

PLANNING COMMISSION AGENDA

REGULAR MEETING

Date: July 9, 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.

July 9, 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: June 11, 2015 Planning Commission Meeting Draft Minutes.

-1-

PUBLIC HEARINGS

- 1. Consideration of Specific Plan Amendment SPL14-00005 from Regional Commercial (RC) to Low Density Residential (LDR) on 6 acres, and Site Plan Review SPR14-00006 to construct a 200-unit residential development on 50 acres within the Low Density Residential designation of the Main Street and Freeway Corridor Specific Plan located 430 feet west of Mesa Linda Avenue on the north side of Main Street (APNs: 3064-441-01, 02, and 03; Applicant: Joseph Chirco and Bruno Mancinelli) 1-1
- 2. Consideration of General Plan Amendment GPA15-00001 from Single-Family Residence with a minimum lot size of 18,000 square feet (R1-18000) to Rural Residential with a minimum lot size of one acre (RR-1) and from RR-2 1/2 to 2-1

RR-1 on approximately 38.6 gross acres generally located north of Mesquite Street, south of the California Aqueduct, east of Topaz Avenue, and west of the Southern California Edison transmission line in conjunction with Tentative Parcel Map TPM15-00001 (PM-19608), to create 4 lots and a remainder on 5.0 gross acres located on the southeast corner of Sage Street and Topaz Avenue (James Vandenburg Construction, Inc.; APN: 3046-131-27; GPA15-00001 expanded to include APNs: 3046-101-25, 3046-131-29 thru 32, 46 thru 49, and 54 thru 61)

- 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.

E. DRC Comments

F. 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, July 1, 2015 at 5:30 p.m. pursuant to California Government Code §54954.2.

Andrea Ngalo
Planning Commission Secretary

**HESPERIA PLANNING COMMISSION MEETING
REGULAR MEETING
June 11, 2015
MINUTES**

The Regular Meeting of the Planning Commission was called to order at 6:30 p.m. by Chair Murphy in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

CALL TO ORDER 6:30 p.m.

Pledge of Allegiance to the Flag

Invocation

Roll Call:

**Present: Tom Murphy
William Muller
James Heywood
Joline Bell-Hahn
Bob Rogers**

JOINT PUBLIC COMMENTS

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

Chair Murphy closed Public Comments at 6:40 p.m.

CONSENT CALENDAR

Approval of Minutes: May 14, 2015 Planning Commission Meeting Draft Minutes.

Motion by William Muller to approve May 14, 2015 Planning Commission Meeting Draft Minutes, Seconded by Joline Bell Hahn, passed with the following roll call vote:

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

PUBLIC HEARING

Consideration of General Plan Amendment GPA15-00001 from Single-Family Residence with a minimum lot size of 18,000 square feet (R1-18000) to Rural Residential with a minimum lot size of one acre (RR-1) and from RR-2 1/2 to RR-1 on approximately 38.6 gross acres generally located north of Mesquite Street, south of the California Aqueduct, east of Topaz Avenue, and west of the Southern California Edison transmission line in conjunction with Tentative Parcel Map TPM15-00001 (PM-19608), to create 4 lots and a remainder on 5.0 gross acres located on the southeast corner of Sage Street and Topaz Avenue (James Vandenburg Construction, Inc.; APN: 3046-131-27; GPA15-00001 expanded to include APNs: 3046-101-25, 3046-131-29 thru 32, 46 thru 49, and 54 thru 61). To be continued to July 9, 2015.

Senior Planner Stan Liudahl recommended to the Commission to approve continuance.

Chair Murphy opened Public Comments at 6:43 p.m.

Chair Murphy closed Public Comments at 6:44 p.m.

Motion by Joline Bell Hahn to approve continuance to July 9, 2015, Seconded by James Heywood, passed with the following roll call vote:

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

Consideration of Specific Plan Amendment SPLA13-00004, to change the zoning from the Neighborhood Commercial (NC) to the Commercial Industrial Business Park (CIBP) Zone District of the Main Street and Freeway Corridor Specific Plan and Conditional Use Permit CUP12-10189, to construct a 12,271 square foot travel center, including a convenience store and vehicle service center, fuel islands for both semi-trucks and passenger vehicles, a drive-thru restaurant, and the sale of beer and wine for off-site consumption on approximately 10.6 gross acres located on the southeast corner of Outpost Road and Joshua Street. The proposal includes an Environmental Impact Report prepared in compliance with the California Environmental Quality Act (CEQA) (Applicant: Love's Travel Stops and Country Stores, Inc.; APN: 3039-361-01)

Senior Planner Stan Liudahl gave a presentation.

Chair Murphy opened Public Comments at 7:02 p.m.

Applicant Kym Van Dyke and Traffic Engineer Ambarish Mukherjee spoke and answered Commission questions.

Chair Murphy closed Public Comments at 7:23 p.m.

Motion by James Heywood to approve certification of Environmental Impact Report PC-2015-12, Seconded by Tom Murphy, passed with the following roll call vote:

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

Motion by James Heywood to approve PC-2015-13 Specific Plan Amendment and PC-2015-14 Conditional Use Permit, Seconded by William Muller, passed with the following roll call vote:

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

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

Chair Murphy opened Public Comments at 7:29 p.m.

Two people spoke in opposition of the Tapestry Project.

Chair Murphy closed Public Comments at 7:36 p.m.

DRC Comments

Major Project Update

ADJOURNMENT

Chair Murphy adjourned meeting at 7:37 p.m. until Thursday, July 9, 2015.

Tom Murphy
Chair

By: Andrea Ngalo
Commission Secretary



DATE: July 9, 2015
TO: Planning Commission
FROM: Dave Reno, AICP, Principal Planner
BY: Daniel S. Alcayaga, AICP, Senior Planner
SUBJECT: Specific Plan Amendment SPLA14-00005 & Site Plan Review SPR14-00006;
Applicant: Chirco-Mancinelli; APNs: 3064-441-01, 02, and 03

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution Nos. PC-2015-17 and PC-2015-18, approving Specific Plan Amendment SPLA14-00005 & Site Plan Review SPR14-00006

BACKGROUND

Proposal: A Specific Plan Amendment from Regional Commercial (RC) to Low Density Residential (LDR) on 6 acres, and a Site Plan Review to construct a 200-unit residential development on 50 acres within the Low Density Residential Zone of the Main Street and Freeway Corridor Specific Plan (Attachment 1).

Location: 430 feet west of Mesa Linda Avenue on the north side of Main Street

Current General Plan, Zoning and Land Uses: The properties are within the Regional Commercial (RC) and Low Density Residential (LDR) Zones as part of the Main Street and Freeway Corridor Specific Plan. The surrounding land is designated as noted on Attachment 2. The project is bounded by Main Street to the south and the Oro Grande Wash to the northwest. The properties to the north, south, and west are vacant. A mobile home park (Willow Oak Estates) exists to the east (Attachment 3).

ISSUES/ANALYSIS

The existing Low Density Residential (LDR) zone allows residential densities between 2 and 8 dwelling units per gross acre. The proposed 200-unit residential development will yield a density of 4.0 dwelling units per gross acre. A large portion of the site, along the Oro Grande Wash, will remain open space. The City's General Plan Housing Element supports the proposed multi-family residential development.

The development, which is designed in a duplex fashion, includes 200 units, 172 of which are one-story units and 28 are two-story units. There are 100 residential buildings, each having two units. The one-story plan is a two-bedroom floor plan, and 1,074 square feet in size. The two-story plan is a three-bedroom floor plan, and 1,330 square feet in size (Attachments 4 & 5). All units will have private rear yards enclosed by six-foot high vinyl fences.

The units have a contemporary craftsman architectural theme (Attachments 6 & 7). All roof materials will be made of flat or "S" concrete tiles. All windows on building elevations in the front of the units will have grids, and all windows will be dual pane. The buildings will include masonry

vener or texture stucco along the base of front elevations. All buildings will have contrasting, but complimentary colors. The proposed building elevations comply with the architectural standards outlined in the Main Street and Freeway Corridor Specific Plan.

The development is a gated community with a six-foot high wrought iron fence and water efficient landscaping along its perimeter. The eastern entry will have decorative concrete pavement. The main drive aisle measures 36 feet and the remaining drive aisles measure 26 feet providing sufficient access to all units. A total of 486 parking spaces are provided. Each unit will have an attached 2-car garage. Parking spaces include 86 guest parking spaces, including four accessible (handicap) parking spaces. There is also room for parking in front of all garages.

The development will have recreational areas, which include a pool and spa, a 4,581 square foot community building, a playground area, a sand volleyball court, and 39,684 square feet of passive and active common open space areas. Trails are provided along the main drive aisles and through the development connecting pedestrians to streets, recreational amenities and units. A 40-foot trail easement within the Oro Grande Wash will be offered to the City consistent with the Wash Protection Overlay.

The LDR zone within the Main Street and Freeway Corridor Specific Plan supports row houses, duplexes and triplexes at the higher end of the permitted density range. Since the majority of the LDR standards are for single-family residential developments, the proposed duplexes warranted a hybrid approach using development standards from both single-family and multi-family residential standards. This required some improvisation with two standards that were incompatible. The single-family residential standards require a minimum distance of 20 feet from garages to right-of-ways. This development provided a minimum distance of 14-foot from garages to drive aisles. In addition, the Medium Density Residential (MDR) standards require a minimum separation of 15 feet between buildings. This development provided a minimum distance of 10 feet. It was determined that the development is not strictly a single-family subdivision; therefore can provide a distance less than 20 feet in front of the garages. It was also determined that the project was not subject to all of the MDR standards; therefore a reduced distance between buildings is acceptable. The project complies with all other standards, and meets the intent of allowing duplexes in the LDR zone by emulating single-family living while offering recreational amenities common in multi-family developments.

Drainage: All drainage created on-site will be detained/retained in two large detention/retention basins with a capacity of 133,000 cubic feet. The flows will be conveyed through the site then discharged northerly as it historically flows.

Water and Sewer: The Developer is required to connect to the existing 12-inch water line in Main Street. A sewer study determined that the project would need to connect to an existing sewer main located 1,600 feet northeast of the project at Cataba Road. This will involve a sewer extension warranting an easement through private property to make this connection. The applicant owns some of the property on which the extension will occur and has written agreements to obtain easements on other properties along the proposed sewer line.

Traffic/Street Improvements: Based on 200 residential units, approximately 1,318 daily vehicle trips would be created, based upon the Institute of Transportation Engineer's Trip Generation Manual. As part of developing the site, the developer is required to construct street improvements, including curb, gutter, and sidewalk along the project frontages of Main Street and Mesa Linda Avenue. The developer is required to pay all applicable City development impact fees to offset the project's impact on local traffic.

As a condition of approval, the project must vacate a portion of Mesa Linda Avenue along the western boundary and redesign the remaining portion as a cul-de-sac. Upon vacating Mesa Linda Avenue, the western half-width will automatically return to the applicant and made part of the project. The eastern half of Mesa Linda Avenue will automatically return to the property owner (Willow Oak Estates) to the east. The applicant has arranged to purchase the eastern half from Willow Oak Estates. As a condition of approval, a parcel map is required to complete this transfer and make both half widths part of the project. Both parties have agreed to this arrangement in writing.

Schools and Parks: The development is 2 ¼ miles west of Hesperia High School. Mission Crest Elementary School is located 2 ½ miles to the southeast. The project is approximately 2 ½ miles from Hesperia Community Park.

Environmental: Approval of this development requires adoption of a mitigated negative declaration pursuant to the California Environmental Quality Act (CEQA). The mitigated negative declaration and initial study (Attachment 8) prepared for the development conclude that there are no significant adverse impacts resulting from the project. A biological assessment and a protected plant plan were required. The biological assessment shows that the site does not contain habitat for the desert tortoise nor any other threatened or endangered species. However, a pre-construction survey for the burrowing owl will be conducted prior to issuance of a grading permit. A protected plant plan was also submitted, which ensures that all transplantable plants protected by the City's Ordinance will be handled in accordance with the City's Protected Plant Ordinance.

Conclusion: The project conforms to the goals and policies of the City's General Plan. The project meets the standards of the Main Street and Freeway Corridor Specific Plan and Development Code with approval of the proposed Specific Plan Amendment and Site Plan Review.

FISCAL IMPACT

Development will be subject to payment of all development impact fees adopted by the City.

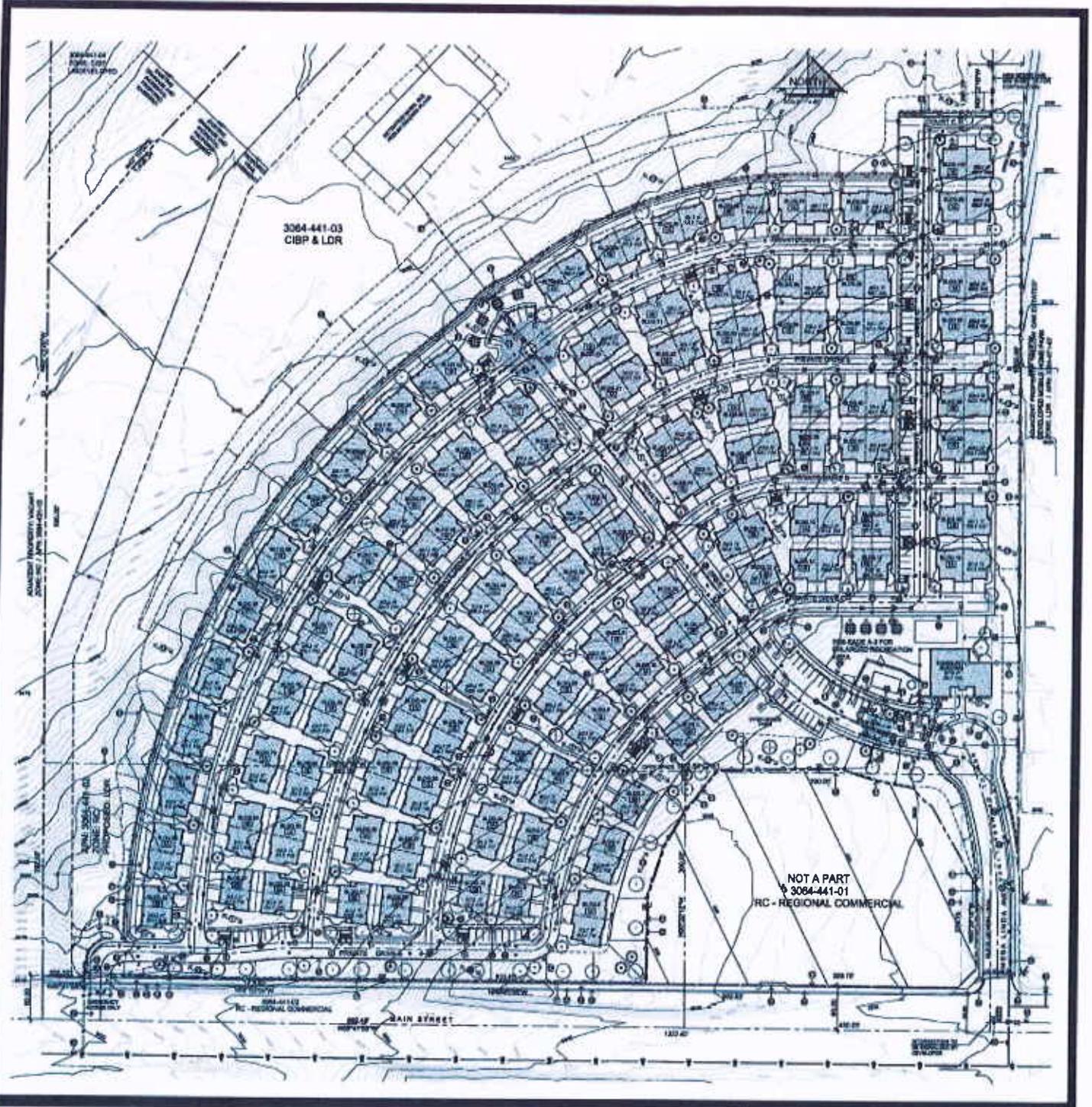
ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENTS

1. Site Plan
2. Main Street and Freeway Corridor Specific Plan Zone Map
3. Aerial Photo
4. Floor Plans
5. Floor Plans
6. Building Elevations
7. Building Elevations
8. Negative Declaration ND-2015-04 with Initial Study
9. Resolution No. PC-2015-17, with Exhibit "A"
10. Resolution No. PC-2015-18, with list of conditions

