

# **AGENDA**

## **LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**NORTON REGIONAL EVENT CENTER  
1601 EAST THIRD STREET #1000, SAN BERNARDINO**

**REGULAR MEETING OF OCTOBER 18, 2017**

### **9:00 A.M. – CALL TO ORDER – FLAG SALUTE**

**ANNOUNCEMENT:** Anyone present at the hearing who is involved with any of the changes of organization to be considered and who has made a contribution of more than \$250 in the past twelve (12) months to any member of the Commission will be asked to state for the record the Commission member to whom the contribution has been made and the matter of consideration with which they are involved.

### **CONSENT ITEMS:**

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter

1. Approval of Minutes for Regular Meeting of September 20, 2017
2. Approval of Executive Officer's Expense Report
3. Ratify Payments as Reconciled for Month of September 2017 and Note Cash Receipts
4. Consent Items Deferred for Discussion

### **PUBLIC HEARING ITEMS:**

5. Consideration of: (1) CEQA Statutory Exemption for LAFCO 3220; and (2) LAFCO 3220 -- Reorganization to include Annexation to the City of Chino and Detachment from County Service Areas 70 and SL-1 (Pipeline Island)

### **DISCUSSION ITEMS:**

6. First Quarter Financial Review for Period July 1 through September 30, 2017:
  - (a) Financial Review
  - (b) Recognize Increased Revenues of \$32,808 In Carryover (Account 9970)

### **INFORMATION ITEMS:**

7. Legislative Oral Report

8. Executive Officer's Oral Report
  - a. New Proposals Received
  - b. Update on Proposals Filed with LAFCO
9. Commissioner Comments

(This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on off-agenda items unless authorized by law.)
10. Comments from the Public

(By Commission policy, the public comment period is limited to five minutes per person for comments related to other items under the jurisdiction of LAFCO not on the agenda.)

**ADJOURN TO CALAFCO ANNUAL CONFERENCE IN SAN DIEGO -- OCTOBER 24 THROUGH 27, 2017**

The Commission may adjourn for lunch from 12:00 to 1:30 p.m. The Commission may take action on any item listed in this Agenda whether or not it is listed For Action. In its deliberations, the Commission may make appropriate changes incidental to the above-listed proposals.

Materials related to an item on this Agenda submitted to the Commission or prepared after distribution of the agenda packet will be available for public inspection in the LAFCO office at 1170 West Third Street, Unit 150, San Bernardino, during normal business hours, on the LAFCO website at [www.sbclafco.org](http://www.sbclafco.org), and at the hearing.

Current law and Commission policy require the publishing of staff reports prior to the public hearing. These reports contain technical findings, comments, and recommendations of staff. The staff recommendation may be accepted or rejected by the Commission after its own analysis and consideration of public testimony.

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE ABOVE PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE LOCAL AGENCY FORMATION COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING.

The Political Reform Act requires the disclosure of expenditures for political purposes related to a change of organization or reorganization proposal which has been submitted to the Commission, and contributions in support of or in opposition to such measures, shall be disclosed and reported to the same extent and subject to the same requirements as provided for local initiative measures presented to the electorate (Government Code Section 56700.1). Questions regarding this should be directed to the Fair Political Practices Commission at [www.fppc.ca.gov](http://www.fppc.ca.gov) or at 1-866-ASK-FPPC (1-866-275-3772).

A person with a disability may contact the LAFCO office at (909) 388-0480 at least 72-hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

**DRAFT – ACTION MINUTES OF THE – DRAFT  
LOCAL AGENCY FORMATION COMMISSION  
HEARING OF September 20, 2017**

## REGULAR MEETING

**9:00 A.M.**

**September 20, 2017**

**PRESENT:**

**COMMISSIONERS:**

**Jim Bagley**  
**Kimberly Cox, Chair**  
**Jim Curatalo**  
**Steve Farrell, Alternate**  
**Diane Williams**

**Acquanetta Warren, Alternate**  
**Ryan McEachron, Alternate**  
**Janice Rutherford, Alternate**

**STAFF:**

**Kathleen Rollings-McDonald, Executive Officer**  
**Clark Alsop, LAFCO Legal Counsel**  
**Samuel Martinez, Assistant Executive Officer**  
**Jeffrey Lum, LAFCO Analyst**  
**La Trici Jones, Commission Clerk**  
**Bob Aldrich, LAFCO Consultant**

**ABSENT:**

**James Ramos, Vice-Chair**  
**Robert Lovingood**  
**Larry McCallon**

**CONVENE REGULAR SESSION OF THE LOCAL AGENCY FORMATION COMMISSION**  
**– CALL TO ORDER – 9:05 A.M. – NORTON REGIONAL EVENT CENTER**

Chair Cox calls the regular session of the Local Agency Formation Commission to order and leads the flag salute.

**Swear in Regular Alternate (Supervisor Janice Rutherford) Supervisorial Commissioner (Continued from May 17, 2017 Hearing)**

Clerk to the Commission La Trici Jones gives the Oath of Office to Supervisor Janice Rutherford for her term as Alternate Supervisorial Commissioner ending in May 2021.

## ITEM 1. Public Comments on Closed Session

There are none.

**ITEM 2. ADJOURN TO CLOSED SESSION OF THE LOCAL AGENCY**  
**FORMATION COMMISSION – 9:08 A.M.**

- a. Personnel (Government Code Section 54957) – Recruitment Process for Executive Officer
- b. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1) – San Antonio Heights Association v. County of

San Bernardino et al, San Bernardino County Superior Court Case NO CIVDS1712441 and San Antonio Heights Association v. Local Agency Formation Commission for San Bernardino County et al Superior Court Case No. CIVDS1715504

- c. Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation (Government Code section 54956.9(d)(2) – One case Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9

### **RECONVENE PUBLIC SESSION – 10:10 A.M.**

Chair Cox asks LAFCO Legal Counsel Clark Alsop to report on the closed session. Mr. Alsop states that no reportable action was taken in closed session.

### **ANNOUNCEMENT OF CONTRIBUTIONS**

Chair Cox requests those present who are involved with any of the changes of organization to be considered today by the Commission and have made a contribution of more than \$250 within the past 12 months to any member of the Commission to come forward and state for the record their name, the member to whom the contribution was made, and the matter of consideration with which they are involved. There were none.

### **CONSENT ITEMS:**

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter.

- ITEM 3.** Approval of Minutes for Regular Meeting of August 16, 2017
- ITEM 4.** Approval of Executive Officer's Expense Report
- ITEM 5.** Ratify Payments as Reconciled for Month of July and August 2017 and Note Cash Receipts
- ITEM 6.** Approval of Contract for Janitorial Services at 1170 West Third Street for the period of August 24, 2017 through June 30, 2018

Commissioner Curatalo moves approval of the Consent Calendar, Second by Commissioner Williams. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Williams, Warren and Rutherford. Noes: None. Abstain: None. Absent: Lovingood (Supervisor Rutherford voting in his stead), McCallon (Commissioner Warren voting in his stead), and Ramos.

### **ITEM 7. CONSENT ITEMS DEFERRED FOR DISCUSSION:**

None

### **PUBLIC HEARING ITEMS:**



**ITEM 8. LAFCO SC#419 – REQUEST FOR EXEMPTION FROM PROVISIONS OF GOVERNMENT CODE SECTION 56133 FOR ORDINANCE FOR FEES FOR WASTEWATER PROCESSING BY RUNNING SPRINGS WATER DISTRICT FOR EFFLUENT FROM COUNTY SERVICE AREA 79 AND ARROWBEAR PARK COUNTY WATER DISTRICT**

Assistant Executive Officer Samuel Martinez introduces the staff report, a complete copy of which is on file in the LAFCO office and is made a part of the record by its reference here. The item has been advertised through publication in a newspaper of general circulation within the service area, the *San Bernardino Sun*. As outlined in Commission policy, in-lieu of individual notice, the notice of hearing publication was provided through an eighth page legal ad.

Mr. Martinez states that the Running Springs Water District submitted a request that the Commission determine that the ordinance they adopted on March 29, 2017, which became effective July 1, 2017, is exempt from the provisions of Government Code 56133. Mr. Martinez states that the Running Springs Water District entered into 40-year agreements in 1977 with County Service Area 79 and Arrowbear Park County Water District for the transportation, treatment and disposal of wastewater within the Hilltop Community. He states that as of July 2017 those contracts have expired.

Mr. Martinez states that it is the understanding of LAFCO staff that the Running Springs Water District started discussion in 2015 with County Service Area 79 and Arrowbear Park County Water District about renewing the agreements with updated terms and conditions. Mr. Martinez states that those negotiations failed in part because CSA 79 and Arrowbear Park County Water District objected to the new cost sharing method that Running Springs Water District was proposing; therefore, in light of not having an agreement Running Springs Water District opted to adopt Ordinance 47 which sets rates and terms for continuing the wastewater service.

He states that LAFCO staff considers the Ordinance to be a contractual relationship between Running Springs Water District, County Service Area 79 and Arrowbear Park Water District. Mr. Martinez states that this rationale is based on the Ordinance including the provision that if either CSA 79 or Arrowbear Park Water District opts to use the waste water treatment service, then such election shall constitute agreement with the provisions of the Ordinance including the rate methodology and terms and conditions that are set forth by the Ordinance. Mr. Martinez states that the request from the Running Springs Water District is to determine that the Ordinance and the service are exempt from Government Code Section 56133 (e) under the provisions of subsections (1) and (4).

Mr. Martinez states that it is the staff's position that the exemption provisions identified in the staff report apply to the transportation, treatment, and disposal of wastewater between the Running Springs Water District and County Service Area 79 and Arrowbear Park Water District. Mr. Martinez states that the service provided by Running Springs to County Service Area 79 and Arrowbear Park Water District began in 1977. He states that the original agreements have since expired and the adoption of Ordinance 47 is the means for Running Springs Water District to continue to provide the service in lieu of the expired contracts.

Mr. Martinez states that both County Service Area 79 and Arrowbear Park Water District have publicly objected to Running Springs Water District's Ordinance 47 and LAFCO staff requested that both agencies provide their comments in writing in regards to Ordinance 47. Mr. Martinez states that County Service Area 79 was unable to provide a response to LAFCO prior to the publication of the staff report, but it was noted that a letter response was provided the day prior to the hearing – a copy of which was distributed to each of the Commissioners at the dais – indicating County Service Area 79 has concerns related to the new rate structure and requests that the Commission deny the exemption requests and are requesting that the Commission review the Ordinance. He states that the request before the Commission is to determine whether or not the Ordinance is exempt from your review and approval; not to validate the terms of the ordinance.

Mr. Martinez states that Arrowbear Park Water District also provided a response which is included as part of the staff report attachments. This response outlines their opposition to the request for exemption noting that Ordinance 47 does not constitute an agreement or contract and therefore the exemption provisions do not apply. It also outlined their objection to Ordinance 47 indicating they had not agreed nor do they agree with the ordinance, the rate methodologies or terms and conditions it imposes. Mr. Martinez states that LAFCO staff wants to point out that the service has been provided since 1977 so the exemption identified clearly applies, and LAFCO staff encourages all parties to continue to work towards a better contractual agreement.

Executive Officer Rollings-McDonald states that the determination of exemption is one of many of the items outlined in 56133 subsection (e). She states that even if the Commission did not agree with the exemption for two contracting entities, the exemption outlined in Subsection 4, that this was an existing service that was authorized and provided prior to 2001, would be sufficient for the Commission to determine that this is exempt from review. She also states that the Commission is not authorizing the agreement. She states that 56133 talks about allowing an agency to extend the service. The Commission does not review or make determinations on the terms of a contract. The Commission will simply make the determination regarding whether or not it meets the criteria. She states that if it was not exempt from 56133, the Commission would have to make a determination that it was compliant with the requirement for a future change of organization.

Chair Cox asks if there are any comments from the Commission.

Commissioner Farrell states that he has a concern that there is no need for the Commission to make a determination in this case because the other entities are not a named party in the Ordinance, and there is no need because the service already exists. He further states that the only action he sees the Commission taking is to encourage the parties involved to come to an agreement.

LAFCO Legal Counsel Clark Alsop states that he agrees with what Commissioner Farrell has stated and if the Commission follows what the Executive Officer has just stated it would encourage the parties to continue to work together to achieve an agreement. Commission discussion ensued.

Chair Cox opens the public hearing and calls upon Mr. Norman Huff from Arrowbear Park Water District.

Mr. Huff, General Manager of the District, states that he is in attendance to represent the citizens of Arrowbear who were not afforded due process to be heard or protest the unfair and substantial rate increase imposed on them under Running Springs Ordinance 47. He states that for years the residents of Arrowbear have contributed their fair share and millions of dollars in construction, expansion and capital improvement, as well as the day-to-day operations of the Regional Wastewater Treatment Facility in Running Springs. Now Running Springs is holding those facilities and services hostage in order to get more money from Arrowbear in an attempt to fix the District's fiscal issues. He states that Running Springs has decided to dictate terms by Ordinance instead of a mutual agreed upon contract by the two Districts. He states that Arrowbear strongly urges the Commission to reject Running Springs' request for exemption from 56133, not on the merits of whether it meets exemption requirements, rather, reject the exemption request based on the fact that Ordinance 47 does not meet the definition of contract or agreement that Government Code Section 56133 was meant to cover.

Chair Cox calls for further testimony; there being none, she closes the public hearing and brings the discussion back to the Commission.

Chair Cox asks Executive Officer McDonald, based on Mr. Huff's comments, does the Commission have the ability to reject this Ordinance as requested and are there any legal grounds?

Executive Officer McDonald states 56133 is about the service, not the contract. She states that when an entity proposes to extend service outside its boundary in a contractual relationship, the Commission is asked to review and approve that extension of service; though the Commission is not reviewing those terms of that agreement. She states that discussion by the Commission shows there is some concern about using subsection (1) (e) regarding the contracts between public agencies, however subsection 4 still applies, the service existed prior to January 1, 2001.

Commission discussion ensues.

Collectively, the Commission determines to modify the staff Recommendation #1 to read: *Determine that the Running Springs Water District's Wastewater transportation, treatment and disposal service complies with the exemption criteria listed within Government Code Section 56133, (E) (4) and therefore, does not require Commission review and approval,* and the balance of the staff recommendation was approved.

Commissioner Warren moves approval of the amended staff recommendation, Second by Commissioner Bagley. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Williams, Warren and Rutherford. Noes: None. Abstain: None. Absent: Lovingood (Supervisor Rutherford voting in his stead), McCallon (Commissioner Warren voting in his stead) and Ramos

**ITEM 9. CONSIDERATION OF (1) CEQA STATUTORY EXEMPTION FOR LAFCO 3219 AND (2) REORGANIZATION TO INCLUDE DETACHMENTS FROM CUCAMONGA VALLEY WATER DISTRICT**

Assistant Executive Officer Samuel Martinez introduces the staff report, a complete copy of which is on file in the LAFCO office and is made a part of the record by its reference here. The item has been advertised through publication in a newspaper of general circulation within the reorganization area, the *Inland Valley Daily Bulletin*. Individual notice was not provided as allowed under Government Code Section 56157 as such mailing would include more than 1,000 individual notices. As outlined in Commission policy, in-lieu of individual notice, the notice of hearing publication was provided through an eighth page legal ad.

Mr. Martinez states that Cucamonga Valley Water District initiated the reorganization proposal to process the detachment of five areas from the District. He states that all five areas are in the City of Ontario and are not currently in the sphere of influence for the Cucamonga Valley Water District. He states that the primary reason for LAFCO 3219 is to remove the overlap of service boundaries between the Cucamonga Valley Water District and the City of Ontario which is the water and sewer service provider of all five areas rather than the District.

Mr. Martinez states that the Cucamonga Valley Water District does not provide water and/or sewer services to the customers within any of the areas proposed for detachment; however, the registered voters within these areas participate in elections related to the District. He states that upon completion of the detachment, the five areas will continue to receive water and/or sewer services from the City of Ontario. He states for these reasons, and those outlined in the staff report, the staff supports the approval of LAFCO 3219.

Commissioner Cox asks if there are any comments from the Commission. There are none.

Commissioner Cox opens the public hearing and calls upon Mr. Patrick King.

Mr. King states that for the last 37 years he has owned property in detachment area A, and during this time he has received no services from the Cucamonga Valley Water District although he did pay the bonded indebtedness of the District. He states that all the utility services have been provided by the City of Ontario. He states that he requests the support of the Commission in approving the Staff recommendation.

Chair Cox closes the public hearing.

Commissioner Williams moves approval of all three recommendations of the Staff, Second by Commissioner Warren. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Williams, Warren and Rutherford. Noes: None. Abstain: None. Absent: Lovingood (Commissioner Rutherford voting in his stead), McCallon (Commissioner Warren voting in his stead), and Ramos.

### **DISCUSSION ITEMS:**

#### **ITEM 10 Appointment of Voting Delegate for CALAFCO Business Meeting October CALAFCO Annual Conference**

Executive Officer Kathleen Rollings-McDonald presents the staff report, a complete copy of which is on file in the LAFCO office. Chair Cox states that she will not be in attendance at the CALAFCO Annual Conference. Ms. Rollings-McDonald states that the Commission will need to designate a different primary voting delegate from the Commissioners that will be present. Commissioner Curatalo states that he will do whatever is necessary and will stand in as the primary voting delegate.

Commissioner Bagley moves approval of the staff's recommendation with the modification that Commissioner Curatalo will be the primary Voting delegate, Second by Commissioner Williams. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Williams, Warren and Rutherford. Noes: None. Abstain: None. Absent: Lovingood (Commissioner Rutherford voting in his stead), McCallon (Commissioner Warren voting in his stead), and Ramos.

### **INFORMATION ITEMS:**

#### **ITEM 11 LEGISLATIVE REPORT**

Executive Officer McDonald states that materials have been provided to the Commissioners at the dais. She states that September 15 closed the 2017 Legislative session and all bills from the Senate and the Assembly needed to be either forwarded to the Governor, tabled or become a two year bill.

#### **ITEM 12 EXECUTIVE OFFICER'S ORAL REPORT**

Executive Officer McDonald states that there will be hearings in October and November and it is anticipated that the Commission will be dark in December.

#### **ITEM 13 COMMISSIONER'S COMMENTS**

Chair Cox asks if there are any Commissioner comments. There are none.

#### **ITEM 14 COMMENTS FROM THE PUBLIC**

Chair Cox asks if there are any comments from the public. There are none.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE HEARING IS ADJOURNED AT 11:15 A.M.**

**ATTEST:**

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**LA TRICI JONES**  
Clerk to the Commission

**LOCAL AGENCY FORMATION COMMISSION**

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**KIMBERLY COX, Chair**

DRAFT

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West 3<sup>rd</sup> Street, Unit 150 San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
E-MAIL: [lafco@lafco.sbcounty.gov](mailto:lafco@lafco.sbcounty.gov)  
[www.sbclafco.org](http://www.sbclafco.org)

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**DATE :** OCTOBER 10, 2017  
**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** AGENDA ITEM #2 – APPROVAL OF EXECUTIVE OFFICER’S EXPENSE REPORT

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## **RECOMMENDATION:**

Approve the Executive Officer’s Expense Report for Procurement Card Purchases from August 23, 2017 through September 22, 2017

## **BACKGROUND INFORMATION:**

The Commission participates in the County of San Bernardino’s Procurement Card Program to supply the Executive Officer a credit card to provide for payment of routine official costs of Commission activities as authorized by LAFCO Policy and Procedure Manual Section II – Accounting and Financial Policies #3(H). Staff has prepared an itemized report of purchases that covers the billing period of August 23, 2017 through September 22, 2017.

Staff recommends that the Commission approve the Executive Officer’s expense report as shown on the attachment.

KRM/Ilj

Attachment



## PROCUREMENT CARD PROGRAM

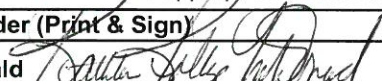
## ATTACHMENT G

## MONTHLY PROCUREMENT CARD PURCHASE REPORT

PAGE 1 OF

Card Number		Cardholder						Travel	Billing Period	
		LAFCO - KATHLEEN ROLLINGS-MCDONALD							09/22/17	
DATE	VENDOR NAME	#	DESCRIPTION	PURPOSE	COST CENTER	G/L ACCOUNT	\$ AMT	TRIP NUMBER	*R/D	SALES TAX
08/23/17	Thomson West	1	Publication	Law Library Update	8900005012	52002080	203.81		R	
08/23/17	Frontier	2	Service	Phone Line	8900005012	52002041	125.88		R	
08/24/17	Amazon.com	3	Folders	Office Supplies	8900005012	52002305	139.99		R	
08/31/17	Frontier	4	Service	Internet	8900005012	52002040	2003.5		R	
08/31/17	Frontier	5	Service	Internet	8900005012	52002041	160.55		R	
09/07/17	Storetrieve	6	Records Storage	Archives	8900005012	52002315	121.34		R	
08/19/17	Westin San Diego	7	Disputed Charge	Credit	8900005012	52002944	47.00CR		R	
09/18/17	Advanced Copy	8	Lease Equipment	Copier	8900005012	52002895	865.88		R	
09/19/17	Bahia Hotel	9	Hotel	CALAFCO Conference	8900005012	52942942	282.18		R	
09/19/17	Bahia Hotel	10	Hotel	CALAFCO Conference	8900005012	52942942	564.36		R	
09/19/17	Bahia Hotel	11	Hotel	CALAFCO Conference	8900005012	52942942	282.18		R	
09/19/17	Bahia Hotel	12	Hotel	CALAFCO Conference	8900005012	52942942	1717.3		R	
		13								
		14								
		15								
		16								
		17								
		18								
		19								
		20								

The undersigned, under penalty of perjury, states the above information to be true and correct. If an unauthorized purchase has been made, the undersigned authorizes the County Auditor/Controller-Recorder to withhold the appropriate amount from their payroll check after 15 days from the receipt of the cardholder's Statement of Account.

Cardholder (Print & Sign)	Date
Kathleen Rollings-McDonald 	10/05/17


Approving Official (Print & Sign)	Date
Kimberly Cox	10/18/17



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West 3<sup>rd</sup> Street, Unit 150, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
E-mail: [lafco@lafco.sbcounty.gov](mailto:lafco@lafco.sbcounty.gov)  
[www.sbclafco.org](http://www.sbclafco.org)

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**DATE :** OCTOBER 10, 2017   
**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT: AGENDA ITEM #3 - RATIFY PAYMENTS AS RECONCILED FOR  
MONTH OF SEPTEMBER 2017 AND NOTE REVENUE RECEIPTS**

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## **RECOMMENDATION:**

Ratify payments as reconciled for the month of September 2017 and note revenue receipts for the same period.

## **BACKGROUND INFORMATION:**

Staff has prepared a reconciliation of warrants issued for payments to various vendors, internal transfers for payments to County Departments, cash receipts and internal transfers for payments of deposits or other charges that cover the period of September 1, 2017 through September 30, 2017

Staff is recommending that the Commission ratify the payments for September as outlined on the attached listings and note the revenues received.

KRM/lj

Attachment

## MONTHLY RECONCILIATION OF PAYMENTS

MONTH OF SEPTEMBER 2017 PAYMENTS PROCESSED					
VOUCHER ID	ACCOUNT	NAME	WARRANT NO.	WARRANT DATE	AMOUNT
PV8908830-8835		JIM BAGLEY	3319674	09/14/2017	\$ 296.19
PV8908831		ACQUANETTA WARREN	8102592	09/14/2017	\$ 217.12
PV8908832		DIANE WILLIAMS	8102635	09/14/2017	\$ 225.26
PV8908833		KIMBERLY COX	8402656	09/14/2017	\$ 257.78
PV8908834		JAMES V CURATALO	8100509	09/12/2017	\$ 226.75
PV890883501		ROBERT LOVINGOOD	8097535	09/05/2017	\$ 200.00
PV890883502		JAMES C RAMOS	8097511	09/05/2017	\$ 200.00
PV8908836	PROCESSED IN AUGUST				
PV8908837		STEVEN FARRELL	8099919	09/11/2017	\$ 218.41
PV8908838		LARRY MCCALLON	8099751	09/11/2017	\$ 200.00
PV8908839		RYAN S MCEACHRON	8099877	09/11/2017	\$ 243.13
PV8908840	PROCESSED IN AUGUST				
PV8908841		CITY OF SAN BERNARDINO	8099526	09/11/2017	\$ 405.00
PV8908842		KELLY SERVICES INC	3318818	09/11/2017	\$ 131.68
PV8908843		BEST BEST & KRIEGER	3319775	09/15/2017	\$ 25,574.79
PV8908844		TEK TIME SYSTEMS INC	3319921	09/15/2017	\$ 908.28
PV8908845		OCTOCLEAN FRANCHISING SYSTEMS	8103132	09/15/2017	\$ 579.62
PV8908846		ROBERT J ALDRICH	3318874	09/11/2017	\$ 3,600.00
PV8908847		TOM DODSON & ASSOCIATES	3318911	09/11/2017	\$ 595.00
PV8908848		JAMES V CURATALO	8104796	09/19/2017	\$ 158.22
PV8908849		DAILY JOURNAL	8104753	09/19/2017	\$ 1,203.60
PV8908850		CHAMPION ELECTRIC INC	3320042	09/19/2017	\$ 184.00
PV8908851		BEST BEST & KRIEGER	3320037	09/19/2017	\$ 3,300.00
PV8908852-8854	NOT YET PROCESSED				
PV8908855		SOUTHERN CALIFORNIA EDISON	8105962	09/20/2017	\$ 555.80
JV890RT03412	2905	JULY - SEPT 2017 RENT AND CAM COSTS		9/22/2017	\$ 11,333.89
JVPRS19XDRN0166	2942	ESRI CONF. HOTEL REIMB. J. LUM & M. TUERPE		9/13/2017	\$ 1,781.37
JVPRS19XFRN0166	2943	ESRI CONF. MEALS REIMB. J. LUM & M. TUERPE		9/13/2017	\$ 350.00
JVPRS19XFRN0166	2945	AIR TRAVEL IN LIEU OF GAS, M. TUERPE		9/13/2017	\$ 247.96
TOTAL					\$ 53,193.85
MONTH OF SEPTEMBER 2017 INTERNAL TRANSFERS PROCESSED					
JVIB01082037D	2037	AUGUST 2017 COMNET CHARGES		9/7/2017	\$ 295.56

## MONTHLY RECONCILIATION OF PAYMENTS

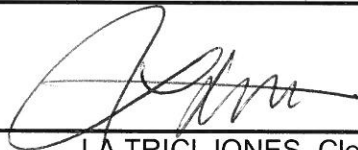
JVIB02072043C	2043	NEW COMMUNICATION SVCS AT NEW LAFCO OFFICE		9/8/2017	\$ 6,015.89
JVATXRT02956	2308	CALCARD 8/22/2017		9/11/2017	\$ 3,649.21
JVATXRT04112	2308	CALCARD 9/22/2017		9/26/2017	\$ 6,419.97
JVPURRT02865	2310	INTER-OFFICE MAIL		9/8/2017	\$ 216.20
JVPURRT02883	2310	PRESORT FLATS		9/8/2017	\$ 85.47
JVPURRT02892	2310	INTER-OFFICE MAIL		9/8/2017	\$ 9.40
JVPURRT02894	2310	PACKAGING		9/8/2017	\$ 20.31
JVPURRT02876	2310	1ST-PRESORT		9/11/2017	\$ 153.20
JVPURRT02878	2310	PACKAGING		9/11/2017	\$ 34.07
JVPURRT03423	2323	PRINTING SERVICES		9/25/2017	\$ 98.84
JVATXRT02769	2415	2017/2018 COWCAP-Q		9/5/2017	\$ 2,114.40
JVIB0207240J	2420	AUGUST 2017 ISD OTHER CHARGES		9/7/2017	\$ 34.94
JVIB02072421B	2421	AUGUST 2017 ISD DIRECT		9/7/2017	\$ 1,074.69
JV890RT04107	2424	NOE FOR LAFCO 3219		9/21/2017	\$ 50.00
TOTAL					\$ 20,272.15

## MONTH OF SEPTEMBER 2017 CASH RECEIPTS

DEPOSIT DOCUMENT ID	ACCOUNT	DESCRIPTION		DEPOSIT DATE	AMOUNT
CRATXA02930		LAFCO 17/18 APPORTIONMENT-IEUA		09/01/2017	\$ 30,000.00
CRATXA02980		LAFCO 17/18 APPOR-WV M & VCD		09/05/2017	\$ 2,451.51
CRATXA03461		LAFCO 17/18 CITY OF ADELANTO		09/14/2017	\$ 2,044.86
CR890A04354		MISCELLANEOUS		09/29/2017	\$ 10.00
TOTAL					\$ 34,506.37

## MONTH OF SEPTEMBER 2017 INTERNAL TRANSFERS RECEIVED

TRANSFER DOCUMENT ID	ACCOUNT	NAME		TRANSFER DATE	AMOUNT
		NONE			
TOTAL					\$ -



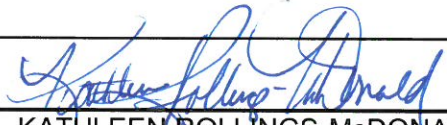
LA TRICI JONES, Clerk to the Commission

10/10/2017

DATE

RECONCILIATION APPROVED BY:

MONTHLY RECONCILIATION OF PAYMENTS



KATHLEEN ROLLINGS-McDONALD, Executive Officer


10/10/2017

DATE

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
lafco@lafco.sbcounty.gov  
www.sbclafco.org

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**DATE:** OCTOBER 10, 2017   
**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer  
SAMUEL MARTINEZ, Assistant Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item #5: LAFCO 3220 – Reorganization to include Annexation to the City of Chino and Detachment from County Service Areas 70 and SL-1 (Pipeline Island)

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**INITIATED BY:**

City of Chino Council Resolution

**RECOMMENDATION:**

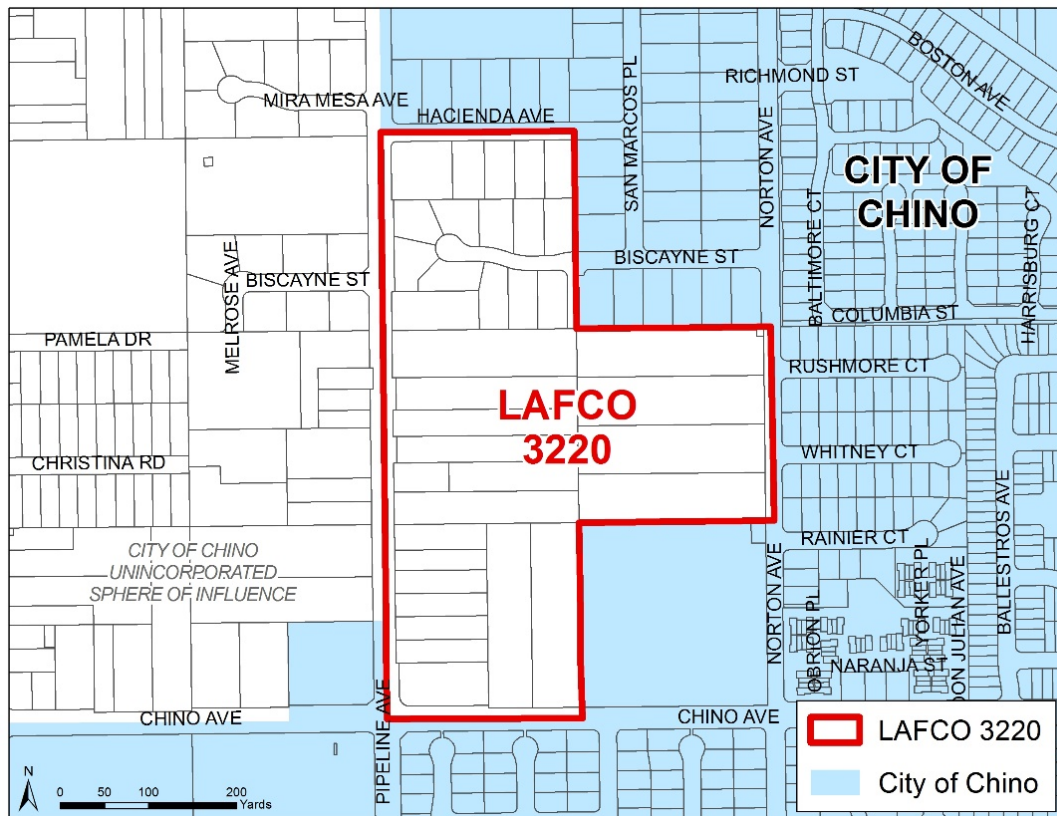
Staff recommends that the Commission approve LAFCO 3220 by taking the following actions:

1. Adopt the Statutory Exemption that has been recommended for this proposal, and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action;
2. Approve LAFCO 3220, as an island annexation, as required by Government Code Section 56375(a)(4), with the standard terms and conditions that include the “hold harmless” clause for potential litigation;
3. Waive protest proceedings, as required by Government Code Section 56375.3; and,
4. Adopt LAFCO Resolution #3251 setting forth the Commission’s findings and determinations concerning this proposal.

**BACKGROUND:**

In May 2017, the City of Chino (hereafter the “City”) submitted an application to annex an area identified as the “Pipeline Island” (LAFCO 3220), which is a reorganization that

annexes the area into the City under the special “island annexation” provisions outlined in Government Code Section 56375.3 and detaches the overlying County Service Areas 70 and SL-1. The Pipeline Island encompasses approximately 40 acres and is generally located east of Pipeline Avenue between Hacienda and Chino Avenues within the City’s western sphere of influence. Location and vicinity maps are included as Attachment #1 to this report.



The City of Chino initiated the annexation of the Pipeline Island to allow for the development of Tentative Tract Map (TTM) 18903, a proposed 38-lot single-family residential development within the reorganization area. The proposed annexation is required in order to connect to the City’s water and sewer facilities<sup>1</sup>. In implementing its Municipal Code requirements, the City however, has opted to annex the entirety of the Pipeline Island in order to create a logical boundary for the City along Pipeline Avenue.

<sup>1</sup> The City of Chino’s Resolution No. 2006-028 states, “...any parcel(s) contiguous to the City boundary, requesting sewer service, may be required to annex to the City. At the time of the request, if annexation is determined by the City to not be feasible, an irrevocable agreement to annex to the City must be executed.”

## **ISLAND ANNEXATION PROVISIONS**

### **(Government Code Sections 56375(a)(4), 56375.3 and 56375.4)**

Government Code Section 56375(a)(4) requires the Commission to approve the annexation of unincorporated “substantially surrounded” island territory, initiated by resolution of the affected City, if several determinations are made. In addition, Code Section 56375.3 requires the Commission to approve the annexation of island territory without the ability of protest if several basic findings are made concerning the size of the island, the configuration of city boundaries, the lack of prime agricultural land within the island area, the presence of development in the area, and the ability of the area to benefit from or use municipal services from the City. The Commission is required to evaluate an island annexation application against the criteria outlined and make specific determinations regarding their proposal’s compliance with these provisions.

The specific evaluation criteria for the Pipeline Island pursuant to Section 56375.3 is as follows:

- The reorganization is initiated on or after January 1, 2000 and is proposed by resolution adopted by the affected City; in this case, the City of Chino initiated the proposed reorganization by adoption of a resolution of initiation, Resolution No. 2017-016, on April 18, 2017;
- The territory does not exceed 150 acres; the reorganization area is 40 +/- acres and constitutes the entire island of unincorporated territory;
- The territory is totally or substantially surrounded; the reorganization area is substantially surrounded as defined by Commission policy, being 75% surrounded by existing City of Chino boundaries on the north, east, and south;
- The territory is substantially developed or developing. This determination is based upon the fact that public utilities are available within the area, there are public improvements present within the area, and there are physical improvements on many of the properties;
- The territory is not prime agricultural land as such is defined by LAFCO statutes; the entire reorganization area has been developed for a use other than agricultural use and does not meet any of the qualifications identified in Section 56064. In addition, the California Department of Conservation’s Division of Land Resources Protection (Farmland Mapping and Monitoring Program) classify the entire area as Urban and Built-Up Land; and,
- The territory will benefit from the reorganization or is receiving benefits from the city; in this case, the reorganization area will benefit from the annexation and currently receives the benefit of receiving water service from the City. In addition,



a parcel within the reorganization area already receives the benefit of sewer service from the City under an existing out-of-agency service contract.

In accordance with the provisions of Government Code Section 56375.4, “[t]he authority to initiate, conduct, and complete any proceeding pursuant to subdivision (a) of Section 56375.3 does not apply to any territory that, after January 1, 2014, became surrounded or substantially surrounded by the city to which annexation is proposed...”. The Pipeline Island existed on January 1, 2014, with its northern boundary established in 1978 and the southwestern boundary becoming a part of the city in 1993.

Staff has also reviewed the provisions of the Commission’s additional policies related to the processing and evaluation of island annexation proposals. Under the Commission’s additional policies, only a determination of policy B applies to the Pipeline Island proposal. In this case, it has been determined that the City of Chino conducted the required community outreach/education meeting on February 15, 2017. Community meeting materials are included as Attachments #3 to this report.

Based upon the information outlined above, it is the staff’s position that the mandatory determinations are clear; therefore, the Commission is:

1. Required by Government Code Section 56375(a)(4) to approve the proposal as submitted by the City of Chino; and,
2. Required to approve it without the ability for protest from landowners and registered voters within the area as required by Government Code Section 56375.3.

The following provides a summary of the balance of the issues which the Commission reviews and considers in any jurisdictional change – boundaries, land uses, service delivery and the effect on other local governments, and environmental considerations.

### **BOUNDARIES:**

The reorganization area encompasses approximately 40 acres, generally bordered by Hacienda Lane and parcel lines (existing City of Chino boundary) on the north, parcel lines and Norton Avenue (existing City of Chino boundary) on the east, Chino Avenue and parcels lines (existing City of Chino boundary) on the south, and Pipeline Avenue on the west within the City of Chino’s western unincorporated sphere of influence except for the southwest corner, which is already within the City of Chino’s existing boundary.

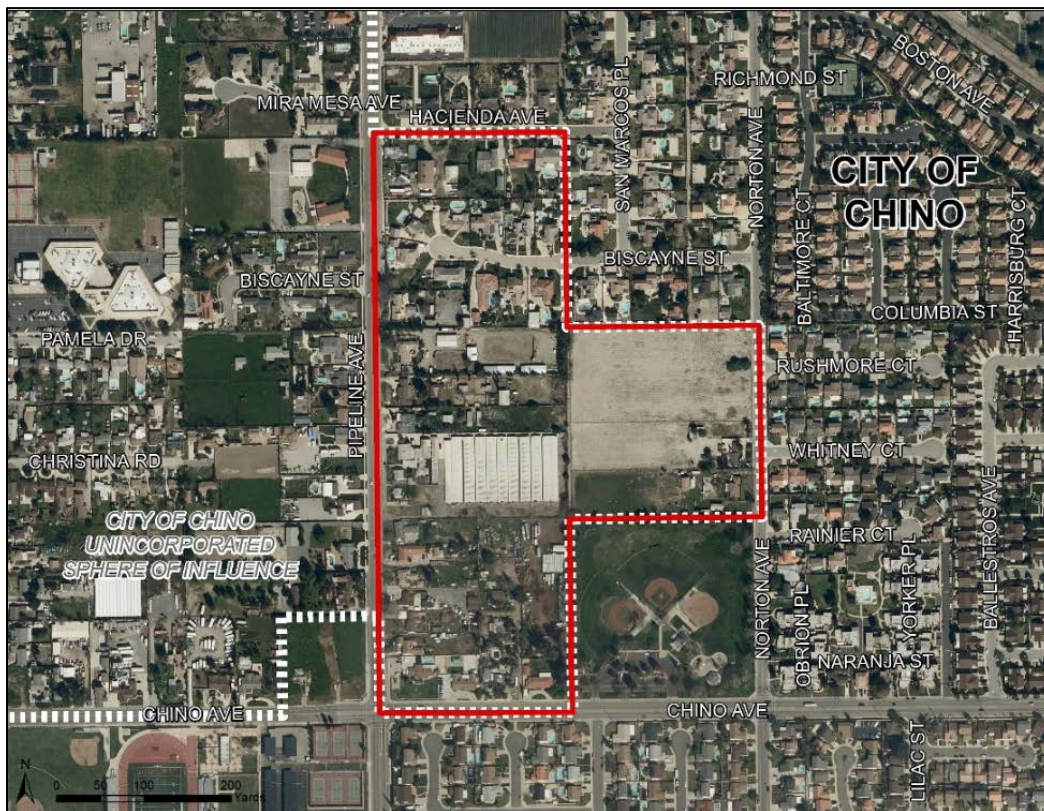
No boundary issue has been identified. It is LAFCO staff’s position that this reorganization proposal provides for a logical boundary since it removes a substantially surrounded unincorporated island territory within the City of Chino’s sphere of influence.



## **LAND USE:**

### *Existing Uses:*

The reorganization area is a mix of residential development, a preschool/daycare facility, and vacant lands. Existing uses directly surrounding the reorganization area include residential development on the north, east and south (with a park facility on the southeast corner and a vacant parcel on the southwest corner) within the City of Chino and a mix of residential development and a church facility on the west within the unincorporated County area. An aerial display of the general vicinity is shown below:



### *County's Land Use Designation:*

The County's current land use designation for the entire reorganization area is RS-20M (Single Residential, 20,000 square foot minimum lot size), which provides sites for single-family residential uses and other similar and compatible uses.

### *City's General Plan:*

The City's General Plan designate the reorganization area as RD2 (Residential, 2 units/acre) and NC (Neighborhood Commercial).

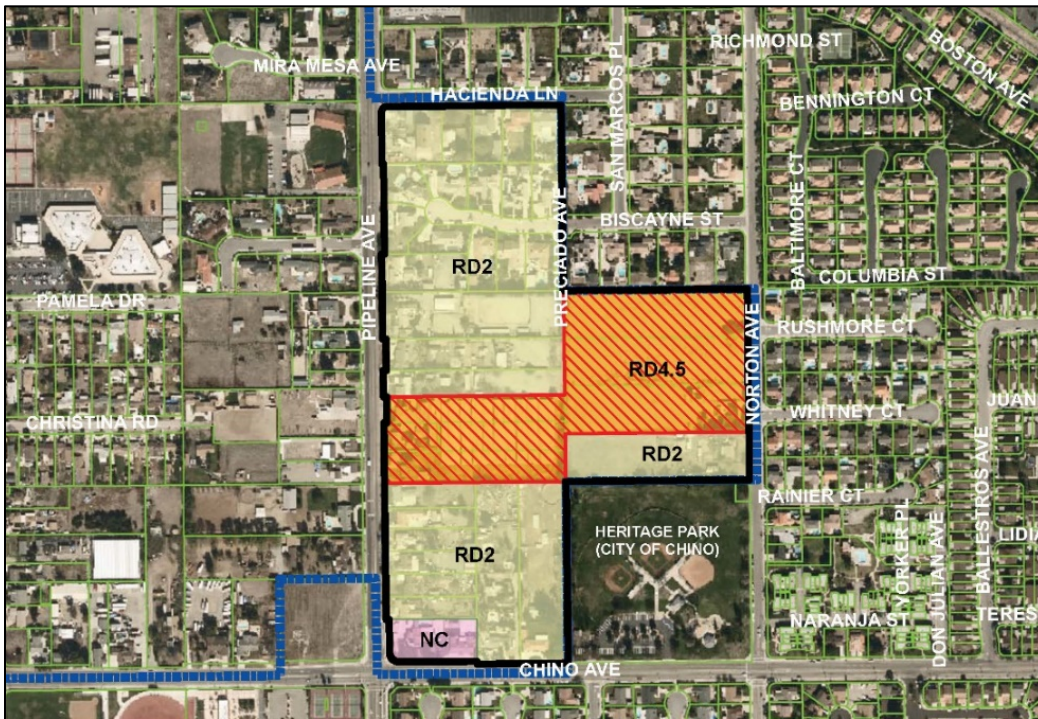


The City's approval of its Chino Annexation Area Project included a General Plan Amendment to change approximately 12 acres of the RD2 designation to RD4.5 (Residential, 3 to 4.5 units/acre) and approximately 8 acres of the NC designation to RD2. It should be noted that both the County's CN (Neighborhood Commercial) and the City's NC designations are intended to be in close proximity to residential uses; therefore, the land use determinations between the City and County are generally compatible.

*City's Pre-Zone Designation:*

The City of Chino pre-zoned the reorganization area as part of its approval process to RD2 (approximate 24 acres) consisting of the existing single-family homes located to the north and south sides of the reorganization area, RD4.5 (approximately 12 acres) along the center section of the reorganization area to accommodate the proposed TTM 18903 with 38 single-family homes, and CN (approximately 1.1 acres) at the southwest corner of the reorganization area to allow for the continuation of the preschool/daycare facility. These pre-zone designations were determined through the City's consideration of Ordinance No. 2017-006, which was adopted on May 2, 2017.





These pre-zone designations are consistent with the City's General Plan for the reorganization area and are also consistent with surrounding land uses.

Pursuant to the provisions of Government Code Section 56375(e), these zoning designations shall remain in effect for a period of two (2) years following annexation. The law allows for a change in designation if the City Council makes the finding, at a public hearing, that a substantial change has occurred in circumstances that necessitate a departure from the pre-zoning outlined in the application made to the Commission.

#### Land Use Issues:

One issue that was expressed during the City's process was the NC (Neighborhood Commercial) designation on the southern piece of the reorganization area. This has been resolved through the General Plan Amendment and pre-zoning that removed the commercial designation on most of the southern area except for the preschool/day care facility, which is the only parcel left that has the General Plan/pre-zone designation of NC.

Another concern raised was the land use compatibility of the project with the surrounding neighborhood. It was identified that the project, which was originally planned for 44 single-family residential units, was too dense with traffic impacts to surrounding streets particularly the connection to Preciado Avenue. The developer has since revised the project by reducing the number of units to 38 and changed the internal street configuration to try to address the concerns raised related to traffic.



Original Proposal (44 Units)



Revised Proposal (38 Units)

The revised project has also resulted in the change in density of the overall project from 4.5 units per acre to 3.1 units per acre.

Other concerns expressed by landowners and residents revolved around their ability to maintain their properties as they currently do in the County including whether or not they could continue to keep their animals, any improvements made on their properties, RV parking, etc. The City has responded to these concerns by indicating *“that all existing legal uses and improvements within the reorganization area, as well as all legal non-conforming uses and improvements that were established through the County, shall be grandfathered-in the City.”*

Other land use issues related to the actual project (e.g. street/sidewalk improvements, easements, etc.) that either remain outstanding, are being negotiated upon and/or will be negotiated by the parties involved, are not a part of the LAFCO process nor are these issues contingent on the LAFCO approval process.

### **SERVICE ISSUES AND EFFECTS ON OTHER LEVELS OF GOVERNMENT:**

In every consideration for jurisdictional change, the Commission is required to look at the existing and proposed service providers within an area. County Service Area 70 (multi-function entity) and County Service Area SL-1 (streetlighting entity) are the only County service providers within the reorganization area affected by the change. In addition, the following regional entities overlay the reorganization area: Chino Valley Independent Fire Protection District, West Valley Mosquito and Vector Control District, Inland Empire Resource Conservation District, Chino Basin Water Conservation District, Inland Empire Utilities Agency and its Improvement District No. C (wastewater treatment services), and the Metropolitan Water District of Southern California (the State Water Contractor).

The application includes a plan for the extension of services for the reorganization area as required by law and Commission policy (included as part of Attachment #2 to this report). The Plan for Service, which was prepared by the Zimmerman Group and was

certified by the City, includes a Fiscal Impact Analysis indicating that the project will have a positive financial effect for the City for the projected five years. In general, the Plan identifies the following:

- Wastewater collection services is already provided to one of the properties with the reorganization by the City. There is an existing 18-inch sewer main in Pipeline Avenue. The development of TTM 18903 will connect to the existing sewer main in Pipeline Avenue.

Wastewater treatment will be the responsibility of the Inland Empire Utilities Agency.

- Water service is already provided to the reorganization area by the City. No change in this service will take place upon completion of the reorganization. The development of TTM 18903 will connect to the existing 8-inch water main in Pipeline Avenue.
- Law enforcement responsibilities, which are currently provided by the County Sheriff's Department through its contract with the City of Chino Hills for police services t, will transition to the City of Chino's Police Department following the completion of the reorganization. The City's Police Department is located at 5450 Walnut Avenue, Chino, which is approximately 2.5 miles from the proposal area.
- Solid waste services, currently provided by Waste Management within the reorganization area, will continue to serve the area upon completion of the reorganization since the City also contracts with Waste Management for its services.
- Fire protection and paramedic services are currently provided by the Chino Valley Independent Fire Protection District. No change will occur to this service provider through the reorganization. In relation to the District's fire stations, the reorganization area is 1.4 miles away from its Station #65 and is 1.7 miles from its Station #61.

It is the position of LAFCO staff that LAFCO 3220 is a straightforward and logical extension of service delivery by the City of Chino. As required by Commission policy and State law, the Plan for Service shows that the extension of the City's services will maintain, and/or exceed, current service levels provided through the County and is determined to be sustainable for the foreseeable future as evidenced by the Fiscal Impact Analysis.

## **ENVIRONMENTAL CONSIDERATIONS:**

The City of Chino adopted a Mitigated Negative Declaration that was prepared for its Chino Annexation Area Project, which pre-zoned the entirety of the reorganization area. However, the Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed this proposal and has indicated that it is his recommendation that the reorganization proposal is statutorily exempt from the California Environmental Quality Act (CEQA). This determination is based on the fact that the Commission has no discretion in its review of this proposal being required by Statute to approve the island proposal. Such a "ministerial action" is exempt from environmental review pursuant to Section 15268 of the State CEQA Guidelines. Therefore, it is staff's recommendation that the Commission adopt a Statutory Exemption for this proposal.

## **CONCLUSION:**

It is the staff's position that LAFCO 3220 is a ministerial action – one which the Commission has no discretion over and must approve. This position is based on the requirements set forth in Government Code Section 56375(a)(4) that state, "a Commission shall not disapprove [emphasis added] an annexation to a city, initiated by resolution, of contiguous territory that is... (A) Surrounded or substantially surrounded by the city to which the annexation is proposed..." or "(C) An annexation or reorganization of unincorporated islands meeting the requirements of Section 56375.3."

It is the staff's position that the Commission is required to make the mandatory determinations outlined in Section 56375.3 and its supplemental policies outlined in Section 56375.4; therefore, no protest proceeding will be required. We believe that those determinations are easily made in this case:

- The City of Chino initiated the proposed reorganization by adopting a resolution of initiation on April 18, 2017;
- The reorganization area comprises a total of 40 +/- acres, which makes the island territory less than the 150-acre threshold and constitutes the entire island of unincorporated territory;
- The reorganization area is 75 percent surrounded by the City of Chino and is wholly within the City of Chino's sphere of influence;
- The reorganization is substantially developed or developing based on the presence of existing development in the area and the availability of public services as indicated in the Plan for Service;
- The reorganization area does not contain any prime agricultural land; and,

- The reorganization will benefit from the annexation to the City as reflected in the Plan for Service and the area is already benefiting from the direct receipt of water service from the City as well as a property already benefitting from the receipt of sewer service from the City.

It is also staff's determination that this proposal complies with Government Code Section 56375.4 which requires that the island be created prior to January 1, 2014. In addition, this proposal complies with the Commission's policies related to the processing of islands in that the City has conducted a public relations/education effort prior to the consideration of the proposal by the Commission.

For all the reasons outlined above, and throughout the staff report, LAFCO staff recommends approval of LAFCO 3220, the Pipeline Island. If the Commission concurs with the staff determinations related to the statutorily required determinations, then it is required to approve this proposal, regardless of any protest that might be submitted for this item.

#### **DETERMINATIONS:**

The following determinations are required to be provided by Commission policy and Government Code Section 56668 for any change of organization/reorganization proposal:

1. The County Registrar of Voters Office has determined that the reorganization area is legally inhabited containing 58 registered voters as of June 27, 2017.
2. The County Assessor's Office has determined that the assessed valuation of land and improvements within the study area is \$16,645,803 (\$7,245,205--land; \$9,400,598—improvements).
3. The reorganization area is within the sphere of influence assigned the City of Chino.
4. Commission review of this proposal has been advertised in the *Inland Valley Daily Bulletin*, a newspaper of general circulation within the reorganization area. Individual notice has been provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notification.
5. LAFCO staff has provided individual notice to the landowners and registered voters within the reorganization area (totaling 94 notices) and to landowners and registered voters surrounding the reorganization area (totaling 2,211 notices) in accordance with State law and adopted Commission policies. Comments from landowners/registered voters and any affected local agency in support or

opposition will be reviewed and considered by the Commission in making its determination.

6. The City of Chino has pre-zoned the reorganization area to RD2 (Residential, 2 units/acre), RD4.5 (Residential, 3 to 4.5 units/acre) and NC (Neighborhood Commercial). These zoning designations are consistent with the City's General Plan. Pursuant to the provisions of Government Code Section 56375(e), these zoning designations shall remain in effect for two years following annexation unless specific actions are taken by the City Council.
7. The Southern California Associated Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. LAFCO 3220 has no direct impact on SCAG's Regional Transportation Plan.

The Sustainable Communities Strategy includes, among others, strategies that support compact infill development as well as expanded housing and transportation choices, which approval of LAFCO 3220 will support.

8. The Commission's Environmental Consultant, Tom Dodson and Associates, has indicated that the review of this reorganization proposal is statutorily exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the finding that the Commission's approval of this application is ministerial, in that based upon the findings required by Government Code Section 56375(a)(4), the Commission has no discretion in its action -- it must approve the proposal. Therefore, a Statutory Exemption, as authorized under Section 15268 of the State CEQA Guidelines, is appropriate. A copy of Mr. Dodson's response is included for the Commission's review as Attachment #4 to this report.
9. The area in question is presently served by the following local public agencies:
  - County of San Bernardino
  - Chino Valley Independent Fire Protection District
  - West Valley Mosquito and Vector Control District
  - Inland Empire Resource Conservation District
  - Chino Basin Water Conservation District
  - Inland Empire Utilities Agency and its Improvement District No. C (regional wastewater treatment provider)
  - Metropolitan Water District of Southern California (State Water Contractor)
  - County Service Area SL-1 (street lighting)
  - County Service Area 70 (multi-function unincorporated area Countywide)

County Service Area SL-1 and County Service Area 70 will be detached as a function of the reorganization. None of the other agencies are affected by this proposal as they are regional in nature.



10. A plan was prepared for the extension of services to the reorganization area by the City, as required by law. The Plan for Service, which was prepared by the Zimmerman Group and was certified by the City, indicates that the City can maintain and/or improve the level and range of services currently available in the area. A copy of this plan is included as a part of Attachment #2 to this report. The Plan for Service and Fiscal Impact Analysis have been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that the Plan for Service and the Fiscal Impact Analysis, conform to those adopted standards and requirements.
11. The reorganization area can benefit from the availability and extension of municipal services from the City of Chino and is already benefitting from the receipt of water service from the City. In addition, a parcel within the reorganization area is also benefitting from the receipt of sewer service from the City.
12. The reorganization proposal complies with Commission policies that indicate the preference for areas proposed for future development at an urban-level land use to be included within a City so that the full range of municipal services can be planned, funded, extended and maintained. It is also consistent with State law and complies with Commission policies that indicate the preference for all island areas to be included within the boundaries of the City surrounding them.
13. This proposal will assist the City in its ability to achieve its fair share of the regional housing needs since the reorganization area includes the area for TTM 18903, which is proposed to be developed with 38 single-family residences.
14. With respect to environmental justice, which is the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services, the following demographic and income profile was generated using ESRI's Community Analyst within the City of Chino and within and around the reorganization area (2017 data):

Demographic and Income Comparison	City of Chino (%)	Subject Area & adjacent Unincorporated Sphere (%)
Race and Ethnicity		
• African American Alone	6.7 %	3.5 %
• American Indian Alone	1.0 %	1.3 %
• Asian Alone	11.7 %	7.8 %
• Pacific Islander Alone	0.2 %	0.1 %
• Hispanic Origin (Any Race)	57.3 %	56.7 %
Median Household Income	\$77,432	\$75,121

The reorganization area and the surrounding unincorporated sphere area already receive water from the City. Wastewater service, if required, is also available from the City through an out-of-agency service agreement for sewer service. Fire protection is already provided by the Chino Valley Independent Fire Protection District, which serves both the City and its entire unincorporated sphere. Nonetheless, the reorganization proposal is to annex the entirety of the substantially surrounded island. Therefore, the reorganization area will continue to benefit from the extension of services and facilities from the City and, at the same time, the approval of the reorganization to annex the entirety of the substantially surrounded island will not result in the deprivation of service or the unfair treatment of any person based on race, culture or income.

15. The County of San Bernardino and the City of Chino have successfully negotiated a transfer of property tax revenues that will be implemented upon completion of this reorganization. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.
16. The maps and legal descriptions, as revised, are in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office.

KRM/sm

Attachments:

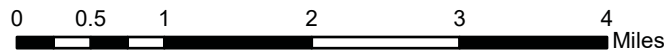
- 1 -- Vicinity and Reorganization Map
- 2 -- City of Chino Resolution No. 2017-016, Application Form, Supplement Form, and Plan for Service including Fiscal Impact Analysis
- 3 -- Public Relations/Outreach Materials from the City of Chino's Neighborhood Meeting on February 15, 2017, as Required by Commission Policy
- 4 -- Response from Tom Dodson and Associates on Environmental Determination
- 5 -- Draft Resolution No. 3251

# **Vicinity and Reorganization Map**

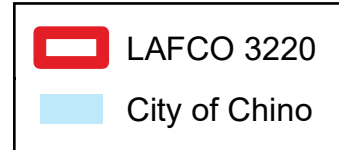
**Attachment 1**

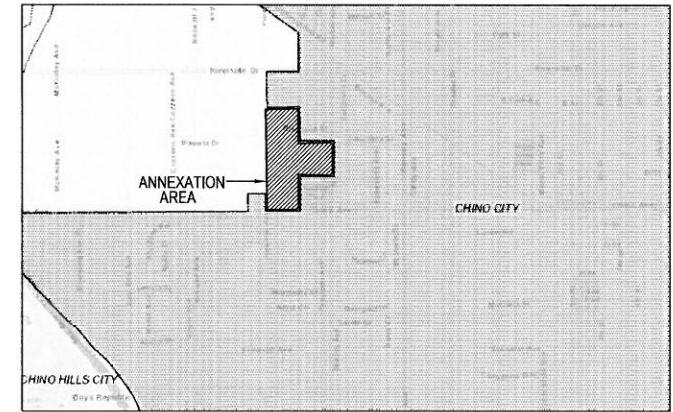
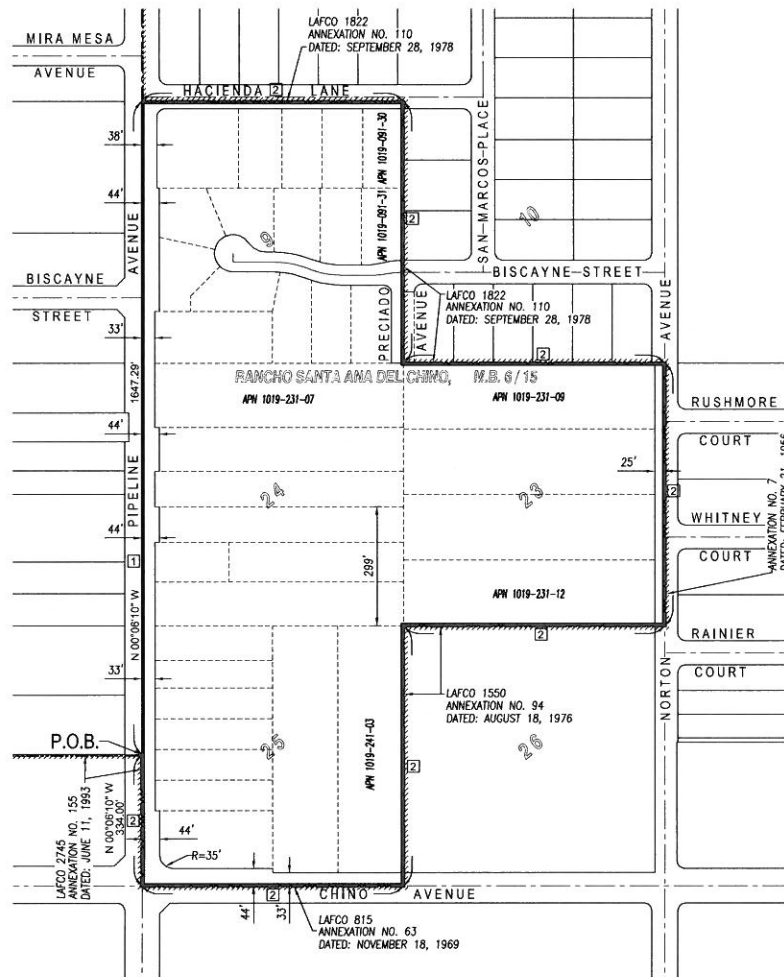


**LAFCO 3220 — Reorganization to Include Annexation to the City of Chino and Detachment from County Service Area 70 and County Service Area SL-1 (Pipeline Island)**



Map Created: 6/21/2017





VICINITY MAP

- CITY OF CHINO
- PROJECT AREA

*David B. Warren*  
 DAVID B. WARREN, LS 8244  
 EXPIRES 12/31/2017

9/1/2017  
 DATE



Prepared By:  
**ALLARD ENGINEERING**  
 Civil Engineering - Land Surveying - Land Planning  
 10860 Seville Avenue  
 Fontana, California 92335  
 (909) 356-1815 Fax (909) 360-1795

**LAFCO 3220**  
 REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF CHINO  
 AND DETACHMENT FROM CSA 70 & SCA SL-1 (PIPELINE ISLAND)  
 A PORTION OF THE NORTHWEST 1/4 OF SECTION 10,  
 TOWNSHIP 2 SOUTH, RANGE 8 WEST, S.B.M.,  
 TOTAL ACREAGE - 40.02 ACRES, MORE OR LESS

**City of Chino Resolution No.  
2017-016, Application Form,  
Supplemental Form and Plan  
for Service Including Fiscal  
Impact Analysis**

**Attachment 2**

RESOLUTION NO. 2017-016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, REQUESTING THE LOCAL AGENCY FORMATION COMMISSION INITIATE PROCEEDINGS FOR THE ANNEXATION OF 40 ACRES OF LAND TO THE CITY OF CHINO GENERALLY LOCATED NORTH OF CHINO AVENUE, SOUTH OF HACIENDA LANE BETWEEN PIPELINE AVENUE AND NORTON AVENUE WITHIN THE CITY OF CHINO SPHERE OF INFLUENCE (ANNEXATION PL16-0464).

WHEREAS, on June 3, 2016, MLC Holdings, Inc. (the "Applicant") submitted its applications for PL 16-00462 (Prezone), PL 16-0463 (General Plan Amendment), PL16-0464 (Annexation), and PL 16-0529 (Tentative Tract Map No. 18903) requesting the City take the steps necessary to annex approximately 40 acres of land from the County of San Bernardino into the City of Chino and to pre-zone the land use designations from the San Bernardino County RS-20M (Single Residential minimum lot size 20,000 square feet) as follows: approximately 12 acres of land to RD 4.5 (Residential), approximately 24 acres of land to RD 2 (Residential/ Agricultural), and approximately 1.1 acres of land to CN (Commercial Neighborhood) (collectively the "Project"); and

WHEREAS, the Project consists of those certain real properties generally located north of Chino Avenue, east of Pipeline Avenue, west of Norton Avenue and south of Hacienda Lane (AP Nos. 1019-091-01, 24, and 27 through 40, 1019-231-01 through 12, and 1019-241-03 through 11) as fully described in Exhibits "A" and "B" incorporated herein; and

WHEREAS, the proposed land use changes included in PL16-0463 (General Plan Amendment) modify approximately 20 acres of land and will result in a reduction of approximately 8 acres of NC (Neighborhood Commercial) going to RD 2 (Residential, 2 units/acre), and approximately 12 acres going from RD 2 to RD 4.5 (Residential 4.5 units per acre) with a net decrease of approximately 4 acres of RD 2 land use designation as fully described as shown in Exhibit "C"; and

WHEREAS, the City Council of the City of Chino desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for PL 16-0464 (Annexation); and

WHEREAS, the territory proposed for annexation is an unincorporated island that is eligible for annexation pursuant to Section 56375.3 of the California Government Code and a description of the boundaries of the proposed annexation territory is set forth in Exhibit "A" attached hereto and by this reference incorporated herein; and

THE FOREGOING INSTRUMENT IS A  
CORRECT COPY OF THE ORIGINAL  
ON FILE IN THIS OFFICE

ATTEST: May 15 2017

Angela Robles  
(Signature)

ANGELA ROBLES, CITY CLERK  
(Title) City of Chino, California

WHEREAS, the reasons for this proposed annexation are to provide municipal services within logical service boundaries; and

WHEREAS, the City of Chino has reviewed and approved the Plan for Service and Fiscal Impact Analysis prepared by the Zimmerman Group (Exhibit "D") for the subject property.

NOW, THEREFORE, the City Council of the City of Chino, California, does hereby RESOLVE as follows:

1. The Local Agency Formation Commission for San Bernardino County is hereby requested to take proceedings for the annexation of territory as described in Exhibits "A" according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

2. The City of Chino further requests that the annexation be subject to the following terms and conditions:

a) the property owner/developer shall comply with all conditions of approval including the payment of required fees, including all development impact fees, as specified in approved PL 16-0529 (Tentative Tract Map No. 18903); and

b) the standard terms and conditions imposed by the Local Agency Formation Commission be applied to the annexation territory; and

c) the proposed annexations territory be annexed into City Council Election District No. 4.

3. The City acknowledges and agrees to abide by the Local Agency Formation Commission for San Bernardino County's requirement for imposing legal indemnification as outlined in Policy 3 of Chapter 2 of the Accounting and Financial Section of its Policy and Procedure Manual.

4. The City Manager is hereby directed and authorized to execute, on behalf of the City of Chino, the application forms for the annexation which includes the preparation and certifying of the Plan for Service and Fiscal Impact Analysis, copies of which are on file in the office of the City Clerk.

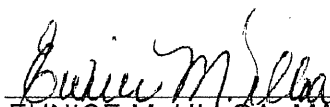
5. The City Clerk of the City of Chino is hereby authorized and directed to file, or cause to be filed, a certified copy of this Resolution with the Executive Officer of the Local Agency Formation Commission for San Bernardino County.

6. The City Manager of the City of Chino is hereby authorized and directed to prepare and deliver, or cause to be prepared and delivered, to the Executive Officer of the Local Agency Formation Commission for San Bernardino County all



documents, legal descriptions, and maps necessary for the initiation of proceedings for the proposed annexation.

PASSED, APPROVED and ADOPTED THIS 18<sup>TH</sup> day of April 2017.

  
EUNICE M. ULLOA, MAYOR

ATTEST:

  
ANGELA ROBLES, CITY CLERK

State of California            )  
County of San Bernardino    ) ss  
City of Chino                 )

I, Angela Robles, City Clerk of the City of Chino, do hereby certify the foregoing Resolution was duly adopted by the Chino City Council at a regular meeting held on the 18<sup>th</sup> day of April 2017, by the following votes:

AYES: COUNCIL MEMBERS: Haughey, Duncan, Elrod, George

NOES: COUNCIL MEMBERS: Ulloa

ABSENT: COUNCIL MEMBERS: None

  
ANGELA ROBLES, CITY CLERK

Attachments: Exhibit "A" – LAFCO ANNEXATION MAP  
Exhibit "B" – Prezone Map  
Exhibit "C" – General Plan Map  
Exhibit "D" – Plan for Service and Fiscal Impact Analysis

## SAN BERNARDINO LAFCO APPLICATION AND PRELIMINARY ENVIRONMENTAL DESCRIPTION FORM

**INTRODUCTION:** The questions on this form and its supplements are designed to obtain enough data about the application to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

### GENERAL INFORMATION

1. NAME OF PROPOSAL: City of Chino Norton and Pipeline Annexation - MLC Holdings  
\_\_\_\_\_  
\_\_\_\_\_
2. NAME OF APPLICANT: City of Chino c/o Michael Hitz, Principal Planner  
APPLICANT TYPE: ☐ Landowner ☒ Local Agency  
☐ Registered Voter ☐ Other \_\_\_\_\_  
MAILING ADDRESS:  
P.O. Box 667  
Chino, CA 91708  
PHONE: ( 909 ) 334-3448  
FAX: ( 909 ) 334-3729  
E-MAIL ADDRESS: mhitz@cityofchino.org
3. GENERAL LOCATION OF PROPOSAL: North of Chino Avenue, South of Hacienda Lane,  
East of Pipeline Avenue, and West of Norton Avenue  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Does the application possess 100% written consent of each landowner in the subject territory?  
YES ☐ NO ☒ If YES, provide written authorization for change.
5. Indicate the reason(s) that the proposed action has been requested. \_\_\_\_\_  
The City of Chino initiated the annexation of this area to allow for residential development and create  
a logical service boundary along Pipeline Avenue. The proposed future development will utilize water  
and sewer from the City of Chino. City policy dictates that properties that are contiguous to the City  
boundary, located within the City's sphere of influence that require sewer service should be annexed  
into the City. Furthermore, in the future, other homes within the Annexation area will be able to hook  
into the City sewer as septic systems fail.  
\_\_\_\_\_

**LAND USE AND DEVELOPMENT POTENTIAL**

1. Total land area of subject territory (defined in acres):  
+/- 40.2 Acres
2. Current dwelling units within area classified by type (single-family residential, multi-family [duplex, four-plex, 10-unit], apartments)  
32 Single Family residential and 1 Neighborhood commercial (daycare)
3. Approximate current population within area:  
Approximately 144 existing residents.
4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):  
RD-2, allows for 2 residential units per acre  
NC, allows for neighborhood commercial uses

San Bernardino County General Plan designation(s) and uses permitted by this designation(s):

RS 20M - Single family homes on minimum 20,000 SF lots (2 du)

5. Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:  
Approximately 12 acres of the proposed annexation will be developed with 38 new single family homes. Per the traffic study, the development of these homes is not expected to have a negative impact on the regional transportation plan.
6. Indicate the existing use of the subject territory.  
Single-Family Residential with one parcel (1.5 ac +/-) being used as a daycare/school

What is the proposed land use?

Single-Family Residential and one parcel (1.5 ac +/-) Neighborhood commercial for daycare/school

7. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES ☐ NO ☒ If YES, please explain.

8. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

- |  |  |
|--|--|
| <input type="checkbox"/> Agricultural Land Uses  | <input type="checkbox"/> Agricultural Preserve Designation       |
| <input type="checkbox"/> Williamson Act Contract   | <input type="checkbox"/> Area where Special Permits are Required |
| <input type="checkbox"/> Any other unusual features of the area or permits required: _____ |  |

9. Provide a narrative response to the following factor of consideration as identified in §56668(p):  
*The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:*

The project complies with all City, County and State requirements and basic principles of environmental justice as it does not expose minority or disadvantaged populations within the proposed annexation area to proportionally greater risk or impacts compared with those borne by other individuals.

### **ENVIRONMENTAL INFORMATION**

1. Provide general description of topography. Mostly flat with gentle slope from N to S

2. Describe any existing improvements on the subject territory as % of total area.

Residential	<u>88</u>	%	Agricultural	<u>          </u>	%
Commercial	<u>2</u>	%	Vacant	<u>10</u>	% (to be developed)
Industrial	<u>          </u>	%	Other	<u>          </u>	%

3. Describe the surrounding land uses:

NORTH	<u>Residential</u>
EAST	<u>Residential</u>
SOUTH	<u>Residential</u>
WEST	<u>Residential</u>

4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).

The development of 38 single-family homes for Tract No. 18903 requires the installation of water, sewer, storm drain, grading improvements, streets, landscaping, and sidewalks. The proposed development area is approximately 12 acres of the 40 acre annexation area. Additional public improvements including storm drain, sewer laterals, and sidewalks will be installed within the 40 acre annexation area.

5. Will service extensions accomplished by this proposal induce growth on this site? YES ☒ NO ☐ Adjacent sites? YES ☐ NO ☒ Unincorporated ☐ Incorporated ☒

Approximately 12 acres of the site are to be constructed with 38 single-family homes, other lots within the annexation area could be subdivided and developed in the future. Sewer laterals are being installed for existing homes that front Pipeline Avenue, home additions and accessory dwelling units (Guest House or Secondary Units) could be added to these parcels.

6. Are there any existing out-of-agency service contracts/agreements within the area? YES ☒ NO ☐ If YES, please identify.

Pre-annexation Agreement with homeowner Robert and Linda Lewis at 13241 Pipeline ave  
APN 1019-241-08

7. Is this proposal a part of a larger project or series of projects? YES ☐ NO ☒ If YES, please explain.

### NOTICES

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME Lester Tucker MLC Holdings TELEPHONE NO. 949 372 3304

ADDRESS:  
1401 Dove, ste 640, Newport Beach, CA

NAME Michael Hitz, City of Chino TELEPHONE NO. (909) 334-3448

ADDRESS: 13220 Central Avenue, Chino, CA 91710

NAME \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS:  
\_\_\_\_\_

### CERTIFICATION

As a part of this application, the City/Town of Chino, or the \_\_\_\_\_ District/Agency, \_\_\_\_\_ (the applicant) and/or the \_\_\_\_\_ (real party in interest - landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees,

and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

I hereby certify that the statements furnished above and in the attached supplements and exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 5-25-17



SIGNATURE

Matthew C. Ballantyne

Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

City Manager, City of Chino

Title and Affiliation (if applicable)

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

- ☒ ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT
- ☐ SPHERE OF INFLUENCE CHANGE SUPPLEMENT
- ☐ CITY INCORPORATION SUPPLEMENT
- ☐ FORMATION OF A SPECIAL DISTRICT SUPPLEMENT
- ☐ ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT

## SUPPLEMENT ANNEXATION, DETACHMENT, REORGANIZATION PROPOSALS

**INTRODUCTION:** The questions on this form are designed to obtain data about the specific annexation, detachment and/or reorganization proposal to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please identify the agencies involved in the proposal by proposed action:

ANNEXED TO

DETACHED FROM

City of Chino

County Service Area 70 and

County Service Area SL-1

2. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following:

a. Has pre-zoning been completed? YES ☒ NO ☐

b. If the response to "a" is NO, is the area in the process of pre-zoning? YES ☐ NO ☐

Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process.

RD4.5 (Residential, 4.5 units per acre) permits 3 to 4.5 units per acre (approximately 12 acres)

RD2 (Residential, 2 units per acre) permits 1 to 2 units per acre (approximately 24 acres)

CN (Commercial Neighborhood) permits commercial development (approximately 1.1 acres)

3. For a city annexation, would the proposal create a totally or substantially surrounded island of unincorporated territory?

YES ☐ NO ☒ If YES, please provide a written justification for the proposed boundary configuration.

The proposed annexation removes a substantially surrounded island of unincorporated area

4. Will the territory proposed for change be subject to any new or additional special taxes, any new assessment districts, or fees?

The applicant for the development of the proposed construction of 38 single-family homes will be required to pay

Development Impact Fees to the City for the new homes, and other construction related fees. New street lights will

be installed in Tract Map No. 18903 associated with the development of the 38 single-family homes. These street lights

will be annexed into the City's Lighting and Maintenance District. A portion of the cost to energize and maintain those lights

will be assessed on the property tax bills for those future home owners. No other street lights will be added as part of this

annexation. Therefore, no other new taxes will be assessed. Fees associated with street sweeping, storm drains, sewer

connection (if applicable) and differing trash collection fees from the County will be assessed. These changes were

discussed at the neighborhood meeting and are outlined in the PowerPoint presentation that is attached.



5. Will the territory be relieved of any existing special taxes, assessments, district charges or fees required by the agencies to be detached?

Unknown.

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6. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract.

No Williamson Act Contract exists within the proposed annexation area.

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7. Provide a description of how the proposed change will assist the annexing agency in achieving its fair share of regional housing needs as determined by SCAG.

The Developer will be constructing 38 single-family units at a density of approximately 3.2 units per acre, which is a slightly higher density than some of the surrounding neighborhoods providing a greater mix of available housing.

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8. **PLAN FOR SERVICES:**

For each item identified for a change in service provider, a narrative "Plan for Service" (required by Government Code Section 56653) must be submitted. This plan shall, at a minimum, respond to each of the following questions and be signed and certified by an official of the annexing agency or agencies.

- A. A description of the level and range of each service to be provided to the affected territory.
- B. An indication of when the service can be feasibly extended to the affected territory.
- C. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.
- D. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)-year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.

- E. An indication of whether the annexing territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.
- F. If retail water service is to be provided through this change, provide a description of the timely availability of water for projected needs within the area based upon factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).

### **CERTIFICATION**

As a part of this application, the City/Town of Chino, or the \_\_\_\_\_ District/Agency, \_\_\_\_\_ (the applicant) and/or the \_\_\_\_\_ (real party in interest - landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

As the proponent, I acknowledge that annexation to the City/Town of Chino or the \_\_\_\_\_ District/Agency may result in the imposition of taxes, fees, and assessments existing within the (city or district) on the effective date of the change of organization. I hereby waive any rights I may have under Articles XIIC and XIID of the State Constitution (Proposition 218) to a hearing, assessment ballot processing or an election on those existing taxes, fees and assessments.

I hereby certify that the statements furnished above and the documents attached to this form present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 5.25.17



SIGNATURE

Matthew C. Ballantyne

Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

City Manager, City of Chino

Title and Affiliation (if applicable)

**Pipeline Annexation Project  
Plan for Service and Fiscal Impact Analysis  
City of Chino**

**Updated August 9, 2017**

**Prepared for:**

**City of Chino  
13220 Central Avenue  
Chino, CA 91710**

**Prepared by:**



28202 Cabot Road, Suite 620  
Laguna Niguel, CA 92677  
T. 949-542-7070  
F. 949-542-7076

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## EXECUTIVE SUMMARY

This report provides an assessment of public service delivery capabilities of the City of Chino (the “City”) and other agencies or special districts affected by the proposed annexation of Tentative Tract No. 18903 (“TTM 18903”) and 29 surrounding parcels (the “Project”) into the City. The Project site is composed of 37 total parcels which are located within the City's sphere of influence in unincorporated San Bernardino County (the “County”).

This report is being submitted to the County of San Bernardino Local Agency Formation Commission (LAFCO) as a "Plan for Service" required by California Government Code Section 56653. After annexation, the City would provide services including general government, police protection, community development, fire and paramedic services, local parks and recreation, community services and public works services to the annexed area. The County will continue to provide Countywide services such as regional parks and recreation and regional flood control and drainage.

Based on an analysis of current service delivery capabilities, the City is equipped to handle additional demand from the proposed annexation of the Project. This report explains the transfer of service requirements upon annexation, estimates development impact fees and projects recurring fiscal impacts to the City.

As shown in Table 1, a recurring annual surplus of \$26,037 is projected after buildout of the Project. Section 5 presents the detailed fiscal analysis.

**Table 1**  
**Summary of Projected Fiscal Impacts after Buildout**  
**Pipeline Annexation Project Plan for Service and Fiscal Analysis**  
**City of Chino**  
**(In Constant 2017 Dollars)**

**General Fund**

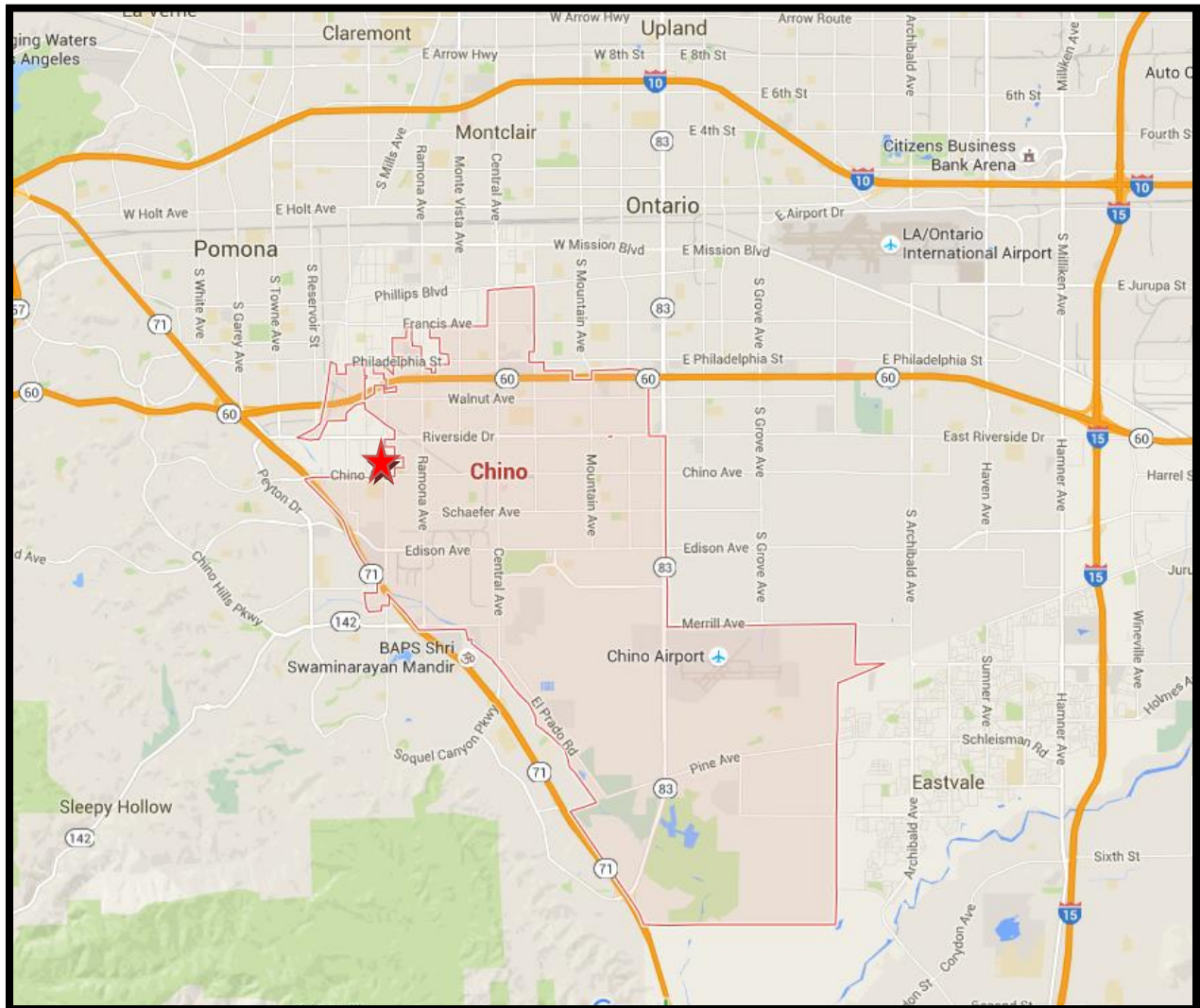
Total Recurring Revenues	\$107,103
Total Recurring Costs	81,066
<b>Net Recurring Fiscal Impact</b>	<b><u>\$26,037</u></b>

<b>Revenue/Cost Ratio</b>	<b>1.32</b>
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## SECTION 1 INTRODUCTION

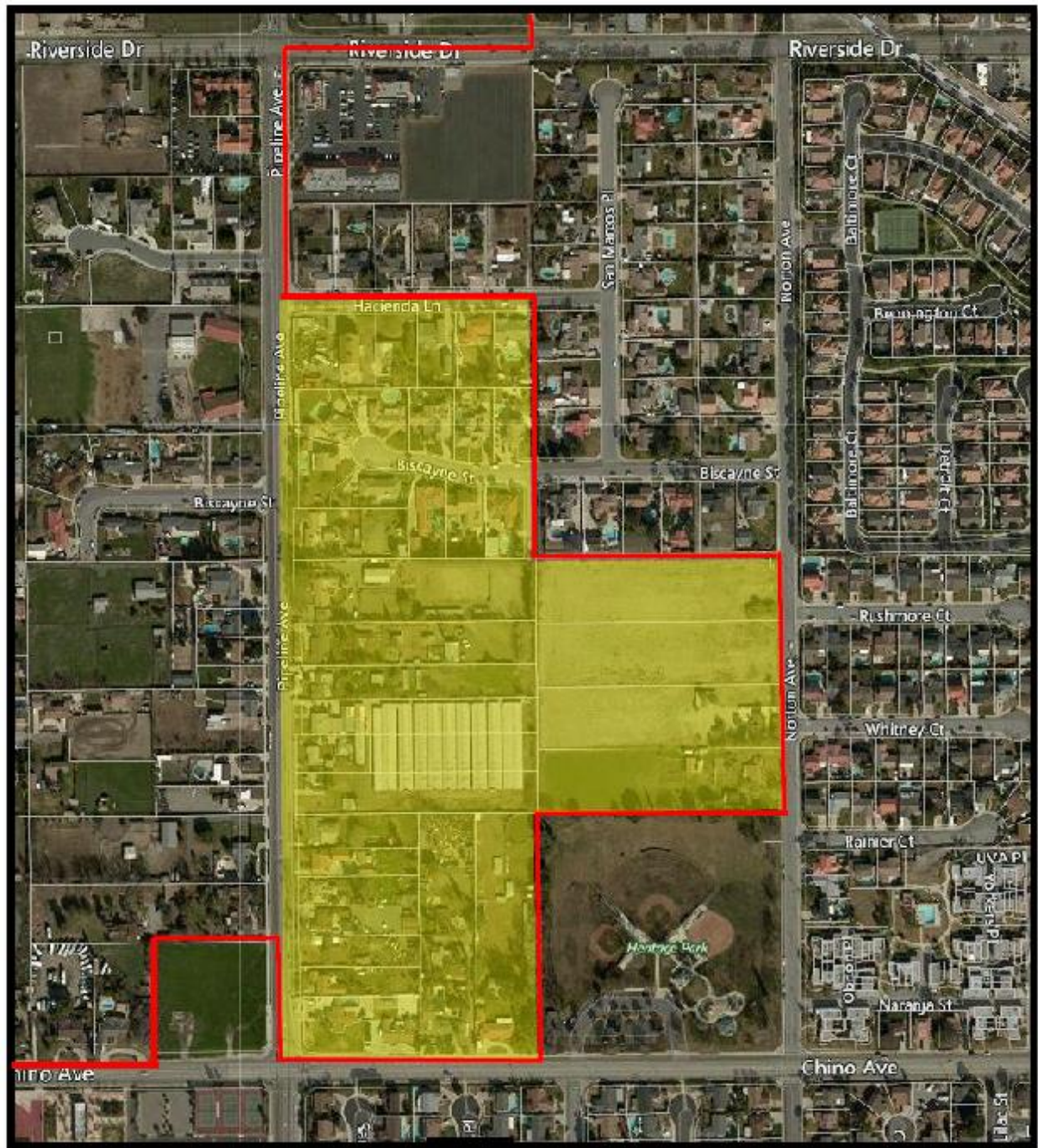
This report presents the plan for service and fiscal analysis of the proposed annexation of the Project to the City. The owner of TTM 18903 within the Project site is MLC Holdings, Inc (“Developer”). The Project site is located in the County of San Bernardino unincorporated area adjacent to the boundary of the City and within the City's sphere of influence. As shown in Figure 1-1A, 1-1B, and 1-1C the Project site is located north of Chino Avenue and east of Pipeline Avenue.

