PLANNING COMMISSION AGENDA

REGULAR MEETING

Date: May 14, 2015

Time: 6:30 P.M.

COMMISSION MEMBERS

Tom Murphy, Chair

William A. Muller, Vice Chair

Jim Heywood, Commissioner

Joline Bell- Hahn, Commissioner

Bob Rogers, Commissioner

✱ - ✱ - ✱ - ✱ - ✱ - ✱ - ✱ - ✱

Dave Reno, Principal Planner

Jeff M. Malawy, Assistant City Attorney

CITY OF HESPERIA
9700 Seventh Avenue
Council Chambers
Hesperia, CA 92345
City Offices: (760) 947-1000

The Planning Commission, in its deliberation, may recommend actions other than those described in this agenda.

Any person affected by, or concerned regarding these proposals may submit written comments to the Planning Division before the Planning Commission hearing, or appear and be heard in support of, or in opposition to, these proposals at the time of the hearing. Any person interested in the proposal may contact the Planning Division at 9700 Seventh Avenue (City Hall), Hesperia, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday, and 7:30 a.m. to 4:30 p.m. on Fridays) or call (760) 947-1200. The pertinent documents will be available for public inspection at the above address.

If you challenge these proposals, the related Negative Declaration and/or Resolution in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact Dave Reno, Principal Planner (760) 947-1200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.10235.104 ADA Title 11]

Documents produced by the City and distributed less than 72 hours prior to the meeting regarding any item on the Agenda will be made available in the Planning Division, located at 9700 Seventh Avenue during normal business hours or on the City's website.

May 14, 2015

AGENDA
HESPERIA PLANNING COMMISSION

Prior to action of the Planning Commission, any member of the audience will have the opportunity to address the legislative body on any item listed on the agenda, including those on the Consent Calendar. PLEASE SUBMIT A COMMENT CARD TO THE COMMISSION SECRETARY WITH THE AGENDA ITEM NUMBER NOTED.

CALL TO ORDER 6:30 p.m.

A. Pledge of Allegiance to the Flag
B. Invocation
C. Roll Call:
   Chair Tom Murphy
   Vice Chair William Muller
   Commissioner James Heywood
   Commissioner Joline Bell-Hahn
   Commissioner Bob Rogers

JOINT PUBLIC COMMENTS

Please complete a "Comment Card" and give it to the Commission Secretary. Comments are limited to three (3) minutes per individual. State your name and address for the record before making your presentation. This request is optional, but very helpful for the follow-up process.

Under the provisions of the Brown Act, the Commission is prohibited from taking action on oral requests. However, Members may respond briefly or refer the communication to staff. The Commission may also request the Commission Secretary to calendar an item related to your communication at a future meeting.

CONSENT CALENDAR

D. Approval of Minutes: April 9, 2015 Planning Commission Meeting Draft Minutes. -1-

PUBLIC HEARINGS

1. Consideration of Site Plan Review SPR15-00002 to construct a 176,340 square foot commercial/industrial business park and Tentative Tract TT15-00001 to create 60 business condominium units on 10 acres within the Commercial/Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan located on the southwest corner of 'E' Avenue and Smoketree Street (Applicant: Sharad Mehta; APN: 0410-142-01) 1-1

2. Consideration of Specific Plan Amendment SPLA14-00004 to change the zoning from Low Density Residential (LDR) to Neighborhood Commercial (NC) on 5.7 gross acres located on the northwest corner of Mojave Street and Maple Avenue (Joseph E. Bonadiman: APNs: 0405-053-08 & 09) 2-1

3. Public comments relating to the Tapestry Specific Plan and Draft Environmental Impact Report

PRINCIPAL PLANNER'S REPORT

The Principal Planner or staff may make announcements or reports concerning items of interest to the Commission and the public.

F. DRC Comments

G. Major Project Update

PLANNING COMMISSION BUSINESS OR REPORTS

The Commission Members may make comments of general interest or report on their activities as a representative of the Planning Commission.

ADJOURNMENT

The Chair will close the meeting after all business is conducted.

I, Andrea Ngalo, Planning Commission Secretary for City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Thursday, May 7, 2015 at 5:30 p.m. pursuant to California Government Code §54954.2.

_____
Andrea Ngalo
Planning Commission Secretary

HESPERIA PLANNING COMMISSION MEETING
REGULAR MEETING
April 9, 2015
MINUTES

DRAFT

The Regular Meeting of the Planning Commission was called to order at 6:35 p.m. by Chair Murphy in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

CALL TO ORDER 6:35 p.m.

Pledge of Allegiance to the Flag

Invocation

Roll Call:

Present: Tom Murphy
William Muller
James Heywood
Bob Rogers

Motion by William Muller to excuse absence of Joline Bell Hahn, Seconded by Bob Rogers, passed with the following roll call vote:

AYES: Tom Murphy, James Heywood, William Muller, and Bob Rogers
NOES: None
absent: Joline Bell Hahn.

JOINT PUBLIC COMMENTS

Chair Murphy opened Public Comments at 6:39 p.m.

Chair Murphy closed Public Comments at 6:39 p.m.

CONSENT CALENDAR

Approval of Minutes: April 9, 2015 Planning Commission Meeting Draft Minutes.

Motion by William Muller to approve April 9, 2015 Planning Commission Meeting Draft Minutes, Seconded by James Heywood, passed with the following roll call vote:

AYES: Tom Murphy, James Heywood, William Muller, and Bob Rogers
NOES: None
absent: Joline Bell Hahn.

PUBLIC HEARING

Consideration of Conditional Use Permit CUP15-00002 to establish an adult day care center within an existing 10,031 square-foot building at 15075 Main Street (Applicant: Cole Vocational Services; APN: 0408-171-09)

Senior Planner Daniel Alcayaga gave a presentation.

Chair Murphy opened Public Comments at 6:53 p.m.

Applicant commented and answered Commission questions

Chair Murphy closed Public Comments at 7:03 p.m.

Motion by William Muller to adopt Resolution No. PC-2015-07 to approve CUP15-00002, Seconded by James Heywood, passed with the following roll call vote:

AYES: Tom Murphy, James Heywood, William Muller, and Bob Rogers
NOES: None
absent: Joline Bell Hahn.

Public comments relating to the Tapestry Specific Plan and Draft Environmental Impact Report

Capital Improvement Program Report by Scott Priester, Director of Development Services

Motion by James Heywood to adopt Resolution No. PC-2015-06 to approve Capital Improvement Program Report as being in conformance with the Hesperia General Plan and direct that this finding be reported to the City Council, Hesperia Water and Fire Protection Districts, Seconded by William Muller, passed with the following roll call vote:

AYES: Tom Murphy, James Heywood, William Muller, and Bob Rogers
NOES: None
absent: Joline Bell Hahn.

F. DRC Comments

G. Major Project Update

ADJOURNMENT

Tom Murphy
Chair

Andrea Ngalo
Commission Secretary

City of Hesperia
STAFF REPORT

DATE: May 14, 2015

TO: Planning Commission

FROM: Dave Reno, AICP, Principal Planner

BY: Daniel S. Alcayaga, AICP, Senior Planner

SUBJECT: Site Plan Review SPR15-00002 and Tentative Tract TT15-00001; Applicant: Mehta Family Trust; APN: 0410-142-01

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2015-08 and Resolution No. PC-2015-09, approving SPR15-00002 and TT15-00001.

BACKGROUND

Proposal: A Site Plan Review to construct a 176,340 square foot commercial/industrial business park and Tentative Tract TT15-00001 to create 60 business condominium units on 10 acres (Attachment 1).

Location: On the southwest corner of 'E' Avenue and Smoketree Street.

Current General Plan, Zoning and Land Uses: The property is currently undeveloped and within the Commercial/Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan). The surrounding land is designated as noted on Attachment 2. A mix of uses surround the property, including miscellaneous industrial uses, as well as a restaurant and a single-family residence to the north. A large shopping center, which includes a Stater Bros. and a Kmart, exists to the south. A 2.4 acre vacant lot, as well as eight single-family residences (built in 1957) exists to the west. These residences are considered legal non-conforming because they were constructed prior to the CIBP zone. The properties on the opposite side of 'E' Avenue to the east include a nursery, an automotive repair shop, and vacant land (Attachment 3).

ISSUES/ANALYSIS

Land Use: The applicant proposes to construct six light industrial buildings totaling 176,340 square feet in size. The CIBP zone supports the proposed business park development. Of the six buildings, three will be 34,180 square feet in size; two will be 28,200 square feet; and one building will be 17,400 square feet. All buildings will be two-story, except the 17,400 square foot building will be one-story. Buildings will be divided into 60 business condominium units to be owned by different owners. The tentative tract (condo) map identifies each unit, which will be privately owned, and all common area boundaries, which will be maintained by a property owner's association. Covenants, conditions and restrictions (CCRs) must be in place prior to recordation of the final tract map establishing an association and maintenance provisions.

The project as proposed complies with all development regulations. The development will have a total of 401 parking spaces, including 12 accessible (handicap) parking spaces and six motorcycle parking spaces. Approximately 9.5% of the site will be landscaped. Fire lanes will be a minimum of 26 feet wide and provided throughout the facility for emergency access. The building architecture complies with the City's architectural guidelines (Attachment 4). The buildings are concrete tilt-ups. The design makes good use of color and material, including glass, aluminum trim, and stone veneer. The bay doors will face the sides and away from the street consistent with City standards.

Drainage: A drainage system will be situated on the north side of the site and will be designed to handle the increase in storm water runoff as a result of construction of this project.

Water and Sewer: The site is served by a 12-inch water line within the project frontage of 'E' Avenue. The project is required to connect to an existing 8-inch PVC sewer line located at the intersection of Smoketree Street and 'E' Avenue.

Traffic/Street Improvements: According to the Institute of Transportation Engineer's Trip Generation Manual, a total of 1,229 daily vehicle trips, 162 AM peak hour trips and 171 PM peak hour trips would be generated by the project. The project itself would not create a deficient level of service for any street segment or intersection in proximity to the project, provided the developer pays the required development impact fees and constructs street improvements along the project frontage. As a condition of approval, the developer will be required to construct street improvements and pay development impact fees.

Environmental: Approval of this project requires adoption of a mitigated negative declaration pursuant to the California Environmental Quality Act (CEQA). The mitigated negative declaration and initial study (Attachment 6) prepared for this project concludes that there are no significant adverse impacts resulting from development of the project with the mitigation measures provided. The biological assessment shows that the site does not contain habitat for the desert tortoise nor any other threatened or endangered species. A pre-construction survey for the burrowing owl will be conducted prior to the issuance of a grading permit. No protected plants exist on the property. The cultural report states that the property does not contain any historical or paleontological resources.

Conclusion: The project conforms to the policies of the City's General Plan as well as the Specific Plan.

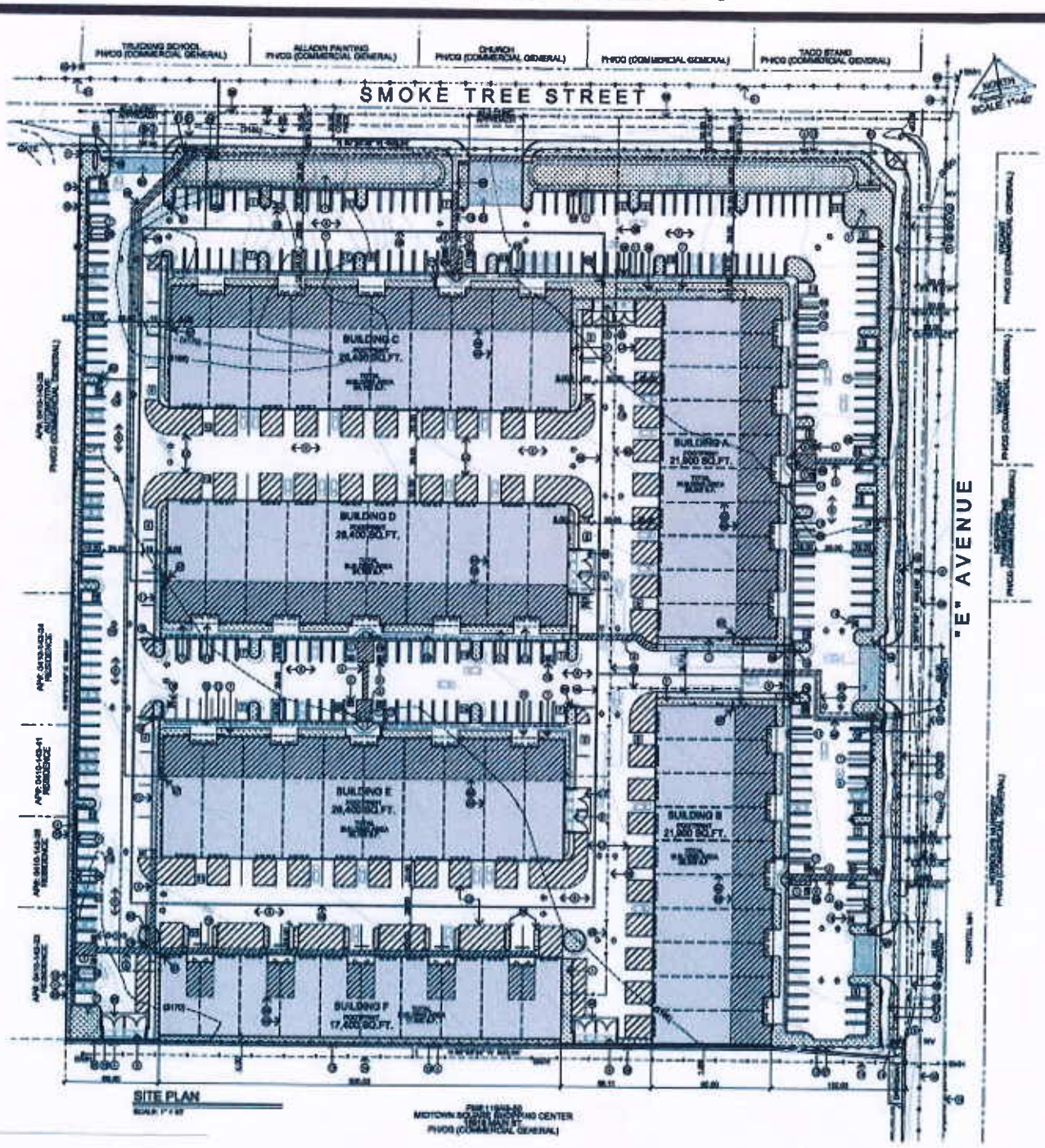
FISCAL IMPACT

None.

ALTERNATIVE(S)

1. Provide alternative direction to staff.

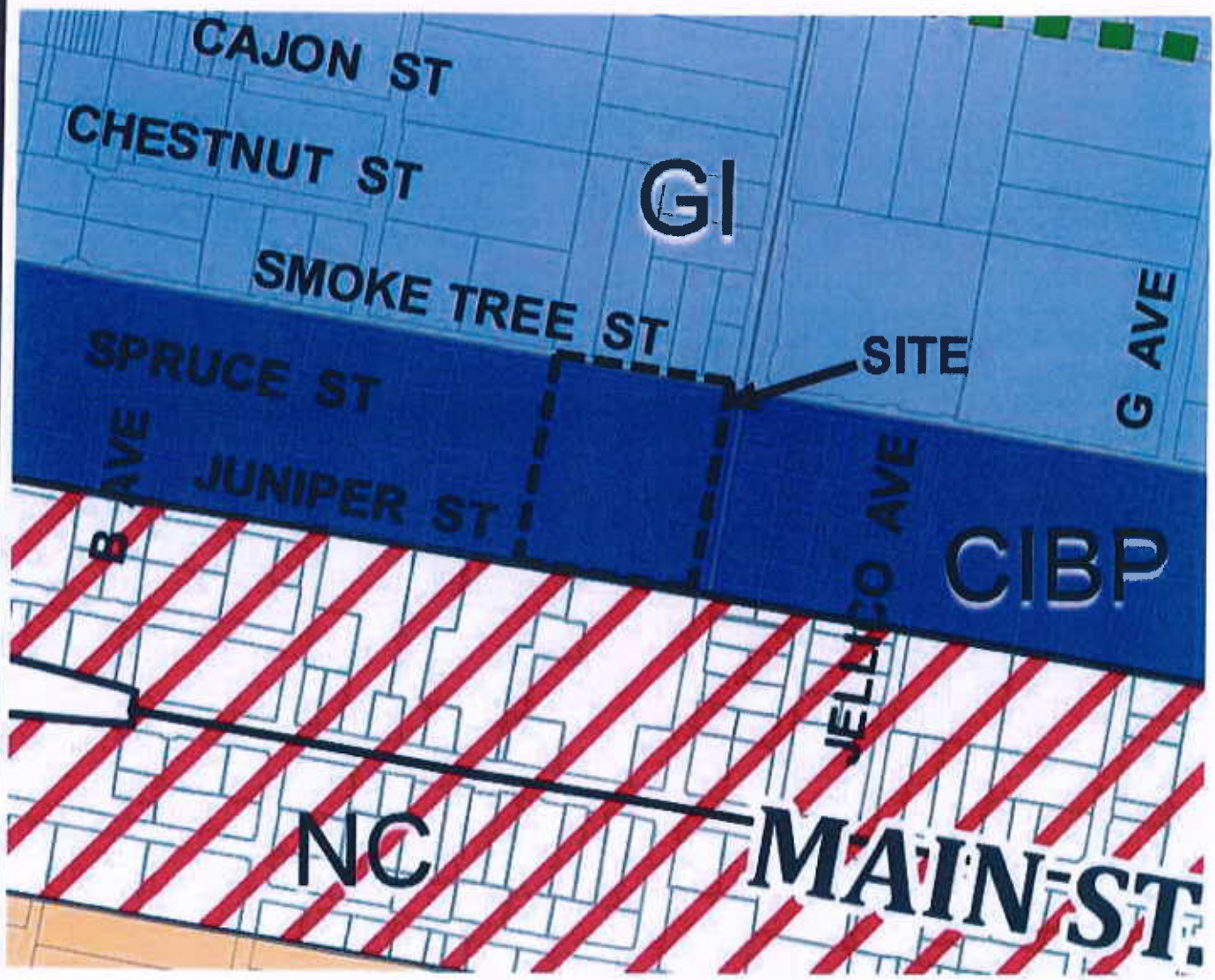
ATTACHMENT 1



APPLICANT(S): MEHTA FAMILY TRUST	**FILE NO(S):** SPR15-00002 & TT15-00001
LOCATION: ON THE SOUTHWEST CORNER OF 'E' AVENUE AND SMOKETREE STREET.	**APN(S):** 0410-142-01
PROPOSAL: A SITE PLAN REVIEW TO CONSTRUCT A 176,340 SQUARE FOOT COMMERCIAL & INDUSTRIAL BUSINESS PARK AND TENTATIVE TRACT TT15-00001 TO CREATE 60 BUSINESS CONDOMINIUM UNITS ON 10 ACRES	**N** ↑

SITE PLAN

ATTACHMENT 2



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MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN

ATTACHMENT 3

APPLICANT(S): MEHTA FAMILY TRUST	**FILE NO(S):** SPR15-00002 & TT15-00001
LOCATION: ON THE SOUTHWEST CORNER OF 'E' AVENUE AND SMOKETREE STREET.	**APN(S):** 0410-142-01
PROPOSAL: A SITE PLAN REVIEW TO CONSTRUCT A 176,340 SQUARE FOOT COMMERCIAL & INDUSTRIAL BUSINESS PARK AND TENTATIVE TRACT TT15-00001 TO CREATE 60 BUSINESS CONDOMINIUM UNITS ON 10 ACRES	N ↑

