prevent high sediment loads from entering the area during construction activities.

- During construction, activities should avoid compaction of native soils below planting media layer or gravel zone.
- Stormwater runoff must be diverted around the bioretention area during the period of vegetation establishment. If diversion is not feasible, the graded and seeded areas must be protected with suitable sediment controls (i.e., silt fences).

Design Specifications

The following sections describe the design specifications for bioretention areas.

Geotechnical

Due to the potential to contaminate groundwater, cause slope instability, impact surrounding structures, and potential for insufficient infiltration capacity, an extensive geotechnical site investigation must be conducted during the site planning process to verify site suitability for bioretention. All geotechnical investigations must be performed according to the most recent Geotechnical and Materials Engineering Division (GMED) Policy GS 200.1. Soil infiltration rates and the groundwater table depth must be evaluated to ensure that conditions are satisfactory for proper operation of a bioretention area. The project applicant must demonstrate through infiltration testing, soil logs, and the written opinion of a licensed civil engineer that sufficiently permeable soils exist on-site to allow the construction of a properly functioning bioretention system.

Bioretention is appropriate for soils with a minimum corrected in-situ infiltration rate of 0.3 in/hr. The geotechnical report must determine if the proposed project site is suitable for a bioretention area and must recommend a design infiltration rate (see "Design Infiltration Rate" under the "Sizing" section). The geotechnical investigation should be such that a good understanding is gained as to how the stormwater runoff will move through the soil (horizontally or vertically) and if there are any geological conditions that could inhibit the movement of water.

Pretreatment

Pretreatment is important for all structural stormwater quality control measures, but it is particularly important for retention facilities. Pretreatment refers to design features that provide settling of large particles before stormwater runoff enters a stormwater quality control measure in order to reduce the long-term maintenance burden. Pretreatment should be provided to reduce the sediment load entering a bioretention area in order to maintain the infiltration rate of the bioretention area. To ensure that bioretention areas are effective, the project applicant must incorporate pretreatment devices that provide sediment reduction (e.g., vegetated swales, vegetated filter strips, sedimentation manholes, and proprietary devices). The use of at least two pretreatment devices is highly recommended for bioretention areas.

Setbacks

Bioretention areas must be sited following the setbacks from the most recent GMED Policy GS 200.1.

Geometry

- Bioretention areas must be sized to capture and retain the SWQDv with an 18-inch maximum ponding depth.
- The planting soil depth must be a minimum of two feet, but three feet is preferred. The planting soil depth should provide a beneficial root zone for the chosen vegetation and adequate storage for the SWQDv.

Sizing

Bioretention areas are sized using a simple sizing method where the SWQDV must be completely infiltrated within 96 hours. Bioretention areas provide stormwater runoff storage above ground.

Step 1: Determine the SWQDv

Bioretention areas must be designed to capture and retain the SWQDv (see Section 6 for SWQDv calculation procedures).

Step 2: Determine the design infiltration rate

Determine the corrected in-situ infiltration rate (f_{design}) of the native soil using the procedures described in the most recent GMED Policy GS 200.1.

Step 3: Calculate the bioretention area

Determine the required size of the bioretention area by assuming the SWQDv will fill the available ponding depth. The maximum depth of stormwater runoff that can be infiltrated within the maximum retention time (96 hrs) is calculated using the following equation:

$$d_{max} = \frac{f_{design}}{12} \times t$$

Where:

d_{max} = Maximum depth of water that can be infiltrated within the required drawdown time [ft];
f_{design} = Design infiltration rate [in/hr]; and
t = Maximum detention time (max 96 hrs) [hr].

Select the ponding depth (d_p) such that:

$$d_{max} \geq d_p$$

Where:

d_{max} = Maximum depth of water that can be infiltrated within the maximum retention time [ft]; and
d_p = Ponding depth (max 1.5 ft) [ft].

Calculate the infiltrating surface area (bottom of the bioretention area) required:

$$A = \frac{SWQDv}{d_p}$$

Where:

A = Surface area of the bottom of the infiltration basin [ft^2];
SWQDv = Stormwater quality design volume [ft^3]; and
d_p = Ponding depth [ft].

Flow Entrance and Energy Dissipation

Maintain a minimum slope of 1 percent for pervious surfaces and 0.5 percent for impervious surfaces to the bioretention area inlet. The following types of flow entrances can be used for bioretention areas:

- Level spreaders (i.e., slotted curbs) can be used to facilitate sheet flow.
- Dispersed low velocity flow across a landscape area. Dispersed flow may not be possible given space limitations or if the bioretention area is controlling roadway or parking lot flows where curbs are mandatory.
- Dispersed flow across pavement or gravel and past wheel stops for parking areas.
- Flow spreading trench around perimeter of bioretention area. May be filled with pea gravel or vegetated with 3:1 side slopes similar to a swale. A vertical-walled open trench may also be used at the discretion of the Los Angeles County Department of Public Works (LACDPW).
- Curb cuts for roadside or parking lot areas, if approved by LACDPW: curb cuts should include rock or other erosion controls in the channel entrance to dissipate energy. Flow entrance should drop two to three inches from curb line and provide an area for settling and periodic removal of sediment and coarse material before flow disperses to the remainder of the bioretention area.
- Piped entrances, such as roof downspouts, should include rock, splash blocks, or other erosion controls at the entrance to dissipate energy and disperse flows.

- Woody plants (i.e., trees, shrubs) can restrict or concentrate flows and can be damaged by erosion around the root ball and must not be placed directly in the entrance flow path.

Drainage

Bioretention areas must completely drain within 96 hours. Soils must be allowed to dry out periodically in order to restore hydraulic capacity to receive stormwater runoff from subsequent storm events, maintain infiltration rates, maintain adequate soil oxygen levels for healthy soil biota and vegetation, and provide proper soil conditions for biodegradation and retention of pollutants.

Hydraulic Restriction Layer

Lateral infiltration pathways may need to be restricted due to the close proximity of roads, foundations, or other infrastructure. A geomembrane liner, or other equivalent waterproofing, may be placed along the vertical walls to reduce lateral flows. The geomembrane liner must have a minimum thickness of 30 mils and meet the requirements of Table E-1. Generally, waterproof barriers must not be placed at the bottom of the bioretention area as it would prevent incidental infiltration which is important to meeting the required on-site retention requirement.

Table E-1. Geomembrane Liner Specifications for Bioretention Areas

Parameter	Test Method	Specifications
Material		Non-woven geomembrane liner
Unit weight		8 oz/yd^3 (minimum)
Filtration rate		0.08 in/sec (minimum)
Puncture strength	ASTM D-751 (Modified)	125 lbs (minimum)
Mullen burst strength	ASTM D-751	400 lb/in^2 (minimum)
Tensile strength	AST D-1682	300 lbs (minimum)
Equiv. opening size	US Standard Sieve	No. 80 (minimum)

Vegetation

Prior to installation, a licensed landscape architect must certify that all plants, unless otherwise specifically permitted, conform to the standards of the current edition of American Standard for Nursery Stock as approved by the American Standards Institute, Inc. All plant grades shall be those established in the current edition of American Standards for Nursery Stock.

- Shade trees must have a single main trunk. Trunks must be free of branches below the following heights:

CALIPER (in)	Height (ft)
1½-2½	5
3	6

- Plants must be tolerant of summer drought, ponding fluctuations, and saturated soil conditions for 96 hours.
- It is recommended that a minimum of three types of tree, shrubs, and/or herbaceous groundcover species be incorporated to protect against facility failure due to disease and insect infestations of a single species.
- Native plant species and/or hardy cultivars that are not invasive and do not require chemical inputs must be used to the maximum extent practicable.

The bioretention area should be vegetated to resemble a terrestrial forest community ecosystem, which is dominated by understory trees, a shrub layer, and herbaceous ground cover. Select vegetation that:

- Will be dense and strong enough to stay upright, even in flowing water;
- Has minimum need for fertilizers;
- Is not prone to pests and is consistent with Integrated Pest Management practices;
- Will withstand being inundated for periods of time; and
- Is consistent with local water conservation ordinance requirements.

Irrigation System

Provide an irrigation system to maintain viability of vegetation, if applicable. The irrigation system must be designed to local code or ordinance specifications.

Restricted Construction Materials

Use of pressure-treated wood or galvanized metal at or around a bioretention area is prohibited.

Overflow Device

An overflow device is required at the 18-inch ponding depth. The following, or equivalent, should be provided:

- A vertical PVC pipe (SDR 26) to act as an overflow riser.
- The overflow riser(s) should be eight inches or greater in diameter, so it can be cleaned without damage to the pipe.
- The inlet to the riser should be at the ponding depth (18 inches for fenced bioretention areas and 6 inches for areas that are not fenced), and be capped

with a spider cap to exclude floating mulch and debris. Spider caps should be screwed in or glued (e.g., not removable). The overflow device should convey stormwater runoff in excess of the SWQDv to an approved discharge location (e.g., another stormwater quality control measure, storm drain system, or receiving water).

Maintenance Requirements

Maintenance and regular inspections are important for proper function of bioretention areas. Bioretention areas require annual plant, soil, and mulch layer maintenance to ensure optimal infiltration, storage, and pollutant removal capabilities. In general, bioretention maintenance requirements are typical landscape care procedures, which include:

- Irrigate plants as needed during prolonged dry periods. In general, plants should be selected to be drought-tolerant and not require irrigation after establishment (two to three years).
- Inspect flow entrances, ponding area, and surface overflow areas periodically, and replace soil, plant material, and/or mulch layer in areas if erosion has occurred. Properly-designed facilities with appropriate flow velocities should not cause erosion except potentially during in extreme events. If erosion occurs, the flow velocities and gradients within the bioretention area and energy dissipation and erosion protection strategies in the pretreatment area and flow entrance should be reassessed. If sediment is deposited in the bioretention area, identify the source of the sediment within the tributary area, stabilize the source, and remove excess surface deposits.
- Prune and remove dead plant material as needed. Replace all dead plants, and if specific plants have a high mortality rate, assess the cause and, if necessary, replace with more appropriate species.
- Remove weeds as needed until plants are established. Weed removal should become less frequent if the appropriate plant species are used and planting density is attained.
- Select the proper soil mix and plants for optimal fertility, plant establishment, and growth to preclude the use of nutrient and pesticide supplements. By design, bioretention facilities are located in areas where phosphorous and nitrogen levels are often elevated such that these should not be limiting nutrients. Addition of nutrients and pesticides may contribute pollutant loads to receiving waters.
- In areas where heavy metals deposition is likely (i.e., tributary areas to industrial, vehicle dealerships/repair, parking lots, roads), replace mulch annually. In areas where metals deposition is less likely (i.e., residential lots), replace or add mulch as needed to maintain a two- to three- inch depth at least once every two years.
- Analyze soil for fertility and pollutant levels if necessary. Bioretention soil media are designed to maintain long-term fertility and pollutant processing capability.
- Eliminate standing water to prevent vector breeding.

- Inspect overflow devices for obstructions or debris, which should be removed immediately. Repair or replace damaged pipes upon discovery.

A summary of potential problems that may need to be addressed by maintenance activities is presented in Table E-2.

The County requires execution of a maintenance agreement to be recorded by the property owner for the on-going maintenance of any privately-maintained stormwater quality control measures. The property owner is responsible for compliance with the maintenance agreement. A sample maintenance agreement is presented in Appendix H.

Table E-2. Bioretention Troubleshooting Summary

Problem	Conditions When Maintenance Is Needed	Maintenance Required
Vegetation	Overgrown vegetation	Mow and prune vegetation as appropriate.
	Presence of invasive, poisonous, nuisance, or noxious vegetation or weeds	Remove this vegetation and plant native species as needed.
Trash and Debris	Trash, plant litter, and dead leaves present	Remove and properly dispose of trash and debris.
Irrigation (if applicable)	Not functioning correctly	Check irrigation system for clogs or broken lines and repair as needed.
Flow Entrance/Overflow Device	Flow entrance/overflow areas clogged with sediment and/or debris	Remove material.
	Overflow device blocked or broken	Clean and/or repair as needed.
Erosion/Sediment Accumulation	Presence of erosion or sediment accumulation	Check flow entrance to ensure proper function. Repair, or replace if necessary, the flow entrance. Repair eroded areas with gravel as needed. Re-grade the bioretention area as needed.
Contaminants and Pollution	Any evidence of oil, gasoline, contaminants, or other pollutants	Remove any evidence of visual contamination from floatables such as oil and grease.
Standing water	Standing water observed more than 96 hours after storm event	Remove and replace plant media (sand, gravel, topsoil, mulch) and vegetation

GRADING & DRAINAGE PLAN

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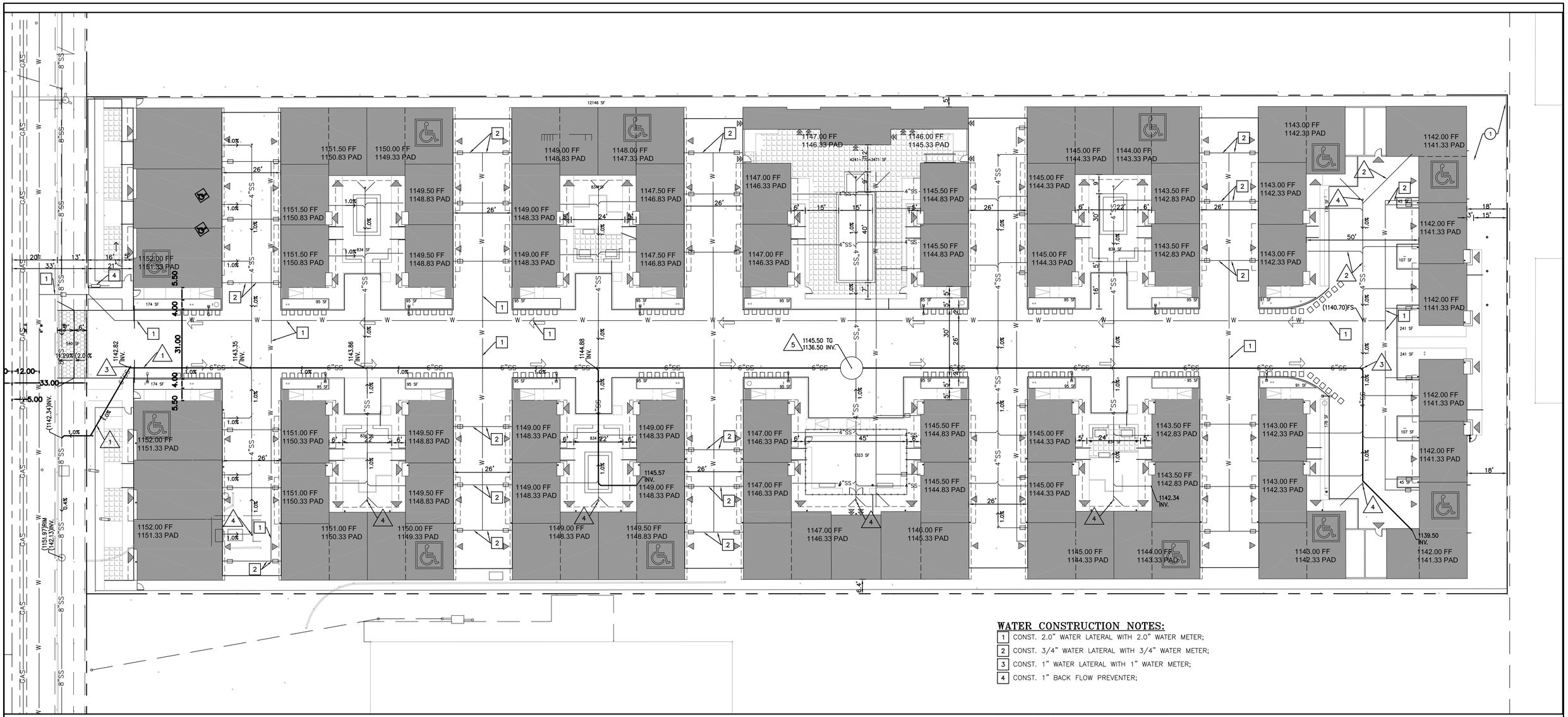
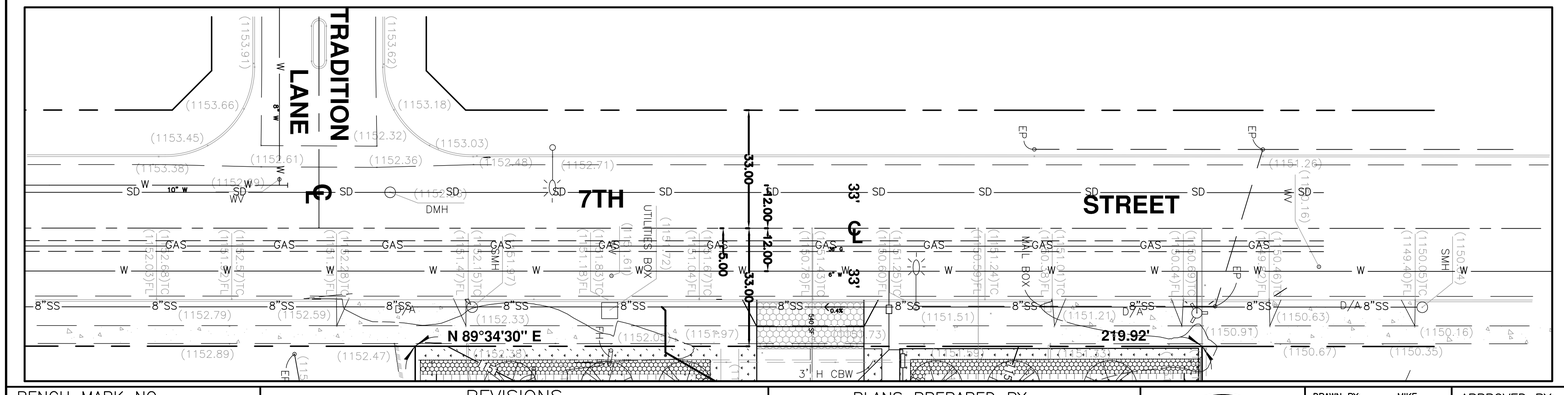


WATER CONSTRUCTION NOTES:

1. CONST. 2.0" WATER LATERAL WITH 2.0" WATER METER;
2. CONST. 3/4" WATER LATERAL WITH 3/4" WATER METER;
3. CONST. 1" WATER LATERAL WITH 1" WATER METER;
4. CONST. 1" BACK FLOW PREVENTER;



SEWER CONSTRUCTION NOTES:

1. CONST. 6" ABS SEWER LATERAL;
2. CONST. 4" ABS SEWER LATERAL;
3. CONST. 6" SEWER CLEAN-OUT;
4. CONST. 4" SEWER CLEAN-OUT;
5. CONST. SEWER PUMP, L=363', TDH=8', Q=0.02 CFS (10,640 GAL/DAY); DETAIL UT-SHEET 2;

HYDROLOGY AREA CALCULATIONS:

	PERVIOUS AREA (SF/AC/%)	IMPERVIOUS AREA (SF/AC, %)	TOTAL AREA(SF/AC, %)
EXISTING	46,467/1.07, 34%	92,065/2.11, 66%	138,532/3.18, 100%
PROPOSE	24,860/0.57, 18%	113,672/2.61, 82%	

LID BMPs:

1. PROPOSE PLANTER BOX;
2. PLACE "NO DUMPING" SIGN AT THE BMPs;

UTILITY PLAN

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ENGINEERING STAFF

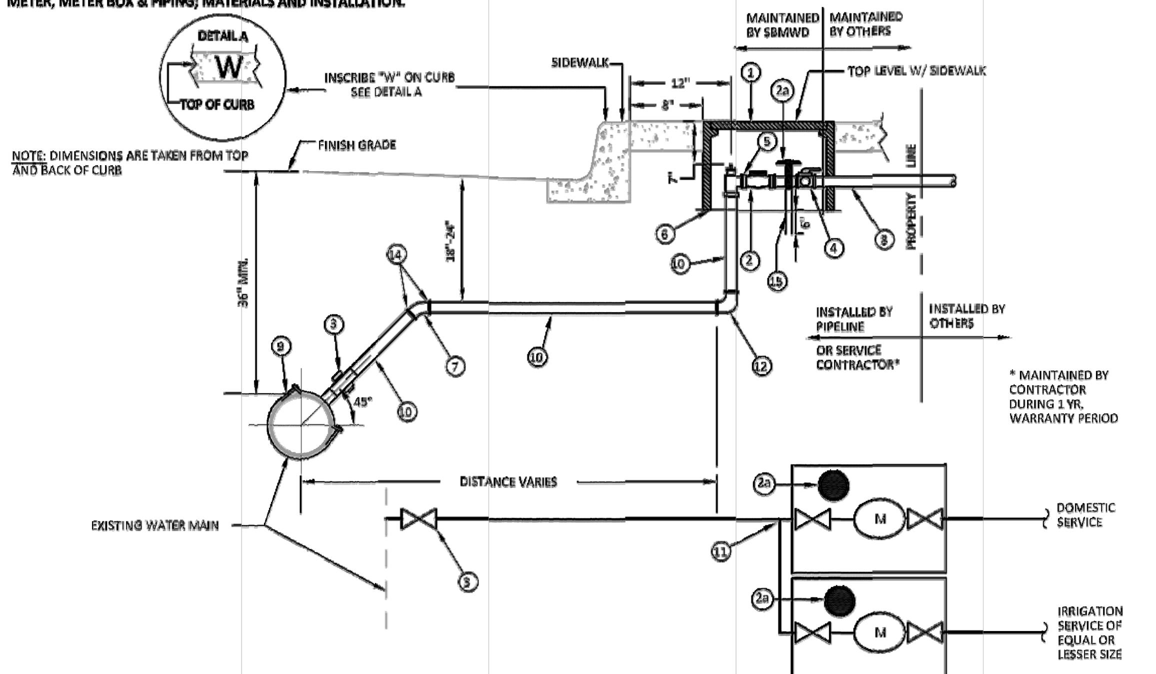
RECOMMENDED BY:
LAND DEVELOPMENT & TRANSPORTATION STAFF

CITY OF UPLAND

1252 EAST STREET
UPLAND, CA 91786

SHEET 1 OF 2 SHEETS
DRAWING NO.

REFERENCE ENGINEERING SPECIFICATIONS; WATER SERVICE ASSEMBLIES: 404211 - FOR METER, METER BOX & PIPING; MATERIALS AND INSTALLATION.



KIT FOR DEVELOPER INSTALLED SERVICE WATER SERVICE INSTALLATION

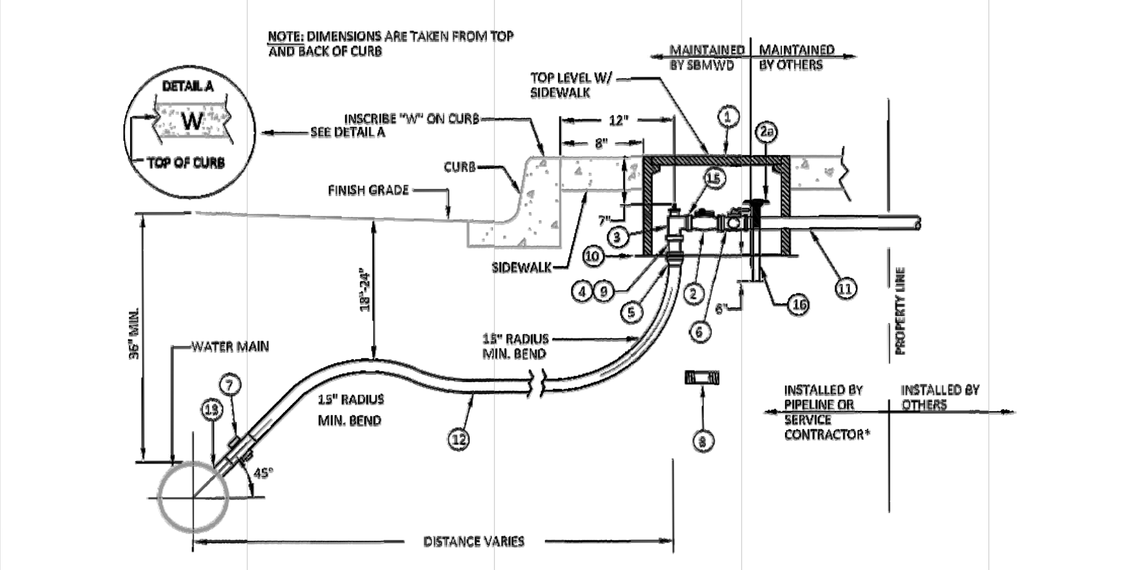
ITEM	QTY	DESCRIPTION
1	2 EA	NO. 6 (17" x 30") METER BOX, CDR No. WA03173012T4 (W/ "WATER" OR "SBMWD" ON LID) OR J&R No. W6-T SERIES WITH H2O BODY AND COVER AS DETERMINED BY SBMWD.
2	2 EA	(1-1/2" OR 2") WATER METER. (SEE SBMWD STD. DWG. W1.15 FOR APPROVED LIST).
OR 2a	2 EA	SBMWD APPROVED METER AND TRANSMITTER ASSEMBLY, CURRENT ITRON USED BY DEPARTMENT OR APPROVED EQUAL. INSTALL MOUNTING PER MANUFACTURER'S SPECIFICATION (NEW TRACTS OR AS DIRECTED BY SBMWD ONLY).
3	1 EA	(1-1/2" OR 2") BRONZE CORPORATION STOP (COMPRESSION X MALE NPT) MUELLER H15023 OR EQUAL.
4	2 EA	(1-1/2" OR 2") LOCKWING BALL VALVE JONES # J-1939WSG.
5	2 EA	(1-1/2" OR 2") LOCKWING BRASS ANGLE METER STOP JONES J-1975WSG OR EQUAL.
6	1 EA	3/8" ROCK 4"-6" DEEP.
7	1 EA	(1-1/2" OR 2") BEND 45° BRASS THREADED.
8	2 EA	(1-1/2" OR 2") SCH. 80 THREADED (NPT) PVC PIPE NIPPLE (MUST EXTEND 6" BEYOND CUSTOMER SIDE OF SIDEWALK).
9	1 EA	___ x (1-1/2" OR 2") SERVICE SADDLE FROM SBMWD APPROVED LIST OR (1-1/2" OR 2") WELD-ON THREAD-O-LET.
10	___LF	(1-1/2" OR 2") TYPE L HARD COPPER TUBING (SBMWD APPROVED U.S. MANUFACTURER) SEE SBMWD SPECIFICATIONS FOR BACKFILL REQUIREMENTS.
11	1 EA	1-1/2" OR 2" x ___" BRASS TEE WITH 3 ADAPTORS (MIP x COMPRESSION).
12	1 EA	(1-1/2" OR 2") BRASS COMPRESSION QUARTER BEND OR BRASS THREADED QUARTER BEND WITH TWO ADAPTERS (MIP X COMP.).
13	-	NOT USED
14	2 EA	(1-1/2" OR 2") COPPER ADAPTER - MALE.
15	6"	3/8" REBAR. INSTALL PER MANUFACTURERS INSTRUCTIONS WITH PIT MOUNTING BRACKET SUPPLIED. SEE 2a ABOVE.

NOTE: SEE SBMWD SPECIFICATIONS FOR BACKFILL REQUIREMENTS.

REVISION DATE: 5/24/2016

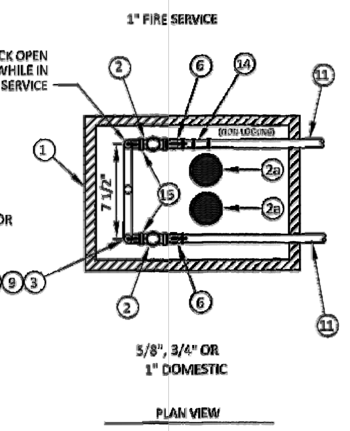
D.D.M.	MAY 16	SAN BERNARDINO MUNICIPAL WATER DEPARTMENT	DRAWING NUMBER
F.D.L.	MAY 14	**1-1/2" AND 2" SERVICE DETAIL FOR COMMERCIAL COMBINATION DOMESTIC AND IRRIGATION SERVICES**	SBMWD
F.D.L.	JAN. 13		W1.8
F.D.L.	DEC. 12		
REVISION	DATE	APPROVED WARREN HUANG, P.E. RCE 49208 DATE 07/04/2019	
SCALE:	NONE		

REFERENCE ENGINEERING SPECIFICATIONS; WATER SERVICE ASSEMBLIES: 404211 - FOR METER, METER BOX & PIPING; MATERIALS AND INSTALLATION.



KIT FOR DEVELOPER INSTALLED SERVICE WATER SERVICE INSTALLATION

ITEM	QTY	DESCRIPTION
1	_EA	NO. 6 (17" x 30") METER BOX (ARMORCAST A6001640APCX12) (W/ "WATER" OR "SBMWD" ON LID) OR J&R No. W6-T SERIES WITH H2O BODY AND COVER AS DETERMINED BY SBMWD.
2	2 EA	5/8"x3/4", 3/4", OR 1" WATER METER (SEE SBMWD STD. DWG. W1.15 FOR APPROVED LIST).
OR 2a	2 EA	SBMWD APPROVED METER AND TRANSMITTER ASSEMBLY, CURRENT ITRON USED BY DEPARTMENT OR APPROVED EQUAL. INSTALL MOUNTING PER MANUFACTURER'S SPECIFICATION (NEW TRACTS OR AS DIRECTED BY SBMWD ONLY).
3	1 EA	(1"x3/4" OR 1"x1") LOCKWING ANGLE VALVE (COMPRESSION X METER COUPLING) (JONES J1963WSG OR EQUIVALENT).
4	1 EA	MUELLER 1" X 1" X 7 1/2" MANIFOLD (COMPRESSION ON INLET SIDE) MUELLER PART NO. H-15363 OR EQUAL.
5	1 EA	1" ADAPTOR (COMPRESSION x MALE NPT).
6	2 EA	(1" OR 3/4") LOCKWING BALL VALVE (FEMALE NPT x METER COUPLING-M.C.) (JONES J 1908W OR EQUAL).
7	1 EA	1" BRASS CORPORATION STOP (COMPRESSION x MALE NPT) MUELLER H15025 OR EQUAL.
8	2 EA	___" METER IDLER (JUMPER) (MALE METER COUPLING BY MALE METER COUPLING).
9	2 EA	PADLOCK
10	1 EA	3/8" ROCK 4"-6" DEEP.
11	2 EA	(3/4", OR 1") SCHEDULE 80 PVC PIPE NIPPLE AND ADAPTER (MUST EXTEND 6" BEYOND CUSTOMER SIDE OF SIDEWALK).
12	___LF	1" TYPE K SOFT COPPER TUBING (SBMWD APPROVED U.S. MANUFACTURE) SEE SPECIFICATIONS FOR BACKFILL REQUIREMENTS.
13	1 EA	TAP MAIN DIRECTLY USING SBMWD APPROVED TAPPING MACHINE OR DRILL CLEAN 1" DIA. HOLE IN MAIN AND USE APPROVED SERVICE SADDLE.
14	1 EA	SINGLE CHECK VALVE (THREADED BRASS).
15	_EA	1" M.C. TO 3/4" M.C. BRASS BUSHING, IF REQUIRED.
16	6"	3/8" REBAR. INSTALL PER MANUFACTURER'S INSTRUCTIONS WITH PIT MOUNTED BRACKET SUPPLIED. SEE 2a ABOVE.

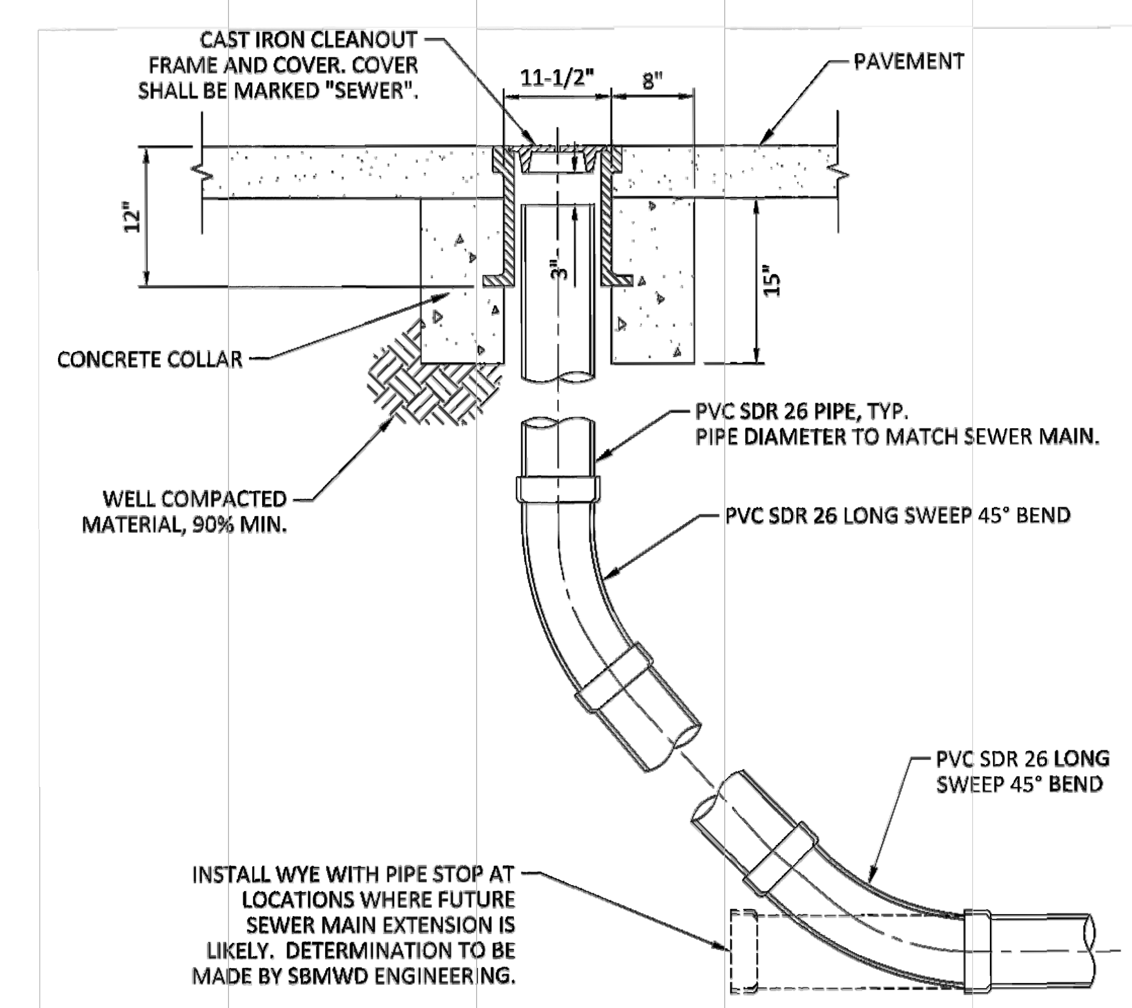


* MAINTAINED BY CONTRACTOR DURING ONE (1) YEAR WARRANTY PERIOD
NOTE: MINIMUM TAP AND LATERAL SIZE IS 1 INCH DIAMETER.

REVISION DATE: 5/23/2016

D.D.M.	MAY 16	SAN BERNARDINO MUNICIPAL WATER DEPARTMENT	DRAWING NUMBER
F.D.L.	APR. 15	**1" FIRE SERVICE WITH 5/8", 3/4" AND 1" DOMESTIC SERVICE**	SBMWD
F.D.L.	MAY 14		W1.3
F.D.L.	FEB. 13		
REVISION	DATE	APPROVED WARREN HUANG, P.E. RCE 49208 DATE 07/04/2019	
SCALE:	NONE		

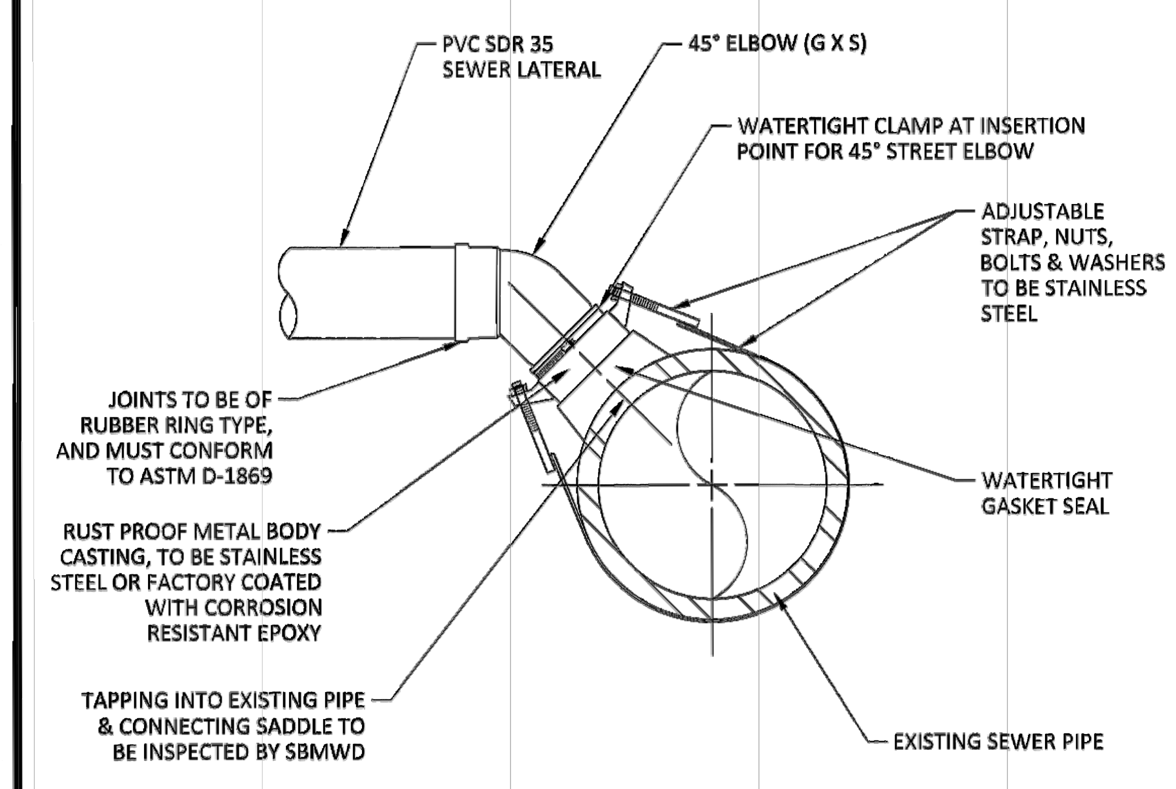
NOTES:
1. MANHOLE COVER SHALL BE DESIGNED FOR A.A.S.H.O. H-20 LOADING.
2. CAST IRON SHALL HAVE MINIMUM TENSILE STRENGTH OF 30,000 LBS PER SQUARE INCH.
3. CLEANOUTS SHALL BE INSTALLED AT THE END OF THE SEWER MAIN IF WITHIN 200 FEET OF A MANHOLE, AND AS APPROVED BY DEPARTMENT.
4. LETTERING SHALL BE CAST IN COVER.



N.T.S.

REVISION	DATE	CITY OF SAN BERNARDINO MUNICIPAL WATER DEPARTMENT	DRAWING NUMBER
		STANDARD CLEANOUT	SBMWD
DRAWN BY:	JRVS	APPROVED WARREN HUANG, P.E. RCE 49208 DATE 07/03/2019	S.303
SUPERVISED:	AC		

NOTES:
1. INSPECTION MUST BE OBTAINED FOR SADDLE PRIOR TO BACKFILLING OVER LATERAL.
2. WHERE HOUSE LATERALS ARE TO BE JOINED TO EXISTING SEWERS THE CONNECTION SHALL BE MADE BY CUTTING INTO THE PIPE AND INSTALLING AN APPROVED SADDLE. THIS SADDLE TO BE ORDERED FOR THE PARTICULAR SIZE AND MATERIAL OF PIPE ON WHICH IT IS PLACED. THE SADDLE MUST BE FITTED SNUGLY AGAINST THE EXTERIOR WALL OF THE PIPE ON WHICH IT IS PLACED.
3. SADDLE SHALL BE ROMAC "CB" SEWER SADDLE OR APPROVED EQUAL. CONTRACTOR SHALL SUBMIT THE SADDLE INFORMATION AT THE TIME OF REQUESTING AN INSPECTION.
4. SADDLE TO BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.
5. AT CONNECTION TO EXISTING SEWER MAIN OF NOMINAL DIAMETER 15" OR GREATER, CONSTRUCT NEW MANHOLE PER SBMWD STANDARD DRAWINGS S.300 & S.301.



N.T.S.

REVISION	DATE	CITY OF SAN BERNARDINO MUNICIPAL WATER DEPARTMENT	DRAWING NUMBER
		SEWER SADDLE	SBMWD
DRAWN BY:	JRVS	APPROVED WARREN HUANG, P.E. RCE 49208 DATE 07/03/2019	S.307
SUPERVISED:	EL		

Barmesa® Pumps

SUBMERSIBLE SOLIDS HANDLING PUMP

Series: 2BSE-SS
0.5 & 0.75 HP / 1750 RPM
Discharge: 2" or 3"
Spherical solids handling: 2"

SPECIFICATIONS

DISCHARGE
2" or 3" NPT female, vertical, bolt on flange.

LIQUID TEMPERATURE
104 °F (40 °C) continuous.

VOLUTE
Cast iron ASTM A-48 class 30.

MOTOR HOUSING
Cast iron ASTM A-48 class 30.

SEAL PLATE
Cast iron ASTM A-48 class 30.

IMPELLER
Design: 2 vane, open, with vanes on back side.
Material: cast iron ASTM A-48 class 30.

SHAFT
416 series stainless steel.

HARDWARE
300 series stainless steel.

SQUARE RINGS
Buna-N.

PAINT
Air dry enamel, water based.

SEAL
Design: inboard single mechanical, oil filled chamber.
Material: silicon carbide, Buna-N elastomer and stainless steel hardware.

CORD ENTRY
30 ft of neoprene cord SJO 14/3, sealed against moisture.

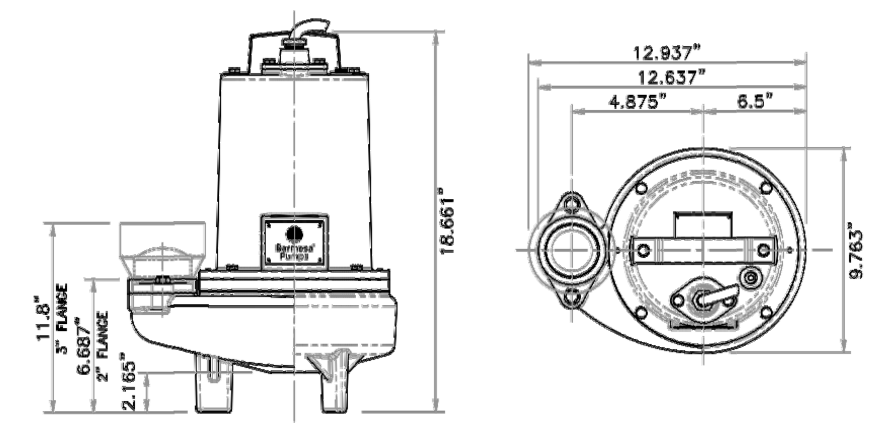
BEARINGS
Upper: ball, single row, oil lubricated, for radial load.
Lower: ball, single row, oil lubricated, for radial and thrust load.

MOTOR
Single phase: NEMA L, permanent split capacitor, 115 & 230 volts, 60 Hz, 1750 RPM, oil filled, overload protection in motor.
Three phase: NEMA B, 200/230 & 460 volts, 60 Hz, 1750 RPM, oil filled. Requires overload protection to be included in control panel.

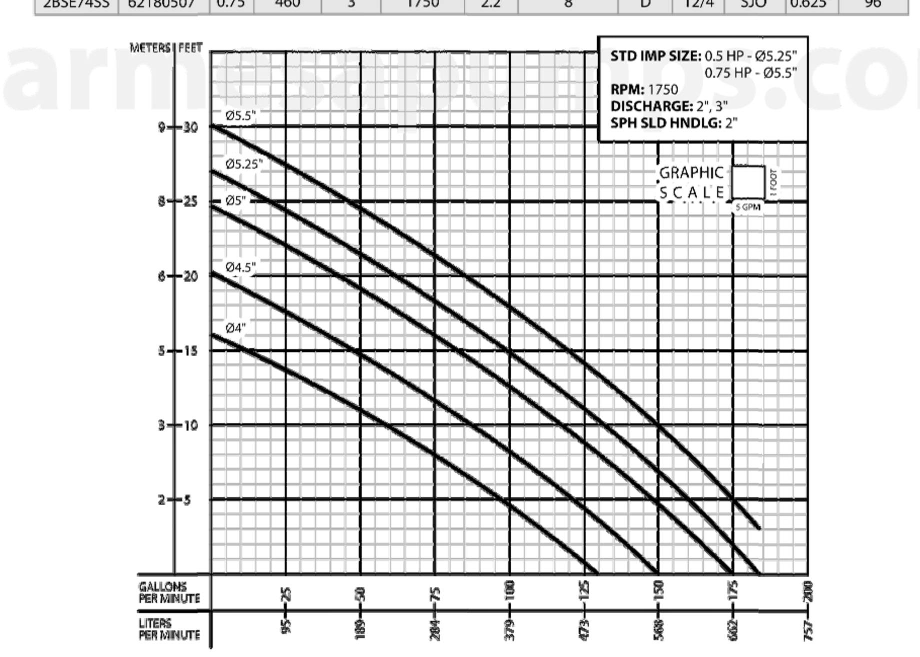
OPTIONAL EQUIPMENT
Additional cord, tungsten carbide seal. **Includes 3" discharge flange.**

SPECIFICATIONS

barmesapumps.com



MODEL	PART No.	HP	VOLTS	PHASE	RPM (Nominal)	MAX AMPS	LOCKED ROTOR AMPS	NEMA CODE	CORD SIZE	CORD TYPE	CORD O.D.	WEIGHT (pounds)
2BSE51SS	62180501	0.5	115	1	1750	11.6	18.4	D	14/3	SJO	0.5"	91
2BSE51A	62180501A	0.5	115	1	1750	11.6	18.4	D	14/4	SJO	0.5"	93
2BSE52SS	62180502	0.5	200/230	1	1750	5.9	14.9	B	14/3	SJO	0.5"	93
2BSE53SS	62180503	0.5	200/230	3	1750	4.6/4.2	9.7/11.1	K	14/3	SJO	0.5"	95
2BSE54SS	62180504	0.5	460	3	1750	2.2	5.3	K	14/3	SJO	0.5"	95
2BSE72SS	62180505	0.75	230	1	1750	10.5	17.5	D	14/3	SJO	0.5"	95
2BSE73SS	62180506	0.75	200/230	3	1750	5.5	16	D	12/4	SJO	0.625"	96
2BSE74SS	62180507	0.75	460	3	1750	2.2	8	D	12/4	SJO	0.625"	96



IMPORTANT!
1. Never use this pump to handle explosive liquids.
2. This pump is not approved to be used in swimming pools, recreational installations or any application where human contact may be common.
3. Pump may be operated "dry" for extended periods without damage to motor &/or seals.
4. Testing is performed with water specific gravity of 1.0 @ 68 °F (20 °C); other fluids may vary performance.

Last update: 01/24/2020

UTILITY PLAN

BENCH MARK NO.

SAN BERNARDINO COUNTY
FILED NOTES BOOK 4014 PAGE 2305, H.V.C. #3
ELEV. 1154.77
DATE 12-14-93
DESCRIPTION: SET C.C. NAIL ON CL OF 7TH ST ±198.71 EAST OF 11TH ST

REVISIONS

MARK	DATE	INITIAL	DESCRIPTION	DATE	APP'VD

PLANS PREPARED BY
APPLE ENGINEERING GROUP
SUBDIVISION ENGINEERING DESIGN SURVEYING
9080 TELSTAR AVENUE, SUITE 309
EL MONTE, CA 91731
TEL: (626) 552-9818
EMAIL: INFO@APPLEENGINEERING.NET
PREPARED UNDER THE SUPERVISION OF:
GUOXIN MIAO, P.E. RCE C73059

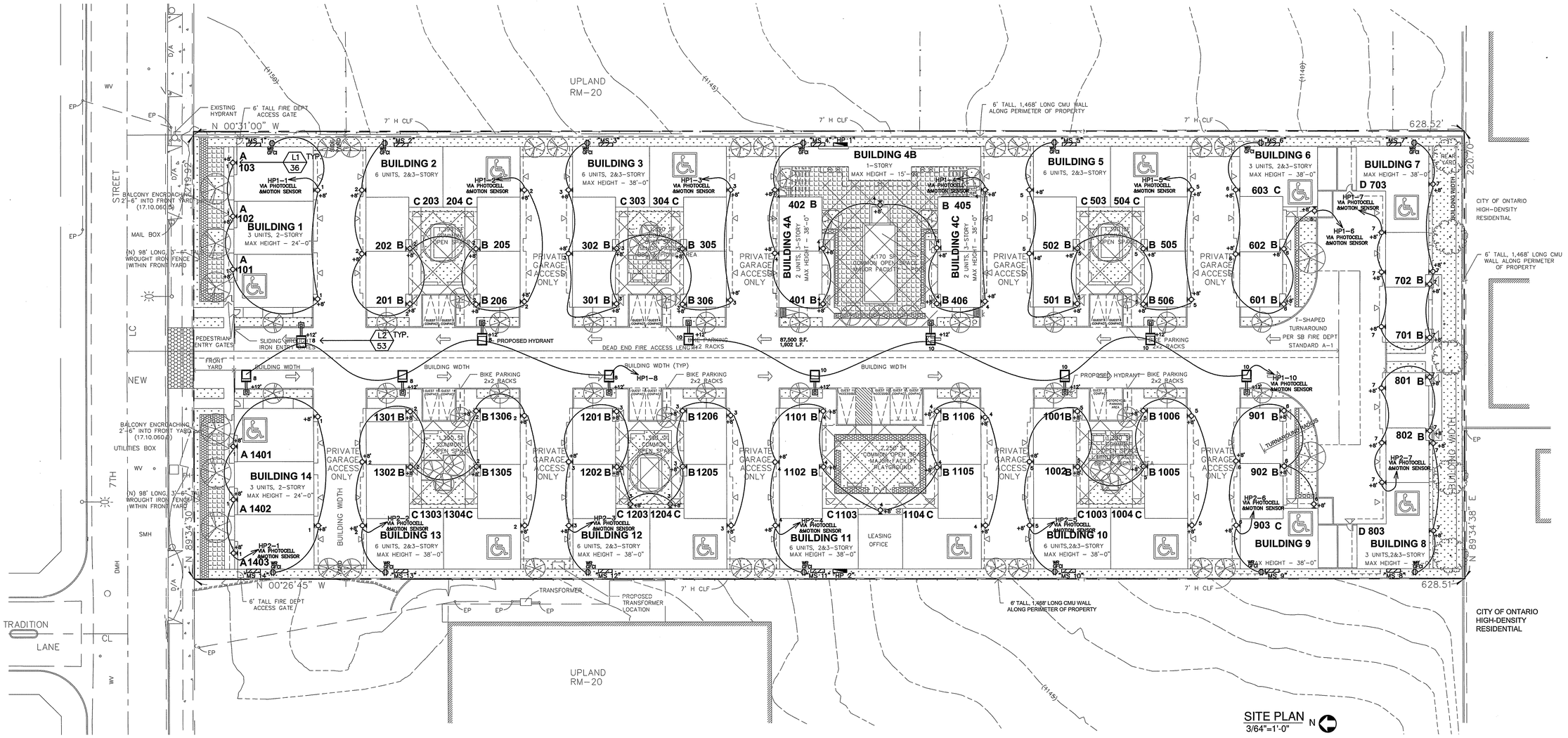
REGISTERED PROFESSIONAL ENGINEER
GUOXIN MIAO
No. 73059
Exp. 12/31/20
CIVIL
STATE OF CALIFORNIA

DRAWN BY: MIKE
DESIGNED BY: MIKE
CHECKED BY: MIKE
RECOMMENDED BY: MIKE

APPROVED BY:
DIRECTOR PUBLIC WORKS DATE
R.C.E. 44766 EXP. DATE 03/31/20
RECOMMENDED BY: ENGINEERING STAFF
RECOMMENDED BY: LAND DEVELOPMENT & TRANSPORTATION STAFF

CITY OF UPLAND
1252 EAST STREET
UPLAND, CA 91786

SHEET 2 OF 2 SHEETS
DRAWING NO.



SITE PLAN
3/64"=1'-0"

LIGHTING FIXTURE SCHEDULE

VOLT	SYMBOL	TYPE	MOUNTING: RECESSED	MOUNTING: SURFACE	MOUNTING: WALL	MOUNTING: PENDANT	MOUNTING: POLE	LAMPS: NUMBER	LAMPS: WATTAG	LAMPS: TYPE	LOAD V.A.	MANUFACTURER	CATALOG NO.	FINISH & REMARKS
120		L1 33			X			1	33	LED	33	SUN VALLEY	LCNC12-CPA-WM-PLED-IV-20LED-525MA-NW	WET LOCATION 8' HEIGHT
120		L2 53					X	1	53	LED	53	U.S. ARCHITECTURAL LIGHTING	RVL25-VLED-IV-48LED-350mA-WW-HS	WET LOCATION 12' HEIGHT

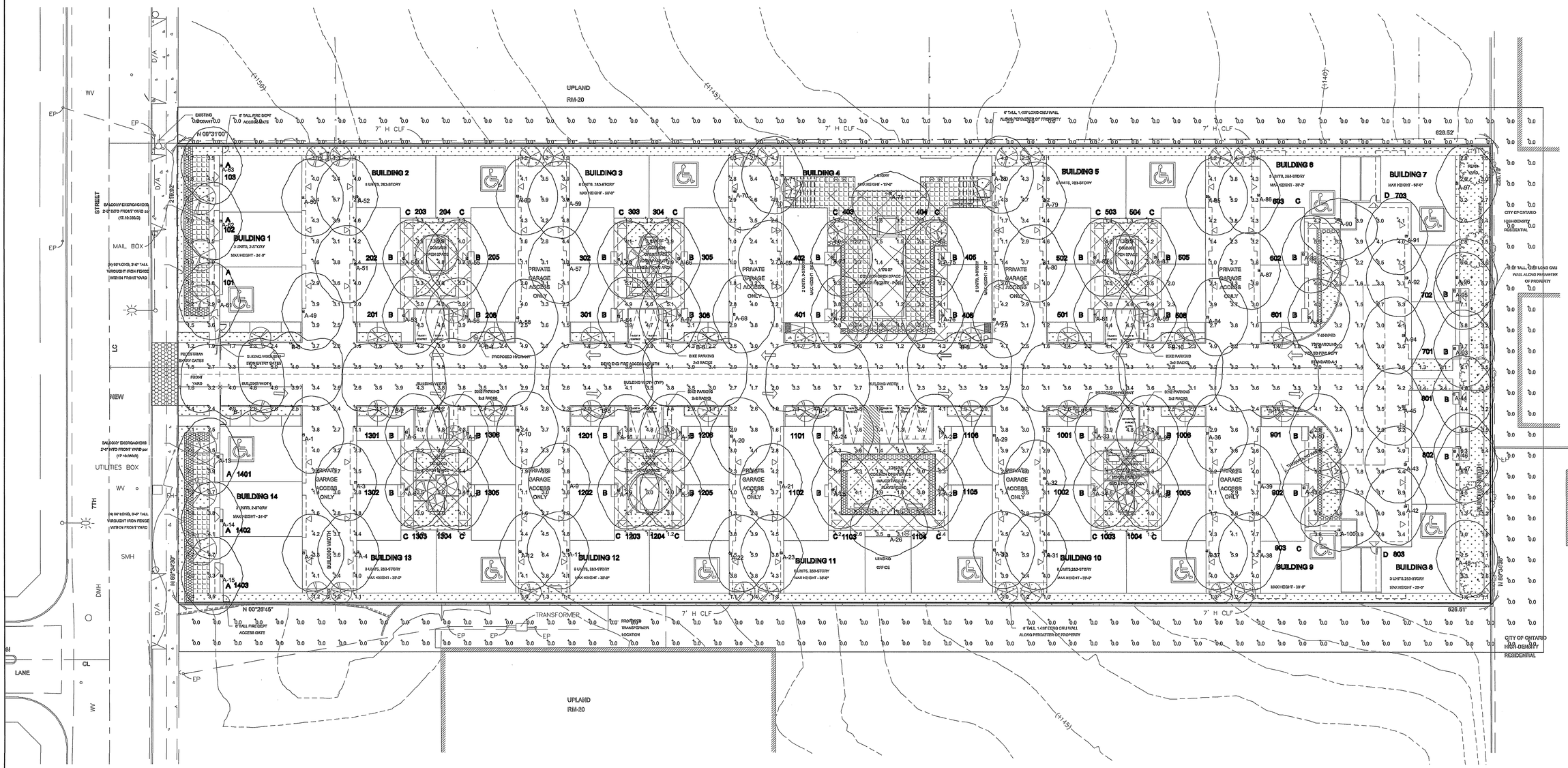
REGISTERED PROFESSIONAL ENGINEER
SHUN-JUNG CHANG
No. E11356
Exp. 12-31-21
ELECTRICAL
STATE OF CALIFORNIA

REVISIONS BY

PERFECT DESIGN & INVESTMENT, INC.
Air-Conditioning, Plumbing, Fire Sprinkler System, Electrical, Title 24 Energy Calculation.
2416 W. Valley Blvd.
Alhambra, Ca 91803
E-Mail:PERFECTIAA@aol.com
E-Mail:perfectdesign@gmail.com
Tel: (626) 289-8808
Fax: (626) 289-4913

NEW 64-UNIT APARTMENT COMPLEX
1252 E 7TH STREET
UPLAND, CA 91786

Date 04 - 27 - 2020
Scale
Drawn Y. N.
Job# F20-216
Sheet **E-2**
Of Sheets



Plan View - SITE LIGHTING PHOTOMETRIC
Scale - 1" = 20ft

Schedule											
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	A	100	U.S. ARCHITECTURAL LIGHTING	LCNC13-CPA-WM-PLED-IV-20LED-525mA-4W	CAST BLACK PAINTED METAL HOUSING, CAST BLACK PAINTED METAL DRIVER COVER, 1 CIRCUIT BOARD WITH 20 LEDS, 1 CLEAR PLASTIC OPTIC BELOW EACH LED, 1 FORMED SEMI-SPECULAR METAL OPTIC MOUNTING PLATE BELOW EACH CIRCUIT BOARD.	TWENTY WHITE LIGHT EMITTING DIODES (LEDS), VERTICAL BASE-UP POSITION, CLEAR PATTERNED ACRYLIC LENS, P4-RAYTRACE BASED ON R26-WM1-20PLED LAMP MODEL. [POWER INPUT_ELECTRICAL]120.0 VOLTS, 33.0 WATTS. VOLTAGE (120VAC, 60Hz) TO THE DRIVERS.	LCNC13-CPA-WM-PLED-IV-20LED-525mA-NW.ies	156	1	33
	B	11	U.S. ARCHITECTURAL LIGHTING	RVL25-VLED-IV-48LED-350mA-WW-HS	FABRICATED METAL HOUSING, 1 LED MODULE CONSISTING OF: 48 LEDS, VERTICAL BASE-UP POSITION, 1 CLEAR PLASTIC OPTIC BELOW EACH LED, 45 OPTICS WITH MOLDED BLACK PLASTIC HOUSE SIDE SHIELD. CLEAR FLAT GLASS LENS.		48	RVL25-VLED-IV-48LED-350mA-WW-HS.ies	95	1	53

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
INSIDE OF PROPERTY	+	3.2 fc	7.1 fc	1.0 fc	7.1:1	3.2:1
OUTSIDE OF PROPERTY	+	0.0 fc	0.0 fc	0.0 fc	N/A	N/A

REGISTERED PROFESSIONAL ENGINEER
SHUN-JUNG LIU
No. E-11756
Exp. 12-31-21
ELECTRICAL
STATE OF CALIFORNIA

REVISIONS	BY

PERFECT DESIGN & INVESTMENT, INC.
Electrical, Plumbing, Fire Sprinkler System, Air-Conditioning, Electrical, Title 24 Energy Calculation.
2416 W. Valley Blvd.
Alhambra, CA 91803
E-Mail:PERFECTAA@aol.com Tel: (626) 289-8808
E-Mail:perfectdesign@gmail.com Fax: (626) 289-4913

NEW 64-UNIT APARTMENT COMPLEX

1252 E 7TH STREET
UPLAND, CA 91786

Date 04 - 27 - 2020
Scale
Drawn Y. N.
Job# F20-216
Sheet
E-2.1
Of Sheets

SOLID STATE LIGHTING

PROJECT NAME:

FIXTURE TYPE: L1

LCN-WA WALL MOUNT-PLED

S P E C I F I C A T I O N S

FIXTURE HOUSING
Shade, Cage, and Hub are welded to create a one piece unitized Housing consisting of cast low copper (A356 alloy; < 0.2%Cu) aluminum. Cage retains four white acrylic lenses. One side of Cage is a door fastened to the Housing with a stainless steel hinge at the bottom and secured with a single stainless steel hex head cap screw at the top of the door. PLED Optical module secures to frame on the underside of the Shade and sealed with an extruded closed cell silicone gasket. Driver/wiring accessed through the Electrical Access at the bottom of the fixture. All exposed hardware is stainless steel.

DECORATIVE ARM
One piece unitized decorative arm consisting of cast low copper (A356 alloy;<0.2% Cu) aluminum. Arm is welded to the Wall Mount plate and the entire Arm/Wall Mount assembly is either welded to the the LCN12 Hood (XCNA-P; XCNB-P) or mechanically fastened to the Hub (XCNA-T; XCNB-T). All welds are blended to create a homogeneous appearance. Wall Mount plate affixed to mounting surface covering a recessed j-box.

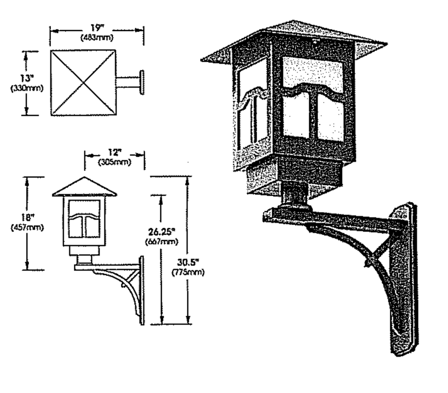
PLED™ OPTICS
Emitters (LED's) are arrayed on a metal core PCB panel with each emitter located on a copper thermal transfer pad and enclosed by an LED refractor. In asymmetric distributions, a micro-reflector inside the refractor re-directs the house side emitter output towards the street side and functions as a house side shielding element. Refractors are injection molded H12 acrylic. Each LED refractor is sealed to the PCB over an emitter and all refractors are retained by an aluminum frame. Housing frame retains white acrylic diffusing panels.

LED DRIVER(S)
Constant current electronic with a power factor of >.90 and a minimum operating temperature of -40°F. Driver(s) is/are UL and cUL recognized. In-line terminal blocks facilitate wiring between the driver and optical arrays. Drivers accept an input of 120-277V, 50/60Hz or 347V-480V, 50,60Hz. (0 - 10V dimmable driver is standard. Driver has a minimum of 3KV internal surge protector. Luminaire supplied with 20KV surge protector for field accessible installation.)

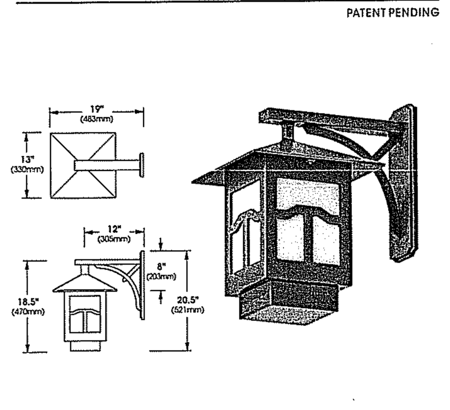
LED EMITTERS
High output LED's are utilized with drive currents ranging from 175mA to 700mA. 70CRI Minimum. LED's are available in standard Neutral White (4000K), or optional Cool White (5000K) or Warm White (3000K). Consult Factory for other LED options.

AMBER LED's
PCA (Phosphor Converted Amber) LED's utilize phosphors to create color output similar to LPS lamps and have a slight output in the blue spectral bandwidth. **TRA** (True Amber) LED's utilize material that emits light in the amber spectral bandwidth only without the use of phosphors.

FINISH
Electrostatically applied TGIC Polyester Powder Coat on substrate prepared with 20 PSI power wash at 140°F. Four step media blast and iron phosphate pretreatment for protection and paint adhesion. 400°F bake for maximum hardness and durability.



LCN12-WA/XCNA-UT (Post Top Mount)
PATENT PENDING

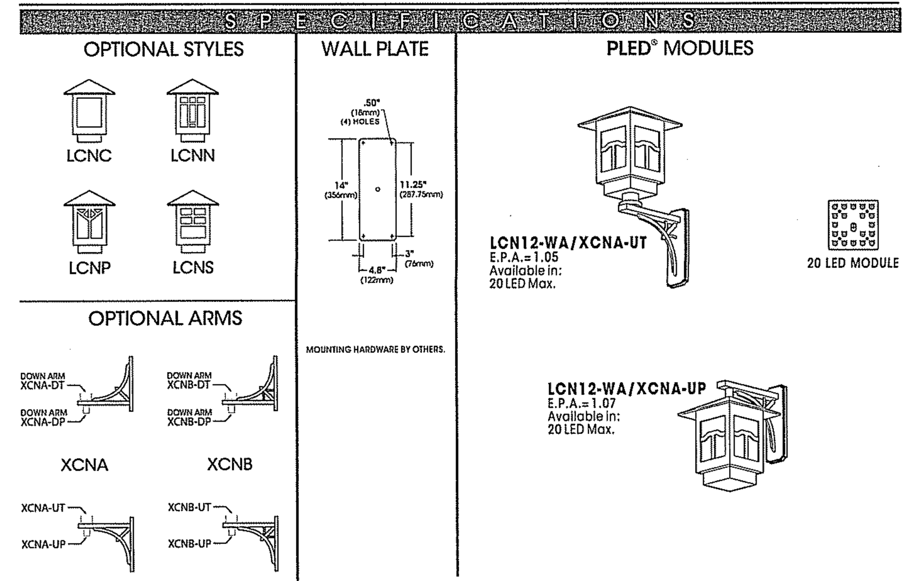


LCN12-WA/XCNA-UP (Pendant Mount)
PATENT PENDING

c UL us LISTED — MADE IN THE USA — 2019266

LCN-WA WALL MOUNT - PLED

S P E C I F I C A T I O N S



Spec/Order Example: LCNS12-WA/XCNA-UP/PLED-III-M/20LED-700mA/NW/277V/RAL-9005-T/PC+V

S P E C / O R D E R I N G I N F O R M A T I O N

LUMINAIRE	MOUNT	OPTICS	LED	VOLTAGE	FINISH	OPTIONS
☐ LCN12-WA/XCNA ☐ LCN12-WA/XCNB ☐ LCNC12-WA/XCNA ☐ LCNC12-WA/XCNB ☐ LCNN12-WA/XCNA ☐ LCNN12-WA/XCNB ☐ LCNP12-WA/XCNA ☐ LCNP12-WA/XCNB ☐ LCNS12-WA/XCNA ☐ LCNS12-WA/XCNB	DOWN ARM ☐ -DT ☐ -DP UP ARM ☐ -UT ☐ -UP	PLED® MODULES DISTRIBUTION TYPE ☐ TYPE SYMMETRIC PLED-ASY-N . . . ☐ TYPE SYMMETRIC PLED-ASY-W . .	# of LED's: ☐ 20LED DRIVE CURRENT: ☐ 175mA ☐ 350mA ☐ 450mA ☐ 525mA ☐ 700mA[1] COLOR TEMP-CCT: ☐ NW (4000K) *STANDARD ☐ CW (5000K) ☐ WW (3000K); OTHER LED COLORS AVAILABLE CONSULT FACTORY AMBER[2]: ☐ PHOSPHOR CONVERTED AMBER PCA ☐ TRUE AMBER[3] TRA	☐ 120 ☐ 208 ☐ 240 ☐ 277 ☐ 347 ☐ 480	STANDARD TEXTURED FINISH ☐ BLACK RAL-9005-T ☐ WHITE RAL-9003-T ☐ GREY RAL-7004-T ☐ DARK BRONZE RAL-8019-T ☐ GREEN RAL-6005-T FOR SMOOTH FINISH REPLACE SUFFIX "T" WITH SUFFIX "S" (EXAMPLE: RAL-9500-S) SEE USALTG.COM FOR ADDITIONAL COLORS	☐ HOUSE SIDE SHIELDS[1] . . . . HS-PLED[1] ☐ HIGH-LOW DIMMING FOR HARDWIRED SWITCHING OR NON-INTEGRATED MOTION SENSOR . . . . HLSW ☐ PHOTO CELL + VOLTAGE (EXAMPLE: PC120V) . . PC+V ☐ SINGLE FUSE (120V, 277V) . . . . SF ☐ DOUBLE FUSE (208V, 240V) . . . . DF NOTE: 1- HOUSESIDE SHIELDS ARE MOUNTED ON THE PLED PANEL INTERNAL TO THE CPA LENSES CONTACT FACTORY FOR STEP DIM MOTION SENSOR (PROGRAMMED 25-50/100)

NOTES:
1 - 700mA NOT FOR USE WITH TRA LED'S
2 - NARROW BAND AMBERS HAVE NO DEFINABLE CCT EQUIVALENT
3 - AVAILABLE IN DRIVE CURRENTS UP TO 525mA ONLY

LCN-WA WALL MOUNT - PLED

ELECTRICAL GUIDE

LED COUNT	SOURCE TYPE	SOURCE	INITIAL LUMENS - 4000K	INITIAL LUMENS - 3000K	INITIAL LUMENS - 5000K	L70 GREATER THAN (HR)-TM21	STARTING TEMP.	SYSTEM WATTS	VOLTS	MAX INPUT AMPS
20	LED	20 PLED® Optical Module - 175mA	911-1,003	865-953	956-1,053	85,000+	-20°F	11	120 277	0.09 0.04
20	LED	20 PLED® Optical Module - 350mA	1,656-1,823	1,573-1,732	1,739-1,914	85,000+	-20°F	22	120 277	0.18 0.09
20	LED	20 PLED® Optical Module - 450mA	2,050-2,257	1,948-2,144	2,153-2,370	85,000+	-20°F	29	120 277	0.23 0.10
20	LED	20 PLED® Optical Module - 525mA	2,389-3,630	2,270-2,499	2,509-2,762	85,000+	-20°F	33	120 277	0.27 0.12
20	LED	20 PLED® Optical Module - 700mA	3,036-3,342	2,884-3,175	3,188-3,510	85,000+	-20°F	44	120 277	0.36 0.16

MULTIPLIERS FOR LATTICE DEPRECIATION

LCN12-WA	LCNC12-WA	LCNN12-WA	LCNP12-WA	LCNS12-WA
x0.82	Base model (no lattice)	x0.62	x0.50	x0.59

NOTES:
1. Max Input Amps is the highest of starting, operating, or open circuit currents
2. Lumen values for LED Modules vary according to the distribution type
3. System Watts includes the source watts and all driver components.
4. Fuse value should be sufficient to protect all wiring components. For electronic driver and LED component protection, use 10KV - 20KV surge suppressors.
5. L70(14K) - TM-21 6x rule applied
L70(14K) - Calculated = 244,000 @ 700mA

WARNING: All fixtures must be installed in accordance with local codes or the National Electrical Code. Failure to do so may result in serious personal injury.

2/28/2(

SOLID STATE AREA LIGHTING

PROJECT NAME:

FIXTURE TYPE:

RVL SERIES - VLED

FEATURES

Luminaire and Arm
Heavy walled one-piece aluminum spinning with single reveal for additional rigidity. Arm is heavy cast low copper aluminum (A356 alloy, < .02% copper) and also functions as driver compartment.