**Figure 1-1A  
Regional Location**



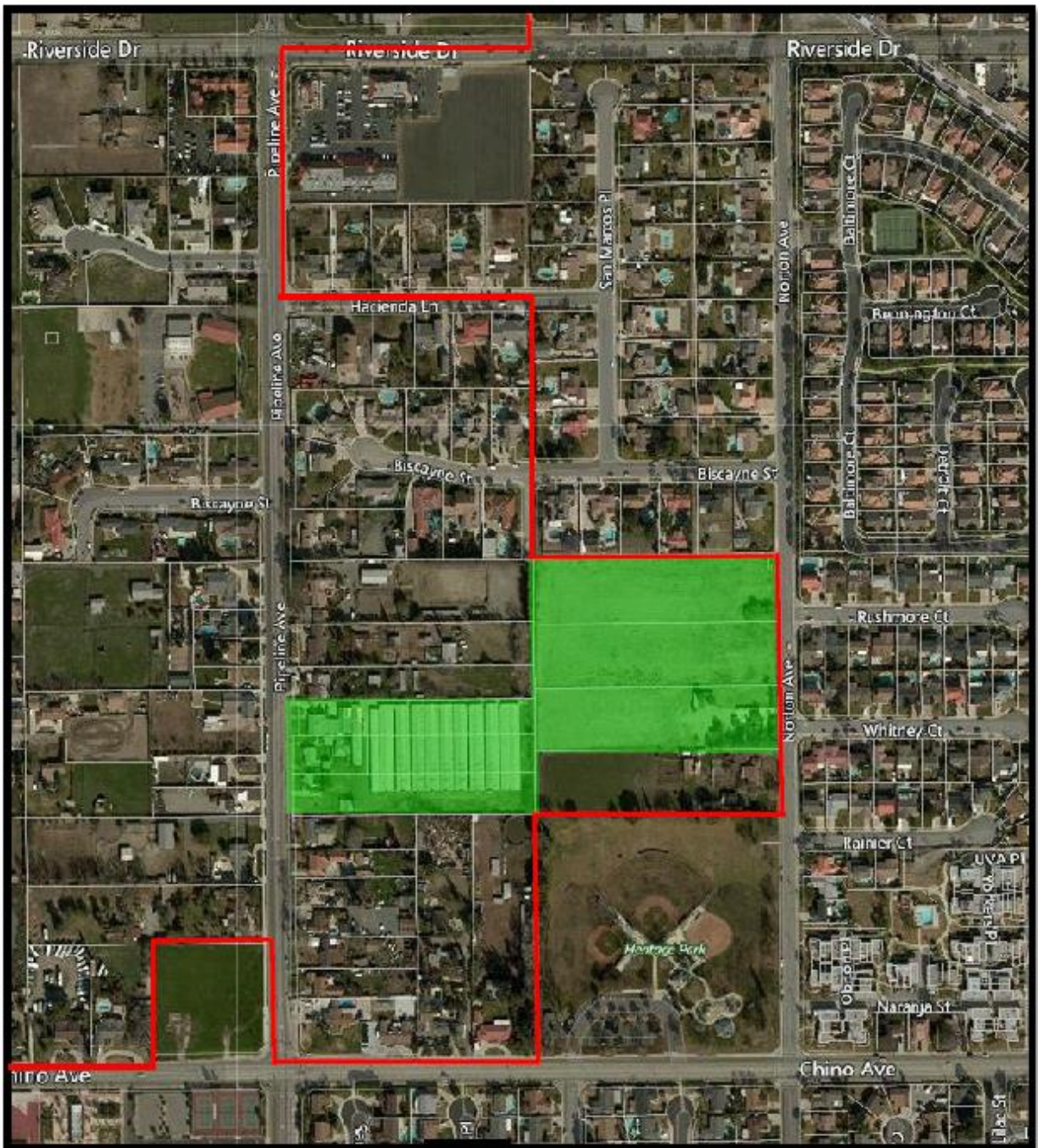


**Figure 1-1B**  
**Annexation Area**





**Figure 1-1C**  
**Tentative Tract No. 18903 Location**



### **1.1 Purpose of the Study**

The Local Agency Formation Commission (LAFCO) for San Bernardino County requires a Plan for Service and Fiscal Impact Analysis be prepared and certified when a jurisdiction is affected by a proposed change of organization or reorganization (e.g., annexation, formation). The unincorporated Project intends to annex into the City, which requires the City to show that the necessary infrastructure improvements and services can be provided to the proposed development. Per the LAFCO October 2014 Policy and Procedure Manual, the Plan for Service must include the following components:

- a. A description of the level and range of each service to be provided to the affected territory.*
- b. An indication of when those services can feasibly be extended to the affected territory.*
- c. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.*
- d. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)-year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.*
- e. An indication of whether the affected territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.*
- f. If retail water service is to be provided through this change of organization, provide a description of the timely availability of water for projected needs within the area based upon the factors identified in Government Code Ch3 65352.5.*

### **1.2 Organization of the Report**

Section 2 contains the description of the Project annexation area. The analysis of existing public service delivery in the annexation area and upon annexation into the City is presented in Section 3. Section 4 discusses the development impact fees and charges for infrastructure associated with the proposed Project. The fiscal impact analysis of the annual operations and maintenance costs for the provision of services to the Project is provided in Section 5. Section 6 covers the revenue and cost assumptions used for the fiscal analysis.

Appendix A includes assumptions and sources with supporting tables. Appendix B lists the Project contacts and references used in the preparation of this study.

## **SECTION 2**

### **PROJECT DESCRIPTION**

This section presents the detailed land uses for the Project. The annexation area is composed of 37 separate parcels, as shown on Figure 1-1B, resulting in approximately 37.23 gross acres. Eight of these parcels make up TTM 18903, as shown on Figure 1-1C, and will be developed into 38 new residential units. There are currently 4 single family residences on 4 of these parcels that will be demolished in preparation to build 38 new residential units. 19 of the remaining 21 parcels are single family residences, one parcel is a day care/preschool facility with two buildings and one parcel has only land value. The Project is located just outside the north-west section of the City. The Project is bordered by Pipeline Avenue on the west, Norton Avenue to the east, and Chino Avenue to the south.

#### **2.1 Residential Development**

As shown in Table 2-1, there are 38 new residential units planned for the Project. Year 1 is assumed for the development period of the 38 new residential units. Approximately half of the 38 new units are assumed to be completed and occupied in Year 2 with the remainder completed and occupied in Year 3. However, the development description presents the first 5 years of development, per the LAFCO requirements for the fiscal analysis.

Table 2-1 also shows the total projected population for the Project at 233 in Year 3. This estimate is based on the January 1, 2016 Citywide average estimate of 3.485 persons per household from the State Department of Finance.

**Table 2-1**  
**Residential Description**  
**Pipeline Annexation Plan for Service and Fiscal Analysis**  
**City of Chino**

<b>Category</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>	<b>Buildout</b>
<b>Residential Units</b>						
<u>Existing Homes</u>	27	0	0	0	0	27
<u>New Project Residential Units (a)</u>						
Plan 1 - 2,762 Sq. Ft.	0	5	5	0	0	10
Plan 2 - 3,084 Sq. Ft.	0	5	4	0	0	9
Plan 3 - 3,439 Sq. Ft.	0	5	5	0	0	10
Plan 4 - 3,771 Sq. Ft.	0	5	4	0	0	9
Annual New Residential Units	0	20	18	0	0	38
Total Annual Units	27	20	18	0	0	
Total Cumulative Units	27	47	65	65	65	
<b>Employees (b)</b>	12	0	0	0	0	12
<b>Cumulative Employees</b>	12	12	12	12	12	
<b>Population (c)</b>						
Total Annual Population (@ 3.485 persons per unit)	94	164	227	227	227	
Employees (1/2 a resident)	6	6	6	6	6	
Total Population	100	170	233	233	233	

**Footnotes:**

(a) Residential product information provided by Developer.

(b) Assumes 10 Full Time and 4 Part Time employees for the existing Rainbow Canyon Preschool.

(c) Population projections based on the E5 City/County Population and Housing Estimates as of 1/1/16. Each employee is counted as 1/2 a resident to account for the less frequent use of City services by employees.

## 2.2 Assessed Valuation and Property Tax

Assessed valuation for the 38 new homes after buildout is projected at approximately \$28.55 million, as shown in Table 2-2. This estimated new valuation is based on the following base prices by plan type and unit mix provided by Developer:

- Plan 1            \$759,000 per unit
- Plan 2            \$680,320 per unit
- Plan 3            \$717,525 per unit
- Plan 4            \$851,000 per unit

## Projected Property Tax

Per County policy based on California Government Code Section 56375.3, when an island is annexed into the City, the City is entitled to the full historic share of the property tax revenues. As

shown on Figure 1-1B, the annexation area is an island (more than 60% of the annexation area borders the City boundary) and therefore, the City will receive the full historic share of the property tax of approximately 10.80 percent of the basic one percent property tax levy on assessed valuation. As shown on Table 2-2, property tax to the City General Fund for the current assessed valuation upon annexation (Year 1) is projected at \$17,656. As approximately half of the new residential units are completed in Year 2, property tax is projected at \$31,996. All units are assumed to be built in Year 3, and property tax to the General Fund is projected at \$44,876 and will remain at \$44,876 for Years 4 and 5 and at buildout. Un-secured property tax is based on a ratio of the un-secured property tax to the secured property tax and is further discussed in Section 6.2.

#### **Projected Vehicle License Fees (VLF) - Property Tax In-Lieu**

The City General Fund will also receive VLF - property tax in lieu based on the increase in assessed valuation in the City. Per State law, when an annexation occurs the existing valuation in the area that is being annexed cannot be used in adjusting the base amount of assessed valuation in the annexing City. The City will receive VLF - property tax in-lieu based on the change in its gross assessed valuation of taxable property for new development in the annexed area. As shown in Appendix A-5, the VLF - property tax in lieu in the City is projected to increase at \$822 per million dollars of new assessed valuation (AV).

As shown on Table 2-2, no VLF - property tax in lieu is projected for existing valuation in Year 1 per State law. By Year 2 VLF - property tax in lieu is projected at \$10,911. In Year 3, all new homes are expected to be complete and the property tax in lieu is projected at \$20,711 and remains at this amount for Years 4, and 5 and at buildout.

**Table 2-2**  
**Assessed Valuation and Property Tax**  
**Pipeline Annexation Plan for Service and Fiscal Analysis**  
**City of Chino**  
**(In Constant 2017 Dollars)**

Category	Year 1	Year 2	Year 3	Year 4	Year 5	Buildout
<b>ASSESSED VALUATION (b)</b>						
Current Valuation (Outside TTM 18903) (b)	\$13,005,904	\$0	\$0	\$0	\$0	
Current Valuation (Inside TTM 18903) (b)	\$3,343,154					
<b>NEW RESIDENTIAL UNITS INSIDE TTM 18903</b>						
Plan 1 - 2,762 Sq. Ft.	0	5	5	0	0	10
Plan 2 - 3,087 Sq. Ft.	0	5	4	0	0	9
Plan 3 - 3,439 Sq. Ft.	0	5	5	0	0	10
Plan 4 - 3,771 Sq. Ft.	0	5	4	0	0	9
Annual New Units	0	20	18	0	0	38
Value Per New Valuation Inside TTM 18903 (a) New Unit						
Plan 1 - 2,762 Sq. Ft. \$759,000	\$0	\$3,795,000	\$3,795,000	\$0	\$0	\$7,590,000
Plan 2 - 3,084 Sq. Ft. \$680,320	\$0	3,401,600	2,721,280	\$0	\$0	6,122,880
Plan 3 - 3,439 Sq. Ft. \$717,525	\$0	3,587,625	3,587,625	\$0	\$0	7,175,250
Plan 4 - 3,771 Sq. Ft. \$851,000	\$0	4,255,000	3,404,000	\$0	\$0	7,659,000
	\$0	\$15,335,250	\$14,001,750	\$0	\$0	\$28,547,130
Percent Complete	0%	53%	100%	100%	100%	100%
<u>Net New Valuation</u>						
New Valuation Inside TTM 18903 (a)	\$0	\$15,039,225	\$13,507,905	\$0	\$0	\$28,547,130
Less Existing Valuation Inside TTM 18903 (b)	\$0	(\$1,761,243 )	(\$1,581,911 )	\$0	\$0	(\$3,343,154)
Net New Valuation Inside TTM 18903	\$0	\$13,277,982	\$11,925,994	\$0	\$0	\$25,203,976
<u>Total Valuation</u>						
Incremental Valuation for Property Tax	\$16,349,058	\$13,277,982	\$11,925,994	\$0	\$0	\$41,553,034
Total Cumulative Project Valuation	\$16,349,058	\$29,627,040	\$41,553,034	\$41,553,034	\$41,553,034	
<b>PROJECTED PROPERTY TAX</b>						
<u>Incremental 1 Percent Property Tax</u>	\$163,491	\$132,780	\$119,260	\$0	\$0	\$415,530
Total Cumulative 1 Percent Property Tax Levy	\$163,491	\$296,270	\$415,530	\$415,530	\$415,530	
Annual G.F. Property Tax (@ 10.80% of 1 Percent Levy)	\$17,656	\$31,996	\$44,876	\$44,876	\$44,876	
<b>PROJECTED VLF-PROPERTY TAX IN LIEU</b>						
<u>Total Annual Valuation for VLF-Property Tax in Lieu (c)</u>	\$0	\$13,277,982	\$11,925,994	\$0	\$0	\$25,203,976
Total Cumulative Valuation for VLF-Property In Lieu	\$0	\$13,277,982	\$25,203,976	\$25,203,976	\$25,203,976	
<u>Total Annual VLF-Property Tax In Lieu (c)</u>						
(@ \$822 per \$1,000,000 Assessed Valuation)	\$0	\$10,911	\$9,800	\$0	\$0	\$20,711
Total Cumulative Projected VLF-Property Tax In Lieu	\$0	\$10,911	\$20,711	\$20,711	\$20,711	

**Footnotes:**

(a) Value per new unit for TTM 18903 provided by Developer.

(b) Current valuation is based on the 2016 tax roll values.

(c) Vehicle license fee (VLF) property tax in lieu is projected based on the increase in assessed valuation in a jurisdiction. Per State law, when an annexation occurs the existing valuation in the annexing area cannot be used in adjusting the amount of assessed valuation in the annexing City. Therefore, the current valuation of \$16,349,058 is not included in the projection of property tax in lieu of VLF.



### 2.3 Sales and Use Tax

Sales and use tax is projected for the retail taxable sales that will be captured in the City from off-site purchases made by the future residents of the Project. Off-site retail sales and use tax from taxable purchases made by future Project residents is projected based on the resident's estimated household income and the estimated taxable retail purchases made in the City. Household income is estimated at 25 percent of average housing value. Based on the U.S. Bureau of Labor Statistic, *Consumer Expenditure Survey*, the fiscal analysis estimates the Project residents will generate total taxable retail purchases at about 32 percent of household income.

As shown in Table 2-3, estimated annual off-site retail sales and use tax from taxable purchases made by future Project residents are projected at \$19,146.12 after buildout. This estimate is based on total household income projected at about \$7.14 million after buildout (25 percent of residential valuation of approximately \$28.55 million). At 32 percent of household income, the projected retail taxable purchases made by Project residents are projected at about \$2.28 million after buildout. The fiscal analysis assumes that 75 percent of the annual retail taxable purchases, or about \$1.71 million, will be made in the City. The existing residents within the annexation area are not included as it is assumed that the existing residents already spend 75 percent of annual taxable sales within the City.

At one percent of the estimated captured taxable sales of about \$1,712,828, sales tax is projected at \$17,128 after buildout. At the City average use tax rate of 11.78 percent of sales tax, an additional \$2,018 of use tax is projected after buildout. Total additional sales and use tax captured in the City by the Project residents is projected at \$19,146 after buildout. Based on the projected new residential valuation for each year, no off-site sales and use tax is projected for Year 1. The offsite sales and use tax from future residents of the Project are projected at \$10,087 for Year 2 and \$19,146 for Year 3. Because no units are planned after Year 3, the projected sales and use tax remains at \$19,146 for Years 4, 5 and at buildout.

**Table 2-3**  
**Estimated Off-Site Sales and Use Tax by TTM 18903 Residents**  
**Pipeline Annexation Plan for Service and Fiscal Analysis**  
**City of Chino**  
**(In Constant 2017 Dollars)**

<b>Category</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
<u>Cumulative Residential Valuation for TTM 18903</u>	-	\$15,039,225	\$28,547,130	\$28,547,130	\$28,547,130
<u>Household Income (@ 25% of household valuation)</u>	-	\$ 3,759,806	\$ 7,136,783	\$ 7,136,783	\$ 7,136,783
<u>Retail Taxable Sales (@ 32% of household income)</u>	-	\$ 1,203,138	\$ 2,283,770	\$ 2,283,770	\$ 2,283,770
Projected Off-Site Retail Taxable Sales Captured in Chino (@ 75% Capture Rate)		\$ 902,354	\$ 1,712,828	\$ 1,712,828	\$ 1,712,828
<u>Projected Sales and Use Tax to Chino</u>					
Sales Tax (@ 1% of taxable sales)	-	\$ 9,023.54	\$ 17,128.28	\$ 17,128.28	\$ 17,128.28
Use Tax (@ 11.78% of sales tax)	-	<u>1,063.04</u>	<u>2,017.84</u>	<u>2,017.84</u>	<u>2,017.84</u>
	-	\$ 10,086.58	\$ 19,146.12	\$ 19,146.12	\$ 19,146.12

### **SECTION 3**

## **PUBLIC FACILITIES BEFORE AND AFTER ANNEXATION**

This section describes the existing and anticipated future service providers for the proposed Project. The level and range of the following services are in this section:

- General Government and Community Development
- Fire and Paramedic
- County Sheriff and Public Safety
- Library
- Parks and Recreation
- Animal Control
- Street Lighting and Traffic Signals
- Landscape Maintenance
- Water
- Sewer
- Transportation
- Flood Control and Drainage
- Utilities
- Schools
- Solid Waste Management
- Health and Welfare

As presented in Table 3-1, San Bernardino County and local special districts provide many services to the annexation area, located in the City's Sphere of Influence (SOI), including general government, fire and paramedic, sheriff services, library, animal control, street lighting, road maintenance, flood control and health and welfare.

**Table 3-1**  
**Service Providers Before and After Proposed Annexation**  
**Pipeline Annexation Plan for Service and Fiscal Analysis**  
**City of Chino**

Service	Current Service Provider	Anticipated Service Provider
<b>General Government Services:</b>		
Administration	San Bernardino County	City of Chino
Finance	San Bernardino County	City of Chino
Human Resources	San Bernardino County	City of Chino
<b>Community Development:</b>		
Planning	San Bernardino County	City of Chino
Building	San Bernardino County	City of Chino
Code Enforcement	San Bernardino County	City of Chino
<b>Fire and Paramedic</b>	Chino Valley Independent Fire Department	Chino Valley Independent Fire Department
<b>Sheriff/Police</b>	City of Chino Hills on Contract w/ SB County Sheriff	Chino Police Department
<b>Library</b>	San Bernardino County Library	City Contract w/ SB County Library
<b>Parks and Recreation</b>		
Local Facilities	City of Chino	City of Chino
Regional Facilities	San Bernardino County	San Bernardino County
<b>Animal Control</b>	County Contract w/ Inland Valley Humane Society	City Contract w/ Inland Valley Humane Society
<b>Street Lighting and Traffic Control</b>	SoCal Edison and/or San Bernardino County	City of Chino/HOA
<b>Landscape Maintenance</b>	San Bernardino County	City of Chino/HOA
<b>Water</b>	City of Chino	City of Chino
<b>Sewer</b>	City of Chino/Septic Service	City of Chino
<b>Transportation</b>		
Freeways and Interchanges	Cal Trans	Cal Trans
Arterials and Collectors	San Bernardino County Public Works	City of Chino
Local Roads	San Bernardino County Public Works	City of Chino
Transit	Omnitrans	Omnitrans
<b>Flood Control and Drainage</b>		
Local Facilities	San Bernardino Flood Control District	City of Chino
Regional Facilities	San Bernardino Flood Control District	San Bernardino Flood Control District
<b>Utilities</b>		
Cable/Internet/Telephone	Verizon/Time Warner	Verizon/Time Warner
Power	Southern California Edison Company	Southern California Edison Company
Natural Gas	Southern California Gas Company	Southern California Gas Company
<b>Schools</b>	Chino Valley Unified School District	Chino Valley Unified School District
<b>Solid Waste</b>	Waste Management	Waste Management
<b>Health and Welfare</b>	SB County Department of Public Health	City of Chino

After annexation, the City is anticipated to provide services including general government, community development, fire and paramedic under contract with the Chino Valley Independent Fire District (CVIFD), public safety, library under contract with the County Library System, local parks and recreation, street lighting and traffic signals, water, sewer, transportation, and utilities.

Certain one-time development impact fees are collected for public facilities, and are detailed in Section 4. These one-time development impact fees (DIFs) are estimated for the proposed 38 new residential units in the Project.

The County of San Bernardino will provide services such as county library, regional parks and recreation, and regional flood control and drainage. The City will contract for animal control services from the Inland Valley Humane Society. Public schools and solid waste management service providers will continue to be the same before and after annexation.

### **3.1 General Government and Community Development Before Annexation**

San Bernardino County currently provides general government, including administrative and economic development, and community development services to the annexation area.

#### **After Annexation**

The City will provide general government services which include administrative services as well as services such as Finance, Human Resources and Economic Development to the entire annexation area. Also, the City will provide community development services comprised of planning, building and safety and code compliance to the entire annexation area.

One-time development impact fees are collected on new development by the City for community (public use) centers, general facilities and a capital impact administration charge, estimated at \$26,610, \$6,384 and \$46,772, respectively for the proposed 38 new residential units in the annexation area. These one-time fees are detailed in Section 4 and Table 4-1.

### **3.2 Fire and Paramedic Before and After Annexation**

The Chino Valley Independent Fire District (“CVIFD”) provides fire services to the cities of Chino, Chino Hills and surrounding unincorporated areas of San Bernardino County. The District’s jurisdiction covers approximately 80 square miles in size and has an estimated population of 173,000. CVIFD currently provides service to the Project and will continue to do so upon annexation.

CVIFD has 5 fire stations located within the City. Station #65 is located at 12220 Ramona Avenue, Chino, CA 91710. This location is approximately 1.4 miles from the Project. Station # 61 is located at 5078 Schaefer Avenue, Chino, CA 91710 and is approximately 1.7 miles from the Project. According to CVIFD’s Master Plan adopted in July of 2012, the response time goals is to provide a first-unit (4 personnel) response time of 5 minutes 90% of the time to moderate risk structural fires and core life threatening emergencies.

A one-time impact fee for fire facilities, vehicles and equipment is estimated at \$46,512 for the proposed 38 new residential units, as shown in Table 4-1.

### **3.3 Sheriff (Police) and Public Safety**

#### **Before Annexation**

The San Bernardino County Sheriff through the Chino Hills Police Department currently provides public safety services to the annexation area. Any vehicle related emergencies are handled through the California Highway Patrol.

#### **After Annexation**

Upon annexation, the Chino Police Department will provide their local police services to the annexation area. The Chino Police Department is located at 5450 Walnut Avenue, Chino, CA 91710 which is approximately 2.5 miles from the Project. A one-time impact fee for law enforcement facilities, vehicles and equipment is estimated at \$22,610 for the proposed 38 new residential units, as shown in Table 4-1.

### **3.4 Library**

#### **Before and After Annexation**

The Chino Public Library facility is a branch of the San Bernardino County Library system. The library is located at 13180 Central Avenue in the City of Chino. Based on discussion with the City Management Analyst, the library is located in a City-owned facility that is leased by the San Bernardino County Library and is funded by San Bernardino County property taxes and the State of California. Library services are expected to continue upon annexation with no expected change in service levels or costs. One-time library facilities fees for the proposed 38 new residential units are estimated at \$5,130 for the proposed Project, as shown in Table 4-1.

### **3.5 Parks and Recreation**

#### **Before Annexation**

There are no local or regional park facilities in the annexation area. Regional park facilities outside the area that serve the annexation area are operated and maintained by the County.

#### **After Annexation**

Local Park and Recreation services provided by the City and regional facilities located in the County are expected to be accessible to the residents of the annexation area. The City owns approximately 25 existing parks in the City with an estimated 228 acres that are developed and maintained. These parks range from 0.1 acre to 140 acres in size. Some of the amenities the parks provide are baseball fields, basketball courts, lighted tennis courts, volleyball/sport courts, soccer fields, skate park, batting cages, splash pad, swimming pools, playground areas (tot areas), horseshoe pits, picnic tables, barbecue pits, drinking fountains, restrooms, and hiking and riding trails.

The Community Services Department is responsible for park facility planning and the Public Works Department provides maintenance of the parks. According to the General Plan, the City's standard for provision of parks to residents is 3 acres of parkland per 1,000 residents. With a population of 85,934 persons in 2016 and 228 acres of developed parkland, the City currently has a park ratio of about 2.70 acres per 1,000 residents. This does not include the parks being built and recently built in College Park, The Preserve and Edgewater which accounts for approximately 117 acres of new parkland. Once these park facilities are all complete, and turned over to the City, the City will be well over the standard provision of 3 acres of parkland per 1,000 residents. One-time residential parks and recreation fees for the proposed 38 new residential units are estimated at \$281,048 for the proposed Project, as shown in Table 4-1.

### **3.6 Animal Control**

#### **Before and After Annexation**

Currently, the County contracts with the Inland Valley Humane Society for animal control services. Upon annexation, the City will also contract with the Inland Valley Humane Society for these services.

### **3.7 Street Lighting and Traffic Control**

#### **Before Annexation**

There are currently no street lights or traffic signals in the annexation area.

#### **After Annexation**

Upon annexation, the newly installed street lights in TTM 18903 will be maintained by the City. TTM 18903 will be annexing into a street light maintenance district or similar district that will cover the cost to maintain the new street lights. There are no traffic signals planned for the Project.

### **3.8 Landscape Maintenance**

#### **Before Annexation**

There is currently no landscaping to be maintained in the annexation area.

#### **After Annexation**

Upon annexation, any landscape maintenance will be maintained by the City. The interior landscaping in TTM 18903 will be maintained by the HOA.

### **3.9 Water**

#### **Before Annexation**

The City currently provides water service to the annexation area.

#### **After Annexation**

Upon annexation, Tentative Tract No. 18903 will connect into the City's water system. Based on the *City of Chino – 2015 Urban Water Management Plan*, the City has approximately 20,249 metered potable water service connections for its service area population of approximately 73,683. The City obtains water from the following primary water sources: local groundwater, imported water, desalted groundwater and recycled water.

Groundwater is produced from the Chino Groundwater Basin (Basin). The Basin was adjudicated in 1978, which allocated water production rights to water producers. The City's current groundwater production right as a share of the safe yield of the Basin is 13,394 acre-feet per year (AFY). However, the City has the ability to obtain annual adjustments to its allocated production capability. The Chino Basin Watermaster manages the Basin.

Imported State Water Project ("SWP") water is received from the Metropolitan Water District of Southern California ("MWD") through the Inland Empire Utilities Agency ("IEUA") and the Water Facilities Authority ("WFA"). The City's imported water deliveries are treated by the WFA at its Agua de Lejos Treatment Plant located in Upland, California. The City's entitlement is 5,353 AFY.

Desalted groundwater is received from the Chino Basin Desalter Authority's ("CDA") Chino I Desalter. The City's allocation is 5,000 AFY.

Recycled water is supplied to the City by IEUA through the Regional Recycled Water Distribution System. The City currently provides approximately 7,993 AFY of recycled water to industrial, landscape irrigation, and agricultural customers. The City's limited recycled water infrastructure is expected to be expanded with development of The Preserve, College Park, and conversions of potable water use to recycled water use.

The City's water supply planning considers the programs of local and regional water agencies. The City's water utility, which operates within the City's Public Works Department, manages agreements and contracts with its water suppliers and continually monitors activities, projects and programs to optimize the City's water supply.

The western portion of the annexation area borders existing City water lines along Pipeline Avenue that are connected to the City's water system. The Developer would be responsible for connecting the new development to this existing 8-inch water main. As shown in Table 3-2 below, the City's water resources are sufficient to meet the demand at build out based on the City's current resources and the anticipated new development. The City has the ability to finance and construct required facilities necessary to obtain the water supply to meet planned demand growth through the collection of development fees, which are estimated at \$44,346, for the proposed 38 new residential units in the Project, as shown on Table 4-1, and the use of other funding methods.

**Table 3-2  
Current and Projected Water Supply and Demand  
Normal and Single Dry Water Years**

<b>Water Sources</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>
Total Normal Year Supply	31,565	29,901	29,584	29,600
Total Normal Year Demand	23,053	22,823	23,869	24,771
<b>Surplus During Normal Year</b>	<b>8,512</b>	<b>7,078</b>	<b>5,716</b>	<b>4,829</b>
Total Single Dry Year Supply	31,565	29,901	29,584	29,600
Total Single Dry Year Demand	23,053	22,823	23,868	24,771
<b>Surplus During Single Dry Year</b>	<b>8,512</b>	<b>7,078</b>	<b>5,716</b>	<b>4,829</b>

Notes:

Per the City of Chino – 2015 Urban Water Management Plan, Tables 7-2 & 7-3. Single-dry year supplies are assumed to equal 100% of normal year supplies. Increased groundwater production (including storage withdrawals) is assumed to meet any demands. Volume of water expressed in terms of acre-feet.

### **3.10 Sewer**

#### **Before Annexation**

The Project currently utilizes a septic sewer system for all wastewater apart from one homeowner within the Project located at 13241 Pipeline Avenue who is connected to the City's sewer system.

#### **After Annexation**

The City's wastewater treatment and disposal is accomplished by IEUA. While the City owns and operates its local sewer systems, IEUA manages the Regional Sewage Service System within its 242-square mile service area in southwestern San Bernardino County. The regional system collects, treats and disposes of wastewater delivered by contracting local agencies.



The City provides a significant amount of wastewater to IEUA's regional plants. The quantities of wastewater generated are generally proportional to the population and the water use in the service area. However, per the 2010 Urban Water Management Plan, updated in March 2011, IEUA has determined the average daily flow rates of raw sewage into the Regional Water Recycling Plants have decreased, which is a consistent trend with neighboring Los Angeles County and Orange County sanitation agencies over the past few years. This trend may reflect the decrease in economic growth and the increase in area foreclosures to some extent; however, it is expected to continue as water conservation continues. It is expected that the overall average water supplier service area flow per equivalent dwelling unit (EDU) will continue to decline, given the rising price of water, decreases in water supply availability and greater need for water conservation.

Estimates of the wastewater flows in the City are included in Table 3-3. The wastewater flows were calculated using the population projections from the DOF and SCAG for the entire City, not just the water service area. Newly constructed and re-modeled homes are assumed to generate less wastewater on average due to installation of water-efficient appliances. Water conservation programs in mature neighborhoods have provided for the installation of many new devices and appliances that save significant amounts of water.

**Table 3-3**  
**Wastewater Collection and Treatment Within the City of Chino Service Area**  
**Pipeline Annexation Project Plan for Service and Fiscal Impact Analysis**

	<b>2015</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>
Population <sup>(1)</sup>	90,750	96,759	102,890	109,041	115,181
Wastewater Flow (mgd) <sup>(2)</sup>	7.3	7.7	8.2	8.7	9.2

<sup>(1)</sup> Total City population data obtained from *City of Chino – 2010 Urban Water Management Plan (updated June 2011)*.

<sup>(2)</sup> Based on total City population data and preliminary findings in the City's Sewer Master Plan for per-capita wastewater production.

The 2010 Urban Water Management Plan estimated the 2015 population to be approximately 90,750 with wastewater flow of approximately 7.3 MGD as shown in Table 3-3. The current 2016 estimated population is 85,934, which leaves plenty of available capacity for the Project's anticipated 233 new residents.

IEUA manages the Regional Sewage Service System in its service area to collect, treat and dispose of wastewater delivered by contracting local agencies. The IEUA wastewater system consists of trunk sewers, subtrunk sewers, and regional treatment plants. The system of regional trunk and interceptor sewers convey sewage to regional wastewater treatment plants, which are all owned and operated by IEUA. The IEUA regional sewerage system is constructed in a manner that wastewater can be diverted from one regional wastewater treatment plant to another, thereby avoiding overloading any one facility.

IEUA's wastewater facilities serve seven contracting agencies including the cities of Chino, Chino Hills, Fontana, Montclair, Ontario, and Upland, and the Cucamonga Valley Water District.

IEUA operates four regional wastewater treatment plants: RP-1, RP-4, RP-5, and the CCWRF. A fifth treatment plant, RP-2, was decommissioned in 2004 because it is located in a potential flood zone. The City of Chino's wastewater is currently treated at the CCWRF and RP-5, with a small portion treated at RP-1. According to the *City of Chino – 2010 Urban Water Management Plan*, the CCWRF has a capacity of 11.4 MGD. The RP-5 plant has 16.3 MGD and initial investigations have occurred for the expansion of RP-5 to 21 MGD. RP-1 has current capacity of 44 MGD and is projected to expand to an ultimate capacity of 60 MGD after 2020.

The western portion of the annexation area borders existing City sewer lines along Pipeline Avenue that are connected to the City's sanitary sewer system. The Developer would be responsible for connecting the new development to this existing 18-inch sewer main. The proposed development is not projected to make a significant impact on the City's current usage of wastewater and the Project would not require the expansion of existing treatment facilities. A sewage collection and disposal fee estimated at \$30,248 would be required for the 38 new residential units as well as a sewage facilities development fee to be collected by the Inland Empire Utilities Agency estimated at \$205,770 for the new 38 residential units and approximately \$86,640 for the other 16 parcels that may connect to City sewer as shown on Table 4-1. Per the City and the IEUA, any residence built prior to July 1, 1979 will not need to pay the connection fee to connect to City sewer. Of the 29 existing parcels outside of TTM 18903, 13 have homes which were built prior to July 1, 1979 and are not subject to the connection fee.

### **3.11 Transportation/Roads**

#### **Before Annexation**

The County through the Public Works Department currently services the area for street repair and maintenance.

#### **After Annexation**

Upon annexation the City will provide maintenance to the Projects streets. The City will also provide street sweeping on a bi-monthly basis to the Project. A bridges, signals and thoroughfares fee estimated at \$131,670 would be required for the 38 new residential units, as shown on Table 4-1.

### **3.12 Flood Control and Drainage**

#### **Before and After Annexation**

The City, the San Bernardino County Flood Control District ("SBCFCD") and the U.S. Army Corps of Engineers ("Corps") manage flood control in the City and are expected to be the future service provider for the proposed Project. The City's Public Works Department maintains and improves the City's storm drain systems. The SBCFCD maintains adequate water supplies by increasing groundwater recharge services at flood control district facilities. The Corps develops and controls federally sponsored flood control projects. A portion of the City is located within Corps' Prado Flood Control Basin associated with Prado Dam. In addition, there are several flood control channels and creeks within the City and its watershed area. Costs for these improvements will be covered by the developer or through development impact fees estimated at \$76,076 for the proposed 38 new units, as shown in Table 4-1.

### **3.13 Utilities**

#### **Before and After Annexation**

Utilities include Cable, Internet, Telephone, Power, and Natural Gas. Before and after annexation, these services are provided as follows:

1. Cable/Internet/ Telephone - Time Warner and Verizon
2. Power - Southern California Edison
3. Natural Gas - Southern California Gas Company

### **3.14 Schools**

#### **Before and After Annexation**

Public education in the City is provided by Chino Valley Unified School District (“CVUSD”). Schools in the CVUSD that provide service to the annexation area include Dickson Elementary School, Ramona Junior High School and Don Lugo High School. Collectively, these schools provide education for students from Kindergarten through 12th grade. CVUSD is the current school service provider for the annexation area as well as after the annexation. There is a one-time residential development impact school fee estimated at \$3.48 per residential square foot, resulting in estimated school impact fees of \$430,587 for the proposed 38 new units in the project.

### **3.15 Solid Waste Management**

#### **Before Annexation**

The current service provider for collection of solid waste in the annexation area is Waste Management.

#### **After Annexation**

The City contracts with Waste Management to provide solid waste collection services. Each single-family residence receives three 96-gallon wheeled carts; one with a black lid for trash only, one with a gray lid for recyclables, and one with a green lid for green waste. Solid waste that is not diverted to recycling or composting facilities is transported to the El Sobrante Landfill, located in the City of Corona. The El Sobrante Landfill has capacity to process up to 10,000 tons of waste per day. The proposed project is expected to have minimal impact on the landfill facility.

### **3.16 Health and Welfare**

#### **Before Annexation**

San Bernardino County Department of Public Health currently services the annexation area for the general public's health and welfare. The department provides a variety of programs and services that informs and educates the public about health issues.

#### **After Annexation**

Upon annexation, the City will provide health and welfare to the Project. The Healthy Chino Initiative was created in 2004 to improve the lives and well-being of the community from a multi-prong approach. This approach is a combination of nutrition, active living, physical and mental health, environmental health, and smart growth practices.

## SECTION 4 ONE-TIME FEES AND CHARGES

This section presents the one-time fees and charges associated with the new 38 single family residential units proposed for the Project within the annexation area. Development fees are one-time fees paid for by the Developer to offset the additional public capital costs of new development.

As shown in Table 4-1, the total City and school one-time development impact fees (DIF) for the proposed development are estimated at \$1,440,583.28. Detailed development impact fee calculations are summarized in Table 4-1 below.

**Table 4-1  
Summary of Development Impact Fees  
Pipeline Annexation Project Plan for Service and Fiscal Analysis**

Total Project Units	38		
<b>DIF (Low Density) (a)</b>	<u>Fee Per Unit</u>		<u>Total</u>
Law Enforcement Facilities, Vehicles & Equipment	\$ 595.00	\$	22,610.00
Fire Protection Facilities, Vehicles & Equipment	1,224.00		46,512.00
Bridges, Signals & Thoroughfares	3,465.00		131,670.00
Storm Drainage Collection	2,002.00		76,076.00
Water Storage & Distribution	1,167.00		44,346.00
Sewage Collection & Disposal	796.00		30,248.00
General Facilities	168.00		6,384.00
Library Facilities	135.00		5,130.00
Community (Public Use) Centers	705.00		26,790.00
Capital Impact Administration Charge (12% of total)	1,230.84		46,771.92
	\$ 11,487.84	\$	436,537.92
<u>Residential Parks and Recreation Fee</u>	\$ 7,396.00	\$	281,048.00
<u>Sewage Facilities Development Fee</u>			
Inland Empire Utilities Agency	\$ 5,415.00	\$	205,770.00
Potential existing 16 parcels that will connect to Sewer (b)	\$ 5,415.00	\$	86,640.00
<b><u>School Fees</u></b>			
Chino Valley Unified School District	<u>Total Est.</u> <u>Square Feet</u> 123,732		<u>Residential Fee</u> <u>Per Sq. Ft.</u> \$ 3.48
CVUSD Fee		\$	430,587.36
Total One-Time Fees		\$	1,440,583.28

**Footnotes:**

(a) Per the City of Chino Fee Schedule dated 3/21/2016.

(b) Per emails from Michael Hitz, City of Chino, and Craig Proctor, IEUA, any residence built prior to July 1, 1979 are not subject to the CCRA fees to connect to City sewer.

## **SECTION 5**

### **FISCAL IMPACTS OF ANNEXATION AREA**

This section presents the fiscal analysis of the Project to the City of Chino General Fund after annexation. Fiscal impacts are shown in constant 2017 dollars with no adjustment for possible future inflation. The fiscal assumptions for the fiscal analysis are presented in Section 6.

As shown in summary Table 5-1, a recurring annual surplus of \$26,037 is projected for the Project to the City General Fund after buildout.

**Table 5-1**  
**Summary of Projected Fiscal Impacts after Buildout**  
**Pipeline Annexation Project Plan for Service and Fiscal Analysis**

<b>General Fund</b>	
Total Recurring Revenues	\$107,103
Total Recurring Costs	81,066
<b>Net Recurring Fiscal Impact</b>	<b>\$26,037</b>
 <b>Revenue/Cost Ratio</b>	
	<b>1.32</b>

#### **5.1 Phased Fiscal Impacts**

The projected cumulative impacts to the City General Fund for the first five years after annexation of the Project are included in Table 5-2. As of the date of this report the Project has 4 residences that are planning on being demolished to make way for the new 38 units. It is anticipated that in year 2, 20 residential units will be completed and sold to individual homeowners, and in year 3, the remaining 18 units will be completed and sold to individual homeowners.

As shown in Table 5-2, a deficit of \$7,776 is projected to the City General Fund for Year 1. A surplus of \$10,055 is projected for Year 2 when 20 new units are completed. A surplus of \$26,037 is projected for Year 3 as the remaining units are completed and sold to individual homeowners. No development is proposed for Years 4 through 5, therefore the projected surplus to the General Fund remains at \$26,037 for these years and at buildout.

**Table 5-2**  
**Detailed Projected Recurring Fiscal Impacts**  
**Pipeline Annexation Plan for Service and Fiscal Analysis**  
**City of Chino**

Category	Year 1	Year 2	Year 3	Year 4	Year 5	Percent
<b>Recurring General Fund Revenues (a)</b>						
Property Tax - Secured (b)	\$17,656	\$31,996	\$44,876	\$44,876	\$44,876	41.9%
Property Tax - Unsecured (c)	865	1,568	2,199	2,199	2,199	2.1%
Property Transfer Tax - Turnover 10% (d)	899	1,629	2,285	2,285	2,285	2.1%
Property Tax - In Lieu of V.L.F. (e)	-	10,911	20,711	20,711	20,711	19.3%
Sales & Use Tax (f)	-	10,087	19,146	19,146	19,146	17.9%
Public Safety Sales Tax (Prop 172)	259	439	602	602	602	0.6%
Franchise Fees	2,454	4,162	5,700	5,700	5,700	5.3%
Transient Occupancy Tax	295	501	686	686	686	0.6%
Licenses & Permits	1,817	3,082	4,220	4,220	4,220	3.9%
Charges for Services	310	526	720	720	720	0.7%
Fines & Forfeiture	309	524	717	717	717	0.7%
Other Revenue	511	867	1,188	1,188	1,188	1.1%
Transfers In	<u>1,744</u>	<u>2,959</u>	<u>4,052</u>	<u>4,052</u>	<u>4,052</u>	<u>3.8%</u>
<b>Total Recurring Revenues</b>	<b>\$27,120</b>	<b>\$69,251</b>	<b>\$107,103</b>	<b>\$107,103</b>	<b>\$107,103</b>	<b>100%</b>
<b>Citywide Costs (a)</b>						
Administration	\$966	\$1,639	\$2,245	\$2,245	\$2,245	2.8%
Finance (b)	2,429	4,121	5,643	5,643	5,643	7.0%
Police Department	29,408	49,885	68,315	68,315	68,315	84.3%
Human Resources	54	91	125	125	125	0.2%
Community Development	1,716	2,910	3,986	3,986	3,986	4.9%
Public Works	<u>324</u>	<u>549</u>	<u>752</u>	<u>752</u>	<u>752</u>	<u>0.9%</u>
<b>Total Recurring Costs</b>	<b>\$34,896</b>	<b>\$59,196</b>	<b>\$81,066</b>	<b>\$81,066</b>	<b>\$81,066</b>	<b>100%</b>
<b>Total Impact to General Fund</b>	<b>(\$7,776)</b>	<b>\$10,055</b>	<b>\$26,037</b>	<b>\$26,037</b>	<b>\$26,037</b>	
<b>Revenue/Cost Ratio</b>	<b>0.78</b>	<b>1.17</b>	<b>1.32</b>	<b>1.32</b>	<b>1.32</b>	

Notes:

(a) Except where noted, recurring revenues and costs are calculated on a per capita basis as shown in Table 6-2.

(b) Property tax to the General Fund is 10.80% of the basic one percent ad valorem property tax levy on total Project assessed valuation (See Table 4-3). Project assessed value shown in Table 2-2.

(c) Based on the ratio of unsecured property tax to secured property tax which is approximately 4.9% of projected secured property tax.

(d) Assumes property is sold once every ten years.

(e) The Project is assumed to have an existing Assessed Value of \$16,349,058 per the County Assessor ("Base AV"). In-Lieu VLF revenues are based on the increase in Assessed Value above the Base AV calculated at \$821.74 per \$1,000,000 increase in AV (See Table 4-4).

(f) Assumes a taxable sales amount for new residents only as it is assumed that the existing residents already spend 75% of taxable sales within the City.

**Projected Recurring Revenues**

About 79 percent of the total projected revenues after buildout of the Project are comprised of property tax, property tax – in lieu of VLF, and sales and use tax.

**Projected Recurring Costs**

Police Department is the largest projected recurring costs and accounts for about 84 percent of total projected recurring costs for the Project after buildout.

## **SECTION 6**

### **CITY OF CHINO FISCAL ASSUMPTIONS**

This section presents the revenue and cost assumptions for the fiscal analysis of the Project proposed annexation. The general demographic and economic assumptions used for calculating fiscal factors are first presented. The assumptions for projecting recurring revenues are then presented followed by the assumptions for projecting recurring costs. The City's revenues and costs as presented in the *City of Chino, Fiscal Year 2016-2017 Annual Operating Budget* and discussions with key City staff are the sources for calculating fiscal factors.

#### **6.1 City General Assumptions**

Fiscal impacts that are not based on valuation and taxable sales are generally projected based on a per capita, per employee, or per service population basis. Some fiscal impacts are projected based on other factors. General fund revenue and cost factors are estimated by dividing the Fiscal Year (FY) 2016-2017 budget amounts by the City's resident population, employment or total service population. Table 6-1 provides the City's general assumptions for this fiscal analysis.

#### **Population**

Chino's total population of 85,934 is based on the State Department of Finance (DOF) estimate as of January 1, 2016. The City population estimate is used for projecting certain revenues and costs on a per capita basis.

#### **Employment**

For fiscal factors that are impacted by only employment, the City's total employment is used as the basis for calculating the factor. The total City employment of 51,833 for the year 2016 is based on an interpolation of the Southern California Council of Governments' (SCAG) *RTP 2012* adopted estimates.

#### **Estimated Service Population**

Fiscal factors that are impacted by population and employment are estimated by allocating total budgeted revenues or costs to the estimated service population. Service population includes the City's resident population plus 50 percent of the estimated City employment. The analysis has weighted the employment at 50 percent (25,917) to account for the estimated less frequent use of City services by employment versus population as shown in Table 6-1.



**Table 6-1**  
**Summary of Population Assumptions**

<b><u>Description</u></b>		<b><u>Assumption</u></b>
People Per Household (a)		3.485
Total City Population (a)	(1)	85,934
Total City Employment (b)		51,833
Weighted Employment (c)	(2)	25,917
Total City Service Population	(1) + (2)	111,851

Notes:

(a) Per California Department of Finance Demographic Research Unit - Population and Housing Estimates for Cities, Counties, and the State, January 1, 2016

(b) Per Southern California Association of Government (SCAG) RTP Growth Forecast for City of Chino.

(c) Analysis has weighted the employment at 50% to account for the estimated less frequent use of City services by employment versus population.

## **6.2 City General Fund Revenue Assumptions**

The revenue factors for the General Fund recurring revenues projected in the fiscal analysis are summarized in Table 6-2. These revenue factors are based on the City's Fiscal Year (FY) 2016-2017 revenues presented in Appendix Table A-2 and the City's population and service population estimates that are presented in Table 6-1. The remainder of this section describes the revenue factors.

As shown in Table 6-2, projected General Fund revenues include property tax; property transfer tax; property tax – in lieu of VLF; sales and use tax; sales tax in lieu; franchise fees; transient occupancy tax; licenses and permits; charges for services; fines and forfeiture; other revenue; and transfers in to the General Fund.

**Table 6-2**  
**Summary of Revenue Assumptions**  
**Pipeline Annexation Plan for Service and Fiscal Analysis**  
**City of Chino**  
**(In Constant 2017 Dollars)**

<b>Revenue Source (a)</b>	<b>FY 2016-17</b>		
	<b><u>Budget</u></b>	<b><u>Projection Basis</u></b>	<b><u>Projection Factor</u></b>
<b>City General Fund</b>			
Property Tax (secured)	\$9,125,000	Assessed Valuation	10.80% of basic Ad Valorem Tax
Property Tax (unsecured)	447,000	Ratio of Unsecured to Secured	Case Study
Property Transfer Tax (b)	390,000	Assessed Valuation	\$0.55 per \$1000 of Assessed Value
Property Tax - In Lieu of V.L.F. (c)	8,630,933	Increase in Assessed Valuation	Projected at \$821.74 per \$1M of Increased AV
Sales and Use Tax	23,321,000	Taxable Sales	Case Study (See Table 2-3)
Public Safety Sales Tax (Prop 172)	733,000	Taxable Sales	\$31.43 per \$1,000 of City Sales Tax
Franchise Fees	2,742,000	Service Population = 111,851	\$24.51 Per Capita
Transient Occupancy Tax	330,000	Service Population = 111,851	\$2.95 Per Capita
Licenses & Permits	2,030,087	Service Population = 111,851	\$18.15 Per Capita
Charges for Services	346,526	Service Population = 111,851	\$3.10 Per Capita
Fines & Forfeiture	345,000	Service Population = 111,851	\$3.08 Per Capita
Other Revenue	571,304	Service Population = 111,851	\$5.11 Per Capita
Transfers In	1,948,934	Service Population = 111,851	\$17.42 Per Capita
<b>Special Revenue Funds</b>			
Measure I - 2010-2040	1,385,300	Service Population = 111,851	\$12.39 Per Capita
State Gas Tax	1,735,332	City Population = 85,934	\$20.19 Per Capita

#### **Notes**

- (a) Per City of Chino Fiscal Year 2016-2017 Budget.  
(b) Per California Local Government Finance Almanac, California City Documentary and Property Transfer Tax Rates.  
(c) See Table A-5 for calculation of Property Tax In-Lieu of VLF calculation.

#### **Property Tax (Secured)**

Secured property tax revenues are projected based on the City's share of the one percent property tax levy on the estimated assessed valuation for the Project. As detailed in Section 2.2, the City's share of the 1.0 percent basic levy is approximately 10.80 percent. Total property tax revenues to the City are projected to be \$44,876.

#### **Property Tax (Un-Secured)**

Unsecured property taxes are levied on tangible personal property that is not secured by real estate such as machinery, fixtures, equipment, and boats. Unsecured property tax revenues are estimated based on the current ratio of the City budget amounts of unsecured property tax to secured property tax, or about 4.90 percent of projected secured property tax ( $\$477,000/\$9,125,000 = .0490$ ). The secured property tax is projected to be \$44,846; therefore the unsecured property tax is estimated at \$2,199 for the project at buildout ( $\$44,846 \times .0490$ ).

### **Property Transfer Tax**

Sales of real property are taxed by San Bernardino County at a rate of \$1.10 per \$1,000 of property value. For property located in the City, property transfer tax is divided equally between the City and the County, with the City receiving \$0.55 per \$1,000 of transferred property value. The report assumes that residential property changes ownership at an average rate of approximately 10.0 percent per year. Total property transfer tax revenues to the City are projected to be \$2,285.

### **Property Tax - In Lieu of VLF**

Cities and counties began receiving additional property tax revenue to replace vehicle license fee (VLF) revenue that was lowered when the state reduced the vehicle license tax in 2004. This VLF - property tax in lieu is projected to grow with the change in the Citywide gross assessed valuation (AV) of taxable property from the prior year. VLF - Property tax in lieu revenue is allocated in addition to other property tax apportionments.

As shown in Appendix Table A-5, property tax - in lieu of VLF in the City is projected to increase at \$822 per million dollars of new assessed valuation (AV). This factor is based on the change in AV and the change in VLF - property tax in lieu in the City over the period from fiscal year 2012-2013 to fiscal year 2016-2017. The change over the period from fiscal year 2012-2013 to fiscal year 2016-2017 is used to represent an average of the economic upturns and downturns.

Per State law, when an annexation occurs the existing valuation in the area that is being annexed cannot be used in adjusting the base amount of assessed valuation in the annexing City. Prior to the SB89 legislation, a City received property tax in lieu of VLF for the existing development in the annexation area at \$50 per capita annually, based on the estimated population of the annexation area at the time of annexation. Based on the SB89 legislation, an annexing City will no longer receive property tax in lieu of VLF for the existing assessed valuation in the area being annexed. The City will receive property tax in-lieu of VLF based on the change in its gross assessed valuation of taxable property for new development in the annexed area. Total property tax – in lieu of VLF revenues to the City are projected to be \$20,711.

### **Sales and Use Tax**

As part of the total sales tax levied by the State, all cities and counties in the State generally receive a basic one percent (1.0 percent) sales tax and have the option to levy additional sales taxes under certain circumstances. The fiscal analysis projects sales and use tax based on the estimated retail taxable sales made in the City by the future residents of the Project.

In addition to sales tax revenue, the City receives revenues from the use tax, which is levied on shipments into the state and on construction materials for new residential and non-residential development not allocated to a situs location. Use tax is allocated by the State Board of Equalization (BOE) to counties and cities based on each jurisdiction's proportion of countywide and statewide direct taxable sales.

Appendix Table A-6 presents the City sales and use tax for the 2<sup>nd</sup> half of calendar year 2015 and the 1<sup>st</sup> half of calendar year 2016 provided by Hinderliter de Llamas and Associates (HdL). HdL estimates that \$2,412,272 of total sales and use tax was made from levies designated as use tax and the remaining \$20,571,705 of the sales and use tax was point-of-sale sales tax. Therefore, use tax revenues to the City are estimated at an additional 11.78 percent of point-of-sale sales tax. Total sales and use tax revenues to the City are projected at \$19,146, as shown on Table 2-3.

**Public Safety Sales Tax (Proposition 172)** Public Safety Sales Tax or Proposition 172 (“Prop. 172”), effective on January 1, 1994, established a permanent one-half cent sales tax. These additional revenues support public safety services in cities and counties. These funds partially replace the shift in property taxes to the Educational Revenue Augmentation Fund (ERAF). The tax is collected by the state and allotted to each county based on its proportionate share of statewide taxable sales. As shown in Table 6-2, these revenues are projected at \$31.43 per \$1,000 of sales and use tax based on City estimated FY 2016-2017 Prop. 172 revenues of \$733,000 and the City's total sales and use tax estimate of \$23,321,000. Total revenue from Prop. 172 revenues are estimated at \$602 per year for the Project.

#### **Franchise Fees**

The City receives a franchise fee from telephone/mobile, natural gas, electricity, water, and cable/satellite businesses within the City for use of public rights-of-way. Franchise fee revenues are estimated to be approximately \$5,700 annually for the Project. Franchise fee revenues are estimated at \$24.51 per capita based upon the budget franchise fee amount of \$2,742,000, divided by the service population of 111,851.

#### **Transient Occupancy Tax**

The City collects a tax of 8 percent of room receipts on lodging within the City. The Project is anticipated to generate approximately \$686 annually. Transient occupancy tax revenues are estimated at \$2.95 per capita based on the budget amount of \$330,000, divided by the total service population of 111,851.

#### **Licenses and Permits**

Licenses and permits represent a variety of fee charges to those utilizing services within the City. The Project is anticipated to generate approximately \$4,220 annually. Licenses and permits revenues are estimated at \$18.15 per capita based on the budget amount of \$2,030,087, divided by the total service population of 111,851.

#### **Charges for Services**

Charges for services represent fees for the use of the City services including charges for document research and reproduction, fingerprint fees, vehicle release fees, etc. The Project is anticipated to generate approximately \$720 annually. Charges for services revenues are estimated at \$3.10 per capita based on the adjusted budget amount of \$346,526, divided by the total service population of 111,851.

#### **Fines and Forfeiture**

Fines and Forfeiture represent truck route citation, parking citation, and general court fines for the City. The Project is anticipated to generate approximately \$717 annually. Fines and forfeiture revenues are estimated at \$3.08 per capita based on the budget amount of \$345,000, divided by the total service population of 111,851.

#### **Other Revenue**

Other revenue represent legal address changes, contributions and donations, etc. The Project is anticipated to generate approximately \$1,188 annually. Other revenues are estimated at \$5.11 per capita based on the adjusted budget amount of \$571,304, divided by the total service population of 111,851.

### **Transfers In**

These revenues include transfers to the City General Fund from other City funds. The Project is anticipated to generate approximately \$4,052 annually. Transfers in are estimated at 17.42 per capita based on the budget amount of \$1,948,934, divided by the total service population of 111,851.

### **City Special Revenue Funds:**

#### **Measure I (2010-2040 Revenues)**

County voters approved Measure I, supporting a half-cent sales tax in the incorporated and unincorporated areas of the County for the 20-year period between April 1, 1990, and March 31, 2010. Early in the second decade of Measure I, it became apparent that continuation of the half-cent sales tax would be critical to maintaining funding for transportation projects in the County. The County voters approved San Bernardino County Transportation Authority Ordinance 04-01 on November 4, 2004, extending the half-cent sales tax for 30 years, to March 31, 2040. The Ordinance is referred to as Measure I 2010-2040 to distinguish it from the 20-year half-cent sales tax measure that took effect in April 1990. The Project is anticipated to generate approximately \$2,880 annually as shown below in Table 6-3. Measure I – 2010-2040 revenues are projected at \$12.39 per capita, based on the budget amount of \$1,385,300, divided by the total service population of 111,851.

#### **State Gas Tax**

The State imposes excise taxes on various transportation fuels. State motor vehicle fuel taxes include the gasoline tax, diesel fuel tax, and the use fuel tax. The State allocates these revenues to cities based on the Streets & Highway Code Sections 2105 – 2108. State Gasoline tax accrues to the Gas Tax Fund, and these revenues contribute to Public Works Department expenditures for street maintenance, including sidewalks, curbs, gutters and other street related maintenance. The Project is anticipated to generate approximately \$4,696 annually as shown below in Table 6-3. State gasoline taxes are projected at \$20.19 per capita based on the FY 2016-2017 proposed revenue amount of \$1,735,332 and the City population estimate of 85,934.

**Table 6-3**  
**Recurring Fiscal Impacts - City Special Revenue Funds**

<b><u>Recurring Special Revenue Funds</u></b>	<b><u>Proposed Residential</u></b>
Measure I - 2010-2040	\$2,880
State Gas Tax	4,696
<b>Total Recurring Transportation Revenues</b>	<b>\$7,575</b>

### 6.3 City General Fund Cost Assumptions

The General Fund cost factors that are used in preparing the fiscal analysis for the Project are presented in Table 6-4. These factors are based on the adopted expenditures in the City's FY 2016-2017 budget shown in Table 6-4 and the City's service population estimates that are presented in Table 6-1.

**Table 6-4**  
**Summary of Project Recurring Cost Factors**  
**Pipeline Annexation Plan for Service and Fiscal Analysis**  
**(In Constant 2017 Dollars)**

<u>Cost Category</u>	<u>FY 2016-17</u> <u>Budget(a)</u>	<u>Projection Basis</u>	<u>Projection Factor</u>
Administration	\$ 1,079,850	Service Population = 111,851	\$9.65 Per Capita
Finance (b)	2,434,074	Service Population = 111,851	21.76 Per Capita
Police Department	32,861,444	Service Population = 111,851	293.80 Per Capita
Human Resources	59,888	Service Population = 111,851	0.54 Per Capita
Community Development	1,917,139	Service Population = 111,851	17.14 Per Capita
Public Works	361,901	Service Population = 111,851	3.24 Per Capita
	<u>\$ 38,714,296</u>		<u>\$ 346.12</u>

Notes:

(a) Per City of Chino Fiscal Year 2016-2017 budget, adjusted as shown in Table A-3.

(b) Excludes the costs for Fire Services.

Projected General Fund expenditures include administration, finance, police department, human resources, community development and public works.

#### **Administration**

The Administration Department ensures that City Council policies and directions are carried out and provides for support to the City Council in areas such as municipal management; public and intergovernmental relations; special projects, and other issues affecting the City's interests. Additionally, the department directs, oversees, and supports the efforts of all City departments. The Administration Department includes Legislative, City Manager, City Clerk, City Attorney, Community Promotion and State of the City. The costs are not anticipated to have a 1:1 relationship with population growth from the Project given the nature of the Project and the Project's relatively small size compared to the City. The report excludes the assumed fixed costs of the City Attorney, City Manager, and City Clerk as shown in Table A-3. The total annual costs to the City are estimated at \$2,245. The administration costs are estimated at \$9.65 per capita based on the adjusted budget amount of \$1,079,850, divided by the total service population of 111,851.

#### **Finance**

The Finance Department manages the fiscal operations of the City. The department's primary functions include maintaining effective systems for financial planning, disbursement control, budget development and implementation, budget monitoring, revenue administration, accounting and reporting, cash management, long-term debt administration, redevelopment accounting, purchasing, investing and utility billing. The total annual finance costs to the City are estimated at \$5,060.17. The Finance costs are estimated at \$21.76 per capita based on the adjusted budget amount of \$2,434,074, divided by the total service population of 111,851. Included in the finance budget are the contract

costs with the Chino Valley Independent Fire District (CVIFD) that provides fire services to the City. Per the Director of Finance, the City pays CVIFD an amount equal to 15.07 percent of the one percent property tax revenue to cover fire services. Each TRA has a percentage that gets allocated to CVIFD to cover some of these costs. Any shortfall is the responsibility of the City. The Project is in TRA 61058 which allocates 15.03 percent to CVIFD and TRA 61018 which allocates 14.93 percent to CVIFD, as shown on Table A-7 and A-8. The total requirement for the Project at buildout is \$62,620.42 ( $15.07\% \times \$41,553,034 / 100$ ). At 14.93 percent, the lower allocation amount, the Project will generate \$62,037.41, leaving a shortfall of \$583.01 that would be required by the City to pay CVIFD as shown on Table A-3. Including this amount, the total annual finance costs to the City are estimated at \$5,643.18 ( $\$5,060.17 + \$583.01$ ).

### **Police Department**

Police protection costs include patrol services, criminal investigations, crime analysis, traffic services, and other services required for public safety. The total annual costs to the City are estimated at \$68,315. The Police Department costs are estimated at \$293.80 per capita based on the budget amount of \$32,861,444, divided by the total service population of 111,851.

### **Human Resources**

The Human Resources Department consists of four program areas: Personnel; General Liability/Workers' Compensation; Employee Services; and, Information Technology Services. The total annual costs to the City are estimated at \$125. The Human Resources costs are estimated at \$.54 per capita based on the budget amount of \$59,888, divided by the total service population of 111,851.

### **Community Development**

The Community Development Department's primary role includes maintaining the City's long-range plans and managing the development process. This includes assisting in the setting of goals for developing, preserving, and rehabilitating residential neighborhoods and commercial and industrial areas. Department divisions include Building, Code Enforcement, Economic Development, Housing, and Planning. The total annual costs to the City are estimated at \$3,986. The community development costs are estimated at \$17.14 per capita based on the adjusted budget amount of \$1,917,139, divided by the total service population of 111,851. As shown on Table A-4, the Community Development costs of \$6,224,464 are offset by one-time processing permit and fee revenues of \$4,307,325.

### **Public Works**

The Public Works Department serves the needs of the City by providing, maintaining, and operating City-owned improvements within the public rights-of-way. The primary duties of the department are to maintain and improve the City's streets, parks, traffic signal systems, landscaping, street lighting, water, sewer, storm drain systems, and City-owned facilities. The total annual costs to the City are estimated at \$752. The Public Works costs are estimated at \$3.24 per capita based on the adjusted budget amount of \$361,901, divided by the total service population of 111,851.

## APPENDIX A ASSUMPTIONS AND SOURCES

**Table A-1  
Summary of General Assumptions**

Existing Parcels inside TTM 18903 (Acres)	11.50	
Existing Parcels outside TTM 18903 (Acres)	25.73	
Total Annexation Acres	37.23	
 New Single Family Units	 38	
Existing Single Family Units	31	
Less Existing SF Units to be demolished	(4)	
Total Single Family Units	65	
 Existing Preschool	 1	
 Estimated Project Population	(1) 227	
Rainbow Canyon Preschool Employees (12 total)	(2) 6	
Total Population	233	
 Estimated Assessed Value Per New Single Family Home	\$ 751,241	
 Projected New Residential Assessed Valuation (TTM 18903)	\$ 28,547,130	
Existing Assessed Valuation (Inside TTM 18903)	\$ 3,343,154	
Existing Assessed Valuation (Outside TTM 18903)	\$ 13,005,904	
 Projected Total Assessed Valuation	\$ 41,553,034	
 Increase in Assessed Valuation	\$ 25,203,976	

**Notes:**

(1) Population is projected on 3.485 persons per household based on the E5 City/County Population and Housing Estimates as of 1/1/16.

(2) Employees are counted as 1/2 a resident for population counts. Assumes 10 Full Time and 4 Part Time Employees for the existing Rainbow Canyon Preschool.

**Source:**

Home values and residential units provided by the Developer. Acreage provided by County Assessor.



**Table A-2**  
**General Fund Recurring Revenues**

<b><u>GENERAL FUND</u></b>	<b><u>2017 Proposed</u></b>	<b><u>Marginal Increase</u></b>	<b><u>Adjusted General Fund</u></b>
<b>TAXES:</b>			
Franchise Fees-Enterprise Fund	-	100%	-
Franchise Fees Public Utility	812,000	100%	812,000
Franchise Fees Recyc/Waste	1,100,000	100%	1,100,000
Franchise Fee Telecomm	830,000	100%	830,000
Property Tax-Secured	9,125,000	100%	9,125,000
Property Tax-Unsecured	447,000	100%	447,000
Property Tax-Trler/Racehorse	150	0%	-
Property Tax-Aircraft	227,293	0%	-
Property Tax-Unitary Utilities	390,000	0%	-
Property Tax-Supplemental	122,000	0%	-
Property Tax-Prior Years	397,000	0%	-
Property Tax-Rda Elimination	1,170,000	0%	-
Property Tax-In Lieu Of V.L.F.	8,630,933	100%	8,630,933
Property Tax-Rda S.B.211	60,000	0%	-
Homeowners Property Tax Rel	96,000	100%	96,000
Real Property Transfer Tax	390,000	100%	390,000
City Svcs Special Tax-Preserve	820,740	0%	-
City Svcs Special Tax College	1,974,000	0%	-
Sales Tax	23,321,000	100%	23,321,000
Sale Tax In Lieu	-	100%	-
Transient Occupancy Tax	330,000	100%	330,000
Business License Tax	1,000,000	100%	1,000,000
Total Taxes	51,243,116		46,081,933
<b>LICENSES AND PERMITS:</b>			
Scup-Site	41,360	100%	41,360
Special Conditional Use Permit	11,163	100%	11,163
Home Occupation Permit	8,260	100%	8,260
Building Permit	1,437,784	100%	1,437,784
Plumbing Permit	175,307	100%	175,307
Electrical Permit	87,881	100%	87,881
Mechanical Permits	157,962	100%	157,962
A.D.A. Sb1186	-	100%	-
R.O.W. Encroachment Permit	30,000	100%	30,000
Wide Overweight Vehicle Fee	13,000	100%	13,000
Detour & Lane Closure Fee	16,000	100%	16,000
Bicycle License Fee	20	100%	20
Zone Restricted Parking Permit	100	100%	100
Special Event Permit	2,250	100%	2,250
Special Permit Investigation	6,000	100%	6,000
Special Business/Comm Rev	4,000	100%	4,000
Fireworks Fines	38,000	100%	38,000
Film Permit	1,000	100%	1,000
Total Licenses & Permits	2,030,087		2,030,087

**RENTAL INCOME:**

Rental Income	86,202	0%	-
Total Rental Income	86,202		-

**INTERGOVERNMENTAL:**

Vehicle License Fee	34,000	0%	-
Peace Officer Standard Training	45,000	0%	-
State Mandated Cost Reimb	40,000	0%	-
School Resource Fee	315,000	0%	-
Grant	465,465	0%	-
Total Intergovernmental	899,465		-

**CHARGES FOR SERVICES:**

General Overhead-Enterprise	2,051,987	0%	-
Dept Overhead-Utilities	947,071	0%	-
Pub Sfty Enterprise Alloc.	-	0%	-
Govt Fac Enterprise Alloc.	210,593	0%	-
Row Maint Enterprise Alloc	1,901,397	0%	-
General Plan Update Fee	236,825	0%	-
Tentative Tract Map Fee	33,845	0%	-
Tentative Parcel Map Fees	10,248	0%	-
Environmental Assessment Fee	15,048	0%	-
Site Approval Fees	120,444	0%	-
Ag Contract Cancellation Fee	-	0%	-
Developer Modification Request	-	0%	-
Preserve Cost Recovery Fee	92,947	0%	-
Specific Plan Amendment Fee	-	0%	-
Design Review-College Pk-Prese	12,534	0%	-
Landscape/Lighting/Wall Plan R	88,515	0%	-
Env Impact Report	8,173	0%	-
General Plan Amendment	5,424	0%	-
Preliminary Project Review Fee	-	0%	-
Adm Aprvl Type 1 & 2 W/D.R.C.	30,090	0%	-
Adm Aprvl Type 1-3 W/O D.R.C.	15,420	0%	-
Adm Aprvl Type 3 W/D.R.C.	10,620	0%	-
Variance Fees Maj-Min	-	0%	-
Appeal Plng Comm To Council	-	0%	-
Public Notice-Mail	1,190	0%	-
Public Notice-Newspaper	4,424	0%	-
Zone Change	5,738	0%	-
Prezone	-	0%	-
Zone Ordinance Amendment	-	0%	-
Sign Plan Review Fee	13,440	0%	-
Sign Program Review	706	0%	-
Temporary Banner/Sign	2,700	0%	-
Developer Agreement	5,217	0%	-
Developer Ext-Adm Review	5,200	0%	-
Developer Ext-Discretionary	2,906	0%	-
Developer Agreement-Lewis	-	0%	-
Job Valuation	138,296	0%	-
Green Building Standards	7,714	0%	-

Building Plan Check Fee	802,832	0%	-
New Construction Fees	530,070	0%	-
New Home Warranty Permit	67,900	0%	-
Special Inspection Fee	2,000	0%	-
Capital Administration Fee	3,855,656	0%	-
Eng Plng Dev Fee -East Chino	8,000	0%	-
Grading Plan Check Fees	75,000	0%	-
Final Subdivision Map Fee	60,000	0%	-
Engineering Plan Check	605,000	0%	-
Public Improvement Insp-Land D	1,538,561	0%	-
Public Utilities Inspect Fee	25,000	0%	-
Engineering Plans Revision Fee	4,812	0%	-
Intersection Design Fees	1,400	0%	-
Crime Prevention Fee	300	100%	300
Fire Arm Fee	-	100%	-
Special Event Fee	30,000	100%	30,000
Accident Report Fees	75	100%	75
Graffiti Abtmnt Recovery Fee	25,000	100%	25,000
Fingerprint Fee	2,200	100%	2,200
Photo Sales Fee	1,200	100%	1,200
Vehicle Report Certification	3,500	100%	3,500
Crime Report Fees	200	100%	200
Vehicle Insp Fees	5,000	100%	5,000
Towing Ordinance	75,000	100%	75,000
Dui Response Fees	20,000	100%	20,000
False Alarm Response Fees	30,000	100%	30,000
Records Clearance Check	800	100%	800
Vehicle Release Fees	100,000	100%	100,000
Public Safety Service Fee	4,000	100%	4,000
Local Criminal History Record	25	100%	25
Photocopy Sales	300	100%	300
Research Service Fees	1,500	100%	1,500
Document Printing	80	100%	80
Small Claims Court Filing Fees	300	100%	300
Return Check Charge	400	100%	400
Public Meeting/DVD Copy	35	100%	35
Document Certification Fees	11	100%	11
Business License Duplication F	600	100%	600
Fireworks Cost Recovery Permit	43,000	100%	43,000
City 5% Stong Motion Fee	3,000	100%	3,000
Booking Fee	-	100%	-
Total Charges for Services	13,901,469		346,526

**INVESTMENT INCOME:**

Interest Income Apportioned	380,000	0%	-
Interest Income Pooled C.D.	-	0%	-
Interest Income Pooled Sanwa	-	0%	-
Pooled Interest Allocated	-	0%	-
Int Inc Loan Water	50,230	0%	-
Discount Invest Purchase	-	0%	-
Gain/Loss On Investment	-	0%	-

Total Investment Income	430,230		-
<b>FINES AND FORFEITURE:</b>			
Truck Route Citation	175,000	100%	175,000
Parking Citation Fine	140,000	100%	140,000
General Court Fine	15,000	100%	15,000
Adm Citations Public Nuisance	15,000	100%	15,000
Total Fines and Forfeiture	345,000		345,000
<b>OTHER REVENUE:</b>			
Post Hosted Trng	2,300	100%	2,300
Legal Address Change-Owner Req	158,191	100%	158,191
Tow Charge Reimbursement	-	100%	-
Evidence/Other	1,500	100%	1,500
Maps/Publications/Bid Spec	300	100%	300
Cost Recovery Public Nuisance	-	100%	-
Unclaimed Funds	3,000	100%	3,000
Candidates Statement	3,600	100%	3,600
Cell Site Rental	20,000	100%	20,000
Gain/Loss Inventory Adj	-	100%	-
Recapture Of Bad Debt	1,000	100%	1,000
Sale Of Real & Personal Property	-	100%	-
Property Abatement	-	100%	-
Reimbursement & Contributions	371,913	100%	371,913
City Adm Fee Settlement	-	100%	-
C.F.D. Formation Reimburse	-	100%	-
Donations/Sponsorships	-	100%	-
Senior Housing Lease Payment	378,379	0%	-
Restitution	-	100%	-
Bank Adjustments	-	100%	-
Other Revenue	9,500	100%	9,500
Reimburse Ad Fee-C.F.D. 2006-2	11,000	0%	-
Reimburse C.F.D. 99-1	8,200	0%	-
Reimburse Ad Fee-C.F.D. 2000-1	7,500	0%	-
Reimburse Ad Fee-C.F.D. 2001-1	9,400	0%	-
Reimburse Ad Fee-C.F.D. 2003-1	10,900	0%	-
Reimburse Ad Fee-C.F.D. 2003-2	10,300	0%	-
Reimburse Ad Fee-C.F.D. 2003-3	42,527	0%	-
Reimburse Ad Fee-C.F.D. 2003-4	11,500	0%	-
Reimburse Ad Fee C.F.D. 2005-1	70,000	0%	-
Reimburse Ad Fee C.F.D. 2005-2	12,000	0%	-
Reimburse Ad Fee C.F.D. 2009-1	12,800	0%	-
Reimburse Ad Fee C.F.D. 2006-1	12,500	0%	-
Reimburse Ad Fee C.F.D. 2006-3	12,500	0%	-
Total Other Revenue	1,180,810		571,304
<b>TRANSFERS IN:</b>			
Transfers In	1,948,934	100%	1,948,934
In Lieu Fees-Enterprise Funds	-	100%	-
Total Transfers In	1,948,934		1,948,934
<b>Total General Fund</b>	<b>72,065,313</b>		<b>51,323,784</b>

**Table A-3**  
**General Fund Recurring Costs**

	<b>2016-17 Budget</b>	<b>Marginal Increase</b>	<b>Adjusted Budget</b>
<b>INTERNAL DEPARTMENT</b>			
General Fund (a)	21,726,269	0%	-
Total Internal Department	21,726,269		-
<b>ADMINISTRATION</b>			
Legislative	505,610	100%	505,610
City Attorney	418,346	0%	-
City Manager	481,427	0%	-
City Clerk	797,135	0%	-
Community Promotion	518,740	100%	518,740
State of the City	36,500	100%	36,500
Community Services Corps	19,000	100%	19,000
Total Administration	2,776,758		1,079,850
<b>FINANCE</b>			
Fiscal Services	2,058,999	100%	2,058,999
Omnitrans Program	25,000	100%	25,000
Purchasing	350,075	100%	350,075
Fire Services	8,565,000	(b)	(b)
Total Finance	10,999,074		2,434,074
<b>POLICE</b>			
Office of the Chief	1,573,101	0%	-
Emergency Services	52,750	100%	52,750
Professional Standards	1,199,948	100%	1,199,948
Patrol Services	15,346,439	100%	15,346,439
K-9 Program	48,355	100%	48,355
SWAT Program	113,100	100%	113,100
Crisis Negotiation Team	10,502	100%	10,502
Special Events	53,995	100%	53,995
Posse Volunteer Team	5,500	100%	5,500
Traffic Services	2,426,291	100%	2,426,291
Criminal Investigations	3,349,748	100%	3,349,748
Crime Analysis	401,720	100%	401,720
Special Investigations Unit	764,408	100%	764,408
Communications	2,349,003	100%	2,349,003
Records	1,387,127	100%	1,387,127
Narcotics	1,130,676	100%	1,130,676
Training	1,763,579	100%	1,763,579
Crime Prevention	432,714	100%	432,714
Volunteers	23,744	100%	23,744
Citizens Academy	7,444	100%	7,444
Police Substations	2,500	100%	2,500
Gang Unit	723,389	100%	723,389

School Resource Officer	652,147	100%	652,147
Technical Services	606,865	100%	606,865
Command Center	9,500	100%	9,500
Total Police	34,434,545		32,861,444
<b>HUMAN RESOURCES</b>			
Personnel	59,888	100%	59,888
Total Human Services	59,888		59,888
<b>COMMUNITY DEVELOPMENT</b>			
Community Development Administration	117,137	100%	117,137
Planning Commission	24,581	100%	24,581
Planning	1,670,629	100%	1,670,629
Building	1,770,554	100%	1,770,554
Code Enforcement	953,133	100%	953,133
Economic Development	1,688,430	100%	1,688,430
Total Community Development	6,224,464		6,224,464
<b>PUBLIC WORKS DEPARTMENT</b>			
Administration	361,901	100%	361,901
Land Development	1,431,783	0%	-
Total Public Works	1,793,684		361,901
<b>TOTAL GENERAL FUND</b>	<b>78,014,682</b>		<b>43,021,621</b>

Notes:

- (a) Represents transfers out for one-time costs.  
(b) See Section 6.3 for the explanation of fire costs.

**Table A-4**  
**General Fund Net Community Development Cost Factors**

COMMUNITY DEVELOPMENT	
Community Development Costs	\$ 6,224,464
<u>One-Time Processing Fees/Permits (a)</u>	
General Plan Update Fee	\$ 236,825
Tentative Tract Map Fee	33,845
Tentative Parcel Map Fees	10,248
Site Approval Fees	120,444
Landscape/Lighting/Wall Plan R	88,515
Sign Plan Review Fee	13,440
Developer Agreement	5,217
Developer Ext-Adm Review	5,200
Developer Ext-Discretionary	2,906
Job Valuation	138,296
Green Building Standards	7,714
Building Plan Check Fee	802,832
New Construction Fees	530,070
Special Inspection Fee	2,000
Grading Plan Check Fees	75,000
Final Subdivision Map Fee	60,000
Engineering Plan Check	605,000
Public Improvement Insp-Land D	1,538,561
Public Utilities Inspect Fee	25,000
Engineering Plans Revision Fee	4,812
Intersection Design Fees	1,400
	\$ 4,307,325
<u>Recurring New Community Development Costs</u>	\$ 1,917,139
Service Population	111,851
<u>Citywide Net Cost Factor per Service Population for Community Development</u>	\$ 17.14

Source:

(a)Per City of Chino Fiscal Year 2016-2017 budget, Charges for Services, pages 39 – 41.

**Table A-5**  
**Estimated Vehicle License Fees (VLF) - Property Tax in Lieu Factor**

<b>Category</b>	<b>2012/2013</b>	<b>2016/2017</b>	<b>Change in VLF</b>
<b><u>Nominal Dollars</u></b>			
Property Tax - VLF	6,595,525	8,630,933	2,035,408
Assessed Valuation (AV)	8,801,746,922	11,278,697,488	2,476,950,566
VLF Increase as a % of AV Increase			0.082174%
VLF Increase per \$1,000,000 increase in AV			<b>821.74</b>



**Table A-6**  
**Calculation of Use Tax Factor**

<b>City of Chino</b>	<b>Amount</b>
<u>Use Tax</u>	
County Pool	2,412,272
State Pool	11,235
Total Use Tax	<u>2,423,507</u>
<u>Point-of-Sale Tax</u>	20,571,705
<b>Use Tax Rate</b>	11.78%
<u>Note:</u>	

The use tax rate is the County Pool plus the State Pool divided by point-of-sale sales tax.

Source: Per Hinderliter, de Llamas & Associates (HdL) Companies for San Bernardino County, Sales Tax Allocation Totals, Q3 2015 through Q2 2016.

**Table A-7**  
**Tax Rate Area (TRA) Allocation Data**  
**TRA: 61058 (Breakdown of 1% Ad Valorem Tax) (a)**

<b><u>Code</u></b>	<b><u>Agency</u></b>	<b><u>Agency Pct of Revenue</u></b>
AB01 GA01	County General Fund	0.17043690
AB02 GA01	ERAF	0.21880998
BF01 GA01	Flood Control Zone 1	0.02543013
BF07 GA01	Flood Control Admin	0.00180378
BL01 GA01	Co. Free Library	0.01399235
BS01 GA01	Co Supt of Schools - County Wide	0.00495834
BS01 GA03	Co Supt of Schools - Phys Hand	0.00195040
BS01 GA04	Co Supt of Schools - Ment Ret	0.00156601
BS01 GA05	Co Supt of Schools - Dev Center	0.00051125
SC16 GA01	Chaffey Community College	0.04179435
SU18 GA01	Chino Valley Unified School Dist	0.30260777
UD50 GA01	CSA 70	0.00000000
UD98 GA01	CSA SL-1	0.01503115
WF07 GA01	Chino Valley Independent Fire Dist	0.15027613
WR04 GL01	Inland Empire JT Resource Cons Dist	0.00086424
WT09 GL01	Chino Basin Wtr Conservation Dist	0.00510461
WU08 GA01	Inland Empire Utilities Agency - General Tax Levy	0.01641579
WU08 GA05	Inland Empire Utilities Agency - Imp C	0.02844682
<b>Total</b>		<b>1.00000000</b>

Footnote:

(a) Per San Bernardino Auditor-Controller, Property Tax Division, Tax Year 2016-17.

