

4.8 LAND USE/PLANNING

This section of the EIR describes existing land uses in the proposed project and the surrounding area and evaluates the potential for land use impacts associated with implementation of the proposed project. The analysis focuses on the potential for the proposed project to result in conflicts between proposed land uses on site and existing and/or proposed land uses in the vicinity of the proposed project, as well as the relationship of the proposed land use changes to relevant planning policies that guide land use decisions.

Data used in the preparation of this section were obtained from the City of San Bernardino. Full bibliographic entries for all referenced materials and communication are provided in Section 4.8.5 (References).

No comment letters related to land use/planning were received in response to the notice of preparation (NOP) circulated on August 3, 2007, for the proposed project.

4.8.1 Environmental Setting

The project site is located at the southeast corner of Palm Avenue and Industrial Parkway, southwest of the Interstate 215 (I-215)/Palm Avenue interchange and approximately 3 miles east of Interstate 15 (I-15) within the City of San Bernardino. The Project encompasses approximately 38.4 acres and is bounded by the I-215 freeway to the north, Industrial Parkway and industrial uses to the south, industrial uses to the east, and Palm Avenue and commercial uses to the west.

The project site is presently surrounded by a variety of uses:

- **North.** I-215 is northeast of the project site. Beyond I-215 are various commercial industries and a large residential community. The on-ramp to the southbound I-215 runs directly north of the project site. A Denny's Restaurant and gas station are northwest of the project site, adjacent to Palm Avenue. The land north of Palm Avenue is vacant. The lot at the southeast corner of Palm Avenue and Industrial Parkway (northwest of the project site) is vacant and currently for sale.
- **East.** I-215 runs along the northeast boundary of the project site. Directly east of I-215, approximately 500 feet from the project site, is a residential community. The hills that currently occupy the project site are visible from the residential community.
- **South.** Directly south of Industrial Parkway is both vacant property and active development. The development appears similar to the proposed project. Historic Route 66 and railroad tracks lie beyond this development.
- **West.** Directly west of the project site, across Industrial parkway is an industrial development.

The project site is currently vacant. The 2005 City of San Bernardino General Plan designates the Project site as Industrial Light (IL). Uses permitted within the Industrial Light land use category include a variety of light industrial uses, including warehousing/distribution, assembly, light manufacturing, research and development, mini storage, and repair facilities as well as supporting retail and personal uses.

The proposed project is within the Light Industrial Zoning District. This District is intended to retain, enhance, and intensify existing and provide for the new development of lighter industrial uses along major vehicular, rail, and air transportation routes serving the City. Warehousing and wholesaling are permitted uses within this District.

The project site is outside, but is immediately north of, the Northwest Redevelopment Area.

4.8.2 Regulatory Framework

■ Federal

There are no federal policies that would apply to land use/planning for the proposed project.

■ State

There are no state policies that would apply to land use/planning for the proposed project.

■ Regional

There are no regional policies that would apply to land use/planning for the proposed project.

■ Local

City of San Bernardino General Plan

The City of San Bernardino 2005 General Plan Area encompasses approximately 45,231 acres of land including incorporated land within the City and unincorporated lands within the City's Sphere of Influence. Development that occurs within the City is guided by City of San Bernardino's standards such as the zoning code.

The City of San Bernardino General Plan provides the general long-term approach for maintaining and improving the quality of life in, and the resources of, the community, both man-made and natural. The General Plan provides direction for the city's growth and development. As a long-range policy document, the General Plan serves as a guide for the adoption of laws necessary to execute its intent. California mandates that seven elements (land use, circulation, housing, conservation, open space, noise, and safety) must be included in a city's general plan; however, there is great latitude given in how the General Plan may be arranged, and elements may be combined and additional elements included as appropriate. San Bernardino's General Plan contains all mandated elements, plus several optional elements, organized into the following chapters:

- Land Use
- Housing
- Economic Development
- Community Design

- Circulation
- Public Facilities and Services
- Parks, Recreation, and Trails
- Utilities
- Safety
- Historical and Archaeological Resources
- Natural Resources and Conservation
- Energy and Water Conservation
- Noise

The 2005 City of San Bernardino General Plan designates the project site as Industrial Light (IL). Uses permitted within the Industrial Light land use category include a variety of light industrial uses, including warehousing/distribution, assembly, light manufacturing, research and development, mini storage, and repair facilities as well as supporting retail and personal uses. The maximum intensity for projects within the Industrial Light land use category is 0.75 floor area ratio (FAR). The Project site is adjacent to, and immediately north of, the Northwest Redevelopment Area.

City of San Bernardino Development Code

The proposed project is currently regulated by the City of San Bernardino Development Code. The proposed project is within the Light Industrial Zoning District. This District is intended to retain, enhance, and intensify existing and provide for the new development of lighter industrial uses along major vehicular, rail, and air transportation routes serving the City. Warehousing and wholesaling are permitted uses within this District. Specific development standards are as follows:

- Front Setback 10 Feet
- Rear Setback 10 Feet
- Side Setback (Each) 10 Feet
- Side Setback (Street Side) 10 Feet
- Lot Coverage (Maximum) 75 Feet
- Structure Height (Maximum) 50 Feet

The proposed project complies with the development standards as prescribed within Light Industrial Zoning District.