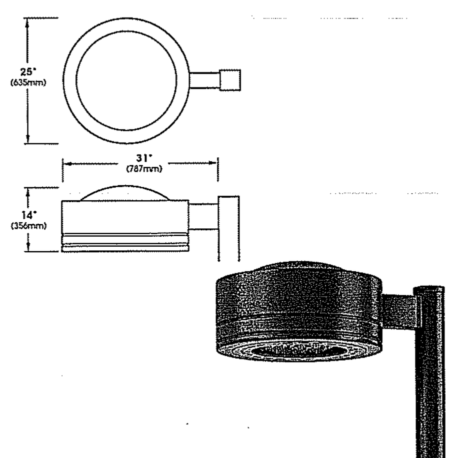
VLED® Optics
ow copper (A356 Alloy; <0.2% Cu) cast aluminum housing. Integrated clear tempered glass lens sealed with a continuous silicone gasket protects emitters (LED's). Reflector-Prism optics, and seals the module from water intrusion and environmental contaminants. Module is sealed to meet an IP67 rating. Each emitter is optically controlled by a Reflector-Prism injection molded from H12 acrylic (3 types per module; one from 0° - 50°; one from 50° - 65°; one from 65° - 72°). Each Reflector-Prism is secured to an optical plate made of matte black anodized aluminum has indexing pins for precise aiming. The optical plate locates every Reflector-Prism over an emitter, are inserted to the optical plate from above and are secured with a UV curing adhesive. The Reflector-Prisms are arrayed to produce IES Type II, III, IV, and V-SQ distributions. The entire Optical Module is field rotatable in 90° increments. Both module and drivers are factory wired using water resistant, insulated cord.

LED Emitters
High output LED's are utilized with drive currents ranging from 350mA to 700mA. 70CRI Minimum. LED's are available in standard Neutral White (4000K), or optional Cool White (5000K) or Warm White (3000K). Consult Factory for other LED options.

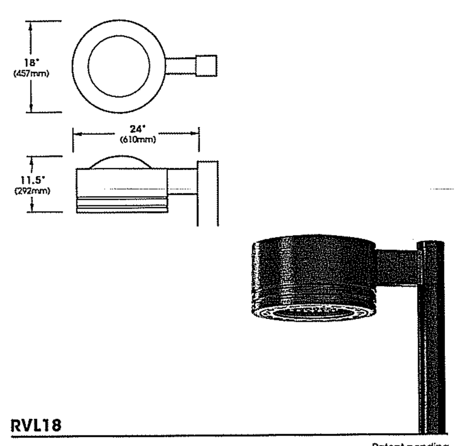
LED Driver
Constant current programmable electronic with a power factor of >.90 and a minimum operating temperature of -40°F/-40°C. Driver(s) is/are UL and cUL recognized. In-line terminal blocks facilitate wiring between the driver and optical arrays. Drivers accept an input of 120-277V, 50/60Hz or 347V-480V, 50,60Hz. (0 - 10V dimmable driver is standard. Driver has a minimum of 3KV internal surge protection. Luminaire supplied with 20KV surge protector for field installation.)

Amber LED's
PCA (Phosphor Converted Amber) LED's utilize phosphors to create color output similar to LPS lamps and have a slight output in the blue spectral bandwidth. TRA (True Amber) LED's utilize material that emits light in the amber spectral bandwidth only without the use of phosphors.

Finish
Polyester powder coat incorporates four step iron phosphate process to pretreat metal surface for maximum adhesion. Top coat is baked at 400°F for maximum hardness and exterior durability.



RVL25
Patent pending



RVL18
Patent pending

c UL us LISTED — MADE IN THE USA — 2020058

RVL SERIES - VLED

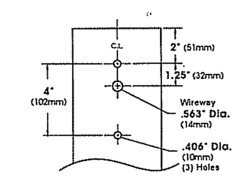
LED/ Electrical Guide (pg. 1)

LED Count	Source Type	Source	Initial Lumens - 4000K CCT	Initial Lumens - 3000K CCT	Initial Lumens - 5000K CCT	L70 greater than (HR)	Starting Temp.	System Watts	Volts	Max Input Amps
RVL18										
48	White LED	48 VLED® Optical Module - 350mA	6169-6558	5860-6230	6478-6886	90,000+	-40°C	53/59	120 277 347	0.44/0.49 0.19/0.21 0.15/0.17
48	White LED	48 VLED® Optical Module - 525mA	8494-9031	8069-8579	8919-9482	90,000+	-40°C	77/83	120 277 347	0.64/0.69 0.28/0.3 0.22/0.24
48	White LED	48 VLED® Optical Module - 700mA	10635-11307	10103-10742	11167-11872	90,000+	-40°C	103/109	120 277 347	0.86/0.91 0.37/0.39 0.3/0.31
64	White LED	64 VLED® Optical Module - 350mA	8225-8338	7813-7921	8636-8755	90,000+	-40°C	69/75	120 277 347	0.58/0.63 0.25/0.27 0.2/0.22
64	White LED	64 VLED® Optical Module - 525mA	11325-11481	10759-10907	11891-12055	90,000+	-40°C	102/108	120 277 347	0.85/0.9 0.37/0.39 0.29/0.31
80	White LED	80 VLED® Optical Module - 350mA	9675-9808	9191-9317	10159-10298	90,000+	-40°C	87/93	120 277 347	0.73/0.78 0.31/0.34 0.25/0.27
80	White LED	80 VLED® Optical Module - 525mA	13189-13370	12529-12701	13848-14038	90,000+	-40°C	127/133	120 277 347	1.06/1.11 0.46/0.48 0.37/0.38
RVL25										
48	White LED	48 VLED® Optical Module - 350mA	6169-6558	5860-6230	6478-6886	90,000+	-40°C	53/59	120 277 347	0.44/0.49 0.19/0.21 0.15/0.17
48	White LED	48 VLED® Optical Module - 525mA	8494-9031	8069-8579	8919-9482	90,000+	-40°C	75/81	120 277 347	0.63/0.68 0.27/0.29 0.22/0.23
48	White LED	48 VLED® Optical Module - 700mA	10635-11307	10103-10742	11167-11872	90,000+	-40°C	105/111	120 277 347	0.88/0.93 0.38/0.4 0.3/0.32
64	White LED	64 VLED® Optical Module - 350mA	8225-8745	7813-8308	8636-9183	90,000+	-40°C	71/77	120 277 347	0.59/0.64 0.26/0.28 0.2/0.22
64	White LED	64 VLED® Optical Module - 525mA	11325-12042	10759-11440	11891-12644	90,000+	-40°C	103/109	120 277 347	0.86/0.91 0.37/0.39 0.3/0.31
64	White LED	64 VLED® Optical Module - 700mA	13190-13824	12531-13133	13849-14516	90,000+	-40°C	140/146	120 277 347	1.17/1.22 0.51/0.53 0.4/0.42
80	White LED	80 VLED® Optical Module - 350mA	9675-10286	9191-9772	10159-10801	90,000+	-40°C	87/93	120 277 347	0.73/0.78 0.31/0.34 0.25/0.27
80	White LED	80 VLED® Optical Module - 525mA	13189-14023	12529-13322	13848-14724	90,000+	-40°C	127/133	120 277 347	1.06/1.11 0.46/0.48 0.37/0.38
80	White LED	80 VLED® Optical Module - 700mA	16487-17280	15662-16416	17311-18144	90,000+	-40°C	173/179	120 277 347	1.44/1.49 0.62/0.65 0.5/0.52
100	White LED	100 VLED® Optical Module - 350mA	11776-12304	11187-11689	12365-12919	90,000+	-40°C	108/114	120 277 347	0.9/0.95 0.39/0.41 0.31/0.33
100	White LED	100 VLED® Optical Module - 525mA	16291-17025	15476-16174	17106-17877	90,000+	-40°C	160/166	120 277 347	1.33/1.38 0.58/0.6 0.46/0.48
120	White LED	120 VLED® Optical Module - 350mA	14129-14765	13423-14027	14836-15503	90,000+	-40°C	129/135	120 277 347	1.08/1.13 0.47/0.49 0.37/0.39
120	White LED	120 VLED® Optical Module - 525mA	19549-20430	18572-19408	20527-21451	90,000+	-40°C	192/198	120 277 347	1.6/1.65 0.69/0.71 0.55/0.57

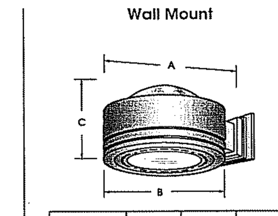
RVL SERIES - VLED

SPECIFICATIONS

Pole Drilling Template



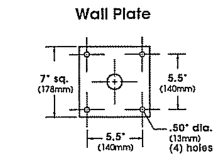
Wall Mount



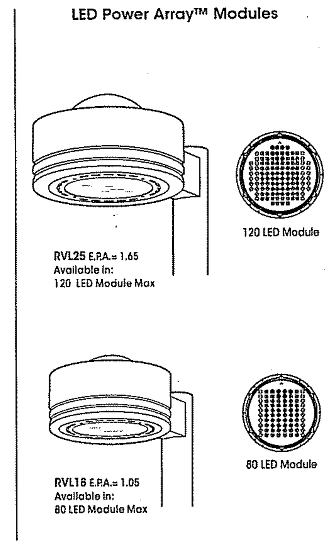
Fixture	A	B	C
RVL25	31" (787mm)	25" (635mm)	14" (356mm)
RVL18	24" (610mm)	18" (457mm)	11.5" (292mm)

Extruded aluminum arm and cast aluminum wall bracket assembly provided with built in gasketed wire access for fixture/supply wire connection.

Wall Plate



LED Power Array™ Modules



ORDERING INFORMATION

Spec/Order Example: RVL25/VLED-III-W/80LED-525mA/NW/277/1/RAL-7005-S

Luminaire	Optics	LED	Voltage	Mounting	Finish	Options
☒ RVL25-VLED ☐ RVL18-VLED	VLED® IES Distribution Type ☐ Type II VLED-II ☐ Type III VLED-III ☒ Type IV VLED-IV ☐ Type V Med. VLED-V-SQ	# of LEDs: RVL25: ☐ 120LED[1] ☐ 100LED[1] ☐ 80LED ☐ 64LED; RVL18: ☐ 80LED[1] ☐ 64LED ☐ 48LED Drive Current: ☐ 700mA ☐ 525mA ☒ 350mA Color Temp - CCT: ☐ NW (4000K)* *Standard ☐ CW (5000K) ☐ WW (3000K); Other LED Colors Available Consult Factory Amber[2]: ☐ Phosphor Converted Amber PCA ☐ True Amber[1] TRA	☒ 120 ☐ 208 ☐ 240 ☐ 277 ☐ 347 ☐ 480	☒ 1 ☐ 2-90 ☐ 2-180 ☐ 3-90 ☐ 3-120 ☐ 4-90 Wallmount: ☐ WM Post Top: ☐ PT See USALTG.COM for additional arm styles	Standard Textured Finish ☐ Black RAL-9005-T ☐ White RAL-9003-T ☐ Grey RAL-7004-T ☐ Dark Bronze RAL-8019-T ☐ Green RAL-6005-T For smooth finish replace suffix "T" with suffix "S" (Example: RAL-9500-S) Consult factor for custom colors	☐ Stem Mount + Length(in) (48" Max) SM+L ☐ Chain Mount + Length(in) (48" Max) CM+L ☐ Internal House Side Shields inc. LED Count (Example: HS-VLED/48) HS-VLED ☐ Twist Lock Receptable Only TPR ☐ 7-Pin Twist Lock Receptable Only TPR7 ☐ High-Low Dimming for Switch by Others/Select Levels 50/100 or 25/100 (Example: HLSW/25) HLSW ☐ Photo Cell + Voltage (Example: PC120V) PC+V ☐ Single Fuse (120V, 277V) SF ☐ Double Fuse (208V, 240V) DF ☒ Programmable Photo/Motion Sensor (Factory - Motion 50/100; Photo 75fc) MS-F211 ☐ Remote Motion Sensor Configurator MS-FC10

NOTES:
1 - Available in 350mA & 525mA Drive Currents only
2 - Narrow band Ambers have no definable CCT equivalent

REVISIONS | BY

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NEW 64-UNIT APARTMENT COMPLEX
1252 E 7TH STREET
UPLAND, CA 91786

Date 4-27 2020
Scale
Drawn Y. N.
Job #F20-216
Sheet **E-2.2**
Of Sheets

Exhibit G – Biological Resources Assessment

BIOLOGICAL RESOURCES ANALYSIS

1252 E 7th Street
City of Upland
San Bernardino County, California

Prepared for:

KIVA LLC
3030 East Colorado Boulevard
Pasadena, CA 91107
Attn: Mr. Naji Garabet

Prepared by:

ENVICOM CORPORATION
4165 E. Thousand Oaks Boulevard, Suite 290
Westlake Village, California 91362
Attn: Mr. David West

December 19, 2019

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Appendix 5 Wildlife Observed, November 26, 2019
Appendix 6 Potential for Occurrence – Special-Status Wildlife Species

1.0 INTRODUCTION

Envicom Corporation has prepared this biological resources analysis for the proposed construction of a new apartment complex on an existing developed but abandoned property at 1252 East 7th Street in Upland, CA ("Project"). The City of Upland has requested that a Biological Resources Analysis be completed for the Project in order to determine whether it qualifies for a Class 15332 In-Fill Development Project Exemption.

This report provides an inventory of the biological resources within the study area. The report first covers the literature reviewed and field surveys conducted to identify the biological resources at the site, followed by a discussion of existing biological conditions including vegetation and plant communities, natural communities of special concern, observed plant species, special-status plant species, protected trees, jurisdictional areas, wildlife species, special-status wildlife, and habitat linkages and wildlife movement. A land cover map and representative photographs of habitat conditions at the site are provided. Lists of plant and wildlife species observed, as well as an assessment of the potential for occurrence of special-status plant and wildlife species at the Project site and within the study area are provided as appendices to the report.

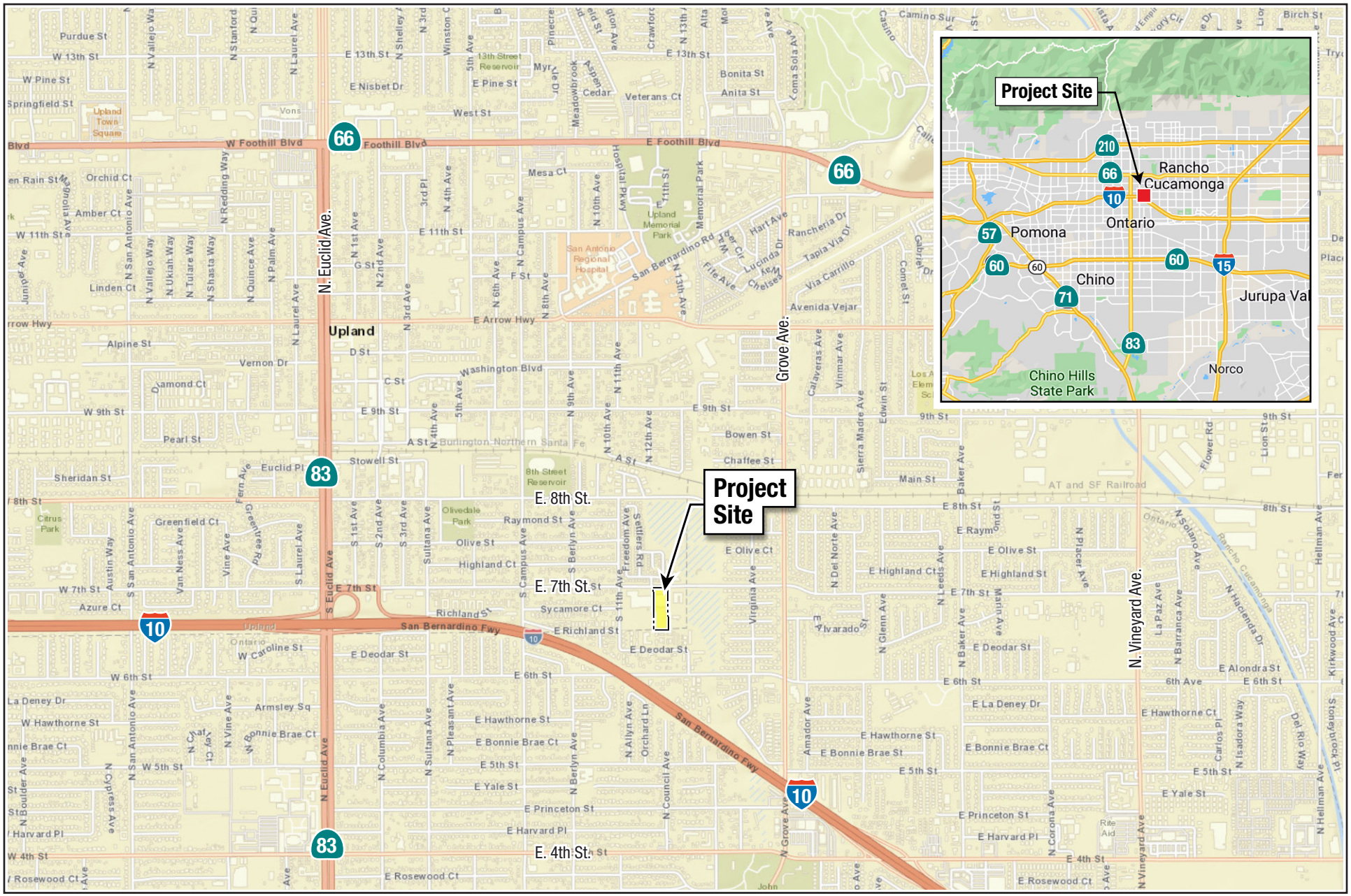
1.1 SITE LOCATION AND PROJECT DESCRIPTION

The proposed Project would re-develop an approximately 3.18-acre infill site consisting of one parcel located at 1252 East 7th Street in the City of Upland. The subject property is associated with Assessor's Parcel Number (APN) 1047-181-02. Surrounding and nearby uses include single and multifamily residences, light industrial uses, an army reserve office, a rehabilitation center, and a flood control/recharge basin. The location of the proposed Project is shown on **Figure 1 – Regional Location Map**.

The Project site is currently developed with a vacant one-story commercial/industrial building with associated parking, staging, and landscaped areas. The Project would include removal of the existing structure and parking lot from the site and construction of an apartment complex consisting of 66 dwelling units within fourteen two to three-story buildings with maximum heights of 24 to 38 feet. The proposed Project would also include 0.32 acres of common open space and 0.40 acres of private open space, as well as approximately 0.44 acres of landscaping. The Project would provide 149 parking spaces, including 132 resident spaces in private garages and 17 outdoor surface parking spaces for guests. Vehicular and pedestrian access would be from East 7th Street. The Project would close an existing driveway at the northeast corner, reduce the size of the shared driveway at the northwest corner and construct one new driveway. Project plants provided by L+V Architects Inc. and dated November 12, 2019 are provided as **Appendix 1**.

1.2 STUDY AREA

The study area encompassed all outdoor portions of the entire parcel (APN 1047-181-02). The parcel is located within the NE ¼ of the USGS 7.5-Minute Ontario topographical quadrangle within Section 17 of Township 1S, Range 7W. Elevations within the survey area change gradually from 347 meters above mean sea level (amsl) at the southern end of the property to 350 meters amsl at the northern end of the property. The property is bound by the Thrall Army Reserve Center to the east, E. 7th Street to the north, other commercial structures and associated parking and staging areas to the west, and residential development to the south. For further detail, see **Figure 2, Aerial of the Study Area with Photo Locations**.



Source: ESRI, World Street Map, 2016.

envicom

Regional Location Map

FEET 0 2,000 4,000

FIGURE 1

Source: Google Earth Pro, June 8, 2018.

envicom

Aerial of Study Area with Photo Locations

0 40 80 Feet

FIGURE 2

1.3 DIRECTIONS AND CONTACT INFORMATION

Directions to the Project site beginning from the City of Upland Development Services Department (460 N. Euclid Ave, Upland, CA 9178) are as follows:

1. Head South on N 1st Ave toward D St. (240 ft.)
2. Turn Right onto D St. (400 feet)
3. Turn Left onto Euclid Ave. (0.7 miles)
4. Turn Left onto E. 7th St. (1 mile)
5. Destination on Right

Contact Information

The City of Upland is the Lead Agency for permitting and compliance under the California Environmental Quality Act. Contact information for the City and the biological consultant are provided below.

Lead Agency	Biological Consultant
City of Upland Development Services Department 460 N. Euclid Ave Upland, CA 91786 Office: (909) 931-4130	Envicom Corporation David West 4165 E. Thousand Oaks Boulevard, Suite 290 Westlake Village, CA 91362 Office: (818) 879-4700

2.0 METHODS

A literature review was performed in preparation for field surveys that included information available in standard biological references (e.g., Baldwin et al. 2012; Sawyer, Keeler-Wolf, and Evens 2009; Reid 2006; Stebbins 2003; and Sibley 2016), and relevant lists and databases pertaining to the status and known occurrences of sensitive and special-status resources. Other sources of information included aerial photographs, topographic maps, soil survey maps, climatic data, and relevant policy and planning documents. The following sources were among those reviewed in preparation for field surveys, or that were consulted during preparation of this report (for a complete list see the references section):

- *Biogeographic Information and Observation System (BIOS)*, California Department of Fish and Wildlife (CDFW), data as of November 25, 2019;
- *California Natural Diversity Database (CNDDB) Rarefind 5* report for the 7.5' USGS Ontario quadrangle and all adjacent quadrangles, CDFW, data as of November 25, 2019;
- *California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California* report for the 7.5' USGS Ontario quadrangle and all adjacent quadrangles, CNPS, data as of November 25, 2019;
- *FWS Critical Habitat Mapper for Threatened and Endangered Species*, U.S. Fish and Wildlife Service (USFWS), data as of November 25, 2019;
- *List of Special Vascular Plants, Bryophytes, and Lichens*, CDFW, October 2019;
- *California Natural Communities List*, CDFW, November 8, 2019; and,
- *Special Animals*, CDFW, August 2019.

The *CNDDB* and CNPS database search results are included as **Appendix 2.**

Envicom Corporation biologist David West conducted the biological survey and habitat mapping of the site on November 26, 2019. The survey was conducted between the hours of 9:30 a.m. and 11:30 a.m. in cool conditions (mid-50s to low-60s °F) with clear skies and no wind to light wind. The survey involved a search for protected and regulated biological resources, including rare, threatened, and endangered plant and wildlife species, special habitats, sensitive natural communities, jurisdictional areas, and locally sensitive resources. The study area included the entire subject parcel, where accessible.

The survey was performed by slowly walking several transects across the study area and by investigating particular areas thoroughly as necessary. The survey methodology resulted in a thorough investigation of all plant communities and land cover types within the study area. Indoor areas, i.e. inside of a metal cargo container on the property and inside of the abandoned building, were not assessed. An inventory of vascular plants and wildlife observed was recorded during the survey. Vascular plant species determinations were made using *The Jepson Manual: Vascular Plants of California, 2nd edition*.

Vertebrate wildlife species observed at and in the vicinity of the site were identified by direct observation, sign (e.g., tracks, scat, or burrows), or vocalization. Wildlife species identification relied upon Reid (2006), Sibley (2016), and Stebbins (2003). Several photographs were taken as a record of site conditions at the time of the survey.

3.0 ENVIRONMENTAL SETTING

The Project site is located in a heavily urbanized setting within the Inland Empire. Developments, including residential, commercial, and industrial uses are continuous for miles in all directions. To the north, five (5) miles of development exist between the subject property and Cucamonga Canyon and the foothills of the San Gabriel Mountains. To the west, development is continuous until reaching the eastern flank of the Santa Monica Mountains 42 miles away. To the east, development continues for 33 miles until reaching the eastern flank of the San Gabriel Mountains, and to the south, it is 12 miles to the Prado Reservoir and the Santa Ana Mountains beyond. Average annual precipitation is approximately 17.3 inchers per year, with an average summer high temperature of 90ºF and low of 61ºF, and an average winter high of 68ºF and low of 47ºF (weather.com average weather for Upland, CA). See **Plate 1, Representative Photographs of Site Conditions** for conditions of the site during the November 2019 survey.

The property is relatively level, with elevation ranging from 347 meters at the southern end of the property to 350 meters and the northern end. The northern three quarters of the property are paved for parking and staging and include the large existing single-story structure. The southern quarter of the property consists of ruderal grassland. Vegetation within the study area generally consists of grasses and forbs in the ruderal grassland and weedy grasses and small shrubs that are growing out of cracks in the disused pavement. Additionally, landscape trees are present in the front of the building, including pine trees along the front edge of the structure and broad-leaved ornamental trees in a landscaping strip adjacent to the sidewalk by East 7th street. Other small ornamental shrubs are present at the front of the structure.

The Project site is located within the Lower Chino Creek subwatershed of the Chino Creek Watershed. No aquatic resources exist within the subject property, with the nearest such feature being an artificial debris / catch basin located approximately 300 feet to the east on the far side of the neighboring Thrall Army Reserve Center.

The National Resources Conservation Service (NRCS) describes one (1) soil type within study area, as shown in **Figure 3, Natural Resources Conservation Service Soils Map**. Soils within the study area are classified as Tujunga gravelly loamy sand, 0 to 9 percent slopes. There are no hydric soils within the survey area.

Photo 1A – A view from the back of the building looking over much of the paved area and ruderal field beyond.

Photo 1B – A view of the paved and staging area and the back of the existing building.

Photo 1C – A view from the ruderal field showing the conditions thereof, as well as of the paved and staging areas behind the existing building.

Photo 1D – A view of the front of the existing building showing the landscape pine trees in various states of health and the existing front parking lot.

All photos taken on November 26, 2019

Representative Photographs of Site Conditions

Source: Google Earth Pro, June 8, 2018. Data Source: NRCS Soils: http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx.

envicom

Natural Resources Conservation Service Soils Map

0 40 80 Feet

FIGURE 3

4.0 BIOLOGICAL RESOURCES

4.1 VEGETATION AND SENSITIVE PLANT COMMUNITIES

As stated above, there is little vegetation within the study area. Approximately 75% of the study area is paved or occupied by the large existing structure. In front of the building, vegetation includes ornamental broad-leaved trees, pines, and small shrubs. Throughout the paved area, plants identified consist primarily of non-native weedy species that are growing through cracks in the pavement. The ruderal grassland that occupies the southern 25% of the property is comprised primarily of non-native grasses, forbs, and small shrubs. Historical aerial imagery (Google Earth Pro) indicates that the condition of the ruderal grassland has not changed since at least 1994, and that it is subject to recurring mowing, and is highly disturbed.

Based upon the field survey, there are no native plant communities and one non-native plant community present within the study area. This plant community and other land cover types identified within the study area are presented in **Table 1 - Land Cover Types Within the Study Area** and illustrated in **Figure 4 – Generalized Land Cover and Project Overlay Map**. The acreages of land cover within the study area are provided in Table 1.

In addition, based on a review of the CDFW *Natural Diversity Database (CNDDB) Rarefind* 5 application, no rare or sensitive plant communities or habitats have been reported to the *CNDDB* within the study area.

4.1.1 Plant Communities

Herbaceous Communities

Ruderal Grassland

The only plant community located within the study area that is not comprised entirely of ornamental plantings is the ruderal grassland that occupies the southern 25% of the study area. As verified by historical aerial imagery, this portion of the property has been subject to continual modification (mowing and/or discing) going back at least as far as 1994. Plant species identified within this grassland include various non-natives including grasses, lambs quarters (*Chenopodium album*) cheeseweed (*Marva parviflorum*), hoary mustard (*Hirschfelda incana*), and Russian thistle (*Salsola* sp.), and native plants common to disturbed areas, such as annual burrweed (*Ambrosia acanthicarpa*) and telegraph weed (*Heterotheca grandiflora*).

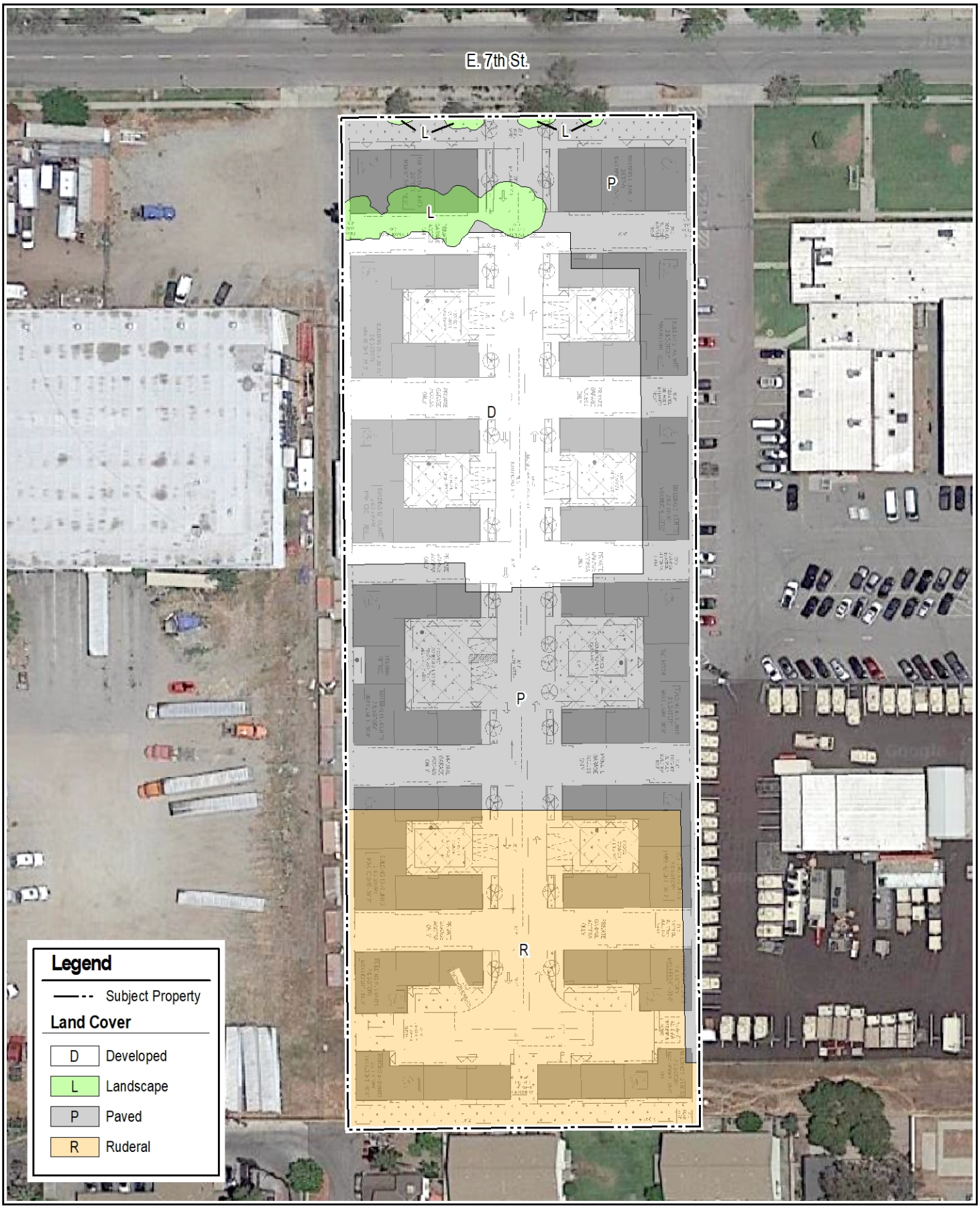
Other Land Cover

Landscaping

Landscaping, including several broad-leaved trees, pines, and some small shrubs, are located at the front of the existing structure. These plants are non-native and were planted as ornamentals.

Developed / Paved

Approximately 75% of the subject property is occupied by the existing structure and associated paved areas, which include parking and staging areas.



Source: Google Earth Pro, June 8, 2018.

envicom

Generalized Land Cover and Project Overlay Map

0 40 80 Feet

FIGURE 4

Table 1
Land Cover Types Within the Study Area

Habitat Class	Plant Community	Conservation Status Rank	Total Cover Within Study Area (acres)
Herbaceous	Ruderal Grassland	Not Ranked	0.96
Other Land Cover	Developed	Not Ranked	0.88
	Paved	Not Ranked	1.23
	Landscaping	Not Ranked	0.09
		Total Acreage	**3.16**

4.1.2 Plant Communities/Habitats Listed in CNDDB

A review of the CDFW's *Natural Diversity Database (CNDDB)* Rarefind 5 application reveals ten (10) Sensitive Plant Communities/Habitats have been reported by other observers in the Ontario Quadrangle area, or within all adjacent quadrangles. These reported communities are as follows:

- California Walnut Woodland;
- Canyon Live Oak Ravine Forest;
- Coastal and Valley Marsh;
- Riversidian Alluvial Fan Sage Scrub;
- Southern Arroyo Chub / Santa Ana Sucker Stream;
- Southern Coast Live Oak Riparian Forest;
- Southern Cottonwood Willow Riparian Forest;
- Southern Sycamore Alder Riparian Woodland;
- Southern Willow Scrub; and,
- Walnut Forest.

These *CNDDB*-listed communities and habitats are absent from the site.

4.2 PLANT SPECIES

4.2.1 Plant Species Observed

A total of 19 vascular plant taxa were identified during the November 26, 2019 site survey, including one (1) conifer, 14 dicots and four (4) monocots. Landscape ornamental species within the study area were generally not included in the list of vascular plants. Two (2) of the plants observed were native and the remaining 17 were non-native, indicating a very high proportion of non-native plants, as is common in highly disturbed and urban sites. A complete list of the vascular plant species observed in the study area is provided in **Appendix 3.**

4.2.2 Special-Status Plant Species

Special-status plant species either have unique biological significance, limited distribution, restricted habitat requirements, particular susceptibility to human disturbance, or a combination of these factors. For the purposes of this report, special-status plant species are those plants listed, proposed for listing, or candidates for listing as Threatened or Endangered by the U.S. Fish and Wildlife Service (USFWS) under the Federal Endangered Species Act (FESA); those listed or proposed for listing as Rare, Threatened, or Endangered by the CDFW under the California Endangered Species Act (CESA); and plants on the *CNPS Inventory of Rare and Endangered Vascular Plants* with a California Rare Plant Rank (CRPR) of 1A

(plants presumed extirpated in California and either rare or extinct elsewhere), 1B (plants considered to be rare, threatened, or endangered species in California and elsewhere), 2A (plants presumed extirpated in California, but more common elsewhere), and 2B (plants considered rare, threatened, or endangered in California, but more common elsewhere).

Plants with a CRPR of 4 are not rare, but rather are included on a "watch list" of species with limited distribution. While plants in this category cannot be called "rare" from a statewide perspective, and very few, if any, are eligible for state listing, many of them are significant locally. For this reason, CNPS strongly recommends that CRPR 4 plants be evaluated for consideration during preparation of environmental documents, which may be particularly appropriate for: the type locality of a CRPR 4 plant; populations at the periphery of a species' range; areas where the taxon is especially uncommon; areas where the taxon has sustained heavy losses; or, populations exhibiting unusual morphology or occurring on unusual substrates.

The status codes for special-status plants are described in **Table 2, Status Codes for Special-Status Plants**.

Table 2
Status Codes for Special-Status Plants

FEDERALLY PROTECTED SPECIES	
FE (Federal Endangered)	A species that is in danger of extinction throughout all or a significant portion of its range.
FT (Federal Threatened)	A species that is likely to become Endangered in the foreseeable future.
FC (Federal Candidate)	A species for which USFWS has sufficient information on its biological status and threats to propose it as Endangered or Threatened under the Endangered Species Act (ESA), but for which development of a proposed listing regulation is precluded by other higher priority listing activities.
STATE PROTECTED SPECIES	
CE (California Endangered)	A native species or subspecies which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.
CT (California Threatened)	A native species or subspecies that, although not presently threatened with extinction, is likely to become an Endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as "Rare" on or before January 1, 1985, is a "Threatened species."
CR (California Rare)	A species, subspecies, or variety of plant is rare under the Native Plant Protection Act when, although not presently threatened with extinction, it is in such small numbers throughout its range that it may become Endangered if its present environment worsens. Animals are no longer listed as Rare; all animals listed as Rare before 1985 have been listed as threatened.

CALIFORNIA RARE PLANT RANK (CRPR) (formerly CNPS Lists)	
CRPR 1A	Plants presumed extirpated in California and either rare or extinct elsewhere.
CRPR 1B	Plants rare, threatened, or endangered in California and elsewhere.
CRPR 2A	Plants presumed extirpated in California, but more common elsewhere.
CRPR 2B	Plants rare, threatened, or endangered in California, but more common elsewhere.
CRPR 3	A review list for plants for which there is inadequate information to assign them to one of the other lists or to reject them.
CRPR 4	A watch list for plants that are of limited distribution in California.
CALIFORNIA NATIVE PLANT SOCIETY (CNPS) THREAT RANK	
The CNPS Threat Rank is an extension added onto the California Rare Plant Rank and designates the level of endangerment, as follows: • 0.1-Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat) • 0.2-Fairly threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat) • 0.3-Not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known)	

Special-Status Species Observed

No Federal- or State-listed plant species were observed within the study area.

Potential for Occurrence Analysis

An evaluation of the potential for occurrence at the site of special-status plant species known to occur in the region was undertaken through a search of the CNPS *Online Inventory of Rare and Endangered Plants*, 8th ed. (CNPS 2019) and the California Department of Fish and Wildlife's *Natural Diversity Data Base (CNDDB) Rarefind 5* application (CDFW 2019) for sensitive "elements" reported within the Ontario quadrangle, and all adjacent quadrangles, namely Glendora, Mt. Baldy, Cucamonga Peak, San Dimas, Guasti, Yorba Linda, Prado Dam, and Corona North. Additional special-status species not reported by the *CNDDB* that are anticipated to occur in the region were also considered. Based upon a review of the resources and databases listed above, 43 special-status vascular plant species have been documented within the nine USGS quadrangles. The *CNDDB*/CNPS derived lists are provided in Appendix 2. The analysis of the potential for occurrence of special-status plants is presented in **Appendix 4**, including growth form, blooming period, protection status, primary habitat associations, and an assessment of the potential for occurrence as observed, potentially present, presumed absent, and absent.

No special-status plant species were found within the study area. As discussed in Appendix 4, most special-status plant species known to occur in the region are precluded from occurring at the site due to lack of suitable habitat or because the site is outside of the known range of the species. Other species particularly shrubs and many of the perennial herbs could be confirmed as absent as they were not found during the survey.

After reviewing the habitat requirements, range, and distribution of the special-status plants that have been reported within the Ontario guadrangle and all adjacent quadrangles, no rare, threatened, or endangered species are considered to be potentially occurring within the study area.

4.3 PROTECTED TREES

According to City of Upland Ordinance No. 1913, Tree Care Ordinance 12.26 is intended to safeguard heritage trees in the City's right of way, or "urban forest". These protections specifically call for the identification and preservation of landmark and historical trees existing within the City right of way. No trees on the property meet these specifications and are not subject to the protections outlined in this ordinance.

All trees on the subject property are planted landscape trees and are not subject to any special protection granted by the City ordinance.

4.4 JURISDICTIONAL WATERS / HABITAT

No jurisdictional features appear on the property on any state or federal wetland map, and no features were identified during the November 26 survey.

4.5 WILDLIFE SPECIES

4.5.1 Wildlife Observed

Wildlife species observed during surveys of the site were species common to the region. A list of these species is included as **Appendix 5**. Other wildlife species can also be expected to utilize habitats at the site for cover, foraging, and reproduction. Furthermore, in general, this list includes species that are more easily detected during daytime surveys. Several species (e.g., reptiles, birds, small mammals) may reproduce in the study area, and a wide range of larger or mobile species can be expected to utilize the site's resources routinely, such as foraging raptors, and medium to large-sized mammals (e.g., striped skunk, coyote). Bird species observed during the surveys consisted primarily of year-round residents and winter migrants. Several bird species may nest within the study area in any given year.

4.5.2 Special-Status Wildlife

For the purposes of this assessment, special-status wildlife species are those species that are listed, proposed for listing, or that meet the criteria for listing as endangered, threatened, or rare under the FESA or CESA; and those that are listed on the CDFW Special Animals list with a designation of SSC (California Species of Special Concern) or CFP (California Fully Protected). The status codes for special-status wildlife are described in **Table 3, Status Codes for Speciat-Status Wildlife**.

Table 3
Status Codes for Special-Status Wildlife

FEDERALLY PROTECTED SPECIES	
FE (Federal Endangered)	A species that is in danger of extinction throughout all or a significant portion of its range.
FT (Federal Threatened)	A species that is likely to become endangered in the foreseeable future.
FC (Federal Candidate)	A species for which USFWS has sufficient information on its biological status and threats to propose it as endangered or threatened under the Endangered Species Act (ESA), but for which development of a proposed listing regulation is precluded by other higher priority listing activities.
FSC (Federal Species of Concern)	A species under consideration for listing, for which there is insufficient information to support listing at this time. These species may or may not be listed in the future, and many of these species were formerly recognized as "Category-2 Candidate" species.

STATE PROTECTED SPECIES	
CE (California Endangered)	A native species or subspecies which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.
CT (California Threatened)	A native species or subspecies that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as "rare" on or before January 1, 1985, is a "threatened species."
SSC (California Species of Special Concern)	Animals that are not listed under the California Endangered Species Act, but which nonetheless 1) are declining at a rate that could result in listing, or 2) historically occurred in low numbers and known threats to their persistence currently exist.
CFP (California Fully Protected)	This designation originated from the State's initial effort in the 1960s to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, mammals, amphibians, reptiles, and birds. Most fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations. California Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.
SA (Special Animal)	"SA" is used herein if the animal is included on the CDFW Special Animals list but does not fall under any of the categories listed above. In general, special protection of these species is not mandatory under CEQA, although CDFW considers these species to be among those of greatest conversation need.

Special-Status Species Observed

No special status wildlife was observed during the November 26, 2019 survey.

Potential for Occurrence Analysis

No wildlife species that are designated or are candidates for listing as Threatened or Endangered under State or Federal law, or species that are designated as California Fully Protected or Species of Special Concern under State law or regulations were found during the survey. The *CNDDB* was also searched prior to the survey and there were no records for a special-status wildlife species within the immediate vicinity of the Project. The United States Fish and Wildlife Service Critical Habitat Mapper was also consulted, and the study area is not within an area designated as critical habitat for any species.

Reliable determination of the presence/absence of a listed or special-status wildlife species typically requires multiple focused surveys using a methodology designed to detect the particular species. Therefore, with regard to the presence of special-status wildlife, the biological surveys may be inconclusive. To determine whether the habitats at the site potentially support or are important to the viability of a special-status wildlife species, biological assessments typically rely on a potential for occurrence analysis, which can be followed by focused surveys for potentially occurring species, if necessary. A potential for occurrence analysis provides a speculative assessment of the potential for the occurrence of special-status animals at a site on the basis of their known distribution and habitat requirements.

A potential for occurrence analysis for special-status wildlife is presented in **Appendix 6**, which includes the species' protected status, primary habitat associations, and an assessment of their potential for occurrence (observed, potentially present, presumed absent, or absent). As for special-status plants, the potential for occurrence for special-status wildlife was undertaken through research of the CDFW *Natural Diversity Database* (CDFW 2019) using the Rarefind 5 application for special-status "elements" on the USGS 7.5' Ontario quadrangle and all adjacent quadrangles. Additional special-status species were also considered, which are known to occur in the region, based on the author's research and experience. The potential for occurrence analysis considers the potential for special-status wildlife to occur within the biological study area.

Given the highly urban setting of the study area and the complete lack of undisturbed open space within the study area, no special status species with documented observations in the above referenced database search are considered to have potential to occur within the study area.

The entire study area is highly disturbed and modified. It is unlikely that the Project footprint would be utilized by special-status wildlife species such as birds or bats. Even if used temporarily, the study area is not of special or particular importance to any special-status wildlife species.

For additional information, see Appendix 6.

4.6 HABITAT LINKAGES AND WILDLIFE MOVEMENT

Wildlife must to be able to access habitat for water, foraging, breeding, and cover. Examples of barriers or impediments to movement, i.e., access, include housing and other urban development, roads, fencing, unsuitable habitat, or open areas with little vegetative cover. The term wildlife movement corridor is used to describe physical connections that allow wildlife to move between areas of suitable habitat in both undisturbed and fragmented landscapes, such as landscapes fragmented by urban development. Wildlife movement corridors are necessary for dispersal and migration, to ensure the mixing of genes between populations, and so wildlife can respond and adapt to environmental stress, and thus are necessary to maintain healthy ecological and evolutionary processes. Wildlife crossings are generally small, narrow areas allowing wildlife to pass through an obstacle or barrier, such as a roadway to reach another patch of habitat. These can be critical at both the local and regional level. Wildlife crossings include culverts, drainage pipes, underpasses, tunnels, and, more recently, crossings created specifically for wildlife movement over highways.

Based on a review of the following documents, the Project site and the study area are not within an area that has been identified as important to wildlife movement, such as a regional-scale habitat linkage or a wildlife movement corridor:

- Open Space Overlay Maps (County of San Bernardino 2007)
- *South Coast Missing Linkages Project: A Linkage Design for the San Gabriel – San Bernardino Connection* (Penrod, K. et. al., 2006)
- *California Essential Connectivity Project: A Strategy for Conserving a Connected California* (Spencer et al., February 2010)

The potential importance of the Project site to wildlife movement was also evaluated both in the field and by reviewing recent aerial photographs of the site and the surrounding area. There are no important wildlife movement corridors or wildlife crossings located in the vicinity of the study area. The nearest

open space to the area is Cucamonga Canyon and the mountains beyond to the north, which are separated from the Project site by 5 miles of dense development.

5.0 SUMMARY OF BIOLOGICAL RESOURCES ANALYSIS

The northern 75% of the subject property is currently developed, comprising a large single story commercial structure, associated paved parking and staging areas, and light landscaping around the northern edge of the building. The southern 25% of the property comprises ruderal grassland. This area is dominated by non-native plants and has been subject to ongoing disturbance in the form of mowing for at least the last quarter century according to historical aerial photography.

No protected or regulated biological resources were found at the site during the biological survey conducted on November 26, 2019. No special-status plants or wildlife are expected to occur within the study area. The proposed development would not significantly impact any special-status plant or wildlife species, nor would it impact sensitive or critical habitats, protected trees, jurisdictional features, or wildlife movement corridors.

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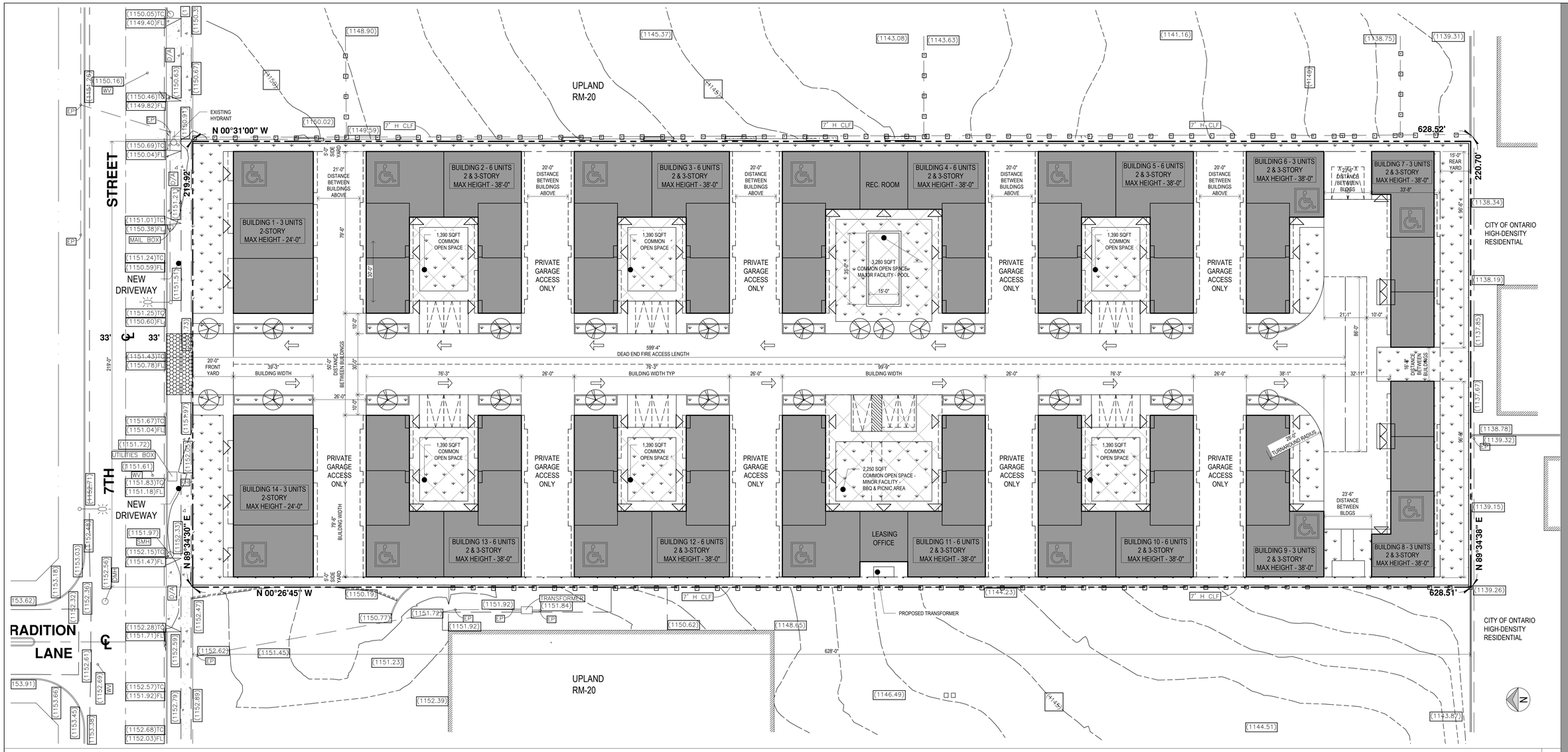
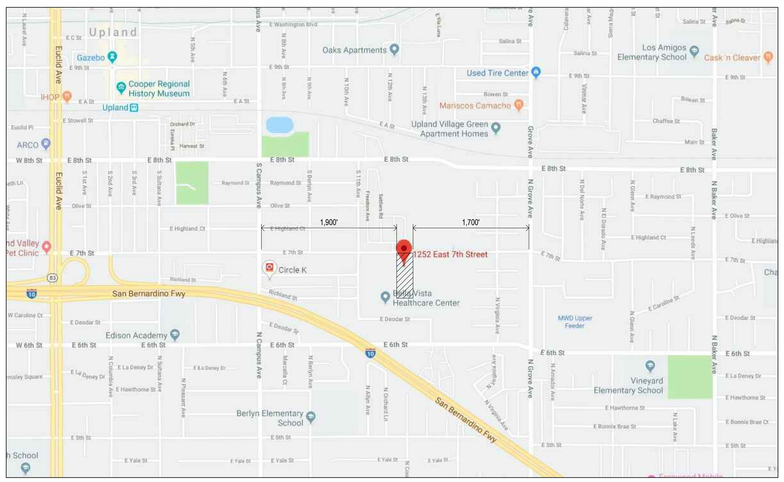
APPENDIX 1

Site Plan – L+V Architects Inc., November 12, 2019



SITE PLAN SCALE 1/20" = 1'-0" | 2



LOCATION MAP SCALE N.T.S. | 5

GENERAL PLAN: RESIDENTIAL MULTI-FAMILY LOW
ZONING: RM-20; MIN 10 & MAX 20 UNITS per ACRE
PROPOSED HEIGHT: 38'-0" max
SITE ACREAGE: GROSS - 3.18 NET -
BUILDING SQFT: GROSS - 120,000 SQFT TOTAL NET -
DENSITY PROPOSED: 66 UNITS
UNIT A - (6) @ 1,655 SQFT INCLUDING 440 SQFT GARAGE
UNIT B - (40) @ 1,705 SQFT INCLUDING 400 SQFT GARAGE
UNIT C - (20) @ 1,700 SQFT INCLUDING 410 SQFT GARAGE
LOT COVERAGE: 32.96%
PARKING REQUIREMENTS
PRIVATE GARAGE REQUIRED: 2 per UNIT ... 132 TOTAL
PRIVATE GARAGE PROVIDED: 132 TOTAL

3-BEDROOM UNITS REQUIRED: .5 ADDITIONAL per UNIT... 4 UNITS x .5 = 2 TOTAL
3-BEDROOM UNITS PROVIDED: 2 TOTAL, 1 ACCESSIBLE

GUEST REQUIRED: 1 per 5 UNITS ... 66 / 5 = 13.2 -- 14 TOTAL
GUEST PROVIDED: 17 TOTAL, 1 ACCESSIBLE (1 VAN)

LOADING SPACE: NOT REQUIRED
LANDSCAPE: 19,000 SQFT TOTAL
TYPE OF BUILDING CONSTRUCTION: V-B
PARCEL # 104718102
OPEN SPACE REQUIREMENTS
COMMON REQUIRED: 250 SQFT per UNIT ... 250 x 66 = 16,500 SQFT
COMMON PROVIDED: 1,390(6) + 3,280 + 2,250 = 13,870 TOTAL

PRIVATE REQUIRED: 100 SQFT per UNIT ... 6,600 SQFT
UNIT A: 175 SQFT ROOF DECK x 6 = 1,050 SQFT
UNIT B: 335 SQFT ROOF DECK x 40 = 13,400 SQFT
UNIT C: 150 SQFT ROOF DECK x 20 = 3,000 SQFT
PRIVATE PROVIDED: 17,450 SQFT TOTAL

SITE PLAN NOTES SCALE N.T.S. | 4

DRAINAGE PLAN:
- DRAIN TOWARDS SOUTH PROPERTY LINE FOLLOWING EXISTING GRADE
- INFILTRATE DEPENDING ON SOIL CONDITIONS

STREET IMPROVEMENTS:
- CLOSE 1 EXISTING DRIVEWAY AT NE CORNER AND CONSTRUCT 1 NEW DRIVEWAY
- REDUCE SIZE OF SHARED DRIVEWAY AT NW CORNER

SCOPE OF WORK:
- DEMOLISH EXISTING BUILDING ON SITE
- (N) 66-UNIT APARTMENT COMPLEX ON 3.18 ACRE SITE. 14 BUILDINGS TOTAL.

SITE PLAN LEGEND SCALE N.T.S. | 3

- LINE ABOVE
- DRAINAGE LINE
- PROPERTY LINE
- FENCE
- LANDSCAPING
- OPEN SPACE

OWNER
Naji Garabet
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PROJECT TEAM SCALE N.T.S. | 1

LICENSED ARCHITECT
VLADIMIR TOMALEVSKY
No. C 22417
RENEWAL DATE
STATE OF CALIFORNIA

New 66-Unit Apartment Building
1252 E 7th St
Upland, CA 91786

L+Varchitects inc.
8416 Harold Way
Los Angeles, CA 90069
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SITE PLAN — title
11.12.2019 — date
1/4" =1'-0" — scale
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project #19.09

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APPENDIX 2
CNDDB and CNPS Database Search Results

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Glendora (3411727) OR Mt. Baldy (3411726) OR Cucamonga Peak (3411725) OR San Dimas (3411717) OR Ontario (3411716) OR Guasti (3411715) OR Yorba Linda (3311787) OR Prado Dam (3311786) OR Corona North (3311785))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Abronia villosa var. aurita chaparral sand-verbena	PDNYC010P1	None	None	G5T2?	S2	1B.1
Accipiter cooperii Cooper's hawk	ABNKC12040	None	None	G5	S4	WL
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	Threatened	G2G3	S1S2	SSC
Aimophila ruficeps canescens southern California rufous-crowned sparrow	ABPBX91091	None	None	G5T3	S3	WL
Ammodramus savannarum grasshopper sparrow	ABPBXA0020	None	None	G5	S3	SSC
Anaxyrus californicus arroyo toad	AAABB01230	Endangered	None	G2G3	S2S3	SSC
Anniella stebbinsi southern California legless lizard	ARACC01060	None	None	G3	S3	SSC
Antrozous pallidus pallid bat	AMACC10010	None	None	G5	S3	SSC
Aquila chrysaetos golden eagle	ABNKC22010	None	None	G5	S3	FP
Arctostaphylos glandulosa ssp. gabrielensis San Gabriel manzanita	PDERI042P0	None	None	G5T3	S3	1B.2
Arizona elegans occidentalis California glossy snake	ARADB01017	None	None	G5T2	S2	SSC
Artemisiospiza belli belli Bell's sage sparrow	ABPBX97021	None	None	G5T2T3	S3	WL
Asio otus long-eared owl	ABNSB13010	None	None	G5	S3?	SSC
Aspidoscelis hyperythra orange-throated whiptail	ARACJ02060	None	None	G5	S2S3	WL
Aspidoscelis tigris stejnegeri coastal whiptail	ARACJ02143	None	None	G5T5	S3	SSC
Astragalus brauntonii Braunton's milk-vetch	PDFAB0F1G0	Endangered	None	G2	S2	1B.1
Athene cunicularia burrowing owl	ABNSB10010	None	None	G4	S3	SSC
Atriplex coulteri Coulter's saltbush	PDCHE040E0	None	None	G3	S1S2	1B.2

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Batrachoseps gabrieli San Gabriel slender salamander	AAAAD02110	None	None	G2G3	S2S3	
Berberis nevinii Nevin's barberry	PDBER060A0	Endangered	Endangered	G1	S1	1B.1
Bombus crotchii Crotch bumble bee	IIHYM24480	None	Candidate Endangered	G3G4	S1S2	
Brodiaea filifolia thread-leaved brodiaea	PMLIL0C050	Threatened	Endangered	G2	S2	1B.1
Buteo swainsoni Swainson's hawk	ABNKC19070	None	Threatened	G5	S3	
California Walnut Woodland California Walnut Woodland	CTT71210CA	None	None	G2	S2.1	
Callophrys mossii hidakupa San Gabriel Mountains elfin butterfly	IILEPE2206	None	None	G4T1T2	S1S2	
Calochortus clavatus var. gracilis slender mariposa-lily	PMLIL0D096	None	None	G4T2T3	S2S3	1B.2
Calochortus plummerae Plummer's mariposa-lily	PMLIL0D150	None	None	G4	S4	4.2
Calochortus weedii var. intermedius intermediate mariposa-lily	PMLIL0D1J1	None	None	G3G4T2	S2	1B.2
Calystegia felix lucky morning-glory	PDCON040P0	None	None	G1Q	S1	1B.1
Campylorhynchus brunneicapillus sandiegensis coastal cactus wren	ABPBG02095	None	None	G5T3Q	S3	SSC
Canyon Live Oak Ravine Forest Canyon Live Oak Ravine Forest	CTT61350CA	None	None	G3	S3.3	
Castilleja gleasoni Mt. Gleason paintbrush	PDSCR0D140	None	Rare	G2	S2	1B.2
Catostomus santaanae Santa Ana sucker	AFCJC02190	Threatened	None	G1	S1	
Centromadia pungens ssp. laevis smooth tarplant	PDAST4R0R4	None	None	G3G4T2	S2	1B.1
Chaetodipus fallax fallax northwestern San Diego pocket mouse	AMAFD05031	None	None	G5T3T4	S3S4	SSC
Chorizanthe parryi var. parryi Parry's spineflower	PDPGN040J2	None	None	G3T2	S2	1B.1
Cladium californicum California saw-grass	PMCYP04010	None	None	G4	S2	2B.2
Claytonia lanceolata var. peirsonii Peirson's spring beauty	PDPOR03097	None	None	G5T1Q	S1	3.1
Coastal and Valley Freshwater Marsh Coastal and Valley Freshwater Marsh	CTT52410CA	None	None	G3	S2.1	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Coccyzus americanus occidentalis western yellow-billed cuckoo	ABNRB02022	Threatened	Endangered	G5T2T3	S1	
Coleonyx variegatus abbotti San Diego banded gecko	ARACD01031	None	None	G5T3T4	S1S2	SSC
Coturnicops noveboracensis yellow rail	ABNME01010	None	None	G4	S1S2	SSC
Crotalus ruber red-diamond rattlesnake	ARADE02090	None	None	G4	S3	SSC
Cypseloides niger black swift	ABNUA01010	None	None	G4	S2	SSC
Diplectrona californica California diplectronan caddisfly	IITRI23010	None	None	G1G2	S1S2	
Dipodomys merriami parvus San Bernardino kangaroo rat	AMAFD03143	Endangered	Candidate Endangered	G5T1	S1	SSC
Dipodomys stephensi Stephens' kangaroo rat	AMAFD03100	Endangered	Threatened	G2	S2	
Dodecahema leptoceras slender-horned spineflower	PDPGN0V010	Endangered	Endangered	G1	S1	1B.1
Dudleya densiflora San Gabriel Mountains dudleya	PDCRA040B0	None	None	G2	S2	1B.1
Dudleya multicaulis many-stemmed dudleya	PDCRA040H0	None	None	G2	S2	1B.2
Elanus leucurus white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP
Empidonax traillii extimus southwestern willow flycatcher	ABPAE33043	Endangered	Endangered	G5T2	S1	
Emys marmorata western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
Ensatina eschscholtzii klauberi large-blotched salamander	AAAAD04013	None	None	G5T2?	S3	WL
Eremophila alpestris actia California horned lark	ABPAT02011	None	None	G5T4Q	S4	WL
Eriastrum densifolium ssp. sanctorum Santa Ana River woollystar	PDPLM03035	Endangered	Endangered	G4T1	S1	1B.1
Eriogonum microthecum var. johnstonii Johnston's buckwheat	PDPGN083W5	None	None	G5T2	S2	1B.3
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G5T4	S3S4	SSC
Falco columbarius merlin	ABNKD06030	None	None	G5	S3S4	WL
Fimbristylis thermalis hot springs fimbristylis	PMCYP0B0N0	None	None	G4	S1S2	2B.2

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Gila orcuttii arroyo chub	AFCJB13120	None	None	G2	S2	SSC
Horkelia cuneata var. puberula mesa horkelia	PDROS0W045	None	None	G4T1	S1	1B.1
Icteria virens yellow-breasted chat	ABPBX24010	None	None	G5	S3	SSC
Imperata brevifolia California satintail	PMPOA3D020	None	None	G4	S3	2B.1
Lasiurus cinereus hoary bat	AMACC05030	None	None	G5	S4	
Lasiurus xanthinus western yellow bat	AMACC05070	None	None	G5	S3	SSC
Laterallus jamaicensis coturniculus California black rail	ABNME03041	None	Threatened	G3G4T1	S1	FP
Lepidium virginicum var. robinsonii Robinson's pepper-grass	PDBRA1M114	None	None	G5T3	S3	4.3
Lepus californicus bennettii San Diego black-tailed jackrabbit	AMAEB03051	None	None	G5T3T4	S3S4	SSC
Lilium parryi lemon lily	PMLIL1A0J0	None	None	G3	S3	1B.2
Linanthus concinnus San Gabriel linanthus	PDPLM090D0	None	None	G2	S2	1B.2
Lithobates pipiens northern leopard frog	AAABH01170	None	None	G5	S2	SSC
Monardella australis ssp. jokerstii Jokerst's monardella	PDLAM18112	None	None	G4T1?	S1?	1B.1
Monardella macrantha ssp. hallii Hall's monardella	PDLAM180E1	None	None	G5T3	S3	1B.3
Muhlenbergia californica California muhly	PMPOA480A0	None	None	G4	S4	4.3
Muhlenbergia utilis aparejo grass	PMPOA481X0	None	None	G4	S2S3	2B.2
Myotis yumanensis Yuma myotis	AMACC01020	None	None	G5	S4	
Navarretia prostrata prostrate vernal pool navarretia	PDPLM0C0Q0	None	None	G2	S2	1B.2
Neotoma lepida intermedia San Diego desert woodrat	AMAFF08041	None	None	G5T3T4	S3S4	SSC
Nyctinomops femorosaccus pocketed free-tailed bat	AMACD04010	None	None	G4	S3	SSC
Nyctinomops macrotis big free-tailed bat	AMACD04020	None	None	G5	S3	SSC

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Oncorhynchus mykiss irideus pop. 10 steelhead - southern California DPS	AFCHA0209J	Endangered	None	G5T1Q	S1	
Oreonana vestita woolly mountain-parsley	PDAPI1G030	None	None	G3	S3	1B.3
Orobanche valida ssp. valida Rock Creek broomrape	PDORO040G2	None	None	G4T2	S2	1B.2
Ovis canadensis nelsoni desert bighorn sheep	AMALE04013	None	None	G4T4	S3	FP
Perognathus longimembris brevinasus Los Angeles pocket mouse	AMAFD01041	None	None	G5T1T2	S1S2	SSC
Phacelia stellaris Brand's star phacelia	PDHYD0C510	None	None	G1	S1	1B.1
Phrynosoma blainvillii coast horned lizard	ARACF12100	None	None	G3G4	S3S4	SSC
Polioptila californica californica coastal California gnatcatcher	ABPBJ08081	Threatened	None	G4G5T2Q	S2	SSC
Pseudognaphalium leucocephalum white rabbit-tobacco	PDAST440C0	None	None	G4	S2	2B.2
Rana boylii foothill yellow-legged frog	AAABH01050	None	Candidate Threatened	G3	S3	SSC
Rana muscosa southern mountain yellow-legged frog	AAABH01330	Endangered	Endangered	G1	S1	WL
Rhaphiomidas terminatus abdominalis Delhi Sands flower-loving fly	IIDIP05021	Endangered	None	G1T1	S1	
Rhinichthys osculus ssp. 3 Santa Ana speckled dace	AFCJB3705K	None	None	G5T1	S1	SSC
Riversidian Alluvial Fan Sage Scrub Riversidian Alluvial Fan Sage Scrub	CTT32720CA	None	None	G1	S1.1	
Sagittaria sanfordii Sanford's arrowhead	PMALI040Q0	None	None	G3	S3	1B.2
Salvadora hexalepis virgultea coast patch-nosed snake	ARADB30033	None	None	G5T4	S2S3	SSC
Senecio aphanactis chaparral ragwort	PDAST8H060	None	None	G3	S2	2B.2
Setophaga petechia yellow warbler	ABPBX03010	None	None	G5	S3S4	SSC
Sidalcea neomexicana salt spring checkerbloom	PDMAL110J0	None	None	G4	S2	2B.2
Southern California Arroyo Chub/Santa Ana Sucker Stream Southern California Arroyo Chub/Santa Ana Sucker Stream	CARE2330CA	None	None	GNR	SNR	
Southern Coast Live Oak Riparian Forest Southern Coast Live Oak Riparian Forest	CTT61310CA	None	None	G4	S4	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Southern Cottonwood Willow Riparian Forest Southern Cottonwood Willow Riparian Forest	CTT61330CA	None	None	G3	S3.2	
Southern Sycamore Alder Riparian Woodland Southern Sycamore Alder Riparian Woodland	CTT62400CA	None	None	G4	S4	
Southern Willow Scrub Southern Willow Scrub	CTT63320CA	None	None	G3	S2.1	
Spea hammondii western spadefoot	AAABF02020	None	None	G3	S3	SSC
Streptanthus bernardinus Laguna Mountains jewelflower	PDBRA2G060	None	None	G3G4	S3S4	4.3
Symphyotrichum defoliatum San Bernardino aster	PDASTE80C0	None	None	G2	S2	1B.2
Symphyotrichum greatae Greata's aster	PDASTE80U0	None	None	G2	S2	1B.3
Taricha torosa Coast Range newt	AAAAF02032	None	None	G4	S4	SSC
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Thamnophis hammondii two-striped gartersnake	ARADB36160	None	None	G4	S3S4	SSC
Thelypteris puberula var. sonorensis Sonoran maiden fern	PPTHE05192	None	None	G5T3	S2	2B.2
Thysanocarpus rigidus rigid fringepod	PDBRA2Q070	None	None	G1G2	S1	1B.2
Viola pinetorum ssp. grisea grey-leaved violet	PDVIO04431	None	None	G4G5T3	S3	1B.2
Vireo bellii pusillus least Bell's vireo	ABPBW01114	Endangered	Endangered	G5T2	S2	
Walnut Forest Walnut Forest	CTT81600CA	None	None	G1	S1.1	

Record Count: 117

CNPS California Native Plant Society

Inventory of Rare and Endangered Plants

*The database used to provide updates to the Online Inventory is under construction. View updates and changes made since May 2019 here.