ATTACHMENT 1



APPLICANT(S):
CHIRCO-MANCINELLI

FILE NO(S): SPLA14-00005
& SPR14-00006

LOCATION:
430 FEET WEST OF MESA LINDA AVENUE ON THE NORTH SIDE OF MAIN STREET

APN(S):
3064-441-01, 02,
and 03

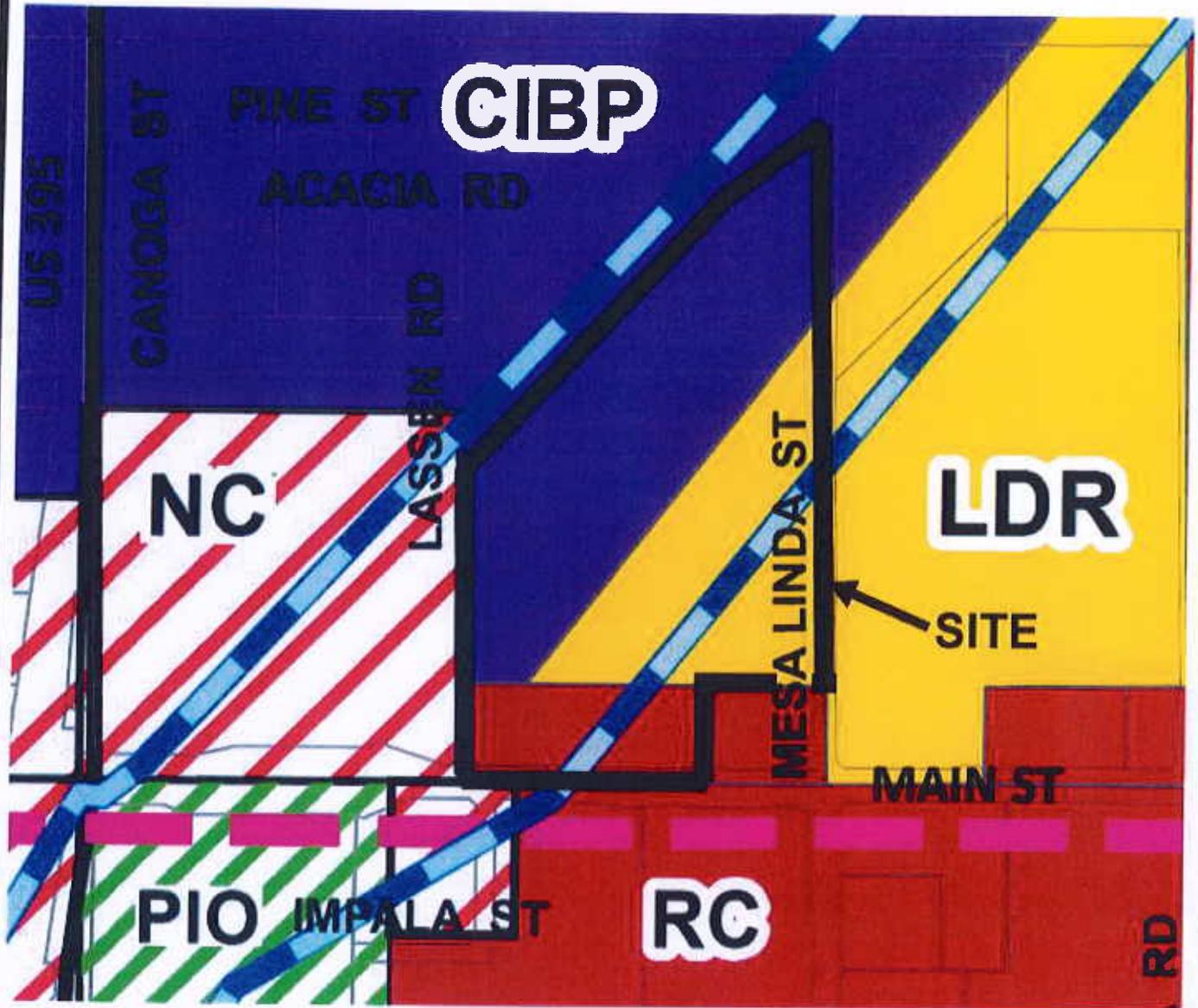
PROPOSAL:
CONSIDERATION OF A SPECIFIC PLAN AMENDMENT FROM RC TO LDR ON 6 ACRES,
AND A SITE PLAN REVIEW TO CONSTRUCT A 200-UNIT RESIDENTIAL DEVELOPMENT
ON 50 ACRES



SITE PLAN

1-4
PLANNING COMMISSION

ATTACHMENT 2



APPLICANT(S):
CHIRCO-MANCINELLI

FILE NO(S): SPLA14-00005
& SPR14-00006

LOCATION:
430 FEET WEST OF MESA LINDA AVENUE ON THE NORTH SIDE OF MAIN STREET

APN(S):
3064-441-01, 02,
and 03

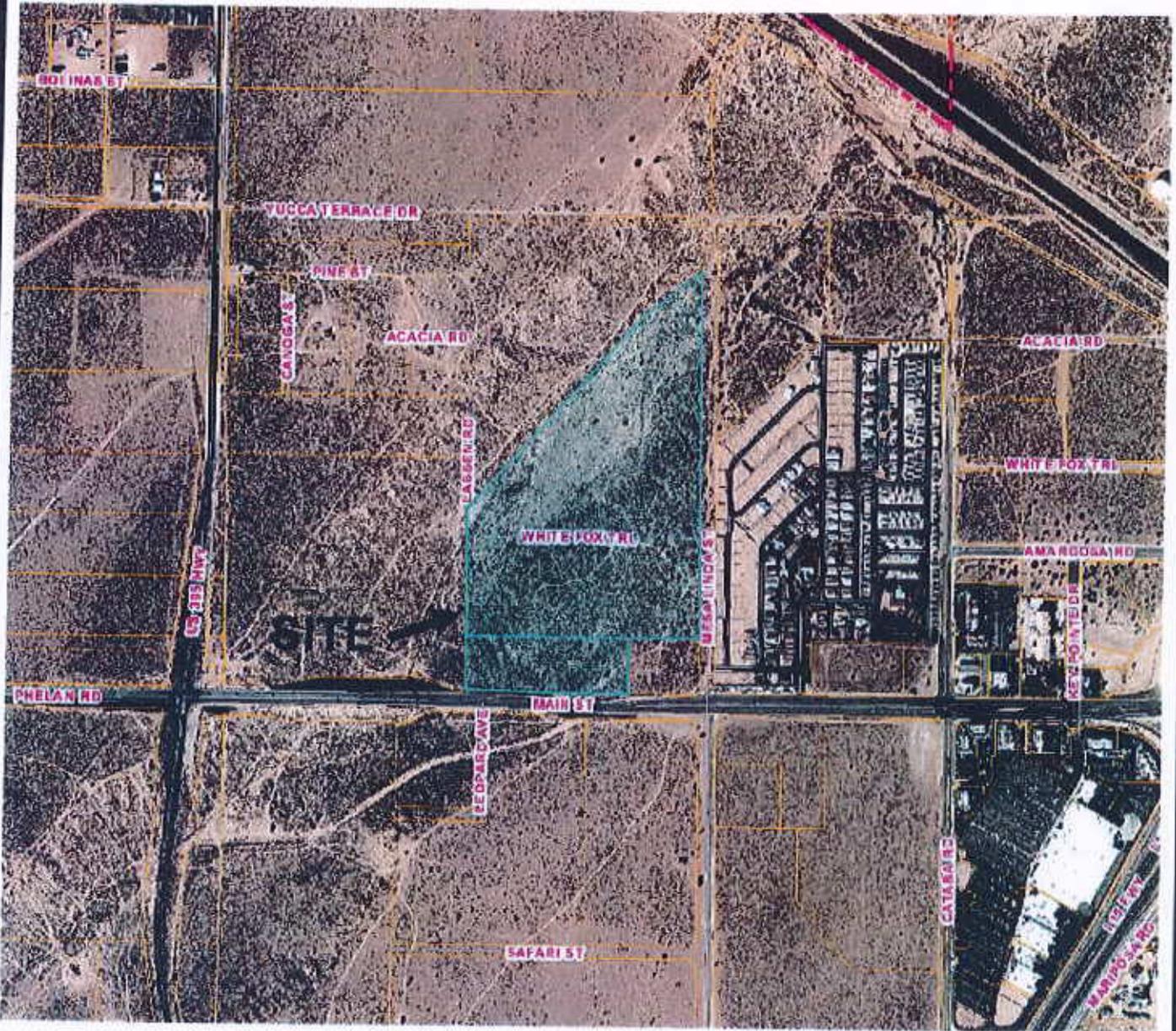
PROPOSAL:
CONSIDERATION OF A SPECIFIC PLAN AMENDMENT FROM RC TO LDR ON 6 ACRES,
AND A SITE PLAN REVIEW TO CONSTRUCT A 200-UNIT RESIDENTIAL DEVELOPMENT
ON 50 ACRES



MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN

1-5
PLANNING COMMISSION

ATTACHMENT 3



APPLICANT(S):
CHIRCO-MANCINELLI

FILE NO(S): SPLA14-00005
& SPR14-00006

LOCATION:
430 FEET WEST OF MESA LINDA AVENUE ON THE NORTH SIDE OF MAIN STREET

APN(S):
3064-441-01, 02,
and 03

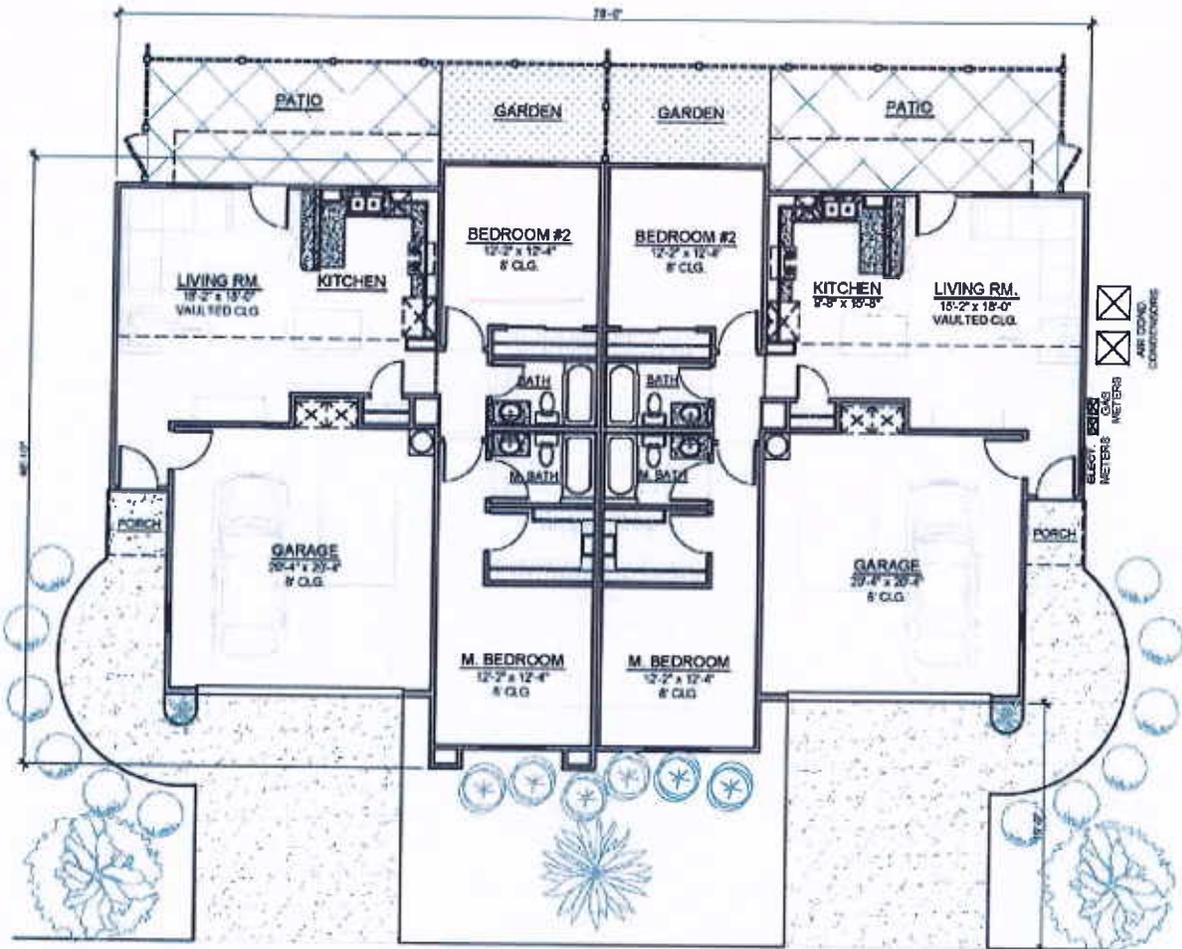
PROPOSAL:
CONSIDERATION OF A SPECIFIC PLAN AMENDMENT FROM RC TO LDR ON 6 ACRES,
AND A SITE PLAN REVIEW TO CONSTRUCT A 200-UNIT RESIDENTIAL DEVELOPMENT
ON 50 ACRES



AERIAL PHOTO

1-6
PLANNING COMMISSION

ATTACHMENT 4



DUPLEX FLOOR PLAN
SCALE: 1/8" = 1'-0"

| AREA TABULATIONS | |
|--|-----------|
| EACH UNIT IS | |
| TOTAL LIVABLE: | 1,074 SF. |
| GARAGE: | 427 SF. |
| PORCH: | 34 SF. |
| TOTAL UNIT: | 1,525 SF. |
| TOTAL STRUCTURE (BOTH UNITS COMBINED): | 3,050 SF. |

APPLICANT(S):
CHIRCO-MANCINELLI

FILE NO(S): SPLA14-00005
& SPR14-00006

LOCATION:
430 FEET WEST OF MESA LINDA AVENUE ON THE NORTH SIDE OF MAIN STREET

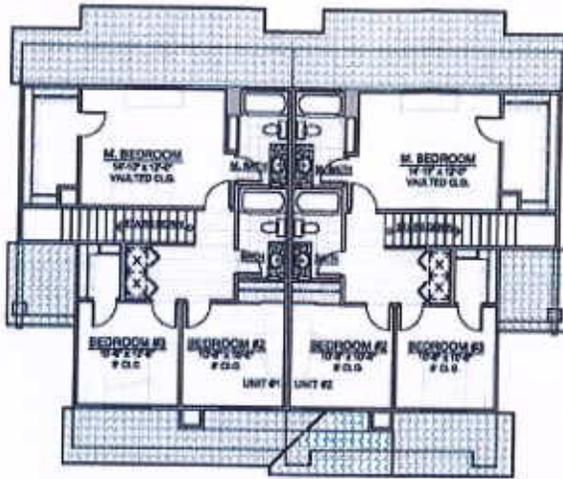
APN(S):
3064-441-01, 02,
and 03

PROPOSAL:
CONSIDERATION OF A SPECIFIC PLAN AMENDMENT FROM RC TO LDR ON 6 ACRES,
AND A SITE PLAN REVIEW TO CONSTRUCT A 200-UNIT RESIDENTIAL DEVELOPMENT
ON 50 ACRES



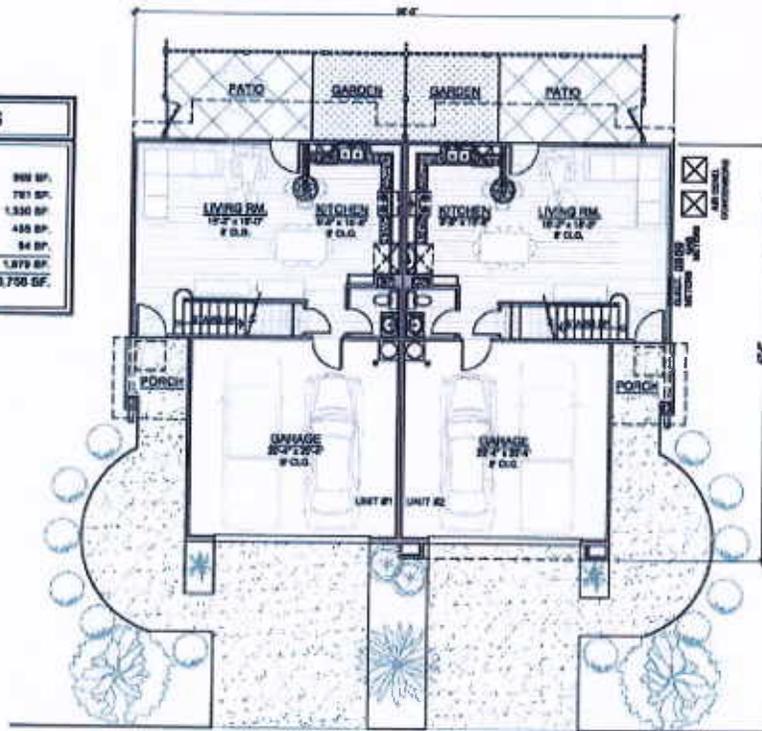
FLOOR PLAN

ATTACHMENT 5



UPPER FLOOR PLAN
SCALE 1/8" = 1'-0"

| AREA TABULATIONS | |
|------------------|-----------|
| UNITS 1 & 2 | |
| LOWER LEVEL: | 989 SF. |
| UPPER LEVEL: | 781 SF. |
| TOTAL LIVABLE: | 1,330 SF. |
| GARAGE: | 430 SF. |
| PORCH: | 84 SF. |
| TOTAL UNIT: | 1,879 SF. |
| TOTAL STRUCTURE: | 3,750 SF. |