4.8.3 Project Impacts and Mitigation Measures

■ Analytic Method

The analysis in this section focuses on whether the proposed project would conflict with applicable land use plans, policies, and regulations or an adopted habitat conservation or natural community conservation plan. Because conflict with applicable plans, policies, and regulations could occur as a result of policy changes or from physical development, this analysis includes all physical components of the proposed project.

■ Thresholds of Significance

The following thresholds of significance are based on Appendix G of the 2011 CEQA Guidelines and City-specific thresholds, where applicable. For the purposes of this EIR, implementation of the proposed project may result in a potentially significant impact if the proposed project would:

- 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

Effects related to the following thresholds were found to have “no impact,” and are discussed in Section 4.14 (Effects Not Found to Be Significant). Would the project:

- Physically divide an established community
- Conflict with the land use as designated based on the review of the General Plan Land Use Plan/Zoning Districts Map
- Result in development within Foothill Fire Zones A & B, or C as identified on the Land Use Districts Zoning Map
- Conflict with any applicable habitat conservation plan or natural community conservation plan

■ Less-Than-Significant Impacts

Threshold	Would the proposed 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?
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Impact 4.8-1 Implementation of the proposed project would not conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed project adopted for the purpose of avoiding or mitigating an environmental effect. This is considered a *less-than-significant* impact.

As required by Section 15125(d) of the CEQA Guidelines, this EIR discusses any conflicts between the proposed project and applicable regional and local plans. The local plans relevant to the proposed project, and for which an analysis of potential conflicts is provided, include the City of San Bernardino General Plan, and City of San Bernardino Municipal Code. A discussion of the project’s potential conflicts with these local plans is provided in the following sections below.

The City of San Bernardino General Plan includes goals and policies that along with the Land Use Plan and accompanying density standards, guide future land use decisions in the City.

General Plan Goals and Policies

The following goals and policies that are applicable to the proposed project are as follows:

- Goal 2.1** Preserve and enhance San Bernardino’s unique neighborhoods.
- Policy 2.1.2** Require that new development with potentially adverse impacts on existing neighborhoods or residents such as noise, traffic, emissions, and storm water runoff, be located and designed so that quality of life and safety in existing neighborhoods are preserved. (LU-1).

Therefore, the proposed development would not conflict with Goal 2.1 or Policy 2.1.2.

- Goal 2.2** Promote development that integrates with and minimizes impacts on surrounding land uses.
- Policy 2.2.1** Ensure compatibility between land uses and quality design through adherence to the standards and regulations in the Development Code and policies and guidelines in the Community Design Element.
- Policy 2.2.2** Require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur, including, as appropriate, decorative walls, landscape setbacks, restricted vehicular access, enclosure of parking structures to prevent sound transmission, and control of lighting and ambient illumination.
- Policy 2.2.7** Control the development of industrial and similar uses that use, store, produce or transport toxics, air emissions, and other pollutants.
- Policy 2.4.4** Protect large parcels that front onto freeways and commercial corridors from subdivision into smaller parcels.
- Policy 2.5.4** Require that all new structures achieve a high level of architectural design and provide a careful attention to detail.
- Policy 2.5.6** Require that new developments be designed to complement and not devalue the physical characteristics of the surrounding environment, including consideration of the following:
- a. The site’s natural topography and vegetation
 - b. Surrounding exemplary architectural design styles
 - c. Linkages to pedestrian, bicycle, and equestrian paths
 - d. The use of consistent fencing and signage
 - e. The provision of interconnecting greenbelts and community amenities, such as clubhouses, health clubs, tennis courts, and swimming pools
 - f. The use of building materials, colors, and forms that contribute to a “neighborhood” character

- g. The use of extensive site landscaping
- h. The use of consistent and well designed street signage, building signage, and entry monumentation
- i. A variation in the setbacks of structures
- j. The inclusion of extensive landscape throughout the site and along street frontages
- k. The articulation of building facades to provide interest and variation by the use of offset planes and cubic volumes, building details, balconies, arcades, or recessed or projecting windows, and other techniques which avoid “box”-like structures
- l. The integration of exterior stairways into the architectural design
- m. The screening of rooftop mechanical equipment
- n. The use of a consistent design through the use of unifying architectural design elements, signage, lighting, and pedestrian areas
- o. The provision of art and other visual amenities
- p. The inclusion of awnings, overhangs, arcades, and other architectural elements to provide protection from sun, rain, and wind
- q. The location of parking at the rear, above, or below the ground floor of non-residential buildings

Policy 2.8.1 Ensure that all structures comply with seismic safety provisions and building codes.

Policy 2.8.4 Control the development of industrial and other uses that use, store, produce, or transport toxics, air emissions, and other pollutants.

Goal 5.7 Develop attractive and safe commercial, office, and industrial projects that are creatively designed and intelligently sited.