Plant List

71 matches found. *Click on scientific name for details*

Search Criteria

Found in Quads 3411727, 3411726, 3411725, 3411717, 3411716, 3411715, 3311787 3311786 and 3311785;

Modify Search Criteria | Export to Excel | Modify Columns | Modify Sort | Display Photos

Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank
Abronia villosa var. aurita	chaparral sand-verbena	Nyctaginaceae	annual herb	(Jan)Mar-Sep	1B.1	S2	G5T2?
Acanthoscyphus parishii var. parishii	Parish's oxytheca	Polygonaceae	annual herb	Jun-Sep	4.2	S3S4	G4? T3T4
Amaranthus watsonii	Watson's amaranth	Amaranthaceae	annual herb	Apr-Sep	4.3	S3	G5?
Androsace elongata ssp. acuta	California androsace	Primulaceae	annual herb	Mar-Jun	4.2	S3S4	G5? T3T4
Arctostaphylos glandulosa ssp. gabrielensis	San Gabriel manzanita	Ericaceae	perennial evergreen shrub	Mar	1B.2	S3	G5T3
Asplenium vespertinum	western spleenwort	Aspleniaceae	perennial rhizomatous herb	Feb-Jun	4.2	S4	G4
Astragalus bicristatus	crested milk-vetch	Fabaceae	perennial herb	May-Aug	4.3	S3	G3
Astragalus brauntonii	Braunton's milk-vetch	Fabaceae	perennial herb	Jan-Aug	1B.1	S2	G2
Atriplex coulteri	Coulter's saltbush	Chenopodiaceae	perennial herb	Mar-Oct	1B.2	S1S2	G3
Atriplex serenana var. davidsonii	Davidson's saltscale	Chenopodiaceae	annual herb	Apr-Oct	1B.2	S1	G5T1
Berberis nevinii	Nevin's barberry	Berberidaceae	perennial evergreen shrub	(Feb)Mar-Jun	1B.1	S1	G1
Brodiaea filifolia	thread-leaved brodiaea	Themidaceae	perennial bulbiferous herb	Mar-Jun	1B.1	S2	G2
Calochortus catalinae	Catalina mariposa lily	Liliaceae	perennial bulbiferous herb	(Feb)Mar-Jun	4.2	S3S4	G3G4
Calochortus clavatus var. gracilis	slender mariposa lily	Liliaceae	perennial bulbiferous herb	Mar-Jun(Nov)	1B.2	S2S3	G4T2T3
Calochortus plummerae	Plummer's mariposa lily	Liliaceae	perennial bulbiferous herb	May-Jul	4.2	S4	G4
Calochortus weedii var. intermedius	intermediate mariposa lily	Liliaceae	perennial bulbiferous herb	May-Jul	1B.2	S2	G3G4T2
	lucky morning-glory	Convolvulaceae	annual rhizomatous	Mar-Sep	1B.1	S1	G1Q

Calystegia felix			herb				
Camissoniopsis lewisii	Lewis' evening-primrose	Onagraceae	annual herb	Mar-May(Jun)	3	S4	G4
Castilleja gleasoni	Mt. Gleason paintbrush	Orobanchaceae	perennial herb (hemiparasitic)	May-Jun(Sep)	1B.2	S2	G2
Centromadia parryi ssp. australis	southern tarplant	Asteraceae	annual herb	May-Nov	1B.1	S2	G3T2
Centromadia pungens ssp. laevis	smooth tarplant	Asteraceae	annual herb	Apr-Sep	1B.1	S2	G3G4T2
Chorizanthe leptotheca	Peninsular spineflower	Polygonaceae	annual herb	May-Aug	4.2	S3	G3
Chorizanthe parryi var. parryi	Parry's spineflower	Polygonaceae	annual herb	Apr-Jun	1B.1	S2	G3T2
Cladium californicum	California sawgrass	Cyperaceae	perennial rhizomatous herb	Jun-Sep	2B.2	S2	G4
Claytonia lanceolata var. peirsonii	Peirson's spring beauty	Montiaceae	perennial herb	(Mar)May-Jun	3.1	S1	G5T1Q
Convolvulus simulans	small-flowered morning-glory	Convolvulaceae	annual herb	Mar-Jul	4.2	S4	G4
Deinandra paniculata	paniculate tarplant	Asteraceae	annual herb	(Mar)Apr-Nov(Dec)	4.2	S4	G4
Dodecahema leptoceras	slender-horned spineflower	Polygonaceae	annual herb	Apr-Jun	1B.1	S1	G1
Dudleya densiflora	San Gabriel Mountains dudleya	Crassulaceae	perennial herb	Mar-Jun	1B.1	S2	G2
Dudleya multicaulis	many-stemmed dudleya	Crassulaceae	perennial herb	Apr-Jul	1B.2	S2	G2
Eriastrum densifolium ssp. sanctorum	Santa Ana River woollystar	Polemoniaceae	perennial herb	Apr-Sep	1B.1	S1	G4T1
Eriogonum microthecum var. johnstonii	Johnston's buckwheat	Polygonaceae	perennial deciduous shrub	Jul-Sep	1B.3	S2	G5T2
Eriogonum umbellatum var. minus	alpine sulfur-flowered buckwheat	Polygonaceae	perennial herb	Jun-Sep	4.3	S4	G5T4
Fimbristylis thermalis	hot springs fimbristylis	Cyperaceae	perennial rhizomatous herb	Jul-Sep	2B.2	S1S2	G4
Galium angustifolium ssp. gabrielense	San Antonio Canyon bedstraw	Rubiaceae	perennial herb	Apr-Aug	4.3	S3	G5T3
Galium johnstonii	Johnston's bedstraw	Rubiaceae	perennial herb	Jun-Jul	4.3	S4	G4
Heuchera caespitosa	urn-flowered alumroot	Saxifragaceae	perennial rhizomatous herb	May-Aug	4.3	S3	G3
Horkelia cuneata var. puberula	mesa horkelia	Rosaceae	perennial herb	Feb-Jul(Sep)	1B.1	S1	G4T1
Imperata brevifolia	California satintail	Poaceae	perennial rhizomatous herb	Sep-May	2B.1	S3	G4
Juglans californica	Southern California black walnut	Juglandaceae	perennial deciduous tree	Mar-Aug	4.2	S4	G4
Juncus duranii	Duran's rush	Juncaceae	perennial rhizomatous herb	Jul-Aug	4.3	S3	G3
Lepechinia fragrans	fragrant pitcher sage	Lamiaceae	perennial shrub	Mar-Oct	4.2	S3	G3
	Robinson's pepper-	Brassicaceae	annual herb	Jan-Jul	4.3	S3	G5T3

Lepidium virginicum var. robinsonii	grass						
Lilium humboldtii ssp. ocellatum	ocellated Humboldt lily	Liliaceae	perennial bulbiferous herb	Mar-Jul(Aug)	4.2	S4?	G4T4?
Lilium parryi	lemon lily	Liliaceae	perennial bulbiferous herb	Jul-Aug	1B.2	S3	G3
Linanthus concinnus	San Gabriel linanthus	Polemoniaceae	annual herb	Apr-Jul	1B.2	S2	G2
Monardella australis ssp. jokerstii	Jokerst's monardella	Lamiaceae	perennial rhizomatous herb	Jul-Sep	1B.1	S1	G4T1
Monardella macrantha ssp. hallii	Hall's monardella	Lamiaceae	perennial rhizomatous herb	Jun-Oct	1B.3	S3	G5T3
Monardella saxicola	rock monardella	Lamiaceae	perennial rhizomatous herb	Jun-Sep	4.2	S3	G3
Muhlenbergia californica	California muhly	Poaceae	perennial rhizomatous herb	Jun-Sep	4.3	S4	G4
Navarretia prostrata	prostrate vernal pool navarretia	Polemoniaceae	annual herb	Apr-Jul	1B.1	S2	G2
Oreonana vestita	woolly mountain-parsley	Apiaceae	perennial herb	Mar-Sep	1B.3	S3	G3
Orobanche valida ssp. valida	Rock Creek broomrape	Orobanchaceae	perennial herb (parasitic)	May-Sep	1B.2	S2	G4T2
Phacelia hubbyi	Hubby's phacelia	Hydrophyllaceae	annual herb	Apr-Jul	4.2	S4	G4
Phacelia mohavensis	Mojave phacelia	Hydrophyllaceae	annual herb	Apr-Aug	4.3	S4	G4Q
Phacelia stellaris	Brand's star phacelia	Hydrophyllaceae	annual herb	Mar-Jun	1B.1	S1	G1
Pseudognaphalium leucocephalum	white rabbit-tobacco	Asteraceae	perennial herb	(Jul)Aug-Nov(Dec)	2B.2	S2	G4
Quercus durata var. gabrielensis	San Gabriel oak	Fagaceae	perennial evergreen shrub	Apr-May	4.2	S3	G4T3
Quercus engelmannii	Engelmann oak	Fagaceae	perennial deciduous tree	Mar-Jun	4.2	S3	G3
Romneya coulteri	Coulter's matilija poppy	Papaveraceae	perennial rhizomatous herb	Mar-Jul(Aug)	4.2	S4	G4
Sagittaria sanfordii	Sanford's arrowhead	Alismataceae	perennial rhizomatous herb (emergent)	May-Oct(Nov)	1B.2	S3	G3
Senecio aphanactis	chaparral ragwort	Asteraceae	annual herb	Jan-Apr(May)	2B.2	S2	G3
Senecio astephanus	San Gabriel ragwort	Asteraceae	perennial herb	May-Jul	4.3	S3	G3
Sidalcea neomexicana	salt spring checkerbloom	Malvaceae	perennial herb	Mar-Jun	2B.2	S2	G4
Sidotheca caryophylloides	chickweed oxytheca	Polygonaceae	annual herb	Jul-Sep(Oct)	4.3	S4	G4
Streptanthus bernardinus	Laguna Mountains jewelflower	Brassicaceae	perennial herb	May-Aug	4.3	S3S4	G3G4
Symphyotrichum defoliatum	San Bernardino aster	Asteraceae	perennial rhizomatous herb	Jul-Nov(Dec)	1B.2	S2	G2
Symphyotrichum greatae	Greata's aster	Asteraceae	perennial rhizomatous herb	Jun-Oct	1B.3	S2	G2
Thelypteris puberula var. sonorensis	Sonoran maiden fern	Thelypteridaceae	perennial rhizomatous herb	Jan-Sep	2B.2	S2	G5T3

Thysanocarpus rigidus	rigid fringepod	Brassicaceae	annual herb	Feb-May	1B.2	S1	G1G2
Viola pinetorum ssp. grisea	grey-leaved violet	Violaceae	perennial herb	Apr-Jul	1B.2	S3	G4G5T3

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APPENDIX 3
Plant Species Observed - November 26, 2019

GROUP Family *Scientific Name*	Common Name
CONIFERS	
Pinaceae (Pine Family)	
**Pinus* sp.	pine (ornamental)
FLOWERING PLANTS-DICOTS	
Amaranthaceae (Amaranth Family)	
**Amaranthus albus*	tumbleweed
Asteraceae (Sunflower Family)	
**Ambrosia acanthicarpa*	annual burweed
Ambrosia psilostachya	western ragweed
**Helminthotheca echioides*	bristly ox-tongue
Heterotheca grandiflora	telegraph weed
**Lactuca serriola*	prickly lettuce
Brassicaceae (Mustard Family)	
**Hirschfeldia incana*	hoary mustard
Chenopodiaceae (Goosefoot Family)	
**Chenopodium album*	lambs quarters
**Salsola* sp.	Russian thistle species
Euphorbiaceae (Spurge Family)	
**Euphorbia maculata*	spotted spurge
Fabaceae (Legume Family)	
	Unidentified broom species
Malvaceae (Mallow Family)	
**Malva parviflora*	small flowered cheeseweed
Solanaceae (Nightshade family)	
**Solanum* sp.	*Solanum* species (presumed non-native)
Simaroubaceae (Quassia or Simarouba Family)	
**Ailanthus altissima*	tree of heaven
Urticaceae	
**Urtica urens*	dwarf nettle
FLOWERING PLANTS-MONOCOTS	
Arecaceae (Palm Family)	
**Washingtonia robusta*	Mexican fan palm
Poaceae (Grass Family)	
**Avena barbata*	slender wild oat
**Cynodon dactylon*	Bermuda grass
**Digitaria sanguinalis*	hairy crabgrass

APPENDIX 4
Potential for Occurrence – Special-Status Plants

Common Name (*Scientific Name*)	Lifeform	Blooming Period	Status (Federal / State / CNPS)	Primary Habitat Associations	Potential to Occur (Observed, Potentially Present, Presumed Absent, Absent)
Federal and State Listed Species					
Nevin's barberry (*Berberis nevinii*)	perennial evergreen shrub	(Feb)Mar-Jun	FE / CE / 1B.1	Sandy or gravelly substrate in Chaparral, Cismontane woodland, Coastal scrub, Riparian scrub at elevations from 70 to 825 meters.	**Absent.** No suitable habitat within Study Area.
slender-horned spineflower (*Dodecahema leptoceras*)	annual herb	Apr-Jun	FE / CE / 1B.1	Sandy substrate in Chaparral, Cismontane woodland, Coastal scrub (alluvial fan) at elevations from 200 to 760 meters.	**Absent.** No suitable habitat within Study Area.
Santa Ana River woollystar (*Eriastrum densifolium* ssp. *sanctorum*)	perennial herb	Apr-Sep	FE / CE / 1B.1	Sandy or gravelly substrate in Chaparral, Coastal scrub (alluvial fan) at elevations from 91 to 610 meters.	**Absent.** No suitable habitat within Study Area.
Braunton's milk-vetch (*Astragalus brauntonii*)	perennial herb	Jan-Aug	FE / None / 1B.1	Recent burns or disturbed areas, usually sandstone with carbonate layers substrate in Chaparral, Coastal scrub, Valley and foothill grassland at elevations from 4 to 640 meters.	**Absent.** No suitable habitat within Study Area. Soils not suitable for species (CaCO3).
thread-leaved brodiaea (*Brodiaea filifolia*)	perennial bulbiferous herb	Mar-Jun	FT / CE / 1B.1	Often clay substrate in Chaparral (openings), Cismontane woodland, Coastal scrub, Playas, Valley and foothill grassland, Vernal pools at elevations from 25 to 1120 meters.	**Absent.** No suitable habitat within Study Area.
Mt. Gleason paintbrush (*Castilleja gleasoni*)	perennial herb (hemiparasitic)	May-Jun(Sep)	None / CR / 1B.2	Granitic substrate in Chaparral, Lower montane coniferous forest, Pinyon and juniper woodland at elevations from 665 to 2170 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.
Non-Listed Special Status Species					
chaparral sand-verbena (*Abronia villosa* var. *aurita*)	annual herb	(Jan)Mar-Sep	None / None / 1B.1	Sandy substrate in Chaparral, Coastal scrub, Desert dunes at elevations from 75 to 1600 meters.	**Absent.** No suitable habitat within Study Area.

Common Name (*Scientific Name*)	Lifeform	Blooming Period	Status (Federal / State / CNPS)	Primary Habitat Associations	Potential to Occur (Observed, Potentially Present, Presumed Absent, Absent)
San Gabriel manzanita (*Arctostaphylos glandulosa* ssp. *gabrielensis*)	perennial evergreen shrub	Mar	None / None / 1B.2	Chaparral (rocky) at elevations from 595 to 1500 meters.	**Absent.** Outside of range for species (elevation).
Coulter's saltbush (*Atriplex coulteri*)	perennial herb	Mar-Oct	None / None / 1B.2	Alkaline or clay substrate in Coastal bluff scrub, Coastal dunes, Coastal scrub, Valley and foothill grassland at elevations from 3 to 460 meters.	**Absent.** No suitable habitat within Study Area.
Davidson's saltscale (*Atriplex serenana* var. *davidsonii*)	annual herb	Apr-Oct	None / None / 1B.2	Alkaline substrate in Coastal bluff scrub, Coastal scrub at elevations from 10 to 200 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.
slender mariposa lily (*Calochortus clavatus* var. *gracilis*)	perennial bulbiferous herb	Mar-Jun(Nov)	None / None / 1B.2	Chaparral, Coastal scrub, Valley and foothill grassland at elevations from 320 to 1000 meters.	**Absent.** No suitable habitat within Study Area.
intermediate mariposa lily (*Calochortus weedii* var. *intermedius*)	perennial bulbiferous herb	May-Jul	None / None / 1B.2	Rocky, calcareous substrate in Chaparral, Coastal scrub, Valley and foothill grassland at elevations from 105 to 855 meters.	**Absent.** No suitable habitat within Study Area. Soils not suitable for species (CaCO3).
lucky morning-glory (*Calystegia felix*)	annual rhizomatous herb	Mar-Sep	None / None / 1B.1	Historically associated with wetland and marshy places, but possibly in drier situations as well. Possibly silty loam and alkaline substrate in Meadows and seeps (sometimes alkaline), Riparian scrub (alluvial) at elevations from 30 to 215 meters.	**Absent.** No suitable habitat within Study Area.
Lewis' evening-primrose (*Camissoniopsis lewisii*)	annual herb	Mar-May(Jun)	None / None / 3	Sandy or clay substrate in Coastal bluff scrub, Cismontane woodland, Coastal dunes, Coastal scrub, Valley and foothill grassland at elevations from 0 to 300 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.

Common Name (*Scientific Name*)	Lifeform	Blooming Period	Status (Federal / State / CNPS)	Primary Habitat Associations	Potential to Occur (Observed, Potentially Present, Presumed Absent, Absent)
southern tarplant (*Centromadia parryi* ssp. *australis*)	annual herb	May-Nov	None / None / 1B.1	Marshes and swamps (margins), Valley and foothill grassland (vernally mesic), Vernal pools at elevations from 0 to 480 meters.	**Absent.** No suitable habitat within Study Area.
smooth tarplant (*Centromadia pungens* ssp. *laevis*)	annual herb	Apr-Sep	None / None / 1B.1	Alkaline substrate in Chenopod scrub, Meadows and seeps, Playas, Riparian woodland, Valley and foothill grassland at elevations from 0 to 640 meters.	**Absent.** No suitable habitat within Study Area.
Parry's spineflower (*Chorizanthe parryi* var. *parryi*)	annual herb	Apr-Jun	None / None / 1B.1	Sandy or rocky, openings in Chaparral, Cismontane woodland, Coastal scrub, Valley and foothill grassland at elevations from 275 to 1220 meters.	**Absent.** No suitable habitat within Study Area.
California sawgrass (*Cladium californicum*)	perennial rhizomatous herb	Jun-Sep	None / None / 2B.2	Meadows and seeps, Marshes and swamps Alkaline or Freshwater at elevations from 60 to 1600 meters.	**Absent.** No suitable habitat within Study Area.
Peirson's spring beauty (*Claytonia lanceolata* var. *peirsonii*)	perennial herb	(Mar)May-Jun	None / None / 3.1	Scree substrate in Subalpine coniferous forest, Upper montane coniferous forest at elevations from 1510 to 2745 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.
San Gabriel Mountains dudleya (*Dudleya densiflora*)	perennial herb	Mar-Jun	None / None / 1B.1	Granitic, cliffs and canyon walls in Chaparral, Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Riparian woodland at elevations from 244 to 610 meters.	**Absent.** No suitable habitat within Study Area.
many-stemmed dudleya (*Dudleya multicaulis*)	perennial herb	Apr-Jul	None / None / 1B.2	Often clay substrate in Chaparral, Coastal scrub, Valley and foothill grassland at elevations from 15 to 790 meters.	**Absent.** No suitable habitat within Study Area.
Johnston's buckwheat (*Eriogonum microthecum* var. *johnstonii*)	perennial deciduous shrub	Jul-Sep	None / None / 1B.3	Rocky substrate in Subalpine coniferous forest, Upper montane coniferous forest at elevations from 1829 to 2926 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.

Common Name (*Scientific Name*)	Lifeform	Blooming Period	Status (Federal / State / CNPS)	Primary Habitat Associations	Potential to Occur (Observed, Potentially Present, Presumed Absent, Absent)
hot springs fimbristylis (*Fimbristylis thermalis*)	perennial rhizomatous herb	Jul-Sep	None / None / 2B.2	Meadows and seeps (alkaline, near hot springs) at elevations from 110 to 1340 meters.	**Absent.** No suitable habitat within Study Area.
mesa horkelia (*Horkelia cuneata* var. *puberula*)	perennial herb	Feb-Jul(Sep)	None / None / 1B.1	Sandy or gravelly substrate in Chaparral (maritime), Cismontane woodland, Coastal scrub at elevations from 70 to 810 meters.	**Absent.** No suitable habitat within Study Area.
California satintail (*Imperata brevifolia*)	perennial rhizomatous herb	Sep-May	None / None / 2B.1	Mesic substrate in Chaparral, Coastal scrub, Mojavean desert scrub, Meadows and seeps (often alkali), Riparian scrub at elevations from 0 to 1215 meters.	**Absent.** No suitable habitat within Study Area.
lemon lily (*Lilium parryi*)	perennial bulbiferous herb	Jul-Aug	None / None / 1B.2	Mesic substrate in Lower montane coniferous forest, Meadows and seeps, Riparian forest, Upper montane coniferous forest at elevations from 1220 to 2745 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.
San Gabriel linanthus (*Linanthus concinnus*)	annual herb	Apr-Jul	None / None / 1B.2	Rocky openings in Chaparral, Lower montane coniferous forest, Upper montane coniferous forest at elevations from 1520 to 2800 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.
Jokersts monardella (*Monardella australis* ssp. *jokerstii*)	perennial rhizomatous herb	Jul-Sep	None / None / 1B.1	Steep scree or talus slopes between breccia, secondary alluvial benches along drainages and washes in chaparral, Lower montane coniferous forest at elevations from 1350 to 1750 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.
Hall's monardella (*Monardella macrantha* ssp. *hallii*)	perennial rhizomatous herb	Jun-Oct	None / None / 1B.3	Broadleafed upland forest, Chaparral, Cismontane woodland, Lower montane coniferous forest, Valley and foothill grassland at elevations from 730 to 2195 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.

Common Name (*Scientific Name*)	Lifeform	Blooming Period	Status (Federal / State / CNPS)	Primary Habitat Associations	Potential to Occur (Observed, Potentially Present, Presumed Absent, Absent)
aparejo grass (*Muhlenbergia utilis*)	perennial rhizomatous herb	Oct-Mar	None / None / 2B.2	Sometimes alkaline, sometimes serpentinite in Meadows and seeps, marshes and swamps, chaparral, coastal scrub, cismontane woodland. at elevations from 250 to 1000 meters.	**Absent.** No suitable habitat within Study Area.
prostrate vernal pool navarretia (*Navarretia prostrata*)	annual herb	Apr-Jul	None / None / 1B.1	Mesic substrate in Coastal scrub, Meadows and seeps, Valley and foothill grassland (alkaline), Vernal pools at elevations from 3 to 1210 meters.	**Absent.** No suitable habitat within Study Area.
woolly mountain-parsley (*Oreonana vestita*)	perennial herb	Mar-Sep	None / None / 1B.3	Gravel or talus substrate in Lower montane coniferous forest, Subalpine coniferous forest, Upper montane coniferous forest at elevations from 1615 to 3500 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.
Rock Creek broomrape (*Orobanche valida* ssp. *valida*)	perennial herb (parasitic)	May-Sep	None / None / 1B.2	Granitic substrate in Chaparral, Pinyon and juniper woodland at elevations from 1250 to 2000 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.
Brand's star phacelia (*Phacelia stellaris*)	annual herb	Mar-Jun	None / None / 1B.1	Coastal dunes, Coastal scrub at elevations from 1 to 400 meters.	**Absent.** No suitable habitat within Study Area.
white rabbit-tobacco (*Pseudognaphalium leucocephalum*)	perennial herb	(Jul)Aug-Nov(Dec)	None / None / 2B.2	Sandy, gravelly substrate in Chaparral, Cismontane woodland, Coastal scrub, Riparian woodland at elevations from 0 to 2100 meters.	**Absent.** No suitable habitat within Study Area. Conspicuous perennial not seen during survey.
Sanford's arrowhead (*Sagittaria sanfordii*)	perennial rhizomatous herb (emergent)	May-Oct(Nov)	None / None / 1B.2	Marshes and swamps (assorted shallow freshwater) at elevations from 0 to 650 meters.	**Absent.** No suitable habitat within Study Area.

Common Name (*Scientific Name*)	Lifeform	Blooming Period	Status (Federal / State / CNPS)	Primary Habitat Associations	Potential to Occur (Observed, Potentially Present, Presumed Absent, Absent)
chaparral ragwort (*Senecio aphanactis*)	annual herb	Jan-Apr(May)	None / None / 2B.2	Sometimes alkaline substrate in Chaparral, Cismontane woodland, Coastal scrub at elevations from 15 to 800 meters.	**Presumed Absent.** No suitable habitat within Study Area. Nearest documented occurrences are over ten miles away in open space; Project vicinity is highly developed and urban.
salt spring checkerbloom (*Sidalcea neomexicana*)	perennial herb	Mar-Jun	None / None / 2B.2	Alkaline, mesic substrate in Chaparral, Coastal scrub, Lower montane coniferous forest, Mojavean desert scrub, Playas at elevations from 15 to 1530 meters.	**Presumed Absent.** No suitable habitat within Study Area. No nearby recorded observations in over a century.
San Bernardino aster (*Symphyotrichum defoliatum*)	perennial rhizomatous herb	Jul-Nov(Dec)	None / None / 1B.2	Near ditches, streams, springs in Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Meadows and seeps, Marshes and swamps, Valley and foothill grassland (vernally mesic) at elevations from 2 to 2040 meters.	**Presumed Absent.** No suitable habitat within Study Area. Conspicuous perennial, not observed during survey conducted during flowering period.
Greata's aster (*Symphyotrichum greatae*)	perennial rhizomatous herb	Jun-Oct	None / None / 1B.3	Mesic substrate in Broadleafed upland forest, Chaparral, Cismontane woodland, Lower montane coniferous forest, Riparian woodland at elevations from 300 to 2010 meters.	**Absent.** No suitable habitat within Study Area.
Sonoran maiden fern (*Thelypteris puberula* var. *sonorensis*)	perennial rhizomatous herb	Jan-Sep	None / None / 2B.2	Meadows and seeps (seeps and streams) at elevations from 50 to 610 meters.	**Absent.** No suitable habitat within Study Area.
rigid fringepod (*Thysanocarpus rigidus*)	annual herb	Feb-May	None / None / 1B.2	Dry rocky slopes substrate in Pinyon and juniper woodland at elevations from 600 to 2200 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.

Common Name (*Scientific Name*)	Lifeform	Blooming Period	Status (Federal / State / CNPS)	Primary Habitat Associations	Potential to Occur (Observed, Potentially Present, Presumed Absent, Absent)
grey-leaved violet (*Viola pinetorum* ssp. *grisea*)	perennial herb	Apr-Jul	None / None / 1B.2	Meadows and seeps, Subalpine coniferous forest, Upper montane coniferous forest at elevations from 1500 to 3400 meters.	**Absent.** Outside of range for species (elevation). No suitable habitat within Study Area.

APPENDIX 5
Wildlife Observed – November 26, 2019

Common Name	*Scientific Name*
BIRDS	
American kestrel	*Falco sparverius*
American pipit	*Anthus rubescens*
black phoebe	*Sayornis nigricans*
house finch	*Haemorhous mexicanus*
Say's phoebe	*Sayornis saya*
turkey vulture	*Cathartes aura*
western kingbird	*Tyrannus verticalis*
yellow-rumped warbler	*Dendroica coronata*
MAMMALS	
California ground squirrel	*Spermophilus beecheyi*
coyote	*Canis latrans*
striped skunk	*Mephitis mephitis*
Virginia opossum	*Didelphis virginiana*

APPENDIX 6
Potential for Occurrence – Special Status Wildlife Species

Common Name (*Scientific Name*)	Status (Federal / State)	General Habitat Associations	Potential to Occur On-Site (Observed, Potentially Present, Presumed Absent, Absent)
Federal and State Listed Species			
Insects			
Crotch bumble bee (*Bombus crotchii*)	None / Candidate CE	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	**Presumed Absent.** No preferred food genera present.
Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*)	FE / None	Found only in areas of the Delhi Sands formation in southwestern San Bernardino & northwestern Riverside counties. Requires fine, sandy soils, often with wholly or partly consolidated dunes & sparse vegetation. Oviposition req. shade.	**Absent.** No suitable habitat within study area.
Fish			
Santa Ana sucker (*Catostomus santaanae*)	FT / None	Endemic to Los Angeles Basin south coastal streams. Habitat generalists, but prefer sand-rubble-boulder bottoms, cool, clear water, and algae.	**Absent.** No suitable habitat within Study Area.
steelhead (*Oncorhynchus mykiss irideus*)	FE / None	Federal listing refers to populations from Santa Maria River south to southern extent of range (San Mateo Creek in San Diego County). Southern steelhead likely have greater physiological tolerances to warmer water and more variable conditions.	**Absent.** No suitable habitat within Study Area.
Amphibians and Reptiles.			
arroyo toad (*Anaxyrus californicus*)	FE / SSC	Semi-arid regions near washes or intermittent streams, including valley-foothill and desert riparian, desert wash, etc. Rivers with sandy banks, willows, cottonwoods, and sycamores; loose, gravelly areas of streams in drier parts of range.	**Absent.** No suitable habitat within Study Area.
foothill yellow-legged frog (*Rana boylii*)	None / CCT	Partly-shaded, shallow streams and riffles with a rocky substrate in a variety of habitats. Needs at least some cobble-sized substrate for egg-laying. Needs at least 15 weeks to attain metamorphosis.	**Absent.** No suitable habitat within Study Area.

Common Name (*Scientific Name*)	Status (Federal / State)	General Habitat Associations	Potential to Occur On-Site (Observed, Potentially Present, Presumed Absent, Absent)
southern mountain yellow-legged frog (*Rana muscosa*)	FE / CE	Federal listing refers to populations in the San Gabriel, San Jacinto and San Bernardino mountains (southern DPS). Northern DPS was determined to warrant listing as endangered, Apr 2014, effective Jun 30, 2014. Always encountered within a few feet of water. Tadpoles may require 2 - 4 yrs to complete their aquatic development.	**Absent.** No suitable habitat within Study Area.
Birds			
tricolored blackbird (*Agelaius tricolor*)	None / CT	Highly colonial species, most numerous in Central Valley & vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony.	**Absent.** No suitable habitat within Study Area.
Swainson's hawk (*Buteo swainsoni*)	None / CT	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, & agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields supporting rodent populations.	**Absent.** No suitable habitat within Study Area.
western yellow-billed cuckoo (*Coccyzus americanus occidentalis*)	FT / CE	Riparian forest nester, along the broad, lower flood-bottoms of larger river systems. Nests in riparian jungles of willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape.	**Absent.** No suitable habitat within Study Area.
southwestern willow flycatcher (*Empidonax traillii extimus*)	FE / CE	Riparian woodlands in Southern California.	**Absent.** No suitable habitat within Study Area.
California black rail (*Laterallus jamaicensis coturniculus*)	None / CT	Inhabits freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays. Needs water depths of about 1 inch that do not fluctuate during the year and dense vegetation for nesting habitat.	**Absent.** No suitable habitat within Study Area.
coastal California gnatcatcher (*Polioptila californica californica*)	FT / SSC	Obligate, permanent resident of coastal sage scrub below 2500 ft in Southern California. Low, coastal sage scrub in arid washes, on mesas and slopes. Not all areas classified as coastal sage scrub are occupied.	**Absent.** No suitable habitat within Study Area.
least Bell's vireo (*Vireo bellii pusillus*)	FE / CE	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	**Absent.** No suitable habitat within Study Area.

Common Name (*Scientific Name*)	Status (Federal / State)	General Habitat Associations	Potential to Occur On-Site (Observed, Potentially Present, Presumed Absent, Absent)
Mammals			
San Bernardino kangaroo rat (*Dipodomys merriami parvus*)	FE / CE	Alluvial scrub vegetation on sandy loam substrates characteristic of alluvial fans and flood plains. Needs early to intermediate seral stages.	**Absent.** No suitable habitat within Study Area.
Stephens' kangaroo rat (*Dipodomys stephensi*)	FE / CT	Primarily annual & perennial grasslands, but also occurs in coastal scrub & sagebrush with sparse canopy cover. Prefers buckwheat, chamise, brome grass and filaree. Will burrow into firm soil.	**Presumed Absent.** Recurring disturbance of isolated grassland precludes presence of the species.
Non-Listed Special Status Species			
Fish			
arroyo chub (*Gila orcuttii*)	None / SSC	Native to streams from Malibu Creek to San Luis Rey River basin. Introduced into streams in Santa Clara, Ventura, Santa Ynez, Mojave & San Diego river basins. Slow water stream sections with mud or sand bottoms. Feeds heavily on aquatic vegetation and associated invertebrates.	**Absent.** No suitable habitat within Study Area.
Santa Ana speckled dace (*Rhinichthys osculus*)	None / SSC	Headwaters of the Santa Ana and San Gabriel rivers. May be extirpated from the Los Angeles River system. Requires permanent flowing streams with summer water temps of 17-20 C. Usually inhabits shallow cobble and gravel riffles.	**Absent.** No suitable habitat within Study Area.
Amphibians and Reptiles			
northern leopard frog (*Lithobates pipiens*)	None / SSC	Native range is east of Sierra Nevada-Cascade Crest. Near permanent or semi-permanent water in a variety of habitats. Highly aquatic species. Shoreline cover, submerged and emergent aquatic vegetation are important habitat characteristics.	**Absent.** No suitable habitat within Study Area.
western spadefoot (*Spea hammondii*)	None / SSC	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.	**Absent.** No suitable habitat within Study Area.
Coast Range newt (*Taricha torosa*)	None / SSC	Coastal drainages from Mendocino County to San Diego County. Lives in terrestrial habitats & will migrate over 1 km to breed in ponds, reservoirs & slow moving streams.	**Absent.** No suitable habitat within Study Area.

Common Name (*Scientific Name*)	Status (Federal / State)	General Habitat Associations	Potential to Occur On-Site (Observed, Potentially Present, Presumed Absent, Absent)
southern California legless lizard (*Anniella stebbinsi*)	None / SSC	Generally south of the Transverse Range, extending to northwestern Baja California. Occurs in sandy or loose loamy soils under sparse vegetation. Disjunct populations in the Tehachapi and Piute Mountains in Kern County. Variety of habitats; generally in moist, loose soil. They prefer soils with a high moisture content.	**Absent.** No suitable habitat within Study Area.
California glossy snake (*Arizona elegans occidentalis*)	None / SSC	Patchily distributed from the eastern portion of San Francisco Bay, southern San Joaquin Valley, and the Coast, Transverse, and Peninsular ranges, south to Baja California. Generalist reported from a range of scrub and grassland habitats, often with loose or sandy soils.	**Presumed Absent.** Patch of grassland within study area is isolated and highly disturbed.
coastal whiptail (*Aspidoscelis tigris stejnegeri*)	None / SSC	Found in deserts and semi-arid areas with sparse vegetation and open areas. Also found in woodland & riparian areas. Ground may be firm soil, sandy, or rocky.	**Presumed Absent.** Patch of grassland within study area is isolated and highly disturbed.
San Diego banded gecko (*Coleonyx variegatus abbotti*)	None / SSC	Coastal & cismontane Southern California. Found in granite or rocky outcrops in coastal scrub and chaparral habitats.	**Absent.** No suitable habitat within Study Area.
red-diamond rattlesnake (*Crotalus ruber*)	None / SSC	Chaparral, woodland, grassland, & desert areas from coastal San Diego County to the eastern slopes of the mountains. Occurs in rocky areas and dense vegetation. Needs rodent burrows, cracks in rocks or surface cover objects.	**Presumed Absent.** Patch of grassland within study area is isolated and highly disturbed.
western pond turtle (*Emys marmorata*)	None / SSC	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation. Needs basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying.	**Absent.** No suitable habitat within Study Area.
coast horned lizard (*Phrynosoma blainvillii*)	None / SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	**Presumed Absent.** Patch of grassland within study area is isolated and highly disturbed.
coast patch-nosed snake (*Salvadora hexalepis virgultea*)	None / SSC	Brushy or shrubby vegetation in coastal Southern California. Require small mammal burrows for refuge and overwintering sites.	**Presumed Absent.** Patch of grassland within study area is isolated and highly disturbed.

Common Name (*Scientific Name*)	Status (Federal / State)	General Habitat Associations	Potential to Occur On-Site (Observed, Potentially Present, Presumed Absent, Absent)
two-striped gartersnake (*Thamnophis hammondii*)	None / SSC	Coastal California from vicinity of Salinas to northwest Baja California. From sea to about 7,000 ft elevation. Highly aquatic, found in or near permanent fresh water. Often along streams with rocky beds and riparian growth.	**Absent.** No suitable habitat within Study Area.
Birds			
grasshopper sparrow (*Ammodramus savannarum*)	None / SSC	Dense grasslands on rolling hills, lowland plains, in valleys and on hillsides on lower mountain slopes. Favors native grasslands with a mix of grasses, forbs and scattered shrubs. Loosely colonial when nesting.	**Absent.** No suitable habitat within Study Area.
golden eagle (*Aquila chrysaetos*)	None / CFP	Rolling foothills, mountain areas, sage-juniper flats, and desert. Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas.	**Absent.** No suitable habitat within Study Area.
long-eared owl (*Asio otus*)	None / SSC	Riparian bottomlands grown to tall willows and cottonwoods; also, belts of live oak paralleling stream courses. Require adjacent open land, productive of mice and the presence of old nests of crows, hawks, or magpies for breeding.	**Absent.** No suitable habitat within Study Area.
burrowing owl (*Athene cunicularia*)	None / SSC	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	**Presumed Absent.** Patch of grassland within study area is isolated and highly disturbed.
coastal cactus wren(*Campylorhynchus brunneicapillus sandiegensis*)	None / SSC	Southern California coastal sage scrub. Wrens require tall opuntia cactus for nesting and roosting.	**Absent.** No suitable habitat within Study Area.
yellow rail (*Coturnicops noveboracensis*)	None / SSC	Summer resident in eastern Sierra Nevada in Mono County. Freshwater marshlands.	**Absent.** No suitable habitat within Study Area.
black swift (*Cypseloides niger*)	None / SSC	Coastal belt of Santa Cruz and Monterey counties; central & southern Sierra Nevada; San Bernardino & San Jacinto mountains. Breeds in small colonies on cliffs behind or adjacent to waterfalls in deep canyons and sea-bluffs above the surf; forages widely.	**Absent.** No suitable habitat within Study Area.
white-tailed kite (*Elanus leucurus*)	None / CFP	Rolling foothills and valley margins with scattered oaks & river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	**Absent.** No suitable habitat within Study Area.

Common Name (*Scientific Name*)	Status (Federal / State)	General Habitat Associations	Potential to Occur On-Site (Observed, Potentially Present, Presumed Absent, Absent)
yellow-breasted chat (*Icteria virens*)	None / SSC	Summer resident; inhabits riparian thickets of willow and other brushy tangles near watercourses. Nests in low, dense riparian, consisting of willow, blackberry, wild grape; forages and nests within 10 ft of ground.	**Absent.** No suitable habitat within Study Area.
yellow warbler (*Setophaga petechia*)	None / SSC	Riparian plant associations in close proximity to water. Also nests in montane shrubbery in open conifer forests in Cascades and Sierra Nevada. Frequently found nesting and foraging in willow shrubs and thickets, and in other riparian plants including cottonwoods, sycamores, ash, and alders.	**Absent.** No suitable habitat within Study Area.
Mammals			
pallid bat (*Antrozous pallidus*)	None / SSC	Deserts, grasslands, shrublands, woodlands and forests. Most common in open, dry habitats with rocky areas for roosting. Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.	**Absent.** No suitable habitat within Study Area.
northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*)	None / SSC	Coastal scrub, chaparral, grasslands, sagebrush, etc. in western San Diego County. Sandy, herbaceous areas, usually in association with rocks or coarse gravel.	**Absent.** No suitable habitat within Study Area.
western mastiff bat (*Eumops perotis californicus*)	None / SSC	Many open, semi-arid to arid habitats, including conifer & deciduous woodlands, coastal scrub, grasslands, chaparral, etc. Roosts in crevices in cliff faces, high buildings, trees and tunnels.	**Absent.** No suitable habitat within Study Area.
western yellow bat (*Lasiurus xanthinus*)	None / SSC	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. Roosts in trees, particularly palms. Forages over water and among trees.	**Absent.** No suitable habitat within Study Area.
San Diego black-tailed jackrabbit (*Lepus californicus bennettii*)	None / SSC	Intermediate canopy stages of shrub habitats & open shrub / herbaceous & tree / herbaceous edges. Coastal sage scrub habitats in Southern California.	**Absent.** No suitable habitat within Study Area.
San Diego desert woodrat (*Neotoma lepida intermedia*)	None / SSC	Coastal scrub of Southern California from San Diego County to San Luis Obispo County. Moderate to dense canopies preferred. They are particularly abundant in rock outcrops, rocky cliffs, and slopes.	**Absent.** No suitable habitat within Study Area. Conspicuous nests not observed during November 2019 survey.
pocketed free-tailed bat (*Nyctinomops femorosaccus*)	None / SSC	Variety of arid areas in Southern California; pine-juniper woodlands, desert scrub, palm oasis, desert wash, desert riparian, etc. Rocky areas with high cliffs.	**Absent.** No suitable habitat within Study Area.

Common Name (*Scientific Name*)	Status (Federal / State)	General Habitat Associations	Potential to Occur On-Site (Observed, Potentially Present, Presumed Absent, Absent)
big free-tailed bat (*Nyctinomops macrotis*)	None / SSC	Low-lying arid areas in Southern California. Need high cliffs or rocky outcrops for roosting sites. Feeds principally on large moths.	**Absent.** No suitable habitat within Study Area.
desert bighorn sheep (*Ovis canadensis nelsoni*)	None / CFP	Widely distributed from the White Mtns in Mono Co. to the Chocolate Mts in Imperial Co. Open, rocky, steep areas with available water and herbaceous forage.	**Absent.** No suitable habitat within Study Area.
Los Angeles pocket mouse (*Perognathus longimembris brevinasus)*	None / SSC	Lower elevation grasslands and coastal sage communities in and around the Los Angeles Basin. Open ground with fine, sandy soils. May not dig extensive burrows, hiding under weeds and dead leaves instead.	**Presumed Absent.** Patch of grassland within study area is isolated and highly disturbed.
American badger (*Taxidea taxus*)	None / SSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Needs sufficient food, friable soils and open, uncultivated ground. Preys on burrowing rodents. Digs burrows.	**Absent.** No suitable habitat within Study Area. Open space insufficient and too highly urbanized to support the species.

Exhibit H – Traffic Impact Analysis

TRAFFIC IMPACT & PARKING ANALYSIS

FOR THE PROPOSED

64-UNIT APARTMENT COMPLEX

1252 EAST 7TH STREET - UPLAND

Prepared for

CITY OF UPLAND
&
NAJI GARABET

Prepared by

GARLAND ASSOCIATES
16787 Beach Boulevard, Suite 234
Huntington Beach, CA 92647
714-330-8984

DECEMBER 2019
Revised APRIL 2020

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I.
INTRODUCTION AND PROJECT DESCRIPTION

This report summarizes the results of a traffic impact and parking analysis that was conducted for a 64-unit apartment complex that is proposed at 1252 East 7th Street in the City of Upland. The project site is on the south side of 7th Street between 11th Avenue and Grove Avenue in the southeast corner of the City. Figure 1 in the Appendix is a vicinity map that shows the location of the proposed project.

Project Description

The proposed project will result in the development of a 64-unit apartment complex in 16 buildings on a 3.18-acre parcel of land located on the south side of 7th Street immediately east of Tradition Lane. The project site is currently occupied by an industrial building, which will be demolished. Access will be provided by a new driveway on the south side of 7th Street that will connect to a circulation drive that runs north-south through the project site. The site plan for the proposed apartment complex is provided on Figure 2.

The project site is located immediately west of an existing U.S. Army Reserve Center. The driveways that provide access to the existing industrial building will be eliminated and replaced with a parkway strip and new curb-and-gutter.

Analysis Methodology

An analysis has been prepared to evaluate the traffic impacts of the proposed apartment complex. As directed by staff at the City of Upland, the traffic analysis is focused on the intersection of 7th Street and 11th Avenue, which is located approximately 500 feet west of the project site. The objective of the analysis was to quantify the impacts of the proposed apartments on the traffic conditions at this intersection. The methodology for the traffic study, in general, was to:

1. Establish the existing baseline traffic conditions at the 7th Street/11th Avenue intersection,
2. Project the future baseline traffic conditions for the first full year of occupancy for the proposed project (year 2023),
3. Estimate the levels of traffic that would be generated by the apartments on a typical day of operation and geographically distribute this project-generated traffic onto the study area street network,
4. Conduct a comparative analysis of traffic conditions with and without the apartments, and
5. Identify mitigation measures if any significant impacts are identified.

The traffic analysis is based on the morning (AM) and afternoon (PM) peak hour traffic volumes at the study area intersection. The following analysis scenarios were addressed:

- Existing (year 2019) conditions
- Existing plus project conditions
- Future (year 2023) conditions without the project

- Future conditions with the project

The analysis was conducted by calculating the levels of service (LOS) at the study area intersection for each analysis scenario. The levels of service were calculated by using the Highway Capacity Manual (HCM) methodology for the unsignalized intersection, which has stop signs on the north and south legs of the intersection; i.e., on the 11th Avenue approaches. The HCM methodology uses average vehicular delay values to determine the levels of service.

In addition to the traffic analysis, a parking analysis was conducted to quantify the number of parking spaces that are required for the 64 apartments. The number of spaces was determined by using the parking rate values cited in the Upland Municipal Code for the multi-family residential land use category.

II.
EXISTING AND FUTURE BASELINE TRAFFIC CONDITIONS

The street network in the project vicinity, the existing traffic volumes, and the levels of service (LOS) at the study area intersection are described below.

Study Area Street Network

The streets that provide access to the project area include 7th Street and 11th Avenue. The following paragraphs provide a brief description of the characteristics of these streets. Figure 3 in the Appendix shows the two study area streets, including the type of traffic control at the intersection, the lane configuration at the intersection, then number of lanes on each street segment, and the speed limits.

7th Street

7th Street is a two lane east-west street that abuts the north side of the project site. It extends east to the City of Ontario and west to the City of Montclair and serves as an access route between the project site and the San Bernardino Freeway (Interstate 10) via an interchange at Euclid Avenue, which is approximately one mile west of the project site. The Circulation Element of the "City of Upton General Plan" indicates that 7th Street is classified as a collector street. The speed limit on 7th Street is 30 miles per hour (mph).

11th Avenue

11th Avenue is a two lane north-south street located approximately 500 feet west of the project site. It provides access to a residential area north of 7th Street and to a residential/industrial area south of 7th Street. 11th Avenue is classified as a local street and the speed limit is 25 mph.

Existing Peak Hour Traffic Volumes

Manual traffic counts were taken at the 7th Street/11th Avenue intersection on Thursday, November 21, 2019 during the morning and afternoon peak periods from 7:00 to 9:00 AM and from 4:00 to 6:00 PM. The traffic volumes were recorded in 15-minute intervals throughout each of the two-hour monitoring periods. The one-hour interval of peak traffic flow within each two-hour monitoring period was identified to quantify the morning and afternoon peak hour traffic volumes.

The results of the traffic count program for the 7th Street/11th Avenue intersection are provided on Figure 4 in the Appendix. The exhibit shows the existing peak hour traffic volumes and turning movements for the AM and PM peak hours. Although the traffic counts were taken from 7:00 to 9:00 AM and 4:00 to 6:00 PM, the traffic volumes shown on the exhibit represent the peak one-hour interval of traffic flow at the intersection; i.e., 7:00 to 8:00 AM and 5:00 to 6:00 PM. The traffic volumes were rounded to the nearest 10 (or the nearest 5 for volumes below 10).

Existing Intersection Levels of Service

To quantify the existing baseline traffic conditions, the study area intersection was analyzed to determine the operating levels of service (LOS) during the weekday morning and afternoon peak

hours. LOS is a qualitative indicator of the traffic conditions at an intersection that is representative of various degrees of congestion and delay.

Level of service values range from LOS A to LOS F. LOS A represents excellent operating conditions with little or no delay to motorists, while LOS F represents extremely congested conditions with excessive vehicle delays. LOS E is typically defined as the operating "capacity" of a roadway. According to the City of Upland's criteria, LOS A, B, C, and D represent acceptable traffic conditions.

A level of service (LOS) analysis was conducted for the 7th Street/11th Avenue intersections using the Highway Capacity Manual (HCM) methodology, which quantifies the average levels of vehicle delay at each intersection and determines the resulting levels of service. The intersection was modeled by using the Highway Capacity Software (HCS). The input parameters that are used to determine the LOS values include peak hour traffic volumes, turning movement counts, and the existing number of lanes on each approach to the intersection.

The relationship between delay values and the corresponding levels of service for unsignalized intersections are shown in Table 1.

TABLE 1
RELATIONSHIP BETWEEN DELAY VALUES & LEVELS OF SERVICE

Level of Service	*Delay Value (seconds) Unsignalized Intersections*
A	0.0 to 10.0
B	> 10.0 to 15.0
C	> 15.0 to 25.0
D	> 25.0 to 35.0
E	> 35.0 to 50.0
F	> 50.0

Based on the peak hour traffic volumes, the turning movement counts, and the existing number of lanes at each intersection, the levels of service were determined for the 7th Street/11th Avenue intersection based on the average vehicle delay values. The results of the level of service analysis are summarized in Table 2 for the existing conditions scenario.

TABLE 2
EXISTING INTERSECTION LEVELS OF SERVICE

Intersection	*Delay Value (seconds/vehicle) & Level of Service*	
	AM Peak Hour	*PM Peak Hour*
7th Street at 11th Avenue		
Northbound	11.6 – B	13.2 – B
Southbound	13.1 – B	12.7 – B

As shown in Table 2, the 7th Street/11th Avenue intersection currently operates at acceptable levels of service (LOS A through D) as the northbound and southbound directions, where vehicles stop and the

stop signs, operate at LOS B during the AM and PM peak hours. The delay values represent the average amount of delay for motorists stopped at the stop signs on 11th Avenue because traffic on 7th Street does not have to stop at the intersection (no stop signs on 7th Street).

Future Baseline Traffic Conditions

The proposed apartment complex is expected to be completed by the end of year 2022, so the year 2023 was used as the target year for the traffic analysis because that is the first full year that the apartments would be occupied. The baseline traffic conditions for the year 2023 were estimated by applying a growth factor of 8.2 percent to the existing traffic volumes. This represents an annual growth rate of two percent per year for four years (2019 to 2023), compounded annually. The two percent growth rate was selected because it has been used in recent traffic studies for other development projects in Upland.

The growth factor of two percent accounts for the traffic increases associated with general ambient regional growth and the cumulative increase in traffic volumes that would be generated by other proposed development projects in the area. The year 2023 baseline traffic volumes without the proposed project are shown on Figure 5 in the Appendix for the AM and PM peak hours.

Based on the projected peak hour traffic volumes, the turning movement counts, and the existing lane configuration at each intersection, the future baseline delay values and levels of service were calculated for each study area intersection, as summarized in Table 3.

TABLE 3
YEAR 2023 INTERSECTION LEVELS OF SERVICE WITHOUT PROJECT

Intersection	*Delay Value (seconds/vehicle) & Level of Service*	
	AM Peak Hour	*PM Peak Hour*
7th Street at 11th Avenue		
Northbound	12.0 – B	14.0 – B
Southbound	13.7 – B	13.3 – B

For the target year of 2023, the 7th Street/11th Avenue intersection is projected to continue operating at an acceptable level of service B during the AM and PM peak hours.

III.
TRAFFIC IMPACT ANALYSIS

The following sections summarize the analysis of the project's impacts on study area traffic conditions. First is a discussion of project generated traffic volumes. This is followed by an analysis of the impacts of the proposed project on the traffic volumes and the levels of service at the study area intersection.

Project Generated Traffic

The volumes of traffic that would be generated by the proposed apartment complex were determined in order to estimate the impacts of the project on the study area streets and intersection. The trip generation rates that were used to estimate the project generated traffic volumes and the levels of traffic that would be generated by the proposed apartments are shown in Table 4. The trip rates represent values from the Institute of Transportation Engineers *Trip Generation Manual* for the multi-family housing (low-rise) land use category.

TABLE 4
PROJECT GENERATED TRAFFIC

Land Use	*AM Peak Hour*			*PM Peak Hour*			*Daily Traffic*
	Total	*Inbound*	*Outbound*	*Total*	*Inbound*	*Outbound*	
TRIP GENERATION RATES							
Multi-Family Housing – Land Use Code 220 (trips per dwelling unit)	0.46	23%	77%	0.56	63%	37%	7.32
GENERATED TRAFFIC VOLUMES							
Apartments (64 units)	30	7	23	36	23	13	470

Table 4 indicates that the proposed apartment complex would generate an estimated 30 vehicle trips during the AM peak hour (7 inbound and 23 outbound), 36 trips during the PM peak hour (23 inbound and 13 outbound), and 470 trips per day. These traffic volume estimates represent a typical day of activity.

To quantify the increases in traffic that would occur at the study intersection as a result of the proposed apartment complex, the project generated traffic shown in Table 4 for the AM and PM peak hours was geographically distributed onto the street network using the directional percentages shown below. The distribution percentages are based on the layout of the street network, the existing travel patterns observed on the study area streets, and the anticipated geographical distribution of the facility's residents.

<u>Trip Distribution Assumptions</u>

7th Street to the East	20%
7th Street West of 11th Avenue	65%
11th Avenue North of 7th Street	7.5%
11th Avenue South of 7th Street	7.5%

Using the generated traffic volumes shown in Table 4 and the geographical distribution assumptions shown above, the volumes of project traffic passing through the 7th Street/11th Avenue intersection were determined for the traffic impact analysis. The project generated traffic volumes are shown on Figure 6 in the Appendix.

Projected Traffic Volumes

For purposes of evaluating the impacts of the proposed apartments, the traffic analysis considers two scenarios. One is the project's impacts on existing conditions and the other is the project's impacts on the projected year 2023 conditions. To quantify the impacts on existing conditions, the project generated traffic volumes shown on Figure 6 were added to the existing traffic volumes. The resulting "existing plus project" traffic volumes are shown on Figure 7.

The total volumes of traffic projected for the year 2023 traffic conditions for the "with project" scenario were determined by adding the project generated traffic to the future year 2023 baseline traffic volumes. The "2023 with project" traffic volumes are shown on Figure 8.

Significance Criteria

City of Upland

According to the City of Upland's standards, a significant impact would occur if an intersection operating at an acceptable LOS A through D would degrade to an unacceptable LOS E or F as a result of the project.

San Bernardino County Congestion Management Program

According to the "Guidelines for CMP Traffic Impact Analysis Reports in San Bernardino County," which is Appendix B of the San Bernardino County Congestion Management Program (San Bernardino Associated Governments, 2016), a significant impact would occur if a project would degrade the level of service at an intersection to LOS F.

Intersection Impact Analysis

An analysis of traffic impacts was conducted by quantifying the before-and-after traffic volumes, then determining the average delay values and the levels of service at the 7th Street/11th Avenue intersection for the "without project" and "with project" scenarios. Two scenarios were used as the baseline conditions for the intersection impact analysis: existing conditions and the projected year 2023 conditions. The impact analysis, therefore, addresses the following four scenarios.

- Existing Traffic Conditions
- Existing plus Project Traffic Conditions
- Year 2023 without Project
- Year 2023 with Project.

The before-and-after delay values and levels of service at the study area intersection are summarized in Table 5 for the existing conditions baseline scenario. The table shows the existing traffic conditions without the project, the traffic conditions with the addition of the project generated traffic, and the change in delay values associated with the project. The last column in Table 5 indicates if the intersection would be significantly impacted by the project traffic.

Table 5
Project Impact on Intersection Levels of Service
Existing Conditions as Baseline

Intersection	*Delay Value (seconds/vehicle) & Level of Service*		*Increase In Delay*	*Significant Impact*
	Existing Conditions	*Existing Plus Project*		
7th Street at 11th Avenue – AM Peak Hour				
Northbound	11.6 – B	11.7 – B	0.1	No
Southbound	13.1 – B	13.4 – B	0.3	No
7th Street at 11th Avenue – PM Peak Hour				
Northbound	13.2 – B	13.5 – B	0.3	No
Southbound	12.7 – B	13.1 – B	0.4	No

Table 5 indicates that the intersection of 7th Street and 11th Avenue, for example, would operate with an average delay value of 11.6 seconds and LOS B for existing conditions during the AM peak hour in the northbound direction and with an average delay value of 11.7 seconds and LOS B for the existing plus project scenario, which represents an increase in the delay value of 0.1 seconds per vehicle. The last column indicates that this minor increase in vehicle delay would not constitute a significant impact by the project.

As shown in Table 5, the proposed project would not result in a significant impact at the 7th Street/11th Avenue intersection for the existing conditions baseline scenario according to the significance criteria cited above because the intersection would continue to operate at an acceptable LOS B during the AM and PM peak hours.

The before-and-after delay values and levels of service at the intersection of 7th Street and 11th Avenue are summarized in Table 6 for the year 2023 scenario. As shown, the proposed project would not have a significant impact at this intersection for the 2023 scenario because the intersection would continue to operate at an acceptable LOS B during the AM and PM peak hours.

Tables 5 and 6 indicate that the project would not result in a significant impact at the study area intersection because the additional traffic that would be contributed by the project is minor. Improvements/mitigation measures would not, therefore, be required at this intersection.

Table 6
Project Impact on Intersection Levels of Service
Year 2023 as Baseline

Intersection	*Delay Value (seconds/vehicle) & Level of Service*		*Increase In Delay*	*Significant Impact*
	2023 Without Project	*2023 With Project*		
7th Street at 11th Avenue – AM Peak Hour				
Northbound	12.0 – B	12.2 – B	0.2	No
Southbound	13.7 – B	14.1 – B	0.4	No
7th Street at 11th Avenue – PM Peak Hour				
Northbound	14.0 – B	14.3 – B	0.3	No
Southbound	13.3 – B	13.8 – B	0.5	No

IV.
PARKING ANALYSIS

Section 17.11.030 of the Upland Municipal Code, which is titled "On-Site Vehicle Parking Requirements," indicates that the parking requirement for the Multi-family Residential land use category is as follows:

Studio and 1 bedroom units: 1 space for each unit
2 bedrooms: 2 spaces for each unit
3 or more bedrooms: 2.5 spaces for each unit
Guest parking: 3-50 units: 1 per 4 units; 51-100 units: 1 per 5 units; 100+ units: 1 per 6 units

2 spaces per unit must be in a garage while the guest parking and the 0.5 spaces per unit for the 3-bedroom units can be uncovered.

Based on these parking requirements, the number of spaces required for the proposed 64-unit apartment complex was calculated, as summarized in Table 7. As shown, the facility would require a minimum of 148 parking spaces and 132 of the parking spaces must be in a garage (66 units x 2 spaces per unit).

Table 7
Parking Requirements

Parking Category	*Parking Calculation*	*# of Spaces Required*
2 Bedroom Units	62 units x 2 spaces/unit	124
3 Bedroom Units	2 units x 2.5 spaces/unit	5
Guest Parking	64 / 5 = 12.8 (round up)	13
TOTAL		142

According to the site plan, the apartment complex will have 128 parking spaces in private garages and 15 uncovered parking spaces will be provided adjacent to the buildings for a total of 143 on-site parking spaces. The number of parking spaces provided exceeds the City's requirement by one space.

V.
SUMMARY OF IMPACTS AND CONCLUSIONS

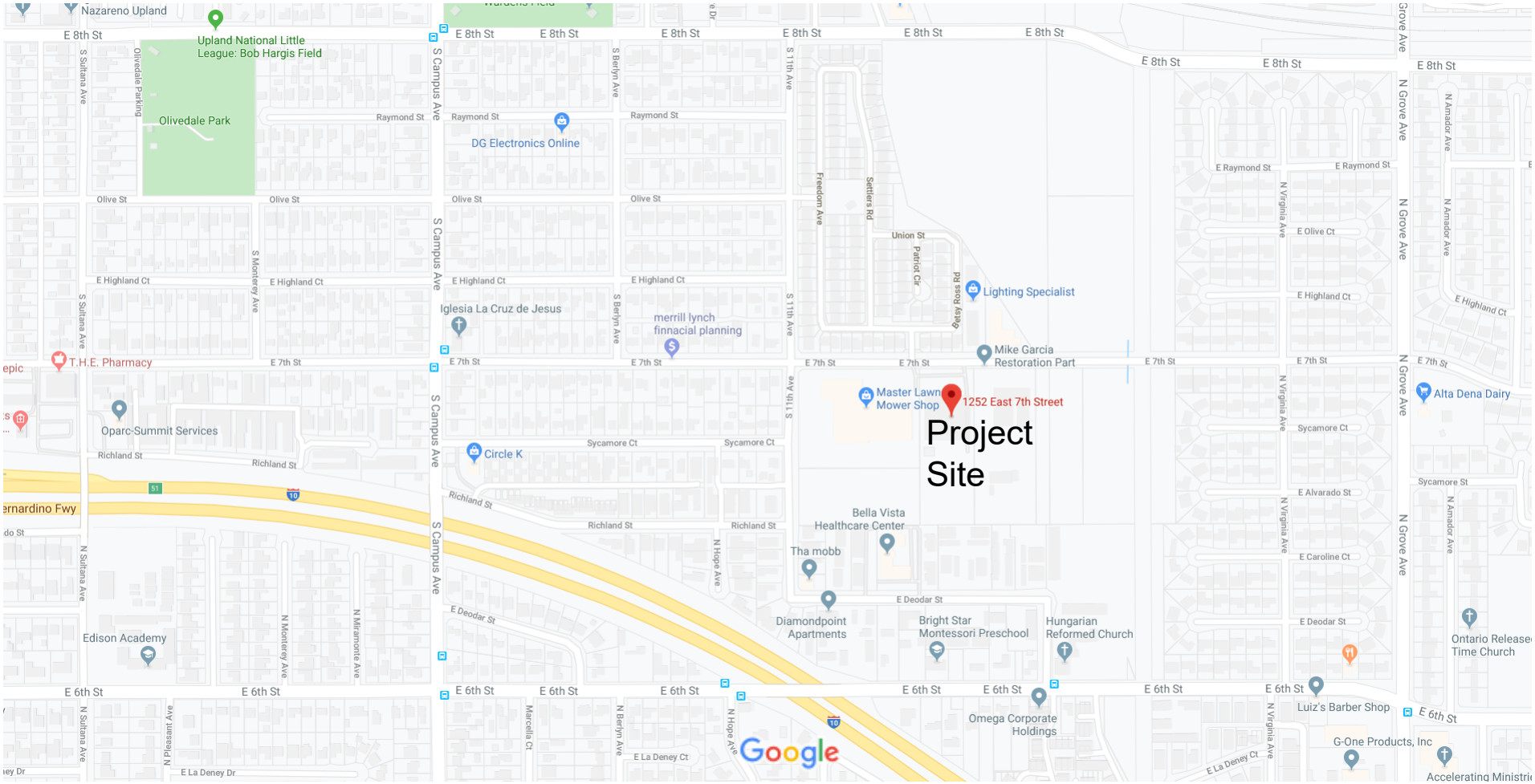
The key findings of the traffic and parking impact analysis are presented below.

- The proposed apartments would generate an estimated 30 vehicle trips during the AM peak hour (7 inbound and 23 outbound), 36 trips during the PM peak hour (23 inbound and 13 outbound), and 470 trips per day.
- An analysis of the AM and PM peak hour traffic conditions at the intersection of 7th Street and 11th Avenue indicates that the traffic generated by the proposed apartments would not result in a significant impact at the intersection according to the City of Upland and the San Bernardino County Congestion Management Program significance criteria. The intersection would continue to operate at an acceptable level of service B during the peak hours.
- Based on the City of Upland's Municipal Code parking requirements, the apartment complex needs 142 on-site parking spaces. As 143 spaces will be provided, the City's parking requirement is satisfied.

APPENDIX A

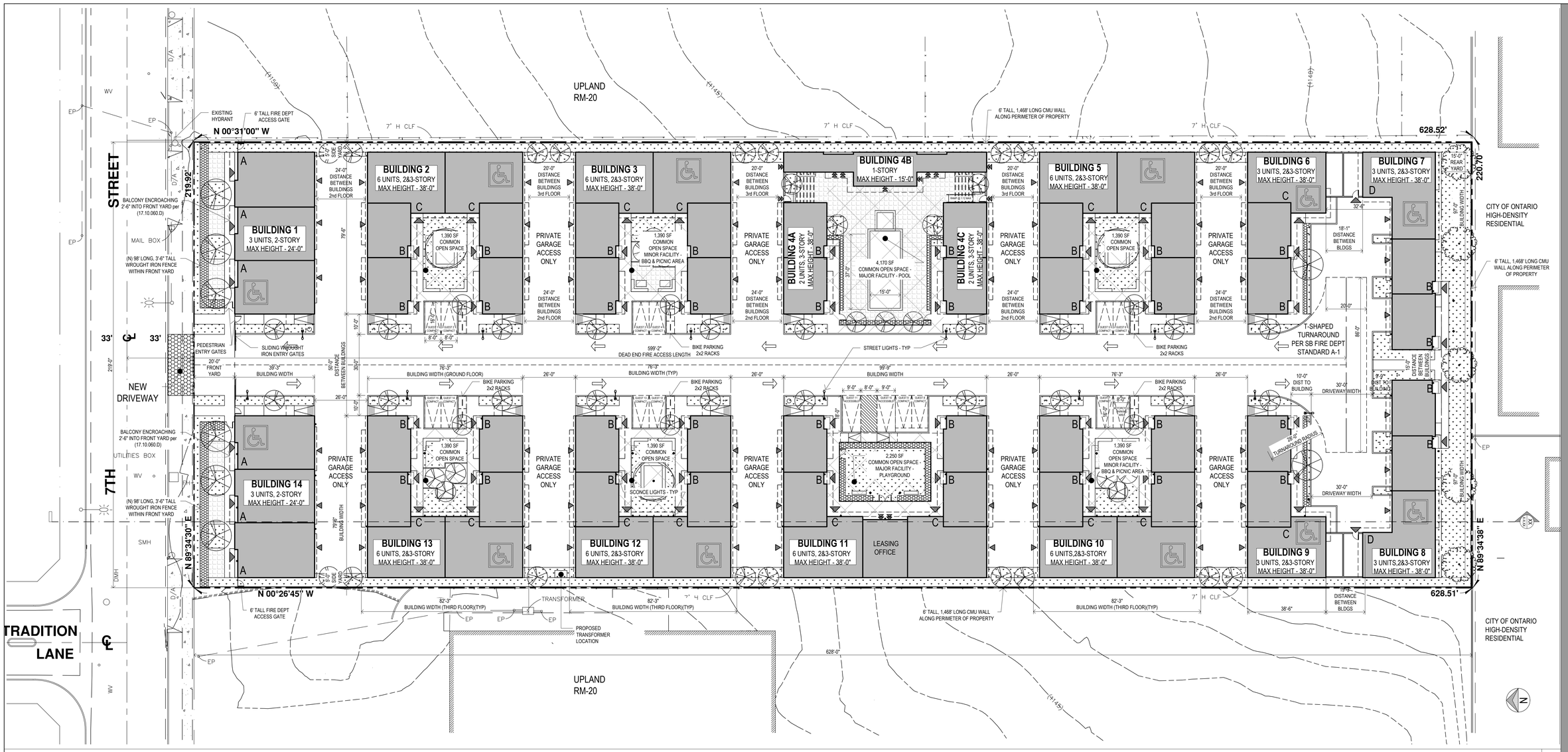
FIGURES

Google Maps 1252 E 7th St

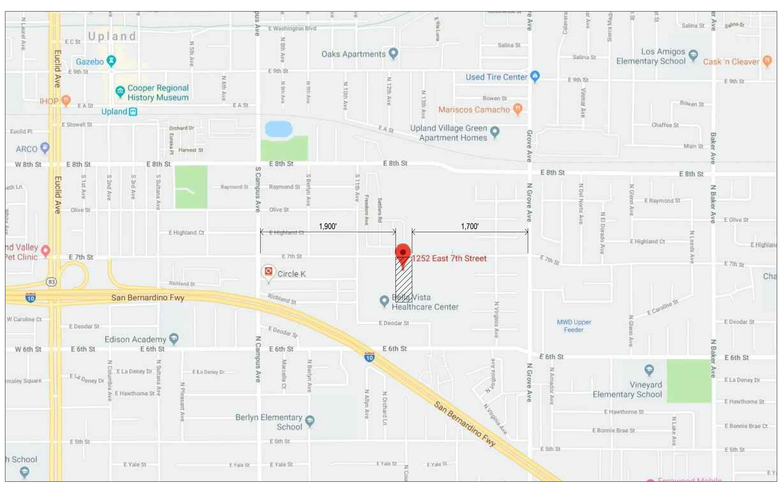


Map data ©2019 200 ft

FIGURE 1
PROJECT LOCATION



SITE PLAN SCALE 1/20" = 1'-0" | 2



LOCATION MAP SCALE N.T.S. | 6

PARCEL # 104718102
GENERAL PLAN: RESIDENTIAL MULTI-FAMILY LOW
ZONING: RM-20; MIN 10 & MAX 20 UNITS per ACRE
SITE ACREAGE: GROSS - 3.18 --- 63.6 UNITS ALLOWED --- 64 UNITS
DENSITY BONUS: N/A
PROPOSED HEIGHT: 38'-0" max
BUILDING SQFT: GROSS - 120,500 SQFT TOTAL
DENSITY PROPOSED: 64 UNITS
UNIT A - (6) @ 1,755 SQFT INCLUDING 450 SQFT GARAGE
UNIT B - (40) @ 1,860 SQFT INCLUDING 400 SQFT GARAGE
UNIT C - (16) @ 1,730 SQFT INCLUDING 415 SQFT GARAGE
UNIT D - (2) @ 2,250 SQFT INCLUDING 405 SQFT GARAGE
LOT COVERAGE: 43,935 SQFT OF 138,520 SQFT = **32%**
LANDSCAPE: 23,650 SQFT OF 138,520 SQFT= **17%**
PAVED AREA (Street & Driveways): 44,360 SQFT OF 138,520 SQFT= **32%**
PAVED AREA (Sidewalk & Hardscape): 26,575 SQFT OF 138,520 SQFT= **19%**
FLOOR AREA RATIO: 120,500 SQFT TO 138,530 SQFT = .87 TO 1
PARKING REQUIREMENTS
IN PRIVATE GARAGE REQUIRED: 2 per UNIT ... 128 TOTAL
IN PRIVATE GARAGE PROVIDED: 128 TOTAL

FOR 3-BEDROOM UNITS REQUIRED: .5 ADDITIONAL per UNIT... 2 UNITS x .5 = 1 TOTAL
FOR 3-BEDROOM UNITS PROVIDED: **1 ADDITIONAL TOTAL (ACCESSIBLE) ON SITE**

GUEST REQUIRED: 1 per 5 UNITS ... 64 / 5 = 12.8 -- 13 TOTAL
GUEST PROVIDED: 14 TOTAL, 2 ACCESSIBLE (1 VAN) ON SITE

TOTAL REQUIRED: 142 TOTAL, **TOTAL PROVIDED: 128 +1 +14 = 143 TOTAL**

SHORT TERM BICYCLE REQUIRED: 10% OF REQUIRED CARS: 10% OF 143 = 14.3 OR 14
SHORT TERM BICYCLE PROVIDED: 24
LONG TERM BICYCLE REQUIRED: 1 per 5 UNITS: 64/5 = 12.8 OR 13
LONG TERM BICYCLE PROVIDED: 16 within Unit C garages
MOTORCYCLE PARKING AREA REQUIRED: 1 (56 SQFT MIN) **PROVIDED: 1 (128 SQFT)**

TYPE OF BUILDING CONSTRUCTION: V-B
LOADING SPACE: NOT REQUIRED
OPEN SPACE REQUIREMENTS
COMMON REQUIRED: 250 SQFT per UNIT ... 250 x 64 = 16,000 SQFT
COMMON PROVIDED: 1,390(6) + 4,170 + 2,250 = 14,760 TOTAL

PRIVATE REQUIRED: 100 SQFT per UNIT ... 6,400 SQFT
UNIT A: 170 SQFT ROOF DECK x 6 = 1,020 SQFT
UNIT B: 230 SQFT ROOF DECK x 40 = 9,200 SQFT
UNIT C: 138 SQFT ROOF DECK x 16 = 2,208 SQFT
UNIT D: 200 SQFT DECK x 2 = 400 SQFT
PRIVATE PROVIDED: 12,864 SQFT TOTAL
DRAINAGE PLAN:
- DRAIN TOWARDS SOUTH PROPERTY LINE FOLLOWING EXISTING GRADE
- INFILTRATE DEPENDING ON SOIL CONDITIONS
STREET IMPROVEMENTS:
- CLOSE 2 EXISTING DRIVEWAY AT NE & NW CORNERS
- CONSTRUCT NEW DRIVEWAY IN THE MIDDLE OF SITE
FRONT YARD HARDSCAPE: 1,645 OF 4,380 SQFT = 38%

SCOPE OF WORK:
- DEMOLISH EXISTING BUILDING ON SITE
- (N) 64-UNIT APARTMENT COMPLEX ON 3.18 ACRE SITE. 16 BUILDINGS TOTAL
- (N) LANDSCAPING
- PROVIDE AUTOMATIC SPRINKLER SYSTEM per NFPA 13R

SITE PLAN NOTES SCALE N.T.S. | 5

LINE ABOVE
DRAINAGE LINE
PROPERTY LINE
FENCE
LANDSCAPING
OPEN SPACE
HARDSCAPING
UNIT ENTRANCE
GARAGE ENTRANCE
COMMON AREA ENTRANCE

SITE PLAN LEGEND SCALE N.T.S. | 4

T-1.10	TITLE PAGE
P-0.10	EXISTING SITE PICTURES
P-0.20	RENDERED IMAGES
A-0.10	SITE PLAN AND PROJECT INFORMATION
A-0.20	ENLARGED OPEN SPACE PLANS
A-0.30	FIRE DEPT SITE PLAN
A-0.40	WASTE MANAGEMENT PLAN
A-1.10	BUILDINGS 1 & 14 PLANS, SECTIONS, ELEVATIONS
A-1.20	BUILDINGS 2,3,5 & 10,12,13 TYPICAL FLOOR PLANS
A-1.30	BUILDING 11 FLOOR PLANS
A-1.40	BUILDINGS 6-9 FLOOR PLANS
A-1.50	BUILDINGS 4A, 4B, 4C FLOOR PLANS
A-2.10	SITE ELEVATIONS
A-2.20	BUILDINGS 2,3,5 & 10,12,13 TYPICAL ELEVATIONS
A-2.40	BUILDINGS 6-9 TYPICAL ELEVATIONS
A-2.30	BUILDINGS 4A, 4B, 4C TYPICAL ELEVATIONS
A-3.10	SITE SECTIONS
A-3.20	BUILDINGS 2-5 & 10-13 TYPICAL SECTIONS

SHEET INDEX SCALE N.T.S. | 3

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PROJECT TEAM SCALE N.T.S. | 1

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED IN OR BY THIS DRAWING(S) ARE OWNED BY L&V ARCHITECTS INC. AND WERE CREATED AND DEVELOPED FOR USE AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE DUPLICATED, USED BY OR DISCLOSED TO FOR ANY PURPOSE WHATSOEVER WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF L&V ARCHITECTS INC.