**Table A-8**  
**Tax Rate Area (TRA) Allocation Data**  
**TRA: 61018 (Breakdown of 1% Ad Valorem Tax) (a)**

<b><u>Code</u></b>	<b><u>Agency</u></b>	<b><u>Agency Pct of Revenue</u></b>
AB01 GA01	County General Fund	0.16931894
AB02 GA01	ERAF	0.21737455
BF01 GA01	Flood Control Zone 1	0.02525111
BF07 GA01	Flood Control Admin	0.00179254
BL01 GA01	Co. Free Library	0.01389483
BS01 GA01	Co Supt of Schools - County Wide	0.00492506
BS01 GA03	Co Supt of Schools - Phys Hand	0.00193750
BS01 GA04	Co Supt of Schools - Ment Ret	0.00155566
BS01 GA05	Co Supt of Schools - Dev Center	0.00050912
SC16 GA01	Chaffey Community College	0.04152362
SU18 GA01	Chino Valley Unified School Dist	0.30065515
UD50 GA01	CSA 70	0.00000000
UD98 GA01	CSA SL-1	0.01493252
WF07 GA01	Chino Valley Independent Fire Dist	0.14929695
WR04 GL01	Inland Empire JT Resource Cons Dist	0.00180492
WT09 GL01	Chino Basin Wtr Conservation Dist	0.01065977
WU08 GA01	Inland Empire Utilities Agency - General Tax Levy	0.01630963
WU08 GA05	Inland Empire Utilities Agency - Imp C	0.02825813
<b>Total</b>		<b>1.00000000</b>

Footnote:

(a) Per San Bernardino Auditor-Controller, Property Tax Division, Tax Year 2016-17.

**APPENDIX B  
PROJECT REFERENCES**

**CITY OF CHINO**

**13220 Central Avenue  
Chino, CA 91710**

**Community Services - Anna Yarrito (909) 334-3256**

**Finance - Nada Repajic (909) 334-3721**

**Director of Finance – Rob Burns (909) 334-3262**

**Public Works/Engineering - Jesus Plecencia (909) 334-3417**

**Public Works/Transportation - Kurt Powell (909) 334-3265**

**CITY OF CHINO POLICE DEPARTMENT**

**5450 Walnut Avenue  
Chino, CA 91710  
(909) 334-3000**

**COUNTY OF SAN BERNARDINO**

**385 N. Arrowhead Avenue  
San Bernardino, CA 92415**

**Public Works/Traffic Division  
Elaina Mitchell (909) 387-7906**

**Local Agency Formation Commission (LAFCO)**

**215 North D Street  
San Bernardino, CA 92408  
(909) 388-0480**

**Kathleen Rollings-McDonald, Executive Director  
Samuel Martinez, Assistant Executive Officer**

**CITY OF CHINO HILLS**

**Police Department  
14077 Peyton Drive  
Chino Hills, CA 91709  
(909) 364-2000**

**INLAND VALLEY HUMANE SOCIETY**

**500 Humane Way  
Pomona, CA 91766  
(909) 623-9777**

**CHINO VALLEY INDEPENDENT FIRE DISTRICT (CVIFD)**

**14011 City Center Drive  
Chino Hills, CA 91709  
(909) 902-5260**

**Public Relations/Outreach  
Materials from the City of  
Chino's Neighborhood  
Meeting on  
February 15, 2017, as  
required by Commission  
Policy**

**Attachment 3**



Chino and Pipeline Annexation  
Neighborhood Meeting  
February 15, 2017

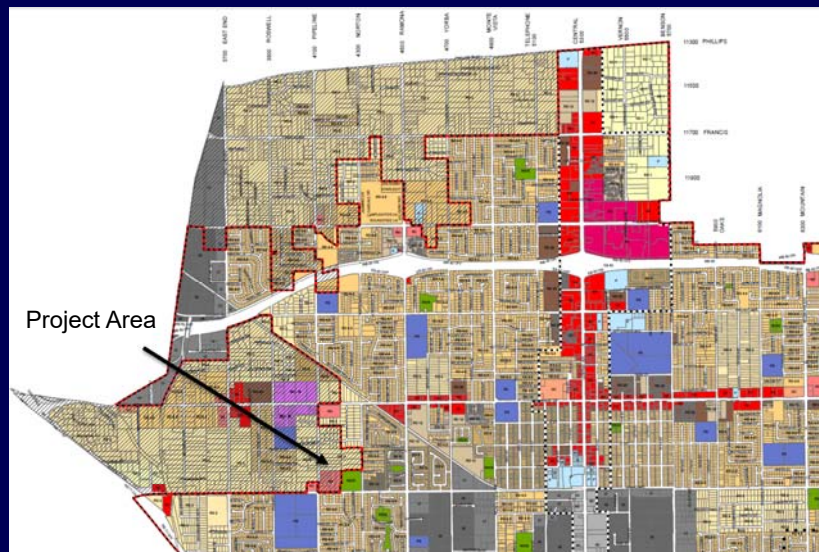
## Introductions and Agenda

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- **Introductions**
- **Meeting Purpose**
- **Agenda for this meeting**
  - Annexation process
  - Land Use
  - Proposed Public Improvements
  - Proposed Project
- **QUESTIONS ????**

# ANNEXATION PROCESS

## General Plan



City of Chino • February 15, 2017

# Annexation Map



City of Chino • February 15, 2017

## ISLAND ANNEXATION CRITERIA

- Pursuant to Government Code Section 56375.3 and Commission policy:
  - It does not exceed 150 acres in size;
  - It is totally or substantially surrounded;
  - It constitutes the entire island;
  - It is developed or developing;
  - It is not prime agricultural land; and
  - It will benefit or is receiving benefits from the annexing City.

City of Chino • February 15, 2017



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**The Commission has defined “substantially surrounded” as follows:**

“For the purpose of applying the provisions of Government Code Section 56375.3, the territory of an annexation proposal shall be deemed “substantially surrounded” if 60% of its boundary, as set forth in a boundary description accepted by the Executive Officer, is surrounded by (a) the affected City or (b) the affected City and adjacent Cities, or (c) the affected City and a service impediment boundary as defined by the Commission to include, but not be limited to, a freeway, a flood control channel or government owned land.”

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City of Chino • February 15, 2017

## ANNEXATION MYTHS

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1. My Property Taxes will Increase

Annexation does not raise the general ad valorem property taxes as outlined by Prop. 13.

2. Properties will have to hook to City sewers.

Currently functioning septic systems will not be required to hook to the City sewers. However, if there is a septic tank failure the Regional Water Quality Control Board may require connection to City sewers. This could occur regardless of annexation.

3. *Property Owners will not be allowed to keep their animals.*

Current County residents will be allowed to continue to keep their animals so long as the use was legal in the County.

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City of Chino • February 15, 2017

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If it is legal in the County it will be legal in the City of Chino following annexation.

However, if it is illegal in the County, annexation will not correct or cure this problem.

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City of Chino • February 15, 2017

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**COMMISSION POLICY REQUIREMENTS REGARDING OUTREACH:**

“The Commission directs that a City that proposes an island annexation proposal as such is defined in Government Code Section 56375.3 shall be required to have conducted a public relations/education effort within the affected area prior to the placement of the item on a Commission agenda for consideration. Such outreach/education efforts shall include, but not be limited to, providing information on the grandfathering of existing legal County uses into the City, costs to the resident/taxpayer associated with annexation, and land use determinations.

Documentation of these efforts shall be a part of the staff report presented for consideration by the Commission.”

---

City of Chino • February 15, 2017

## Annexation Effects

- No changes in property tax
- Access to City Government Services
  - Parks and Recreation
  - Participation in Elections
  - Services related to building and planning permits
- Served by the City of Chino Police Department
- No changes to Fire protection
- No changes to education services
- Water Supply continued to be served by the City
- Ability to connect to City of Chino sewer system
- Trash collection by Waste Management under contract with the City of Chino
- Street sweeping services provided by the City of Chino

City of Chino • February 15, 2017

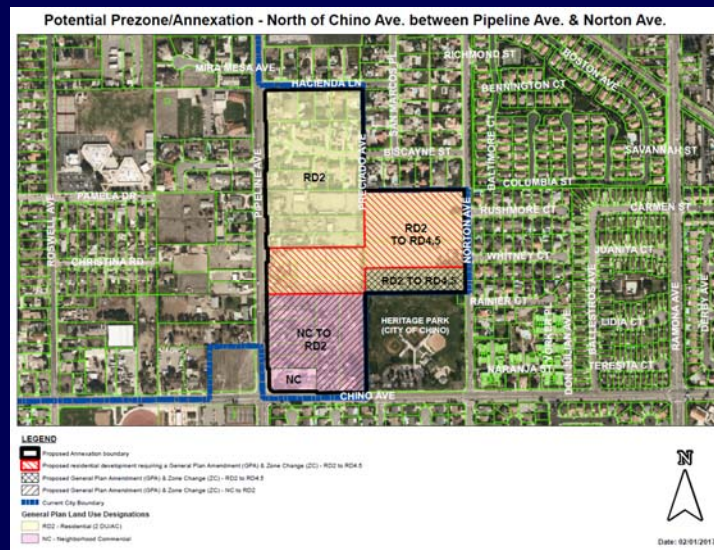
## Annexation Effects

	County of SB	City of Chino
Trash	\$22.97	\$24.63
Storm Drain	\$0	\$8.96
Street Sweeping	<u>\$0</u>	<u>\$2.34</u>
Total WO/Sewer	\$22.97	\$35.93
<b>Difference</b>		<b>\$12.96</b>
Sewer (City)		\$13.55
Sewer (IEUA)		<u>\$17.14</u>
Total W/Sewer		\$66.62
<b>Difference W/Sewer</b>		<b>\$43.65</b>
*Fees are monthly		

City of Chino • February 15, 2017

# LAND USE

## Land Use



City of Chino • February 15, 2017

## Land Use

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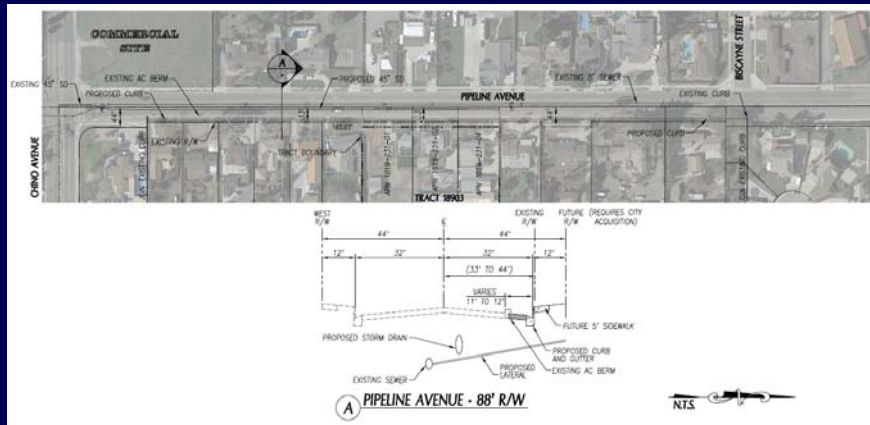
- Current SB County Land Use Designation is RS-20M
- No changes to RD2 lots north of project site
- Existing NC designated lots fronting Pipeline and Chino Avenues are proposed to change to RD2
  - Allows for animal keeping to remain per City standards
  - Residential uses can be expanded or modified
  - Services related to building and planning permits
- Development area including all parcels fronting Norton Avenue are proposed to change from RD2 to RD4.5
  - Allows for up to 4.5 units per acre. Proposed density is 3.9 units per acre.

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City of Chino • February 15, 2017

## PUBLIC IMPROVEMENTS

## Public Improvements



City of Chino • February 15, 2017

## Public Improvements



City of Chino • February 15, 2017

## Public Improvements



City of Chino • February 15, 2017

PROPOSED  
PROJECT

## Proposed Project

- 44 Traditional New Single Family Homes
- 2,800 to 3,400 square feet and 3 to 5 bedrooms
- 3 Plan types with single story and two story homes
- Lot sizes from 7,200 up to 11,000+
- RV parking available on certain lots

City of Chino • February 15, 2017

## Proposed Elevations



City of Chino • February 15, 2017

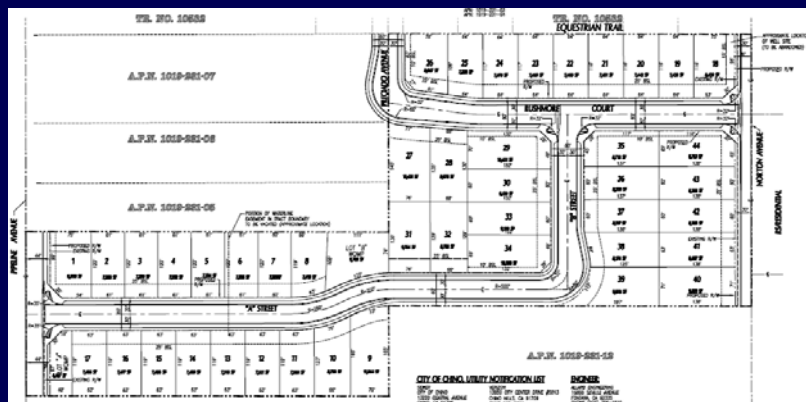


## Proposed Project



City of Chino • February 15, 2017

## Tentative Tract Map No. 18903



City of Chino • February 15, 2017

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## Next Steps

- Planning Commission - March 20, 2017
- City Council - April 16, 2017
- LAFCO Process (estimated 6 months)
- Site & Architecture Approval – Require additional Planning Commission public hearing

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City of Chino • February 15, 2017




Chino and Pipeline Annexation  
Neighborhood Meeting  
February 15, 2017

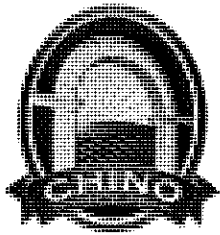
**NOTICE  
MAILING LIST AFFIDAVIT**

**NEIGHBORHOOD MEETING DATE:** February 15, 2017

**SUBJECT:** Proposed Annexation by Meritage Land Company – A request by Meritage Land Company to annex approximately 41 acres of land in to the City for the purposes of developing 44 single-family homes on 12 acres at a density of up to 4.5 dwelling units per acre. The project is generally located on the east side of Pipeline Avenue and west side of Norton Avenue, north of Chino Avenue. The proposed development area is identified in red on the attached exhibit and also shown on the attached tentative tract map.

I, Rosa Olguin, hereby certify that a copy of the attached Neighborhood Meeting Notice was mailed to those listed on February 1, 2017.

  
\_\_\_\_\_  
Rosa Olguin



## NEIGHBORHOOD MEETING NOTICE

### City of Chino • Community Development Department

13220 Central Avenue, PO Box 667 • Chino, California 91708-0667 • (909) 334-3253; Fax: (909) 334-3729

You are invited to attend a neighborhood meeting to discuss a request by Meritage Land Company to annex approximately 41 acres of land in to the City for the purposes of developing 44 single-family homes on 12 acres at a density of up to 4.5 dwelling units per acre. The project is generally located on the east side of Pipeline Avenue and west side of Norton Avenue, north of Chino Avenue. The proposed development area is identified in red on the attached exhibit and also shown on the attached tentative tract map.

This meeting is an opportunity for you to learn more about the project and annexation process, and to provide any feedback you may have. The Developer and City Staff will be in attendance to explain the project and answer your questions.

The following items will be discussed at the meeting:





- Annexation process going from San Bernardino County to the City of Chino;
- Proposed General Plan and Prezone designation revisions; and
- Proposed Tract Map for future development (see attached).

The neighborhood meeting will be held on **Wednesday, February 15, 2017, from 6:00 pm to 7:30 pm**, at Chino City Hall in the City Council Chambers located at 13220 Central Avenue. Questions regarding the project prior to the meeting may be directed to Michael Hitz, Principal Planner, at (909) 334-3448 or by email at [mhitz@cityofchino.org](mailto:mhitz@cityofchino.org).

**Potential Prezone/Annexation - North of Chino Ave. between Pipeline Ave. & Norton Ave.**



### LEGEND

-  Proposed Annexation boundary  
 Proposed residential development requiring a General Plan Amendment (GPA) & Zone Change (ZC) - RD2 to RD4.5  
 Proposed General Plan Amendment (GPA) & Zone Change (ZC) - RD2 to RD4.5  
 Proposed General Plan Amendment (GPA) & Zone Change (ZC) - NC to RD2

## General Plan Land Use Designations

- RD2 - Residential (2 DU/AC)  
NC - Neighborhood Commercial



**Date: 02/01/2017**

# TENTATIVE TRACT NO. 18903

A PORTION OF LOT 23 AND LOT 24, SECTION 10, T2N, R2E, S24E, IN THE COUNTY OF SAN BERNARDINO, ACCORDING TO MAP OF SUBDIVISION OF PART OF RANCHO SANTA ANA DEL CHINO, AS PER MAP RECORDED IN BOOK 8, PAGE 13 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

ALLARD ENGINEERING

DECEMBER, 2016

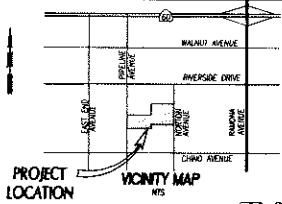
## APN NO'S

APN: 1010-221-00, 01, 10  
APN: 1010-221-11  
APN: 1010-221-01  
APN: 1010-221-02  
APN: 1010-221-03  
APN: 1010-221-04

\* SEE NOTE BELOW

## TR. NO. 10669 EQUESTRIAN TRAIL

"OFFICIAL USE ONLY"



TR. NO. 10668

A.P.N. 1010-221-07

A.P.N. 1010-221-08

A.P.N. 1010-221-05

A.P.N. 1010-221-12

## CITY OF CHINO, UTILITY NOTIFICATION LIST

**SEWER**  
CITY OF CHINO  
13200 CENTRAL AVENUE  
CHINO, CA 91710  
(909) 334-3700

**WATER**  
CITY OF CHINO  
13200 CENTRAL AVENUE  
CHINO, CA 91710  
(909) 334-3700

**SD. CALIF. GAS COMPANY**  
12401 17TH STREET  
CHINO, CA 91710  
(909) 335-7075

**SD. CALIF. ELECTRIC COMPANY**  
14000 BENDON AVENUE  
CHINO, CA 91710-7020  
(909) 340-1907

**UNDERGROUND SERVICE ALERT**  
(800) 422-4133

**TRUCK MOUNTED CABLE**  
CHINO HILLS WATERPLACE  
4000 CHINO HILLS PARKWAY  
SUITE 170  
CHINO HILLS, CA 91710  
(909) 332-2233  
(7# CABLE)

## ENGINEER

ALLARD ENGINEERING  
10000 SHAW AVENUE  
NEWPORT BEACH, CA 92660  
PHONE (949) 336-1815  
FAX (949) 336-1793

## DEVELOPER

MLC HOLDINGS, INC.  
1401 DOVE STREET SUITE 640  
NEWPORT BEACH, CA 92660  
PHONE (949) 372-1300  
FAX (949) 372-1300

## RECORD OWNER

MLC HOLDINGS, INC.  
1401 DOVE STREET SUITE 640  
NEWPORT BEACH, CA 92660  
PHONE (949) 372-1300  
FAX (949) 372-1300

## LEGEND

38 LOT NUMBER  
7,200 SF LOT SIZE (SQUARE FOOT)  
--- BUILDING SETBACK LINE  
--- TRACT BOUNDARY

## NOTES

1. TRACT IS FOR DEVELOPER BUILD OUT
2. SEWER WILL BE PERMITTED BY THE CITY OF CHINO, CALIFORNIA
3. ALL LANDSCAPE LETTERED LOTS SHALL BE MINIMUM 5' WIDE
4. PRECINCTS SHALL BE POSTED AND PAINTED
5. PUBLIC UTILITY EASEMENT TO BENEFIT OF THE CITY OF CHINO THAT COVERS UNDERGROUND UTILITIES WITHIN ALL RIGHT OF WAY

## STREET SECTIONS

ALL = 20,000 CT  
FULL = 20,000 CT

LOT #	LOT SIZE (SF)	LOT WIDTH (W) LOT DEPTH (D)
1	8,800	75' x 120'
2	7,388	61' x 120'
3	7,280	61' x 120'
4	7,280	61' x 120'
5	7,280	61' x 120'
6	7,280	61' x 120'
7	7,280	61' x 120'
8	7,280	61' x 120'
9	7,280	61' x 120'
10	7,280	61' x 120'
11	7,280	61' x 120'
12	7,280	61' x 120'
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36	7,280	61' x 120'
37	7,280	61' x 120'
38	7,280	61' x 120'
39	7,280	61' x 120'
40	7,280	61' x 120'
41	7,280	61' x 120'
42	7,280	61' x 120'
43	7,280	61' x 120'
44	7,280	61' x 120'

# TENTATIVE TRACT MAP 18903

CITY OF CHINO  
COUNTY OF SAN BERNARDINO

Prepared For:

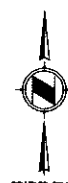
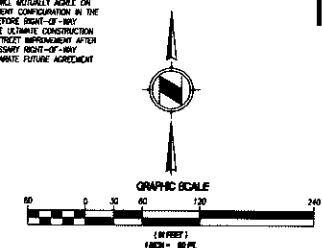
MLC Holdings, Inc.

1401 DOVE STREET SUITE 640  
NEWPORT BEACH, CA 92660  
PHONE (949) 372-1300

Prepared By:

ALLARD ENGINEERING

Civil Engineering - Land Surveying - Local Planning  
10000 Shaw Avenue  
Newport Beach, California 92660  
(949) 336-1815 Fax (949) 336-1793



1019101240000  
DAUGHERTY FAMILY TRUST



1019241030000  
FGO FAMILY TRUST 7/9/2004



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PATEL, NILESH H & MINITA N REV



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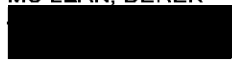
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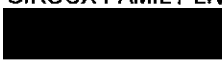
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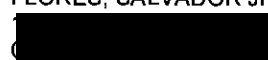
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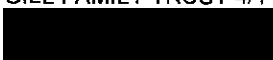
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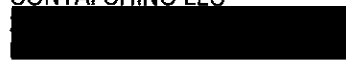
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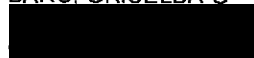
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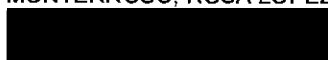
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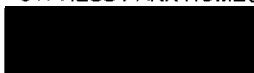
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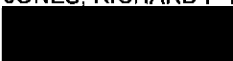
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RICKMAN, NEIL

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HALL, RONALD E

1019091380000  
DA VALLE, FLAINE M

1019231050000  
HOLDER, TERRY

1019643200000  
SHAW, GREGORY J

1019644210000  
ARGUELLO FAMILY TRUST 07/03/06

1019411260000  
MOFFITT, BOB R

1019091280000  
SMITH, JODIE D TR

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MIRZA, HAMEED

[REDACTED]

1019101220000  
SEARLE, DAVID W TR

1 [REDACTED]  
C [REDACTED]

1019251010000  
FISHER, THOMAS M

[REDACTED]

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FULKERSON, KEITH

[REDACTED]

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LEE, WAN YU

[REDACTED]

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BAJAJ FAMILY TRUST 2/10/00

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TYTULA, KENNETH & NANCY LIV TR

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HARKER, KELLY B

[REDACTED]

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REMINGTON, AMPARO T

[REDACTED]

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SANTOS, JOSE J

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MORITZ, STEPHEN D

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1019081030000  
ACOSTA, SONIA PRISCILLA FAM LI

4 [REDACTED]  
C [REDACTED]

CURRENT RESIDENT 4198 HACIENDA LN CHINO CA 91710	CURRENT RESIDENT 4162 CHINO AVE CHINO CA 91710	CURRENT RESIDENT 13068 BALTIMORE CT CHINO CA 91710
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CURRENT RESIDENT 4170 BISCAYNE ST CHINO CA 91710	CURRENT RESIDENT 4136 HACIENDA PL CHINO CA 91710	CURRENT RESIDENT 4322 RAINIER CT CHINO CA 91710
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13164 NORTON AVE  
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CHINO CA 91710

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CHINO OUTSIDE CA 91710

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CURRENT RESIDENT 4324 WHITNEY CT CHINO CA 91710	CURRENT RESIDENT 4336 RUSHMORE CT CHINO CA 91710	CURRENT RESIDENT 13323 SAN MARTIN PL CHINO CA 00000
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CHINO CA 91710

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4117 BISCAYNE ST  
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CURRENT RESIDENT  
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CHINO CA 91710

CURRENT RESIDENT  
4305 RUSHMORE CT  
CHINO CA 91710

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13134 PIPELINE AVE  
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CHINO CA 91710

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CHINO CA 00000

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CHINO CA 91710

CURRENT RESIDENT  
13060 BALTIMORE CT  
CHINO CA 91710

CURRENT RESIDENT  
4286 CHINO AVE  
CHINO CA 00000



**NEIGHBORHOOD MEETING**  
**MLC Holdings Annexation**

PL16-0462 (Prezone), PL16-0463 (General Plan Amendment), PL16-0464 (Annexation) and PL16-0529 (TTM 18903)

**Date:** February 15, 2017

**Time:** 6:00 P.M.

**Location:** City of Chino Council Chambers

Please **PRINT** your name address and phone number below:

Name (Print)	Address	Email/Phone
Lester Tucker		
Roy Cooper	BISCAYNE ST	
HAROLD CAIN	BISCAYNE ST	
Roberta Butler	Pipeline Ave	
Dan Danie/	Elmhurst R. Cucamonga	

**NEIGHBORHOOD MEETING**  
**MLC Holdings Annexation**

*PL16-0462 (Prezone), PL16-0463 (General Plan Amendment), PL16-0464 (Annexation) and PL16-0529 (TTM 18903)*

**Date:** February 15, 2017

**Time:** 6:00 P.M.

**Location:** City of Chino Council Chambers

Please **PRINT** your name address and phone number below:

Name (Print)	Address	Email/Phone
BRENDA MALESKEY	CHINO AVE CHINO CA 91710	
Bobby Allard	Allard Engineering Grille Ave Federal	
Robert Kabold	Biscayne st	
RANDY MCGUFFEE	Biscayne st Chino	
SAMUEL MARTINEZ	LAFCO	
Lisbeth Labrada		

# NEIGHBORHOOD MEETING

## MLC Holdings Annexation

PL16-0462 (Prezone), PL16-0463 (General Plan Amendment), PL16-0464 (Annexation) and PL16-0529 (TTM 18903)

Date: February 15, 2017

Time: 6:00 P.M.

Location: City of Chino Council Chambers

Please **PRINT** your name address and phone number below:

Name (Print)	Address	Email/Phone
BILL & GAIL TIMMONS	[REDACTED] WOLFSON AVE Chino	[REDACTED]
Blavie Padilla	[REDACTED] PIPELINE AVE	[REDACTED]
GARY OSTAPECK	[REDACTED] BISCAYNE ST.	[REDACTED]
Karen Campbell	City Hall - Engineering	[REDACTED]
Tony V Preciado	[REDACTED] S. VINEYARD AVE	[REDACTED]
Tom BARRETTO	[REDACTED] 117 VINE, Chino	[REDACTED]

**NEIGHBORHOOD MEETING**  
**MLC Holdings Annexation**

PL16-0462 (Prezone), PL16-0463 (General Plan Amendment), PL16-0464 (Annexation) and PL16-0529 (TTM 18903)

**Date:** February 15, 2017

**Time:** 6:00 P.M.

**Location:** City of Chino Council Chambers

Please **PRINT** your name address and phone number below:

Name (Print)	Address	Email/Phone
Belen Teske	[REDACTED] Pipeline Ave	[REDACTED]
Linda & Jeff Jolicoeur	[REDACTED] Pipeline Ave, Chino	
PIERRE BIROT	[REDACTED] WHITNEY CT CHINO	
GREG SWAN	[REDACTED] WHITNEY CT CHINO	[REDACTED]
Kevin White	[REDACTED] W. Arrowhead Ave S.B. CA 92415	[REDACTED]
ANTOINETTE MCCUE	[REDACTED] CHINO AVE CHINO CA 91710	

**NEIGHBORHOOD MEETING**  
**MLC Holdings Annexation**

PL16-0462 (Prezone), PL16-0463 (General Plan Amendment), PL16-0464 (Annexation) and PL16-0529 (TTM 18903)

**Date:** February 15, 2017

**Time:** 6:00 P.M.

**Location:** City of Chino Council Chambers

Please **PRINT** your name address and phone number below:

Name (Print)	Address	Email/Phone
Terry Paine	[REDACTED] Pipeline Ave	[REDACTED]
Richard Khalil	[REDACTED] San Marcos PL	[REDACTED]
Lety Ortiz	[REDACTED] Chino Ave	[REDACTED]
MICHAEL ANN WALTERS	[REDACTED] " " CHINO, 91708	
Refugio Salazar	[REDACTED] Chino ave 91710	
Ryan Daniel	[REDACTED] Pipe line ave	

**NEIGHBORHOOD MEETING**  
**MLC Holdings Annexation**

PL16-0462 (Prezone), PL16-0463 (General Plan Amendment), PL16-0464 (Annexation) and PL16-0529 (TTM 18903)

**Date:** February 15, 2017

**Time:** 6:00 P.M.

**Location:** City of Chino Council Chambers

Please **PRINT** your name address and phone number below:

Name (Print)	Address	Email/Phone
Jeff Scott	San Marcos Pl	
Nancy Fewins	San Marcos Pl	
CYNTHIA VANDEN POE	San Marcos	
Randy Fewins	San Marcos Pl	
Brenda Scott	San Marcos Pl	
Billy Liang	Biscayne St.	

**NEIGHBORHOOD MEETING**  
**MLC Holdings Annexation**

PL16-0462 (Prezone), PL16-0463 (General Plan Amendment), PL16-0464 (Annexation) and PL16-0529 (TTM 18903)

**Date:** February 15, 2017

**Time:** 6:00 P.M.

**Location:** City of Chino Council Chambers

Please **PRINT** your name address and phone number below:

Name (Print)	Address	Email/Phone
Neil Rickman	[REDACTED] Biscayne St - Chino	[REDACTED]
Irene Rickman	[REDACTED] Biscayne St Chino	
Julife/DAVID GRIER	[REDACTED] Pipeline Ave. CHINO, CA. 91710	
YU-BO CHENG	[REDACTED] RUSHMORE CT., CHINO CA 91710	
Derek McLean	[REDACTED] Hacienda Lane Chino	
GREG BENNER	[REDACTED] NORTON Ave Chino	

**Response from Tom Dodson  
and Associates on  
Environmental Determination**

**Attachment 4**



**TOM DODSON & ASSOCIATES**  
2150 N. ARROWHEAD AVENUE  
SAN BERNARDINO, CA 92405  
TEL (909) 882-3612 • FAX (909) 882-7015  
E-MAIL tda@tdaenv.com



October 7, 2017

Ms. Kathleen Rollings-McDonald  
Local Agency Formation Commission  
1170 West 3<sup>rd</sup> Street, Unit 150  
San Bernardino, CA 92415-0490

Dear Kathy:

LAFCO 3220 is a Reorganization to include Annexation to the City of Chino (City) and Detachment from County Service Areas 70 and SL-1, identified as the Pipeline island, which is a substantially surrounded island of unincorporated territory. The proposed Reorganization encompasses approximately 40 acres that are generally bordered by Hacienda Lane and parcel lines (existing City of Chino boundary) on the north, parcel lines and Norton Avenue (existing City of Chino Boundary) on the east, Chino Avenue and parcel lines (existing City of Chino boundary) on the south, and Pipeline Avenue on the west. A map of the site is provided as an attachment to this letter. Although the City prepared and adopted an Initial Study/Mitigated Negative Declaration (IS/MND) to comply with the California Environmental Quality Act (CEQA) in April 2017, this application comes to the Commission as an island annexation. Island annexations are allowed to proceed as ministerial actions because the originating statute indicates that the Commission has no discretion over their approval if they comply with all regulatory requirements. In this instance the Commission Staff has determined that the application meets the requirements of an island annexation and therefore, the recommended environmental finding will rely upon the pertinent Statutory Exemption section of the State CEQA Guidelines, not the City adopted IS/MND. Regardless, a copy of the IS/MND and Notice of Determination have been provided to the Commissioners as information for their deliberations

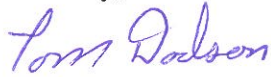
Based on my understanding of the proposed action, a ministerial decision is automatically exempt (Statutorily Exempt) from the CEQA statute. Therefore, I recommend that the Commission find that a Statutory Exemption applies to LAFCO 3220 under Section 15268 of the State CEQA Guidelines which states: "*Ministerial projects are exempt from the requirements of CEQA.*" It is my opinion and recommendation to the Commission, that, under the current application for LAFCO 3220, the Commission action in this matter is ministerial only and not subject to CEQA, i.e., statutorily exempt.

Thus based on a review of LAFCO 3220 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that this action does not constitute a project under CEQA and adoption of Statutory Exemption and filing of a Notice of Exemption is the most appropriate determination to verify compliance with CEQA. The Commission can approve the identified Reorganization identified in LAFCO 3220 as statutorily exempt from CEQA for the reasons outlined above and,

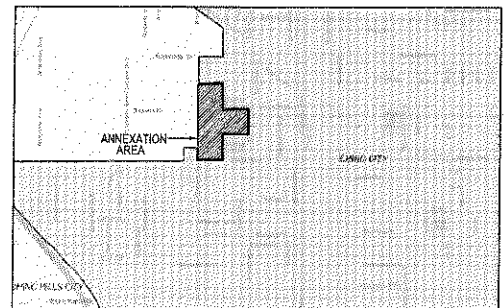
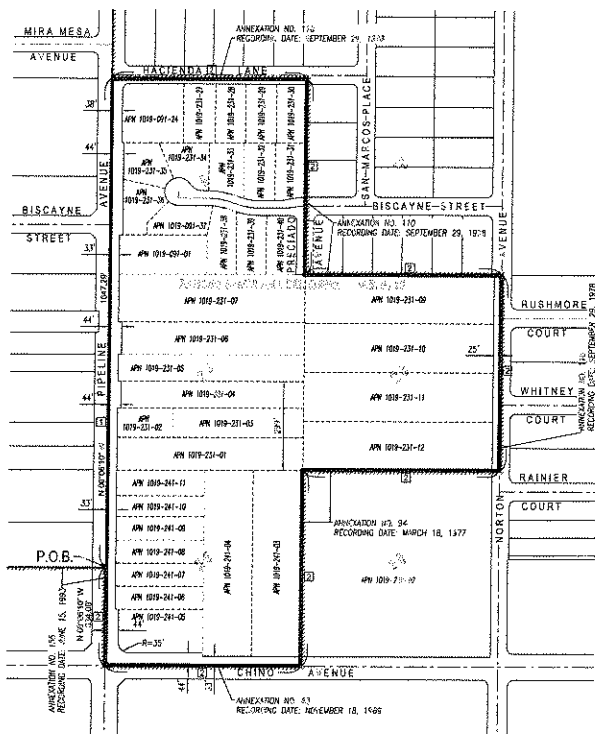
including the State CEQA Guideline section cited above. The Commission needs to file a notice of Exemption with the County Clerk to the Board for this action assuming it is approved at hearing.

A copy of this exemption should be retained in LAFCO's project file to serve as verification of this evaluation and as the CEQA environmental determination record. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Tom Dodson



VICINITY MAP  
 CITY OF CHINO  
 PROJECT AREA

Prepared by:  
**ALLARD ENGINEERING**  
 Civil Engineering - Land Surveying and Planning  
 10000 Wilshire Blvd.  
 Suite 1000  
 Los Angeles, CA 90024  
 Tel: (310) 207-1000

David B. Warren, L.S. 6244  
 EXPIRES 12/31/2017

6/19/2017  
 DATE



# Notice of Determination

CLERK OF THE  
BOARD OF SUPERVISORS

Appendix D

## To:

☐ Office of Planning and Research  
U.S. Mail: 1400 Tenth St. Room 113  
P.O. Box 3044  
Sacramento, CA 95812-3044

Street Address:  
1400 Tenth St. Room 113  
SACRAMENTO, CA 95814

## ☒ County Clerk

County of: San Bernardino  
Address: 385 N. Arrowhead Avenue, 2nd Floor  
San Bernardino, CA 92415-0130

## From:

Public Agency: City of Chino  
Address: 13220 Central Avenue  
Chino, CA 91710

Contact: Michael Hitz, AICP, Principal Planner  
Phone: 909-334-3448

Lead Agency (if different from above):

Address: \_\_\_\_\_

Contact: \_\_\_\_\_

Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): Not Submitted

Project Title: Chino Annexation Area Project

Project Applicant: City of Chino

Project Location (include county): Area b/w Hacienda Ln/Norton Ave/Chino Ave/Pipeline Ave in unincorp SB Cty.

## Project Description:

The proposed project consists of three components: (1) development of 44 single-family residential houses by MLC Holdings, Inc. (2) annexing the residential development site and the remaining parcels part of the project site into the City, and (3) re-designating the residential development site and a portion of the remaining parcels on the City's General Plan Land Use Map and providing zoning designations for these sites that would go into effect upon annexation.

This is to advise that the City of Chino has approved the above  
(☒ Lead Agency or ☐ Responsible Agency)

described project on 4/18/17 and has made the following determinations regarding the above  
(date)  
described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Chino City Hall, 13220 Central Avenue, Chino, CA 91710

Signature (Public Agency): [Signature]

Title: Principal Planner

Date: \_\_\_\_\_ Date Received for filing at OPR: \_\_\_\_\_

Authority cited: Sections 21083, Public Resources Code.  
Reference Section 21000-21174, Public Resources Code.

**DATE FILED & POSTED**  
Posted On: 04/19/2017

Removed On: 06/01/2017  
Revised 2011

Receipt No: 36-04917-230

# **FINAL**

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

*Prepared for:*

### **City of Chino**

13220 Central Avenue  
Chino, California 91710

*Contact: Michael Hitz, AICP, Principal Planner*

*Prepared by:*

### **DUDEK**

38 North Marengo Avenue  
Pasadena, California 91101

*Contact: Ruta K. Thomas, REPA*

## **APRIL 2017**



# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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## ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Definition
AB	Assembly Bill
ANSI	American National Standards Institute
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
BFSA	Brian F. Smith and Associates
BUG	backlight, uplight, and glare
CAAQS	California Ambient Air Quality Standards
CAP	Climate Action Plan
CARB	California Air Resources Board
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CGS	California Geological Survey
CH <sub>4</sub>	methane
CHRIS	California Historical Resources Information System
City	City of Chino
CMP	Congestion Management Program
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> E	carbon dioxide equivalent
County	San Bernardino County
CRHR	California Register of Historical Resources
CVUSD	Chino Valley Unified School District
DU	dwelling unit
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
EVSE	electric vehicle supply equipment
FHWA	Federal Highway Administration
GHG	Greenhouse Gas
GIS	geographic information system
GWP	global warming potential
HVAC	heating-ventilation-air conditioning
IEUA	Inland Empire Utilities Agency
IS	Initial Study
ITE	Institute of Transportation Engineers
LACM	Natural History Museum of Los Angeles County
LAFCO	Local Agency Formation Commission
LCFS	Low Carbon Fuel Standard

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Acronym/Abbreviation	Definition
LID	low impact development
LLG	Linscott, Law & Greenspan
LOS	level of service
LST	localized significance threshold
MM	mitigation measure
MMRP	mitigation monitoring and reporting program
MND	Mitigated Negative Declaration
MS4	municipal separate storm sewer system
MT	metric tons
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NC	Neighborhood Commercial
NCCP	NEGATIVE
NETR	National Environmental Title Research
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O <sub>3</sub>	ozone
PCE	Passenger Car Equivalents
PM <sub>10</sub>	course particulate matter
PM <sub>2.5</sub>	fine particulate matter
PRC	California Public Resources Code
PRIMP	Paleontological Resources Impact Mitigation Program
RCNM	Roadway Construction Noise Model
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SANBAG	San Bernardino County Association of Governments
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SLF	Sacred Lands File
SR	State Route
SRA	Source-Receptor Area
SVP	Society of Vertebrate Paleontology
SWRCB	State Water Resources Control Board
TMDL	Total Maximum Daily Load
TNM	Traffic Noise Model
TSF	Thousand Square Feet
TTM	Tentative Tract Map

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Acronym/Abbreviation	Definition
USFWS	U.S. Fish and Wildlife Service
USGS	United States Geological Survey
VOC	volatile organic compound
WQMP	water quality management plan
ZEV	zero emission vehicle

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## PREFACE TO THE FINAL IS/MND

The Final Initial Study/Mitigated Negative Declaration (IS/MND) is an informational document intended to disclose to the City of Chino (City) and to the public the environmental consequences of approving and implementing the Chino Annexation Area Project (proposed project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA).

The City, acting as lead agency under CEQA, released for public review and comment an IS/MND and a Notice of Intent to Adopt an MND for the proposed project on February 28, 2017. Pursuant to CEQA Guidelines Section 15073(a), a public review period of not less than 20 days was provided.

### Format of the Final IS/MND

This Final IS/MND consists of the IS/MND that was released for public review in February 2017 (hereafter referred to as the February 2017 IS/MND) and several additional chapters:

**Chapter 1 – Chapter 4.** These chapters consist of the original text of the February 2017 IS/MND in its entirety.

**Chapter 5.** Seven comment letters were received in response to the proposed project's IS/MND. Additionally, oral comments from the City's Planning Commission hearing, held on March 20, 2017, have also been included. Chapter 5 contains these comment letters, as well as minutes from the Planning Commissions hearing, and the City's responses to all comments.

**Chapter 6.** Several of the comments that are addressed in Chapter 5 resulted in minor revisions to the information contained in the February 2017 IS/MND. These revisions are shown in strikeout and underline text in Chapter 6 of this Final IS/MND.

**Chapter 7.** The City has prepared a mitigation monitoring and reporting program (MMRP) for the proposed project pursuant to CEQA Guidelines, Section 15074(d), which requires that a lead or responsible agency adopt a MMRP when approving or carrying out a project when an MND identifies measures to mitigate or avoid significant environmental effects. The MMRP constitutes Chapter 7 of this Final IS/MND.

### CEQA Guidelines Regarding Recirculation

Pursuant to CEQA Guidelines, Section 15073.5, the City is required to recirculate an IS/MND when the document is substantially revised after public notice of its availability but prior to its

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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adoption. A substantial revision is identified as follows: (1) a new avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance or (2) the lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significant and new measures or revisions must be required.

The City of Chino determined that based on CEQA Guidelines, Section 15073.5, recirculation of the February 2017 IS/MND prior to adoption is not required because no substantial revisions were made to the IS/MND. This conclusion is based on the fact that no new, avoidable significant effects have been identified since the start of public review, no new mitigation measures were added, and the text of the IS/MND has not been substantially revised in a manner requiring recirculation.

### **Record of Proceedings**

The documents and other materials that constitute the record of proceedings upon which the City's project approval is based are located at the address below:

City of Chino  
Chino City Hall – Community Development Department  
13220 Central Avenue  
Chino, California 91710

The City's Community Development Department is the custodian of such documents and other materials that constitute the record of proceedings. The location of and custodian of the documents or other materials that constitute the record of proceedings for the proposed project is provided in compliance with CEQA Guidelines Section 15074(c).



# **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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## **1 INTRODUCTION**

### **1.1 Overview**

The Chino Annexation Area Project (proposed project) involves annexation of an approximately 40-acre site (project site or annexation area) into the City of Chino, as well as approval of General Plan Amendments and rezoning designations for this site. The proposed annexation, new land use designations, and rezoning would allow for increased residential density on a portion of the annexation area. As part of the proposed project, a private developer (MLC Holdings, Inc.) is currently proposing to construct 44 single-family residences on approximately 12 acres of the project site. This development project will be referred to throughout this document as the “MLC residential development,” the “MLC residential project,” or the “currently proposed residential development.” The approximately 12-acre portion of the project site that would be developed with the proposed 44 single-family homes will be referred to throughout this document as the “MLC Residential Site.”

The additional parcels proposed for annexation that are not within the MLC Residential Site will be referred to collectively throughout this document as the “Remaining Parcels Site.” The Remaining Parcels Site totals approximately 28 acres to the centerline of adjacent roadways. Upon annexing these parcels into the City, the City’s General Plan land use designations for some parcels within the Remaining Parcels Site would change, and all parcels would be assigned City zoning designations. No specific development projects have been proposed for the Remaining Parcels Site. However, the proposed project would allow for increased residential intensity on 2.41 acres in the eastern portion of this site. As such, it is reasonably foreseeable that a development project could occur on this 2.41-acre portion of the Remaining Parcels Site. Reasonably foreseeable development would consist of residences developed at the maximum allowable intensity on the 2.41-acre portion. A future potential project that would be a reasonably foreseeable outcome of the proposed project will be referred to throughout this document as the “future/potential residential development.” The term “buildout of the project site” will be used to refer to full development of this 2.41-acre portion of the Remaining Parcels Site to the maximum intensity allowable, plus the currently proposed MLC residential development. Under the proposed project, no changes from existing conditions are anticipated for the rest of the Remaining Parcels Site, which is already developed in a manner consistent with the proposed zoning and General Plan land use designations.

### **1.2 California Environmental Quality Act Compliance**

The City of Chino (City), as the lead agency for the proposed project, is responsible for preparing environmental documentation in accordance with the California Environmental

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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Quality Act (Pub. Res. Code § 21000 et seq.: “CEQA”) to determine if approval of the discretionary actions requested and subsequent development on the proposed project site could have a significant impact on the environment.

As provided in Public Resources Code Section 21064.5, a Mitigated Negative Declaration may be prepared for a project that is subject to CEQA when an Initial Study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed Mitigated Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.

Based on the Initial Study (IS) prepared for the proposed project, the City has prepared a Mitigated Negative Declaration (MND) for the proposed project.

The City has prepared a MND in conformance with Section 15070(b) of the State CEQA Guidelines. The purpose of the MND and the Initial Study Checklist (IS/MND) is to identify any potentially significant impacts associated with the proposed project and incorporate mitigation measures into the project as necessary to eliminate the potentially significant effects of the project or to reduce the effects to a level of insignificance.

### **1.3 Project Location**

The proposed project site is located within an unincorporated area of San Bernardino County, within the City of Chino’s sphere of influence (Figure 1-1, Regional Map). The City of Chino is located to the north, east, and south of the project site. More unincorporated areas are located to the west. Nearby cities include the City of Pomona, whose southern boundary is located approximately one mile northwest of the project site, and the City of Chino Hills, whose northeastern boundary is located approximately one mile southwest of the project site. Regional access to the project site is provided via State Route (SR) 71 and SR-60. SR-71 extends northwest-southeast and is approximately 0.75 mile west of the project site. SR-60 extends east-west and is approximately one mile north of the project site.

The project site is bound to the north by Hacienda Lane and single-family residential development, to the east by Norton Avenue and single-family residential development, to the south by Heritage Park and Chino Avenue, and to the west by Pipeline Avenue (Figure 1-2, Vicinity Map). The project site’s eastern, southern, and northernmost boundaries are located along City boundaries. Unincorporated areas are located east and northeast of the project site.

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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The MLC Residential Site is comprised of the following Assessor's Parcel Numbers (APNs):

- 1019-231-01
- 1019-231-02
- 1019-231-03
- 1019-231-04
- 1019-231-08
- 1019-231-09
- 1019-231-10
- 1019-231-11

The Remaining Parcels Site is comprised of the following APNs:

- |               |               |               |
|---------------|---------------|---------------|
| • 1019-091-01 | • 1019-091-35 | • 1019-241-03 |
| • 1019-091-24 | • 1019-091-36 | • 1019-241-04 |
| • 1019-091-27 | • 1019-091-37 | • 1019-241-05 |
| • 1019-091-28 | • 1019-091-38 | • 1019-241-06 |
| • 1019-091-29 | • 1019-091-39 | • 1019-241-07 |
| • 1019-091-30 | • 1019-091-40 | • 1019-241-08 |
| • 1019-091-31 | • 1019-231-05 | • 1019-241-09 |
| • 1019-091-32 | • 1019-231-06 | • 1019-241-10 |
| • 1019-091-33 | • 1019-231-07 | • 1019-241-11 |
| • 1019-091-34 | • 1019-231-12 |               |

### **1.4 Environmental Setting**

The project site as a whole is approximately 40 acres in size. The MLC Residential Site is approximately 12 acres in size, and the Remaining Parcels Site is approximately 28 acres in size. The project site is within the City's sphere of influence and has been assigned land use designations on the City's General Plan Land Use Map. The MLC Residential Site and 20 parcels within the Remaining Parcels Site are currently designated as Residential/Agricultural, 2 Dwelling Units per Acre (RD 2). RD 2 indicates an area where one to two residential dwelling units are allowed per acre. The remainder of the Remaining Parcels Site is currently designated

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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as Neighborhood Commercial (NC) (City of Chino 2015a). As shown on the City's zoning map, the parcels within the project site are not assigned zoning designations, as they are located outside of City boundaries (City of Chino 2015b). Figure 1-3 (Existing Land Use Designations) shows the existing General Plan land use designations of the project site and surrounding properties, as well as the existing City boundaries and sphere of influence boundaries.

On the County's zoning map, the entirety of the project site is within the Single Residential–20,000 Square Feet Minimum zone (RS-20M) (County of San Bernardino 2016). This indicates a minimum allowable lot size of 20,000 square feet. The County's zoning designations are equivalent to its general plan land use designations; as such, the project site also has a land use designation of RS-20M (County of San Bernardino 2014). Under existing conditions, the project site is not within the City; as such, the designation of RS-20M currently governs land uses on the project site. Note that the allowable density of RS-20M is approximately equivalent to the density allowable under RD 2, since a 20,000–square foot lot equates to approximately 0.5 acre, indicating that two units can be developed per acre.

### **Existing Site Uses**

The existing land uses on the project site are shown in Figure 1-4 (Existing Land Uses). The MLC Residential Site is comprised of four parcels along Norton Avenue and three parcels fronting Pipeline Avenue, with one additional parcel situated behind the parcels fronting Pipeline Avenue. An existing 10-foot drainage easement splits the project site on a north-south axis. Under existing conditions, stormwater runoff is conveyed along a six-foot asphalt concrete channel running along this easement, which has an outlet on Chino Avenue. (Stormwater discharges from this channel to Chino Avenue currently cause flooding issues on Chino Avenue during larger storm events) (Allard Engineering 2016).

Along Norton Avenue, two of the four parcels consist of undeveloped land. These parcels are fallow agricultural lands that have not been used for agricultural purposes since approximately 1965. One very small parcel in the northeast corner of the site along Norton Avenue is the location of a well that is inoperable and no longer used (Appendix E). The southernmost parcel along Norton Avenue is occupied by a single-family, one-story residential structure (13164 Norton Avenue), which has animal pens and vacant, unimproved areas in its backyard. The four parcels on the east side of Pipeline Avenue are developed with residences and a poultry egg farm. Three residential structures directly front Pipeline Avenue, and one is slightly offset to the east. The residences are all single-family, one-story structures. The addresses associated with the residences are 13163, 13173, 13177, and 13187 Pipeline Avenue. Behind these residences, to the east, is Voortman's Egg Farm, whose address is 13163 Pipeline Avenue. The egg farm consists of a chicken coop and a refrigeration building that was used to store eggs. The chicken coop

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consists of approximately 10 low-rise, open air, wooden shelters. Each coop has a feed storage structure at the south end. The chicken coops and associated structures total 91,000 square feet in size and are all low-lying, single-story structures. The coops are bordered to the south by a strip of vacant land, which separates the coops from single-family residential uses to the south. In total, there are five single-family residences within the MLC Residential Site. The existing homes and associated residential outbuildings total 15,000 square feet and are all single-story structures. The MLC Residential Site also supports an existing septic system.

The Remaining Parcels Site is primarily developed with single-family residences, with the exception of the southwest corner of the Remaining Parcels Site, which is developed with a preschool (the Rainbow Canyon Preschool and Daycare). The preschool consists of two single-family residential units that have been converted for use as a preschool and daycare center. The preschool property is approximately one acre in size. Overall, structures on the Remaining Parcels Site are generally one story in height. There is another well in the northwest portion of the Remaining Parcels Site. The approximate location of this well is shown in Figure 1-4.

Several of the residences, both within the residential development site and the Remaining Parcels Site, have animal pens in their front or backyards.

### **Existing Site Access Points**

The residential structures and the egg farm along the western project site boundary are currently accessed from driveways along Pipeline Avenue. Some of the residential structures in the northwest portion of the project site are accessed via Biscayne Street and Hacienda Lane. One residence in the northwest portion has a driveway situated along Preciado Avenue. In the southwest portion of the project site, the Rainbow Canyon Preschool and Daycare is accessed via driveways along Pipeline Avenue and Chino Avenue. There are two single-family residences to the east of the Rainbow Canyon Preschool and Daycare, which are accessed via Chino Avenue. The residences along the eastern site boundary are accessed via driveways along Norton Avenue. One driveway along Norton Avenue provides access to the undeveloped parcels on the northeastern portion of the project site. This driveway is closed with a locked gate.

### **Adjacent and Surrounding Land Uses**

Figure 1-3 (Existing Land Use Designations) shows the land use designations of the properties that surround the project site. These land use designations are from the City's General Plan Land Use Map. The unincorporated areas that abut the project site have been designated as RS-20M by the County (same designations as the project site). Figure 1-4 (Existing Land Uses) shows specific land uses that are adjacent to the project site. As shown in Figure 1-4, single-family

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residential uses within the City are located north of the project site. These residences are one to two stories in height, and most do not support animal pens, vacant/unimproved backyards, or other rural uses. An existing equestrian trail runs along the eastern portion of the project site's northern boundary. The equestrian trail is gated.

To the east and south of the project site are single-family residential uses within the City. As with the residential development north of the project site, residences to the east and south are one to two stories in height and do not support any animal pens or rural uses. Southwest of the project site (on the southwest corner of Chino Avenue and Pipeline Avenue) is Don Antonio Lugo High School. West of the project site are single-family residential land uses and the Cornerstone Community Church and Cornerstone Christian School. One parcel on the northwestern corner of Chino Avenue and Pipeline Avenue is designated as NC. This site is currently undeveloped (City of Chino 2015a, 2015b; County of San Bernardino 2016).

Overall, the general vicinity of the project site is developed as residential, with some commercial uses interspersed. Some of the residential properties within the project area contain animal pens in their yards. There are also several schools within the vicinity of the project site: Cornerstone Christian School (adjacent to the project site, on the west side of Pipeline Avenue), Doris Dickson Elementary School (0.1 mile west of the project site), Don Antonio Lugo High School (across the street from the southwest corner of the project site), Chino Valley Learning Academy (0.4 mile southeast of the project site), and Buena Vista High School (0.5 mile southeast of the project site). There are two poultry and egg farms located approximately 0.4 mile west of the project site (Maust's California Poultry and Billy's Egg Farm). There is a small strawberry field approximately 300 feet north of the project site, along Riverside Drive. Finally, there are three churches in the immediate vicinity of the project site: Cornerstone Community Church (adjacent to the project site, on the west side of Pipeline Avenue), Chino Valley Chinese Seventh Day Adventist Church (0.15 mile north of the project site), and the Bread of Life Christian Church (0.3 mile southeast of the project site).

### **Existing Views of and Through the Project Site**

Figure 1-5 (Viewpoint Location Map) shows 10 locations around the project site and within the project site, where representative viewpoints of the project site and surrounding areas were taken. Each viewpoint corresponds to one of the photos shown in Figures 1-6 through 1-10 (Viewpoints A through J).

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### ***Viewpoint A – Looking East along Northern Site Boundary from the Northerly Vacant Lot (Figure 1-6)***

This view is from the northern boundary of the undeveloped parcels that are within the MLC Residential Site. The vacant lot and the fence line along its northern boundary can be seen stretching from the foreground to the background of the view. The surrounding residential uses can be seen in the foreground to the north of the vacant lot. As shown, a strip of undeveloped land (the equestrian trail) separates the vacant lot from the residential uses north of the project site. In the background of the view, beyond the vacant lot, residences and landscaping on the east side of Norton Avenue can be seen.

### ***Viewpoint B – Looking West Across the Northerly Vacant Lot (Figure 1-6)***

This view is from the northernmost vacant lot within the MLC Residential Site, looking west across the vacant lot. Undeveloped land occupies the foreground and middle ground. As shown on Figure 1-3 (Existing Land Use Designations) and Figure 1-4 (Existing Land Uses), single-family residential development is located to the north and west of this vacant lot. The existing residential development can be seen in the background of the view, to the north of the vacant lot. To the west, the surrounding residential development is obstructed by a line of trees, although glimpses of some low-lying structures can be seen through the trees. Beyond these trees and to the south/southwest, the Chino Hills can be seen in the distance.

### ***Viewpoint C – Looking Northwest along Norton Avenue toward the Vacant Lots (Figure 1-7)***

This view is from the east side of Norton Avenue, looking towards the vacant, fenced lots from across the street. Norton Avenue is in the foreground. The northernmost vacant lot and its fence line can be seen in the middle ground. The gated driveway that provides access to the vacant lots can also be seen in the middle ground. A small patch blue elderberry shrubs can be seen just to the north of the driveway. The inoperable well is located to the north of the blue elderberry, in the northeastern corner of the vacant lot. (The well and the associated pressure tank cannot be clearly observed from this vantage point due to the intervening distance and the shrubs. However, the pressure tank consists of a low-lying, tan-colored cylindrical tank that is mounted to the ground adjacent to an aboveground pipeline and a short wellhead.) Residential development and ornamental trees along Norton Avenue, north and east of the project site, extend into the background of this view, with glimpses of the San Gabriel Mountains available above the development. To the west, residential development to the north of the project site can be seen extending along the northern border of the vacant lot.

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### ***Viewpoint D – Looking South at Norton Avenue Residence from the Southerly Vacant Lot (Figure 1-7)***

This view is from the southernmost of the two undeveloped parcels that are within the MLC Residential Site. The southeastern corner of this parcel and its fence line can be seen in the foreground of the view. Norton Avenue and glimpses of residential development on the east side of the street can be seen in the middle ground. The residence at 13164 Norton Avenue, also part of the MLC Residential Site, is in the middle ground of the view. As shown, this residence has several ornamental trees along Norton Avenue, a small corral in the northeast corner of the property, a single-story residential structure, and several outbuildings in the backyard that stretches to the west behind the residential structure. A similar residence is located south of 13164 Norton Avenue. While this residence cannot be clearly seen in this view, portions of its backyard can be glimpsed beyond the backyard of 13164 Norton Avenue. This adjacent residence and its backyard are part of the Remaining Parcels Site. In the background of this view, a glimpse of the Chino Hills is available to the southeast, along the Norton Avenue corridor. The background of the view is otherwise composed of ornamental vegetation, utility poles, and rooftops characteristic of suburban development.

### ***Viewpoint E – Looking Northwest across Heritage Park toward Project Site (Figure 1-8)***

This view is from Norton Avenue, looking northwest across Heritage Park toward the project site. Norton Avenue, the sidewalk along the west side of the street, and Heritage Park can be seen in the foreground of the view. As shown, Heritage Park contains grass fields, a ballpark, and several mature trees. The Remaining Parcels Site borders the park to the north and west. However, views of the existing residential development within the Remaining Parcels Site are generally obscured by ornamental trees that border the park.

### ***Viewpoint F – Looking East along the Northern Boundary of the MLC Residential Site from Pipeline Avenue Residence (Figure 1-8)***

This view is from the northwestern corner of the MLC Residential Site and shows the northern portion of the egg farm, as viewed from the driveway of the Pipeline Avenue residence situated in the northwest corner of the MLC Residential Site. In the foreground of the view is the driveway that provides access to the egg farm. This driveway also provides access to the Pipeline Avenue residence in the northwest corner of the MLC Residential Site. A portion of the residential property located immediately to the north of the MLC Residential Site can also be seen in the foreground. (This property is one of the properties situated to the north of the MLC Residential Site that are within the Remaining Parcels Site.) In the middle ground of the view are structures used for egg farm operations. In the background, the chicken coops can be seen. A green, wooden fence that



## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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separates the egg farm from the adjacent residential uses to the north stretches from the foreground to the background of the view. Beyond the chicken coops and in the background of this view are trees that separate the egg farm from the undeveloped lots to the east.

### ***Viewpoint G – Looking South from Pipeline Avenue Residence (Figure 1-9)***

Similar to Viewpoint F, this view is from the driveway of the Pipeline Avenue residence that is located in the northwest corner of the MLC Residential Site. It shows a view looking to the south, along the front yards of the three residences within the MLC Residential Site that front Pipeline Avenue (note that only two of these residences can be seen in this view). These three residences are all part of the MLC Residential Site. In the foreground is the driveway of the northernmost residence, the residential structure, and ornamental vegetation. The second residence can be seen in the middle ground of this view, along with similar ornamental vegetation. To the west, Pipeline Avenue can be seen, along with single-family residences on the west side of the street.

### ***Viewpoint H – Looking Southeast along Pipeline Avenue toward Project Site (Figure 1-9)***

This view is from southbound lanes of Pipeline Avenue, looking southeast along the project site's western boundary. In the foreground is Pipeline Avenue. On the east side of the street is a driveway that provides access to the vacant strip of land separating the egg farm from the existing residential development to the south. This vacant strip of land also marks the edge of the MLC Residential Site. As such, this view primarily shows the proposed annexation areas that are situated along Pipeline Avenue, south of the MLC Residential Site. As shown, this area is characterized by single-family, one-story residential development. The traffic signal that can be seen in the background of this view, further down Pipeline Avenue, marks the southwestern corner of the Remaining Parcels Site. The background of this view is generally characterized by trees and utility poles typical of a suburban landscape. Glimpses of the Chino Hills are available in the background along the Pipeline Avenue corridor, in between the trees and utility poles.

### ***Viewpoint I – Looking West along Southern edge of Egg Farm (Figure 1-10)***

This view is from the interior of the MLC Residential Site and shows the southern edge of the chicken coops. In the foreground of the view and stretching into the middle ground is the strip of vacant land that separates the chicken coops from the existing residential development to the south. The residential development south of the chicken coops is part of the Remaining Parcels Site, while the vacant strip of land that is shown in this view is part of the MLC Residential Site. The chicken coops and feed structures can be seen to the north, stretching from the foreground of the view into the background. On the opposite side of the vacant strip of land is a row of

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ornamental shrubs further dividing the coops from the residential development to the south. In the background of the view, a shed can be seen at the terminus of the vacant strip of land. Above the chicken coops and shed, a glimpse of the Chino Hills is available in the background.

### ***Viewpoint J – Looking North from 13164 Norton Avenue (Figure 1-10)***

This is a view from the interior of the MLC Residential Site. It is taken from the far western edge of the backyard of the residence at 13164 Norton Avenue. Vacant land within the backyard can be seen in the foreground, along with fencing and vegetation that separates the yard from the chicken coops to the west. A fence line separating this backyard from the vacant lots to the north (which are also within the MLC Residential Site) can be seen in the middle ground. Beyond this fence line are the two undeveloped parcels that are characterized and shown in Viewpoints A, B, and C. In the background, the residential development located north of the project site can be seen, along with ornamental vegetation typical of a suburban landscape. The San Gabriel Mountains are prominent in the background, beyond the suburban development.

## **1.5 References**

- Allard Engineering. 2016. *Tract No. 18903 Preliminary Hydrology & Hydraulics Report*. Prepared for MLC Holdings, Inc. July 21, 2016.
- County of San Bernardino. 2014. *County of San Bernardino 2007 General Plan*. Prepared by URS. Adopted March 13, 2007. Last amended April 24, 2014. Accessed September 23, 2016. <http://cms.sbcounty.gov/lus/planning/generalplan.aspx>.
- County of San Bernardino. 2016. Land Use Services Zoning Look-up. Accessed September 23, 2016. <http://sbcounty.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=b3a8d3286a6b41d7ad2b80e871a4e048>.
- City of Chino. 2015a. City of Chino General Plan Map. Adopted July 6, 2010. Revised June 21, 2015. Accessed September 23, 2015. <http://www.cityofchino.org/government-services/community-development/planning/maps>.
- City of Chino. 2015b. City of Chino Zoning Map. Adopted July 6, 2010. Revised July 1, 2015. Accessed September 23, 2015. <http://www.cityofchino.org/government-services/community-development/planning/maps>.

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## **2 PROJECT DESCRIPTION**

The proposed project consists of three components: (1) development of 44 single-family residential houses on the MLC Residential Site, (2) annexing the MLC Residential Site and the Remaining Parcels Site into the City, and (3) re-designating the MLC Residential Site and a portion of the Remaining Parcels Site on the City's General Plan Land Use Map and providing zoning designations for these sites that would go into effect upon annexation. These three components are described below.

### **2.1 Proposed MLC Residential Development**

#### **Construction Scenario**

As part of the proposed MLC residential development, all existing uses within the MLC Residential Site would be demolished. This would require demolition of five residential structures and their associated outbuildings, totaling 15,000 square feet of demolition. The egg farm would also be demolished, requiring demolition of the chicken coops and associated structures, totaling 91,000 square feet.<sup>1</sup> Additionally, the inoperable well(described in Section 1.4) located within the project site will be abandoned as part of the proposed project. Abandonment of this well would occur in accordance with the City's standard condition of approval, which states, "Convey ownership of all existing on-site water wells to the City and convert to monitoring wells as directed by the City's Water Utilities Supervisor. Prepare and record any necessary easements to provide the City with access to the monitoring wells. Any existing water wells that cannot be feasibly converted to monitoring wells shall be destroyed per City Standard No. 465." (Chino 2016). The septic system that is currently in place would also be abandoned.

Construction of the MLC residential development is assumed to begin in 2017 and to conclude in 2019, with an anticipated opening operational year of 2019. Construction assumptions and details can be found in Appendix B.

#### **Site Design**

In place of the existing site uses, 44 single-family detached houses would be constructed across the 12-acre MLC Residential Site. Four streets (totaling 3.24 acres of pavement) would be constructed within the MLC Residential Site. Figure 2-1 (MLC Residential Project Design) shows the layout of the proposed streets and residential lots. As shown in Figure 2-1, the proposed A Street would extend east-west across the western two-thirds of the development, and

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<sup>1</sup> Personal communication between Dudek and Allard Engineering. Email. August 31, 2016.

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the proposed Rushmore Court would extend east-west across the eastern half of the development and would generally align with a residential cul-de-sac on the east side of Norton Avenue that is also called “Rushmore Court.” Two north-south streets, B Street and Preciado Avenue, would extend north-south to connect the two east-west streets. Preciado Avenue would be connected with a small north-south residential roadway located directly to the north of the project site (this roadway is also called “Preciado Avenue”). The proposed Preciado Avenue would also be approximately aligned with the existing 10-foot drainage easement that currently divides the residential development site on a north-south axis (see Section 1.4).

The minimum lot size for the proposed single-family residences would be 7,200 square feet and the average lot size would be 8,300 square feet. The development would have a density of 3.9 units per acre. The residential structures would have buildings setbacks of 25 feet from the front and setbacks of 5 feet to 10 feet from the sides (Allard Engineering 2017). As shown in Figure 2-1, an equestrian trail extends along a portion of the northern site boundary. This equestrian trail is currently gated. No changes are proposed to the trail as part of the project.

### **Residential Units**

The 44 proposed residential units would be constructed using a series of five plans, with each plan differing in architectural style. Houses would be constructed either in a “Craftsman,” “French Country,” or “Early California” style. The houses would range from one to two stories in height. Specifically, houses would range in height from 17 feet (the shortest design) to 27.5 feet in height (the tallest design). Houses would range in size from 2,386 square feet to 3,438 square feet. The total square footage of residential buildings on the site would be approximately 139,497 square feet. The homes would have between 3 and 5 bedrooms. Conceptual elevations and floor plans for the proposed homes are shown in Appendix A.

### **Utilities**

The proposed project would entail construction of new water, sewer, and stormwater infrastructure within the MLC Residential Site along its Pipeline Avenue frontage (Appendix F). This new infrastructure would connect to existing infrastructure along Norton Avenue and Pipeline Avenue. The proposed project would connect with existing City water and sewer services, requiring annexation by the City. Specifically, the proposed residential development would entail construction of new eight-inch sewer lines along the proposed new streets within the development. These new sewer lines would connect with existing eight-inch sewer lines along Norton Avenue and Pipeline Avenue. Similarly, new eight-inch water lines would be constructed along the proposed streets within the residential development, which would connect with existing eight-inch water lines located within Norton Avenue and Pipeline Avenue (Allard Engineering 2016b).

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The proposed stormwater infrastructure would consist of two infiltration basins, catch basins, and new storm drains within A Street and Pipeline Avenue. A 45-inch storm drain would be constructed within A Street, along with four catch basins (two on either side of the street) that would convey water into the storm drain. An existing 45-inch reinforced concrete pipeline currently located at the intersection of Pipeline Avenue and Chino Avenue would be extended north within Pipeline Avenue as part of the proposed project. The storm drain within A Street would connect to the extended storm drain within Pipeline Avenue. The residential neighborhood north of the MLC Residential Site would also drain into the extended Pipeline Avenue storm drain. It is anticipated that this storm drain would only convey water in larger storm events. For smaller storm events, two sets of inlets would be installed upstream of the proposed storm drain to capture runoff from smaller storms and convey it to the proposed infiltration basins. One infiltration basin is proposed at the southwestern corner of the MLC Residential Site, near the intersection of Pipeline Avenue and the proposed A Street, and a second infiltration basin is proposed along the northern boundary of the site, near the intersection of the proposed A Street and Preciado Avenue (Allard Engineering 2016b, 2016c).

### **2.2 Proposed Annexation**

The project site is located within the City's sphere of influence. Upon development of the currently proposed residential project described in Section 2.1, the MLC Residential Site would require connections to City sewer and water services. City policy (specifically, Resolution 2006-028) dictates that properties contiguous to the City boundary and located within the City's sphere of influence that require sewer service should be annexed into the City. As such, the MLC residential development project would include annexation of the MLC Residential Site into the City. In order to proceed with the annexation, the City would submit an application to the Local Agency Formation Commission (LAFCO) for San Bernardino County. LAFCO requires annexation areas to have logical boundaries that do not create isolated unincorporated territory or peninsulas of unincorporated territory (often called "unincorporated islands"). As such, the Remaining Parcels Site is included with the proposed project to ensure that these parcels would not become unincorporated areas that are partially or entirely surrounded by the City. As shown in Figure 1-2, if the MLC Residential Site were to be annexed in isolation and the "Remaining Parcels Site" were to remain unincorporated, these parcels would be surrounded on most sides by the City. As such, the Remaining Parcels Site is included as part of the project to ensure logical annexation boundaries. The LAFCO application would include this IS/MND, as well as City Council approval of proposed zoning designations and initiation of annexation proceedings for the entirety of the project site. Once the application requirements are complete, the LAFCO Board would either approve or deny the proposed annexation.

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### **2.3 Proposed General Plan Amendment and Zone Change**

As described in Section 1.4, the project site has been assigned land use designations by the City, since it is within the City's sphere of influence. These land use designations are shown on the City's General Plan Land Use Map. The entirety of the MLC Residential Site is currently designated as RD 2, indicating an area where one to two residential dwelling units are allowed per acre. The northwestern section of the Remaining Parcels Site is also designated as RD 2 under existing conditions. The southwestern section of the Remaining Parcels Site is designated as NC, Neighborhood Commercial, but is developed with single-family residential dwellings at a density of approximately one unit per acre, which is consistent with an RD 2 designation rather than the current NC designation. The eastern section of the Remaining Parcels Site (consisting of a residential property located between the MLC Residential Site and Heritage Park) is currently designated as RD 2 and is developed with one single-family residence. If the proposed project were approved, General Plan Amendments and Zone Changes would be processed to re-designate portions of the project site's land uses and to provide City zoning designations to replace the existing County zoning of RS-20M. The proposed General Plan Amendments and Zone Changes are shown graphically in Figure 2-2 (Proposed General Plan Land Use and Zoning Designations) and are described below. If the proposed zoning designations are approved, this would be considered "prezoning" and City staff would submit City Council approval of the new zoning designations to LAFCO as part of the application process for annexation.

#### **Prezoning**

- Prezone approximately 22.4 acres from the County zoning designation of RS-20M to the City zoning designation of RD 2.
- Prezone approximately 1.1 acres from the County zoning designation of RS-20M to the City zoning designation of CN (Commercial Neighborhood).
- Prezone approximately 13.6 acres from the County zoning designation of RS-20M to the City zoning designation of RD 4.5.

#### **General Plan Amendment**

- Change the existing General Plan land use designation of approximately 8 acres from NC to RD 2.
- Change the existing General Plan land use designation of approximately 13.6 acres from RD 2 to RD 4.5.

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As such, the MLC Residential Site would become Residential, 4.5 Dwelling Units per Acre (RD 4.5). The northwestern part of the Remaining Parcels Site would remain RD 2, and would become officially designated as such on the City's zoning map. The southwestern part of the Remaining Parcels Site, currently designated as NC, would become RD 2, with the exception of the preschool property, which would remain NC. The eastern portion of the Remaining Parcels Site that is currently designated RD 2 would become RD 4.5.

Assigning new land use and zoning designations to the MLC Residential Site would allow for the currently proposed residential project to be constructed, since the proposed residential project has a density of 3.9 units per acre, which is above the allowable density in RD 2 (Allard Engineering 2017). Assigning new land use and zoning designations to the eastern portion of the Remaining Parcels Site would allow for this area to be developed with residential structures at a maximum density of 4.5 dwelling units per acre. Assigning a land use designation and City zoning designation of RD 2 to the southwestern portion of the Remaining Parcels Site would ensure consistency between the existing land uses and the land use and zoning designations. Because allowable residential density would not change in the southwestern or northwestern portions of the Remaining Parcels Site, this analysis assumes that no new development would occur in those areas.

### **2.4 Methodology for Environmental Analysis**

#### **MLC Residential Site**

If the proposed project is approved, the residential development proposed by MLC would be allowed without further discretionary approval, so long as the development complies with the City's regulations and project-specific mitigation measures and conditions of approval. As such, the environmental analysis in this IS/MND includes environmental analysis of the MLC residential development pursuant to CEQA. The details of this development have been characterized in Section 2.1 and are also described and analyzed throughout Section 3 of this IS/MND.

#### **Remaining Parcels Site**

Unlike the MLC Residential Site, for which the City has received a specific development application from a private developer (i.e., MLC), no development applications have been submitted for the Remaining Parcels Site at the time of this writing. If the proposed project is approved, the Remaining Parcels Site would become part of the City. The proposed City zoning designations for the western portion of the Remaining Parcels Site are consistent with the existing land uses on those sites; as such, the proposed project is not expected to induce new or additional development in this portion of the Remaining Parcels Site. In the unlikely event that a development application were to be submitted for the western portion of the Remaining Parcels Site, it would

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undergo separate review under CEQA. In contrast, the proposed zoning and land use designations for the eastern portion of the Remaining Parcels Site would allow for increased residential development intensity. As such, after project approval, it is reasonably foreseeable that a project applicant would submit a development application to the City to develop the eastern portion of the Remaining Parcels Site consistent with the new land use and zoning designation. Although no applications are being proposed at this time, future development of this site at the maximum intensity allowed is a reasonably foreseeable consequence of the proposed project. Therefore, the environmental analysis in this IS/MND acknowledges that, as a reasonable consequence of the proposed annexation, General Plan Amendments, and prezoning, development of the eastern portion of the Remaining Parcels Site at the maximum intensity allowed by the new land use and zoning designations is likely. Future discretionary applications, including but not limited to future Site Approval and subdivision map applications, would still be required to comply with CEQA. However, because the proposed project would allow for increased density on the eastern portion of the Remaining Parcels Site, this IS/MND analyzes buildout of the project site, which would consist of (1) the currently proposed 44-unit MLC residential development and (2) potential future development of up to 11 units in the eastern portion of the Remaining Parcels Site, for a total of 55 new single-family residential units on the project site. Under buildout of the project site, the existing land uses on the western portions of the Remaining Parcels Site would remain as they currently exist. The analysis in this IS/MND assumes that no construction activities attributable to the proposed project would occur in the western portion of the Remaining Parcels Site, and the proposed project would not substantially change the existing operations of the western portion of the Remaining Parcels Site. (There are currently 27 residential units and a preschool in the western portion of the Remaining Parcels Site.)

### **2.5 Required Permits and Approvals**

The City of Chino is expected to use this IS/MND in its decision-making relative to the proposed project. A list of permits and approvals from the City that are required to complete the proposed project include, but are not necessarily limited to the following:

- Design Review
- Tentative Tract Map
- General Plan Amendment
- Prezoning
- Right-of-way encroachment permit
- Detour and lane closure permit
- Grading permit



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Approvals from other regulatory agencies may also be required and are listed as follows:

- LAFCO – Approval of the proposed annexation of the project site into the City of Chino
- State Water Resources Control Board – Applicant must submit a Notice of Intent to comply with the General Construction Activity NPDES Permit
- Utility providers – Utility connection permits (Southern California Edison, Southern California Gas Company, and City of Chino Public Works Department)
- Well abandonment permits
- County of San Bernardino - Right-of-way encroachment permit and detour and lane closure permit

### 2.6 References

Allard Engineering. 2017. *Tentative Tract No. 18903 County of San Bernardino*. Prepared for MLC Holdings, Inc. February 13, 2017.

Allard Engineering. 2016b. *Utility Plan Tentative Tract No. 18903 County of San Bernardino*. Prepared for MLC Holdings, Inc. April 2016.

Allard Engineering. 2016c. *Tract No. 18903 Preliminary Hydrology & Hydraulics Report*. Prepared for MLC Holdings, Inc. July 21, 2016.

City of Chino. 2016. Personal communication with Michael Bhatanawin, Department of Public Works. Email correspondence February 9, 2016.

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### 3 INITIAL STUDY CHECKLIST

The following discussion of potential environmental effects was completed in accordance with Section 15063(d)(3) of the CEQA Guidelines (2016) to determine if the proposed project may have a significant effect on the environment.

**1. Project title:**

Chino Residential Development Project

**2. Lead agency name and address:**

City of Chino  
Community Development  
13220 Central Avenue  
Chino, California 91710

**3. Contact person and phone number:**

Michael Hitz, AICP, Principal Planner  
City of Chino, Community Development  
909.334.3448

**4. Project location:**

The project site is comprised of the following Assessor's Parcel Numbers: 1019-231-08, 1019-231-09, 1019-231-10, 1019-231-11, 1019-231-01, 1019-231-02, 1019-231-03, 1019-231-04, 1019-231-12, 1019-241-11, 1019-241-10, 1019-241-09, 1019-241-08, 1019-241-07, 1019-241-06, 1019-241-05, 1019-241-04, 1019-241-03, 1019-231-05, 1019-231-06, 1019-231-07, 1019-091-01, 1019-091-24, 1019-091-27, 1019-091-28, 1019-091-29, 1019-091-30, 1019-091-31, 1019-091-32, 1019-091-33, 1019-091-34, 1019-091-35, 1019-091-36, 1019-091-37, 1019-091-38, 1019-091-39, and 1019-091-40.

**5. Project sponsor's name and address:**

MLC Holdings, Inc.  
1401 Dove Street, Suite 640  
Newport Beach, California 92660

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**6. General plan designation:**

City of Chino: Residential/Agricultural, 2 Dwelling Units per Acre (RD 2) and Neighborhood Commercial (NC)

County of San Bernardino: Single Residential–20,000 Square Feet Minimum zone (RS-20M)

**7. Zoning:**

County of San Bernardino: Single Residential–20,000 Square Feet Minimum zone (RS-20M)

**8. Description of project):**

Refer to Section 2 of this IS/MND

**9. Surrounding land uses and setting:**

Refer to Section 1.4 of this IS/MND

**10. Other public agencies whose approval is required:**

Refer to Section 2.4 of this IS/MND

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?**

Yes, a Native American tribe has requested consultation with the City of Chino, and consultation is underway. All records of correspondence related to this consultation are on file with the City of Chino. Refer to Section 3.5 of this IS/MND.

***Note:** Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.*

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### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact,” as indicated by the checklist on the following pages.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Aesthetics                                    | <input type="checkbox"/> Agriculture and Forestry Resources         | <input type="checkbox"/> Air Quality                   |
| <input checked="" type="checkbox"/> Biological Resources               | <input checked="" type="checkbox"/> Cultural Resources              | <input type="checkbox"/> Geology and Soils             |
| <input type="checkbox"/> Greenhouse Gas Emissions                      | <input checked="" type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology and Water Quality   |
| <input type="checkbox"/> Land Use and Planning                         | <input type="checkbox"/> Mineral Resources                          | <input checked="" type="checkbox"/> Noise              |
| <input type="checkbox"/> Population and Housing                        | <input type="checkbox"/> Public Services                            | <input type="checkbox"/> Recreation                    |
| <input checked="" type="checkbox"/> Transportation and Traffic         | <input checked="" type="checkbox"/> Tribal Cultural Resources       | <input type="checkbox"/> Utilities and Service Systems |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance |   |  |

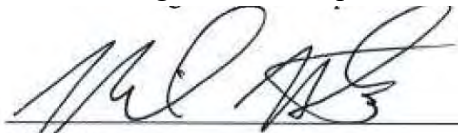
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### **DETERMINATION:** (To be Completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Signature

2/28/2017  
Date

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### **EVALUATION OF ENVIRONMENTAL IMPACTS:**

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

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6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

### 3.1 Aesthetics

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### a) *Would the project have a substantial adverse effect on a scenic vista?*

**Less Than Significant Impact.** Scenic vistas generally refer to views of expansive open space areas or other natural features, such as mountains, undeveloped hillsides, large natural water bodies, or coastlines. Less commonly, certain urban settings or features, such as a striking or renowned skyline, may also represent a scenic vista. The Environmental Impact Report for the City's General Plan identifies views of the San Gabriel Mountains to the north and the Chino Hills to the south as scenic vistas (City of Chino 2010). Within the project area, the San Gabriel Mountains and Chino Hills can be observed from the public streets surrounding the project site, which include the



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residential streets to the north of the project site, Norton Avenue, Chino Avenue, and Pipeline Avenue. Some of the views available from these roadways are currently observable across the project site (particularly through the undeveloped parcels) and, therefore, would have the potential to be compromised by the proposed MLC residential development, as well as potential future residential developments in the eastern portion of the Remaining Parcels Site. New single-family homes constructed on the MLC Residential Site would be one to two stories in height, and any new homes that may be constructed in the eastern portion of the Remaining Parcels Site as part of potential future residential development are also anticipated to be one to two stories in height. Both the MLC residential development and buildout of the eastern portion of the Remaining Parcels Site would cause an increase in the heights, massing, and density of structures relative to existing uses on these sites. This would cause some of the existing views that can be observed across the project site to become fully or partially obstructed. However, under existing conditions, these views have already been compromised by existing development and landscaping on portions of the project site, as well as the residential development that surrounds the project site. This is displayed in Figure 1-6, Photo B; Figure 1-7, Photos C and D; Figure 1-8, Photo E; and Figure 1-9, Photo H. All of these images show views of the San Gabriel Mountains or the Chino Hills; however, as shown, full and unobstructed views of these visual resources have already been compromised by existing structures, landscaping, utility poles, and utility lines that are located within and around the project site. These images also show that the most prominent and unobstructed views available from the project area are observed along corridors formed by roadways such as Norton Avenue and Pipeline Avenue. The proposed project would not affect these views, since the roadways would remain clear and generally unobstructed transportation corridors after project implementation. For these reasons, while the proposed project would result in new obstructions to scenic vistas that do not currently exist, the change would not be substantial relative to existing conditions, since many of these views are currently compromised by existing development, and the clear views along transportation corridors would not become further compromised by the project. For these reasons, impacts of the MLC residential development and potential future development of the eastern portion of the Remaining Parcels Site would be **less than significant**. No mitigation is required.