APPLICANT(S):
CHIRCO-MANCINELLI

FILE NO(S): SPLA14-00005
& SPR14-00006

LOCATION:
430 FEET WEST OF MESA LINDA AVENUE ON THE NORTH SIDE OF MAIN STREET

APN(S):
3064-441-01, 02,
and 03

PROPOSAL:
CONSIDERATION OF A SPECIFIC PLAN AMENDMENT FROM RC TO LDR ON 6 ACRES,
AND A SITE PLAN REVIEW TO CONSTRUCT A 200-UNIT RESIDENTIAL DEVELOPMENT
ON 50 ACRES



ATTACHMENT 6



ELEVATION 1A



ELEVATION 1B

APPLICANT(S):
CHIRCO-MANCINELLI

FILE NO(S): SPLA14-00005
& SPR14-00006

LOCATION:
430 FEET WEST OF MESA LINDA AVENUE ON THE NORTH SIDE OF MAIN STREET

APN(S):
3064-441-01, 02,
and 03

PROPOSAL:
CONSIDERATION OF A SPECIFIC PLAN AMENDMENT FROM RC TO LDR ON 6 ACRES,
AND A SITE PLAN REVIEW TO CONSTRUCT A 200-UNIT RESIDENTIAL DEVELOPMENT
ON 50 ACRES



ARCHITECTURAL ELEVATIONS

ATTACHMENT 7



ELEVATION 2A



ELEVATION 2B

APPLICANT(S):
CHIRCO-MANCINELLI

FILE NO(S): SPLA14-00005
& SPR14-00006

LOCATION:
430 FEET WEST OF MESA LINDA AVENUE ON THE NORTH SIDE OF MAIN STREET

APN(S):
3064-441-01, 02,
and 03

PROPOSAL:
CONSIDERATION OF A SPECIFIC PLAN AMENDMENT FROM RC TO LDR ON 6 ACRES,
AND A SITE PLAN REVIEW TO CONSTRUCT A 200-UNIT RESIDENTIAL DEVELOPMENT
ON 50 ACRES



ARCHITECTURAL ELEVATIONS

1-10
PLANNING COMMISSION

ATTACHMENT 8

PLANNING DIVISION
9700 Seventh Avenue, Hesperia, California 92345
(760) 947-1224 FAX (760) 947-1304

MITIGATED NEGATIVE DECLARATION ND-2015-04
Preparation Date: June 5, 2015

Name or Title of Project: Site Plan Review SPR14-00006 & Specific Plan Amendment SPLA14-00005

Location: 430 feet west of Mesa Linda Avenue on the north side of Main Street (APNs: 3064-441-01, 02, and 03)

Entity or Person Undertaking Project: Chirco-Mancinelli

Description of Project: A Specific Plan Amendment from Regional Commercial (RC) to Low Density Residential (LDR) on 6 acres, and a Site Plan Review to construct a 200-unit residential development on 50 acres within the Low Density Residential zone of the Main Street and Freeway Corridor Specific Plan.

Statement of Findings: The Planning Commission 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 measure and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

Mitigation Measure:

1. The applicant shall water all unpaved areas as necessary to control dust.
2. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.
3. 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 Mitigated Negative Declaration is available for review at the City of Hesperia Planning Department.

Public Review Period: June 9, 2015 through July 8, 2015

Public Hearing Date: July 9, 2015

Adopted by the City Council: August 18, 2015

Attest:

DAVE RENO, AICP, PRINCIPAL PLANNER

**CITY OF HESPERIA INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM**

PROJECT DESCRIPTION

1. **Project Title:** Site Plan Review SPR14-00006 & Specific Plan Amendment SPLA14-00005
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.
4. **Project Location:** 430 feet west of Mesa Linda Avenue on the north side of Main Street (APNs: 3064-441-01, 02, and 03).
5. **Project Sponsor:** Chirco-Mancinelli
Address: 13061 High Vista Street - Victorville, CA 92395-5892
6. **General Plan & zoning:** The site is within the Low Density Residential and Regional Commercial zones as part of the Main Street and Freeway Corridor Specific Plan.
7. **Description of project:**

A Specific Plan Amendment from Regional Commercial (RC) to Low Density Residential (LDR) on 6 acres, and a Site Plan Review to construct a 200-unit residential development on 50 acres within the Low Density Residential zone of the Main Street and Freeway Corridor Specific Plan. The development includes a total of 200 units, 172 of which are one-story units and 28 are two-story units. There are a total of 100 apartment buildings, each building having two units. The one-story plan is a two bedroom unit, and 1,074 square feet in size. The two-story plan is a three bedroom unit, and 1,330 square feet in size. Drive aisles measuring 26 feet provide access to each unit. The main drive aisle measures 36 feet. The development will have recreational areas which include a pool and spa, a community building, a playground area, a sand volleyball court, and passive and active open space areas. Trails are provided along the main drive aisles connecting pedestrians to streets, recreational amenities, and units. **A site plan for the project is illustrated on page 3.**

A total of 486 parking spaces are provided. Parking spaces include 86 guest parking spaces and an attached two car garage for each unit. A total of four of the parking spaces will be accessible. As part of developing the site, the developer is required to construct curb, gutter, and sidewalk along the project frontages of Main Street and Mesa Linda Avenue. On-site drainage will be handled with two large retention basins on the north side of the property.

The project will connect to an existing 12-inch water line in Main Street. The project will vacate a portion of Mesa Linda Avenue along the western boundary and a portion of this street will be redesigned as a cul-de-sac. The western half-width of the vacated Mesa Linda Avenue will automatically return under the applicant's ownership and made part of the project. The eastern half of Mesa Linda Avenue will automatically return to the ownership of the property owner to the east. The applicant has made arrangements to purchase the eastern half from Willow Oaks Estate (mobile home park). A parcel map is required, as a condition of approval, to solidify this transfer and make both half widths part of the project. This arrangement has been legally agreed to by both property owners. A sewer study has also been prepared. The study determined that the project would need to connect to an existing sewer main located northeast of the project at Cataba Road. This will involve a sewer extension warranting an easement

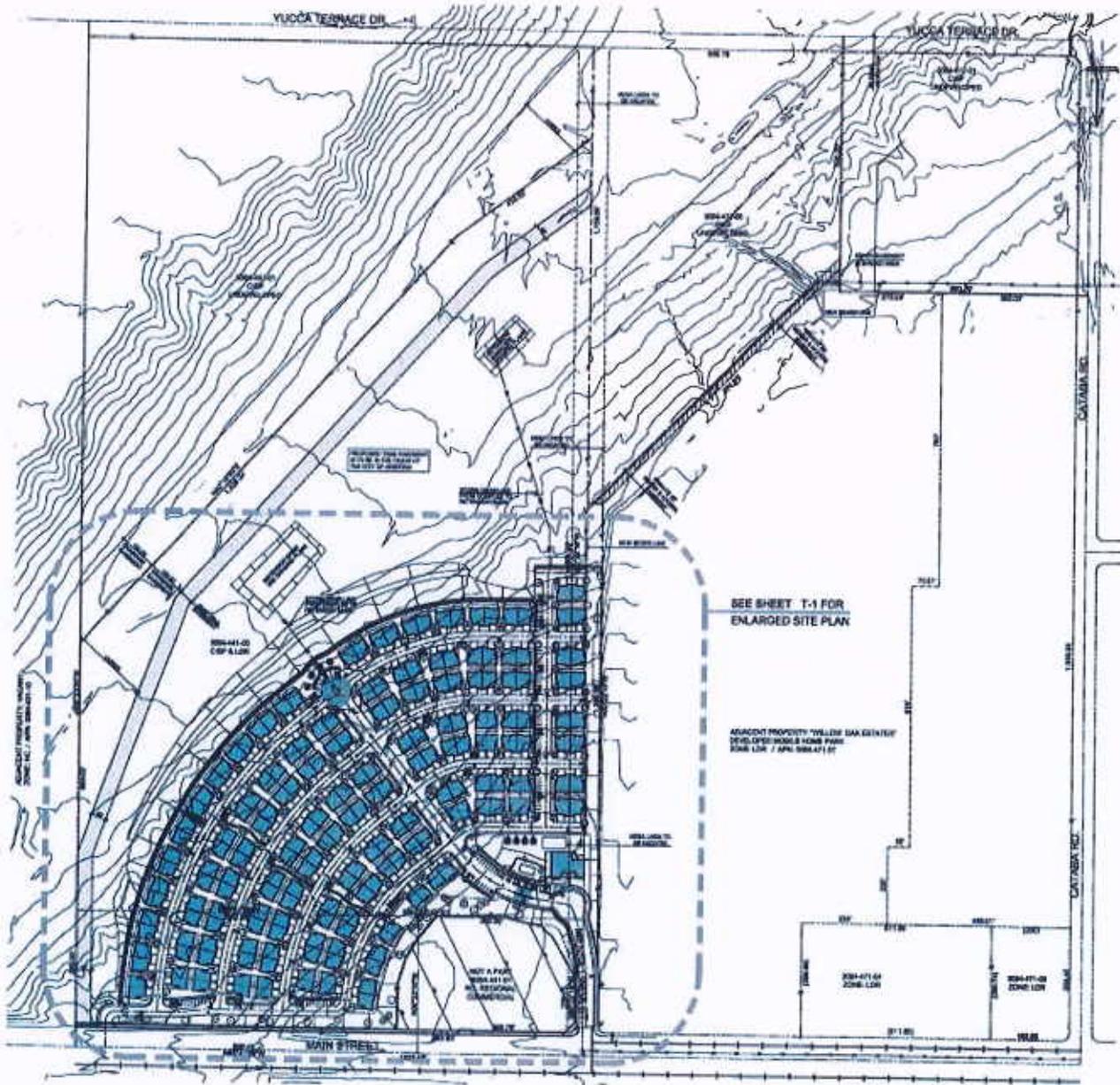
through private property to make this connection. The applicant owns property on which the extension will occur and has written agreements to obtain additional easements on other properties along the proposed extension line.

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

The project is bounded by Main Street to the south and the Oro Grande wash to the northwest. The properties to the north, south, and west are vacant. A mobile home park exists to the east. The land to the north is zoned Commercial/Industrial Business Park (CIBP), a portion of which is within the Wash Protection Overlay. The land to the south on the opposite side of Main Street is within the Regional Commercial (RC) zone. The land to the east is zoned Low Density Residential (LDR). The land to the west is zoned CIBP and Neighborhood Commercial (NC).

9. Other public agency whose approval is required (e.g., permits, financing approval, or participation agreement.) This project is subject to review and approval by the Mojave Desert Air Quality Management District, the Hesperia Water District, the Hesperia Unified School District, Southern California Edison, and Southwest Gas.

EXHIBIT "A"



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (Completed by the Lead Agency)

On the basis of this initial evaluation:

| | | |
|--------------------------|--|-----------------|
| <input type="checkbox"/> | I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. | "De
minimis" |
| 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. | |
| <input type="checkbox"/> | I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. | |
| <input type="checkbox"/> | 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. | |
| <input type="checkbox"/> | 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. Alcaiyaga, AICP, Senior Planner, Hesperia Planning Division

Date

6-5-15

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 & 4)? | | | | X |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area (7)? | | | X | |

Comments.

The property is currently vacant with scattered vegetation and Joshua trees as well as several dirt off-road vehicle tracks bisecting the site (1). The project is bounded by a mobile home park to the east. The site is not in close proximity to any scenic vistas, scenic resources or historic buildings (2, 3 & 58). Main Street is not considered a scenic highway. The site includes branch dirt roads connecting John Brown's Turnpike/Cajon Pass Toll Road to Lane's Crossing. It also includes the Oro Grande Wash-White Road Cutoff. These roads are known to have existed by 1890's, but are not considered historic resources. The site's proximity to existing development and the current site condition is evidence that the project would have a limited impact upon the visual character of the area. Consequently, the site is not considered a scenic resource.

The proposed multi-family development will not have any adverse impact to the aesthetics of the area as the development is subject to Title 16 zone district and Main Street Freeway Corridor Specific Plan regulations (6), which limit the building height and provide for minimum yard and lot coverage standards as implemented through the building permit review process. The proposed architectural designs and earth tone colors of the buildings will complement the surrounding developments. Consequently, development of the proposed project will not have a significant negative impact upon the visual character or quality of the area (4).

The project will produce light similar to that already being produced by nearby developments and will be subject to the Development Code, which limits the amount of light produced at the boundary of the site, which will not have an adverse impact upon the surrounding properties. The lighting standard will ensure that the development will not have an adverse impact upon the surrounding properties. Further, lighting fixtures must be hooded and directed downward.

The proposed use is consistent with the Low Density Residential District as part of the Main Street and Freeway Corridor Specific Plan, which allows a multi-family development with approval of a site plan review (6 & 47). The Environmental Impact Report (EIR) for the 2010 General Plan Update addressed development to the maximum build-out of the General Plan (7). This project is consistent with the General Plan and the project site is not adjacent to sensitive land uses. Based upon these regulations, the use will not adversely affect day or nighttime views in the area. Therefore, approval of the proposed use will not have a 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 (8)? | | | | X |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract (9)? | | | | 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)) (9 & 10)? | | | | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use (1 & 10)? | | | | 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 (8 & 10)? | | | | X |

Comments.

The project site has been partially disturbed, and is not presently, nor does it have the appearance of previous agricultural uses. Additionally, the site does not contain any known unique agricultural soils. Based on the lack of neither past agricultural uses nor designated agricultural soils on the project site, it is concluded that the project will not result in significant adverse impacts to agriculture or significant agricultural soils. The soil at this location is classified by the U.S. Soil Conservation Service as *Hesperia loamy fine sand, two to five percent slopes*. This soil is limited by high soil blowing hazard, high water intake rate, and moderate to high available water capacity (8). The proximity of developed uses is further evidence that the site is not viable for agriculture. 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..." The project is located within an urbanized area which, according to the SCS, is not considered prime farmland. The site is also not within the area designated by the State of California as "unique farmland (8)." The City of Hesperia General Plan does not designate the site for agricultural use nor is the land within a Williamson Act contract. In fact, the project site is within the Low Density Residential District as part of the Main Street and Freeway Corridor Specific Plan (6). Therefore, this project has no potential to be used for agriculture.

The City and its Sphere Of Influence (SOI) is located within the Mojave bioregion, primarily within the urban and desert land use classes (10). 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 (11). The project site is located in a western portion of the City in the urban area and is substantially

surrounded by urban development (1). Since the site is not forested, 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 (12, 13 & 14)? | | | | X |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation (12, 13 & 14)? | | | 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) (12, 13 & 14)? | | X | | |
| d) Expose sensitive receptors to substandard pollutant concentrations (4, 12 & 13)? | | X | | |
| e) Create objectionable odors affecting a substantial number of people (1, 4, 12 & 13)? | | | 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 (12 & 13). 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 multi-family development is not expected to provide pollution at levels that would impact sensitive receptors.

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 (13). 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 (12 & 13). All uses identified within the Hesperia General Plan are classified as area sources by the MDAQMD (14). Programs have been established in the Air Quality Attainment Plan which address emissions caused by area sources.

The project will have a temporary impact upon air quality during its construction. The Building and Safety Division dust control measures include limited grading and site watering during construction. As a further safeguard against the potential for blowing dust associated, site watering shall be continued as needed to prevent nuisance dust in accordance with the mitigation measure on page 23.

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 (15). As part of the General Plan Update Environmental Impact Report (GPUEIR), the impact of residential development to the maximum allowable density permitted by the Land Use Plan was analyzed. The projected number of vehicles trips associated with

this project is analyzed within Section XV. Transportation/Traffic. The number of vehicle trips will not exceed the number of vehicle trips expected for development on this site, based upon the GPUEIR. Further, the impact of a project does not meet any threshold which requires air quality analysis or mitigation under the Air Quality Attainment Plan (14). Inasmuch as this project is consistent with the General Plan Land Use Plan, no additional impact upon air resources beyond that previously analyzed would occur. Consequently, the proposed development will not have a significant negative impact upon air quality, with imposition of mitigation measures.

| 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 (16)? | | | | 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 & 16)? | | | | 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 & 16)? | | | | 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 & 16)? | | X | | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (1 & 17)? | | 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 (18)? | | | | 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 (19). Similarly, the potential for the existence of a desert tortoise upon the site is extremely low. 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 (19).

Since the site contains native plant species, a biological survey 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 (16). 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 commencement of grading activities.

A protected plant plan was prepared and ensures that the site's Joshua Trees, which are protected under the City's Native Plant Protection Ordinance, will be relocated or protected in place (17). The grading plan for the project shall stipulate that all protected plants identified within the report will be relocated or protected in place. The mitigation measure is listed on page 23.

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 (18). These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest communities, exist within the Rancho Las Flores Specific Plan and vicinity (18). The project site is located approximately seven miles to the northwest within the developed portion of the City. Consequently, approval of the site plan review and specific plan amendment 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 (21)? | | | X | |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 (21)? | | | | X |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature (23)? | | | | X |
| d) Disturb any human remains, including those interred outside of formal cemeteries (24)? | | | X | |

Comments.