LICENSED ARCHITECT
VLADIMIR TOMALEVSKY
No. C 22417
06.30.2021
RENEWAL DATE
STATE OF CALIFORNIA

New 64-Unit Apartment Complex
1252 E 7th St
Upland, CA 91786

L+Varchitects inc.
8416 Harold Way
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SITE PLAN — title
04.16.2020 — date
1/20" =1'-0" — scale
A-0.10 — page
project #19.09

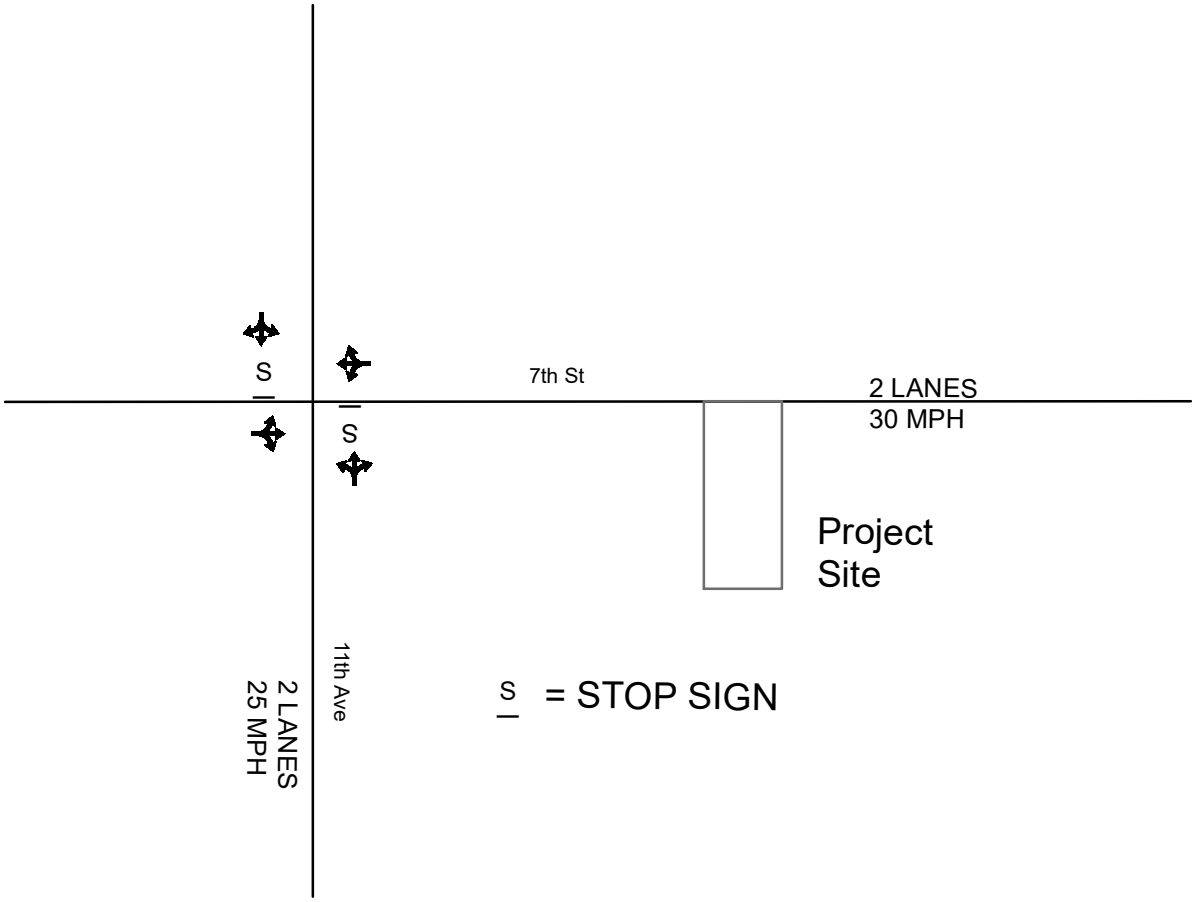

FIGURE 3
STUDY AREA STREETS & INTERSECTION
PROPOSED APARTMENT COMPLEX
1252 E. 7TH STREET - UPLAND

N

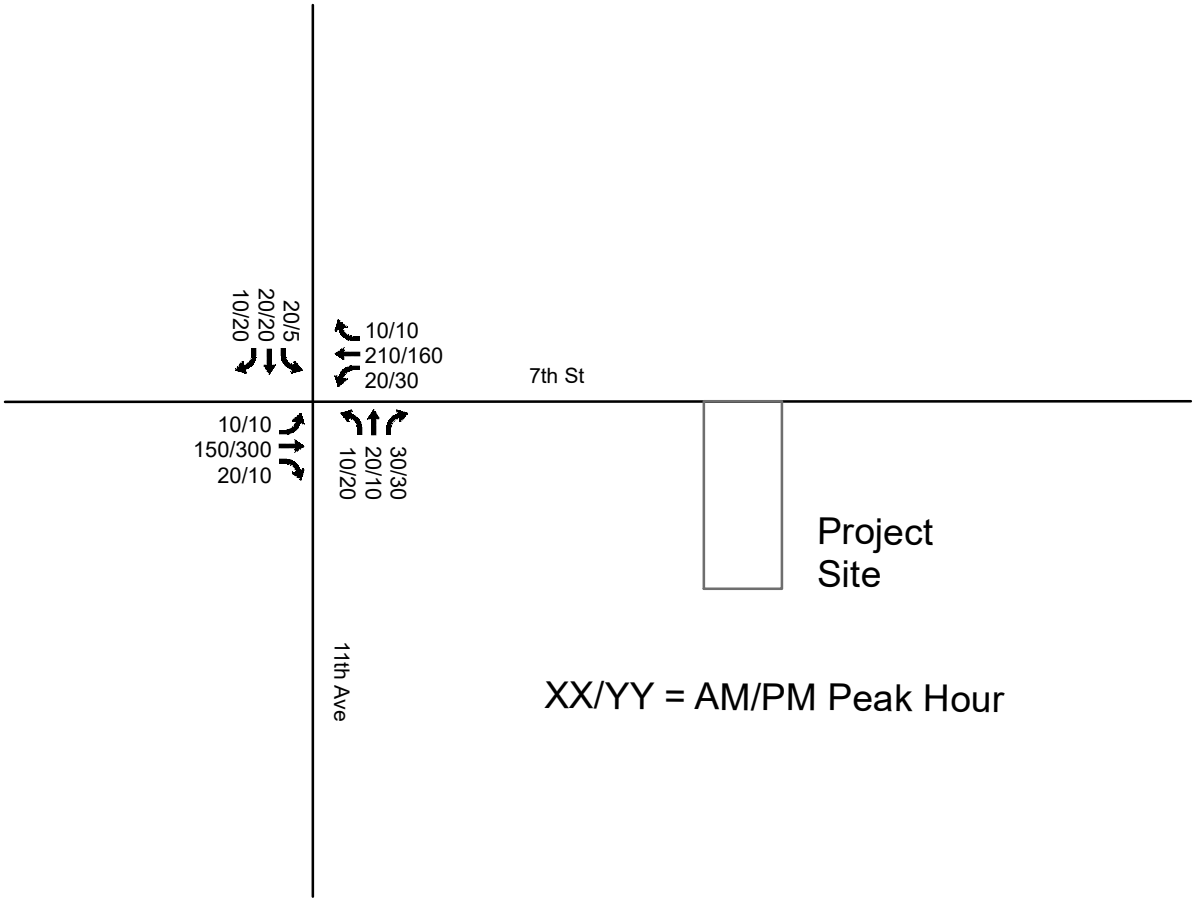

FIGURE 4
EXISTING PEAK HOUR TRAFFIC VOLUMES
PROPOSED APARTMENT COMPLEX
1252 E. 7TH STREET - UPLAND

N

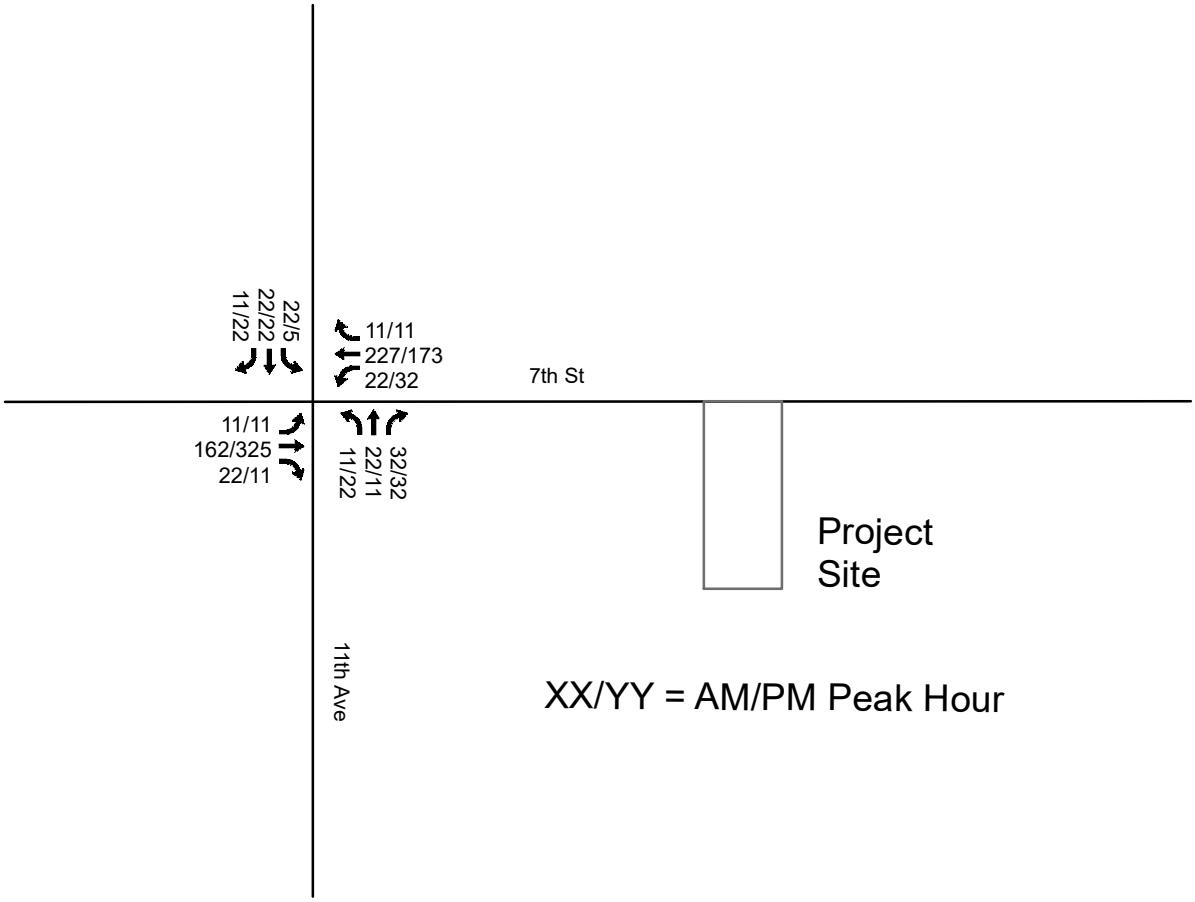

FIGURE 5
2023 TRAFFIC VOLUMES WITHOUT PROJECT
PROPOSED APARTMENT COMPLEX
1252 E. 7TH STREET - UPLAND

N

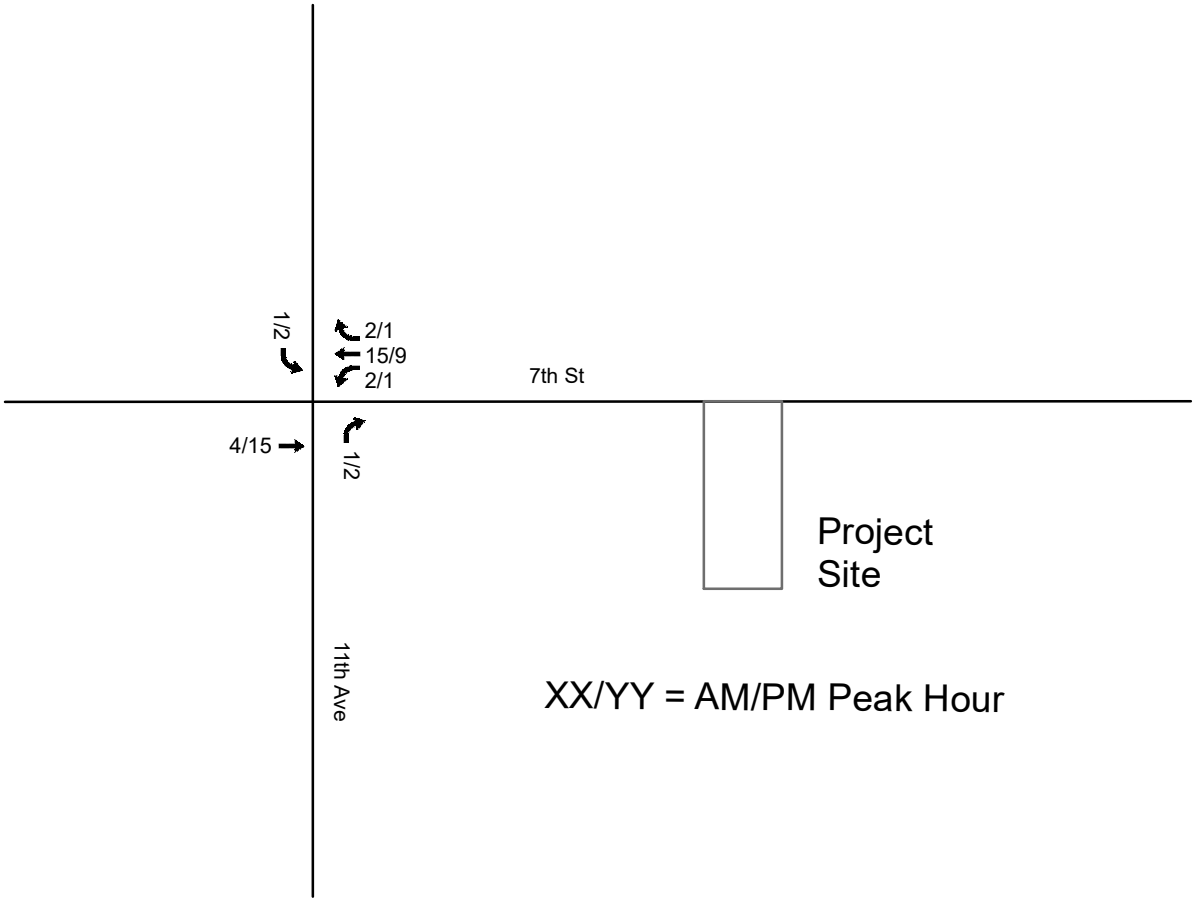

FIGURE 6
PROJECT GENERATED TRAFFIC
PROPOSED APARTMENT COMPLEX
1252 E. 7TH STREET - UPLAND

N

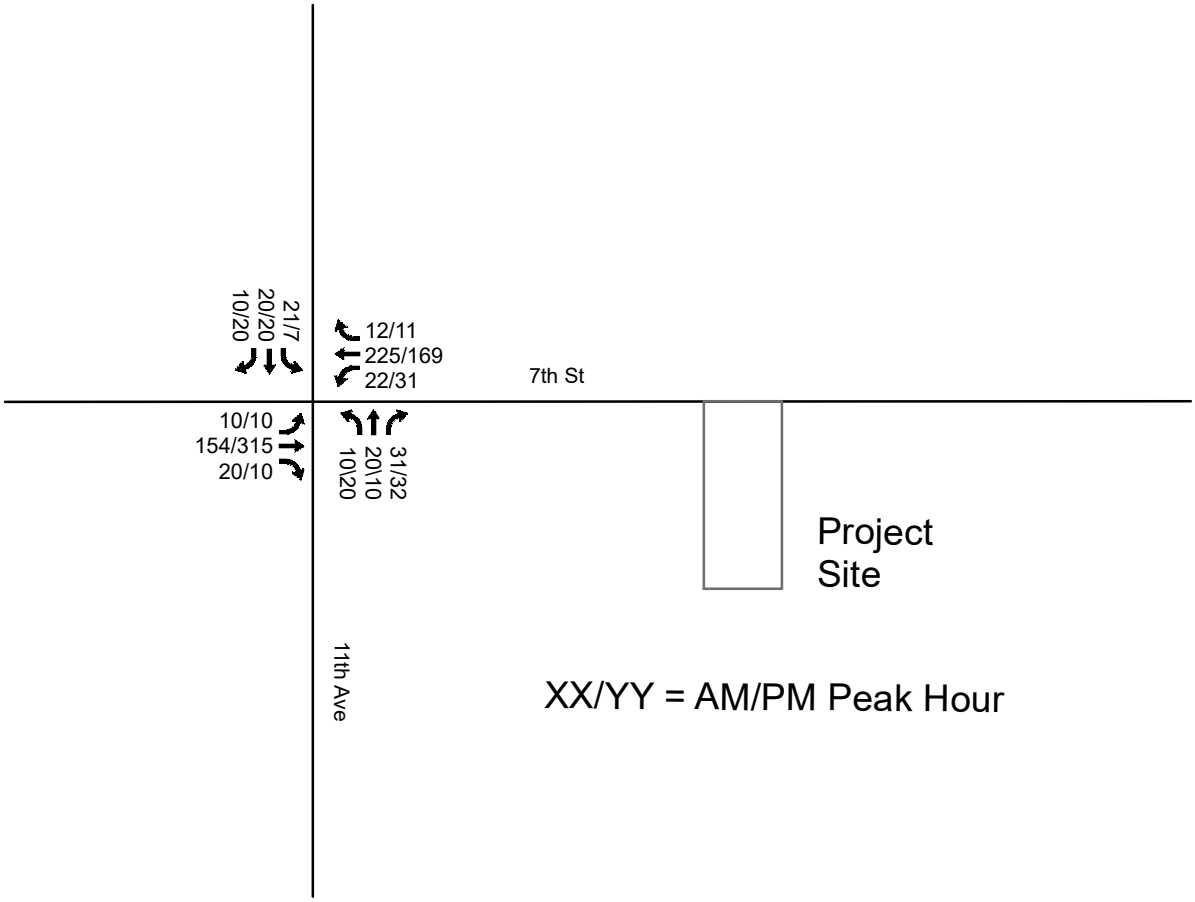

FIGURE 7
EXISTING PLUS PROJECT TRAFFIC VOLUMES
PROPOSED APARTMENT COMPLEX
1252 E. 7TH STREET - UPLAND

N

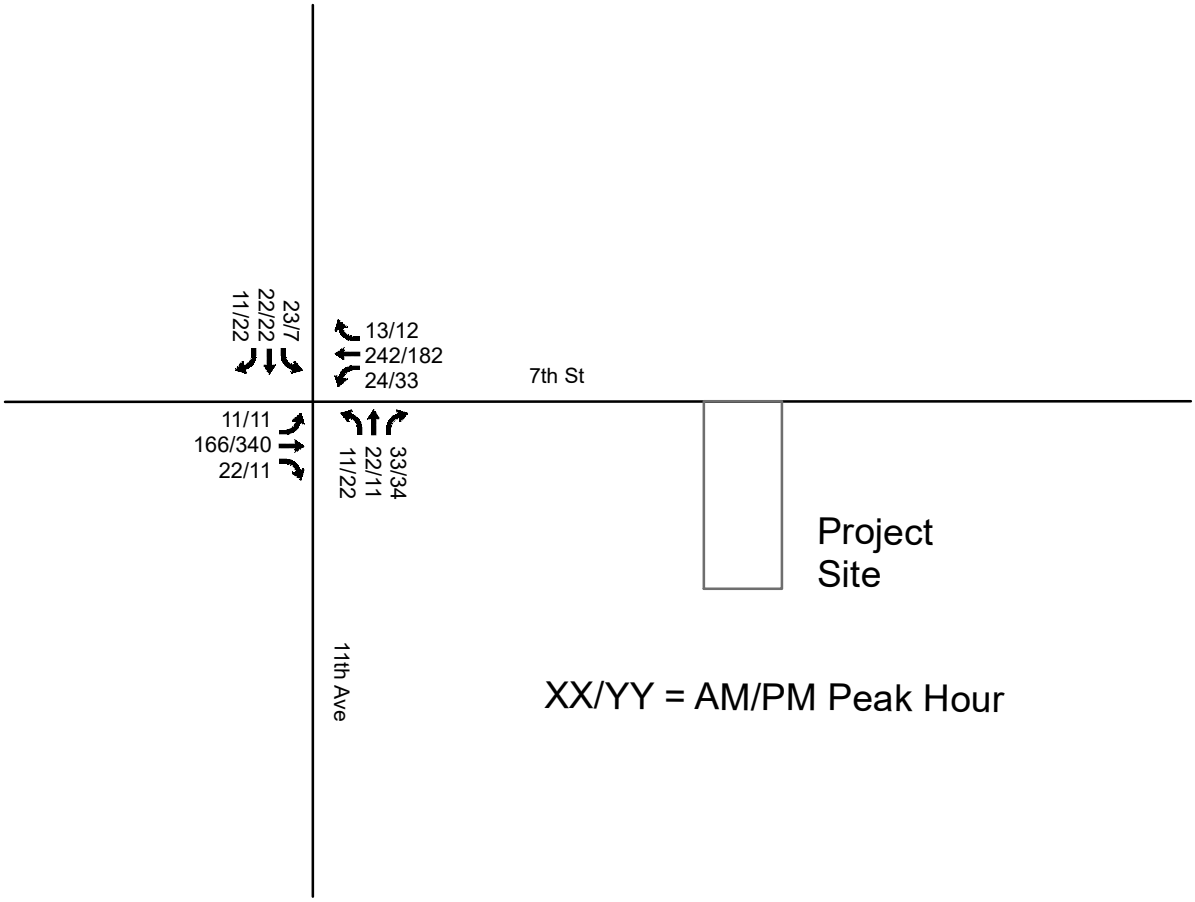

FIGURE 8
2023 TRAFFIC VOLUMES WITH PROJECT
PROPOSED APARTMENT COMPLEX
1252 E. 7TH STREET - UPLAND

N

APPENDIX B

LEVEL OF SERVICE CALCULATIONS

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*R Garland*	Intersection	*7th Street/11th Avenue*
Agency/Co.	*City of Upland*	Jurisdiction	*City of Upland*
Date Performed	*12/17/2019*	Analysis Year	*2019 Existing*
Analysis Time Period	*AM Peak Hour*		

Project Description *7th Street Apartments*

East/West Street: *7th Street* | North/South Street: *11th Avenue*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*10*	*150*	*20*	*20*	*210*	*10*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*10*	*157*	*21*	*21*	*221*	*10*
Percent Heavy Vehicles	*1*	--	--	*1*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*10*	*20*	*30*	*20*	*20*	*10*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*10*	*21*	*31*	*21*	*21*	*10*
Percent Heavy Vehicles	*0*	*10*	*0*	*0*	*10*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*10*	*21*		*62*			*52*	
C (m) (veh/h)	*1341*	*1404*		*610*			*499*	
v/c	*0.01*	*0.01*		*0.10*			*0.10*	
95% queue length	*0.02*	*0.05*		*0.34*			*0.35*	
Control Delay (s/veh)	*7.7*	*7.6*		*11.6*			*13.1*	
LOS	*A*	*A*		*B*			*B*	
Approach Delay (s/veh)	--	--	*11.6*			*13.1*		
Approach LOS	--	--	*B*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*R Garland*	Intersection	*7th Street/11th Avenue*
Agency/Co.	*City of Upland*	Jurisdiction	*City of Upland*
Date Performed	*12/17/2019*	Analysis Year	*2019 Existing*
Analysis Time Period	*PM Peak Hour*		

Project Description *7th Street Apartments*

East/West Street: *7th Street* | North/South Street: *11th Avenue*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*10*	*300*	*10*	*30*	*160*	*10*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*10*	*315*	*10*	*31*	*168*	*10*
Percent Heavy Vehicles	*1*	--	--	*1*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*20*	*10*	*30*	*5*	*20*	*20*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*21*	*10*	*31*	*5*	*21*	*21*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*15*	*5*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*10*	*31*		*62*			*47*	
C (m) (veh/h)	*1404*	*1236*		*501*			*514*	
v/c	*0.01*	*0.03*		*0.12*			*0.09*	
95% queue length	*0.02*	*0.08*		*0.42*			*0.30*	
Control Delay (s/veh)	*7.6*	*8.0*		*13.2*			*12.7*	
LOS	*A*	*A*		*B*			*B*	
Approach Delay (s/veh)	--	--	*13.2*			*12.7*		
Approach LOS	--	--	*B*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*R Garland*	Intersection	*7th Street/11th Avenue*
Agency/Co.	*City of Upland*	Jurisdiction	*City of Upland*
Date Performed	*12/17/2019*	Analysis Year	*2019 Existing + Project*
Analysis Time Period	*AM Peak Hour*		

Project Description *7th Street Apartments*

East/West Street: *7th Street* | North/South Street: *11th Avenue*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*10*	*154*	*20*	*22*	*225*	*12*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*10*	*162*	*21*	*23*	*236*	*12*
Percent Heavy Vehicles	*1*	--	--	*1*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*10*	*20*	*31*	*21*	*20*	*10*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*10*	*21*	*32*	*22*	*21*	*10*
Percent Heavy Vehicles	*0*	*10*	*0*	*0*	*10*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*10*	*23*		*63*			*53*	
C (m) (veh/h)	*1322*	*1398*		*598*			*480*	
v/c	*0.01*	*0.02*		*0.11*			*0.11*	
95% queue length	*0.02*	*0.05*		*0.35*			*0.37*	
Control Delay (s/veh)	*7.7*	*7.6*		*11.7*			*13.4*	
LOS	*A*	*A*		*B*			*B*	
Approach Delay (s/veh)	--	--	*11.7*			*13.4*		
Approach LOS	--	--	*B*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*R Garland*	Intersection	*7th Street/11th Avenue*
Agency/Co.	*City of Upland*	Jurisdiction	*City of Upland*
Date Performed	*12/17/2019*	Analysis Year	*2019 Existing + Project*
Analysis Time Period	*PM Peak Hour*		

Project Description *7th Street Apartments*

East/West Street: *7th Street* | North/South Street: *11th Avenue*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*10*	*315*	*10*	*31*	*169*	*11*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*10*	*331*	*10*	*32*	*177*	*11*
Percent Heavy Vehicles	*1*	--	--	*1*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*20*	*10*	*32*	*7*	*20*	*20*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*21*	*10*	*33*	*7*	*21*	*21*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*15*	*5*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*10*	*32*		*64*			*49*	
C (m) (veh/h)	*1392*	*1220*		*489*			*491*	
v/c	*0.01*	*0.03*		*0.13*			*0.10*	
95% queue length	*0.02*	*0.08*		*0.45*			*0.33*	
Control Delay (s/veh)	*7.6*	*8.0*		*13.5*			*13.1*	
LOS	*A*	*A*		*B*			*B*	
Approach Delay (s/veh)	--	--	*13.5*			*13.1*		
Approach LOS	--	--	*B*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

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Analyst	*R Garland*	Intersection	*7th Street/11th Avenue*
Agency/Co.	*City of Upland*	Jurisdiction	*City of Upland*
Date Performed	*12/17/2019*	Analysis Year	*2023 Without Project*
Analysis Time Period	*AM Peak Hour*		

Project Description *7th Street Apartments*

East/West Street: *7th Street* | North/South Street: *11th Avenue*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*11*	*162*	*22*	*22*	*227*	*11*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*11*	*170*	*23*	*23*	*238*	*11*
Percent Heavy Vehicles	*1*	--	--	*1*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*11*	*22*	*32*	*22*	*22*	*11*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*11*	*23*	*33*	*23*	*23*	*11*
Percent Heavy Vehicles	*0*	*10*	*0*	*0*	*10*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*11*	*23*		*67*			*57*	
C (m) (veh/h)	*1320*	*1386*		*581*			*471*	
v/c	*0.01*	*0.02*		*0.12*			*0.12*	
95% queue length	*0.03*	*0.05*		*0.39*			*0.41*	
Control Delay (s/veh)	*7.8*	*7.6*		*12.0*			*13.7*	
LOS	*A*	*A*		*B*			*B*	
Approach Delay (s/veh)	--	--	*12.0*			*13.7*		
Approach LOS	--	--	*B*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*R Garland*	Intersection	*7th Street/11th Avenue*
Agency/Co.	*City of Upland*	Jurisdiction	*City of Upland*
Date Performed	*12/17/2019*	Analysis Year	*2023 Without Project*
Analysis Time Period	*PM Peak Hour*		

Project Description *7th Street Apartments*

East/West Street: *7th Street* | North/South Street: *11th Avenue*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*11*	*325*	*11*	*32*	*173*	*11*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*11*	*342*	*11*	*33*	*182*	*11*
Percent Heavy Vehicles	*1*	--	--	*1*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*22*	*11*	*32*	*5*	*22*	*22*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*23*	*11*	*33*	*5*	*23*	*23*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*15*	*5*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*11*	*33*		*67*			*51*	
C (m) (veh/h)	*1386*	*1207*		*467*			*487*	
v/c	*0.01*	*0.03*		*0.14*			*0.10*	
95% queue length	*0.02*	*0.08*		*0.50*			*0.35*	
Control Delay (s/veh)	*7.6*	*8.1*		*14.0*			*13.3*	
LOS	*A*	*A*		*B*			*B*	
Approach Delay (s/veh)	--	--	*14.0*			*13.3*		
Approach LOS	--	--	*B*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*R Garland*	Intersection	*7th Street/11th Avenue*
Agency/Co.	*City of Upland*	Jurisdiction	*City of Upland*
Date Performed	*12/17/2019*	Analysis Year	*2023 With Project*
Analysis Time Period	*AM Peak Hour*		

Project Description *7th Street Apartments*

East/West Street: *7th Street* | North/South Street: *11th Avenue*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*11*	*166*	*22*	*24*	*242*	*13*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*11*	*174*	*23*	*25*	*254*	*13*
Percent Heavy Vehicles	*1*	--	--	*1*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*11*	*22*	*33*	*23*	*22*	*11*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*11*	*23*	*34*	*24*	*23*	*11*
Percent Heavy Vehicles	*0*	*10*	*0*	*0*	*10*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*11*	*25*		*68*			*58*	
C (m) (veh/h)	*1301*	*1382*		*569*			*452*	
v/c	*0.01*	*0.02*		*0.12*			*0.13*	
95% queue length	*0.03*	*0.06*		*0.40*			*0.44*	
Control Delay (s/veh)	*7.8*	*7.7*		*12.2*			*14.1*	
LOS	*A*	*A*		*B*			*B*	
Approach Delay (s/veh)	--	--	*12.2*			*14.1*		
Approach LOS	--	--	*B*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*R Garland*	Intersection	*7th Street/11th Avenue*
Agency/Co.	*City of Upland*	Jurisdiction	*City of Upland*
Date Performed	*12/17/2019*	Analysis Year	*2023 With Project*
Analysis Time Period	*PM Peak Hour*		

Project Description *7th Street Apartments*

East/West Street: *7th Street* | North/South Street: *11th Avenue*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*11*	*340*	*11*	*33*	*182*	*12*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*11*	*357*	*11*	*34*	*191*	*12*
Percent Heavy Vehicles	*1*	--	--	*1*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*22*	*11*	*34*	*7*	*22*	*22*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR (veh/h)	*23*	*11*	*35*	*7*	*23*	*23*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*15*	*5*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*11*	*34*		*69*			*53*	
C (m) (veh/h)	*1375*	*1192*		*456*			*464*	
v/c	*0.01*	*0.03*		*0.15*			*0.11*	
95% queue length	*0.02*	*0.09*		*0.53*			*0.38*	
Control Delay (s/veh)	*7.6*	*8.1*		*14.3*			*13.8*	
LOS	*A*	*A*		*B*			*B*	
Approach Delay (s/veh)	--	--	*14.3*			*13.8*		
Approach LOS	--	--	*B*			*B*		

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Exhibit I – Noise Analysis

NOISE STUDY

1252 E. 7th Street Apartment Complex Project

City of Upland
Southeast Quadrant Focus Area

Prepared for:

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Envicom Project # 29-151-101

January 14, 2020

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1.0 INTRODUCTION

1.1 Purpose of Study

The purpose of this study is to describe and evaluate the noise and groundborne vibration impacts of the 1252 E. 7th Street Apartment Complex Project (project), proposed by Kiva LLC, in the context of the City of Upland (City) regulatory framework.

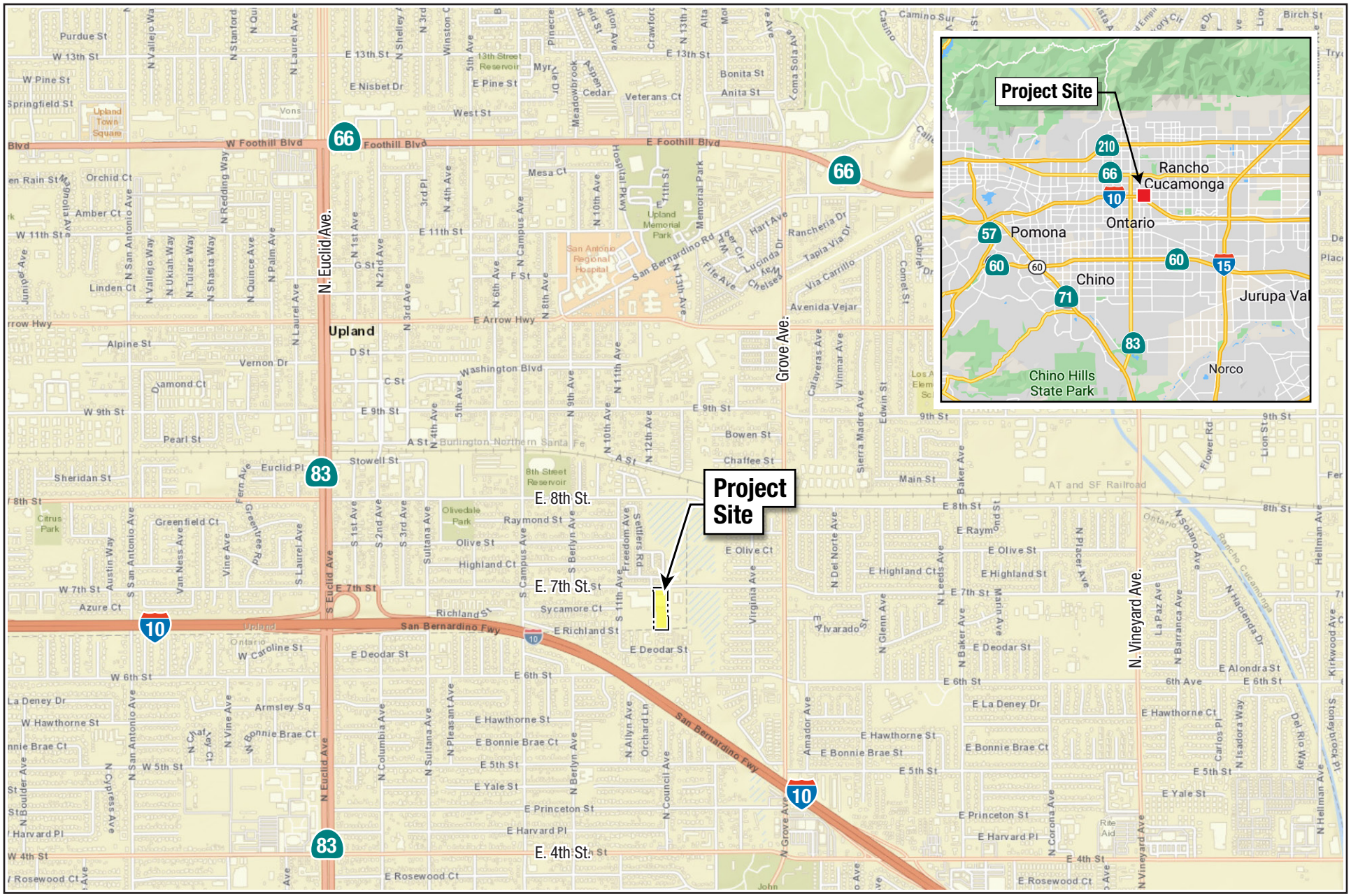
1.2 Project Summary

The proposed project would re-develop an approximately 3.18-acre infill site consisting of one parcel located at 1252 East 7th Street in the City of Upland within the Southeast Quadrant Focus Area. The subject property is associated with Assessor's Parcel Number (APN) 1047-181-02 as shown in **Figure 1, Regional Location Map**. Surrounding and nearby uses include single and multifamily residences, light industrial uses, an army reserve office, a rehabilitation center, and a flood control/recharge basin.

The project site is currently developed with a vacant one-story commercial/industrial building. The project would remove the existing structure and parking lot from the project site and would construct a multi-family residential development consisting of 66 dwelling units (DU) within fourteen (14) structures of two- or three-stories with maximum heights of 24 to 38 feet. The proposed project would also include 13,870 square feet of common open space and 17,450 square feet of private open space. The proposed apartment buildings would have a gross square footage of approximately 114,500 square feet and there would be 19,000 square foot of landscaping. The project would provide 149 parking spaces, including 132 resident spaces in private garages and 17 outdoor surface parking spaces for guests. Vehicular and pedestrian access would be from East 7th Street. The project would close an existing driveway at the northeast corner, reduce the size of the shared driveway at the northwest corner and construct one new driveway. Construction would include hauling of demolition debris and soil export. Construction is estimated to start in November 2020 and the project would be operational in 2022.

The closest sensitive receptors the project site are multi-family residences located approximately 13 feet from the southern project site boundary and single-family residences located approximately 80 feet to the north of project site boundary across East 7th Street. These sensitive receptor locations are referred to in this report as R-2 and R-1, respectively. The locations of these receptors are shown on **Figure 2 – Sensitive Receptor Location Map**. The sensitive receptor land uses at R-2 are located within the jurisdictional boundary of the City of Ontario, however, as the proposed project would be subject to regulations and requirements of the City of Upland, and as the relevant noise ordinance requirements of the City of Ontario are generally equivalent or less stringent than the City of Upland requirements,[1] this evaluation will be based on the applicable noise ordinance requirements of the City of Upland.

[1] The City of Ontario Municipal Code, Section 5-29.04 establishes a daytime (7:00 a.m. to 10:00 p.m) exterior noise standard for single- and multifamily residences of 65 dBA Leq. and nighttime (10:00 p.m.) exterior noise standards of 45 dBA and 50 dBA for single-family residences and multifamily residence, respectively, for periods of 15 minutes or more. Section 5-29.06 exempts construction or maintenance noise from the City of Ontario's noise standard and states that they are instead subject to the provisions of Section 5-29.09, which limits construction to between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on weekends.



Source: ESRI, World Street Map, 2016.

envicom

Regional Location Map

FEET 0 2,000 4,000

FIGURE 1

Source: Google Earth Pro, June 8, 2018.

envicom

Sensitive Receptor Location Map

0 50 100 Feet

FIGURE 2

2.0 NOISE AND VIBRATION FUNDAMENTALS

The following introduces the fundamental definitions and concepts used to qualify and quantify noise and vibration impacts used throughout this study.

2.1 Noise Characteristics

In a basic sense, noise is unwanted sound as perceived by a receptor. Sound is energy transmitted in waves through a compressible medium such as air. There are a variety of parameters that describe the rates of oscillation of sound waves, the distance between successive troughs or crests, the speed of propagation, and the pressure level, or energy content, of a given sound wave. Sound pressure level is the most common descriptor used to describe the perceived “loudness” of an ambient sound level. The standard measurement unit of sound pressure is called a decibel (dB).

Given that sound pressure levels can vary in intensity by over one million times within the range of human hearing, a logarithmic scale similar to the Richter Scale used to measure seismicity is used to keep sound intensity numbers convenient and manageable. The ear is not equally sensitive to all sound frequencies within the entire spectrum, so sound pressure levels at maximum human sensitivity are factored more heavily into sound descriptions in a process called "A-weighting", written as dBA. Subsequent references to decibels in this discussion written as "dB" should be understood as A-weighted.

Variations in noise exposure over time are expressed in terms of a steady-state energy level equivalent to the energy content of the time period, called Leq. Because human receptors are more sensitive to unwanted noise intrusion during the evening and at night hours, California statute requires, for planning purposes, an additional dB increment be added to quiet time noise levels in a 24-hour noise descriptor: either the Day-Night Average Level (Ldn) or the Community Noise Equivalent Level (CNEL). The Ldn metric adds a penalty of 10 dB for the nighttime hours of 10:00 p.m. to 07:00 a.m., while CNEL adds both the 10 dB nighttime penalty and a penalty of 5 dB for the evening hours of 7:00 p.m. to 10:00 p.m.

2.2 Vibration Characteristics

As described in the California Department of Transportation (Caltrans) Transportation and Construction Vibration Guidance Manual, the operation of construction equipment generates groundborne vibration.[2] Maintenance operations and traffic traveling on roadways can also be a source of such vibration. If amplitudes are high enough, ground vibration has the potential to damage structures, cause cosmetic damage (e.g., crack plaster), or disrupt the operation of vibration-sensitive equipment such as electron microscopes. Ground vibration and groundborne noise can also be a source of annoyance to individuals who live or work close to vibration-generating activities. Construction activities typically associated with high levels of vibration include pile driving, demolition activity, blasting, and crack-and-seat operations.

Traffic, including heavy trucks traveling on a highway, rarely generates vibration amplitudes high enough to cause structural or cosmetic damage. However, there have been cases in which heavy trucks traveling over potholes or other discontinuities in the pavement have caused vibration high enough to result in complaints from nearby residents. These types of issues typically can be resolved by smoothing the roadway surface. In describing vibration in the ground and in structures, the motion of a particle (i.e., a point in or

[2] California Department of Transportation, Transportation and Construction Vibration Guidance Manual, Report No. CT-HWANP-RT-13-069.25.3, September 2013.

on the ground or structure) is used. The concepts of particle displacement, velocity, and acceleration are used to describe how the ground or structure responds to excitation. Displacement is rarely used to describe ground and structure borne vibration because most transducers used to measure vibration directly measure velocity or acceleration, not displacement. Vibratory motion is commonly described by identifying the peak particle velocity (PPV) in inches per second in/sec or root mean square (RMS) vibration velocity in the decibel scale (VdB). PPV is generally accepted as the most appropriate descriptor for evaluating the potential for building damage and VdB is suitable for evaluating the potential for vibration annoyance to humans.[3] While PPV expresses the peak velocity of a vibration signal, VdB expresses an average of the velocity of a vibration signal, typically over one second. Because vibration signals have a net arithmetic mean of zero, the root mean square (RMS) is used to express the average velocity of the vibration signal. The RMS signal is the square root of the average of the squared amplitude of the signal, typically over a period of one second. While RMS velocity can be expressed in inches per second, it can also be expressed in decibel notation as VdB.

3.0 REGULATORY SETTING

Upland General Plan

The Safety Element of the City General Plan, which applies to the City as a whole, addresses noise mitigation regulations, goals and polices. The noise and land use compatibility guidelines from Table SAF-1 of the Safety Element are provided in **Table 3-1, Land Use Compatibility Guidelines**.

Table 3-1
Land Use Compatibility Guidelines

Land Use Type	Highest Level of Noise Exposure that is Regarded as "Normally Acceptable" (Ldn or CNEL)
Residential – Low Density Single-Family, Duplex, Mobile Homes	60 dBA
Residential – Multi-Family	65 dBA
Mixed-Use	70 dBA
Transient Lodging – Hotels, Motels	65 dBA
Schools, Libraries, Churches, Hospitals, Nursing Homes	70 dBA
Auditoriums, Concert Halls, Amphitheaters	Mitigation based on site-specific study
Sports Arena, Outdoors Spectator Sports	Mitigation based on site-specific study
Playgrounds, Neighborhood Parks	70 dBA
Golf Courses, Riding Stables, Water Recreation, Cemeteries	75 dBA
Office Buildings – Commercial, Office/Professional	70 dBA
Industrial, Manufacturing, Utilities, Agriculture	75 dBA
Source: City of Upland, General Plan: Safety Element. September 2015. Table SAF-1.1. dBA = A-weighted decibels CNEL: Community Noise Equivalent Level Ldn: Day-Night Average Level	

As shown in Table 3-1, for residential multi-family uses an exterior sound level of up to 65 dB Ldn or CNEL is normally acceptable for land use compatibility.

[3] U.S. Department of Transportation, Federal Transit Administration, Office of Planning and Environment, Transit Noise and Vibration Impact Assessment Manual, FTA Report No. 0123, September 2018.

Policy SAF-1.2 requires noise mitigation for development that increases noise levels by more than the allowable increments, which are shown below in **Table 3-2, Exterior Incremental Noise Impact Standards for Noise-Sensitive Uses**.

Table 3-2
Exterior Incremental Noise Standards

Residences and Buildings Where People Normally Sleep		Institutional Land Uses with Primarily Daytime and Evening Uses	
Existing Ldn (dBA)	**Allowable Noise Increment (dBA)**	**Existing Peak Hour Leq (dBA)**	**Allowable Noise Increment (dBA)**
45	8	45	12
50	5	50	9
55	3	55	6
60	2	60	5
65	1	65	3
70	1	70	3
75	0	75	1
80	0	80	0

Source: City of Upland, General Plan: Safety Element. September 2015. Table SAF-4.
dBA = A-weighted decibels
Ldn: Day-Night Average Level
Leq: Hourly average sound level

Policy SAF-1.4 requires new development to assure acceptable interior noise levels appropriate to the land use type, which would be 45 dBA Ldn or CNEL for multi-family residential land uses.

Policy SAF-1.5 requires a noise impact study to evaluate impacts of projects that may exceed 65 dBA Ldn as part of the design review process.

Policy SAF-1.6 requires an acoustical study for all new residential developments that lie within the 65 dBA Ldn noise contour on the Future Noise Contour Map, to ensure indoor levels will not exceed City standards. In addition, the City shall continue to enforce the California Building Code for indoor noise levels.

Policy SAF-1.7 requires measures that attenuate exterior and/or interior noise levels to acceptable levels to be incorporated into all development projects where current and/or future outdoor noise levels may be unacceptable.

Policy SAF-1.11 Require construction projects to adhere to the City's construction hours and incorporate measures to minimize impacts.

California Building Code

Title 24 of the California Code of Regulations for multiple family dwellings, hotel and motel rooms, requires an interior CNEL of 45 dBA. In 1988, the State Building Standards Commission expanded that standard to include all habitable rooms in residential use, including single-family dwelling units. Since typical noise attenuation within older, existing residential structures with closed windows is at least 20 dBA, an exterior noise exposure of 65 dBA CNEL is generally the noise land-use compatibility guideline for residential dwellings in California. However, newer construction practices with standard features such as mandatory double paned windows typically offer about 30 dB of noise attenuation, which would provide

sufficient noise reduction to meet the residential interior noise requirement of 45 dBA CNEL for projects with an exterior noise exposure of up to 75 dBA. Projects that would require windows and doors to remain closed to achieve an acceptable interior noise level will typically necessitate the use of air conditioning and mechanical ventilation.

Therefore, interior residential noise exposure may not exceed 45 dBA CNEL with windows and doors closed. Requiring that windows and doors remain closed to achieve an acceptable interior noise level will typically necessitate the use of air conditioning and mechanical ventilation.

Municipal Code

The City's noise standards for non-transportation sources are articulated in Chapter 9.40 Unnecessary Noise, of the City's Municipal Code. Section 9.40.040 of the Municipal Code provides base ambient noise levels which are shown in **Table 3-3, Base Ambient Noise Levels in the City of Upland Municipal Code**. If actual measurements exceed the base ambient noise levels, then the measured levels shall be used as the base ambient noise levels. As shown in Table 3-3, the presumed ambient daytime (7:00 a.m. to 10:00 p.m.) noise level for the project site, which is zoned low-density multifamily residential[4] is 55 dB(A) and the nighttime (10:00 p.m. to 7:00 a.m.) noise level is 45 dB(A).

Table 3-3
Base Ambient Noise Levels in the City of Upland Municipal Code

Zone Use	Time	Decibels
Residential	10:00 p.m. to 7:00 a.m.	45 dB(A)
Residential	7:00 a.m. to 10:00 p.m.	55 dB(A)
Uses not specified	Anytime	65 dB(A)
Industrial and commercial	Anytime	75 dB(A)
Source: City of Upland Municipal Code, Section 9.40.040.		

Operational Noise

Section 9.40.070 of the Municipal Code establishes maximum residential noise levels that shall not be exceeded on the exterior of any residential property which are shown in **Table 3-4, Maximum Residential Noise Levels.** Section 9.40.050 states that exterior noise levels shall be measured at any point on the affected property line closest to the noise source. Section 9.40.100(A) states that if noise consists of primarily impact noise, repetitive noise, or simple tone noises, the maximum permitted noise levels from Section 9.40.070 shall be reduced by 5 dBA. Section 9.40.100(E) prohibits machinery, pumps, fans, air conditioning or similar devices from creating a noise level increase of 5 dBA or more at the property line of any property.

Table 3-4
Maximum Residential Noise Levels

Noise Level Exceeded	Maximum Duration Period
Base ambient noise level (BANL)	30 minutes in any hour
5 dBA above BANL	15 minutes in any hour
10 dBA above BANL	5 minutes in any hour
15 dBA above BANL	1 minute in any hour
20 dBA above BANL	Not permitted
Source: City of Upland Municipal Code, Section 9.40.070.	

[4] City of Upland, General Plan Land Use Element. Adopted September 2015.

Construction Noise

Section 9.40.100(M) of the Municipal Code restricts the construction or repair of buildings (including excavation, demolition, and alteration) to between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, excluding emergencies. The City of Upland General Plan Update Environmental Impact Report (EIR) states that construction noise impacts between these hours are less than significant with compliance with General Plan Policy SAF1.11.[5] Section 9.40.100(O) of the Municipal Code restricts the operation of any steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance which creates loud or unusual noise to the hours of 7:00 a.m. to 10:00 p.m. Section 9.40.100(K) of the municipal code states that any exhaust of a stationary internal combustion engine or motor driven vehicle must be equipped with a muffler. Section 9.40.100(P) of the municipal code requires that any noise-creating blower, power fan, or internal combustion engine must have a sufficient muffler device.

Groundborne Vibration

When construction equipment travels over unpaved surfaces or engages in soil movement, construction activities generate groundborne vibration. The effects of groundborne vibration include the discernible movement of building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. Vibration related problems generally occur due to resonances in the structural components of a building, because structures amplify groundborne vibration. The "soft" sedimentary conditions of much of southern California dampen groundborne vibration over a relatively short distance.

Because vibration is typically not an issue, few local jurisdictions have adopted regulatory standards specifically pertaining to groundborne vibration. Vibration thresholds have been adopted for major public works construction projects, but these relate mostly to structural protection (cracking foundations or stucco) rather than to human annoyance. Peak particle velocity (PPV) is defined as the maximum instantaneous positive or negative peak of the vibration signal. PPV is often used in monitoring blasting vibration because PPV is related to the stresses that are experienced by buildings. Vibration velocity level in the decibel scale (VdB) is suitable for evaluating the potential for vibration annoyance to humans. While PPV expresses the peak velocity of a vibration signal, VdB expresses an average of the velocity of a vibration signal, typically over one second. **Table 3-5**, **Groundborne Vibration Criteria for General Assessment** provides transient vibration potential criteria as a guideline to consider for vibration annoyance in terms of human response.

Table 3-5
Groundborne Vibration Criteria for General Assessment

Land Use Category	Groundborne Vibration Impact Levels (VdB)		
	Frequent Events	Occasional Events	Infrequent Events
Category 1: Buildings where vibration would interfere with interior operations.[2]	65 VdB	65 VdB	65 VdB
Category 2: Residences and buildings where people normally sleep.	72 VdB	75 VdB	80 VdB

[5] City of Upland, General Plan Update (GPU 08-03), Zoning Code Update (ZCU 08-03), Climate Action Plan, and Cable Airport Land Use Compatibility Plan Update Program Environmental Impact Report: Public Review Draft, March 2015.

Land Use Category	Groundborne Vibration Impact Levels (VdB)		
	Frequent Events	Occasional Events	Infrequent Events
Category 3: Institutional land uses with primarily daytime use.	75 VdB	78 VdB	83 VdB

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018.
[1] Vibration velocity level in the decibel scale (VdB).
[2]This criterion limit is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes. For equipment that is more sensitive, a Detailed Vibration Analysis must be performed.

As shown in Table 3-5, human responses to groundborne vibration vary depending on the frequency of events. According to the Federal Transit Administration (FTA) Transit Noise and Vibration Assessment Manual, frequent events occur more than 70 times per day, occasional events occur 30 to 70 times per day, and infrequent events occur fewer than 30 times per day. For the purpose of the impact analysis presented in Chapter 5, a human response threshold of 80 vibration velocity decibels (VdB) is used as a threshold of significance for residential land uses.

Groundborne vibration from construction activities rarely reach levels that can damage structures. Although there are no officially-adopted regulatory standards for the point at which groundborne vibration levels could cause structural damage, the FTA provides guidelines found in **Table 3-6, Vibration Damage Criteria**.

Table 3-6
Vibration Damage Criteria

Building/Structural Category	PPV, in/sec	Approximate Vibration Velocity Level (VdB)
Reinforced-concrete, steel, or timber (no plaster)	0.5	102
Engineered concrete and masonry (no plaster)	0.3	98
Non-engineered timber and masonry buildings	0.2	94
Buildings extremely susceptible to vibration damage	0.12	90

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018.

As shown in Table 3-6, the vibration level at which construction activity could potentially cause structural damage depend on the age and condition of the structure affected. For the purpose of the impact analysis presented in Chapter 5, a damage criterion of 0.2 PPV in/sec is used as a threshold of significance.

4.0 EXISTING CONDITIONS

4.1 Ambient Noise Levels

The City of Upland Municipal Code Section 9.40.040 provides presumed ambient noise levels based on zoning. The presumed ambient daytime (7:00 a.m. to 10:00 p.m.) noise level for the project site, which is zoned low-density multifamily residential, is 55 dBA and the presumed ambient nighttime (10:00 p.m. to 7:00 a.m.) noise level is 45 dBA. These presumed ambient noise levels are equivalent to 55 dBA Ldn[6] and 56 dBA CNEL.[7]

[6] $Ldn = 10\ log_{10}([\sum_{i=1}^{15} 10^{55/10} + \sum_{i=1}^{9} 10^{(45+10)/10}]/24)$
[7] $CNEL = 10\ log_{10}([\sum_{i=1}^{12} 10^{55/10} + \sum_{i=1}^{3} 10^{(55+5)/10} + \sum_{i=1}^{9} 10^{(45+10)/10}]/24)$

The City of Upland General Plan Update EIR provided roadway noise contours for an existing year of 2008 and a future year of 2035. According to the 2008 roadway noise contours in the City of Upland General Plan Update EIR, the project site was outside the 55 dBA CNEL traffic noise contour of the nearest major roadway, Interstate 10 (I-10). According to the 2035 roadway noise contours from the General Plan Update EIR, the majority of the site would be within the 55 dBA CNEL traffic noise contour of I-10 while the southern portion of the project site is within the 60 dBA CNEL traffic contour and the entirety of the site is outside the 65 dBA CNEL traffic noise contour.

4.1 Ambient Transportation Noise Levels

Transportation systems are a primary source of urban noise. Management of noise from the most significant of these sources (aircraft, trains and freeways) is generally preempted by federal and state authority. Primary municipal authority is regulation of land use. Management of noise emanating from freeways is generally within the authority of federal and state jurisdictions, namely, the Federal Highway Administration and Caltrans.

5.0 THRESHOLDS OF SIGNIFICANCE

This Chapter presents thresholds of significance for noise from the State CEQA Guidelines approved by the California Office of Administrative Law on December 28, 2018. Project noise and vibration impacts are measured against these thresholds of significance. Local standards codified in the LAMC refine these thresholds by establishing standards.

5.1 Thresholds of Significance

Appendix G of the State CEQA Guidelines presents the following thresholds related to noise:

XIII. NOISE. Would the project result in:

a) Generation of a 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?

b) Generation of excessive groundborne vibration or groundborne noise levels?

c) For a project located within the vicinity of a private airstrip or an airport land use plan, or where such 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?

5.1.1 Standards Established in the Local General Plan and Noise Ordinance

Operational Noise

Local General Plan

In considering whether operation of the project could exceed noise standards, the Safety Element of the City General Plan establishes that noise levels up to 65 dBA Ldn or CNEL are normally acceptable. Higher noise levels for multi-family residential uses remain conditionally acceptable if measures to reduce such exposure have been taken.

Local Municipal Code

The City of Upland Municipal Code Section 9.40.100(E) prohibits machinery, pumps, fans, air conditioning or similar devices from creating a noise level increase of 5 dBA or more at the property line of any property.

Construction Noise

Section 9.40.100(M) of the Municipal Code restricts the construction or repair of buildings (including excavation, demolition, and alteration) to the hours of. 7:00 a.m. and 6:00 p.m. on weekdays, excluding emergencies. The City of Upland General Plan Update Environmental Impact Report states that construction noise impacts between these hours are less than significant with noise reduction measures incorporated.

5.1.2 Standards for Excessive Groundborne Vibration

For the purpose of analyzing groundborne vibration impacts in terms of potential structural damage, the following analysis relies on a guideline criterion of 0.2 PPV in/sec for non-engineered timber and masonry buildings as the threshold of significance. For the purpose of analyzing groundborne vibration impacts in terms of human response, the following analysis relies on 80 VdB as the threshold of significance for residential buildings.

5.1.3 Standards Airport Noise

For projects located within two miles of a public airport, a conditionally acceptable sound exposure up to 65 dB CNEL for multi-family residential uses is the threshold of significance from the Safety Element of the City General Plan.

6.0 IMPACT ANALYSIS

The following analysis evaluates the noise and groundborne vibration impacts resulting from both construction and operation of the proposed project. Expected construction noise levels are based on reference noise levels for comparable construction equipment provided in the Federal Highway Administration Construction Noise Handbook. Expected operational noise levels are based on manufacturer's specifications for HVAC units similar to those that would be used as part of the project. Analysis of groundborne vibration impacts is based on guidance in the Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual. The analysis then considers whether these impacts would exceed thresholds of significance and provides measures to reduce these impacts where warranted.

6.1 Temporary or Permanent Increase in Ambient Noise Levels

Temporary increases in ambient noise levels would be due to mobile and stationary equipment used while constructing the proposed project. Permanent increases in ambient noise levels would be due to operation of project components such as roof-mounted HVAC units and vehicle trips generated on local roadways. The following impact analysis considers each of these types of noise impacts by topic.

Construction Noise

The Construction Noise Handbook prepared by the Federal Highway Administration includes a national database of construction equipment noise levels. The Federal Highway Administration uses these reference noise emission levels in the Roadway Construction Noise Model (RCNM). **Table 6-1, Construction Equipment Noise Levels,** identifies highest (Lmax) noise levels associated with the quantity and type of construction equipment. Table 6-1 lists equipment types and quantities similar to those anticipated to be

used for the project. Table 6-1 is organized by equipment and describes the noise level for each individual piece of equipment at a 50-foot distance between the equipment and receptor as provided in the RCNM.

The RCNM also provides an acoustical usage factor which estimates the fraction of time each piece of equipment is operating at full power during construction. The acoustical usage factor (U.F.), is a key input used to calculate sound levels averaged over time expressed as Leq. Table 6-1 adjusts the maximum noise levels (Lmax) using the U.F. published in the Federal Highway Administration Construction Noise Handbook. The sound level prediction equation is expressed as follows for the hourly average sound level (Leq) at distance (D) between the source and receiver.

$$Leq = Lmax - 20 \cdot \log (D/50) + 10 \cdot \log (U.F./100) - I.L.$$

Where:

Lmax is the published reference noise level at 50 feet
U.F. is the acoustical usage factor for full power operation per hour
I.L. is the insertion loss for intervening barriers

Table 6-1
Construction Equipment Noise Levels

Phase	Quantity and Equipment Type [1]	Lmax at 50 feet (dBA) [2, 3]	Usage Factor (U.F.) [4]	Leq at 50 feet (dBA) [5]
Demolition	1 Concrete/Industrial Saw	90	20	83
	2 Rubber-tired Dozers	82	40	78
	3 Excavators	81	40	77
Grading	1 Grader	85	40	81
	1 Excavator	81	40	77
	1 Rubber tired dozer	82	40	78
	3 Loader/Backhoes	79	40	75
Building Construction	1 Crane	81	16	73
	3 Forklifts	75	20	68
	1 Welder	74	40	70
	1 Generator Set	81	50	78
	3 Loader/Backhoes	79	40	75
Paving	2 Cement/Mortar Mixer	79	40	75
	1 Paver	77	50	74
	2 Paving Equipment	83	20	76
	2 Rollers	80	20	73
	1 Loader/Backhoe	79	40	75
Architectural Coating	1 Air Compressor	78	40	74

[1] Construction Equipment List is based CalEEMod defaults.
[2] Noise levels are for individual equipment pieces. Each piece of equipment would operate at a distance from other equipment.
[3] Source: Federal Highway Administration, Construction Noise Handbook, 2006, Ch. 9, Construction Equipment Noise Levels and Ranges.
[4] Usage Factor (U.F.) is the portion of time equipment is operating at full power.

As shown in Table 6-1, the construction equipment that could generate the highest noise level is a concrete saw which would generate a maximum noise level of 90 dBA Lmax at 50 ft and an average noise level of 83 dBA Leq at 50 ft. Construction proceeds in phases such as demolition, grading, building construction, and paving. Each phase involves the use of different types of construction equipment. Therefore, at any

particular phase of construction, contractors would use only the types of equipment needed as shown in Table 6-1, rather than using all the equipment throughout all phases. Furthermore, decibels are logarithmic units; therefore, sound levels cannot be added by ordinary arithmetic means. When the sound pressure level of two sources is equal, the resulting noise level is 3 dB greater than the noise level of one source.

Table 6-1 also shows, based on the acoustical U.F. for the time each piece of equipment is operating at full power during construction, that the loudest piece of equipment would be a concrete saw at 83 dBA Leq at a distance of 50 feet from the source.

The closest sensitive receptors the project site are the multifamily residences located approximately 13 feet south of the project site boundary (R-2) and single-family residences located approximately 80 feet to the north of the construction boundary across East 7th Street (R-1). The multifamily residences to the south would be the closest to construction activity during every phase except for demolition, when the single-family residences to the north would be closer. The noise levels at the closest receptor locations when each piece of equipment operates at the construction boundary are shown in **Table 6-2, Construction Noise Levels at R-1** and **Table 6-3, Construction Noise Levels at R-2**.

Table 6-2
Construction Noise Levels at R-1

Phase	Equipment Type [1]	Leq at 50 ft (dBA) [2, 3]	Distance to R-1 (ft) [5]	Leq at R-1 (dBA)
Demolition	Concrete/Industrial Saw	83	80	79
	Rubber-tired Dozers	78	80	74
	Excavators	77	80	73
Grading	Grader	81	80	77
	Excavator	77	80	73
	Rubber tired dozer	78	80	74
	Loader/Backhoes	75	80	71
Building Construction	Crane	73	100	67
	Forklifts	68	100	62
	Welder	70	100	64
	Generator Set	78	100	72
	Loader/Backhoes	75	100	69
Paving	Cement/Mortar Mixer	75	80	71
	Paver	74	80	70
	Paving Equipment	76	80	72
	Rollers	73	80	69
	Loader/Backhoe	75	80	71
Architectural Coating	Air Compressor	74	100	68

[1] Construction Equipment List is based CalEEMod defaults.
[2] Noise levels are for individual equipment pieces. Each piece of equipment would operate at a distance from other equipment.
[3] Source: Federal Highway Administration, Construction Noise Handbook, 2006, Ch. 9, Construction Equipment Noise Levels and Ranges.
[4] Usage Factor (U.F.) is the portion of time equipment is operating at full power.
[5] The distance provided is between the boundary of a given construction activity and the structure of R-1, which represents the single-family residences on Tradition Lane to the north, across East 7th Street.

Table 6-3
Construction Noise Levels at R-2

Phase	Equipment Type [1]	Leq at 50 ft (dBA) [2, 3]	Distance to R-2 (ft) [5]	Leq at R-2 (dBA)
Demolition	Concrete/Industrial Saw	83	200	71
	Rubber-tired Dozers	78	200	66
	Excavators	77	200	65
Grading	Grader	81	13	93
	Excavator	77	13	89
	Rubber tired dozer	78	13	90
	Loader/Backhoes	75	13	87
Building Construction	Crane	73	30	77
	Forklifts	68	30	72
	Welder	70	30	74
	Generator Set	78	30	82
	Loader/Backhoes	75	30	79
Paving	Cement/Mortar Mixer	75	50	75
	Paver	74	50	74
	Paving Equipment	76	50	76
	Rollers	73	50	73
	Loader/Backhoe	75	50	75
Architectural Coating	Air Compressor	74	30	78

[1] Construction Equipment List is based CalEEMod defaults.
[2] Noise levels are for individual equipment pieces. Each piece of equipment would operate at a distance from other equipment.
[3] Source: Federal Highway Administration, Construction Noise Handbook, 2006, Ch. 9, Construction Equipment Noise Levels and Ranges.
[4] Usage Factor (U.F.) is the portion of time equipment is operating at full power.
[5] The distance provided is between the boundary of a given construction activity and the nearest structure of the multifamily residences on East Deodar Street to the south, R-2.

The loudest construction noise levels at R-1 would occur when a concrete/industrial saw operates near the construction boundary during the demolition phase, reaching an exterior noise level of 79 dBA Leq as shown on Table 6-2. At R-2, exterior noise levels would reach up to 93 dBA Leq when a grader operates near the construction boundary during the grading phase as shown on Table 6-3. However, R-1 and R-2 are shielded by an existing 8 foot high wall and an existing 5 foot high wall, respectively, which would provide a reduction of up to approximately 12 dBA and 3 dBA, respectively.[8] After taking into account these reductions from existing walls, the exterior noise levels at R-1 would reach up to 67 dBA Leq when a concrete/industrial saw operates near the construction boundary and exterior noise levels at R-2 would reach up to 90 dBA when a grader operates near the construction boundary during the grading phase.

These receptors would have an exterior-to-interior noise reduction of 12 dBA with windows open and 24 dBA with windows closed, assuming typical warm climate construction.[9] Therefore, interior noise levels at R-1 and R-2 would reach up to 43 dBA Leq and 66 dBA Leq, respectively, with windows closed. The City does not have numerical limits on construction noise but requires construction to adhere to the City's construction hours. Therefore construction noise impacts would be less than significant and no mitigation measures would be required.

[8] Calculation based on measurements from Google Earth and 6 ft source height using equations from Bies, David A. and Hansen, Colin H., Engineering Noise Control, Third Edition.
[9] U.S. Environmental Protection Agency. 1978. Protective Noise Levels: Condensed Version of EPA Levels Document. November.

For consistency with General Plan Policy SAF-1.11, which states that construction projects should incorporate measures to minimize impacts, Best Management Practices (BMP) should be included during the construction of the proposed project. The following provide examples of potential BMP, but do not constitute requirements or recommendations:

- Limiting idling of trucks and heavy equipment when feasible.
- Locating construction staging and delivery areas as far as feasible from existing residences.
- Using on-site power instead of generators or air compressors when feasible.
- Positioning stationary or semi-stationary equipment such as generators or air compressors as far away from sensitive receptors as feasible.

Construction noise impacts would be less than significant and no mitigation measures would be required.

Operation

Heating, Ventilation, and Air Conditioning Units

The project proposes roof-mounted HVAC units. The proposed HVAC units would be required to comply with the City's Municipal Code noise ordinance. Section 9.40.100(E) of the Municipal Code prohibits machinery, pumps, fans, air conditioning or similar devices from creating a noise level increase of 5 dBA or more at the property line of any property. It is anticipated that each unit would have a 3-ton package unit. Based on the noise levels specified in the manufacturer's specification sheets for HVAC models similar to those expected to be used as part of the operation of the project, each HVAC unit would produce a sound power level (Lw) of 76 dBA,[10] which is equivalent to a sound pressure level of 68 dBA Leq at 3.3 feet, assuming half-spherical propagation of sound due to roof mounting. HVAC use would depend on weather conditions and tenant occupancy. The potential noise impact from the roof-mounted HVAC units is conservatively based on all six HVAC units of the two proposed buildings nearest R-2 being active at the same time and assuming conservatively that these units were placed at a horizontal distance of 25 feet from the residential property line of R-2.

Given that decibels are expressed in logarithmic units, they cannot be added or subtracted arithmetically, the following formula converts decibels from logarithmic units to linear units for addition of the decibels and calculation of the increase in ambient noise.

$$L = 10 \log_{10} ()$$

Where:

L = *composite noise level*
n = *number of individual noise levels being summed*
L_i = *individual noise level*

Therefore, the simultaneous operation of the six HVAC units nearest to R-2 would result in a composite noise level of 75.8 dBA Leq at a distance of 3.3 feet.

[10] York International Corporation, Technical Guide for R-410A ZE/XN SERIES 3 - 6 TON 60 Hertz. Accessed at https://www.york.com/-/media/york/for-your-workplace-rooftop-units/5190086ytge0718.pdf?la=en on December 27, 2019. Specifications for York Model XN036 3-Ton packaged heating and cooling unit.

Attenuation for the proposed HVAC units was calculated using the following formula to calculate the noise level (L_2) in dB depending on distance (r_2) based on specification sheets from an HVAC unit manufacturer.

$$L_2 = L_1 - 20 \cdot \log (r_2 / r_1)$$

Where:

L_2 = *noise level at a given distance*
L_1 = *reference noise level*
r_1 = *reference distance*
r_2 = *given distance*

The equation above provides a distance attenuation of 17.6 dBA at a distance of 25 ft, relative to the reference distance of 3.3 ft. In addition, the parapet and roofline of the building would have a barrier attenuation of 24 dBA.[11] As shown in **Table 6-4, HVAC Noise Levels** the estimated operative noise level from the proposed HVAC units would be 34.2 dBA Leq at the property line of the nearest sensitive receptor (R-2) after accounting for distance attenuation and barrier attenuation from the parapet and roofline (i.e., 75.8 dBA – 17.6 dBA – 24 dBA = 34.2 dBA). Based on the formula for the addition of decibels, the addition of 34.2 dBA from the proposed HVAC units to the presumed ambient Leq would result in no increase above the presumed daytime ambient noise level of 55 dBA Leq and an increase of 0.3 above the presumed nighttime ambient noise level of 45 dBA Leq. All other residences would experience lower noise levels from HVAC because they are further away. Therefore, operational HVAC noise would not exceed the ambient noise level by more than 5 dBA in compliance with Section 9.40.100(E) of the Municipal Code.

Table 6-4
HVAC Noise Levels

Reference HVAC Noise Level at 3.3 feet (dBA)	Quantity	Composite Noise Level (dBA Leq)	Distance to Receptor (ft)	Distance Attenuation (dBA)	Parapet/ Roofline Reduction (dBA)	Noise Level (dBA Leq)
68[1]	6	75.8	25	17.6	24	34.2

[1] York International Corporation, Technical Guide for R-410A ZE/XN SERIES 3 - 6 TON 60 Hertz. Accessed at https://www.york.com/-/media/york/for-your-workplace-rooftop-units/5190086ytge0718.pdf?la=en on December 27, 2019. Specifications for York Model XN036 3-Ton packaged heating and cooling unit. The sound power level (Lw) of 76 dBA, is equivalent to a sound pressure level of 68 dBA Leq at 3.3 feet, assuming half-spherical propagation of sound due to roof mounting

Traffic Noise

Long-term operational noise impacts from mixed uses result from vehicular noise on area roadways. As explained in the Federal Highway Administration Highway Traffic Noise Analysis and Abatement Policy and Guidance, sound intensity decreases in proportion with the square of the distance from the source. Generally, sound levels for a point source, such as an individual piece of construction equipment, will decrease or attenuate by 6 dBA for each doubling of distance. Sound levels for a highway line source vary with distance, because sound waves are propagated all along the line and overlap at the point of measurement. A continuous line of vehicles traveling along a roadway becomes a line source, which will generally decrease or attenuate by 3 dBA for each doubling of distance. However, experimental evidence has shown that where sound from a line source propagates over "soft" (i.e., absorptive and non-reflective)

[11] Calculation based on site plan using equations from Bies, David A. and Hansen, Colin H., Engineering Noise Control, Third Edition. 2003.

ground (e.g., uncovered ground and most vegetated ground.), the most suitable dropoff rate to use is 4.5 dBA per distance doubling a drop off rate on a "soft" site for a line source.[12]

Upon completion, project-generated vehicle trips would cause an incremental increase in traffic noise levels on local streets throughout the project area. As stated above, doubling the number of noise sources would produce a 3 dBA increase in the noise level. Therefore, a doubling of traffic volumes would generally be required to result in a 3 dBA increase in noise. The project transportation consultant, Crain & Associates, provided a.m. and p.m. peak hour turn volumes for the intersections in the project vicinity for the existing year (2019) and future year (2023) scenarios and an estimated trip generation of 480 daily project trips.[13] For this analysis of traffic noise, the intersection turning movement volumes reported by Crain & Associates for the "without project " scenario were tabulated into segment volumes. To estimate average daily trips (ADT), the p.m. peak hour volumes were multiplied by a factor of 10. The p.m. peak hour volumes were chosen because the total number of vehicles is greater than in the a.m. peak hour volumes. For the "with project" scenarios, the 480 daily project-related trips were added to the roadway segments using the project trip distribution from the traffic study. The traffic noise level increase was calculated by comparing the traffic volumes for "with project" and "without project" scenarios using the following equation:

$$L = 10 \cdot \log (v_2 / v_1)$$

Where:

L = traffic noise level increase
v_1 *= without project traffic volume*
v_2 *= with project traffic volume*

Table 6-5 Existing Year Traffic Noise Increase shows the existing year (2019) project-related traffic noise increase and **Table 6-6 Future Year Project-Related Traffic Noise Increase** shows the future year (2023) project-related traffic noise increase. As Tables 6-5 and 6-6 show, the project would increase noise levels on local roadways by 0.6 dBA or less in the existing year and future year. The cumulative increase in traffic noise levels (future year with project compared to existing without project) would be 0.9 dBA or less, as Table 6-5 shows. These traffic noise level increases would not exceed the City's 3 dBA allowable noise increment from an existing noise level of 55 Ldn for residences and buildings where people normally sleep. In addition, noise level increases below 3 dBA would not be readily perceptible to the human ear in an outdoor environment. Therefore, traffic-related permanent increases in ambient noise levels would be less than significant.