- b) Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**No Impact.** The nearest officially designated State Scenic Highway is a portion of SR 2 that extends through the San Gabriel Mountains, beginning just north of the City of La

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Cañada Flintridge (Caltrans 2011). The portion of SR 2 that is officially designated as a State Scenic Highway is located approximately 25 miles north of the project site, within Los Angeles County. The only officially designated State Scenic Highway within San Bernardino County is a portion of SR 38 that extends through the San Bernardino Mountains near Big Bear. The portion of this highway that is officially designated as a State Scenic Highway is located approximately 50 miles northeast of the project site (Caltrans 2011). Due to the distances between the site and the nearest officially designated State Scenic Highways, the proposed project area is not within the viewshed of either officially designated State Scenic Highway. SR 142, where it extends through the Chino Hills, is an Eligible State Scenic Highway, but has not been officially designated (Caltrans 2011). The portion of this highway that is considered an Eligible State Scenic Highway is located approximately 2 miles south of the project site. The project site is separated from this Eligible State Scenic Highway by residential development, a major 8-lane highway (SR 71), and a variety of commercial developments. Due to the intervening distance and existing development, the project site is not within the viewshed of the portion of SR 142 that is an Eligible State Scenic Highway. For these reasons, **no impact** on scenic resources within a state scenic highway would occur as a result of the proposed project.

c) ***Would the project substantially degrade the existing visual character or quality of the site and its surroundings?***

**Less Than Significant Impact.** The project site is currently composed of undeveloped land, residential structures, a preschool, and a poultry egg farm. The existing character of the project site is that of a rural neighborhood area, with low-lying structures, parcels that are deeper than they are wide, and backyards containing animal pens. The proposed project would increase the allowable density of residential development within a portion of the project site. Replacing the existing uses with higher density residential development on the MLC Residential Site and in the eastern portion of the Remaining Parcels Site would change the visual character of the site from a rural neighborhood to that of a denser, more suburban area. The existing on-site residential structures are generally one story in height and are developed at a density of approximately 2 dwelling units per acre or less. Under the proposed project, the MLC Residential Site would be developed at a density of 3.9 units per acre, and the eastern portion of the Remaining Parcels Site could be developed at a density of up to 4.5 dwelling units per acre. The number, height, and size of structures on the MLC Residential Site and on the eastern portion of the Remaining Parcels Site is expected to increase under the proposed project, thereby changing the visual character of a portion of the site from rural residential to

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suburban. However, while the visual character would change, the project would not cause substantial degradation of the visual character or quality of the area. The MLC Residential Site currently contains fallow agricultural land that has not been used for agricultural purposes for 50 years. This undeveloped area is surrounded by residential development on three sides. Due to the size of these fields and the residential development that surrounds them on all sides, they no longer contribute substantially to the rural residential character and rather appear under existing conditions as a vacant, underutilized site. The proposed MLC development would bring these undeveloped sites into visual agreement with the existing surrounding land uses.

To the west of these undeveloped sites is the existing egg farm. While this egg farm contributes to the overall rural visual character of the site, the structures associated with the egg farm appear dilapidated and unmaintained (see Figure 1-10, Photo I). The egg farm is surrounded to the north, south, and west by residential development. Due to the existing visual quality of the egg farm and the visual character of surrounding development, conversion of the egg farm to suburban residential use would not substantially degrade the character or quality of the site and would also bring the site into agreement with surrounding land uses.

To the north, west, south, and east of the egg farm are existing single-family residences, some of which support animal pens in their yards. The existing on-site homes are characterized primarily as Ranch-style and Minimal Traditional-style residences, styles that are typical of tract homes in the area in the 1950s and 1960. See Figure 1-7, Photo D; Figure 1-8, Photo F; and Figure 1-9, Photo G and Photo H for representative photos of existing residential structures on the project site. The proposed project would involve development of new homes on the MLC Residential Site and on the eastern portion of the Remaining Parcels Site. These new structures would have a modernized appearance relative to the existing residential structures. The presence of more modernized structures on the project site would not substantially degrade the visual character or quality of the site. New development on the project site would be subject to City regulations for high-quality architectural design and materials and would not, therefore, degrade the appearance of the site relative to existing conditions. Further, as shown in Figure 1-4, the proposed project site is surrounded to the north, east, and south by single-family residential neighborhoods within the City that are denser and more suburban in nature relative to the existing development on the project site. As such, conversion of the project site from a rural residential area to an area that is more suburban in visual character would bring the project site into visual agreement with the character and quality of surrounding neighborhoods in the City. For these reasons, while the proposed project

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would alter the visual character of the project site, it would not substantially degrade the character or quality of the site and its surroundings. Impacts of the MLC residential development and potential future development of the eastern portion of the Remaining Parcels Site would be **less than significant**. No mitigation is required.

d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

**Less Than Significant Impact.** Under existing conditions, portions of the project site contain sources of artificial light that are typical of residential neighborhoods, such as private residential lighting. Streetlights are present along the east side of Norton Avenue and within the residential developments to the north of the project site that are within City limits. Streetlights are also present along the south side of Chino Avenue and along the west side of Pipeline Avenue. Other exterior, artificial light sources in the immediate vicinity of the project site include surrounding single-family residential development and lights associated with the sports fields and parking lots at Don Antonio Lugo High School. Heritage Park, to the south and east of the project site, has several hooded lampposts but does not support stadium lighting or other nighttime lighting features. While the project site and surrounding areas include existing sources of nighttime lighting, the proposed project would involve an increase in the development intensity on portions of the project site and would introduce structures where none currently exist. For example, the currently proposed residential development on the MLC Residential Site would include new streets that would have street lighting. As such, the proposed project's lighting and building materials would introduce new sources of light and glare where such sources do not currently exist or are very limited.

Lighting is of most concern when it may potentially spill over or trespass from a project site onto properties or areas, particularly residential buildings, and the public sidewalk or right-of-way. As shown in Figure 1-4, the majority of the land uses within the project area are residential. As such, light and glare caused by the proposed project could potentially spillover onto adjacent residential properties. However, lighting that is installed as part of the project would be required to comply with standards for backlight, uplight, and glare (BUG) set forth in the California Green Building Standards Code Section 5.106.8, Light Pollution Reduction. This code contains BUG ratings; the project's lighting would not be allowed to exceed these ratings. The City also has its own regulations that limit the amount of light spillover onto adjacent properties. Municipal Code Section 20.10.090.A(1) requires that "lighting on private and public property shall be designed to provide safe and adequate lighting while minimizing light spillage to adjacent properties." More specifically, Municipal Code

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Section 20.10.090.A(5) requires that “no lighting on private property shall produce an illumination level greater than one foot candle<sup>2</sup> on any property within a residential zoning district.” This section of the Municipal Code also requires light fixtures to be shielded, recessed, and directed downward and away from adjoining properties and public rights-of-way to reduce light spillage. The currently proposed residential development and future development on the project site would be required to adhere to the City’s outdoor lighting requirements. The currently proposed residential development application, as well as future development applications for the Remaining Parcels Site, would be reviewed by City staff to ensure consistency with the applicable Municipal Code requirements related to outdoor lighting. Required compliance with state and local regulations would ensure that adverse nighttime lighting and glare effects do not occur at nearby residences as a result of the project.

Glare can also be produced during the daytime and is usually associated with reflective building materials, such as glass, stainless steel, aluminum, and photovoltaic panels. Building materials for the currently proposed residential development would generally consist of wood framing. Glass windows would be incorporated into the design; however, consistent with the architectural style of surrounding residential development, the windows would not be prominent relative to the rest of the structure. While building materials for future development on the eastern portion of the Remaining Parcels Site are currently unknown, it is not anticipated that such future development would involve architectural elements with highly reflective materials such as stainless steel, aluminum, and expansive glass windows. Rather, future architectural styles would likely be consistent with the styles of surrounding development, which consist of stucco, wood, brick, and traditionally sized windows. Any photovoltaic systems that may be installed in the future on the rooftops of new structures are not anticipated to produce glare such that substantial, adverse effects would occur to daytime views. Such residential photovoltaic systems would likely be roof mounted and, therefore, would be largely obscured from view of pedestrians, motorists, and much of the adjacent development. In addition, individual panels would likely be angled such that incoming sunlight and potential glare would be reflected back towards the sun. For the reasons described above, the MLC residential project and potential future development of the eastern portion of the Remaining Parcels Site are not anticipated to produce new sources of light and glare such that daytime or nighttime views are substantially compromised. Impacts would be **less than significant**. No mitigation is required.

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<sup>2</sup> A foot candle is the illumination produced by a light of one international candle upon a surface one foot away.

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## References

Caltrans (California Department of Transportation). 2011. California Scenic Highway Mapping System. “Los Angeles County” and “San Bernardino County.” Last updated September 7, 2011. Accessed September 29, 2016. [http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/).

City of Chino. 2010. *General Plan Environmental Impact Report*. Final. Prepared by Design, Community, and Environment. Updated May 21, 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.

## 3.2 Agriculture and Forestry Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

**No Impact.** The project site is not located on designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program. The project site is within an area mapped as “urban and built-up land” (FMMP 2016). Therefore, the proposed project would not convert Farmland to non-agricultural uses, and **no impact** would occur.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

**Less Than Significant Impact.** The project site is not under a Williamson Act contract (California Department of Conservation 2016; City of Chino 2010a). As such, the proposed project would not conflict with a Williamson Act contract. The project site is currently zoned by the County for single-family residential uses (RS-20M). The RS designation allows for accessory crop production, accessory agricultural structures, and animal keeping. The project site currently supports an egg farm and several residences with animal keeping activities in their yards. The project site also contains fallow agricultural fields, which have been fallow for approximately 50 years. The proposed zoning for the project site (RD 4.5 and RD 2)<sup>3</sup> would also allow for similar agricultural uses as those that are currently allowed under County zoning. Crop cultivation, agricultural product stands, and animal keeping are allowed within RD 4.5. Crop cultivation, agricultural product stands, animal keeping, and private stables are allowed within RD 2, and kennels and commercial stables are conditionally allowed. However, under the proposed project, the existing egg farm would be demolished and the fallow agricultural fields would become developed with single-family homes. Within the eastern portion of the Remaining Parcels Site, the existing residential property has a large backyard that currently supports animal keeping practices. It is reasonably foreseeable that future residential development on this site would no longer support animal keeping practices, as such development is anticipated to be suburban in nature. As such, the project would cause a conversion from existing semi-rural uses to suburban uses on a portion of the project site. However, this conversion is not considered to be a significant impact relative to conflicts with agricultural zoning for the reasons enumerated below.

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<sup>3</sup> Note that the preschool property in the southwestern portion of the Remaining Parcels Site would be zoned CN (commercial neighborhood).

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While the project site's existing zoning (RS) allows for certain minor agricultural uses, its primary purpose as stated in the County General Plan is to provide areas for single-family homes and accessory and non-residential uses that complement single residential neighborhoods. In fact, per County land use policy, an RS-designated area cannot be located adjacent to an Agriculture District, unless parcels are one acre or larger (County of San Bernardino 2014). As such, the existing zoning and land use designation for the project site is primarily for residential uses and accessory non-residential uses. Similarly, the proposed RD 4.5 zoning designation has the purpose of encouraging a "predominately single-family suburban residential development similar to that found in many of the city's existing residential tracts" (City of Chino Municipal Code Section 20.04.020.C). The existing egg farm, fallow agricultural fields, and animal keeping practices are small in size. The project site is surrounded to the north, east, and south by suburban residential development within the City. The surrounding land uses and proposed land uses for the project site are consistent with growth patterns that the City has experienced since in the 1960s.

As described in its General Plan, the City began as an agricultural center for orchards (1910–1940), with focus transitioning to dairies between 1940 and 1960. The subsequent decades were a period of explosive population growth in the City. New land uses focused on housing, which transitioned the City into a bedroom community for commuters. This commuter growth was facilitated by the opening of SR-60, which provided a connection between the Inland Empire and the Los Angeles basin. In the 1980s and beyond, the land use focus in the City largely shifted away from agriculture and towards industrial and warehouse/distribution uses (City of Chino 2010a). As such, over the course of the 20th and 21<sup>st</sup> centuries, the City has transitioned from an agricultural community to a suburban community with commercial and industrial uses. The project site lies on the border of the City and is surrounded on three sides by suburban development within the City. For these reasons, while the project site currently supports several minor agricultural uses and while such uses are currently allowed on the site (and would continue to be allowed under the proposed zoning), residential uses of a higher density would be consistent with the existing and proposed zoning of the site and would also be consistent with the surrounding development and overall development patterns in the City. Furthermore, no changes from existing conditions are anticipated for the western portion of the Remaining Parcels Site, since the proposed zoning would be consistent with the existing development on those parcels. For these reasons, impacts of the proposed project would be **less than significant** related to conflicts with agricultural zoning. No mitigation is required.



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- c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

**No Impact.** As described under item 3.2(b), the project site is zoned RS-20M. The purpose of this zone, as stated in the County General Plan, is to provide sites for single-family residential uses and similar and compatible uses (County of San Bernardino 2014). As such, the project site is not within an area zoned for forest land, timberland, or Timberland Production. Therefore, the proposed project would not conflict with existing zoning, or cause the rezoning of forest land, timberland, or Timberland Production land, and **no impact** would occur.

- d) *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

**No Impact.** There is no forest land located on or within the vicinity of the project site. The project site currently contains single-family residential houses, fallow agricultural fields, an unused egg farm, and small-scale backyard animal keeping practices. The project site is surrounded by existing residential communities. Implementation of the proposed project would, therefore, not result in the loss of forest land or conversion of forest land to non-forest use. **No impact** would occur.

- e) *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

**Less Than Significant Impact.** The proposed project is not located within designated Farmland (i.e., Prime Farmland, Unique Farmland, or Farmland of Statewide Importance). The project site and surrounding sites have been mapped as “urban and built-up land” (FMMP 2016). Neither the project site nor surrounding properties are used as forest land, nor have they been zoned for such uses. As described in Section 3.2(b), the project site currently supports several semi-rural and agricultural-related uses, consisting of an egg farm, fallow agricultural lands, and residential backyards supporting animal keeping activities. However, the agricultural fields have been fallow for approximately 50 years. While the proposed zoning for the site would still allow for many of the semi-rural and agricultural-related uses that are currently allowed on the site, the MLC residential development and buildout of the eastern portion of Remaining Parcels Site are anticipated to involve development that is suburban in nature and that would not likely support rural

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or agricultural uses. However, the existing land uses on the western portion of the Remaining Parcels Site are expected to remain. The existing residential uses, some of which support animal keeping activities, would remain in place.

As described in Section 3.2(b), the conversion of a portion of the project site from existing semi-rural uses to suburban uses is consistent with the primary purposes of both the existing and proposed zoning (i.e., single-family residential development). Furthermore, it is consistent with the overall growth pattern of the City, which has been transitioning away from agricultural uses since the 1960s. Because the proposed development and zoning designations would be consistent with surrounding land uses, impacts would be **less than significant**. No mitigation is required.

### References

- California Department of Conservation. 2015. *San Bernardino County Williamson Act FY 2015/2016*. [map]. 1:100,000. Sacramento, CA: California Department of Conservation, Division of Land Resource Protection. 2016. Accessed September 30, 2016. <http://www.consrv.ca.gov/dlrp/lca/Pages/Index.aspx>.
- City of Chino. 2010a. *General Plan Environmental Impact Report*. Final. Prepared by Design, Community, and Environment. Updated May 21, 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.
- City of Chino. 2010b. *City of Chino General Plan 2025*. Prepared by Design, Community, and Environment. July 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.
- County of San Bernardino. 2014. *County of San Bernardino 2007 General Plan*. Prepared by URS. Adopted March 13, 2007. Last amended April 24, 2014. Accessed September 23, 2016. <http://cms.sbcounty.gov/lus/planning/generalplan.aspx>.
- County of San Bernardino. 2015. *County of San Bernardino 2007 Development Code*. Adopted March 13, 2007. Last amended August 27, 2015. Accessed September 30, 2016. <http://cms.sbcounty.gov/lus/planning/developmentcode.aspx>.
- County of San Bernardino. 2016. Land Use Services Zoning Look-up. Accessed September 23, 2016. <http://sbcounty.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=b3a8d3286a6b41d7ad2b80e871a4e048>.

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FMMP (Farmland Mapping and Monitoring Program). 2016. *San Bernardino County Important Farmland 2014*. [map]. 1:100,000. Sacramento, CA: Farmland Mapping and Monitoring Program. March 2016. Accessed September 30, 2016.  
<http://www.conservation.ca.gov/dlrp/fmmp>.

### 3.3 Air Quality

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?***

**Less Than Significant Impact.** The project site is located within the South Coast Air Basin (SCAB), which includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, and is within the jurisdictional boundaries of the South Coast Air Quality Management District (SCAQMD).

The SCAQMD administers the Air Quality Management Plan (AQMP) for the SCAB, which is a comprehensive document outlining an air pollution control program for attaining all California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). The latest version of the SCAQMD's AQMP is the Final 2012 AQMP (SCAQMD 2013), which was adopted by SCAQMD in December 2012 and finalized in February 2013. The 2012 Final AQMP is designed to meet applicable federal and state requirements for ozone (O<sub>3</sub>) and particulate matter with an

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aerodynamic diameter equal to or less than 2.5 microns (fine particulate matter; PM<sub>2.5</sub>). The 2012 AQMP was approved by the California Air Resources Board (CARB) on January 25, 2013, and the portions of the AQMP that address the O<sub>3</sub> NAAQS were approved by the United States Environmental Protection Agency (EPA) on September 3, 2014. The Final 2012 AQMP demonstrates attainment of the federal 24-hour PM<sub>2.5</sub> standard by 2014 in the SCAB through adoption of all feasible measures. The 2012 AQMP also updates the EPA-approved 8-hour O<sub>3</sub> control plan with new measures designed to reduce reliance on the Clean Air Act Section 182(e)(5) long-term measures for oxides of nitrogen (NO<sub>x</sub>) and volatile organic compound (VOC) reductions. Notably, the SCAQMD is currently in the process of developing the 2016 AQMP, which is currently in draft form and will incorporate the latest planning and growth assumptions, the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and updated emissions inventories. The draft 2016 AQMP represents a new approach, focusing on available, proven, and cost effective alternatives to traditional strategies, while seeking to achieve multiple goals in partnership with other entities promoting reductions in GHGs and toxic risk, as well as efficiencies in energy use, transportation, and goods movement (SCAQMD 2016). Because the 2016 AQMP is in draft form, the current approved SCAQMD AQMP is the 2012 AQMP.

The purpose of a consistency finding is to determine if a project is inconsistent with the assumptions and objectives of the regional air quality plans, and thus, if it would interfere with the region's ability to comply with federal and state air quality standards. The SCAQMD recommends that environmental documents should discuss the project's consistency with the current AQMP (Final 2012 AQMP), including consistency with a local government's general plan.

There are two key indicators of consistency with the AQMP:

- Whether the project would result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of the ambient air quality standards or interim emission reductions in the AQMP.
- Whether the project would exceed the assumptions in the AQMP or increments based on the year of project buildout and phase.

To address the first criterion above, an air quality modeling analysis that identified the project's impact on air quality was performed. Results of this analysis are included in Appendix B. The California Emissions Estimator Model (CalEEMod) Version 2016.3.1

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was used to model emissions for the project and analyzed for significance for Response 3.3(b). The project would generate minimal air pollutant emissions during short-term construction and long-term operational activities as discussed under item 3.3(b).

In general, projects are considered consistent with, and would not conflict with or obstruct implementation of, the AQMP if the growth in socioeconomic factors is consistent with the underlying regional plans used to develop the AQMP. The 2012 AQMP reduction and control measures, which are outlined to mitigate emissions, are based on existing and projected land use and development. Demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment by industry) were developed by the Southern California Association of Governments (SCAG) for its 2012 Regional Transportation Plan based on general plans for cities and counties within the SCAB. The 2012 AQMP relies on the land use and population projections provided in SCAG 2012 Regional Growth Forecast, which is generally consistent with the local plans; therefore, the 2012 AQMP is generally consistent with local government plans.

To address the criterion regarding the proposed project's potential to exceed the assumptions in the AQMP or increments based on the year of project buildout and phase, the project's land use designations and potential to generate population growth is assessed. As discussed in Section 2.3, Proposed General Plan Amendment and Zone Change, the City of Chino's current General Plan land use designation for the MLC Residential Site and most of the Remaining Parcels Site is Residential (RD2). (The southwest portion of the Remaining Parcels Site is designated as Neighborhood Commercial (NC)).

The proposed project would amend the City's General Plan to change both the MLC Residential Site and eastern part of the Remaining Parcel Site's land uses to be Residential (RD4.5). The northwestern part of the Remaining Parcels Site would remain RD2 and would become officially designated as such on the City's zoning map. The southwestern part of the Remaining Parcels Site, currently designated as NC, would become RD2, with the exception of the preschool property, which would remain NC. Accordingly, the proposed project would minimally alter the project's land use. As discussed in Section 3.13, Population and Housing, the proposed project would increase on-site resident population by 188 when accounting for both the MLC Residential Site and eastern portion of the Remaining Parcel Site. The minimal change in population and employee populations would not cause the City to exceed the SCAG growth forecasts. Therefore, the proposed project would not conflict with the AQMP. Overall, impacts relating to the proposed project's potential to conflict with or obstruct implementation of the applicable AQMP would be **less than significant**. No mitigation is required.

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- b) *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

**Less Than Significant Impact.** A quantitative analysis was conducted to determine whether construction and operation of the MLC Residential Site may result in emissions of criteria air pollutants from mobile, area, and energy sources that may cause exceedances of federal and/or state ambient air quality standards or contribute to existing nonattainment of ambient air quality standards. Additionally, it is reasonably foreseeable that the eastern portion of the Remaining Parcel Site would be built out at the maximum intensity allowed. Therefore, subsequent operational emissions from the eastern portion of the Remaining Parcel Site are assessed together with emissions from the MLC Residential Site. The following discussion identifies potential short- and long-term impacts that would result from implementation of the proposed project and concludes that impacts would be less than significant.

### **Construction Emissions**

Construction of the MLC residential project would result in a temporary addition of pollutants to the local airshed caused by soil disturbance, fugitive dust emissions, and combustion pollutants from on-site construction equipment, off-site trucks hauling demolition debris and excavated earth materials, and construction workers traveling to and from the site. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions. Therefore, an increment of day-to-day variability exists.

Pollutant emissions associated with construction activity were quantified using CalEEMod. Default values provided by the program were used where detailed project information was not available. A detailed depiction of the construction schedule—including information regarding phasing, equipment used during each phase, haul trucks, vendor trucks, and worker vehicles—is contained in the CalEEMod outputs, as provided in Appendix B.

Implementation of the proposed project would generate construction-related air pollutant emissions from entrained dust, equipment and vehicle exhaust emissions, architectural coatings, and minor demolition activities. Entrained dust results from the exposure of earth surfaces to wind from the direct disturbance and movement of soil, resulting in coarse particulate matter (PM<sub>10</sub>) and PM<sub>2.5</sub> emissions. The proposed project would be required to comply with SCAQMD Rule 403 to control dust emissions generated during surface parking lot demolition, building modifications, and grading activities. Standard construction practices required under Rule 403 would be employed to reduce fugitive dust

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emissions, including watering of the active sites approximately three times daily depending on weather conditions. Internal combustion engines used by construction equipment and haul trucks, vendor trucks, and worker vehicles would result in emissions of VOCs, NO<sub>x</sub>, carbon monoxide (CO), PM<sub>10</sub>, PM<sub>2.5</sub>, and minimal emissions of sulfur oxides (SO<sub>x</sub>). The application of architectural coatings, such as exterior application/interior paint and other finishes, would also produce VOC emissions, and the project shall comply with SCAQMD Rule 1113, which proscribes the sale or application of high-VOC-content architectural coatings. In addition, the proposed project must adhere to SCAQMD Rules during construction-related activities: 401 (Visible Emissions). This measure, which was not included in the emissions modeling, would further assist in minimizing less than significant project-generated fugitive dust emissions and combustion pollutants.

It is anticipated that construction of the MLC Residential Site would occur from approximately April 2017 through January 2019. For purposes of estimating project emissions, it is assumed that construction activity would occur continuously. However, application of architectural coatings does not occur continuously over one period, it is instead broken up into five smaller phases.

The analysis contained herein is based on the following assumptions (duration of phases is approximate):

- Demolition (1 Month)
- Grading (2 Months)
- Utility Installation or Trenching (3 Months)
- Building Construction (16 Months)
- Paving (1 Month)
- Architectural Coating (1 Month)

The construction equipment mix and number of workers for the air emissions modeling of the project are shown in Table 3.3-1 (Construction Equipment and Workers), as provided in Appendix B, in the CalEEMod Outputs, under Construction Detail – Off-Road Equipment. For this analysis, it was assumed that heavy construction equipment would be used five days a week (22 days per month). To estimate motor vehicle emissions generated by worker vehicles (i.e., light-duty trucks and automobiles), it was assumed that each worker would generate two one-way trips daily.

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**Table 3.3-1  
Construction Equipment and Workers**

Construction Phase	Average Daily Worker Trips <sup>1</sup>	Equipment	Quantity
Demolition	8	Concrete/Industrial Saws	1
		Excavators	3
		Rubber Tired Dozers	2
Grading	10	Excavators	2
		Graders	1
		Rubber Tired Dozers	1
		Scrapers	2
		Tractors/Loaders/Backhoes	2
Utility Installation	4	Trencher	2
		Tractors/Loaders/Backhoes	2
Building Construction	38	Cranes	1
		Forklifts	3
		Tractors/Loaders/Backhoes	3
		Welders	1
		Generator Sets	1
		Tractors/Loaders/Backhoes	1
Paving (Finishing, Stripping)	8	Rollers	2
		Pavers	1
		Paving Equipment	1
		Cement and Mortar Mixers	1
Architectural Coating	8	Air Compressors	1

**Notes:**

<sup>1</sup> Trips are one-way.

In addition to construction equipment operation and worker trips, emissions from hauling (i.e., dump trucks) and vendor trucks (i.e., delivery trucks) were estimated. Trucks hauling waste off-site were assumed to travel 20 miles (CalEEMod default) one-way to a nearby appropriately permitted landfill. Haul truck trips were assumed to primarily be required during the demolition phase and grading/excavation phase. Vendor trucks transporting lumber, concrete, steel, and other building materials were assumed during each phase and were based on CalEEMod default values. Detailed construction assumptions, including estimated daily worker and vendor trips, and total estimated haul truck trips, are provided in Appendix B.

Table 3.3-2 (Estimated Maximum Daily Construction Emissions) presents the estimated maximum unmitigated daily construction emissions generated during construction of the



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project. The values shown are the maximum summer or winter daily emissions results from CalEEMod. Details of the emission calculations are provided in Appendix B under 2.1, Overall Construction (Maximum Daily Emissions).

**Table 3.3-2  
Estimated Maximum Daily Construction Emissions**

Year	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	(pounds per day)					
2017	6.52	75.05	52.26	0.08	7.37	4.69
2018	70.10	42.93	39.47	0.07	3.66	2.62
2019	69.71	25.12	25.94	0.05	2.63	1.69
<b>Maximum daily</b>	<b>70.10</b>	<b>75.05</b>	<b>52.26</b>	<b>0.08</b>	<b>7.37</b>	<b>4.69</b>
<i>Pollutant threshold</i>	75	100	550	150	150	55
<b>Threshold exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Source:** SCAQMD Air Quality Significance Thresholds, 1993, 2015a.

**Notes:** VOC = volatile organic compound; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter.

The values shown are the maximum summer or winter daily emissions results from CalEEMod.

These estimates reflect control of fugitive dust required by SCAQMD Rule 403.

See Appendix B for detailed results.

As shown in Table 3.3-2, daily construction emissions would not exceed the SCAQMD significance thresholds for VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub> during construction in all construction years. Therefore, construction impacts of the proposed project would be **less than significant**. No mitigation is required.

### Operational Emissions

Following the completion of construction activities, the proposed project would generate VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from vehicular traffic, area sources (consumer products, architectural coatings, landscaping equipment), and energy sources (natural gas appliances, space and water heating). CalEEMod was used to estimate daily emissions from the operational sources.

On-road vehicular emissions associated with the MLC Residential Site were modeled using trip-generation rates from the traffic impact analysis report (Appendix H). For emissions from energy sources, which include natural gas combustion for appliances and space and water heating, 2013 Title 24 values and non-Title-24 energy intensities were used. Area sources include gasoline-powered landscape maintenance equipment, consumer products, and architectural coatings for the maintenance of buildings. For all non-residential use architectural coatings, the interior and exterior VOC content was assumed to be 50 grams per liter (g/L) and 100 g/L, respectively, in accordance with Rule 1113.

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To estimate emissions from the potential development of the Remaining Parcel Site CalEEMod default values were used for all emission sources and the development is assumed to begin operation in 2019. This would be considered a conservative estimate of potential emissions as it is likely that any future development would be required to comply with regulations that are more stringent.

Table 3.3-3 (Estimated Maximum Daily Operational Emissions) summarizes the maximum daily mobile, energy, and area emissions of criteria pollutants that will be generated by operation of the proposed project, and how project-generated emissions compare to the SCAQMD thresholds of significance. The values shown are the maximum summer or winter daily emissions (i.e., foreseeable worst-case) results from CalEEMod. Details of the emission calculations are provided in Appendix B under 2.2, Overall Unmitigated Operational.

**Table 3.3-3  
Estimated Maximum Daily Operational Emissions**

Emission Source	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	(pounds per day)					
Area	7.69	0.04	3.62	0	0.02	0.02
Energy	0.03	0.30	0.13	0	0.02	0.02
Mobile	0.91	2.32	10.27	0.05	3.27	0.92
<b>Total</b>	<b>8.63</b>	<b>2.66</b>	<b>14.02</b>	<b>0.05</b>	<b>3.32</b>	<b>0.96</b>
<i>Remaining Parcel Site</i>	<i>3.58</i>	<i>1.58</i>	<i>9.59</i>	<i>0.02</i>	<i>1.66</i>	<i>1.08</i>
<i>Remaining Parcel Site+Total</i>	<i>12.21</i>	<i>4.24</i>	<i>23.61</i>	<i>0.07</i>	<i>4.98</i>	<i>1.08</i>
<i>Emission threshold</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
<b>Threshold exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Source:** SCAQMD Air Quality Significance Thresholds, 1993, 2015a.

**Notes:** VOC = volatile organic compound; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter.

Area sources = consumer product use, architectural coatings, and landscape maintenance equipment. Energy sources = natural gas. Mobile sources = motor vehicles.

See Appendix B for detailed results.

The values shown are the maximum summer or winter daily emissions results from CalEEMod.

As shown in Table 3.3-3, the operational emissions of the proposed project would not exceed the SCAQMD thresholds for VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>; therefore, impacts are considered **less than significant**. No mitigation is required.

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- c) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

**Less Than Significant Impact.** In considering cumulative impacts from the proposed project, the assessment must specifically evaluate a project's contribution to the cumulative increase in pollutants for which the SCAB is designated as nonattainment for the NAAQS or CAAQS. A project would be considered to have a significant cumulative impact if the project's contribution accounts for a significant proportion of the cumulative total emissions (i.e., it represents a "cumulatively considerable contribution" to the cumulative air quality impact). If a project's emissions would exceed the SCAQMD significance thresholds, it would be considered to have a cumulatively considerable contribution to nonattainment status in the SCAB. If a project does not exceed thresholds and is determined to have less-than-significant project-specific impacts, it may still contribute to a significant cumulative impact on air quality. In this case, the basis for analyzing a project's cumulative considerable contribution is the proposed project's potential to exceed SCAQMD thresholds and its consistency with the most recent AQMP.

The SCAB is a nonattainment area for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> under the NAAQS and/or CAAQS. The nonattainment status in the SCAB is the result of cumulative emissions from motor vehicles, off-road equipment, commercial and industrial facilities, and other emission sources. Projects that emit these pollutants or their precursors (e.g., VOC and NO<sub>x</sub> for O<sub>3</sub>), potentially contribute to poor air quality.

Implementation of the proposed project would generate emissions of VOCs, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> associated with construction and operations. However, as indicated in Table 3.3-2, short-term construction and long-term operation emissions associated with the proposed project would not exceed SCAQMD significance thresholds. Furthermore, as discussed under item 3.3(a), the proposed project would not conflict with the SCAQMD 2012 AQMP, which addresses the cumulative emissions in the SCAB. Accordingly, the proposed project would not result in a cumulatively considerable increase in emissions of nonattainment pollutants or their precursors (e.g., VOC and NO<sub>x</sub> for O<sub>3</sub>). Thus, this impact is considered **less than significant**. No mitigation is required.

- d) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

**Less Than Significant Impact.** Sensitive receptors (residences and schools) that would potentially be affected by construction activity in the proposed project area are single-

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family residences surrounding and directly adjacent to the project site, as well as Heritage Park to the southeast. These sensitive receptors are located approximately three meters (10 feet) from the proposed construction boundary, or within 25 meters (82 feet) of the project site. The SCAQMD localized significance threshold (LST) values were obtained for a 3-acre site within Source-Receptor Area (SRA) 33 with a receptor distance of 25 meters (82 feet; the shortest distance provided by the SCAQMD).<sup>4</sup> Construction activities associated with the proposed project would result in temporary sources of on-site fugitive dust and construction equipment emissions. Off-site emissions from haul trucks, vendor trucks, and worker vehicle trips are not included in the LST analysis because these emissions will not occur within this receptor distance. The maximum daily on-site construction emissions generated during construction of the proposed project, which are rounded to the nearest whole number, are presented in Table 3.3-4 (Construction Localized Significance Thresholds Analysis) and compared to the SCAQMD localized significance criteria for SRA 33 to determine whether project-generated on-site construction emissions would result in LST impacts.

**Table 3.3-4**  
**Construction Localized Significance Thresholds Analysis**

Pollutant	Project Construction (pounds per day)	LST Criteria (pounds per day)	Exceeds LST?
NO <sub>2</sub>	75	203	No
CO	52	1552	No
PM <sub>10</sub>	6	10	No
PM <sub>2.5</sub>	4	6	No

**Source:** SCAQMD 2008.

**Notes:** LST = localized significance threshold; NO<sub>2</sub> = nitrogen dioxide; CO = carbon monoxide; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter

To determine the LST criteria for the project, the LSTs for a 3-acre site were interpolated with sensitive receptors located within an 82-foot (25-meter) distance from construction activity were used. Maximum on-site emissions were estimated for grading phase in the year 2017.

As shown in Table 3.3-4, proposed construction activities would not generate emissions in excess of site-specific LSTs; therefore, site-specific project construction impacts are considered less than significant. No mitigation is required during construction.

<sup>4</sup> Although receptors would be about 10 feet from the Project boundary, the SCAQMD recommends that projects with boundaries closer than 25 meters to the nearest receptors should use the LSTs for receptors located at 25 meters (SCAQMD 2008). Per SCAQMD *Fact Sheet for Applying CalEEMod to Localized Significance Thresholds* (SCAQMD 2015), the maximum daily disturbed acreage was determined based on the potential area of disturbance from specified equipment (2 scrapers at 1 acre disturbed + 1 grader and dozer at 0.5 acre each = 3 acres total). Thus, the 3-acre LST was used in this analysis.

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Operation of the proposed project would not result in direct emissions (e.g., those from a point source such as boilers or engines). Impacts are considered **less than significant**. No mitigation is required during operation.

e) ***Would the project create objectionable odors affecting a substantial number of people?***

**Less Than Significant Impact.** Odors are a form of air pollution that is most obvious to the public and can present problems for both the source and surrounding community. Although offensive odors seldom cause physical harm, they can be annoying and cause concern. Construction and operation of the project would not create objectionable odors affecting a substantial number of people.

Odors would potentially be generated from vehicles, architectural coatings and equipment exhaust emissions during construction of the project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment. Such odors are temporary and generally occur at magnitudes that would not affect substantial numbers of people. Therefore, impacts associated with odors during construction would be considered **less than significant**. No mitigation is required during construction.

Land uses and industrial operations typically associated with odor complaints include agricultural uses, wastewater treatment plants, food-processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (SCAQMD 1993). The project would not result in the creation of a land use that is commonly associated with odors. Therefore, project operations would result in an odor impact that would be **less than significant**. No mitigation is required during operation.

### References

SCAQMD (South Coast Air Quality Management District). 1993. *CEQA Air Quality Handbook*.

SCAQMD2008. *Final Localized Significance Threshold Methodology*. Revised July 2008.

Accessed September 30, 2016. <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>

SCAQMD. 2015a. "SCAQMD Air Quality Significance Thresholds." Originally published in CEQA Air Quality Handbook (1993), Table A9-11-A. Revised March 2015.

<http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2>.

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SCAQMD. 2013. *Final 2012 Air Quality Management Plan*. Revised February 2013. Accessed September 30, 2016. <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan/final-2012-air-quality-management-plan>

SCAQMD. 2015. *Fact Sheet for Applying CalEEMod to Localized Significance Thresholds*. Accessed September 30, 2016. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/caleemod-guidance.pdf?sfvrsn=2>.

SCAQMD. 2016. *Revised Draft 2016 Air Quality Management Plan*. Revised October 2016. Accessed 10, 2016. <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>

### 3.4 Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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- a) *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**Less Than Significant Impact with Mitigation Incorporated.** As described in the City's General Plan, the majority of Chino and its planning area is urbanized. Biological resources are generally concentrated in the southeastern portion of the City, within the Santa Ana River drainage basin, which includes Prado Dam, Prado Reservoir, and open space areas such as the Prado Regional Park. The project site is located within the northwestern portion of the City's planning area. As stated in the General Plan, diversity of wildlife within the northwestern portion of the City is relatively low as a result of development. Species expected to occur commonly in this urbanized area include small mammals such as desert cottontail, California ground squirrel, Botta's pocket gopher, striped skunk, Virginia opossum, Baja California treefrog, western toad, western fence lizard, side-blotched lizard, various urban-adapted non-migratory birds, and modest numbers of migratory birds (especially during fall through spring). Some raptor species are expected to occur within developed areas such as Cooper's hawk and red-tailed hawk (City of Chino 2010). The project site and surrounding areas have been developed with agricultural uses since at least the 1930s. Currently, the site is located in a suburban area and is surrounded by development. A search of the California Natural Diversity Database (CNDDDB) was conducted within a five-mile radius of the project site. The results showed occurrences of a variety of special-status plant and wildlife species. However, the majority of these occurrences are associated with the naturalized Prado Regional Park area, which is located approximately 5 miles southeast of the project site.

No special-status plants are anticipated to occur at the project site. The project site is disturbed and is subject to routine disturbances associated with the egg farm and the residential uses. The fallow agricultural fields appear cleared and generally devoid of vegetation, with the exception of a small patch of blue elderberry shrubs located in the northwest corner of the fallow agricultural fields. For these reasons, the project site is not anticipated to support any special-status plant species. Implementation of the proposed project would have no impact on special-status plants. While the majority of special-status wildlife species identified in the CNDDDB search are expected to occur within the Prado Regional Park area, the project site has a moderate potential to support burrowing owl, Cooper's hawk, and protected bat species, due to the presence of potentially suitable habitat at the project site. Potential impacts to each of these species that may result from project implementation are described in the paragraphs below.

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**Burrowing Owl.** Burrowing owl (*Athene cunicularia*) is a California Department of Fish and Wildlife (CDFW) Species of Special Concern and a U.S. Fish and Wildlife Service Bird of Conservation Concern species (CDFW 2016). Suitable habitat for burrowing owl includes habitat characterized by low-growing vegetation (e.g., areas dominated by field crops, pastureland, dairies, fallow fields, disturbed habitat, drainage ditches, earthen berms, and other open habitats where suitable burrow resources exist). The project site provides potentially suitable habitat for this species due to the presence of fallow agricultural fields and open, disturbed backyard areas at some of the rural residences. Mitigation measure **MM-BIO-1** has been provided to address potential effects to burrowing owls at the project site.

**Cooper's Hawk.** The project site also contains suitable nesting and foraging habitat for Cooper's hawk (*Accipiter cooperii*), which is a CDFW Watch List species (CDFW 2016). Cooper's hawk may nest in the on-site trees and may use the mature trees and open space areas located on the project site for foraging habitat. However, there is similar foraging habitat throughout the general project area. Cooper's hawk is known to occur in urban and suburban areas; as such, Cooper's hawk could forage in the suburban and semi-rural neighborhoods within the vicinity of the project site. Additionally, habitat of a higher quality is located within the Chino Hills, Prado Regional Park, and agricultural fields to the east and southeast of the project site. As such, development of the project site would not have a substantial adverse effect on suitable foraging habitat for the Cooper's hawk. Impacts to nesting birds and raptors, including the Cooper's hawk, are addressed in Section 3.4(d).

**Pallid Bat and Big Free-Tailed Bat.** The project site contains suitable habitat for several protected bat species, including the pallid bat (*Antrozous pallidus*), a CDFW Species of Special Concern and a Western Bat Working Group High Priority species, and the big free-tailed bat (*Nyctinomops macrotis*), a CDFW Species of Special Concern and a Western Bat Working Group Medium-High Priority species (CDFW 2016). Bats have the potential to use vacant structures on site, such as the chicken coops, for roosting. Demolition of vacant on-site structures would have the potential to disturb or harm protected bat species, in the event that they are present at the time of construction activities. Mitigation measure **MM-BIO-2** has been provided to address potential effects to protected bat species at the project site.

Upon implementation of mitigation measures **MM-BIO-1** and **MM-BIO-2**, the proposed project's effects on special-status species would be **less than significant with mitigation incorporated**. No additional mitigation measures are required.



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- MM-BIO-1** No sooner than 30 days prior to and no later than 14 days prior to grading activities on the project site, a qualified biologist shall conduct a survey of the construction impact footprint and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall be submitted, reviewed, and accepted by the City of Chino prior to the issuance of a grading permit and subject to the following provisions: a) in the event that the pre-construction survey detects no burrowing owls in the impact area, a grading permit may be issued without restriction; b) in the event that the pre-construction survey detects the burrowing owl within the construction impact footprint, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the applicant shall make reasonable efforts to consult with the California Department of Fish and Wildlife (CDFW) regarding conservation strategies for the burrowing owl.
- i. Prior to disturbance of occupied burrows, natural or artificial replacement burrows shall be provided at a ratio of 2:1 within a City-designated relocation area. A qualified biologist shall confirm the replacement burrows are unoccupied and suitable for burrowing owl use prior to disturbance of occupied burrows.
  - ii. No disturbance shall occur within 50 meters of occupied burrows during the non-breeding season (September 1 through January 31) or within 75 meters of occupied burrows during the breeding season (February 1 through August 31), until the applicant provides evidence to the City of Chino that suitable replacement burrows have been provided.
  - iii. Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
  - iv. If burrowing owls are present at the time occupied burrows are to be disturbed, the owls shall be excluded from the site in accordance with CDFW relocation protocol.
  - v. Subject to the provisions of the Subdivision Map Act vesting map requirements, if the City of Chino has established a mitigation fee

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program for the long-term management of burrowing owl habitat, prior to issuance of a grading permit, the applicant shall pay the appropriate mitigation fee to the City of Chino.

- MM-BIO-2** No more than 30 days prior to construction (including demolition work and tree trimming/removal activities), a qualified biologist will conduct a visual and acoustic preconstruction survey for roosting special-status bats and/or sign (i.e., guano) within 300 feet of suitable bat roosting habitat (i.e., buildings and/or trees). A minimum of one day and one evening will be included in the visual preconstruction survey, which should concentrate on the period when roosting bats are most detectable (i.e., when leaving the roosts between one hour before sunset and two hours after sunset). If special-status bats are not detected, no additional measures are required.

If an active maternity roost is identified, the maternity roost will not be directly disturbed, and construction activities will maintain an appropriate distance (e.g., 300-foot avoidance buffer) until the maternity roost is vacated and juveniles have fledged, as determined by a qualified biologist. The rearing season for native bat species in California is approximately March 1 through August 31. If non-breeding special-status bat roosts (hibernacula or non-maternity roosts) are found, the individuals shall be safely evicted, under the direction of a qualified biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by a qualified biologist (e.g., installation of one-way doors). If flushing species from a tree roost is required, this shall be done when temperatures are sufficiently warm for bats to exit the roost, because bats do not typically leave their roost daily during winter months. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed and temperatures should be sufficiently warm (for winter hibernacula) for bats to exit the roost. This action should allow all bats to leave during the course of one week. If a roost needs to be removed and a qualified biologist determines that the use of one-way doors is not necessary, the roost shall first be disturbed following the direction of the qualified biologist at dusk to allow bats to escape during the darker hours. Once the bats escape, the roost site shall be removed or the construction disturbance shall occur the next day (i.e., there shall be no less or more than one night between initial disturbance and the roost removal).

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- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**Less Than Significant Impact.** As stated in the Phase I Environmental Site Assessment that was conducted for the MLC Residential Site, no waterways, wetlands, lagoons, or ponds exist on the site or immediately adjacent to the site (Appendix E). Furthermore, there are no wetlands or riparian habitat areas located on or within the vicinity of the MLC Residential Site or the Remaining Parcels Site, as mapped by the U.S. Fish and Wildlife Service in the National Wetlands Inventory. The nearest water feature is the Chino Creek Channel, which extends north-south approximately one mile west of the project site (USFWS 2016). Within the project vicinity, this creek is channelized and extends through urbanized areas. As such, it is not anticipated to support riparian habitat. Furthermore, due to the intervening distance and urban development that lie between the Chino Creek Channel and the project site, the proposed project would not have an effect on the Chino Creek Channel.

Three blue elderberry shrubs have been identified in the northwestern corner of the MLC Residential Site (Appendix C). Blue elderberry is considered a sensitive vegetation community by CDFW. However, the patch that is present on the project site is too small to provide habitat to support sensitive species. Furthermore, this small patch is surrounded by areas that have been disturbed and developed for over a half century with agricultural and residential uses. As such, removal of the small blue elderberry patch under the proposed project would not constitute a substantial, adverse effect to sensitive vegetation communities. Impacts would therefore be **less than significant**, and no mitigation is required.

- c) *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

**No Impact.** There are no wetlands located on or adjacent to the project site. The nearest water feature is the Chino Creek Channel, which extends north-south approximately one mile west of the project site (USFWS 2016). The project site is separated from this channel by several roadways and residential development. The proposed project would not remove, fill, or hydrologically interrupt the Chino Creek Channel due to the intervening distance and intervening development. There is a drainage facility on-site, however, the facility is lined with concrete, and there is no riparian vegetation within this facility. As such, the project is not expected to have an impact on federally protected wetlands. **No impact** would occur.

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- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**Less Than Significant Impact with Mitigation Incorporated.** There are no wetlands or water bodies within the project area; therefore, the proposed project would have no potential to affect the movement of migratory fish. The project site lacks land features that could potentially support wildlife migration or nursery habitat. There is a drainage facility that extends north-south through the project site. However, the drainage facility is cemented and surrounded with chainlink fencing on all sides. The drain only supports runoff during rain events and, therefore, does not typically support any water. Trees are located adjacent to the drainage facility, along the parcel boundaries bordering the drainage facility. However, the drainage facility is lined with cement and does not provide naturalized habitat. At its northern end (upstream extent), the drainage facility begins at a small residential cul-de-sac (Preciado Avenue). At its southern end (downstream extent), the drainage facility terminates at Chino Avenue, which is a four-lane roadway lined with residential development along its south side. As such, the drainage facility does not connect with any similar facilities or other linear features to the north or south. For these reasons, the cement drainage facility within the project site does not likely serve as a wildlife corridor, and removal of this drainage facility or parts of the drainage facility under the proposed project would not, interfere substantially with a migratory wildlife corridor. Impacts to wildlife corridors attributable to the proposed project would be less than significant.

Implementation of the proposed project would remove vegetation (e.g., trees, shrubs) from the project site that has the potential to support nesting birds and raptors, including migratory species. Impacts to nesting migratory birds are prohibited under the Migratory Bird Treaty Act of 1918 and Sections 86, 3503, 3503.5, and 3513 of the California Fish and Game Code. Construction activities associated with the proposed project could negatively affect individual birds or raptors that are roosting or nesting in trees located on or adjacent to construction activities. In the event that a nesting migratory bird or a raptor were to nest on site or within 300 feet of the construction work area (within 500 feet for raptors), construction activities could adversely affect or kill the bird(s). Construction activities would also elevate noise levels and could cause indirect disturbances to nesting migratory birds or raptors on the construction site or adjacent to the construction site. Construction activities may occur during breeding, reproduction, and juvenile rearing periods for nesting migratory birds and raptors (i.e., between March 1 and August 31, and as early as February 1 for raptors). Thus, there is potential for construction activities to

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negatively affect breeding or reproduction of species on or adjacent to the site. Implementation of mitigation measure **MM-BIO-3** would ensure protection of nesting migratory birds and raptors and would reduce this impact to below a level of significance. Impacts would therefore be **less than significant with mitigation incorporated**.

**MM-BIO-3** Ground-disturbance and vegetation removal activities should take place outside of the general nesting bird season, from approximately March 1 through August 31 (as early as February 1 for raptors), to the greatest extent feasible. If vegetation removal and/or construction activities (including disturbances to vegetation, structures, and substrates) will occur during the general bird nesting season (i.e., between March 1 and August 31, and as early as February 1 for raptors), preconstruction surveys for nesting native birds and raptors shall be conducted by a qualified biologist, no more than 3 days prior to construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone (500-foot radius for raptors) to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds or raptors.

If active nests are found (CDFW defines “active” as any nest that is under construction or modification; USFWS defines “active” as any nest that is currently supporting viable eggs, chicks, or juveniles), clearing and construction shall be postponed or halted within a buffer area established by the qualified biologist that is suitable to the particular bird species and location of the nest (typically a starting point of 250 feet for most birds and 500 feet for raptors, but may be reduced as approved by a qualified biologist), until the nest is vacated and/or juveniles have fledged, as determined by the qualified biologist. The construction avoidance area shall be clearly demarcated in the field (i.e., fencing, staking, or flagging) for avoidance. A qualified biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, including graphics showing the locations of any active nests detected, and documentation of any avoidance measures taken, shall be submitted to the City within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. Surveys, and resulting buffers, will be repeated if construction within any phase is paused for more than 30 days.

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- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**Less Than Significant Impact.** The City has several policies protecting biological resources: Chapter 12.16 of the City's Municipal Code sets forth requirements for street trees and Chapter 20.19 sets forth landscaping requirements for development in the City. Additionally, the City has a Resources Management Plan that protects existing windrow trees that provide viable raptor habitat and states that such habitat shall be retained whenever practical. Chapter 12.16 sets forth requirements for planting, removing, trimming, and maintaining street trees within the City. Section 20.19.040.D requires that an arborist report be prepared for any trees proposed to be removed that are 30 inches or larger in diameter to document the health and viability of the tree(s) and to make a recommendation as to the feasibility of maintaining or removing the tree(s). The diameter of trees on the MLC Residential Site do not exceed 24 inches. Nevertheless, for the purposes of establishing a conservative analysis, an arborist report was prepared for this site. The arborist report recorded the species, size, and health of the trees located at and immediately adjacent to the MLC Residential Site. The arborist report also evaluated whether the on-site trees would be subject to protections established in the City's Municipal Code or in its Resources Management Plan. The arborist report is attached to this IS/MND as Appendix C. The report identified 94 trees within the MLC Residential Site, all of which are proposed for removal under the MLC project. As stated and demonstrated in the arborist report, none of the trees identified are considered street trees and none are considered and/or viable raptor habitat per the Resources Management Plan. As such, the on-site trees are not protected under City policy, and removal of these trees in association with the proposed MLC project would not conflict with City policies adopted for the purposes of protecting biological resources. Future potential residential development in the eastern portion of the Remaining Parcels Site could involve additional arborist studies as part of CEQA compliance. Landscaping design at the MLC Residential Site and for any future projects in the eastern portion of the Remaining Parcels Site would be required to comply with the requirements of Municipal Code Chapter 20.19. For the reasons described above, the proposed project is not expected to conflict with City policies protecting biological resources, and impacts would be **less than significant**. No mitigation is required.

- f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

**No Impact.** Neither the City's General Plan nor the County's General Plan designates the project site as being within a habitat conservation plan (City of Chino 2010; County of San Bernardino 2014). Furthermore, the project area is not within any of the regional

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conservation plans designated by the state (CDFW 2015). Therefore, implementation of the project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. **No impact** would occur.

### References

CDFW (California Department of Fish and Wildlife). 2015. *California Regional Conservation Plans* [map]. August 2015. Accessed January 7, 2016. <https://www.wildlife.ca.gov/Conservation/Planning/NCCP>.

CDFW. 2016. *Special Animals List*. October 2016. Accessed October 18, 2016. <http://www.dfg.ca.gov/wildlife/nongame/list.html>.

City of Chino. 2010. *City of Chino General Plan 2025*. Prepared by Design, Community, and Environment. July 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.

County of San Bernardino. 2014. *County of San Bernardino 2007 General Plan*. Prepared by URS. Adopted March 13, 2007. Last amended April 24, 2014. Accessed September 23, 2016. <http://cms.sbcounty.gov/lus/planning/generalplan.aspx>.

USFWS (United States Fish and Wildlife Service). 2016. National Wetlands Inventory, *Wetlands Mapper*, Search by Address. Accessed September 27, 2016. <http://www.fws.gov/wetlands/Data/Mapper.html>.

### 3.5 Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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- a) *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

**Less Than Significant Impact.** A California Historical Resources Information System (CHRIS) records search was conducted at the South Central Coastal Information Center (SCCIC) on August 16, 2016, for the proposed project site and a surrounding radius of one mile. The CHRIS search included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list. No previously recorded historical resources were identified within the project area as a result of the records search. The confidential results of the records search and a bibliography of prior cultural resources studies are on record at the City of Chino.

A pedestrian survey of the MLC Residential Site was conducted on September 19, 2016. As a result of the survey, seven previously unrecorded historic-age resources were identified, as shown in Table 3.5-1 (Resources Identified within the MLC Residential Site). These resources include five single-family residences, a former egg farm, and a well system. All resources were recorded and evaluated in consideration of NRHP and CRHR designation criteria and integrity requirements on State of California Department of Parks and Recreation Series 523 forms (Appendix D). A description of the identified resources and a summary of the corresponding evaluation findings are provided in the paragraphs that follow.

**Table 3.5-1  
Resources Identified within the MLC Residential Site**

Resource Identifier	APN	Description	Year Built	NRHP/CRHR Eligibility
13164 Norton Avenue	1019-231-11	Residence	1960	Not eligible
13163-13187 Pipeline Avenue	1019-231-04	Residence at 13163 Pipeline Avenue	1948-1953	Not eligible
	1019-231-02	Residence at 13173 Pipeline Avenue	1948-1953	
	1019-231-02	Residence at 13177 Pipeline Avenue	1948-1953	
	1019-231-01	Residence at 13187 Pipeline Avenue	1948-1953	
	1019-231-01, -02, -03	Former egg farm	1953-1959	
Well System	1019-231-08, -04	Well system	Early to Mid-Twentieth Century	Not eligible



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### **13164 Norton Avenue**

13164 Norton Avenue is a single-story, altered Ranch style residence built in 1960. The building is rectangular in-plan, with a side-gabled/split-level roof sheathed in composition shingles. Exterior walls are clad in textured stucco with applied brick veneer on the primary façade. The front entrance is located on the east elevation, accessed via an arced concrete drive/walkway. Some original windows appear to have been replaced. The backyard features a concrete patio with a small grass area. Beyond the fenced-in backyard at the rear of the property is additional acreage which contains a concrete pad with two prefabricated sheds. Another concrete pad supports a wooden pergola structure with a corrugated metal roof. There is also a metal stable with sorting gates that connects to a corral located on the northeast corner of the parcel with aluminum post fencing and high pole gate.

This property appears to have always functioned as a single-family residence/agricultural property. The property was constructed in 1960 when many other residential tracts were developed in Chino. The area immediately surrounding the property, however, did not become densely developed until the 1990s, at which time the property completely lost its integrity of a rural, agricultural setting. Due to a lack of identified significant associations with events important to history, the property does not appear eligible under NRHP/CRHR Criteria A/1. Archival research failed to indicate any associations with significant persons. Therefore, the property does not appear eligible under NRHP/CRHR Criteria B/2. The property is a Ranch style residence, one of the most popular tract home styles in California in the 1950s and 1960s. Due to a lack of strong character-defining features of the style and a lack of integrity, which includes alteration of the setting, and removal of at least some original windows and doors, the property is not a good example of the style. Building development research failed to provide information regarding the original builder or architect, but it is not likely to be the work of a master. The property also does not appear eligible as a contributing property to an historic district. For these reasons, the property does not appear eligible under NRHP/CRHR Criteria C/3. Finally, the property is unlikely to yield any information important in prehistory or history, and therefore, does not appear eligible under NRHP/CRHR Criteria D/4.

### **13163-13187 Pipeline Avenue**

This property consists of four single-family residences built between 1948 and 1953 with an egg farm located at the rear of the residential buildings. The egg farm (APNs 1019-231-01, -02, and -03) was built between 1953 and 1959, with expansions occurring into the late 1960s-early 1970s. The rear egg farm consists of 10 wood-frame poultry houses

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with corrugated sheet metal roofing. Each structure has an associated metal feed silo located on the south elevation. The poultry houses are shaded with sheets of wooden lath, many of which are in disrepair and are falling off. Other components of the egg farm include: a smaller poultry house that appears to have been partially converted to storage; a corrugated metal warehouse building with most of its original single-hung windows and wooden doors, attached to a converted garage structure on its west elevation; a small wood-frame, metal-clad structure located in the northeastern most corner of the property; and a wood-frame stable with corrugated metal roof and associated corral is located near the southwest corner of the property.

13163 Pipeline Avenue (APN 1019-231-04) is an altered Ranch style residence built between 1948 and 1953. The building is roughly rectangular in-plan with a side-gabled roof sheathed in composition shingles. Decorative vertical wood boards fill the gable on the north and south elevations. Exterior walls are clad in textured stucco with horizontal wood siding applied below the windows on the front (west) elevation. Windows consist of single-hung and horizontal sliding wood frame. Some windows on the side elevations have been replaced. There is a detached garage located at the rear of the residence that has been converted to connect to a metal warehouse building. In 1988, the rear patio was converted to a family room and additional rooms were created.

13173 Pipeline Avenue (APN 1019-231-02) is an altered Minimal Traditional style residence built between 1948 and 1953 located at the rear of 13177 Pipeline Avenue. The building is roughly rectangular in-plan with a cross-hipped roof sheathed in composition shingles. There is a small shed roof extension over the front entrance on the west elevation. The north elevation features a covered carport with a flat roof supported by metal posts. Exterior walls are clad in textured stucco. Two small prefabricated sheds are located in a yard southeast of the residence. All visible windows appear to have been recently replaced with vinyl windows. Other observed alterations include a substantial addition on the north elevation and construction of a carport (1953-1959), a security door on the front entrance, and replacement of the original carport roof supports.

13177 Pipeline Avenue (APN 1019-231-02) is a Minimal Traditional style residence built between 1948 and 1953. The building is roughly rectangular in-plan with a cross-gabled roof clad in composition shingles. The building has a raised concrete foundation. Exterior walls are clad in textured stucco with horizontal siding applied in the gables and below the windows on the front elevation. A brick, gable-wall chimney is located on the north elevation. The front (west) elevation features a covered porch entrance supported by wooden posts. The porch and front entrance are accessed via a raised concrete walk. A side entrance is located on the south elevation accessed via concrete steps. There is a shed

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roof extension over the side entrance with decorative porch supports. Fenestration throughout consists of various sized single-hung, wood-frame windows. Security doors have been added on the west and south elevations. A detached garage is located to the rear of the property at the top of the driveway. The garage features a side gable roof, textured stucco exterior, and a replaced metal roll-up door.

13187 Pipeline Avenue (APN 1019-231-01) is a Minimal Traditional style residence built between 1948 and 1953. The building is roughly square in-plan with a side-gabled roof sheathed in composition shingles. Exterior walls are clad in textured stucco. The front entrance (located on the west elevation) features a front-facing gable wing roof supported by simple wooden posts. The front entrance is situated atop a raised concrete stoop with a simple wooden railing. All visible windows appear to be single-hung with wood frames. A detached garage is located to the rear of the property at the top of the driveway. The garage features a front gable roof, textured stucco exterior, a horizontal sliding window on the south elevation, and a replaced metal roll-up door. To the rear of the garage is a simple metal shed structure.

The property appears to have always functioned as a single-family residence/ agricultural property. While the property appears to represent some of the earliest residential development on present-day Pipeline Avenue and an egg farm, no important historical associations could be identified through archival and building development research. While the egg farm is largely intact, the industrial/utilitarian buildings on the property are in poor condition and lack integrity of their original function. While the grain silos and poultry houses remain, there is relatively little equipment or signage on the property that would convey associations with the history of the poultry industry in Chino or San Bernardino County. The area immediately surrounding the property became densely developed in the 1990s, at which time the property lost much of its integrity of a rural, agricultural setting. The egg farm's lack of integrity of setting, association, and feeling have impacted the property's ability to convey associations with egg farming/agriculture. In addition, the residential buildings on the property are poor/modest examples of their architectural styles, and some have sustained substantial alterations. For all these reasons, the property does not appear eligible under NRHP/CRHR Criteria A/1. Archival research failed to indicate any associations with significant persons. Therefore, the property does not appear eligible under NRHP/CRHR Criteria B/2. The property contains utilitarian buildings associated with egg farming and Ranch/Minimal Traditional style residences, two of the most popular architectural styles in California. Due to a lack of strong character-defining features of the style and a lack of integrity, which include changes to the setting, and numerous alterations, the residences on the property are not a good example of their style. Building development

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research failed to provide information regarding the original builders or architects, but are unlikely to be the work of a master. The property also does not appear eligible as a contributing property to an historic district. For these reasons, the property does not appear eligible under NRHP/CRHR Criteria C/3. Finally, the property is unlikely to yield any information important in prehistory or history, and therefore, does not appear eligible under NRHP/CRHR Criteria D/4.

### Well System

The resource consists of the aboveground elements of a well system that is currently inoperable. The well system includes a Layne & Bowler deep well turbine pump with the discharge head flanged to the east; a steel pipe extends above ground 20 feet east where it elbows to the ground surface and tees at a gate valve; from the gate valve, the pipe continues east three feet to a water tank and north seven feet to what was likely the location of a pressure tank (the tank is no longer present). The pump is wired to an electric control board and circuit breaker, which is four feet southeast of the pump. Overall, the elements of the well system are in fair condition. The pump is corroded and its concrete foundation is cracked and broken; the electric wiring has been dismantled; and the pressure tank is missing. The resource is a common example of well systems installed in Southern California by Layne & Bowler during the early to mid-twentieth century. The well system is a ubiquitous resource and is unlikely to be eligible.

As a result of the historic significance evaluations, all resources were found not eligible for the NRHP and CRHR due to a lack of important historical associations and architectural significance, and compromised integrity. These resources are not considered historical resources under CEQA and no mitigation is required. Therefore, construction and operation of the MLC Residential Site would not cause a substantial change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5, and impacts are considered **less than significant**. No mitigation is required. Future potential residential development on the eastern Remaining Parcels Site could involve additional historical resources assessments as part of CEQA compliance for those projects.

- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

**Less Than Significant Impact with Mitigation Incorporated.** In order to determine the archaeological sensitivity of the project site, background research was conducted for the site, involving a records search, Sacred Lands File search, and communication with local Native American groups.

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The SCCIC records search identified 23 previous studies within a one-mile radius of the project site. One of these studies included a cultural resources investigation of what is now the MLC Residential Site. Brian F. Smith and Associates (BFSA) conducted this Phase I archaeological assessment in 2014 in support of proposed development of the 12-acre property. No prehistoric or historic cultural resources were identified within the study area as a result of the archival research and pedestrian survey. BFSA concluded that there was a low potential for buried archaeological sites within the study area and recommended no further cultural resources mitigation measures for the proposed project.

Four previously recorded cultural resources were reported within a one-mile radius of the project site. All consist of historic-age built environment resources. No previously recorded resources were reported within the project site.

In addition to research conducted through the SCCIC, historic maps and aerial photographs were also consulted to further understand the development of the project site. According to historic aerial photographs, there once stood a residential property in the northeast corner of the vacant parcel along Norton Avenue. The property is visible on the 1938 historic aerial photographs amidst an active orchard (NETR 2012). The orchard was fallow by 1953. The property was further developed by 1964; numerous outbuildings are visible to the north and west of the property. The property was razed sometime between 1980 and 1994. The parcel has remained vacant since the late twentieth century.

As part of the process of identifying cultural resources within or near the project site, the Native American Heritage Commission (NAHC) was contacted to request a review of the Sacred Lands File (SLF) on August 15, 2016. The NAHC emailed a response the following day stating that the SLF search was returned with negative results. A Native American Tribal Contact List was also provided in the NAHC response letter. Tribal groups on this list were contacted in August 2016. A response was received from Chairperson Andrew Salas of the Gabrieleno Band of Mission Indians – Kizh Nation. Chairperson Salas expressed concern over the presence of several Gabrieleno villages near the project area and requested that Native American monitors be present during ground disturbance at the project site. Documents related to the NAHC SLF search are included in Appendix D.

An archaeological survey was conducted at the MLC Residential Site on September 19, 2016. The fallow agricultural land along Norton Avenue was subject to an intensive-level pedestrian survey with transects spaced no more than 15 meters apart. Ground visibility was excellent within these vacant lots. A reconnaissance-level pedestrian survey was conducted within the remaining developed parcels of the MLC Residential Site. This

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method focused the survey effort on identifying all built environment resources constructed more than 45 years ago and opportunistically surveying areas of exposed ground surface for any evidence of prehistoric or historic cultural material. The survey was positive for historic-era built environment resources (see Section 3.5(a)). No surface evidence of archaeological resources was encountered during the survey. Future potential residential development on the eastern Remaining Parcels Site could involve additional archaeological studies as part of CEQA compliance for those projects.

No previously recorded archaeological resources were identified within the project site as a result of the records search. Furthermore, no archaeological resources were identified within the MLC Residential Site as a result of the pedestrian survey. However, because the project site has been used for agricultural purposes for over 50 years and because known razed historic-age properties are within the project site, surficial expressions of archaeological deposits may have been mixed into the plow zone and buried. There still remains the potential for intact cultural deposits beneath this plow zone. Therefore, archaeological and Native American monitoring should occur at least during initial ground disturbance of the proposed project site in order to assess the soil types, stratigraphy, and level of soil disturbance (**MM-CUL-1**).

Additionally, the potential exists for unknown archaeological resources to be inadvertently unearthed during earth-moving activities associated with construction of the proposed project site. In the unexpected event that construction activities unearth intact cultural materials, a potentially significant impact could result, and as such, additional mitigation would be required (**MM-CUL-2**). Impacts to archaeological resources would be **less than significant with mitigation incorporated**.

**MM-CUL-1** Native American and archaeological monitoring of all project-related ground-disturbance activities shall be required. A Native American monitor who has familiarity with the local archaeology, as well as an archaeological monitor, shall be retained at the expense of the applicant. Monitoring activities shall be conducted under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology. If archaeological and Native American resources are encountered during ground-disturbing activities, all earth-disturbing work within 50 feet of the discovery shall be temporarily suspended or redirected until an archaeologist and a Native American Monitor has evaluated the nature and significance of the find. Evaluation of significance for the find may include the determination of whether or not the find qualifies as an archaeological site. Depending upon

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the significance of the find under CEQA (California Code of Regulations Title 14 Section 15064.5(f); Public Resources Code Section 21082), the archaeologist may exhaust the data potential of the find through the process of field-level recordation and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.

**MM-CUL-2** In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.

c) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**Less Than Significant Impact with Mitigation Incorporated.** The project site is located in the City of Chino, within the flat-lying areas east of Chino Hills. In this area, surface-mapped sedimentary deposits, derived as alluvial fan deposits from the San Gabriel Mountains to the north, were transported to their current location by San Antonio Creek to the west (Dibblee and Minch 2002; McLeod 2016). The entire project site is mapped as younger Quaternary alluvium, consisting of alluvial gravel and sand, according to published mapping by Dibblee and Minch (2002). These Holocene, or Recent, deposits presumably overlie older, Pleistocene, or "Ice-Age" deposits at an unknown depth (Dibblee and Minch 2002; McLeod 2016). The coarse-grained, younger, alluvial deposits have a low paleontological resource sensitivity. However, older, finer-grained Pleistocene age deposits in this area have produced scientifically significant vertebrates and have a moderate to high paleontological resource sensitivity (McLeod 2016).

Past excavation and trenching activities in the area surrounding the project site have encountered paleontological resources in older Quaternary alluvial deposits. According to the records search results received from the Natural History Museum of Los Angeles

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County (LACM), the closest fossil locality to the project site within older Quaternary alluvial deposits is located west-northwest of the project area, southwest of the intersection of the Pomona Freeway (Highway 60) and the Corona Freeway (Highway 71). This locality yielded a specimen of prehistoric bison (LACM 8014). In English Canyon, west-southwest of the project site, locality LACM 1728 yielded Pleistocene age mammals, including extinct horse (*Equus*) and camel (*Camelops*) remains at depths between 15 and 20 feet below the ground surface (McLeod 2016).

No paleontological resources were identified within the project site as a result of the institutional records search and desktop geological review. Furthermore, the project site is located within an area that has been previously developed and is likely underlain by fill materials, at least in part. As such, the project site is not anticipated to be underlain by unique geologic features. While the project area has been heavily disturbed by urban development over the years, intact paleontological resources may be present below the original layer of fill material. Given the proximity of past fossil discoveries in the surrounding area and the underlying alluvial fan deposits, the project site is moderately to highly sensitive for supporting paleontological resources. In the event that intact paleontological resources are located on the project site, ground-disturbing activities associated with construction, such as grading during site preparation, have the potential to destroy a unique paleontological resource or site. Without mitigation, the potential damage to paleontological resources during construction would be a potentially significant impact. However, upon implementation of mitigation measure **MM-CUL-3**, impacts would be reduced to below a level of significance. Impacts of the proposed project, are therefore, **less than significant with mitigation incorporated**. No further mitigation is required.

**MM-CUL-3** Prior to commencement of any grading activity on the project site, the applicant shall retain a qualified paleontologist, subject to the review and approval of the City's Building Official, or designee. The qualified paleontologist shall attend the preconstruction meeting and be on-site during all rough grading and other significant ground-disturbing activities. Older Quaternary alluvial deposits may be encountered at depths as shallow as 10 feet below ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontology monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to



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recommence in the area of the find. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) (2010).

*d) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?*

**Less Than Significant Impact with Mitigation Incorporated.** No prehistoric or historic burials were identified within the project site as a result of the cultural resources study. However, the possibility of encountering human remains within the proposed project site exists. The discovery of human remains would require handling in accordance with PRC 5097.98, which states that in the event that human remains are discovered during construction, construction activity shall be halted and the area shall be protected until consultation and treatment can occur as prescribed by law. In the unexpected event that human remains are unearthed during construction activities, impacts would be potentially significant, and as such, mitigation measures are required (**MM-CUL-4**). Impacts are considered **less than significant with mitigation incorporated**.

**MM-CUL-4** In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the Native American Heritage Commission in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the Native American Heritage Commission must immediately notify those persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

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### References

Dibblee, T.W. and J.A. Minch, 2002, Geologic map of the San Dimas and Ontario quadrangles, Los Angeles and San Bernardino Counties, California: Dibblee Geological Foundation, Dibblee Foundation Map DF-91, scale 1:24,000.

McLeod, S.A., 2016. Vertebrate Paleontology Records Check for Paleontological Resources for the Proposed Chino Residential Development Project, Dudek Project #9813, in the City of Chino, San Bernardino County, Project Area. Unpublished Records Search Results Letter from the Natural History Museum of Los Angeles County, Los Angeles, California.

National Environmental Title Research (NETR). 2012. "Historic Aerials" by NETR Online. Accessed on October 17, 2016: <http://www.historicaerials.com/>.

Society of Vertebrate Paleontology (SVP). 2010. Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources. 11 p. Available; <http://vertpaleo.org/PDFS/68/68c554bb-86f1-442f-a0dc-25299762d36c.pdf>.

Smith, Brian F. 2014. Phase I Cultural Resources Survey for Tentative Tract Map 18903, San Bernardino County, California. Prepared for Warmington Residential and the County of San Bernardino. Prepared by Brian F. Smith and Associates, Inc. Report of file at the South Central Coastal Information Center.

### 3.6 Geology and Soils

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:***

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

**No Impact.** According to the United States Geological Survey (USGS), there is one active fault in the Chino area: the Chino-Central Avenue Fault. The fault has two segments that run roughly southeast to northwest and are found on the western edge of the City and just to the west of the City, in the City of Chino Hills. A segment of this fault is located southwest of the project site. As mapped in the City's General Plan, this fault segment crosses Pipeline Avenue just south of the intersection of Pipeline Avenue and Chino Avenue (City of Chino 2010a). The California Geological Survey (CGS) has developed a list of cities affected by surface fault ruptures, referred to as the Alquist-Priolo earthquake fault zones, as required by the Alquist-Priolo Act passed in 1972. The Alquist-Priolo Act prevents the construction of buildings on top of active faults. CGS has determined that the Chino-Central Avenue Fault is subsurface and does not represent a risk of ground rupture in the event of an earthquake. As such, Chino is not found on the list of cities affected by surface fault ruptures (City of Chino 2010a). For these reasons, while the project site is located near an active fault, the site is not

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expected to be subject to rupture of a known earthquake fault as delineated on an Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist. **No impact** would occur.

### *ii) Strong seismic ground shaking?*

**Less Than Significant Impact.** The project site is located within the seismically active Southern California region and, like all locations within the region, is subject to strong seismic ground shaking. Furthermore, a segment of the active Chino-Central Avenue Fault extends southeast–northwest near the project site. As mapped in the City’s General Plan, this fault segment crosses Pipeline Avenue just south of the intersection of Pipeline Avenue and Chino Avenue (City of Chino 2010a). In addition to the Chino-Central Avenue Fault, there are numerous other active fault systems within the greater Southern California region (e.g., the San Andreas, San Jacinto, and Sierra Madre faults) that can cause strong ground shaking at the project site. A large earthquake on the Chino-Central Avenue Fault or other faults in the region could expose the project site to strong seismic ground shaking. The design of proposed structures on the project site would be required to comply with the California Building Code, which sets forth specific requirements for seismic safety, excavation, foundations, retaining walls, and site demolition. The California Building Code is adopted as Title 15 of the City’s Municipal Code, which is the Building and Construction Code for the City of Chino and regulates all building and construction projects within the City (City of Chino 2010b). Furthermore, project-specific recommendations would be provided by a geotechnical engineer prior to issuance of building and grading permits for the MLC residential development and for any future developments proposed for the eastern portion of the Remaining Parcels Site. Project design and construction on the MLC Residential Site and on the eastern portion of the Remaining Parcels Site would be required to comply with all applicable geotechnical recommendations, as well as California Building Code requirements. Compliance with the California Building Code, City Building Division review and approval, and compliance with applicable geotechnical recommendations would minimize risks to structures and people associated with ground shaking. For these reasons, impacts would be **less than significant**. No mitigation is required.

### *iii) Seismic-related ground failure, including liquefaction?*

**Less Than Significant Impact.** Liquefaction occurs when the strength of saturated, loose, granular materials, such as silt, sand, or gravel, is dramatically reduced as a

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result of an earthquake. This earthquake-induced deformation transforms a stable material into a temporary fluid-like state. Liquefaction is restricted to certain geologic and hydrologic environments, primarily areas with recently deposited sands and silts and high groundwater levels. Generally, the younger and looser the sediment, and the higher the water table, the more susceptible the soil is to liquefaction. The City and its planning areas contain soils susceptible to liquefaction. The most susceptible soils are located towards the southern portion of the City, near the Prado Dam, due to the presence of higher groundwater levels in that area (City of Chino 2010b). The project site is located just outside of the City's northwestern border. As such, it is not located within an area that is known for being particularly susceptible to liquefaction. However, site-specific geologic reports would be conducted to identify the geologic conditions and the site's susceptibility to liquefaction for both the MLC residential project and any future projects developed on the eastern portion of the Remaining Parcels Site. Design and construction recommendations would be provided based on the conclusions of site-specific investigations. Additionally, the California Building Code outlines specific design, engineering, and development standards for structures to minimize seismic risks, including hazards associated with liquefaction. The City's Building Division would review the plans and geotechnical investigations for the proposed MLC project and for any future projects proposed for the eastern part of the Remaining Parcels Site. Required compliance with the California Building Code, City Building Division review and approval, and compliance with applicable geotechnical recommendations would minimize the adverse effects of liquefaction on the MLC residential development and on any future residential development in the eastern portion of the Remaining Parcels Site. For these reasons, impacts would be **less than significant**. No mitigation is required.

### *iv) Landslides?*

**No Impact.** No potential landslide areas are found in the City of Chino, or in the City's sphere of influence (City of Chino 2000). The project site is flat and would not pose a substantial risk of landslide-related damage. **No impact** related to landslides would occur.

### *b) Would the project result in substantial soil erosion or the loss of topsoil?*

**Less Than Significant Impact.** The soils in the City and its planning areas are considered to be at a limited risk for wind or water erosion (City of Chino 2010b). Additionally, the project site is located on relatively level ground, which would reduce the likelihood of soil

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erosion. However, earthmoving activities associated with proposed demolition and construction at the project site have the potential to result in soil erosion or loss of topsoil. The construction contractor would be required to implement best management practices (BMPs) to minimize erosion. Because the proposed MLC residential development project would involve a construction area greater than one acre, it would require compliance with the Storm Water Construction Activities General Permit, which requires the construction contractor to prepare and comply with a Storm Water Pollution Prevention Plan. While no development applications have been submitted for the eastern section of the Remaining Parcels Site, it is assumed that future application(s) would involve development on an area greater than one acre, since the eastern portion of the Remaining Parcels Site is 2.41 acres. Storm Water Pollution Prevention Plans must include erosion control measures such as covering exposed soil stockpiles and working slopes, lining the perimeter of the construction site with sediment barriers, and protecting storm drain inlets. During operation, the MLC Residential Site would be covered with buildings, hardscape, and landscaping, which would preclude on-site erosion. Similarly, it is anticipated that buildout of the Remaining Parcels Site would involve constructing buildings, hardscape, and landscaping on the site, which would preclude on-site erosion during operation. However, the proposed project would likely increase the amount of impervious surfaces on the project site, due to the construction of new streets and the proposed increase in development intensity relative to existing conditions. Increasing the amount of impervious surfaces on the site would have the potential to increase the rate and volume of stormwater runoff from the site, thereby leading to an increase in off-site erosion. However, as described in Section 1.4 and as further detailed in Section 3.9, the proposed MLC residential development would involve implementation of stormwater infrastructure on the project site, which would minimize stormwater runoff from the site to the extent feasible. Furthermore, an erosion control plan would require approval by the City prior to the issuance of any grading permits. Any future development project(s) on the eastern portion of the Remaining Parcels Site would be subject to similar standards as the proposed MLC residential development, including standards that require on-site retention and infiltration of stormwater to the extent feasible as well as a City-approved erosion control plan. Adherence to existing regulations and City requirements, as well as implementation of standard construction practices at the MLC Residential Site and in the eastern portion of the Remaining Parcels Site, would ensure that any potential soil erosion impacts of the MLC project and future potential residential developments are reduced to a **less than significant** level. No mitigation is required.

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- c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

**Less Than Significant Impact.** As described under item 3.6(a)(iv), the project site is not located in an area that is susceptible to landslides. The project site and its surroundings are characterized by relatively flat topography. However, soils within the City may be susceptible to liquefaction and subsidence (City of Chino 2010b). As described in the City's General Plan, Chino is situated on an alluvial fan of unconsolidated, coarse- to medium-grained soil. Groundwater levels in and around the City are shallow, generally in the range of 30 feet to 500 feet below the surface. Due to the area's loosely compacted, silty, sandy alluvial soil and shallow groundwater, liquefaction is considered a geologic hazard in the City (City of Chino 2010a). Subsidence is also considered a hazard in the City and its planning areas, due to pumping of the underlying aquifer system and the consequent drainage and compaction of sediments (City of Chino 2010b). As such, the proposed project has the potential to be situated on soils that may be considered unstable. However, as per the City's Public Works Department, all new development in Chino must comply with Government Code Section 66434.5 and the latest edition of Appendix J of the California Building Code. Government Code Section 66434.5 requires submittal of a preliminary soils report to the City's project engineer for review and approval and Appendix J of the California Building Code requires submittal of a soils/geology report to the City's project engineer for review and approval. Together, the reports would be required to investigate the adequacy of building engineering for the local soil conditions, including structural damage from soil instability, prior to the issuance of a building or grading permit (City of Chino 2016). Additionally, the MLC project and future potential development in the eastern portion of the Remaining Parcels Site would be required to be built in accordance with the California Building Code, which outlines specific design, engineering, and development standards for structures to minimize risk associated with unstable soils. The MLC project and future potential development in the eastern portion of the Remaining Parcels Site would be subject to review and plan approval by the City's Building Division prior to issuance of building permits. The Building Division would review project plans to ensure compliance with the California Building Code and with applicable recommendations from the soils/geology reports. Compliance with the current regulations and site-specific recommendations would ensure that all structures are designed and built to current standards to minimize any potential impacts and hazards associated with unstable soils, including liquefaction, landslides, lateral spreading, subsidence, or collapse. The impact of the MLC residential project and of any future residential development in the eastern portion of the Remaining Parcels Site would be **less than significant**. No mitigation is required.

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- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

**Less Than Significant Impact.** The on-site soils are characterized as “Grangeville Fine Sandy Loam.” As identified in the City’s General Plan Environmental Impact Report, this type of soil has a low “shrink-swell” potential, indicating that the potential for the on-site soils to expand and contract is low. Where soils are considered to have a moderate or high shrink-swell potential, soil expansion/contraction can cause damage to buildings, roads, and other structures (National Soil Survey Handbook 2009, as cited in City of Chino 2010b). Since the project site is considered to have low shrink-swell potential, the potential for adverse effects due expansive soils on the site are not anticipated. However, as per the City’s Public Works Department, all new development in Chino must comply with Government Code Section 66434.5 and the latest edition of Appendix J of the California Building Code. Government Code Section 66434.5 requires submittal of a preliminary soils report to the City’s project engineer for review and approval and Appendix J of the California Building Code requires submittal of a soils/geology report to the City’s project engineer for review and approval. Together, the reports would be required to investigate the adequacy of building engineering for the local soil conditions, including structural damage from soil instability, prior to the issuance of a building or grading permit (City of Chino 2016). Incorporation of site-specific geotechnical recommendations, compliance with the California Building Code, and design review by the City as part of the building permit process would minimize the potential for the proposed project to be compromised by expansive soils. As such, impacts related to the proposed project site being located on expansive soil and creating substantial risk to life or property are considered to be **less than significant**. No mitigation is required.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

**No Impact.** The existing uses at the MLC Residential Site are currently supported by a septic system, which would be removed upon implementation of the proposed project. The MLC residential development involves the extension of City sewer lines in order to support the proposed residences and would not require the use of septic tanks or alternative wastewater disposal systems. Similarly, it is anticipated that any future development in the eastern portion of the Remaining Parcels Site would use City sewer services, as all new development in the City is required to connect to the public wastewater collection system (City of Chino 2010b). For these reasons, no septic tanks or other alternative waste water disposal systems would be constructed as part of the proposed project, and **no impact** would occur.



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### References

- City of Chino. 2010a. *City of Chino General Plan 2025*. Prepared by Design, Community, and Environment. July 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.
- City of Chino. 2010b. *General Plan Environmental Impact Report*. Final. Prepared by Design, Community, and Environment. Updated May 21, 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.
- City of Chino. 2016. Personal communication with Michael Bhatanawin, Department of Public Works. Email correspondence February 9, 2016.
- Division of Mines and Geology. 2000. State of California Seismic Hazard Zones – Ontario Quadrangle. Official Map. Released November 17, 2000.
- Division of Mines and Geology. 2000. *State of California Seismic Hazard Zones – Ontario Quadrangle*. November 17, 2000. Accessed October 3, 2016. <http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm>.