Past records of paleontological resources were evaluated. This research was compiled from records at the Archaeological Information Center located at the San Bernardino County Museum (Museum). Based upon this review, the Archaeological Information Center required that a cultural resource study be prepared (22). In addition, the Cultural Resources Sensitivity Map within the Cultural Resource background technical report of the General Plan Update indicates that the site has a high sensitivity potential for containing cultural resources (23).

The site was investigated by CRM TECH in September 18, 2013. After a thorough field investigation CRM TECH did not find evidence of archaeological or paleontological resources. As part of a historical investigation, it was discovered that a branch of dirt roads connecting John Brown's Turnpike/Cajon Pass Toll Road to Lane's Crossing exist on the property. It was also discovered that the Oro Grande Wash-White Road Cutoff exists on the site. These roads are known to have existed by 1890's, but are not considered historic resources. The investigation also found refuse items that predate 1897 on the site, but none of the items found on the property could not be linked to any important events or persons in history and do not appear to qualify as historical resources.

Further, 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) (24). 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 (25). Consequently, approval of the site plan review and specific plan amendment will not have an impact upon cultural resources.

| 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 (26 & 27). | | | | X |
| ii) Strong seismic ground shaking (26 & 28)? | | | X | |
| iii) Seismic-related ground failure, including liquefaction (8 & 26)? | | | | X |
| iv) Landslides (26)? | | | | X |
| b) Result in substantial soil erosion or the loss of topsoil (8)? | | | 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 (8 & 26)? | | | | 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 (8 & 27)? | | | | 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 (8 & 27)? | | | | X |

Comments.

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 (28). 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 (29). The project site is not located within an Alquist-Priolo Earthquake Fault Zone (26, 27 & 28). Further, the site is not in an area which has the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse (27).

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 (74), 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.

The soil at this location is classified by the U.S. Soil Conservation Service as *Hesperia loamy fine sand, two to five percent slopes*. This soil is limited by high soil blowing hazard, high water intake rate, and moderate to high available water capacity (8). 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, drive aisles, and landscaping (4). These improvements will ensure that soil disturbance will not result in significant soil erosion.

The site is in proximity to City sewer and will require connection to sewer which meets Victor Valley Wastewater Reclamation Authority and Lahontan Regional Water Quality Control Board regulations and City standards (30). Consequently, approval of the site plan review and specific plan amendment will not have an impact upon geology or soils.

| 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 (31)? | | | X | |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases (31, 32 & 33)? | | | 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 (73). 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)(31). The CAP provides policies along with implementation and monitoring which will enable the City of Hesperia to reduce greenhouse emissions 29 percent below business as usual by 2020, consistent with AB 32 (32).

Development of the proposed development is consistent with the greenhouse gas (GHG) emissions analyzed by the General Plan Update Environmental Impact Report (GPUEIR). The development will meet energy conservations measures that meet or exceed Title 24 standards. Trails are provided along the main drive aisle connecting pedestrians to streets, recreational amenities, and units. Trails can be used for walking and bicycling. Landscape areas within the development are required to ensure water efficient plants and a low-flow irrigation system are maintained. In addition, a water budget is required to ensure a water efficient landscaping and irrigation system. The site is also located near commercial uses, which promotes mix use measures, walking and increase use of transit (33). Consequently, the impact upon GHG emissions associated with the proposed project 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 & 34)? | | | 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 (4 & 34)? | | | 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 (4)? | | | 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 (1)? | | | | 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 (18)? | | | | 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 (36)? | | | | X |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (37)? | | | | 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 (4)? | | | | 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/superfund/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 proposed multi-family development will not conflict with air traffic nor emergency evacuation plans. The site is more than five miles northwest from the Hesperia Airport and is therefore not within a restricted use zone associated with air operations (36). 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 (37). Consequently, the project 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 (38 & 43). 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 and specific plan amendment will not have any impact upon or be affected by hazards and hazardous materials with compliance with an approved HMBP and required mitigation measures.

| 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 (39)? | | | 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) (41 & 42)? | | | 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 (44)? | | | 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 (44)? | | | 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 (44)? | | | X | |

| | | | | |
|---|--|--|---|---|
| f) Otherwise substantially degrade water quality (44)? | | | 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 (4 & 45)? | | | | X |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows (4, 45 & 54)? | | | | 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 (44 & 53)? | | | | X |
| j) Inundation by seiche, tsunami, or mudflow (46)? | | | | 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 (39). 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 (40). 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 (4). 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 (44). Two large detention/retention basins with a capacity of 133,000 cubic feet will be constructed on the north side of the property. In addition, the site is not within a Flood Zone, based upon the latest Flood Insurance Rate Map (54).

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 (44 & 53). 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 (46). 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 (46). In addition, the water table is significantly more than 50 feet from the surface. Therefore, the mechanisms necessary to create a mudflow; a steep hillside with groundwater near the surface, does not exist at this location (8).

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 (41).

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 (42). 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 and 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 (47)? | | | | X |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan (18)? | | | | X |

Comments.

The site is currently vacant and a multi-family development is proposed on the site (1). Therefore, the use will not physically divide an established community. The proposed development is consistent with the existing General Plan and zoning, but requires approval of a site plan review and specific plan amendment (47 & 61). The zone change from RC to LDR will assist in maintaining large areas of open space on the north side of the site that is otherwise zoned for low-density residential development. 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 (18). These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest community, exist within the Rancho Las Flores Specific Plan and vicinity (18). The project site is located approximately seven miles northwest of this specific plan within the developed portion of the City. Therefore, development of the project 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 (48)? | | | | 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 (48)? | | | | 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 (48). 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. Although the project contains a wash, which contains sand and gravel, the mineral resources within the property are not unique locally or regionally and need not be preserved. Consequently, the proposed project 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, 4 & 49)? | | | X | |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels (50 & 51)? | | | X | |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project (52)? | | | X | |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project (52)? | | | 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 (36)? | | | | 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 (36)? | | | | X |

Comments.

Approval of the proposed site plan review and specific plan amendment 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 (49). 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, vehicle service, and deliveries).

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, well drilling 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 (49). 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 nearest major roadway in the vicinity to the development is Main Street along the southern project boundary. This arterial roadway will subject the future residents of the project to noise less than 65 CNEL (55). Use of double paned windows and insulation in conformance with the building code will reduce the amount of noise to below 45 dB, which is an acceptable amount of noise.

The boundary of the site is more than five miles from the Hesperia Airport, and one-third of a mile from Interstate 15. At this distance, the site is expected to be exposed to noise levels less than 60 CNEL. At this distance, the project is not impacted by any safety zones associated with this private airport (36). 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. In addition, the site is over two miles from the United Pacific Railroad (51 & 56). Therefore, area impacts by noise and vibration generated by the project are less than 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 use is San Joaquin Valley College on the opposite side of I-15 freeway to the east. However, construction noise will subdue once the construction phase is completed.

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 density 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 (15). Inasmuch as this project is consistent with the General Plan Land Use Plan, no additional noise impact beyond that previously analyzed would occur.

| 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) (4)? | | | 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 & 9)? | | | | X |

Comments.

The proposed project is consistent with the current Low Density Residential (LDR) District as part of the Main Street and Freeway Corridor Specific Plan (6 & 9). This will further diversify the City housing stock, in support of Housing Element, to permit the full range of housing densities with the city's boundaries. Further, the site is in close proximity to water, sewer, and other utility systems (30). 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 residential land uses (1 & 9). 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. The proposed development will not induce substantial population growth as the development will provide addition housing for future and existing residents. Based upon the limited size, development of the project would have a less than significant impact upon population and housing. The development is expected to have a positive impact in fulfilling the goals and objectives of the City's Housing Element.

| 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 (1 & 2): | | | X | |
| Fire protection? (1 & 2) | | | X | |
| Police protection? (1 & 2) | | | X | |
| Schools? (1 & 2) | | | X | |
| Parks? (1 & 2) | | | X | |
| Other public facilities? (1 & 2) | | | X | |

Comments.

The proposed project will create a very slight increase in demand for public services (2). The project will connect to an existing 12-inch water line in Main Street (30). The applicant prepared a sewer analysis that supports a sewer connection to the northeast of the project site. Full street improvements comprised of curb, gutter, and sidewalk will be constructed along the project frontage as part of development of the site (61). Additionally, development impact fees will be assessed at the time that building permits are issued for construction of the site (59). These fees are designed to ensure that appropriate levels of capital resources will be available to serve any future development. Consequently, satisfactory levels of public services will be maintained. Therefore, the proposed site plan review and specific plan amendment will not have a significant impact upon public services.

| 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 (9)? | | | 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 (4)? | | | X | |

Comments.

As evaluated previously, approval of the site plan and specific plan amendment will induce population growth indirectly, as evidenced by the limited number of vehicle trips to be generated by the use identified within the Transportation/Traffic Section. The proposed multi-family development will include a pool and spa, a community building, a playground area, a sand volleyball court, and passive/active open space areas (4). Trails are also provided along the main drive aisles connecting pedestrians to streets, recreational amenities, and units. Additionally, park impact fees will be assessed at the time that building permits are issued for construction of the site (59). These fees are designed to ensure that appropriate levels of park facilities will be available to serve any future development. Therefore, the proposed site plan review and specific plan amendment will have a small indirect 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 (63)? | | | 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 (64)? | | | 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 (36)? | | | 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 & 61)? | | | X | |
| e) Result in inadequate emergency access (4)? | | | 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 (64 & 65)? | | | | X |

Comments.

The proposed multi-family development fronts upon Main Street and Mesa Linda Street. Main Street is to be constructed as an arterial street. As part of development of this project, these streets will be constructed to City standards, including curb, gutter, and sidewalk across the project frontages and pavement tapers beyond the frontage (63). These improvements will not conflict with the Traffic Circulation Plan, nor will they be inconsistent with an ordinance or policy establishing measures of effectiveness for the performance of the circulation system. The City's General Plan includes a non-motorized transportation network and improvements will be designed to accommodate bike lanes along Main Street (65).

The site design has been evaluated by both the City and the San Bernardino County Fire Department. The site has access from Main Street and Mesa Linda Avenue. The site has on-site drive aisles and turn around features that connect to all streets. Emergency vehicles will have uninterrupted access along the main drive aisles within the entire development. The project has two points of access, and dead ends do not exceed 150 feet in length in compliance with Fire Department specifications (4).

The City's Circulation Plan is consistent with the Congestion Management Program (CMP) for San Bernardino County (64). 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 Circulation Element requires a minimum LOS of D for street segments instead of LOS E. The Element also strives to maintain a LOS of C or better on roadways which exhibit an LOS better than D. The LOS along Main Street (i.e. street segments and nearby intersections) currently operate at a LOS of B and will not become deficient as result of the number of vehicle trips created by this use as analyzed within the Transportation/Traffic Section.

Based on 200 residential units on the site, approximately 1,318 daily vehicle trips would be created, based upon the Institute of Transportation Engineer's Trip Generation Manual, which attributes an average daily vehicle trip demand of 6.59 trips per residential unit (57). Based upon the allowable density of 2 to 8 du/ac, the number of trips was analyzed as part of the General Plan Update Environmental Impact Report (GPUEIR). Therefore, establishing a 200 unit multi-family development would result in a decrease in vehicle trips when compared to what the EIR analyzed. This also considers that a large portion of the site zoned LDR will remain open space. Consequently, approval of this use will reduce the traffic impact below that analyzed by the GPUEIR. As a result, the impact of the proposed site plan review upon transportation facilities is considered to be less than significant.

The project site is located over five miles from the Hesperia Airport and is not within an airport safety zone (36). 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 density 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 impacts (15).

| 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 (66)? | | | | 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 (67 & 68)? | | | 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 (69)? | | | X | |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed (41 & 42)? | | | 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 (67 & 68)? | | | | X |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs (70 & 72)? | | | X | |
| g) Comply with federal, state, and local statutes and regulations related to solid waste (71)? | | | X | |

Comments.

The development is required to connect to sewer as per the approved sewer study (67). The sewer study stated that the point of connection to northeast of the project will be sufficient to support the project, as well as future development planned in this area. 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 (69). 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 (41).

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 (42). The HWD has maintained a water surplus 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 (72). Currently, approximately 75 percent of the solid waste within the City is being recycled (70 & 71). 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 and 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 effects 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. The applicant shall water all unpaved areas as necessary to control dust.
2. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.
3. 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 flown taken in Spring 2014 and on-site field investigations conducted in June 2015.
- (2) Section 3.1.2 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.1-3.
- (3) Section 3.0 of the 2010 City of Hesperia General Plan Open Space Element, pages OS-13 thru OS-27.
- (4) Application and related materials for Site Plan Review SPR14-00006 & Specific Plan Amendment SPLA14-00005
- (5) Sections 16.16.550 and 16.16.555 of the Hesperia Municipal Code.
- (6) 2008 Main Street Freeway Corridor Specific Plan, including the specific plan zone map
- (7) Section 3.1.4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.1-6.
- (8) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area, Pages 23 thru 24 and Map Sheet No. 31.
- (9) 2010 Official Map showing the General Plan Land Use and zoning of the City of Hesperia and its sphere of influence.
- (10) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.5.
- (11) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.1.4.
- (12) Air Quality Section of the 2010 City of Hesperia General Plan Conservation Element, pages CN-47 thru CN-51.
- (13) Section 3.3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.3-1 thru 3.3-30.
- (14) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.
- (15) Statement of overriding considerations for the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR).
- (16) General Biological Resources Assessment for the site prepared by RCA Associates, LLC, September 5, 2013.
- (17) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.

- (18) Section 3.2 of the 2010 City of Hesperia General Plan Update Conservation Element background technical report, pages 8 and 9.
- (19) Section 3.3.2 of the 2010 City of Hesperia General Plan Update Conservation Element background technical report, pages 14 thru 25.
- (20) 1988 United States Bureau of Land Management California Desert Conservation Area map.
- (21) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages C-1 thru C-34.
- (22) Section 6 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 22 thru 38.
- (23) Cultural Resource Sensitivity Map Exhibit 5e of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report.
- (24) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.
- (25) Letter dated September 25, 2006 from Dave Singleton of the Native American Heritage Commission within Appendix B of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report.
- (26) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-8.
- (27) Exhibit SF-1 of Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, page SF-9.
- (28) Figure 1-2 of Section 1.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-5.
- (29) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-12.
- (30) Current Hesperia water and sewer line atlas
- (31) Section 1 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 1.
- (32) Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 18.
- (33) Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 20 and 21.
- (34) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, page SF-32.
- (35) Section 5 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 5-4 and 5-5.
- (36) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-71 and LU-72.
- (37) Disaster Preparedness, Response, and Recovery Section of the 2010 Hesperia General Plan Safety Element, pages SF-37 thru SF-48.
- (38) Fire Hazard Section of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.7-9.
- (39) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-13.
- (40) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-15.
- (41) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.
- (42) Mojave Water Agency letter dated March 27, 1996.

- (43) Exhibit SF-3 of the 2010 City of Hesperia General Plan Update Safety Element, page SF-21.
- (44) Flooding Hazards Section of the 2010 City of Hesperia General Plan Update Safety Element, pages SF-16 thru SF-18.
- (45) 1992 Victorville Master Plan of Drainage, identifying future improvements for the A-01 drainage facility.
- (46) Section 3.0 of the 2010 City of Hesperia General Plan Update Safety Element, page SF-8.
- (47) Chapter 7(B) of the Main Street and Freeway Corridor Specific Plan.
- (48) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, page CN-20.
- (49) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-4.
- (50) Section 16.20.125 of the Hesperia Municipal Code, pages 464 thru 467 and Table NS-5 of Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, pages NS-11 and NS-12.
- (51) Table 7 of Section 2.2.1 of the 2010 City of Hesperia General Plan Update Noise Element background technical report, page 22.
- (52) Table 3.11-10 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-45.
- (53) Dam Inundation Map within Section 3.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 3-22.
- (54) FEMA Flood Map within Section 3.1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 3-9.
- (55) Table 9 within Section 2.2 of the 2010 City of Hesperia General Plan Update Noise Element background technical report, page 29 thru 32.
- (56) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-13.
- (57) 2012 Trip Generation Manual, Volume II, 9th Edition, Institute of Transportation Engineers
- (58) Historical/Archaeological Resources Survey Report prepared by CRM TECH dated September 18, 2013 for APN 3064-441-01 through 03
- (59) 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. 2007-110 on November 20, 2007. Park impact fees are established by the Hesperia Recreation and Park District. School fees are established by the Hesperia Unified School District.
- (60) 2007 California Plumbing Code Section 713.4, page 137.
- (61) Section 16.12.085 Approval Required, Article II Site Plan and Revised Site Plans, of the Hesperia Development Code
- (62) California Health and Safety Code Section 25232 (b) (1) (A-E).
- (63) Traffic Circulation Plan within Section 3.0 of the 2010 City of Hesperia General Plan Update Circulation Element, page CI-17.
- (64) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, page 4.
- (65) Sections 6.3 and 6.4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 74 and 75.
- (66) Section 3.8 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-8 thru 3.8-14.