Table 6-5
Existing Year Project-Related Traffic Noise Increase

Roadway Segment	Existing (2019) ADT	Existing (2019) With Project ADT	Existing Project-Related Noise Increase (dBA CNEL)
E 7th Street west of S 11th Street	2,000	2,312	0.6
E 7th Street east of S 11th Street	3,350	3,446	0.1
S 11th Street north of E 7th Street	300	336	0.5
S 11th Street south of E 7th Street	600	636	0.3

[12] California Department of Transportation. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Report No. CT-HWANP-RT-13-069.25.2 September 2013

[13] Garland Associates, Traffic Impact & Parking Analysis for the Proposed 66-Unit Apartment Complex 1252 East 7th Street - Upland, December 2019.

Table 6-6
Future Year Project-Related Traffic Noise Increase

Roadway Segment	Future Year (2023) ADT	Future Year (2023) With Project ADT	Future Year Project-Related Noise Increase (dBA Ldn or CNEL)	Future Year Cumulative Noise Increase (dBA Ldn or CNEL)
E 7th Street west of S 11th Street	2,170	2,482	0.6	0.9
E 7th Street east of S 11th Street	3,620	3,716	0.1	0.5
S 11th Street north of E 7th Street	330	366	0.4	0.9
S 11th Street south of E 7th Street	650	686	0.2	0.6

6.2 Excessive Groundborne Vibration Impacts

Construction

Construction generates groundborne vibration when heavy equipment travels over unpaved surfaces or engages in soil movement; however, the ground surface dampens ground-borne vibration over a relatively short distance. The reference vibration levels at 25 feet between the source and receptor from the FTA Noise and Vibration Impact Assessment Manual may be used in the following formulas to calculate PPV in/sec and vibration velocity level (Lv) in VdB for other distances.[14]

$$\mathbf{PPV_{equipment} = PPV_{ref} * (25/D)^{1.5}}$$

Where:

$PPV_{equipment}$ = peak particle velocity (PPV) in inches/second of the equipment adjusted for distance
PPV_{ref} = reference vibration level (PPV) in inches/second at 25 feet
D = distance from the equipment to the receiver

$$\mathbf{Lv_{distance} = Lv_{ref} - 30 * \log * (D/25)}$$

Where:

$Lv_{distance}$ = the root mean square (RMS) velocity level adjusted for distance
Lv_{ref} = the reference RMS velocity level at 25 feet
D = distance from the equipment to the receiver

The predicted vibration levels generated by construction equipment and potential associated impacts are provided in terms of PPV in/sec in **Table 6-7, Potential Groundborne Vibration Damage from Project Construction Equipment** and in VdB in **Table 7-8, Potential Groundborne Vibration Annoyance from Project Construction Equipment** The applicable threshold for vibration damage is 0.2 PPV in/sec for a non-engineered timber and masonry building and the applicable threshold for vibration annoyance is 80 VdB for residential uses.

[14] U.S. Department of Transportation, Federal Transit Administration, Office of Planning and Environment, Transit Noise and Vibration Impact Assessment Manual, FTA Report No. 0123, September 2018

Table 6-7
Potential Groundborne Vibration Damage from Project Construction Equipment

Construction Equipment	Reference Vibration Levels at 25 ft	Attenuated Vibration Levels at Nearest Residential Structure (R-2)		Vibration Damage Impact Assessment	
	PPV in/sec at 25 ft	Distance (ft)	PPV in/sec	Potential Damage Threshold (PPV	Exceedance?
Large bulldozer	0.089	44[1]	0.038	0.2	No
Loaded trucks	0.076	40[2]	0.038	0.2	No
Small bulldozer	0.003	13	0.008	0.2	No

Data Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018.
[1] As a project feature, large bulldozers or similar equipment would not operate within 44 feet of any occupied residential structure.
[2] As a project feature, loaded trucks would not operate within 40 feet of any occupied residential structure.

Table 6-8
Potential Groundborne Vibration Annoyance from Project Construction Equipment

Construction Equipment	Reference Vibration Levels at 25 ft	Attenuated Vibration Levels at Nearest Residential Structure (R-2)		Vibration Annoyance Impact Assessment	
	VdB at 25 ft	Distance (ft)	VdB	Potential Annoyance Threshold (VdB)	Exceedance?
Large bulldozer	87	44[1]	80	80	No
Loaded trucks	86	40[2]	80	80	No
Small bulldozer	58	13	67	80	No

Data Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018.
[1] As a project feature, large bulldozers or similar equipment would not operate within 44 feet of any occupied residential structure.
[2] As a project feature, loaded trucks would not operate within 40 feet of any occupied residential structure.

The greatest vibration levels would be generated by large bulldozers and/or similar equipment, which would be similar to large bulldozers, and would generate vibration levels of 0.089 PPV in/sec or 87 VdB at 25 feet. The groundborne vibration structural damage criteria for non-engineered timber or masonry buildings is 0.2 PPV in/sec. The off-site structures nearest to the Project boundary are the multifamily residences approximately 13 ft south of the southern project construction boundary (R-2). Because vibration levels at the nearest residence (R-2) from any of the construction equipment (0.038 PPV in/sec) are far below the applicable structural damage criteria of 0.2 PPV in/sec, no vibration damage impact would occur, as shown on Table 6-7.

The project construction phases that would utilize the largest equipment (i.e. large bulldozers and loaded trucks) are the demolition and grading phases, which would be estimated to last only 4 and 8 weeks, respectively. During these times, the equipment would be mobile, moving across the site, and would generally be quite distant from any single receptor. In addition, the timing of these activities would be restricted to daylight hours, within the hours specified by the City of Upland Municipal Code. As a project feature, large bulldozers or similar equipment would not operate within 44 feet of the residential structures to the south of the project construction boundary and loaded trucks would not operate within 40 feet of the residential structures to the south of project construction boundary.

Large bulldozers would therefore result in vibration levels no greater than 80 VdB at the nearest residence, R-2, as shown in Table 6-8. This vibration level would not exceed the criteria for potential annoyance at residential land uses (i.e., 80 VdB), and would be limited to the hours for construction allowed under the City's Municipal Code. All other equipment that is expected to be used on site would generate lower vibration levels. Additionally, all other residences would experience lower vibration levels than R-2, because the construction activity would be further away.

As shown in the preceding analysis, with project design features that minimize vibration annoyance, project construction would result in groundborne vibration levels below the applicable thresholds of significance for construction vibration.

Operation

After construction is complete, and the proposed apartment complex is occupied, project operations would be similar to surrounding uses and would not include any sources of substantial groundborne vibration. Therefore, groundborne vibration from project operations would be further below applicable thresholds.

6.3 Airport Noise Impacts

A project located within two miles of a public airport or public use airport may result in a significant impact if a project would expose people residing or working in the project area to excessive noise levels. The nearest airport to the project site is Ontario International Airport, which is located approximately 1.8 miles to the southeast. According to the LA/Ontario International Airport Land Use Compatibility Plan, the project site is located within the Airport Influence Area but is outside the 60 – 65 dB CNEL Noise Impact Zone.[15] In addition, the project is not located in the vicinity of a private airstrip. Therefore, the project would not result in the exposure of residents or those working in the project area to excessive noise levels from a private airstrip or public airport

7.0 ON-SITE LAND USE COMPATABILITY

While CEQA requires evaluation of the effects of a project on the environment, the following discussion evaluates the land use compatibility of the proposed sensitive on-site land use for planning purposes. In the 2035 roadway noise contours from the City of Upland General Plan Update EIR, no portion of the project site is located within the 65 dBA CNEL traffic noise contour associated with I-10, and although the southern portion of the site is within the 60 dBA CNEL traffic contour, the majority of the site lies within the 55 dBA CNEL traffic noise contour associated with I-10. These ambient noise levels are within the City's "normally acceptable" land use compatibility guidelines for multi-family residences of 65 dBA or less Ldn or CNEL.

Regarding interior noise, typical residential construction materials would reduce noise levels approximately 24 dB from exterior levels with closed windows.[16] The windows of the proposed residences could be closed for an extended time period because the proposed residences would have HVAC. Therefore, future indoor noise levels at the proposed multifamily residences would be less than 41 dBA CNEL, which would be consistent with the 45 dBA CNEL interior noise standard for residential land uses from the City's General

[15] City of Ontario Planning Department, LA/Ontario International Airport Land Use Compatibility Plan. Adopted April 19, 2011.
[16] U.S. Environmental Protection Agency. 1978. Protective Noise Levels: Condensed Version of EPA Levels Document. November.

Plan and the California Building Code. The proposed on-site residential land uses would therefore be consistent with the relevant noise-related policies of the City of Upland General Plan Safety Element without added noise reduction measures.

8.0 MEASURES TO REDUCE IMPACTS

8.1 Noise

Construction noise impacts would be less than significant and no mitigation measures would be required. The following construction noise requirements of the City of Upland Municipal Code would be applicable to the proposed project:

- In compliance with the City of Upland Municipal Code Section 9.40.100(M), construction of the proposed project (including excavation, demolition, and alteration) would be restricted to between the hours 7:00 a.m. and 6:00 p.m. on weekdays, excluding emergencies.
- In compliance with City Municipal Code Sections 9.40.100(K) and 9.40.100(P), any stationary internal combustion engine or motor driven vehicle shall be equipped with a muffler. Mufflers shall be properly maintained and should be at least as effective as the original equipment manufacturer muffler.

In addition, for consistency with General Plan policy SAF-1.11, which states that construction projects should incorporate measures to minimize impacts, Best Management Practices (BMP) should be included during construction of the proposed project. The following are examples of potential BMP, but do not constitute requirements or recommendations:

- Limit idling of trucks and heavy equipment when feasible.
- Locating construction staging and delivery areas as far as feasible from existing residences.
- Using on-site power instead of generators or air compressors when feasible.
- Position stationary or semi-stationary equipment such as generators or air compressors as far away from sensitive receptors as feasible.

No measures to reduce operational noise are required.

8.2 Groundborne Vibration

Groundborne vibration effects from construction would not exceed applicable guidelines for structural damage of nearby buildings and no vibration reduction measures are required to reduce potential structural damage to existing buildings from construction vibrations.

Additionally, the project would not operate large bulldozers, loaded off-road trucks, or vibratory rollers within approximately 45 feet of residences along the southern boundary of the site, and construction activities would not exceed applicable guideline levels for vibration annoyance at existing residences. Any bulldozers or rollers used near the southern boundary would be small bulldozers or non-vibratory rollers. No vibration annoyance reduction measures would be required.

Operational vibration impacts would be similar to surrounding uses and would not include any sources of substantial groundborne vibration. No added measures to reduce operational vibration are required.

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Exhibit J – Air Quality Analysis

AIR QUALITY IMPACT ANALYSIS

1252 E. 7th Street Apartment Complex Project

City of Upland

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January 2020

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APPENDIX

Appendix A	CalEEMod Version 2016.3.2 Computer Model Output

1.0 INTRODUCTION

The purpose of this Air Quality Impact Analysis is to identify, describe, and evaluate the significance of potential air quality impacts resulting from the construction and operation of a proposed multi-family residential development on an infill site in the City of Upland.

The proposed project would re-develop an approximately 3.18-acre infill site designated as Assessor's Parcel Number (APN) 1047-181-02. The site location is shown in **Figure 1, Regional Location Map**, and is located along the City's southern boundary, with adjacent properties to the south being located within the City of Ontario boundary. The project site is currently developed with a 32,928-square foot light industrial building and associated paved parking lot on the northern and central portions of the property, and the southern portion of the property is currently vacant.

Adjacent land uses consist of a light industrial facility to the west, an army reserve center to the east, single residences to the north, and multi-family residences to the south. Other nearby land uses include a convalescent home/skilled nursing facility to the southwest, light industrial uses to the north, as well as multi-family and single-family residential developments, and a flood control basin.

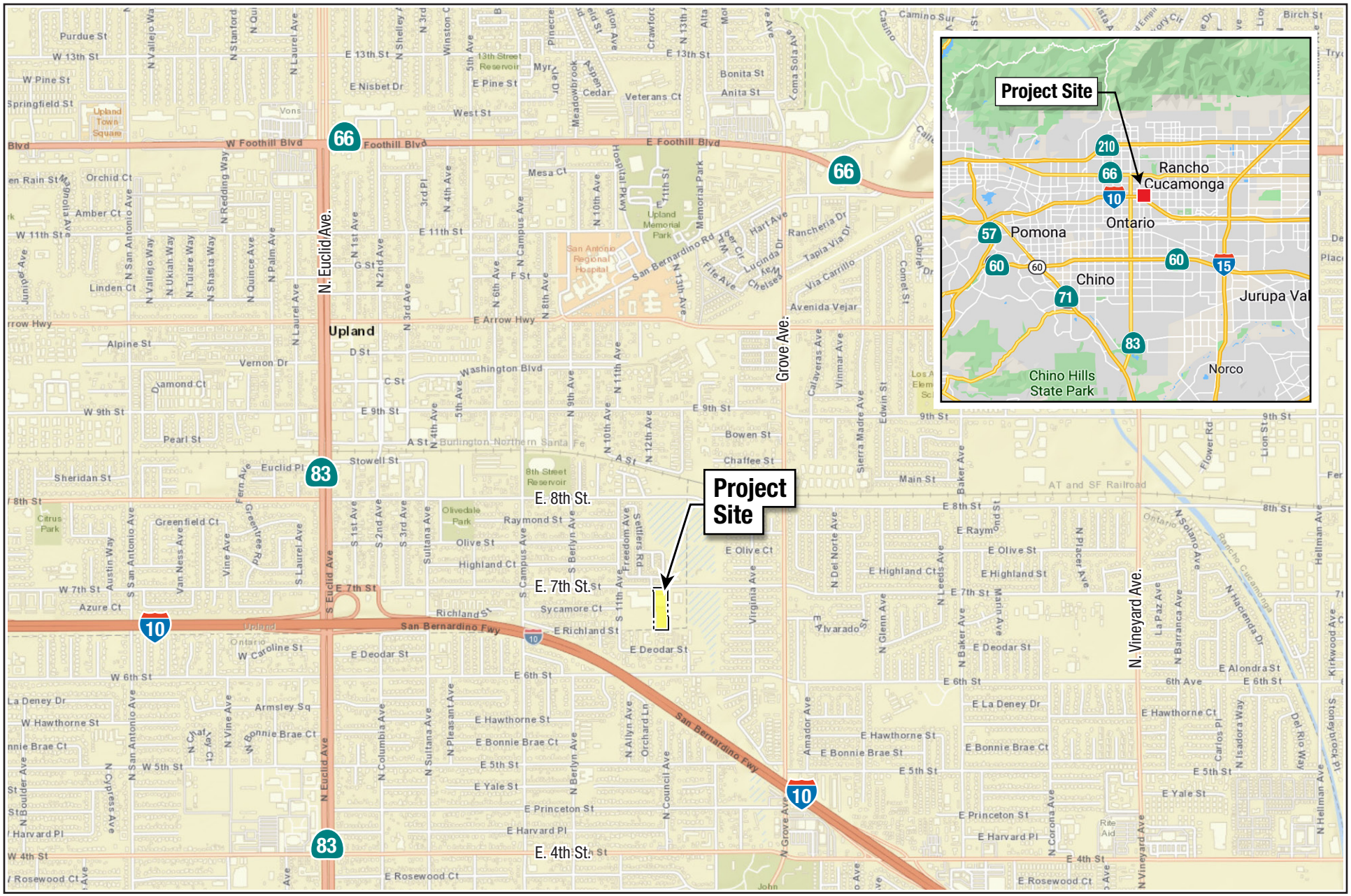
2.0 ATMOSPHERIC SETTING

The proposed project would be located at 1252 E. 7th Street (project site), in the City of Upland (City) and within the South Coast Air Basin (air basin). The air basin is bounded by the Pacific Ocean to the west, the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east, and San Diego County to the south.

In addition to being a metropolitan area with a high level of human activity, the topography and climate of Southern California combine to produce unhealthful air quality in the air basin. Low temperature inversions, light winds, shallow vertical mixing, and extensive sunlight, in combination with topographical features such as adjacent mountain ranges that hinder dispersion of air pollutants, can result in degraded air quality within the air basin.

3.0 PROPOSED DEVELOPMENT

The project would remove the existing structure and parking lot from the project site and would construct a multi-family residential apartment complex consisting of 66 dwelling units (DU) within fourteen (14) buildings consisting of two-story and three-story structures with maximum heights of 24 to 38 feet. The proposed project would also include 13,870 square feet of common open space and 17,450 square feet of private open space, as well as associated landscaping. The proposed project would have a gross square footage of 120,000 square feet, including approximately 114,500 square feet of residential floor space. Each residential unit would include a private 2-car garage for vehicle parking, and an additional 17 surface parking spaces for guests would be provided onsite, for a total of 149 parking spaces onsite. Vehicular and pedestrian access would be from East 7th Street. The nearest public transit facilities are provided by Omnitrans bus services, with a bus stop located approximately 0.3 miles west of the project site. Two interchanges with access ramps for the Interstate 10 freeway are located approximately 0.9 mile from the project site, with one to the west of the site and one to the southeast of the site. Additionally, the Upland Metrolink rail station is located approximately one mile northwest of the site.



Source: ESRI, World Street Map, 2016.

envicom

Regional Location Map

FEET 0 2,000 4,000

FIGURE 1

Construction activities would include demolition of the existing structure, site clearance/grading, building construction, paving, and architectural coating. Demolition of the existing structure and paving would require hauling of approximately 4,582 tons of demolition debris. All grading quantities would be balanced onsite and no substantial soil export or import hauling would occur during grading. The project is expected to begin construction in November 2020, and be completed and operational in 2022.

4.0 AIR QUALITY SETTING

Ambient Air Quality Standards

National and State ambient air quality standards (AAQS),[1] shown in **Table 1**, **Ambient Air Quality Standards,** are the air quality levels that are considered safe, with an adequate margin of safety, to protect the public health and welfare of "sensitive receptors," which include the elderly, young children, the acutely and chronically ill (e.g., those with cardio-respiratory disease, including asthma), and persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed. Recent research has shown, however, that chronic exposure to ozone (O3), the primary ingredient in photochemical smog, may lead to adverse respiratory health, even at concentrations close to the ambient standard. Sources and health effects of various pollutants are shown in **Table 2, Health Effects of Major Criteria Pollutants.**

Baseline Air Quality

Existing levels of ambient air quality and historical trends and projections in the project area are documented from measurements made by the South Coast Air Quality Management District (SCAQMD), which is the agency that is responsible for regulating stationary sources of emissions in the air basin. SCAQMD's Northwest San Bernardino Valley (Upland) air monitoring station (Station 032) is the nearest air monitoring station to the project site; therefore, monitoring data recorded at that station for regional air pollutants are most representative of the air quality in the project area. This air monitoring station provides historical data for ozone (O_3), carbon monoxide (CO), nitrogen oxides (NOx), and 10-micron diameter particulate matter (PM-10). The nearest SCAQMD monitoring station that reports data for smaller particulate matter (PM-2.5) measurements is located near State Highway CA-60 (Station 033). **Table 3, Project Area Air Quality Monitoring Summary 2016-2018** provides available air monitoring data from the project vicinity for the previous three years (2016-2018) for which this data is available from the SCAQMD website.[2] The air quality data and trends in the project vicinity, as documented in Table 3, are summarized below:

1. From 2013 -2017, O_3 levels exceeded the 1-hour State standard 13 days, the Federal 8-hour standard 12 days, and the 8-hour state O_3 standard 31 days.
2. PM-10 levels exceeded the State 24-hour standard approximately 8.6 percent of all days monitored from 2013-2017. The National 24-hour PM-10 standard was not exceeded in the same period.
3. PM-2.5 levels exceeded the current National 24-hour standard approximately 1.2 percent of all days monitored from 2013-2017.
4. CO and NOx levels have not exceeded National or State standards in the previous five years of monitoring data (2013-2017).

[1] California Air Resources Board. California and National Ambient Air Quality Standards. Available at: https://www.arb.ca.gov/research/aaqs/aaqs2.pdf?_ga=2.111850244.1417595818.1550763932-1724706578.1550763932. Accessed on February 21, 2019.

[2] South Coast Air Quality Management District, Historical Data By Year, Available at http://yourstory.aqmd.gov/home/air-quality/air-quality-data-studies/historical-data-by-year. Accessed December 17, 2019.

Table 1
Ambient Air Quality Standards

Ambient Air Quality Standards						
Pollutant	Averaging Time	California Standards [1]		National Standards [2]		
		Concentration [3]	Method [4]	Primary [3,5]	Secondary [3,6]	Method [7]
Ozone (O_3)[8]	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m^3)		0.070 ppm (137 µg/m^3)		
Respirable Particulate Matter (PM10)[9]	24 Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter (PM2.5)[9]	24 Hour	—	—	35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	12.0 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m^3)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m^3)		9 ppm (10 mg/m^3)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	
Nitrogen Dioxide (NO_2)[10]	1 Hour	0.18 ppm (339 µg/m^3)	Gas Phase Chemiluminescence	100 ppb (188 µg/m^3)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)		0.053 ppm (100 µg/m^3)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m^3)	Ultraviolet Fluorescence	75 ppb (196 µg/m^3)	—	Ultraviolet Flourescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m^3)	
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (for certain areas)[11]	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas)[11]	—	
Lead[12,13]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m^3 (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m^3		
Visibility Reducing Particles[14]	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

See footnotes on next page ...

For more information please call ARB-PIO at (916) 322-2990 California Air Resources Board (5/4/16)

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 $\mu g/m^3$ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.

5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.

8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.

9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from 15 $\mu g/m^3$ to 12.0 $\mu g/m^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 $\mu g/m^3$, as was the annual secondary standard of 15 $\mu g/m^3$. The existing 24-hour PM10 standards (primary and secondary) of 150 $\mu g/m^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.

10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.

11. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

    Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 $\mu g/m^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

For more information please call ARB-PIO at (916) 322-2990 **California Air Resources Board (5/4/16)**

Table 2
Health Effects of Major Criteria Pollutants

Pollutants	Examples of Sources	Health Effects
Particulate Matter (PM-2.5, PM-10)	• Cars and trucks (especially diesels) • Fireplaces, woodstoves • Windblown dust from roadways, agriculture and construction	• Hospitalizations for worsened heart diseases • Emergency room visits for asthma • Premature death
Ozone (O_3)	• Precursor sources*: motor vehicles, industrial emissions, and consumer products	• Cough, chest tightness • Difficulty taking a deep breath • Worsened asthma symptoms • Lung inflammation
Carbon Monoxide (CO)	• Any source that burns fuel such as cars, trucks, construction and farming equipment, and residential heaters and stoves	• Chest pain in heart patients ** • Headaches, nausea ** • Reduced mental alertness ** • Death at very high levels **
Nitrogen Dioxide (NO_2)	• See carbon monoxide sources	• Increased response to allergens

Source: California Air Resources Board, ARB Fact Sheet: Air Pollution and Health, webpage (reviewed December 2, 2009), accessed at https://www.arb.ca.gov/research/health/fs/fs1/fs1.htm March 1, 2017.
* Ozone is not generated directly by these sources. Rather chemicals emitted by these precursor sources react with sunlight to form ozone in the atmosphere.
** Health effects from CO exposures occur at levels considerably higher than ambient.

Table 3
Project Area Air Quality Monitoring Summary 2013-2017

Pollutant/Standard	2013	2014	2015	2016	2017
Ozone					
Number of Days Standards Exceeded					
1-Hour > 0.09 ppm (S)	0	3	2	2	6
8-Hour > 0.07 ppm (S)	0	7	6	4	14
8- Hour > 0.075 ppm (F)	0	2	0	1	9
Maximum Observed Concentration					
Max. 1-Hour Conc. (ppm)	0.081	0.113	0.104	0.103	0.116
Max. 8-Hour Conc. (ppm)	0.069	0.094	0.074	0.078	0.086
Carbon Monoxide					
Number of Days Standards Exceeded					
8-Hour > 9.0 ppm (S, F)	0	0	0	0	0
Maximum Observed Concentration					
Max 8-Hour Conc. (ppm)	2.0	3.0	1.8	1.4	1.9
Nitrogen Dioxide					
Number of Days Standards Exceeded					
1-Hour > 0.18 ppm (S)	0	0	0	0	0
Maximum Observed Concentration					
Max. 1-Hour Conc. (ppm)	0.063	0.082	0.079	0.065	80.6
Inhalable Particulates (PM-10)					
Number of Days Standards Exceeded/Days Monitored					
24-Hour > 50 $\mu g/m^3$ (S)	1/60	32/359	26/336	18/277	41/340
24-Hour > 150 $\mu g/m^3$ (F)	0/60	0/359	0/336	0/277	0/340

Pollutant/Standard	2013	2014	2015	2016	2017
Maximum Observed Concentration					
Max. 24-Hr. Conc. (μg/m^3)	57	87	88	67	96
Ultra-Fine Particulates (PM-2.5)					
Number of Days Standards Exceeded/Days Monitored					
24-Hour > 35 μg/m^3 (F)	1/344	6/341	7/342	2/357	5/358
Maximum Observed Concentration					
Max. 24-Hr. Conc. (μg/m^3)	43.1	59.9	56.4	44.4	49.2
Source: SCAQMD Monitoring Station Reports, available at http://www.aqmd.gov/home/air-quality/air-quality-data-studies/historical-data-by-year.					

Air Quality Planning

In the air basin, the agencies designated to develop the regional Air Quality Management Plan (AQMP) are the SCAQMD and the Southern California Association of Governments (SCAG). The 2016 Air Quality Management Plan (AQMP) is a regional blueprint for achieving air quality standards and healthful air, and it represents a comprehensive analysis of emissions, meteorology, atmospheric chemistry, regional growth projections, and the impact of existing control measures. According to the AQMP, the principal contributor to air quality challenges in the air basin is mobile source emissions.

Primary Pollutants

Primary pollutants are those that are emitted in their already unhealthful form. CO is an example of such a pollutant, which can have effects at a very localized level, near an individual source of emissions or a collection of sources, such as a crowded intersection or parking lot. Many particulates, especially fugitive dust emissions, are also primary pollutants. Because of the non-attainment status of the SCAB for PM-10, SCAQMD Rule 403 requires construction projects to implement an aggressive dust control program.

Secondary Pollutants

Secondary pollutants are those that transform over time from more benign components directly emitted from a source(s) to a more unhealthful contaminant. O_3 is an example of a secondary pollutant, which is created through chemical reactions involving primary precursors (reactive organic gases, or ROG, and NOx) and sunlight.

Emissions Forecasts

The most current regional emissions forecast[3] for O_3 precursors (ROG and NOx) and for CO and PM are shown in **Table 4, South Coast Air Basin Emissions Forecasts (Emissions in tons/day)**. Substantial reductions in emissions of ROG, NOx and CO are forecast to continue throughout the next several decades. Emissions of PM-10 and PM-2.5 are forecast to slightly increase unless new particulate control programs are implemented.

[3] California Air Resources Board, Almanac 2013 (Chapter 4: Trends and Forecasts, Available at https://www.arb.ca.gov/aqd/almanac/almanac.htm, Accessed on February 21, 2019.

Table 4
South Coast Air Basin Emissions Forecasts (Emissions in tons/day)

Pollutant	2015[a]	2020[b]	2025[b]	2030[b]
Nitrogen Oxide (NOx)	357	289	266	257
Volatile Organic Compounds (VOCs)	400	393	393	391
PM-10	161	165	170	172
PM-2.5	67	68	70	71

Source: California Air Resources Board, 2013 Almanac of Air Quality.
[a] 2015 Base Year.
[b] With current emissions reduction programs and adopted growth forecasts.

5.0 AIR QUALITY IMPACTS

Significance Criteria

State CEQA Guidelines

Air quality impacts of a project are considered significant if they cause clean air standards to be violated where they are currently met, or if they substantially contribute to an existing violation of standards. Substantial emissions of air contaminants for which there is no safe exposure, or nuisance emissions such as dust or odors, that are generated by a project, would also be considered significant impacts.

As set forth in Appendix G, Environmental Checklist, of the State CEQA Guidelines, a project could have a potentially significant impact if it would:

a. Conflict with or obstruct implementation of the applicable air quality plan;
b. 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;
c. Expose sensitive receptors to substantial pollutant concentrations; and/or
d. Result in other emissions such as those leading to odors adversely affecting a substantial number of people.

SCAQMD Emissions Thresholds

While conformity with adopted plans, forecasts and programs relative to population, housing, employment and land use designations could indicate conformance with the current AQMP, the air quality impact significance for the proposed project has been analyzed on a project-specific basis to determine consistency with SCAQMD project impact evaluation thresholds. As the amount of a secondary pollutant that may result from a project cannot be quantified by direct measurement of its emissions from a source, the SCAQMD has designated significant emissions levels of precursor components as surrogates for evaluating whether a project's emissions could result in significant regional air quality impacts associated with secondary pollutants. Projects with daily emissions that exceed any of the following emission thresholds shown in **Table 5, SCAQMD CEQA Daily Emissions Thresholds**, are recommended by the SCAQMD to be considered significant under CEQA.

Table 5
SCAQMD CEQA Daily Emissions Thresholds

Pollutant	Construction (lbs/day)	Operations (lbs/day)
ROG	75	55
NO_X	100	55
CO	550	550
PM-10	150	150
PM-2.5	55	55
SO_X	150	150
Source: SCAQMD CEQA Air Quality Significance Thresholds. Revision March 2015.		

Existing Land Use Emissions

The project site is currently developed with a light industrial use structure that would be removed by the project. For a conservative analysis, the evaluation of operational emissions provided in this analysis will be based on the total operational emissions of criteria pollutants from the proposed new uses, rather than a net difference after removal of an existing land use from the site.

Sensitive Receptors

Air quality impacts are analyzed relative to those persons with the greatest sensitivity to air pollution exposure. Such persons are called “sensitive receptors.” Sensitive receptors include the elderly, young children, the acutely and chronically ill (e.g., those with cardio-respiratory disease, including asthma), and persons engaged in strenuous work or exercise. For this project, nearby residences are considered to be sensitive uses, because they may be occupied for extended periods, and residents may be outdoors when exposure is highest.

Construction Activity Impacts

Dust is typically the primary concern during the construction of projects that would involve land clearing and grading. Because such emissions are not amenable to collection and discharge through a controlled source, they are called "fugitive emissions.” Emission rates vary as a function of many parameters (including soil silt, soil moisture, wind speed, area disturbed, number of vehicles, and depth of disturbance or excavation).

The California Emissions Estimator Model® (CalEEMod) is a Statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operation activities (including vehicle use), as well as indirect emissions, such as from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The model was developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts.

The proposed project’s estimated construction emissions were modeled using CalEEMod Version 2016.3.2 to identify maximum daily emissions for each pollutant during project construction. The output reports from CalEEMod are included as **Appendix A** to this report. Construction emissions were modeled based on the size of the project site, the size of the existing structure to be removed (demolition), and the estimated hauling of debris, as well as the proposed building’s square footage, number of units, and paved parking

area. A conceptual construction equipment fleet list and approximate duration of each construction phase is shown in **Table 6, Conceptual Construction Equipment Fleet**. The construction phase durations used in the model may be shorter than actually required, which provides a conservative analysis, as longer durations would result in reducing the maximum daily emission rates on which the significance of impacts is based. The project's maximum daily construction emissions as calculated by CalEEMod are listed in **Table 7, Maximum Daily Construction Emissions (pounds/day)**.

All construction grading projects in the SCAQMD region must comply with the requirements of SCAQMD Rule 403, Fugitive Dust, which requires the implementation of Best Available Control Measures (BACM) for all fugitive dust sources. SCAQMD Rule 403, Control Measure 08-2 states that during earth moving activities, projects are required to "Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 feet in any direction." Therefore, pursuant to SCAQMD Rule 403, the project would be required to implement adequate watering of exposed surfaces during grading. As seen in Table 7, peak daily construction activity emissions of criteria air pollutants are estimated to be far below the SCAQMD thresholds of significance. Therefore, construction period air quality impacts of the project would be less than significant.

Table 6
Conceptual Construction Equipment Fleet

Phase Name and Duration	Equipment
Demolition (20 days)	1 Concrete/Industrial Saw
	2 Rubber-tired Dozers
	3 Excavators
Grading (60 days)	1 Grader
	1 Excavator
	1 Rubber tired dozer
	3 Loader/Backhoes
Construction (260 days)	1 Crane
	3 Forklifts
	1 Welder
	1 Generator Set
	3 Loader/Backhoes
Paving (40 days)	2 cement/mortar mixer
	1 Paver
	2 Paving Equipment
	2 Rollers
	1 Loader/Backhoe
Architectural Coating (120 days)	1 Air Compressor

Table 7
Maximum Daily Construction Emissions (pounds/day)

	ROG	NO_X	CO	SO_2	PM-10	PM-2.5
Maximum[a] Daily Construction Emissions[b]	6.2	39.6	23.7	0.06	4.5	2.7
SCAQMD Thresholds	75	100	550	150	150	55
Significant Impact? Yes/No	No	No	No	No	No	No

Source: CalEEMod output, January 2, 2020.
[a] Estimated for either summer or winter, whichever seasonal estimate is highest.
[b] Incorporation of SCAQMD Rule 403 requirement for application of water to exposed soils for dust reduction.

Localized Significance Thresholds Analysis

The SCAQMD has developed analysis parameters to evaluate ambient air quality on a local level in addition to the more regional emissions-based thresholds of significance. These analysis elements are called Localized Significance Thresholds (LSTs). LSTs were developed in response to the SCAQMD Governing Board's Environmental Justice Enhancement Initiative 1-4, and the LST methodology was provisionally adopted in October 2003 and formally approved by SCAQMD's Mobile Source Committee in February 2005. LSTs are only applicable to the following criteria pollutants: NO_X, CO, PM-10, and PM-2.5. LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable Federal or State ambient air quality standard, and they are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

Use of an LST analysis for a project is optional. For the proposed project, the primary source of possible LST impact would be construction activity, based on the maximum onsite daily emissions estimated by CalEEMod. LSTs are applicable for a sensitive receptor where it is possible that an individual could remain for 24 hours, such as a residence, hospital, or convalescent facility.

SCAQMD's LST screening tables provide thresholds for 25, 50, 100, 200 and 500-meter source-receptor distances. Due to existing residences located within 25 meters of the northern and southern project boundary, the 25-meter thresholds were considered for this project.[4] LST pollutant screening level concentration data is currently published for 1, 2 and 5-acre sites. As this project site is approximately 3 acres, this evaluation considers the thresholds for a 2-acre site for a conservative analysis.[5] This evaluation is based on estimated onsite daily construction emissions for the phase and year representing the highest daily emissions. Daily averages would be lower than the reported maximum amounts.

Table 8, Local Significance Thresholds (LST) and Peak Daily Onsite Emissions (pounds/day) shows the relevant thresholds and the estimated peak daily onsite emissions during any of the construction phases that would generate the highest level of onsite emissions for each pollutant evaluated for LST impacts.[6] As previously described, the project would be required to implement adequate watering of exposed surfaces

[4] Projects with boundaries located closer than 25 meters to the nearest receptor should use the LSTs for receptors located at 25 meters. South Coast Air Quality Management District, Final Localized Significance Threshold Methodology, Revised July 2008. Accessed at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=2 on December 24, 2019.
[5] Interpolation of the LST screening table levels for a 3-acre site would yield thresholds between those listed for 2-acre and 5-acre sites.
[6] Offsite construction emissions, such as export hauling, are not evaluated for local significance at receptors adjacent to the site.

during grading to reduce dust emissions to comply with SCAQMD Rule 403, Fugitive Dust. As seen in Table 8, the peak onsite emissions during any phase of the construction activities would not exceed the applicable SCAQMD LSTs, and as such, potential LST impacts would be less than significant.

Table 8
Local Significance Thresholds
and Peak Daily Onsite Emissions (pounds/day)

LST 2.0 acre[a]/25 meters Northwest San Bernardino Valley	**NOx**	**CO**	**PM-10**	**PM-2.5**
LST Threshold	170	1,232	6	5
Peak Onsite Daily Emissions [b, c]	33.2	21.8	4	2.7
Significant Impact? Yes/No	No	No	No	No

Source: CalEEMod output, January 2, 2020.
[a] Site is 3.18 acres. 2-acre LST used for conservative analysis.
[b] Incorporation of SCAQMD Rule 403 requirement for application of water to exposed soils for dust reduction.
[c] Estimated for either summer or winter, whichever seasonal estimate is highest.

Asbestos and Lead Based Paint

Due to the date of construction of the existing building, it is possible that demolition workers may encounter asbestos containing materials (ACM) and/or lead based paint (LBP). Regulatory requirements for the appropriate testing and appropriate abatement and disposal of ACM or LBP material if present are provided in SCAQMD Rule 1403 and the California Occupational Safety and Health Administration's (Cal/OSHA's) regulations (including, but not limited to, the California Occupational Safety and Health Act and Title 8 of the California Code of Regulations, respectively.

Operational Impacts

During operations, the proposed land uses would result in air quality emissions of criteria pollutants from area sources, energy sources, and mobile sources. The SCAQMD thresholds for air quality impacts from operations are shown above in Table 4. As an infill development, the proposed project's operational emissions would be somewhat offset by the removal of the existing land use on the project site, including trip generation of the existing use if it resumed operations. For a conservative evaluation, CalEEMod was used to estimate operational emissions without taking credit for reduction in daily trips that would be attributed to past or future operations of the existing light industrial facility.[7] Operations of the proposed development would not be anticipated to exceed SCAQMD significance thresholds for criteria pollutants as shown in **Table 9, Maximum Daily Operations Emissions (pounds/day)**. As seen in Table 9, the project's total operational emissions would be far below SCAQMD thresholds. Therefore, operational impacts of the project would be less than significant.

[7] No modeling was conducted to evaluate the net difference in emissions to consider removal of the existing use.

Table 9
Maximum Daily Operations Emissions (pounds/day)

Emissions Sources	ROG	NO_X	CO	SO_2	PM-10	PM-2.5
Winter						
Area	2.63	0.06	5.45	<0.01	0.03	0.03
Energy	0.04	0.38	0.16	<0.01	0.03	0.03
Mobile	0.80	4.19	10.51	0.04	3.54	0.97
Total	**3.47**	**4.63**	**16.12**	**0.04**	**3.60**	**1.03**
Summer						
Area	2.63	0.06	5.45	<0.01	0.03	0.03
Energy	0.04	0.38	0.16	<0.01	0.03	0.03
Mobile	0.83	4.10	11.20	0.04	3.54	0.97
Total	**3.50**	**4.54**	**16.81**	**0.04**	**3.60**	**1.03**
SCAQMD Thresholds	55	55	550	150	150	55
Significant Impact? Y/N	No	No	No	No	No	No
Source: CalEEMod output, January 2, 2020.						

Toxic Air Contaminants

Exhaust particulates emitted from diesel powered equipment contains carcinogenic compounds, or toxic air contaminants (TACs). As residential projects do not generate a substantial quantity of diesel truck trips during operations, any measurable diesel TAC emissions from the project would occur for only a brief period during construction activities that would require onsite use of heavy-duty equipment. The toxicity of diesel exhaust is evaluated relative to a 24-hour per day, 365 days per year, 70-year lifetime exposure. The SCAQMD does not generally require the analysis of construction-related diesel emissions relative to health risk due to the short period for which the majority of diesel exhaust would occur. Health risk analyses are typically assessed over a 9-, 30-, or 70-year timeframe rather than a relatively brief construction period, due to the lack of health risk associated with such a brief exposure. As such, potential impacts of the project due to emissions of toxic air contaminants would be less than significant.

Odor Impacts

As stated above, a significant impact may occur if a project would create objectionable odors affecting a substantial number of people. However, objectionable odors are typically associated with manufacturing, industrial, or sewage treatment processes, while the project involves a residential development. Nevertheless, the SCAQMD's rules for odor compliance are mandated under the California Health and Safety Code, Section 41700, and they are also addressed in SCAQMD Rule 402. This rule on Public Nuisance states: "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals." During construction and operation of the project, trash receptacles would be provided and covered and properly maintained in order to control odors, as required by law. Therefore, odor impacts of the project during construction and operation would be less than significant.

Appendix A

CalEEMod Version 2016.3.2
Computer Model Output

1252 E. 7th Street Residential

South Coast Air Basin, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Parking Lot	7.00	Space	0.00	2,800.00	0
Condo/Townhouse	66.00	Dwelling Unit	3.18	114,500.00	189

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	31
Climate Zone	10			**Operational Year**	2022
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	702.44	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - 3.18 ac. lot. 66 units. 114,500 sf total. 7 guest parking

Construction Phase - 20 day demo. 60 day grading. 260 day builidng. 40 day paving. 120 day coating

Demolition - 4,582 tons demo building and pavement

Grading - 3.18 ac lot

Vehicle Trips - 7.32 trips/unit per traffic report

Woodstoves - no hearths

Construction Off-road Equipment Mitigation -

1252 E. 7th Street Residential - South Coast Air Basin, Winter

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	18.00	120.00
tblConstructionPhase	NumDays	230.00	260.00
tblConstructionPhase	NumDays	8.00	60.00
tblConstructionPhase	NumDays	18.00	40.00
tblConstructionPhase	PhaseEndDate	12/16/2021	9/30/2022
tblConstructionPhase	PhaseEndDate	10/27/2021	2/18/2022
tblConstructionPhase	PhaseEndDate	12/9/2020	2/19/2021
tblConstructionPhase	PhaseEndDate	11/22/2021	4/15/2022
tblConstructionPhase	PhaseStartDate	11/23/2021	4/18/2022
tblConstructionPhase	PhaseStartDate	12/10/2020	2/22/2021
tblConstructionPhase	PhaseStartDate	10/28/2021	2/21/2022
tblFireplaces	FireplaceDayYear	25.00	0.00
tblFireplaces	FireplaceHourDay	3.00	0.00
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	NumberGas	56.10	0.00
tblFireplaces	NumberNoFireplace	6.60	0.00
tblFireplaces	NumberWood	3.30	0.00
tblGrading	AcresOfGrading	30.00	3.18
tblLandUse	LandUseSquareFeet	66,000.00	114,500.00
tblLandUse	LotAcreage	0.06	0.00
tblLandUse	LotAcreage	4.13	3.18
tblVehicleTrips	ST_TR	5.67	7.32
tblVehicleTrips	SU_TR	4.84	7.32
tblVehicleTrips	WD_TR	5.81	7.32
tblWoodstoves	NumberCatalytic	3.30	0.00
tblWoodstoves	NumberNoncatalytic	3.30	0.00

tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	3.5711	39.6442	23.7091	0.0577	6.2460	1.6807	7.5207	3.3608	1.5629	4.5335	0.0000	5,784.0812	5,784.0812	1.2027	0.0000	5,814.1497
2021	2.3595	24.7817	18.4473	0.0340	6.2460	1.1612	7.4071	3.3608	1.0683	4.4290	0.0000	3,272.7570	3,272.7570	0.9330	0.0000	3,288.8573
2022	6.2249	16.4738	18.0966	0.0338	0.5989	0.8144	1.4133	0.1600	0.7661	0.9261	0.0000	3,253.6309	3,253.6309	0.6381	0.0000	3,269.5838
Maximum	**6.2249**	**39.6442**	**23.7091**	**0.0577**	**6.2460**	**1.6807**	**7.5207**	**3.3608**	**1.5629**	**4.5335**	**0.0000**	**5,784.0812**	**5,784.0812**	**1.2027**	**0.0000**	**5,814.1497**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	3.5711	39.6442	23.7091	0.0577	2.9029	1.6807	4.4501	1.5368	1.5629	2.7095	0.0000	5,784.0812	5,784.0812	1.2027	0.0000	5,814.1497
2021	2.3595	24.7817	18.4473	0.0340	2.9029	1.1612	4.0641	1.5368	1.0683	2.6051	0.0000	3,272.7570	3,272.7570	0.9330	0.0000	3,288.8572
2022	6.2249	16.4738	18.0966	0.0338	0.5989	0.8144	1.4133	0.1600	0.7661	0.9261	0.0000	3,253.6309	3,253.6309	0.6381	0.0000	3,269.5838
Maximum	**6.2249**	**39.6442**	**23.7091**	**0.0577**	**2.9029**	**1.6807**	**4.4501**	**1.5368**	**1.5629**	**2.7095**	**0.0000**	**5,784.0812**	**5,784.0812**	**1.2027**	**0.0000**	**5,814.1497**

1252 E. 7th Street Residential - South Coast Air Basin, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**51.07**	**0.00**	**39.25**	**53.01**	**0.00**	**36.89**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	2.6293	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301	0.0000	9.8060	9.8060	9.4600e-003	0.0000	10.0426
Energy	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901
Mobile	0.7965	4.1923	10.5113	0.0400	3.5088	0.0325	3.5413	0.9387	0.0303	0.9690		4,074.5681	4,074.5681	0.1970		4,079.4935
Total	**3.4700**	**4.6328**	**16.1237**	**0.0427**	**3.5088**	**0.0932**	**3.6020**	**0.9387**	**0.0910**	**1.0297**	**0.0000**	**4,566.4991**	**4,566.4991**	**0.2157**	**8.8400e-003**	**4,574.5261**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	2.6293	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301	0.0000	9.8060	9.8060	9.4600e-003	0.0000	10.0426
Energy	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901
Mobile	0.7965	4.1923	10.5113	0.0400	3.5088	0.0325	3.5413	0.9387	0.0303	0.9690		4,074.5681	4,074.5681	0.1970		4,079.4935
Total	**3.4700**	**4.6328**	**16.1237**	**0.0427**	**3.5088**	**0.0932**	**3.6020**	**0.9387**	**0.0910**	**1.0297**	**0.0000**	**4,566.4991**	**4,566.4991**	**0.2157**	**8.8400e-003**	**4,574.5261**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	11/2/2020	11/27/2020	5	20	
2	Grading	Grading	11/28/2020	2/19/2021	5	60	
3	Building Construction	Building Construction	2/22/2021	2/18/2022	5	260	
4	Paving	Paving	2/21/2022	4/15/2022	5	40	
5	Architectural Coating	Architectural Coating	4/18/2022	9/30/2022	5	120	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 3.18

Acres of Paving: 0

Residential Indoor: 231,863; Residential Outdoor: 77,288; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 168 (Architectural Coating – sqft)

OffRoad Equipment

1252 E. 7th Street Residential - South Coast Air Basin, Winter

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	158	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Grading	Excavators	1	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Cement and Mortar Mixers	2	6.00	9	0.56
Paving	Pavers	1	8.00	130	0.42
Paving	Paving Equipment	2	6.00	132	0.36
Paving	Rollers	2	6.00	80	0.38
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	453.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	6	15.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	49.00	8.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	8	20.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	10.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Demolition - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					4.9025	0.0000	4.9025	0.7423	0.0000	0.7423			0.0000			0.0000
Off-Road	3.3121	33.2010	21.7532	0.0388		1.6587	1.6587		1.5419	1.5419		3,747.7049	3,747.7049	1.0580		3,774.1536
Total	**3.3121**	**33.2010**	**21.7532**	**0.0388**	**4.9025**	**1.6587**	**6.5612**	**0.7423**	**1.5419**	**2.2841**		**3,747.7049**	**3,747.7049**	**1.0580**		**3,774.1536**

3.2 Demolition - 2020

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1850	6.3932	1.4016	0.0173	0.3956	0.0207	0.4163	0.1084	0.0198	0.1282		1,875.4486	1,875.4486	0.1402		1,878.9526
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0740	0.0500	0.5544	1.6200e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1800e-003	0.0456		160.9277	160.9277	4.6300e-003		161.0435
Total	**0.2590**	**6.4432**	**1.9559**	**0.0189**	**0.5633**	**0.0220**	**0.5853**	**0.1529**	**0.0210**	**0.1739**		**2,036.3763**	**2,036.3763**	**0.1448**		**2,039.9961**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					2.2061	0.0000	2.2061	0.3340	0.0000	0.3340			0.0000			0.0000
Off-Road	3.3121	33.2010	21.7532	0.0388		1.6587	1.6587		1.5419	1.5419	0.0000	3,747.7049	3,747.7049	1.0580		3,774.1536
Total	**3.3121**	**33.2010**	**21.7532**	**0.0388**	**2.2061**	**1.6587**	**3.8648**	**0.3340**	**1.5419**	**1.8759**	**0.0000**	**3,747.7049**	**3,747.7049**	**1.0580**		**3,774.1536**

3.2 Demolition - 2020

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1850	6.3932	1.4016	0.0173	0.3956	0.0207	0.4163	0.1084	0.0198	0.1282		1,875.4486	1,875.4486	0.1402		1,878.9526
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0740	0.0500	0.5544	1.6200e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1800e-003	0.0456		160.9277	160.9277	4.6300e-003		161.0435
Total	**0.2590**	**6.4432**	**1.9559**	**0.0189**	**0.5633**	**0.0220**	**0.5853**	**0.1529**	**0.0210**	**0.1739**		**2,036.3763**	**2,036.3763**	**0.1448**		**2,039.9961**

3.3 Grading - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.0783	0.0000	6.0783	3.3163	0.0000	3.3163			0.0000			0.0000
Off-Road	2.4288	26.3859	16.0530	0.0297		1.2734	1.2734		1.1716	1.1716		2,872.4851	2,872.4851	0.9290		2,895.7106
Total	**2.4288**	**26.3859**	**16.0530**	**0.0297**	**6.0783**	**1.2734**	**7.3517**	**3.3163**	**1.1716**	**4.4879**		**2,872.4851**	**2,872.4851**	**0.9290**		**2,895.7106**

3.3 Grading - 2020

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0740	0.0500	0.5544	1.6200e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1800e-003	0.0456		160.9277	160.9277	4.6300e-003		161.0435
Total	**0.0740**	**0.0500**	**0.5544**	**1.6200e-003**	**0.1677**	**1.2800e-003**	**0.1689**	**0.0445**	**1.1800e-003**	**0.0456**		**160.9277**	**160.9277**	**4.6300e-003**		**161.0435**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					2.7352	0.0000	2.7352	1.4923	0.0000	1.4923			0.0000			0.0000
Off-Road	2.4288	26.3859	16.0530	0.0297		1.2734	1.2734		1.1716	1.1716	0.0000	2,872.4851	2,872.4851	0.9290		2,895.7106
Total	**2.4288**	**26.3859**	**16.0530**	**0.0297**	**2.7352**	**1.2734**	**4.0087**	**1.4923**	**1.1716**	**2.6639**	**0.0000**	**2,872.4851**	**2,872.4851**	**0.9290**		**2,895.7106**

3.3 Grading - 2020

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0740	0.0500	0.5544	1.6200e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1800e-003	0.0456		160.9277	160.9277	4.6300e-003		161.0435
Total	**0.0740**	**0.0500**	**0.5544**	**1.6200e-003**	**0.1677**	**1.2800e-003**	**0.1689**	**0.0445**	**1.1800e-003**	**0.0456**		**160.9277**	**160.9277**	**4.6300e-003**		**161.0435**

3.3 Grading - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.0783	0.0000	6.0783	3.3163	0.0000	3.3163			0.0000			0.0000
Off-Road	2.2903	24.7367	15.8575	0.0296		1.1599	1.1599		1.0671	1.0671		2,871.9285	2,871.9285	0.9288		2,895.1495
Total	**2.2903**	**24.7367**	**15.8575**	**0.0296**	**6.0783**	**1.1599**	**7.2382**	**3.3163**	**1.0671**	**4.3834**		**2,871.9285**	**2,871.9285**	**0.9288**		**2,895.1495**

3.3 Grading - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0692	0.0450	0.5098	1.5600e-003	0.1677	1.2400e-003	0.1689	0.0445	1.1400e-003	0.0456		155.7227	155.7227	4.1900e-003		155.8274
Total	**0.0692**	**0.0450**	**0.5098**	**1.5600e-003**	**0.1677**	**1.2400e-003**	**0.1689**	**0.0445**	**1.1400e-003**	**0.0456**		**155.7227**	**155.7227**	**4.1900e-003**		**155.8274**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					2.7352	0.0000	2.7352	1.4923	0.0000	1.4923			0.0000			0.0000
Off-Road	2.2903	24.7367	15.8575	0.0296		1.1599	1.1599		1.0671	1.0671	0.0000	2,871.9285	2,871.9285	0.9288		2,895.1495
Total	**2.2903**	**24.7367**	**15.8575**	**0.0296**	**2.7352**	**1.1599**	**3.8951**	**1.4923**	**1.0671**	**2.5595**	**0.0000**	**2,871.9285**	**2,871.9285**	**0.9288**		**2,895.1495**

3.3 Grading - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0692	0.0450	0.5098	1.5600e-003	0.1677	1.2400e-003	0.1689	0.0445	1.1400e-003	0.0456		155.7227	155.7227	4.1900e-003		155.8274
Total	**0.0692**	**0.0450**	**0.5098**	**1.5600e-003**	**0.1677**	**1.2400e-003**	**0.1689**	**0.0445**	**1.1400e-003**	**0.0456**		**155.7227**	**155.7227**	**4.1900e-003**		**155.8274**

3.4 Building Construction - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013		2,553.3639	2,553.3639	0.6160		2,568.7643
Total	**1.9009**	**17.4321**	**16.5752**	**0.0269**		**0.9586**	**0.9586**		**0.9013**	**0.9013**		**2,553.3639**	**2,553.3639**	**0.6160**		**2,568.7643**

3.4 Building Construction - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0237	0.7643	0.2068	1.9700e-003	0.0512	1.6100e-003	0.0528	0.0147	1.5400e-003	0.0163		210.6990	210.6990	0.0143		211.0569
Worker	0.2260	0.1469	1.6654	5.1000e-003	0.5477	4.0500e-003	0.5518	0.1453	3.7300e-003	0.1490		508.6941	508.6941	0.0137		509.0361
Total	**0.2496**	**0.9112**	**1.8721**	**7.0700e-003**	**0.5989**	**5.6600e-003**	**0.6046**	**0.1600**	**5.2700e-003**	**0.1653**		**719.3931**	**719.3931**	**0.0280**		**720.0930**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013	0.0000	2,553.3639	2,553.3639	0.6160		2,568.7643
Total	**1.9009**	**17.4321**	**16.5752**	**0.0269**		**0.9586**	**0.9586**		**0.9013**	**0.9013**	**0.0000**	**2,553.3639**	**2,553.3639**	**0.6160**		**2,568.7643**

3.4 Building Construction - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0237	0.7643	0.2068	1.9700e-003	0.0512	1.6100e-003	0.0528	0.0147	1.5400e-003	0.0163		210.6990	210.6990	0.0143		211.0569
Worker	0.2260	0.1469	1.6654	5.1000e-003	0.5477	4.0500e-003	0.5518	0.1453	3.7300e-003	0.1490		508.6941	508.6941	0.0137		509.0361
Total	**0.2496**	**0.9112**	**1.8721**	**7.0700e-003**	**0.5989**	**5.6600e-003**	**0.6046**	**0.1600**	**5.2700e-003**	**0.1653**		**719.3931**	**719.3931**	**0.0280**		**720.0930**

3.4 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322
Total	**1.7062**	**15.6156**	**16.3634**	**0.0269**		**0.8090**	**0.8090**		**0.7612**	**0.7612**		**2,554.3336**	**2,554.3336**	**0.6120**		**2,569.6322**

3.4 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0222	0.7255	0.1959	1.9500e-003	0.0512	1.4100e-003	0.0526	0.0147	1.3400e-003	0.0161		208.8177	208.8177	0.0138		209.1630
Worker	0.2125	0.1327	1.5373	4.9200e-003	0.5477	3.9400e-003	0.5516	0.1453	3.6300e-003	0.1489		490.4796	490.4796	0.0124		490.7886
Total	**0.2347**	**0.8581**	**1.7332**	**6.8700e-003**	**0.5989**	**5.3500e-003**	**0.6042**	**0.1600**	**4.9700e-003**	**0.1650**		**699.2973**	**699.2973**	**0.0262**		**699.9516**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612	0.0000	2,554.3336	2,554.3336	0.6120		2,569.6322
Total	**1.7062**	**15.6156**	**16.3634**	**0.0269**		**0.8090**	**0.8090**		**0.7612**	**0.7612**	**0.0000**	**2,554.3336**	**2,554.3336**	**0.6120**		**2,569.6322**

3.4 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0222	0.7255	0.1959	1.9500e-003	0.0512	1.4100e-003	0.0526	0.0147	1.3400e-003	0.0161		208.8177	208.8177	0.0138		209.1630
Worker	0.2125	0.1327	1.5373	4.9200e-003	0.5477	3.9400e-003	0.5516	0.1453	3.6300e-003	0.1489		490.4796	490.4796	0.0124		490.7886
Total	**0.2347**	**0.8581**	**1.7332**	**6.8700e-003**	**0.5989**	**5.3500e-003**	**0.6042**	**0.1600**	**4.9700e-003**	**0.1650**		**699.2973**	**699.2973**	**0.0262**		**699.9516**

3.5 Paving - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9765	9.5221	12.1940	0.0189		0.4877	0.4877		0.4504	0.4504		1,805.1297	1,805.1297	0.5672		1,819.3091
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.9765**	**9.5221**	**12.1940**	**0.0189**		**0.4877**	**0.4877**		**0.4504**	**0.4504**		**1,805.1297**	**1,805.1297**	**0.5672**		**1,819.3091**

3.5 Paving - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0868	0.0542	0.6275	2.0100e-003	0.2236	1.6100e-003	0.2252	0.0593	1.4800e-003	0.0608		200.1958	200.1958	5.0400e-003		200.3219
Total	**0.0868**	**0.0542**	**0.6275**	**2.0100e-003**	**0.2236**	**1.6100e-003**	**0.2252**	**0.0593**	**1.4800e-003**	**0.0608**		**200.1958**	**200.1958**	**5.0400e-003**		**200.3219**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9765	9.5221	12.1940	0.0189		0.4877	0.4877		0.4504	0.4504	0.0000	1,805.1297	1,805.1297	0.5672		1,819.3091
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.9765**	**9.5221**	**12.1940**	**0.0189**		**0.4877**	**0.4877**		**0.4504**	**0.4504**	**0.0000**	**1,805.1297**	**1,805.1297**	**0.5672**		**1,819.3091**

3.5 Paving - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0868	0.0542	0.6275	2.0100e-003	0.2236	1.6100e-003	0.2252	0.0593	1.4800e-003	0.0608		200.1958	200.1958	5.0400e-003		200.3219
Total	**0.0868**	**0.0542**	**0.6275**	**2.0100e-003**	**0.2236**	**1.6100e-003**	**0.2252**	**0.0593**	**1.4800e-003**	**0.0608**		**200.1958**	**200.1958**	**5.0400e-003**		**200.3219**

3.6 Architectural Coating - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	5.9770					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817		281.4481	281.4481	0.0183		281.9062
Total	**6.1815**	**1.4085**	**1.8136**	**2.9700e-003**		**0.0817**	**0.0817**		**0.0817**	**0.0817**		**281.4481**	**281.4481**	**0.0183**		**281.9062**

3.6 Architectural Coating - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0434	0.0271	0.3137	1.0000e-003	0.1118	8.0000e-004	0.1126	0.0296	7.4000e-004	0.0304		100.0979	100.0979	2.5200e-003		100.1609
Total	**0.0434**	**0.0271**	**0.3137**	**1.0000e-003**	**0.1118**	**8.0000e-004**	**0.1126**	**0.0296**	**7.4000e-004**	**0.0304**		**100.0979**	**100.0979**	**2.5200e-003**		**100.1609**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	5.9770					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817	0.0000	281.4481	281.4481	0.0183		281.9062
Total	**6.1815**	**1.4085**	**1.8136**	**2.9700e-003**		**0.0817**	**0.0817**		**0.0817**	**0.0817**	**0.0000**	**281.4481**	**281.4481**	**0.0183**		**281.9062**

3.6 Architectural Coating - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0434	0.0271	0.3137	1.0000e-003	0.1118	8.0000e-004	0.1126	0.0296	7.4000e-004	0.0304		100.0979	100.0979	2.5200e-003		100.1609
Total	**0.0434**	**0.0271**	**0.3137**	**1.0000e-003**	**0.1118**	**8.0000e-004**	**0.1126**	**0.0296**	**7.4000e-004**	**0.0304**		**100.0979**	**100.0979**	**2.5200e-003**		**100.1609**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.7965	4.1923	10.5113	0.0400	3.5088	0.0325	3.5413	0.9387	0.0303	0.9690		4,074.5681	4,074.5681	0.1970		4,079.4935
Unmitigated	0.7965	4.1923	10.5113	0.0400	3.5088	0.0325	3.5413	0.9387	0.0303	0.9690		4,074.5681	4,074.5681	0.1970		4,079.4935

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse	483.12	483.12	483.12	1,650,894	1,650,894
Parking Lot	0.00	0.00	0.00		
Total	483.12	483.12	483.12	1,650,894	1,650,894

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
Parking Lot	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Condo/Townhouse	0.552111	0.043066	0.201891	0.118512	0.015605	0.005863	0.021387	0.031253	0.002087	0.001818	0.004803	0.000708	0.000896
Parking Lot	0.552111	0.043066	0.201891	0.118512	0.015605	0.005863	0.021387	0.031253	0.002087	0.001818	0.004803	0.000708	0.000896

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901
NaturalGas Unmitigated	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Condo/Townhouse	4098.06	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0442**	**0.3777**	**0.1607**	**2.4100e-003**		**0.0305**	**0.0305**		**0.0305**	**0.0305**		**482.1251**	**482.1251**	**9.2400e-003**	**8.8400e-003**	**484.9901**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Condo/Townhouse	4.09806	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0442**	**0.3777**	**0.1607**	**2.4100e-003**		**0.0305**	**0.0305**		**0.0305**	**0.0305**		**482.1251**	**482.1251**	**9.2400e-003**	**8.8400e-003**	**484.9901**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	2.6293	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301	0.0000	9.8060	9.8060	9.4600e-003	0.0000	10.0426
Unmitigated	2.6293	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301	0.0000	9.8060	9.8060	9.4600e-003	0.0000	10.0426

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.1965					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.2681					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.1647	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301		9.8060	9.8060	9.4600e-003		10.0426
Total	**2.6293**	**0.0629**	**5.4517**	**2.9000e-004**		**0.0301**	**0.0301**		**0.0301**	**0.0301**	**0.0000**	**9.8060**	**9.8060**	**9.4600e-003**	**0.0000**	**10.0426**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.1965					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.2681					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.1647	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301		9.8060	9.8060	9.4600e-003		10.0426
Total	**2.6293**	**0.0629**	**5.4517**	**2.9000e-004**		**0.0301**	**0.0301**		**0.0301**	**0.0301**	**0.0000**	**9.8060**	**9.8060**	**9.4600e-003**	**0.0000**	**10.0426**

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

1252 E. 7th Street Residential

South Coast Air Basin, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Parking Lot	7.00	Space	0.00	2,800.00	0
Condo/Townhouse	66.00	Dwelling Unit	3.18	114,500.00	189

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	31
Climate Zone	10			**Operational Year**	2022
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	702.44	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - 3.18 ac. lot. 66 units. 114,500 sf total. 7 guest parking

Construction Phase - 20 day demo. 60 day grading. 260 day builidng. 40 day paving. 120 day coating

Demolition - 4,582 tons demo building and pavement

Grading - 3.18 ac lot

Vehicle Trips - 7.32 trips/unit per traffic report

Woodstoves - no hearths

Construction Off-road Equipment Mitigation -

1252 E. 7th Street Residential - South Coast Air Basin, Summer

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	18.00	120.00
tblConstructionPhase	NumDays	230.00	260.00
tblConstructionPhase	NumDays	8.00	60.00
tblConstructionPhase	NumDays	18.00	40.00
tblConstructionPhase	PhaseEndDate	12/16/2021	9/30/2022
tblConstructionPhase	PhaseEndDate	10/27/2021	2/18/2022
tblConstructionPhase	PhaseEndDate	12/9/2020	2/19/2021
tblConstructionPhase	PhaseEndDate	11/22/2021	4/15/2022
tblConstructionPhase	PhaseStartDate	11/23/2021	4/18/2022
tblConstructionPhase	PhaseStartDate	12/10/2020	2/22/2021
tblConstructionPhase	PhaseStartDate	10/28/2021	2/21/2022
tblFireplaces	FireplaceDayYear	25.00	0.00
tblFireplaces	FireplaceHourDay	3.00	0.00
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	NumberGas	56.10	0.00
tblFireplaces	NumberNoFireplace	6.60	0.00
tblFireplaces	NumberWood	3.30	0.00
tblGrading	AcresOfGrading	30.00	3.18
tblLandUse	LandUseSquareFeet	66,000.00	114,500.00
tblLandUse	LotAcreage	0.06	0.00
tblLandUse	LotAcreage	4.13	3.18
tblVehicleTrips	ST_TR	5.67	7.32
tblVehicleTrips	SU_TR	4.84	7.32
tblVehicleTrips	WD_TR	5.81	7.32
tblWoodstoves	NumberCatalytic	3.30	0.00
tblWoodstoves	NumberNoncatalytic	3.30	0.00

tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	3.5597	39.5570	23.6768	0.0581	6.2460	1.6804	7.5207	3.3608	1.5626	4.5335	0.0000	5,827.3161	5,827.3161	1.1979	0.0000	5,857.2625
2021	2.3531	24.7776	18.6010	0.0344	6.2460	1.1612	7.4071	3.3608	1.0683	4.4290	0.0000	3,312.3391	3,312.3391	0.9333	0.0000	3,328.4397
2022	6.2208	16.4642	18.2409	0.0342	0.5989	0.8143	1.4132	0.1600	0.7661	0.9261	0.0000	3,291.9887	3,291.9887	0.6381	0.0000	3,307.9411
Maximum	**6.2208**	**39.5570**	**23.6768**	**0.0581**	**6.2460**	**1.6804**	**7.5207**	**3.3608**	**1.5626**	**4.5335**	**0.0000**	**5,827.3161**	**5,827.3161**	**1.1979**	**0.0000**	**5,857.2625**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	3.5597	39.5570	23.6768	0.0581	2.9029	1.6804	4.4498	1.5368	1.5626	2.7095	0.0000	5,827.3161	5,827.3161	1.1979	0.0000	5,857.2625
2021	2.3531	24.7776	18.6010	0.0344	2.9029	1.1612	4.0641	1.5368	1.0683	2.6051	0.0000	3,312.3391	3,312.3391	0.9333	0.0000	3,328.4397
2022	6.2208	16.4642	18.2409	0.0342	0.5989	0.8143	1.4132	0.1600	0.7661	0.9261	0.0000	3,291.9887	3,291.9887	0.6381	0.0000	3,307.9411
Maximum	**6.2208**	**39.5570**	**23.6768**	**0.0581**	**2.9029**	**1.6804**	**4.4498**	**1.5368**	**1.5626**	**2.7095**	**0.0000**	**5,827.3161**	**5,827.3161**	**1.1979**	**0.0000**	**5,857.2625**

1252 E. 7th Street Residential - South Coast Air Basin, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**51.07**	**0.00**	**39.25**	**53.01**	**0.00**	**36.89**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	2.6293	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301	0.0000	9.8060	9.8060	9.4600e-003	0.0000	10.0426
Energy	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901
Mobile	0.8297	4.1025	11.1985	0.0422	3.5088	0.0324	3.5411	0.9387	0.0302	0.9689		4,292.3790	4,292.3790	0.1974		4,297.3149
Total	**3.5032**	**4.5430**	**16.8109**	**0.0449**	**3.5088**	**0.0930**	**3.6018**	**0.9387**	**0.0908**	**1.0295**	**0.0000**	**4,784.3101**	**4,784.3101**	**0.2161**	**8.8400e-003**	**4,792.3476**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	2.6293	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301	0.0000	9.8060	9.8060	9.4600e-003	0.0000	10.0426
Energy	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901
Mobile	0.8297	4.1025	11.1985	0.0422	3.5088	0.0324	3.5411	0.9387	0.0302	0.9689		4,292.3790	4,292.3790	0.1974		4,297.3149
Total	**3.5032**	**4.5430**	**16.8109**	**0.0449**	**3.5088**	**0.0930**	**3.6018**	**0.9387**	**0.0908**	**1.0295**	**0.0000**	**4,784.3101**	**4,784.3101**	**0.2161**	**8.8400e-003**	**4,792.3476**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	11/2/2020	11/27/2020	5	20	
2	Grading	Grading	11/28/2020	2/19/2021	5	60	
3	Building Construction	Building Construction	2/22/2021	2/18/2022	5	260	
4	Paving	Paving	2/21/2022	4/15/2022	5	40	
5	Architectural Coating	Architectural Coating	4/18/2022	9/30/2022	5	120	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 3.18

Acres of Paving: 0

Residential Indoor: 231,863; Residential Outdoor: 77,288; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 168 (Architectural Coating – sqft)

OffRoad Equipment

1252 E. 7th Street Residential - South Coast Air Basin, Summer

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	158	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Grading	Excavators	1	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Cement and Mortar Mixers	2	6.00	9	0.56
Paving	Pavers	1	8.00	130	0.42
Paving	Paving Equipment	2	6.00	132	0.36
Paving	Rollers	2	6.00	80	0.38
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	453.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	6	15.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	49.00	8.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	8	20.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	10.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Demolition - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					4.9025	0.0000	4.9025	0.7423	0.0000	0.7423			0.0000			0.0000
Off-Road	3.3121	33.2010	21.7532	0.0388		1.6587	1.6587		1.5419	1.5419		3,747.7049	3,747.7049	1.0580		3,774.1536
Total	**3.3121**	**33.2010**	**21.7532**	**0.0388**	**4.9025**	**1.6587**	**6.5612**	**0.7423**	**1.5419**	**2.2841**		**3,747.7049**	**3,747.7049**	**1.0580**		**3,774.1536**

3.2 Demolition - 2020

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1803	6.3105	1.3123	0.0176	0.3956	0.0204	0.4160	0.1084	0.0195	0.1279		1,908.0357	1,908.0357	0.1350		1,911.4099
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0673	0.0455	0.6114	1.7200e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1800e-003	0.0456		171.5755	171.5755	4.9400e-003		171.6991
Total	**0.2476**	**6.3560**	**1.9236**	**0.0193**	**0.5633**	**0.0217**	**0.5850**	**0.1529**	**0.0207**	**0.1736**		**2,079.6112**	**2,079.6112**	**0.1399**		**2,083.1089**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					2.2061	0.0000	2.2061	0.3340	0.0000	0.3340			0.0000			0.0000
Off-Road	3.3121	33.2010	21.7532	0.0388		1.6587	1.6587		1.5419	1.5419	0.0000	3,747.7049	3,747.7049	1.0580		3,774.1536
Total	**3.3121**	**33.2010**	**21.7532**	**0.0388**	**2.2061**	**1.6587**	**3.8648**	**0.3340**	**1.5419**	**1.8759**	**0.0000**	**3,747.7049**	**3,747.7049**	**1.0580**		**3,774.1536**

3.2 Demolition - 2020

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1803	6.3105	1.3123	0.0176	0.3956	0.0204	0.4160	0.1084	0.0195	0.1279		1,908.0357	1,908.0357	0.1350		1,911.4099
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0673	0.0455	0.6114	1.7200e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1800e-003	0.0456		171.5755	171.5755	4.9400e-003		171.6991
Total	**0.2476**	**6.3560**	**1.9236**	**0.0193**	**0.5633**	**0.0217**	**0.5850**	**0.1529**	**0.0207**	**0.1736**		**2,079.6112**	**2,079.6112**	**0.1399**		**2,083.1089**

3.3 Grading - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.0783	0.0000	6.0783	3.3163	0.0000	3.3163			0.0000			0.0000
Off-Road	2.4288	26.3859	16.0530	0.0297		1.2734	1.2734		1.1716	1.1716		2,872.4851	2,872.4851	0.9290		2,895.7106
Total	**2.4288**	**26.3859**	**16.0530**	**0.0297**	**6.0783**	**1.2734**	**7.3517**	**3.3163**	**1.1716**	**4.4879**		**2,872.4851**	**2,872.4851**	**0.9290**		**2,895.7106**

3.3 Grading - 2020

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0673	0.0455	0.6114	1.7200e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1800e-003	0.0456		171.5755	171.5755	4.9400e-003		171.6991
Total	**0.0673**	**0.0455**	**0.6114**	**1.7200e-003**	**0.1677**	**1.2800e-003**	**0.1689**	**0.0445**	**1.1800e-003**	**0.0456**		**171.5755**	**171.5755**	**4.9400e-003**		**171.6991**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					2.7352	0.0000	2.7352	1.4923	0.0000	1.4923			0.0000			0.0000
Off-Road	2.4288	26.3859	16.0530	0.0297		1.2734	1.2734		1.1716	1.1716	0.0000	2,872.4851	2,872.4851	0.9290		2,895.7106
Total	**2.4288**	**26.3859**	**16.0530**	**0.0297**	**2.7352**	**1.2734**	**4.0087**	**1.4923**	**1.1716**	**2.6639**	**0.0000**	**2,872.4851**	**2,872.4851**	**0.9290**		**2,895.7106**