Policy 5.7.11 Loading bays should be screened by walls and landscaping and oriented away from major streets and entries.

Consistency Analysis

The proposed project calls for the development of the currently vacant 38.4-acre site on the corner of Palm Avenue and Industrial Parkway as a warehouse and distribution facility and The project would not include a subdivision of the 38.4-acre site into smaller parcels. This type of development complies with the existing Development Code and General Plan Industrial land use designations for the project area. The proposed development would be consistent with the planned and existing developments around the

project site, since surrounding land uses are predominantly industrial, with two commercial developments northwest of the proposed project. All residential areas are separated from the proposed project by I-215. The proposed project would be similar in height and massing and the design would be consistent with existing and approved projects in the area. The proposed project is regulated by the City of San Bernardino Development Code Chapter 19.20 that contains specific standards to ensure that development will be of a high quality, with a desirable character that is harmonious with the existing and future development consistent with the General Plan. Specific provisions related to community design include Design (19.020.030.4) Glare, (19.02.020.11), and Lighting (19.02.030.14) which are included in this Section. All design standards for the project would comply with City requirements. Spatial buffering would be provided for the adjacent commercial businesses to the northwest and I-215 and would provide additional visual enhancement. Landscaping is proposed on 12 percent of the project site to soften and buffer views of the proposed development. The project would include an 8-foot wrought iron fence around the perimeter of the project, with wrought iron swing gates at the project site entrances. Eight-foot screenwalls would also be placed along the eastern boundary of the property with a landscaped buffer beyond, and at the west end of the truck yards on both sides of the structures. These would provide a visual buffer and screen undesirable views of project activities. Six-foot high concrete trash enclosures would be supplied to screen all outdoor trash receptacles. All design, building, and safety standards for the project would be consistent with the City of San Bernardino Building Code and Development Code requirements for buffers, storm drains, parking and loading, noise, development standards, landscaping, lighting, and architectural features to ensure that the project is visually compatible with the existing neighborhood.

The proposed project is located within an area already impacted with regional transportation noise that primarily originates from the I-215 freeway located northeast of the project site. Uses related to the proposed project include warehouse and related office activities that would adhere to the noise standards and mitigation requirements set forth in the City of San Bernardino Municipal Code Chapter 8.54: Noise Control. These standards regulate the level of noise produced by stationary sources and prescribe mitigation measures to protect adjacent uses. The proposed project is not expected to release or create significant hazardous toxic materials to the public or the environment. The project would comply with applicable federal, state, and local laws and regulations would ensure that risks associated with hazards and hazardous materials would be minimized to acceptable levels for the proposed project. As described in more detail in Section 4.5 (Geology/Soils and Mineral Resources), the project site is in a seismically active area. Active and potentially active faults in Southern California are capable of producing seismic groundshaking in the project vicinity, and the area would be anticipated to experience ground acceleration caused by these earthquakes. Because the project site is in California Building Code Seismic Zone 4, structures would be required to be designed in accordance with applicable parameters of the current California Building Code. Adherence to the Building Code, as required by state and City law, would ensure maximum practicable protection available for users of the buildings and associated infrastructure.

The proposed development would not conflict with any policies set forth by the City of San Bernardino General Plan. The impact would be *less than significant*.

4.8.4 Cumulative Impacts

A cumulative impact analysis is only provided for those thresholds that result in a less-than-significant or significant and unavoidable impact. The geographic context for the analysis of cumulative land use and planning impacts includes the entire City of San Bernardino, which contains a mixture of land uses, including residential, commercial, and industrial. The analysis accounts for all anticipated cumulative development within this geographic area, as represented by full implementation of the City of San Bernardino General Plan.

Threshold	Would the proposed 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?
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It is anticipated that future development within the city would result in changes to the existing land use environment through the conversion of vacant land to developed uses, or through conversions of existing land uses (e.g., from residential to commercial). Development under the proposed project would not conflict with the designated land uses in the General Plan and Zoning Code and the proposed project would also be compatible with the land uses that surround the proposed project, as demonstrated in analyses of this section. Therefore, the cumulative impact of the proposed project with respect to land use plan conflicts would not be cumulatively considerable, and *less than significant*.

Future development in this portion of the city would also be reviewed for consistency with adopted land use plans and policies by the City, in accordance with the requirements of CEQA, the California Zoning and Planning Law, and the California Subdivision Map Act, all of which require findings of plan and policy consistency prior to approval of entitlements for development. It should be noted that future projects could include General Plan amendments and/or zone changes. However, each proposed amendment or zone change would require specific consistency analysis and, upon adoption, would not conflict with the General Plan or Municipal Code. For this reason, the cumulative impact associated with conflict of future development with adopted plans and policies would be less than significant. In addition, as noted above, development of the proposed project would be compatible with surrounding land uses and would not conflict with applicable plans or policies. Therefore, the cumulative impact of the proposed project with respect to future development would not be cumulatively considerable, and *less than significant*.

4.8.5 References

San Bernardino, City of. 2005. *City of San Bernardino General Plan*, November.

———. 2011. *City of San Bernardino Development Code*.