### 3.7 Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) ***Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?***

**Less Than Significant Impact.** Greenhouse gases (GHGs) are gases that absorb infrared radiation in the atmosphere. The greenhouse effect is a natural process that contributes to regulating the Earth's temperature. If the atmospheric concentrations of GHGs rise, the average temperature of the lower atmosphere will gradually increase. The effect each GHG has on climate change is measured as a combination of the mass of its emissions

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and the potential of a gas or aerosol to trap heat in the atmosphere, known as its global warming potential (GWP), which varies among GHGs. Total GHG emissions are expressed as a function of how much warming would be caused by the same mass of CO<sub>2</sub>. Thus, GHG gas emissions are typically measured in terms of pounds or tons of CO<sub>2</sub> equivalent (CO<sub>2</sub>E).<sup>5</sup>

Global climate change is a cumulative impact. A project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of GHGs. Thus, GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective (CAPCOA 2008). This approach is consistent with that recommended by the California Natural Resource Agency, which noted in its Public Notice for the proposed CEQA amendments that the evidence indicates in most cases, the impact of GHG emissions should be considered in the context of a cumulative impact, rather than a project-level impact (CNRA 2009a). Similarly, the *Final Statement of Reasons for Regulatory Action* for amendments to the CEQA Guidelines confirms that an environmental impact report or other environmental document must analyze the incremental contribution of a project to GHG levels and determine whether those emissions are cumulatively considerable (CNRA 2009b).

The SCAQMD has not adopted recommended numeric CEQA significance thresholds for GHG emissions for lead agencies to use in assessing GHG impacts of residential and commercial development projects. In October 2008, SCAQMD presented to the *Governing Board the Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold* (SCAQMD 2008). The guidance document was not adopted or approved by the Governing Board. This document explored various approaches for establishing a significance threshold for GHG emissions. The SCAQMD hosted working group meetings and revised the draft threshold proposal several times, although it did not officially provide these proposals in a subsequent document. The most recent working group meeting in September 2010 (SCAQMD 2010), proposed two options lead agencies can select from to screen thresholds of significance for GHG emissions in residential and commercial projects, and proposes to expand the industrial threshold to other lead agency projects. The 200 guidance document and following working group meeting documents have not been adopted or approved by the Governing

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<sup>5</sup> The CO<sub>2</sub> equivalent for a gas is derived by multiplying the mass of the gas by the associated GWP, such that metric tons of CO<sub>2</sub>E = (metric tons of a GHG) × (GWP of the GHG). For example, the GWP for methane (CH<sub>4</sub>) is 21. This means that emissions of 1 metric ton of CH<sub>4</sub> are equivalent to emissions of 21 metric tons of CO<sub>2</sub>.

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Board; however, many lead agencies apply the methodology recommended in the guidance document when appropriate. Per the SCAQMD guidance, construction emissions should be amortized over the operational life of the project, which is assumed to be 30 years (SCAQMD 2009). Accordingly, this analysis adds amortized construction emissions to the estimated total annual operational emissions.

The City of Chino adopted a Climate Action Plan (CAP) in November 2013 to guide the City's efforts to reduce GHG emissions. Standards set forth in the CAP have been adopted in Chapters 15.42, 15.43, and 15.45 of the City's Municipal Code. The CAP has set a goal of 15% reduction in the City's emissions from 2008 levels by 2020. This 15% reduction amounts to a reduction of approximately 209,000 MT CO<sub>2</sub>E per year by 2020 compared to the business as usual forecast. The City anticipates that this reduction goal will be met through implementation of state and regional emissions reduction programs; however, the City is committed to the implementation of local actions that will further reduce the City's GHG emissions. Specifically, the City's CAP identifies reduction goals for a number of emissions sectors. Those most relevant to the proposed project include building energy, on-road transportation, and off-road equipment. The City seeks a 26.1% reduction in building energy-related emissions, a 25.6% reduction in on-road transportation-related emissions, and an 8.9% reduction in off-road equipment emissions.

State measures incorporated into the City's CAP include the Renewable Portfolio Standard, Title 24, and AB 32, among others. Regionally, the CAP includes the San Bernardino County GHG Plan Landfill Controls. Local measures address a variety of emissions sectors, and include measures related to building energy, on-road transportation, solid waste management, wastewater treatment, and water conveyance. Those measures most applicable to the proposed project include energy efficiency standards for new buildings.

The City has adopted the following Green Building Standards (City of Chino 2013):

- Electric Vehicle Charging: Dwellings shall comply with the following requirements for future installation of electric vehicle supply equipment (EVSE).
- Appliance and Equipment Energy Star Rating: Each appliance provided by the builder meets ENERGY STAR if an ENERGY STAR designation is applicable for that appliance.
- Space for Future Solar Installation: A minimum of 300 square feet of unobstructed roof area facing within 30 degrees of south is provided for future solar collector or photovoltaic panels.

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- Low-water Consumption Irrigation System: Install a low-water consumption irrigation system which minimizes the use of spray type heads.
- Water Budget: When landscaping is provided by the builder, a water budget shall be developed for landscape irrigation use that conforms to the requirements of Chapter 20.19 of the Chino Municipal Code.
- Enhanced Construction Waste Reduction: Divert to recycle or salvage at least 65% of non-hazardous construction and demolition debris generated at the site.

The CAP's Measure Local E-2 establishes the GHG Performance Standard for New Development. The project applicant can choose from the following three implementation actions to ensure compliance with the CAP (City of Chino 2013):

- Exceed the mandatory California Energy Code Title 24, Part 6 standards in effect at the time of application submittal by 3%; or
- Achieve an equivalent reduction through voluntary measures in the California Green Building Standards Code, Title 24, Part 11 (CALGreen) in effect at the time of application submittal; or
- Provide other equivalent GHG reductions through measures including but not limited to, non-vehicle transportation infrastructure, transit, ZEV (zero emission vehicle) infrastructure or other incentives, waste diversion, water conservation, tree planting, renewable energy option packages, or any combination of these or other measure such that GHG emissions are reduced by 0.04 MT CO<sub>2</sub>E per residential dwelling unit per year and/or 0.11 MT CO<sub>2</sub>E per thousand square feet (TSF) of commercial/industrial use per year.

### **Construction Emissions**

Construction of the MLC Residential Site would result in GHG emissions that are primarily associated with use of off-road construction equipment and on-road construction and worker vehicles. CalEEMod was used to calculate the annual GHG emissions based on the same construction assumptions used for the air quality analysis, as described in Section 3.3 under item (b). The SCAQMD Draft Guidance Document – Interim CEQA GHG Significance Threshold recommends that, “construction emissions be amortized over a 30-year project lifetime, so that GHG reduction measures will address construction GHG emissions as part of the operational GHG reduction strategies” (SCAQMD 2008). Thus, the total construction GHG emissions were calculated and amortized over 30 years for comparison with the GHG significance threshold of 3,000 MT CO<sub>2</sub>E. The determination of significance, therefore, is addressed in the operational emissions discussion below.

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On-site sources of GHG emissions include off-road equipment, and off-site sources include hauling, including off-site disposal of soil, as well as vendor (delivery) trucks and worker vehicles. Table 3.7-1 (Estimated Construction GHG Emissions – MLC Residential Site) presents construction emissions for the MLC Residential Site from the year 2017 through 2019.

**Table 3.7-1  
Estimated Construction GHG Emissions – MLC Residential Site**

Year	MT CO <sub>2</sub>	MT CH <sub>4</sub>	MT N <sub>2</sub> O	MT CO <sub>2</sub> E
2017	442.42	0.1	0.00	444.93
2018	520.37	0.09	0.00	522.61
2019	26.91	0.00	0.00	27.02
<b>Total</b>	<b>917.33</b>	<b>0.19</b>	<b>0.00</b>	<b>994.56</b>
<b>Amortized Construction emissions</b>				<b>33.15</b>

**Notes:** MT = metric tons; CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>E = carbon dioxide equivalent. See Appendix B for detailed results.

As shown in Table 3.7-1, the estimated total GHG emissions during construction of the MLC Residential Site would be approximately 995 MT CO<sub>2</sub>E. Amortized over 30 years, construction GHG emissions would be approximately 33 MT CO<sub>2</sub>E per year.

### Operational Emissions

Operation of the proposed project would result in GHG emissions from the MLC Residential Site and could result in emissions from the development of the east section of the Remaining Parcel Sites. The estimated operational project-generated GHG emissions from area sources (landscape maintenance), energy use, motor vehicles, solid waste generation, water supply, and wastewater treatment in 2019 (i.e., first full year of project operation) are shown in Table 3.7-2 (Estimated Annual Operational Greenhouse Gas Emissions (Unmitigated) – MLC Residential Project Site and Eastern Portion of the Remaining Parcels Site). Operational emission factors were default values applied in CalEEMod, except for project trip generation, which was obtained from the traffic study prepared for the proposed project. For the potential development of the eastern portion of the Remaining Parcels Site, operational GHG emissions were estimated by assuming full buildout of the site by 2019, based on the proposed zoning and land use. This provides a conservative estimate of emissions, as it is likely that any development in the future would be subject to regulations that are more stringent, such as updated Title 24 standards. Estimated amortized construction emissions of 33 MT CO<sub>2</sub>E per year were added to the total operational emissions.

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**Table 3.7-2**

### **Estimated Annual Operational Greenhouse Gas Emissions (Unmitigated) – MLC Residential Project Site and Eastern Portion of the Remaining Parcels Site**

	MT CO <sub>2</sub>	MT CH <sub>4</sub>	MT N <sub>2</sub> O	MT CO <sub>2</sub> E
Area Sources	14.40	0.15	0.00	15.86
Energy	218.49	0.00	0.00	219.48
Mobile Sources	640.00	0.03	0.00	640.86
Solid Waste	12.48	0.73	0.00	30.93
Water Supply and Wastewater	19.20	0.09	0.00	22.26
<b>Total</b>	<b>904.58</b>	<b>0.89</b>	<b>0.01</b>	<b>928.39</b>
<i>Amortized Construction Emissions</i>	N/A			33.15
<b>Operation + Amortized Construction Total</b>	N/A			<b>961.54</b>
<i>Eastern Section of the Remaining Parcel Sites</i>	N/A			232.20

**Notes:** See Appendix B for detailed results.

MT CO<sub>2</sub> – metric tons carbon dioxide; MT CH<sub>4</sub> – metric tons methane; MT N<sub>2</sub>O – metric tons nitrous oxide; MT CO<sub>2</sub>E – metric tons carbon dioxide equivalent

Differences between individual pollutants and cumulative totals are due to simple rounding.

As shown in Table 3.7-2, estimated annual project-generated GHG emissions in 2019 would be approximately 928 MT CO<sub>2</sub>E per year because of operations at the MLC Residential Site and the eastern portion of the Remaining Parcels site. Vehicles traveling to and from the MLC Residential Site would be the primary source of project-generated GHG emissions. Estimated annual operational emissions and amortized construction emissions of 33 MT CO<sub>2</sub>E per year would be approximately 962 MT CO<sub>2</sub>E per year. The eastern portion of the Remaining Parcels Site could generate approximately 232 MT CO<sub>2</sub>E per year at full buildout under the proposed zoning. However, the eastern portion of the Remaining Parcels Site was not assessed for consistency with the City's CAP, as no development is currently proposed at this site. The CAP's Measure Local E-2 establishes the GHG performance Standard for New Development. The MLC Residential Site would meet the City's CAP Measure Local E-2 by proposing to reduce GHG emissions by at least 0.004 MT CO<sub>2</sub>E per residential dwelling unit per year. Table 3.7-3 (Estimated Annual Operational Greenhouse Gas Emissions (Mitigated) – MLC Residential Project Site and Eastern Portion of the Remaining Parcels Site) shows the estimated annual operational GHG emissions with the inclusion of proposed sustainable design features for the MLC residential project.

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**Table 3.7-3**

### **Estimated Annual Operational Greenhouse Gas Emissions (Mitigated) – MLC Residential Project Site and Eastern Portion of the Remaining Parcels Site**

	MT CO <sub>2</sub>	MT CH <sub>4</sub>	MT N <sub>2</sub> O	MT CO <sub>2</sub> E
Area Sources	14.40	0.01	0.00	14.86
Energy	195.32	0.01	0.00	196.22
Mobile Sources	640.00	0.03	0.00	640.86
Solid Waste	12.48	0.74	0.00	30.93
Water Supply and Wastewater	17.66	0.09	0.00	20.44
<b>Total</b>	<b>879.86</b>	<b>0.88</b>	<b>0.00</b>	<b>903.31</b>
<i>Amortized Construction Emissions</i>	N/A			33.15
<b>Operation + Amortized Construction Total</b>	N/A			<b>936.46</b>
<i>Net Reduction in CO<sub>2</sub>E</i>	N/A			25

**Notes:** See Appendix B.

MT CO<sub>2</sub> – metric tons carbon dioxide; MT CH<sub>4</sub> – metric tons methane; MT N<sub>2</sub>O – metric tons nitrous oxide; MT CO<sub>2</sub>E – metric tons carbon dioxide equivalent

Estimated project-generated construction emissions amortized over 30 years would be approximately 31 MT CO<sub>2</sub>E per year.

As shown in Table 3.7-3, estimated annual project-generated emissions would be approximately 903 MT CO<sub>2</sub>E per year with the MLC Residential Site reducing GHG emissions by 25 metric tons per year. With 44 dwelling units proposed and the incorporation of sustainable design features discussed below, the MLC Residential Site would reduce GHG emissions by 0.56 MT CO<sub>2</sub>E per dwelling unit per year. This would exceed the CAP's threshold for GHG reductions by 0.52 MT CO<sub>2</sub>E per dwelling unit per year. MLC will submit the appropriate certificate of compliance form for residential PERF-IX to city staff for approval as part of their project's entitlement process to show the project demonstrates a reduction of at least 0.04 CO<sub>2</sub>E per dwelling unit per year.

In order to show that the MLC residential project exceeds the CAP's thresholds, the project's design would incorporate and implement a variety of green strategies and actions, as follows:

- High efficiency heating-ventilation-air conditioning (HVAC) systems
- Energy Star appliances
- CFL/LED lighting
- Low-E2 Vinyl Windows
- High performance fixtures
- Spray-foam insulation

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As described above, the City adopted various items from the Green Building Standards Code and made it mandatory for new structures in the City (City of Chino 2013). Those standards applicable to the proposed project may include the following:

- Space for Future Solar Installation: A minimum of 300 square feet of unobstructed roof area facing within 30 degrees of south is provided for future solar collector or photovoltaic panels.
- Low-water Consumption Irrigation System: Install a low-water consumption irrigation system which minimizes the use of spray type heads.
- Water Budget: When landscaping is provided by the builder, a water budget shall be developed for landscape irrigation use that conforms to the requirements of Chapter 20.19 of the Chino Municipal Code.
- Enhanced Construction Waste Reduction: Divert to recycle or salvage at least 65% of non-hazardous construction and demolition debris generated at the site.

Accordingly, since these features are mandatory requirements by the City, the analysis included herein for the proposed project does not take credit for the features as part of calculating the 0.04 MT CO<sub>2</sub>E reduction per dwelling per year.

As stated previously, there is no formally adopted numeric emissions-based threshold by which the City could evaluate whether the proposed project emissions would exceed a threshold of significance as indicated in Section 15064.4(b)(2) of the CEQA Guidelines. However, by demonstrating compliance with the City's CAP, the proposed project would result in a less than significant impact related to GHG emissions. As such, based on MLC's proposed GHG reduction measures and the project's exceedance of the CAP's threshold, (City's CAP Measure Local E-2c), the proposed project would not conflict with the City's CAP. Therefore, impacts are considered **less than significant**. No mitigation is required.

**b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

**Less Than Significant Impact.** The Climate Change Scoping Plan, approved by CARB on December 12, 2008, provides a framework for actions to reduce California's GHG emissions and requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. As such, the Scoping plan is not directly applicable to specific projects. Moreover, the Final Statement of Reasons for the amendments to the CEQA Guidelines reiterates the statement in the Initial Statement of Reasons that, "[t]he



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Scoping Plan may not be appropriate for use in determining the significance of individual projects because it is conceptual at this stage and relies on the future development of regulations to implement the strategies identified in the Scoping Plan” (CNRA 2009b). Under the Scoping Plan, however, there are several state regulatory measures aimed at the identification and reduction of GHG emissions. CARB and other state agencies have adopted many of the measures identified in the Scoping Plan. Most of these measures focus on area source emissions (e.g., energy usage, high-GWP GHGs in consumer products) and changes to the vehicle fleet (hybrid, electric, and more fuel-efficient vehicles) and associated fuels (e.g., LCFS), among others. While state regulatory measures would ultimately reduce GHG emissions associated with the proposed project through their effect on these sources, no statewide plan, policy, or regulation would be specifically applicable to reductions in GHG emissions from the proposed project.

The City has taken steps to address climate change impacts at a local level with the adoption of their CAP in 2013, which is described in detail above. As discussed under item 3.7(a), MLC will meet the City’s CAP Measure Local E-2c, which requires the proposed project to reduce GHG emissions by 0.04 MT CO<sub>2</sub>E per dwelling unit per year. Specifically, the proposed project will meet the City’s CAP Measure Local E-2c by proposing to reduce emissions by approximately 0.56 MT CO<sub>2</sub>E per dwelling unit per year based on information provided by MLC and the CalEEMod default values.

The design of the development proposed at the MLC Residential Site incorporates energy-efficient strategies and infrastructure, including but not limited to, thermal insulation, high-performance fixtures, energy star appliances, and weather sensing irrigation. These strategies are listed in the analysis of the proposed project’s potential to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. MLC will submit the appropriate certificate of compliance form for residential projects (PERF-1X) to City staff for approval as part of their project’s entitlement process to show the project demonstrates a 0.04 MT CO<sub>2</sub>E reduction per dwelling unit per year. Additionally there is no planned development within the Reaming Parcel Sites and any future development of those sites would also be subject to the City’s CAP. As such, based on MLC’s proposed GHG reduction measures and the overall proposed project’s required future compliance with the City’s CAP, impacts are considered less than significant. No mitigation is required.

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### References

CAPCOA (California Air Pollution Control Officers Association). 2008. *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*. January 2008.

City of Chino. 2013. *City of Chino Climate Action Plan*. November 19, 2013.

CNRA (California Natural Resources Agency). 2009a. "Notice of Public Hearings and Notice of Proposed Amendment of Regulations Implementing the California Environmental Quality Act." Sacramento, California: CNRA. [http://www.ceres.ca.gov/ceqa/docs/Notice\\_of\\_Proposed\\_Action.pdf](http://www.ceres.ca.gov/ceqa/docs/Notice_of_Proposed_Action.pdf).

CNRA. 2009b. Final Statement of Reasons for Regulatory Action: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97. December 2009.

SCAQMD (South Coast Air Quality Management District). 2008. *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold*. October 2008. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-%28ghg%29-ceqa-significance-thresholds/ghgattachmente.pdf?sfvrsn=2>.

SCAQMD. 2009b. *Greenhouse Gases CEQA Significance Thresholds Stakeholder Working Group Meeting No. 14*. November 19, 2009. Available at <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ghg-significance-thresholds>.

### 3.8 Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

**Less Than Significant Impact.** The proposed project would include the development of 44 new detached single-family residential homes on the MLC Residential Site and potential future development in the eastern portion of the Remaining Parcels Site. During construction of the MLC project, as well as construction of any future projects on the Remaining Parcels Site, relatively small amounts of commonly used hazardous substances such as gasoline, diesel fuel, lubricating oil, grease, and solvents would be used. These materials would be transported and handled in accordance with all federal, state, and local laws regulating the management and use of hazardous materials. Regulations include requirements for total containment of hazardous materials and disposal of hazardous waste at a waste facility equipped to treat such waste. Use of these materials for their intended purpose would not pose a significant risk to the public or environment. Once construction projects are complete, construction-related hazardous materials would no longer remain on-site.

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Due to the age of buildings on the project site, there is the potential for hazardous building materials such as asbestos-containing material and lead to be present. As such, demolition of existing on-site structures at both the MLC Residential Site and the Remaining Parcels Site could involve removal and disposal of potentially hazardous building materials. In the event that suspect asbestos-containing materials, lead-based materials, or other hazardous building materials are found during demolition at either the MLC Residential Site or the Remaining Parcels Site, such materials would be tested and removed from the existing structures in accordance with applicable local, state, and federal regulations, such as SCAQMD Rule 1403. Upon compliance with these applicable laws involving safe treatment and disposal of asbestos-containing material, lead-based material, or other hazardous building materials, construction activities at the project site would not pose a significant risk to the public or environment.

Hazardous materials that could be used once the proposed project is constructed would include chemical reagents, solvents, fuels, paints, cleansers, pesticides, fertilizers, and miscellaneous organics and inorganics that are used as part of building and landscaping maintenance, as well as vehicle maintenance. Specifically regarding household hazardous materials associated with the proposed residential development, the County of San Bernardino has 14 permanent household hazardous waste collection facilities where materials such as oil, paint, batteries, antifreeze, pesticides, electronic waste, etc., can be safely disposed. The nearest facility to the project site is at the Chino City Public Works Services Center (San Bernardino County Fire Department 2016). Through compliance with local, state, and federal regulations, implementation of the proposed project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials. Impacts are considered **less than significant**. No mitigation is required.

- b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

**Less Than Significant Impact with Mitigation Incorporated.** As described under item 3.8(b), relatively small amounts of commonly used hazardous substances would be used during construction of both the MLC residential development project and future residential project(s) that may be developed in the eastern section of the Remaining Parcels Site. Hazardous substances required for construction and any hazardous materials removed from the existing buildings would be handled, transported, and/or disposed of in accordance with all federal, state, and local laws. Upon required compliance with these existing regulations, upset and accident conditions involving the use of such substances are not reasonably foreseeable.

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Phase One Inc. was contracted to conduct a Phase I Environmental Site Assessment at the MLC Residential Site. Due to the former agricultural use of the site, Phase One Inc. identified the potential for agricultural chemicals to be found within near surface soils. Due to the use of a portion of the MLC Residential Site as an egg farm, Phase One Inc. also identified the potential for methane gas to be produced at the site. There is the potential that agricultural chemicals or methane gas that remain present on the MLC Residential Site could pose a hazard to the public or environment during construction and/or operation of the proposed MLC residential development project. During construction, such chemicals and/or gases could be released during grading. During operation, occupants of the proposed residences could potentially be exposed to agricultural chemicals and gases in the underlying soils. While the Remaining Parcels Site has not supported an egg farm, the presence of agricultural chemicals in the soil is also a possibility, since that site was formerly developed with agricultural uses. Implementation of mitigation measure MM-HAZ-1 would involve safe treatment of any contaminated soils that may be present within the project site.

**MM-HAZ-1** Prior to the issuance of grading permits for development projects at the project site, the applicant shall conduct a Phase 2 Environmental Site Assessment. The Phase 2 Environmental Site Assessment shall include near-surface soil sampling and analysis and shall determine whether any agricultural chemicals (herbicides, insecticides, pesticides, metals) or methane gas is present at the site. A copy of the Phase 2 Environmental Site Assessment shall be submitted to the City of Chino for review. If the Phase 2 Environmental Site Assessment identifies the presence of agricultural chemicals and/or methane gas at levels that present a health hazard, the applicant shall comply with recommendations contained in the Phase 2 Environmental Site Assessment, which could include but are not limited to physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., the Chino Valley Independent Fire Protection District, the City of Chino Public Works Department). If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.

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As discussed under item 3.8(a), the existing structures on the project site may have asbestos-containing materials, lead-based materials, or other hazardous building materials. During demolition of these structures, such materials would have the potential to be released into the environment. In the event that hazardous building materials are present, demolition would have the potential to release such materials into the environment. In the event that this were to occur, the asbestos-containing materials, lead-based materials, or other hazardous building materials that are removed from the existing structures would have the potential to pose a hazard to the workers, the public, and the environment. However, as stated under item 3.8(a), any such materials detected on the project site would be removed and disposed of in accordance with applicable local, state, and federal regulations, such as SCAQMD Rule 1403.

During operation, neither the MLC project, nor future development at the Remaining Parcels Site, are anticipated to involve the use of acutely hazardous materials. Furthermore, as described under item 3.8(a), regulations are in place at the federal, state, and local level that require hazardous materials to be stored, handled, and transported in a manner that minimizes the potential for their release into the environment. Upon compliance with these regulations and implementation of mitigation measure **MM-HAZ-1**, the likelihood of upset or accident conditions involving hazardous materials used during construction and/or operation of the MLC project or future projects at the Remaining Parcels Site would be reduced to the extent practicable. Impacts would, therefore, be **less than significant with mitigation incorporated**. No further mitigation is required.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

**Less Than Significant Impact.** There are several schools within one-quarter mile of the project site: Cornerstone Christian School (0.01 mile west of the project site), Doris Dickson Elementary School (0.2 mile northwest of the project site), and Don Antonio Lugo High School (across the street from the southwest corner of the project site [0.03 mile southwest]) (California Department of Education 2014). Additionally, there is an existing preschool within the project site that would remain in operation under the proposed project. The proposed project would increase the intensity of residential development on portions of the project site (i.e., the MLC Residential Site and the eastern portion of the Remaining Parcels Site).

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Project construction activities used for the MLC residential development and future potential development on the eastern portion of the Remaining Parcels Site may involve the use of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction. Demolition of the existing buildings at the project site would potentially require removal and disposal of hazardous building materials such as asbestos-containing material and lead-based materials. Transportation, storage, use, and disposal of such hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance with regulatory requirements would ensure that children, teachers, staff, and visitors at the nearby schools are not exposed to hazardous materials.

During operation, small quantities of hazardous materials would be used on site, associated with standard operations of residential land uses. There are federal, state, and local laws in place that regulate the handling of hazardous materials. Through compliance with local, state, and federal regulations, it is unlikely that implementation of the proposed project would result in the emission of hazardous materials, substances, or wastes that would pose a threat to nearby schools. As such, impacts are **less than significant** for construction activities and operational activities. No mitigation is required.

- d) *Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**No Impact.** A database search for sites listed on federal and state databases for hazardous materials sites was conducted for the MLC Residential Site. The database search included a one-mile radius around the MLC Residential Site and, therefore, also encompassed the Remaining Parcels Site. The database search was obtained from Environmental Record Search during the Phase I Environmental Site Assessment conducted by Phase One Inc. (see Appendix E for details). One property approximately 400 feet north of the MLC Residential Site is listed on the Historical Underground Storage Tanks list. This list was maintained by the State Water Resources Control Board but is considered historical and is no longer updated. The listed property is 13085 Pipeline Avenue and is listed as the location of “Pauls Oil Supply.” No violations were reported for this business, and the site is currently occupied by a single-family residential structure. As such, this database listing is not anticipated to result in a significant hazard to the public or to the environment. The project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not, therefore, create a significant hazard to the public or to the environment due its location on such a site. **No impact** would occur.

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- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

**No Impact.** The project site is located approximately five miles northwest of the Chino Airport and six miles southwest of the Ontario International Airport (Caltrans 2012). The project is located outside of the designated safety zones and referral zones for the Chino Airport (these are areas where land use restrictions are put in place based upon proximity to a runway) (County of San Bernardino 1991). The project site is outside of the airport influence area and safety zones of the Ontario International Airport and is (City of Ontario 2011). The project site is not located within two miles of a public airport or within planning area boundaries of a public airport. **No impact** would occur.

- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

**No Impact.** There are no private airstrips within the vicinity of the project site (Airnav.com 2016). As such, **no impact** would occur relative to airport-related safety hazards.

- g) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

**Less Than Significant Impact.** The City has adopted a Local Hazard Mitigation Plan and has an Emergency Operations Plan. The Emergency Operations Plan addresses hazard preparedness, response and recovery for earthquakes, hazardous material incidents, flooding, urban flooding, major air crashes, trucking incidents, civil unrest, national security emergency, and terrorism events (City of Chino 2010).

The proposed project would result in 44 new residences on a site that is currently occupied with several residences, an egg farm, and fallow agricultural fields. It would also entail annexation and rezoning of the Remaining Parcels Site, potentially allowing for the construction of 11 single-family residential units in the eastern portion of the Remaining Parcels Site. The reasonably foreseeable buildout of the Remaining Parcels Site could involve removal of one existing single-family residential structure that currently exists in the eastern portion of the Remaining Parcels Site. The proposed project would, therefore, increase the development intensity on a portion of the project site. However, the overall land use of the project site would remain the same as existing conditions (i.e., single-family residential) and the new uses would be consistent with the development intensity and character of surrounding neighborhoods in the City. Development of a portion of the



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project site with single-family residential units of greater density would not impair implementation of or physically interfere with the City's adopted emergency response and evacuation plans. In the event of an emergency, the City's Local Hazard Mitigation Plan and Emergency Operations Plan would be implemented and would proceed in the same manner with or without the proposed project.

During construction at the project site, it is expected that access to all local roads would be maintained, ensuring that emergency vehicles and evacuation routes would not be obstructed. Emergency procedures or design features required by City, state, or federal regulations would be implemented as appropriate during construction and/or operation. Furthermore, additional traffic generated by the proposed project during construction and operation would not significantly impact emergency vehicle response times. The drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic, such that emergency vehicle response times are not typically impacted by minor increases in non-emergency vehicle traffic, such as the traffic that would be generated by the proposed project (see Section 3.16 of this IS/MND). For the reasons described above, impacts involving implementation of, or physical interference with, an adopted emergency response plan or emergency evacuation plan would be **less than significant**. No mitigation is required.

- h) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

**Less Than Significant Impact.** The project site is surrounded by developed uses and does not interface with wildlands. The nearest wildland areas are located in the Chino Hills, approximately two miles west and four miles south of the project site. As shown on Figure SAF-4 in the City's General Plan, the project site is within an area that has "little or no threat" of being exposed to wildland fire. In the unlikely event of a fire emergency at the project site due to wildland fires, the Chino Valley Independent Fire Protection District would provide fire protection services. Due to the distance between the project site and wildlands, as well as the availability of fire protection services in the area, implementation of the proposed project is not likely to expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Impacts are **less than significant**. No mitigation is required.

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### References

- Airnav.com. 2016. Airports search. Accessed October 14, 2016. <http://www.airnav.com/airports/>.
- California Department of Education. 2014. Earth Layer – California Schools. 2014. Accessed April 7, 2016. <http://services.gis.ca.gov/arcgis/rest/services/Society/CaliforniaSchools/MapServer>.
- Caltrans (California Department of Transportation). 2012. Caltrans Earth Layers - Airports. 2012. Accessed February 17, 2015. [www.dot.ca.gov/hq/tsip/gis/caltrans\\_earth/globe\\_content.php](http://www.dot.ca.gov/hq/tsip/gis/caltrans_earth/globe_content.php).
- City of Chino. 2010. *City of Chino General Plan 2025*. Prepared by Design, Community, and Environment. July 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.
- City of Ontario. 2011. *LA/Ontario International Airport Land Use Compatibility Plan*. Prepared by Mead and Hunt. Adopted April 19, 2011. Accessed October 14, 2016. <http://www.ontarioplan.org/alucp-for-ontario-international-airport/>.
- County of San Bernardino. 1991. *Airport Comprehensive Land Use Plan – Chino Airport*. November 1991. Accessed October 14, 2016. <http://cms.sbcounty.gov/lus/Planning/AirportLandUse.aspx>.
- San Bernardino County Fire Department. 2016. “Household Hazardous Waste Collection Facility Locations.” San Bernardino County Fire Department, Household Hazardous Waste Program. Last revised July 2016. Accessed October 10, 2016. <http://www.sbcfire.org/ofm/hhw/HouseholdHazardousWaste.aspx>.

### 3.9 Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) *Would the project violate any water quality standards or waste discharge requirements?***

**Less Than Significant Impact.** Short-term construction activities for the proposed project would have some potential to affect the quality of stormwater discharged from the project site. Land disturbance activities could result in erosion and sedimentation, and spills or leaks of petroleum products used by construction equipment could also affect the quality of stormwater. The currently proposed residential project would result in disturbance to approximately 12 acres of land within the project site. As such,

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compliance with the General Construction Activity Stormwater Permit (Construction General Permit, Order 2009-0009-DWQ) that is issued by the SWRCB would be required. The applicant and/or its contractor would be required to follow the conditions outlined in the Construction General Permit. One of the conditions of the permit is the development and implementation of a Storm Water Pollution Prevention Plan. The Storm Water Pollution Prevention Plan would identify which structural and nonstructural BMPs would be implemented, such as sandbag barriers, dust controls, perimeter controls, drain inlet protection, proper construction site housekeeping practices, and construction worker training. Compliance with the Construction General Permit and the associated Stormwater Pollution Prevention Plan prepared for the project site would result in less than significant impacts to water quality during construction. Additionally, the City has local regulations for stormwater management, some of which would apply to construction of the proposed MLC project. These include Municipal Code Section 13.25.240 (Compliance with Best Management Practices), which states that any person undertaking any activity in the City that could potentially cause or contribute to stormwater pollution or a discharge of non-stormwater shall comply with all applicable BMPs as listed in the California Stormwater Best Management Practice Handbooks or the current San Bernardino County Stormwater Program's "Report of Waste Discharge" to reduce pollutants in stormwater runoff and reduce nonstormwater discharges to the city's municipal separate storm sewer system (MS4) to the maximum extent practicable or to the extent required by law. Similarly, Municipal Code Section 13.25.520 (Best Management Practices) requires that all construction projects that could potentially have an adverse impact on the city's MS4 or waters of the state shall implement appropriate construction and post construction BMPs to reduce pollutants to the maximum extent practicable or to the extent required by law. Compliance with the Construction General Permit and the Municipal Code would ensure implementation of effective BMPs during construction, which would protect stormwater quality and also reduce the quantity of stormwater that is released from the MLC Residential Site during construction. Construction of future, reasonably foreseeable projects in the eastern portion of the Remaining Parcels Site would be subject to similar construction stormwater requirements as the proposed project. As such, stormwater runoff during construction at the Remaining Parcels Site would also be subject to local and state laws requiring implementation of BMPs that reduce stormwater quantity and protect stormwater quality.

Under existing conditions, the project site currently drains to the south at a slope of approximately 1.2%. An existing drainage facility extends through the site and outlets to Chino Avenue. During large storm events, flooding occurs on Chino Avenue, south of the proposed project site. The project site drains into the drainage facility that extends

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through the project site to Chino Avenue. The lack of stormwater BMPs contributes to the existing flooding issue. Under these existing conditions, a 100-year storm event is expected to generate 28.9 cubic feet per second of stormwater runoff (Appendix F).

Under the proposed project, the intensity of use within a portion of the project site would increase relative to existing conditions, and the amount of impervious surfaces is anticipated to increase due to the construction of new residences at a greater density, as well as the construction of new streets associated with the new residential development. Increases in impervious surface typically leads to increased volume of stormwater runoff. Increased intensity of land use on the project site could also increase the potential for stormwater runoff to contain pollutants typical of residential development and residential streets. Stormwater pollutants that could be generated by the project or that could increase upon project implementation include spilled or leaked petroleum products, trash, sediment, fertilizers, and pesticides. During operation, the proposed MLC residential project and any future projects developed on the Remaining Parcels Site would be subject to standards and regulations pertaining to stormwater runoff and MS4 discharges. These standards and regulations, which are summarized in the paragraph below, would reduce the potential effects of project operation for both the MLC residential project and future potential projects in the eastern portion of the Remaining Parcels Site.

Local requirements for water quality and stormwater runoff are set forth in Municipal Code Chapter 13.25 (Stormwater Drainage System Regulations). Specific sections that would address the potential effects of project operation include Section 13.25.500 (Water Quality Management Plan), which requires City approval of a water quality management plan (WQMP) for land development or redevelopment projects. WQMPs are required to identify all BMPs that will be incorporated into the project to control stormwater and non-stormwater pollutants after construction. The WQMP for the MLC residential development project and WQMPs for future projects at the Remaining Parcels Site must demonstrate how the project will comply with all applicable water quality standards and discharge requirements of the City of Chino and the Regional Water Quality Control Board (RWQCB) Region 8 Order Number R8-2010-0036, National Pollutant Discharge Elimination System (NPDES) Number CAS618036. The RWQCB Order Number R8-2010-0036 implements the waste discharge requirements for all of the jurisdictions within San Bernardino County, including the City of Chino. The WQMP for the MLC project and future WQMPs for project(s) at the Remaining Parcels Site would be designed to show how the project would minimize impervious surfaces, retain or treat stormwater runoff from the site, and implement low impact development (LID) designs in a manner that collectively matches the rate and volume of runoff to existing

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conditions. WQMPs address long-term effects on water quality within the basin and ensure that BMPs and LID designs minimize potential water quality concerns to the maximum extent practicable.

A preliminary WQMP and a preliminary Hydrology and Hydraulics Report has been prepared for the proposed MLC residential project and are attached to this IS/MND as Appendix F. The proposed stormwater infrastructure for the MLC project is described in Section 2.1 of this IS/MND. During small storm events, stormwater would be conveyed to two proposed infiltration basins. The project includes the extension of a master plan storm drain in Pipeline Avenue northward to the MLC Residential Site. Overflow from the proposed infiltration basins and stormwater generated from large storm events would drain to the proposed extension of the master plan storm drain in Pipeline Avenue and would be conveyed to the Pipeline Avenue storm drain via a proposed on-site storm drain. The master plan storm drain in Pipeline Avenue drains to Chino Creek Reach 2. Chino Creek Reach 2 is listed in the Final 2012 California Integrated Report (Clean Water Act Section 303(d) List) as an impaired water body. It is listed as impaired for coliform bacteria and pH. There is an approved bacterial indicator Total Maximum Daily Load (TMDL) for the Middle Santa Ana River, which includes Chino Creek Reach 2. The County of San Bernardino has an approved Comprehensive Bacteria Reduction Plan, which addresses excessive levels of bacteria in impaired Middle Santa Ana River waterbodies. Agricultural uses typically contribute to excessive levels of bacteria. Because the proposed project would result in the replacement of an egg farm with residential structures, it would in fact eliminate a potential source of coliform from the area drained by Chino Creek Reach 2. No TMDLs have been established to date for pH levels in Chino Creek Reach 2, and proposed residential development at the project site is not anticipated to affect the pH of Chino Creek Reach 2 (Santa Ana RWQCB 2012; 2016). Residential development is not a major source of bacterial pollutants or of pH issues. Due to the elimination of a potential bacteria source and due to the limited size of the project site relative to the watershed, the proposed project is not anticipated to adversely affect water quality standards that have been established for Chino Creek Reach 2.

Under the proposed MLC residential project, the stormwater volume from a 100-year storm event is expected to be reduced when compared to existing conditions. Pre-project (existing) volumes are expected to be 28.9 cubic feet per second, while post-project (proposed) volumes are expected to be 22.1 cubic feet per second. As such, the proposed MLC residential project would reduce runoff from the site. Furthermore, the WQMP sets forth preventative LID site design practices, non-structural source control BMPs, and structural source control BMPs. These measures include education of property owners,

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tenants, and occupants on stormwater BMPs that eliminate or reduce pollution during property improvements; preparation of a spill contingency plan; inspection of catch basins; installment of signs above storm drain inlets to warn the public of prohibitions against waste disposal; and, installation of rain sensors into the on-site sprinkler system to avoid unnecessary watering during storm events (Appendix F). See Appendix F for the complete list of proposed BMPs. Upon implementation of the WQMP for the MLC project, operation of the project is not expected to violate water quality standards or waste discharge requirements. Compliance with applicable water quality standards and waste discharge requirements would also be required for future development projects at the Remaining Parcels Site. Note that standards and requirements for new development and redevelopment are subject to change; future development at the Remaining Parcels Site would be required to comply with the adopted standards and requirements that are in place when and if those future project(s) are undertaken. In summary, compliance with the terms and conditions of the Construction General Permit and the current NPDES permit is required by state law, and the applicant and/or its contractor would also be required to further address water quality impacts in compliance with the City regulations described above. Required compliance with state and local regulations reduces impacts **less than significant**. No mitigation is required.

- b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?*

**Less Than Significant Impact.** The City is underlain by groundwater resources associated with the Chino Groundwater Basin. The City's Water Utility relies on groundwater resources from this groundwater basin for a portion of its total water supply. The project site does not contain any active water wells. An inoperable water well is located at the northeast corner of the project site, adjacent to Norton Avenue. (This well would be abandoned upon implementation of the MLC residential development.) Development on the project site would be required to connect to the City's municipal water system. No water wells would be constructed on the project site. Because the project would increase the residential density on a portion of the project site, it would increase the water demand of the project site relative to existing conditions. However, the proposed MLC project and any future projects in the eastern portion of the Remaining Parcels Site would be developed in compliance with the California Green Building Code

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(which implements water efficiency standards for appliances and fixtures) and would constitute a minor portion of the total groundwater supplies managed by the City.

Implementation of the proposed project would also increase the amount of impervious surfaces on the project site. The increase in impervious surfaces would reduce the site's ability to infiltrate surface water into the Chino Groundwater Basin. However, a majority of the groundwater recharge in the Chino Groundwater Basin occurs north of the City of Chino within percolation basins (Chino 2010 and CBWM 2006, as cited in City of Chino 2016). The project site is not located within one of these percolation basins. Furthermore, portions of residential lots would remain pervious, such as front yards and backyards. For these reasons, the proposed project would not increase water demand such that groundwater supplies would be substantially depleted, nor would it substantially interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Impacts would be **less than significant**, and no mitigation is required.

- c) *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*

**Less Than Significant Impact.** No streams, rivers, wetlands, or other waterbodies are located on, or adjacent to, the project site. As such, the proposed project would not result in the alteration of the course of a stream or river. Construction activities at the project site would result in ground surface disruption during grading and excavation that could create the potential for erosion to occur. Construction contractors would be required to implement Storm Water Pollution Prevention Plans, as described under Section 3.9(a), and would also be required to adhere to City regulations requiring implementation of BMPs to reduce pollutants to the maximum extent practicable (Municipal Code Sections 13.25.240 and 13.25.520). The Storm Water Pollution Prevention Plan and the BMPs required by Municipal Code Sections 13.25.240 and 13.25.520 would result in minimized on-site and off-site erosion through implementation of devices such as sandbag barriers, dust controls, perimeter controls, drain inlet protection, and proper construction site housekeeping practices. Implementation of these best management practices would minimize the amount of erosion and/or siltation that would have the potential to occur during construction and would ensure that construction impacts would be less than significant at both the MLC Residential Site and in the eastern portion of the Remaining Parcels Site.

During operation of the MLC project and any future potential developments in the eastern portion of the Remaining Parcels Site, the area of development would be covered



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with buildings, hardscape, and landscaping, which would preclude on-site erosion and siltation. Changes in drainage patterns are proposed in association with the MLC project and are also a reasonably foreseeable component of future development in the eastern portion of the Remaining Parcels Site. Under the proposed MLC residential development, the segment of the existing concrete drainage facility that extends through the center of the MLC Residential Site would be removed. As such, runoff from the MLC Residential Site and the neighborhood to the north would no longer be conveyed to Chino Avenue via the concrete drainage facility. Rather, stormwater would be infiltrated on site through two proposed infiltration basins. For larger storm events, stormwater would be conveyed off site via the proposed extension of a storm drain within Pipeline Avenue. These changes in drainage patterns are expected to reduce runoff volumes and to alleviate flooding issues on Chino Avenue. By reducing stormwater volumes and alleviating flooding, the proposed changes in drainage patterns are expected to improve conditions that potentially lead to erosion. Similar changes in drainage patterns would likely be associated with new development in the eastern portion of the Remaining Parcels Site, as such development would be subject to compliance with modernized stormwater BMPs, such as LID design practices and requirements to infiltrate or retain stormwater on site to the extent feasible. As such, it is expected that the operation of a future potential development project on the eastern portion of the Remaining Parcels Site would also lead to decreased runoff volumes, thereby reducing the potential for on- or off-site erosion. For these reasons, impacts would be **less than significant**. No mitigation is required.

- d) *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

**Less Than Significant Impact.** As described under item 3.9(c), no streams, rivers, wetlands, or other waterbodies are located on, or adjacent to, the project site. As such, the proposed project would not result in the alteration of the course of a stream or river. Construction of the currently proposed MLC project and future potential projects at the Remaining Parcels Site would result in ground surface disruption during grading and excavation, temporarily altering the existing drainage pattern of the construction site. However, compliance with required project-specific Storm Water Pollution Prevention Plans and the City regulations described under item 3.9(a) would result in implementation of construction stormwater BMPs such as the use of run-off control devices. These required BMPs would ensure that flooding on- or off-site is minimized during construction, to the extent practicable. These standard construction control

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procedures would ensure that a **less-than-significant impact** would occur during construction activities at both the MLC Residential Site and for any future development in the eastern section of the Remaining Parcels Site.

As described under item 3.9(c), the proposed changes in drainage patterns on the MLC Residential Site are anticipated to reduce flooding, since stormwater would be infiltrated on site or, for a larger storm event, would be conveyed off-site via an extended storm drain within Pipeline Avenue. Similar improvements are anticipated to occur under future projects at the Remaining Parcels Site, as new development and redevelopment projects would be required to comply with modernized standards for stormwater runoff and control, such as on-site infiltration and other LID design practices. As such, during operation of both the proposed MLC project and future potential project(s) in the eastern portion of the Remaining Parcels Site, the rate and amount of surface runoff is anticipated to decrease, such that the potential for flooding on site and off site would be reduced. As such, impacts would be **less than significant**, and no mitigation is required.

- e) *Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

**Less Than Significant Impact.** As described under items 3.9(a), 3.9(b), and 3.9(c), the proposed project is expected to reduce the volume of stormwater runoff from the project site. Additionally, compliance with the WQMP for the proposed MLC project would minimize runoff pollutants through on-site infiltration of runoff, preventative LID site design practices, non-structural source control BMPs, and structural source control BMPs. Similar runoff water quality regulations and standards would be required for any future development in the eastern portion of the Remaining Parcels Site.

The proposed extension of the existing storm drain within Pipeline Avenue has been sized based on calculations of the 100-year storm runoff from the proposed MLC project and the residential neighborhood to the north that currently drains to the existing on-site drainage facility. As such, the currently proposed drainage system has been designed to accommodate the runoff from the MLC Residential Site and the sites to the north that currently drain through that site. Similarly, any drainage infrastructure proposed for future potential development in the eastern portion of the Remaining Parcels Site would be designed to accommodate runoff from that site.

The proposed storm drain extension within Pipeline Avenue would connect to an existing storm drain located at the intersection of Pipeline Avenue and Chino Avenue. This storm

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drain would then convey site runoff into Chino Creek Reach 2, which ultimately drains into the Prado Flood Control Basin. The existing storm drain to which the proposed storm drain extension would connect is anticipated to have sufficient capacity to convey runoff in a larger storm event from the proposed MLC Residential Site and the parcels to the north that currently drain through the project site, as they have been designed to accommodate runoff from those areas. For these reasons, impacts would be **less than significant**. No mitigation is required.

*f) Would the project otherwise substantially degrade water quality?*

**Less Than Significant Impact.** No other potential impacts on water quality would occur outside of those discussed under items 3.9(a) through 3.9(e) above. Therefore, impacts to water quality would be **less than significant**. No mitigation is required.

*g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

**No Impact.** The project site is not located within a 100-year flood hazard area (DWR 2016). As such, the proposed project would not place housing within a 100-year flood hazard area, and **no impact** would occur.

*h) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

**No Impact.** The project site is not located within a 100-year flood hazard area (DWR 2016). As such, the proposed project would not place structures within a 100-year flood hazard area, and **no impact** would occur.

*i) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

**No Impact.** As stated under item 3.9(g), the project site is not located within a 100-year flood zone or plain. Prado Dam creates a flood risk when the water levels rise to the top of the dam. However, the project site is located 10 miles northwest from the Prado Dam and is situated well outside of the mapped inundation area for the dam (City of Chino 2010a). As such, the proposed project is not expected to expose people or structures to significant risks attributable to flooding. **No impact** would occur.

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### j) *Inundation by seiche, tsunami, or mudflow?*

**No Impact.** Seiches are earthquake-induced waves in enclosed bodies of water, such as lakes or reservoirs. As stated in the City's General Plan Environmental Impact Report, the potential risk of seiche is low in Chino (City of Chino 2010b). The proposed project is not located within proximity to an inland water body having the potential to produce a seiche that would inundate the project site. The risk of a seiche affecting the project is low. No Impact would occur.

A tsunami is a sea wave generated by an underwater seismic disturbance, such as sudden faulting or landslide activity. As stated in the City's General Plan Environmental Impact Report, the area is not at risk of tsunamis (City of Chino 2010b). The project site is not located near any coastal areas. The project site is located approximately 30 miles inland from the Pacific Ocean, at an elevation of around 700 feet above mean sea level. The risk of a tsunami affecting the project site is low. No impact would occur.

Mudflow is a response to heavy rainfall in steep terrain (made more likely in recent burn areas). As stated in the City's General Plan Environmental Impact Report, the area is not at risk of mudflows (City of Chino 2010b). The project site is not anticipated to be subject to significant mudflows, since there are no slopes or mountainous areas within proximity to the project site that could create a mudflow risk. The project site is located within a suburban, flat area. **No impact** would occur.

### References

- City of Chino. 2016. *Draft Environmental Impact Report Brewer Site Project*. SCH No. 2014121022. Prepared by T&B Planning Inc. September 17, 2016. Accessed October 11, 2016. <http://www.cityofchino.org/government-services/community-development/environmental-documents>.
- City of Chino. 2010a. *City of Chino General Plan 2025*. Prepared by Design, Community, and Environment. July 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.
- City of Chino. 2010b. *General Plan Environmental Impact Report*. Final. Prepared by Design, Community, and Environment. Updated May 21, 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.
- DWR (Department of Water Resources). 2016. *Best Available Maps*. Accessed October 17, 2016. <http://gis.bam.water.ca.gov/bam/>.

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Santa Ana RWQCB (Santa Ana Regional Water Quality Control Board). 2012. *2012 Integrated Report – 303(d) Listed Waters*. Map. 2012. Accessed December 16, 2016.  
[http://www.waterboards.ca.gov/water\\_issues/programs/tmdl/integrated2012.shtml](http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2012.shtml).

Santa Ana RWQCB. 2016. “TMDLs for Middle Santa Ana River.” Webpage. Accessed December 16, 2016. [http://www.waterboards.ca.gov/rwqcb8/water\\_issues/programs/tmdl/msar\\_tmdl.shtml](http://www.waterboards.ca.gov/rwqcb8/water_issues/programs/tmdl/msar_tmdl.shtml).

### 3.10 Land Use and Planning

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) *Would the project physically divide an established community?***

**Less Than Significant Impact.** The project site is located in a residential area. The proposed project would include the development of 44 new detached single-family homes adjacent to existing single-family dwellings, as well as rezoning of the Remaining Parcels Site. The proposed rezoning could result in future residential development on the eastern portion of the Remaining Parcels Site that would represent an increase in density relative to existing conditions. The project site is surrounded by residential uses to the north, east, south, and west, and an existing park to the southeast. The proposed residential use for the project site is compatible with the existing residential communities adjacent to the project site. Therefore, the proposed project would not physically divide an established community. Impacts would be **less than significant**, and no mitigation is required.

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- b) *Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

**Less Than Significant Impact.**

### ***MLC Residential Site***

The MLC Residential Site is currently subject to the County of San Bernardino General Plan and Development Code. The entirety of the MLC Residential Site is zoned and designated by the County as RS-20M, which allows for single-family residential development with a minimum lot size of 20,000 square feet and similar and compatible uses (County of San Bernardino 2015). This equates to approximately one lot per 0.5 acre. The City has also assigned a General Plan land use designation to the MLC Residential Site, since the project site is within its sphere of influence. As described in Section 1.4 of this IS/MND, the project site is designated as RD 2 in the City's General Plan, indicating that single-family residential units can be constructed at a density of 2 dwelling units per acre. This density is similar to the density that is currently allowed by the County General Plan and Development Code. Under the proposed project, single-family residential units would be constructed on the MLC Residential Site at a density of 3.9 units per acre. As such, while the proposed residential use of the MLC Residential Site is consistent with existing general plan and zoning designations for both the County and the City, the MLC project's density would be inconsistent with existing land use policy. As such, the proposed project would involve a General Plan Amendment and rezoning of the MLC Residential Site to allow for the proposed residential density at the MLC Residential Site. Upon approval of the proposed project and the associated General Plan Amendment and zoning designations, the proposed MLC Residential Project would be consistent with the City's General Plan and Zoning Code, and impacts would be **less than significant**. No mitigation is required.

### ***Remaining Parcels Site***

Upon approval of the proposed project, the Remaining Parcels Site would be annexed into the City. Under current City General Plan land use designations, the eastern portion of the Remaining Parcels Site and the northwestern portion are RD 2 (see Figure 2-2). The southwestern portion is designated NC. However, with the exception of the preschool property, the southwestern portion is developed with single-family residential uses at a density of approximately two units per acre. As such, while this area is

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designated as NC, it has been developed consistent with the RD 2 land use and zoning designation. Upon annexation into the City, the western portion of the Remaining Parcels Site would be designated as RD 2, consistent with the existing development pattern. Note that this proposed designation is also generally consistent with the existing County designation of RS-20M. Both RS-20M (existing) and RD 2 (proposed) allow for single-family residential units at a density of approximately 2 units per acre and also allow for accessory agricultural uses. The designation of RS-20M (existing) and RD 2 (proposed) are both reflective of the types of uses and the approximate density of existing residential development on the western portion of the Remaining Parcels Site. As explained in Chapter 2, it is not anticipated that any new development would occur in the western portion of the Remaining Parcels Site upon approval of the project, since the project would not result in a substantial change in allowable residential density. Similarly, no changes in land use are anticipated for the preschool property in the southwestern corner of the Remaining Parcels Site. This property is currently designated and zoned as RS-20M by the County and is designated as NC (Neighborhood Commercial) in the City's General Plan. Under the proposed project, this property would be brought into the City and officially zoned and designated as Neighborhood Commercial, consistent with the existing use of the property. As such, while the land use and zoning designations would change in the western portion of the Remaining Parcels Site upon annexation, no changes from the current land uses are anticipated, and these existing land uses are consistent with the proposed land use and zoning designation. As such, no impact would result relative to inconsistency with land use plans and policies.

Upon annexation into the City, the eastern portion of the Remaining Parcels Site would be designated and zoned as RD 4.5. Under the proposed project, the allowable development in the eastern portion of the Remaining Parcels Site would be inconsistent with the existing land use designation of RS-20M that has been assigned by the County and with the existing land use designation of RD 2 that has been assigned by the City. The proposed designation of RD 4.5 would allow for single-family residential development at a greater density relative to what is currently allowed by the existing land use and zoning designations and relative to existing conditions on this site. The eastern portion of the Remaining Parcels Site currently supports one residential unit and accessory animal-keeping uses; under the proposed project, the new land use and zoning designation of RD 4.5 would allow for potential future development of 11 single-family residential units on this portion of the Remaining Parcels Site. While the proposed zoning and land use designations at this site would be consistent with the existing County and City land use designations of single-family residential, the proposed designation would allow for increased density relative to what is currently allowed by the County. Upon

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project approval, the Remaining Parcels Site would be officially designated as RD 4.5. Future development at this site would be required to conform to the proposed new zoning and general plan land use designations and would, therefore, be consistent with the adopted land use policies for this site. As such, impacts would be **less than significant**, and no mitigation is required.

c) ***Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?***

**No Impact.** Neither the City's General Plan nor the County's General Plan designates the project site as being within a habitat conservation plan or a natural community conservation plan (City of Chino 2010; County of San Bernardino 2014). Furthermore, the project area is not within any of the regional conservation plans designated by the state (CDFW 2015). Therefore, implementation of the project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. **No impact** would occur.

### References

CDFW (California Department of Fish and Wildlife). 2015. *California Regional Conservation Plans* [map]. August 2015. Accessed January 7, 2016. <https://www.wildlife.ca.gov/Conservation/Planning/NCCP>.

City of Chino. 2010. *City of Chino General Plan 2025*. Prepared by Design, Community, and Environment. July 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.

County of San Bernardino. 2015. *County of San Bernardino 2007 Development Code*. Adopted March 13, 2007. Last amended August 27, 2015. Accessed September 30, 2016. <http://cms.sbcounty.gov/lus/planning/developmentcode.aspx>.

County of San Bernardino. 2014. *County of San Bernardino 2007 General Plan*. Prepared by URS. Adopted March 13, 2007. Last amended April 24, 2014. Accessed September 23, 2016. <http://cms.sbcounty.gov/lus/planning/generalplan.aspx>.



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### 3.11 Mineral Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

**No Impact.** According to the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, there are no oil, gas, geothermal, or other known wells on the project site (DOGGR 2016). As such, the proposed project would not have the potential to interfere with extraction of oil, gas, or geothermal resources.

The project site is located within the Claremont-Upland Production-Consumption region for Portland Cement Concrete-grade aggregate (CGS 2007). A majority of the project site is mapped within Mineral Resource Zone 3, and a small section in the western portion of the project site is mapped within Mineral Resource Zone 1 (CGS 2007, Division of Mines and Geology 1995).<sup>6</sup> Mineral Resource Zone 1 is a designation given to areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources. Mineral Resource Zone 3 is a designation given to areas containing known or inferred mineral occurrences of undetermined significance (CGS 2007). The proposed project is located in a residential area and does not support any mineral extraction activities. Due to the residential nature of the project site and its surroundings, as well as the absence of known, significant mineral resources as mapped by the state, project implementation is not anticipated to result in loss of availability of a known mineral resource of value to the region and residents of the state. **No impact** to state or regionally important mineral resources would occur.

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<sup>6</sup> The Division of Mines and Geology was re-named the “California Geological Survey” in 2006.

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- b) *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

**No Impact.** The City's General Plan incorporates by reference the Mineral Resource Zone designations that have been mapped by the state. As described under item 3.11(a), the proposed project is located along the boundary of Mineral Resource Zone 1 and Mineral Resource Zone 2. The General Plan states that the Mineral Resource Zone 1 areas that occur within the City's planning area consist of rocks unsuitable for commercial use, such as shale, siltstone, carbonates, and chlorite-schist, as well as fine-grained sedimentary deposits that are unsuitable for use as aggregate. Areas designated as Mineral Resource Zone 3 within the planning area contain sand and gravel deposits; however, there is insufficient data to ascertain whether these mineral deposits are significant. As stated in the General Plan, there is a projected demand of 240 million tons of aggregate for the Claremont-Upland Production-Consumption Region until the year 2056, and the region may experience a shortage. If a shortage occurs, the region may require imported aggregate from surrounding regions and would need to implement aggregate conservation strategies (City of Chino 2010).

While a portion of the project site is situated within an area that could potentially contain sand and gravel deposits (Mineral Resource Zone 3), the project site is surrounded by residential development to the north, east, south, and west. A public school and a City park are also located to the south and an existing preschool is located in the southwest corner of the project site, which would remain in operation for the foreseeable future. As such, a sand and gravel extraction plant on the project site would not be compatible with the surrounding land uses. Furthermore, the project is not designated as a locally important mineral resource recovery site on a local general plan, specific plan, or other land use plan. Rather, the project site is designated for residential and commercial land uses. There are no known planned aggregate production activities within the project site, and the project site has not been used for aggregate production activities in the past. As such, development of a portion of the project site with residential land uses of an increased intensity would not result in the loss of availability of a locally important mineral resource recovery site. As such, **no impact** would occur.

### References

City of Chino. 2010. *City of Chino General Plan 2025*. Prepared by Design, Community, and Environment. July 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.

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CGS (California Geological Survey). 2007. *Updated Mineral Land Classification Map for Portland Cement Concrete-Grade Aggregate in the Claremont-Upland Production-Consumption (P-C) Region, Los Angeles and San Bernardino Counties, California*. [map]. 1:100,000. Prepared by Russell V. Miller and Lawrence L. Bush. 2007. Accessed October 17, 2016. <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>.

Division of Mines and Geology. 1995. *Mineral Land Classification of a Part of Southwestern San Bernardino County: The San Bernardino Valley Area, California (West)*. [map]. 1:48,000. Prepared by Dinah O. Shumway with assistance from Michael A. Silva. 1995. Accessed October 17, 2016. <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>.

DOGGR (California Department of Conservation, Division of Oil, Gas, and Geothermal Resources). 2016. DOGGR Well Finder. Accessed October 17, 2016. <http://maps.conservation.ca.gov/doggr/#close>.

### 3.12 Noise

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Existing Noise Conditions

Currently, the MLC Residential Site generates noise associated with the existing Voortman's Egg Farm operations and existing residential activities such as conversations; music; noise from Heating, Ventilation, and Air Conditioning (HVAC) equipment; noise from landscape maintenance; engine start-ups; car alarms; and noise from vehicles entering and exiting the project site. Additionally, the project site and surrounding area is subject to traffic noise associated with adjacent roadways including Pipeline Avenue, Norton Avenue, and Chino Avenue.

Noise measurements were conducted on and near the project site in August 2016 to characterize the existing noise environment. The daytime, short-term (1 hour or less) attended sound level measurements were taken with a Rion NL-52 sound-level meter. This sound-level meter meets the current American National Standards Institute (ANSI) standard for a Type 1 precision sound-level meter. The calibration of the sound level meter was verified before and after the measurements were taken, and the measurements were conducted with the microphone positioned approximately five feet above the ground.

Six noise measurement locations (ST1–ST6) which represent key potential sensitive receptors or sensitive land uses were selected on, adjacent to, or near, the project site. The measurement locations are shown in Figure 3.12-1 (Noise Measurement and Modeling Locations), and the measured average noise levels and measurement locations are provided in Table 3.12-1 (Measured Noise Levels). Noise measurement data is also included in Appendix G. The primary noise sources at the measurement locations consisted of existing on-site activities and traffic along the adjacent roads.

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**Table 3.12-1  
Measured Noise Levels**

Receptors	Location/Address	Date	Time	L <sub>eq</sub> (dBA)	L <sub>max</sub> (dBA)
ST1	Across the street from the single family residence located at 4305 Rushmore Court Chino, California 91710; eastern portion of the project site	August 23, 2016	9:55 a.m. – 10:10 a.m.	61.2	79.9
ST2	Northwestern portion of the project site located at 13177 Pipeline Avenue Chino, California 91719	August 23, 2016	11:16 a.m. – 11:30 a.m.	66.7	76.1
ST3	Single-family residence located at 4257 Biscayne Street Chino, California 91710; north of the project site	August 23, 2016	10:15 a.m. – 10:30 a.m.	62.5	84.5
ST4	Single-family residence located at 13134 Pipeline Avenue Chino, California 91710; west of the project site	August 23, 2016	11:36 a.m. – 11:51 a.m.	67.6	78.5
ST5	Heritage Park located at 13200-13224 Norton Avenue Chino, California 91710	August 23, 2016	9:36 a.m. – 9:51 a.m.	56.5	69.2
ST6	4124 Chino Avenue Chino, California 91710; southern portion of the project site	August 23, 2016	10:50 a.m. - 11:05 a.m.	64.8	81.1

**Source:** Appendix G

**Note:** L<sub>eq</sub> = equivalent continuous sound level (time-averaged sound level); L<sub>max</sub> = maximum sound level during the measurement interval

- a) *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

**Less Than Significant Impact with Mitigation Incorporated.** On-site noise-generating activities associated with the proposed project would include short-term construction, as well as long-term operational noise associated with the proposed project. The proposed project would also generate off-site traffic noise along adjacent roadways (specifically along Pipeline Avenue and Norton Avenue for the MLC residential project; and specifically along Norton Avenue for potential future development of the eastern portion of the Remaining Parcels Site). In addition, the proposed residences on-site will be subject to traffic noise from Pipeline Avenue, Norton Avenue, and Chino Avenue. The short-term, construction-related noise impacts of the proposed project are analyzed below, followed by a discussion of the long-term operational noise impacts of the proposed project.

### **Construction Noise (Short-Term Impacts)**

Construction noise and vibration are temporary phenomena. Construction noise and vibration levels vary from hour to hour and day to day, depending on the equipment in use, the operations being performed, and the distance between the source and receptor.

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Project construction is anticipated to commence in April 2017 and would require approximately 21 months to complete, ending January 2019. Construction of the proposed project would include demolition of existing structures on-site, grading, utility installation or trenching, building construction, paving, and application of architectural coatings.

Equipment that would be in operation during construction would include concrete/ industrial saws, excavators, rubber tired dozers, graders, scrapers, tractors/ loaders/ backhoes, trenchers, cranes, forklifts, welders, generator sets, rollers, pavers, paving equipment, cement and mortar mixers, and air compressors. The types of construction equipment that would be used to construct the proposed project include standard equipment that would be employed for any routine construction project of this scale; construction equipment with substantially higher noise-generation characteristics (such as pile drivers, rock drills, blasting equipment) would not be necessary for demolition of the existing building or construction of the residences and/or neighborhood commercial shopping center, and related project components.

Construction noise is difficult to quantify because of the many variables involved, including the specific equipment types, size of equipment used, percentage of time each piece is in operation, condition of each piece of equipment, and number of pieces that would operate on the project site. The typical maximum noise levels for various pieces of construction equipment at a distance of 50 feet are presented in Table 3.12-2 (Construction Equipment Maximum Noise Levels). Note that the equipment noise levels presented in Table 3.12-2 are maximum noise levels. Typically, construction equipment operates in alternating cycles of full power and low power, producing average noise levels less than the maximum noise level. The average sound level of construction activity also depends on the amount of time that the equipment operates and the intensity of construction activities during that time.

**Table 3.12-2  
Construction Equipment Maximum Noise Levels**

Equipment	Typical Sound Level (dBA) 50 Feet from Source
Air compressor	81
Backhoe	80
Compactor	82
Concrete mixer	85
Concrete pump	82
Concrete vibrator	76
Crane, mobile	83
Dozer	85

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**Table 3.12-2**  
**Construction Equipment Maximum Noise Levels**

Equipment	Typical Sound Level (dBA) 50 Feet from Source
Generator	81
Grader	85
Impact wrench	85
Jackhammer	88
Loader	85
Paver	89
Pneumatic tool	85
Pump	76
Roller	74
Saw	76
Truck	88

Source: FTA 2006

The maximum noise levels at 50 feet for typical construction equipment would range up to 89 decibels (dB) for the type of equipment normally used for this type of development project, although the hourly noise levels would vary. Construction noise in a well-defined area typically attenuates at approximately 6 dB per doubling of distance. Project construction would take place both near and far from adjacent, existing noise-sensitive uses. For example, construction of the project along the northern project boundaries would take place within approximately 5 feet of existing residences. However, during construction of other project components, construction would be approximately 50 feet or more away from existing noise-sensitive uses.

The Federal Highway Administration's (FHWA) Roadway Construction Noise Model (RCNM) (FHWA 2008) was used to estimate construction noise levels at the nearest occupied noise-sensitive land use. Although the model was funded and promulgated by the FHWA, the RCNM is often used for non-roadway projects, because the same types of construction equipment used for roadway projects are also used for other project types. Input variables for the RCNM consist of the receiver/land use types, the equipment type and number of each (e.g., two graders, a loader, a tractor), the duty cycle for each piece of equipment (e.g., percentage of hours the equipment typically works per day), and the distance from the noise-sensitive receiver. No topographical or structural shielding was assumed in the modeling. The RCNM has default duty-cycle values for the various pieces of equipment, which were derived from an extensive study of typical construction activity patterns. Those default duty-cycle values were used for this noise analysis.

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Using the FHWA's RCNM construction noise model and construction information (types and number of construction equipment by phase), the estimated noise levels from construction were calculated for a representative range of distances, as presented in Table 3.12-3 (Construction Noise Model Results Summary). The RCNM inputs and outputs are provided in Appendix G.

**Table 3.12-3**  
**Construction Noise Model Results Summary**

Construction Phase	Construction Noise at Representative Receiver Distances (dBA $L_{eq}$ )	
	Nearest Construction Work - 5 Feet (Approx.)	Typical Construction Work - 50 Feet (Approx.)
Demolition	103	83
Grading	97	77
Utility Installation or Trenching	94	74
Building Construction	93	73
Paving	94	74
Architectural Coatings	94	74

**Source:** Appendix G

**Note:**  $L_{eq}$  = equivalent continuous sound level

As presented in Table 3.12-3, the highest noise levels are predicted to occur during the demolition activities (which would be limited to a few small on-site structures and associated concrete pavement) when noise levels from construction activities would be as high as 103 dBA equivalent continuous sound level ( $L_{eq}$ ) at the nearest existing residences, approximately five feet away. It should be noted that construction activities within approximately five feet of the nearest sensitive receptor would involve removal of concrete pavement, and noise from those activities would be short-term and relatively brief. At more typical distances of approximately 50 feet, construction noise would range from approximately 73 to 83 dBA  $L_{eq}$ .

The project site is located within an unincorporated area of San Bernardino County, within the City's sphere of influence. Land uses to the north, east, and south of the project site are located within the City's jurisdiction and land uses to the west are located within San Bernardino County jurisdiction. Therefore, for purposes of this analysis, compliance with both jurisdictions apply.

San Bernardino County and the City regulates construction noise by restricting the allowable hours of construction. Section 83.01.080(g)(3) of the San Bernardino County's Municipal Code exempts noise from temporary construction, maintenance, repair, or demolition activities provided that these activities are limited to between the hours of 7 a.m. and 7



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p.m., except on Sundays or federal holidays. As noted in Section 15.44.030 of the City's Noise Code (Construction Hours), construction activities are allowed between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday, with no construction allowed on Sundays and federal holidays. Construction activity on the project site would adhere to both San Bernardino County's and the City's limits on hours of construction, and would thus take place between 7:00 a.m. to 7:00 p.m. Monday through Saturday and would not take place outside these hours or on Sundays and federal holidays.

Although nearby off-site residences would be exposed to elevated construction noise levels, the exposure would be short-term, intermittent throughout the allowable construction timeframe, and would cease upon project construction. As previously mentioned, it is anticipated that construction activities associated with the proposed project would take place between 7:00 a.m. and 7:00 p.m. Monday through Saturday, and would not take place on Sundays or federal holidays, and would therefore, not violate San Bernardino County's and the City's Noise Code. However, construction noise levels would be substantially higher than existing ambient daytime noise levels (as shown in Table 3.12-1). Therefore, noise impacts from construction are considered potentially significant. However, the implementation of mitigation measures **MM-NOI-1** and **MM-NOI-2** would reduce construction noise substantially. Therefore, temporary construction-related noise impacts would be **less than significant with mitigation incorporated**.

### **Operational Noise (Long-Term Impacts)**

Long-term operational noise associated with proposed uses at the MLC Residential Site and the Remaining Parcels Site would include conversational noise from people, music, children playing, dogs barking, car startups, car alarms, vehicles entering and exiting private driveways, HVAC, and noise from landscape maintenance activities. The proposed project would also generate off-site traffic noise along adjacent roadways (specifically along Pipeline Avenue and Norton Avenue for the MLC residential project; and specifically along Norton Avenue for the potential future development of the eastern portion of the Remaining Parcels Site). In addition, the proposed residences on-site will be subject to traffic noise from Pipeline Avenue, Norton Avenue, and Chino Avenue.

***San Bernardino County Operational Noise Regulations.*** The San Bernardino County's Municipal Code (Title 8, Development Code; Division 3, Countywide Development Standards; Chapter 83.01, General Performance Standards, Section 83.01.080, Noise) sets interior and exterior noise standards for specific land uses by type of noise source. Noise standards for stationary noise sources are summarized in Table 3.12-4 (San Bernardino Noise Standards for Stationary Noise Sources). As shown, the noise standard

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for residential properties is 55 dB(A)  $L_{eq}$  from 7 a.m. to 10 p.m. and 45 dB(A)  $L_{eq}$  from 10 p.m. to 7 a.m. For commercial properties, the noise standard from stationary noise sources is 60 dB(A) during any time of the day or night.

**Table 3.12-4  
San Bernardino Noise Standards for Stationary Noise Sources**

Affected Land Uses (Receiving Noise)	7:00 a.m. - 10:00 p.m. (dBA $L_{eq}$ )	10:00 p.m. - 7:00 a.m. (dBA $L_{eq}$ )
Residential	55	45
Professional Services	55	55
Other Commercial	60	60
Industrial	70	70

**Source:** County of San Bernardino 2007

**Notes:** dBA = A-weighted decibel scale

$L_{eq}$  = (Equivalent Energy Level). The sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period, typically one, eight or 24 hours.

For noise from mobile sources (such as traffic), the San Bernardino County's standards are summarized in Table 3.12-5 (San Bernardino Noise Standards for Adjacent Mobile Noise Sources).

**Table 3.12-5  
San Bernardino Noise Standards for Adjacent Mobile Noise Sources**

Categories	Uses	$L_{dn}$ or CNEL, dB(A)	
		Interior	Exterior
Residential	Single and multi-family, duplex, mobile homes	45	60
Commercial	Hotel, motel, transient housing	45	60
	Commercial retail, bank, restaurant	50	N/A
	Office building, research and development, professional offices	45	65
	Amphitheater, concert hall, auditorium, movie theater	45	N/A
Institutional / Public	Hospital, nursing home, school classroom, religious institution, library	45	65
Open Space	Park	N/A	65

**Source:** County of San Bernardino 2007

**Notes:** dBA = A-weighted decibel scale

CNEL = (Community Noise Equivalent Level). The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of approximately five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and ten decibels to sound levels in the night from 10:00 p.m. to 7:00 a.m.

$L_{dn}$  = Day/Night Noise Level. Similar to CNEL except the evening period is omitted; daytime hours are defined as 7:00 a.m. to 10 p.m., and nighttime hours are 10:00 p.m. to 7:00 a.m. The CNEL and  $L_{dn}$  levels generally differ by well under 1 decibel, and are thus treated as functionally equivalent.

N/A = not applicable

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**Chino Operational Noise Regulations.** The City's General Plan Noise Element (Chapter 14) provides interior and exterior noise standards to ensure noise/land use compatibility. Table N-3 of the Noise Element states that the noise standard for single-family and multi-family residential land uses is 65 dB(A)  $L_{dn}$  exterior and 45 dB  $L_{dn}$  interior. The noise standard for commercial retail, bank, and restaurant is 55 dB  $L_{dn}$  (interior). The City's interior and exterior noise standards are summarized in Table 3.12-6 (City of Chino Interior and Exterior Noise Standards).

**Table 3.12-6  
City of Chino Interior and Exterior Noise Standards**

Land Use Categories	Uses	Energy Average $L_{dn}$	
		Interior <sup>a</sup>	Exterior <sup>b</sup>
Residential	Single-family, duplex, multi-family	45 <sup>c</sup>	65
	Mobile home	–	65 <sup>d</sup>
Commercial, Industrial, Institutional	Hotel, motel, transient lodging	45	65
	Commercial retail, bank, restaurant	55	–
	Office building, research and development, professional offices, City office building	50	–
	Amphitheater, concert hall, auditorium, meeting hall	45	–
	Gymnasium (multipurpose)	50	–
	Sports club	55	–
	Manufacturing, warehousing, wholesale, utilities	65	–
	Movie theaters	45	–
Institutional	Hospital, schools, classroom	45	65
	Church, library	45	–
Open Space	Parks	–	65

**Source:** City of Chino 2010

**Notes:**

- <sup>a</sup> Indoor environment excluding: bathrooms, toilets, closets, corridors.
- <sup>b</sup> Outdoor environment limited to: private yard of single-family or multi-family private patio or balcony which is served by a means of exit from inside, mobile home park, hospital patio, park's picnic area, school's playground, and hotel and motel recreation area.
- <sup>c</sup> Noise level requirement with closed windows. Mechanical ventilation system or other means of natural ventilation shall be provided per the California Building Code.<sup>d</sup> Exterior noise level should be such that interior noise levels will not exceed 45 dB  $L_{dn}$ .

The City's exterior noise ordinance criteria for residential properties (Zone 1) is shown on Table 3.12-7 (City of Chino Exterior Noise Ordinance Criteria for Residential Properties (Zone 1)).

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**Table 3.12-7**

### **City of Chino Exterior Noise Ordinance Criteria for Residential Properties (Zone 1)**

Maximum Time of Exposure	Metric	Noise	
		Noise Level Not to Exceed	
		7:00 a.m. – 10 p.m.	10 p.m. – 7 a.m.
30 minutes/hour	L <sub>50</sub>	55 dBA	50 dBA
15 minutes/hour	L <sub>25</sub>	60 dBA	55 dBA
5 minutes/hour	L <sub>8.3</sub>	65 dBA	60 dBA
1 minute/hour	L <sub>1.7</sub>	70 dBA	65 dBA
Any period of time	L <sub>max</sub>	75 dBA	70 dBA

**Source:** City of Chino 2010

**Note:**

Each of the noise limits specified here shall be reduced by five dBA for impulse or simple tone noises, or for noises consisting of speech or music; provided. However, that if the ambient noise level exceeds the resulting standard, the ambient shall be the standard.

It is unlawful for any person at any location within the incorporated area of the City to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level when measured on any other property, to exceed:

- The noise standard for a cumulative period of more than thirty minutes in any hours; or
- The noise standard plus five dBA for a cumulative period of more than fifteen minutes in any hour; or
- The noise standard plus ten dBA for a cumulative period of more than five minutes in any hour; or
- The noise standard plus fifteen dBA for a cumulative period of more than one minute in any hour; or
- The noise standard plus twenty dBA for any period of time.

### ***On-Site Residential Noise***

Noise generated from residential uses for the MLC residential project is generally described as “nuisance noise.” Nuisance noise is defined as intermittent or temporary neighborhood noise from sources such as amplified music, barking dogs, and landscape maintenance equipment that may be disturbing to other residents. Compliance with the County’s noise control standards for residential land uses shown on Tables 3.12-4 and 3.12-5 and City’s noise control standards shown on Tables 3.12-6 and 3.12-7 would limit exposure to excessive nuisance noise. There are no planned recreational facilities or other noise-generating facilities proposed within the MLC Residential Site or Remaining Parcels Site. Therefore, operational impacts related to the proposed project are considered **less than significant**. No mitigation is required.

### ***Off-Site Traffic Noise Levels***

The proposed project would generate traffic along Pipeline Avenue, Norton Avenue, and Chino Avenue. Neither San Bernardino County nor the City has a specific noise criterion for evaluating off-site noise impacts to residences or noise-sensitive areas from project-related traffic. For the purposes of this noise analysis, such impacts are considered significant when they result in an exceedance of the applicable noise standard (i.e., noise impact significance criteria in San Bernardino County’s Municipal Code for adjacent mobile noise sources is 60

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dBA CNEL/ $L_{dn}$  for noise-sensitive land uses) or cause an increase of 5 dB compared to existing noise levels. An increase or decrease in noise level of at least 5 dB is required before a noticeable change in community response would be expected (Caltrans 2013). Therefore, project-related traffic resulting in the exceedance of the 60 dBA CNEL noise standard at a noise-sensitive land use not already in excess of the standard, and/or resulting in a clearly perceptible increase (+5 dB) in noise levels, is considered significant.

Traffic modeling was conducted at noise measurement locations ST1-ST6 as well as other off-site noise sensitive receiver locations (M1-M6) to capture potential noise impacts around the surrounding area (see Figure 3.12-1). The results of the traffic modeling for the existing and existing plus project scenarios are summarized in Table 3.12-8 (Traffic Noise (Existing and Existing-plus-MLC Residential Project)), and the traffic noise model input/output files are located in Appendix G. As shown, the project-related traffic would result in a noise level increase of 0 dB CNEL (when rounded to whole numbers) along the studied roadways in the vicinity of the project site. Noise increases would be well below the significance threshold of 5 dB. Therefore, traffic related to the proposed project would not substantially increase the existing noise levels in the project vicinity, and operational traffic-related noise impacts would be **less than significant**. No mitigation is required.

**Table 3.12-8  
Traffic Noise (Existing and Existing-plus-MLC Residential Project)**

Modeled Receptor	Existing Noise Level (dBA CNEL / $L_{dn}$ )	Existing plus Project Noise Level (dBA CNEL / $L_{dn}$ )	Noise Level Increase (dB)
ST1: On-site, eastern portion of the project site.	61	61	0
ST2: On-site, northwestern portion of the project site.	68	68	0
ST3: North of the project site; 4257 Biscayne Street.	58	58	0
ST4: West of the project site; 1314 Pipeline Avenue.	66	66	0
ST5: South and east of the project site; 13200- 13224 Norton Avenue (Heritage Park).	56	56	0
ST6: On-site; southern portion of the project site.	66	66	0
M1: Northwest of the project site	67	67	0
M2: North of the project site	67	67	0
M3: North east of the project site	66	66	0
M4: West of the project site	67	67	0
M5: Southwest corner of the project site at the northeast intersection of Pipeline Avenue and Chino Avenue	69	69	0
M6: Southeast of the project site along Chino Avenue	68	68	0

**Source:** Traffic Noise Model (TNM) (Appendix G).

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The noise levels associated with traffic under future (2040) current zoning (without project) and proposed zoning with project traffic conditions are summarized in Table 3.12-9 (Traffic Noise (Future and Future-Plus-Project)). The noise levels associated with the project under future (2040) proposed zoning with project conditions would be 0 to 1 dB less (rounded to whole numbers) than the Year 2040 noise levels under the current zoning (without project) scenario. These changes would be well below the significance threshold of 5 dB. Therefore, traffic related to the proposed project would not substantially increase the existing noise levels in the project vicinity, and operational traffic-related noise impacts would be **less than significant**. No mitigation is required.

**Table 3.12-9  
Traffic Noise (Future and Future-Plus-Project)**

<b>Modeled Receptor</b>	<b>Future (Year 2040) Current Zoning (without Project) Noise Level (dBA CNEL/ L<sub>dn</sub>)</b>	<b>Future (Year 2040) Proposed Zoning with Project Noise Level (dBA CNEL/ L<sub>dn</sub>)</b>	<b>Noise Level Increase under Buildout Option 1 (dB)*</b>
ST1: On-site, eastern portion of the project site.	63	62	-1
ST2: On-site, northwestern portion of the project site.	69	68	-1
ST3: North of the project site; 4257 Biscayne Street.	59	59	0
ST4: West of the project site; 1314 Pipeline Avenue.	68	67	-1
ST5: South and east of the project site; 13200-13224 Norton Avenue (Heritage Park).	58	58	0
ST6: On-site; southern portion of the project site.	67	67	0
M1: Northwest of the project site	69	68	-1
M2: North of the project site	68	68	0
M3: North east of the project site	68	68	0
M4: West of the project site	69	68	-1
M5: Southwest corner of the project site at the northeast intersection of Pipeline Avenue and Chino Avenue	71	70	-1
M6: Southeast of the project site along Chino Avenue	70	69	-1
M7 – 1st Floor:	N/A	53	N/A
M8 – 1st Floor:	N/A	59	N/A
M7 – 2nd Floor:	N/A	59	N/A
M8 – 2nd Floor:	N/A	66	N/A

**Source:** TNM (Appendix G).

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### *On-Site Exterior Traffic Noise Levels*

Modeled receivers M7 and M8 represent proposed future on-site residential uses part of the MLC Residential Site adjacent to Norton Avenue and Pipeline Avenue, respectively. The results of the noise analysis for traffic noise levels at proposed on-site noise-sensitive receivers is provided in Table 3.12-9. On-site future noise-sensitive receiver locations consisted of the first- and second-floor levels of the proposed residential units with a direct or side-view of Norton Avenue (model receptor M7) and Pipeline Avenue (model receptor M8). It was assumed that each of the residential units would have usable outdoor private spaces in the form of rear and/or side yards. This was taken into account in the TNM model, as were the planned 6-foot high solid masonry perimeter walls to be constructed as part of the proposed project along the residential property lines.

As shown in Table 3.12-9, the results of the noise modeling indicate that on-site noise levels (receptors M7 and M8) would range from approximately 53 to 59 dBA CNEL/L<sub>dn</sub> at first-floor elevations and from approximately 59 to 66 dBA CNEL/L<sub>dn</sub> at second-floor elevations. The first-floor elevation noise levels would comply with the City of Chino noise standard for mobile source noise for residential areas (65 dBA L<sub>dn</sub>). However, the second-floor elevation noise levels would exceed the 65 dBA L<sub>dn</sub> noise standard at lots adjacent to Pipeline Avenue. Thus, if usable balconies with an exposure to Pipeline Avenue are constructed, noise mitigation would be required for these exterior areas. In order to achieve the desired noise reduction (a minimum of 1 to 2 decibels reduction) a noise barrier with a minimum height of 5 feet would be constructed along the length of each of the balconies/patio areas with predicted traffic noise levels exceeding 65 dBA L<sub>dn</sub>. The noise barriers may be constructed of a material such as tempered glass, acrylic glass (or similar material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers should have no openings or cracks. With the implementation of mitigation measure **MM NOI-3**, the resultant noise level would meet the City's noise standard of 65 dBA L<sub>dn</sub> or lower, and thus would be **less than significant with mitigation incorporated**.