3.3 Grading - 2020

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0673	0.0455	0.6114	1.7200e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1800e-003	0.0456		171.5755	171.5755	4.9400e-003		171.6991
Total	**0.0673**	**0.0455**	**0.6114**	**1.7200e-003**	**0.1677**	**1.2800e-003**	**0.1689**	**0.0445**	**1.1800e-003**	**0.0456**		**171.5755**	**171.5755**	**4.9400e-003**		**171.6991**

3.3 Grading - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.0783	0.0000	6.0783	3.3163	0.0000	3.3163			0.0000			0.0000
Off-Road	2.2903	24.7367	15.8575	0.0296		1.1599	1.1599		1.0671	1.0671		2,871.9285	2,871.9285	0.9288		2,895.1495
Total	**2.2903**	**24.7367**	**15.8575**	**0.0296**	**6.0783**	**1.1599**	**7.2382**	**3.3163**	**1.0671**	**4.3834**		**2,871.9285**	**2,871.9285**	**0.9288**		**2,895.1495**

3.3 Grading - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0628	0.0410	0.5632	1.6700e-003	0.1677	1.2400e-003	0.1689	0.0445	1.1400e-003	0.0456		166.0347	166.0347	4.4800e-003		166.1466
Total	**0.0628**	**0.0410**	**0.5632**	**1.6700e-003**	**0.1677**	**1.2400e-003**	**0.1689**	**0.0445**	**1.1400e-003**	**0.0456**		**166.0347**	**166.0347**	**4.4800e-003**		**166.1466**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					2.7352	0.0000	2.7352	1.4923	0.0000	1.4923			0.0000			0.0000
Off-Road	2.2903	24.7367	15.8575	0.0296		1.1599	1.1599		1.0671	1.0671	0.0000	2,871.9285	2,871.9285	0.9288		2,895.1495
Total	**2.2903**	**24.7367**	**15.8575**	**0.0296**	**2.7352**	**1.1599**	**3.8951**	**1.4923**	**1.0671**	**2.5595**	**0.0000**	**2,871.9285**	**2,871.9285**	**0.9288**		**2,895.1495**

3.3 Grading - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0628	0.0410	0.5632	1.6700e-003	0.1677	1.2400e-003	0.1689	0.0445	1.1400e-003	0.0456		166.0347	166.0347	4.4800e-003		166.1466
Total	**0.0628**	**0.0410**	**0.5632**	**1.6700e-003**	**0.1677**	**1.2400e-003**	**0.1689**	**0.0445**	**1.1400e-003**	**0.0456**		**166.0347**	**166.0347**	**4.4800e-003**		**166.1466**

3.4 Building Construction - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013		2,553.3639	2,553.3639	0.6160		2,568.7643
Total	**1.9009**	**17.4321**	**16.5752**	**0.0269**		**0.9586**	**0.9586**		**0.9013**	**0.9013**		**2,553.3639**	**2,553.3639**	**0.6160**		**2,568.7643**

3.4 Building Construction - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0225	0.7661	0.1860	2.0200e-003	0.0512	1.5600e-003	0.0528	0.0147	1.5000e-003	0.0162		216.5950	216.5950	0.0134		216.9298
Worker	0.2051	0.1338	1.8398	5.4400e-003	0.5477	4.0500e-003	0.5518	0.1453	3.7300e-003	0.1490		542.3802	542.3802	0.0146		542.7456
Total	**0.2276**	**0.8999**	**2.0258**	**7.4600e-003**	**0.5989**	**5.6100e-003**	**0.6045**	**0.1600**	**5.2300e-003**	**0.1652**		**758.9752**	**758.9752**	**0.0280**		**759.6755**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013	0.0000	2,553.3639	2,553.3639	0.6160		2,568.7643
Total	**1.9009**	**17.4321**	**16.5752**	**0.0269**		**0.9586**	**0.9586**		**0.9013**	**0.9013**	**0.0000**	**2,553.3639**	**2,553.3639**	**0.6160**		**2,568.7643**

3.4 Building Construction - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0225	0.7661	0.1860	2.0200e-003	0.0512	1.5600e-003	0.0528	0.0147	1.5000e-003	0.0162		216.5950	216.5950	0.0134		216.9298
Worker	0.2051	0.1338	1.8398	5.4400e-003	0.5477	4.0500e-003	0.5518	0.1453	3.7300e-003	0.1490		542.3802	542.3802	0.0146		542.7456
Total	**0.2276**	**0.8999**	**2.0258**	**7.4600e-003**	**0.5989**	**5.6100e-003**	**0.6045**	**0.1600**	**5.2300e-003**	**0.1652**		**758.9752**	**758.9752**	**0.0280**		**759.6755**

3.4 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322
Total	**1.7062**	**15.6156**	**16.3634**	**0.0269**		**0.8090**	**0.8090**		**0.7612**	**0.7612**		**2,554.3336**	**2,554.3336**	**0.6120**		**2,569.6322**

3.4 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0211	0.7277	0.1761	2.0000e-003	0.0512	1.3600e-003	0.0526	0.0147	1.3000e-003	0.0160		214.6962	214.6962	0.0129		215.0195
Worker	0.1924	0.1208	1.7014	5.2500e-003	0.5477	3.9400e-003	0.5516	0.1453	3.6300e-003	0.1489		522.9589	522.9589	0.0132		523.2893
Total	**0.2135**	**0.8486**	**1.8775**	**7.2500e-003**	**0.5989**	**5.3000e-003**	**0.6042**	**0.1600**	**4.9300e-003**	**0.1649**		**737.6551**	**737.6551**	**0.0262**		**738.3089**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612	0.0000	2,554.3336	2,554.3336	0.6120		2,569.6322
Total	**1.7062**	**15.6156**	**16.3634**	**0.0269**		**0.8090**	**0.8090**		**0.7612**	**0.7612**	**0.0000**	**2,554.3336**	**2,554.3336**	**0.6120**		**2,569.6322**

3.4 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0211	0.7277	0.1761	2.0000e-003	0.0512	1.3600e-003	0.0526	0.0147	1.3000e-003	0.0160		214.6962	214.6962	0.0129		215.0195
Worker	0.1924	0.1208	1.7014	5.2500e-003	0.5477	3.9400e-003	0.5516	0.1453	3.6300e-003	0.1489		522.9589	522.9589	0.0132		523.2893
Total	**0.2135**	**0.8486**	**1.8775**	**7.2500e-003**	**0.5989**	**5.3000e-003**	**0.6042**	**0.1600**	**4.9300e-003**	**0.1649**		**737.6551**	**737.6551**	**0.0262**		**738.3089**

3.5 Paving - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9765	9.5221	12.1940	0.0189		0.4877	0.4877		0.4504	0.4504		1,805.1297	1,805.1297	0.5672		1,819.3091
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.9765**	**9.5221**	**12.1940**	**0.0189**		**0.4877**	**0.4877**		**0.4504**	**0.4504**		**1,805.1297**	**1,805.1297**	**0.5672**		**1,819.3091**

3.5 Paving - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0785	0.0493	0.6944	2.1400e-003	0.2236	1.6100e-003	0.2252	0.0593	1.4800e-003	0.0608		213.4526	213.4526	5.3900e-003		213.5875
Total	**0.0785**	**0.0493**	**0.6944**	**2.1400e-003**	**0.2236**	**1.6100e-003**	**0.2252**	**0.0593**	**1.4800e-003**	**0.0608**		**213.4526**	**213.4526**	**5.3900e-003**		**213.5875**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9765	9.5221	12.1940	0.0189		0.4877	0.4877		0.4504	0.4504	0.0000	1,805.1297	1,805.1297	0.5672		1,819.3091
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.9765**	**9.5221**	**12.1940**	**0.0189**		**0.4877**	**0.4877**		**0.4504**	**0.4504**	**0.0000**	**1,805.1297**	**1,805.1297**	**0.5672**		**1,819.3091**

3.5 Paving - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0785	0.0493	0.6944	2.1400e-003	0.2236	1.6100e-003	0.2252	0.0593	1.4800e-003	0.0608		213.4526	213.4526	5.3900e-003		213.5875
Total	**0.0785**	**0.0493**	**0.6944**	**2.1400e-003**	**0.2236**	**1.6100e-003**	**0.2252**	**0.0593**	**1.4800e-003**	**0.0608**		**213.4526**	**213.4526**	**5.3900e-003**		**213.5875**

3.6 Architectural Coating - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	5.9770					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817		281.4481	281.4481	0.0183		281.9062
Total	**6.1815**	**1.4085**	**1.8136**	**2.9700e-003**		**0.0817**	**0.0817**		**0.0817**	**0.0817**		**281.4481**	**281.4481**	**0.0183**		**281.9062**

3.6 Architectural Coating - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0393	0.0247	0.3472	1.0700e-003	0.1118	8.0000e-004	0.1126	0.0296	7.4000e-004	0.0304		106.7263	106.7263	2.7000e-003		106.7937
Total	**0.0393**	**0.0247**	**0.3472**	**1.0700e-003**	**0.1118**	**8.0000e-004**	**0.1126**	**0.0296**	**7.4000e-004**	**0.0304**		**106.7263**	**106.7263**	**2.7000e-003**		**106.7937**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	5.9770					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817	0.0000	281.4481	281.4481	0.0183		281.9062
Total	**6.1815**	**1.4085**	**1.8136**	**2.9700e-003**		**0.0817**	**0.0817**		**0.0817**	**0.0817**	**0.0000**	**281.4481**	**281.4481**	**0.0183**		**281.9062**

3.6 Architectural Coating - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0393	0.0247	0.3472	1.0700e-003	0.1118	8.0000e-004	0.1126	0.0296	7.4000e-004	0.0304		106.7263	106.7263	2.7000e-003		106.7937
Total	**0.0393**	**0.0247**	**0.3472**	**1.0700e-003**	**0.1118**	**8.0000e-004**	**0.1126**	**0.0296**	**7.4000e-004**	**0.0304**		**106.7263**	**106.7263**	**2.7000e-003**		**106.7937**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.8297	4.1025	11.1985	0.0422	3.5088	0.0324	3.5411	0.9387	0.0302	0.9689		4,292.3790	4,292.3790	0.1974		4,297.3149
Unmitigated	0.8297	4.1025	11.1985	0.0422	3.5088	0.0324	3.5411	0.9387	0.0302	0.9689		4,292.3790	4,292.3790	0.1974		4,297.3149

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse	483.12	483.12	483.12	1,650,894	1,650,894
Parking Lot	0.00	0.00	0.00		
Total	483.12	483.12	483.12	1,650,894	1,650,894

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
Parking Lot	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Condo/Townhouse	0.552111	0.043066	0.201891	0.118512	0.015605	0.005863	0.021387	0.031253	0.002087	0.001818	0.004803	0.000708	0.000896
Parking Lot	0.552111	0.043066	0.201891	0.118512	0.015605	0.005863	0.021387	0.031253	0.002087	0.001818	0.004803	0.000708	0.000896

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901
NaturalGas Unmitigated	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Condo/Townhouse	4098.06	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0442**	**0.3777**	**0.1607**	**2.4100e-003**		**0.0305**	**0.0305**		**0.0305**	**0.0305**		**482.1251**	**482.1251**	**9.2400e-003**	**8.8400e-003**	**484.9901**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Condo/Townhouse	4.09806	0.0442	0.3777	0.1607	2.4100e-003		0.0305	0.0305		0.0305	0.0305		482.1251	482.1251	9.2400e-003	8.8400e-003	484.9901
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0442**	**0.3777**	**0.1607**	**2.4100e-003**		**0.0305**	**0.0305**		**0.0305**	**0.0305**		**482.1251**	**482.1251**	**9.2400e-003**	**8.8400e-003**	**484.9901**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	2.6293	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301	0.0000	9.8060	9.8060	9.4600e-003	0.0000	10.0426
Unmitigated	2.6293	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301	0.0000	9.8060	9.8060	9.4600e-003	0.0000	10.0426

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.1965					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.2681					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.1647	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301		9.8060	9.8060	9.4600e-003		10.0426
Total	**2.6293**	**0.0629**	**5.4517**	**2.9000e-004**		**0.0301**	**0.0301**		**0.0301**	**0.0301**	**0.0000**	**9.8060**	**9.8060**	**9.4600e-003**	**0.0000**	**10.0426**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.1965					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.2681					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.1647	0.0629	5.4517	2.9000e-004		0.0301	0.0301		0.0301	0.0301		9.8060	9.8060	9.4600e-003		10.0426
Total	**2.6293**	**0.0629**	**5.4517**	**2.9000e-004**		**0.0301**	**0.0301**		**0.0301**	**0.0301**	**0.0000**	**9.8060**	**9.8060**	**9.4600e-003**	**0.0000**	**10.0426**

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

STAFF REPORT

ITEM NO. 2

DATE:	JULY 8, 2020
TO:	PLANNING COMMISSION
FROM:	ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR
SUBJECT:	CONSIDERATION OF AN ORDINANCE TO REGULATE SHORT-TERM RENTALS WITHIN THE RESIDENTIAL SINGLE-FAMLY (RS) AND RESIDENTIAL MULTI-FAMILY (RM) ZONES, AND RESIDENTIAL SPECIFIC PLANS.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval to the City Council on a Zoning Code Amendment that adds Chapter 17.23.1 (Short-Term Rentals) to the Upland Municipal Code to establish regulations for Short-Term Rentals in Residential Single-Family (RS) zones, Residential Multi-Family (RM) zones and residential specific plans which contain single-family detached and/or single-family attached (Townhomes) dwelling units.

BACKGROUND:

The short-term rental market has experienced substantial growth over the last ten years due in part to the continued popularity of online hosting platforms such as AirBnB, VRBO, Homeaway and others. AirBnB for example, which started in 2007, now has over 4.8 Million listings worldwide. While the Short-Term Rental industry has long been a fixture in coastal and resort towns, there has been a growth in the use of these alternative lodging options in inland suburban communities.

Although growth in Short-Term Rentals has further diversified lodging options and created a revenue opportunity for residents looking to rent extra rooms, this use has been known to result in public nuisance impacts, particularly in single-family residential neighborhoods. Cities have employed a variety of approaches to regulating this use with varying success. In Upland, there are approximately fifty-three (53) listings for Short-Term Rentals according to a June 2020 analysis performed for Upland by Host Compliance; a Short-Term Rental compliance vendor which monitors over sixty (60) online hosting platforms. The rentals in Upland range from partial homes (51%) to entire homes (49%) with an average nightly rate of $80. Locations are dispersed throughout the City in various residential zones (See **Exhibit 1**).

Current Zoning Code Regulations

Title 17 of the Upland Municipal Code, specifically Chapter 17.23 (Bed and Breakfast"), contains regulations for overnight occupancy of residential properties for compensation in the form of a "Bed and Breakfast Inn" (more than 5 guestrooms) or "Bed and Breakfast Homestay" (1 to 5 guestrooms). These regulations require a conditional use permit for both types of bed and breakfast uses. Also, listed in this chapter is "Air bed and breakfast" which is defined as a private, owner- or manager-occupied residence that provides more than five (5) guest rooms, and allows this by right in any residential zone with very limited requirements.

As part of adopting the new regulations for Short-Term Rentals, there are three (3) ancillary legislative changes that are part of the Zoning Code Amendment. Chapter 17.23 will be amended in two areas to remove "Air bed and breakfast" from being applicable to this chapter [17.23.020(3)], and the land use authority under this chapter [17.23.030(B)]. The third ancillary change will be in the definitions section of the Zoning Code (Section 17.51.010) to remove "Air bed and breakfast" from within the Bed and Breakfast definition which mirrors the change to 17.23.020(3) above.

Current Enforcement Efforts

From time to time, Code Enforcement has received complaints on properties that are being used as Short-Term Rentals and usually when the property is not the primary residence of the property owner. Complaints received are generally nuisance activities related to noise, parties, late night activities, property maintenance and cleaning crews consistently coming to the property. The lack of specific Municipal Code provisions pertaining to Short-Term Rentals has made it difficult to regulate this use. Short-Term Rental of residential

property has not been a traditional use in Upland, and through the "sharing economy" and amplified by online hosting platforms, staff have been made aware of an increase in this use. Most concerning is the possibility of unpermitted construction that may be occurring which creates issues of life and safety for residents and guests. An example that has occurred in other cities is unpermitted construction where rooms in homes are being subdivided to increase the number of bedrooms and bathrooms to accommodate more guests within the dwelling unit, or the unpermitted conversion of a guest house or ancillary structures to increase capacity.

Thus, the proposed Short-Term Rental Ordinance is intended to not only address the public nuisance complaints but also to address potential unpermitted construction through the requirement for "biennial" inspections, as well as prohibit Short-term Rentals that are not the primary residence of the property owner. The latter issue exemplifies another trend not originally seen in the sharing economy which is property being purchased with the sole intent for use only as a Short-Term Rental with the owner not living on site. This has a negative effect on neighborhoods in several ways, including changing the character of a neighborhood in that the owner has little interest in developing connections to the community, and neighborhoods may be impacted by tourists. In addition, exclusive Short-Term Rental use also has the effect of reducing available housing stock for long-term residential use.

DISCUSSION:

Proposed Short-Term Rental Ordinance

Lacking specific definitions and regulations in the Code for Short-Term Rental use, the City is not only limited to effectively regulating this business activity but is also not able to collect Transient Occupancy Tax (TOT) from Short-Term Rental operators. All hotel and motel businesses in the City are required to pay TOT at a rate of 10% of the nightly rate to the City. Therefore, Staff is recommending regulations (See **Exhibit 3**) which focus on four goals:

1. Only allow Short-Terms Rentals in homes which are the primary residence of the owner in order to protect the residential character of neighborhoods;

2. Create specific regulations to properly regulate this use and to enable Code Enforcement to address bad operators;

3. Address life and safety issues by ensuring that Short-Term Rentals meet all current State and local building and fire codes; and,

4. Ensure operators pay the proper TOT taxes, business license fees and building permit fees.

From a zoning and land use perspective, the proposed Ordinance would allow Short-Term Rentals in Residential Single-Family (RS) zones, which include: RS-20 (Minimum 20,000 sq. ft. lots); RS-15 (Minimum 15,000 sq. ft. lots); RS-10 (Minimum 10,000 sq. ft. lots); RS-7.5 (Minimum 7,500 sq. ft. lots); and RS-4 (Minimum 4,000 sq. ft. lots). The Ordinance would allow Short-Term Rentals in Residential Multi-Family (RM) zones which include: RM-10 (5 to 10 units per acre); RM-20 (10 to 20 units per acre); and RM-30 (15 to 30 units per acre). The Ordinance also allows Short-Term Rentals in specific plans that allow single-family detached and single-family attached (Townhomes) dwellings. For clarity, this would not include developments where dwelling units are all on the same parcel and under the same ownership, such as apartment-style units or townhome-style units. These type of dwelling units are multi-family units and not classified as single-family, attached units. Lastly, the City has approximately twelve (12) specific plans which have all or a component of residential land use designations. The Ordinance would allow those single-family, detached and single-family, attached dwelling units to have a Short-Term Rental.

The proposed Ordinance requires approval of an Administrative Use Permit (AUP) for a Short-Term Rental. The AUP, as opposed to a Conditional Use Permit which is approved by the Planning Commission, is a minor permit for conditionally permitted uses. Typically, an AUP is required for uses associated with operational characteristics that may be appropriate in certain zones but whose effects on site and surrounding properties must be evaluated and conditions of approval applied. An AUP is processed administratively by Staff and does not require any noticing of surrounding properties. The proposed ordinance provides a two (2) year term from the date of issuance and will expire and become null and void on the anniversary date of its issuance. The ordinance allows for the AUP to be renewed for two (2) additional years from the original expiration date, and there is no limitation on the number of renewals that may be granted by the Director. Approval of any renewal would be contingent upon the applicant's record of operating the Short-Term Rental in compliance with all requirements of this Ordinance and the Upland Municipal Code.

To achieve the above-stated goals, the proposed Ordinance has been developed that will:

- Establish a regulatory framework to legalize and regulate Short-Term Rentals in single-family detached and single-family attached dwellings in residential zones and residential specific plans through the Administrative Use Permit process;

- Requires hosts and Hosting Platforms to be accountable for the collection and remittance of Transient Occupancy Tax;

- Explicitly prohibits a Short-Term Rental at a property that is not the primary residence of the owner;

- Prohibit any person from advertising of a Short-Term Rental without a valid permit; and

- Requires Hosting Platforms to disclose to the City on a regular basis the name of the host, the address of each listing, the length of stay for each listing, and the price paid for each stay.

- Revocation of the Short-term Rental Permit for a third or subsequent violation of this Chapter within any period of time or for any violation of Chapter 3.12 (Transient Occupancy Tax) of the Code.

- Short-Term Rentals are prohibited from being used for weddings, receptions, auctions, commercial functions or any other similar event that is inconsistent with residential uses permitted by this Code.

- Posting a copy of the requirements in the Administrative Use Permit and "house rules" in a prominent area of the dwelling, and reviewing this with the guests and requiring the guests to sign an agreement to abide by the rules and requirements.

The requirement for a hosting platform to disclose to the City the location of properties and identification of the host is similar to other cities. This has been challenged legally but has been upheld as part of the proper exercise of police powers of a city in regulating land uses.

Lastly, Accessory Dwelling Units (ADUs) are often used for Short-Term Rentals as there is increased privacy for the host family and guest(s). The construction of ADUs has increased with recent changes to State law

permitting these additions. New ADUs will continue to be covenant restricted to rental for more than 30 days and these units will not be permitted as Short-Term Rentals.

ENVIRONMENTAL ASSESSMENT

Staff has determined that the proposed Zoning Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA). The Amendment qualifies under the general rule that CEQA applies only to projects, which have the potential for causing significant effect on the environment. Pursuant to State CEQA Guidelines, Section 15061(B)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed Amendment does not propose any physical change to the environment itself. The Amendment establishes the permitted zoning districts and regulations where an existing single-family detached or single-family attached dwelling unit can be used as a Short-Term Rental with the approval of an Administrative Use Permit. The Amendment is a procedural change and does not eliminate the need for future entitlements at a specific locations that may be subject to CEQA. Therefore, the Amendment will not have a significant effect on the environment.

CORRESPONDENCE

This item was advertised as a public hearing with a 1/8th page legal advertisement in the Inland Valley Daily Bulletin newspaper on June 26, 2020. As of July 1st, there have been no phone calls or written correspondence received in response.

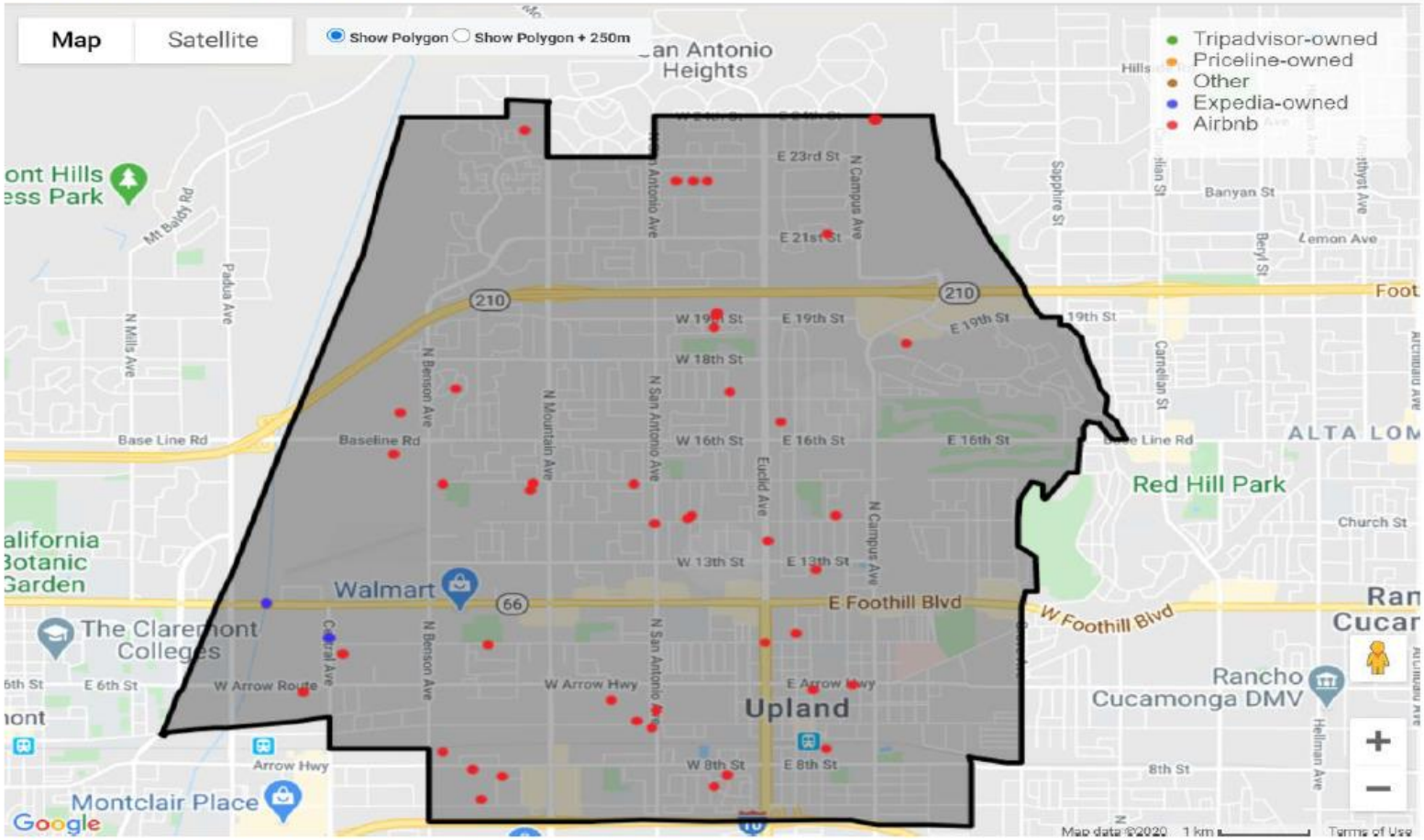
ATTACHMENTS:

Exhibit 1: Map depicting locations of Short-Term Rentals in Upland
Exhibit 2: Planning Commission Resolution
Exhibit 3: Draft Ordinance with Short Term Rental Regulations and Ancillary Legislative Changes

Exhibit 1 – Map depicting locations of Short Term Rentals in Upland

EXHIBIT 1

Short-term rentals in Upland as of June 2020



* *Granicus Host Compliance's pricing is based on the count of listings and rental units that would need be to analyzed and monitored for compliance. In terms of listings, this number is 57 as we will expand our search area by several hundred yards beyond the borders of Upland to capture all relevant listings. Source: Granicus Host Compliance Proprietary Data*

Exhibit 2 – Planning Commission Resolution

EXHIBIT 2

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF UPLAND ADOPT AN ORDINANCE, ZONING CODE AMENDMENT NO. ZCA-20-0002, TO AMEND TITLE 17 OF THE UPLAND MUNICIPAL CODE BY ADDING A NEW CHAPTER 17.23.1 TO REGULATE THE RENTAL OF RESIDENTIAL PROPERTY ON A SHORT-TERM BASIS AND AMENDING RELATED PROVISIONS OF THE UPLAND MUNICIPAL CODE

Intent of the Parties and Findings

WHEREAS, the City's "Uniform Transient Occupancy Tax Ordinance" codified in Chapter 3.12 of the Upland Municipal Code requires payment of transient occupancy taxes by operators and owners of hotel establishments which are occupied for a period of 30 consecutive calendar days or less by transients.

WHEREAS, given the proliferation of internet platforms facilitating the short-term rental of residential properties, it is likely that there are privately owned residential dwellings being rented to transients by the owners of such residential dwellings or by their respective authorized agents or representatives as vacation rentals without the payment of transient occupancy taxes to the City.

WHEREAS, while the use of privately owned residential dwellings on a short-term basis provides the City with additional transient occupancy tax revenue, there are some secondary negative effects associated with the use of residential dwellings as vacation rentals on certain residential neighborhoods that need to be addressed via an appropriate city regulatory program.

WHEREAS, the proposed Zoning Code Amendments are consistent with the Upland General Plan and implement the following General Plan Goals and Policies:

Land Use Policy [LU-2.3]: Living Environment. Provide healthy, affordable and desirable living environments consistent with adopted code requirements that set forth the acceptable health and safety standards for the occupancy of housing.

Land Use Policy [LU-6.3]: Regulation of Nuisances and Code Violations. Prevent and address nuisances and code violations through educational efforts and enforcement of regulatory documents.

WHEREAS, Upland Municipal Code Section 17.43.020 (Table 17.43-1) identifies the decision making authority as the City Council, with the Planning Commission being a recommending body; and

WHEREAS, A notice of a public hearing on said application has been given in the manner and for the time required by law; and

WHEREAS, On July 8, 2020 at 6:30 p.m. the Planning Commission conducted a public hearing for the project, and heard and considered both oral and written evidence.

NOW, THEREFORE, the Planning Commission hereby finds, determines and resolves and recommends as follows:

Section 1. The Planning Commission recommends that the City Council:

A. Adopt an Ordinance adding 17.23.1 (Short-Term Rentals) to the Upland Municipal Code, amending Table 17.04-1 (Permitted Land Uses in the Residential Zones) of Section 17.04.020 (Land Uses of Regulations for Residential Zones), amending Section 17.23.020 (Applicability) and Section 17.23.030 (Authority) of Chapter 17.23 (Bed and Breakfasts), and Section 17.51.010 (Definitions) of the Upland Municipal Code.

Section 2. FINDINGS. The Planning Commission hereby makes the following findings and determinations in connection with the recommendation for approval of the Project:

A. The above Recitals are true and correct.

B. Upland Municipal Code Section 17.48.060 provides that the approval body, before it may approve a Zoning Code Amendment, shall make a determination to allow the activity based upon the following findings:

1. Finding: The proposed amendment is consistent with the General Plan and any applicable community or specific plan as provided by Government Code Section 65860.

   Evidence: The proposed Short-Term Rental Ordinance does not conflict with any community or specific plan and is consistent with the following General Plan policies:

   a. Land Use Policy [LU-2.3]: Living Environment. Provide healthy, affordable and desirable living environments consistent with adopted code requirements that set forth the acceptable health and safety standards for the occupancy of housing.

   b. Land Use Policy [LU-6.3]: Regulation of Nuisances and Code Violations. Prevent and address nuisances and code violations through educational efforts and enforcement of regulatory documents.

2. Finding: The proposed amendment will not be detrimental to the public interest, health, safety, or welfare of the City.

Evidence: The proposed Zoning Code Amendment will not be detrimental to the public interest, health, safety, or welfare in that alternatively the Amendment will address the use of privately-owned residential dwellings on a short-term basis where there are secondary negative effects associated with the use of residential dwellings as vacation rentals in certain residential neighborhoods that need to be addressed via an appropriate city regulatory program.

3. Finding: The proposed amendment is internally consistent with other applicable provisions of the Zoning Code.

   Evidence: All provisions of Title 17 (Zoning Code) of the Upland Municipal Code have been reviewed and the proposed Zoning Code Amendment was found to be internally consistent with all other provisions of the Zoning Code, and no conflicts were identified.

Section 3. DETERMINATION. In light of the evidence presented at the hearing on this application, and based on the findings set forth above, the Planning Commission hereby finds that the requirements necessary for the recommendation of approval of the Zoning Code Text Amendment No. ZCA-20-0002, subject to all applicable provisions of the Upland Municipal Code.

Section 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). This ordinance is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000, et seq.), pursuant to State CEQA Regulation §15061(b)(3) (14 Cal. Code Regs. § 15061(b)(3)), the common sense exemption covering activities with no possibility of having a significant effect on the environment because the Ordinance only provides a mechanism to ensure the collection of transient occupancy taxes, institutes a permit requirement to regulate the rental of homes on a short-term basis, and imposes limitations on such rentals in the City. This Ordinance will serve to reduce potential significant adverse environmental effects.

Section 5. INCONSISTENCY. If any section, division, sentence, clause, phrase or portion of this resolution or the document in the record in support of this resolution is determined by a court of competent jurisdiction to be invalid, unenforceable, unconstitutional or otherwise void, that determination shall not affect the validity of the remaining sections, divisions, sentences, clauses, phrases of this resolution.

Section 6. CERTIFICATION. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED and ADOPTED this 8th day of July, 2020.

_____
Robin Aspinall, Chair

ATTEST:

_____

Robert D. Dalquest, SECRETARY

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Upland at a special adjourned meeting thereof held on the 8th day of July, 2020, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Robert D. Dalquest, SECRETARY

Exhibit 3 – Draft Ordinance with Short Term Rental Regulations and Ancillary Legislative Changes

EXHIBIT 3

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UPLAND AMENDING THE UPLAND MUNICIPAL CODE BY ADDING A NEW CHAPTER 17.23.1 TO REGULATE THE RENTAL OF RESIDENTIAL PROPERTY ON A SHORT-TERM BASIS AND AMENDING RELATED PROVISIONS OF THE UPLAND MUNICIPAL CODE

WHEREAS, the City's "Uniform Transient Occupancy Tax Ordinance" codified in Chapter 3.12 of the Upland Municipal Code requires payment of transient occupancy taxes by operators and owners of hotel establishments which are occupied for a period of 30 consecutive calendar days or less by transients.

WHEREAS, given the proliferation of internet platforms facilitating the short-term rental of residential properties, it is likely that there are privately owned residential dwellings being rented to transients by the owners of such residential dwellings or by their respective authorized agents or representatives as vacation rentals without the payment of transient occupancy taxes to the City.

WHEREAS, while the use of privately owned residential dwellings on a short-term basis provides the City with additional transient occupancy tax revenue, there are some secondary negative effects associated with the use of residential dwellings as vacation rentals on certain residential neighborhoods that need to be addressed via an appropriate city regulatory program.

WHEREAS, the proposed Zoning Code Amendments are consistent with the Upland General Plan and implement the following General Plan Goals and Policies:

Land Use Policy [LU-2.3]: Living Environment. Provide healthy, affordable and desirable living environments consistent with adopted code requirements that set forth the acceptable health and safety standards for the occupancy of housing.

Land Use Policy [LU-6.3]: Regulation of Nuisances and Code Violations. Prevent and address nuisances and code violations through educational efforts and enforcement of regulatory documents.

WHEREAS, After conducting a duly noticed public hearing on July 8, 2020, the Planning Commission recommended to the City Council that it adopt an ordinance allowing transient uses such as short-term rentals on a limited basis. On _____, the City Council conducted a duly noticed public hearing regarding the proposed Zoning Code Amendments.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF UPLAND ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council finds that each fact set forth in the preceding recitals are true.

Section 2. Table 17.04-1 (Permitted Land Uses in the Residential Zones) of Section

17.04.020 (Land Uses of Regulations for Residential Zones) of the Upland Municipal Code is hereby amended to add a new permitted use entitled "Short-Term Rentals" to the Table in alphabetical order, as shown below, with all other portions of Table 17.04-1 to remain the same:

Key **P** Permitted Use **CUP** Conditional Use Permit Req. **AUP** Admin. Use Permit Req. **--** Use Not Allowed	**Residential Zones**									**Applicable Regulations**
	RS-20	RS-15	RS-10	RS-7.5	RS-4	RS-MH	RM-10	RM-20	RM-30	
Residential Land Uses										
Short-Term Rentals	AUP	AUP	AUP	AUP	AUP	---	AUP	AUP	AUP	Ch. 17.23.1

Section 3. Part 4 (Special Land Use Regulations) of Title 17 (Zoning Ordinance) of the Upland Municipal Code is hereby amended by adding a new Chapter 17.23.1 to regulate the rental of residential property on a short-term basis, to read as follows:

"**Chapter 17.23.1 Short-Term Rentals**

17.23.1.010 Definitions.
17.23.1.020 Permit Required for Authorized Short-Term Rental.
17.23.1.030 Permit Application.
17.23.1.040 Application Investigation and Criteria for Approval or Denial of Permit.
17.23.1.050 Permit Expiration and Renewal.
17.23.1.060 Permit Revocation.
17.23.1.070 Appeals.
17.23.1.080 Permits Nontransferable.
17.23.1.090 Operating Conditions and Requirements.
17.23.1.100 Hosting Platform Requirements.
17.23.1.110 Enforcement and Penalties.

17.23.1.010 Definitions. The following words and phrases, whenever used in this Chapter, shall mean as follows:

BOOKING TRANSACTION means any reservation or payment service provided by a person who facilitates a short-term rental, home sharing, or similar transaction between a prospective guest and a host.

DIRECTOR means the Development Services Director of the City of Upland.

DWELLING UNIT means a structure or portion thereof which is used for human habitation, as more particularly described in Section 17.51.010. A dwelling unit for purposes of this chapter is a single family-detached unit or a single family-attached

(Townhome) unit.

ENFORCEMENT OFFICER means the Director, Building Official, Fire Marshall, Code Enforcement Officer, or any other City employee designated by the Director or City Manager to enforce this chapter and the Upland Municipal Code.

GUEST means a person who rents a short-term rental for a period of not more than thirty (30) days.

GROUP means a single guest or any number of guests who are occupying a short-term rental on a single rental agreement.

HOST means a person engaged in providing short-term rental at their primary residence.

HOSTED STAY means short-term rental activity whereby the host remains on the site of his or her primary residence throughout the duration of the guest's stay, except during daytime and/or workhours.

HOSTING PLATFORM means a marketplace in whatever form or format which facilitates the short-term rental activity, through advertising, match-making, or any other means, using any medium of facilitation, and from which the operator of the hosting platform derives revenues, including booking fees or advertising revenues, from providing or maintaining the marketplace.

PRIMARY RESIDENCE means the dwelling unit used as the permanent residence or usual place of return for housing by the host. A person may have only one primary residence.

SHORT-TERM RENTAL means a dwelling unit, or any portion thereof, that is rented by the host to another party for a period of not more than thirty (30) consecutive days in exchange for any form of monetary or non-monetary consideration, including trade, fee, swap or any other consideration in lieu of cash payment. Hosted stays, Un-hosted stays, and vacation rentals are types of short-term rental.

TRANSIENT OCCUPANCY TAX or "TOT" means the tax imposed on occupancies of thirty (30) consecutive calendar days or less under Chapter 3.12 of the Upland Municipal Code.

UN-HOSTED STAY means a short-term rental activity whereby the host remains off the site of his or her primary residence-site for some or all of the duration of the guest's stay.

VACATION RENTAL means a dwelling unit that is not a primary residence, and which is available for temporary lodging, for compensation or any form of consideration. The term "vacation rental" shall not include: single-room occupancy buildings, bed and breakfast inns, hotels, a dwelling unit for which a tenant has a month-to-month rental agreement and the rental payments are made on a monthly basis, or corporate housing.

17.23.1.020 Administrative Use Permit Required for Authorized Short-Term Rental. No person, either for themselves or any other person, shall cause, allow, conduct, permit, maintain, or facilitate short-term rental at any dwelling unit within the City without first

obtaining an Administrative Use Permit pursuant to this Code, and complying with all other applicable provisions of this Code. An Administrative Use Permit shall only be issued to authorize hosted stays and un-hosted stays. Vacation rentals are prohibited.

17.23.1.030 Permit Application. To apply for an Administrative Use Permit for a Short-Term Rental, a person seeking to become a host must file an application with the Director, accompanied by a nonrefundable processing fee in an amount established by resolution of the City Council. The application shall be in a form prescribed by the Director and shall contain, at a minimum, the following:

A. The legal name, current address and telephone number of the applicant.

B. Address of the short-term rental property, and if applicable, location telephone number.

C. An index of all residents of the property with name and date of birth, juveniles may be listed by title and age only.

D. Site Plan indicating the areas intended for use as short-term rental, and showing sufficient lawful parking on the property for all vehicles belonging to residents and a minimum of one additional space for each bedroom of the house to be used for short-term rental.

E. Floor Plan of the dwelling unit for use as short-term rental which identifies sleeping areas, proposed maximum number of guests and approximate square footages.

F. Documentation indicating the number of bedrooms within the dwelling unit and square footage of the dwelling unit for short-term rental, such as a record from the County Assessor's Office.

G. A copy of a valid business license issued pursuant to Title 5 of this Code.

H. A copy of a valid transit occupancy registration certificate pursuant to Chapter 3.12 of the Upland Municipal Code.

I. A Home Occupation Permit pursuant to Title 17 of this code is not required.

J. Emergency contact information for 24-hour response within one hour.

K. Certification by the applicant that the information contained in the application is true to his or her knowledge and belief.

L. Documentation establishing that the dwelling unit proposed to be used as a short-term rental is the host's primary residence. Such documentation shall include at least two of the following and be in the name of the host: Motor vehicle registration, driver's license, voter registration, or tax documents showing the residential unit as the residence of the host.

M. The applicant shall provide two passport size photographs.

N. Any other information required by regulations promulgated pursuant to this Chapter or deemed necessary by the Director.

17.23.1.040 Application Investigation and Criteria for Approval or Denial of Permit. Upon receipt of a completed application, the Director, or his or her designee, shall cause an investigation of the applicant and the application as submitted. The investigation shall be completed in a timely manner as follows and the applicant shall be notified of the result in writing in a timely manner:

A. The applicant shall be required to pay the established fees for such service in addition to the permit fee.

B. Inspection of the property by city staff shall be scheduled within thirty (30) days of application.

C. If, as a result of this investigation, the applicant is found to satisfy all of the requirements of Section 17.23.1.030 and no grounds for denial exist, the application shall be approved, and an Administrative Use Permit for a Short-Term Rental shall be issued to the applicant. The permit shall contain the name, address of the permittee, a description of the short-term rental to be offered, the date of issuance and term of the permit, photograph of the permittee, and the signature of the Director or his or her designee.

D. An Administrative Use Permit application for a Short-Term Rental may be denied for any of the following reasons:

    1. Information contained in the application, or supplemental information requested from the applicant, is false or misleading in any material detail.

    2. The applicant failed to provide a complete application, after having been notified of the requirement to produce additional information or documents.

    3. The applicant is delinquent in payment of any city or county taxes, fines, or penalties in relation to short-term rental.

    4. The applicant has previously held an Administrative Use Permit for a Short-Term Rental which was revoked by the City during the year prior to the application.

    5. The applicant has failed to pay any previous administrative fines, remediate any other violations, and/or complete any other alternative disposition associated with a previous violation of this Chapter; or

    6. The applicant has failed to demonstrate an ability to conform to the operating standards set forth in Section 17.23.1.090.

If the permit application is denied, written notice of such denial and the reasons therefore

shall be provided to the applicant.

17.23.1.050 Permit Expiration and Renewal. An Administrative Use Permit for a Short-Term Rental shall be valid for two (2) years from the date of issuance and shall expire and become null and void on the anniversary date of its issuance.

A. A person may apply for a permit renewal on a form provided by the City no later than thirty (30) days prior to the expiration of his or her active Administrative Use Permit for a Short-Term Rental and upon successfully completing an inspection by city staff.

B. Renewal of the permit shall be valid for two (2) years from the original expiration date of the Administrative Use Permit for a Short-Term Rental. There is no limitation on the number of renewals that may be granted by the Director.

C. The applicant shall be required to pay the Administrative Use Permit fee for the permit renewal in the amount established by City Council resolution at the time the renewal application is filed. Failure of the applicant to submit a complete application prior to the expiration date of the existing Administrative Use Permit for a Short-Term Rental shall be a basis for denial of the renewal.

17.23.1.060 Permit Revocation. The Director may revoke an Administrative Use Permit for a Short-Term Rental issued to a host for a third or subsequent violation of this Chapter within any period of time or for any violation of Chapter 3.12 relating to transient occupancy tax. A short-term rental host whose permit is revoked may apply for a new Administrative Use Permit for a Short-Term Rental one year after the revocation of the permit.

17.23.1.070 Appeals. Any person whose Administrative Use Permit for a Short-Term Rental or a renewal is denied or revoked may appeal the decision in writing with the Development Services Department pursuant to the procedures established in Chapter 17.47.040 of this Code.

17.23.1.080 Permits Nontransferable. An Administrative Use Permit for a Short-Term Rental granted pursuant to this Chapter shall not be transferable to another person, parcel number, or to another property owner. Said permit shall not run with the land or property to which it applies.

17.23.1.090 Operating Conditions and Requirements. Short-Term rental hosts shall comply with the following conditions and requirements:

A. The host shall be:

    1. The property owner or the spouse, parent or adult child of the property owner.

    2. A tenant of the property who has occupied the property as his or her primary residence prior to making application for an Administrative Use Permit for a Short-Term Rental and who has submitted written authorization from the property owner to operate short-term rental at the residence.

B. The dwelling unit shall be the primary residence of the host.

C. The dwelling unit must be located within Residential Single Family (RS) zones, Residential Multi-Family (RM) zones, or is a legally established single-family-attached or single-family-detached residence in a Specific Plan. A short-term rental shall not be permitted in any Mixed-Use zone or any Commercial or Industrial zones.

D. All advertising for the dwelling unit as a short-term rental that is displayed on a hosting platform or other media shall display the number of the current and valid permit as issued by the City, a street-view photo of the front of the house and the maximum number of guests based on the occupancy limit set forth in subsection E of this section.

E. The dwelling unit's occupancy, including the host, other residents of the dwelling unit, and guests, during a short-term rental shall not exceed two times the number of bedrooms of the dwelling unit.

F. The host shall comply with all requirements of and be subject to the Transient Occupancy Tax (TOT) pursuant to Chapter 3.12 and the business license fees pursuant to Title 5 of this Code for short-term rental use. The host shall have the duty and liability to ensure timely remittance of the TOT to the City in compliance with Chapter 3.12 of this Code.

G. The Administrative Use Permit for a Short-Term Rental shall be conspicuously displayed within a prominent area of the dwelling unit available for occupancy.

H. Any accessory dwelling unit (ADU) as defined and pursuant to Chapter 17.37 of this Code and/or subject to a covenant that specifically prohibits rentals of thirty (30) days or less may not be used as a short-term rental.

I. A single dwelling unit shall be limited to one group booking transaction at a time.

J. The short-term rental shall comply with all applicable provisions of this Code and State law.

K. Conditions that cause a public nuisance, as defined by this Code or State law are prohibited at the dwelling unit during a short-term rental.

L. Un-hosted stays shall be limited to a total of 120 days within a calendar year at the same dwelling unit. Hosted stays shall not be limited.

M. The dwelling unit for short-term rental shall comply with all current State and local building and fire codes.

N. There shall be no exterior signs or advertising except as provided in Chapter 17.15, Sign Regulations those permitted for a dwelling use in the zone.

O. The host shall provide access to the garage of the residence if that area has been included in the determination of the number of available on-site spaces for renters.

P. Noise from the short-term rental use shall comply with Chapter 9.40 of this Code. Pools and hot tubs shall have hours of operation clearly posted adjacent to the facility, and shall comply with the exterior noise standards in Chapter 9.40.

Q. Lighting on the premises shall be directed, controlled, screened or shaded in such a manner as not to shine directly on surrounding properties. All lighting shall comply with the standards in a residential zone pursuant to Chapter 17.14 of this Code.

R. Structures not built for habitable use such as but not limited to trailers, tents, tree houses, garages, or temporary structures such as recreational vehicles shall not be used for short-term rentals or satisfy the host occupant requirement of this section.

S. A host for a short-term rental must maintain for a period of three (3) years a detailed and accurate record of their guest information pertaining to hosting dates, and financial documentation, and make this information available to the City upon request.

T. The host or authorized agent must be available to the Enforcement Officer by telephone 24 hours per day, seven (7) days per week when the short-term rental is rented. In addition, the host or authorized agent must be on the premise of the short-term rental unit within one hour of being notified by the Enforcement Officer to address an issue of permit compliance, public nuisance, or health, safety or welfare of the public.

U. The permittee for an Administrative Use Permit for a Short-Term Rental shall to the fullest extent permitted by law, indemnify, defend and hold the City, its elected officials, officers, contractors serving as City officers, agents, and employees ("Indemnitees") free and harmless from: (i) any and all claims, liabilities and losses whatsoever occurring or resulting to any and all persons, firms, entities, or corporations furnishing or supplying work, services, materials, or supplies in connection with, or related to, the performance of work or the exercise of rights authorized by approval of permits for short-term rental; and (ii) any and all claims, lawsuits, liabilities, and/or actions arising out of, or related to the approval of permits for short-term rental and/or the granting or exercise of the rights authorized by said approval; and (iii) from any and all claims, liabilities and losses occurring or resulting to any person, firm, entity, corporation for property damage, personal injury, or death, arising out of or related to the approval of, or exercise of rights granted by, this permit. Permittee's obligation to indemnify, defend, and hold the Indemnitees free and harmless as required hereinabove shall include, but is not limited to, paying all fees and costs incurred by legal counsel of the Indemnitees' choice in representing the Indemnitees in connection with any such claims, losses, lawsuits, or actions, and any award of damages, judgments, verdicts, court costs or attorney's fees in any such lawsuit or action.

V. Host for a short-term rental shall be responsible for informing their guests of the "House Rules". Such rules shall, at a minimum, include rules explained in this section. As part of the transaction for short-term rental, the guests shall sign an agreement acknowledging the house rules and promising to comply as follows:

1. A copy of the house rules and the Administrative Use Permit for a Short-Term Rental has been reviewed by the guest and is displayed pursuant to subsection G of this section.

2. In order to comply with all provisions of State law and this Code related to emergency vehicle access, no limousine or bus parking, and no stopping without the driver's presence, shall be allowed in any manner that would interfere with emergency vehicle access.

3. Guests of the short-term rental shall maintain the property free of debris both on-site and in the street. Trash cans shall be maintained in a clean and sanitary manner in conformance with this Code. Trash cans shall not be placed on the street prior to 24 hours before scheduled pick-up day and shall be promptly removed from the street following service.

4. Quiet times shall be from 10:00 p.m. to 7:00 a.m. pursuant to the City's noise standards provided in Chapter 9.40.

5. The guests of the short-term rental shall not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of the Upland Municipal Code or any State law pertaining to noise or disorderly conduct. Further the host shall contact the Police Department in the event guests fail to comply with this Chapter and this Code.

6. No short-term rental unit may be used for any wedding, receptions, auction, commercial function or any other similar event that is inconsistent with residential uses permitted by this Code.

7. Guests shall park in the designated parking areas approved for the short-term rental.

8. Discharge of fireworks shall be prohibited at any time.

9. Maximum occupancy permitted for the duration of stay for the short-term rental shall be that established in subsection E of this section.

17.23.1.100 Hosting Platform Requirements.

A. Hosting platforms shall be responsible for collecting all applicable Transient Occupancy Tax (TOT) and remitting the same to the City. The hosting platform shall be considered a managing agent of the host for purpose of TOT collections and remittance responsibilities as set forth in Chapter 3.12 of the Upland Municipal Code.

B. Subject to applicable laws, hosting platforms shall disclose to the City on a regular basis each short-term rental listing located in the City, the names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing and the price paid for each stay.

C. Hosting platforms shall not complete any booking transaction for any residential property or dwelling unit unless there is an approved, current and valid Administrative Use Permit for a Short-Term Rental pursuant to section 17.23.1.040 for the subject dwelling unit at the time the hosting platform receives a fee for the booking transaction.

D. Hosting platforms shall not collect or receive a fee, directly or indirectly through an agent or intermediary, for facilitating or providing services ancillary to a vacation rental or unregistered short-term rental, including but not limited to, insurance, concierge services, catering, restaurant bookings, tours, guide services, entertainment, cleaning, property management, or maintenance of the dwelling unit.

E. A hosting platform operating exclusively on the internet, which operates in compliance with subsections A., B., C., and D. above, shall be presumed to be in compliance with this Chapter.

F. The provisions of this Section shall be interpreted in accordance with otherwise applicable State and Federal law(s) and will not apply if determined by the City to be in violation of, or preempted by, any such law(s).

17.23.1.110 Enforcement and penalties.

A. Operating a short-term rental without a valid Administrative Use Permit for a Short-Term Rental, business license, and valid transit occupancy registration certificate is prohibited. Advertising shall be considered prima facie evidence of operation. Additional evidence of operation may include, but shall not be limited to, guest testimony, online reviews, rental agreements, receipts, or any other information deemed relevant by the City.

B. A violation of this Chapter shall constitute a public nuisance, which may be abated by any means provided by law, including but not limited to injunctive relief, issuance of administrative fines pursuant to Chapter 1.10, and shall also constitute a misdemeanor punishable pursuant to Chapter 1.16.

C. Each and every day, or portion thereof, a violation of this Chapter exists shall constitute a separate and distinct violation.

D. The remedies provided herein are intended to be cumulative and may be used in lieu of or in addition to any other remedy provided by this Chapter or other law."

Section 4. Section 17.23.020 (Applicability) of Chapter 17.23 (Bed and Breakfasts) of

the Upland Municipal Code is hereby amended to provide clarity that the applicable regulations for the provision of temporary accommodations in residential dwellings are the City's short-rental regulations by deleting subsection (A)(3) in its entirety.

Section 5. Section 17.23.030 (Authority) of Chapter 17.23 (Bed and Breakfasts) of the Upland Municipal Code is hereby amended in its entirety to remove references to "air bed and breakfast establishments," to read as follows:

"**17.23.030. Authority**

Bed and breakfast establishments, require a Conditional Use Permit, which is a discretionary action approved by the Planning Commission. Refer to Part 5 (Land Use and Development Approval Procedures) of the Zoning Ordinance for permit application procedures."

Section 6. Section 17.51.010 (Definitions) of the Upland Municipal Code is hereby amended by amending the definition of "Bed and Breakfast" to read as follows, with all other definitions remaining the same:

""Bed and Breakfast" means either a bed and breakfast homestay or a bed and breakfast inn depending on the number of guest rooms.

a. "Bed and breakfast homestay" means a private, owner-occupied residence, providing between one and five guest rooms.

b. "Bed and breakfast inn" means an owner- or manager-occupied residence, which provides more than five guest rooms.

Further, "Guest room" means a sleeping room occupied by a specific number of persons in either a bed and breakfast homestay or bed and breakfast inn."

Section 7. CEQA. The City Council finds that it can be seen with certainty that there is no possibility that the adoption of this Ordinance and the establishment of the regulations hereby will have a significant effect on the environment. This Ordinance does not have the potential for causing such effects as it is a mechanism to ensure the collection of transient occupancy taxes, institutes a permit requirement to regulate the rental of homes on a short-term basis, and imposes limitations on such rentals in the City. This Ordinance will serve to reduce potential significant adverse environmental effects. The Ordinance is therefore exempt from review under the California Environmental Quality Act, pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations.

Section 8. Severability. If any sections, subsections, sentence, clause, or phrase of the Chapter adopted by this Ordinance is for any reason held to be invalid or unconstitutional by the decision or legislation of any court of competent jurisdiction, or by reason of preemptive legislation, such decision or legislation shall not affect the validity of the remaining portions of the Chapter. The City Council declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that one or more of the sections, subsections, sentences, clauses, or phrases thereof is declared invalid or unconstitutional.

Section 9. Publication and Certification. The City Clerk shall certify the adoption of this Ordinance and cause it to be published in the manner required by law.

APPROVED AND ADOPTED this _____ day of _____, 2020.

_____
DEBBIE STONE
MAYOR

ATTEST:

_____
KERI JOHNSON
CITY CLERK

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Upland held on the _____ day of _____, 2020, and was finally passed at a regular meeting of the City Council of the City of Upland held on the _____ day of _____, 2020, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAINED:	COUNCIL MEMBERS:

_____
KERI JOHNSON
CITY CLERK

PLANNING COMMISSION

REPORT ITEM NO. 3

DATE: **July 8, 2020**

TO: **PLANNING COMMISSION**

FROM: **ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR**

PREPARED BY: **JOSHUA WINTER, ASSOCIATE PLANNER**

SUBJECT: **ZONING CODE AMENDMENT NO. ZA-20-0003 TO AMEND TITLE 17 OF THE UPLAND MUNICIPAL CODE FOR THE ESTABLISHMENT OF NEW REGULATIONS FOR WIRELESS TELECOMMUNICATION FACILITIES**

REQUEST

To amend Chapter 17.40 of the Upland Municipal Code (UMC). The Planning Commission is asked to make a recommendation to the City Council for approval of the new wireless telecommunication regulations (the "Ordinance"). The Resolution contains the new regulations for wireless telecommunications facilities, as well as minor modifications to other areas within the Zoning Ordinance (Title 17 of the UMC) to ensure regulatory continuity throughout the UMC. (See Exhibit A – Draft Resolution)

AUTHORIZATION/GUIDELINES

For Zoning Code Amendments, Upland Municipal Code Section 17.43.020 (Table 17.43-1) identifies the decision making authority as the City Council, with the Planning Commission being a recommendation body. In accordance with UMC 17.48.040, the Planning Commission may recommend to the City Council the approval or conditional approval of the proposed Zoning Code Amendment, based upon the findings specified in Section 17.48.060 (Findings for Decision). The Planning Commission shall forward a written recommendation, and the reasons for the recommendation, to the City Council within 90 days after the date the hearing was

closed to the public. A recommendation for approval shall be made by a majority vote of the total membership of the Planning Commission.

PUBLIC NOTICE

In accordance with Upland Municipal Code (UMC) Section 17.46.020, a Public Hearing Notice was published in the Inland Valley Daily Bulletin on June 26, 2020 and posted in two (2) physical locations (Upland City Hall and Upland Library) on June 25, 2020.

BACKGROUND

The ever changing wireless communications industry has led to the City of Upland initiating efforts to amend its current wireless telecommunications regulations in order to keep up to date with current trends and laws within the wireless industry (See Exhibit B - Current Section 17.40 Wireless Communications). Under Federal law, many limits are placed on local government when regulating wireless telecommunication facilities. City regulations cannot have the effect of prohibiting wireless service, discriminating among wireless service providers and the City may not regulate facilities on the basis of the environmental/health effects of radio frequency (RF) emissions. That said, the City may regulate the aesthetics of wireless facilities, including design, location, height and setbacks.

The Federal and State laws and regulations governing wireless facilities that the City must comply with include the following:

1. Federal Telecommunications Act

Under the existing Federal Telecommunications Act, a city may apply its general zoning and building requirements to the construction of new wireless telecommunication facilities, subject to the following limits that preempt any contrary local requirements:

- Cities may not regulate wireless facilities based on the environmental effects of radio frequency (RF) emissions from facilities that comply with the Federal Communication Commission's (FCC) regulations concerning such emissions.

- Cities cannot unreasonably discriminate between providers of functionally equivalent wireless services.

- Cities cannot prohibit wireless services or impose requirements that have the effect of prohibiting wireless services. Pursuant to this rule, a city regulation cannot deny approval for a wireless application if it would prevent the provider from closing a significant gap in its service coverage via the least intrusive means.

- Cities must provide a written statement of its reasons whenever it denies approval to a wireless application

- Cities must provide in writing its reasons for denying a wireless application at essentially the same time as its decision.

These rules only apply when a city is exercising its regulatory authority; such as when it is applying zoning rules to the development of private property. They do not apply when a city is operating as a landlord, such as when it is deciding whether to lease the use of its own property.

2. Spectrum Act

Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, also sometimes called the Spectrum Act, requires cities to ministerially approve any application to modify an existing wireless tower or base station that does not substantially change its physical dimensions.

This applies to applications for the collocation of new transmission equipment, the removal of transmission equipment, or replacement of transmission equipment that meet certain requirements:

- The existing tower or base station must have been lawfully constructed and approved under whatever review process the city had at the time of its installation.

- The proposed change cannot substantially change the existing facility, which includes any change that would defeat existing concealment features.

3. FCC Small Cell Order

In 2018, the FCC adopted a new rule for a newly defined class of "small cell" wireless facilities. The rule requires city regulations for small wireless facilities to be reasonable, objective, non-discriminatory, and published in advance. It further imposes tight deadlines for approving or denying small wireless facility applications and limits on the fees the city can charge for applications and for the use of City-owned infrastructure in the public right-of-way.

"Small Wireless Facilities" are defined as wireless telecommunication facilities that meet the following requirements:

- They are mounted on either structures 50 feet or less in height including their antennas, or no more than 10 percent taller than other adjacent structures, or do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater; and

- Each antenna is no more than three cubic feet in volume, excluding associated antenna equipment; and
- All equipment associated with the antenna and any pre-existing associated equipment is no more than 28 cubic feet in volume; and
- The facilities do not expose people to radiofrequency (RF) radiation in excess of FCC standards.

The FCC Small Cell Order requires that city regulations for small wireless facilities concerning aesthetics, undergrounding, and spacing must be:

- Reasonable, meaning technically feasible and reasonably related to the harms created by unsightly deployments; and
- No more burdensome than those applied to other types of infrastructure deployments; and
- Objective (i.e., non-discretionary); and
- Published in advance.

Any city standards that do not meet the requirements after that date are unenforceable as to small wireless facilities.

The cap on fees that cities may charge for allowing wireless facilities to attach to city-owned equipment in the public right-of-way is particularly severe. Cities were previously under no obligation to allow such attachments and could therefore negotiate with providers for compensation. Under the FCC Order, however, local agencies can no longer leverage their properties in the right-of-way for additional revenue, but only recover fees that are reasonably related to their actual costs.

The City Council adopted a Policy to regulate small cell facilities under Resolution No. 6489 and No. 6492 in May of 2019. With adoption of the new ordinance, these resolutions will be voided, and place in the proposed Ordinance to form a comprehensive regulatory document.

4. <u>FCC Shot Clocks</u>

Under rules adopted by the FCC, cities are generally required to make a decision on wireless applications before the expiration of various deadlines.

Deadline	Application Type
60 Days	Section 6409 (i.e., modification to an existing wireless facility that does not cause a substantial change)

	Small wireless facility attached to an existing structure
90 Days	Small wireless facility attached to a new/replacement structure Non-small wireless facility attached to an existing structure (i.e., rooftop, building facade, field light, etc.)
150 Days	New, freestanding non-small wireless facilities (i.e., tower, monopole, monopine, etc.) Non-small wireless facilities on a replacement structure

This summary demonstrates the general requirements of the FCC's Shot Clock rules, but does not include the full scope or complexity of their application. What is important to note here is that they place additional pressures on cities to act quickly in response to wireless applications.

5. California Public Utilities Code §§ 7901, 7901.1

Section 7901 of the State Public Utilities Code grants telephone corporations, including wireless service providers, a statewide franchise to operate in the public right-of-way regardless of any local municipal franchise requirement.

Section 7901 also bars cities from charging telephone corporations any revenue fee or charge as condition for using the public right-of-way. Cities may only charge telephone companies a reasonable fee to recover the cost of reviewing and approving construction permits, encroachment permits, and the like. (This rule does not apply to attachments to city-owned equipment or structures in the public right-of-way, but the FCC Small Cell Order discussed above does).

Under Section 7901.1, however, rights granted to telephone companies are still subject to reasonable municipal regulation as to the time, place, and manner in which telephone companies access the right-of-way. So although cities cannot prohibit telephone facilities, including wireless facilities, in the public-right-of-way, they can still regulate such facilities in a reasonable manner.

City Council Advisory Committee

The City Council Advisory Committee (CCAC) meeting on June 3, 2020, the CCAC reviewed and discussed the proposed regulations. The CCAC supported the proposed ordinance, speaking highly of the comprehensive set of regulations. The CCAC made one recommendation to codify the process for wireless telecommunications facilities on city-owned property. City Staff is currently working with the City Attorney to develop a process for facilities on City-owned land.

Planning Commission Workshop

The Planning Commission held a Public Workshop regarding the proposed ordinance on June 10, 2020. The Planning Commission reviewed the new regulations, asked multiple questions and commented positively on the draft. Other than minor typos, the workshop did not result in any suggested modifications to the proposed regulations.

ANALYSIS

General Plan

In order to approve the new regulations, the regulations must be consistent with the General Plan. The regulations are consistent with the General Plan goals and/or policies as shown in Table 1.

Table 1

Goal/Policy	Consistency
Goal PFS-15. A community supported by the most current and sustainable provision of technology and utilities to service residents, businesses and institutions.	The Ordinance provides the foundation for the implementation of new telecommunications technology to ensure service to residents, businesses and institutions.
Policy PFS-1.8 Underground Utilities. Encourage undergrounding of all existing and new publicly owned utility lines, encourage undergrounding of all privately owned utility lines in new developments, and work with electricity and telecommunications providers to underground or minimize the visual impacts of existing overhead lines.	The Ordinance includes multiple measures that regulate the aesthetics of proposed wireless facilities to ensure visual impacts are minimized.
Policy PFS-15.1 Access and Availability. Work with utility and service providers to ensure access to and availability of utilities and telecommunication facilities for households, businesses, institutions, and public agencies throughout the City.	The Ordinance ensures that telecommunications facilities can be constructed within the city, while ensuring the city's interest in regulating the time, place and manner if facility implementation.
Policy PFS-15.4 Co-Location. Encourage compatible colocation of telecommunication and internet facilities and work with utility companies and internet service providers to provide opportunities for	The Ordinance implements a process for telecommunications facilities on City-Owned properties, and provides the regulations for placement of facilities in the public right-of-way.

siting facilities on City-owned property and in suitable public right-of-ways.	

Wireless Telecommunication Facilities

Wireless Telecommunication Facilities consist of a range of equipment installed for the purpose of providing wireless transmission of voice, data, images, or other information including, but not limited to, cellular telephone service, personal communications services, and paging services, consisting of equipment and network components such as towers, utility poles, transmitters, base stations, and emergency power systems. Facilities are primarily used by the wireless industry, but also including other sectors, such as cable operators and utility companies implementing advanced metering infrastructure. Currently, facilities in the City of Upland consist of "macro" telecommunication facilities, which typically take the form of a mono-pine, church steeple, roof mounted or other tall structure able to hold the necessary antenna and equipment at a required height for transmission. These facilities range in height, typically from 40 to 100 feet. These facilities can also contain "co-location" facilities, meaning more than one carrier can be on a single structure.

More recently, small wireless facilities, defined above, are becoming more common in the region due the proliferation of 5G technology, and recent the FCC order mentioned above. Small wireless facilities are typically placed on existing light poles, utility poles, or new poles within the public right-of-way.

Proposed Ordinance

The proposed ordinance provides comprehensive regulations for wireless telecommunication facilities in the City of Upland. Wireless telecommunication facilities regulated under the Ordinance include all facility types, "macro" facilities, small wireless facilities, co-locations and regulations for facilities in and out of the public right-of-way.

The Ordinance (See Attachment A of the draft Resolution) provides standards necessary to: (1) preserve and promote harmonious land uses and the public right-of-way in the City; (2) promote and protect public health and safety, community welfare, visual resources, and the aesthetic quality of the City consistent with the goals, objectives and policies of the General Plan; (3) provide for the orderly, managed, and efficient development of wireless telecommunications facilities in accordance with the state and federal laws, rules, and regulations; and (4) encourage new and more efficient technology in the provision of wireless telecommunications facilities. Key provisions of the Ordinance include:

1. Zone, location and permit requirements. The ordinance provides a land use table (17.40.040 A.) to identify zones in which facilities are permitted, conditionally permitted or prohibited and provides a location preference hierarchy for facilities on private property and in the public right-of-way.

a. All facilities are prohibited in Residential zones, and a buffer of 200 feet is required for facilities adjacent to residential zones. The only exception is the allowance of an "Eligible Facilities Request", which would allow the modifications to an existing tower within a residential zone. The City is required to allow for an "Eligible Facilities Request" by the Spectrum Act, as discussed in the background section of this report.
b. A Development Plan Review and Conditional Use Permit is required for "macro" facilities in all other zones, including commercial zones, industrial zones and special purpose zones. The Conditional Use Permit requirement ensures a greater amount of discretion over facilities, and are approved by the Planning Commission requiring a public hearing and noticing pursuant to State Planning and Zoning Laws.
c. Small wireless facilities are permitted in all zones, excepting residential zones, with the approval of a small wireless facilities permit.
d. The preference hierarchy establishes industrial land as the first preference, with the last being right-of-way adjacent to historical districts. The order of preference gives the City more leverage to control the placement of facilities because applicants for new facilities are required to justify placement of a facility in a lesser preferred zoning district, over a more preferred location (17.40.060). 17.40.160 subsection M also provides a locational preferences hierarchy specific to small wireless facilities.

2. Permit Application Requirements. As mentioned above the Ordinance prescribes application types for specific facility types. In addition, the Ordinance prescribes application submittal requirements (17.40.050) for all facilities, and requirements for specific facility types. For example, "Eligible Facilities Requests" have specific application requirements (17.40.140), different than small wireless facilities application requirements (17.40.160). For example:

    a. In addition to the typical requirements for a Development Plan Review and Conditional Use Permit, which includes a site plan, elevations, project narrative, etc., the Ordinance requires RF reports, acoustical analysis and photo simulations to ensure compliance with the ordinance (17.40.050).
    b. Specific requirements for small wireless facilities include criteria for batched applications, requires a written statement explaining compliance with the Ordinance and justification for a non-preferred location.
    c. The Ordinance authorizes the Development Services Director to retain on behalf of the City an independent, qualified consultant to review any application for a permit for a wireless telecommunications facility to review the technical aspects of the application. The applicant is required to pay for this technical review.

3. The ordinance establishes design and development standards for all facilities, and also specifically includes requirements for facilities in the public right-of-way and on private property.

    a. Design and development standards for all facilities is included in 17.40.070. The section prohibits speculative facilities, includes general camouflage, landscaping, lighting and noise requirements.
    b. Section 17.40.080 provides specific design and development standards for facilities on private property. These standards include requirements for roof mounted facilities and tower facilities including height and screening requirements. Telecommunication facilities shall not exceed the maximum building height for the applicable zoning district, unless the setback is increased. Also, requirements for accessory equipment include, for example, equipment is required to be screened by decorative landscaping, masonry walls, or buildings so that the equipment is visually integrated with the architecture and landscaping of the surroundings
    c. Section 17.40.090 provides design standards for facilities in the public right-of-way. Facilities in the right-of-way are limited to pole mounted facilities only. No facility can be located on a pole that is less than 26 feet in height and no facility can exceed 35 feet in height. Pole mounted equipment cannot exceed six cubic feet in dimension. Accessory equipment shall be located underground to the greatest extant feasible.
    d. Additional design standards for small wireless facilities are located in 17.40.160 paragraphs N and O. Requirements include regulating general items such as signage and landscaped replacement. All antennas and associated mounting equipment, hardware, cables or other connecters must be completely concealed within an opaque antenna shroud or radome. Design requirements for accessory equipment are also included.

4. Conditions of Approval. The Ordinance establishes standard Conditions of Approval for all facilities, and specific Conditions of Approval for various facility types.

    a. 17.40.100 establishes standard Conditions of Approval for all facilities, that include operational requirements such as compliance with FCC RF standards, requires a performance bond to ensure the tower is removed if operation ceases, establishes timelines for installation, and requires indemnification for the City.
    b. 17.40.110 establishes Conditions of Approval for facilities in the public right-of-way. Requirements include repair of infrastructure damaged by the installation or maintenance of facilities. Prior to installation of a facility, the applicant shall prepare a tree protection plan to ensure trees within the right-of-way are protected.

c. 17.40.160 paragraph L provides additional Conditions of Approval for small wireless facilities. Conditions specific to small wireless facilities include a build-out period of one year. The permittee must underground its equipment if other utilities in the public rights-of-way underground their facilities in the segment of the public rights-of-way where the small wireless facility is located.
d. Additional Conditions of Approval may be added to permits for facilities on a case by case basis.

5. Section 17.40.190 establishes operation and maintenance standards to ensure a facility is kept in good condition, and operates consistent with the emissions standards set forth by the FCC. Requirements include that necessary repairs be made to a facility within 48 hours of discovery. Landscaping is required to be maintained, and facilities must comply with the City of Upland Noise Ordinance.

6. Section 17.40.120 establishes required findings the approval authority is required to make. Findings are included for all facilities, and specific finding are included for facilities in the public right-of-way. Findings include design, Ordinance compliance and collocation feasibility. The findings in the Ordinance are required in addition to the findings required under the Development Plan Review and Conditional Use Permits. Special findings are also required for small wireless facilities and Eligible Facilities Requests.

7. The Ordinance includes provisions for Permit expiration, revocation, cessation and abandonment.

    a. The Ordinance outlines the process for removal of a facility in the case of cessation of the use or abandonment. A facility is considered abandoned telecommunications services for 90 or more consecutive days. The City will maintain a bond for facilities to ensure they can be removed.
    b. The Ordinance establishes that wireless telecommunications facility shall be valid for a period of 10 years. One year prior to expiration that the applicant is required to submit an extension request, and show compliance with the regulations and conditions of approval for extensions.