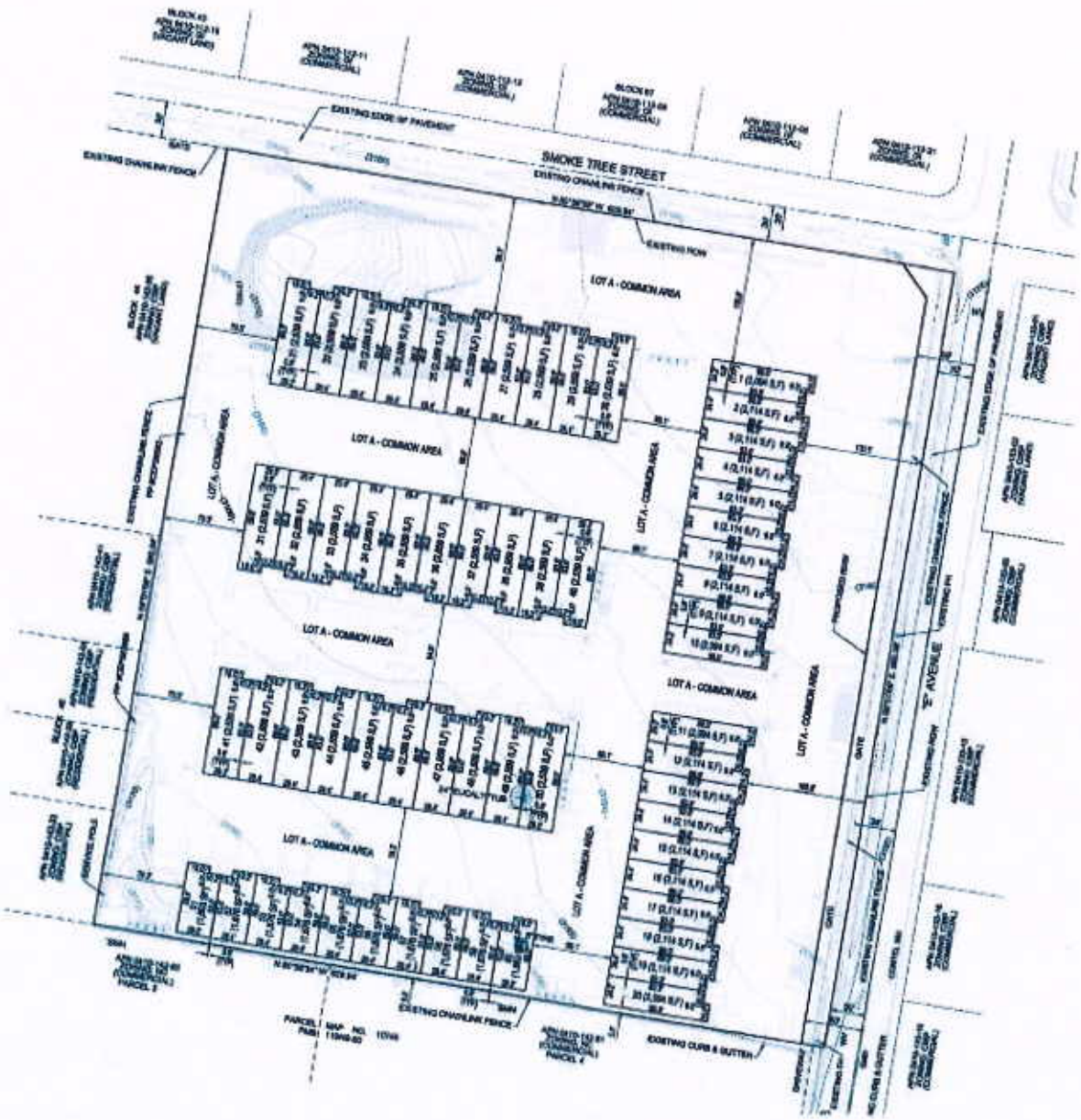
AERIAL PHOTO

ATTACHMENT 4

APPLICANT(S): MEHTA FAMILY TRUST	**FILE NO(S):** SPR15-00002 & TT15-00001
LOCATION: ON THE SOUTHWEST CORNER OF 'E' AVENUE AND SMOKETREE STREET.	**APN(S):** 0410-142-01
PROPOSAL: A SITE PLAN REVIEW TO CONSTRUCT A 176,340 SQUARE FOOT COMMERCIAL & INDUSTRIAL BUSINESS PARK AND TENTATIVE TRACT TT15-00001 TO CREATE 60 BUSINESS CONDOMINIUM UNITS ON 10 ACRES	N ↑

ARCHITECTURAL PERSPECTIVE

ATTACHMENT 5



APPLICANT(S): MEHTA FAMILY TRUST	**FILE NO(S):** SPR15-00002 & TT15-00001
LOCATION: ON THE SOUTHWEST CORNER OF 'E' AVENUE AND SMOKETREE STREET.	**APN(S):** 0410-142-01
PROPOSAL: A SITE PLAN REVIEW TO CONSTRUCT A 176,340 SQUARE FOOT COMMERCIAL & INDUSTRIAL BUSINESS PARK AND TENTATIVE TRACT TT15-00001 TO CREATE 60 BUSINESS CONDOMINIUM UNITS ON 10 ACRES	**N** ↑

TENTATIVE TRACT MAP

ATTACHMENT 6

PLANNING DIVISION
9700 Seventh Avenue, Hesperia, California 92345
(760) 947-1224 FAX (760) 947-1221

NEGATIVE DECLARATION ND-2015-01
Preparation Date: April 21, 2015

Name or Title of Project: Site Plan Review SPR15-00002 and Tentative Tract TT15-00001

Location: On the southwest corner of 'E' Avenue and Smoketree Street (APN: 0410-142-01)

Entity or Person Undertaking Project: Mehta Family Trust

Description of Project: A Site Plan Review to construct a 176,340 square foot commercial/industrial business park and Tentative Tract TT15-00001 to create 60 business condominium units on 10 acres as shown on Exhibits A & B. The development will have 401 parking spaces, including 12 accessible (handicap) and six motorcycle parking spaces. Approximately 9.5% of the site will be landscaped. As a condition of approval, the project will be required to construct street improvements, including curb, gutter, and sidewalk, along street frontages, and connect to existing sewer and water lines. There will be a drainage system located on the north side of the property.

Statement of Findings: The City Council has reviewed the Initial Study for this proposed project and has found that there are no significant adverse environmental impacts to either the man-made or physical environmental setting with inclusion of the following mitigation measures and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

Mitigation Measures:

1. A pre-construction survey for the burrowing owl shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.

A copy of the Initial Study and other applicable documents used to support the proposed Negative Declaration is available for review at the City of Hesperia Planning Department.

Public Review Period: April 23, 2015 through May 13, 2014

Adopted by the Planning Commission: May 14, 2015

Attest:

_____
DAVE RENO, AICP, PRINCIPAL PLANNER

CITY OF HESPERIA INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM

PROJECT DESCRIPTION

1. **Project Title:** Site Plan Review SPR15-00002 and Tentative Tract TT15-00001

2. **Lead Agency Name:** City of Hesperia Planning Division
   Address: 9700 Seventh Avenue, Hesperia, CA 92345.

3. **Contact Person:** Daniel S. Alcayaga, AICP, Senior Planner
   Phone number: (760) 947-1330.

   Project Location: On the southwest corner of 'E' Avenue and Smoketree Street (APN: 0410-142-01)

4. **Project Sponsor:** Mehta Family Trust
   Address: 14293 Saddle Mountain Dr.
   Los Altos Hills, CA 94022

5. **General Plan & zoning:** Commercial/Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan.

6. **Description of project:**

   A Site Plan Review to construct a 176,340 square foot commercial/industrial business park and Tentative Tract TT15-00001 to create 60 business condominium units on 10 acres as shown on Exhibits A & B. The development will have 401 parking spaces, including 12 accessible (handicap) and six motorcycle parking spaces. Approximately 9.5% of the site will be landscaped. As a condition of approval, the project will be required to construct street improvements, including curb, gutter, and sidewalk, along street frontages, and connect to existing sewer and water lines. There will be a drainage system located on the north side of the property.

7. **Surrounding land uses and setting:** (Briefly describe the project's surroundings.)

   The site is within the Commercial/Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan. The property is currently undeveloped as shown on Attachment C. The properties to the east and west are also within the CIBP zone. The properties to the north are within the General Industrial (GI) zone; the properties to the south are within the Neighborhood Commercial (NC) zone. A mix of uses surround the property: there are miscellaneous industrial uses, as well as a restaurant and a single-family residence to the north. A large shopping center, which includes a Stater Bros. and a Kmart, exists to the south. A 2.4 acre vacant lot, as well as eight single-family residences (built in 1957) exists to west. These residences are considered legal non-conforming. The properties on the opposite side of 'E' Avenue to the east include a nursery (Cal Herbold's Nursery), an automotive repair shop, and some vacant land.

8. **Other public agency whose approval is required** (e.g., permits, financing approval, or participation agreement.)

   Review and approval is required from the City.

Exhibit "A" - Site Plan

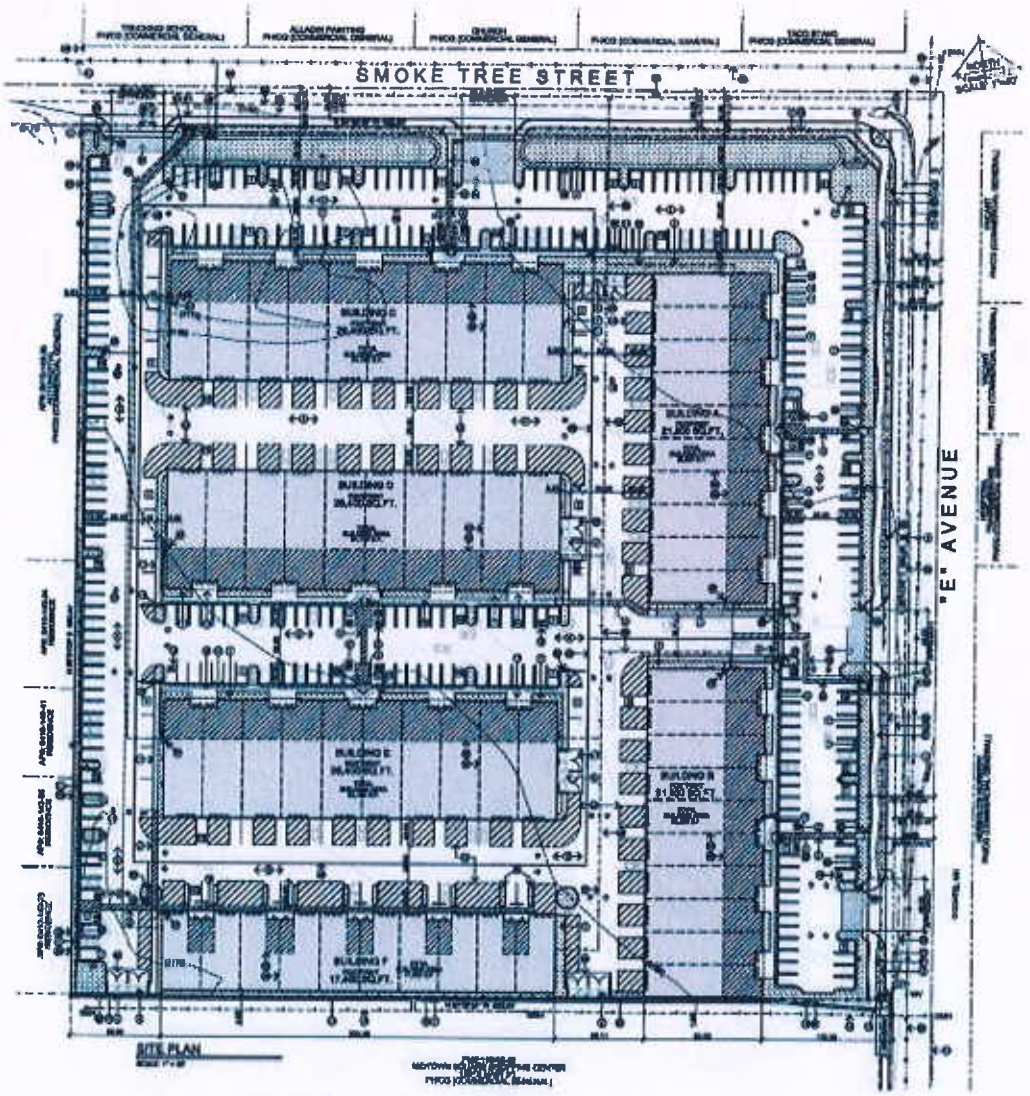
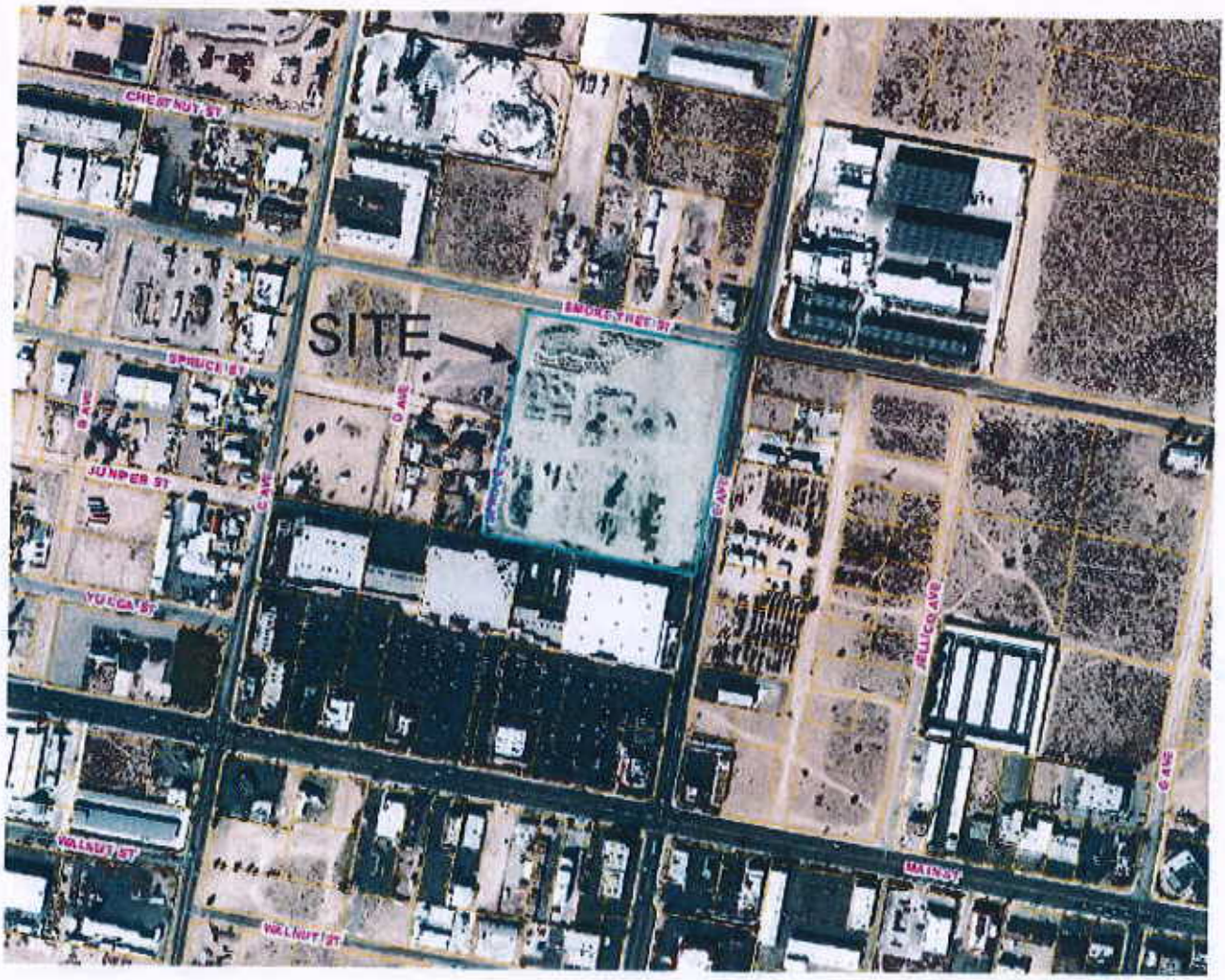


Exhibit "B" - Architectural Perspective

Exhibit "C" - Aerial Photo



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.

	Aesthetics		Agriculture & Forestry Resources		Air Quality
	Biological Resources		Cultural Resources		Geology / Soils
	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology / Water Quality
	Land Use / Planning		Mineral Resources		Noise
	Population / Housing		Public Services		Recreation
	Transportation / Traffic		Utilities / Service Systems		Mandatory Findings of Significance

DETERMINATION: (Completed by the Lead Agency)
On the basis of this initial evaluation:

		"De minimis"
	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
X	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 the 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 EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.	

Signature
Daniel S. Alcayaga, AICP, Senior Planner, Hesperia Planning Division

4-21-15
Date

1-12
PLANNING COMMISSION

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is provided 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 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 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 Section XVII, "Earlier Analyses," 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.
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.

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista **(1)**?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway **(1 & 2)**?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings **(1, 2, 3 & 4)?**			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area **(6)**?			X	

Comments.

The General Plan identifies the property as being within the Main Street and Freeway Corridor Specific Plan. The Specific Plan designates the property as Commercial/Industrial Business Park (CIBP). The project is supported by the General Plan and Specific Plan. Properties in proximity to the project are developed and surrounding land is disrupted with existing roads and highways. The surrounding properties are developed with light industrial type uses, commercial development, and non-conforming residential units. Main Street is located 675 feet to the south. Consequently, only a slight change in the visual character of the area would occur.

The City contains many scenic views of the Mojave Desert, the Mojave River, the San Bernardino and San Gabriel mountains, as well as of the Summit Valley area. The General Plan Update Environmental Impact Report (GPUEIR) addressed the scenic vistas and focuses on preservation of natural open space to protect sensitive environments and specific amenities like washes, bluffs, Joshua tree forests and juniper woodlands **(3)**. The proposed development is not located in a sensitive environment. Given the existing land uses nearby, its development will not substantially degrade the existing visual character or quality of the site and its surroundings. The project is not considered a scenic vista or resources, nor is any local roadways or highways considered a scenic road way. A state scenic highway does not traverse the City **(2)**. State Highways 138 and 173 are eligible for being designated scenic highways within the southern portion of the City. The project site is not in proximity to this area. The City does not contain any registered historic buildings.

The project is subject to development standards of the Specific Plan **(5)**, which limit the building height and provide for minimum yard, maximum floor area ratio and architectural standards as implemented through the site plan review process. This project is consistent with the General Plan and is not adjacent to sensitive land uses. The Development Code requires that any light created by the development not exceed 0.5 foot-candle illumination at the site boundary abutting a street **(6)**. Further, all lights shall be hooded and directed downward to reduce the impact upon the nighttime sky in accordance with the General Plan Update, which identifies the impact of development in accordance with the General Plan as less than significant **(8)**. Based upon these regulations, the use will not adversely affect day or nighttime views in the area. Therefore, approval of the proposed site plan review will not have a significant negative impact upon aesthetics.

II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and State Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(9)**?			X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract **(10 & 11)**?			X
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)) **(12)**?			X
d) Result in the loss of forest land or conversion of forest land to non-forest use **(12)**?			X
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 **(11 & 12)**?			X

Comments.

The site is currently within the CIBP zone of the Main Street and Freeway Corridor Specific Plan **(10)**. The General Plan and the United States Soil Conservation Service Soil Survey of San Bernardino County do not designate the property as prime farmland, unique farmland, or farmland of statewide importance. There is no record of past agricultural activities on the site. The City contains only few sites with agricultural uses and only two properties within a Williamson Act contract. The project site is not one of these properties. The proximity of commercial and industrial uses does not make this site viable for agriculture.

The soil at this location is identified as Bryman loamy fine, zero to two percent slopes **(13)**. These soils are limited by high soil blowing hazard, high water intake rate, moderate/high available water capacity, and low fertility. The U.S. Department of Agriculture, Soil Conservation Service (SCS) Soil Survey of San Bernardino County California Mojave River Area states that "Urban and built-up land and water areas cannot be considered prime farmland..." Therefore, this project will not have an impact upon agricultural resources.