### *On-Site Interior Traffic Noise Levels*

The City and the State require that interior noise levels not exceed an L<sub>dn</sub> of 45 dBA within the habitable rooms of residences. Typically, with the windows open, building shells provide approximately 15 dB of noise reduction. Therefore, rooms exposed to an exterior L<sub>dn</sub> greater than 60 dBA could result in an interior L<sub>dn</sub> greater than 45 dB. The State Building Code recognizes this relationship and, therefore, requires interior noise studies when the exterior noise level is projected to exceed 60 dBA L<sub>dn</sub>.

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The data shown in Table 3.12-7 indicates that the future noise levels at the first-floor elevations would all be 60 dBA  $L_{dn}$  or less, and therefore, would not require further interior noise level analysis. However, the future noise levels at the second-floor facades of the residences adjacent to Pipeline Avenue would be approximately 66 dBA  $L_{dn}$ . Thus, the unmitigated interior noise level within the second-floor habitable rooms of these dwelling units could exceed the 45 dBA  $L_{dn}$  noise criterion. A subsequent interior noise analysis will be required for these second-floor rooms. With the implementation of mitigation measure **MM NOI-4**, the resultant noise level would meet the State and City interior noise standard of 45 dBA  $L_{dn}$ , and thus, would be **less than significant with mitigation incorporated**.

### Construction

**MM-NOI-1** Construction activities shall take place between the hours of 7:00 a.m. and 7:00 p.m. and not at all during other hours or on Sundays or federal holidays, in compliance with Section 83.01.080(g)(3) of the San Bernardino County's Municipal Code and per Section 15.44.030 (Construction hours) of the City of Chino Municipal Code. This condition shall be listed on the project's final design to the satisfaction of the City of Chino Planning Department.

**MM-NOI-2** The City of Chino shall require the applicant to adhere to the following measures as a condition of approving the grading permit:

- The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Planning Department.
- Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.



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- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.

### Operation

**MM-NOI-3** If usable balconies with a first-row exposure to Pipeline Avenue are planned for the second-floor elevations, a noise barrier with a minimum height of 5 feet shall be required. The noise barriers shall be located at the balcony side or sides facing Pipeline Avenue, with a sufficient “return” at the corners so as to minimize flanking noise around the edges of the barrier. The noise barriers shall be constructed of a material such as tempered glass, acrylic glass (or similar material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers shall have no openings or cracks.

**MM-NOI-4** Proposed residences adjacent to Pipeline Avenue shall require mechanical ventilation systems or air conditioning systems in order to ensure that windows and doors at the second-floor elevations can remain closed while maintaining a comfortable environment. Additionally, sound-rated windows shall be installed, as deemed necessary. An interior noise analysis shall be required for the proposed habitable rooms on the second floor of lots adjacent to Pipeline Avenue prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise analysis shows that impacts are above the State and City’s 45 dBA  $L_{dn}$  interior standard. The interior noise analysis shall substantiate that with the required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will be a less than significant impact.

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- b) *Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

**Less Than Significant Impact with Mitigation Incorporated.** Construction activities that might expose persons to excessive ground-borne vibration or ground-borne noise could cause a potentially significant impact. Ground-borne vibration information related to construction activities has been collected by the California Department of Transportation (Caltrans 2013). Information from Caltrans indicates that transient vibrations (such as construction activity) with a peak particle velocity of approximately 0.035 inch per second may be characterized as barely perceptible, and vibration levels of 0.24 inch per second may be characterized as distinctly perceptible. The heavier pieces of construction equipment, such as bulldozers, would have peak particle velocities of approximately 0.089 inch/second or less at a distance of 25 feet (FTA 2006). Ground-borne vibration is typically attenuated over short distances. At the nearest existing residential use distance to the nearest construction area (approximately five feet) and with the anticipated construction equipment, the peak particle velocity would be approximately 0.995 inch/second. This vibration level would exceed the threshold of “barely perceptible” of 0.035 inch/second vibration. It should be noted that construction activities within approximately five feet of the nearest sensitive receptor would involve the removal of concrete pavement and vibration, and that the noise from those activities would be short-term and relatively brief. In general, heavy construction equipment would operate at distances of 50 feet and well beyond. Therefore, at more typical distances of approximately 50 feet, the peak particle velocity would be approximately 0.031 inch/second. This vibration level would not exceed the threshold of “barely perceptible” of 0.035 inch/second vibration. Vibration is very subjective, and some people may be annoyed at these levels. Although construction activities would not use construction equipment that would result in continuous vibration levels that typically annoy people, since some residential property lines are approximately five feet from the construction area, residents could be temporarily annoyed with the use of some construction equipment. Implementation of mitigation measure **MM-NOI-2** would ensure residents are notified of construction activities and provided contact information in the event they wish to report a noise- or vibration-related complaint.

The major concern with regards to construction vibration is related to building damage. Construction vibration as a result of the proposed project would not result in structural building damage, which typically occurs at vibration levels of 0.5 inch/second or greater for buildings of reinforced-concrete, steel, or timber construction. The heavier pieces of construction equipment used would include typical construction equipment for this type

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project such as excavators, graders, dump trucks and vendor trucks. Pile driving, blasting, or other special construction techniques will not to be used for construction of the proposed project; therefore, excessive ground-borne vibration and ground-borne noise would not be generated. Ground-borne vibration would not be associated with the proposed project following construction activities. Impacts related to ground-borne vibration are considered to be **less than significant with mitigation incorporated**. No further mitigation is required.

- c) *Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

**Less Than Significant Impact.** As discussed under item 3.12(a), the proposed project would generate off-site traffic noise along Pipeline Avenue, Norton Avenue, and Chino Avenue, as well as at the project site. As discussed under item 3.12(a), operational noise impacts would be **less than significant**. No mitigation is required.

- d) *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

**Less Than Significant Impact with Mitigation Incorporated.** As discussed under item 3.12(a), the proposed project would result in temporary noise increases during the planned 21-month construction period. The temporary increases in ambient noise levels would vary depending on the location of the construction activities and the type of equipment being used. The estimated construction noise levels at nearby noise-sensitive land uses are summarized in Table 3.12-3. Temporary noise increases at adjacent, existing noise-sensitive land uses from construction activities are considered potentially significant; however, with the implementation of mitigation measures **MM-NOI-1** and **MM-NOI-2**, temporary noise impacts from construction activities would be **less than significant with mitigation incorporated**. No further mitigation is required.

- e) *Would the project be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

**No Impact.** The project site is located approximately five miles northwest of Chino Airport and six miles southwest of Ontario International Airport (Caltrans 2012). The project site is located outside of the designated safety zones and referral zones for the Chino Airport (these are areas where land use restrictions are put in place based upon proximity to a runway) (County of San Bernardino 1991). The project site is outside of the airport influence area and safety zones of the Ontario International Airport

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(City of Ontario 2011). Since the project site is not located within two miles of a public airport or within planning area boundaries of a public airport, the proposed project would not expose people residing or working in the project area to excessive noise levels. As such, **no impact** would occur.

*f) Would the project be within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

**No Impact.** There are no private airstrips within the vicinity of the project site (Airnav.com 2016). Therefore, the proposed project would not expose people residing or working in the project area to excessive noise levels. As such, **no impact** would occur.

### References

- Airnav.com. 2016. Airports search. Accessed October 14, 2016. <http://www.airnav.com/airports/>.
- Caltrans (California Department of Transportation). 2012. Caltrans Earth Layers - Airports. 2012. Accessed February 17, 2015. [www.dot.ca.gov/hq/tsip/gis/caltrans\\_earth/globe\\_content.php](http://www.dot.ca.gov/hq/tsip/gis/caltrans_earth/globe_content.php).
- Caltrans. 2013. *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. September 2013.
- City of Chino. 2010. 14 – Noise Element.
- City of Ontario. 2011. *LA/Ontario International Airport Land Use Compatibility Plan*. Prepared by Mead and Hunt. Adopted April 19, 2011. Accessed October 14, 2016. <http://www.ontarioplan.org/alucp-for-ontario-international-airport/>.
- County of San Bernardino. 1991. *Airport Comprehensive Land Use Plan – Chino Airport*. November 1991. Accessed October 14, 2016. <http://cms.sbcounty.gov/lus/Planning/AirportLandUse.aspx>.
- County of San Bernardino. 2007b. Noise Standards. County of San Bernardino Municipal Code (Title 8, Development Code; Division 3, Countywide Development Standards; Chapter 83.01, General Performance Standards, Section 83.01.080, Noise).
- FHWA. December 8, 2008. Roadway Construction Noise Model (RCNM), Software Version 1.1. U.S. Department of Transportation, Research and Innovative Technology Administration, John A. Volpe National Transportation Systems Center, Environmental Measurement and Modeling Division. Washington, D.C.
- FTA (Federal Transit Administration). 2006. *Transit Noise and Vibration Impact Assessment*. May 2006.

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### 3.13 Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

**Less Than Significant Impact.** The proposed MLC residential development project would result in 44 new single-family residential units. Buildout of the MLC Residential Site and the eastern portion of Remaining Parcels Site would result in a maximum of 55 new single-family residential units. The currently proposed MLC residential development project is expected to be completed and occupied by 2019. Future buildout of the eastern portion of the Remaining Parcels Site is projected to occur by 2040. As described in Chapter 2, no changes to the western portion of the Remaining Parcels Site are assumed for this analysis. The western portion of the Remaining Parcels Site currently supports approximately 27 single-family residential units (not including the preschool) and would continue to do so upon implementation of the proposed project.

According to the City's General Plan Housing Element, the average household size in the City is approximately 3.41 persons per household, which is just over the County average of 3.28 persons per household (City of Chino 2013). To ensure a more conservative analysis, the average household size in the City was used. Table 3.13-1 (Anticipated Population Growth Associated with the Proposed Project) shows the population growth in the City that would be associated with the proposed project. In order to ensure a conservative analysis, the existing residential population at the project site is not considered (i.e., the calculations in Table 3.13-1 represent the gross population growth that is anticipated to occur, as opposed to the net growth). The western portion of the

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Remaining Parcels Site is excluded from this analysis, since no changes in the number of residential units are anticipated for that portion of the project site.

**Table 3.13-1**  
**Anticipated Population Growth Associated with the Proposed Project**

Annexation Area Section	Buildout of the Project Site	
	<i>Proposed Development</i>	<i>Population Growth</i>
MLC Residential Development	44 homes	150 people
Remaining Parcels Site (east section)	11 homes	38 people
Total at Buildout	55 homes	188 people

### MLC Residential Development

The currently proposed residential project would potentially result in approximately 150 additional residents in the City. This assumes that all residents of the proposed project would relocate to the City. The U.S. Census Bureau estimates that the City's population was 85,595 people in 2015 (U.S. Census Bureau 2016). The additional 150 residents anticipated to result from development and annexation of the MLC Residential Site would be approximately 0.18% of the current City population.<sup>7</sup> SCAG has projected that the City will have a population of 88,800 people in 2020, around the time of project buildout (SCAG 2012). As such, a population growth of 3,205 people is expected to occur between 2015 and 2020, under SCAG forecasts. The potential growth associated with the proposed MLC residential project would equate to approximately 5% of this anticipated growth.<sup>8</sup> As such, the proposed MLC residential project falls well within anticipated and planned growth for the City and would not adversely affect the City's services or infrastructure.

### Project Buildout

The analyses presented below represents the maximum anticipated population growth that may be attributable to the proposed annexation, land use designations, and rezoning of the annexation area as a whole. As noted in Section 2.4 of this IS/MND, no development applications have been received for the Remaining Parcels Site. While the details of future projects that may be proposed for this site are considered speculative, it is reasonably foreseeable that the eastern portion of the Remaining Parcels Site may be

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<sup>7</sup> 150 additional residents ÷ 85,595 residents = 0.0018 = 0.18%

<sup>8</sup> 150 additional residents ÷ 3,205 residents = 0.047 = 4.7%

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developed with residences at the maximum intensity that is allowable under the proposed land use designations and zoning. As such, the analysis presented below assumes operation of the MLC residential project and maximum buildout of the eastern portion of the Remaining Parcels Site.

The development of 44 single-family residences on the MLC Residential Site and the development of 11 single-family residences in the eastern portion of the Remaining Parcels Site would result in approximately 188 additional residents in the City, consisting of the residents of the proposed MLC project and the residents of future allowable residential project(s) in the eastern portion of the Remaining Parcels Site. Buildout is expected to occur by approximately 2040. SCAG has projected that the City will have a population of 120,400 people in 2040 (SCAG 2016). (Note that the City has anticipated a population of approximately 122,647 people by 2025 (City of Chino 2010)). Using SCAG population projections, a population growth of 34,805 people is expected to occur between 2015 and 2040 in the City. The 188 additional residents that would result from the proposed annexation, the MLC project, and maximum buildout of the Remaining Parcels Site would amount to 0.5% of the projected growth under SCAG forecasts.<sup>9</sup> Therefore, population growth associated with buildout falls well within anticipated and planned growth for the City and would not adversely affect the City's services or infrastructure.

For the reasons described above, the proposed MLC project and buildout of the annexation area is not anticipated to induce substantial population growth in the area. Impacts would be **less than significant**, and no mitigation is required.

**b) *Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?***

**Less Than Significant Impact.** Under existing conditions, the MLC site contains five residential structures. The proposed MLC development would include demolition of these structures. According to the City's General Plan Housing Element, the average household size in the City is approximately 3.41 persons per household (City of Chino 2013). As such, the MLC project would potentially displace 17 people.<sup>10</sup> Under existing conditions, the Remaining Parcels Site contains approximately 28 residences, with the eastern portion containing 1 residence and the western portion containing 27 residences (this does not include the two existing residential structures in the southwest corner of the project site that have been converted to a preschool). The proposed project is not

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<sup>9</sup> 188 additional residents ÷ 34,805 residents = 0.005 = 0.5%

<sup>10</sup> 5 residential units × 3.41 persons per household = 17 people

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anticipated to result in changes to the western portion of the Remaining Parcels Site; as such, the 27 residences in the western portion of the Remaining Parcels Site are expected to remain in place, and no residences would be displaced. However, the eastern portion of the Remaining Parcels Site could potentially be developed with 11 new single-family residences under the proposed project. As such, future development could potentially result in demolition of one residence, equating to the displacement of approximately three people. The total number of residences demolished under the project (under project buildout) would be six houses (five houses on the MLC Residential Site plus one house on the Remaining Parcels Site), equating to approximately 20 people.<sup>11</sup>

According to the California Department of Finance, there were approximately 700 vacant housing units within the City as of January 2016 (CDF 2016). As such, it is anticipated that the existing housing stock within the City would be able to accommodate people that could become displaced by the proposed project. Furthermore, the proposed project would result in the development of 44 new homes in the City by 2019, and it is reasonably foreseeable that the proposed project could also result in the development of a total of 55 new homes after full buildout of the annexation area. As such, the number of residential units that would be displaced under both the MLC project and buildout of the eastern portion of the Remaining Parcels Site would be replaced by the proposed project. Because the proposed project would replace the demolished units and because the City and surrounding residential communities are expected to have available housing stock to accommodate displaced persons, impacts are considered **less than significant**. No mitigation is required.

c) *Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

**No Impact.** As described in Section 3.13(b), buildout of the annexation area under the proposed project would have the potential to displace approximately 20 people due to demolition of the existing residences on the MLC Residential Site and on the eastern portion of the Remaining Parcels Site. However, displacement of 20 people would not result in the construction of replacement housing elsewhere. As explained in Section 3.13(b), the City had over 700 vacant housing units as of January 2016. While vacancies within the City have the potential to change between the time of this writing and the demolition of on-site residences, it is reasonably foreseeable that displaced residents would be able to relocate elsewhere within the City or within the numerous residential

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<sup>11</sup> 6 residential units × 3.41 persons per household = 20 people



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communities located in San Bernardino County or within the highly developed metropolitan Los Angeles County, which is situated just to the west of the City. Furthermore, buildout of the project site would involve the construction of 55 new homes. As such, the proposed project would replace the number of residences that would be demolished and would also result in additional housing stock relative to the number of houses that currently exist on the project site. For these reasons, the proposed project would not trigger construction of replacement housing elsewhere in the City or region, and **no impact** would occur.

### References

- CDF (California Department of Finance). 2016. *E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011- 2016*. Sacramento, California, May 2016. Accessed October 13, 2016. <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>.
- City of Chino. 2010. *City of Chino General Plan 2025*. Prepared by Design, Community, and Environment. July 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.
- City of Chino. 2013. *City of Chino 2013 – 2021 Housing Element*. September 2013. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.
- SCAG (Southern California Association of Governments). 2012. *Adopted 2012 RTP Growth Forecast*. 2012. Accessed October 13, 2016. <http://www.scag.ca.gov/DataAndTools/Pages/GrowthForecasting.aspx>.
- SCAG. 2016. “Demographics and Growth Forecast” in *2016 – 2040 Regional Transportation Plan / Sustainable Communities Strategy*. Adopted April 2016. Accessed October 13, 2016. <http://scagrtpscscs.net/Pages/FINAL2016RTPSCS.aspx>.
- U.S. Census Bureau. 2016. “QuickFacts – Chino, California.” Accessed October 13, 2016. <http://www.census.gov/quickfacts/table/PST045215/0613210>.

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### 3.14 Public Services

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:*

#### *Fire protection?*

**Less Than Significant Impact.** The proposed project would receive fire protection services from the Chino Valley Independent Fire Protection District. The Chino Valley Independent Fire Protection District's jurisdiction covers approximately 80 square miles and has an estimated population of 173,000 people. It is estimated that the population within this service area will be over 200,000 people within the next 20 years. The cities of Chino, Chino Hills, and surrounding unincorporated areas of San Bernardino County, including the project site, are served by the Chino Valley Independent Fire Protection District. Chino Valley Independent Fire Protection District personnel responded to over 10,000 emergency incidents in 2015, the majority of which are medical emergencies (Chino Valley Independent Fire Protection District 2016).

Chino Valley Independent Fire Protection District stations near the project site are as follows: Station 65 (12220 Ramona Avenue), located approximately 1.6 roadway northeast of the project site; Station 61 (5078 Schaefer Avenue), located approximately 1.7 roadway miles southeast of the project site; and Station 67 (5980 Riverside Drive), located approximately 2.4 roadway miles northeast of the project site (Chino Valley Independent Fire Protection District 2016). Fire Station 65 is closest to the project site

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and would generally be the first responder to the site. In the event that Fire Station 65 cannot meet the immediate needs of a call for services independently or does not have capability to address the full extent of a larger incident, Fire Stations 61 and 67, as well as other Chino Valley Independent Fire Protection District facilities, could respond or provide support. Fire Station 65 is equipped with one paramedic engine staffed with three personnel and a paramedic squad staffed with two personnel. Medic Engine 65A is also housed at Fire Station 65. Medic Engine 65A is a separate unit from the frontline paramedic engine (Chino Valley Independent Fire Protection District 2016). The Chino Valley Independent Fire Protection District has a response standard of five minutes of travel time. Based on the distance between Fire Station 65 and the project site, the estimated fire and paramedic response time to the project site would fall within this standard. As such, response goals are anticipated to be met at the project site (Dacko 2016, pers. comm.).

As discussed in Section 3.13, the proposed project would increase the land use intensity of the project site. The increase in City residents would represent an incremental increase in demand for fire services within the City. The proposed project would be subject to current development requirements, which include access road design standards, fire hydrant spacing standards, and requirements for fire sprinklers and illuminated street address numbers. Compliance with the fire code standards would be ensured during the plan check process and fire review, which would occur prior to the issuance of building permits. Payment of development fees for the proposed residential project and for future project(s) in the eastern portion of the Remaining Parcels Site would be used to offset the costs of any incremental increases in the need for personnel or equipment in order to maintain acceptable service ratios, response times, and other performance objectives. Furthermore, the Chino Valley Independent Fire Protection District has determined that their current facilities, equipment, and personnel will be sufficient to accommodate the proposed project (Dacko 2016, pers. comm.). As such, it is not anticipated that the proposed project would have a significant effect on service demands, and the construction or expansion of existing fire facilities would not be required as a result of the proposed project. Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered facilities. Impacts of the proposed project would therefore be **less than significant**. No mitigation is required.

### *Police protection?*

**Less Than Significant Impact.** The proposed project would receive police protection services from the Chino Police Department. The main police facility is located at 5450 Walnut Avenue, which is approximately 2.4 roadway miles northeast of the project site.

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The Chino Police Department is currently staffed with 107 sworn officers, who are deployed over the course of six rotating shifts. The City is divided into five patrol sectors, which are referred to as beats. The project site is located within Beat 1 (Applegate 2016, pers. comm.). At least one patrol officer is assigned to each of the five beats every shift. The Chino Police Department services approximately 85,000 residents within its 30–square mile service area (City of Chino 2016). The average anticipated response time to the project site is approximately 5 minutes (Applegate 2016, pers. comm.).

As discussed in Section 3.13, the proposed project would increase the land use intensity of the project site. The increased land use intensity at the project site could increase the frequency of emergency and non-emergency calls to the Chino Police Department from the properties that compose the project site, as compared with existing conditions. The proposed MLC residential development would employ defensible design, lighting, and landscaping, and these aspects of the project could lessen the demand for police protection services at the project site. It is anticipated that any future development in the eastern portion of the Remaining Parcels Site would employ similar tactics to support safety at the site and to lessen the demand for police protection services. Furthermore, police units are continuously mobile, and service calls are responded to by the nearest available mobile unit. While new development would place increased demand on police protection services, Chino Police Department staff verified that the department would be able to serve the project and that the project would not require new or expanded police protection facilities (Applegate 2016, pers. comm.). As such, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered facilities. Impacts resulting from the proposed project would be **less than significant**. No mitigation is required.

### *Schools?*

**Less Than Significant Impact.** The project site is currently served by the Chino Valley Unified School District (CVUSD) and would continue to be served by CVUSD upon project implementation. The site is within the attendance boundaries of the following schools: Dickson Elementary School (3930 Pamela Drive), Ramona Junior High School (4575 Walnut Avenue), and Don Lugo High School (13400 Pipeline Avenue) (CVUSD 2016). The project site currently contains approximately 33 residential units (5 units are within the MLC Residential Site and approximately 28 units are within the Remaining Parcels Site).

The need for new school facilities is typically associated with a population increase that generates an increase in enrollment large enough to cause new schools to be constructed.

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As described in Section 3.13, the currently proposed MLC project would involve construction of 44 new residential units within CVUSD's service area. This would equate to approximately 20 students, as shown in Table 3.14-1. (As with the population growth calculations shown in Section 3.13, the calculations in the table below present the gross student growth that is anticipated to occur at the project site, as opposed to the net growth, to ensure a conservative analysis.)

**Table 3.14-1**  
**Increase in Students Potentially Attributable to Proposed Project**

	Residential Units	Elementary School Students	Middle School Students	High School Students	Total Number of Students
<i>Generation Factor</i>	–	<i>0.2835 students per unit</i>	<i>0.0637 students per unit</i>	<i>0.1242 students per unit</i>	–
MLC Residential Project	44 units	12 students	3 students	5 students	20
<b>Total at Buildout</b>	<b>55 units</b>	<b>16 students</b>	<b>4 students</b>	<b>7 students</b>	<b>27</b>

Source: Stachura, pers. comm. 2016

As described in Section 3.13, it is reasonably foreseeable that buildout of the annexation area would result in additional residential units within the project site. Maximum residential development would result in a total of 55 new residential units. (This consists of the 44 new homes that are currently being proposed for the MLC site and the 11 new homes that could potentially be developed in the eastern portion of the Remaining Parcels Site.) This new development would equate to approximately 27 new students.

While the proposed project would increase the number of students, it would not do so to the extent that new school facilities would be required. The potential increase in number of students generated at the project site is minor relative to the total capacity of CVUSD schools. Furthermore, CVUSD has determined that the proposed project would not adversely affect the school facilities that serve the project site. The school district also stated that it does not foresee any problems or impacts relative to school facilities from implementation of the proposed project (Stachura 2016, pers. comm.). As such, impacts related to the need for new school facilities as a result of implementing the proposed project would be **less than significant**. No mitigation is required.

### ***Parks?***

**Less Than Significant Impact.** The proposed MLC residential development would potentially result in 136 new residents within the City by approximately 2019, the anticipated operational year of the MLC project. These residents could use nearby

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recreation facilities. Buildout of the annexation area could also result in additional residents at the project site, due to increased residential intensity in the eastern portion of the Remaining Parcels Site.

The City contains approximately 228 acres of City parkland. Nearby recreational facilities include Heritage Park (located directly adjacent to the project site), Monte Vista Park (located 0.8 mile east of the project site), Walnut Park (located 1 mile northeast of the project site), and Villa Park (located 2 miles southeast of the project site) (City of Chino 2010). Additionally, a 2,000-acre regional park (Prado Regional Park) is located in the southwestern portion of the City, approximately 6 miles southeast of the project site. This park is owned and operated by County of San Bernardino. Chino Hills State Park, located in the City of Chino Hills, provides 14,102 acres and 65 miles of trails for camping, hiking, mountain biking, and horseback riding. Chino Hills State Park is located approximately 5 miles south/southwest of the project site and is owned and operated by the California Department of Parks and Recreation.

As stated in the City's General Plan, the City's standard for parkland is 3 acres of parkland per 1,000 residents. At the time of General Plan adoption, the City's 228 acres of parkland exceeded this standard. As described in Section 3.13, the City anticipates a population of approximately 122,647 people by 2025 and also anticipates the addition of 117 acres of new parks by 2025, for a total of 345 acres of parkland in the City. However, even with the addition of 117 acres of parkland, the City expects a shortage of 23 acres of parkland by 2025, due to the anticipated population growth (City of Chino 2010). The proposed project would add residents to the city and would, therefore, contribute to the anticipated exceedance of the City's parkland standard. However, the proposed project would not substantially exacerbate this issue. While the proposed project would incrementally increase population in the City, the amount of growth would be minor relative to the City's existing and future population (see Section 3.13 for details) and is well within the amount of population growth that has been forecasted for the City. Furthermore, the 2,000-acre Prado Regional Park and the 14,102-acre Chino Hills State Park are major non-City parkland facilities located within proximity to the project site. These large facilities would help offset any future deficiencies and would provide additional parkland resources to existing and new residents at the project site. Therefore, while the proposed project may contribute to the City's parkland deficiency in the future, it would not significantly exacerbate this deficiency. As such, impacts to park facilities from implementation of the proposed project would be **less than significant**. No mitigation is required.

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### *Other public facilities?*

**Less Than Significant Impact.** Other public facilities and services provided within the City include library services and City administrative services. Library services are provided by the Chino Public Library, located at 13180 Central Ave in Chino, approximately 1.23 miles east of the project site. The residents, employees, and visitors to the proposed residential and/or commercial developments at the project site could use the City's library services, but the increase in use would not be significant relative to citywide demand. As described in Section 3.13, the proposed project would not be expected to generate substantial population growth within the City. It is anticipated that existing library and City administrative services would accommodate any negligible increase in demand due to implementation of the proposed project. As such, impacts to other public facilities in the area would be **less than significant**. No mitigation is required.

### References

- Applegate, O. 2016. Information Request for Proposed Chino Annexation Area Project (Police Services). Email correspondence O. Applegate (Chino Police Department) and Dudek. October 18, 2016.
- City of Chino. 2010. *City of Chino General Plan 2025*. Prepared by Design, Community, and Environment. July 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.
- City of Chino. 2016. "Appendix J – Written Correspondence" in *Draft Environmental Impact Report Brewer Site Project*. SCH No. 2014121022. Prepared by T&B Planning Inc. September 17, 2016. Accessed October 11, 2016. <http://www.cityofchino.org/government-services/community-development/environmental-documents>.
- Chino Valley Independent Fire Protection District. 2012. *Chino Valley Independent Fire 2012 Master Plan*. Adopted July 11, 2012. Accessed October 11, 2016. <http://www.chinovalleyfire.org/index.aspx?NID=110>.
- Chino Valley Independent Fire Protection District. 2016. Website "District Overview," "State of the District," "Facilities," "Station 65." Accessed October 7, 2016. <http://www.chinovalleyfire.org/>.
- CVUSD (Chino Valley Unified School District). 2016. "School Site Locator." Produced by Davis Demographics and Planning Inc. Accessed October 13, 2016. <http://apps.schoolsitelocator.com/index.html?districtCode=58952>.

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Dacko, R. 2016. Information Request for Proposed Chino Annexation Area Project (Fire Protection Services). Email correspondence R. Dacko (Chino Valley Independent Fire Protection District) and Dudek. October 24, 2016.

Stachura, G. 2016. Information Request for Proposed Chino Annexation Area Project (School Facilities). Email correspondence G. Stachura (Chino Valley Unified School District) and Dudek. October 20, 2016.

### 3.15 Recreation

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

**Less Than Significant Impact.** The proposed project would increase development intensity at the project site. The additional residents and/or employees and customers at the project site could use nearby park facilities. Nearby recreation facilities include Heritage Park (located directly adjacent to the project site), Monte Vista Park (located 0.8 mile east of the project site), Walnut Park (located 1 mile northeast of the project site), and Villa Park (located 2 miles southeast of the project site) (City of Chino 2010). Additionally, a 2,000-acre regional park (Prado Regional Park) is located in the southwestern portion of the City, approximately 6 miles southeast of the project site. Chino Hills State Park, located in the City of Chino Hills, provides 14,102 acres and 65 miles of trails for camping, hiking, mountain biking, and horseback riding. Chino Hills State Park is located approximately 5 miles south/southwest of the project site. As described in Section 3.14, the City is anticipating a deficiency of 23 acres of parkland by 2025, due to forecasted population growth (City of Chino 2010). As described in Section 3.13, the proposed project would



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contribute to population growth within the City and could, therefore, contribute to the City's anticipated parkland deficiency. However, as described in Section 3.13, the potential population growth associated with the proposed project would be minimal relative to the City's existing and future population and is also minimal relative to the amount of growth that is expected to occur within the City. The population growth attributable to the project would not be of a magnitude that would substantially increase the use of nearby recreational facilities to the extent that physical deterioration of the facilities would be exacerbated. Furthermore, there are numerous recreational facilities in the area that are not included in the City's calculation of its parkland-to-resident ratio, such as the 14,102-acre Chino Hills State Park. Due to the availability of expansive recreational facilities within the region and the minor amount of population growth attributable to the project, implementation of the proposed project would result in a **less than significant** impact to recreational facilities. No mitigation is required.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?*

**No Impact.** The proposed project involves annexation of the project site into the City, development of 44 residential units on the MLC Residential Site, and reasonably foreseeable development of the eastern portion of the Remaining Parcels Site with residential uses. The western portion of the Remaining Parcels Site would be annexed into the City, but no further changes are anticipated in that section of the project site at this time. As described above in Section 3.15(a), the proposed project would not require construction or expansion of recreational facilities, due to the availability of expansive recreational facilities within the region and the minor amount of population growth attributable to the project. As such, **no impact** would occur.

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### 3.16 Transportation and Traffic

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?***

**Less Than Significant Impact.** The City has established performance criteria for the operation of intersections. Policies for non-motorized travel are addressed in the City's General Plan Transportation Element; the project's consistency with these policies are addressed in Section 3.16(f). The project's consistency with intersection performance criteria is addressed in the paragraphs below.

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Linscott, Law & Greenspan (LLG) prepared a Traffic Impact Study for the proposed project, which is included in this IS/MND as Appendix H. This traffic study evaluated the proposed project pursuant to CEQA and in accordance with the City of Chino's Traffic Impact Analysis Methodology Guidelines. The traffic analysis follows the City's traffic study guidelines and is also consistent with traffic impact assessment guidelines set forth in the San Bernardino County Congestion Management Program (CMP). This traffic analysis evaluates potential project-related impacts at five key intersections in the vicinity of the project site. The study intersections were determined in consultation with City of Chino staff.

### Proposed MLC Project Trip Generation

The proposed MLC residential project would result in construction and operation of a residential subdivision containing 44 homes. LLG estimated the MLC residential project's trip generation for the peak hour (AM and PM), based on the trip generation rates identified by the Institute of Transportation Engineers (ITE). As presented in Table 3.16-1 (Proposed MLC Project Trip Generation), the proposed MLC project is expected to result in 33 trips during the AM peak hour and 44 trips during the PM peak hour. Over a 24-hour period, the proposed MLC project is forecast to result in 419 daily trip ends.

**Table 3.16-1**  
**Proposed MLC Project Trip Generation**

ITE Land Use Code / Project Description	Daily 2-Way	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Generation Rates:							
210: Single-Family Detached Housing (TE/DU)	9.52	0.19	0.56	0.75	0.63	0.37	1.00
Generation Forecast:							
Tentative Tract Map (TTM) No. 18093 (44 DU)	419	8	25	33	28	16	44

**Source:** *Trip Generation, 9th Edition*, Institute of Transportation Engineers, (ITE) [Washington, D.C. (2012)].

**Note:** TE/DU = Trip End per dwelling unit

### Proposed Project Buildout Trip Generation

As explained in Chapter 2 of this IS/MND, the proposed project would result in annexation of the project site into the City of Chino. It would also result in new City General Plan land use designations for some of the parcels, and all parcels would be assigned City zoning designations. The proposed land use and zoning designations would allow for the proposed 44 dwelling units to be constructed at the MLC Residential Site. However, the new designations would also change the development potential for the Remaining Parcels Site.

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As explained in Chapter 2, the analysis in this IS/MND assumes that full buildout of the project site would consist of the proposed MLC residential project plus 11 new single-family homes in the eastern portion of the Remaining Parcels Site.

In order to analyze the potential effects of annexing the project site into the City and changing the allowable land uses, LLG analyzed the traffic that could be generated by a maximum-sized residential project at the Remaining Parcels Site under the new land use and zoning designations. The traffic generated by this maximum-sized project at the Remaining Parcels Site was then added to the traffic anticipated to be generated by the MLC project. LLG then compared the amount of traffic generated by the MLC project plus residential buildout of the Remaining Parcels Site to the maximum-sized development that could occur under the existing land use designations at the project site. LLG concluded that full buildout of the annexation area would likely result in equal or lesser traffic impacts when compared to buildout of the annexation area under the existing zoning. Buildout of the annexation area under the maximum residential density allowed by the proposed project is expected to result in 5,818 fewer daily trips, 109 fewer AM peak hour trips, and 360 fewer PM peak hour trips when compared to buildout under current City land use designations.

### **Impact Analysis Methodology**

To evaluate the effect that the project-induced trips would have on traffic conditions, LLG conducted a level of service (LOS) analysis at five intersections. LOS calculations were prepared for the following scenarios for the study intersections:

- A. Existing Conditions
- B. Existing with Proposed MLC Project
- C. Year 2019 without Proposed MLC Project
- D. Year 2019 with Proposed MLC Project
- E. Year 2040 with Buildout Under Existing City Land Use Designations
- F. Year 2040 with Proposed Project Buildout

The study intersections were evaluated for the scenarios above using the respective City of Chino methodologies and traffic impact thresholds. Appendix H contains a full description of traffic impact analysis methodologies. The City's thresholds of significance are described in the subsection below, which was taken directly from Appendix H.

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### ***City of Chino Criteria***

According to City of Chino, LOS “D” is the minimum acceptable condition that should be maintained during the peak commute hours. Hence, any intersection operating at LOS “E” or “F” is considered deficient/unsatisfactory. (See Appendix H for definitions of each LOS designation.) When the pre-project condition is at or above LOS D, and project traffic causes deterioration below LOS D, the impact is considered significant under CEQA. When the pre-project condition is already below LOS D (i.e., LOS E or F), the project applicant is responsible for fully mitigating the traffic impacts of the project so that the affected intersections operate at a level of service equal to or better than its operations without the project. Thus, for signalized intersections within the City of Chino currently operating at LOS E or F during either the AM and/or PM peak hours under existing conditions, improvements have been identified to mitigate the impacts of the proposed project to an intersection LOS that is equal to or better than pre-project conditions.

For unsignalized intersections, for the purposes of analyzing project impacts in this traffic report, the following significance criteria for unsignalized intersections is used: an unsignalized intersection impact is considered to be significant if the project causes an intersection at LOS D or better to degrade to LOS E or F, and the traffic signal warrant analysis determines that a signal is justified.

### **Existing Conditions**

As indicated in column [1] of Tables 3.16-3 (Existing with Proposed MLC Project Peak Hour Intersection Capacity Analysis Summary), 3.16-4 (Year 2019 with Proposed MLC Project Peak Hour Intersection Capacity Analysis Summary), and 3.16-5 (Year 2040 Conditions Peak Hour Intersection Capacity Analysis Summary), all five study area intersections are presently operating at LOS C or better during the weekday AM and PM peak hours under existing conditions. The study area intersections are, therefore, considered to be operating at acceptable levels of service during the AM and PM peak hour when compared to the City standards described above.

### **Existing with Proposed MLC Project**

As shown in column [2] of Table 3.16-3, application of the City’s threshold criteria to the “Existing with Proposed MLC Project” scenario indicates that that the proposed project is not expected to create significant impacts at any of the five study intersections. Incremental, but not significant, impacts are noted at the study intersections. Because there are no significant impacts, no traffic mitigation measures are required or recommended for the study intersections under the “Existing with Proposed MLC Project” conditions.

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**Table 3.16-3  
Existing with Proposed MLC Project Peak Hour Intersection Capacity Analysis Summary**

Key Intersection		Minimum Acceptable LOS	Time Period	(1) Existing Traffic Conditions		(2) Existing With MLC Project Traffic Conditions		(3) Significant Impact	(4) Existing With MLC Project + Signalization	
				Delay (s/v)	LOS	Delay (s/v)	LOS	Yes/No	Delay (s/v)	LOS
1.	Pipeline Avenue at Riverside Drive	D	AM	28.9	C	29.1	C	No	–	–
			PM	26.9	C	27.0	C	No	–	–
2.	Norton Avenue at Riverside Drive	D	AM	21.1	C	21.4	C	No	7.8	A *
			PM	16.9	C	17.3	C	No	6.2	A *
3.	Pipeline Avenue at Chino Avenue	D	AM	29.7	C	29.7	C	No	–	–
			PM	27.0	C	27.3	C	No	–	–
4.	Norton Avenue at Chino Avenue	D	AM	7.3	A	7.5	A	No	–	–
			PM	6.1	A	6.3	A	No	–	–
5.	Norton Avenue at Rushmore Court	D	AM	9.4	A	9.7	A	No	–	–
			PM	9.2	A	9.4	A	No	–	–

**Notes:**

s/v = seconds per vehicle (delay)

LOS = Level of Service; refer to Appendix H for the LOS definitions

Bold Delay/LOS values indicate adverse service levels based on the LOS standards mentioned in this report

\* Represents anticipated "Existing with Proposed MLC Project" service level assuming traffic signal operation given AM peak hour traffic volumes warrant a traffic signal; it is noted that the MLC project does not have an impact at this intersection. Although, the resulting service levels indicate as an unsignalized intersection that acceptable services are forecast.

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It is noted that the results of a traffic signal warrant analysis indicate that the unsignalized intersection of Norton Avenue and Riverside Drive has existing AM peak hour traffic volumes that warrant a signal. As such, MLC and any future developers at the Remaining Parcels Site may be required by the City to pay a fair share of the improvement. Upon signalization of this intersection, LOS would improve as shown in column [4] of Table 3.16-3. See Appendix H for further details of the signal warrant analysis.

### **Year 2019 without Proposed MLC Project (Near-Term Future Conditions)**

The future cumulative baseline conditions were forecast based on the addition of traffic generated by the completion and occupancy of the related projects, as well as the growth in traffic due to the combined effects of continuing development, intensification of existing developments, and other factors (i.e., ambient growth). See Appendix H for a list of the related projects that were considered as part of the near-term future conditions. As listed in column [2] of Table 3.16-4, all five key study intersections are forecast to operate at an acceptable level of service during the AM and PM peak hours when compared to the City standards described above.

### **Year 2019 with Proposed MLC Project (Near-Term Future Conditions with Project)**

As shown in column [4] of Table 3.16-4, application of the City's threshold criteria to the "Year 2019 with Proposed MLC Project" scenario indicates that the proposed project is not expected to create significant impacts at the five study intersections. Incremental, but not significant, impacts are noted at the study intersections. Because there are no significant impacts, no traffic mitigation measures are required or recommended for the study intersections under the "Year 2019 with Proposed MLC Project" conditions.

### **Year 2040 with Buildout Under Existing City Land Use Designations**

As shown in column [2] of Table 3.16-5, for the Year 2040 with Buildout Under Existing City Land Use Designations scenario, one of the key study intersections (Norton Avenue at Riverside Drive) would operate at an unacceptable level of service during the AM and PM peak hours when compared to the City standards described above. The remaining four key study intersections are forecast to operate at acceptable levels of service during AM and PM peak hours. It is noted that the results of a traffic signal warrant analysis indicate that the unsignalized intersection of Norton Avenue and Riverside Drive has existing AM peak hour traffic volumes that warrant a signal. As such, MLC and any future developers at the Remaining Parcels Site may be required by the City to pay a fair share of the improvement. Upon signalization of this intersection, LOS would improve as shown in column [5] of Table 3.16-4. See Appendix H for further details of the signal warrant analysis.

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**Table 3.16-4  
Year 2019 with Proposed MLC Project Peak Hour Intersection Capacity Analysis Summary**

Key Intersection		Minimum Acceptable LOS	Time Period	(1) Existing Traffic Conditions		(2) Year 2019 Without MLC Project Traffic Conditions		(3) Year 2019 With MLC Project Traffic Conditions		(4) Significant Impact	(5) Year 2019 With MLC Project + Signalization	
				Delay (s/v)	LOS	Delay (s/v)	LOS	Delay (s/v)	LOS	Yes/No	Delay (s/v)	LOS
1.	Pipeline Avenue at Riverside Drive	D	AM	28.9	C	30.2	C	30.4	C	No	–	–
			PM	26.9	C	27.7	C	27.8	C	No	–	–
2.	Norton Avenue at Riverside Drive	D	AM	21.1	C	25.7	D	26.0	D	No	7.8	A *
			PM	16.9	C	18.9	C	19.4	C	No	6.2	A *
3.	Pipeline Avenue at Chino Avenue	D	AM	29.7	C	30.4	C	30.5	C	No	–	–
			PM	27.0	C	27.7	C	27.8	C	No	–	–
4.	Norton Avenue at Chino Avenue	D	AM	7.3	A	7.5	A	7.7	A	No	–	–
			PM	6.1	A	6.2	A	6.3	A	No	–	–
5.	Norton Avenue at Rushmore Court	D	AM	9.4	A	9.5	A	9.8	A	No	–	–
			PM	9.2	A	9.3	A	9.5	A	No	–	–

**Notes:**

s/v = seconds per vehicle (delay)

LOS = Level of Service, refer to Appendix H for the LOS definitions

**Bold** Delay/LOS values indicate adverse service levels based on the LOS standards mentioned in this report

\* Represents anticipated "Year 2019 with Proposed MLC Project" service level assuming traffic signal operation given existing AM peak hour traffic volumes warrant a traffic signal; it is noted that the MLC project does not have an impact at this intersection. Although, the resulting service levels indicate as an unsignalized intersection that acceptable services are forecast.



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### **Year 2040 with Proposed Project Buildout**

As shown in in column [3] of Table 3.16-5, one of the key study intersections (Norton Avenue at Riverside Drive) would operate at an unacceptable level of service during the AM and PM peak hours for Year 2040 Project Buildout conditions (which consists of 2040 traffic conditions, maximum residential buildout of the Remaining Parcels Site under the proposed land use designations, and the proposed MLC project). Although this intersection is forecast to operate at an adverse level of service, the impact of maximum residential buildout of the Remaining Parcels Site plus the MLC project is considered less than significant because this scenario would contribute less than 50 peak hour trips at the Norton Avenue/Riverside Drive intersection. As such, none of the key study area intersections would be significantly affected under the Year 2040 with Proposed Project Buildout per the City's threshold criteria.

As described above, signalization of the intersection of Norton Avenue at Riverside Drive may be required. MLC and any future developers at the Remaining Parcels Site may be required by the City to pay a fair share of this potential improvement. Upon signalization of this intersection, LOS would improve as shown in column [5] of Table 3.16-4. See Appendix H for further details of the signal warrant analysis.

### **Signal Warrant Analysis**

Improvements are recommended for the intersection of Norton Avenue at Riverside Drive. While no significant impacts would occur under the proposed MLC project or under maximum buildout of the site, the City requires fair share contributions towards needed improvements at intersections to help ensure funding of locally needed improvements. As such, LLG conducted a traffic signal warrant analysis to determine whether any of the unsignalized study area intersections would require a signal. See Appendix H for the details of the signal warrant analysis. The analysis concluded that the unsignalized intersection of Norton Avenue and Riverside Drive has existing and future traffic conditions that would warrant a signal. As such, MLC and any future developers at the Remaining Parcels Site may be required by the City to pay a fair share of the improvement. Estimated costs of the fair share for the signalization of Norton Avenue at Riverside Drive are shown in Appendix H. Upon future signalization of this intersection, LOS would improve as shown in the last columns of Table 3.16-3, Table 3.16-4, and Table 3.16-5.

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**Table 3.16-5  
Year 2040 Conditions Peak Hour Intersection Capacity Analysis Summary**

Key Intersection		Minimum Acceptable LOS	Time Period	[1] Existing Traffic Conditions		[2] Year 2040 with Buildout under Existing Land Use Designations		[3] Year 2040 with Proposed Project Buildout		[4] Significant Impact	[5] Year 2040 with Proposed Project Buildout + Signalization	
				Delay (s/v)	LOS	Delay (s/v)	LOS	Delay (s/v)	LOS	Yes/No	Delay (s/v)	LOS
1.	Pipeline Avenue at Riverside Drive	D	AM PM	28.9 26.9	C C	32.3 36.5	C D	31.7 32.7	C C	No No	– –	– –
2.	Norton Avenue at Riverside Drive	D	AM PM	21.1 16.9	C C	<b>82.0</b> <b>46.1</b>	<b>F</b> <b>E</b>	<b>79.1</b> <b>43.2</b>	<b>F</b> <b>E</b>	No No	10.0 6.6	B * A *
3.	Pipeline Avenue at Chino Avenue	D	AM PM	29.7 27.0	C C	32.3 43.9	C D	31.6 32.1	C C	No No	– –	– –
4.	Norton Avenue at Chino Avenue	D	AM PM	7.3 6.1	A A	9.0 7.0	A A	8.9 6.4	A A	No No	– –	– –
5.	Norton Avenue at Rushmore Court	D	AM PM	9.4 9.2	A A	9.8 9.8	A A	10.1 10.0	B B	No No	– –	– –

**Notes:**

s/v = seconds per vehicle (delay)

LOS = Level of Service, refer to Appendix H for the LOS definitions

Bold Delay/LOS values indicate adverse service levels based on the LOS standards mentioned in this report

\* Represents anticipated “Year 2040 with Proposed Project Buildout” service level assuming traffic signal operation given existing AM peak hour traffic volumes warrant a traffic signal; it is noted that the proposed project does not have an impact at this intersection. Although, per the City’s requirement, MLC and any future applicants at the Remaining Parcels Site can be expected to pay a fair-share of the costs to install a traffic signal at this location.

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### Summary

In summary, the proposed MLC project would not result in exceedances of the City's thresholds for impacts to intersection operations in the project area. Furthermore, full buildout of the Remaining Parcels Site per the proposed zoning and General Plan designations, plus the MLC project, would not exceed the City's thresholds for impacts to intersection operations. As such, impacts related to conflicts with policies establishing measures of effectiveness for the performance of the circulation system would be **less than significant**. However, while effects would be less than significant, the project would contribute trips to an intersection that is currently unsignalized and that is expected to operate at an adverse level of service in the future. For this reason, project applicants at the project site may be required to contribute to a fund to help pay for the signalization of this intersection.

- b) *Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

**Less Than Significant Impact.** The most current San Bernardino County Congestion Management Plan (CMP) definition of deficiency is based on maintaining a level of service standard of LOS E or better, except where an existing LOS F condition is identified in the CMP document. It should be noted that the most current San Bernardino County CMP states that "only project opening day and future scenarios with project require that traffic operational problems be mitigated to provide LOS E or better operation. If the lead agency or an affected adjacent jurisdiction requires mitigation to a higher LOS, this takes precedence over the CMP requirements." Based on this, and noting that the City of Chino minimum Level of Service criteria is more stringent than the CMP Level of Service criteria, all intersection locations meeting the City of Chino minimum Level of Service criteria will automatically meet the CMP Level of Service criteria. As described in Section 3.16(a), both the MLC project and full buildout of the project site (consisting of the MLC project plus development at the Remaining Parcels Site consistent with proposed zoning and land use designations) would result in less than significant impacts to intersection operations. Furthermore, applicants may be required to contribute funds to signalize a nearby intersection (Norton Avenue at Riverside Drive). Signalization of that intersection would improve its operations. Impacts would be **less than significant**, and no mitigation is required.

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- c) *Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

**No Impact.** Construction and operation of a single-family residential subdivision on the project site would not alter air traffic patterns, as it would not cause a substantial change in air traffic levels or routes. Operations at airports in the region would proceed in the same manner with or without the proposed project. **No impact** would result.

- d) *Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

**Less Than Significant Impact with Mitigation Incorporated.**

### **Proposed MLC Residential Project**

**Site Access.** Access to the proposed MLC residential development would be provided via the intersection of Rushmore Court at Norton Avenue and the proposed A Street at Pipeline Avenue. In addition, as part of the project, Preciado Avenue is proposed to be extended southerly into the MLC Residential Site from its current terminus at the northerly property line. The MLC project also includes improvements along Pipeline Avenue and Norton Avenue. Along the frontage of the MLC Residential Site plus the property bordering to the south (i.e., the eastern portion of the Remaining Parcels Site), Norton Avenue would be improved to ultimate half-section, per the City of Chino Local Street standard (36-foot paved width within 60-foot right-of-way). These improvements along Norton Avenue would allow for construction of a curb, gutter, and sidewalk along the west side of the unimproved section of Norton Avenue, thus providing a continuous and improved paved width of 36 feet. Additionally, a “STOP” sign and stop bar would be installed where the proposed Rushmore Court intersects with Norton Avenue.

Pipeline Avenue along the MLC Residential Site frontage would be improved to ultimate half-section, per the City of Chino Secondary Arterial street standards (64-foot paved width within 88-foot right-of-way), and would also be improved with a curb, gutter, and sidewalk. Additional improvements would include improving the east side of Pipeline Avenue to ultimate half-section paved width of 32 feet and/or the geometric design requirements developed under the direction of the City to join existing street improvements to the south towards Chino Avenue and to the north towards Hacienda Lane, thus allowing the provision of two through lanes in each direction. A “STOP” sign and stop bar would be installed where the proposed A Street intersects with Pipeline Avenue.

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As part of the Traffic Impact Study, LLG calculated the anticipated LOS at project entrances/exits for the following traffic scenarios: Existing with Proposed MLC Project, Year 2019 with Proposed MLC Project, and Year 2040 with Proposed Project Buildout. As shown in Appendix H, LLG determined that the proposed MLC project's entrances and exits would operate at LOS C or better during the AM and PM peak hours under all three traffic scenarios. As such, ingress/egress at the proposed MLC project entrances/exits is not anticipated to create hazards caused by substantial delays at the driveways.

**Internal Circulation.** LLG analyzed the proposed internal circulation for the MLC residential project. Specifically, the internal circulation layout was analyzed for its ability to accommodate an "SU-30" truck (i.e., a single-unit truck that is approximately 30 feet in length) and a fire truck. As shown in Appendix H, LLG confirmed that the proposed internal circulation layout for the MLC residential project can accommodate the turning radii of a SU-30 truck and a fire truck and that vehicles of this size would be able to access the MLC Residential Site and circulate throughout comfortably and safely.

**Site Distance.** At intersections and/or project driveways, a substantially clear line of sight should be maintained between the driver of a vehicle waiting at the crossroad and the driver of an approaching vehicle. Adequate time must be provided for the waiting vehicle to either cross all lanes of through traffic, cross the near lanes and turn left, or turn right, without requiring through traffic to radically alter their speed. Inadequate site distance can result in safety hazards to drivers and/or pedestrians. As such, the proposed MLC project was analyzed by LLG to determine whether adequate site distances would be provided. LLG prepared site distance evaluation for the project driveways using the City of Chino Public Works Department Standard Drawing No. 1025 – Limited Use Area (Adequate Sight Distance). Minimum stopping sight distance was utilized for this evaluation and is defined as the distance required by the driver of a vehicle, traveling at a given speed, to bring the vehicle to a stop after an object on the road becomes visible. Stopping sight distance is measured from the driver's eyes, which are assumed to be 3.5 feet above the pavement surface, to an object 0.5-feet high on the roadway. For this analysis, the posted speed limits of 40 miles per hour and 30 miles per hour were used for Pipeline Avenue and Norton Avenue, respectively. Based on the criteria set forth in Standard Drawing No. 1025, a minimum stopping sight distance of 350 feet is recommended for the driveway along Pipeline Avenue, and 238 feet is recommended for the driveway along Norton Avenue. The analysis determined that a motorist's sight distance may be obstructed by future landscaping and/or hardscapes installed near the project's driveways. LLG mapped certain areas adjacent to the driveways where landscaping and hardscaping must be designed such that a clear line of sight is

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maintained. Implementation of mitigation measure **MM-TRF-1** would ensure that landscaping and hardscaping within these areas, as shown in Figure 3.16-1, do not obstruct light of sight. Upon implementation of mitigation measure **MM-TRF-1**, the site distances afforded at the project driveways would not pose a substantial hazard.

**MM-TRF-1** Landscaping or hardscaping that is installed at the MLC Residential Project's driveways in the "Limited Use Area" shall be designed and maintained such that a driver's clear line of sight is not obstructed and does not threaten vehicular or pedestrian safety, as determined by the City Engineer. Prior to issuance of building permits, the City Engineer shall review the proposed landscaping plan and verify that the design for the Limited Use Areas will not interfere with driver's clear line of sight. During project operation, the project applicant shall be responsible for maintaining landscaping within this area in a manner determined by the City Engineer.

**Queuing.** The proposed MLC project would involve a two new entrances/exits on the site (one along Pipeline Avenue and one along Norton Avenue) and would also result in an increased number of vehicles entering and exiting due to intensification of on-site land uses. The project would create the potential to increase vehicle delay, queueing, and traffic delays at these entrances/exits, potentially leading to roadway hazards. In order to determine whether the project would have a significant impact relative to vehicle queueing and traffic delays at the proposed entrances/exits along Pipeline Avenue and Norton Avenue, LLG conducted an analysis of vehicle queueing to measure both on-site and off-site queueing issues and traffic delays at these entrances/exits. The quantitative results of this study are shown in Appendix H. The study analyzed queueing conditions under the following scenarios: Year 2019 with Proposed MLC Project and Year 2040 with Proposed Project Buildout. Under both of these traffic scenarios, a maximum vehicle queue of one vehicle would result during AM and PM peak hours. LLG determine that the length of the driveways are sufficient to accommodate one than one vehicle. During non-peak times during the day, the project driveways are forecast to operate without queues under both traffic scenarios that were analyzed. As such, adverse queueing conditions would not occur at the project driveways such that a substantial safety hazard would be created.

Upon implementation of mitigation measure **MM-TRF-1**, the proposed MLC residential project would not result in substantial safety hazards due to project design. Impacts would, therefore, be **less than significant with mitigation incorporated**. No further mitigation is required.

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### Proposed Project Buildout

As with the proposed MLC residential project, future buildout of the Remaining Parcels Site could potentially result in a new driveway(s). Additionally, a future project could include new internal circulation. The design of any future project could, therefore, introduce potential safety hazards, in the event that new driveways or internal circulation layouts were to cause line-of-sight obstructions, substantial queuing, poor LOS at the proposed driveways, and/or unsafe conditions on any new internal roadways. Specific roadway design features of any future projects are considered speculative at the time of this writing, since no development applications have been submitted to the City for the Remaining Parcels Site. However, future projects would be subject to applicable City policy for intersection operations, roadway design, and driveway design and would also be subject to applicable fire code requirements for turning radii. Future potential residential and/or commercial development on the Remaining Parcels Site could involve additional traffic studies as part of CEQA compliance for those projects, in which any potential adverse safety hazards would be identified and addressed pursuant to CEQA. For these reasons, impacts of any future projects are considered **less than significant**. No mitigation is required.

e) ***Would the project result in inadequate emergency access?***

**Less Than Significant Impact.** Emergency vehicle access to the project site would be provided from Pipeline Avenue, Chino Avenue, and Norton Avenue. As described under Section 3.16(d), the internal circulation design of the proposed MLC residential project allows for adequate turning radii for fire trucks. Any future development projects at the Remaining Parcels Site would be subject to similar requirements for emergency access. As described in Section 3.16(a), neither the proposed MLC Residential Project nor buildout of the project site would have a significant impact on intersection operations. Furthermore, future signalization of the intersection of Norton Avenue at Riverside Drive would improve operation of that intersection. The proposed design plans for both the MLC project and any future development on the Remaining Parcels Site would be reviewed by the City and the Chino Valley Independent Fire Protection District for compliance with accessibility requirements and adequacy of emergency vehicle access. For these reasons, implementation of the proposed project would have a **less than significant impact** on emergency access. No mitigation is required.

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- f) *Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

**Less Than Significant Impact.** The City's policies for transit, bicycle, and pedestrian facilities are set forth in the City's General Plan Transportation Element and in the City's Bicycle and Pedestrian Master Plan. The project's consistency with the City's policies for these transportation modes are discussed in the paragraphs below.

### **Transit**

The project area is served by several bus and railroad services: Omnitrans operates four fixed routes in Chino; Foothill Transit operates a commuter express route between Chino and Los Angeles; the Orange County Transportation Authority provides a commuter bus service that stops at the Chino Transit Center; and Metrolink and Amtrak operate rail stations in neighboring cities (City of Chino 2010). The proposed project site is located approximately 1.4 roadway miles west of the Chino Transit Center. Additionally, there is an existing Omnitrans bus stop at the southeast corner of the intersection of Norton Avenue and Chino Avenue. These transit facilities could serve the proposed project site. The City's General Plan sets forth a goal of fostering public transit as an enjoyable, reliable, safe, convenient, equitable, environmentally friendly, and economical travel choice in Chino. The City aims to accomplish this goal by increasing accessibility of transit stops, increasing the attractiveness and convenience of public transportation, and encouraging local public transportation operators to provide a safe transit system. While the proposed General Plan amendment, rezoning, annexation, and MLC project would not specifically implement the City's goals and policies for transit, the project would not impede the City from implementing these policies. For these reasons, the proposed project is not expected to compromise the performance or safety of transit services. The proposed project would potentially increase the use of transit in the project area due to increased development intensity on the site. However, due to the types of land uses that are being proposed (single-family residential development), the proposed project is not anticipated to result in increased use of transit such that the performance or safety of transit services are compromised. Impacts would be **less than significant**, and no mitigation is required.

### **Pedestrian Facilities**

Existing sidewalks are located intermittently along some of the project site's street frontages. Sidewalks are along Chino Avenue and along Pipeline Avenue where the MLC Residential Site and the preschool property fronts the street. Sidewalks also border



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Heritage Park along Norton Avenue but generally terminate at the northern boundary of the park. The proposed MLC residential project would develop sidewalks along Norton Avenue along the MLC residential project site frontage, as well as south of the MLC residential project site to connect to Heritage Park. Additionally, the MLC residential project would retain and improve sidewalks along Pipeline Avenue along the MLC residential project site frontage. Similarly, it is anticipated the future development of the eastern portion of the Remaining Parcels Site would involve pedestrian improvements along Norton Avenue. The City has established the goal of enhancing the convenience, intuitiveness, and safety of Chino's pedestrian network. The proposed MLC residential project would be consistent with this goal, as it would incrementally expand the City's pedestrian network by adding sidewalks along Norton Avenue. Additionally, the proposed project would not decrease the safety of any existing pedestrian facilities. As described under item 3.16(d), any new fences, hedges, sidewalks, and walls that are installed as part of the MLC residential project would be required to conform to the visibility requirements set forth in mitigation measure **MM-TRF-1**. While the design features of any future residential development in the eastern portion of the Remaining Parcels Site are currently unknown, it is anticipated that a project at that site would be held to similar safety standards. This would ensure the safety of persons using the streets and sidewalks to the extent feasible. As such, the project would not conflict with policies established for pedestrian facilities, nor would it decrease the performance or safety of such facilities. Impacts would be **less than significant**, and no mitigation is required.

### **Bicycle Facilities**

Class III on-site bicycle facilities are located along the project site's street frontages on Pipeline Avenue and Chino Avenue. Construction of the proposed MLC residential project would not include street closures or other activities with the potential to compromise the use and/or safety of the bicycle route. Similarly, future construction at the Remaining Parcels Site is not expected to require street closures or activities with the potential to compromise the use and/or safety of the bicycle route; however, future potential residential and/or commercial development on the Remaining Parcels Site could involve additional traffic studies as part of CEQA compliance for those projects, in which any potential adverse safety hazards would be identified and addressed pursuant to CEQA. As with transit and pedestrian facilities, the City has established goals and policies to foster bicycling as a convenient, healthy and environmentally friendly travel choice in Chino. The proposed project would not preclude the City from implementing such policies. The proposed project would not conflict with policies established for bicycle facilities, nor would it include any aspects that would decrease the performance or safety of such facilities. Impacts would be **less than significant**, and no mitigation is required.

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### 3.17 Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

**Less Than Significant Impact.** As described under Section 3.5, a CHRIS records search was conducted at the SCCIC on August 16, 2016, for the proposed project site and a surrounding radius of one mile. The CHRIS search included a review of the CRHR, the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list. The records search also included a review of all available historic USGS 7.5- and 15-minute quadrangle maps. No previously recorded tribal cultural resources listed in the CRHR or a local register were identified within the project site. Further, no tribal cultural resources were identified by California Native American tribes as part of the

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City's AB 52 notification and consultation process (see Section 3.17b below). Impacts are considered **less than significant**. No mitigation is required.

- ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)*

**Less Than Significant Impact With Mitigation Incorporated.** There are no resources on the project site that have been determined by the City to be significant pursuant to the criteria set forth in Public Resources Code Section 5024.1. Further, no tribal cultural resources were identified in the project area by California Native American tribes as part of the City's AB 52 notification and consultation process.

Prior to the current project, the City had not received any requests from California Native American Tribes to be notified of CEQA projects for the purposes of AB 52. In an effort to proactively reach out to tribes with a cultural affiliation to the project site, the City requested a tribal consultation list from the NAHC. On August 15, 2016, the NAHC provided the City with a list of five tribes with traditional lands or cultural places located within the boundaries of the project site. On August 18, 2016, the City of Chino mailed notification letters to all five contacts provided by the NAHC. To date, the City has received one response/request for consultation. On August 31, 2016, Andrew Salas, Chairman of the Gabrieleno Band of Mission Indians – Kizh Nation responded via email. Mr. Salas stated that he considers the project site highly sensitive for cultural resources and requested that one of his tribe's certified Native American monitors be on site during all ground disturbing activities. On September 27, 2016, the City responded to Mr. Salas' email and offered to set up a meeting to discuss the project and to get more specific information concerning Mr. Salas' monitoring request. To date, the City has received no response from Mr. Salas. As such, the consultation process has concluded. It should be noted that a qualified Native American monitor will be on-site, at least during initial ground disturbing activities, as part of mitigation measure **MM-CUL-1** (see Section 3.5(b)). As such, impacts are considered **less than significant with mitigation incorporated**. No further mitigation is required.

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### 3.18 Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) *Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?***

**Less Than Significant Impact.** Under existing conditions, wastewater from the project site is treated via an on-site septic system. Under the proposed project, the residences developed at the MLC Residential Site would connect to the City's sewer system, as well as the City's water service. It is anticipated that a future residential project in the eastern portion of the Remaining Parcels Site would also connect to the City's sewer and water systems. The existing residences within the rest of the Remaining Parcels Site could also connect to the City's sewer system in the event of a future septic system failure. The sewage that would be conveyed via the City's sewer system would flow into trunk sewers maintained and operated by the Inland Empire Utilities Agency (IEUA), which then convey wastewater to IEUA wastewater treatment facilities. Potable water would be provided by the City's Water Utility, which obtains water from

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three sources: local groundwater from the Chino Groundwater Basin, produced by City-owned wells and by the Chino Basin Desalter Authority; imported surface water from the Metropolitan Water District of Southern California, acquired through the IEUA and treated by the Water Facilities Authority; and 3) recycled water supplied by IEUA (City of Chino 2010).

The Santa Ana RWQCB wastewater treatment requirements (as well as State Water Resources Control Board [SWRCB] Division of Drinking Water potable water treatment requirements) are applicable to the City and to the IEUA (i.e., the service providers) rather than to the proposed project itself. The City and IEUA are required to treat potable water and wastewater in accordance with federal, state, and local regulations. Both the City and IEUA are also subject to compliance with SWRCB Order No. 2006-0003-DWQ, *Statewide General Waste Discharge Requirements for Sanitary Sewer Systems*, as amended. SWRCB Order No. 2006-0003-DWQ establishes performance criteria and effluent limitations to ensure that treated effluent discharges do not violate basin plan objectives for receiving waters. The order ensures that the IEUA properly maintains and manages its sewer systems and reduces frequency and severity of sanitary sewer overflows and their potential impacts on public health, safety, and the environment. IEUA wastewater treatment facilities are also subject to RWQCB Order No. R8-2015-0036, NPDES No. CA8000409, *Waste Discharge Requirements and Master Reclamation Permit for the Inland Empire Utilities Agency's Regional Water Recycling Facilities, Surface Water Discharges and Recycled Water Use*. This permit specifies wastewater treatment requirements for IEUA's facilities.

The water and sewer fees paid by the applicant would be used by the utility providers, at least in part, to fund projects and programs necessary to meet their regulatory obligation with respect to treatment requirements, treatment capacity, and supply reliability. Because the proposed MLC project and future potential developments at the Remaining Parcels Site would be serviced by regional water/sewer providers (rather than proposing on-site treatment), the potential impact with respect to wastewater treatment requirements would be **less than significant**. No mitigation is required.

- b) *Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

**Less Than Significant Impact.** Due to the increased activity on the project site caused by the proposed MLC residential development and potential future development in the eastern section of the Remaining Parcels Site, the proposed project would increase the

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amount of water used and wastewater produced at the project site relative to existing conditions. However, this increase in demand would not result in the need for new water facilities or new wastewater treatment facilities.

The project only proposes installation of water lines and wastewater collection systems within the project site and the immediately adjacent roadways. The project would not involve construction of new on-site water or wastewater treatment facilities or the expansion of existing facilities. The environmental effects of construction of the on-site wastewater collection system and water lines are analyzed throughout this IS/MND. Title 13 of the City's Municipal Code codifies the City's policy for sewers, water service, and connection fees. Compliance with the provisions of Chapter 13.04 (Water), Chapter 13.12 (Sewers – Connections and Extension), and Chapter 13.13 (Sewage Facilities Development Fee) would further ensure that the proposed project does not adversely affect existing wastewater infrastructure. For both water and wastewater service connections, the applicant would be required to pay connection and use fees to the City, as well as to the IEUA. Connection fees must be paid before connection permits are issued. Among other things, these fees are used to fund improvements needed to continue serving the applicable service area, ensure adequate capacity, and comply with applicable water treatment requirements. The proposed project would therefore not result in the construction or expansion of water/wastewater treatment facilities. Therefore, the impact with respect to water or wastewater treatment facilities for the proposed project would be **less than significant**. No mitigation is required.

- c) *Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

**Less Than Significant Impact.** As described in Section 2.1 and in Section 3.9, the proposed MLC project involves construction of on-site stormwater drainage facilities and the extension of an existing storm drain from the intersection of Chino Avenue and Pipeline Avenue northward to the MLC Residential Site. The proposed new stormwater drainage facilities and the proposed extension of the existing storm drain are analyzed for their environmental impacts throughout this IS/MND, since they are included as part of the proposed project. Future storm water drainage infrastructure that may be installed in association with future potential development on the Remaining Parcels Site could involve additional analysis as part of CEQA compliance. As described in Section 3.9, such infrastructure would need to comply with the currently adopted and applicable standards for stormwater runoff volume and filtration.

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Beyond the proposed storm drain infrastructure that is part of the proposed project and that would likely be part of future potential development projects at the Remaining Parcels Site, the proposed project is not expected to otherwise involve construction of new storm water drainage facilities or expansion of existing facilities. This is because, as described in Section 3.9 and as further substantiated in Appendix F, the proposed MLC residential project is anticipated to reduce stormwater runoff volumes when compared to existing conditions. The proposed extension of the existing storm drain within Pipeline Avenue has been sized in accordance with calculations of the anticipated stormwater runoff volumes from the MLC Residential Site and the properties to the north that currently drain through the MLC Residential Site. Furthermore, the storm drain would only be used during large storm events; during smaller storm events, runoff would be infiltrated on site via two infiltration basins. As such, additional facilities or expansions are not anticipated to be required to support the proposed MLC project. Future development on the eastern portion of the Remaining Parcels Site is also anticipated to result in reduced runoff volumes, since the project(s) would be required to comply with modern stormwater design standards, which include requirements to minimize runoff and to infiltrate runoff on site. For these reasons, construction or expansion of stormwater drainage facilities beyond the proposed drainage improvements at the MLC Residential Site and the reasonably foreseeable drainage improvements in the eastern portion of the Remaining Parcels Site would not be required, and impacts would be therefore be **less than significant**. No mitigation is required.

- d) *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

**Less Than Significant Impact.** The proposed MLC residential project would connect to municipal water service provided by the City. It is anticipated that future potential development projects in the eastern portion of the Remaining Parcels Site would also connect to municipal water service provided by the City. (Note that existing residences within the Remaining Parcels Site already receive water service from the City.) Because the proposed project would increase the land use intensity of the MLC Residential Site and would allow for development of a greater intensity in the eastern portion of the Remaining Parcels Site, the project would result in increased water demand. Both the City and IEUA have prepared Urban Water Management Plans that plan for provision of regional water including drought scenarios for the City and the IEUA service area. The plans use regional population, land use plans, and projections of future growth as the basis for planning water system improvements and demonstrating compliance with state water conservation goals and policies.

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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While the proposed project would involve an intensification of uses on the project site, the increased water use would be minor and incremental, particularly in the context of the total water portfolio managed by the City and the IEUA. The proposed project would remain generally consistent with planning assumptions and thus the increase in water demands have been accounted for on a regional planning level. It should also be noted that the proposed project would be subject to the City's water conservation policies, set forth in Municipal Code Chapter 13.05 (Water Conservation). Upon approval of the proposed project, the project site would be annexed into the City and included within the City's service area. As such, no new water entitlements would be required, and the impact would therefore be **less than significant**. No mitigation is required.

- e) *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

**Less Than Significant Impact.** The proposed project represents an increase in the intensity of uses on the project site and would therefore be expected to increase the amount of wastewater generated. However, the increase in wastewater generation in a regional context would not be substantial. The proposed project's increase in wastewater would be minor and incremental relative to the wastewater flows currently supported by IEUA's regional wastewater treatment plants.

As part of the proposed project's entitlement process, the applicant would be required to obtain permits from the City for connection to the City's sewer system and would be required to pay associated fees, as described under item 3.17(b). Among other things, these fees are used to fund improvements needed to continue serving the applicable service area and ensuring adequate capacity. Given the size of the City's wastewater system and the treatment plants that serve the City, the wastewater treatment providers (i.e., the City and the IEUA) would have adequate capacity to serve the proposed project's demand, which is minor relative to existing wastewater flows that are supported by the City and IEUA. Furthermore, development approvals would not be granted unless the applicant provides the City with utility will-serve (or availability) letters demonstrating the utility providers' intent to serve the project. Impacts would be **less than significant**. No mitigation is required.



## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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- f) *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

**Less Than Significant Impact.** Solid waste collection and recycling services in the City's sphere of influence are provided by Burrtec Waste Industries (Burrtec). Because the project site is currently within the City's sphere of influence, the existing on-site uses are currently served by Burrtec. Burrtec diverts waste to the West Valley Material Recovery Facility and Transfer Station, from which it is transferred to the El Sobrante Landfill. The City is served by Waste Management Inc. (City of Chino 2010). Upon annexation of the project site into the City, the project site would be served by Waste Management Inc. instead of Burrtec. (This transition may not occur immediately and would be required to occur in accordance with Municipal Code Section 8.16.2010 (Service and Charges within Areas Annexed to the City of Chino)). Waste Management Inc. uses the same facilities as Burrtec (West Valley Material Recovery Facility and Transfer Station and the El Sobrante Landfill) to divert waste collected in the City. The West Valley Material Recovery Facility and Transfer Station has a permitted daily intake capacity of approximately 7,500 tons per day. El Sobrante Landfill has been accepting solid waste from Chino since 1993, and can currently accept up to 16,000 tons per day and 120,000 tons per year. The El Sobrante Landfill has a maximum permitted capacity of 184,930,000 tons and has a remaining capacity of approximately 141,744,875 tons. The El Sobrante Landfill has an estimated closure date of 2045 (City of Chino 2010; CalRecycle 2016).

Demolition of existing structures and construction of the MLC project and any future residential project in the eastern section of the Remaining Parcels Site would result in the generation of solid waste such as scrap lumber, concrete, residual wastes, packing materials, and plastics. Additionally, the proposed project would result in increased land use intensity on the project site, which would likely increase solid waste generation on the site relative to existing conditions. The City is required to comply with the solid waste diversion mandates established by the California Integrated Waste Management Board under State Assembly Bill 939 (AB 939). AB 939 states that all cities in California must divert 50% of their waste stream by 2000 and maintain this diversion rate. Around the time of General Plan adoption, the City's diversion rate was 61% (City of Chino 2010). As such, it is anticipated that 50% or more of the project's waste would be diverted from a landfill, thereby reducing the effects of construction and operation on landfill capacity. The project's incremental increase in solid waste generation would be negligible relative to the remaining permitted capacity of the El Sobrante Landfill. As such, it is anticipated that El Sobrante would have sufficient permitted capacity to accommodate increases in

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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solid waste generation that would occur during operation of the proposed project. (Note that the El Sobrante Landfill is expected to close in 2045, which is five years after the expected buildout date for the annexation area. However, the planned closure of this landfill would not be accelerated or otherwise be affected by buildout of the annexation area, since any solid waste that is generated from the annexation area would be negligible relative to the quantity that is processed by the El Sobrante Landfill. Additional landfills would be identified through regional planning efforts.) Hazardous waste generated during construction at the project site and operation of the MLC project and future development projects at the Remaining Parcels Site would be managed and disposed of in compliance with all applicable federal, state, and local laws. The proposed project would be served by a landfill with adequate capacity, and around the time of buildout of the annexation area, it is expected that new facilities would be identified to support the region. Impacts of the proposed project are therefore considered to be **less than significant**. No mitigation is required.

**g) *Would the project comply with federal, state, and local statutes and regulations related to solid waste?***

**No Impact.** The project applicant is required to comply with all local, state, and federal requirements for integrated waste management (e.g., recycling, green waste) and solid waste disposal. As such, **no impact** would occur.

### References

- CalRecycle. 2016. Facility/Site Summary Details: El Sobrante Landfill. Accessed October 17, 2016. <http://www.calrecycle.ca.gov/SWFacilities/Directory/33-AA-0217/Detail/>.
- City of Chino. 2016. "Utility Billing." Webpage. Accessed October 17, 2016. <http://www.cityofchino.org/residents/utility-billing>.
- City of Chino. 2010. *General Plan Environmental Impact Report*. Final. Prepared by Design, Community, and Environment. Updated May 21, 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

### 3.19 Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

**Less Than Significant Impact with Mitigation Incorporated.** The proposed project site is located in a developed and urbanized area, and the project site has been developed with residential and agricultural uses for approximately 70 years. The proposed improvements to the project site would not degrade the quality of the environment. As the project site has been developed for over a half century and is surrounded by other residential developments, it does not currently support substantial wildlife or fish habitat, fish or wildlife populations, or plant and wildlife communities. As described in Section 3.4, Biological Resources, the project site has a moderate potential to support burrowing owl, Cooper's hawk, and protected bat species, due to the presence of potentially suitable habitat at the project site. However, mitigation measures **MM-BIO-1**, **MM-BIO-2**, and

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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**MM-BIO-3** have been set forth to ensure protection of burrowing owl, Cooper's hawk, and protected bat species, in the event that any are found to be present on the site prior to construction activities. Mitigation measure **MM-BIO-3** would also ensure that nesting native birds and raptors, in addition to Cooper's hawk, are protected during construction activities. As such, while the proposed project would have the potential to affect special-status wildlife species, mitigation has been provided to ensure that if any such species are present on the project site, they will be protected and avoided during construction activities that would have the potential to disturb such species. As discussed in Section 3.4, the project site is not anticipated to support any special-status plant species. The project site contains three blue elderberry shrubs; however, due to the size of the patch and the existing surrounding land uses, this path does not constitute a vegetation community. There are other examples of this vegetation community that are more robust and that are located in naturalized areas. As such, removal of the three blue elderberry shrubs would not eliminate a plant community.

As described in Section 3.5, Cultural Resources, the project site does not support any known examples of major periods in California history or prehistory. However, as stated in Section 3.5, in the event that sub-surface cultural resources were to be discovered during grading/construction activities, the resource would be preserved in accordance with mitigation measures **MM-CUL-1**, **MM-CUL-2**, and **MM-CUL-3**. The proposed project would not, therefore, eliminate important examples of the major periods of California history in the event that any are discovered on the site. For these reasons, the proposed project would result in **less than significant impacts with mitigation incorporated** on sensitive species and important examples of California history. No further mitigation is required.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

**Less Than Significant Impact with Mitigation Incorporated.** In an effort to determine whether or not the proposed project's potential impacts are cumulatively considerable, a regional plan approach was used to consider the proposed project with anticipated growth in the region. The proposed project would result in potentially significant project-level impacts involving biological resources, cultural resources, hazards and hazardous materials, noise and vibration, and transportation and traffic. However, in all cases, mitigation measures have been identified that would reduce these impacts to a less-than-significant level. All reasonably foreseeable future development in the City would be

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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subject to the same land use and environmental regulations that have been described throughout this document. Furthermore, all development projects within the City are guided by the policies identified in the City's General Plan and by the regulations established in the City's Municipal Code. Development within the County is similarly guided by County General Plan policies and the County Development Code. Therefore, compliance with applicable land use and environmental regulations would ensure that environmental effects associated with the proposed project do not combine with effects from reasonably foreseeable future development in the City or in surrounding jurisdictions to cause cumulatively considerable significant impacts. Cumulative impacts would therefore be **less than significant with mitigation incorporated** for the proposed project. No further mitigation is required.

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

**Less Than Significant Impact with Mitigation Incorporated.** The proposed project would not have an environmental effect that would cause significant adverse effects on human beings either directly or indirectly. Implementation of the mitigation measures identified in this IS/MND would reduce any potentially significant environmental impacts that would cause adverse effects on human beings to a **less than significant level with mitigation incorporated** for cultural resources, hazards and hazardous materials, noise and vibration, and transportation and traffic. No further mitigation is required.