The proposed Ordinance will entirely replace the existing regulations within Chapter 17.40 of the Upland Municipal Code.

Additional Zoning Code Amendments

The new telecommunications regulations within Chapter 17.40 contain all needed regulatory information for implementation, such as definitions, required permits, land use tables, processes, etc. Therefore, as previously mentioned, additional minor

amendments are needed within Title 17 to ensure that there are no conflicts between the new regulations and the existing Zoning Code.

The first amendments within Title 17 is to modify the current land use tables. The tables to be amended include Land Use Tables 17.04-1, 17.05-1, 17.06-1, 17.07-1 and 17.08-1. These tables currently reflect the land use requirements of the existing telecommunication regulations under chapter 17.40, therefore, the table will need to be amended to refer to the new regulations under Chapter 17 .40.

Additionally, Chapter 17.51 *Definitions* will be amended to remove the current definition for telecommunications facilities as the current definitions within 17.51 is inconsistent with the new regulations. The new Ordinance contains all needed definitions, therefore the old definition will be deleted. These amendments can be found within "Attachment B" of the attached resolution.

ENVIRONMENTAL ASSESSMENT

This ordinance is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000, et seq.), pursuant to State CEQA Regulation §15061(b)(3) (14 Cal. Code Regs. § 15061(b)(3)), the common sense exemption covering activities with no possibility of having a significant effect on the environment because the Ordinance does not result in any actual installation or construction of any facilities, and only establishes regulatory guidelines for future telecommunication facilities.

REQUIRED FINDINGS

In order to recommend approval the project, the Planning Commission is required to make certain findings. Section 2 of the draft resolution contain the recommended findings for the Planning Commission's consideration.

RECOMMENDED ACTION

The Planning Division recommends that the Planning Commission adopt a Resolution entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF UPLAND ADOPT AN ORDINANCE, ZONING CODE TEXT AMENDMENT NO. ZA-20-0003, TO AMEND TITLE 17 OF THE UPLAND MUNICIPAL CODE TO ESTABLISH NEW REGULATIONS FOR WIRELESS TELECOMMUNICATION FACILITIES.

MOTION

Move to recommend the City Council of the City of Upland adopt an ordinance to amend Title 17 of the Upland Municipal Code to establish new regulations for wireless telecommunication facilities.

EXHIBITS

Exhibit A: Draft Resolution
(Attachment A – Proposed Chapter 17.40)
(Attachment B – Additional Title 17 Amendments)

Exhibit B: Current Chapter 17.40

Exhibit A – Draft Resolution

EXHIBIT A

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF UPLAND ADOPT AN ORDINANCE, ZONING CODE TEXT AMENDMENT NO. ZA-20-0003, TO AMEND TITLE 17 OF THE UPLAND MUNICIPAL CODE TO ESTABLISH NEW REGULATIONS FOR WIRELESS TELECOMMUNICATION FACILITIES.

Intent of the Parties and Findings

WHEREAS, there have been significant changes in the types of wireless communication facilities used to provide communications services within the City; and

WHEREAS, both federal and state law has been modified regarding the regulation of wireless communication facilities both in the public rights or way and on private property outside of the public rights of way; and

WHEREAS, the Federal Communication Commission (FCC) has implemented rules regarding implementation of certain federal laws regarding wireless communication facilities and implemented rules regulating “Small Wireless Facilities”; and

WHEREAS, the City desires ensure to the greatest extent allowed under federal state law that wireless communication facilities are located, designed, installed, constructed, maintained, and operated in a manner that meets the aesthetic and public health and safety requirements of the City; and

WHEREAS, the City deems it necessary and appropriate to adopt standards and regulations relating to the location, design, installation, construction, maintenance, and operation of wireless communication facilities, including towers, antennas, and other structures both in the public rights or way and on private property outside of the public rights of way and to provide for the enforcement of these standards and regulations consistent with federal and state legal requirements; and

WHEREAS, the Upland City Council Advisory Committee reviewed the proposed Wireless Telecommunications ordinance, made comments and offered modifications to said ordinance at its meeting on June 3, 2020; and

WHEREAS, the Planning Commission held a public workshop on June 10, 2020 regarding the Proposed Wireless Telecommunications ordinance in order to review the proposed ordinance and receive public input regarding said ordinance; and

WHEREAS, Upland Municipal Code Section 17.43.020 (Table 17.43-1) identifies the decision making authority as the City Council, with the Planning Commission being a recommendation body; and

WHEREAS, A notice of a public hearing on said application has been given in the manner and for the time required by law; and

WHEREAS, On July 8, 2020 at 6:30 p.m. the Planning Commission conducted a public hearing for the project, and heard and considered both oral and written evidence.

NOW, THEREFORE, the Planning Commission hereby finds, determines and resolves and recommends as follows:

Section 1. The Planning Commission recommends that the City Council:

A. Adopt an Ordinance amending Chapter 17.40 of the Upland Municipal Code in its entirety to read as set forth in Attachment A of this Resolution; and amend the land use tables within Chapters 17.04, 17.05, 17.06, 17.07, 17.08 and amend 17.51 Definitions, as shown in Attachment B of this Resolution.

Section 2. FINDINGS. The Planning Commission hereby makes the following findings and determinations in connection with the recommendation for approval of the Project:

A. The above Recitals are true and correct.

B. Upland Municipal Code Section 17.48.060 provides that the approval body, before it may approve a Zoning Code Text Amendment, shall make a determination to allow the activity based upon the following findings:

1. Finding: The proposed amendment is consistent with the General Plan and any applicable community or specific plan as provided by Government Code Section 65860.

   Evidence: No community or specific plan is applicable to the proposed wireless telecommunications regulations. The proposed amendment is consistent with the General Plan in that it is consistent with the following General Plan goals and policies:

   a. Goal PFS-15 A community supported by the most current and sustainable provision of technology and utilities to service residents, businesses and institutions.

      Fact: The ordinance provides the foundation for the implementation of new telecommunications technology to ensure service to residents, businesses and institutions.

   b. Policy PFS-1.8 Underground Utilities. Encourage undergrounding of all existing and new publicly owned utility lines, encourage undergrounding of all privately owned utility lines in new developments, and work with electricity and telecommunications providers to

underground or minimize the visual impacts of existing overhead lines.

Fact: The ordinance includes multiple measures that regulate the aesthetics of proposed wireless facilities to ensure visual impacts are minimized.

c. Policy PFS-15.1 Access and Availability. Work with utility and service providers to ensure access to and availability of utilities and telecommunication facilities for households, businesses, institutions, and public agencies throughout the City.

   Fact: The ordinance ensures that telecommunications facilities can be constructed within the city, while ensuring the city's interest in regulating the time, place and manner if facility implementation.

d. Policy PFS-15.4 Co-Location. Encourage compatible colocation of telecommunication and internet facilities and work with utility companies and internet service providers to provide opportunities for siting facilities on City-owned property and in suitable public right-of-ways.

   Fact: The ordinance implements a process for telecommunications facilities on City Owned properties, and provides the regulations for placement of facilities in the public right-of-way.

2. Finding: The proposed amendment will not be detrimental to the public interest, health, safety, or welfare of the City.

   Evidence: The proposed Zoning Amendment will not be detrimental to the public interest, health, safety, or welfare in that the amendment will update wireless telecommunication regulation the increase local control and implement standards, including aesthetic requirements, land use processes and maintenance requirements that further ensure public interest, health, safety, and welfare of the City.

3. Finding: The proposed amendment is internally consistent with other applicable provisions of the Zoning Ordinance.

   Evidence: The amendment includes modification to Land Use Tables 17.04-1, 17.05-1, 17.06-1, 17.07-1 and 17.08-1 and well as Chapter 17.51 *Definitions* to ensure internal consistency throughout the Zoning Ordinance regarding wireless telecommunications facilities.

Section 3. DETERMINATION. In light of the evidence presented at the hearing on this application, and based on the findings set forth above, the Planning Commission hereby finds that the requirements necessary for the recommendation of approval of the Zoning Code Text Amendment No. ZA-20-0003, subject to all applicable provisions of the Upland Municipal Code.

Section 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). This ordinance is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000, et seq.), pursuant to State CEQA Regulation §15061(b)(3) (14 Cal. Code Regs. § 15061(b)(3)), the common sense exemption covering activities with no possibility of having a significant effect on the environment because the Ordinance does not result in any actual installation or construction of any facilities, and only establishes guidelines for future telecommunications development.

Section 5. INCONSISTENCY. If any section, division, sentence, clause, phrase or portion of this resolution or the document in the record in support of this resolution is determined by a court of competent jurisdiction to be invalid, unenforceable, unconstitutional or otherwise void, that determination shall not affect the validity of the remaining sections, divisions, sentences, clauses, phrases of this resolution.

Section 6. CERTIFICATION. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and their certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED and ADOPTED this 8th day of July, 2020.

_____

Robin Aspinall, Chair

ATTEST:

_____

Robert D. Dalquest, SECRETARY

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Upland at a special adjourned meeting thereof held on the 8th day of July, 2020, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Robert D. Dalquest, SECRETARY

Attachment A

CHAPTER 17.40 WIRELESS TELECOMMUNICATIONS FACILITIES

17.40.010 Purpose.

A. The purpose and intent of this chapter is to provide a uniform and comprehensive set of regulations and standards for the permitting, development, siting, installation, design, operation and maintenance of wireless telecommunications facilities in the City of Upland. These regulations are intended to prescribe clear and reasonable criteria to assess and process applications in a consistent and expeditious manner, while reducing the impacts associated with wireless telecommunications facilities. This chapter provides standards necessary to: (1) preserve and promote harmonious land uses and the public right-of-way in the City; (2) promote and protect public health and safety, community welfare, visual resources, and the aesthetic quality of the City consistent with the goals, objectives and policies of the General Plan; (3) provide for the orderly, managed, and efficient development of wireless telecommunications facilities in accordance with the state and federal laws, rules, and regulations; and (4) encourage new and more efficient technology in the provision of wireless telecommunications facilities.

B. This chapter is not intended to, nor shall it be interpreted or applied to: (1) prohibit or effectively prohibit any personal wireless service provider's ability to provide personal wireless services; (2) prohibit or effectively prohibit any entity's ability to provide any interstate or intrastate telecommunications service, subject to any competitively neutral and nondiscriminatory rules or regulation for rights-of-way management; (3) unreasonably discriminate among providers of functionally equivalent services; (4) deny any request for authorization to place, construct or modify personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such wireless facilities comply with the FCC's regulations concerning such emissions; (5) prohibit any collocation or modification that the City may not deny under federal or state law; or (6) otherwise authorize the City to preempt any applicable federal or state law.

17.40.020 Definitions.

For the purposes of this chapter, the following defined terms shall have the meaning set forth in this section unless the context clearly indicates or requires a different meaning.

1. "Accessory equipment" means any equipment associated with the installation of a wireless telecommunications facility, including, but not limited to, cabling, generators, air conditioning units, electrical panels, equipment shelters, equipment cabinets, equipment buildings, pedestals, meters, vaults, splice boxes, and surface location markers.

2. "Antenna" means that part of a wireless telecommunications facility designed to radiate or receive radio frequency signals or electromagnetic waves for the provision of services, including, but not limited to, cellular, paging, personal

communications services (PCS) and microwave communications. Such devices include, but are not limited to, directional antennas, such as panel antenna, microwave dishes, and satellite dishes; omnidirectional antennas; wireless access points (Wi-Fi); and strand-mounted wireless access points. This definition does not apply to broadcast antennas, antennas designed for amateur radio use, or satellite dishes designed for residential or household purposes.

3. "Base station" means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(1), as may be amended, which defines that term as a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in 47 C.F.R. Section 1.40001(b)(9) or any equipment associated with a tower. The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems and small-cell networks). The term includes any structure other than a tower that, at the time the relevant application is filed with the State or local government under this section, supports or houses equipment described in 47 C.F.R. Section 1.40001(b)(1)(i) and (ii) that has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support. The term does not include any structure that, at the time the relevant application is filed with the State or local government under this section, does not support or house equipment described in 47 C.F.R. Section 1.40001(b)(1)(i) and (ii).

4. "Building-mounted" means mounted to the side or façade, but not the roof, of a building or another structure such as a water tank, pump station, church steeple, freestanding sign, or similar structure.

5. "Cellular" means an analog or digital wireless telecommunications technology that is based on a system of interconnected neighboring cell sites.

6. "Collocation" means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(2), as may be amended, which defines that term as the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting or receiving radio frequency signals for communications purposes. As an illustration and not a limitation, the FCC's definition effectively means "to add" and does not necessarily refer to more than one wireless telecommunication facility installed at a single site.

7. "Eligible facilities request" means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(3), as may be amended, which defines that term as any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station,

involving: (1) collocation of new transmission equipment; (2) removal of transmission equipment; or (3) replacement of transmission equipment.

8. "Eligible support structure" means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(4), as may be amended, which defines that term as any tower or base station as defined in this section, provided that it is existing at the time the relevant application is filed with the State or local government under this section.

9. "Existing" means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(4), as may be amended, which provides that a constructed tower or base station is existing for purposes of the FCC's Section 6409(a) regulations if it has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

10. "FCC" means the Federal Communications Commission or its duly appointed successor agency.

11. "Modification" means any change to an existing wireless telecommunications facility that involves any of the following: collocation, expansion, modification, alteration, enlargement, intensification, reduction, or augmentation, including, but not limited to, a change in size, shape, color, visual design, or exterior material. Modification does not include repair, replacement, or maintenance if those actions do not involve a change to the existing facility involving any of the following: collocation, expansion, modification, alteration, enlargement, intensification, reduction, or augmentation.

12. "Monopole" means a structure consisting of a single pole used to support antennas or related equipment and includes a monopine, monoredwood, and similar monopoles camouflaged to resemble trees or other objects.

13. "Personal wireless services" means the same as defined in 47 U.S.C. Section 332(c)(7)(C)(i), as may be amended, which defines the term as commercial mobile services, unlicensed wireless services and common carrier wireless exchange access services.

14. "Personal wireless service facilities" means the same as defined in 47 U.S.C. Section 332(c)(7)(C)(i), as may be amended, which defines the term as facilities that provide personal wireless services.

15. "Director" means the City Development Services Director or his or her designee.

16. "Pole" means a single shaft of wood, steel, concrete, or other material capable of supporting the equipment mounted thereon in a safe and adequate manner and as required by provisions of the Upland Municipal Code.

17. “Public right-of-way or “right-of-way” means any public street, public way, public alley or public place, laid out or dedicated, and the space on, above or below it, and all extensions thereof, and additions thereto, under the jurisdiction of the City.

18. “Reviewing authority” means the person or body who has the authority to review and either grant or deny a wireless telecommunications facility permit pursuant to this chapter.

19. “RF” means radio frequency or electromagnetic waves between 30 kHz and 300 GHz in the electromagnetic spectrum range.

20. “Roof-mounted” means mounted directly on the roof of any building or structure, above the eave line of such building or structure.

21. “Section 6409(a)” means Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156, codified as 47 U.S.C. Section 1455(a), as such law may be amended from time to time.

22. “Section 6409(a) approval” means the approval required by Section 6409(a).

23. “Site” means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(6), as may be amended, which provides that for towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.

24. “Small wireless facility” or “small wireless facilities” means the same as defined by the FCC in 47 C.F.R. § 1.6002(1), as may be amended or superseded.

25. “Substantial change” means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(7), as may be amended, which defines that term differently based on the particular wireless facility type (tower or base station) and location (in or outside the public right-of-way). For clarity, this definition organizes the FCC’s criteria and thresholds for a substantial change according to the wireless facility type and location.

    a. For towers outside the public rights-of-way, a substantial change occurs when:

        i. The proposed collocation or modification increases the overall height more than 10% or the height of one additional antenna array not to exceed 20 feet (whichever is greater); or

        ii. The proposed collocation or modification increases the width more than 20 feet from the edge of the wireless tower or the width of the wireless tower at the level of the appurtenance (whichever is greater); or

iii. The proposed collocation or modification involves the installation of more than the standard number of equipment cabinets for the technology involved, not to exceed four; or

iv. The proposed collocation or modification involves excavation outside the current boundaries of the leased or owned property surrounding the wireless tower, including any access or utility easements currently related to the site.

b. For towers in the public rights-of-way and for all base stations, a substantial change occurs when:

i. The proposed collocation or modification increases the overall height more than 10% or 10 feet (whichever is greater); or

ii. The proposed collocation or modification increases the width more than six feet from the edge of the wireless tower or base station; or

iii. The proposed collocation or modification involves the installation of any new equipment cabinets on the ground when there are no existing ground-mounted equipment cabinets; or

iv. The proposed collocation or modification involves the installation of any new ground-mounted equipment cabinets that are 10% larger in height or volume than any existing ground-mounted equipment cabinets; or

v. The proposed collocation or modification involves excavation outside the area in proximity to the structure and other transmission equipment already deployed on the ground.

c. In addition, for all towers and base stations wherever located, a substantial change occurs when:

i. The proposed collocation or modification would defeat the existing concealment elements of the support structure as determined by the Director; or

ii. The proposed collocation or modification violates a prior condition of approval, provided however that the collocation need not comply with any prior condition of approval related to height, width, equipment cabinets or excavation that is inconsistent with the thresholds for a substantial change described in this section.

The thresholds for a substantial change outlined above are disjunctive. The failure to meet any one or more of the applicable thresholds means that a substantial change would occur. The thresholds for height increases are cumulative limits. For sites with horizontally separated deployments, the cumulative limit is measured

from the originally-permitted support structure without regard to any increases in size due to wireless equipment not included in the original design. For sites with vertically separated deployments, the cumulative limit is measured from the permitted site dimensions as they existed on February 22, 2012—the date that Congress passed Section 6409(a).

26. "Telecommunications tower" or "tower" means a freestanding mast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure designed and primarily used to support wireless telecommunications facility antennas.

27. "Transmission equipment" means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(8), as may be amended, which defines that term as equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

28. "Utility pole" means a pole or tower owned by any utility company that is primarily used to support wires or cables necessary to the provision of electrical or other utility services regulated by the California Public Utilities Commission.

29. "Wireless services" means any FCC-licensed or authorized wireless communication service transmitted over frequencies in the electromagnetic spectrum.

30. "Wireless telecommunications facility" means any facility constructed, installed, or operated for wireless service. "Wireless telecommunications facility" includes, but is not limited to, antennas or other types of equipment for the transmission or receipt of such signals, telecommunications towers or similar structures supporting such equipment, related accessory equipment, equipment buildings, parking areas, and other accessory development. "Wireless telecommunications facility" does not mean any of the following:

    a. A facility that qualifies as an amateur station as defined by the FCC, 47 C.F.R. Part 97, of the Commission's Rules, or its successor regulation.

    b. An antenna facility that is subject to the FCC Over-The-Air-Receiving Devices rule, 47 C.F.R. Section 1.4000, or any successor regulation, including, but not limited to, direct-to-home satellite dishes that are less than one meter in diameter, TV antennas used to receive television broadcast signals and wireless cable antennas.

    c. Portable radios and devices including, but not limited to, hand-held, vehicular, or other portable receivers, transmitters or transceivers, cellular

phones, CB radios, emergency services radio, and other similar portable devices as determined by the Director.

d. Telecommunications facilities owned and operated by any government agency.

e. Telecommunications facilities owned and operated by any emergency medical care provider.

f. Mobile services providing public information coverage of news events of a temporary nature.

g. Any wireless telecommunications facilities exempted from the Upland Municipal Code by federal law or state law.

17.40.030 Applicability.

A. This chapter applies to all wireless telecommunications facilities as follows:

1. All facilities for which applications were not approved prior to the effective date of the ordinance codified in this chapter shall be subject to and comply with all provisions of this chapter;

2. All facilities, notwithstanding the date approved, shall be subject immediately to the provisions of this chapter governing the operation and maintenance, cessation of use and abandonment, removal and restoration of wireless telecommunications facilities and wireless telecommunications collocation facilities and the prohibition of dangerous conditions or obstructions by such facilities; provided, however, that in the event a condition of approval conflicts with a provision of this chapter, the condition of approval shall control unless and until the permit is amended or revoked.

B. Title 17, including, but not limited to, this chapter shall not apply to a wireless telecommunications facility on property owned by the City.

C. Notwithstanding any provision of the Upland Municipal Code to the contrary, provisions governing the installation of a public utility facility or accessory equipment shall not apply to wireless telecommunications facilities. This chapter shall govern all applications for wireless telecommunications facilities.

17.40.040 Wireless telecommunications facility permit required.

A. Permit Required. No wireless telecommunications facility shall be located or modified within the City on any property, including the public right-of-way, without the issuance of a permit as required by this chapter as set forth in the table below. Such permit shall be in addition to any other permit required pursuant to the Upland Municipal Code.

Description Wireless Facility	Private Property		Public Right-of-Way[4]
	RS-4, RS-6, RS-7.5, RS-10, RS-15, RS-20, MH, RM-10, RM-20, RM-30 Residential Specific Plans	**All Other Zoning Districts**	**Nonresidential Zoning Districts**
Roof-mounted facility, building-mounted facility, or facility mounted on an existing pole	Not Permitted	Conditional Use Permit/ Development Plan Review	Conditional Use Permit/ Development Plan Review
Facility mounted on a replacement pole or new telecommunications tower	Not Permitted	Conditional Use Permit/ Development Plan Review	Conditional Use Permit/ Development Plan Review
New wireless telecommunications collocation facility	Not Permitted	Conditional Use Permit/ Development Plan Review	Conditional Use Permit/ Development Plan Review
Eligible facilities request[1] or application pursuant to California Government Code Section 65850.6[2]	Permitted	Permitted	Permitted
Small wireless facility[3]	Not Permitted	Permitted	Permitted

1 See requirements of Section 17.40.140.
2 See requirements of Section 17.40.150.
3. See requirements of Section 17.40.160
4 For any public right-of-way not within a zoning district, the location of a wireless telecommunication facility shall be determined based upon the closest district adjacent to the facility's location.

B. Non-exclusive Grant. No approval granted under this chapter shall confer any exclusive right, privilege, license, or franchise to occupy or use the public right-of-way of the City for delivery of telecommunications services or any other purposes. Further, no approval shall be construed as any warranty of title.

17.40.050 Application for permit.

A. Application Content. All applications for a permit required by this chapter must be made in writing on such form as the Director prescribes, which shall include the

following information, in addition to all other information determined necessary by the Director as well as all other information required by the City as part of an application for a conditional use permit:

1. Full name and contact information for the facility owner, facility operator, agent (if any), and property owner, and related letter(s) of authorization.

2. The type of facility, including a full written description of the proposed facility, its purpose and specifications.

3. A detailed site and engineering plan of the proposed facility containing the exact proposed location of the facility, created by a qualified licensed engineer and in accordance with requirements set by the Director.

4. Photographs of facility equipment and an accurate visual impact analysis with photo simulations.

5. Completion of an RF exposure guidelines checklist, and proof of all applicable licenses or other approvals required by the FCC.

6. If the application is for a facility that will be located within the public right-of-way, the applicant shall certify that it is a telephone corporation or state the basis for its claimed right to enter the right-of-way, and provide a copy of its certificate of public convenience and necessity (CPCN), if a CPCN has been issued by the California Public Utilities Commission.

7. A written description identifying the geographic service area for the subject installation, accompanied by a plan and maps showing anticipated future installations and modifications for the following two years.

8. A written report that analyzes acoustic levels for the proposed wireless telecommunications facility and all associated equipment including, without limitation, all environmental control units, sump pumps, temporary backup power generators, and permanent backup power generators in order to demonstrate compliance with Chapter 7.16 (Noise Control). The acoustic analysis must be prepared and certified by an engineer and include an analysis of the manufacturers' specifications for all noise-emitting equipment and a depiction of the proposed equipment relative to all adjacent property lines. In lieu of a written report, the applicant may submit evidence from the equipment manufacturer that the ambient noise emitted from all the proposed equipment will not, both individually and cumulatively, exceed the applicable limits.

9. If the applicant claims it requires an exception to the requirements of this chapter, all information and studies necessary for the City to evaluate that claim.

10. An application and processing fee and a deposit for a consultant review as set forth in subsection B of this section.

11. Any other studies or information determined necessary by the Director may be required.

B. Independent Expert.

1. The Director is authorized to retain on behalf of the City an independent, qualified consultant to review any application for a permit for a wireless telecommunications facility to review the technical aspects of the application, including, but not limited to, the following matters:

a. The accuracy, adequacy, and completeness of submissions;

b. Compliance with applicable radio frequency emission standards;

c. Whether any requested exception is necessary to close a significant gap in coverage and is the least intrusive means of doing so;

d. Technical demonstration of the unavailability of alternative sites, facility designs or configurations, and coverage analysis; and

e. The validity of conclusions reached or claims made by applicant.

2. The cost of this review shall be paid by the applicant through a deposit pursuant to an adopted fee schedule resolution.

17.40.060 Location and configuration preferences.

A. Purpose. The purpose of this section is to provide guidelines to applicants and the reviewing authority regarding the preferred locations and configurations for wireless telecommunication facilities in the City, provided that nothing in this section shall be construed to permit a wireless telecommunication facility in any location or configuration that it is otherwise prohibited by this chapter.

B. Review of Location and Configuration. The reviewing authority shall consider the extent to which a proposed wireless telecommunication facility complies with these preferences and whether there are feasible alternative locations or configurations to the proposed facility that are more preferred under this section. If the location or configuration of a proposed facility qualifies for two or more categories of preferred locations or configurations, it shall be deemed to belong to the least preferred category.

C. Order of Preference—Configurations. The order of preference for the configuration for wireless telecommunication facilities from most preferred to least preferred is:

1. Collocation with existing facilities;

2. Roof-mounted;

3. Building-mounted;

4. Mounted on an existing pole or utility pole;

5. Mounted on a new pole or utility pole that will replace an existing pole or utility pole;

6. Mounted on a new telecommunication tower.

D. Order of Preference—Location. The order of preference for the location of wireless telecommunications facilities from most preferred to least preferred is:

(1) In the GI (General Industrial) zoning district,

(2) In the LI (Light Industrial) zoning district,

(3) In the RC (Regional Commercial) zoning district,

(4) In the C/I-MU (Commercial/Industrial Mixed-Use) zoning district,

(5) In the HC (Highway Commercial) zoning district,

(6) In the HC (Highway Commercial) land use designation in the Colonies Specific Plan,

(7) In the C/O-MU (Commercial/Office Mixed-Use) zoning district,

(8) In the NC (Neighborhood Commercial) zoning district,

(9) In the NC (Neighborhood Commercial) land use designation in the Colonies Specific Plan,

(10) In the Commercial land use designation in the Park View Specific Plan,

(11) In the C/R-MU (Commercial/Residential Mixed-Use) zoning district,

(12) In the B/R-MU (Business/Residential Mixed-Use) zoning district,

(13) In the OP (Office Professional) zoning district,

(14) In the public right-of-way with the closest adjacent district being GI (General Industrial) zoning district,

(15) In the public right-of-way with the closest adjacent district being LI (Light Industrial) zoning district,

(16) In the public right-of-way with the closest adjacent district being RC (Regional Commercial) zoning district,

(17) In the public right-of-way with the closest adjacent district being C/I-MU (Commercial/Industrial Mixed-Use) zoning district,

(18) In the public right-of-way with the closest adjacent district being HC (Highway Commercial) zoning district,

(19) In the public right-of-way with the closest adjacent district being HC (Highway Commercial) land use designation in the Colonies Specific Plan,

(20) In the public right-of-way with the closest adjacent district being C/O-MU (Commercial/Office Mixed-Use) zoning district,

(21) In the public right-of-way with the closest adjacent district being NC (Neighborhood Commercial) zoning district,

(22) In the public right-of-way with the closest adjacent district being NC (Neighborhood Commercial) land use designation in the Colonies Specific Plan,

(23) In the public right-of-way with the closest adjacent district being the Commercial land use designation in the Park View Specific Plan,

(24) In the public right-of-way with the closest adjacent district being C/R-MU (Commercial/Residential Mixed-Use) zoning district,

(25) In the public right-of-way with the closest adjacent district being B/R-MU (Business/Residential Mixed-Use) zoning district,

(26) In the public right-of-way with the closest adjacent district being OP (Office Professional) zoning district,

(27) In the public right-of-way with the closest adjacent district being the RM (Residential Multi-family) zoning district,

(28) Any public right-of-way location that abuts the property line of a structure recognized as a local, state or national historic landmark, historic district or on the register of historic places.

(29) Any parcel or right-of-way within 500 feet of a school site.

E. Accessory Equipment. In order of preference from most preferred to least preferred, accessory equipment for wireless telecommunication facilities and wireless telecommunications collocation facilities shall be located underground, within a building or structure, on a screened roof top area or structure, or in a rear yard if not readily visible from surrounding properties and the roadway, unless the reviewing authority finds that another location is preferable under the circumstances of the application.

17.40.070 Design and development standards for all facilities.

A. Basic Requirements. The design and development standards set forth in this section apply to all wireless telecommunications facilities no matter where they are located. Wireless telecommunications facilities shall be designed and maintained so as to minimize visual, noise, and other impacts on the surrounding community and shall be planned, designed, located, and erected in accordance with the design and development standards in this section.

B. No Speculative Facilities. A wireless telecommunications facility, wireless telecommunications collocation facility, or a telecommunications tower, which is built on speculation and for which there is no wireless tenant is prohibited within the City.

C. General Guidelines. The applicant shall employ screening and camouflage design techniques in the design and placement of wireless telecommunications facilities in order to ensure that the facility is as visually inconspicuous as possible, to prevent the facility from dominating the surrounding area and to hide the facility from predominant views from surrounding properties, all in a manner that achieves compatibility with the community.

D. Traffic Safety. All facilities shall be designed and located in such a manner as to avoid adverse impacts on traffic safety.

E. Antennas. The applicant shall use the least visible antennas possible to accomplish the coverage objectives. Antenna elements shall be flush mounted, to the extent reasonably feasible. All antenna mounts shall be designed so as not to preclude possible future collocation by the same or other operators or carriers. Antennas shall be situated as to reduce visual impact without compromising their function. Whip antennas need not be screened.

F. Landscaping. Where appropriate, facilities shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs, whether or not utilized for screening. Additional landscaping shall be planted,

irrigated, and maintained where such vegetation is deemed necessary by the City to provide screening or to block the line of sight between facilities and adjacent uses.

G. Signage. Wireless telecommunications facilities and wireless telecommunications collocation facilities shall not bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the City.

H. Lighting. No wireless telecommunications facility may be illuminated unless either specifically required by the Federal Aviation Administration or other government agency or in association with the illumination of an athletic field on City or school property. Lightning arresters and beacon lights are not permitted unless required by the Federal Aviation Administration or other government agency. Legally required lightning arresters and beacons shall be included when calculating the height of facilities such as telecommunications towers, lattice towers, and monopoles.

I. Noise.

1. Each wireless telecommunications facility and wireless telecommunications collocation facility shall be operated in such a manner so as to minimize any possible disruption caused by noise.

2. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 5:00 p.m. and 7:00 a.m.

3. At no time shall equipment noise from any facility exceed an exterior noise level of 50 dBA at the facility's property line if the facility is located in a business or commercial zone that permits those uses, provided, however, that for any such facility located within 500 feet of any property zoned residential or improved with a residential use, such equipment noise shall at no time be audible at the property line of any such residential property. For any facility located within a residential zone, such equipment noise shall at no time be audible at the property line of any residentially improved or residential zoned property.

4. Any equipment, including, but not limited to, air conditioning units, that may emit noise that would be audible from beyond three feet from the facility in the case of a facility located in the right-of-way, or in the case of other facilities the facility's property line, shall be enclosed or equipped with noise attenuation devices to the extent necessary to ensure compliance with applicable noise limitations under the Upland Municipal Code.

J. Security. Each wireless telecommunications facility and wireless telecommunications collocation facility shall be designed to be resistant to, and minimize opportunities for, unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous situations, visual blight, or attractive

nuisances. The reviewing authority may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism when, because of their location or accessibility, a facility has the potential to become an attractive nuisance.

K. Modification. At the time of modification of a wireless telecommunications facility, existing equipment shall, to the extent feasible, be replaced with equipment that reduces visual, noise, and other impacts, including, but not limited to, undergrounding the equipment and replacing larger, more visually intrusive facilities with smaller, less visually intrusive facilities.

17.40.080 Additional design and development standards for facilities outside the public right-of-way.

A. Basic Requirements. Facilities located outside the public right-of-way are subject to the design and development standards set forth in this section in addition to all design and development standards that apply to all facilities.

B. Location. A wireless communication facility shall not be located within 1,500 feet of another wireless communication facility.

C. No Parking Interference. In no event shall the installation of facilities replace or interfere with parking spaces in such a way as to reduce the total number of parking spaces below the number that is required.

D. Roof-Mounted Facilities. Roof-mounted facilities shall be designed and constructed to be fully concealed or screened in a manner compatible with the existing architecture of the building the facility is mounted to in color, texture, and type of material. Screening shall not increase the bulk of the structure nor alter the character of the structure.

E. Facilities Mounted to a Telecommunications Tower. Facilities mounted to a telecommunications tower shall be located in close proximity to existing above-ground utilities, such as electrical towers or utility poles (which are not scheduled for removal or under grounding for at least 18 months after the date of application), light poles, trees of comparable heights, and in areas where they will not detract from the appearance of the City.

1. Facilities mounted to a telecommunications tower, including, but not limited to, the attached antennas, shall be designed to be the minimum functional height and width required to adequately support the proposed facility and meet FCC requirements. The applicant shall provide documentation satisfactory to the Director establishing compliance with this paragraph. In any event, facilities mounted to a telecommunications tower shall not exceed the applicable height limit for structures in the applicable zoning district.

2. Aside from the antenna itself, no additional equipment may be visible. All cables, including, but not limited to, electrical and utility cables, shall be run within the interior of the telecommunications tower and shall be camouflaged or hidden to the fullest extent feasible without jeopardizing the physical integrity of the tower.

3. Monopole installations shall be situated so as to utilize existing natural or man-made features including topography, vegetation, buildings, or other structures to provide the greatest amount of visual screening.

4. All antenna components and accessory wireless equipment shall be treated with exterior coatings of a color and texture to match the predominant visual background or existing architectural elements so as to visually blend in with the surrounding development. Subdued colors and non-reflective materials that blend with surrounding materials and colors shall be used.

5. Monopoles shall be no greater in diameter or other cross-sectional dimensions than is necessary for the proper functioning of the facility.

6. If a faux tree is proposed for the monopole installation, it shall be of a type of tree compatible with those existing in the immediate areas of the installation. If no trees exist within the immediate areas, the applicant shall create a landscape setting that integrates the faux tree with added species of a similar height and type. Additional camouflage of the faux tree may be required depending on the type and design of faux tree proposed.

F. Accessory Equipment. All accessory equipment associated with the operation of any wireless telecommunications facility shall be fully screened or camouflaged, and located in a manner to minimize their visibility to the greatest extent possible utilizing the following methods for the type of installation:

1. Accessory equipment for roof-mounted facilities shall be installed inside the building to which it is mounted or underground, if feasible. If not feasible, such accessory equipment may be located on the roof of the building that the facility is mounted on, provided that both the equipment and screening materials are painted the color of the building, roof, or surroundings. All screening materials for roof-mounted facilities shall be of a quality and design that is architecturally integrated with the design of the building or structure.

2. Accessory equipment for facilities mounted to a telecommunications tower shall be visually screened by locating the equipment either within a nearby building, in an underground vault (with the exception of required electrical panels) or in another type of enclosed structure, which shall comply with the development and design standards of the zoning district in which the accessory equipment is located. Such enclosed structure shall be architecturally treated and adequately screened from view by landscape plantings, decorative walls, fencing or other appropriate means, selected so

that the resulting screening will be visually integrated with the architecture and landscaping of the surroundings.

G. Height. Telecommunication facilities shall not exceed the maximum building height for the applicable zoning district excepting when:

1. If the height of the tower exceeds the height limitation of the district in which it is located it must be set back an additional 10 feet from the setback line for every 10 feet added to the height, provided a maximum of 20 feet in height is allowed.

H. Residential Buffer. Telecommunication facilities shall be set back a minimum of 200 feet from the property line of a residential zoned property.

17.40.090 Additional design and development standards for facilities in the public right-of-way.

A. Basic Requirements. Facilities located in the public right-of-way are subject to the design and development standards set forth in this section in addition to all design and development standards that apply to all facilities.

B. Right-of-Way Authority. An encroachment permit must be obtained for any work in the public right-of-way. Only applicants authorized to enter the public right-of-way pursuant to state or federal law or a franchise or other agreement with the City shall be eligible for a permit to install or modify a wireless telecommunications facility in the public right-of-way.

C. Antennas.

1. Utility Poles. The maximum height of any antenna mounted to an existing utility pole shall not exceed 24 inches above the height of an existing utility pole, nor shall any portion of the antenna or equipment mounted on a pole be less than 18 feet above any drivable road surface. All installations on utility poles shall fully comply with the California Public Utilities Commission general orders, including, but not limited to, General Order 95, as revised.

2. Street Light Poles. The maximum height of any antenna mounted to a street light pole shall not exceed seven feet above the existing height of a street light pole in a location with its closest adjacent district being a commercial zoning district and shall not exceed three feet above the existing height of a street light pole in any other zoning district. Any portion of the antenna or equipment mounted on such a pole shall be no less than 18 feet above any drivable road surface.

D. Poles.

1. Only pole-mounted antennas shall be permitted in the right-of-way. All other telecommunications towers are prohibited, and no new poles are permitted that are not replacing an existing pole.

2. Pole height and width limitations:

   a. All poles shall be designed to be the minimum functional height and width required to support the proposed antenna installation and meet FCC requirements. Poles and antennas and similar structures shall be no greater in diameter or other cross-sectional dimensions than is necessary for the proper functioning of the facility.

   b. Notwithstanding the above, no facility shall be located on a pole that is less than 26 feet in height and no facility shall exceed 35 feet in height, including, but not limited to, the pole and any antenna that protrudes above the pole.

   c. Pole mounted equipment shall not exceed six cubic feet in dimension.

3. If an applicant proposes to replace a pole in order to accommodate the facility, the pole shall match the appearance of the original pole to the extent feasible, unless another design better accomplishes the objectives of this section. Such replacement pole shall not exceed the height of the pole it is replacing by more than seven feet.

4. If an exception is granted for placement of new poles in the right-of-way, new poles shall be designed to resemble existing poles in the right-of-way, including size, height, color, materials and style, with the exception of any existing pole designs that are scheduled to be removed and not replaced, unless another design better accomplishes the objectives of this section. Such new poles that are not replacement poles shall be located no closer than 90 feet to an existing pole.

E. Space Occupied. Facilities shall be designed to occupy the least amount of space in the right-of-way that is technically feasible.

F. Location.

1. Each component part of a facility shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, inconvenience to the public's use of the right-of-way, or safety hazards to pedestrians and motorists.

2. A facility shall not be located within any portion of the public right-of-way interfering with access to fire hydrants, fire stations, fire escapes, water valves, underground vaults, valve housing structures, or any other vital public health and safety facility.

3. Facilities mounted to a telecommunications tower, above-ground accessory equipment, or walls, fences, landscaping or other screening methods shall be setback a minimum of 18 inches from the front of a curb.

4. Each pole mounted wireless telecommunications facility must be separated by at least 1,500 feet.

5. All cables, including, but not limited to, electrical and utility cables, between the pole and any accessory equipment shall be placed underground, if feasible.

6. All new wires needed to service the wireless telecommunications facility must be installed within the width of the existing utility pole so as to not exceed the diameter and height of the existing utility pole.

G. Americans with Disabilities Act Compliance. All facilities shall be built in compliance with the Americans with Disabilities Act (ADA).

H. Accessory Equipment. With the exception of the electric meter, which shall be pole-mounted to the extent feasible, all accessory equipment shall be located underground to the extent feasible. When above-ground is the only feasible location for a particular type of accessory equipment and when such accessory equipment cannot be pole-mounted, such accessory equipment shall be enclosed within a structure, and shall not exceed a height of five feet and a total footprint of 15 square feet, and shall be screened and camouflaged to the fullest extent possible, including the use of landscaping or alternate screening. Required electrical meter cabinets shall be adequately screened and camouflaged.

I. Documentation. The applicant shall provide documentation satisfactory to the Director establishing compliance with this section.

17.40.100 Conditions of approval for all facilities.

A. In addition to compliance with the requirements of this chapter, upon approval all facilities shall be subject to each of the following conditions of approval, as well as any modification of these conditions or additional conditions of approval deemed necessary by the reviewing authority:

1. Before the permittee submits any application for a building permit or other permits required by the Upland Municipal Code, the permittee must incorporate the wireless telecommunication facility permit granted under this chapter, all conditions associated with the wireless telecommunications facility permit and the approved plans and any photo simulations (the “approved plans”) into the project plans. The permittee must construct, install and operate the wireless telecommunications facility in strict compliance with the approved plans. The permittee shall submit an as built drawing within 90 days after installation of the facility.

2. Where feasible, as new technology becomes available, the permittee shall:

   a. Place above-ground wireless telecommunications facilities below ground, including, but not limited to, accessory equipment that has been mounted to a telecommunications tower or mounted on the ground; and

   b. Replace larger, more visually intrusive facilities with smaller, less visually intrusive facilities, after receiving all necessary permits and approvals required pursuant to the Upland Municipal Code.

3. The permittee shall submit and maintain current at all times basic contact and site information on a form to be supplied by the City. The permittee shall notify the City of any changes to the information submitted within seven days of any change, including change of the name or legal status of the owner or operator. This information shall include, but is not limited to, the following:

   a. Identity, including the name, address and 24-hour local or toll free contact phone number of the permittee, the owner, the operator, and the agent or person responsible for the maintenance of the facility.

   b. The legal status of the owner of the wireless telecommunications facility, including official identification numbers and FCC certification.

   c. Name, address, and telephone number of the property owner if different than the permittee.

4. The permittee shall not place any facilities that will deny access to, or otherwise interfere with, any public utility, easement, or right-of-way located on the site. The permittee shall allow the City reasonable access to, and maintenance of, all utilities and existing public improvements within or adjacent to the site, including, but not limited to, pavement, trees, public utilities, lighting and public signage.

5. At all times, all required notices and signs shall be posted on the site as required by the FCC and California Public Utilities Commission, and as approved by the City. The location and dimensions of a sign bearing the emergency contact name and telephone number shall be posted pursuant to the approved plans.

6. At all times, the permittee shall ensure that the facility complies with the most current regulatory and operational standards including, but not limited to, radio frequency emissions standards adopted by the FCC and antenna height standards adopted by the Federal Aviation Administration. The City shall retain a consultant, at the sole expense of the permittee, to perform testing demonstrating compliance with current regulatory and operational

standards. Tests shall occur upon commencement of operations and annually thereafter.

7. If the Director determines there is good cause to believe that the facility may emit radio frequency emissions that are likely to exceed FCC standards, the Director may require the permittee to submit a technically sufficient written report certified by a qualified radio frequency emissions engineer, certifying that the facility is in compliance with such FCC standards.

8. Permittee shall pay for and provide a performance bond, which shall be in effect until the facilities are fully and completely removed and the site reasonably returned to its original condition, to cover permittee's obligations under these conditions of approval and the Upland Municipal Code. The bond coverage shall include, but not be limited to, removal of the facility, maintenance obligations and landscaping obligations. The amount of the performance bond shall be set by the Director in an amount rationally related to the obligations covered by the bond and shall be specified in the conditions of approval.

9. Permittee shall defend, indemnify, protect and hold harmless the City, its elected and appointed Council members, boards, commissions, officers, officials, agents, consultants, employees, and volunteers from and against any and all claims, actions, or proceeding against the City and its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys' fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the permittee of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at permittee's expense.

10. All conditions of approval shall be binding as to the applicant and all successors in interest to permittee.

11. A condition setting forth the permit expiration date in accordance with Section 17.40.200 shall be included in the conditions of approval.

17.40.110 Additional conditions of approval for facilities in the public right-of-way.

A. In addition to compliance with the requirements of this chapter, upon approval all facilities in the public right-of-way shall be subject to each of the conditions of approval set forth in Section 17.40.100, each of the following conditions of

approval, and any modification of these conditions or additional conditions of approval deemed necessary by the reviewing authority:

1. The wireless telecommunications facility shall be subject to such conditions, changes or limitations as are from time to time deemed necessary by the City engineer for the purpose of: (a) protecting the public health, safety, and welfare; (b) preventing interference with pedestrian and vehicular traffic; and (c) preventing damage to the public right-of-way or any property adjacent to it. The City may modify the permit to reflect such conditions, changes or limitations by following the same notice and public hearing procedures as are applicable to the grant of a wireless telecommunications facility permit for similarly located facilities, except the permittee shall be given notice by personal service or by registered or certified mail at the last address provided to the City by the permittee.

2. The permittee shall not move, alter, temporarily relocate, change, or interfere with any existing structure, improvement or property without the prior consent of the owner of that structure, improvement or property. No structure, improvement or property owned by the City shall be moved to accommodate a wireless telecommunications facility unless the City determines that such movement will not adversely affect the City or any surrounding businesses or residents, and the permittee pays all costs and expenses related to the relocation of the City's structure, improvement or property. Prior to commencement of any work pursuant to an encroachment permit issued for any facility within the public right-of-way, the permittee shall provide the City with documentation establishing to the City's satisfaction that the permittee has the legal right to use or interfere with any other structure, improvement or property within the public right-of-way to be affected by applicant's facilities.

3. The permittee shall assume full liability for damage or injury caused to any property or person by the facility.

4. The permittee shall repair, at its sole cost and expense, any damage including, but not limited to, subsidence, cracking, erosion, collapse, weakening, or loss of lateral support to City streets, sidewalks, walks, curbs, gutters, trees, parkways, street lights, traffic signals, improvements of any kind or nature, or utility lines and systems, underground utility line and systems, or sewer systems and sewer lines that result from any activities performed in connection with the installation or maintenance of a wireless telecommunications facility in the public right-of-way. The permittee shall restore such areas, structures and systems to the condition in which they existed prior to the installation or maintenance that necessitated the repairs. In the event the permittee fails to complete such repair within the number of days stated on a written notice by the Director, the Director shall cause such repair to be completed at permittee's sole cost and expense.

5. Prior to issuance of a building permit, the applicant shall obtain the Director's approval of a tree protection plan prepared by a certified arborist if the installation of the wireless telecommunication facility will be located within the canopy of a street tree, or a protected tree on private property, or within a 10-foot radius of the base of such a tree. Depending on site specific criteria (e.g., location of tree, size, and type of tree, etc.), a radius greater than 10 feet may be required by the Director.

6. Should any utility company offer electrical service that does not require the use of a meter cabinet, the permittee shall at its sole cost and expense remove the meter cabinet and any related foundation within 30 days of such service being offered and reasonably restore the area to its prior condition.

7. The permittee shall modify, remove, or relocate its facility, or portion thereof, without cost or expense to the City, if and when made necessary by:

    a. Any public improvement project, including, but not limited to, the construction, maintenance, or operation of any underground or aboveground facilities including, but not limited to, sewers, storm drains, conduits, gas, water, electric or other utility systems, or pipes owned by the City or any other public agency;

    b. Any abandonment of any street, sidewalk, or other public facility;

    c. Any change of grade, alignment or width of any street, sidewalk or other public facility; or

    d. A determination by the Director that the wireless telecommunications facility has become incompatible with public health, safety or welfare or the public's use of the public right-of-way.

8. Any modification, removal, or relocation of the facility shall be completed within 90 days of written notification by the City unless exigencies dictate a shorter period for removal or relocation. Modification or relocation of the facility shall require submittal, review and approval of a permit amendment pursuant to the Upland Municipal Code. The permittee shall be entitled, on permittee's election, to either a pro-rata refund of fees paid for the original permit or to a new permit, without additional fee, at a location as close to the original location as the standards set forth in the Upland Municipal Code allow. In the event the facility is not modified, removed, or relocated within said period of time, the City may cause the same to be done at the sole cost and expense of permittee. Further, due to exigent circumstances as provided in the Upland Municipal Code, the City may modify, remove, or relocate wireless telecommunications facilities without prior notice to permittee provided permittee is notified within a reasonable period thereafter.

9. The applicant shall obtain all required traffic control permits prior to the installation or repair of a wireless communication facility.

17.40.120 Findings.

A. Where a wireless telecommunication facility requires a conditional use permit under this chapter, the reviewing authority shall not approve any application unless, in addition to the findings generally applicable to all conditional use permits, all of the following additional findings are made:

1. The proposed facility complies with all applicable provisions of this chapter.

2. The proposed facility has been designed and located to achieve compatibility with the community to the maximum extent reasonably feasible.

3. The applicant has submitted a statement of its willingness to allow other carriers to collocate on the proposed wireless telecommunications facility wherever technically and economically feasible and where collocation would not harm community compatibility.

4. Noise generated by equipment will not be excessive, annoying nor be detrimental to the public health, safety, and welfare and will not exceed the standards set forth in this chapter.

B. In addition to the findings in subsection A of this section, approval of a wireless telecommunications facility permit for a facility that will be located in the public right-of-way may be granted only if the following findings are made by the reviewing authority:

1. The applicant has provided substantial written evidence supporting the applicant's claim that it has the right to enter the public right-of-way pursuant to state or federal law, or the applicant has entered into a franchise or other agreement with the City permitting them to use the public right-of-way.

2. The applicant has demonstrated that the facility will not interfere with the use of the public right-of-way, existing subterranean infrastructure, or the City's plans for modification or use of such location and infrastructure.

17.40.130 Exceptions.

A. Exceptions pertaining to any provision of this chapter, including, but not limited to, exceptions from findings that would otherwise justify denial, may be granted by the reviewing authority if the reviewing authority makes the finding that:

1. Denial of the facility as proposed would violate federal law, state law, or both; or

2. A provision of this chapter, as applied to applicant, would deprive applicant of its rights under federal law, state law, or both.

B. An applicant may only request an exception at the time of applying for a wireless telecommunications facility permit. The request must include both the specific provision(s) of this chapter from which the exception is sought and the basis of the request. Any request for an exception after the City has deemed an application complete shall be treated as a new application.

C. Notwithstanding any other provision of this chapter, a conditional use permit shall be required for a facility when an exception is requested.

D. The applicant shall have the burden of proving that denial of the facility as proposed would violate federal law, state law, or both, or that the provisions of this chapter, as applied to applicant, would deprive applicant of its rights under federal law, state law, or both, using the evidentiary standards required by that law at issue. The City shall have the right to hire an independent consultant, at the applicant's expense, to evaluate the issues raised by the exception request and shall have the right to submit rebuttal evidence to refute the applicant's claim.

17.40.140 Eligible facility requests covered under Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.

A. Purpose. Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112-96, codified in 47 U.S.C. Section 1455(a), generally requires that state and local governments "may not deny, and shall approve" requests to collocate, remove or replace transmission equipment at an existing tower or base station. Federal Communication Commission regulations interpret this statute and create procedural rules for local review, which generally preempt certain subjective land-use regulations, limit permit application content requirements and provide the applicant with a potential "deemed granted" remedy when the state or local government fails to approve or deny the request within 60 days after submittal (accounting for any tolling periods). Moreover, whereas Section 704 of the Telecommunications Act of 1996, Pub. L. 104-104, codified in 47 U.S.C. Section 332, applies to only "personal wireless service facilities" (e.g., cellular telephone towers and equipment), Section 6409(a) applies to all "wireless" facilities licensed or authorized by the FCC (e.g., cellular, Wi-Fi, satellite, microwave backhaul, etc.).

The overlap between wireless deployments covered under Section 6409(a) and other wireless deployments, combined with the different substantive and procedural rules applicable to such deployments, creates a potential for confusion that harms the public interest in both efficient wireless facilities deployment and carefully planned community development in accordance with local values. A separate permit application and review process specifically designed for compliance with Section 6409(a) contained in a section devoted to Section 6409(a) will mitigate such potential confusion, streamline local review and preserve the City's land-use authority to the maximum extent possible.

B. Applicability. This section applies to all collocations or modifications to an existing wireless tower or base station submitted with a written request for approval pursuant to Section 6409(a).

C. Approval Required. Any request to collocate, replace or remove transmission equipment at an existing wireless tower or base station submitted with a written request for a Section 6409(a) approval shall be subject to the Director's approval, conditional approval or denial without prejudice pursuant to the standards and procedures contained in this chapter.

D. Other Regulatory Approvals. No collocation or modification approved under any Section 6409(a) approval may occur unless the applicant also obtains all other applicable permits or regulatory approvals from the City and state or federal agencies. Furthermore, any Section 6409(a) approval granted under this chapter shall remain subject to any and all lawful conditions or requirements associated with such other permits or regulatory approvals from the City and state or federal agencies.

E. Application Requirement. The City shall not approve any wireless facility subject to this chapter except upon a duly filed application consistent with this section and any other written rules the City or the Director may establish from time to time. An application must include the information required by Section 17.40.050 and the following additional information:

1. A title report prepared within the six months prior to the application filing date in order for the City verify the property owner's identity. If the applicant does not own the subject property, the application must include a written authorization signed by the property owner that empowers the applicant to file the application and perform all wireless facility construction, installation, operation and maintenance to the extent described in the application.

2. A written statement that explains in plain factual detail whether and why Section 6409(a) and the related FCC regulations at 47 C.F.R. Section 1.40001 et seq., require approval for the specific project. A complete written narrative analysis will state the applicable standard and all the facts that allow the City to conclude the standard has been met. Bare conclusions not factually supported do not constitute a complete written analysis. As part of this written statement the applicant must also include: (a) whether and why the support structure qualifies as an existing tower or existing base station; and (b) whether and why the proposed collocation or modification does not cause a substantial change in height, width, excavation, equipment cabinets, concealment or permit compliance.

F. Procedures for a Duly Filed Application. The City shall not review any application unless duly filed in accordance with this section, as follows:

1. Pre-Submittal Conference. Before application submittal, applicants must schedule and attend a pre-application meeting with the Director for all

proposed modifications submitted for approval pursuant to Section 6409(a). The pre-submittal conference is intended to streamline the review process through informal discussion that includes, without limitation, the appropriate project classification, including whether the project qualifies for Section 6409(a); any latent issues in connection with the existing tower or base station; potential concealment issues (if applicable); coordination with other City departments responsible for application review; and application completeness issues. To mitigate unnecessary delays due to application incompleteness, applicants are encouraged (but not required) to bring any draft applications or other materials so that City staff may provide informal feedback about whether such applications or other materials may be incomplete or unacceptable. The Director may, in the Director's discretion, grant a written exemption to the submittal appointment under Section 17.40.140(F)(2) or for a specific requirement for a complete application to any applicant who: (a) schedules, attends and fully participates in any pre-submittal conference; and (b) shows to the Director's satisfaction that such specific requirement duplicates information already provided in other materials to be submitted or is otherwise unnecessary to the City's review under facts and circumstances in that particular case. Any written exemption will be limited to the project discussed at the pre-submittal conference and will not be extended to any other project.

2. Submittal Appointment. All applications must be filed with the City at a pre-scheduled appointment. Applicants may generally submit one application per appointment, but may schedule successive appointments for multiple applications whenever feasible and not prejudicial to other applicants. Any application received without an appointment, whether delivered in-person or through any other means, will not be considered duly filed unless the applicant received a written exemption from the Director at a pre-submittal conference.

3. Appointment Scheduling Procedures. For any event in the submittal process that requires an appointment, applicants must submit a written request to the Director. The Director shall endeavor to provide applicants with an appointment as soon as reasonably feasible and within five business days after a written request is received.

4. Applications Deemed Withdrawn. To promote efficient review and timely decisions, an application will be automatically deemed withdrawn by the applicant when the applicant fails to tender a substantive response to the City within 90 calendar days after the City deems the application incomplete in a written notice to the applicant. The Director may, in the Director's discretion, grant a written extension for up to an additional 30 calendar days when the applicant submits a written request prior to the 90th day that shows good cause to grant the extension. Delays due to circumstances outside the applicant's reasonable control will be considered good cause to grant the extension.

5. Departmental Forms, Rules and Other Regulations. The City Council authorizes the Director to develop and publish permit application forms, checklists, informational handouts and other related materials that the Director finds necessary, appropriate or useful for processing requests for Section 6409(a) approvals. Without further authorization from the City Council, the Director may, from time to time, update and alter any such permit application forms, checklists, informational handouts and other related materials as the Director deems necessary, appropriate or useful to respond to regulatory, technological or other changes related to this chapter. The City Council authorizes the Director to establish other reasonable rules and regulations, which may include, without limitation, regular hours for appointments with applicants, as the Director deems necessary or appropriate to organize, document and manage the application intake process.

G. Administrative Review—Decision Notices. The Director shall administratively review an application for a Section 6409(a) approval and act on such an application without prior notice or a public hearing. Within five working days after the Director conditionally approves or denies an application submitted for Section 6409(a) approval or before the FCC timeframe for review expires (whichever occurs first), the Director shall send a written notice to the applicant. In the event that the Director determines that an application submitted for approval pursuant to Section 6409(a) does not qualify for approval, the Director will send written notice to the applicant that includes the reasons to support the review authority's decision and states that the application will be automatically denied without prejudice on the 60th day after the date the application was filed unless the applicant withdraws the application.

H. Required Findings for 6409(a) Approval. The Director may approve or conditionally approve an application submitted for Section 6409(a) approval when the Director finds that the proposed project:

1. Involves collocation, removal or replacement of transmission equipment on an existing wireless tower or base station; and

2. Does not substantially change the physical dimensions of the existing wireless tower or base station.

I. Criteria for Denial Without Prejudice. Notwithstanding any other provisions in this chapter, and consistent with all applicable federal laws and regulations, the Director may deny without prejudice an application submitted for approval pursuant to Section 6409(a) when it finds that the proposed project:

1. Does not satisfy the criteria for approval;

2. Violates any legally enforceable standard or permit condition reasonably related to public health and safety then in effect; or

3. Involves the replacement of the entire support structure.

J. Conditional 6409(a) Approvals. Subject to any applicable limitations in federal or state law, nothing in this chapter is intended to limit the City's authority to conditionally approve an application for a Section 6409(a) approval to protect and promote the public health, safety and welfare.

K. Appeals. Notwithstanding any provision of the Upland Municipal Code to the contrary an applicant may appeal a decision by the Director to deny without prejudice a Section 6409(a) application. The appeal must be filed within 10 days from the Director's decision. The appeal must state in plain terms the grounds for reversal and the facts that support those grounds. The City Manager shall serve as the appellate authority for all appeals of all actions of the Director taken pursuant to this section. The City shall provide notice for an administrative hearing by the City Manager. The City Manager shall limit its review to whether the project should be approved or denied in accordance with the provisions in subsections H and I of this section. The decision of the City Manager shall be final and not subject to any further administrative appeals.

L. Standard Conditions of Approval. In addition to all other conditions adopted by the Director, all Section 6409(a) approvals, whether approved by the Director or deemed approved by the operation of law, shall be automatically subject to the following conditions in this section; provided, however, that the Director shall have discretion to modify or amend these conditions on a case-by-case basis as may be necessary or appropriate under the circumstances:

1. Approved Plans. Before the permittee submits any application for a building permit or other permits required by the Upland Municipal Code, the permittee must incorporate the wireless telecommunications facility permit granted under this section, all conditions associated with the wireless telecommunications facility permit and the approved plans and any photo simulations (the "approved plans") into the project plans. The permittee must construct, install and operate the wireless telecommunications facility in strict compliance with the approved plans. The permittee shall submit an as built drawing within 90 days after installation of the facility.

2. Permit Term. The City's grant or grant by operation of law of a Section 6409(a) approval constitutes a federally-mandated modification to the underlying permit or other prior regulatory authorization for the subject tower or base station. The City's grant or grant by operation of law of a Section 6409(a) approval will not extend the permit term, if any, for any conditional use permit, or other underlying prior regulatory authorization. Accordingly, the term for a Section 6409(a) approval shall be coterminous with the underlying permit or other prior regulatory authorization for the subject tower or base station.

3. Accelerated Permit Terms Due to Invalidation. In the event that any court of competent jurisdiction invalidates any portion of Section 6409(a) or any

FCC rule that interprets Section 6409(a) such that federal law would not mandate approval for any Section 6409(a) approval, such 6409(a) approvals shall automatically expire one year from the effective date of the judicial order, unless the decision would not authorize accelerated termination of previously approved Section 6409(a) approvals or the Director grants an extension upon written request from the permittee that shows good cause for the extension, which includes, without limitation, extreme financial hardship. Notwithstanding anything in the previous sentence to the contrary, the Director may not grant a permanent exemption or indefinite extension. A permittee shall not be required to remove its improvements approved under the invalidated Section 6409(a) approval when it has submitted an application for a conditional use permit for those improvements before the one-year period ends.

4. No Waiver of Standing. The City's grant or grant by operation of law of a Section 6409(a) approval does not waive, and shall not be construed to waive, any standing by the City to challenge Section 6409(a), any FCC rules that interpret Section 6409(a) or any Section 6409(a) approval.

5. Build-Out Period. The Section 6409(a) approval will automatically expire one year from the issuance date unless the permittee obtains all other permits and approvals required to install, construct and operate the approved wireless facility, which includes without limitation any permits or approvals required by the any federal, state or local public agencies with jurisdiction over the subject property, the wireless facility or its use. The Director may grant one written extension to a date certain when the permittee shows good cause to extend the limitations period in a written request for an extension submitted at least 30 days prior to the automatic expiration date in this condition. Any further extensions may be granted by the Planning Commission.

6. Maintenance Obligations—Vandalism. The permittee shall keep the site, which includes, without limitation, any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean and safe condition in accordance with the approved plans and all conditions in this Section 6409(a) approval. The permittee shall keep the site area free from all litter and debris at all times. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.

7. Compliance with Laws. The permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law ("laws") applicable to the permittee, the subject property, the wireless facility or any use or activities in connection with the use authorized in this Section 6409(a) approval. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly

construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee's obligations to maintain compliance with all laws.

8. Adverse Impacts on Other Properties. The permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's construction, installation, operation, modification, maintenance, repair, removal or other activities at the site. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines on any day and at any time prohibited under the Upland Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City. The Director may issue a stop work order for any work that violates this condition.

9. Noise Complaints. The permittee shall conduct all activities on the site in compliance with the noise standards in the Upland Municipal Code. In the event that any person files a noise complaint and the City verifies that such complaint is valid, the permittee must remedy the violation within 10 days after notice from the City, which may include a demonstration that the permittee has amended its operational guidelines in situations where the violation arises from the permittee's personnel rather than the permittee's equipment.

10. Inspections—Emergencies. The permittee expressly acknowledges and agrees that the City or its designee may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to the permittee; provided, however, that the City or its designee may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. The permittee will be permitted to supervise the City or its designee while such inspection or emergency access occurs.

11. Contact Information. The permittee shall furnish the City with accurate and up-to-date contact information for a person responsible for the wireless facility, which includes, without limitation, such person's full name, title, direct telephone number, facsimile number, mailing address and email address. The permittee shall keep such contact information up-to-date at all times.

12. Indemnification. The permittee and, if applicable, the property owner upon which the wireless facility is installed shall defend, indemnify and hold harmless the City, its agents, officers, officials, employees and volunteers from any and all: (a) damages, liabilities, injuries, losses, costs and

expenses and from any and all claims, demands, law suits, writs and other actions or proceedings ("claims") brought against the City or its agents, officers, officials, employees or volunteers to challenge, attack, seek to modify, set aside, void or annul the City's approval of this Section 6409(a) approval; and (b) other claims any kind or form, whether for personal injury, death or property damage, that arise from or in connection with the permittee's or its agents', directors', officers', employees', contractors', subcontractors', licensees', or customers' acts or omissions in connection with this Section 6409(a) approval or the wireless facility. In the event the City becomes aware any claims, the City will use best efforts to promptly notify the permittee and the private property owner and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the property owner or permittee (as applicable) shall promptly reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The permittee expressly acknowledges and agrees that the permittee's indemnification obligations under this condition are a material consideration that motivates the City to approve this Section 6409(a) approval, and that such indemnification obligations will survive the expiration or revocation of this Section 6409(a) approval.

13. Performance Bond. Before the City issues any construction permit in connection with the wireless facility, the permittee shall post a performance bond from a surety and in a form acceptable to the City Manager in an amount equal to or greater than a written estimate from a qualified contractor with experience in wireless facilities removal. The written estimate must include the cost to remove all equipment and other improvements, which includes, without limitation, all antennas, radios, batteries, generators, utilities, cabinets, mounts, brackets, hardware, cables, wires, conduits, structures, shelters, towers, poles, footings and foundations, whether above ground or below ground, constructed or installed in connection with the wireless facility. In establishing or adjusting the bond amount required under this condition, and in accordance with California Government Code Section 65964(a), the City Manager shall take into consideration information provided by the permittee regarding the cost to remove the wireless facility.

14. Record Retention. The permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the wireless facility, which includes, without limitation, this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any ministerial permits or approvals issued in connection with this approval. In the event that the permittee does not maintain such records as required in this condition, any

ambiguities or uncertainties that would be resolved through an inspection of the missing records will be construed against the permittee.

15. Compliance Obligations. An applicant or permittee will not be relieved of its obligation to comply with every applicable provision in the Upland Municipal Code, any permit, any permit condition or any applicable law or regulation by reason of any failure by the City to timely notice, prompt or enforce compliance by the applicant or permittee.

17.40.150 Collocation facilities covered under California Government Code Section 65850.6.

A. Purpose. The purpose of this section is to comply with an application for a wireless telecommunications collocation facility under California Government Code Section 65850.6, for which a Section 6409(a) approval is not being requested. This section provides the requirements, standards and regulations for a wireless telecommunications collocation facility for which subsequent collocation is a permitted use pursuant to California law. Only those facilities that fully comply with the eligibility requirements set forth in California Government Code Section 65850.6, or its successor provision, and which strictly adhere to the requirements and regulations set forth in this section shall qualify as a wireless telecommunications collocation facility.

B. Definitions. For the purposes of this section, the following terms are defined as follows:

1. “Collocation facility” means the placement or installation of wireless facilities, including antennas, and related equipment, on, or immediately adjacent to, a wireless telecommunications collocation facility.

2. “Wireless telecommunications facility” means equipment and network components such as towers, utility poles, transmitters, base stations, and emergency power systems that are integral to providing wireless telecommunications services.

3. “Wireless telecommunications collocation facility” means a wireless telecommunications facility that includes collocation facilities.

C. Procedures. An application for a wireless telecommunications collocation facility under California Government Code Section 65850.6 shall be processed in the same manner as an application for Section 6409(a) approval is processed, except that where the process requires justification for the Section 6409(a) approval, the applicant shall instead provide the justification for a wireless telecommunications collocation facility under California Government Code Section 65850.6.

D. Requirements. All requirements, regulations, and standards set forth in this chapter for a wireless telecommunications facility shall apply to a wireless

telecommunications collocation facility; provided, however, the following shall also apply to a wireless telecommunications collocation facility:

1. The applicant for a wireless telecommunications collocation facility permit shall describe or depict:

    a. The wireless telecommunications collocation facility as it will be initially built; and

    b. All collocations at full build-out, including, but not limited to, all antennas, antenna support structures, and accessory equipment.

2. Any collocation shall use screening methods substantially similar to those used on the existing wireless telecommunications facilities unless other optional screening methods are specified in the conditions of approval.

3. A wireless telecommunications collocation facility permit shall not be approved unless an environmental impact report, negative declaration, or mitigated negative declaration was prepared and approved for the wireless telecommunications collocation facility.

E. Permitted Use. Notwithstanding any other provision of this chapter, a subsequent collocation on a wireless telecommunications collocation facility shall be a permitted use only if all of the following requirements are satisfied:

1. The wireless telecommunications collocation facility:

    a. Was approved after January 1, 2007, by discretionary permit;

    b. Was approved subject to an environmental impact report, negative declaration, or mitigated negative declaration; and

    c. Otherwise complies with the requirements of California Government Code Section 65850.6(b), or its successor provision, for addition of a collocation facility to a wireless telecommunications collocation facility, including, but not limited to, compliance with all performance and maintenance requirements, regulations and standards in this chapter and the conditions of approval in the wireless telecommunications collocation facility permit.

2. The collocations were specifically considered when the relevant environmental document was prepared for the wireless telecommunications collocation facility.

3. Before collocation, the applicant seeking collocation shall obtain all other applicable non-discretionary permits, as required pursuant to the Upland Municipal Code.

F. New or Amended Permit. Except as otherwise provided above, approval of a new or amended permit shall be required when the facility is modified other than by collocation in accordance with this section, or the proposed collocation:

1. Increases the height of the existing permitted telecommunications tower or otherwise changes the bulk, size, location, or any other physical attributes of the existing permitted wireless telecommunications collocation facility unless specifically permitted under the conditions of approval applicable to such wireless telecommunications collocation facility; or

2. Adds any microwave dish or other antenna not expressly permitted to be included in a collocation facility by the conditions of approval.

G. Appeals. Notwithstanding any provision of the Upland Municipal Code to the contrary, including, but not limited to, Section 20.62.060, any applicant may appeal a decision by the Director. The appeal must be filed within 10 days from the Director's decision. The appeal must state in plain terms the grounds for reversal and the facts that support those grounds. The City Manager shall serve as the appellate authority for all appeals of all actions of the Director taken pursuant to this section. The City shall provide notice for an administrative hearing by the City Manager. The City Manager shall limit its review to whether the project should be approved or denied in accordance with the provisions in this section. The decision of the City Manager shall be final and not subject to any further administrative appeals.

17.40.160 Small Wireless facilities.

A. Purpose. This section 17.40.160 has been established to implement the requirements of the restrictions imposed on the City's ability to regulate small wireless facilities by the Declaratory Ruling and Third Report and Order, FCC 18-133 by the Federal Communications Commission ("FCC") and regulations subsequently adopted pursuant thereto (collectively for purposes of this Section referred to as the "Small Cell Order"), which significantly curtailed local authority over wireless and wireline communication facilities reserved to State and local governments under sections 253 and 704 in the federal Telecommunications Act. This section therefore establishes reasonable, uniform and comprehensive standards and procedures for small wireless facility deployment, construction, installation, collocation, modification, operation, relocation and removal within the City's territorial boundaries, consistent with and to the extent permitted under federal and California state law.

The overlap between wireless deployments covered by the Small Cell Order and other wireless deployments, combined with the different substantive and procedural rules applicable to such deployments, creates a potential for confusion that harms the public interest in both efficient wireless facilities deployment and carefully planned community development in accordance with local values. A separate permit application and review process specifically designed for compliance with the Small Cell Order contained in a section devoted to small

wireless facilities will mitigate such potential confusion, streamline local review and preserve the City's land-use authority to the maximum extent possible.

B. Applicability. This section applies to all small wireless facilities, whether or not located in the public right-of-way. Small wireless facilities are subject to all requirements of this Chapter to the extent not in conflict with the requirements of this section. In the event of any conflict between the provisions of this section 17.40.160 and another provisions of this Chapter, the provisions of this section 17.40.160 shall apply. No person shall construct, install, attach, operate, collocate, modify, reconstruct, relocate, remove, or otherwise deploy any small wireless facility in violation of this Section 17.40.160.

C. Decision Making Authority. The Director shall be the decision making authority for all small wireless facilities.

D. Other Regulatory Approvals. No approval under this section shall be effective unless and until the applicant also obtains all other applicable permits or regulatory approvals from the City and state or federal agencies. Furthermore, any small wireless facility approval granted under this chapter shall remain subject to any and all lawful conditions or requirements associated with such other permits or regulatory approvals from the City and state or federal agencies.

E. Application Requirement. The City shall not approve any small wireless facility subject to this chapter except upon a duly filed application consistent with this section and any other written rules the City or the Director may establish and publish from time to time. An application must include the information required by Section 17.40.050 and the following additional information:

1. A title report prepared within the six months prior to the application filing date in order for the City verify the property owner's identity. If the applicant does not own the subject property, the application must include a written authorization signed by the property owner that empowers the applicant to file the application and perform all wireless facility construction, installation, operation and maintenance to the extent described in the application. This paragraph shall apply to applications for small wireless facilities to be located in the public right-of-way.

2. A written statement that explains in plain factual detail whether and why the proposed wireless facility qualifies as a small wireless facility. A complete written narrative analysis will state the applicable standard and all the facts that allow the City to conclude the standard has been met. Bare conclusions not factually supported do not constitute a complete written analysis. As part of this written statement the applicant must also include: (a) whether and why the support structure qualifies as an existing tower or existing base station; and (b) whether and why the proposed collocation or modification does not cause a substantial change in height, width, excavation, equipment cabinets, concealment or permit compliance.