The City and its Sphere of Influence (SOI) is located within the Mojave bioregion, primarily within the urban and desert land use classes **(14)**. The southernmost portions of the City and SOI contain a narrow distribution of land within the shrub and conifer woodland bioregions. These bioregions do not contain sufficient forest land for viable timber production and are ranked as low priority landscapes **(15)**. The project site is primarily located in the central portion of the City in an urban area and is surrounded by urban development. During the nineteenth century, juniper wood from Hesperia was harvested for use in fueling bakery kilns. Use of juniper wood was discontinued when oil replaced wood in the early twentieth century **(12)**. Local timber production has not occurred since that time. Therefore, this project will not have an impact upon forest land or timberland.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan **(16, 17 & 18)**?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation **(16, 17 & 18)**?			X	
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) **(16, 17 & 18)**?			X	
d) Expose sensitive receptors to substandard pollutant concentrations **(7, 16 & 17)**?			X	
e) Create objectionable odors affecting a substantial number of people **(1, 7, 16 & 17)**?			X	

Comments.

The General Plan Update and its Environmental Impact Report (EIR) addresses the impact of build-out in accordance with the Land Use Plan, with emphasis upon the impact upon sensitive receptors **(16 & 17)**. Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. These population groups are generally more sensitive to poor air quality. The closest sensitive receptors are the occupants of the single-family residences abutting the project. However, these homes are already in a developed area. The project itself is not expected to violate any air quality standards or expose residences to substandard pollutant concentrations.

The Mojave Desert Air Quality Management District (MDAQMD) has published a number of studies that demonstrate that the Mojave Desert Air Basin (MDAB) can be brought into attainment for particulate matter and ozone, if the South Coast Air Basin (SCAB) achieves attainment under its adopted Air Quality Management Plan. The High Desert and most of the remainder of the desert has been in compliance with the federal particulate standards for the past 15 years **(16)**. The ability of MDAQMD to comply with ozone ambient air quality standards will depend upon the ability of SCAQMD to bring the ozone concentrations and precursor emissions into compliance with ambient air quality standards **(16 & 17)**.

All uses identified within the Hesperia General Plan are classified as area sources by the MDAQMD **(18)**. Programs have been established in the Air Quality Attainment Plan which address emissions caused by area sources. Both short-term (construction) emissions and the long-term (operational) emissions associated with the development were considered. Short-term airborne emissions will occur during the construction phase related to demolition, site preparation, land clearance, grading, excavation, and building construction; which will result in fugitive dust emissions. Also, equipment emissions, associated with the use of construction equipment during site preparation and construction activities, will generate emissions. Construction activities generally do not have the potential to generate a substantial amount of odors. The primary source of odors associated with construction activities are generated from the combustion petroleum products by equipment. However, such odors are part of the ambient odor environment of urban areas. In addition, the contractor will be required to obtain all pertinent operating permits from the Mojave Desert Air Quality Management District (MDAQMD) for any equipment requiring AQMD permits.

The General Plan Update identifies large areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact to air quality upon build-out of the General Plan. Based upon this analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with air quality impacts **(19)**. As part of the GPUEIR, the impact of industrial development to the maximum allowable intensity permitted by the Land Use Plan was analyzed. Further, the impact of the project does not meet any threshold which requires air quality analysis or mitigation under the Air Quality Attainment Plan **(18)**.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(20 & 24)**?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service **(1 & 20)**?				X
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 **(1 & 20)**?				X
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 **(1, 20 & 24)**?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance **(20 & 21)**?		X		
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 **(22)**?				X

Comments.

The site is not expected to support the Mohave ground squirrel, given the very low population levels of the species in the region and proximity to existing development. Further, the project site is outside the area considered suitable habitat for the species **(23)**. The desert tortoise is also not expected to inhabit the site, given its proximity to development **(1)**. The site is also outside the range of the arroyo toad, which has been documented to inhabit a portion of the Rancho Las Flores Specific Plan and adjacent areas **(24)**.

The land has been previously graded and no sensitive vegetation exists on the property. A General Biological Resources Assessment (2015) was conducted by RCA Associates, LLC to determine the presence of the desert tortoise, Mohave ground squirrel, burrowing owl, loggerhead shrike, and sharp-skinned hawk **(20)**. The biological report states that none of these, nor any other threatened or endangered species inhabit the site. Since the burrowing owl is not sensitive to development and may occupy the site at any time, a mitigation measure requiring another biological survey to determine their presence shall be submitted no more than 30 days prior to commencement of grading activities. The mitigation measure is listed on page 26.

The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest communities, exist within the Rancho Las Flores Specific Plan and vicinity **(25)**. The project site is located approximately two miles to the north within a developed portion of the City. Consequently, approval of the site plan review will not have an impact upon biological resources, subject to the enclosed mitigation measures.

V. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 **(26)**?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 **(26)**?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature **(27)**?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries **(28)**?			X	

Comments.
Based upon field investigations and records reconnaissance, there is no evidence that historic resources exist within the project site. In addition, the site is not on the list of previously recorded cultural resources **(26)**. This list, which was compiled as part of the 2010 General Plan Update, was compiled from the inventory of the National Register of Historic Properties, the California Historic Landmarks list, the California Points of Historic Interest list, and the California State Resources Inventory for San Bernardino County.

Past records of paleontological resources were also evaluated as part of the General Plan. This research was compiled from records found at the Archaeological Information Center located at the San Bernardino County Museum. Based upon this review, paleontological resources are not expected to exist on the project site. The Cultural Resources Sensitivity Map indicates that the site has a high sensitivity potential for containing cultural resources **(27)**. Based on a records search conducted by the Archaeological Information Center, the project area has a high sensitivity for historical archaeological resources. This is likely due to the proximity of historic structures/archaeological sites. However, a Historical and Archaeological Survey prepared by BCR Consulting, LLC (2015) determined that there are no cultural resources on the property. Consequently, approval of the site plan review is not expected to have an impact upon cultural resources **(4)**.

In the event that human remains are discovered during grading activities, grading shall cease until the County Coroner has made the necessary findings in accordance with the California Environmental Quality Act (CEQA) **(28)**. Should the Coroner determine that the remains are Native American, the Native American Heritage Commission (NAHC) shall be contacted and the remains shall be handled in accordance with Public Resources Code Section 5097.98. The NAHC has indicated that the City and Sphere of Influence does not contain any sacred lands **(29)**.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(31, 32 & 33)**.				X
ii) Strong seismic ground shaking **(30 & 34)**?			X	
iii) Seismic-related ground failure, including liquefaction **(13 & 30)**?				X
iv) Landslides **(30)**?				X
b) Result in substantial soil erosion or the loss of topsoil **(13)**?			X	
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 **(13 & 30)**?				X
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 **(13)**?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater **(13)**?				X

Comments.

The project site contains generally flat topography with slopes of two percent **(1)**. No large hills or mountains are located within the project site. According to Exhibit SF-1 of the General Plan Safety Element, no active faults are known or suspected to occur near or within the project site and the site is not within an Alquist-Priolo Special Studies Zone or Earthquake Fault Zone **(31)**. The City and Sphere of Influence (SOI) is near several major faults, including the San Andreas, North Frontal, Cleghorn, Cucamonga, Helendale, and San Jacinto faults **(31 & 32)**. The nearest fault to the site is the North Frontal fault, located approximately five miles to the east of the City.

The Alquist-Priolo Earthquake Fault Zoning Act prohibits structures designed for human occupancy within 500 feet of a major active fault and 200 to 300 feet from minor active faults **(33)**. The project site is not located in an Alquist-Priolo Earthquake Fault Zone or within 500 feet of a fault **(31 & 32)**. Further, the soil at this site does not have the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse **(13)**.

The soil at this location is identified as Bryman loamy fine, zero to two percent slopes **(13)**. These soils are limited by high soil blowing hazard, high water intake rate, moderate/high available water capacity, and low fertility. The site's shallow slope and moderately rapid permeability negates the potential for soil instability. During construction, soil erosion will be limited through compliance with an approved erosion control plan in accordance with National Pollution Discharge Elimination System (NPDES) and Storm Water Prevention Plan (SWPP) regulations. Although disturbance of the soil will result in significant soil loss due to wind erosion, the site will be fully developed with buildings, paved parking, and landscaping **(7)**. These improvements will ensure that soil disturbance will not result in significant soil erosion.

As a function of obtaining a building final, the proposed development will be built in compliance with the Hesperia Municipal Code and the Building Code **(35)**, which ensures that the buildings will adequately resist the forces of an earthquake. In addition, prior to issuance of a grading permit, a soil study is required, which shall be used to determine the load bearing capacity of the native soil. Should the load bearing capacity be determined to be inadequate, compaction or other means of improving the load bearing capacity shall be performed in accordance with all development codes to assure that all structures will not be negatively affected by the soil. Consequently, the impact upon geology and soils associated with the proposed site plan review is considered less than significant.

VII. GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment **(36)**?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases **(36, 37 & 38)**?			X	

Comments.
Assembly Bill 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California's greenhouse gas emissions to 1990 levels by 2020. In addition, Senate Bill 97 requires that all local agencies analyze the impact of greenhouse gases under CEQA and task the Office of Planning and Research (OPR) to develop CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions..."

On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). The Natural Resources Agency forwarded the adopted amendments and the entire rulemaking file to the Office of Administrative Law (OAL) on December 31, 2009. On February 16, 2010, OAL approved the Amendments, which became effective on March 18, 2010 **(39)**. This initial study has incorporated these March 18, 2010 Amendments.

Lead agencies may use the environmental documentation of a previously adopted Plan to determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements of the Plan or mitigation program under specified circumstances. As part of the General Plan Update, the City adopted a Climate Action Plan (CAP)**(36)**. The CAP provides policies along with implementation and monitoring which will enable the City of Hesperia to reduce greenhouse emissions 28 percent below business as usual by 2020, consistent with AB 32 **(37)**.

Development of the proposed project will not increase the greenhouse gas (GHG) emissions beyond that analyzed within the (GPUEIR). The additional job creation from this development will also reduce the number of residents commuting to other communities for work, reducing vehicle miles traveled and resulting in additional GHG reductions. All buildings will be equipped with energy efficient mechanical systems for heating and cooling. That, in combination with use of dual pane glass and insulation meeting current Building Code regulations **(35)** will cause a reduction in GHG emissions from use of less efficient systems, resulting in additional community emission reduction credits. The building size is below the allowable floor area ratio.

Since the project complies with the Commercial/Industrial Business Park (CIBP) zone of the Specific Plan, the impacts have already been as analyzed by the GPUEIR. Additionally, the use will provide additional jobs to the area, creating a reduction in the number of commuters into the Inland Empire. Consequently, the impact upon GHG emissions associated with the proposed site plan review is less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(4 & 39)**?			X	
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 **(39)**?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?				X
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 **(10)**?				X
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 **(40)**?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan **(41)**?				X
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 **(1 & 7)**?				X

Comments.

The property is a vacant site, which has occasionally been used as a storage yard for plants and rock materials. There is no evidence that hazardous material have been used on the property. No specific tenants have been determined for the project. The project is intended for light industrial uses which may potentially handle hazardous materials. Prior to storing hazardous materials on-site, a Hazardous Materials Business Plan (HMBP) shall be approved **(42)**, which shall be subject to review and approval by the San Bernardino County Fire Department. These materials shall be stored and transported/disposed of in accordance with the HMBP. Although these issues pose a potential health risk, compliance with the HMBP will reduce the possibility of an accidental release to an acceptable level.

The project site is not listed in any of the following hazardous sites database systems, so it is unlikely that hazardous materials exist on-site:

- National Priorities List www.epa.gov/superfund/sites/query/basic.htm. List of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or

contaminants throughout the United States. There are no known National Priorities List sites in the City of Hesperia.

- Site Mitigation and Brownfields Reuse Program Database www.dtsc.ca.gov/database/Calsites/Index.cfm. This database (also known as CalSites) identifies sites that have known contamination or sites that may have reason for further investigation. There are no known Site Mitigation and Brownfields Reuse Program sites in the City of Hesperia.
- Resource Conservation and Recovery Information System www.epa.gov/enviro/html/rcris/rcris_query_java.html. Resource Conservation and Recovery Information System is a national program management and inventory system of hazardous waste handlers. There are 53 Resource Conservation and Recovery Act facilities in the City of Hesperia, however, the project site is not a listed site.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) (http://cfpub.epa.gov/supercpad/cursites/srchsites.cfm). This database contains information on hazardous waste sites, potentially hazardous waste sites, and remedial activities across the nation. There is one Superfund site in the City of Hesperia, however, the project site is not located within or adjacent to the Superfund site.
- Solid Waste Information System (SWIS) (http://www.ciwmb.ca.gov/SWIS/Search.asp). The SWIS database contains information on solid waste facilities, operations, and disposal sites throughout the State of California. There are three solid waste facilities in the City of Hesperia, however the project site is not listed.
- Leaking Underground Fuel Tanks (LUFT)/ Spills, Leaks, Investigations and Cleanups (SLIC) (http://geotracker.waterboards.ca.gov/search/). This site tracks regulatory data about underground fuel tanks, fuel pipelines, and public drinking water supplies. There are fourteen LUFT sites in the City of Hesperia, six of which are closed cases. The project site is not listed as a LUFT site and there are no SLIC sites in the City of Hesperia.
- There are no known Formerly Used Defense Sites within the limits of the City of Hesperia. Formerly Used Defense Sites http://hq.environmental.usace.army.mil/programs/fuds/fudsinv/fudsinv.html.

The site is 2,067 feet from the nearest school (Hesperia Christian School) at 16775 Olive St. **(1)**. Any use which includes hazardous waste as part of its operations is prohibited within 500 feet of a school **(43)**. Consequently, HMBP compliance will provide sufficient safeguards to prevent health effects. The project will not pose a significant health threat to any existing or proposed schools.

The proposed project will not conflict with air traffic nor emergency evacuation plans. The site is approximately three miles from the Hesperia Airport to the south, and is therefore, not within a restricted use zone associated with air operations **(44)**. Consequently, implementation of the project will not cause safety hazards to air operations. The site is also not along an emergency evacuation route or near a potential emergency shelter **(41)** and will not interfere with emergency evacuation plans.

The project's potential for exposing people and property to fire and other hazards was also examined. The site is located within an urbanized area and is not in an area susceptible to wildland fires. The southernmost and westernmost portions of the City are at risk, due primarily to proximity to the San Bernardino National Forest **(45 & 46)**. All new structures associated with this project will be constructed to the latest building standards including applicable fire codes. Consequently, approval of the site plan review will not have any impact upon or be affected by hazards and hazardous materials.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements **(47 & 48)**?				X
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) **(49 & 50)**?			X	
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 **(45)**?				X
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 **(7 & 45)**?			X	
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 **(52)**?			X	
f) Otherwise substantially degrade water quality **(52)**?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map **(7, 53 & 61)**?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows **(7, 45 & 61)**?				X
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 **(10 & 45)**?				X
j) Inundation by seiche, tsunami, or mudflow **(31)**?				X

Comments.
Development of the site will disturb more than one-acre of land area. Consequently, the project will be required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge Elimination System (NPDES) permit prior to land disturbance **(54)**. Issuance of a Storm Water Pollution Prevention Plan (SWPPP) will also be required, which specifies the Best Management Practices (BMP) that will be implemented to prevent construction pollutants from contacting storm water **(54)**. Obtaining the NPDES and implementing the SWPPP is required by the State Water Resources Control Board (WRCB) and the California Regional Water Quality Control Board (RWQCB). These are mandatory and NPDES and SWPPP have been deemed adequate by these agencies to mitigate potential impacts to water quality during project construction.

The development may change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff **(7)**. Therefore, the project shall retain the drainage created on-site beyond that which has occurred historically within an approved drainage system in accordance with City of Hesperia Resolution 89-16 **(51)**. The site is also not within a Flood Zone, based upon the latest Flood Insurance Rate Maps **(61)**. The retention facility required by the City will ensure that no additional storm

water runoff impacts the area and that any contaminants will be filtered from storm water runoff prior to any release into a street.

The City is downstream of three dams. These are the Mojave Forks, Cedar Springs, and Lake Arrowhead Dams. In the event of a catastrophic failure of one or more of the dams, the project site would not be inundated by floodwater **(10)**. The areas most affected by a dam failure are located in the low lying areas of southern Rancho Las Flores, most of the Antelope Valley Wash, and properties near the Mojave River. The City of Hesperia is located just north of the Cajon Pass at an elevation of over 2,500 feet above sea level, which is over 60 miles from the Pacific Ocean. As such, the City is not under threat of a tsunami, otherwise known as a seismic sea wave **(30)**. Similarly, the potential for a seiche to occur is remote, given the limited number of large water bodies within the City and its sphere. A seiche would potentially occur only in proximity to Silverwood Lake, Hesperia Lake and at recharge basins **(30)**. The subject property exhibits a two percent slope. In addition, the water table is significantly more than 50 feet from the surface. The area north of Summit Valley contains steep slopes which have the potential to become unstable during storm events **(55)**. Therefore, the mechanisms necessary to create a mudflow; a steep hillside with groundwater near the surface, does not exist at this location.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(49)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere of Influence (SOI). The UWMP indicates that the City is currently using available water supply, which is projected to match demand beyond the year 2030 **(50)**. The HWD has maintained a water surplus through purchase of water transfers, allocations carried over from previous years, and recharge efforts. Therefore, the impact upon hydrology and water quality associated with the site plan review is considered less than significant.

X. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community **(1)**?				X
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 **(10)**?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan **(25)**?				X

Comments.
The site is currently vacant and new development is consistent with the proposed Commercial/Industrial Business Park (CIBP) zone **(1)**. The project complies with all development standards in the Development Code and Specific Plan. The project complies with the maximum Floor Area Ratio (FAR) of 0.35 by proposing a FAR of 0.30 (below the required area) **(7)**. The project will not physically divide an established community. The project is consistent with the adjacent land uses, but requires approval of a site plan review **(7)**. The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest community, exist within the Rancho Las Flores Specific Plan and vicinity **(25)**. The project site is located approximately three miles north of this specific plan within the developed portion of the City. Therefore, the site plan review would have a less than significant impact upon land use and planning.

XI. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(57)**?				X
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 **(57)**?				X

Comments.
According to data in the Conservation Element of the City's General Plan, no naturally occurring important mineral resources occur within the project site **(57)**. Known mineral resources within the City and sphere include sand and gravel, which are prevalent within wash areas and active stream channels. Sand and gravel is common within the Victor Valley. Consequently, the proposed site plan review would not have an impact upon mineral resources.

XII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(1, 7 & 58)**?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels **(58 & 59)**?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project **(60)**?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project **(60)**?			X	
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 **(10 & 44)**?				X

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 **(44)**?				X

Comments.

Approval of the proposed site plan review will result in both construction noise and operational noise, mostly associated with trucks and vehicular traffic to and from the site. According to the General Plan, the majority of noise sources within the City are mobile sources, which include motor vehicles and aircraft **(58)**. Freeways, major arterials, railroads, airports, industrial, commercial, and other human activities contribute to noise levels. Noises associated with this type of project will be mostly from traffic caused by arriving and departing vehicles (employees, customers, and vehicle service), especially semi-trucks.

Construction noise levels associated with any future construction activities will be slightly higher than the existing ambient noise levels in the vicinity of the project site. Noise generated by construction equipment, including trucks, graders, backhoes, equipment, bull-dozers, concrete mixers and portable generators can reach high levels and is typically one of the sources for the highest potential noise impact of a project. However, the construction noise would subside once construction is completed. The proposed project must adhere to the requirements of the City of Hesperia Noise Ordinance **(58)**. The Noise Ordinance contains an exemption from the noise level regulations during grading and construction activities occurring between 7:00 A.M. and 7:00 P.M., Monday through Saturday, except federal holidays.

The project will be subjected to high levels of noise, due to its proximity to other light industrial uses. However, industrial uses are not sensitive to noise and may be subjected to up to 70 dB (A) all day and night **(58 & 59)**. The project site currently receives 60 CNEL from 'E' Avenue. A noise level of 69 CNEL is expected upon build-out in accordance with the General Plan, based upon a 50-foot distance from 'E' Avenue **(60)**. Since industrial activities are not sensitive to excessive noise and vibration, the impact of noise and vibration upon the proposed use is not significant.