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Chino Annexation Area Project**

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# **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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## **4 LIST OF PREPARERS**

### **City of Chino**

Michael Hitz, AICP, Principal Planner

### **Dudek**

Ruta K. Thomas, REPA, Project Manager

Jennifer Reed, Senior Air Quality and Greenhouse Gas Emissions Specialist

Nicholas Lorenzen, Air Quality and Greenhouse Gas Emissions Specialist

Mike Greene, INCE, Senior Noise Specialist/Acoustician

Samantha Murray, RPA, Archaeologist/Architectural Historian

Adriane Dorrlor, Archeologist

Sarah Siren, Paleontologist

Michele Webb, Environmental Analyst

Curtis Battle, GIS Technician

Devin Brookhart, Publications Specialist Lead

Lindsey Powers, Publications Specialist

Taylor Eaton, Publications Specialist

### **Linscott, Law & Greenspan**

Richard E. Barretto, P.E., Principal

Zawwar Saiyed, P.E, Senior Transportation Engineer

**Initial Study/Mitigated Negative Declaration  
Chino Annexation Area Project**

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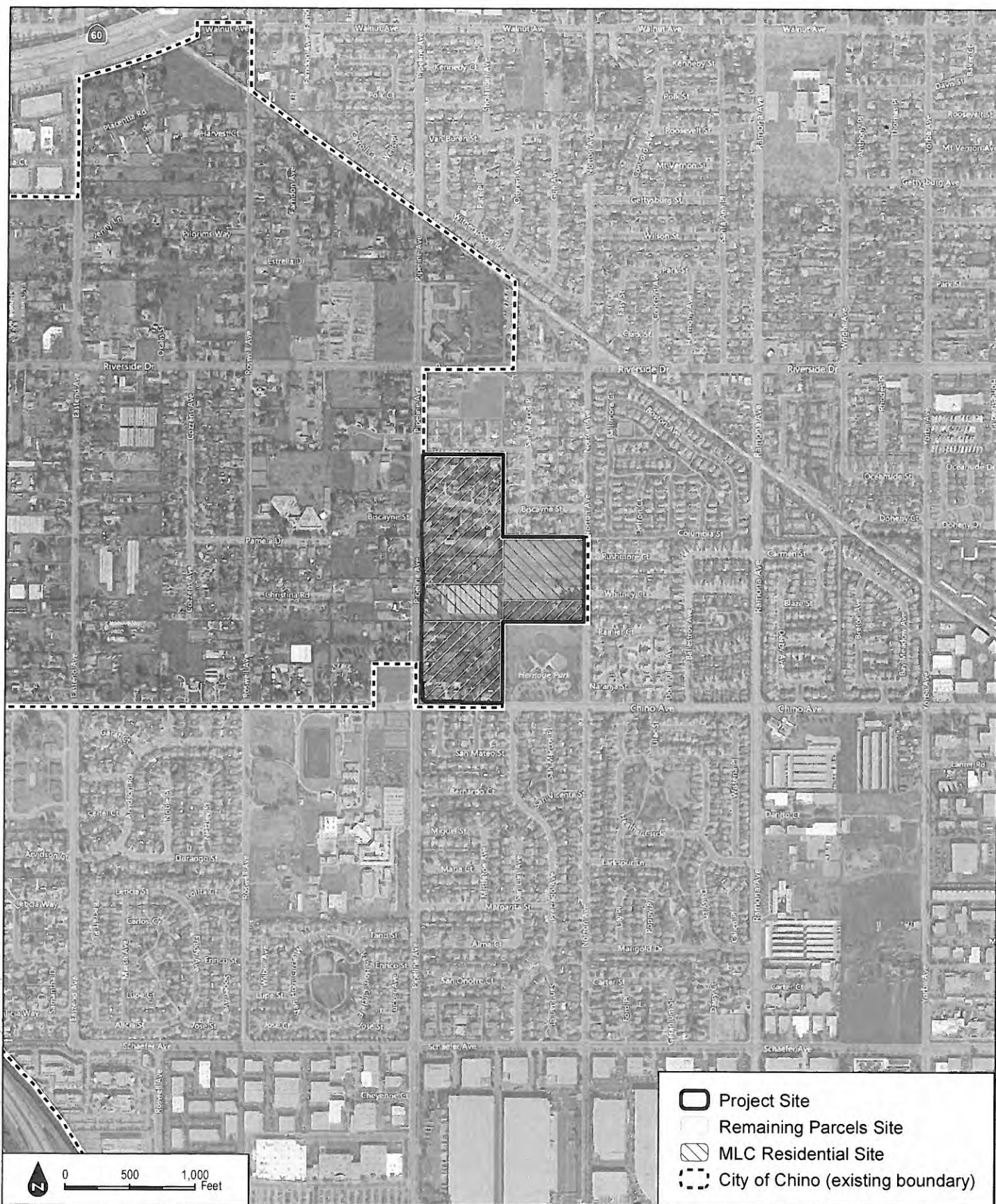




**Initial Study/Mitigated Negative Declaration  
Chino Annexation Area Project**

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**FIGURE 1-2**  
**Vicinity Map**

**DUDEK**

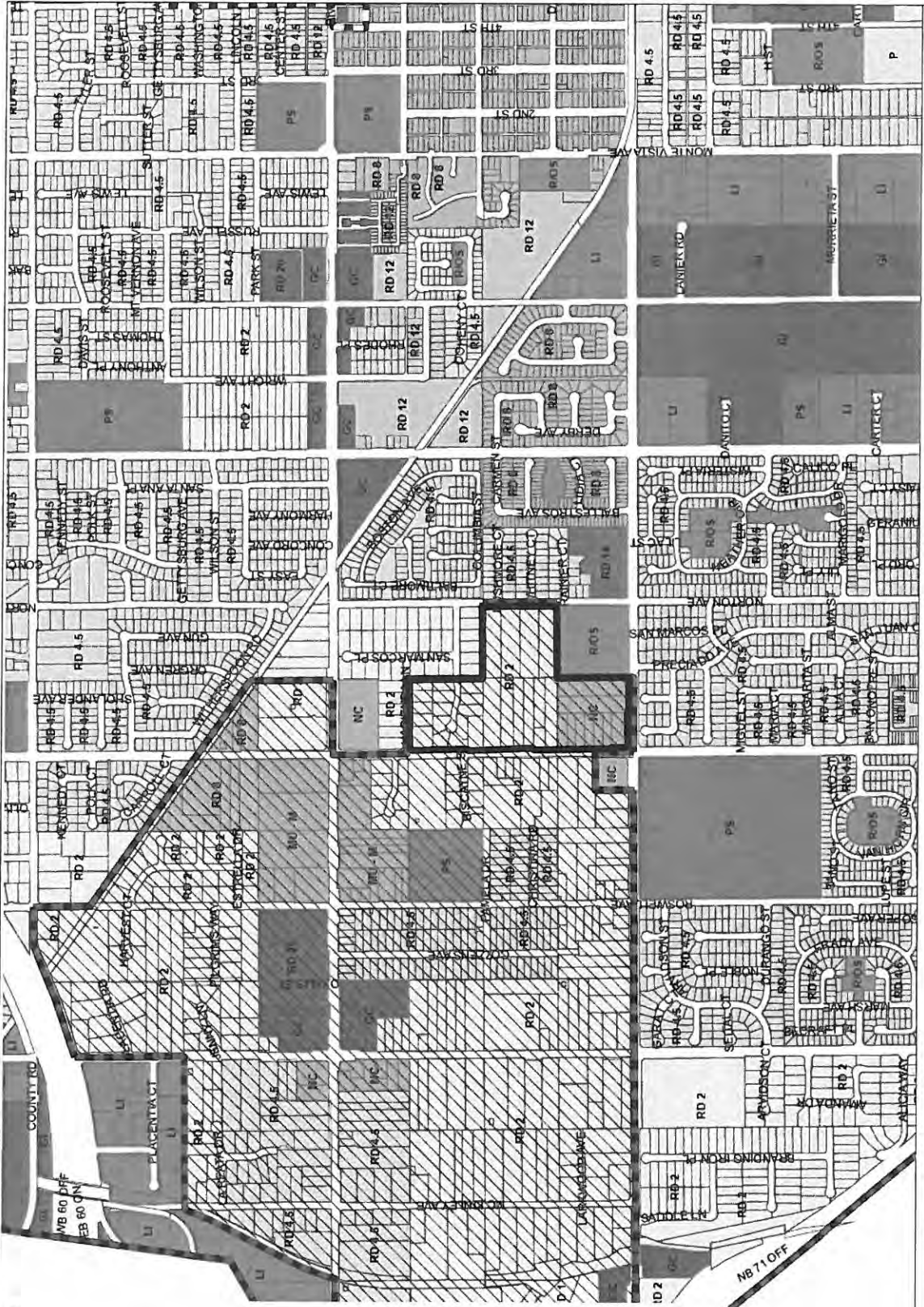
Chino Annexion Area Project

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Chino Annexation Area Project**

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# GENERAL PLAN LAND USE DESIGNATIONS

- RESIDENTIAL**
  - RD 1 (1 DU/AC)
  - RD 2 (2 DU/AC)
  - ER - ESTATE RESIDENTIAL
  - RD 4.5 (4.5 DU/AC)
  - LDR - LOW DENSITY RESIDENTIAL
  - MOR - MEDIUM DENSITY RESIDENTIAL
  - RD 12 (12 DU/AC)
  - RD 14 (14 DU/AC)
  - HDR - HIGH DENSITY RESIDENTIAL
  - RD 20 (20 DU/AC)
  - RD 30 (30 DU/AC)
- OPEN SPACE**
  - AG - AGRICULTURE
  - ROS - RECREATION / OPEN SPACE
  - UR - URBAN RESERVE
- COMMERCIAL**
  - OC - OFFICE COMMERCIAL
  - NC - NEIGHBORHOOD COMMERCIAL
  - GC - GENERAL COMMERCIAL
  - RC - REGIONAL COMMERCIAL
- INDUSTRIAL**
  - BP - BUSINESS PARK
  - SC - SERVICE COMMERCIAL
  - MR - MANUFACTURING RESEARCH
  - GI - GENERAL INDUSTRIAL
  - LI - LIGHT INDUSTRIAL
- OTHER**
  - P - PUBLIC
  - PS - PUBLIC SCHOOLS
  - MJ - M (MIXED USE - MEDIUM DENSITY 20 DU/AC)
  - MJ - H (MIXED USE - HIGH DENSITY 30 DU/AC)
  - CC 16 - COMMUNITY CORE 16 (MIXED USE)
  - MJ - CP (MIXED USE COLLEGE PARK)
  - AR - AIRPORT RELATED
  - CITY BOUNDARY
  - SPHERE OF INFLUENCE
  - PROJECT SITE



SOURCE: SOURCE Bing Maps, 2015; County of San Bernardino, 2017

FIGURE 1-3  
Existing Land Use Designations

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Chino Annexation Area Project

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**FIGURE 1-4**  
Existing Land Uses

SOURCE: SOURCE: Bing Maps, 2017

Chino Annexation Area Project

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**FIGURE 1-5**  
**Viewpoint Location Map**

SOURCE: SOURCE: Bing Maps, 2016

Chino Annexation Area Project

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**Viewpoint A**  
**Looking East along Northern Site Boundary from the Northerly Vacant Lot**

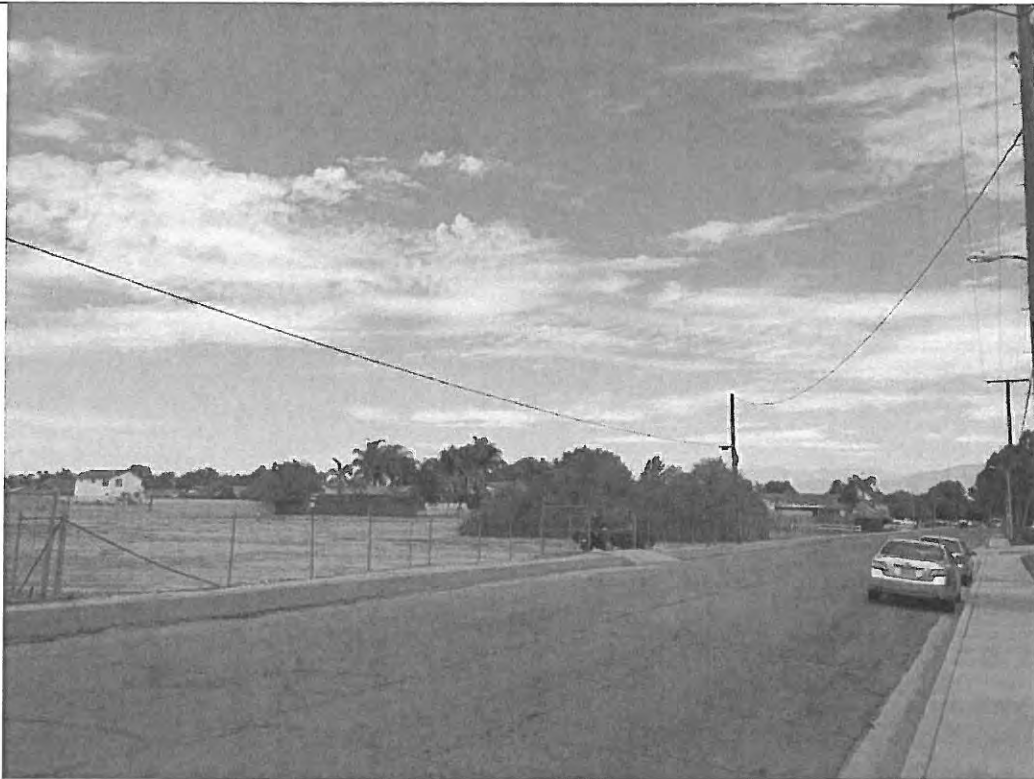


**Viewpoint B**  
**Looking West Across the Northerly Vacant Lot**

**Initial Study/Mitigated Negative Declaration  
Chino Annexation Area Project**

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**Viewpoint C**  
**Looking Northwest along Norton Avenue toward the Vacant Lots**



**Viewpoint D**  
**Looking South at Norton Avenue Residence from the Southerly Vacant Lot**

**FIGURE 1-7**  
**Viewpoints C and D**

**Initial Study/Mitigated Negative Declaration  
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**Viewpoint E**  
**Looking Northwest across Heritage Park toward Project Site**



**Viewpoint F**  
**Looking East along the Northern Site Boundary from Pipeline Avenue Residence**

**FIGURE 1-8**  
**Viewpoints E and F**

**Initial Study/Mitigated Negative Declaration  
Chino Annexation Area Project**

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**Viewpoint G**  
**Looking South from Pipeline Avenue Residence**



**Viewpoint H**  
**Looking Southeast along Pipeline Avenue toward Project Site**

**Initial Study/Mitigated Negative Declaration  
Chino Annexation Area Project**

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**Viewpoint I**  
**Looking West along Southern edge of Egg Farm**



**Viewpoint J**  
**Looking North from 13164 Norton Avenue**

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Chino Annexation Area Project**

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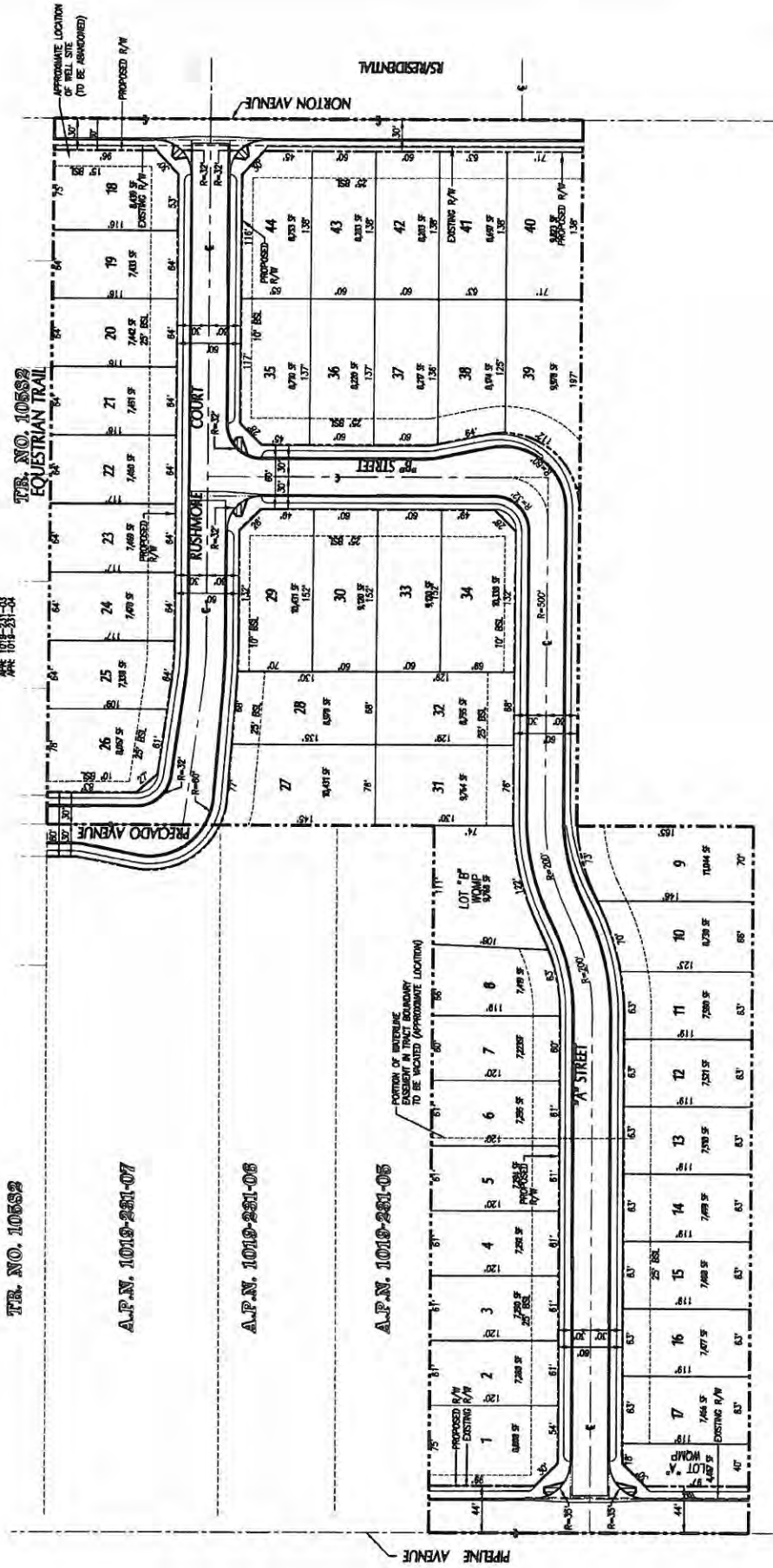
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TR. NO. 10552

A.P.N. 1019-231-07

A.P.N. 1019-231-08

A.P.N. 1019-231-09



SOURCE: Allard Engineering, 2017

FIGURE 2-1  
 MLC Residential Project Design

Chino Annexation Area Project

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SOURCE: County of San Bernardino 2014; Bing Maps 2016

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SOURCE: USGS 7.5-Minute Series Ontario Quadrangle

**FIGURE 3.12-1**  
Noise Measurement and Modeling Locations

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## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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### 5 RESPONSE TO COMMENTS RECEIVED

Seven comment letters were received in response to the proposed project's Draft IS/MND. Additionally, oral comments were also received at Planning Commission hearings held on March 20, 2017 and April 3, 2017. This section of the Final IS/MND includes a copy of these comment letters, as well as a summary of the oral comments received at the Planning Commission hearings, and the City's responses to all comments. As shown in Table 5-1, the letters are each assigned a letter (A, B, C, etc.), and the issues within each comment letter are bracketed and numbered (e.g., A-1, A-2). The letters are followed by the City's responses that are lettered and numbered to correspond with the bracketed comments.

The City's responses to comments on the IS/MND represent a good-faith, reasoned effort to address the environmental issues identified by the comments. Pursuant to CEQA Guidelines Section 15074(b), decision makers will consider the proposed IS/MND together with the comments received during the public review process.

**Table 5-1  
List of Commenters**

<b>Comment Letter</b>	<b>Name</b>	<b>Type</b>	<b>Address</b>
A	Southern California Edison	Utility	6040B North Irwindale Avenue, Irwindale, California 91702
B	Marc Lindsey Weber, Esq.	Individual	1800 East Garry Avenue, Suite 213, Santa Ana, California 92705
C	West Valley Mosquito and Vector Control District	Agency	1295 East Locust Street, Ontario, California 91761
D	San Bernardino County Department of Public Works	Agency	825 East Third Street, San Bernardino, California 92415
E	Local Agency Formation Commission for San Bernardino County	Agency	215 North D Street, Suite 204, San Bernardino, California 92415
F	Planning Commission Meeting Minutes	Individuals	Numerous
G	Jeff and Linda Jolicoeur	Individuals	13244 Pipeline Avenue, Chino, California 91710
H	David and Julifel Grier	Individuals	13229 Pipeline Avenue, Chino, California 91710

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Chino Annexation Area Project**

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# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

## Comment Letter A



Sent via electronic mail to [mhitz@cityofchino.org](mailto:mhitz@cityofchino.org)

March 14, 2017

Michael Hitz  
Principle Planner  
City of Chino  
13220 Central Avenue  
Chino CA 91710

RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Public Hearing for the Chino Annexation Area Project

Dear Mr. Alvarez:

Southern California Edison (SCE) is pleased to submit the following comments on the Notice of Intent to Adopt a Mitigated Negative Declaration and Public Hearing for the Chino Annexation Area Project. We appreciate the opportunity to coordinate with the City and the developer on this Project and look forward to working together for successful completion.

### **SCE's Electrical Facilities**

SCE provides electric service to the City of Chino and San Bernardino County and maintains electrical transmission and distribution facilities, as well as substations and supporting appurtenances in both the City and County.

The Initial Study/Mitigated Negative Declaration mentions on page 17 that permits will be needed for utility connection. Construction analysis assumes three months of utility installation and trenching (page 39), mostly for sewer facilities. SCE assumes this analysis considers impacts to SCE facilities and required construction activities.

Please note the following for SCE facilities:

### **General Order 131-D**

The construction, modification, and relocation of transmission lines, or electrical facilities that are designed to operate at or above 50 kilovolts (kV) may be subject to the California Public Utilities Commission's (CPUC) General Order 131-D<sup>1</sup>. If the construction, modification, or relocation of transmission lines results in significant environmental impacts, they should be identified and discussed in the SEIR if not already analyzed in the FEIR. If not, SCE may be required to pursue a separate, mandatory CEQA review through the CPUC, which could delay approval of the SCE transmission line portion of the project for two years or longer.

### **General Order 95**

SCE must comply with General Order (GO) 95, which establishes rules and regulations for the overhead line design, construction, and maintenance. GO 95 also includes vertical clearance requirements from thoroughfares, ground, and railroads, as well as specific minimum clearances from tree branches and vegetation around overhead wires. The project's landscaping should not conflict with SCE's existing and proposed transmission line designs.

### **Method of Service**

<sup>1</sup> <http://docs.cpuc.ca.gov/PUBLISHED/Graphics/S89.PDF>

A-1

A-2

A-3

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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In order to determine electrical infrastructure necessary to support the proposed project, the project proponent must submit a signed Method of Service agreement to SCE and pay engineering fees for an electric service study to be completed. Infrastructure necessary to support this project is subject to licensing and permitting authority of the CPUC.

SCE appreciates the opportunity to comment on the Initial Study/Mitigated Negative Declaration for the Chino Annexation Area Project. SCE looks forward to working and collaborating with the City. If you have any questions regarding this letter, please contact me at [heather.neely@sce.com](mailto:heather.neely@sce.com) or 626.476.7839.

Regards,

Heather Neely  
Third Party Environmental Reviews  
Environmental Services  
Southern California Edison  
6040B N Irwindale Ave  
Irwindale CA 91702

A-3  
Cont.

# **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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## **Response to Comment Letter A**

**Southern California Edison  
Heather Neely  
March 14, 2017**

- A-1** This comment states that Southern California Edison (SCE) provides electric service to the City of Chino (City) and to San Bernardino County (County). SCE states in this comment that it maintains electrical transmission and distribution facilities, as well as substations and supporting appurtenances, in both the City and the County.

The IS/MND identified SCE as the electric service provider for the project area. This comment is introductory in nature; no further response is required.

- A-2** This comment states that the construction analysis in the IS/MND assumes three months for utility installation and trenching. SCE states that it assumes the analysis in the IS/MND includes effects to SCE facilities and any related construction activities as part of its construction assumptions. This assumption is accurate—the utility installation phase of construction would consist of utility work for the proposed project, including any electrical work.

- A-3** This comment describes General Order 131-D and General Order 95, with which SCE must comply. As stated in this comment, General Order 131-D requires that if the construction, modification, or relocation of transmission lines results in significant environmental impacts, such impacts must be identified in a CEQA document. As stated in Response A-2, the analysis in the IS/MND includes electrical utility work that may occur as part of the proposed project. The project would not involve construction of new transmission lines, undergrounding of existing transmission lines, or relocation of transmission lines. Minor electrical work for the proposed project is included in the environmental analysis of the IS/MND.

As stated in this comment, General Order 95 sets forth rules and regulations for overhead line design, including vertical clearance requirements. The comment states that the project's landscaping should not conflict with SCE's existing and proposed transmission line designs. The proposed project would be required to comply with minimum clearances for tree branches and vegetation near the adjacent overhead wires. As such, the project is not anticipated to conflict with vertical clearance requirements.

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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This comment also states that the project applicant must submit a signed Method of Service Agreement to SCE and must pay engineering fees for an electric survey study. The project applicant would comply with the necessary procedures established by SCE. The project applicant will contact SCE with any questions using the contact information provided in this comment.



# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

Comment Letter B



Marc Lindsey Weber, Esq.

1800 E. Garry Avenue, Suite 213  
Santa Ana, California 92705

Telephone  
(949) 833-8388

Facsimile  
(949) 833-8380

E-Mail  
[mlw@marcweberlaw.com](mailto:mlw@marcweberlaw.com)

March 16, 2017

VIA MESSENGER

City of Chino  
Attention: Michael Hitz, Principal Planner  
13220 Central Avenue  
Chino, California 91710

Re: Chino Annexation Area Project

Dear Mr. Hitz:

I represent William Timmons and Gail Timmons, owners of the real property located at 13184 Norton Avenue, Chino, California ("Timmons' Property").

The City of Chino is considering an annexation of an area described as bounded by Pipeline Avenue to the west, Chino Avenue to the south, Norton Avenue to the east and Hacienda Lane to the north ("Project"). The Project File Numbers are:

PL16-0462 (Prezone)  
PL16-0463 (General Plan Amendment)  
PL16-0464 (Annexation)  
PL16-529 (Tentative Tract Map No. 18903)

The annexation would include rezoning of, among other areas:

1. approximately 22.4 acres from the San Bernardino County zoning designation of RS-20M (Single Residential minimum lot size 20,000 square feet) to the City of Chino's zoning designation of RD 2 (Residential/Agricultural), and
2. approximately 13.6 acres from the San Bernardino County zoning designation of RS-20M to the City of Chino's zoning designation of RD 4.5 (Residential).

On February 15, 2017, a neighborhood meeting was held at Chino's City Hall to discuss the proposed annexation and land use changes for future development of 44 single family houses, to be built north of Chino Avenue, between Pipeline Avenue and Norton Avenue. A letter from Nick Liguori, dated March 9, 2017, claims "most of the residents' concerns" were answered during the meeting. The letter then said it answered a "few questions" which could not be answered at the meeting.

B-1

# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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Mr. Michael Hitz, Principal Planner  
City of Chino  
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The Timmons, however, have raised a number of concerns that were not answered or answered in any way meaningful to them. Enclosed is a copy of their letter, dated February 20, 2017, addressed to Nick Liguori.

The Timmons intend, by this letter and the letter enclosed, to place their concerns or objections to the Project on the record within the Review Period for the Mitigated Negative Declaration and prior to the Public Hearing regarding the Declaration, to be held on March 20, 2017.

The proposed Tentative Tract Map, prepared on behalf of MLC Holdings, Inc. ("Developer"), the party hoping to develop the property to the north and northwest of the Timmons Property ("New Development Property"), shows a point in the northeast corner of the New Development Property marked "Approximate Location of Well Site (To Be Abandoned)". Therefore, the Developer acknowledges, and the City is aware, of the existence of the well. What the draft Tentative Tract Map fails to show, however, is the easement from the well to the Timmons' Property. The Timmons have previously advised the Developer, orally, and the City both orally and in writing, that the Timmons have an ownership interest in that well and easement. Their ownership interest is recorded in the public records of San Bernardino County and is an interest in real estate. One question is how is the well to be abandoned and the easement released. The Developer does not have the power of eminent domain. A related question is how are the Timmons going to be fairly compensated for the loss of their property rights in the well and easement. The Timmons have never abandoned their rights and assert those rights cannot be taken from them without fair compensation.

Another concern of the Timmons is that, as a result of earlier development along Norton Avenue, there is an earthen berm or embankment along the east side of the Timmons' Property. The purpose of the berm was and is to prevent flooding of the Timmons' Property from Norton Avenue.

Mr. Liguori's March 9 letter states, in section 3:

"A sidewalk will also be constructed within the existing right-of way along the west side of Norton Avenue connecting the proposed development to Heritage Park to the south."

No plan of the location, width or depth of this sidewalk has been presented to the Timmons. Mr. Liguori indicates that the sidewalk will be built on the Timmons' Property. That means the earthen barrier must be cut to allow the sidewalk, or the sidewalk will perch along the ridge of the barrier. That will be a poor plan because unless retaining walls are built on both sides of the sidewalk, water will erode the earthen shoulders on either or both sides of the sidewalk and the sidewalk will be undermined. The sidewalk will then buckle, and/or break. A better and safer plan would be to construct a high curb and gutter and place the sidewalk on the west side of the curb.

B-1  
Cont.

B-2

B-3

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Another problem relating to Norton Avenue is that, while there are curbs and gutters proposed to be built on Norton along the New Development Property, no curb and gutter is proposed for the Timmons' Property. The effect of that will be, because Norton will be widened along the New Development Property, Norton will abruptly narrow in front of the Timmons' Property. That will create a traffic hazard at that point on Norton, resulting in potential damage to the Timmons' Property and potential liability claims against the Timmons.

Presently, there is a drainage ditch on the west side of the Timmons' Property, which extends north and south. The proposed development of the New Development Property would cover the drainage ditch as it extends to the north. No one has addressed the issue of drainage after the northerly portion of the ditch is blocked.

A major concern of the Timmons is the proposed rezoning of the Timmons' Property from San Bernardino County zoning designation RS-20M to City of Chino zoning designation RD 4.5. No one, however, has articulated to the Timmons, or to their knowledge to the public, any necessity for this proposed drastic change. The Timmons presently legally may have large livestock, such as horses, cows, sheep and goats, on their property. The zone change would cause them to lose that agricultural use and will alter the open, pastoral and countryside character of their property.

The Notice of Intent is revealing in that it states:

"As part of the proposed project, a private developer (MLC Holdings, Inc.) is currently proposing to construct 44 single-family residences on approximately 12, acres of the project site. No specific development projects have been proposed for the rest of the project site; however, the proposed project would allow for increased residential intensity on an additional 2.41 acres in the eastern portion of the project site. Under proposed land use designations, approximately 11 single-family residences could be developed in this portion of the site. The proposed Mitigated Negative Declaration addresses full potential buildout of the project site, which includes the currently proposed 44 single-family residences and the future potential 11 residences." [Emphasis added.]

What this discloses is that, while there is no public necessity for the zone change, the Timmons' Property has been targeted for conversion to smaller parcels and an increase of density of dwelling units of 1000%! The Timmons are not requesting, and to the contrary oppose this zone change; the zone change can only benefit some private, third party.

The zone change will damage the Timmons' property rights in their Property. There is no apparent, and to the Timmons' knowledge the City has not presented, any public benefit or legitimate state interest for a private buildout of the project site which includes 11 residences on the Timmons' Property. The Timmons are using their property lawfully and there is no blight or similar public problem with the Timmons' Property. Likewise, the City has not demonstrated any essential connection or nexus between the burden on or harm to the Timmons' Property and

B-4

B-5

B-6

B-7

# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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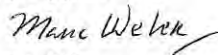
Mr. Michael Hitz, Principal Planner  
City of Chino  
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the rezoning. The annexation of the entire project area, if desirable, does not require rezoning the Timmons' Property to RD 4.5. Ironically, the parcels to the northwest, north of the New Development Property, would be rezoned to RD 2, Residential/Agricultural. Under Nollan v. California Coastal Commission, 483 U.S. 825, and Dolan v. City of Tigard, 512, U.S. 374, the rezoning of the Timmons' Property, if made by the City, would be a regulatory taking which would require compensation for damage to their property rights. The Timmons assert this proposed rezoning, if done, would result in an inverse condemnation of their Property/

Gail Timmons will speak at the public hearing on March 20, 2017, to voice the Timmons' objections to the Declaration for the public record.

Thank you for your full and fair consideration of the matters set forth in this letter.

Very truly yours,



Marc L. Weber  
Attorney

MLW/pm

cc: Gail and William Timmons

B-7  
Cont.

# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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William R. and Gail Timmons  
13184 Norton Ave.  
Chino, CA 91710  
(909) 628-6407 or (909) 260-7362

February 26, 2017

City of Chino  
Planning Commission  
13220 Central Ave.  
Chino, CA 91710

Open Letter to Planning Commission:

After attending the "Neighborhood Meeting" on February 15, 2017, I am writing to express some of my concerns. The meeting was informative, yet frustrating. The intent of the meeting was to familiarize the neighboring property owners with a project being developed by MCL between Norton Ave and Pipeline. Represented were various City departments, County of San Bernardino Planner, LAFCO and the developer. There were many general and specific questions, discussions pertaining to the facts of the development. Unfortunately a great many of those questions were answered with an answer of "to be determined". It is impossible to make an informed decision whether in favor or opposed, when the affecting factors are "to be determined". Each department head put a slightly different spin with very few specific answers. Sam Martin from LAFCO was the most direct stating "if the City requests annexation it will be identified as an "island annexation" and cannot be denied any reason". The answer of "to be determined" given for many of the other discussions it seemed a bit misleading to the current property owners.

The discussions about the sewer attachment resulted in making it sound as if the state was setting the policy not the City using its ordinance related to sewer connections of non-city properties. The residences on west Biscayne were told

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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resulting in modification of how each home in the area receives its electricity. Electric power will be accessible at the property line just as are gas, water and sewer. Unless the developer pays for the underground installation from property line to the dwellings, the property owners will be forced to cover that cost unbeknown to them until it happens. Being private properties, the city will not be covering any connection costs, just as in the case of sewer attachment. That fact could affect some owners' decisions and/or objections. Not being a civil engineer with water expertise, I am concerned about the current plan of routing the water to flow east from the north end of one street to mid area of the development. To be effective with the volume of water as run-off from the two northern developments 1) water needs to run up hill, which it doesn't or 2) it will need to be pumped much like those installed at the ends of Rainier, Whitney and Rushmore Court. Those pumps return the run-off west to bigger storm drain in Norton Ave. Drainage has been an issue for this area for decades. To ignore the feedback and concerns of the residents which experience it every time there is a storm bigger than a drizzle is foolish and shortsighted.

Personally, past experience as a property owner, interacting with the City of Chino and County of San Bernardino County has taught us that most likely things will not materialize as originally presented. With each concession to City or County, we were told and led to believe that the improvements would be one thing (always to our benefit) but once we agreed then the "to be determined" became something very different. Not limited to these few, I would submit the asphalt embankment across the front of our home, the "protective" netting in the south property line not to mention the many other impacts created by the park, and most egregious being the easement on the west property that encroached well beyond what was granted. Lack of maintenance has created a serious erosion problem, including a sink hole condition and destabilization of the perimeter fence. Informing past representatives and employees has always resulted in "passing the buck". One of the only attempts to a solution was Roman Nava, while field representative for Supervisor Ovitt who personally came to our property measured the easement, took pictures. Then nothing! No one has addressed the issue beyond that it is a problem. There is reference to a well site "to be abandoned" on the north east corner of Lot 23. The well site includes

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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physical area of land, storage tank, equipment etc. Since we own an undivided quarter interest of the well and its site, doesn't someone need to get our permission and/or purchase our interest? What gives a developer the right to determine what happens with a portion of property they don't completely own? Due to a class action lawsuit from a number of years ago, as owner of the well we additionally have adjudicated water rights. We are not forfeiting those rights.

One of my bigger concerns is the change to the General Master Plan. There is a loophole which is being exploited, which allows the City to annex County area and change the lands zoning. In this case, density is being increased from half acres to 4.5 dwelling per acres. City's Measure M which would have put the change to vote by area property owners doesn't apply because the property owners are county residents. Other than voicing objections at an "Information meeting" and/or writing a letter, these people are being governed without any say. This area we are concerned with has larger lots with uses beyond just individual residences. One speculator was able to purchase seven parcels within the middle having the intent of packaging them together. The bundling results in a proposed plan that changes the zoning and land use, resulting in irreversibly impacting and permanently altering the neighborhood. The block area is buffered from strict residential use by 60 plus wide streets. There was a great deal of discussion, compromise and work put into developing the plan as it currently exists. The current plan still allows for these parcels to be developed just not at the high non-compatible density. This development eliminates any type of buffer. We were told new home buyers would be told they are moving into this "rural" atmosphere. Realistically, it will not eliminate complaints.

I appreciate your time and consideration as it related to this incomplete list of our concerns pertaining to the MCL development. We look forward to any possible serious decisions.

Sincerely,



**Initial Study/Mitigated Negative Declaration  
Chino Annexation Area Project**

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# **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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## **Response to Comment Letter B**

**Marc Lindsey Weber, Esq.  
March 16, 2017**

**B-1** This comment consists of a summary of the proposed project and states that Marc Lindsey Weber, Esq., represents William Timmons and Gail Timmons, who own a property that is within the project site (13184 Norton Avenue). This comment further states that the letter submitted by Marc Lindsey Weber, Esq. is intended to set forth the Timmons' concerns and objections to the proposed project.

In this IS/MND, the Timmons' property is a part of the area termed the "Remaining Parcels Site" and is within the proposed annexation area. The Timmons' property is referred to as the "eastern portion of the Remaining Parcels Site" for the purposes of the IS/MND. The Timmons' property is just outside of the portion of the project site that is proposed for development with new residential uses (i.e., the "MLC Residential Site"). As such, the Timmons' property was described and characterized in the IS/MND, and any environmental effects pertaining to this portion of the project site were analyzed pursuant to CEQA in the IS/MND.

The Timmons' concerns and objections to the proposed project are contained within Comment Letter B, as submitted by Marc Lindsey Weber, Esq. To the extent that their concerns and objections pertain to the adequacy of the CEQA analysis in the IS/MND, they are addressed in the responses below.

**B-2** This comment states that the Timmons have an ownership interest in the well that is located within the project site, in the northeast corner of the site along Norton Avenue. The comment also states that there is an easement extending from the well to the Timmons' property. The commenter asks how the well will be abandoned, how the easement will be released, and how the Timmons will be compensated for the loss of the well and the easement.

As described in Section 2.1 of the IS/MND, the City has required standards and procedures for well abandonment. The proposed project would be required to comply with these regulations. Release of the easement and associated compensation of the Timmons was not evaluated or discussed in the IS/MND, since these are not issues related to environmental impacts under CEQA. See CEQA Guidelines, Section 15131. However, information pertaining to the easement and compensation can be presented to decision makers for their consideration during the hearing process for the project.

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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- B-3** This comment expresses concern regarding the sidewalk extension along Norton Avenue that is proposed as part of the project. Specifically, the commenter states that a sidewalk constructed along the Timmons' property could be undermined by erosion. The commenter suggests constructing a high curb and gutter and then placing the sidewalk on the west side of the curb, in order to prevent future breakage of the sidewalk in front of the Timmons' property.

The IS/MND analyzes construction of the proposed new sidewalks pursuant to CEQA. Through the environmental analysis presented in the IS/MND, the City determined that the proposed project would not result in significant impacts in the category of traffic and transportation. This category includes threshold questions regarding the performance and safety of pedestrian facilities, as well as the potential for the project to increase hazards due to a design feature (see Sections 3.16(d) and 3.16(f) of the IS/MND). The IS/MND also addressed and analyzed the potential for the project to cause erosion (see Section 3.6(b) and 3.9(c) for details). No significant impacts were identified in these categories. As such, the proposed sidewalk is not anticipated to cause a substantial safety hazard. The design and construction of the sidewalk would be subject to review and approval by the City's Public Works Department. However, the design recommendation provided in this comment will be included in the Final IS/MND for review and consideration by the City and decision makers.

- B-4** This comment states that the improvements to Norton Avenue that are proposed as part of the project would not extend along the Timmons' property, causing Norton Avenue to abruptly narrow in front of the Timmons' property and potentially triggering a roadway safety hazard.

Roadway safety hazards have been analyzed pursuant to CEQA in Section 3.16(d) of the IS/MND. Impacts were determined to be less than significant with mitigation incorporated. (The mitigation pertains to the design and maintenance of landscaping and hardscape near the driveways to the proposed residential development, to ensure a clear line of sight.) The proposed widening of Norton Avenue is not anticipated to substantially increase hazards due to a design feature. As explained in Section 3.16 of the IS/MND, and in Appendix H of the IS/MND, Norton Avenue is proposed to be improved to ultimate half-section along both the residential development site and the Timmons' property. As such, Norton Avenue would not abruptly narrow in front of the Timmons' property. The design of these proposed roadway improvements would be subject to review and approval by the City's Public Works Department, ensuring that the improvements are designed consistent with City requirements for roadway

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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safety and functionality. Nevertheless, this concern will be included in the Final IS/MND for review and consideration by decision makers.

- B-5** This comment states that there is a drainage ditch along the western boundary of the Timmons' property, which extends north to south. The comment states that the proposed MLC residential development would cover the portion of the drainage that traverses the MLC Residential Site, north of the Timmons' property. The comment expresses concerns regarding drainage patterns in the area after the northern portion of this existing drainage facility is removed.

Drainage patterns and environmental effects resulting from changes in drainage patterns have been analyzed under CEQA in Sections 3.9(c) and 3.9(d) of the IS/MND. As explained in these sections, the MLC residential development would include storm drainage infrastructure that would direct flows from the MLC Residential Site and the neighborhoods to the north to a storm drain in Pipeline Avenue. As such, areas to the north of the Timmons' property would no longer drain through the existing drainage ditch that extends along the property's western boundary. Stormwater flows from the parcels to the south of the MLC Residential Site could continue to flow through this existing drainage channel. As described and further substantiated in Section 3.9 of the IS/MND, the proposed changes to drainage would not result in a significant, adverse environmental impact. In fact, stormwater flows are anticipated to be reduced after project implementation (see Section 3.9 of the IS/MND and Response E-10 for details).

- B-6** This comment expresses concerns about the proposed change of zoning for the Timmons' property from RS-20M under County zoning to RD 4.5 under City zoning. The comment also states that the Timmons' property may currently support livestock and that the change in zoning from RS-20M to RD 4.5 may require cessation of the property's current livestock uses and would also alter the open, pastoral character of the Timmons' property.

The IS/MND has analyzed the potential environmental effects of the proposed zoning designations pursuant to CEQA, including the change in zoning of the Timmons' property. As noted in Comment B-6 and as disclosed in the IS/MND, the potential impacts of the proposed zoning designations could include effects to agricultural uses and effects to visual character or quality. Potential effects to visual character and quality resulting from the proposed project were evaluated in Section 3.1(c) of the IS/MND. As described in that section, the existing character of the project site is that of a rural neighborhood area, with low-lying structures, parcels that are deeper than

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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they are wide, and backyards containing animal pens. The proposed project would increase the allowable density of residential development within a portion of the project site, changing the visual character of a portion of the site from rural residential to suburban. As such, this potential effect of the proposed zoning designations has been discussed and disclosed in the IS/MND. However, for the reasons described in Section 3.1(c), neither the proposed zoning designations, nor the proposed MLC residential development, are expected to substantially degrade the visual character or quality of the site. The impact would not be potentially significant under CEQA. Nevertheless, the commenter's concern regarding alterations to the rural character of the Timmons' property will be included in the Final IS/MND for review and consideration by decision makers.

The potential effects of the proposed project on agricultural resources is addressed in Section 3.2 of the IS/MND. In this section, the currently allowable agricultural uses at the project site are compared to the uses that would be allowed under the proposed zoning designations. As stated in Section 3.2(b), the proposed zoning designations for the project site (RD 4.5 and RD 2) would allow for similar agricultural uses as those that are currently allowed under County zoning designations. Crop cultivation, agricultural product stands, and animal keeping are allowed within RD 4.5 (refer to Section 3.2(b) of the IS/MND and Section 20.04.030 of the City's Zoning Ordinance). As such, approval of the proposed zoning designations would not affect the current livestock uses on the Timmons' property.

Because the proposed project includes an increase in the allowable density of residential development on the Timmons' property, the IS/MND conservatively analyzed the potential for the project to engender residential development of a greater density at this property. As such, the IS/MND discussed the potential for the existing animal keeping activities on the Timmons' property to be replaced by suburban development as reasonably foreseeable consequence of the proposed project. As such, while the proposed change in zoning would not interfere with the current livestock uses on this property, the future effects of a future potential increase in residential density at this property, including a loss of the existing livestock uses, was evaluated under CEQA. Impacts were determined to be less than significant, for the reasons stated in Section 3.2(b) of the IS/MND. Nevertheless, the concern expressed regarding the potential loss of animal keeping practices on the Timmons' property will be included in the Final IS/MND for review and consideration by decision makers.

**B-7** This comment states that the proposed project would include a new zoning designation for the Timmons' property, which would increase the allowable

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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residential density on that property. The comment states that this zone change would require compensation for damage to the Timmons' property rights. The comment also expresses concern regarding the reasoning behind this zone change, stating that there is no public necessity for the zone change.

The IS/MND has analyzed the potential environmental impacts of increasing the allowable residential density on the Timmons' property. Maximum buildout under the proposed new zoning designations would be 11 residential units. As explained in the IS/MND, residential development on this property is not currently being proposed. However, the potential for the proposed project to induce growth has been conservatively included in the environmental analysis contained in the IS/MND. No significant environmental impacts were identified in association with the potential future buildout of 11 residential units at the Timmons' property. However, further discretionary approvals for any future development(s) that are proposed would still need to comply with CEQA, as explained in Section 2.4 of the IS/MND.

Damage to property rights and compensation for such damages were not evaluated in the IS/MND since these are not issues related to environmental impacts. See CEQA Guidelines section 15131. However, this type of information can be presented to decision makers for their consideration during the hearing process for the project. Additionally, the Timmons' request for their property to remain designated as RD 2 in the General Plan and to be prezoned as RD 2 will be forwarded to decision makers for approval.

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Chino Annexation Area Project**

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# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

Comment Letter C



## WEST VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT

1295 E. LOCUST STREET, ONTARIO, CA 91761 TELEPHONE (909)-635-0307  
[WWW.WVMOSQUITO.ORG](http://WWW.WVMOSQUITO.ORG)

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#### DISTRICT MANAGER

Michelle Brown, Ph.D.

Michael Hitz  
Principal planner  
13220 Central Avenue  
Chino, CA 91710

March 20, 2017

Dear Mr. Hitz,

As the local mosquito and vector control district responsible for services in the Chino area, there are several areas of concerns with the Chino Annexation Area Project (PL16-0462, PL16-0463, PL16-0464, and PL16-0529).

First, the BMP inspection and maintenance cycle is listed as twice per year without any indication on when the inspections/maintenance will be performed. With overgrown vegetation, control for vectors, such as mosquitoes, becomes increasingly difficult and expensive. Additionally, the maintenance cycle is important because if the vegetation is neglected and overgrown, it can be listed as habitat under California Fish & Wildlife regulations. Once an area becomes listed as habitat, it becomes increasingly difficult to clear vegetation and allow for effective mosquito treatment.

The contract between the owner and MLC Holdings does not mention guaranteeing access to West Valley Mosquito and Vector Control District for mosquito and vector control purposes.

Information about the services provided by West Valley Mosquito and Vector Control District, a governmental agency, should be provided for future owners. This information can be found at [www.wvmvcd.org](http://www.wvmvcd.org).

Finally, we respectfully request that a copy of the Best Management Practices for Mosquito Control in California be included in the maintenance section of Appendix F (<https://www.cdph.ca.gov/HealthInfo/discond/Documents/BMPforMosquitoControl07-12.pdf>).

Sincerely,

Michelle Brown, PhD  
District Manager

C-1

C-2

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C-4

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Chino Annexation Area Project**

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# **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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## **Response to Comment Letter C**

**West Valley Mosquito and Vector Control District  
Michelle Brown, PhD, District Manager  
March 20, 2017**

**C-1** This comment expresses concerns regarding mosquito and vector control within the proposed MLC residential development. While not specifically stated in the comment, the concern appears to pertain to the infiltration basins that are proposed as part of the MLC residential development for the purposes of reducing stormwater runoff from the site. The comment references information regarding these infiltration basins that is contained in the Preliminary Hydrology and Hydraulics Report and the Preliminary Water Quality Management Plan for the proposed MLC residential development. Both reports are attached to the IS/MND as Appendix F.

This comment states that the inspection and maintenance cycles for the proposed infiltration basins are listed as occurring two times per year, and that no indication is given in the IS/MND or in Appendix F regarding the timing of the inspections and maintenance. This comment also expresses concern regarding the potential for vegetation within the infiltration basins to become overgrown, if the maintenance cycle is not appropriately scheduled. The commenter presents a concern that infiltration basins could become sensitive habitat areas as defined by the California Department of Fish and Wildlife, if left unmaintained and overgrown.

A Preliminary Water Quality Management Plan for the proposed MLC residential development, included in Appendix F of the IS/MND, shows the maintenance cycle and maintenance requirements for the proposed infiltration basins. As shown, maintenance would occur twice per year. Note that the Water Quality Management Plan included in Appendix F is a preliminary plan. Once the plan is finalized and approved, further details regarding maintenance requirements for the infiltration basins would be established. The finalized plan will be provided to the West Valley Mosquito and Vector Control District.

As stated in the Preliminary Water Quality Management Plan, vegetation would be trimmed at the beginning and end of the wet season to prevent establishment of woody vegetation. Additionally, when accumulated sediment volumes exceed 10% of the infiltration basins, the accumulated sediment would be removed and the area would be regraded. These maintenance activities are expected to preclude vegetation overgrowth. The infiltration basins are not anticipated or designed to become sensitive habitat areas.

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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- C-2**      This comment expresses concern that the Mosquito and Vector Control District would not be guaranteed access to the project site for mosquito and vector control purposes. The Mosquito and Vector Control District would be allowed to access the project site for such purposes.
- C-3**      This comment requests that future homeowners at the MLC residential development site be provided information on West Valley Mosquito and Vector Control District's services. Such information would be provided to homeowners, as requested.
- C-4**      This comment requests that a copy of the Best Management Practices for Mosquito Control in California be included as part of the maintenance section of Appendix F. Once the Water Quality Management Plan is finalized, this document will be inserted as an attachment, as requested.

# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

Comment Letter D



VIA E-MAIL

March 21, 2017

City of Chino  
Planning Department  
Michael Hitz, Principal Planner  
13220 Central Avenue  
Chino, California 91710

File: 10(ENV)-4.01

**RE: NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE  
CHINO ANNEXATION AREA PROJECT**

Mr. Hitz:

Thank you for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on February 27, 2017** and pursuant to our review, the following comments are provided:

**General Comment**

We are aware there may be storm drains in and around the project site that may be affected by the proposed project. When planning for or altering existing or future storm drains, be advised that the Project is subject to the Chino Mater Plan of Drainage dated November 1993. If you have any questions, please contact Michael Fam in the Flood Control Planning Division at 909-387-8120.

We respectfully request to be included on the circulation list for all project notices, public reviews, or public hearings. In closing, I would like to thank you again for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. Should you have any questions or need additional clarification, please contact the individuals who provided the specific comment, as listed above.

Sincerely,

  
**Michael R. Perry**  
Supervising Planner  
Environmental Management

MRP:LB:sr  
E-mail: [mhitz@cityofchino.org](mailto:mhitz@cityofchino.org)

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County Administrator

**Initial Study/Mitigated Negative Declaration  
Chino Annexation Area Project**

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# **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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## **Response to Comment Letter D**

**San Bernardino County Department of Public Works  
Michael R. Perry, Supervising Planner  
March 21, 2017**

**D-1** This comment states that the project would be subject to the Chino Master Plan of Drainage, dated November 1993, since the project includes storm drain modifications.

The project would include extension of a storm drain in Pipeline Avenue northward to the proposed MLC residential development. The proposed drainage facilities have been designed in accordance with the Chino Master Plan of Drainage. In the event that the City or the project applicant has questions about the Chino Master Plan of Drainage, the San Bernardino County Department of Public Works would be contacted using the information provided in this comment.

**D-2** This comment requests that the San Bernardino County Department of Public Works be included on the circulation list for all notices, public reviews, or public hearings pertaining to the proposed project.

The San Bernardino County Department of Public Works was included in the mailing list for the IS/MND and was provided a copy of the IS/MND and the Notice of Intent to Adopt an MND. The San Bernardino County Department of Public Works will remain on the mailing list for the proposed project.

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# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

## Comment Letter E

**From:** [Tucker, Lester](#)  
**To:** [Ruta, Thomas](#)  
**Subject:** Re: Additional Comments on Initial Study/Mitigated Negative Declaration for Chino Pipeline Annexation  
**Date:** Monday, March 27, 2017 2:11:36 PM

Ruta please see below and call to discuss.  
thank you.

Lester Tucker  
MLC Holdings, Inc.  
(714) 317-7780

On Mar 27, 2017, at 1:04 PM, Martinez, Samuel <[smartinez@lafco.sbcounty.gov](mailto:smartinez@lafco.sbcounty.gov)> wrote:

Hi Mike/Warren,

Last week, after the public review period, we received comments from our Environmental Consultant (Tom Dodson from Tom Dodson and Associates) regarding the Chino and Pipeline Annexation initial study and mitigated negative declaration. After reviewing his comments, I am obligated—as a responsible agency—to provide you his comments for your review and consideration. Below are his comments:

P. 25, b): Discussion should also include onsite scenic resources, if any.

P. 36, bottom para: Suggest including City-wide growth forecasts to substantiate the term “minimal,” i.e., a comparative value to document term

P. 44: Under this section or the construction section the document needs a discussion of asbestos, lead, etc. that may exist in structures to be demolished.

P. 50, b): There is a drainage channel crossing the property. Is it jurisdictional? Does it have any wildlife value?

P. 51, top of page: Is the channel considered waters of the U.S. or State. This has implications regarding future elimination of this channel.

P. 70: The discussion under c) appears to conflict with previous findings. Please review these two findings regarding liquefaction. Further, the text in c) appears to defer the issue to a future soils report and fails to address the potential mitigation impacts, such as overexcavation.

P. 72, e): Need to describe the septic tank abandonment procedure and related adverse effects.

P. 74, 1st para, line 12: change “200” to “2008”

E-1

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# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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P. 81, line 5: "Rearming" change to "Remaining"

P. 87, e), line 6: sentence is incomplete.

P. 95, 7th line on page: Need to define "minor." Provide context by referencing current Chino groundwater pumping and why project is not cumulatively significant.

P. 97: Does Appendix F substantiate the findings on this page; overall substantiation is weak.

P. 98, g) and h): Describe the current drainage channels that will receive offsite flows and their adequacy to convey future 100-year flows.

P. 112: This is probably the weakest finding in the document. Exposure of any sensitive receptor to 103 decibels is probably significant, thus the construction noise impact is poorly substantiated. The levels of exposure, even with mitigation, will far exceed any normal sound level even for short periods. The finding ignores the construction noise for structures at 5 feet.

P. 122: Same comment regarding noise; offering an opportunity to report noise is not mitigation unless some action is taken to reduce that noise.

P. 126, 1st para: The 5% is small, but there is no data regarding the cumulative growth issue. Please provide a cumulative context.

P. 131, 2nd para: Please define that is meant by the term "defensible design, lighting, and landscaping.

P. 134: The park analysis is very convoluted. Doesn't the City impose a park fee, such a Quimby fees. Other wise, it may be considered cumulatively considerable based on the analysis provided in this section. Same comment on page 137. Attempting to justify acceptability based on parks outside the City does not meet the City's standard.

P. 143, 1st para.: Suggest referencing Section 15130 (a) (3) in this note to further substantiate adequacy of "fair share" as acceptable cumulative mitigation.

P. 152, e): How about emergency access during construction activities within existing roadways, such as Pipeline Avenue? Shouldn't a mitigation measure be established to mandate emergency access be maintained during such construction.

P. 154: MM TRF-2, I could not find this measure in the text. Please advise.

P. 157, a): Is existing wastewater treated in one septic system or individual systems? Please clarify.

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P. 158, 1st para: I don't believe IEUA treats or serves potable water. Please correct these statements or verify that it does treat potable water.

E-20

P. 159, c): Please provide some substantiation that the new discharge location will occur at a facility with sufficient capacity to receive the discharge.

E-21

P. 160, d): Please provide some substantiation that adequate water supply is available (also IEUA does not supply water). A reference to the UWMP and some simple quantification should be sufficient

E-22

P. 121, e): Substantiation is included for solid waste f). Suggest comparable quantification for the wastewater collection and treatment system serving the project site.

E-23

If you have any questions regarding his comments, please let me know.

Thanks,  
Sam

**Samuel Martinez**

**Local Agency Formation Commission for San Bernardino County**

215 North D Street, Suite 204, San Bernardino, CA 92415-0490

Phone: 909-388-0480

Fax: 909-385-8170

[www.sbfac.org](http://www.sbfac.org)

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## **Response to Comment Letter E**

### **Local Agency Formation Commission for San Bernardino County**

**Samuel Martinez**

**March 27, 2017**

**E-1** This comment states that the Local Agency Formation Commission (LAFCO) is providing comments on the IS/MND for the City's review and consideration. This comment is introductory in nature and no response is required. The comments provided in LAFCO's letter are addressed in the responses below.

**E-2** This comment states that the discussion of scenic vistas provided in Section 3.1(a) of the IS/MND, on page 25, should include on-site scenic resources, if any.

The threshold question that is addressed in Section 3.1(a) of the IS/MND states "would the project have a substantial adverse effect on a scenic vista"? As stated in Section 3.1(a), scenic vistas generally refer to views of expansive open space areas or other natural features, such as mountains, undeveloped hillsides, large natural water bodies, or coastlines. The Environmental Impact Report for the City's General Plan identifies views of the San Gabriel Mountains to the north and the Chino Hills to the south as scenic vistas. The project site currently consists of fallow agricultural land, residential structures, a preschool, and a poultry egg farm. The site does not contain any expansive open spaces, natural features, hillsides, large water bodies, etc. As such, the site does not support significant on-site scenic resources that may be observed as a scenic vista. However, the existing visual elements on the site, such as the poultry egg farm, the fallow agricultural land, and the low-lying residential structures, engender a rural neighborhood character. The effects of the proposed project on the visual character of the project site and its surroundings are addressed in Section 3.1(c) of the IS/MND. These effects were determined to be less than significant.

**E-3** This comment suggests that additional detail be added in the air quality analysis section of the IS/MND (specifically, in Section 3.3(a)) to substantiate a statement that the project would result in a minimal change in population in the City.

Population growth is discussed in Section 3.13(a) of the IS/MND. Population growth projections are provided and the anticipated population growth attributable to the proposed project is quantified and compared to growth projections. The growth projections and calculations in Section 3.13(a) substantiate that the project would cause a minimal change in population and that the project would not cause the City to exceed growth forecasts.

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**E-4** This comment requests that a discussion of asbestos, lead, or other hazardous building materials be added to the IS/MND, since the structures proposed for demolition may include these materials. Hazardous building materials are discussed in Section 3.8(a), 3.8(b), and 3.8(c) of the IS/MND. Refer to these sections for details regarding this issue.

**E-5** This comment pertains to the drainage facility that currently extends north-south through the project site. The commenter asks whether the facility is considered a jurisdictional water resource and whether it has wildlife value. This drainage facility is discussed relative to biological resources in Sections 3.4(c) and 3.4(d) of the IS/MND. As stated in these sections, the facility is lined with concrete, and there is no riparian vegetation or other naturalized habitat within the facility. As such, it is unlikely that this facility is a jurisdictional water feature. The City would be required to obtain all necessary permits for the project and would comply with any regulatory requirements, in the event that any apply to the on-site concrete drainage facility.

Regarding effects to wildlife at the project site, the potential effects of the project are discussed in Section 3.4(a) of the IS/MND. As identified in that section, the project site has a moderate potential to support burrowing owl, Cooper's hawk, and protected bat species. Mitigation has been established in the IS/MND to avoid potential impacts to wildlife. Impacts to special-status wildlife species were, therefore, determined to be less than significant with mitigation incorporated.

**E-6** This comment states that the determination provided in Section 3.6(c) regarding liquefaction is inconsistent with the determination provided in Section 3.6(a)(iii) regarding liquefaction. The comment further states that the discussion in Section 3.6(c) relies on a soils report that would be conducted in the future and does not address any potential effects of mitigation for liquefaction, such as a requirement to over excavate the site for removal of potentially liquefiable soils.

Section 3.6(c) and Section 3.6(a)(iii) are drafted in response to different CEQA threshold questions. As such, while each section includes a discussion of liquefaction, the discussions are not identical, as they address different threshold questions. Furthermore, impacts were identified to be less than significant for both threshold questions. As such, the findings regarding liquefaction are not inconsistent. Both sections (Section 3.6(a)(iii) and Section 3.6(c)) refer to requirements for site-specific geological investigations and requirements for compliance with local and state regulations related to seismic and geotechnical hazards. However, these requirements are not considered mitigation, as no significant impact was identified relative to liquefaction. Rather, these requirements are referenced for informational purposes in

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the IS/MND and for the purposes of explaining the regulatory framework surrounding seismic and geotechnical hazards. Regarding the potential for additional earthwork to be identified for the project, the construction scenario in the IS/MND is conservative in nature. It is intended to include a range of potential grading scenarios for the proposed project. As such, the environmental effects of the earthwork that would be required for the project has been analyzed under CEQA in the IS/MND.

- E-7** This comment states that the document needs to describe the septic tank abandonment procedure and related adverse effects. The existing septic system would be abandoned in accordance with all applicable regulations. Compliance with such regulations is expected to preclude adverse effects.
- E-8** This comment identifies three typographical errors in the document. These errors have been resolved in the Errata for this Final IS/MND (see Chapter 6). These errors do not pertain to the adequacy of the CEQA analysis in the IS/MND, and no further response is required.
- E-9** This comment requests additional details in Section 3.9(b) of the IS/MND regarding groundwater pumping in the City and the amount of water that the project is anticipated to consume. As shown in Appendix B of the IS/MND, the proposed MLC residential development project has an expected water demand of 4.3 million gallons of water per year. As shown in the City's Urban Water Management Plan, the City anticipates a total water supply of 31,565 acre-feet in 2020, which is one year after the anticipated operational year of the MLC residential project. Of this total supply, local groundwater sources are projected to contribute 15,421 acre-feet of water (City of Chino 2016). The MLC residential development's anticipated requirement of 4.3 million gallons of water per year equates to approximately 13.2 acre-feet. The project's water demand represents 0.09% of the groundwater supply anticipated for the City in 2020 and 0.04% of the City's total anticipated water supply. The proposed MLC residential development is not expected to substantially deplete groundwater supplies. Even if the project relied on groundwater sources only, its demand would be minimal relative to the anticipated supply. As stated in the IS/MND, effects are considered less than significant.
- E-10** This comment states that the findings described on page 97 of the IS/MND are not substantiated.

Page 97 of the IS/MND addresses the CEQA Guidelines Appendix G threshold (c) in the category of Hydrology and Water Quality, Section 3.9(c) in the IS/MND. The

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threshold criteria states “Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?” The impact analysis in Section 3.9(c) states that the drainage improvements proposed as part of the project are expected to reduce runoff volumes and alleviate flooding issues on Chino Avenue. This statement is supported by calculations shown in Appendix F of the IS/MND. Appendix F includes the Preliminary Hydrology and Hydraulics Report for the proposed MLC residential development project. This report includes calculations of the runoff that would occur under existing conditions and the runoff that would occur after the proposed development has been constructed. The existing conditions hydrology shows runoff of 28.9 cubic feet per second for a 100-year storm event. After project implementation, the site runoff is expected to be reduced to 22.1 cubic feet per second.

- E-11** This comment requests that the analysis in Sections 3.9(g) and 3.9(h) of the IS/MND include a description of the existing drainage channels that will receive off-site stormwater flows and whether these channels are adequate to convey future stormwater flows for a 100-year storm event.

Sections 3.9(g) and 3.9(h) of the IS/MND consist of responses to CEQA Guidelines Appendix G thresholds pertaining to 100-year flood hazard areas. The project site is not within a 100-year flood hazard area; as such, a more robust analysis regarding flooding was not provided in these sections. However, Section 3.9(d) addresses the potential for the project to cause flooding on- or off-site due to changes in the existing drainage pattern. As stated in Section 3.9(d), the project is anticipated to reduce flooding. As such, impacts related to flooding would be less than significant. Flooding is discussed in further detail in Appendix F. As stated in the Preliminary Hydrology and Hydraulics Report included in Appendix F, the proposed drainage improvements would convey off-site water from the north of the MLC Residential Site to the proposed storm drain extension within Pipeline Avenue. This report further states that the proposed storm drain extension would help alleviate existing flooding issues in the area. As such, the project site is not anticipated to be subject to flooding from off-site areas. Rather, the proposed project is expected to help address and minimize existing flooding in the project area.

- E-12** This comment states that proposed project construction could result in a potentially significant impact in the category of noise. The comment cites the IS/MND’s calculated maximum construction noise of 103 dBA at the nearest sensitive receptor.

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This level of construction noise was not determined to be a potentially significant, adverse environmental impact for a number of reasons. First, this maximum noise level is considered conservative. This noise level is associated specifically with equipment required for the removal of concrete pavement. Only a portion of the northern site boundary contains pavement; approximately half of the northern boundary of the MLC Residential Site consists of fallow agricultural land. Furthermore, construction equipment typically operates in alternating cycles of full power and low power, producing average noise levels that are less than the maximum noise level. Second, mitigation has been set forth to reduce this maximum potential sound level, even though it would occur very infrequently, if at all. Implementation of MM-NOI-2 is expected to reduce potential construction-related effects to below a level of significance. MM-NOI-2 included a requirement for construction noise reduction methods. Examples of such methods, as listed in MM-NOI-2, includes shutting off idling equipment, installation of a temporary noise barrier, and maximizing the distance between construction equipment staging areas and adjacent residences. In response to Comment E-12, this mitigation measure has been revised to require the installation of a temporary noise barrier as one of the construction noise reduction methods. This required noise barrier is expected to reduce construction noise by 5 to 13 decibels. The required noise barrier, combined with the other listed measures in MM-NOI-2, would provide substantial noise reduction at adjacent noise-sensitive receptors. The revisions to MM-NOI-2 are shown in strikeout/underline text below.

**MM-NOI-2** The Chino of Chino shall require the applicant to adhere to the following measures as a condition of approving the grading permit:

- The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Planning Department.
- Construction noise reduction methods such as shutting off idling equipment, ~~construction of a temporary noise barrier~~, maximizing the distance between construction equipment staging areas and adjacent

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residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.

- Installation of temporary sound barriers/shielding shall be required. This may comprise shielding of equipment in the vicinity of non-mobile equipment where this is the source, or alternatively shielding at the northern site boundary, where adjacent residences are closest.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent, if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.

This comment also states that the final bullet point in MM-NOI-2, as shown above should not be considered mitigation, because offering an opportunity to report noise would not mitigate the noise, unless action is taken to reduce the noise.

However, as shown in MM-NOI-2, the measure requires appropriate correction actions to be implemented in the event of a complaint. The measure also requires a report of the corrective action to be provided to the reporting party. As such, the measure requires action to reduce the noise in the event of a complaint, and also establishes a reporting procedure to ensure continued communication.

**E-13** This comment pertains to Section 3.13(a) of the IS/MND, which addresses the population growth effects of the project. The comment states that the population growth of the proposed project must be characterized within the context of cumulative population growth in the City.

As stated in Section 3.9(a), the population growth attributable to the MLC residential project equates to 0.18% of the City's current population. Next, the analysis shows the growth that has been forecasted for the City by SCAG. SCAG growth forecasts reflect recent and past trends; key demographic and economic assumptions; and local, regional, state, or national policies (SCAG 2016). As such, SCAG growth forecasts include numerous factors and are expected to reflect the growth that the City would undergo given current and future development trends, planning documents, past



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development patterns, etc. As shown in the IS/MND, the proposed MLC residential development project would represent 5% of the total growth that is projected to occur in the City between 2015 and 2020. This percentage represents the project's portion of the projected growth for the City. As such, this percentage portrays the project within the cumulative growth scenario. As described in Section 3.13(a), the City's population forecasts exceed those of SCAG. As such, the proposed project represents an even smaller portion of population growth, as calculated by the City.

- E-14** This comment requests clarification regarding the term “defensible design, lighting, and landscaping,” which is used in Section 3.14 of the IS/MND to describe aspects of the project that are expected to lessen the demand for police protection services at the project site.

Defensible design is the concept that certain design practices can support neighborhood safety and reduce the potential for crime. Examples of defensible design include common areas that are visible to neighbors, defined pathways, differentiation between public and private space, use of landscaping to limit access while still providing opportunities for residents and passerby to survey the area, lighting design that eliminates blind spots and deep shadows, and use of shielded lighting to reduce glare. While not all defensible design practices would be applicable to the design of the MLC project, feasible and relevant concepts would be incorporated to support neighborhood safety.

- E-15** This comment states that the proposed project could potentially have a cumulatively considerable effect related to recreational facilities, since the project would add residents to the City and because the City anticipates a deficiency of 23 acres of parkland by 2025 due to forecasted population growth. The comment further states that the discussion of recreational resources in the IS/MND provides justification for meeting the City's park standards by referencing parks located outside of the City.

Effects to recreational facilities are addressed in Section 3.15 of the IS/MND. As stated in this section, the proposed project could contribute to the City's anticipated parkland deficiency since it would increase the residential population in the City. However, this effect is not considered to be significant or cumulatively considerable for the reasons provided in the Section 3.15. First, the proposed MLC residential project represents approximately 5% of the population growth that is anticipated to occur in the City between 2015 and 2025. Therefore, the proposed project's contribution to the City's parkland deficiency would not be cumulatively considerable. Second, pursuant to CEQA Guidelines Appendix G, the significance thresholds for recreation state that

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a potentially significant impact could occur if a project would “increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated” or if a project would “include recreational facilities or require the construction of recreational facilities, which might have an adverse physical effect on the environment.” The addition of 44 homes to the City is not anticipated to increase the use of existing parks such that substantial physical deterioration would occur, nor would it require new recreational facilities.

The comment states that the determination in the IS/MND cannot rely on parks outside the City. However, there are robust and expansive recreational facilities located in the vicinity of the project site that would serve to alleviate stress that could be placed on City parks by the incremental population growth that is anticipated to occur in the City, including growth associated with the proposed project.

In summary, the City’s exceedance of its parkland standard is expected to occur with or without the proposed project. The proposed project would not substantially alter the City’s anticipated exceedance of its parkland standard due to the minimal amount of population growth that would be associated with the project relative to the growth that has been forecasted by the City. Furthermore, contrary to the assertion in this comment, the surrounding regional and state recreational facilities would serve the proposed project and would help alleviate any potential effects to City park facilities.

Additionally, as stated in Comment E-15, payment of development fees by the project applicant as required by the City could be used to offset the incremental costs of maintaining and developing recreational facilities.

**E-16** This comment states that CEQA Guidelines Section 15130(a)(3) should be referenced in the Traffic and Transportation section of the IS/MND (specifically, Section 3.16(a)) to substantiate that fair share contributions to traffic improvements are acceptable mitigation for cumulative effects.

As explained in Section 3.16(a), the proposed project would not conflict with the City’s policies establishing measures of effectiveness for the performance of the circulation system. As such, impacts under this section were determined to be less than significant. The requirement to contribute to a fund for the signalization of a nearby intersection was not identified as mitigation. Rather, it is a City requirement that may be imposed on the project. Nevertheless, the commenter accurately

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describes a section of the CEQA Guidelines that allows for funding of a project's fair share contribution to mitigate cumulatively considerable effects under CEQA.

**E-17** This comment suggests mitigation to reduce potentially adverse effects to emergency access during construction. However, no potentially adverse impacts to emergency access were identified for the proposed project. As such, no mitigation is required. Note that the City has requirements for Construction Management Plans (see Section 20.23.210 of the Municipal Code). Such plans must include a traffic plan with provisions for traffic control and coordination. The City also has requirements for flag persons at the site of road or street construction, as necessary (see Section 10.52.130 of the Municipal Code). These requirements would ensure that, in the event of lane closures during construction, emergency vehicles would be safely routed around the construction area.

**E-18** This comment requests further information regarding mitigation measures MM-TRF-2 in Section 3.16 (Transportation and Traffic) in the IS/MND. The only mitigation measure identified in Section 3.16 is MM-TRF-1. Refer to Section 3.16(d) for details regarding MM-TRF-1.

**E-19** This comment asks whether the existing wastewater system is treated in one septic system or individual systems.

As explained in Response to Comment E-7, the existing septic system would be abandoned in accordance with all applicable laws and regulations governing such activities. Upon project implementation, residences at the MLC Residential Site would be connected to the City's sewer system, and a septic system would no longer operate on the MLC Residential Site. As stated in Section 3.18(a), the existing residences within the rest of the annexation area could also connect to the City's sewer system in the event of a future septic system failure.

**E-20** This comment states that the Inland Empire Utilities Agency (IEUA) does not treat or serve potable water.

As stated in the City's General Plan Final Environment Impact Report, the Chino Water Utility obtains water from three sources: 1) local groundwater from the Chino Groundwater Basin, produced by City-owned wells and by the Chino Basin Desalter Authority; 2) imported surface water from the Metropolitan Water District of Southern California through the IEUA and treated by the Water Facilities Authority; and 3)

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recycled water supplied by IEUA. This information from the General Plan Final Environment Impact Report was incorporated into the IS/MND by reference.

- E-21** This comment requests substantiation for the statement that the proposed stormwater drainage facilities would convey flows to a facility with sufficient capacity to receive discharge from the project.

As stated in Section 3.16(c) of the IS/MND, the proposed extension of the existing storm drain within Pipeline Avenue has been sized in accordance with calculations of the anticipated stormwater runoff volumes from the MLC Residential Site and the properties to the north that currently drain through the MLC Residential Site. As such, the storm drain infrastructure has been designed to a size that is expected to support the proposed project. Detailed drainage studies for the proposed project are attached as Appendix F to the IS/MND.

Furthermore, the City has a Master Plan of Drainage that evaluates the existing drainage system, identifies deficiencies in the system, and recommends improvements. The Master Plan of Drainage includes hydrology calculations and models to show existing drainage and to project future improvements that may be necessary. The Master Plan of Drainage is, therefore, a planning mechanism that ensures drainage is planned in a comprehensive manner that considers area-wide demands and trends, to avoid designing and constructing drainage facilities on a project-by-project basis. The proposed project and the sizes of its associated drainage improvements would be required to be consistent with the Chino Master Plan of Drainage, and the size of the proposed storm drain extension within Pipeline Avenue has been designed consistent with this plan. As such, the proposed project is not anticipated to cause exceedances in the capacities of existing storm drainage facilities.

- E-22** This comment requests substantiation that adequate water supply would be available to serve the project. The comment suggests referencing the City's Urban Water Management Plan and including quantification of the project's anticipated water use. The comment also states that the IEUA does not supply water.

Please see Response to Comment E-20 for information regarding the IEUA. The project's anticipated water requirements are shown in Appendix B to the IS/MND. See Response to Comment E-9 for information regarding the project's anticipated water use in relation to the water supplies that are anticipated to be available to the City at the time of project completion.

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**E-23** This comment suggests that further substantiation be provided in the IS/MND regarding the ability of existing wastewater collection and treatment systems to accommodate the proposed project.

Section 3.18(e) provides a discussion regarding wastewater treatment and whether or not the wastewater treatment provider would have adequate capacity to serve the project's demand. As stated in Section 3.18(e), the increase in wastewater generation attributable to the proposed project would not be substantial in a regional context. The proposed project's increase in wastewater would be minor and incremental relative to the wastewater flows currently supported by IEUA's regional wastewater treatment plants. The proposed project's anticipated water demand is quantified in Appendix B of the IS/MND. Wastewater demand is generally equivalent to indoor water use, which is anticipated to be approximately 2.6 million gallons per year.

Regarding wastewater treatment, as stated in the IS/MND, the wastewater treatment provider for the City is the IEUA. As described in Section 3.18(a) of the IS/MND, the City's sewer system connects with trunk sewer lines maintained and operated by the IEUA, which then convey wastewater to IEUA wastewater treatment facilities. As described in the City's General Plan Final Environmental Impact Report, there are two regional treatment plants in Chino and one regional treatment plant in Ontario that serve the City and its Sphere of Influence: Regional Plant 1 (treatment capacity of 44 million gallons per day); Regional Plant 5 (treatment capacity of 16.3 million gallons per day); and the Carbon Canyon Wastewater Reclamation Facility (treatment capacity of 11.4 million gallons per day) (City of Chino 2010).

The proposed project's anticipated wastewater generation of 2.6 million gallons per year equates to wastewater generation of 7,123 gallons per day. The project's wastewater demand would be 0.02% of Regional Plant 1's capacity, 0.04% of Regional Plant 5's capacity, and 0.06% of the Carbon Canyon Wastewater Reclamation Facility's capacity. As such, the proposed project would be accommodated by any of the three wastewater treatment facilities serving the City.

Regarding wastewater collection, the City maintains and operates a sewer system that flows into the trunk sewers maintained by the IEUA, as described in Section 3.18(a) of the IS/MND. The proposed project would connect to the City sewer. The City has a number of regulations in place that would preclude exceedances in sewer capacity. For example, the City is required to develop a Sewer System Management Plan, which provides for the proper management, operation, and maintenance of the sewer system in order to reduce and prevent overflows. (The IEUA also has a Sewer System

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Management Plan that was established for the same purposes.) The City also has established a Wastewater Ordinance, which contains requirements for wastewater quality and quantity, for the purposes of preventing impacts to the City's wastewater collection system and the facilities into which the City's system feeds (i.e., IEUA's trunk lines and regional treatment plants). The project would be required to comply with the City's Wastewater Ordinance, which would reduce the potential for the project to adversely affect the City's wastewater collection system. As stated in the IS/MND, effects to the wastewater collection and treatment system would be less than significant. New facilities would not be required as a result of the proposed project.

### References

- City of Chino. 2010. *General Plan Environmental Impact Report*. Final. Prepared by Design, Community, and Environment. Updated May 21, 2010. Accessed September 29, 2016. <http://www.cityofchino.org/government-services/community-development/general-plan>.
- City of Chino. 2016. *Urban Water Management Plan 2015*. September 2016. Accessed March 31, 2017. [https://wuedata.water.ca.gov/public/uwmp\\_attachments/7096653580/2015%20UWMP\\_final.pdf](https://wuedata.water.ca.gov/public/uwmp_attachments/7096653580/2015%20UWMP_final.pdf).
- SCAG. 2016. "Demographics and Growth Forecast" in *2016 – 2040 Regional Transportation Plan / Sustainable Communities Strategy*. Adopted April 2016. Accessed October 13, 2016. <http://scagrtpscscs.net/Pages/FINAL2016RTPSCS.aspx>.

**Initial Study/Mitigated Negative Declaration  
Chino Annexation Area Project**

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Comment Letter F

**AGENDA ITEM NO. 1**

Minutes

March 20, 2017

# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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## CHINO PLANNING COMMISSION REGULAR MEETING – CITY HALL COUNCIL CHAMBERS

MONDAY, MARCH 20, 2017, 7 PM  
13220 CENTRAL AVENUE, CHINO, CALIFORNIA

### MINUTES

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#### FLAG SALUTE

The Pledge of Allegiance was led by Commissioner Jones.

#### ROLL CALL

Present: Walt Pocock (Chairperson), Harvey Luth (Vice Chairperson), Brandon Blanchard, Rod Johnson, Sherman Jones

Absent: Steve Lewis, Kathleen Patterson

#### ANNOUNCEMENTS

Warren Morelion, City Planner, introduced William Wynder from the new City Attorney's office, Aleshire & Wynder LLP to the Commission.

#### PUBLIC COMMUNICATIONS

None.

#### CONSENT CALENDAR

1. Minutes – March 6, 2017 (Absent: Rod Johnson - Excused)

Motion by Vice Chair Luth to approve the Minutes from the March 6, 2017 Planning Commission Meeting. Second by Commissioner Jones and carried with a 4-0 vote. Commissioner Johnson abstained because he was not present for the March 6, 2017 meeting.

#### PUBLIC HEARINGS

2. PL16-0462 (Prezone) and PL16-0464 (Annexation) – A request to annex approximately 40 acres of land from the County of San Bernardino into the City of Chino with the following rezoning of the annexation area:
  - Prezone approximately 22.4 acres from the San Bernardino County zoning designation of RS-20M (Single Residential minimum lot size 20,000 square feet) to the City of Chino's zoning designation of RD2 (Residential/ Agricultural).
  - Prezone approximately 1.1 acres from the San Bernardino County zoning designation of RS-20M to the City of Chino's zoning designation of CN (Commercial Neighborhood).
  - Prezone approximately 13.6 acres from the San Bernardino County zoning designation of RS-20M to the City of Chino's zoning designation of RD 4.5 (Residential).

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# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

PLANNING COMMISSION MINUTES  
Monday, March 20, 2017

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PL 16-0463 (General Plan Amendment) – A request to change the existing General Plan land use designation of the project area as follows:

- Change the existing General Plan land use designation of approximately 8 acres from NC (Neighborhood Commercial) to RD 2 (Residential, 2 units/acre).
- Change the existing General Plan land use designation of approximately 13.6 acres from RD 2 to RD 4.5 (Residential, 4.5 units/acre).

PL 16-0529 (Tentative Tract Map No. 18903) – A request to subdivide approximately 12 acres of land into 46 lots to accommodate 44 single-family homes and two water quality basin parcels. The residential lots range in size from 7,223 to 11,044 square feet. The map will not take effect until the property is fully annexed from the County of San Bernardino into the City of Chino.

As part of the proposed project, a private developer (MLC Holdings, Inc.) is currently proposing to construct 44 single-family residences on approximately 12 acres of the project site. No specific development projects have been proposed for the rest of the project site; however, the proposed project would allow for increased residential intensity on an additional 2.41 acres in the eastern portion of the project site. Under proposed land use designations, approximately 11 single-family residences could be developed in this portion of the site. The proposed Mitigated Negative Declaration addresses full potential buildout of the project site, which includes the currently proposed 44 single-family residences and the future potential 11 residences.

Applicant: MLC Holdings, Inc.

Project Planner: Michael Hitz

Project Engineer: Mike Bhatanawin

Michael Hitz, Principal Planner, presented the staff report.

Lester Tucker, Vice President of Forward Planning for MLC Holdings, Inc. (subsidiary of Meritage Homes), applicant, explained MLC Holdings, Inc.'s function and presented a PowerPoint presentation of the proposed project.

Residents Gail Timmons, Mark Khail, Jeff Jolicoeur, Robert Clements, Cynthia VanderPoel, and Suzanne Duarte spoke in opposition of the project.

Residents Gerald Paine, Roberta Butler, Tony Preciado, Alberta Spiekerman, Brenda Maleskey, Natalie Gabrielson, Claudia Schmidt, and Patrick DeVine spoke in favor of the project.

Residents Jeff Scott, Sherry Martinez, and David Grier spoke in favor of the annexation but would like the zoning to be RD2, consistent with the area.

Residents Daniel Hermes and Neil Rickman spoke in favor of the annexation but do not want to see Preciado Avenue opened up to through vehicular traffic.

Residents Amy Polkerson and Dale Busser were not opposed to the annexation, but did not want to see the site rezoned or Preciado Avenue opened up to through traffic.

Mr. Tucker addressed some of the resident concerns and gave a closing statement.

F-1  
Cont.

F-2

F-3

# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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PLANNING COMMISSION MINUTES  
Monday, March 20, 2017

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Motion by Commissioner Jones to continue PL16-0462 (Prezone) and PL16-0464 (Annexation), PL16-0463 (General Plan Amendment), PL16-0529 (Tentative Tract Map No. 18903), and the Project Mitigated Negative Declaration (MND) to the April 3, 2017 Planning Commission Meeting. Second by Commissioner Blanchard and carried with a 5-0 roll call vote.

AYES: Jones, Blanchard, Johnson, Luth, Pocock  
NOES: None  
ABSENT: Lewis, Patterson  
ABSTAIN: None

3. PL16-0704 (Special Conditional Use Permit) – A request for approval to operate a place of worship, community scale within an existing 14,631 square foot single tenant industrial building in the M2 (General Industrial) zoning district, located at 4711 Chino Avenue (APN: 1019-461-08). The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities.  
Applicant: Chino Valley Community and Youth Center  
Project Planner: Kim Le  
Project Engineer: Isidro Abreo

Kim Le, Associate Planner, presented the staff report.

Sajid Sindha, Secretary for Chino Valley Community and Youth Center, applicant, addressed the Commission.

Residents Salvador and Leilani Duyan addressed the commission with concerns regarding increased traffic and noise as a result of the project.

Motion by Commissioner Blanchard to approve PL16-0704 (Special Conditional Use Permit), based upon the findings and subject to the departmental conditions of approval listed in the staff report. Second by Commissioner Johnson and carried with a 5-0 roll call vote.

AYES: Blanchard, Johnson, Jones, Luth, Pocock  
NOES: None  
ABSENT: Lewis, Patterson  
ABSTAIN: None

## NEW BUSINESS

None.

## DIRECTOR'S REPORT

Warren Morelion, City Planner, informed the Commission that when he introduced William Wynder from the City Attorney's office, he had failed to indicate the name of his firm Aleshire & Wynder LLP. Further, he informed the Commission the lights on Euclid Avenue along the College Park Development frontage have now been energized

F-3  
Cont.

F-4

# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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PLANNING COMMISSION MINUTES  
Monday, March 20, 2017

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## COMMISSION COMMENTS

- Chairman Pocock welcomed Mr. Wynder to the City of Chino.

## ADJOURNMENT

Motion by Vice Chair Luth, second by Commissioner Johnson and carried unanimously to adjourn.

APPROVED AND ADOPTED THIS 3<sup>RD</sup> DAY OF APRIL 2017.

\_\_\_\_\_  
CHAIRMAN, PLANNING COMMISSION

\_\_\_\_\_  
SECRETARY, PLANNING COMMISSION



F-4  
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DRAFT

**Initial Study/Mitigated Negative Declaration  
Chino Annexation Area Project**

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# **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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## **Response to Comment Letter F**

### **Chino Planning Commission Meeting Minutes (Oral Comments) March 20, 2017**

- F-1** A Planning Commission meeting was held on March 20, 2017, in the Chino City Hall Council Chambers at 7:00 p.m. The meeting minutes have been included as part of this Final IS/MND to summarize oral comments that were received in opposition of the proposed project and in support of the proposed project. The first portion of the meeting minutes (shown as F-1, above), documents prefatory proceedings at the Planning Commission meeting. This portion also contains a list of the approvals associated with the proposed project and a brief description of the proposed project. The prefatory proceedings of the meeting and the description of the proposed project do not pertain to the adequacy of the IS/MND; as such, no response is required for this portion of the meeting minutes.
- F-2** The portion of the meeting minutes labeled as F-2, above, shows a list of community members who attended the meeting and provided oral comments regarding the project. As shown, eight individuals spoke in favor of the project. The other commenters expressed opposition to the project or opposition to a specific aspect of the project. The key concerns expressed are summarized generally below, followed by responses to the concerns.

#### **Proposed Zoning Designations**

Several commenters expressed concerns regarding the proposed zoning designations for the project site. In particular, the concern was focused on the portion of the project site that is proposed for RD 4.5 zoning. Some commenters requested that this area be zoned RD 2, which is generally consistent with the existing County zoning. More specifically, commenters expressed concerns that the increased residential density would lead to increased traffic on surrounding roadways, would be incompatible with surrounding land uses, and would contribute to a loss of rural character in the area. A commenter also expressed the concern that large cars would not be able to fit on the proposed residential lots due to their size. Another commenter expressed the concern that the proposed density may encourage rentals.

The IS/MND for the proposed project analyzes the environmental effects of the proposed zoning designations pursuant to CEQA. Effects that were analyzed include potential impacts of the project on transportation and traffic; potential impacts of the

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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project on aesthetics, including adverse impacts to existing visual character and quality of the project site and its surroundings; and potential impacts caused by conflicts with land use plans and policies adopted for the purposes of avoiding or mitigating an environmental effect. This IS/MND, therefore, discloses the potential for the project to result in an increase in traffic in the area, discusses the change in visual character and quality that could occur, and analyzes the consistency of the project with adopted land use plans. The analysis in the IS/MND determined that the project would result in impacts in these categories, but that the impacts would be below a level of significance pursuant to CEQA.