- (67) Environmental policies of the Lahontan Regional Water Quality Control Board regarding use of private wastewater treatment systems.
- (68) 2007 California Plumbing Code, Table 7-3.
- (69) Preliminary Hydrology Study prepared by DRC Engineering Inc. dated August 12, 2014
- (70) 2009 California Department of Resources, Recycling and Recovery Annual AB939 Report.
- (71) California Integrated Waste Management Act (AB 939).
- (72) Quarterly data of the San Bernardino County Disposal Reporting System for the 2nd quarter 2010.
- (73) Section 15183.5 – Tiering and Streamlining the Analysis of Greenhouse Gas Emissions, March 18, 2010 Amendments to the Guidelines for Implementation of the California Environmental Quality Act.
- (74) 2013 California Building Code

ATTACHMENT 9

RESOLUTION NO. PC-2015-17

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 REGIONAL COMMERCIAL (RC) TO LOW DENSITY RESIDENTIAL (LDR) ON APPROXIMATELY ON 6 ACRES LOCATED 430 FEET WEST OF MESA LINDA AVENUE ON THE NORTH SIDE OF MAIN STREET (SPLA14-00005)

WHEREAS, On January 5, 1998, the City Council of the City of Hesperia adopted Ordinance No. 250, thereby adopting the Hesperia Municipal Code; and

WHEREAS, On September 2, 2008, the City Council of the City of Hesperia adopted Ordinance No. 2008-12, thereby adopting the Main Street and Freeway Corridor Specific Plan; and

WHEREAS, Chirco-Mancinelli has filed an application requesting approval of SPLA14-00005 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to approximately 6 acres within the Regional Commercial (RC) Zone of the Main Street and Freeway Corridor Specific Plan located 430 feet west of Mesa Linda Avenue on the north side of Main Street and consists of Assessor's Parcel Numbers 3064-441-01, 02, and 03; and

WHEREAS, the Application, as contemplated, proposes to change the zoning of the subject property within the Main Street and Freeway Corridor Specific Plan (Specific Plan) from the Regional Commercial (RC) Zone to Low Density Residential (LDR) Zone; and

WHEREAS, Chirco-Mancinelli has also filed applications requesting approval of a Site Plan Review SPR14-00006 to construct a 200-unit residential development on 50 acres within the Low Density Residential Zone; and

WHEREAS, the subject site is vacant. The project is bounded by Main Street to the south and the Oro Grande Wash to the northwest. The properties to the north, south, and west are vacant. A mobile home park exists to the east; and

WHEREAS, the subject property is currently within the Regional Commercial (RC), Low Density Residential (LDR), Wash Protection Overlay, and Commercial/Industrial Business Park (CIBP) Zones of the Specific Plan. The land to the north is zoned Commercial/Industrial Business Park (CIBP), a portion of which is within the Wash Protection Overlay. The land to the south on the opposite side of Main Street is within the Regional Commercial (RC) Zone. The land to the east is zoned Low Density Residential (LDR). The land to the west is zoned CIBP and Neighborhood Commercial (NC); and

WHEREAS, an environmental Initial Study for the proposed project was completed on June 5, 2015, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND-2015-04 was subsequently prepared; and

WHEREAS, on July 9, 2015, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed 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 the Planning Commission during the above-referenced July 9, 2015 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon Negative Declaration ND-2015-04 and the initial study which supports the Mitigated 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 Planning Commission had independently reviewed and analyzed the Mitigated Negative Declaration, and finds that it reflects the independent judgement of the Planning Commission, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.
- (c) 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.
- (d) The current Regional Commercial (RC) Zone District within the Specific Plan does not permit residential developments and the proposed Low Density Residential (LDR) Zone District provides for the proposed uses. The two-story units will be approximately 35 feet tall and the LDR Zone allows buildings up to 35 feet in height. Therefore, 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.
- (e) 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 and the mitigation measures for ND-2015-04.
- (f) 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 SPLA14-00005, amending the Official General Plan and Zoning Map of the City of Hesperia as shown on Exhibit "A" and Negative Declaration ND-2015-02 which is attached to the staff report for this item.

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

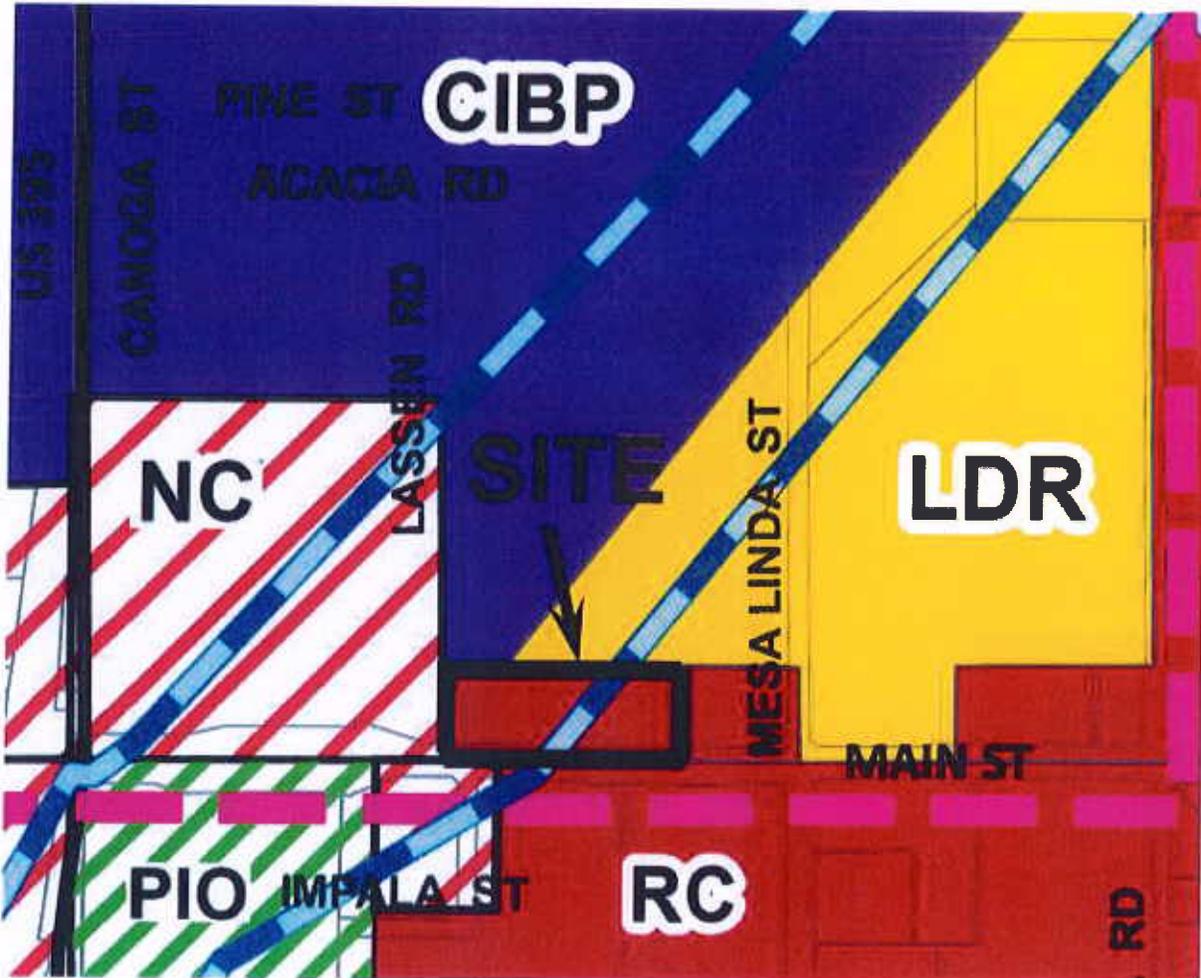
ADOPTED AND APPROVED this 9th day of July 2015.

Tom Murphy, Chair, Planning Commission

ATTEST:

Andrea Ngalo, Secretary, Planning Commission

Exhibit "A"



SPLA14-00005

A SPECIFIC PLAN AMENDMENT FROM REGIONAL COMMERCIAL (RC) TO LOW DENSITY RESIDENTIAL (LDR) ON APPROXIMATELY 6 ACRES

ATTACHMENT 10

RESOLUTION NO. 2015-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE A SITE PLAN REVIEW TO CONSTRUCT A 200-UNIT RESIDENTIAL DEVELOPMENT ON 50 ACRES WITHIN THE LOW DENSITY RESIDENTIAL ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN LOCATED 430 FEET WEST OF MESA LINDA AVENUE ON THE NORTH SIDE OF MAIN STREET (SPR14-00006).

WHEREAS, Chirco-Mancinelli, has filed an application requesting consideration of Site Plan Review SPR14-00006, described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to approximately 50 acres within the Low Density Residential (LDR) Zone of the Main Street and Freeway Corridor Specific Plan located 430 feet west of Mesa Linda Avenue on the north side of Main Street and consists of Assessor's Parcel Numbers 3064-441-01, 02, and 03; and

WHEREAS, the Application, as contemplated, proposes a site plan review to construct a 200-unit residential development on 50 acres within the Low Density Residential Zone; and

WHEREAS, the Applicant has also filed Specific Plan Amendment SPLA14-00005 from Regional Commercial (RC) to Low Density Residential (LDR) on approximately 6 acres; and

WHEREAS, the subject site is vacant. The project is bounded by Main Street to the south and the Oro Grande Wash to the northwest. The properties to the north, south, and west are vacant. A mobile home park exists to the east; and

WHEREAS, the subject property is currently within the Regional Commercial (RC), Low Density Residential (LDR), Wash Protection Overlay, and Commercial/Industrial Business Park (CIBP) Zones of the Specific Plan. The land to the north is zoned Commercial/Industrial Business Park (CIBP), a portion of which is within the Wash Protection Overlay. The land to the south on the opposite side of Main Street is within the Regional Commercial (RC) Zone. The land to the east is zoned Low Density Residential (LDR). The land to the west is zoned CIBP and Neighborhood Commercial (NC); and

WHEREAS, an environmental Initial Study for the proposed project was completed on June 5, 2015, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND-2015-04 was subsequently prepared; and

WHEREAS, on July 9, 2015, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed 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 July 9, 2015, hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon Negative Declaration ND-2015-04 and the initial study which supports the Mitigated Negative Declaration, the Planning Commission finds that there is no substantial evidence that the proposed General Plan Amendment will have a significant effect on the environment;
- (b) The Planning Commission had independently reviewed and analyzed the Negative Declaration, and finds that it reflects the independent judgement of the Planning Commission, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.
- (c) 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, without infringing on requirements. The site is approximately 50 gross acres and can accommodate the 200 unit multi-family development. On-site improvements required by the Hesperia Development Code can be constructed on the property including 486 parking spaces (400 spaces within garages and 86 open guest parking spaces), minimum 26-foot wide drive aisles, and landscaping. The complex also meets all of the San Bernardino County Fire Department standards for fire lanes, two-points of access, fire truck turn-around, fire department connections/post indicator valves (FDC/PIV) and fire hydrants. The proposed development complies with all state and federal regulations, including the Americans with Disabilities Act (ADA). The development is designed with an on-site underground retention/detention system to accommodate the required capacity of a 100-year storm. The development will preserve Joshua trees that will be transplanted within the development's landscaping.
- (d) The proposed use will not have a substantial adverse effect on abutting property, or the permitted use thereof because the proposed development is consistent with the City's Low Density Residential (LDR) Zone District as part of the Main Street and Freeway Corridor Specific Plan. The development is designed with an on-site retention/detention system to accommodate the required capacity of a 100-year storm. The City has established a Traffic Impact Mitigation Fee Program to fund the construction of traffic improvements to maintain adequate levels of service standards. The developer is required to pay all applicable City development impact fees towards these improvements.

- (e) The proposed development is consistent with the goals, policies, standards and maps of the adopted Specific Plan, Zoning, Development Code and all applicable codes and ordinances adopted by the City of Hesperia. The proposed development is permitted in the Low Density Residential (LDR) Zone District. The development complies with standards for landscaping, driveway aisles, parking stall dimensions, building heights, fire lanes and turn-arounds, and loading areas. The development complies with Americans with Disabilities Act (ADA) by providing four accessible parking spaces with loading areas and a 4-foot-wide path of travel to the streets, parking spaces, and recreational structures. The development will be constructed pursuant to the California Building and Fire Codes and adopted amendments. The development must comply with the development's conditions of approval for off-site and on-site improvements required prior to grading and building construction and prior to issuance of a Certificate of Occupancy.
- (f) Granting approval of the development will not be detrimental to the public health, safety, or welfare as the development will be constructed pursuant to the California Building and Fire Codes and adopted amendments. The development complies with Americans with Disabilities Act (ADA) by providing four accessible parking spaces with loading areas and a 4-foot-wide path of travel to the streets, parking spaces, and all buildings.
- (g) The site for the proposed use will have adequate access based upon the site's current accessibility to Main Street and Mesa Linda Avenue. The City has established a Traffic Impact Mitigation Fee Program as part of the Development Impact Fee (DIF) to fund the construction of traffic improvements to maintain adequate levels of service. The developer is required to pay all applicable City development impact fees towards these improvements.
- (h) The proposed development is consistent with and promotes the goals and policies of the General Plan. The development will help bring the City into compliance with state housing mandates and the City's Housing Element.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends approval of SPR14-00006, subject to the Conditions of Approval as set forth in ATTACHMENT "A" and Mitigated Negative Declaration ND-2015-02 which is attached to the staff report for this item.

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

ADOPTED AND APPROVED this 9th day of July 2015.

Tom Murphy, Chair, Planning Commission

ATTEST:

Andrea Ngalo, Secretary, Planning Commission

ATTACHMENT "A"
List of Conditions for SPR14-00006

Approval Date: August 04, 2015
Effective Date: September 18, 2015
Expiration Date: September 18, 2018

This list of conditions applies to: Specific Plan Amendment SPL14-00005 from Regional Commercial (RC) to Low Density Residential (LDR) on 6 acres, and Site Plan Review SPR14-00006 to construct a 200-unit residential development on 50 acres within the Low Density Residential designation of the Main Street and Freeway Corridor Specific Plan located 430 feet west of Mesa Linda Avenue on the north side of Main Street (APNs: 3064-441-01, 02, and 03; Applicant: Mancinelli-Chirco)

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

- | | | |
|--|---------------------------|--|
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | 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) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | TRAFFIC STUDY. The applicant shall be required to provide a traffic study prepared by a California licensed traffic engineer. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | SEWER ANALYSIS. The Developer shall provide a sewer analysis to the Citys Engineering Department that identifies a point of connection with depths of existing manholes and elevations. It is the Developers responsibility to obtain any Irrevocable Offers of Dedications and or easements at no cost to the City. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | 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) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | 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) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | TITLE REPORT. The Developer shall provide a complete title report 90 days or newer from the date of submittal. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | 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) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | 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) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | UTILITY NON INTERFERE/QUITCLAIM DOCS. The Developer shall provide non interference and or quitclaim letter(s) from any applicable utility agencies for any utility easements that affect the proposed project. All documents shall be subject to review and approval by the Engineering Department and the affected utility agencies. The improvement plans will not be accepted without the required documents and approval from the affected agencies. (E) |

COMPLETED **COMPLIED BY** 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. (E)
NOT IN COMPLIANCE

COMPLETED **COMPLIED BY** VACATION. The Developer shall submit a Request for Vacation to the Citys Engineering Department for acceptance. At time of submittal the developer shall complete the Citys application for document review and pay all applicable fees. (E)
NOT IN COMPLIANCE

COMPLETED **COMPLIED BY** CFD ANNEXATION. The applicant shall annex the property into Community Facilities District CFD 94-01 concurrent with recordation of the final map. (F)
NOT IN COMPLIANCE

COMPLETED **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)
NOT IN COMPLIANCE

COMPLETED **COMPLIED BY** SPECIALTY PLANS. The following additional plans/reports shall be required for businesses with special environmental concerns: (B)
NOT IN COMPLIANCE

A. Submit two (2) sets of engineered plans for the proposed swimming pool to the Building Division for review and construction permits with the required application fees. The plans shall have prior review and approval by the San Bernardino County Department of Environmental Health Services.