Certain activities particularly sensitive to noise include sleeping, studying, reading, leisure, and other activities requiring relaxation or concentration, which will not be impacted. Hospitals and convalescent homes, churches, libraries, and childcare facilities are also considered noise-sensitive uses as are residential and school uses. The nearest sensitive uses to the site are existing nonconforming single-family residences adjacent to the site. These residences are considered legal nonconforming because they were established prior to the CIBP zone. The 2010 General Plan EIR acknowledged that impacts upon existing residences would be significant and unavoidable as a result of existing transportation systems and by new development. The existence of incompatible uses is a preexisting condition, as these residences are already situated adjacent to an existing commercial shopping center. The project conforms to the standards of the CIBP zone, including adequate features to separate incompatible uses. Certain site design features were included to mitigate impacts on existing residences. The closest project building was designed to be 125 feet from the closest residence. A six-foot high block wall was placed along the west boundary, which abuts the residences; no outdoor uses were proposed; and all loading doors were directed away from residences.

The GPUEIR accounts for the usual truck traffic in this area caused by commercial and industrial activities. The project will create additional noise associated with truck and passenger vehicle traffic. 'E' Avenue is an arterial roadway **(67)**. Although the use will generate an increase in vehicular traffic, the site's location in proximity to other industrial and commercial uses will result in an impact that is less than significant.

The project site is approximately three miles north of the Hesperia Airport. At this distance, the project is not impacted by any safety zones associated with this private airport **(44)**. The project site is even farther from the Southern California Logistics Airport (SCLA) and the Apple Valley Airport and will not be affected by any safety zones for these airports.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the noise impact upon build-out of the General Plan to the maximum allowable intensity permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with noise impacts **(19)**. Inasmuch as this project is consistent with the adjacent land uses, the noise impact generated by the project is not significant.

XIII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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) **(7)**?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere **(1)**?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere **(1)**?				X

Comments.
The proposed project is consistent with the General Plan Land Use designation **(10)**. Establishment of the proposed project will not create a direct increase in the demand for housing. Since it is designed to be a light industrial business park, its indirect impact upon population growth is minimal. Further, the site is in close proximity to water and other utility systems **(63)**. As a result, development of the project would not require significant extension of major improvements to existing public facilities. The site is vacant and is identified for development of commercial and light industrial land uses **(1 & 10)** and does not allow residential land uses. Therefore, the project will not displace any existing housing, necessitating the construction of replacement housing elsewhere.

The population in Hesperia has increased mainly because of the availability of affordable housing in the high desert and its proximity to the job-rich areas of the Inland Empire. There is currently more demand for commercial services and jobs than there are services and jobs available in Hesperia. As a result, the proposed development will not induce substantial population growth as the development will provide much needed services and jobs for the current population in the High Desert. Based upon the limited size and specialization of the use proposed, development of the site plan review would have a less than significant impact upon population and housing.

XIV. PUBLIC SERVICES.	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(64)**:			X	
Fire protection? **(64)**			X	
Police protection? **(64)**			X	
Schools? **(64)**			X	
Parks? **(64)**			X	
Other public facilities? **(64)**			X	

Comments.
Although the proposed project will create an increase in demand for public services **(7)**, that increase is consistent with that anticipated as part of the GPUEIR. The site is also served by both sewer and water lines adequate to serve the development **(63)**. Full street improvements comprised of curb, gutter, and sidewalk will be constructed along the project frontage as part of development of the use **(65)**. Additionally, development impact fees will be assessed at the time that building permits are issued for construction of the site **(66)**. These fees are designed to ensure that appropriate levels of capital resources will be available to serve any future development. Therefore, the impact of the site plan review upon public services is less than significant.

XV. RECREATION.	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(7)**?				X
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 **(7)**?				X

Comments.
Approval of the site plan review will not induce population growth, as the facility is intended for light industrial uses **(7)**. Therefore, the proposed site plan review will not have an impact upon recreation.

XVI. TRANSPORTATION / TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(68)**?			X	
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 **(69 & 70)**?			X	
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 **(40)**?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) **(1 & 65)**?			X	
e) Result in inadequate emergency access **(7)**?				X
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 **(71)**?				X

Comments.
The City's Circulation Plan is consistent with the Congestion Management Program (CMP) for San Bernardino County **(73)**. The CMP requires a minimum Level of Service (LOS) standard of "E." When a jurisdiction requires mitigation to a higher LOS, then the jurisdiction's standard takes precedence. The following implementation policies from the General Plan Circulation Element establish the LOS standard in the City.

Implementation Policy CI-2.1: Strive to achieve and maintain a LOS D or better on all roadways and intersections: LOS E during peak hours shall be considered acceptable through freeway interchanges and major corridors (Bear Valley Road, Main Street/Phelan Road, Highway 395).

Therefore, any roadway segments and intersections operating a LOS of E to F is considered deficient unless located on freeway interchanges and major corridors. Roadway segments and intersections located within freeway interchanges and major corridors operating at Level LOS of F are considered deficient. The information below provides the existing and future Average Daily Traffic (ADT) and LOS from the GPUEIR analysis:

Summary of Roadway Operation LOS, Existing Conditions

Street Segments	LOS is D or better	(ADT)	Capacity
'E' Avenue, north of Main Street	Yes	8,917	14,500

Future Daily Traffic Volumes, General Plan Build-out

Street Segments	LOS is D or better	(ADT)	Capacity
'E' Avenue, north of Main Street	Yes	21,800	30,600

Summary of Intersection Operations, Existing Conditions

Intersection	AM Peak Hour (Daily)	PM Peak Hour (Daily)
'E' Avenue, at Main Street	D	E

Summary of Intersection Operations, General Plan Build-out (Preferred Scenario)

Intersection	AM Peak Hour (Daily)	PM Peak Hour (Daily)
'E' Avenue, at Main Street	C	E

At build-out of the Hesperia General Plan, the GPU EIR considered that 'E' Avenue, north of Main Street segment in proximity to the project will continue to have a desired LOS of D or better. According to the City Engineer, the intersection of 'E' Avenue and Main Street operates at a LOS of E during PM peak hours. The GPUEIR acknowledged that at build-out of the General Plan, traffic throughout the City would substantially increase. In the long term, the City will have to construct capital improvements consistent with the Circulation Element, including widening arterials and collectors to ultimate capacity, redesigning intersections to operate more efficient, and synchronize signals along major roadways. The General Plan identifies alternative routes to alleviate traffic from Main Street, including a future Sultana or Muscatel railroad crossing. New developments in the City will continue to construct street improvements necessary to make their projects work, as well as pay traffic impact fees. Traffic impact fees will be collected as development occurs, which will help fund the Capital Improvement Program. Since the project is consistent with the General Plan and impacts to streets and intersections in proximity to the project have previously been studied, the impacts do not need to be further analyzed.

The GPUEIR recommends annual adoption of a Capital Improvement Program (CIP) and establishment of Development Impact Fees (DIF). Accordingly, the City adopts a CIP every year and has an established Traffic Impact Mitigation Fee Program as part of the Development Impact Fee to fund the construction of traffic improvements to maintain adequate levels of service. The Development Impact Fees are imposed on new development and collected as part of the building permit process. The developer is required to pay all applicable City Development Impact Fees and fees will be used to fund the City's CIP.

The project is expected to generate a total of 1,229 vehicle trips daily, with 162 trips occurring during the a.m. peak hour and 171 trips occurring during the p.m. peak hour. This estimate is based upon the Institute of Transportation Engineer's Trip Generation Manual, which attributes an average daily vehicle trip demand of 0.92 (AM) and 0.97 (PM) per 1,000 square feet of net floor area (110) land use **(73)**. The project is consistent with *General Plan Implementation Policy CI-1.4,* as 'E' Avenue and Smoketree Street will be constructed consistent with the adopted Transportation Plan. Both streets front the property and currently serve as paved access to the property. The project will not conflict with City's General Plan Circulation Element or the Hesperia Municipal Code. As a condition of approval, 'E' Avenue will be required to be constructed as a 100-foot Arterial with bike lane roadway, and Smoketree Street will be constructed as a 70-foot Commercial/Industrial Collector roadway. Both streets will include curb, gutter, and sidewalk across the project frontages and pavement tapers beyond the frontage **(65)**. These improvements will not conflict with the Transportation Plan and are consistent with City ordinances or policies establishing measures of effectiveness for the performance of the circulation system.

When the remaining properties along 'E' Avenue and Smoketree Street develop, they will be responsible for dedicating and constructing the rest of the street. The City's General Plan includes a non-motorized transportation network and the project is consistent with this plan **(72)**. The project provides

a total of four driveway approaches (two on each frontage road). Access to and within the site has been evaluated by both the City and the San Bernardino County Fire Department.

The project site is located approximately three miles from the Hesperia Airport and is not within an airport safety zone **(44)**. Consequently, the project will not cause a change in air traffic patterns, nor an increase in traffic levels or location. The project site will also not impact the air traffic patterns for the Southern California Logistics Airport, nor the Apple Valley Airport.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact upon transportation at build-out of the General Plan to the maximum allowable intensity permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with transportation and circulation impacts **(19)**.

XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board **(74)**?				X
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 **(75)**?				X
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 **(65)**?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed **(49 & 50)**?			X	
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 **(75)**?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs **(56 & 62)**?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste **(76)**?			X	

Comments.
The proposed project will increase the amount of wastewater, but the additional amount was considered as part of the GPUEIR. The development will be connected to an existing 12-inch line within the City's water system **(63)**. The project is required to connect to an 8-inch PVC sewer line located at the intersection of Smoketree Street and 'E' Avenue. Therefore, water and sewage capacity will be sufficient for the use. As part of construction of the project, the City requires installation of an on-site retention facility which will retain any additional storm water created by the impervious surfaces developed as part of the project **(65)**. The applicant proposes to use a drainage system on the north side of the property. Consequently, based upon a 100-year storm event, development of this project will not increase the amount of drainage impacting downstream properties beyond that which would occur prior to its development. Additionally, the retention facility will contain a filtration system preventing contamination of the environment.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, in a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(49)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere of Influence (SOI). The UWMP evidences that the City is currently using its available water supply and that supply is projected to match demand beyond the year 2030 **(50)**. The HWD has maintained a surplus water supply through purchase of water transfers, allocations carried over from previous years, and recharge efforts.

The City is in compliance with the California Integrated Waste Management Act of 1989, which requires that 50 percent of the solid waste within the City be recycled **(76)**. Currently, approximately 75 percent of the solid waste within the City is being recycled **(56 & 62)**. The waste disposal hauler for the City has increased the capacity of its Materials Recovery Facility (MRF) to 1,500 tons per day in order to accommodate future development. Therefore, the site plan review will not cause a significant negative impact upon utilities and service systems.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant With Mitigation	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?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X		
c) Does the project have environmental effects which will cause substantial adverse affects on human beings, either directly or indirectly?		X		

Comments.

Based upon the analysis in this initial study, a Mitigated Negative Declaration may be adopted. Development of this project will have a minor effect upon the environment. These impacts are only significant to the degree that mitigation measures are necessary.

XIV. EARLIER ANALYSES.
Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case a discussion identifies the following: The Certified General Plan Environmental Impact Report.
a) **Earlier analyses used.** Earlier analyses are identified and stated where they are available for review.
b) **Impacts adequately addressed.** Effects from the above checklist that were identified to be within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards are noted with a statement whether such effects were addressed by mitigation measures based on the earlier analysis.
a) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project are described.

The following mitigation measures are recommended as a function of this project.

1. A pre-construction survey for the burrowing owl shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.

Authority: Public Resources Code Sections 21103 and 21107.

REFERENCES	
(1)	Aerial photos of the City of Hesperia taken May 2014.
(2)	Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-7.
(3)	Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-8.
(4)	Cultural Resources Assessment for E Avenue & Smoketree Business Park, BCR Consulting dated February 18, 2015.
(5)	Section H of Chapter 9 of the Main Street and Freeway Corridor Specific Plan, pages 204 thru 209.
(6)	Section 16.20.085 of the Hesperia Municipal Code.
(7)	Site Plan Review SPR15-00002 and Tentative Tract TT15-00001 application and related materials.
(8)	Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-9.
(9)	Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-1
(10)	Official Maps showing the General Plan Land Use and zoning of the City of Hesperia and its sphere of influence.
(11)	Williamson Act map within Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-2

(12) Conservation Element of the 2010 City of Hesperia General Plan Update, Page CN-34.

(13) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area Map 30 and Page 44.

(14) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.5.

(15) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.1.4.

(16) Air Quality Section of the 2010 City of Hesperia General Plan Update, pages CN-47 thru CN-50.

(17) Section 3.3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.3-1 thru 3.3-30.

(18) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.

(19) Statement of overriding considerations for the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR).

(20) General Biological Resources Assessment (2015) for the site prepared by RCA Associates, LLC, January 23, 2015

(21) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.

(22) Section 3.4 of the 2010 City of Hesperia General Plan Update Biological Resources Element background technical report, page 30.

(23) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-5.

(24) Section 3.3.2 of the 2010 City of Hesperia General Plan Update Conservation Element background technical report, pages 14 thru 25.

(25) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-3.

(26) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, C-1 thru C-34.

(27) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, Exhibit 5d.

(28) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.

(29) Section 8 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, page 64.

(30) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.

(31) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, Exhibit SF-1.

(32) Section 1.2.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, Figure 1-2.

(33) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-12.

(34) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-23 thru 1-36.

(35) 2013 California Building Code.

(36) Section 1 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 1.

(37) Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 18.

(38) Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, pages 20 and 21.

(39) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-31 thru SF-33.

(40) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-60 and LU-61.

(41) Potential Emergency Shelters and Evacuation Routes shown within the 2010 Hesperia General Plan Safety Element, Exhibit SF-4.

(42) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-32 and SF-33.

(43) California Health and Safety Code Section 25232 (b) (1) (A-E).

(44) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, Exhibit LU-3.

(45) Map showing very high fire hazard areas, flood zones, and significant hazardous materials sites of the 2010 City of Hesperia General Plan Update Safety Element, Exhibit SF-2.

(46) Fire Hazard Section of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.7-9.

(47) Section 3.8.2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-13.

(48) Section 3.8.5 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-20 thru 3.8-22.

(49) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.

(50) Mojave Water Agency letter dated March 27, 1996.

(51) Flooding Hazards Section of the 2010 City of Hesperia General Plan Update Safety Element, pages SF-16 thru SF-18.

(52) Section 4.3.8 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 4-9.

(53) 1992 Victorville Master Plan of Drainage Volume I, identifying future drainage improvements for the area.

(54) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-15.

(55) Table 3.6-2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.6-24.

(56) Quarterly data of the San Bernardino County Disposal Reporting System for 2014.

(57) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, page CN-20.

(58) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-4 thru NS-12.

(59) Section 16.20.125 of the Hesperia Municipal Code, pages 464 thru 467.

(60) Table 3.11-10 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-45.

(61) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.

(62) 2009 California Department of Resources, Recycling and Recovery Annual AB939 Report.

(63) Current Hesperia water and sewer line maps

(64) Section 4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-13 thru 4-18.

(65) Conditions of approval for Site Plan Review SPR15-00002 and Tentative Tract TT15-00001

(66) 1991 City of Hesperia Ordinance 180 entitled "An Ordinance of the City Council of the City of Hesperia, California, Establishing a Development Impact Fee for all New Residential, Commercial, and Industrial Structures" and Resolution No. 2013-47 on January 1, 2014.

(67) Traffic Circulation Plan within Section 3.0 of the 2010 City of Hesperia General Plan Update Circulation Element, page CI-17.

(68) Table 4-4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, page 40.

(69) Section 2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 2-19.

(70) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.

(71) Sections 6.3 and 6.4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 74 thru 76.

(72) Exhibit CI-22 showing the Urban Design Framework within the 2010 City of Hesperia General Plan Update Circulation Element, page CI-55.

(73) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.

(74) Section 3.8 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-8 thru 3.8-14.

(75) 2013 California Plumbing Code.

(76) California Integrated Waste Management Act (AB 939).

(77) 2012 Trip Generation Manual, Volume II, 9th Edition, Institute of Transportation Engineers, pages 102 – 105.

ATTACHMENT 7

RESOLUTION NO. PC-2015-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A SITE PLAN REVIEW TO CONSTRUCT A 176,340 SQUARE FOOT COMMERCIAL/INDUSTRIAL BUSINESS PARK ON 10 ACRES LOCATED ON THE SOUTHWEST CORNER OF 'E' AVENUE AND SMOKETREE STREET (SPR15-00002)

WHEREAS, Mehta Family Trust has filed an application requesting approval of Site Plan Review SPR15-00002 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to 10 acres within the Commercial/Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan, located on the southwest corner of 'E' Avenue and Smoketree Street and consists of Assessor's Parcel Numbers 0410-142-01; and

WHEREAS, the Application, as contemplated, proposes to construct a 176,340 square foot commercial/industrial business park and Tentative Tract TT15-00001 to create 60 business condominium units on 10 acres; and

WHEREAS, the site is currently undeveloped. There are miscellaneous industrial uses, as well as a restaurant and a single-family residence to the north. A large shopping center, which includes a Stater Bros. and a Kmart, exists to the south. A 2.4 acre vacant lot, as well as eight single-family residences (built in 1957) exists to west. These residences are considered legal non-conforming. The properties on the opposite side of 'E' Avenue to the east include a nursery (Cal Herbold's Nursery), an automotive repair shop, and some vacant land; and

WHEREAS, the subject property is within the Commercial/Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan. The properties to the east and west are also within the CIBP zone. The properties to the north are within the General Industrial (GI) zone. The properties to the south are within the Neighborhood Commercial (NC) zone; and

WHEREAS, an environmental Initial Study for the proposed site plan review was completed on April 21, 2015, and no significant adverse impacts were identified. Mitigated Negative Declaration ND-2015-01 was subsequently prepared; and

WHEREAS, on May 14, 2015, the Planning Commission of the City of Hesperia conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA PLANNING COMMISSION AS FOLLOWS:

Section 1. The Planning Commission hereby specifically finds that all of the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to this Commission during the above-referenced May 14, 2015 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

(a) The site for the proposed use is adequate in size and shape to accommodate the proposed use because the site can accommodate all proposed improvements in conformance with the development code.

(b) The proposed use will not have a substantial adverse effect on abutting properties or the permitted use thereof because the proposed project is consistent with the City's Commercial/Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan.

(c) The proposed project is consistent with the goals, policies, standards and maps of the adopted Zoning, Specific Plan, Development Code and all applicable codes and ordinances adopted by the City of Hesperia because the project is consistent with the regulations of the CIBP zone of the Main Street and Freeway Corridor Specific Plan. In addition, the development complies with standards for landscaping, driveway aisles, parking stall dimensions, building heights, fire lanes and turn-around, trash enclosures, and loading areas. The development complies with the Americans with Disabilities Act (ADA) by providing the required accessible parking spaces and path of travel. The development will also be constructed pursuant to the California Building and Fire Codes and adopted amendments.

(d) The site for the proposed use will have adequate access based upon the site's access from 'E' Avenue and Smoketree Street, which will be constructed to City standards.

(e) The proposed project is consistent with the adopted General Plan of the City of Hesperia. The project site is within the CIBP zone of the Main Street and Freeway Corridor Specific Plan. A light industrial/business park is allowable with approval of a site plan review.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Site Plan Review SPR15-00002 subject to the conditions of approval as shown in Attachment "A".

Section 4. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 14th day of May 2015.

Tom Murphy, Chair, Planning Commission

ATTEST:

_____
Andrea Ngalo, Secretary, Planning Commission

ATTACHMENT "A"
List of Conditions for SPR15-00002

Approval Date: May 14, 2015
Effective Date: May 26, 2015
Expiration Date: May 26, 2018

This list of conditions applies to: Consideration of Site Plan Review SPR15-00002 to construct a 176,340 square foot commercial/industrial business park and Tentative Tract TT15-00001 to create 60 business condominium units on 10 acres within the Commercial/Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan located on the southwest corner of 'E' Avenue and Smoketree Street (Applicant: Mehta Family Trust; APN: 0410-142-01)

The use shall not be established until all conditions of this land use approval application have been met. This approved land use shall become null and void if all conditions have not been completed by the expiration date noted above. Extensions of time may be granted upon submittal of the required application and fee prior to the expiration date.