As such, the residential density that is proposed as part of the project has been evaluated pursuant to CEQA and would not result in potentially significant environmental impacts. However, the commenters' general opposition to the proposed density has been described herein and will be included in the Final IS/MND for review and consideration by decision makers.

### **Increased Traffic**

Several commenters expressed concerns regarding the potential for traffic patterns to change in the area as a result of the proposed project. Specific concerns included increased speeds on nearby roadways and increased congestion. Some commenters spoke in opposition to the proposed widening of Pipeline Avenue and Norton Avenue that would occur as part of the proposed project. Some commenters submitted a suggestion to install speed bumps along Norton Avenue and Pipeline Avenue to address concerns regarding the potential for increases in traffic speeds.

The IS/MND for the proposed project analyzed the potential effects of the project relative to transportation and traffic. As described in Section 3.16 of the IS/MND and further analyzed in Appendix H, the proposed project would increase vehicular traffic in the project area. However, the vehicle trips attributable to the proposed project were determined to be below a level of significance per CEQA thresholds. The project was also analyzed for its potential to result in roadway safety hazards. Impacts were determined to be less than significant (refer to Section 3.17(d) and Appendix H for details). As such, while the proposed project would increase traffic in the area, the effects would not exceed City standards of significance and are not considered to be significant under CEQA. However, the commenters' general opposition to potential increases in traffic congestion in the area and to the proposed widening of Pipeline Avenue and Norton Avenue have been described herein and will be included in the Final IS/MND for review and consideration by decision makers. The recommendation to install speed bumps has also been included in the Final IS/MND for review and consideration by decision makers.

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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A commenter specifically requested information on the signalization of the intersection of Riverside Drive and Norton Avenue. Signalization of this intersection is discussed in Section 3.16 of the IS/MND, and further details are provided in Appendix H.

### **Extension of Preciado Avenue**

The proposed project includes extension of the existing Preciado Avenue southward through the MLC Residential Site. Several individuals spoke in opposition to this extension. Specific concerns included safety issues and increases in traffic in the neighborhoods north of the MLC Residential Site. The traffic and transportation analysis in the IS/MND addresses the extension and connection of Preciado Avenue, and no significant impacts were identified relative to safety or to the performance of the circulation system. However, these concerns have been described herein and will be included in the Final IS/MND for review and consideration by decision makers. The City's Planning staff, Public Works Department, and the project applicant are coordinating to come to a feasible solution regarding Preciado Avenue.

### **Sewer Connection**

Several individuals expressed opposition to the proposed sewer connections. Under the proposed project, the MLC residential development would be connected to the City's sewer system, and the existing residences within the rest of the annexation site would have the option to connect to the sewer system. Potential effects to the sewer system are described in Section 3.18 of the IS/MND, and additional information is provided in Response to Comment E-23 above. As described in the IS/MND, impacts were determined to be less than significant. However, the commenters' opposition to the option to connect to a sewer system have been described herein and will be included in the Final IS/MND for review and consideration by decision makers.

### **Existing Well along Norton Avenue**

One commenter expressed concerns regarding their partial ownership of the well that is within the project site, along Norton Avenue. This well is described in Section 1.4 of the IS/MND. See Response to Comment B-2 above for a response to this comment.

A second Planning Commission hearing was held on April 3, 2017. During that meeting, 21 community individuals provided comments on the proposed project. The comments received at this hearing were related to the proposed zoning designations, the potential increase in project area traffic, and the potential for residents to connect to the City's sewer system. Please refer to Response to Comments F-1 and F2, above, for a summary of the comments and the City's responses.

**Initial Study/Mitigated Negative Declaration  
Chino Annexation Area Project**

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# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

## Comment Letter G

April 2, 2017

Mr. Michael Hiltz, Principal Planner

City of Chino  
13220 Central Ave.  
Chino, CA 91710

Reference: Chino Annexation Area Project: PL 16-0462, PL 16-0463, PL 16-0464 & PL 16-0529

Subject: Chino Annexation Project, Pipeline Avenue traffic concerns

We feel that this project will have a major impact on the traffic problems already existing on Pipeline Avenue. These problems have not been fully evaluated and factored into the annexation process even after numerous discussions with staff. These concerns are listed below.

According to the initial traffic study for the Warming ton project, the first project on this property, only 8 homes would have had direct access to Pipeline Avenue. The remainder of the traffic from this development would then have to exit onto Norton Avenue. This was due to the fact that existing traffic flow on Pipeline was already excessive. Currently both illegal truck traffic and regular traffic on Pipeline Avenue have dramatically increased since the street widening project has been completed. The design of the MLC Holdings proposed project allows all of the residents from the development to have access to Pipeline Avenue, especially since there is no traffic signal at the Riverside Drive-Norton Avenue intersection and **therefore** Pipeline Avenue will be the preferred route.

When comparing traffic flow, based on traffic studies by the County prior to the Pipeline widening project to the current traffic study conducted by MLC Holdings, **traffic flow/volume has only increased 7.3 times**. According to the County's traffic study in 2012 only a minor traffic increase was predicted.

Prior to the widening of Pipeline Avenue by the County **80% of all traffic accidents** occurred on the north bound side of Pipeline Avenue. Based on the current accident rate on north bound Pipeline it appears that this percentage of accidents is about the same or has increased.

Due to the rezoning of the residual property on the northwest corner of Pipeline Avenue and Chino Avenue to residential commercial no consideration of this **traffic multiplier** has been properly evaluated. Based on the limited information made available, the results of the traffic study are very, very hard to believe for those residents of the area.

Over the last 12 months, based on the accidents we have witnessed, there have been 6 accidents on Pipeline Avenue, Pipeline Avenue/Chino Avenue intersection and the Pipeline Avenue/Riverside Drive Intersection.

Since the widening of south bound Pipeline Avenue by the County illegal truck traffic has increased dramatically from maybe 1 truck per day to anywhere from 30 to 50 illegal trucks per day. The recent traffic study does not reflect this since it only looked at traffic during selected school hours.

G-1

G-2

G-3

G-4

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# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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The Pipeline residents have complained to the CHP Motor Commercial Division on numerous occasions regarding this issue including giving them the names of the trucking companies. The CHP has been out numerous times and agrees that these trucks are illegal. Unfortunately the CHP has indicated that they have neither the manpower nor time to deal with this problem. Unless this traffic issue can be resolved you will have illegal truckers/speeders etc. going south bound on Pipeline Avenue thumbing their noses at Chino police and causing a major increase in traffic related issues.

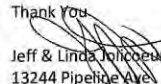
The heavy truck traffic is from 6:00am until school starts and disappears and starts again from approximately 9:00am until around noon. It starts up again around 3:30pm or 4:00pm and is very heavy until around 7:30pm or 8:30pm and then starts up again around 9:00pm. While preparing this letter between approximately 5:00pm and 7:30pm 19 illegal trucks were counted on southbound Pipeline Avenue. Our quiet rural area has been changed into a high volume traffic corridor allowing illegal trucks a shorter route bypassing the legal truck route, Ramona Avenue, into the industrial parts of Chino and Grand Avenue and Edison. This also allows the trucks to avoid Chino traffic laws.

The various traffic issues escalated with the widening of Pipeline Avenue have dramatically changed our quite rural neighborhood. The street has become a dangerous thoroughfare as noted by the increase in both traffic and noise. According to the initial EIR prepared by the County we questioned the validity of their assumptions regarding traffic/noise/housing density/etc. and **we were told** it does not matter. We moved here 30 years ago for the quiet rural life style. By adding the 44 more homes, reducing the housing density per acre and increasing traffic flow the rural life style of this area will vanish forever.

By approving this project and the annexation the Planning Commission will be adding to the already serious issues/problems that currently exist on Pipeline Avenue.

We are open to meeting with staff at any time regarding these issues.

Thank You

 and Linda Jolicœur  
Jeff & Linda Jolicœur  
13244 Pipeline Ave.  
Chino, CA 91710  
951-640-8372

G-4  
Cont.

G-5

# **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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## **Response to Comment Letter G**

**Jeff and Linda Jolicoeur**

**April 2, 2017**

- G-1** The commenters express concern regarding existing traffic conditions and the potential for the proposed project to exacerbate these conditions. The commenters state that the traffic issues of the proposed project have not been fully evaluated and considered.

Existing traffic conditions in the project area have been characterized in Section 3.16, Transportation and Traffic, in the IS/MND, and are described in more detail in Appendix H of the IS/MND, which consists of a traffic study for the proposed project. Section 3.16 and Appendix H of the IS/MND also examine changes to the existing traffic conditions that would be expected to result from the proposed project. The commenter's specific concerns relative to traffic are summarized below, followed by the City's responses to each comment.

- G-2** This comment expresses concern regarding the proposed access along Pipeline Avenue to the MLC residential development. The comment states that illegal truck traffic and passenger car traffic have increased along Pipeline Avenue since a previous street widening project was completed. The comment also references rezoning of a property on the northwest corner of the Pipeline Avenue/Chino Avenue intersection and states that this zoning was not considered a part of the traffic analysis.

The traffic study for the proposed project takes into account the existing traffic along Pipeline Avenue (see Appendix H of the IS/MND). The City of Chino has established LOS standards and impact criteria, as described in the traffic study, which were used to assess the proposed project's potential effects to traffic conditions. The traffic study also included a line of sight assessment to evaluate whether vehicular traffic can safely enter and exit the development from Pipeline Avenue. The IS/MND set forth a mitigation measure to ensure that adequate sight lines are maintained at the residential development project's entrances along Pipeline Avenue, as well as Norton Avenue. Sight distances would also be required to be maintained per applicable City standards.

The traffic study specifically assessed the implications of added traffic volumes on Pipeline Avenue with the MLC project's proposed full access via the proposed street, currently identified as A Street. As described in the traffic study, the added traffic volumes on Pipeline Avenue are expected to result in 17 AM peak hour trips (4 in, 13 out) and 23 PM peak hour trips (15 in, 9 out). These added volumes would not result

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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in a significant impact under City thresholds at either the Chino Avenue/Pipeline Avenue intersection or at the Riverside Avenue/Pipeline Avenue intersection.

Relative to truck traffic, during data collection for the traffic study, daily truck classification counts and passenger vehicle counts were collected on Pipeline Avenue, as well as the study intersections during weekday AM peak hour and PM peak hour, and were included in the existing traffic conditions in the traffic study. As such, the existing baseline conditions for the traffic analysis includes both truck traffic and passenger vehicle traffic. The truck trips observed during the data collection were converted to Passenger Car Equivalents (PCE) consistent with the City's requirements and with San Bernardino County Association of Governments (SANBAG) Congestion Management Program requirements. (Truck trips are converted to PCEs because trucks take up more space on the road relative to passenger vehicles, so each truck is counted as 1.5 to 3 passenger cars, depending on the size of the truck (see Appendix H for details on PCEs)).

The potential cumulative traffic impact of the neighborhood retail/commercial property on the northwest corner of the Pipeline Avenue/Chino Avenue intersection was included as a part of the General Plan Buildout conditions in the traffic study. As such, the traffic analysis for the proposed project took into account the zoning of that property.

**G-3** This comment describes accidents as witnessed by the commenter on Pipeline Avenue and at the intersections of Pipeline Avenue with Chino Avenue and Riverside Drive. The City of Chino Public Works Department also has accident data for the project area, based on reported accidents.

The potential for the proposed project to substantially increase roadway hazards was assessed in the IS/MND Section 3.16(d) and is also discussed in greater detail in Appendix H. As concluded in the IS/MND, impacts resulting from the proposed project related to roadway hazards would be less than significant with mitigation incorporated. Note that the traffic study for the proposed project considers existing traffic conditions along Pipeline Avenue and at the intersections of Pipeline Avenue with Chino Avenue and Riverside Drive. The effects of the traffic volumes that would be added to Pipeline Avenue and to these nearby intersections were determined to be less than significant under CEQA thresholds. See Section 3.16(a) and Appendix H for further details. The commenters' observations and concerns regarding traffic accidents will be included in the Final IS/MND for review and consideration by the City and decision makers.

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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**G-4** This comment further details concerns regarding illegal truck traffic along Pipeline Avenue. The commenters state that since the widening of southbound Pipeline Avenue, illegal truck traffic has increased. The commenters also state that the traffic study does not reflect truck traffic, since it only examined traffic conditions during selected school hours. The commenter further states that the California Highway Patrol was contacted regarding the illegal truck traffic, but that the California Highway Patrol indicated that they do not have the capacity to address the issue. This comment also includes data on illegal trucks, as observed by the commenter.

The traffic counts that were conducted to establish baseline traffic conditions for the traffic study included any trucks that were observed during the counts. As explained in Response G-2 and as further described in the traffic study, truck counts were converted to PCEs to account for the larger space on the roadway that is occupied by trucks. As noted by the commenter, intersection traffic counts were conducted during peak hours (from approximately 7:00 a.m. to 8:45 a.m. and 4:00 p.m. to 5:45 p.m.). However, roadway segment traffic counts were also conducted for 24-hour periods for several roadways surrounding the project site, including the portion of Pipeline Avenue from Riverside Drive to Chino Avenue. The roadway segment traffic counts include a breakdown of bicycles, cars and trailers, buses, and 10 different sizes of trucks. These counts are shown in Appendix H of the IS/MND. The data that was collected was taken into account for the proposed project's traffic analysis. The impacts of traffic volumes that are expected to result from the proposed project were determined to be less than significant. As such, the proposed project would not substantially exacerbate any existing traffic concerns along Pipeline Avenue, including those attributable to truck traffic. Pipeline Avenue is posted with "No Trucks over 5 tons" signs, and it should be noted that the City would be able to police additional portions of Pipeline Avenue upon approval of the proposed annexation as this roadway is primarily within the County, with the exception of the following sections, which are within the City:

- Pipeline Avenue : east side from Chino Avenue to approximately 330 feet +/- north of Chino Avenue; and
- Pipeline Avenue: west side from Riverside Drive to approximately 650' +/- south of Riverside Drive.

The commenters' concerns regarding the existing illegal truck traffic along Pipeline Avenue and the lack of policing will be included in the Final IS/MND for review and consideration by the City and decision makers.

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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**G-5** The commenters express concern regarding existing traffic issues along Pipeline Avenue and state that these issues have changed the neighborhood character, specifically related the neighborhood's traffic and noise. The commenter expresses concern regarding the additional residences that would result from the proposed project and states that the density of the proposed development would increase traffic flow and would affect the rural character of the area.

As discussed in Section 3.16 of the IS/MND, the proposed project would contribute additional traffic to the area. The project's potential traffic impacts were evaluated based on the City's established LOS standards and significance impact criteria and were determined to be less than significant. Noise-related effects of the proposed project, including traffic-related noise, have been analyzed in Section 3.12 of the IS/MND and were determined to be less than significant. Changes in the neighborhood character resulting from the proposed project have also been examined in the IS/MND (see Section 3.1(c)) and were determined to be less than significant. It should be noted that CEQA calls for analysis of a project relative to baseline environmental conditions. The conditions of the project area when the environmental analysis for the proposed project was commenced constitutes the baseline physical conditions by which the lead agency determines the significance of the proposed project's impacts. As such, any changes to neighborhood character that have already occurred would not be considered impacts of the proposed project. However, the commenters' opposition to the proposed residences and annexation will be included in the Final IS/MND for review and consideration by the City and decision makers.

# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

Comment Letter H

COMMUNITY DEVELOPMENT  
RECEIVED

APR 03 2017

APPEAL LETTER  
Mr. and Mrs. David and Julifel Grier  
13229 Pipeline Avenue,  
Chino, CA. 91710

April 3, 2017

Honorable Commissioners  
City of Chino Planning Commission  
Chino, CA

Thru Channels

RE: Opposition to the Proposed Annexation and Prezone -North of Chino Avenue between Pipeline Avenue and Norton Avenue

Honorable Commissioners and City of Chino Officers:

Please consider our petition to stop the island annexations and rezoning of our properties directly affected by the proposal of project applicant MLC Holdings, Inc.. We request to remain in the county.

We are the Grier family, Chino homeowner of an agricultural land and resident for more than 50 years presently residing at 13229 Pipeline Avenue.

We respectfully OPPOSE the said project stated as follows: PL 16-0462 (Prezone), PL 16-0463 (Gen. Plan Amendment, PL 16-0464 (Annexation) and PL 16-0529 ( Tentative Tract Map No. 18903).

The process of annexation and rezoning of our properties are necessary for only one entity to approve their massive housing project wherein zoning proposals are incompatible with the surrounding properties. We appeal to our Honorable Commissioners to deny the approval of this project based on the following issues:

## A. Piecemeal Annexation is prohibited by the law.

On a legal standpoint, the proposed project is encouraging and processing a piecemeal annexation and therefore avoiding full disclosure of long range ultimate fiscal and environmental effects of this annexation. There is a question whether this annexation will create and /or eliminate island annexation, whether the use of section 56375.3 would fall into the category and definition of LAFCO's policy on what constitutes the requirement of the annexation of the entire island or the entire unincorporated island and what is substantially surrounded. The actual and entire boundaries of the unincorporated islands surrounding the piecemeal annexation should be determined. Also, a legal right to vote regarding this matter is also a requirement.

B. No Environmental Impact Assessment (EIA) was conducted but only a Mitigated Negative Declaration. This short-cut is detrimental to the quality of lives of the community members directly affected. There is a violation of the California Environmental Quality Act ("CEQA") which requires that potential adverse

H-1

H-2

H-3

H-4

# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

environmental impacts of a proposed project be considered before the project is approved. It would definitely show more congested traffic in Pipeline Avenue and more accidents that would escalate in the area. We oppose to the opening of another street proposed by this project. In this case, the residents and property owners will be entitled to full disclosure of the effects of the "entire island" annexations, hearing and right to protest.

H-4  
Cont.

## C. Written Evidence

Our petition individually and collectively, is also made on behalf of all County residents and City residents who are or could be affected by this project proposal. Attached herewith is Annex "A", a copy of a signed petition letter of the majority of residents objecting to the proposed project as part of our written evidence submitted to this Honorable Commission.

H-5

## D.) As to the Service Requirement

"Annexation shall not be approved merely to facilitate the delivery of one or few services to the detriment of the delivery of a larger number of services more basic to public health." It should be noted that Pipeline Avenue is proposed to be divided in the middle of the street where the west side would still belong to the county and the east side would belong to the city. This is a very questionable situation detrimental upon the delivery of services among the residents, the county and the city as well.

H-6

## E.) Unnecessary Huge Financial Burden to the City of Chino Taxpayers

The safety issue for Don Lugo High School students have been addressed since there was a recent sidewalk construction made on the same west side of Pipeline Avenue where the school is located at. There is no need to put another sidewalk on the east side of the street. The proposed housing project by one entity will burden the city's finances instead let us use the city budget to the immediate, necessary and important needs of our community.

H-7

## F.) Sewer Issue

The sewer issue have been addressed previously that it is not necessary for the residents to be annexed to the city to be able to hook-up to the city sewer because the city allowed some residents to do so upon their own application.

H-8

Based on all of the issues raised herein, we respectfully request the Honorable Commissioners to deny the piecemeal annexation and rezoning located at North of Chino Avenue between Pipeline Avenue and Norton Avenue applied by MLC holdings, Inc. . We oppose the proposed annexation and the land use changes or rezoning because it is not legal, it will have negative impact to our environment and negative quality of life for the residents affected.

H-9

Thank you very much for considering our request.

Respectfully yours,

David Grier and  
Julia Ocampo-Grier



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For confidentiality reasons, the petition attached to this letter is not being disclosed as part of this document as it contains the signatories' private information. Please contact the City of Chino if there are questions regarding the petition.

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# **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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## **Response to Comment Letter H**

**David and Julifel Grier**

**April 3, 2017**

**H-1** This comment expresses opposition to the proposed project, including the proposed annexation and zoning designations. The commenters are residents of the proposed annexation area and request that their property remain in the County.

This comment is introductory in nature and expresses general opposition to the project. The commenters' specific concerns relative to the project are summarized below, followed by responses from the City. The commenters' general opposition to the project and the request for their property to remain within the unincorporated County will be included in the Final IS/MND for review and consideration by decision makers.

**H-2** This comment states that the proposed annexation and rezoning for the properties outside of the MLC residential development site are necessary only for the approval of the MLC residential development project. This comment also states that the proposed zoning designations are incompatible with surrounding properties.

As described in Section 2.2 of the IS/MND, the project site (both the MLC residential development site and the entirety of the proposed annexation area) is within the City's sphere of influence. As defined in the City's General Plan, the sphere of influence is the area outside the City limits but within boundaries that might reasonably be expected to be within the City's boundaries in the future. As further stated in the General Plan, the sphere of influence is designated as the probable future physical boundary and service area for Chino. As such, annexation of the project site (i.e., the MLC residential development site and the other parcels proposed for annexation as part of this project) has been previously anticipated and has also been previously evaluated, discussed, and disclosed in the City's General Plan and the General Plan Environmental Impact Report (City of Chino 2010).

Annexations, however, are regulated by the Local Agency Formation Commission of San Bernardino County (LAFCO). As such, while the proposed project would include annexation of the MLC residential development and surrounding properties, and while this annexation has been anticipated through the designation of the sphere of influence, LAFCO has ultimate regulatory authority over the annexation. As stated in the City's General Plan, the LAFCO is required to review relevant local general plan

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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policies and development proposals to ensure that objectives for efficient development are being achieved. As with all annexation proposals, LAFCO would review the proposed annexation relative to these criteria.

Regarding the land use compatibility of the proposed project, this issue has been addressed under CEQA in Section 3.10 of the IS/MND. Additionally, Section 3.1(c) of the IS/MND includes a discussion of potential changes in visual character and quality that would result from the proposed project. Impacts of the proposed project in the categories of land use and visual character/quality were determined to be less than significant. The commenters' opposition to the project and their concerns related to annexation and land use compatibility will be included in the IS/MND for review and approval by decision makers.

**H-3** This comment states that the proposed annexation constitutes a piecemeal annexation and that the long-range economic and environmental effects of the annexation have not been fully disclosed. The commenters ask whether the proposed annexation would create and/or eliminate "island annexation" and questions whether LAFCO would be required to approve the annexation.

This IS/MND analyzes the proposed project pursuant to CEQA. Because CEQA requires analysis of the whole of an action, the IS/MND analyzes the effects of the proposed MLC project, the proposed annexation, the proposed changes in City General Plan designations, and the proposed rezoning designations for the project site, which would go into effect upon approval of the annexation. As such, the effects of the proposed project, including the proposed annexation, have been analyzed under CEQA. Any potential economic effects of the proposed annexation are not discussed in this IS/MND, since these are not issues related to environmental impacts under CEQA. (See CEQA Guidelines, Section 15131.) Additionally, while the proposed project is discussed and addressed pursuant to CEQA in the IS/MND, the ultimate approval of the annexation is the responsibility of LAFCO. LAFCO will approve or deny the application in accordance with applicable laws that govern LAFCOs, including Government Code Section 56375.3.

While LAFCO has approval authority over the annexation, the proposed annexation is intended to preclude the creation of an unincorporated island. Furthermore, as noted in Response to Comment H-2, the proposed annexation is within the City's sphere of influence, as designated in its adopted General Plan. The City's General Plan Environmental Impact Report (2010) analyzes the environmental impacts of buildout of the City at the programmatic level. This analysis includes buildout of the City's sphere of influence. As such, the environmental effects of future annexation and

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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buildout of the City's sphere of influence as a whole have already been analyzed and disclosed pursuant to CEQA. This IS/MND addresses the project-specific effects of annexing the project site, developing the MLC residential project, and changing the land use and zoning designations of portions of the project site. The analysis in this IS/MND found that the environmental impacts of these actions would be less than significant pursuant to CEQA.

- H-4** This comment states that the City has violated CEQA by preparing an MND instead of an Environmental Impact Assessment. This comment also states that CEQA requires that the potential adverse effects of a project be considered prior to project approval and that the proposed project would increase traffic congestion and traffic accidents. The commenters also express opposition to the opening of a new street as part of the project. The commenters state that residents and property owners are entitled to full disclosure of the effects of the annexation.

As stated in Response to Comment H-3, this IS/MND analyzes and discloses the environmental effects of the proposed project, including the proposed annexation. The City has not violated CEQA by preparing an IS/MND. In accordance with Section 15002(k) and Section 15081 of the CEQA Guidelines, the City prepared an Initial Study for the purpose of determining whether or not the proposed project would result in a potentially significant impact on the environment. The data, facts, and expert testimony (backed by substantial evidence) contained in the Initial Study prepared for the project demonstrate that the potential effect of the project can be reduced to a level that is less than significant through mitigation measures, which would be imposed on the project and enforced by the City. As stated in CEQA, MNDs may be used "when the initial study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment" (Pub. Res. Code §21064.5). For these reasons, the City prepared an MND for the proposed project and set forth several mitigation measures to reduce potentially significant effects below the level of significance. As demonstrated, an MND is the appropriate type of CEQA documentation for the proposed project. Pursuant to CEQA, decision makers at the City, as well as LAFCO, will consider the MND together with comments received during the public review process prior to approving the project (CEQA Guideline Section 15074(b)).

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Regarding the commenters' concerns relative to increases in traffic congestion and accidents, see Response to Comment Letter G. Increases in traffic caused by the proposed project have been addressed and analyzed pursuant to CEQA (see Section 3.16 and Appendix H of the IS/MND). The effects of additional traffic trips attributable to the proposed project were determined to be less than significant. The proposed project's effects on roadway safety were also addressed (see Section 3.16(d) and Appendix H), and effects were determined to be less than significant with mitigation incorporated. Additionally, the traffic analysis for the proposed project took into account the proposed circulation for the MLC residential development, including the new internal roadways and their accesses along the surrounding roadways. Disclosure of the potential environmental effects of the proposed project, including the proposed annexation, has been conducted in accordance with CEQA. A Notice of Intent to Adopt an MND was published and made available for public review pursuant to CEQA Guidelines Section 15072, and this IS/MND has been prepared in accordance with CEQA Guidelines, Article 6, to analyze the potential environmental effects of the proposed project.

**H-5** This comment describes a petition that was submitted as part of the comment letter. This petition has been received by the City and is on file at the City. The opposition to the proposed project expressed in this petition will be considered by decision makers.

**H-6** This comment expresses concern regarding the delivery of services to residents upon approval of the annexation.

The annexation of the project site would not preclude residents from receiving utilities or public services. As stated in Section 3.18(a) of the IS/MND, the residences developed at the MLC Residential Site would connect to the City's sewer system, as well as the City's water service. The existing residences within the rest of the proposed annexation area could also connect to the City's sewer system in the event of a future septic system failure. The effects of the proposed project on public services and utilities have been analyzed under CEQA in Sections 3.14 and 3.18 of the IS/MND. The effects of the proposed project were determined to be less than significant. However, the commenters' concerns relative to the continued delivery of services within the City and the unincorporated County will be included in the Final IS/MND for review and consideration by decision makers.

**H-7** This comment states that there is no need to install a sidewalk along the east side of Pipeline Avenue and that the proposed MLC residential development would place a

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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financial burden on the City. The commenter recommends that the City's budget be used for the immediate needs of the community.

As described in Response to Comment H-3, economic effects of the proposed project are not discussed in this IS/MND, since these are not issues related to environmental impacts under CEQA. (See CEQA Guidelines, Section 15131.)

However, note that the roadway improvements that are proposed as part of the project are being funded by the project applicant. As such, installation of a sidewalk along the east side of Pipeline Avenue, as well as the other roadway, utility, and infrastructure improvements that are being proposed, would not place a financial burden on the City. Nevertheless, the commenters' concerns regarding the financial implications of the proposed project on the City's budget will be included in the Final IS/MND for review and consideration by decision makers.

**H-8** This comment states that it is not necessary for properties to be annexed to the City to receive sewer service from the City.

While some properties may receive sewer service without annexing into the City, the property owner is required to either annex to the City or sign an irrevocable agreement to annex at a future time. The City's General Plan states the following:

Property owners requesting sewer service for parcels contiguous to the City boundary may be required to annex to Chino. If, at the time of the request, annexation is determined by the City to be infeasible, such property owners must file an irrevocable agreement to annex to the City. Property owners requesting sewer service for parcels that are not adjacent to city boundaries must file and execute an irrevocable agreement to annex to Chino when sufficient parcels can be assembled to qualify for annexation in accordance with LAFCO policy.

As such, while annexation may not be an immediate result of receiving sewer service, it is a foreseeable future result. Furthermore, as described in Response to Comment H-2, the project site is within the City's sphere of influence. As such, the project site is within an area that has been expected to become part of the City, as disclosed, discussed, and evaluated in the City's General Plan and General Plan Environmental Impact Report. This comment regarding sewer service and annexation will be included in the Final IS/MND for review and consideration by decision makers.

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**H-9** This comment reiterates opposition to the proposed annexation and rezoning designations. The commenters state that these actions are not legal, would have negative impacts to the environment, and would have negative impacts to the residents' quality of life.

The City and LAFCO would be required to comply with all applicable land use laws during the consideration and approval of the proposed project. The Initial Study that was prepared for the proposed project evaluated the proposed project's environmental impacts in accordance with CEQA. The analysis found that no significant impacts would occur upon incorporation of several mitigation measures. As such, the City prepared an MND for the project. The commenters' opposition to the project and their concerns regarding quality of life will be included in the Final IS/MND for review and consideration by decision makers.



# Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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## 6 ERRATA

The written comments received by the City during the public review period for the February 2017 Draft IS/MND contain several revisions to information in the IS/MND. The City wishes to make these revisions by way of an errata. This errata merely clarifies and corrects minor facts and does not constitute “substantial revisions” requiring recirculation of the February 2017 IS/MND, as set forth in CEQA Guidelines, Section 15073.5. The revisions are shown in Table 6-1 and are categorized by page number and section number. Text from the February 2017 Draft IS/MND that has been removed is shown in strikethrough (i.e., ~~strikethrough~~), and text that has been added as part of the Final IS/MND is shown as underlined (i.e., underline). Revisions are shown with surrounding sentences for context.

**Table 6-1  
Errata**

Final IS/MND Page Number	Section	Clarification/Revision
75	3.7(a)	<p><i>A revision has been made to Section 3.7(a) in response to a correction that was provided by the Local Agency Formation Commission in their comment letter dated March 27, 2017.</i></p> <p>The 2008 guidance document and following working group meeting documents have not been adopted or approved by the Governing Board; however, many lead agencies apply the methodology recommended in the guidance document when appropriate.</p>
82	3.7(b)	<p><i>A revision has been made to Section 3.7(b) in response to a correction that was provided by the Local Agency Formation Commission in their comment letter dated March 27, 2017.</i></p> <p>Additionally there is no planned development within the <del>Remaining</del> <u>Remaining</u> Parcel Sites and any future development of those sites would also be subject to the City's CAP.</p>
88	3.8(e)	<p><i>A revision has been made to Section 3.8(e) in response to a correction that was provided by the Local Agency Formation Commission in their comment letter dated March 27, 2017.</i></p> <p>The project is located outside of the designated safety zones and referral zones for the Chino Airport (these are areas where land use restrictions are put in place based upon proximity to a runway) (County of San Bernardino 1991). The project site is <u>also</u> outside of the airport influence area and safety zones of the Ontario International Airport <del>and is</del> (City of Ontario 2011). The project site is not located within two miles of a public airport or within planning area boundaries of a public airport.</p>

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**Table 6-1  
Errata**

Final IS/MND Page Number	Section	Clarification/Revision
121	3.12(a)	<p><i>A revision has been made to Section 3.12(a) in response to a comment that was provided by the Local Agency Formation Commission in their comment letter dated March 27, 2017.</i></p> <p><b>MM-NOI-2</b> The Chino of Chino shall require the applicant to adhere to the following measures as a condition of approving the grading permit:</p> <ul style="list-style-type: none"> <li>• The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.</li> <li>• All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Planning Department.</li> <li>• Construction noise reduction methods such as shutting off idling equipment, <del>construction of a temporary noise barrier</del>, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.</li> <li>• <u>Installation of temporary sound barriers/shielding shall be required. This may comprise shielding of equipment in the vicinity of non-mobile equipment where this is the source, or alternatively shielding at the northern site boundary, where adjacent residences are closest.</u></li> <li>• During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.</li> <li>• Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.</li> </ul>

## **Initial Study/Mitigated Negative Declaration Chino Annexation Area Project**

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### **7 MITIGATION MONITORING AND REPORTING PROGRAM**

The City has prepared an IS/MND in conformance with CEQA Guidelines, Section 15070(b). The purpose of the MND and the Initial Study Checklist (i.e., the IS/MND) is to identify any potentially significant impacts associated with the proposed project and incorporate mitigation measures into the project, as necessary, to eliminate the potentially significant effects of the project or to reduce the effects to a level of insignificance. The CEQA Guidelines, Section 15074(d), requires that a lead or responsible agency adopt a mitigation monitoring plan when approving or carrying out a project when an IS/MND identifies measures to reduce potential adverse environmental impacts. As lead agency for the project, the City is responsible for adoption and implementation of the mitigation monitoring and reporting program (MMRP). The intent of the MMRP is to ensure the effective implementation and enforcement of all adopted mitigation measures. The MMRP for the proposed project is shown below in Table 7-1. The MMRP identifies the project's mitigation measures, the party that is responsible for implementing each measure, the party that monitors implementation of each measure, and the stage of the project at which the measure would be implemented.

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

**Table 7-1  
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Responsible Party	Monitoring Party	Implementation Stage
<i>Biological Resources</i>			
<p><b>MM-BIO-1:</b> No sooner than 30 days prior to and no later than 14 days prior to grading activities on the project site, a qualified biologist shall conduct a survey of the construction impact footprint and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall be submitted, reviewed, and accepted by the City of Chino prior to the issuance of a grading permit and subject to the following provisions: a) in the event that the pre-construction survey detects no burrowing owls in the impact area, a grading permit may be issued without restriction; b) in the event that the pre-construction survey detects the burrowing owl within the construction impact footprint, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the applicant shall make reasonable efforts to consult with the California Department of Fish and Wildlife (CDFW) regarding conservation strategies for the burrowing owl.</p> <p>i. Prior to disturbance of occupied burrows, natural or artificial replacement burrows shall be provided at a ratio of 2:1 within a City-designated relocation area. A qualified biologist shall confirm the replacement burrows are unoccupied and suitable for burrowing owl use prior to disturbance of occupied burrows.</p> <p>ii. No disturbance shall occur within 50 meters of occupied burrows during the non-breeding season (September 1 through January 31) or within 75 meters of occupied burrows during the breeding season (February 1 through August 31), until the applicant provides evidence to the City of Chino that suitable replacement burrows have been provided.</p> <p>iii. Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of</p>	Project Applicant; Project Biologist	City of Chino Community Development Department (Planning and Building Divisions)	Prior to issuance of a grading permit; prior to grading activities and

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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**Table 7-1  
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Responsible Party	Monitoring Party	Implementation Stage
<p>independent survival.</p> <p>iv. If burrowing owls are present at the time occupied burrows are to be disturbed, the owls shall be excluded from the site in accordance with CDFW relocation protocol.</p> <p>v. Subject to the provisions of the Subdivision Map Act vesting map requirements, if the City of Chino has established a mitigation fee program for the long-term management of burrowing owl habitat, prior to issuance of a grading permit, the applicant shall pay the appropriate mitigation fee to the City of Chino.</p>			
<p><b>MM-BIO-2:</b> No more than 30 days prior to construction (including demolition work and tree trimming/removal activities), a qualified biologist will conduct a visual and acoustic preconstruction survey for roosting special-status bats and/or sign (i.e., guano) within 300 feet of suitable bat roosting habitat (i.e., buildings and/or trees). A minimum of one day and one evening will be included in the visual preconstruction survey, which should concentrate on the period when roosting bats are most detectable (i.e., when leaving the roosts between one hour before sunset and two hours after sunset). If special-status bats are not detected, no additional measures are required.</p> <p>If an active maternity roost is identified, the maternity roost will not be directly disturbed, and construction activities will maintain an appropriate distance (e.g., 300-foot avoidance buffer) until the maternity roost is vacated and juveniles have fledged, as determined by a qualified biologist. The rearing season for native bat species in California is approximately March 1 through August 31. If non-breeding special-status bat roosts (hibernacula or non-maternity roosts) are found, the individuals shall be safely evicted, under the direction of a qualified biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by a qualified biologist (e.g., installation of one-way doors). If flushing species from a tree roost is required, this shall be done when temperatures are sufficiently warm for bats to exit the roost, because bats do not typically leave their roost daily</p>	Project Applicant; Project Biologist	City of Chino Community Development Department (Planning and Building Divisions)	Prior to construction; during construction (if an active maternity roost is identified)

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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**Table 7-1  
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Responsible Party	Monitoring Party	Implementation Stage
during winter months. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed and temperatures should be sufficiently warm (for winter hibernacula) for bats to exit the roost. This action should allow all bats to leave during the course of one week. If a roost needs to be removed and a qualified biologist determines that the use of one-way doors is not necessary, the roost shall first be disturbed following the direction of the qualified biologist at dusk to allow bats to escape during the darker hours. Once the bats escape, the roost site shall be removed or the construction disturbance shall occur the next day (i.e., there shall be no less or more than one night between initial disturbance and the roost removal).			
<p><b>MM-BIO-3:</b> Ground-disturbance and vegetation removal activities should take place outside of the general nesting bird season, from approximately March 1 through August 31 (as early as February 1 for raptors), to the greatest extent feasible. If vegetation removal and/or construction activities (including disturbances to vegetation, structures, and substrates) will occur during the general bird nesting season (i.e., between March 1 and August 31, and as early as February 1 for raptors), preconstruction surveys for nesting native birds and raptors shall be conducted by a qualified biologist, no more than 3 days prior to construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone (500-foot radius for raptors) to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds or raptors.</p> <p>If active nests are found (CDFW defines “active” as any nest that is under construction or modification; USFWS defines “active” as any nest that is currently supporting viable eggs, chicks, or juveniles), clearing and construction shall be postponed or halted within a buffer area established by the qualified biologist that is suitable to the particular bird species and location of the nest (typically a starting point of 250 feet for most birds and 500 feet for raptors, but may be reduced as approved by a qualified biologist), until the nest is vacated and/or juveniles have fledged, as determined by the qualified biologist. The</p>	Project Applicant; Project Biologist	City of Chino Community Development Department (Planning and Building Divisions)	Prior to construction; during construction (if an active nest is identified)

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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**Table 7-1  
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Responsible Party	Monitoring Party	Implementation Stage
construction avoidance area shall be clearly demarcated in the field (i.e., fencing, staking, or flagging) for avoidance. A qualified biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, including graphics showing the locations of any active nests detected, and documentation of any avoidance measures taken, shall be submitted to the City within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. Surveys, and resulting buffers, will be repeated if construction within any phase is paused for more than 30 days.			
<i>Cultural Resources</i>			
<b>MM-CUL-1:</b> Native American and archaeological monitoring of all project-related ground-disturbance activities shall be required. A Native American monitor who has familiarity with the local archaeology, as well as an archaeological monitor, shall be retained at the expense of the applicant. Monitoring activities shall be conducted under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology. If archaeological and Native American resources are encountered during ground-disturbing activities, all earth-disturbing work within 50 feet of the discovery shall be temporarily suspended or redirected until an archaeologist and a Native American Monitor has evaluated the nature and significance of the find. Evaluation of significance for the find may include the determination of whether or not the find qualifies as an archaeological site. Depending upon the significance of the find under CEQA (California Code of Regulations Title 14 Section 15064.5(f); Public Resources Code Section 21082), the archaeologist may exhaust the data potential of the find through the process of field-level recordation and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.	Archaeological Monitor; Native American Monitor; Project Applicant	City of Chino Community Development Department (Planning Division)	During construction (ground-disturbing activities only)

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**Table 7-1  
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Responsible Party	Monitoring Party	Implementation Stage
<b>MM-CUL-2:</b> In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.	Project Applicant; Qualified Archeologist	City of Chino Community Development Department (Planning and Building Divisions)	During construction
<b>MM-CUL-3:</b> Prior to commencement of any grading activity on the project site, the applicant shall retain a qualified paleontologist, subject to the review and approval of the City's Building Official, or designee. The qualified paleontologist shall attend the preconstruction meeting and be on-site during all rough grading and other significant ground-disturbing activities. Older Quaternary alluvial deposits may be encountered at depths as shallow as 10 feet below ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontology monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) (2010).	Project Applicant; Qualified Paleontologist	City of Chino Community Development Department (Planning and Building Divisions)	During construction (rough grading and significant ground-disturbing activities only)
<b>MM-CUL-4:</b> In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains	Project Applicant; Construction Contractor	City of Chino Community Development Department (Planning and Building Divisions)	During construction



## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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**Table 7-1  
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Responsible Party	Monitoring Party	Implementation Stage
shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the Native American Heritage Commission in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the Native American Heritage Commission must immediately notify those persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.			
<i>Hazards and Hazardous Materials</i>			
<b>MM-HAZ-1:</b> Prior to the issuance of grading permits for development projects at the project site, the applicant shall conduct a Phase 2 Environmental Site Assessment. The Phase 2 Environmental Site Assessment shall include near-surface soil sampling and analysis and shall determine whether any agricultural chemicals (herbicides, insecticides, pesticides, metals) or methane gas is present at the site. A copy of the Phase 2 Environmental Site Assessment shall be submitted to the City of Chino for review. If the Phase 2 Environmental Site Assessment identifies the presence of agricultural chemicals and/or methane gas at levels that present a health hazard, the applicant shall comply with recommendations contained in the Phase 2 Environmental Site Assessment, which could include but are not limited to physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., the Chino Valley Independent Fire Protection District, the City of Chino Public Works Department). If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.	Project Applicant	City of Chino Community Development Department (Planning and Building Divisions)	Prior to issuance of grading permits; during construction and/or operation (if contamination is present and recommendations are made for project construction and/or operation)

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

**Table 7-1  
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Responsible Party	Monitoring Party	Implementation Stage
<i>Noise</i>			
<b>MM-NOI-1:</b> Construction activities shall take place between the hours of 7:00 a.m. and 7:00 p.m. and not at all during other hours or on Sundays or federal holidays, in compliance with Section 83.01.080(g)(3) of the San Bernardino County's Municipal Code and per Section 15.44.030 (Construction hours) of the City of Chino Municipal Code. This condition shall be listed on the project's final design to the satisfaction of the City of Chino Planning Department.	Project Applicant; Construction Contractor	City of Chino Community Development Department (Planning and Building Divisions)	During construction
<b>MM-NOI-2</b> The Chino of Chino shall require the applicant to adhere to the following measures as a condition of approving the grading permit: <ul style="list-style-type: none"> <li>• The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.</li> <li>• All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Planning Department.</li> <li>• Construction noise reduction methods such as shutting off idling equipment, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.</li> <li>• Installation of temporary sound barriers/shielding shall be required. This may comprise shielding of equipment in the vicinity of non-mobile equipment where this is the source, or alternatively shielding at the northern site boundary, where adjacent residences are closest.</li> <li>• During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.</li> </ul>	Project Applicant; Construction Contractor	City of Chino Community Development Department (Planning and Building Divisions)	Prior to issuance of grading permits; during construction

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

**Table 7-1  
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Responsible Party	Monitoring Party	Implementation Stage
<ul style="list-style-type: none"> <li>Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.</li> </ul>			
<b>MM-NOI-3:</b> If usable balconies with a first-row exposure to Pipeline Avenue are planned for the second-floor elevations, a noise barrier with a minimum height of 5 feet shall be required. The noise barriers shall be located at the balcony side or sides facing Pipeline Avenue, with a sufficient “return” at the corners so as to minimize flanking noise around the edges of the barrier. The noise barriers shall be constructed of a material such as tempered glass, acrylic glass (or similar material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers shall have no openings or cracks.	Project Applicant	City of Chino Community Development Department (Planning and Building Divisions)	During project design
<b>MM-NOI-4:</b> Proposed residences adjacent to Pipeline Avenue shall require mechanical ventilation systems or air conditioning systems in order to ensure that windows and doors at the second-floor elevations can remain closed while maintaining a comfortable environment. Additionally, sound-rated windows shall be installed, as deemed necessary. An interior noise analysis shall be required for the proposed habitable rooms on the second floor of lots adjacent to Pipeline Avenue prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise analysis shows that impacts are above the State and City’s 45 dBA L <sub>dn</sub> interior standard. The interior noise analysis shall substantiate that with the required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will be a less than significant impact.	Project Applicant	City of Chino Community Development Department (Planning and Building Divisions)	During project design; prior to issuance of building permits
<i>Transportation and Traffic</i>			
<b>MM-TRF-1:</b> Landscaping or hardscaping that is installed at the MLC Residential Project’s driveways in the “Limited Use Area” shall be designed and maintained such that a driver’s clear line of sight is not obstructed and	City Engineer; Project Applicant	City of Chino Community Development Department (Planning and Building	During project design; on-going throughout

## Initial Study/Mitigated Negative Declaration Chino Annexation Area Project

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**Table 7-1  
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Responsible Party	Monitoring Party	Implementation Stage
does not threaten vehicular or pedestrian safety, as determined by the City Engineer. Prior to issuance of building permits, the City Engineer shall review the proposed landscaping plan and verify that the design for the Limited Use Areas will not interfere with driver's clear line of sight. During project operation, the project applicant shall be responsible for maintaining landscaping within this area in a manner determined by the City Engineer.		Divisions)	operation

# **Draft Resolution No. 3251**

**Attachment 5**

**PROPOSAL NO.: LAFCO 3220**

**HEARING DATE: October 18, 2017**

**RESOLUTION NO. 3251**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3220 AND APPROVING THE REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF CHINO AND DETACHMENT FROM COUNTY SERVICE AREAS 70 AND SL-1 (PIPELINE ISLAND). The reorganization area encompasses approximately 40 acres and is generally located east of Pipeline Avenue between Hacienda and Chino Avenues.**

**On motion of Commissioner \_\_\_\_\_, duly seconded by Commissioner \_\_\_\_\_, and carried, the Local Agency Formation Commission adopts the following resolution:**

**WHEREAS**, an application for the proposed reorganization in the County of San Bernardino was filed with the Executive Officer of this Local Agency Formation Commission (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.), and the Executive Officer has examined the application and executed her certificate in accordance with law, determining and certifying that the filings are sufficient; and,

**WHEREAS**, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and,

**WHEREAS**, the Executive Officer has reviewed available information and prepared a report including her recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

**WHEREAS**, the public hearing by this Commission was called for October 18, 2017 at the time and place specified in the notice of public hearing; and,

**WHEREAS**, at the hearing, this Commission heard and received all oral and written support and/or opposition; the Commission considered all plans and proposed changes of organization, and all evidence which were made, presented, or filed; it received evidence as to whether the territory is inhabited or uninhabited, improved or unimproved; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing;

## RESOLUTION NO. 3251

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission does hereby determine, find, resolve, and order as follows:

### **DETERMINATIONS:**

**SECTION 1.** The proposal is approved subject to the terms and conditions hereinafter specified:

#### **CONDITIONS:**

**Condition No. 1.** The boundaries are approved as set forth in Exhibits "A" and "A-1" attached.

**Condition No. 2.** The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3220.

**Condition No. 3.** All previously authorized charges, fees, assessments, and/or taxes currently in effect by the City of Chino (annexing agency) shall be assumed by the annexing territory in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

**Condition No. 4.** The City of Chino shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

**Condition No. 5.** Pursuant to Government Code Section 56886.1, public utilities, as defined in Section 216 of the Public Utilities Code, have ninety (90) days following the recording of the Certificate of Completion to make the necessary changes to impacted utility customer accounts.

**Condition No. 6.** The date of issuance of the Certificate of Completion shall be the effective date of this reorganization.

**SECTION 2.** Pursuant to Government Code Section 56375.3, 56375.4, and adopted Commission policies, the Commission makes the following determinations related to the proposed reorganization:

- The City of Chino initiated the proposed reorganization by adoption of Resolution No. 2017-016 on April 18, 2017;
- The reorganization area comprises a total of 40 +/- acres, less than the 150-acre threshold outlined by statute and constitutes the entire island of unincorporated territory;
- The reorganization area is 75 percent surrounded by the City of Chino and is wholly within the City of Chino's sphere of influence;

## RESOLUTION NO. 3251

- The reorganization is substantially developed or developing based on the presence of existing development in the area and the availability of public services as indicated in the Plan for Service;
- The reorganization area does not contain any prime agricultural land;
- The reorganization area will benefit from the annexation to the City as reflected in the Plan for Service and the area is already benefiting from the direct receipt of water service from the City as well as a property already benefitting from the receipt of sewer service from the City;
- It is determined that this reorganization proposal complies with Government Code Section 56375.4 which requires that the island be created prior to January 1, 2014; and,
- This reorganization proposal complies with the Commission's policies related to the processing of islands in that the City has conducted a public relations/education effort prior to the consideration of the proposal by the Commission.

This proposal is also subject to the provisions of Government Code Section 56375(a)(4) which mandates Commission approval of the proposal. Therefore, having made said determinations, the Commission determines to waive the protest proceedings.

**SECTION 3. DETERMINATIONS.** The following determinations are noted in conformance with Commission policy:

1. The reorganization area is legally inhabited containing 58 registered voters as certified by the County Registrar of Voters office as of June 27, 2017.
2. The County Assessor has determined that the value of land within the reorganization area is \$3,850,000 as of September 14, 2016.
3. The reorganization area is within the sphere of influence of the City of Chino.
4. Notice of this hearing has been advertised as required by law through publication in the *Inland Valley Daily Bulletin*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those agencies and individuals requesting mailed notice. Comments from any affected local agency have been reviewed by the Commission.
5. In compliance with the requirements of Government Code Section 56157 and Commission policy, individual notice was mailed to landowners and registered voters within the reorganization area (totaling 94 notices) and to landowners and registered voters approximately 1,350 feet of the exterior boundary of the reorganization area (totaling 2,211 notices). Comments from landowners and registered voters have been reviewed and considered by the Commission in making its determination.
6. The City of Chino has pre-zoned the reorganization area to RD2 (Residential, 2 units/acre), RD4.5 (Residential, 3 to 4.5 units/acre) and NC (Neighborhood Commercial). These zoning designations are consistent with the City's General Plan.



## RESOLUTION NO. 3251

7. The Southern California Associated Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. LAFCO 3220 has no direct impact on SCAG's Regional Transportation Plan.

The Sustainable Communities Strategy includes, among others, strategies that support compact infill development as well as expanded housing and transportation choices, which approval of LAFCO 3213 will support.

8. The Local Agency Formation Commission has determined that this proposal is statutorily exempt from environmental review. The basis for this determination is that this reorganization is a ministerial action, required by the terms of Governmental Code Section 56375(a)(4). Without discretion in the Commission's consideration of this proposal, approval of this proposal is exempt from environmental review under the provisions of the State CEQA Guidelines. The Commission hereby adopts the Statutory Exemption and directs its Executive Officer to file a Notice of Exemption within five (5) days with the San Bernardino County Clerk of the Board of Supervisors.
9. The local agencies currently serving the area are: County of San Bernardino, Chino Valley Independent Fire Protection District, West Valley Mosquito and Vector Control District, Inland Empire Resource Conservation District, Chino Basin Water Conservation District, Inland Empire Utilities Agency and its Improvement District No. C (regional wastewater treatment provider), Metropolitan Water District of Southern California (State Water Contractor), County Service Area 70 (multi-function unincorporated area Countywide), and County Service Area SL-1 (streetlighting). Only County Service Areas 70 and SL-1 will be detached upon successful completion of this proposal. None of the other agencies are affected by this proposal as they are regional in nature.
10. The City of Chino submitted plans for the provision of services as required by Government Code Section 56653, which indicates that the City can, at a minimum, maintain the existing level of service delivery and can improve the level and range of selected services currently available in the area. The financial information presented within the City's Plan for Service indicates that the project will have a positive financial effect for the City. The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that such Plan conforms to those adopted standards and requirements.
11. The reorganization area can benefit from the availability and extension of municipal services from the City of Chino and is already benefitting from the receipt of water service from the City. In addition, a parcel within the reorganization area is also benefitting from the receipt of sewer service from the City.
12. This proposal complies with Commission policies that indicate the preference for areas proposed for future development at an urban-level land use to be included within a City so that the full range of municipal services can be planned, funded, extended and maintained. It is also consistent with State law and Commission policies that indicate the preference for all island areas to be included within the boundaries of the City surrounding them

## RESOLUTION NO. 3251

13. This proposal will assist the City in its ability to achieve its fair share of the regional housing needs since the reorganization area includes the area for TTM 18903, which is proposed to be developed with 38 single-family residences.
14. With respect to environmental justice, the following demographic and income profile was generated using ESRI's Community Analyst within the City of Chino and within and around the reorganization area (2017 data):

Demographic and Income Comparison	City of Chino (%)	Subject Area & adjacent Unincorporated Sphere (%)
Race and Ethnicity		
• African American Alone	6.7 %	3.5 %
• American Indian Alone	1.0 %	1.3 %
• Asian Alone	11.7 %	7.8 %
• Pacific Islander Alone	0.2 %	0.1 %
• Hispanic Origin (Any Race)	57.3 %	56.7 %
Median Household Income	\$77,432	\$75,121

The reorganization area and the surrounding unincorporated sphere area already receive water from the City. Wastewater service, if required, is also available from the City through an out-of-agency service agreement for sewer service. Fire protection is already provided by the Chino Valley Independent Fire Protection District, which serves both the City and its entire unincorporated sphere. Nonetheless, the reorganization proposal is to annex the entirety of the substantially surrounded island. Therefore, the reorganization area will continue to benefit from the extension of services and facilities from the City and, at the same time, the approval of the reorganization to annex the entirety of the substantially surrounded island will not result in the deprivation of service or the unfair treatment of any person based on race, culture or income.

15. The City and County have negotiated the transfer of ad valorem taxes as required by State law. Copies of the resolutions adopted by the City Council of the City of Chino and the San Bernardino County Board of Supervisors are on file in the LAFCO office outlining the exchange of revenues.
16. The map and legal description, as revised, are in substantial conformance with LAFCO and State standards as determined by the County Surveyor's Office.

**SECTION 4.** The primary reason for this reorganization is to provide municipal services to the proposed 38-lot single-family residential development within the reorganization area as well as provide for a logical service boundary for the City along Pipeline Avenue.

**SECTION 5.** The affected territory shall not be taxed for existing bonded indebtedness or contractual obligations of the City of Chino through completion of the reorganization. The regular County assessment rolls are utilized by the City of Chino.

**SECTION 6.** Approval by the Local Agency Formation Commission indicates that completion

## RESOLUTION NO. 3251

of this proposal would accomplish the proposed change of organization in a reasonable manner with a maximum chance of success and a minimum disruption of service to the functions of other local agencies in the area.

**SECTION 7.** The Commission hereby orders the territory described in Exhibits “A” and “A-1” reorganized. The Commission hereby directs, that following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer shall prepare and file a Certificate of Completion, as required by Government Code Section 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204.

**SECTION 8.** The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

**THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission  
for San Bernardino County by the following vote:**

**AYES: COMMISSIONERS:**

**NOES: COMMISSIONERS:**

**ABSENT: COMMISSIONERS:**

\* \* \* \* \*

STATE OF CALIFORNIA )  
 ) ss  
COUNTY OF SAN BERNARDINO )

**I, KATHLEEN ROLLINGS-MCDONALD, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of October 18, 2017.**


**DATED:**

**KATHLEEN ROLLINGS-MCDONALD**  
Executive Officer

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
E-MAIL: [lafco@lafco.sbcounty.gov](mailto:lafco@lafco.sbcounty.gov)  
[www.sbclafco.org](http://www.sbclafco.org)

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**DATE:** OCTOBER 11, 2017   
**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer  
MICHAEL TUERPE, Project Manager  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item #6: First Quarter Financial Review for Period  
July 1 through September 30, 2017

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## **RECOMMENDATION:**

Staff recommends that the Commission take the following actions:

1. Note receipt of this report and file.
2. Recognize the increase in Cash Carryover from FY 2016-17 of \$32,808 by:
  - a) Increasing Expenditure Account 2090 (Relocation Expense) by \$32,808 to \$111,683.
  - b) Increasing Revenue Account 9970 (Carryover from Prior Year) by \$32,808 for a total of \$101,683 [Total for Revenue Account 9970 (all carryovers to include reserves) increases to \$771,307].

## **BACKGROUND:**

The first quarter of Fiscal Year 2017-18 has concluded and staff is presenting the Commission with its first financial report. This report includes a review of the financial activities and the presentation of a spreadsheet (Attachment #1) showing the line item expenditures and receipts during the period. Additionally, a discussion follows which outlines the County's efforts to transition to a new financial system and its effect on LAFCO's bookkeeping and accounting.

## **FIRST QUARTER REVIEW:**

The following narrative provides a discussion of:

- Expenditures and reserves, revenues received, an update on special project activities, and a breakdown of the fund balance at the end of the quarter.
- Recommended budget adjustments to account for increase in Cash Carryover from Fiscal Year 2016-17.

### **Expenditures and Reserves**

Expenditures are comprised of two categories of accounts: 1) Salaries and Benefits, and 2) Services and Supplies. Through the first quarter, total expenditures are at 29% of Approved Budget authority. No request is being presented, at this time, by staff for authorization to utilize funds maintained in the Contingency or Reserve accounts. A more detailed analysis of the categories is as follows:

#### 1. Salaries and Benefits (1000 series)

##### *A. First Quarter Activity*

The Salaries and Benefits series of accounts (1000 series) had expenditures of \$202,208 through the first quarter, representing 26% of Approved Budget authority. The increase of one percentage point over the 25% benchmark is primarily explained by August having three pay dates, as opposed to two.

##### *B. Anticipated Activity*

The remainder of the year is anticipated to maintain the adopted budget.

#### 2. Services and Supplies (2000 and 5000 series)

##### *A. First Quarter Activity*

For the first quarter, the Services and Supplies series of accounts (2000 and 5000 series) had expenditures of \$205,704, or 33% of Approved Budget authority. The first quarter includes full-year and one-time payments. Payments that are typical to the first quarter that have taken place include: California Association of LAFCOs (CALAFCO) membership, the CALAFCO Annual conference (registration), the Commission's property and liability insurance, and the annual payment to SBCERA for GASB 68 processing. These one-time and full-year expenditures are generally on target for the fiscal year.

Additionally, costs related to the move paid in the first quarter total \$34,030. Many of these invoices were received in the prior year, but the County ceased

payment processing early due to the transition to its new financial system. These costs are Commission-approved, of which \$28,601 is accounted for by the excess carryover from prior year.

The first quarter included unanticipated or unbudgeted activity which includes:

- Legal Counsel charges from litigation of two cases regarding LAFCO 3216 City of Upland annexation to San Bernardino County Fire Protection District et al filed by the San Antonio Heights Property Owners Association. LAFCO is indemnified by the City of Upland and County Fire for these cases. Payments made through the first quarter total \$2,934.
- Legal Counsel charges related to exposure to litigation, which these charges are not recoverable. Through the first quarter charges total \$45,957. At the mid-year review in January, staff is anticipating a recommendation for a transfer of funds from reserves to account for these expenditures.

#### *B. Second Quarter Anticipated Expenditures*

Anticipated activities for the second quarter include significant expenditures, identified as:

- CALAFCO Annual conference expenses (hotel and travel for staff and Commissioners).
- Full-year payments for the annual financial audit (\$11,783). This is the second year of a four-year contract with the firm Davis Farr LLP.
- Subscription to the County Street Network (\$10,500) for maintenance of digital mapping and Google Earth Subscription (\$3,000).
- Significant payments for the processing of proposals and countywide wastewater service review (legal costs, advertising and mailing) are anticipated.
- Remaining costs related to the move totaling \$79,210. These charges are covered by funds that carried forward from 2016-17 into 2017-18. These include the charges for the office furniture, window blinds, and printing charges related to the address change.

#### *C. Status of Ongoing Commission-approved Projects*

The following provides an update on expenditures and progress on projects approved by the Commission.

### **EDUCATIONAL TRAINING PROGRAM FOR SPECIAL DISTRICTS:**

The Commission is continuing its efforts to provide governance training for special districts, as well as other levels of government, within the County. As a part of this year's budget, staff developed an education program in coordination with the California Special Districts Association (CSDA), Special Districts Risk Management Authority (SDRMA), and the Institute for Local Government (ILG) – see chart below. The budget allocates \$7,500 total for payments to CSDA, SDRMA, or ILG, per the agreed upon cost.

<b>Educational Training Program Timeline</b>		
<b>Training Session</b>	<b>Collaboration</b>	<b>Date</b>
<i>Technology &amp; the Public Records Act: Recent Legal Developments &amp; Current Challenges</i>	California Special Districts Association	December 2017 10:00 a.m. Cucamonga Valley WD Frontier Project
<i>Financial Management for Special Districts</i>	Special Districts Risk Management Authority	est. Jan or Feb 2018 Mojave Water Agency
<i>Transparency Strategies</i>	Institute for Local Government	est. March or April 2018 Mojave Water Agency

### **3. Contingency and Reserves (6000 series)**

No activity has been requested by staff or authorized by the Commission to take place in the Contingency or Reserve accounts during the first quarter. At the mid-year review in January, staff is anticipating the need to recommend a transfer of funds from reserves to account for legal expenditures related to ongoing litigation related activities for which indemnification is not available.

## **Revenues**

### **1. Revenues through First-Quarter**

The Commission has received 89% of Adopted Budget revenues through the first quarter. The items below outline the revenue activity:

- **Interest (Account 8500)** – Interest rates have increased by roughly 50% compared to first quarter last year, albeit still providing a minimal cash amount. \$3,066 in interest revenue was earned from the Commission's cash in the County Treasury reflecting the final quarter of Fiscal Year 2016-17 cash. The bulk of LAFCO's revenues are received during the first quarter of the fiscal year through receipt of its annual apportionment. However, it is anticipated that the

annual interest rate will remain low for the balance of the year providing limited resources.

- Apportionment (Account 8842) - 100% of the mandatory apportionment payments from the County, cities, and independent special districts billed by the County Auditor have been received.
- Fees and Deposits (Accounts 9545 – 9800) – Through the first quarter, the Fees and Deposits series of accounts have received 4% of its budgeted revenue (\$10,442) is made up of a combination of a service contract filing fee and cost recovery. Proposals thought to have been received in the first quarter are anticipated for submission in the second quarter.
- Carryover from Prior Year (Account 9970)

The fund balance at the prior fiscal year's closure was carried forward into FY 2016-17 (\$753,144), and is composed of the following:

- Liabilities of \$5,508 include deferred revenue related to open applications and accounts payable. The budget identifies deferred revenue of \$23,671. However, staff was able to clear a good portion of this liability by the close of the fiscal year.
- Cash carryover from prior year of \$101,683 for move-related costs.

The budget identified that \$68,875 would carry over into 2017-18 to cover costs related to the office relocation.

An additional \$32,808 carried forward into 2017-18; funds which were allocated for other move-related costs. Many of these invoices were received in the prior year, but paid in 2017-18. To account for the increase in carryover and to balance the budget, staff recommends that the Commission increase Account 9970 (Carryover from Prior Year) by \$32,808. Of note, the Notice of Hearing for this item identifies \$28,601, not \$32,808, as the amount.

- All of the Contingency and Reserve funds identified in the FY 2016-17 budget have been carried forward, \$645,953.

## 2. Proposal Activity

The figure below identifies the number of proposals and service contracts received through the first quarter. The figure identifies that zero proposals and one service contract were received in the first quarter. Attachment #2 to this staff report includes a chart showing the yearly comparison of proposal, service review, and completed service review activity.



Activity	Budget	Through 1st Q	
		No.	% of Budget
Proposals	11	0	0%
Service Contracts - Commission approval	2	0	0%
Service Contracts - Commission approval for exemption	0	1	--
Service Contracts - Admin (E.O.) approval	6	0	0%
Protest Hearing Deposits	5	0	0%

In the first quarter the Commission completed the Countywide Service Review for Water, encompassing over 100 water systems across four regions. The remainder of the year anticipates the completion of the Countywide Service Review for Wastewater and the commencement of the fire protection/emergency medical response service review.

### Fund Balance

As of September 30, the Commission's cash in the County Treasury was \$1,371,104. A breakdown of this amount is shown below.

September 30, 2017 Balance		\$1,371,104
<b>Balance is composed of the following:</b>		
<b>Committed</b> (constrained to specific purposes)		
Net Pension Liability Reserve (Account 6010)		148,450
Compensated Absences Reserve (Account 6030)		89,708
<b>Assigned</b> (intended for specific purposes)		
Contingency (Account 6000)		139,116
General Reserve (Account 6025)		225,229
<b>Remaining Budget</b>		
Expenditures		983,249
Revenues (does not include deposits receivable)		(214,647)

### **NEW FINANCIAL SYSTEM:**

LAFCO contracts with the County for a range of financial bookkeeping and accounting functions. These include, but are not limited to, payroll, invoice processing, use of the County Treasury as its depository, use of its purchasing contracts, tax filings, year-end trial balance, etc.

Effective October 2017, the County has transferred to a new, all encompassing, financial bookkeeping and accounting system. The purpose of the new system is to improve fiscal operations and introduce more efficient business processes. However, this has

resulted in replacement of familiar programs and processes, which includes new fund identification and chart of accounts.

While the County works through its implementation hiccups, LAFCO staff is formulating implementation procedures for its workflow. Even though the financial processes and procedures are changing, LAFCO staff does not believe this to have an effect on the Commission's finances. However, during the transition of systems there may be some delay in the payment of the Commission's obligations.

## **CONCLUSION:**

The bridge between the last quarter of 2016-17 and the first quarter of 2017-18 continues activity related to the office relocation and legal counsel representation on matters in litigation. The funds previously allocated for office relocation have carried forward into 2017-18, and the budget accounts for the activity. For legal counsel charges, at the mid-year in January staff anticipates recommending a transfer from reserves to account for these charges.

The Commission has directed staff to prioritize its activities to address the fire proposals submitted as the top priority, other jurisdictional changes next, and service reviews to follow. At this time, there is one fire proposal on file with LAFCO; however, staff is aware of ongoing discussions with a number of agencies in the County related to the potential transition of fire services to County Fire. The continuation of the consultant contract for supplemental staffing continues to assist in addressing this ongoing issue.

With that noted, the remaining activities of the first quarter are generally within markers for first quarter activity.

In response to the information presented in this report, staff recommends that the Commission take the actions identified on page 1 of this report. These actions include the recognition of the increase in Cash Carryover from FY 2016-17 of \$32,808 by:

- a) Increasing Expenditure Account 2090 (Relocation Expense) by \$32,808 to \$111,683.
- b) Increasing Revenue Account 9970 (Carryover from Prior Year) by \$32,808 for a total of \$101,683 [Total for Revenue Account 9970 (all carryovers to include reserves) increases to \$771,307].

Staff will be happy to answer any questions from the Commission prior to or at the hearing regarding the items presented in this report.

KRM/MT

Attachments:

- 1. Spreadsheet of First-Quarter Expenditures, Reserves, and Revenues
- 2. Chart Illustrating Yearly Proposal, Service Contract, and Service Review Activity

# **Spreadsheet of First-Quarter Expenditures, Reserves, and Revenues**

**Attachment 1**

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 15-16	ACTUAL YEAR END FY 16-17	FINAL BUDGET FY 17-18	JULY	AUG	SEPT	TOTAL THRU 1st Quarter	PERCENT THRU 1st Quarter
	<b>SALARIES AND BENEFITS</b>								
1010	Regular Salary and Bilingual	\$ 432,740	\$ 466,526	\$ 483,128	\$ 35,210.90	\$ 54,410.61	\$ 36,032.88	\$ 125,654.39	26%
1030	Auto and Cell Phone Allowances	17,000	17,000	17,065	1,307.70	1,961.55	1,307.70	4,576.95	27%
1035	Overtime	395	38					-	
1045	Termination Payment	2,506	632					-	
1110	General Member Retirement	109,012	112,783	125,311	9,104.42	14,363.66	9,472.40	32,940.48	26%
1130	Survivors Benefits	210	210	224	17.20	25.80	17.20	60.20	27%
1135	Indemnification - General	16,739	18,264	15,887	1,543.80	2,321.72	1,549.82	5,415.34	34%
1200	Employee Group Insurance (Health Subsidy)	41,121	45,801	49,285	4,055.40	6,090.45	4,060.30	14,206.15	29%
1205	Long-Term Disability	882	883	969	71.70	109.03	73.18	253.91	26%
1207	Vision Care Insurance	771	771	825	63.20	94.80	63.20	221.20	27%
1215	Dental Insurance & Health Subsidy	1,363	1,251	1,235	99.50	141.90	94.60	336.00	27%
1222	Short-Term Disability	3,404	3,477	3,808	282.46	428.93	287.70	999.09	26%
1225	Social Security Medicare	5,492	6,143	6,190	458.73	704.07	465.30	1,628.10	26%
1235	Workers' Compensation	2,305	2,097	5,216		1,939.14	-	1,939.14	37%
1240	Life Insurance & Medical Trust Fund	5,522	5,316	7,526	453.30	768.75	542.14	1,764.19	23%
1305	Medical Reimbursement Plan	2,770	3,380	6,840	260.00	430.00	300.00	990.00	14%
1310	ID Allowance Café		17,453	12,306	943.40	1,415.10	943.40	3,301.90	27%
1314	457/401a Defined (LAFCO Contribution)	1,571	1,544	1,795	112.10	170.37	114.32	396.79	22%
1315	401k Contribution	25,136	26,020	28,721	2,125.44	3,230.64	2,167.92	7,524.00	26%
<b>TOTAL SALARIES &amp; BENEFITS</b>		<b>\$ 668,940</b>	<b>\$ 729,589</b>	<b>\$ 766,331</b>	<b>\$ 56,109.25</b>	<b>\$ 88,606.52</b>	<b>\$ 57,492.06</b>	<b>\$ 202,207.83</b>	<b>26%</b>
	Staffing (Full time equivalent units)	5.5		5.5					
	<b>SERVICES AND SUPPLIES</b>								
	<b>Services:</b>								
2035	Communications		\$ 1,053						
2037	COMNET Charge (ISF)	\$ 3,003	2,872	2,730		295.56	295.56	\$ 591.12	22%
2038	Long Distance Charges	15	-	-				-	
2040	Relocation Charges - Phone Service	12,944	10,647	-		117.62		117.62	
2041	Phone Service/Outside Company	670	947	10,318			61.43	61.43	1%
2043	Electronic Equipment Maintenance	926	-	-			6,015.89	6,015.89	
2075	Membership Dues	8,733	9,338	9,831		8,674.00		8,674.00	88%
2076	Tuition Reimbursement	100	2,000	3,000				-	0%

Does not include recommended budget adjustments.

FISCAL YEAR 2017-18

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 15-16	ACTUAL YEAR END FY 16-17	FINAL BUDGET FY 17-18	JULY	AUG	SEPT	TOTAL THRU 1st Quarter	PERCENT THRU 1st Quarter
2080	Publications	2,383	3,021	3,288	129.49	523.77	312.32	965.58	29%
2085	Legal Notices	18,860	18,129	20,284		6,736.58	1,203.60	7,940.18	39%
2090	Miscellaneous Expense (Costs related to move)		100,000	78,875	6,760.00	13,620.00	3,523.24	23,903.24	30%
2115	Computer Software	5,777	2,552	3,502		1,313.00		1,313.00	37%
2125	Inventoriable Equipment	-	2,685	17,000				-	0%
2180	Electricity for Office		-	4,800		1,547.53	555.80	2,103.33	44%
2245	Other Insurance	7,085	9,100	9,050		9,965.06	-	9,965.06	110%
	<b>Supplies:</b>								
2305	General Office Expense	6,364	8,105	7,410	230.21	2,780.65	2,974.80	5,985.66	81%
2308	Credit Card Clearing Account	467	(465)	-	5,086.02	(1,206.10)	2,542.59	6,422.51	
2309	Visa Temp Card	267	-					-	
2310	Postage - Direct Charge	56,031	75,917	60,694	247.25	3,381.67	518.65	4,147.57	7%
2315	Records Storage	596	749	696		101.25	144.95	246.20	35%
2316	Surplus Handling	-	-		2,170.56	-		2,170.56	
2323	Reproduction Services	13,046	15,084	21,274	1,116.80		98.84	1,215.64	6%
2335	Temporary Services	-	3,033	7,650			131.68	131.68	2%
	<b>Consultant &amp; Special Services:</b>								
2400	Prof & Special Service (Legal Counsel)	40,346	37,867	34,300		30,724.77	28,874.79	59,599.56	174%
2405	Auditing	14,258	11,492	11,783		3,018.58	-	3,018.58	26%
2410	Data Processing	8,244	7,827	7,827				-	0%
2415	COWCAP	-	13,236	20,000			2,114.40	2,114.40	11%
2420	ISD Other IT Services	4,614	245	210			34.94	34.94	17%
2421	ISD Direct	10,073	8,949	8,927	223.20	1,039.95	1,074.69	2,337.84	26%
2424	Mgmt & Tech (Environmental Consultant)	11,329	9,077	6,650		1,495.00	645.00	2,140.00	32%
2444	Security Services	444	390	408		817.00	-	817.00	200%
2445	Other Prof (Commission, Surveyor, ROV)	123,413	124,571	140,385	7,674.77	13,008.53	6,584.62	27,267.92	19%
2449	Outside Legal (Litigation & Special Counsel)	4,319	-	-				-	
2450	Application Development Support	345	-	200				-	0%
2460	GIMS Charges	13,656	13,500	16,170				-	0%

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 15-16	ACTUAL YEAR END FY 16-17	FINAL BUDGET FY 17-18	JULY	AUG	SEPT	TOTAL THRU 1st Quarter	PERCENT THRU 1st Quarter
	<b>Lease/Purchases:</b>								
2845	Rent/Lease Equipment (copier)					475.18		475.18	
2895	Rent/Lease Equipment (copier)	4,743	7,226	7,200				-	0%
2905	Office/Hearing Chamber Rental	57,125	49,874	82,788		4,484.01	11,333.89	15,817.90	19%
	<b>Travel Related Expenses:</b>								
2940	Private Mileage	3,868	4,963	4,855		284.64	752.24	1,036.88	21%
2941	Conference/Training	3,974	6,465	6,140		3,622.87	1,143.36	4,766.23	78%
2942	Hotel	5,053	12,417	10,550		457.44	1,967.31	2,424.75	23%
2943	Meals	1,098	1,502	2,235	11.08	22.00	408.84	441.92	20%
2944	Car Rental	107	228	200			109.37	109.37	55%
2945	Air Travel	2,629	4,188	2,000		531.92	247.96	779.88	39%
2946	Other Travel	887	871	400	116.00	-	251.35	367.35	92%
	<b>Other Charges:</b>								
5012	Services Out (Staples)	1,449	14	1,200		184.94		184.94	15%
<b>TOTAL SERVICES &amp; SUPPLIES</b>		<b>\$ 449,237</b>	<b>\$ 579,668</b>	<b>\$ 624,830</b>	<b>\$ 23,765.38</b>	<b>\$ 108,017.42</b>	<b>\$ 73,922.11</b>	<b>\$ 205,704.91</b>	<b>33%</b>
<b>TOTAL EXPENDITURES</b>		<b>\$ 1,118,178</b>	<b>\$ 1,309,258</b>	<b>\$ 1,391,161</b>	<b>\$ 79,874.63</b>	<b>\$ 196,623.94</b>	<b>\$ 131,414.17</b>	<b>\$ 407,912.74</b>	<b>29%</b>
	<b>RESERVES</b>								
6000	Contingency		\$ -	\$ 139,116				\$ -	0%
6010	Net Pension Liability Reserve		-	148,450				-	0%
6025	General Reserve - Litigation		-	225,229				-	0%
6030	Compensated Absences Reserve		(1,216)	89,708				-	0%
<b>TOTAL CONTINGENCIES &amp; RESERVES</b>		<b>\$ -</b>	<b>\$ (1,216)</b>	<b>\$ 602,503</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0%</b>
<b>TOTAL APPROPRIATION</b>		<b>\$ 1,118,178</b>	<b>\$ 1,308,042</b>	<b>\$ 1,993,664</b>	<b>\$ 79,874.63</b>	<b>\$ 196,623.94</b>	<b>\$ 131,414.17</b>	<b>\$ 407,912.74</b>	<b>20%</b>

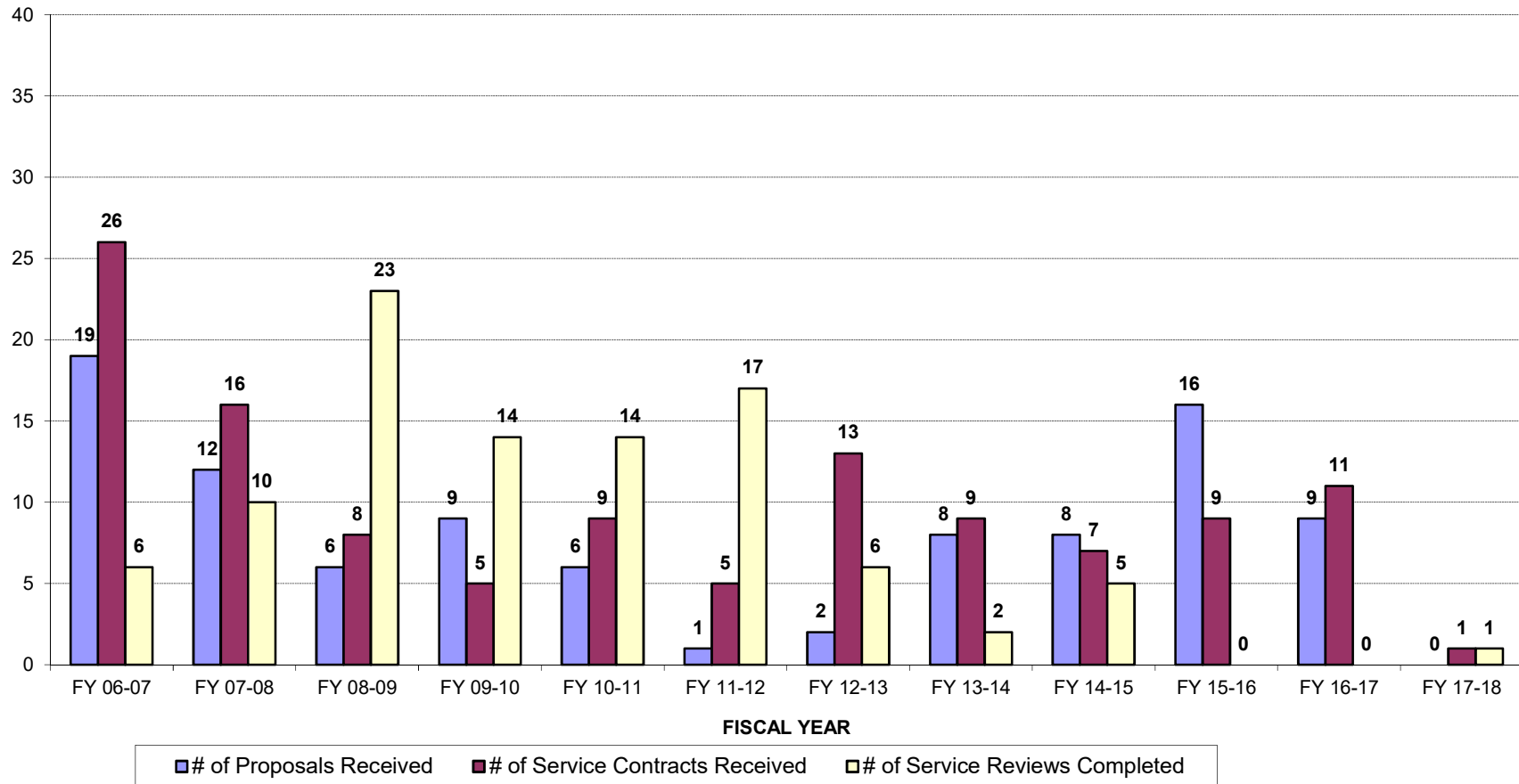
ACCT #	ACCOUNT NAME	ACTUAL YEAR-END FY 15-16	ACTUAL YEAR END FY 16-17	FINAL BUDGET FY 17-18	JULY	AUG	SEPT	TOTAL THRU 1st Quarter	PERCENT THRU 1st Quarter
	<b>CONTRIBUTION REVENUES</b>								
	Use of Money:								
8500	Interest	\$ 5,917.01	\$ 9,318	\$ 8,000	\$ 3,066.28	\$ -	\$ -	\$ 3,066.28	38%
	<b>Mandatory Contribution from Governments:</b>								
8842	Local Government -- For FY 2017-18 apportionment to County, Cities, and Independent Special Districts of approximately \$336,528 each	882,117	926,223	1,009,583	365,255.16	609,831.47	34,496.37	1,009,583.00	100%
	<b>Fees and Deposits (Current Services):</b>								
9545	Individual Notice	56,670	27,507	42,320	340.76			340.76	1%
9555	Legal Services	26,361	10,311	9,600	672.69			672.69	7%
9595	Protest Hearing	33,297	34,000	43,620				-	0%
9655	GIMS Fees	12,505	5,015	7,520				-	0%
9660	Environmental	12,940	7,145	6,000	25.00			25.00	0%
9800	LAFCO Fees	260,206	117,531	127,773	(2,000.00)	70.11	11,333.89	9,404.00	7%
	<b>Total Fees and Deposits</b>	<b>401,978</b>	<b>201,509</b>	<b>236,832</b>	<b>(961.55)</b>	<b>70.11</b>	<b>11,333.89</b>	<b>10,442.45</b>	<b>4%</b>
	<b>TOTAL CONTRIBUTION REVENUES</b>	<b>1,290,012</b>	<b>1,137,049</b>	<b>1,254,415</b>	<b>367,359.89</b>	<b>609,901.58</b>	<b>45,830.26</b>	<b>1,023,091.73</b>	<b>82%</b>
	<b>OTHER REVENUES</b>								
9910	Prior Year Activity (refunds, collections)	\$ (30)	\$ (20,757)	\$ (1,250)	\$ 2,438.45			\$ 2,438.45	-195%
9930	Miscellaneous Revenues	12,040	345	2,000	229.64	102.80	10.00	342.44	17%
9970	Carryover of Open Proposals/Projects	55,114	42,219	23,671	5,107.63		400.00	5,507.63	23%
9970	Carryover from Prior Year, Assigned	186,960	296,065	68,875	101,683.00			101,683.00	148%
	<b>TOTAL OTHER REVENUES</b>	<b>254,084</b>	<b>317,873</b>	<b>93,296</b>	<b>109,458.72</b>	<b>102.80</b>	<b>410.00</b>	<b>109,971.52</b>	<b>118%</b>
	<b>TOTAL REVENUES</b>	<b>\$ 1,544,096</b>	<b>\$ 1,454,922</b>	<b>\$ 1,347,711</b>	<b>\$ 476,818.61</b>	<b>\$ 610,004.38</b>	<b>\$ 46,240.26</b>	<b>\$ 1,133,063.25</b>	<b>84%</b>
	<b>RESERVES FROM PRIOR YEAR, as of July 1</b>								
9970	Contingency	\$ 87,356	\$ 155,501	\$ 155,501	\$ 155,501.00			\$ 155,501.00	100%
9970	Net Pension Liability Reserve	56,432	82,750	117,097	117,097.00			117,097.00	100%
9970	General Reserve - Litigation	300,000	291,007	284,917	284,917.00			284,917.00	100%
9970	Compensated Absences Reserve	72,897	76,607	88,438	88,438.00			88,438.00	100%
	<b>TOTAL RESERVES FROM PRIOR YEAR</b>	<b>\$ 516,685</b>	<b>\$ 605,865</b>	<b>\$ 645,953</b>	<b>\$ 645,953.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 645,953.00</b>	<b>100%</b>
	<b>TOTAL REVENUE AND RESERVES</b>	<b>\$ 2,060,781</b>	<b>\$ 2,060,787</b>	<b>\$ 1,993,664</b>	<b>\$ 1,122,771.61</b>	<b>\$ 610,004.38</b>	<b>\$ 46,240.26</b>	<b>\$ 1,779,016.25</b>	<b>89%</b>
	Note: Spreadsheet utilizes the cash basis of accounting and does not include accrual/reversal data which do not affect fund balance								

**Chart Illustrating Yearly  
Proposal, Service Contract,  
and Service Review Activity**

**Attachment 2**



**Number of Proposals & Service Contracts Received, and Service Reviews Completed by Fiscal Year**



Through Sept 2017