COMPLETED **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)
NOT IN COMPLIANCE

COMPLETED **COMPLIED BY** RECREATIONAL FACILITY PLANS. The Developer shall submit two sets of plans to develop the recreational facilities to the Building Division with the required application fees. The recreational facilities shall include passive recreational areas of turf, picnic tables, barbeques, benches, and trash receptacles, and the paseo. Active recreational facilities shall include the recreation building and a tot-lot with permanent playground equipment. (P)
NOT IN COMPLIANCE

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY

COMPLETED **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)
NOT IN COMPLIANCE

COMPLETED **COMPLIED BY** DEDICATION(S). The Developer shall grant to the City an Irrevocable Offer of Dedication for Main Street (Phelan Road). The right of way full width for Main Street (Phelan Road) shall be one-hundred-twenty (120') feet. The Developer shall also grant to the City an Irrevocable Offer of Dedication for Mesa Linda Avenue. The right of way full width for Mesa Linda Avenue shall be sixty (60') 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
NOT IN COMPLIANCE

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 | UTILITY NON INTERFERE/QUITCLAIM DOCS. The Developer shall provide non-interference and or quitclaim letter(s) from any applicable utility agencies for any utility easements that affect the proposed project. All documents shall be subject to review and approval by the Engineering Department and the affected utility agencies. Grading permits will not be issued until the required documents are reviewed and approved by all applicable agencies. Any fees associated with the required documents are the Developer's responsibility. (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 | OFF-SITE GRADING LETTER(S). It is the Developers responsibility to obtain signed Off-Site Grading Letters from any adjacent property owner(s) who are affected by any Off-Site Grading that is needed to make site work. The Off-Site Grading letter(s) along with the latest grant deed(s) must be submitted and appropriate fees paid to the City's Engineering Department for plan check approval. (E) |
| COMPLETED
NOT IN COMPLIANCE | COMPLIED BY | ON-SITE RETENTION. The Developer shall construct on-site retention facilities which have minimum impact to ground water quality. All retention basins shall be designed to effectively handle both nuisance and storm water flows without accumulating standing water for a period longer than 72 hours. All dry wells in retention basins shall be Two Stage Systems per C.O.H Standard SP-1 with a minimum depth of 30 and a maximum depth to be determined by soils engineer at time of boring test. Retention basins over 18 in depth shall be fenced on all sides and shall have a paved 14-foot wide (min.) 12percent (max.) access with a 20 x 20 concrete parking apron at bottom of ramp. The maximum depth of any on-site retention basin shall be 6 feet. Side slopes in excess of 3 1 shall provide erosion control per City requirements. (E) |
| COMPLETED
NOT IN COMPLIANCE | COMPLIED BY | TRAFFIC SIGNAL(S). The Developer shall design to construct, relocate, and modify traffic signal at the intersection of Main Street (Phelan Road) and Mesa Linda Avenue. Traffic signal preemption device for emergency vehicle operation shall be included. (E) |
| COMPLETED
NOT IN COMPLIANCE | COMPLIED BY | STREET IMPROVEMENTS. The Developer shall design street improvements in accordance with City standards and these conditions. (E) |
| COMPLETED
NOT IN COMPLIANCE | COMPLIED BY | MAIN STREET (PHELAN ROAD). Saw-cut (2-foot min.) and match-up asphalt pavement on Main Street (Phelan Road) across the project frontage, based on City's 120-foot Major Arterial Roadway Standard. The curb face is to be located at 46' 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 approved street sections and per "R" value testing with a traffic index of 12 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
NOT IN COMPLIANCE

COMPLIED BY

MESA LINDA AVENUE. Developer shall construct Mesa Linda Avenue, based on the City's 60-foot Suburban Collector Roadway Standard. The curb face is to be located at 18' 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. Design roadway sections per approved street sections and per "R" value testing with a traffic index of 8 and per the soils report.
- H. Traffic control signs and devices as required by the traffic study and/or the City Engineer.
- I. Provide a signage and striping plan per City standards.
- J. Relocate existing utilities as required. The Developer shall coordinate with affected utility companies.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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 12" PVC water line in Main Street (Phelan Road) 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 nearest existing City sewer main as determined by the required sewer study 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
NOT IN COMPLIANCE

COMPLIED BY

WATER/SEWER IMPR. PLAN. The Developer shall design water and sewer improvements in accordance with City standards, and as indicated below. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

WATER IMPR. PLAN. The Developer shall design and construct an 8 minimum PVC water main in Mesa Linda Avenue and tie into existing 12" PVC at the intersection of Main Street (Phelan Road) and Mesa Linda Avenue. Design shall consist of plan and profile per City standards. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

SEWER IMPROVEMENT PLAN: The Developer shall design and construct an 8 minimum PVC SDR 35 sewer main along an approved alignment as determined by the

required sewer study. Design shall consist of plan and profile per City standards. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

The applicant shall submit a written agreement signed by the applicant to either provide, or to contract to provide on going road maintenance, vegetation maintenance, for primary access routes, secondary access routes, and all internal drives, that are not otherwise maintained by a public agency. (F)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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
NOT IN COMPLIANCE

COMPLIED BY

FIRE ACCESS. The development shall have a minimum of TWO points of vehicular access. These are for fire emergency equipment access and for evacuation routes. 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
NOT IN COMPLIANCE

COMPLIED BY

FIRE TURNAROUND. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul de sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty (40) foot radius for residential turns and forty five (45) for non residential turns. (F)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

WATER SYSTEM-RESIDENTIAL. A water system approved and inspected 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 six hundred (600) feet apart (as measured along vehicular travel ways) and no more than three hundred (300) feet from any portion of a structure. (F)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

WATER SYSTEM. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 2,250 GPM for a 2 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 7,206 sq.ft. structure. (F)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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;

B. The building elevations without masonry stone shall include textured stucco in place of the stone consistent with the graphics on file. At least half of the units shall have masonry stone consistent with the approved graphics.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

FISH AND GAME FEE. The applicant shall submit a check to the City in the amount of

NOT IN COMPLIANCE

\$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
NOT IN COMPLIANCE

COMPLIED BY 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)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY PROTECTED PLANTS. Three copies of a protected plant plan shall be submitted to the Building Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua Trees, and other plants protected by the State Desert Native Plant Act. The grading plan shall be consistent with the approved protected plant plan. No clearing or grading shall commence until the protected plant plan is approved and the site is inspected and approved for clearing. (P)

CONDITIONS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY OPTICOM OR EQUIVALENT. Electric gates shall be equipped with an emergency preemptive device, or an automatic means of opening the gate for emergency access by fire department personnel. The location and type of emergency opening devices shall be approved by the fire code official, and may include Opticom or equivalent sensors.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY FIRE ALARM-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 for the Community Building. 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: Residential units shall require 13D systems in compliance with City of Hesperia Building & Safety Standards.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY STREET SIGN. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. (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 City's 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 LIGHT AND LANDSCAPE DISTRICT ANNEXATION. Developer shall annex property into the lighting and landscape district administered by the Hesperia Recreation and Parks District. The required forms are available from the Building Division and once completed, shall be submitted to the Building Division. (RPD)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY MASONRY WALLS AND FENCING. The Developer shall submit four sets of masonry wall/wrought iron fencing plans to the Building Division with the required application fees for all proposed walls. A combination solid three-foot high split-face masonry wall or other approved decorative wall with a three-foot high wrought iron fence shall be provided along the property lines where headlight glare from vehicles on-site would negatively affect adjacent residentially designated properties. An approved six-foot high wall with decorative cap may be substituted for the combination wall/fence provided its height is in accordance with the Development Code. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY LANDSCAPE 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. 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)

CONDITIONS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY AS BUILT PLANS. The Developer shall provide as built plans, Notice of Completion, and One Year Maintenance Bonds to the Engineering / Water Sewer Departments. (E)

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 2014 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. Back-up battery for electric gate 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 LOCKS. An approved Fire Department key box is required on Community Building. An approved Fire Department key switch is required at primary access gate. An approved Fire Department padlock is required at secondary access gate. (F)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY RECREATIONAL FACILITIES. The required recreational facilities shall be completed in accordance with City standards (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY LANDSCAPE PLANS. 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. Park Fees (B)
- C. Utility Fees (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY DIRECTORY ADDRESSING. Apartments condominiums and 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 CONTACT 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 |



DATE: July 9, 2015
TO: Planning Commission
FROM:  Dave Reno, Principal Planner
BY:  Stan Liudahl, AICP, Senior Planner
SUBJECT: General Plan Amendment GPA15-00001 & TPM15-00001; Applicant: James A. Vandenberg Construction, Inc.; APN: 3046-131-27; GPA15-00001 expanded to include APNs: 3046-101-25, 3046-131-29 thru 32, 46 thru 49, and 54 thru 61)

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution Nos. PC-2015-15 and PC-2015-16, recommending that the City Council introduce and place on first reading an ordinance approving GPA15-00001 and approve TPM15-00001.

BACKGROUND

Proposal: A General Plan Amendment from Single-family Residence with a minimum lot size of 18,000 square feet (R1-18000) to Rural Residential with a minimum lot size of one-acre (RR-1) in conjunction with a Tentative Parcel Map (PM-19608), to create four parcels and a remainder on 5.0 gross acres (Attachment 1). The zoning of the subject property was changed from Rural Residential with a minimum lot size of 2½ acres (RR-2½) to R1-18000 in conjunction with Tentative Tract TT-16849 on May 18, 2005. This subdivision allows nine single-family residential lots on the 5.0 gross acre property and remains in effect until June 18, 2016.

Location: On the southeast corner of Sage Street and Topaz Avenue.

Current General Plan, Zoning and Land Uses: The property is currently within the Single-family Residence with a minimum lot size of 18,000 square feet (R1-18000) designation. The surrounding land is designated as noted on Attachment 2. The subject property is vacant. The properties to the north and south contain single-family residences. The properties to the east and west are vacant (Attachment 3).

This project was continued from the Planning Commission's June 11, 2015 meeting, to allow time to consider street paving requirements. At this time, it is recommended that street paving not be required for tentative parcel maps in residential designations.

ISSUES/ANALYSIS

Land Use: The proposed subdivision is inconsistent with the allowable residential density of the existing (R1-18000) General Plan Land Use designation. The Single-family residential designation allows residential uses at a density between 2.1 and 2.4 dwelling units per gross acre. The tentative parcel map creates four parcels and a remainder, which would yield a density of just 1.0 dwelling units per gross acre, which is below the minimum density requirement of the R1-18000 designation.

The proposed General Plan Amendment would change the Land Use designation of the subject property from the Single-family Residence with a minimum lot size of 18,000 square feet (R1-18000) to the Rural Residential with a minimum lot size of one-acre (RR-1) designation. The project site is bounded by land within the RR-2½ District to the north and south and the properties to the west are unincorporated, but are also required a minimum lot size of 2½ acres. The properties to the east are within the Utility Corridor (UC) designation.

The proposed General Plan Amendment is necessary, based upon the existing General Plan designation, which requires a residential density of between 2.1 and 2.4 dwellings per gross acre. Consequently, subdivision of the 5.0 gross acre parcel would require creation of a minimum of 10 lots. The proposed General Plan Amendment would enable residential development at a density of between 0.41 and 1.0 dwelling units per acre. Between two and five parcels will be allowed with approval of the General Plan Amendment. Therefore, the proposed tentative parcel map is consistent with the proposed General Plan Amendment.

Staff has expanded the proposed General Plan Amendment to include an additional 38.6 gross acres in the vicinity of the subdivision so that approval of the subdivision would not create a "spot zone." Most of these lots are approximately one-acre in size and of these 17 lots, 11 lots contain single-family residences. The lots are currently within the Rural Residential with a minimum lot size of 2½ acre (RR-2½) designation. The additional residential density allowed by the RR-1 designation will not result in a significant increase in the number of residences in this area, since only one of the vacant lots within the 38.6 acres is two acres in size. Further, of the two-acre developed lots, only one could be split, given the location of the residences. Consequently, approval of the General Plan Amendment would allow at most two additional residences within the 38.6-acre area. Approval of the proposed five-parcel subdivision (PM-19608) results in seven fewer lots on the 5.0 gross acre parcel, which is allowed up to 12 lots. Therefore, approval of this project will result in five fewer lots within this 43.6 gross acre area.

Tentative Parcel Map: The proposed Tentative Parcel Map (PM-19608) will create four parcels and a remainder, which equates to 1.0 dwelling units per acre. This is within the allowable residential density of the RR-1 designation. The proposed subdivision is also in compliance with the minimum lot width, depth, and area requirements of the RR-1 designation.

Drainage: Although a preliminary drainage study indicates that no significant flows cross this site, a significant drainage course exists just east of the site. The Master Plan of Drainage shows that this proposed facility, identified as H-05, flows northwesterly, traversing through the western portion of the lot. Therefore, no drainage easements are necessary within the proposed five-acre parcel. A final hydrology study shall determine whether any drainage improvements are needed to protect the site from off-site tributary flow. Retention may be required upon individual parcels upon development as outlined in a final hydrology study.

Street Improvements: Even though street paving is not recommended, the developer shall provide irrevocable offer of dedications across the project frontage along both Sage Street and Topaz Avenue and at the corner of the street intersection. The streets are not anticipated to be paved at any time in the future. A note to this effect shall be included on the Composite Development Plan to be filed with the parcel map.

Water and Sewer: The developer shall design and construct an 8-inch minimum PVC water main in Sage Street across the project frontage and connect to the existing Hesperia Water District water line at the corner of Bandicoot Trail. Similarly, an 8-inch water line shall be constructed in Topaz Avenue across the project frontage. Fire hydrants shall be installed at 660-foot intervals within each water line as approved by the City Engineer. Each parcel shall be served by an approved septic system. Should the applicant obtain approval from the Local Agency Formation Commission (LAFCO) of an Out-of-Area Service Agreement and a will serve letter from County Service Area 70, Zone J (CSA 70-J), then the subdivision shall connect to the special district's water system in accordance with the standards of CSA 70-J.

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 4) 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. A Protected Plant Plan indicates that the five-acre parcel contains 33 Joshua Trees, of which 22 are capable of being transplanted. The site is in an area which has a low probability of containing archaeological/paleontological resources.

Conclusion: The project conforms to the policies of the City's General Plan and meets the standards of the Development Code with adoption of the General Plan Amendment. In addition, staff supports the subdivision of the properties into roughly equal one-acre parcels in this area.

FISCAL IMPACT

Development will be subject to payment of development impact fees.

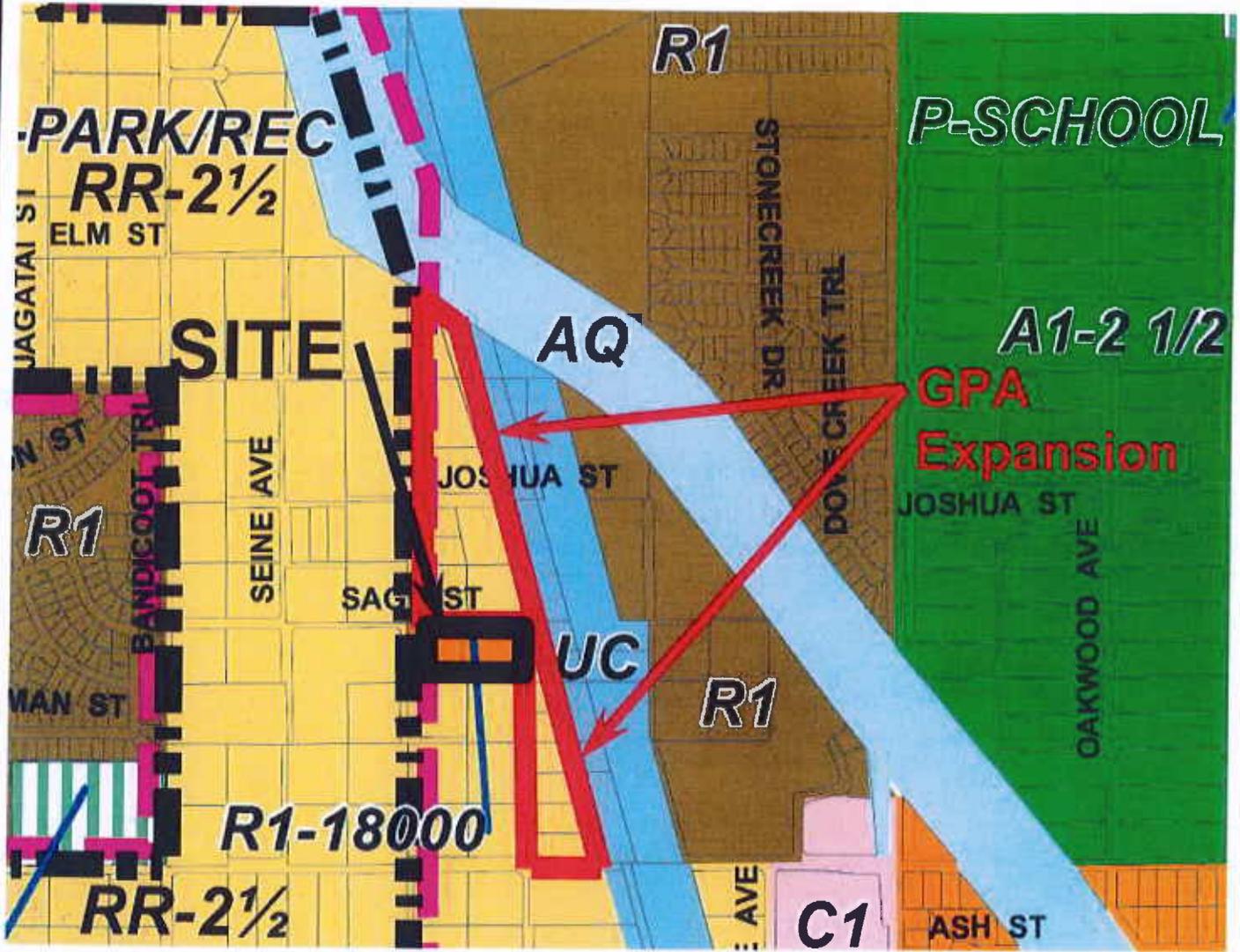
ALTERNATIVE(S)

1. The Planning Commission may choose not to recommend that the City Council expand the General Plan Amendment to the additional 38.6 gross acres. Adoption of a General Plan Amendment creating just five acres of land designated RR-1 surrounded on three sides by properties designated RR-2½, would result in a "spot zone," which is generally to be avoided. Therefore, staff does not support this alternative.
2. Provide alternative direction to staff.