(Note: the "COMPLETED" and "COMPLIED BY" spaces are for internal City use only).

CONDITIONS REQUIRED AS PART OF SUBMITTAL OF PUBLIC IMPROVEMENT PLANS

COMPLETED NOT IN COMPLIANCE	**COMPLIED BY**	FINAL MAP: A Final Map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor based upon a survey and shall conform to all provisions as outlined in article 66433 of the Subdivision Map Act as well as the San Bernardino County Surveyors Office Final Map Standards. (E)
COMPLETED NOT IN COMPLIANCE	**COMPLIED BY**	DRAINAGE STUDY. The Developer shall submit a Final Hydrology Hydraulic study identifying the method of collection and conveyance of any tributary flows from off-site as well as the method of control for increased run-off generated on-site. (E)
COMPLETED NOT IN COMPLIANCE	**COMPLIED BY**	GEOTECHNICAL REPORT. The Developer shall provide two copies of the soils report with the grading plan. The soils report shall substantiate with all grading, building, and public improvement plans. In addition, a percolation report shall be performed to substantiate the percolation of the on-site drainage retention areas. Include "R" value testing and pavement recommendations for public streets (E, B)
COMPLETED NOT IN COMPLIANCE	**COMPLIED BY**	TITLE REPORT. The Developer shall provide a complete title report 90 days or newer from the date of submittal. (E)
COMPLETED NOT IN COMPLIANCE	**COMPLIED BY**	N.P.D.E.S. The Developer shall apply for the required NPDES (National Pollutant Discharge Elimination System) permit with the Regional Water Quality Control Board and pay applicable fees. (E)
COMPLETED NOT IN COMPLIANCE	**COMPLIED BY**	STORM WATER POLLUTION PREVENTION PLAN. The Developer shall provide a Storm Water Pollution Prevention Plan (SWPPP), which addresses the method of storm water run-off control during construction. (E)
COMPLETED NOT IN COMPLIANCE	**COMPLIED BY**	PLAN CHECK FEES. Along with improvement plan submittal, the Developer shall pay applicable plan-checking fees. Improvement Plans and requested studies shall be submitted as a package. (E)
COMPLETED NOT IN COMPLIANCE	**COMPLIED BY**	CONSTRUCTION PLANS. Five complete sets of construction plans prepared and wet stamped by a California licensed Civil or Structural Engineer or Architect shall be submitted to the Building Division with the required application fees for review. (B)
COMPLETED NOT IN COMPLIANCE	**COMPLIED BY**	INDEMNIFICATION. As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration, mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether

by the City Council, the Planning Commission, or other City reviewing authority), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on Applicants project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City with counsel reasonably acceptable to the City. The Citys election to defend itself, whether at the cost of the Applicant or at the Citys own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** APPROVAL OF IMPROVEMENT PLANS. All required improvement plans shall be prepared by a registered Civil Engineer per City standards and per the Citys improvement plan checklist to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review with the required plan checking fees. All Public Works plans shall be submitted as a complete set. (E)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** DEDICATION(S). The Developer shall grant to the City an Irrevocable Offer of Dedication for Smoke Treet Street. The right of way full width for Smoke Tree Street shall be seventy (70') feet. The Developer shall also grant to the City an Irrevocable Offer of Dedication for "E" Avenue. The right of way full width for "E" Avenue shall be one-hundred (100') feet.The Developer shall also grant to the City an Irrevocable Offer of Dedication for any part of the Path of Travel located behind any commercial drive approaches that encroach onto private property. Corner cut off right of way dedication per City standards is required at all intersections. (E)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** GRANT OF EASEMENT FOR DOUBLE DETECTOR CHECK VALVE. The Developer shall grant to the City an easement for any part of a required double detector check valve that encroaches onto private property. (E)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** N.P.D.E.S. The Developer shall provide a copy of the approved original NPDES (National Pollutant Discharge Elimination System) permit from the Regional Water Quality Control Board and provide a copy of fees paid. The copies shall be provided to the City's Engineering Department. (E)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** STORM WATER POLLUTION PREVENTION PLAN. All of the requirements of the Storm Water Pollution Prevention Plan shall be incorporated and be in place prior to issuance of a grading permit. (E)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** GRADING PLAN. The Developer shall submit a Grading Plan with existing contours tied to an acceptable City of Hesperia benchmark. The grading plan shall indicate building footprints and proposed development of the retention basin(s) as a minimum. Site grading and building pad preparation shall include recommendations provided per the Preliminary Soils Investigation. All proposed walls shall be indicated on the grading plans showing top of wall (tw) and top of footing (tf) elevations along with finish grade (fg) elevations. Wall height from finish grade (fg) to top of wall (tw) shall not exceed 6.0 feet in height. Grading Plans are subject to a full review by the City of Hesperia and the City Engineer upon submittal of the Improvement Plans. (E)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** ON SITE RETENTION. The Developer shall design / construct on site retention facilities, which have minimum impact to ground water quality. This shall include maximizing the use of horizontal retention systems and minimizing the application of dry wells / injection wells. All dry wells / injection wells shall be 2 phase systems with debris shields and filter elements. All dry wells / injection wells shall have a minimum depth of 30 with a max depth to be determined by soils engineer at time of boring test. Per Resolution 89 16 the Developer shall provide on site retention at a rate of 13.5 Cu. Ft per every 100 Sq. Ft. of impervious materials. Any proposed facilities, other than a City approved facility that is designed for underground storage for on site retention will need to be reviewed by the City Engineer. The proposed design shall meet City Standards and design criteria established by the City Engineer. A soils percolation test will be required for alternate underground storage retention systems. (E)

COMPLETED **COMPLIED BY** STREET IMPROVEMENTS. The Developer shall design street improvements in

NOT IN COMPLIANCE accordance with City standards and these conditions. (E)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

SMOKE TREE STREET: Saw-cut (2-foot min.) and match-up asphalt pavement on Smoke Tree Street across the project frontage, based on City's 70-foot Commercial / Industrial Collector Standard. The curb face is to be located at 23' from the approved centerline. The design shall be based upon an acceptable centerline profile extending a minimum of three hundred (300) feet beyond the project boundaries where applicable. These improvements shall consist of:

A. 8" Curb and Gutter per City standards.
B. Sidewalk (width = 6 feet) per City standards.
C. Roadway drainage device(s).
D. Streetlights per City standards.
E. Intersection improvements including handicapped ramps per City standards.
F. Commercial driveway approaches per City standards.
G. Pavement transitions per City Standards.
H. Design roadway sections per existing, approved street sections and per "R" value testing with a traffic index of 10 and per the soils report.
I. Cross sections every 50-feet per City standards.
J. Traffic control signs and devices as required by the traffic study and/or the City Engineer.
K. Provide a signage and striping plan per City standards.
L. It is the Developer's responsibility to obtain any off-site dedications for transition tapers including acceleration / deceleration tapers per City standards.
M. Relocate existing utilities as required. The Developer shall coordinate with affected utility companies.

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

'E' AVENUE. Saw-cut (2-foot min.) and match-up asphalt pavement on "E" Avenue across the project frontage, based on City's 100-foot Arterial With Bike Lane Standard. The curb face is to be located at 36' from the approved centerline. The design shall be based upon an acceptable centerline profile extending a minimum of three hundred (300) feet beyond the project boundaries where applicable. These improvements shall consist of:

A. 8" Curb and Gutter per City standards.
B. Sidewalk (width = 6 feet) per City standards.
C. Roadway drainage device(s).
D. Streetlights per City standards.
E. Intersection improvements including handicapped ramps per City standards.
F. Commercial driveway approaches per City standards.
G. Pavement transitions per City Standards.
H. Design roadway sections per existing, approved street sections and per "R" value testing with a traffic index of 10 and per the soils report.
I. Cross sections every 50-feet per City standards.
J. Traffic control signs and devices as required by the traffic study and/or the City Engineer.
K. Provide a signage and striping plan per City standards.
L. It is the Developer's responsibility to obtain any off-site dedications for transition tapers including acceleration / deceleration tapers per City standards.
M. Relocate existing utilities as required. The Developer shall coordinate with affected utility companies.
N. Provide signage and striping for a Class 2 bike trail, per City's adopted non-motorized transportation plan.

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

UTILITY PLAN. The Developer shall design a Utility Plan for service connections and / or private hydrant and sewer connections. Any existing water, sewer, or storm drain infrastructures that are affected by the proposed development shall be removed / replaced or relocated and shall be constructed per City standards at the Developer's expense. (E)

A. A remote read automatic meter reader shall be added on all meter connections as approved by the City Engineer.
B. The Developer shall design a Utility Plan for service connections and / or private water and sewer connections. Domestic and fire connections shall be made from the existing water line in Smoke Tree Street, "E" Avenue, or both per City Standards.

C. It is the Developer's responsibility to connect to sewer and pay the appropriate fees. The Developer will be required to connect to the proposed 8" PVC sewer main in Smoke Tree Street per City standards.
D. Complete V.V.W.R.A.'s "Wastewater Questionnaire for Commercial / Industrial Establishments" and submit to the Engineering Department. Complete the "Certification Statement for Photographic and X-ray Processing Facilities" as required.

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

SEWER IMPROVEMENT PLAN: The Developer shall design and construct an 8 minimum PVC SDR 35 sewer main in Smoke Tree Street from the westerly property line and tie into existing at the intersection of Smoke Tree Street and "E" Avenue. Design shall consist of plan and profile per City standards. (E)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

COMBUSTIBLE PROTECTION. Prior to combustibles being placed on the project site an approved all weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy. (F)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

FIRE ACCESS-POINTS OF VEHICLE ACCESS. The development shall have a minimum of TWO points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. (F)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

FIRE ACCESS-SINGLE STORY ROAD ACCESS. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions. (F)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

WATER SYSTEM COMMERCIAL. A water system approved by the Fire Department is required. The system shall be operational prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel ways) and no more than three hundred (300) feet from any portion of a structure. Hydrant spacing must also comply with standards as pertain to FDC/PIV (within fifty feet). (F)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

PRE-CONSTRUCTION MEETING. Pre-construction meetings shall be held between the City the Developer grading contractors and special inspectors to discuss permit requirements monitoring and other applicable environmental mitigation measures required prior to ground disturbance and prior to development of improvements within the public right-of-way. (B)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

SURVEY. The Developer shall provide a legal survey of the property. All property corners shall be staked and the property address posted. (B)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

DESIGN FOR REQUIRED IMPROVEMENTS. Improvement plans for off-site and on-site improvements shall be consistent with the plans approved as part of this site plan review application with the following revisions made to the improvement plans: (E, P)

A. A minimum four-foot wide landscaped area and a one-foot sidewalk in addition to the six-inch concrete curb shall be installed at the end of all parking space rows as approved by Planning staff;

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

CULTURAL RESOURCES. If cultural resources are found during grading, then grading activities shall cease and the applicant shall contract with a City approved archaeologist or paleontologist to monitor grading prior to resuming grading. All cultural resources discovered shall be handled in accordance with state and federal law. A report of all resources discovered as well as the actions taken shall be provided to the City prior to issuance of a Certificate of Occupancy. (P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

FISH AND GAME FEE. The applicant shall submit a check to the City in the amount of $2,260.00 payable to the Clerk of the Board of Supervisors of San Bernardino County to enable the filing of a Notice of Determination. (P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

PRE-CONSTRUCTION SURVEY. A pre-construction survey for the burrowing owl shall be conducted by a City approved and licensed biologist, no more than 30 days prior to ground disturbance. (P)

CONDITIONS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE

COMPLETED / NOT IN COMPLIANCE — **COMPLIED BY**

FIRE ALARM-AUTOMATIC MONITORING. An automatic fire sprinkler monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. (F)

COMPLETED / NOT IN COMPLIANCE — **COMPLIED BY**

FIRE SPRINKLER NFPA#13. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit three (3) sets of (minimum 1/8 scale) shall include hydraulic calculations and manufacturers specification sheets. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. Note: Without known tenants, ESFR sprinkler system will be required in order to accomodate most tenant occupancy types. (F)

COMPLETED / NOT IN COMPLIANCE — **COMPLIED BY**

HIGH PILED STORAGE. If intended to utilize, the applicant shall submit an application for high piled storage (internal storage over 12 ft. in height), three (3) sets of detailed plans and a commodity analysis report to the Fire Department for review and approval. The applicant shall submit the approved plan to Building and Safety for review with building plans. If the occupancy classification is designated as S 2, commodities to be stored will be limited to products of light hazard classification only. The required fees shall be paid at the time of plan submittal. (F)

COMPLETED / NOT IN COMPLIANCE — **COMPLIED BY**

AQMD APPROVAL. The Developer shall provide evidence of acceptance by the Mojave Desert Air Quality Management District. (B)

COMPLETED / NOT IN COMPLIANCE — **COMPLIED BY**

CONSTRUCTION WASTE. The developer or builder shall contract with the Citys franchised solid waste hauler to provide bins and haul waste from the proposed development. At any time during construction, should services be discontinued, the franchise will notify the City and all building permits will be suspended until service is reestablished. The construction site shall be maintained and all trash and debris contained in a method consistent with the requirements specified in Hesperia Municipal Code Chapter 15.12. All construction debris, including green waste, shall be recycled at Advance Disposal and receipts for solid waste disposal shall be provided prior to final approval of any permit. (B)

COMPLETED / NOT IN COMPLIANCE — **COMPLIED BY**

DEVELOPMENT FEES. The Developer shall pay required development fees as follows:

A. School Fees (B)

COMPLETED / NOT IN COMPLIANCE — **COMPLIED BY**

LANDSCAPE AND IRRIGATION PLANS. The Developer shall submit three sets of landscape and irrigation plans including water budget calculations required application fees and completed landscape packet to the Building Division with the required application fees. Plans shall utilize xeriscape landscaping techniques in conformance with the Landscaping Ordinance. The number size type and configuration of plants approved by the City shall be maintained in accordance with the Development Code. (P RPD)

COMPLETED / NOT IN COMPLIANCE — **COMPLIED BY**

MASONRY WALLS AND FENCING. A six-foot high decorative block wall shall be constructed along the west property line. The required masonry wall shall be completed in accordance with City standards. (P)

CONDITIONS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY

COMPLETED / NOT IN COMPLIANCE — **COMPLIED BY**

AS BUILT PLANS. The Developer shall provide as built plans.

COMPLETED / NOT IN COMPLIANCE — **COMPLIED BY**

PUBLIC IMPROVEMENTS. All public improvements shall be completed by the Developer and approved by the Engineering Department. Existing public improvements

determined to be unsuitable by the City Engineer shall be removed and replaced. (E)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** ELECTRONIC COPIES. The Developer shall provide electronic copies of the approved project in AutoCAD format Version 2007 to the City's Engineering Department. (E)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** FIRE EXTINGUISHERS. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. (F)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** GATE OVERRIDE SWITCH. Where an automatic electric security gate is used, an approved Fire Department override switch (Knox) is required. (F)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** HYDRANT MARKING. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. (F)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** KNOX BOX. An approved Fire Department key box is required. (F)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** AGREEMENT. A signed agreement shall be required for the installation and maintenance of shared access, water, and fire protection equipment. (F)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** LANDSCAPING/IRRIGATION. The Developer shall install the landscaping and irrigation as required by the Planning Division. (P)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** DEVELOPMENT FEES. The Developer shall pay required development fees as follows:

A. Development Impact Fees (B)
B. Utility Fees (E)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** DIRECTORY ADDRESSING. Commercial or industrial complexes with more than three separate buildings on site shall have a building directory. Directories are to be posted at the main entrance(s) to the complex on the entry driveway side. Directories shall not be located in the public right-of-way or clear sight triangle areas. Directories shall be of sufficient size to be clearly visible from the public roadway serving the entrance driveway but in no case less than two feet in either dimension or six square feet. The directory shall be lighted from a power source dedicated to the general premises. (B)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** UTILITY CLEARANCE AND C OF O. The Building Division will provide utility clearances on individual buildings after required permits and inspections and after the issuance of a Certificate of Occupancy on each building. Utility meters shall be permanently labeled. Uses in existing buildings currently served by utilities shall require issuance of a Certificate of Occupancy prior to establishment of the use. (B)

COMPLETED NOT IN COMPLIANCE **COMPLIED BY** ON SITE IMPROVEMENTS. All on site improvements as recorded in these conditions, and as shown on the approved site plan shall be completed in accordance with all applicable Title 16 requirements. The building shall be designed consistent with the design shown upon the approved materials board and color exterior building elevations identified as Exhibit A. Any exceptions shall be approved by the Director of Development Services. (P)

NOTICE TO DEVELOPER: IF YOU NEED ADDITIONAL INFORMATION OR ASSISTANCE REGARDING THESE CONDITIONS, PLEASE CONACT THE APPROPRIATE DIVISION LISTED BELOW:

(B) Building Division	**947-1300**
(E) Engineering Division	**947-1476**
(F) Fire Prevention Division	**947-1603**
(P) Planning Division	**947-1200**
(RPD) Hesperia Recreation and Park District	**244-5488**

ATTACHMENT 8

RESOLUTION NO. PC-2015-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A TENTATIVE TRACT TO CREATE 60 BUSINESS CONDOMINIUM UNITS ON 10 ACRES LOCATED ON THE SOUTHWEST CORNER OF 'E' AVENUE AND SMOKETREE STREET (TT15-00001)

WHEREAS, Mehta Family Trust has filed an application requesting approval of Tentative Tract TT15-00001 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to 10 acres within the Commercial/Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan, located on the southwest corner of 'E' Avenue and Smoketree Street and consists of Assessor's Parcel Numbers 0410-142-01; and

WHEREAS, the Application, as contemplated, proposes to construct a 176,340 square foot commercial/industrial business park and Tentative Tract TT15-00001 to create 60 business condominium units on 10 acres; and

WHEREAS, the site is currently undeveloped. There are miscellaneous industrial uses, as well as a restaurant and a single-family residence to the north. A large shopping center, which includes a Stater Bros. and a Kmart, exists to the south. A 2.4 acre vacant lot, as well as eight single-family residences (built in 1957) exists to west. These residences are considered legal non-conforming. The properties on the opposite side of 'E' Avenue to the east include a nursery (Cal Herbold's Nursery), an automotive repair shop, and some vacant land; and

WHEREAS, the subject property is within the Commercial/Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan. The properties to the east and west are also within the CIBP zone. The properties to the north are within the General Industrial (GI) zone. The properties to the south are within the Neighborhood Commercial (NC) zone; and

WHEREAS, an environmental Initial Study for the proposed tentative tract map was completed on April 21, 2015, and no significant adverse impacts were identified. Mitigated Negative Declaration ND-2015-01 was subsequently prepared; and

WHEREAS, on May 14, 2015, the Planning Commission of the City of Hesperia conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA PLANNING COMMISSION AS FOLLOWS:

Section 1. The Planning Commission hereby specifically finds that all of the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to this Commission during the above-referenced May 14, 2015 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

(a) The proposed map is consistent with the City's General Plan of the City of Hesperia, because the subdivision is consistent with the intent of the Commercial/Industrial Business Park (CIBP) zone as part of the Main Street and Freeway Corridor Specific Plan to allow business condominium units within a light industrial business park; and

(b) The design or improvement of the proposed subdivision is consistent with the General Plan of Hesperia as the project supports the existing land use and circulation pattern in the area.

(c) The site is physically suitable for the type of development because the site can accommodate all proposed improvements and required infrastructure necessary for development of 60 business condominium units. There are no known physical constraints and the site has adequate area to accommodate the proposed development.

(d) The site is physically suitable for the proposed intensity of development because the size of the development is compatible with surrounding developments and is consistent with Specific Plan. The condominiums are adequate in size and shape and all Development Code regulations for the permitted uses can be met.