F. Procedures for a Duly Filed Application. The City shall not review any application unless duly filed in accordance with all mandatory requirements of the following procedures:

1. Pre-Submittal Conference. The City encourages, but does not require, potential applicants to schedule and attend a pre-submittal conference with the approval authority for all proposed projects that involve small wireless facilities. A voluntary pre-submittal conference is intended to streamline the review process through informal discussion between the potential applicant and staff that includes, without limitation, the appropriate project classification and review process; any latent issues in connection with the proposed project, including compliance with generally applicable rules for public health and safety; potential concealment issues or concerns (if applicable); coordination with other City departments responsible for application review; and application completeness issues.

2. Submittal Appointment. All applications must be submitted to the City at a pre-scheduled appointment with the approval authority. Potential applicants may generally submit either one application or one batched application per appointment as provided below. Potential applicants may schedule successive appointments for multiple applications whenever feasible and not prejudicial to other applicants for any other development project. The approval authority shall use reasonable efforts to offer an appointment within five working days after the approval authority receives a written request from a potential applicant. Any purported application received without an appointment, whether delivered in-person, by mail or through any other means, will not be considered duly filed, whether the City retains, returns or destroys the materials received.

3. Batched Applications. Applicants may submit applications individually or in a batch; provided, that the number of small wireless facilities in a batch should be limited to five and all facilities in the batch should be substantially the same with respect to equipment, configuration, and support structure. Applications submitted as a batch shall be reviewed together, provided that each application in the batch must meet all the requirements for a complete application, which includes without limitation the application fee for each application in the batch. If any individual application within a batch is deemed incomplete, the entire batch shall be automatically deemed incomplete. If any application is withdrawn or deemed withdrawn from a batch, all other applications in the same batch shall be automatically deemed withdrawn. If any application in a batch fails to meet the required findings for approval, the entire batch shall be denied.

3. Appointment Scheduling Procedures. For any event in the submittal process that requires an appointment, applicants must submit a written request to the Director. The Director shall endeavor to provide applicants

with an appointment as soon as reasonably feasible and within five business days after a written request is received.

4. Applications Deemed Withdrawn. To promote efficient review and timely decisions, an application will be automatically deemed withdrawn by the applicant when the applicant fails to tender a substantive response to the City within 90 calendar days after the City deems the application incomplete in a written notice to the applicant. The Director may, in the Director's discretion, grant a written extension for up to an additional 30 calendar days when the applicant submits a written request prior to the 90th day that shows good cause to grant the extension. Delays due to circumstances outside the applicant's reasonable control will be considered good cause to grant the extension.

5. Departmental Forms, Rules and Other Regulations. The City Council authorizes the Director to develop and publish permit application forms, checklists, informational handouts and other related materials that the Director finds necessary, appropriate or useful for processing requests for small wireless facility approvals. Without further authorization from the City Council, the Director may, from time to time, update and alter any such permit application forms, checklists, informational handouts and other related materials as the Director deems necessary, appropriate or useful to respond to regulatory, technological or other changes related to this chapter. The City Council authorizes the Director to establish other reasonable rules and regulations, which may include, without limitation, regular hours for appointments with applicants, as the Director deems necessary or appropriate to organize, document and manage the application intake process. Until such time following the enactment of this Section that the Director establishes such rules and regulations, all small wireless facility applications shall be subject to the application, review, and other procedural requirements found in

G. Administrative Review—Decision Notices. The Director shall administratively review an application for a small wireless facility approval and act on such an application without prior notice or a public hearing. Within five working days after the Director conditionally approves or denies an application submitted for small wireless facility approval or before the FCC timeframe for review expires (whichever occurs first), the Director shall send a written notice to the applicant. In the event that the Director determines that an application submitted for approval does not qualify for approval, the Director will send written notice to the applicant that includes the reasons to support the review authority's decision and states that the application will be automatically denied without prejudice on the 60th day after the date the application was filed unless the applicant withdraws the application.

H. Required Findings for Small Wireless Facility Approval. The Director may approve or conditionally approve an application submitted for approval when the Director finds that the proposed project:

1. The proposed project meets the definition for a “small wireless facility” as defined by the FCC;

2. The proposed facility would be in the most preferred location within 500 feet from the proposed site in any direction or the applicant has demonstrated with clear and convincing evidence in the written record that any more-preferred location(s) within 500 feet would be technically infeasible;

3. The proposed facility would not be located on a prohibited support structure identified in this Policy

4. The proposed facility would be on the most preferred support structure within 500 feet from the proposed site in any direction or the applicant has demonstrated with clear and convincing evidence in the written record that any more-preferred support structure(s) within 500 feet would be technically infeasible;

5. The proposed facility complies with all applicable design standards in this Policy;

6. The applicant has demonstrated that the proposed project will be in planned compliance with all applicable FCC regulations and guidelines for human exposure to RF emissions.

I. Conditional Small Wireless Facility Approvals. Subject to any applicable limitations in federal or state law, nothing in this chapter is intended to limit the City’s authority to conditionally approve an application for a small wireless facility approval to protect and promote the public health, safety and welfare.

K. Appeals. Any decision by the Director shall be final and not subject to any administrative appeals.

L. Standard Conditions of Approval. In addition to all other conditions adopted by the Director, all small wireless facility approvals, whether approved by the Director or deemed approved by the operation of law, shall be automatically subject to the following conditions in this section; provided, however, that the Director shall have discretion to modify or amend these conditions on a case-by-case basis as may be necessary or appropriate under the circumstances:

1. Approved Plans. Before the permittee submits any application for a building permit or other permits required by the Upland Municipal Code, the permittee must incorporate the wireless telecommunications facility permit granted under this section, all conditions associated with the wireless telecommunications facility permit and the approved plans and any photo simulations (the “approved plans”) into the project plans. The permittee must construct, install and operate the wireless telecommunications facility in strict compliance with the approved plans. The permittee shall submit an as built drawing within 90 days after installation of the facility.

2. Permit Term. The small wireless facility permit will automatically expire 10 years and one day from its issuance unless California Government Code § 65964(b) authorizes the City to establish a shorter term for public safety reasons. Any other permits or approvals issued in connection with any collocation, modification or other change to the small wireless facility, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend the term limit unless expressly provided otherwise in such permit or approval or required under federal or state law.

3. Permit Renewal. Within one (1) year before the expiration date of this permit, the permittee may submit an application for permit renewal. To be eligible for renewal, the permittee must demonstrate that the subject wireless facility is in compliance with all the conditions of approval associated with this permit and all applicable provisions in the Upland Municipal Code and this Policy that exist at the time the decision to renew the permit is rendered. The approval authority shall have discretion to modify or amend the conditions of approval for permit renewal on a case-by-case basis as may be necessary or appropriate to ensure compliance with this Policy. Upon renewal, this permit will automatically expire 10 years and one day from its issuance, except when California Government Code § 65964(b), as may be amended or superseded in the future, authorizes the City to establish a shorter term for public safety reasons.

4. Accelerated Permit Terms Due to Invalidation. In the event that any court of competent jurisdiction invalidates any provision of federal law such that federal law would not mandate approval of the small wireless facility approved by the City, such approval shall automatically expire one year from the effective date of the applicable judicial order, unless the decision would not authorize accelerated termination of previously approved small wireless facility approvals or the Director grants an extension upon written request from the permittee that shows good cause for the extension, which includes, without limitation, extreme financial hardship. Notwithstanding anything in the previous sentence to the contrary, the Director may not grant a permanent exemption or indefinite extension. A permittee shall not be required to remove its improvements approved under the invalidated small wireless facility approval when it has submitted an application for a conditional use permit for those improvements before the one-year period ends.

5. No Waiver of Standing. The City's approval does not waive, and shall not be construed to waive, any standing by the City to challenge any FCC rules that apply to small wireless facilities or any Small wireless facility approval.

6. Build-Out Period. The small wireless facility approval will automatically expire one year from the issuance date unless the permittee obtains all other permits and approvals required to install, construct and operate the

approved wireless facility, which includes without limitation any permits or approvals required by the any federal, state or local public agencies with jurisdiction over the subject property, the wireless facility or its use. The Director may grant one written extension to a date certain when the permittee shows good cause to extend the limitations period in a written request for an extension submitted at least 30 days prior to the automatic expiration date in this condition. Any further extensions may be granted by the Planning Commission.

7. Post-Installation Certification. Within 60 calendar days after the permittee commences full, unattended operations of a small wireless facility approved or deemed-approved, the permittee shall provide the approval authority with documentation reasonably acceptable to the approval authority that the small wireless facility has been installed and/or constructed in strict compliance with the approved construction drawings and photo simulations. Such documentation shall include without limitation as-built drawings, and site photographs.

8. Maintenance Obligations; Vandalism. The permittee shall keep the site, which includes, without limitation, any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean and safe condition in accordance with the approved plans and all conditions in this Small wireless facility approval. The permittee shall keep the site area free from all litter and debris at all times. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.

7. Compliance with Laws. The permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law (“laws”) applicable to the permittee, the subject property, the wireless facility or any use or activities in connection with the use authorized in this Small wireless facility approval. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee’s obligations to maintain compliance with all laws.

9. Adverse Impacts on Other Properties. The permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from the permittee’s construction, installation, operation, modification, maintenance, repair, removal or other activities at the site. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines on any day and at any time prohibited under the Upland Municipal Code. The restricted work hours in this condition will

not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City. The Director may issue a stop work order for any work that violates this condition.

10. Inspections; Emergencies. The permittee expressly acknowledges and agrees that the City or its designee may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to the permittee; provided, however, that the City or its designee may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. The permittee will be permitted to supervise the City or its designee while such inspection or emergency access occurs.

11. Contact Information. The permittee shall furnish the City with accurate and up-to-date contact information for a person responsible for the small wireless facility, which includes, without limitation, such person's full name, title, direct telephone number, facsimile number, mailing address and email address. The permittee shall keep such contact information up-to-date at all times.

12. Indemnification. The permittee and, if applicable, the property owner upon which the wireless facility is installed shall defend, indemnify and hold harmless the City, its agents, officers, officials, employees and volunteers from any and all: (a) damages, liabilities, injuries, losses, costs and expenses and from any and all claims, demands, law suits, writs and other actions or proceedings ("claims") brought against the City or its agents, officers, officials, employees or volunteers to challenge, attack, seek to modify, set aside, void or annul the City's approval of this small wireless facility approval; and (b) other claims any kind or form, whether for personal injury, death or property damage, that arise from or in connection with the permittee's or its agents', directors', officers', employees', contractors', subcontractors', licensees', or customers' acts or omissions in connection with this Small wireless facility approval or the wireless facility. In the event the City becomes aware any claims, the City will use best efforts to promptly notify the permittee and the private property owner and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the property owner or permittee (as applicable) shall promptly reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The permittee expressly acknowledges and agrees that the permittee's indemnification obligations under this condition are a material consideration that motivates the City to approve this small wireless facility approval, and that such indemnification

obligations will survive the expiration or revocation of this Small wireless facility approval.

13. Performance Bond. Before the City issues any construction permit in connection with the small wireless facility, the permittee shall post a performance bond from a surety and in a form acceptable to the City Manager in an amount equal to or greater than a written estimate from a qualified contractor with experience in wireless facilities removal. The written estimate must include the cost to remove all equipment and other improvements, which includes, without limitation, all antennas, radios, batteries, generators, utilities, cabinets, mounts, brackets, hardware, cables, wires, conduits, structures, shelters, towers, poles, footings and foundations, whether above ground or below ground, constructed or installed in connection with the wireless facility. In establishing or adjusting the bond amount required under this condition, and in accordance with California Government Code Section 65964(a), the City Manager shall take into consideration information provided by the permittee regarding the cost to remove the wireless facility.

14. Permit Revocation. The approval authority may recall the small wireless facility approval for review at any time due to complaints about noncompliance with applicable laws or any approval conditions attached to the approval after notice and an opportunity to cure the violation is provided to the permittee. If the noncompliance thereafter continues, the Director may, following notice and an opportunity for the permittee to be heard (which hearing may be limited to written submittals), revoke the approval or amend the conditions of approval as the Director deems necessary or appropriate to correct any such noncompliance.

15. Record Retention. The permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the small wireless facility, which includes, without limitation, this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any ministerial permits or approvals issued in connection with this approval. In the event that the permittee does not maintain such records as required in this condition, any ambiguities or uncertainties that would be resolved through an inspection of the missing records will be construed against the permittee.

16. Compliance Obligations. An applicant or permittee will not be relieved of its obligation to comply with every applicable provision in the Upland Municipal Code, any permit, any permit condition or any applicable law or regulation by reason of any failure by the City to timely notice, prompt or enforce compliance by the applicant or permittee.

17. Abandoned Wireless Facilities. A small wireless facility shall be deemed abandoned if not operated for any continuous six-month period. Within 90 days after a small wireless facility is abandoned or deemed abandoned, the

permittee shall completely remove the small wireless facility and all related improvements and shall restore all affected areas to a condition compliant with all applicable laws, which includes without limitation the Upland Municipal Code. In the event that the permittee does not comply with the removal and restoration obligations under this condition within said 90-day period, the City shall have the right (but not the obligation) to perform such removal and restoration with or without notice, and the permittee shall be liable for all costs and expenses incurred by the City in connection with such removal and/or restoration activities.

18. Landscaping. The permittee shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by the permittee or at the permittee's direction on or about the site. If any trees are damaged or displaced, the permittee shall hire and pay for a licensed arborist to select, plant and maintain replacement landscaping in an appropriate location for the species. Only workers under the supervision of a licensed arborist shall be used to install the replacement tree(s). Any replacement tree must be substantially the same size as the damaged tree unless otherwise approved by the approval authority. The permittee shall, at all times, be responsible to maintain any replacement landscape features.

19. Cost Reimbursement (Applicable to small wireless facilities within public rights-of-way). The permittee is deemed to have acknowledged and agreed that (i) the permittee's request for authorization to construct, install and/or operate small the wireless facility will cause the City to incur costs and expenses; (ii) the permittee shall be responsible to reimburse the City for all costs incurred in connection with the permit, which includes without limitation costs related to application review, permit issuance, site inspection and any other costs reasonably related to or caused by the request for authorization to construct, install and/or operate the small wireless facility; (iii) any application fees required for the application may not cover all such reimbursable costs and that the permittee shall have the obligation to reimburse City for all such costs 10 days after a written demand for reimbursement and reasonable documentation to support such costs; and (iv) the City shall have the right to withhold any permits or other approvals in connection with the small wireless facility unless and until any outstanding costs have been reimbursed to the City by the permittee.

20. Future Undergrounding Programs (Applicable to small wireless facilities within public rights-of-way). Notwithstanding any term remaining on any small wireless facility approval, if other utilities or communications providers in the public rights-of-way underground their facilities in the segment of the public rights-of-way where the permittee's small wireless facility is located, the permittee must also underground its equipment, except the antennas and any approved electric meter, at approximately the same time. Accessory equipment such as radios and computers that require an

environmentally controlled underground vault to function shall not be exempt from this condition. Small wireless facilities installed on wood utility poles that will be removed pursuant to the undergrounding program may be reinstalled on a streetlight that complies with the City's standards and specifications. Such undergrounding shall occur at the permittee's sole cost and expense except as may be reimbursed through tariffs approved by the state public utilities commission for undergrounding costs.

21. Electric Meter Upgrades (Applicable to small wireless facilities within public rights-of-way.) If the commercial electric utility provider adopts or changes its rules obviating the need for a separate or ground-mounted electric meter and enclosure, the permittee on its own initiative and at its sole cost and expense shall remove the separate or ground-mounted electric meter and enclosure. Prior to removing the electric meter, the permittee shall apply for any encroachment and/or other ministerial permit(s) required to perform the removal. Upon removal, the permittee shall restore the affected area to its original condition that existed prior to installation of the equipment.

22. Rearrangement and Relocation (Applicable to small wireless facilities within public rights-of-way). The permittee shall be deemed to have acknowledged and agreed that the City, in its sole discretion and at any time, may: (i) change any street grade, width or location; (ii) add, remove or otherwise change any improvements in, on, under or along any street owned by the City or any other public agency, which includes without limitation any sewers, storm drains, conduits, pipes, vaults, boxes, cabinets, poles and utility systems for gas, water, electric or telecommunications; and/or (iii) perform any other work deemed necessary, useful or desirable by the City (collectively, “City work”). The City reserves the rights to do any and all City work without any admission on its part that the City would not have such rights without the express reservation in this small cell permit. If the Public Works Director determines that any City work will require the permittee's small wireless facility located in the public rights-of-way to be rearranged and/or relocated, the permittee shall, at its sole cost and expense, do or cause to be done all things necessary to accomplish such rearrangement and/or relocation. If the permittee fails or refuses to either permanently or temporarily rearrange and/or relocate the permittee's small wireless facility within a reasonable time after the Public Works Director's notice, the City may (but will not be obligated to) cause the rearrangement or relocation to be performed at the permittee's sole cost and expense. The City may exercise its rights to rearrange or relocate the permittee's small wireless facility without prior notice to permittee when the Public Works Director determines that the City work is immediately necessary to protect public health or safety. The permittee shall reimburse the City for all costs and expenses in connection with such work within 10 days after a written demand for reimbursement and reasonable documentation to support such costs.

M. Location Requirements.

1. Preface to Location Requirements. To better assist applicants and decision makers to understand and respond to the community's aesthetic preferences and values, subsections (b) and (c) set out listed preferences for locations and support structures to be used in connection with small wireless facilities in an ordered hierarchy. Applications that involve less-preferred locations or structures may be approved so long as the applicant demonstrates that either (1) no more preferred locations or structures exist within 500 feet from the proposed site; or (2) any more preferred locations or structures within 500 feet from the proposed site would be technically infeasible as supported by clear and convincing evidence in the written record. Subsection (d) identifies “prohibited” support structures on which the City shall not approve any small cell permit application for any competitor or potential competitor.

2. Locational Preferences. The City prefers small wireless facilities to be installed in locations, ordered from most preferred to least preferred, as follows:

   a. In the GI (General Industrial) zoning district,

   b. In the LI (Light Industrial) zoning district,

   c. In the RC (Regional Commercial) zoning district,

   d. In the C/I-MU (Commercial/Industrial Mixed-Use) zoning district,

   e. In the HC (Highway Commercial) zoning district,

   f. In the HC (Highway Commercial) land use designation in the Colonies Specific Plan,

   g. In the C/O-MU (Commercial/Office Mixed-Use) zoning district,

   h. In the NC (Neighborhood Commercial) zoning district,

   i. In the NC (Neighborhood Commercial) land use designation in the Colonies Specific Plan,

   j. In the Commercial land use designation in the Park View Specific Plan,

   k. In the C/R-MU (Commercial/Residential Mixed-Use) zoning district,

l. In the B/R-MU (Business/Residential Mixed-Use) zoning district,

m. In the OP (Office Professional) zoning district,

n. In the public right-of-way with the closest adjacent district being GI (General Industrial) zoning district,

o. In the public right-of-way with the closest adjacent district being LI (Light Industrial) zoning district,

p. In the public right-of-way with the closest adjacent district being RC (Regional Commercial) zoning district,

q. In the public right-of-way with the closest adjacent district being C/I-MU (Commercial/Industrial Mixed-Use) zoning district,

r. In the public right-of-way with the closest adjacent district being HC (Highway Commercial) zoning district,

s. In the public right-of-way with the closest adjacent district being HC (Highway Commercial) land use designation in the Colonies Specific Plan,

t. In the public right-of-way with the closest adjacent district being C/O-MU (Commercial/Office Mixed-Use) zoning district,

u. In the public right-of-way with the closest adjacent district being NC (Neighborhood Commercial) zoning district,

v. In the public right-of-way with the closest adjacent district being NC (Neighborhood Commercial) land use designation in the Colonies Specific Plan,

w. In the public right-of-way with the closest adjacent district being the Commercial land use designation in the Park View Specific Plan,

x. In the public right-of-way with the closest adjacent district being C/R-MU (Commercial/Residential Mixed-Use) zoning district,

y. In the public right-of-way with the closest adjacent district being B/R-MU (Business/Residential Mixed-Use) zoning district,

z. In the public right-of-way with the closest adjacent district being OP (Office Professional) zoning district,

aa. In the public right-of-way with the closest adjacent district being the RM (Residential Multi-family) zoning district,

bb. Any public right-of-way location that abuts the property line of a structure within a designated local, State or federal historic district,

cc. Any parcel or right-of-way within 500 feet of a school site.

3. Support Structures in Public Rights-of-Way. The City prefers small wireless facilities to be installed on support structures in the public rights-of-way, ordered from most preferred to least preferred, as follows:

a. Existing or replacement streetlight poles;

b. New, non-replacement streetlight poles;

c. New or replacement traffic signal poles;

e. New, non-replacement poles;

f. Existing or replacement wood utility poles.

4. Prohibited Support Structures in Public Rights-of-Way. The City prohibits small wireless facilities to be installed on the following support structures:

a. Decorative poles;

b. Signs;

c. Any utility pole scheduled for removal or relocation within 12 months from the time the approval authority acts on the small cell permit application;

d. New, non-replacement wood poles.

e. Any pole mounted facility within 1,500 of an existing pole mounted facility.

N. Design Standards for all Small Wireless Facilities

1. Noise. Noise emitted from small wireless facilities and all accessory equipment and transmission equipment must comply with all applicable City noise control standards.

2. Lights. Small wireless facilities shall not include any lights that would be visible from publicly accessible areas, except as may be required under Federal Aviation Administration, FCC, other applicable regulations for health and safety. All equipment with lights (such as indicator or status lights) must be installed in locations and within enclosures that mitigate illumination impacts visible from publicly accessible areas. The provisions in this subsection (a)(2) shall not be interpreted or applied to prohibit installations on streetlights or luminaires installed on new or replacement poles as may be required under this Policy.

3. Landscape Features. No small wireless facility shall encroach into the protected zone of any designated heritage or landmark tree. Small wireless facilities shall not displace any other existing landscape features unless: (A) such displaced landscaping is replaced with native and/or drought-resistant plants, trees or other landscape features approved by the approval authority and (B) the applicant submits and adheres to a landscape maintenance plan. The landscape plan must include existing vegetation, and vegetation proposed to be removed or trimmed, and the landscape plan must identify proposed landscaping by species type, size and location. Landscaping and landscape maintenance must be performed in accordance with all applicable provisions of the Upland Municipal Code.

4. Site Security Measures. Small wireless facilities may incorporate reasonable and appropriate site security measures, such as locks and anti-climbing devices, to prevent unauthorized access, theft or vandalism. The approval authority shall not approve any barbed wire, razor ribbon, electrified fences or any similarly dangerous security measures. All exterior surfaces on small wireless facilities shall be constructed from or coated with graffiti-resistant materials.

5. Signage; Advertisements. All small wireless facilities must include signage not to exceed one (1) square feet in sign area that accurately identifies the site owner/operator, the owner/operator's site name or identification number and a toll-free number to the owner/operator's network operations center. Small wireless facilities may not bear any other signage or advertisements unless expressly approved by the City, required by law or recommended under FCC, Occupational Safety and Health Administration or other United States governmental agencies for compliance with RF emissions regulations.

6. Compliance with Health and Safety Regulations. All small wireless facilities shall be designed, constructed, operated and maintained in compliance with all generally applicable health and safety regulations, which includes without limitation all applicable regulations for human exposure to RF emissions and compliance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101 et seq.).

7. Overall Height. Small wireless facilities must comply with the minimum separation from electrical lines required by applicable safety regulations (such as CPUC General Order 95 and 128).

O. Design Standards for Small Wireless Facilities within Public Rights-of-Way.

1. Antennas.

a. Concealment. All antennas and associated mounting equipment, hardware, cables or other connecters must be completely concealed within an opaque antenna shroud or radome. The antenna shroud or radome must be painted a flat, non-reflective color to match the underlying support structure.

b. Antenna Volume. Each individual antenna may not exceed three cubic feet in volume.

2. Accessory Equipment.

a. Installation Preferences. All non-antenna accessory equipment shall be installed in accordance with the following preferences, ordered from most preferred to least preferred: (i) underground in any area in which the existing utilities are primarily located underground; (ii) on the pole or support structure; or (iii) integrated into the base of the pole or support structure. Applications that involve lesser-preferred installation locations may be approved so long as the applicant demonstrates that no more preferred installation location would be technically feasible as supported by clear and convincing evidence in the written record.

b. Undergrounded Accessory Equipment. All undergrounded accessory equipment must be installed in an environmentally controlled vault that is load-rated to meet the City's standards and specifications. Underground vaults located beneath a sidewalk must be constructed with a slip-resistant cover. Vents for airflow shall be flush-to-grade when placed within the sidewalk and may not exceed two feet above grade when placed off the sidewalk. Applicants shall not be permitted to install an underground vault in a location that would cause any existing tree to be materially damaged or displaced. The Noise restrictions apply to underground equipment as well, especially ventilation/cooling equipment.

c. Pole-Mounted Accessory Equipment. All pole-mounted accessory equipment must be installed flush to the pole to minimize the overall visual profile. If any applicable health and safety regulations prohibit flush-mounted equipment, the maximum separation permitted between the accessory equipment and the pole shall be the minimum separation required by such regulations. All pole-mounted

equipment and required or permitted signage must be placed and oriented away from adjacent sidewalks and structures. Pole-mounted equipment may be installed behind street, traffic or other signs to the extent that the installation complies with applicable public health and safety regulations. All cables, wires and other connectors must be routed through conduits within the pole, and all conduit attachments, cables, wires and other connectors must be concealed from public view. To the extent that cables, wires and other connectors cannot be routed through the pole, applicants shall route them through a single external conduit or shroud that has been finished to match the underlying support structure.

d. Base-Mounted Accessory Equipment. All base-mounted accessory equipment must be installed within a shroud, enclosure or pedestal integrated into the base of the support structure. All cables, wires and other connectors routed between the antenna and base-mounted equipment must be concealed from public view.

e. Ground-Mounted Accessory Equipment. The approval authority shall not approve any ground-mounted accessory equipment including, but not limited to, any utility or transmission equipment, pedestals, cabinets, panels or electric meters.

f. Accessory Equipment Volume. All accessory equipment associated with a small wireless facility installed above ground level shall not cumulatively exceed: (i) nine (9) cubic feet in volume if installed in a residential district; or (ii) seventeen (17) cubic feet in volume if installed in a non-residential district. The volume calculation shall include any shroud, cabinet or other concealment device used in connection with the non-antenna accessory equipment. The volume calculation shall not include any equipment or other improvements placed underground.

3. Streetlights. Applicants that propose to install small wireless facilities on an existing streetlight must remove and replace the existing streetlight with one substantially similar to the design(s) for small wireless facilities on streetlights described in the City's Road Design and Construction Standards. To mitigate any material changes in the streetlighting patterns, the replacement pole must: (A) be located as close to the removed pole as possible; (B) be aligned with the other existing streetlights; and (C) include a luminaire at substantially the same height and distance from the pole as the luminaire on the removed pole. All antennas must be installed above the pole within a single, canister style shroud or radome that tapers to the pole.

4. Wood Utility Poles. Applicants that propose to install small wireless facilities on an existing wood utility pole must install all antennas in a radome above the pole unless the applicant demonstrates that mounting the antennas

above the pole would be technically infeasible as supported by clear and convincing evidence in the written record. Side-mounted antennas on a stand-off bracket or extension arm must be concealed within a shroud. All cables, wires and other connectors must be concealed within the radome and stand-off bracket. The maximum horizontal separation between the antenna and the pole shall be the minimum separation required by applicable health and safety regulations.

5. New, Non-Replacement Poles. Applicants that propose to install a small wireless facility on a new, non-replacement pole must install a new streetlight substantially similar to the City's standards and specifications but designed to accommodate wireless antennas and accessory equipment located immediately adjacent to the proposed location. If there are no existing streetlights in the immediate vicinity, the applicant may install a metal or composite pole capable of concealing all the accessory equipment either within the pole or within an integrated enclosure located at the base of the pole. The pole diameter shall not exceed twelve (12) inches and any base enclosure diameter shall not exceed sixteen (16) inches. All antennas, whether on a new streetlight or other new pole, must be installed above the pole within a single, canister style shroud or radome that tapers to the pole.

6. Encroachments over Private Property. Small wireless facilities may not encroach onto or over any private or other property outside the public rights-of-way without the property owner's express written consent.

7. Backup Power Sources. Fossil-fuel based backup power sources shall not be permitted within the public rights-of-way; provided, however, that connectors or receptacles may be installed for temporary backup power generators used in an emergency declared by federal, state or local officials.

8. Obstructions; Public Safety and Circulation. Small wireless facilities and any associated equipment or improvements shall not physically interfere with or impede access to any: (A) worker access to any above-ground or underground infrastructure for traffic control, streetlight or public transportation, including without limitation any curb control sign, parking meter, vehicular traffic sign or signal, pedestrian traffic sign or signal, barricade reflectors; (B) access to any public transportation vehicles, shelters, street furniture or other improvements at any public transportation stop; (C) worker access to above-ground or underground infrastructure owned or operated by any public or private utility agency; (D) fire hydrant or water valve; (E) access to any doors, gates, sidewalk doors, passage doors, stoops or other ingress and egress points to any building appurtenant to the rights-of-way; (F) access to any fire escape or (G) above ground improvements must be setback a minimum of 2 feet from existing or planned sidewalks, trails, curb faces or road surfaces.

9. Utility Connections. All cables and connectors for telephone, data backhaul, primary electric and other similar utilities must be routed underground in conduits large enough to accommodate future collocated wireless facilities. Undergrounded cables and wires must transition directly into the pole base without any external doghouse. All cables, wires and connectors between the underground conduits and the antennas and other accessory equipment shall be routed through and concealed from view within: (A) internal risers or conduits if on a concrete, composite or similar pole; or (B) a cable shroud or conduit mounted as flush to the pole as possible if on a wood pole or other pole without internal cable space. The approval authority shall not approve new overhead utility lines or service drops merely because compliance with the undergrounding requirements would increase the project cost.

10. Spools and Coils. To reduce clutter and deter vandalism, excess fiber optic or coaxial cables shall not be spooled, coiled or otherwise stored on the pole outside equipment cabinets or shrouds.

11. Electric Meters. Small wireless facilities shall use flat-rate electric service or other method that obviates the need for a separate above-grade electric meter. If flat-rate service is not available, applicants may install a shrouded smart meter. The approval authority shall not approve a separate ground-mounted electric meter pedestal unless required by the utility company.

12. Street Trees. To preserve existing landscaping in the public rights-of-way, all work performed in connection with small wireless facilities shall not cause any street trees to be trimmed, damaged or displaced. If any street trees are damaged or displaced, the applicant shall be responsible, at its sole cost and expense, to plant and maintain replacement trees at the site for the duration of the permit term.

13. Lines of Sight. No wireless facility shall be located so as to obstruct pedestrian or vehicular lines-of-sight.

P. Design Standards for Small Wireless Facilities Outside of Public Rights-of-Way.

1. Setbacks. Small wireless facilities on private property may not encroach into any applicable setback for structures in the subject zoning district.

2. Backup Power Sources. The Director shall not approve any diesel generators or other similarly noisy or noxious generators in or within 200 feet from any residence; provided, however, the Director may approve sockets or other connections used for temporary backup generators.

3. Parking; Access. Any equipment or improvements constructed or installed in connection with any small wireless facilities must not reduce any parking spaces below the minimum requirement for the subject property. Whenever feasible, small wireless facilities must use existing parking and access

rather than construct new parking or access improvements. Any new parking or access improvements must be the minimum size necessary to reasonably accommodate the proposed use.

4. Freestanding Small Wireless Facilities. All new poles or other freestanding structures that support small wireless facilities must be made from a metal or composite material capable of concealing all the accessory equipment, including cables, mounting brackets, radios, and utilities, either within the support structure or within an integrated enclosure located at the base of the support structure. All antennas must be installed above the pole in a single, canister-style shroud or radome. The support structure and all transmission equipment must be painted with flat/neutral colors that match the support structure. The pole diameter shall not exceed twelve (12) inches and any base enclosure diameter shall not exceed sixteen (16) inches.

5. Small Wireless Facilities on Existing Buildings.

   a. All components of building-mounted wireless facilities must be completely concealed and architecturally integrated into the existing facade or rooftop features with no visible impacts from any publicly accessible areas. Examples include, but are not limited to, antennas and wiring concealed behind existing parapet walls or facades replaced with RF-transparent material and finished to mimic the replaced materials.

   b. If the applicant demonstrates with clear and convincing evidence that integration with existing building features is technically infeasible, the applicant may propose to conceal the wireless facility within a new architectural element designed to match or mimic the architectural details of the building including length, width, depth, shape, spacing, color, and texture.

6. Small Wireless Facilities on Existing Lattice Tower Utility Poles.

   a. Antennas must be flush-mounted to the side of the pole and designed to match the color and texture of the pole. If technologically infeasible to flush-mount an antenna, it may be mounted on an extension arm that protrudes as little as possible from the edge of the existing pole provided that the wires are concealed inside the extension arm. The extension arm shall match the color of the pole.

   b. Wiring must be concealed in conduit that is flush-mounted to the pole. The conduit and mounting hardware shall match the color of the pole.

   c. All accessory equipment must be placed underground unless undergrounding would be technically infeasible as supported by clear and convincing evidence in the written record. Above-ground

accessory equipment mounted on a pole, if any, shall be enclosed in a cabinet that matches the color and finish of the structures on which they are mounted. Above-ground cabinets not mounted on a structure, if any, shall be dark green in color.

d. No antenna or accessory equipment shall be attached to a utility line, cable or guy wire.

7. Small Wireless Facilities on Existing Wood Utility Poles.

a. All antennas must be installed within a cylindrical shroud (radome) above the top of the pole unless the applicant demonstrates that mounting antennas above the pole would be technically infeasible as supported by clear and convincing evidence in the written record.

b. All antennas must be concealed within a shroud (radome) designed to match the color or the pole, except as described in (8) (E).

c. No antenna or accessory equipment shall be attached to a utility line, cable or guy wire.

d. If it is technically infeasible to mount an antenna above the pole it may be flush-mounted to the side of the pole. If it is technically infeasible to flush-mount the antenna to the side of the pole it may be installed at the top of a stand-off bracket/extension arm that protrudes as little as possible beyond the side of the pole. Antenna shrouds on stand-off brackets must be a medium gray color to blend in with the daytime sky.

e. Wires must be concealed within the antenna shroud, extension bracket/extension arm and conduit that is flush-mounted to the pole. The conduit and mounting hardware shall match the color of the pole.

f. All accessory equipment must be placed underground, unless undergrounding would be technically infeasible as supported by clear and convincing evidence in the written record. Above ground accessory equipment mounted on a pole, if any, shall be enclosed in a cabinet that matches the color and finish of the pole. Above-ground cabinets not mounted on a structure, if any, shall be dark green in color.

8. Small Wireless Facilities on Existing Water Reservoirs.

a. Antennas must be mounted as close as possible to the side of the reservoir.

b. No antenna or accessory equipment shall project above the top of the reservoir.

c. Wires must be concealed within a shroud or conduit that is flush-mounted to the reservoir. The conduit and mounting hardware shall match the color of the reservoir.

d. Antennas and antenna shrouds shall be painted to match the color of the reservoir.

e. All accessory equipment must be placed underground unless undergrounding would be technically infeasible as supported by clear and convincing evidence in the written record. Above-ground equipment cabinets, if any, shall be dark green in color.

f. All water reservoir installations must also be approved by the Water District having jurisdiction/ownership.

17.40.170 Business license.

A permit issued pursuant to this chapter shall not be a substitute for any business license otherwise required under the Upland Municipal Code.

17.40.180 Emergency deployment and Temporary uses.

A. In the event of a declared federal, state, or local emergency, or when otherwise warranted by conditions that the Director deems to constitute an emergency, the Director may approve the installation and operation of a temporary wireless telecommunications facility (e.g., a cell on wheels or “COW”), which is subject to such reasonable conditions that the Director deems necessary.

B. A temporary telecommunication facility may be deployed subject to approval of a Temporary Use Permit by the Development Services Director or designee subject to the following:

1. A construction permit has been issued for modifications to an existing wireless communications facility, or an existing wireless telecommunication facility is in need of necessary repairs that does not require a construction permit and a temporary wireless communication facility is needed to maintain service to residents in order to ensure public health welfare and safety.
2. The facility can be deployed for no more than 14 days, unless the facility is approved in conjunction with a construction permit, in which case a temporary facility can be deployed for no more than 6 months, provided that two extensions may be granted by the Development Services Director; however, the total period shall not exceed 1 year.

17.40.190 Operation and maintenance standards.

A. All wireless telecommunications facilities must comply at all times with the following operation and maintenance standards. All necessary repairs and restoration shall be completed by the permittee, owner, or operator within 48 hours:

1. After discovery of the need by the permittee, owner, operator or any designated maintenance agent; or

2. After permittee, owner, operator, or any designated maintenance agent receives notification from a resident or the Director.

B. All facilities, including, but not limited to, telecommunication towers, poles, accessory equipment, lighting, fences, walls, shields, cabinets, artificial foliage or camouflage, and the facility site shall be maintained in good condition, including ensuring the facilities are reasonably free of:

1. General dirt and grease;

2. Chipped, faded, peeling, and cracked paint;

3. Rust and corrosion;

4. Cracks, dents, and discoloration;

5. Missing, discolored, or damaged artificial foliage or other camouflage;

6. Graffiti, bills, stickers, advertisements, litter and debris;

7. Broken and misshapen structural parts; and

8. Any damage from any cause.

C. All trees, foliage or other landscaping elements approved as part of the facility shall be maintained in good condition at all times, and the permittee, owner and operator of the facility shall be responsible for replacing any damaged, dead or decayed landscaping. No amendment to any approved landscaping plan may be made until it is submitted to and approved by the Director.

D. The permittee shall replace its facilities, after obtaining all required permits, if maintenance or repair is not sufficient to return the facility to the condition it was in at the time of installation.

E. Each facility shall be operated and maintained at all times in compliance with applicable federal regulations, including FCC radio frequency emissions standards.

F. Each facility shall be operated and maintained to comply at all times with the noise regulations of this chapter and shall be operated and maintained in a manner that

will minimize noise impacts to surrounding residents. Except for emergency repairs, any testing and maintenance activities that will be audible beyond the property line shall only occur between the hours of 7:00 a.m. and 5:00 p.m. on Monday through Friday, excluding holidays, unless alternative hours are approved by the Director. Backup generators, if permitted, shall only be operated during periods of power outages or for testing.

G. If a flagpole is used for camouflaging a wireless telecommunications facility, flags shall be flown and shall be properly maintained at all times.

H. Each owner or operator of a facility shall routinely inspect each site to ensure compliance with the standards set forth in this section and the conditions of approval.

17.40.200 No dangerous conditions or obstructions allowed.

No person shall install, use or maintain any wireless telecommunications facility which in whole or in part rests upon, in or over any public sidewalk or parkway, when such installation, use or maintenance endangers or is reasonably likely to endanger the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such facility unreasonably interferes with or impedes the flow of pedestrian or vehicular traffic including any legally parked or stopped vehicle, the ingress into or egress from any residence or place of business, the use of poles, posts, traffic signs or signals, hydrants, mailboxes, permitted sidewalk dining, permitted street furniture or other objects permitted at or near said location.

17.40.200 Cessation of use or abandonment.

A. A wireless telecommunications facility is considered abandoned and shall be promptly removed as provided herein if it ceases to provide wireless telecommunications services for 90 or more consecutive days. If there are two or more users of a single facility, then this provision shall not become effective until all users cease using the facility.

B. The operator of a facility shall notify the City in writing of its intent to abandon or cease use of a permitted site or a nonconforming site (including unpermitted sites) within 10 days of ceasing or abandoning use. Notwithstanding any other provision herein, the operator of the facility shall provide written notice to the Director of any discontinuation of operations of 30 days or more.

C. Failure to inform the Director of cessation or discontinuation of operations of any existing facility as required by this section shall constitute a violation of any approvals and be grounds for:

1. Prosecution;

2. Revocation or modification of the permit;

3. Calling of any bond or other assurance required by this chapter or conditions of approval of the permit;

4. Removal of the facilities by the City in accordance with the procedures established under the Upland Municipal Code for abatement of a public nuisance at the owner's expense; and

5. Any other remedies permitted under the Upland Municipal Code.

17.40.210 Permit expiration.

A. A permit for any wireless telecommunications facility shall be valid for a period of 10 years, unless the Planning Commission authorizes a longer period or pursuant to another provision of the Upland Municipal Code the permit lapses sooner or is revoked. At the end of such period, the permit shall expire.

B. A permittee may apply for extensions of its permit in increments of no more than 10 years and no sooner than 12 months prior to expiration of the permit.

C. If a permit has not expired at the time an application is made for an extension, the Director may administratively extend the term of the permit for subsequent 10-year terms upon verification of continued compliance with the findings and conditions of approval under which the application was originally approved, as well as any other applicable provisions of the Upland Municipal Code that are in effect at the time the permit extension is granted.

1. At the Director's discretion, additional studies and information may be required of the applicant.

2. If the Director determines that the facility is nonconforming or that additional conditions of approval are necessary to bring the facility into compliance with the provisions of the Upland Municipal Code that are then in effect at the time of permit expiration, the Director shall refer the extension request to the Planning Commission.

D. The request for an extension shall be decided by the Planning Commission if the permit expired before the application is made for an extension or if the Director refers the matter to the Planning Commission. After notice and a public hearing, the Planning Commission may approve, conditionally approve, or deny the extension.

17.40.230 Removal and restoration, permit expiration, revocation or abandonment.

A. Permittee's Removal Obligation. Upon the expiration date of the permit, including any extensions, earlier termination or revocation of the permit or abandonment of the facility, the permittee, owner or operator shall remove its wireless telecommunications facility and restore the site to its natural condition except for

retaining the landscaping improvements and any other improvements at the discretion of the City. Removal shall be in accordance with proper health and safety requirements and all ordinances, rules, and regulations of the City. The facility shall be removed from the property within 30 days, at no cost or expense to the City. If the facility is located on private property, the private property owner shall also be independently responsible for the expense of timely removal and restoration.

B. Failure to Remove. Failure of the permittee, owner, or operator to promptly remove its facility and restore the property within 30 days after expiration, earlier termination, or revocation of the permit, or abandonment of the facility, shall be a violation of the Upland Municipal Code, and be grounds for:

1. Prosecution;

2. Calling of any bond or other assurance required by this chapter or conditions of approval of permit;

3. Removal of the facilities by the City in accordance with the procedures established under the Upland Municipal Code for abatement of a public nuisance at the owner's expense; or

4. Any other remedies permitted under the Upland Municipal Code.

C. Summary Removal. In the event the Director determines that the condition or placement of a wireless telecommunications facility located in the public right-of-way constitutes a dangerous condition, obstruction of the public right-of-way, or an imminent threat to public safety, or determines other exigent circumstances require immediate corrective action (collectively, "exigent circumstances"), the Director may cause the facility to be removed summarily and immediately without advance notice or a hearing. Written notice of the removal shall be served upon the person who owns the facility within five business days of removal and all property removed shall be preserved for the owner's pick-up as feasible. If the owner cannot be identified following reasonable effort or if the owner fails to pick-up the property within 60 days, the facility shall be treated as abandoned property.

D. Removal of Facilities by City. In the event the City removes a facility in accordance with nuisance abatement procedures or summary removal, any such removal shall be without any liability to the City for any damage to such facility that may result from reasonable efforts of removal. In addition to the procedures for recovering costs of nuisance abatement, the City may collect such costs from the performance bond posted and to the extent such costs exceed the amount of the performance bond, collect those excess costs in accordance with the Upland Municipal Code. Unless otherwise provided herein, the City has no obligation to store such facility. Neither the permittee nor the owner nor operator shall have any claim if the City destroys any such facility not timely removed by the permittee, owner, or operator after notice, or removed by the City due to exigent circumstances.

17.40.240 Effect on other ordinances.

Compliance with the provisions of this chapter shall not relieve a person from complying with any other applicable provision of the Upland Municipal Code, including, but not limited to, obtaining any necessary encroachment or building permits. In the event of a conflict between any provision of this chapter and other provisions of the Upland Municipal Code, this chapter shall control.

17.40.250 Effect of state or federal law.

In the event that state or federal law prohibits discretionary permitting requirements for certain wireless telecommunications facilities, the permits required by this chapter for those facilities shall be deemed to be ministerial permits. For those facilities, in lieu of a conditional use permit, a ministerial permit shall be required prior to installation or modification of a wireless telecommunications facility and all provisions of this chapter shall be applicable to any such facility with the exception that the required permit shall be reviewed and administered as a ministerial permit by the Director rather than as a discretionary permit. Any conditions of approval set forth in this chapter or deemed necessary by the Director shall be imposed and administered as reasonable time, place and manner rules.

Attachment B

Chapter 17.04

TABLE 17.04-1 PERMITTED LAND USES IN THE RESIDENTIAL ZONES

Key **P** Permitted Use **CUP** Conditional Use Permit Req. **AUP** Admin. Use Permit Req. **--** Use Not Allowed	Residential Zones									Applicable Regulations
	RS-20	RS-15	RS-10	RS-7.5	RS-4	RS-MH	RM-10	RM-20	RM-30	
~~**Telecommunication Facilities**~~										~~**Ch. 17.40**~~
~~*Administrative Telecom Facilities [7]*~~	~~**AUP**~~	~~**AUP**~~	~~**AUP**~~	~~**AUP**~~	~~**AUP**~~	~~**AUP**~~	~~**AUP**~~	~~**AUP**~~	~~**AUP**~~	
~~*Minor Telecom Facilities*~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	
~~*Major Telecom Facilities*~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	~~--~~	
Wireless Telecommunication Facilities	*Refer to Ch. 17.40*									

Notes:
[1] Metal storage containers designed to carry freight are prohibited.
[2] Duplexes shall only be permitted at a density of one unit per 7,500 square feet of lot area.
[3] Guest houses shall only be permitted when a single-family dwelling is the primary use on the lot.
[4] Condominium parcel maps or tract maps shall require a CUP.
[5] A secondary dwelling unit shall only be permitted on lots with an area greater than 10,000 square feet. Secondary dwelling units on a historic site or detached secondary units that exceed the height of the primary dwelling shall require an AUP.
[6] Only temporary off-site construction yards, mobile home residences, and work trailers are permitted pursuant to Chapter 17.41 (Temporary Use Permits and Film Permits).
~~[7] Administrative telecommunication facilities are prohibited on sites occupied by a residential use.~~

Chapter 17.05

TABLE 17.05-1 PERMITTED LAND USES IN THE MIXED-USE ZONES

Key **P** Permitted Use **CUP** Conditional Use Permit Req. **AUP** Admin. Use Permit Req. **--** Use Not Allowed	Mixed-Use Zones				Applicable Regulations
	C/ R-MU	B/ R-MU	C/ O-MU	C/ I-MU	
~~Telecommunication Facilities~~					~~Ch. 17.40~~
~~*Administrative Telecom Facilities* [9]~~	~~AUP~~	~~AUP~~	~~AUP~~	~~AUP~~	
~~*Minor Telecom Facilities* [10]~~	~~AUP~~	~~AUP~~	~~AUP~~	~~AUP~~	
~~*Major Telecom Facilities*~~	~~--~~	~~--~~	~~--~~	~~--~~	
Wireless Telecommunication Facilities	*Refer to Ch. 17.40*				

Notes:
[1] Metal shipping containers designed to carry freight are prohibited.
[2] Guest houses shall only be permitted when a single-family dwelling is the primary use on the lot.
[3] A secondary dwelling unit shall only be permitted on lots with an area greater than 10,000 square feet. Secondary dwelling units on a historic site or detached secondary units that exceed the height of the primary dwelling shall require an AUP.
[4] Used vehicle sales are permitted on up to 20 percent of the sales space of a vehicle sales and leasing business.

[5] Markets may not be located less than 1,000 feet from another market.
[6] See Chapter 17.16 (Property Maintenance and Use) for applicable screening and location standards for outdoor storage.
[7] Not permitted as part of a food establishment, unless conducted outside.
[8] Only temporary off-site construction yards, mobile home residences, and work trailers are permitted pursuant to Chapter 17.41 (Temporary Use Permits and Film Permits).
[9] Administrative telecommunication facilities are prohibited on sites occupied by a residential use.
~~[10] Telecommunication facilities shall be set back more than 200 feet from an existing residential property line and/or the nearest property line of a residential zone.~~
~~[11]~~ [10] Residential uses shall only be permitted within mixed-use and live/work developments, where each building on site meets the minimum floor area ratio requirement as specified in Section 17.05.030.

Chapter 17.06

TABLE 17.067-1 PERMITTED LAND USES IN THE COMMERCIAL ZONES

Key **P** Permitted Use **CUP** Conditional Use Permit Req. **AUP** Admin. Use Permit Req. **--** Use Not Allowed	**Commercial Zones**				**Applicable Regulations**
	Neighborhood Commercial (NC)	**Highway Commercial (HC)**	**Regional Commercial (RC)**	**Office Professional (OP)**	
~~Telecommunication Facilities~~					~~Ch. 17.40~~
~~*Administrative Telecom Facilities [6]*~~	~~AUP~~	~~AUP~~	~~AUP~~	~~AUP~~	
~~*Minor Telecom Facilities [6][7]*~~	~~AUP~~	~~AUP~~	~~AUP~~	~~AUP~~	
~~*Major Telecom Facilities [6][7]*~~	~~CUP~~	~~CUP~~	~~CUP~~	~~CUP~~	
Wireless Telecommunication Facilities	*Refer to Ch. 17.40*				

Notes:
[1] Metal shipping containers designed to carry freight are prohibited.
[2] Guest houses shall only be permitted when a single-family dwelling is the primary use on the lot.
[3] A secondary dwelling unit shall only be permitted on lots with an area greater than 10,000 square feet. Secondary dwelling units on a historic site or detached secondary units that exceed the height of the primary dwelling shall require an AUP.
[4] Used vehicle sales are permitted on up to 20 percent of the sales space of a vehicle sales and leasing business.
[5] Markets may not be located less than 1,000 feet from another market.
[6] See Chapter 17.16 (Property Maintenance and Use) for applicable screening and location standards for outdoor storage.
~~[7] Not permitted as part of a food establishment, unless conducted outside.~~
~~[8]~~ [7] Only temporary off-site construction yards, mobile home residences, and work trailers are permitted pursuant to Chapter 17.41 (Temporary Use Permits and Film Permits).
~~[9]~~ [8]Administrative telecommunication facilities are prohibited on sites occupied by a residential use.
~~[10]~~ [9] Telecommunication facilities shall be set back more than 200 feet from an existing residential property line and/or the nearest property line of a residential zone.
~~[11]~~ [10] Residential uses shall only be permitted within mixed-use and live/work developments, where each building on site meets the minimum floor area ratio requirement as specified in Section 17.05.030.

Chapter 17.07

TABLE 17.07-1 PERMITTED LAND USES IN THE INDUSTRIAL ZONES

Key **P** Permitted Use **CUP** Conditional Use Permit Req. **AUP** Admin. Use Permit Req. **--** Use Not Allowed	**Industrial Zones**		**Applicable Regulations**
	Light Industrial (LI)	**General Industrial (GI)**	
~~Telecommunication Facilities [4][5]~~			~~Ch. 17.40~~
~~*Administrative Telecom Facilities*~~	~~AUP~~	~~AUP~~	
~~*Minor Telecom Facilities*~~	~~AUP~~	~~AUP~~	

Key P Permitted Use CUP Conditional Use Permit Req. AUP Admin. Use Permit Req. -- Use Not Allowed	Industrial Zones		Applicable Regulations
	Light Industrial (LI)	General Industrial (GI)	
~~*Major Telecom Facilities*~~	~~CUP~~	~~CUP~~	
Wireless Telecommunication Facilities [4][5]	*Refer to Ch. 17.40*		

Notes:
[1] Markets may not be located less than 1,000 feet from another market.
[2] Health or fitness facilities may not be located less than 600 feet from another health or fitness facility.
[3] Swap Meets and flea markets shall only be permitted as a temporary use per Chapter 17.41 (Temporary, Seasonal, and Special Events).
~~[4] Telecommunication facilities are prohibited on sites occupied by a residential use.~~
~~[5] Telecommunication facilities shall be set back more than 200 feet from an existing residential property line and/or the nearest property line of a residential zone.~~

Chapter 17.08

TABLE 17.08-1 PERMITTED LAND USES IN SPECIAL PURPOSE ZONES

Key P Permitted Use CUP Conditional Use Permit Req. AUP Admin. Use Permit Req. -- Use Not Allowed	Special Purpose Zones				Applicable Regulations
	Cable Airport (CA)	Public/ Institu-tional (PB/I)	Open Space (OS)	Mining (M)	
~~Telecommunication Facilities [4][5]~~					~~Ch. 17.40~~
~~*Administrative Telecom Facilities*~~	~~AUP~~	~~AUP~~	~~AUP~~	~~AUP~~	
~~*Minor Telecom Facilities*~~	~~AUP~~	~~AUP~~	~~AUP~~	~~AUP~~	
~~*Major Telecom Facilities*~~	~~CUP~~	~~CUP~~	~~CUP~~	~~CUP~~	
Wireless Telecommunication Facilities	*Refer to Ch. 17.40*				

Notes:
[1] Only permitted through a CUP as part of a gas station convenience store.
[2] A convenience store may be permitted as an ancillary use to the gas station.
[3] Swap Meets and flea markets shall only be permitted as a temporary use per Chapter 17.41 (Temporary, Seasonal, and Special Events).
~~[4] Telecommunication facilities are prohibited on sites occupied by a residential use.~~
~~[5] Telecommunication facilities shall be set back more than 200 feet from an existing residential property line and/or the nearest property line of a residential zone.~~

17.51.010 Definitions

~~**Telecommunication Facility** "Telecommunication(s) Facility," "Telecom Facility," "Wireless Communication Facility", or "Facility" means a facility consisting of any commercial antenna, monopole, microwave dish and/or other related equipment necessary to the transmission and/or reception of cellular, personal communication service, and/or data radio communications, and which has been granted a certificate of public convenience and necessity, or a wireless registration number by the California Public Utilities Commission, or otherwise provides wireless communications services to the public. (Ord. 1798 § 3 (part), 2006: prior code § 9500.3.020)~~

~~a. "Administrative Telecom Facilities" means voice telecommunications systems and/or circuits that are planned, managed, and used to conduct the business. This includes telephone handsets, video/audio~~

~~teleconferencing equipment, customer premise equipment, cellular telephones, facsimile machines, pagers and related devices installed in offices and used primarily for administrative purposes.~~

~~b. "Minor Telecommunication Facilities" means a wireless telecommunications facility subject to review by the Development Services Director that is designed to be building-mounted, or co-located on an existing structure with other facilities or wireless communications service providers.~~

~~c. "Major Telecommunication Facilities" means a communication facility subject to review by the Planning Commission. Major telecom facilities are facilities not clearly set forth and included in the definition of an administrative telecom facility or a minor telecom facility. Examples of major telecom facilities may include, but are not limited to, monopoles and other freestanding towers.~~

Exhibit B – Current Chapter 17.40

Chapter 17.40 TELECOMMUNICATION FACILITIES

Sections:

17.40.010 Purpose
17.40.020 Applicability
17.40.030 Definitions
17.40.040 Authority
17.40.050 Permitted Zones and Permits Required
17.40.060 Exceptions
17.40.070 Site Criteria
17.40.080 Design and Performance Standards
17.40.090 Temporary Uses
17.40.100 Application Process
17.40.110 Cash Bond Requirement
17.40.120 Discontinued Use
17.40.130 Abandonment

17.40.010 Purpose

The purpose of this chapter is to establish regulations and guidelines for telecommunication facilities. The regulations are designed to protect and promote the public health, safety, and general welfare and quality of life in the City.

17.40.020 Applicability

A. This chapter shall apply to applications for telecommunication facilities, including administrative, minor, and major telecommunication facilities.

B. This chapter does not apply to government owned telecommunication facilities utilized for a public purpose.

C. In the event of any inconsistency between regulations in this chapter and those outside of this chapter, the provisions of this chapter shall govern.

17.40.030 Definitions

"Telecommunication Facility," "Wireless Communication Facility, " or "Facility" means a facility consisting of any commercial antenna, monopole, microwave dish or other related equipment necessary to the transmission or reception of cellular, personal communication service, or data radio communications, and which has been granted a certificate of public convenience and necessity, or a wireless registration number by the California Public Utilities Commission, or otherwise provides wireless communications services to the public. Specific types of telecommunication facilities are defined as follows:

A. "Administrative Telecommunication Facilities" means voice telecommunication systems and/or circuits that are planned, managed, and used to conduct the business. This includes telephone

handsets, video/audio teleconferencing equipment, customer premise equipment, cellular telephones, facsimile machines, pagers and related devices installed in offices and used primarily for administrative purposes.

B. "Minor Telecommunication Facilities" means a wireless telecommunication facility subject to review by the Development Services Director that is designed to be building-mounted, or co-located on an existing structure with other facilities or wireless communications service providers.

C. "Major Telecommunication Facilities" means a communication facility subject to review by the Planning Commission. Major telecommunication facilities are facilities not clearly set forth and included in the definition of an administrative telecommunication facility or a minor telecommunication facility. Examples of major telecommunication facilities may include, but are not limited to, monopoles and other freestanding towers.

17.40.040 Authority

A. The review and decision-making authority for telecommunication facilities shall depend on the type of facility and permit required for the zone in which the telecommunication facility is proposed. Table 17.40-1 below identifies required permits for each type of telecommunication facilities in different zones. Refer to Part 5 (Land Use and Development Approval Procedures) of the Zoning Ordinance for permit application procedures.

B. The review authority shall be guided by the provisions of this chapter when reviewing a telecommunication facility application in addition to the standards of the zone in which the telecommunication facility is proposed.

C. Approval granted under this chapter shall not:

1. Confer any exclusive right, privilege, license, or franchise to occupy or use the public ways of the City for delivery of telecommunication services or any other purposes.

2. Convey any right, title, or interest in the public ways, but shall be deemed approval only to use and occupy the public ways for the limited purposes and terms stated in the approval. No approval shall be construed as any warranty of title.

17.40.050 Permitted Zones and Permits Required

Table 17.40-1 (Permits Required for Telecommunication Facilities) identifies zones where telecommunication facilities are permitted and the permits required for telecommunication facilities within the City of Upland.

TABLE 17.40-1 PERMITS REQUIRED FOR TELECOMMUNICATION FACILITIES

Key **CUP** Conditional Use Permit Req. **AUP** Admin. Use Permit Req. **--** Use Not Allowed	**Zones**				
	Residential Zones	**Mixed-Use Zones**	**Commercial Zones**	**Industrial Zones**	**Special Purpose Zones**
Administrative Telecommunication Facilities [1][2]	[AUP]	AUP	AUP	AUP	AUP
Minor Telecommunication Facilities [1][2]	-	AUP	AUP	AUP	AUP
Major Telecommunication Facilities [1][2]	-	-	CUP	CUP	CUP

Notes:
[1] Telecommunication facilities are prohibited on sites occupied by a residential use.
[2] Telecommunication facilities shall be setback more than 200 feet from the property line of an existing residential use and/or a residential zone.

17.40.060 Exceptions

This chapter shall not apply to the following facilities:

A. Amateur (including ham and short-wave) radio facilities, provided that the facilities do not exceed 65 feet in height or are not more than 25 feet above the height limit prescribed by the regulations for the district in which the facilities are located, whichever is less.

B. Wireless communications facilities, which are not licensed by the Federal Communications Commission and are determined by the Development Services Director to have little or no adverse visual impact.

C. Direct-to-home satellite services smaller than 2 feet in diameter.

D. Any wireless communications facility located on land owned by one of the public entities listed below and operated for the public entity's public purpose only and not for commercial reasons:

1. The United States of America or any of its agencies.
2. The state or any of its agencies or political subdivisions of the state not required by state law to comply with local zoning ordinances.

E. The following facilities are exempt from the standards in this chapter and may be permitted if all identified standards are met:

1. Facilities erected and operated for a public emergency situation. Uses of such facilities shall not exceed two weeks, unless an extension is granted in writing by the Development Services Director.
2. Facilities exempted under State or federal law.
3. Noncommercial television antennas, subject to the maximum height requirement of the zoning district as set forth in Part 2 (Zoning Districts, Land Uses, and Development Standards).

4. Noncommercial satellite dishes no greater than 3 feet in diameter.
5. Temporary wireless telecommunication facilities providing public information coverage of a news event. Mobile facilities providing public information coverage of news events may be set up for a maximum of 24 hours.

17.40.070 Site Criteria

A. Telecommunication facilities shall be located in the following order of preference:

1. Completely within existing structures with the facility designed to be an integral architectural feature of the structure.
2. Completely within a new structure constructed to accommodate telecommunication facilities.
3. Co-located with other major telecommunication facilities.
4. On existing structures such as buildings, communication towers, or utility facilities.
5. On existing signal, power, light, or similar kinds of poles.

B. New freestanding telecommunication facilities shall not be located within 1,000 feet of an existing freestanding telecommunication facility unless:

1. Stealth techniques are used to minimize the facility's visual impact, and
2. Mounting on a building or co-location is not feasible.

17.40.080 Design and Performance Standards

A. General Criteria.

1. All telecommunication facilities shall comply with all development standards within the applicable zoning district of the subject site.
2. All accessory equipment associated with the operation of the telecommunication facility shall be located within a building, decorative enclosure, or underground vault that complies with the development standards of the subject site.
3. All telecommunication facilities shall employ camouflage design techniques to minimize visual impacts. The review authority may require alternative design techniques in the event that camouflaged design techniques are deemed ineffective or inappropriate.
4. All telecommunication facilities shall be concealed or screened by existing or proposed topography, vegetation, buildings, or other structures.
5. The size of telecommunication facilities shall be in proportion to their surrounding and supporting structures.

B. Height.

1. Telecommunication facilities shall not exceed the maximum building height for the applicable district unless the facility is designed to accommodate two or more wireless communication providers.
2. When sites are adjacent to residential uses or residentially zoned properties, an antenna may exceed the height limit by up to 200 percent, subject to the following criteria:
   a. The property must be a non-residential use.
   b. If the height of the tower exceeds the height limitation of the district in which it is located it must be set back an additional 10 feet from the setback line for every 10 feet added to the height.
3. The Planning Commission may consider approval of facilities that are proposed to exceed the maximum height limit where two or more wireless providers are proposed to locate, subject to the review and approval of a major wireless communication facility permit. Two or more providers must apply for the permit as co-applicants at the time the original entitlement is processed.
4. The height of a structure supporting a telecommunication facility shall be in proportion and relate to other nearby structures.

C. Lighting.

1. Telecommunication facilities shall not be lighted except for security lighting at the lowest intensity necessary.
2. Lighting shall be shielded so that direct rays do not shine on nearby properties.

D. Signs.

1. Advertising signage or identifying logos shall not be displayed on any telecommunication facility.
2. Information plates such as name, address, and warning signs shall be identified in the telecommunication application and shall be subject to approval by the review authority.

E. Maintenance.

1. All graffiti on any part of the telecommunication facility shall be removed immediately.
2. All landscaping required for telecommunication facilities shall be maintained at all times.
3. All telecommunication facilities shall be kept clean and litter free.

17.40.090 Temporary Uses

A. A temporary telecommunication facility may be deployed subject to approval by the Development Services Director or designee and the following:

1. A permanent telecommunication facility has been approved for the property in question,

2. The temporary facility was approved previously as part of a conditional or administrative use permit, and

3. The facility is deployed for no more than 6 months, provided that two extensions may be granted by the Development Services Director; however, the total period shall not exceed 1 year.

17.40.100 Application Process

A. Submittals.

1. For all proposed telecommunication facility, the telecommunication facility provider, including providers establishing co-location services, shall provide the following to the Development Services Department:
   a. *Architectural and Site Review Application.* A completed Administrative Use or Conditional Use application that includes the signature of the wireless communications provider and the property owner.
   b. *Fees.* All applicable fees.
   c. *Title Reports.* Title reports may be obtained from the San Bernardino County assessor's office.
   d. *Site Plan.* Provide a site plan drawn to a measurable scale, showing the metes and bounds of the property, the location of existing features of the site including existing structures, roads, landscaping, trees, and other significant natural and constructed features. The site plan shall also show the location of each new structure to be located on the site including telecommunication antennas, base transceiver stations, equipment cabinets and buildings and appurtenant structures including screening.
   e. *Service Gap Map.* Provide a map demonstrating that the proposed facility is necessary to fill in a service gap.
   f. *Elevations.* Provide elevations of all proposed communication structures and appurtenances and composite elevations from the street of all structures on-site.
   g. *Section Drawings.* Provide section drawings (elevations) of all proposed communication structures and appurtenances and composite elevations from the street of all structures on-site.
   h. *Visual Analysis.* A visual impact analysis including scaled elevation diagrams within the context of the building, before and after photo simulations from various locations and/or angles from which the public would typically view the site, and a map depicting where the photos were taken. Where the installation would be readily visible from the public right-of-way or from surrounding properties, the application shall include an explanation as to why, if screening or other techniques to minimize visibility are not proposed, such approaches to reduce the visibility of the installation would not be effective. The Development Services Director may require the submission of photo overlays, scaled models, renderings, and/or field mock-ups to assess any potential visual impact including proper coloration and blending of the facility with the proposed site.
   i. *Landscape Plan.* A landscape plan may be required that shows existing vegetation, indicating any vegetation proposed for removal, and identifying proposed plantings by type, size, and

location. This may be required depending on the potential visual impacts of ground-mounted equipment. If deemed necessary by the Development Services Director, an arborist's report may be also required to verify that the existing landscaping will not be adversely affected by the installation of the facility. The arborist's report may recommend protective measures to be implemented during construction.

j. *Existing and Future Facilities Map.* A map, to scale, of the telecommunication facilities provider's existing and planned facilities and service area(s), including information about the location, height and design, coverage, and significant gaps within the city limits and within one-half mile therefrom.

k. *Miscellaneous and Appurtenant Structures.* Show in all relevant plans all facility related structures and support equipment to be installed. This includes, but is not limited to, the location(s) and method(s) of placement, support, protection, screening, paint and/or other treatments of the antennas, base transceiver stations, equipment cabinets and buildings, cables, and other appurtenances.

l. *Screening Techniques.* A statement describing the proposed means of visually screening unsightly public views of facilities, as needed, including submittals of sample exterior materials and colors of towers, antennas, accessory structures (such as equipment cabinets and structures), and security fences. This statement should include a justification of why the proposed height and visual impact of the wireless communications facility cannot be reduced.

m. *Equipment Inventory.* The number, type and dimensions of antennas, equipment cabinets, and related facilities proposed for use by the wireless communications provider. The size of equipment cabinets and related facilities are not required if the cabinets and related facilities are located completely underground or entirely within a building, not including an equipment cabinet.

n. *Site Selection Process.* A letter indicating whether, and why, each site identified is essential for completion of the wireless communications provider's coverage objective. This letter should describe the site selection process including information about other sites which were considered that could service the same or similar coverage area and the reasons for their rejection.

o. *Co-location.* A statement of whether the facility could be co-located elsewhere and, if not, why colocation is not being proposed, and additionally state that the wireless communications provider's commitment to allow other wireless communications providers to co-locate antennas on their proposed facilities wherever structurally and technically feasible, to demonstrate how the facilities have been designed to allow co-location of other carriers (if applicable), and to provide at any time additional information, as requested by the Development Services Director, to aid in determining whether or not another wireless communications provider could co-locate on/near their facilities if approved.

p. *FCC Compliance.* A report prepared by a certified professional radio frequency engineer:

1) Stating the power rating for all antennas and backup equipment proposed.

2) Verifying that the system, including the antennas, and associated equipment cabinets/structures, conforms to the non-ionizing electromagnetic radiation (NIER)

standards adopted by the Federal Communications Commission, including operating within its frequency assigned by the Federal Communications Commission.

3) Confirming that operation of the facilities, both individually and cumulatively if located adjacent to other wireless communications facilities, will not exceed all adopted Federal Communications Commission standards.

4) Confirming that the proposed wireless communications facility shall be operated in a manner which complies with the Federal Communications Commission's regulations regarding signal interference.

5) Presenting FCC compliance information in a concise and easy-to-read format that clearly demonstrates in a nontechnical manner the current site conditions, conditions with the proposed project, and FCC thresholds as they relate to all applicable emissions standards.

q. *Easements.* Provide information about any necessary easements.

r. *Safety/Security Plan.*

1) A detailed description of the proposed measures to ensure that the public would be kept at a safe distance from any NIER transmission source associated with the proposed wireless communications facility, consistent with the NIER standards of the FCC or any potential future superceding standards.

2) The submitted plans must show that the outer perimeter of the facility site (or NIER hazard zone in the case of rooftop antennas) will be posted with bilingual NIER hazard warning signage that also indicates the facility operator and an emergency contact who is available on a twenty-four-hour a day basis and is authorized by the applicant to act on behalf of the applicant regarding an emergency situation.

s. *Financial Guarantee.* A financial guarantee, satisfactory to the city manager, for the removal of the facility in the event that its use is abandoned, or its approval is terminated.

t. *Maintenance Program.* A letter to the Development Services Director, which describes in detail the maintenance program for the facilities.

B. The Development Services Director or Planning Commission may require the applicant to submit additional documentation, which the Director deems necessary to evaluate the proposed site or facility, including but not limited to the following:

1. *Other Agency Permits and Licenses.* Information sufficient to determine that the wireless communications provider has applied for and received all applicable operating licenses or other approvals required by the Federal Communications Commission and California Public Utilities Commission to provide wireless communications within the city.

2. *Alternative Equipment Configuration.* The types and range of sizes of antennas and equipment cabinets, which could serve as alternatives for use by the wireless communications provider.

3. *Topographic Map.* A USGS topographic map or survey, to scale, with existing topographic contours showing the proposed antennas, accessory structures, and new roads in an area.

4. *Site Selection Data.* Technical data related to the site selection process.

5. *Noise Impact Analysis.* Provide noise and acoustical information for the base transceiver stations, equipment buildings and associated equipment such as air conditioning units and back-up generators.

6. *Proof of Irrigation Facilities.* Written proof of the availability of any required irrigation facilities on-site prior to permit issuance. This may be in the form of a letter from the owner of the land allowing the wireless communications provider the use of required water facilities for landscaping.

7. *Director's Review.* The Development Services Director may require an independent review, paid for in advance by the applicant, to evaluate the applicant's request. Factors to be considered are:
   a. Whether or not another site exists where the standards can be met;
   b. Whether there is another method of installation that would result in a project that complies with the standards;
   c. Whether the addition of another wireless telecommunication facility would allow the reduction in height of the proposed facility; and
   d. Whether there is any other technically feasible method of siting the facility that would reduce the height.

17.40.110 Cash Bond Requirement

A. Prior to finalizing a building permit for the construction or modification of a telecommunication facility, the applicant shall be required to provide to the City a cash bond or other security approved by the building official and City Attorney for the removal of the facility and any accessory equipment and the rehabilitation of the site if the facility is abandoned.

B. The security amount shall be determined by the chief building official.

C. If the security lapses, the City reserves the right to place a lien on the property that amounts to the cost of the removal of the facility and rehabilitation of the site.

D. The City Clerk shall cause the lien to be recorded with the San Bernardino County Recorder.

17.40.120 Discontinued Use

A. Any telecommunication facility operator who intends to discontinue use of a telecommunication facility must notify the Development Services Director by certified mail at least 30 days prior to such action.

B. Unless determined otherwise by the Development Services Director, the telecommunication facility operator shall have 90 days from the date of discontinuance to complete one of the following:

1. Reactivate use of the telecommunication facility.

2. Transfer the rights to use the telecommunication facility to another operator, who immediately commences use.

3. Remove the telecommunication facility and restore the site.

17.40.130 Abandonment

A. A telecommunication facility that is not operated for a continuous period of 90 days shall be considered abandoned.

B. An abandoned telecommunication facility shall be promptly removed in accordance with the proper health and safety requirements and all ordinances, rules, and regulations of the City.

C. A written notice of the determination of abandonment shall be sent by certified mail, or personally delivered, to the telecommunication facility operator or the operator's business address on file.

D. The operator shall remove all facilities within 30 days of the date of the determination of abandonment notice.

1. The operator can appeal such determination, in writing, to the Planning Commission within 10 business days of the date of the notice.
2. The Development Services Director shall schedule a hearing before the Planning Commission, at which time the operator may present evidence on the issue of abandonment.
3. The Planning Commission may affirm, reverse, or modify, with or without conditions, the original determination of abandonment and shall make written findings in support of its decision. The decision of the Planning Commission shall be final.

E. Any telecommunication facility determined to be abandoned and not removed within the 30-day period from the date of notice shall be in violation of this chapter.

F. The operator of an abandoned facility shall be subject to the penalties prescribed herein.