ATTACHMENTS

1. Tentative Parcel Map
2. General Plan Land Use Map
3. Aerial Photo
4. Negative Declaration ND-2015-03 and its initial study
5. Resolution No. PC-2015-15 (GPA15-00001)
6. Resolution No. PC-2015-16, including conditions of approval (TPM15-00001)

ATTACHMENT 2



APPLICANT(S):
JAMES A. VANDENBERG CONSTRUCTION, INC.

FILE NO(S):
GPA15-00001 & TPM15-00001

LOCATION:
GENERALLY NORTH OF MESQUITE STREET, SOUTH OF THE CALIFORNIA AQUEDUCT, EAST OF TOPAZ AVENUE, AND WEST OF THE SOUTHERN CALIFORNIA EDISON TRANSMISSION LINE

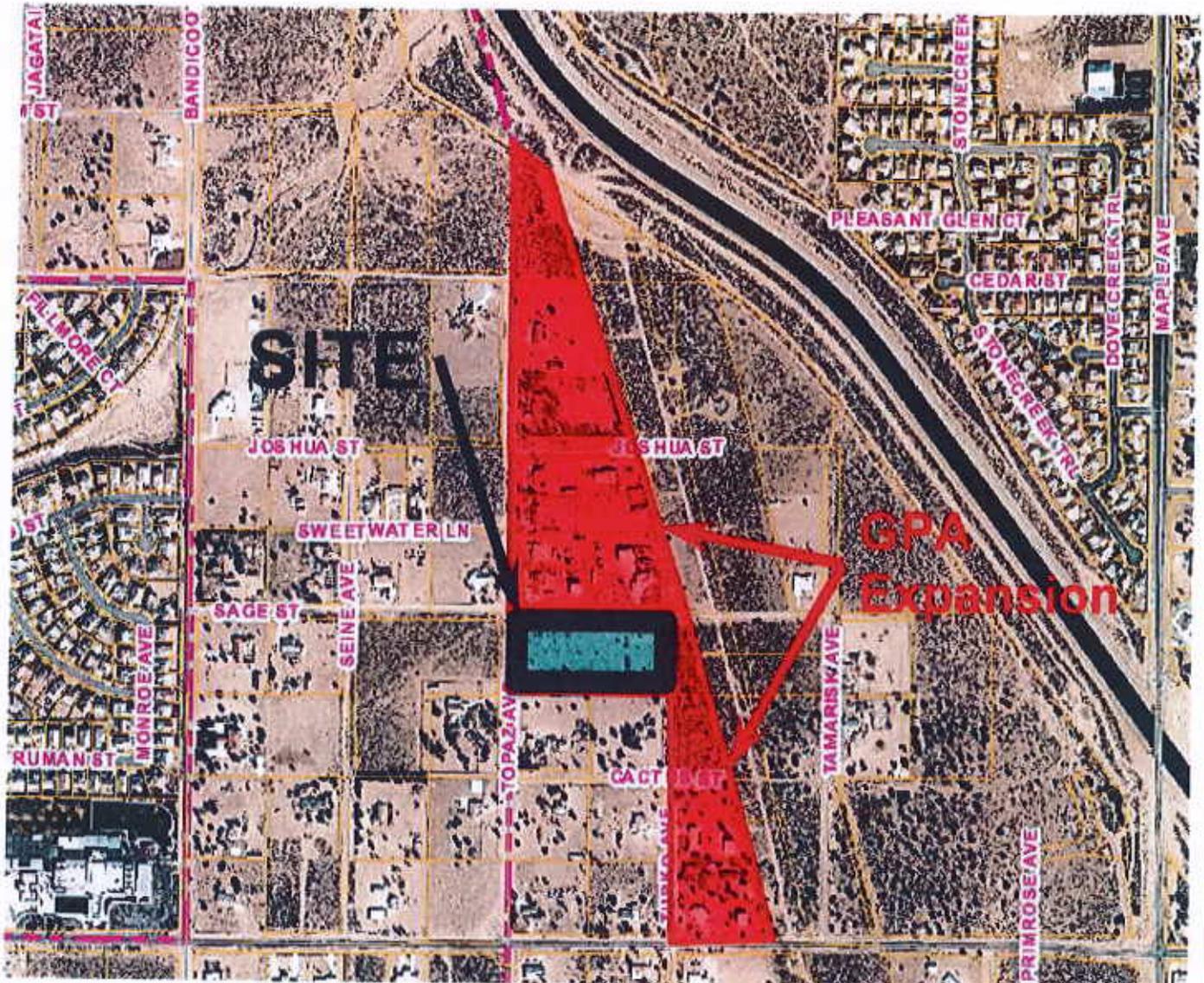
APN(S):
GPA15-00001: 3046-101-25, 3046-131-29 THRU 32, 46 THRU 49, and 54 THRU 61;
TPM15-00001: 3046-131-27

PROPOSAL:
CONSIDERATION OF A GENERAL PLAN AMENDMENT FROM SINGLE-FAMILY RESIDENCE WITH A MINIMUM LOT SIZE OF 18,000 SQUARE FEET (R1-18000) TO RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF ONE ACRE (RR-1) ON 5.0 GROSS ACRES AND FROM RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF 2 1/2 ACRES (RR-2 1/2) TO RR-1 ON APPROXIMATELY 38.6 GROSS ACRES IN CONJUNCTION WITH A TENTATIVE PARCEL MAP TO CREATE FOUR PARCELS AND A REMAINDER ON 5.0 GROSS ACRES



GENERAL PLAN LAND USE MAP

ATTACHMENT 3



APPLICANT(S):
JAMES A. VANDENBERG CONSTRUCTION, INC.

FILE NO(S):
GPA15-00001 & TPM15-00001

LOCATION:
GENERALLY NORTH OF MESQUITE STREET, SOUTH OF THE CALIFORNIA AQUEDUCT, EAST OF TOPAZ AVENUE, AND WEST OF THE SOUTHERN CALIFORNIA EDISON TRANSMISSION LINE

APN(S):
GPA15-00001: 3046-101-25,
3046-131-29 THRU 32, 46
THRU 49, and 54 THRU 61;
TPM15-00001: 3046-131-27

PROPOSAL:
CONSIDERATION OF A GENERAL PLAN AMENDMENT FROM SINGLE-FAMILY RESIDENCE WITH A MINIMUM LOT SIZE OF 18,000 SQUARE FEET (R1-18000) TO RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF ONE ACRE (RR-1) ON 5.0 GROSS ACRES AND FROM RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF 2 ½ ACRES (RR-2½) TO RR-1 ON APPROXIMATELY 38.6 GROSS ACRES IN CONJUNCTION WITH A TENTATIVE PARCEL MAP TO CREATE FOUR PARCELS AND A REMAINDER ON 5.0 GROSS ACRES



AERIAL PHOTO

ATTACHMENT 4

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

NEGATIVE DECLARATION ND-2015-03
Preparation Date: May 26, 2015

Name or Title of Project: Consideration of General Plan Amendment GPA15-00001 and Tentative Parcel Map TPM15-15-00001 (PM-19608).

Location: On the southeast corner of Sage Street and Topaz Avenue (APN: 3046-131-27). The General Plan Amendment is expanded to include 38.6 additional acres located generally north of Mesquite Street, south of the California Aqueduct, east of Topaz Avenue and west of the Southern California Edison transmission line.

Entity or Person Undertaking Project: James A. Vandenberg, Construction, Inc.

Description of Project: Consideration of General Plan Amendment GPA15-00001, amending the Land Use designation from Single-family Residence with a minimum lot size of 18,000 square feet (R1-18000) to Rural Residential with a minimum lot size of one-acre (RR-1) on approximately 5.0 gross acres and from Rural Residential with a minimum lot size of 2½ acres (RR-2½) to RR-1 on approximately 38.6 gross acres; and Tentative Parcel Map TPM15-00001 (PM-19608), to create four parcels and a remainder on 5.0 gross acres.

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.
2. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavaceae family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting or protection in place of all protected plants as specified in the approved protected plant plan.

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: May 28, 2015 through June 16, 2015.

Adopted by the City Council: July 7, 2015.

Attest:

DAVE RENO, AICP, PRINCIPAL PLANNER

**CITY OF HESPERIA INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM**

PROJECT DESCRIPTION

1. **Project Title:** General Plan Amendment GPA15-00001 and Tentative Parcel Map TPM15-00001 (PM-19608)
2. **Lead Agency Name:
Address:** City of Hesperia Planning Division
9700 Seventh Avenue, Hesperia, CA 92345.
3. **Contact Person:
Phone number:** Stan Liudahl, AICP, Senior Planner
(760) 947-1231.
4. **Project Location:** On the southeast corner of Sage Street and Topaz Avenue as shown on Attachment "A" (APN: 3046-131-27).
5. **Project Sponsor:
Address:** James A. Vandenberg Construction, Inc.
20508 Hawaiian Avenue, Lakewood, CA, 90715
6. **General Plan & zoning:** The site is currently within the Single-Family Residence with a minimum lot size of 18,000 square feet in area (R1-18000) General Plan Land Use designation.
7. **Description of project:**

A General Plan Amendment to change the subject property from the Single-Family Residence with a minimum lot size of 18,000 square feet in area (R1-18000) to the Rural Residential with a minimum lot size of one acre (RR-1) designation in conjunction with a tentative parcel map to create four parcels and a remainder on 5.0 gross acres. The site is currently within the R1-18000 designation, which allows residential development within a density between 2.1 and 2.4 dwelling units per gross acre. The site is currently vacant and is accessed by dirt roads. The nearest paved roads are Mesquite Street and Bandicoot Trail.

The proposed subdivision requires approval of a General Plan Amendment from the Single-Family Residence with a minimum lot size of 18,000 square feet in area (R1-18000) to the Rural Residential with a minimum lot size of one acre (RR-1) designation. The R1-18000 designation allows residential development at a density between 2.1 and 2.4 dwelling units per gross acre. Therefore, a subdivision with between 10 and 12 lots is allowed under the current designation. The RR-1 designation allows residential development with a density between 0.41 and 1.0 dwelling units per acre. Therefore, the RR-1 designation allows between 2 and 5 residential lots. Consequently, approval of a General Plan Amendment to RR-1 is needed to allow for the proposed subdivision. The RR-1 designation requires a minimum lot width of 60 feet (70 feet for corner lots), depth of 100 feet, and area of one-acre. The proposed tentative parcel map meets all of these minimum lot requirements. Therefore, approval of the proposed General Plan Amendment will enable the tentative parcel map to be approved.

Approval of the General Plan Amendment for just the five-acre subdivision would establish a "spot zone." Creation of "spot zones" is against the principles of good zoning. Consequently, staff has proposed to expand the General Plan Amendment to approximately 38.6 gross acres located generally north of Mesquite Street, south of the California Aqueduct, east of Topaz Avenue, and west of the Southern California Edison transmission lines. Therefore, a General Plan Amendment from Rural Residential with a minimum lot size of 2 ½ acres (RR-2 ½) to RR-1 is proposed for this 38.6 gross acre area and is included in this environmental evaluation.

8. **Surrounding land uses and setting:** (Briefly describe the project's surroundings.) The properties to the north, south, and east are within the Rural Residential with a minimum lot size of 2½ acre (RR-2½) General Plan Land Use designation. The properties to the west are unincorporated, but are also required a minimum lot size of 2½ acres. The site is currently vacant. Single-family residences exist to the north and south. The properties to the east and west are also vacant as shown on Attachment "A."

9. **Other public agency whose approval is required** (e.g., permits, financing approval, or participation agreement.) Review and approval is required from the City as well as from the California Department of Transportation (Caltrans).

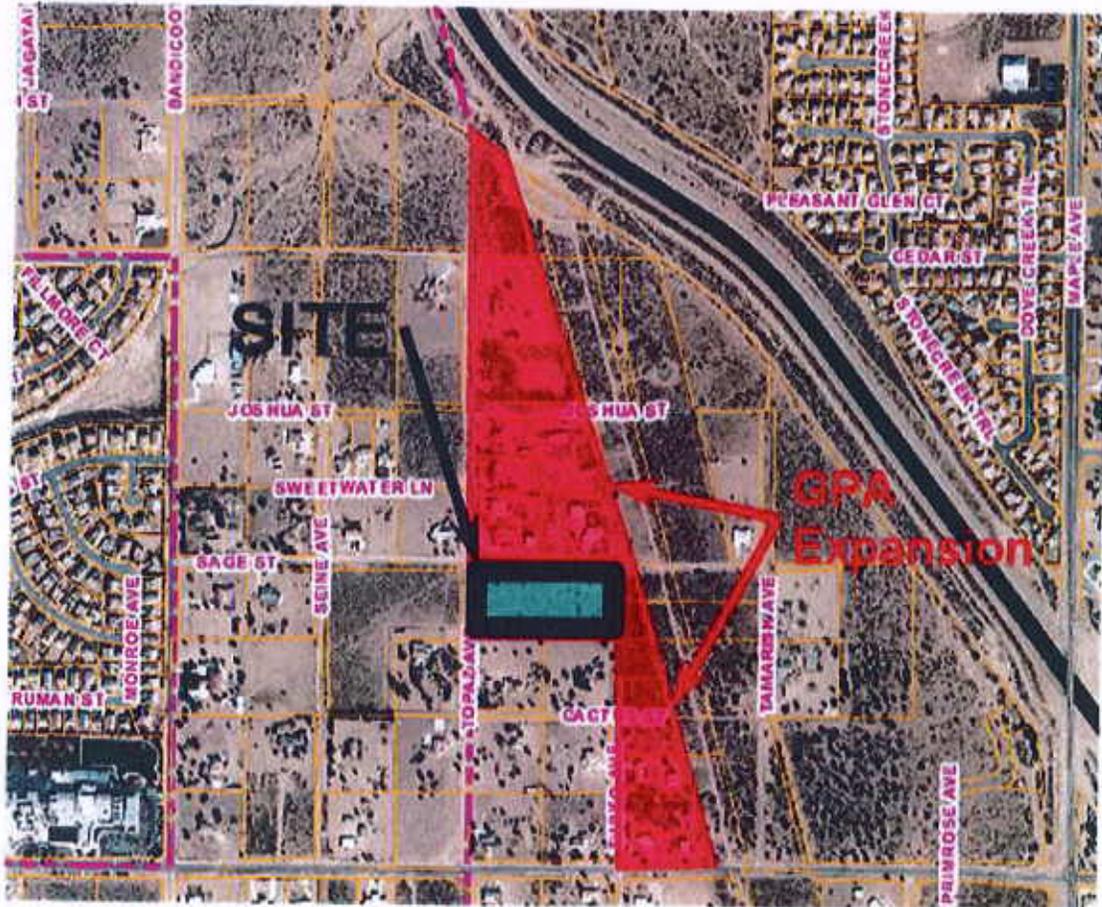
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

GPA15-00001 & TPM15-00001 (PM-19608)
initial study

Attachment "A"

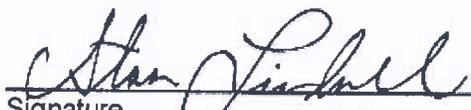


DETERMINATION: (Completed by the Lead Agency)

On the basis of this initial evaluation:

| | | |
|---|--|--|
| | I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. | |
| 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. | |

"De minimis"



 Signature
 Stan Liudahl, AICP, Senior Planner, Hesperia Planning Division

5/28/2015

 Date

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 & 2)? | | | 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 (5)? | | | X | |

Comments.

The site is currently vacant and is adjacent to single-family residences to the north and south (1 & 2). Consequently, the site is not considered a scenic resource. The site contains frontage on both Sage Street and Topaz Avenue. Neither roadway is a scenic highway nor is the site in close proximity to any scenic resources or historic buildings. Approval of the proposed General Plan Amendment and Tentative Parcel Map will allow creation of four parcels and a remainder.

The subject 5.0 gross acre residential development will not have any adverse impact to the aesthetics of the area as the development is subject to Title 16 regulations (6), which limit the building height and provide for minimum yard and lot coverage standards as implemented through the building permit review process. Although the project will produce additional light and glare, any light or glare produced would be similar to that already being produced by the nearby residences (1 & 5). Consequently, development of the site will not degrade the existing visual character or quality of the site and its surroundings.