(e) The design of the subdivision or type of improvements are not likely to cause serious public health problems because all construction will require necessary permits and will conform to the City's adopted building and fire codes.

(f) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Tentative Tract TT15-00002 subject to the conditions of approval as shown in Attachment "A".

Section 4. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 14th day of May 2015.

Tom Murphy, Chair, Planning Commission

ATTEST:

Andrea Ngalo, Secretary, Planning Commission

ATTACHMENT "A"
List of Conditions for TT15-00001

Approval Date: May 14, 2015
Effective Date: May 26, 2015
Expiration Date: May 26, 2018

This list of conditions applies to Consideration of Tentative Tract TT15-00001 to create 60 business condominium units on 10 acres within the Commercial/Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan located on the southwest corner of 'E' Avenue and Smoketree Street (Applicant: Mehta Family Trust; APN: 0410-142-01)

The use shall not be established until all conditions of this land use approval application have been met. This approved land use shall become null and void if all conditions have not been by the expiration date noted above. Extensions of time may be granted upon submittal of the required application and fee prior to the expiration date.

(Note: the "COMPLETED" and "COMPLIED BY" spaces are for internal City use only).

CONDITIONS REQUIRED AS PART OF SUBMITTAL OF PUBLIC IMPROVEMENT PLANS

COMPLETED **COMPLIED BY** NOT IN COMPLIANCE	FINAL MAP: A Final Map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor based upon a survey and shall conform to all provisions as outlined in Article 66433 of the Subdivision Map Act as well as the San Bernardino County Surveyors Office Final Map Standards. (E)
COMPLETED **COMPLIED BY** NOT IN COMPLIANCE	PLANS. All required plans shall be prepared by a registered Civil Engineer per City standards and to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review along with required checking fees. The Final Map CDP Improvement Plans requested studies and CFD annexation must be submitted as a package. (E)
COMPLETED **COMPLIED BY** NOT IN COMPLIANCE	DRAINAGE STUDY. The Developer shall submit a Final Hydrology/Hydraulic study identifying the method of collection and conveyance of any tributary flows from off-site as well as the method of control for increased run-off generated on-site. (E)
COMPLETED **COMPLIED BY** NOT IN COMPLIANCE	TITLE REPORT. The Developer shall provide a complete title report 90 days or newer from the date of submittal. (E)
COMPLETED **COMPLIED BY** NOT IN COMPLIANCE	GEOTECHNICAL REPORT. The Developer shall provide two copies of the soils report to substantiate all grading building and public improvement plans. Include R value testing and pavement recommendations for public streets. (E B)
COMPLETED **COMPLIED BY** NOT IN COMPLIANCE	N.P.D.E.S. The Developer shall apply for the required NPDES (National Pollutant Discharge Elimination System) permit with the Regional Water Quality Control Board and pay applicable fees. (E)
COMPLETED **COMPLIED BY** NOT IN COMPLIANCE	STORM WATER POLLUTION PREVENTION PLAN. The Developer shall provide a Storm Water Pollution Prevention Plan (S.W.P.P.P.) which addresses the method of storm water run-off control during construction. (E)
COMPLETED **COMPLIED BY** NOT IN COMPLIANCE	PLAN CHECK FEES. Plan checking fees must be paid in conjunction with the improvement plan submittal. The Final Map CDP improvement plans requested studies and CFD annexation must be submitted as a package. The developer shall coordinate with the Citys Engineering Department for any additional fees. Any outstanding fees must be paid before final inspection and the release of bonds. (E)
COMPLETED **COMPLIED BY** NOT IN COMPLIANCE	FISH AND GAME FEE. The applicant shall submit a check to the City in the amount of $2,260.00 payable to the Clerk of the Board of Supervisors of San Bernardino County to enable the filing of a Notice of Determination.

(P)

COMPLETED	COMPLIED BY	
NOT IN COMPLIANCE		INDEMNIFICATION. As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration, mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether by the City Council, the Planning Commission, or other City reviewing authority), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on Applicants project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City with counsel reasonably acceptable to the City. The Citys election to defend itself, whether at the cost of the Applicant or at the Citys own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

CONDITIONS REQUIRED PRIOR TO RECORDATION OF ANY PHASE OF THE FINAL MAP

COMPLETED	COMPLIED BY	
NOT IN COMPLIANCE		DEDICATIONS. The Developer shall grant to the City of Hesperia an Irrevocable Offer of Dedication for roadways and Grant of Easement(s) for storm drain and utility purposes as shown on the approved tentative map and as described below (E)
NOT IN COMPLIANCE		GRADING PLAN. The Developer shall submit a Grading Plan with existing contours tied to an acceptable City of Hesperia benchmark. The grading plan shall indicate building footprints and proposed development of the retention basin(s) as a minimum. Site grading and building pad preparation shall include recommendations provided per the Preliminary Soils Investigation. All proposed walls shall be indicated on the grading plans showing top of wall (tw) and top of footing (tf) elevations along with finish grade (fg) elevations. Wall height from finish grade (fg) to top of wall (tw) shall not exceed 6.0 feet in height. Grading Plans are subject to a full review by the City of Hesperia and the City Engineer upon submittal of the Improvement Plans. (E)
NOT IN COMPLIANCE		UTILITY PLAN: The Developer shall design a Utility Plan for service connections private hydrant locations and sewer connections. The Developer shall adjust any existing fire hydrants to grade that are affected by the construction of the proposed project improvements. (E)
NOT IN COMPLIANCE		UTILITIES. Utility plans shall be in accordance with City standards as described below: (E) A. The entire complex shall be served by a single "Master Water Meter" per City standards. B. "AMR" automatic meter reader to be added on all meter connections.
NOT IN COMPLIANCE		AGREEMENT. A signed agreement shall be required for the installation and maintenance of shared access, water, and fire protection equipment. (F)
NOT IN COMPLIANCE		FIRE ACCESS-POINTS OF VEHICLE ACCESS. The development shall have a minimum of TWO points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. (F)
NOT IN COMPLIANCE		WATER SYSTEM COMMERCIAL. A water system approved by the Fire Department is required. The system shall be operational prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel ways) and no more than three hundred (300) feet from any portion of a structure. (F)
COMPLETED	COMPLIED BY	LANDSCAPE AND IRRIGATION PLANS. The Developer shall submit

NOT IN COMPLIANCE

three sets of landscape and irrigation plans including water budget calculations required application fees and completed landscape packet to the Building Division with the required application fees. Plans shall utilize xeriscape landscaping techniques in conformance with the Landscaping Ordinance. The number size type and configuration of plants approved by the City shall be maintained in accordance with the Development Code. (P RPD)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

CONDITIONS, COVENANTS AND RESTRICTIONS (CC&Rs). CC&Rs shall be submitted for review and approval by the City prior to recordation. The CC&Rs shall contain the following provisions at a minimum:

A. Establishment of an association, including membership requirements, members and association rights (powers and obligations), selection of officers, and meetings, which shall occur at least once per quarter with special meetings to occur on an as needed basis, due to special circumstances.
B. Maintenance provisions for common areas shall be created to ensure that the project is maintained satisfactorily. The provisions shall include, but need not be limited to the driveways, drive aisles and parking areas; drainage facilities; landscaped areas; walls, gates, fences and signage; and maintenance of buildings (or common walls).
C. Provisions for architectural controls and variances shall be included. Only an architectural review board composed of members of the association shall exercise judgments in these matters.
D. The CC&Rs shall be enforced by the association. Should the CC&Rs be deemed invalid in part by court action, the provisions required as part of this condition shall remain in full force and effect.
E. The CC&Rs or the common areas addressed therein shall not be terminated, amended, or removed without the prior written authorization of the City of Hesperia.

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

STORM WATER POLLUTION PREVENTION PLAN. The Developer shall implement the approved Storm Water Pollution Prevention Plan (S.W.P.P.P.), which addresses the method of storm water run-off control during construction prior to the Grading permit being issued. (E)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

APPROVAL OF IMPROVEMENT PLANS. All improvement plans shall be prepared by a registered Civil Engineer per City standards and shall be approved and signed by the City Engineer. (E)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

CONSTRUCTION WASTE. The developer or builder shall contract with the Citys franchised solid waste hauler to provide bins and haul waste from the proposed development. At any time during construction, should services be discontinued, the franchise will notify the City and all building permits will be suspended until service is reestablished. The construction site shall be maintained and all trash and debris contained in a method consistent with the requirements specified in Hesperia Municipal Code Chapter 15.12. All construction debris, including green waste, shall be recycled at Advance Disposal and receipts for solid waste disposal shall be provided prior to final approval of any permit. (B)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

DEVELOPMENT FEES. The Developer shall pay required development fees as follows:

A. School Fees (B)

CONDITIONS REQUIRED PRIOR TO OCCUPANCY OF ANY UNIT

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

AS BUILT PLANS. The Developer shall provide as built plans. (E)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

DEVELOPMENT FEES. The Developer shall pay required development fees as follows:

A. Development Impact Fees (B)
B. Utility Fees (E)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

LANDSCAPING/IRRIGATION. The Developer shall install the landscaping and irrigation as required by the Planning Division. (P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

RETENTION AND DRAINAGE FACILITIES. The required retention basin(s) and other drainage facilities shall be completed in accordance with City standards. (E, P)

NOTICE TO DEVELOPER: THIS CONCLUDES THE REQUIREMENTS FOR RECORDATION OF THE TENTATIVE TRACT MAP. IF YOU NEED ADDITIONAL INFORMATION OR ASSISTANCE REGARDING THESE CONDITIONS, PLEASE CONACT THE APPROPRIATE DIVISION LISTED BELOW:

(B) Building Division	**947-1300**
(E) Engineering Division	**947-1476**
(F) Fire Prevention Division	**947-1603**
(P) Planning Division	**947-1200**
(RPD) Hesperia Recreation and Park District	**244-5488**

City of Hesperia
STAFF REPORT

DATE: May 14, 2015

TO: Planning Commission

FROM: Dave Reno, AICP, Principal Planner

BY: Daniel S. Alcayaga, AICP, Senior Planner

SUBJECT: Specific Plan Amendment SPLA14-00004; Applicant: Joseph E. Bonadiman; 0405-053-08 & 09

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2015-10 deeming SPLA15-00004 incomplete and requiring a development proposal to be submitted with this Specific Plan Amendment.

BACKGROUND

Proposal: A Specific Plan Amendment from Low Density Residential (LDR) to Neighborhood Commercial (NC).

Location: On the northwest corner of Mojave Street and Maple Avenue

Current General Plan, Zoning and Land Uses: The property is currently undeveloped and within the Low Density Residential (LDR) zone of the Main Street and Freeway Corridor Specific Plan. The surrounding land is designated as noted on Attachment 1. A school (Maple Elementary) exists to the north, and single-family residences exist to the east and west. Private recreational facilities associated with an existing residential development exist to the south (Attachment 2).

ISSUES/ANALYSIS

Land Use: The applicant is requesting approval of a specific plan amendment from LDR to NC. This project was deemed incomplete because the request was submitted without a development proposal. A development proposal would provide the public with an understanding of impacts to the surrounding area, as well as ensure that the amendment is beneficial at this time and not speculative. No supportive information was submitted to suggest which land use designation (i.e. Pedestrian Commercial or Neighborhood Commercial) would best suit these properties. The applicant is contesting staff's determination that the application is incomplete and wants the Planning Commission to hear this request.

A specific plan amendment is considered a legislative action. The City requires amendments to include a development proposal to substantiate policy changes when associated with vacant land. The City, in order to approve the amendment, is required to make the findings in Section 16.12.200 of the Development Code, which serve as the basis for approval, and to demonstrate compliance with the General Plan. Staff determined that not enough information was provided to evaluate the feasibility of the proposal, nor its impact to surrounding properties. Without a development proposal, staff finds it difficult to determine the site's suitability for development and evaluate issues pertaining to noise, glare, traffic and circulation, and use compatibility with surrounding uses, in order to envision a commercial project at this location. This is increasingly important at this location, given its adjacency to a public school.

According to the 2010 General Plan, the non-signalized intersection at Mojave Street and Maple Avenue experiences between 4,067 to 6,508 average daily vehicle trips, and operates at a LOS A during the AM peak hour and a LOS B during the PM peak hour. This intersection is designed as a T-intersection with a stop sign for traffic on westbound Mojave Street. At buildout of the General Plan, Mojave Street is planned to be a 120' wide Major Arterial road with three lanes in each direction, and Maple Avenue is planned to be a 100' wide Arterial road with two lanes in each direction. A fully signalized intersection here is expected to experience 26,500 average daily vehicle trips, and projected to operate at a LOS D during both the AM peak hour and the PM peak hour at buildout. Although LOS D is not considered deficient, the General Plan did not account for this property to be commercial. Any development proposal would need to be designed to maintain an adequate LOS within the context of surrounding developments and identify how traffic and circulation impacts would be mitigated.

Mojave Street is currently not a dedicated road to the west of Maple Avenue. Multiple developers have been in contact with the property owners associated with this amendment to purchase a portion of their land for Mojave Street, in order to provide access to their projects. One such project is for the Victor Valley Wastewater Reclamation Authority (VVWRA). Residential tract developers also need this portion of Mojave Street dedicated to satisfy their conditions of approval. Changing the zone at this time without a legitimate development proposed will increase the cost of obtaining land for right-of-way. This Specific Plan Amendment has the potential to pass this cost down to taxpayers and/or delay construction of residential subdivisions to the west.

Environmental: Deeming an application incomplete or denying a specific plan amendment is exempt from California Environmental Quality Act (CEQA). If the Specific Plan Amendment is approved, a land use change of this size requires compliance with CEQA and requires adoption of a negative declaration. The Planning Commission would need to make a finding that this Specific Plan Amendment will not have a significant adverse impact on the environment, and a recommendation to the Council to approve the project's negative declaration and initial study (Attachment 3). The biological assessment shows that the site does not contain habitat for the desert tortoise nor any other threatened or endangered species. The site has a total of seven Joshua trees, three of which can be transplanted at the time of development.

Conclusion: Staff deemed this Specific Plan Amendment incomplete because the proposal was submitted without a development proposal and this change is speculative and premature at this time.

FISCAL IMPACT

None.

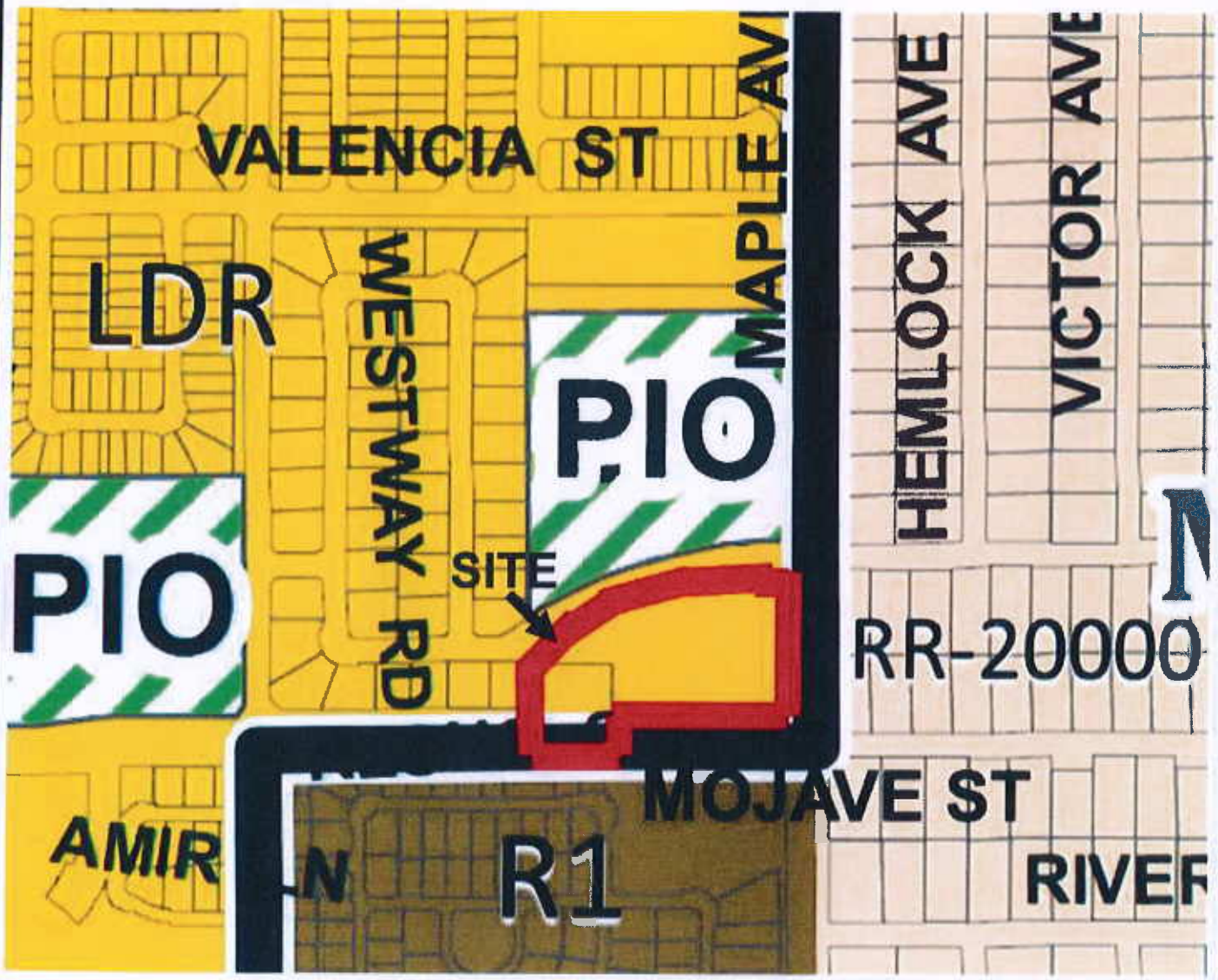
ALTERNATIVE(S)

1. Recommend to the City Council approval of SPLA15-00004 and the project's negative declaration and initial study. As a development proposal has not been submitted to substantiate the necessity for a zone change, staff does not support this alternative.
2. Provide alternative direction to staff.

ATTACHMENTS

1. Main Street and Freeway Corridor Specific Plan land use map
2. Aerial photo
3. Negative Declaration ND-2015-02 and its initial study
4. Resolution No. PC-2015-10 (Denial)
5. Resolution No. PC-2015-11 (Approval)

ATTACHMENT 1



APPLICANT(S): JOSEPH E. BONADIMAN	**FILE NO(S):** SPLA14-00004
LOCATION: ON THE NORTHWEST CORNER OF MOJAVE STREET AND MAPLE AVENUE	**APN(S):** 0405-053-08 & 09
PROPOSAL: A SPECIFIC PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL (LDR) TO NEIGHBORHOOD COMMERCIAL (NC)	N ↑

MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN

ATTACHMENT 2

APPLICANT(S):
JOSEPH E. BONADIMAN

FILE NO(S):
SPLA14-00004

LOCATION:
ON THE NORTHWEST CORNER OF MOJAVE STREET AND MAPLE AVENUE

APN(S):
0405-053-08 & 09

PROPOSAL:
A SPECIFIC PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL (LDR) TO NEIGHBORHOOD COMMERCIAL (NC)

N

AERIAL PHOTO

ATTACHMENT 3

PLANNING DIVISION
9700 Seventh Avenue, Hesperia, California 92345
(760) 947-1224 FAX (760) 947-1221

NEGATIVE DECLARATION ND-2015-02
Preparation Date: April 21, 2015

Name or Title of Project: Specific Plan Amendment SPLA14-00004

Location: On the northwest corner of Mojave Street and Maple Avenue (APNs: 0405-053-08 & 09)

Entity or Person Undertaking Project: Joseph E. Bonadiman

Description of Project: Consideration of a Specific Plan Amendment from Low Density Residential (LDR) to Neighborhood Commercial (NC)

Statement of Findings: The City Council has reviewed the Initial Study for this proposed project and has found that there are no significant adverse environmental impacts to either the man-made or physical environmental setting with inclusion of the following mitigation measures and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

Mitigation Measures:

None

A copy of the Initial Study and other applicable documents used to support the proposed Negative Declaration is available for review at the City of Hesperia Planning Department.

Public Review Period: April 23, 2015 through May 13, 2015

Adopted by the City Council: June 16, 2015

Attest:

DAVE RENO, AICP, PRINCIPAL PLANNER

CITY OF HESPERIA INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM

PROJECT DESCRIPTION

1. **Project Title:** Specific Plan Amendment SPLA14-00004

2. **Lead Agency Name:** City of Hesperia Planning Division
   Address: 9700 Seventh Avenue, Hesperia, CA 92345.

3. **Contact Person:** Daniel S. Alcayaga, AICP, Senior Planner
   Phone number: (760) 947-1330.

   Project Location: On the northwest corner of Mojave Street and Maple Avenue (APNs: 0405-053-08 & 09)

4. **Project Sponsor:** Joseph E. Bonadiman
   Address: 234 N. Arrowhead Avenue
   San Bernardino, CA 92408

5. **General Plan & zoning:** Low Density Residential (LDR) zone of the Main Street and Freeway Corridor Specific Plan.

6. **Description of project:**

   A Specific Plan Amendment from LDR to Neighborhood Commercial (NC)

7. **Surrounding land uses and setting:** (Briefly describe the project's surroundings.)

   The properties are within the LDR zone to the west and within the Public/Institutional Overlay (PIO) zone to the north. The properties are zoned Single-family Residence (R1) to the south, and zoned Rural Residential with a minimum lot size of 20,000 square feet (RR-20000) to the east. A school exists to the south and single-family residential units exist to the east and west. Recreational amenities for a residential community exist to the south.

8. **Other public agency whose approval is required** (e.g., permits, financing approval, or participation agreement.)

   Review and approval is required from the City.

Exhibit 'A' - Aerial Photo

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.

	Aesthetics		Agriculture & Forestry Resources		Air Quality
	Biological Resources		Cultural Resources		Geology / Soils
	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology / Water Quality
	Land Use / Planning		Mineral Resources		Noise
	Population / Housing		Public Services		Recreation
	Transportation / Traffic		Utilities / Service Systems		Mandatory Findings of Significance

DETERMINATION: (Completed by the Lead Agency)
On the basis of this initial evaluation:

		"De minimis"
X	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 the 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 EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.	

Signature
Daniel S. Alcayaga, AICP, Senior Planner, Hesperia Planning Division

4-21-15
Date

2-9
PLANNING COMMISSION

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is provided 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 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 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 Section XVII, "Earlier Analyses," 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.
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.

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista **(1)**?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway **(1 & 2)**?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings **(1, 2 & 3)?**			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area **(6)**?			X	

Comments.

The City contains many scenic views of the Mojave Desert, the Mojave River, the San Bernardino and San Gabriel mountains, as well as of the Summit Valley area. The General Plan Update Environmental Impact Report (GPUEIR) addressed the scenic vistas and focuses on preservation of natural open space to protect sensitive environments and specific amenities like washes, bluffs, Joshua tree forests and juniper woodlands **(3)**. The properties associated with the proposed specific plan amendment are not located in a sensitive environment. Given the existing land uses nearby, its development will not substantially degrade the existing visual character or quality of the site and its surroundings. The project is not considered a scenic vista or resources, nor is any local roadways or highways considered a scenic road way. A state scenic highway does not traverse the City **(2)**. State Highways 138 and 173 are eligible for being designated scenic highways within the southern portion of the City. The project site is not in proximity to this area. The City does not contain any registered historic buildings.

Any future development will be subject to development standards of the Specific Plan **(5)**, which limit the building height and provide for minimum yard, maximum floor area ratio and architectural standards as implemented through the development process. The Development Code requires that any light created by any development not exceed 0.5 foot-candle illumination at the site boundary abutting a street **(6)**. Further, all lights shall be hooded and directed downward to reduce the impact upon the nighttime sky in accordance with the General Plan Update, which identifies the impact of development in accordance with the General Plan as less than significant **(8)**. Based upon these regulations, any development will not adversely affect day or nighttime views in the area. Therefore, approval of the proposed specific plan amendment will not have a significant negative impact upon aesthetics.

II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and State Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(9)**?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract **(10 & 11)**?				X
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)) **(12)**?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use **(12)**?				X
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 **(11 & 12)**?				X

Comments.

The General Plan and the United States Soil Conservation Service Soil Survey of San Bernardino County do not designate the properties as prime farmland, unique farmland, or farmland of statewide importance. There is no record of past agricultural activities on the site. The City contains only few sites with agricultural uses and only two properties within a Williamson Act contract. The project site is not one of these properties. The proximity of existing developments does not make this site viable for agriculture.

The soil at this location is identified as Cajon sand, zero to two percent slopes **(13)**. These soils are limited by high soil blowing hazard, high water intake rate, low available water capacity, and low fertility. The U.S. Department of Agriculture, Soil Conservation Service (SCS) Soil Survey of San Bernardino County California Mojave River Area states that "Urban and built-up land and water areas cannot be considered prime farmland..." Therefore, this specific plan amendment will not have an impact upon agricultural resources.

The City and its Sphere of Influence (SOI) is located within the Mojave bioregion, primarily within the urban and desert land use classes **(14)**. The southernmost portions of the City and SOI contain a narrow distribution of land within the shrub and conifer woodland bioregions. These bioregions do not contain sufficient forest land for viable timber production and are ranked as low priority landscapes **(15)**. The project site is primarily located in the western portion of the City in an urban area and is surrounded by urban development. During the nineteenth century, juniper wood from Hesperia was harvested for use in fueling bakery kilns. Use of juniper wood was discontinued when oil replaced wood in the early twentieth century **(12)**. Local timber production has not occurred since that time. Therefore, this specific plan amednment will not have an impact upon forest land or timberland.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan **(16, 17 & 18)**?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation **(16, 17 & 18)**?				X

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) **(16, 17 & 18)**?				X
d) Expose sensitive receptors to substandard pollutant concentrations **(7, 16 & 17)**?				X
e) Create objectionable odors affecting a substantial number of people **(1, 7, 16 & 17)**?				X

Comments.

Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. These population groups are generally more sensitive to poor air quality. The closest sensitive receptors are the occupants of the single-family residences abutting the properties; however, no development is being proposed at this time. Any future development and its impacts on to sensitive receptors would need to be further evaluated during the development review process. This specific plan amendment will not violate any air quality standards or expose residences to substandard pollutant concentrations.

The Mojave Desert Air Quality Management District (MDAQMD) has published a number of studies that demonstrate that the Mojave Desert Air Basin (MDAB) can be brought into attainment for particulate matter and ozone, if the South Coast Air Basin (SCAB) achieves attainment under its adopted Air Quality Management Plan. The High Desert and most of the remainder of the desert has been in compliance with the federal particulate standards for the past 15 years **(16)**. The ability of MDAQMD to comply with ozone ambient air quality standards will depend upon the ability of SCAQMD to bring the ozone concentrations and precursor emissions into compliance with ambient air quality standards **(16 & 17)**.

The General Plan Update identifies large areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact to air quality upon build-out of the General Plan. Based upon this analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with air quality impacts **(19)**. As part of the GPUEIR, the impact of commercial development to the maximum allowable intensity permitted by the Land Use Plan was analyzed. Further, the specific plan amendment does not meet any threshold which requires air quality analysis or mitigation under the Air Quality Attainment Plan **(18)**.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(20 & 24)**?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service **(1 & 20)**?				X

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 **(1 & 20)**?				X
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 **(1, 20 & 24)**?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance **(20 & 21)**?				X
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 **(22)**?				X

Comments.
The site is not expected to support the Mohave ground squirrel, given the very low population levels of the species in the region and proximity to existing development. Further, the project site is outside the area considered suitable habitat for the species **(23)**. The desert tortoise is also not expected to inhabit the site, given its proximity to development **(1)**. The site is also outside the range of the arroyo toad, which has been documented to inhabit a portion of the Rancho Las Flores Specific Plan and adjacent areas **(24)**. A biological clearance letter was submitted by ALTEC Land Planning addressing the presence of the desert tortoise, Mohave ground squirrel, burrowing owl, loggerhead shrike, and sharp-skinned hawk **(20)**. The letter states that none of these, nor any other threatened or endangered species inhabit the site. Seven Joshua trees were found to be present on the property and only three are eligible for transplanting.

The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest communities, exist within the Rancho Las Flores Specific Plan and vicinity **(25)**. The project site is located within a developed portion of the City. Consequently, approval of the specific plan amendment will not have an impact upon biological resources.

V. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 **(26)**?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 **(26)**?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature **(27)**?				X
d) Disturb any human remains, including those interred outside of formal cemeteries **(28)**?				X

Comments.
The site is not on the list of previously recorded cultural resources **(26)**. This list, which was compiled as part of the 2010 General Plan Update, was compiled from the inventory of the National Register of Historic Properties, the California Historic Landmarks list, the California Points of Historic Interest list,

and the California State Resources Inventory for San Bernardino County. Past records of paleontological resources were also evaluated as part of the General Plan. This research was compiled from records found at the Archaeological Information Center located at the San Bernardino County Museum. Based upon this review, paleontological resources are not expected to exist on the project site. The Cultural Resources Sensitivity Map indicates that the site has a low sensitivity potential for containing cultural resources **(27)**. Consequently, approval of the specific plan amendment is not expected to have an impact upon cultural resources.

In the event that human remains are discovered during future grading activities, grading shall cease until the County Coroner has made the necessary findings in accordance with the California Environmental Quality Act (CEQA) **(28)**. Should the Coroner determine that the remains are Native American, the Native American Heritage Commission (NAHC) shall be contacted and the remains shall be handled in accordance with Public Resources Code Section 5097.98. The NAHC has indicated that the City and Sphere of Influence does not contain any sacred lands **(29)**.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(31, 32 & 33)**.				X
ii) Strong seismic ground shaking **(30 & 34)**?				X
iii) Seismic-related ground failure, including liquefaction **(13 & 30)**?				X
iv) Landslides **(30)**?				X
b) Result in substantial soil erosion or the loss of topsoil **(13)**?				X
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 **(13 & 30)**?				X
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 **(13)**?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater **(13)**?				X

Comments.
No large hills or mountains are located within the project site. According to Exhibit SF-1 of the General Plan Safety Element, no active faults are known or suspected to occur near or within the project site and the site is not within an Alquist-Priolo Special Studies Zone or Earthquake Fault Zone **(31)**. The City and Sphere of Influence (SOI) is near several major faults, including the San Andreas, North Frontal, Cleghorn, Cucamonga, Helendale, and San Jacinto faults **(31 & 32)**. The nearest fault to the site is the North Frontal fault, located approximately five miles to the east of the City.

The Alquist-Priolo Earthquake Fault Zoning Act prohibits structures designed for human occupancy within 500 feet of a major active fault and 200 to 300 feet from minor active faults **(33)**. The project site is not located in an Alquist-Priolo Earthquake Fault Zone or within 500 feet of a fault **(31 & 32)**. Further, the soil at this site does not have the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse **(13)**.

Any new development must be built in compliance with the Hesperia Municipal Code and the Building Code **(35)**, which ensures that the buildings will adequately resist the forces of an earthquake. In addition, prior to issuance of a grading permit, a soil study is required, which shall be used to determine the load bearing capacity of the native soil. Should the load bearing capacity be determined to be inadequate, compaction or other means of improving the load bearing capacity shall be performed in accordance with all development codes to assure that all structures will not be negatively affected by the soil. Consequently, there will be no impact upon geology and soils associated with the proposed specific plan amendment.

VII. GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment **(36)**?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases **(36, 37 & 38)**?			X	

Comments.
Assembly Bill 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California's greenhouse gas emissions to 1990 levels by 2020. In addition, Senate Bill 97 requires that all local agencies analyze the impact of greenhouse gases under CEQA and task the Office of Planning and Research (OPR) to develop CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions..."

On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). The Natural Resources Agency forwarded the adopted amendments and the entire rulemaking file to the Office of Administrative Law (OAL) on December 31, 2009. On February 16, 2010, OAL approved the Amendments, which became effective on March 18, 2010 **(39)**. This initial study has incorporated these March 18, 2010 Amendments.

Lead agencies may use the environmental documentation of a previously adopted Plan to determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements of the Plan or mitigation program under specified circumstances. As part of the General Plan Update, the City adopted a Climate Action Plan (CAP)**(36)**. The CAP provides policies along with implementation and monitoring which will enable the City of Hesperia to reduce greenhouse emissions 28 percent below business as usual by 2020, consistent with AB 32 **(37)**. Any new development will need to be consistent with the City's CAP. Consequently, the impact upon GHG emissions associated with the proposed specific plan amendment is less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(39)**?				X
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 **(39)**?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?				X
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 **(10)**?				X
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 **(40)**?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan **(41)**?				X
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 **(1 & 7)**?				X

Comments.
The project site is not listed in any of the following hazardous sites database systems, so it is unlikely that hazardous materials exist on-site:

- National Priorities List www.epa.gov/superfund/sites/query/basic.htm. List of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. There are no known National Priorities List sites in the City of Hesperia.
- Site Mitigation and Brownfields Reuse Program Database www.dtsc.ca.gov/database/Calsites/Index.cfm. This database (also known as CalSites) identifies sites that have known contamination or sites that may have reason for further investigation. There are no known Site Mitigation and Brownfields Reuse Program sites in the City of Hesperia.
- Resource Conservation and Recovery Information System www.epa.gov/enviro/html/rcris/rcris_query_java.html. Resource Conservation and Recovery Information System is a national program management and inventory system of hazardous waste handlers. There are 53 Resource Conservation and Recovery Act facilities in the City of Hesperia, however, the project site is not a listed site.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) (http://cfpub.epa.gov/supercpad/cursites/srchsites.cfm). This database contains information on hazardous waste sites, potentially hazardous waste sites, and remedial activities across the nation. There is one Superfund site in the City of Hesperia, however, the project site is not located within or adjacent to the Superfund site.

- Solid Waste Information System (SWIS) (http://www.ciwmb.ca.gov/SWIS/Search.asp). The SWIS database contains information on solid waste facilities, operations, and disposal sites throughout the State of California. There are three solid waste facilities in the City of Hesperia, however the project site is not listed.
- Leaking Underground Fuel Tanks (LUFT)/ Spills, Leaks, Investigations and Cleanups (SLIC) (http://geotracker.waterboards.ca.gov/search/). This site tracks regulatory data about underground fuel tanks, fuel pipelines, and public drinking water supplies. There are fourteen LUFT sites in the City of Hesperia, six of which are closed cases. The project site is not listed as a LUFT site and there are no SLIC sites in the City of Hesperia.
- There are no known Formerly Used Defense Sites within the limits of the City of Hesperia. Formerly Used Defense Sites http://hq.environmental.usace.army.mil/programs/fuds/fudsinv/fudsinv.html.

The site is across the street from an existing school **(1)**. No development is proposed at this time; however, any use which includes hazardous waste as part of its operations will be prohibited within 500 feet of a school **(43)**. Consequently, HMBP compliance will provide sufficient safeguards to prevent health effects. The specific plan amendment will not pose a significant health threat to any existing or proposed schools.

Approval of the specific plan amendment will not conflict with air traffic nor emergency evacuation plans. The site is not near Hesperia Airport, and is therefore, not within a restricted use zone associated with air operations **(44)**. Consequently, implementation of the amendment will not cause safety hazards to air operations. The site is also not along an emergency evacuation route or near a potential emergency shelter **(41)** and will not interfere with emergency evacuation plans.

The site is located within an urbanized area and is not in an area susceptible to wildland fires. The southernmost and westernmost portions of the City are at risk, due primarily to proximity to the San Bernardino National Forest **(45 & 46)**. Consequently, approval of the specific plan amendment will not have any impact upon or be affected by hazards and hazardous materials.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements **(47 & 48)**?				X
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) **(49 & 50)**?				X
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 **(45)**?				X
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 **(7 & 45)**?				X

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 **(52)**?				X
f) Otherwise substantially degrade water quality **(52)**?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map **(7, 53 & 61)**?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows **(7, 45 & 61)**?				X
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 **(10 & 45)**?				X
j) Inundation by seiche, tsunami, or mudflow **(31)**?				X

Comments.
If future development disturbs more than one-acre of land area, the project will be required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge Elimination System (NPDES) permit prior to land disturbance **(54)**. Issuance of a Storm Water Pollution Prevention Plan (SWPPP) will also be required, which specifies the Best Management Practices (BMP) that will be implemented to prevent construction pollutants from contacting storm water **(54)**. Obtaining the NPDES and implementing the SWPPP is required by the State Water Resources Control Board (WRCB) and the California Regional Water Quality Control Board (RWQCB). These are mandatory and NPDES and SWPPP have been deemed adequate by these agencies to mitigate potential impacts to water quality during project construction.

Any future development at this site may change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff **(7)**. These developments are required to retain the drainage created on-site beyond that which has occurred historically within an approved drainage system in accordance with City of Hesperia Resolution 89-16 **(51)**. The site is also not within a Flood Zone, based upon the latest Flood Insurance Rate Maps **(61)**. The retention facility required by the City will ensure that no additional storm water runoff impacts the area and that any contaminants will be filtered from storm water runoff prior to any release into a street.

The City is downstream of three dams. These are the Mojave Forks, Cedar Springs, and Lake Arrowhead Dams. In the event of a catastrophic failure of one or more of the dams, the project site would not be inundated by floodwater **(10)**. The areas most affected by a dam failure are located in the low lying areas of southern Rancho Las Flores, most of the Antelope Valley Wash, and properties near the Mojave River. The City of Hesperia is located just north of the Cajon Pass at an elevation of over 2,500 feet above sea level, which is over 60 miles from the Pacific Ocean. As such, the City is not under threat of a tsunami, otherwise known as a seismic sea wave **(30)**. Similarly, the potential for a seiche to occur is remote, given the limited number of large water bodies within the City and its sphere. A seiche would potentially occur only in proximity to Silverwood Lake, Hesperia Lake and at recharge basins **(30)**. In addition, the water table is significantly more than 50 feet from the surface. The area north of Summit Valley contains steep slopes which have the potential to become unstable during storm events **(55)**. However, the mechanisms necessary to create a mudflow; a steep hillside with groundwater near the surface, does not exist at this location.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in

the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(49)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere of Influence (SOI). The UWMP indicates that the City is currently using available water supply, which is projected to match demand beyond the year 2030 **(50)**. The HWD has maintained a water surplus through purchase of water transfers, allocations carried over from previous years, and recharge efforts. Therefore, the impact upon hydrology and water quality associated with the specific plan amendment is considered less than significant.

X. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community **(1)**?				X
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 **(10)**?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan **(25)**?				X

Comments.

This specific plan amendment will change the zoning of the property from Low Density Residential (LDR) to Neighborhood Commercial (NC). No development proposal is associated with this specific plan amendment. Any new development will be evaluated as part of the City's development process and will be subject to CEQA. Such development must be consistent with the Main Street and Freeway Corridor Specific Plan and the City's General Plan. The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest community, exist within the Rancho Las Flores Specific Plan and vicinity **(25)**. The project site is located approximately six miles north of this specific plan within the developed portion of the City. Therefore, the specific plan amendment would have a less than significant impact upon land use and planning.

XI. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(57)**?				X

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 **(57)**?				X

Comments.
According to data in the Conservation Element of the City's General Plan, no naturally occurring important mineral resources occur within the project site **(57)**. Known mineral resources within the City and sphere include sand and gravel, which are prevalent within wash areas and active stream channels. Sand and gravel is common within the Victor Valley. Consequently, the proposed specific plan amendment would not have an impact upon mineral resources.

XII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(1, 7 & 58)**?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels **(58 & 59)**?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project **(60)**?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project **(60)**?			X	
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 **(10 & 44)**?				X
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 **(44)**?				X

Comments.
According to the General Plan, the majority of noise sources within the City are mobile sources, which include motor vehicles and aircraft **(58)**. Freeways, major arterials, railroads, airports, industrial, commercial, and other human activities contribute to noise levels. Noises associated with any commercial development will be from traffic caused by arriving and departing vehicles (employees, customers, and vehicle service), especially semi-trucks; however, no development is proposed at this time.

Construction noise levels associated with any future construction activities will be slightly higher than the existing ambient noise levels in the vicinity of the project site. Noise generated by construction equipment, including trucks, graders, backhoes, equipment, bull-dozers, concrete mixers and portable generators can reach high levels and is typically one of the sources for the highest potential noise impact of a project. However, the construction noise would subside once construction is completed. Any future development must adhere to the requirements of the City of Hesperia Noise Ordinance **(58)**. The Noise Ordinance contains an exemption from the noise level regulations during grading and construction activities occurring between 7:00 A.M. and 7:00 P.M., Monday through Saturday, except federal holidays.

Certain activities particularly sensitive to noise include sleeping, studying, reading, leisure, and other activities requiring relaxation or concentration, which will not be impacted. Hospitals and convalescent homes, churches, libraries, and childcare facilities are also considered noise-sensitive uses as are residential and school uses. The nearest sensitive uses are single-family residences adjacent to the site; however, no development is proposed at this time.

The project site is not in proximity to the Hesperia Airport. The project is not impacted by any safety zones associated with this private airport **(44)**. The project site is even farther from the Southern California Logistics Airport (SCLA) and the Apple Valley Airport and will not be affected by any safety zones for these airports.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the noise impact upon build-out of the General Plan to the maximum allowable intensity permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with noise impacts **(19)**. The noise impact generated by this specific plan amendment is not significant.

XIII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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) **(7)**?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere **(1)**?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere **(1)**?				X

Comments.
Establishment of the specific plan amendment will not create a direct increase in the demand for housing. The site is in close proximity to water and other utility systems **(63)**. As a result, future development of the site would not require significant extension of major improvements to existing public facilities. The site is vacant and the project will not displace any existing housing, necessitating the construction of replacement housing elsewhere. The specific plan amendment would have no impact upon population and housing.

XIV. PUBLIC SERVICES.	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(64)**:			X	
Fire protection? **(64)**			X	

Police protection? **(64)**			X	
Schools? **(64)**			X	
Parks? **(64)**				X
Other public facilities? **(64)**			X	

Comments.
The site is served by both sewer and water lines **(63)**. Any development will must construct full street improvements comprised of curb, gutter, and sidewalk along the project frontage as part of development of the use. Additionally, development impact fees will be assessed at the time that building permits are issued for construction of the site **(66)**. These fees are designed to ensure that appropriate levels of capital resources will be available to serve any future development. Therefore, the impact of the specific plan amendment upon public services is less than significant.

XV. RECREATION.	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(7)**?				X
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 **(7)**?				X

Comments.
Approval of the specific plan amendment will not induce population growth, as the site is intended for commercial uses **(7)**. Therefore, the proposed amendment will not have an impact upon recreation.

XVI. TRANSPORTATION / TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 **(68)**?			X	
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 **(69 & 70)**?			X	
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 **(40)**?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) **(1)**?			X	

e) Result in inadequate emergency access **(7)**?			X	
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 **(71)**?			X	

Comments.
The City's Circulation Plan is consistent with the Congestion Management Program (CMP) for San Bernardino County **(73)**. The CMP requires a minimum Level of Service (LOS) standard of "E." When a jurisdiction requires mitigation to a higher LOS, then the jurisdiction's standard takes precedence. The following implementation policies from the General Plan Circulation Element establish the LOS standard in the City.

Implementation Policy CI-2.1: Strive to achieve and maintain a LOS D or better on all roadways and intersections: LOS E during peak hours shall be considered acceptable through freeway interchanges and major corridors (Bear Valley Road, Main Street/Phelan Road, Highway 395).

The non-signalized intersection at Mojave Street and Maple Avenue currently operates at a LOS A during the AM peak hour and a LOS B during the PM peak hour. This intersection is currently designed as a T-intersection with a stop sign for traffic on westbound Mojave Street. There are no stop signs for traffic along Maple Road at this intersection. At build out of the General Plan, this intersection will be signalized and projected to operate at a LOS D during both the AM peak hour and the PM peak hour. Mojave Street is planned to be a 120' wide Major Arterial road with three lanes in each direction. Maple Avenue is planned to be a 100' wide Arterial road with two lanes in each direction. A freeway interchange is envisioned at the I-15 freeway and Mojave Street connection.

A specific plan amendment from LDR to NC will result in additional vehicular trips to this area. Two development scenarios were considered to estimate a commercial development's impacts upon traffic. The first scenario, a maximum buildout scenario, compares the trip generations from both residential and commercial developments at the maximum intensity permitted by each zone. The LDR, which is the current zoning, permits 2-8 dwelling units per acre (du/ac). The maximum floor area ratio (FAR) permitted in the NC, which is the proposed zoning, is 0.23. The NC zone allows a maximum building footprint of 64,221 square feet. This information was used to present a maximum build-out scenario in Table 1. This table intends to show a comparison of trips generated by a maximum residential development within the LDR zone and maximum commercial development within the NC zone.

Table 1 - Maximum Buildout Scenario

	No. of Trips		
	LDR (51 units)	NC (64,221 s f)	Increase
Weekday (Daily)	488	2,742	2,254
AM Peak Hour	38	62	23
PM Peak Hour	51	238	187
Saturday Peak Hour	48	310	262

A second scenario is based on a likely development scenario. A second scenario is based on a likely development scenario. For a residential development, a likely scenario would be a four-dwellings-per-acre subdivision, as this is consistent with approved subdivisions in proximity to the site (west of Maple Avenue). For a commercial development, 30,700 square foot shopping center was used, as this the area shown on a conceptual site plan submitted by the applicant. Table 2 intends to show this comparison.

Table 2 - Most Likely Buildout Scenario

	No. of Trips		
	LDR (26 units)	NC (30,700 s f)	Increase
Weekday (Daily)	244	1,311	1,067
AM Peak Hour	19	29	10
PM Peak Hour	26	114	88
Saturday Peak Hour	24	148	124

The GPUEIR acknowledged that at build-out of the General Plan, traffic throughout the City would substantially increase. In the long term, the City will have to construct capital improvements consistent with the Circulation Element, including widening arterials and collectors to ultimate capacity, redesigning intersections to operate more efficient, and synchronize signals along major roadways. New developments in the City will continue to construct street improvements necessary to make their projects work, as well as pay traffic impact fees. Traffic impact fees will be collected as development occurs, which will help fund the Capital Improvement Program.

The GPUEIR recommends annual adoption of a Capital Improvement Program (CIP) and establishment of Development Impact Fees (DIF). Accordingly, the City adopts a CIP every year and has an established Traffic Impact Mitigation Fee Program as part of the Development Impact Fee to fund the construction of traffic improvements to maintain adequate levels of service. The Development Impact Fees are imposed on new development and collected as part of the building permit process. Any future developer will be required to pay all applicable City Development Impact Fees and fees will be used to fund the City's CIP.

The project site is over four miles from the Hesperia Airport and is not within an airport safety zone **(44)**. Consequently, the project will not cause a change in air traffic patterns, nor an increase in traffic levels or location. The project site will also not impact the air traffic patterns for the Southern California Logistics Airport, nor the Apple Valley Airport.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact upon transportation at build-out of the General Plan to the maximum allowable intensity permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with transportation and circulation impacts **(19)**.

XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board **(74)**?				X
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 **(75)**?				X
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?			X	

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed **(49 & 50)**?			X	
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 **(75)**?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs **(56 & 62)**?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste **(76)**?			X	

Comments.
The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, in a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(49)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere of Influence (SOI). The UWMP evidences that the City is currently using its available water supply and that supply is projected to match demand beyond the year 2030 **(50)**. The HWD has maintained a surplus water supply through purchase of water transfers, allocations carried over from previous years, and recharge efforts.

The City is in compliance with the California Integrated Waste Management Act of 1989, which requires that 50 percent of the solid waste within the City be recycled **(76)**. Currently, approximately 75 percent of the solid waste within the City is being recycled **(56 & 62)**. The waste disposal hauler for the City has increased the capacity of its Materials Recovery Facility (MRF) to 1,500 tons per day in order to accommodate future development. Therefore, the specific plan amendment will not cause a significant negative impact upon utilities and service systems.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant With Mitigation	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?			X	

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X	
c) Does the project have environmental effects which will cause substantial adverse affects on human beings, either directly or indirectly?			X	

Comments.
Based upon the analysis in this initial study, a Negative Declaration may be adopted. The specific plan amendment will have a minor effect upon the environment. These impacts are only significant to the degree that mitigation measures are necessary.

XIV. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case a discussion identifies the following:

The Certified General Plan Environmental Impact Report.

a) **Earlier analyses used.** Earlier analyses are identified and stated where they are available for review.

b) **Impacts adequately addressed.** Effects from the above checklist that were identified to be within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards are noted with a statement whether such effects were addressed by mitigation measures based on the earlier analysis.

a) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project are described.

The following mitigation measures are recommended as a function of this project. None

Authority: Public Resources Code Sections 21103 and 21107.

REFERENCES

(1) Aerial photos of the City of Hesperia taken May 2014.

(2) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-7.

(3) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-8.

(4) Not used

(5) Section G of Chapter 9 of the Main Street and Freeway Corridor Specific Plan, pages 204 thru 209.

(6) Section 16.20.085 of the Hesperia Municipal Code.

(7) Specific Plan Amendment SPLA14-00004 application and related materials.

(8) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-9.

(9) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-1

(10) Official Maps showing the General Plan Land Use and zoning of the City of Hesperia and its sphere of influence.

(11) Williamson Act map within Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-2

(12) Conservation Element of the 2010 City of Hesperia General Plan Update, Page CN-34.

(13) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area Map 30 and Page 44.

(14) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.5.

(15) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.1.4.

(16) Air Quality Section of the 2010 City of Hesperia General Plan Update, pages CN-47 thru CN-50.

(17) Section 3.3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.3-1 thru 3.3-30.

(18) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.

(19) Statement of overriding considerations for the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR).

(20) Biological Clearance Letter (2015) for the site prepared by ALTEC Land Planning, February 18, 2015

(21) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.

(22) Section 3.4 of the 2010 City of Hesperia General Plan Update Biological Resources Element background technical report, page 30.

(23) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-5.

(24) Section 3.3.2 of the 2010 City of Hesperia General Plan Update Conservation Element background technical report, pages 14 thru 25.

(25) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-3.

(26) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, C-1 thru C-34.

(27) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, Exhibit 5d.

(28) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.

(29) Section 8 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, page 64.

(30) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.

(31) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, Exhibit SF-1.

(32)	Section 1.2.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, Figure 1-2.
(33)	Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-12.
(34)	Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-23 thru 1-36.
(35)	2013 California Building Code.
(36)	Section 1 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 1.
(37)	Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 18.
(38)	Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, pages 20 and 21.
(39)	Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-31 thru SF-33.
(40)	Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-60 and LU-61.
(41)	Potential Emergency Shelters and Evacuation Routes shown within the 2010 Hesperia General Plan Safety Element, Exhibit SF-4.
(42)	Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-32 and SF-33.
(43)	California Health and Safety Code Section 25232 (b) (1) (A-E).
(44)	Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, Exhibit LU-3.
(45)	Map showing very high fire hazard areas, flood zones, and significant hazardous materials sites of the 2010 City of Hesperia General Plan Update Safety Element, Exhibit SF-2.
(46)	Fire Hazard Section of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.7-9.
(47)	Section 3.8.2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-13.
(48)	Section 3.8.5 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-20 thru 3.8-22.
(49)	Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.
(50)	Mojave Water Agency letter dated March 27, 1996.
(51)	Flooding Hazards Section of the 2010 City of Hesperia General Plan Update Safety Element, pages SF-16 thru SF-18.
(52)	Section 4.3.8 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 4-9.
(53)	1992 Victorville Master Plan of Drainage Volume I, identifying future drainage improvements for the area.
(54)	Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-15.
(55)	Table 3.6-2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.6-24.
(56)	Quarterly data of the San Bernardino County Disposal Reporting System for 2014.

(57) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, page CN-20.

(58) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-4 thru NS-12.

(59) Section 16.20.125 of the Hesperia Municipal Code, pages 464 thru 467.

(60) Table 3.11-10 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-45.

(61) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.

(62) 2009 California Department of Resources, Recycling and Recovery Annual AB939 Report.

(63) Current Hesperia water and sewer line maps

(64) Section 4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-13 thru 4-18.

(65) Not used

(66) 1991 City of Hesperia Ordinance 180 entitled "An Ordinance of the City Council of the City of Hesperia, California, Establishing a Development Impact Fee for all New Residential, Commercial, and Industrial Structures" and Resolution No. 2013-47 on January 1, 2014.

(67) Traffic Circulation Plan within Section 3.0 of the 2010 City of Hesperia General Plan Update Circulation Element, page CI-17.

(68) Table 4-4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, page 40.

(69) Section 2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 2-19.

(70) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.

(71) Sections 6.3 and 6.4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 74 thru 76.

(72) Exhibit CI-22 showing the Urban Design Framework within the 2010 City of Hesperia General Plan Update Circulation Element, page CI-55.

(73) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.

(74) Section 3.8 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-8 thru 3.8-14.

(75) 2013 California Plumbing Code.

(76) California Integrated Waste Management Act (AB 939).

(77) 2012 Trip Generation Manual, Volume II, 9th Edition, Institute of Transportation Engineers.

ATTACHMENT 4

RESOLUTION NO. PC-2015-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, DEEMING SPLA15-00004 INCOMPLETE AND REQUIRING A DEVELOPMENT PROPOSAL TO BE SUBMITTED WITH THIS SPECIFIC PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL (LDR) TO NEIGHBORHOOD COMMERCIAL (NC) ON 6.4 GROSS ACRES LOCATED ON THE NORTHWEST CORNER OF MOJAVE STREET AND MAPLE AVENUE (SPLA15-00004)

WHEREAS, Joseph E. Bonadiman has filed an application requesting approval of Specific Plan Amendment SPLA14-00004 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to two vacant properties within the Low Density Residential (LDR) zone of the Main Street and Freeway Corridor Specific Plan located on the northwest corner of Mojave Street and Maple Avenue and consists of Assessor's Parcel Numbers 0405-053-08 & 09; and

WHEREAS, the subject site is presently vacant. A school exists to the north, and single-family residences exist to the east and west. Private recreational facilities associated with an existing residential development exist to the south; and

WHEREAS, the subject property is zoned Low Density Residential (LDR). The properties are within the LDR zone to the west and within the Public/Institutional Overlay (PIO) zone to the north. The properties are zoned Single-Family Residence (R1) to the south, and zoned Rural Residential with a minimum lot size of 20,000 square feet (RR-20000) to the east; and

WHEREAS, the project is statutorily exempt from the requirements of the California Environmental Quality Act by Section 15270(a), for Projects Which Are Disapproved; and

WHEREAS, on May 14, 2015 the Planning Commission of the City of Hesperia conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA PLANNING COMMISSION AS FOLLOWS:

Section 1. The Planning Commission hereby specifically finds that all of the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to this Commission during the above-referenced May 14, 2015 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

(a) The proposed change in zone was deemed incomplete because the request was submitted without a development proposal to substantiate policy changes. A development proposal should be submitted to inform decision makers and the public that the amendment is beneficial at this time, designed not to impact surrounding properties, and consistent with the General Plan.

ATTACHMENT 5

RESOLUTION NO. PC-2015-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AMEND THE OFFICIAL GENERAL PLAN AND ZONING MAP BY RECLASSIFYING CERTAIN REAL PROPERTY HEREIN DESCRIBED WITHIN THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN FROM LOW DENSITY RESIDENTIAL (LDR) TO NEIGHBORHOOD COMMERCIAL (NC) ON 6.4 GROSS ACRES LOCATED ON THE NORTHWEST CORNER OF MOJAVE STREET AND MAPLE AVENUE (SPLA15-00004)

WHEREAS, Joseph E. Bonadiman has filed an application requesting approval of Specific Plan Amendment SPLA14-00004 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to a vacant lot within the Low Density Residential (LDR) zone of the Main Street and Freeway Corridor Specific Plan located on the northwest corner of Mojave Street and Maple Avenue and consists of Assessor's Parcel Numbers 0405-053-08 & 09; and

WHEREAS, the subject site is presently vacant. A school exists to the north, and single-family residences exist to the east and west. Private recreational facilities associated with an existing residential development exist to the south; and

WHEREAS, the subject property is zoned Low Density Residential (LDR). The properties are within the LDR zone to the west and within the Public/Institutional Overlay (PIO) zone to the north. The properties are zoned Single-Family Residence (R1) to the south, and zoned Rural Residential with a minimum lot size of 20,000 square feet (RR-20000) to the east; and

WHEREAS, an environmental Initial Study for the proposed project was completed on April 21, 2015, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur. Negative Declaration ND-2015-02 was subsequently prepared; and

WHEREAS, on May 14, 2015 the Planning Commission of the City of Hesperia conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA PLANNING COMMISSION AS FOLLOWS:

Section 1. The Planning Commission hereby specifically finds that all of the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to this Commission during the above-referenced May 14, 2015 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

(a) Based upon Negative Declaration ND-2015-02 and the initial study which supports the Negative Declaration, the Planning Commission finds that there is no substantial evidence that the proposed Specific Plan Amendment will have a significant effect on the environment;

(b) The site of the proposed amendment to the Specific Plan is suitable for any of the land uses permitted within the proposed Zone District, because the land uses can meet the standards for setbacks, parking, circulation, and access within the proposed Zone District.

(c) The proposed Specific Plan Amendment is reasonable and beneficial at this time, because it will facilitate the planning and development of this area that is needed to support the well-planned growth of Hesperia.

(d) The proposed Specific Plan Amendment will not have a significant adverse impact on surrounding properties or the community in general, because the project will be subject to the City's policies governing design.

(e) The proposed project is consistent with the adopted General Plan of the City of Hesperia, with approval of this Specific Plan Amendment.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends approval of Specific Plan Amendment SPLA14-00002, amending the Official General Plan and Zoning Map of the City of Hesperia as shown on Exhibit "A."

Section 4. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 14th day of May 2015.

Tom Murphy, Chair, Planning Commission

ATTEST:

Andrea Ngalo, Secretary, Planning Commission

Exhibit "A"

Affected Area

SPLA15-00004
FROM LOW DENSITY RESIDENTIAL (LDR) TO NEIGHBORHOOD COMMERCIAL (NC) ON APPROXIMATELY 6.4 GROSS ACRES

CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE

City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, May 6, 2015

A. PROPOSALS:

1. MAIN PLACE LP (SPRE15-00003)

Proposal: Fifth extension of time to construct a 21,400 square foot retail center on 2.5 gross acres.

Location: North side of Main Street, 350 feet west of Eleventh Avenue (APN: 0408-181-32)

Planner: Stan Liudahl

2. KARL STOKES (ME15-00004)

Proposal: To construct a 2,275 square-foot metal garage which exceeds the 5% accessory building limitation.

Location: 15989 Manzanita Street (APN: 0414-024-06)

Planner: Stan Liudahl

City of Hesperia

CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE

City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, April 22, 2015

A. PROPOSALS:

1. IRVINGTON PROPERTIES (SPR15-00005)

Proposal: Consideration increase the parking area and establish a Community Center.

Location: 8832 Orange Street (APN: 0411-214-19-21 & 28)

Planner: Daniel Alcayaga

2. JOSEPH BONADIMAN & ASSOC. (SPLA14-00004)

Proposal: Consideration to change the zoning from Low Density Residential (LDR) to Neighborhood Commercial (NC) on 5.7 gross acres.

Location: Northwest corner of Mojave Street and Maple Avenue (APN: 0405-053-08 & 09)

Planner: Daniel Alcayaga

3. RYAN MCGOWAN (SPR14-00009)

Proposal: To construct an 8,900 square foot retail center on one acre.

Location: South side of Main Street, 575 feet west of Hickory Avenue (APN: 0408-182-06)

Planner: Lisette Sanchez-Mendoza