Proposed Tentative Parcel Map (TPM15-00001) is consistent with the current General Plan Land Use designation and zoning, with approval of the General Plan Amendment. The proposed General Plan Amendment from Single-family residence with a minimum lot size of 18,000 square feet in area (R1-18000) to Rural Residential with a minimum lot size of one-acre (RR-1) on the 5.0 gross acre parcel results in a reduction in residential density. The R1-18000 designation allows residential density between 2.1 and 2.4 dwelling units per gross acre. Consequently, between 10 and 12 lots are allowed by the current designation on this parcel. The RR-1 designation allows residential development with a density between 0.41 and 1.0 dwelling units per acre. The RR-1 designation allows between two and five residential lots on the subject property. Therefore, the General Plan Amendment will reduce the number of residences by as much as seven for this five-acre parcel.

Staff has expanded the proposed General Plan Amendment to include an additional 38.6 gross acres in the vicinity of the subdivision so that approval of the subdivision would not create a "spot zone." Most of these lots are approximately one-acre in size and of these 17 lots, 11 lots contain single-family residences. The lots are currently within the Rural Residential with a minimum lot size of 2½ acre (RR-2½) designation. The additional residential density allowed by the RR-1 designation will not result in a significant increase in the number of residences in this area, since only one of the vacant lots within the 38.6 acres is two acres in size. Further, of the two-acre developed lots, only one could be split, given the location of the residences. Consequently, approval of the General Plan Amendment would allow at most two additional residences within the 38.6-acre area. Approval of the proposed five-parcel subdivision (PM-19608) results in seven fewer lots on the 5.0 gross acre parcel, which is allowed up to 12 lots. Therefore, approval of this project will result in five fewer lots within this 43.6 gross acre area. Consequently, the impact of the General Plan Amendment is within the density of residential development evaluated by the Hesperia General Plan's Program Environmental Impact Report (PEIR).

The Land Use plan within the General Plan identifies large areas where future residential, commercial, and industrial development will occur. The Hesperia General Plan's PEIR analyzed the impact to aesthetics upon build-out of the Land Use Element. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with the cumulative impacts (7). Inasmuch as this project would result in a reduction of four residences in the vicinity of the subject property, the proposed General Plan Amendment will not increase the aesthetic impact from that currently allowed by the adopted Land Use plan. Consequently, no additional impact of development beyond that identified within the General Plan PEIR would occur. Therefore, development of the project would have a less than significant 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 (2 & 8)? | | | | X |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract (8, 9 & 10)? | | | | 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)) (10)? | | | | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use (1, 10 & 11)? | | | | 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 (1 & 10)? | | | | X |

Comments.

The project site is not presently, nor does it have the appearance of previous agricultural uses. The soil at this location is classified by the U.S. Soil Conservation Service as *Hesperia loamy fine sand, two to five percent slopes*. These soils are limited by high soil blowing hazard, high water intake rate, low available water capacity, and low fertility (12). The proximity of residential uses does not make this site viable for agriculture. 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..." The project site does not contain any known agricultural activities or any known unique agricultural soils. Based on the lack of designated agricultural soils on the project site, it is concluded that the project will not result in significant adverse impacts to agriculture or significant agricultural soils. The project is located within an urbanized area which, according to the SCS, is not considered prime farmland. Further, the site is not within the area designated by the State of California as "unique farmland."

According to the City of Hesperia General Plan, no agriculture specific land use exists within the project site. The land is not within a Williamson Act contract and is within the Single-family Residential with a minimum lot size of 18,000 square feet (R1-18000) and is proposed to be designated Rural Residential with a minimum lot size of one-acre (RR-1) (10). The additional 38.6 gross acres in the project's vicinity also contains the same soil type, does not have past or present history of agricultural use, and is currently designated Rural Residential with a minimum lot size of 2 ½ acres (RR-2 ½). Therefore, this project has no potential to conflict with existing zoning for agricultural uses or a Williamson Act contract and will not have an impact upon agricultural resources. Therefore, approval of the General Plan Amendment and Tentative Parcel Map would 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 (13). 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 (14). The project site as well as the 38.6 acre expansion are located in the western portion of the City within the urban area and is substantially surrounded by urban development (1). 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 (11). 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 (15, 16 & 17)? | | | | X |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation (15, 16 & 17)? | | | 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) (15, 16 & 17)? | | | X | |
| d) Expose sensitive receptors to substandard pollutant concentrations (2, 15 & 16)? | | | | X |
| e) Create objectionable odors affecting a substantial number of people (1, 2, 15 & 16)? | | | | X |

Comments.

The impact of the proposed subdivision and General Plan Amendment upon the surrounding area is less than what was evaluated by the General Plan PEIR, since it evaluated the impact of residential development of up to the maximum allowable density permitted by the General Plan. The R1-18000 designation allows residential development at a density between 2.1 and 2.4 dwelling units per gross acre. Based upon this density range, a subdivision with between 10 and 12 lots is allowed on the five-acre parcel. The proposed subdivision will allow five dwelling units on the five-acre parcel, resulting in up to seven fewer lots. The proposed expansion of the General Plan Amendment will allow at most three additional residences on the 38.6-acre area. Consequently, approval of the proposed project will result in four fewer residences in the area.

All uses identified within the Hesperia General Plan are classified as area sources by the Mojave Desert Air Quality Management District (MDAQMD) (16). Programs have been established in the MDAQMD Air Quality Attainment Plan which addresses emissions caused by area sources. Based upon the density reduction proposed as part of the proposed Tentative Parcel Map and General Plan Amendment, no change in air quality emissions is expected to occur (17).

Both short-term (construction) emissions and the long-term (operational) emissions 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. These impacts will be addressed

through a condition of approval that requires the developer to implement dust control measures consistent with the Mojave Desert Planning Area Rule Book Section 403.2 (17), which would also address requirements of the Air Quality Management Plan's PM₁₀ Program. 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 such permits. Long-term emissions refer to those air quality impacts that occur after construction has been completed and these impacts will continue over the operational life of the residences. The long-term air quality impacts are mainly associated with mobile emissions created by motor vehicles. Emissions created by the mechanical equipment and exhaust systems associated with the allowable land uses will comply with all applicable building codes, which ensure compliance with the MDAQMD's regulations.

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. Since there is no change in permitted land uses, or their intensities the change of policies will not create additional emissions, which would have a significant impact upon sensitive receptors.

Staff has expanded the proposed General Plan Amendment to include an additional 38.6 gross acres in the vicinity of the subdivision so that approval of the subdivision would not create a "spot zone." Most of these lots are approximately one-acre in size and of these 17 lots, 11 lots contain single-family residences. The lots are currently within the Rural Residential with a minimum lot size of 2½ acre (RR-2½) designation. The additional residential density allowed by the RR-1 designation will not result in a significant increase in the number of residences in this area, since only one of the vacant lots within the 38.6 acres is two acres in size. Further, of the two-acre developed lots, only one could be split, given the location of the residences. Consequently, approval of the General Plan Amendment would allow at most two additional residences within the 38.6-acre area. Approval of the proposed five-parcel subdivision (PM-19608) results in seven fewer lots on the 5.0 gross acre parcel, which is allowed up to 12 lots. Therefore, approval of this project will result in five fewer lots within this 43.6 gross acre area. Consequently, the impact of the General Plan Amendment is within the density of residential development evaluated by the Hesperia General Plan's Program Environmental Impact Report (PEIR).

The Land Use plan within the General Plan identifies large areas where future residential, commercial, and industrial development will occur. The Hesperia General Plan's Program Environmental Impact Report (PEIR) analyzed the impacts upon air quality. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with the cumulative impacts (7). Inasmuch as this project is within the density limitations of the adopted Land Use plan, no additional impact beyond that identified within the General Plan PEIR would occur.

| 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 (10 & 18)? | | | | 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, 10, 18 & 23)? | | | | 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, 10, 18 & 23)? | | | | 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, 10 & 18)? | | X | | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (10, 19 & 20)? | | 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 (10, 21 & 23)? | | | | 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 (21). The desert tortoise is also not expected to inhabit the site, given its proximity to Sage Street, Topaz Avenue, and the Southern California Edison Transmission Line (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 (22).

RCA Associates, Inc. prepared a Biological Report for the five-acre subdivision, which concluded that no sensitive species or specie habitats were observed on the site including desert tortoise, Mojave ground squirrel, burrowing owls, or any other special-status species (18). The biological report states that none of these nor any other threatened or endangered species inhabit the site. Due to the unpredictability of the burrowing owl, a pre-construction survey shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading. The mitigation measure is listed on page 25.

A protected plant plan was prepared as part of the biological report. The protected plant plan concluded that the five-acre site contains 33 Joshua Trees, of which 22 are healthy and capable of being transplanted. This protected plant plan will ensure that the 22 Joshua Trees will be relocated or protected in place (20). The 11 which will not be protected are unsuitable for transplanting and/or are unhealthy. The grading plan for the project shall stipulate that all protected plants identified within the report will be relocated or protected in place. The mitigation measure is listed on page 25.

Neither the project site nor the expansion of the General Plan Amendment is 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 (23). The project site is located approximately six miles to the northwest within a developed portion of the City. Consequently, approval of the proposed Tentative Parcel Map and General Plan Amendment 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 (24)? | | | X | |
| d) Disturb any human remains, including those interred outside of formal cemeteries (27)? | | | X | |

Comments.

Based upon a site visit and review of the aerial photos, there is no evidence that historic resources exist within the project site or the 38.6-acre expansion for the General Plan Amendment. In addition, the site is not on the list of previously recorded cultural resources (24). 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 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. Further, the Cultural Resources Sensitivity Map indicates that the site has a low sensitivity potential for containing cultural resources (25). Consequently, a cultural resource survey is not required prior to issuance of a grading permit.

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) (7). 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 (28). Consequently, approval of the Tentative Parcel Map and General Plan Amendment is not expected to have an impact upon cultural resources.

| 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 (29, 30 & 31). | | | | X |
| ii) Strong seismic ground shaking (32 & 33)? | | | X | |
| iii) Seismic-related ground failure, including liquefaction (12 & 32)? | | | | X |

| | | | | |
|--|--|--|---|---|
| iv) Landslides (32)? | | | | X |
| b) Result in substantial soil erosion or the loss of topsoil (12)? | | | 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 (12 & 32)? | | | | 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 (12)? | | | | 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 (12)? | | | | X |

Comments.

The project site contains generally flat topography with slopes of between two and five percent. No large hills or mountains are located within the project site, including the 38.6-acre expansion of the General Plan Amendment. The state geologist has identified (zoned) several faults in California for which additional geologic studies are required. According to Exhibit SF-1 of the General Plan Safety Element, no active faults are known or suspected to occur adjacent to or within the project site or within its vicinity and the site is not within an Alquist-Priolo Special Studies Zone or Earthquake Fault Zone (29). 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 (29 & 30). The nearest fault to the site is the Cleghorn fault, located approximately five miles to the southwest.

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 (34). The project site is not located in an Alquist-Priolo Earthquake Fault Zone or within 500 feet of a fault (29 & 30). 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 Hesperia loamy fine sand, two to five percent slopes (12). This soil is limited by high soil blowing hazard, high water intake rate, and moderate to high available water capacity. The site's shallow slope and moderately rapid permeability negates the potential for soil instability.

Because the project disturbs more than one acre of land area, the project is required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge Elimination System (NPDES) permit prior to the start of land disturbance activities. Issuance of these permits requires preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) which specifies the Best Management Practices (BMP) that will be implemented to prevent construction pollutants from contacting stormwater. 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.

As a function of obtaining a building final, the proposed residences will be built in compliance with the Hesperia Municipal Code (6) and the 2013 Building Code, which ensures that the structures 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. Regardless of the General Plan Land Use

designation, each lot shall meet these standards. Consequently, the impact upon geology and soils associated with the proposed development 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 (35)? | | | X | |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases (35, 36 & 37)? | | | 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 (37). 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)(35). 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 (36).

Development of the proposed subdivision and General Plan Amendment will not increase greenhouse gas (GHG) emissions beyond that analyzed within the General Plan Update Environmental Impact Report (GPUEIR). In fact, approval of this project will result in five fewer lots within this 43.6 gross acre area. Consequently, the impact upon GHG emissions associated with the proposed Tentative Parcel Map and General Plan Amendment expansion 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 (2 & 38)? | | | | 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 (2 & 38)? | | | | 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 (2)? | | | | 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 (2)? | | | | 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 (39)? | | | | 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 (39)? | | | | X |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (40)? | | | | 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 (41)? | | | | X |

Comments.

The proposed project does not involve the transport, use, or disposal of hazardous materials (2) and is consistent with the Hesperia Emergency Evacuation Plan (40). However, the transport, storage and use of hazardous materials and wastes are controlled by state and local regulations and laws that have been deemed adequate to reduce the potential for risk of hazardous conditions associated with these materials to a less than significant level.

The following is a list of the facilities identified on the County's list of hazardous sites:

- 14651 Cedar, 92345 - Lake Silverwood SRA
- 18525 Bear Valley Road, 92345 - Mojave Rock and Sand
- 13105 W. Main Street, 92345 - Shell Service Station
- 15787 W. Main Street, 92345 - Goodyear Tire & Rubber
- 15853 Main Street, 92345 - Gas Station with Convenience Store
- 11612 Mariposa, 92345 - US Rentals
- 9531 E. Santa Fe Street, 92345 - Hesperia Towing

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/superpad/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 and the General Plan Amendment expansion are not expected to contain any hazardous wastes, as the area has no history of commercial development (38). Consequently, the proposed development would not pose a health hazard to future residents. The site is also over two miles from the Hesperia Airport to the southeast and is not within a restricted use zone associated with air operations. No safety hazards to people or air operations associated with implementation of the project can be identified (39).

The project is located within an urbanized area and is not in an area susceptible to wildland fires (41 & 42). All new structures associated with this subdivision or the expansion of the General Plan Amendment will be constructed to the latest building standards including applicable fire codes. Therefore, the impact upon hazards and hazardous materials associated with the proposed Tentative Parcel Map and General Plan Amendment expansion is considered less than significant.

| 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 (43 & 44)? | | | | 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) (45 & 46)? | | | 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 (47)? | | | | 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 (5 & 47)? | | | | 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 (48)? | | | | X |
| f) Otherwise substantially degrade water quality (48)? | | | 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 (2, 41, 49 & 50)? | | | | X |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows (2, 41 & 50)? | | | | 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 (2, 10 & 50)? | | | | X |
| j) Inundation by seiche, tsunami, or mudflow (41)? | | | | X |

Comments.

Development of the parcels proposed as part of this Tentative Parcel Map as well as the properties within the General Plan Amendment expansion will disturb more than one-acre of land area. The development may change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff. Although the site is west of a planned major drainage facility, it is at a higher elevation and will not be impacted. Further, the site is also not within a Flood Zone, based upon the latest Flood Insurance Rate Maps (53). Prior to development of any parcel within the Tentative Parcel Map or a lot within the additional 38.6-acres to be designated RR-1, a grading plan shall be reviewed and approved. If greater than one-acre of land is to be disturbed, the developer 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 (52). 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 (52). 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 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 (51). 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 (54). The subject property exhibits between a two and five 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 (56).

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 less than half of its available water supply and that supply is projected to exceed demand beyond the year 2030 (46). 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 Tentative Parcel Map and General Plan Amendment, including its 38.6-acre expansion, 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 (23)? | | | | X |

Comments.

The site is currently vacant and is within the R1-18000 land use designation (1 & 23). Changing the designation from Single-family Residence with a minimum lot size of 18,000 square feet (R1-18000) to Rural Residential with a minimum lot size of one-acre (RR-1) will allow the residential density proposed within Tentative Parcel Map (PM-19608)(2). This proposed land use designation is consistent with the land uses in proximity to the subdivision and will not physically divide an established community. The proposed General Plan Amendment expansion to include 38.6-acres in the vicinity of PM-19608 is also consistent with the adjacent land uses (1).

Proposed Tentative Parcel Map (TPM15-00001) is consistent with the current General Plan Land Use designation and zoning, with approval of the General Plan Amendment. The proposed General Plan Amendment from Single-family residence with a minimum lot size of 18,000 square feet in area (R1-18000) to Rural Residential with a minimum lot size of one-acre (RR-1) on the 5.0 gross acre parcel results in a reduction in residential density. The R1-18000 designation allows residential density between 2.1 and 2.4 dwelling units per gross acre. Consequently, between 10 and 12 lots are allowed by the current designation on this parcel. The RR-1 designation allows residential development with a density between 0.41 and 1.0 dwelling units per acre. The RR-1 designation allows between two and five residential lots on the subject property. Therefore, the General Plan Amendment will reduce the number of residences by as much as seven for this five-acre parcel.

Staff has expanded the proposed General Plan Amendment to include an additional 38.6 gross acres in the vicinity of the subdivision so that approval of the subdivision would not create a "spot zone." Most of these lots are approximately one-acre in size and of these 17 lots, 11 lots contain single-family residences. The lots are currently within the Rural Residential with a minimum lot size of 2½ acre (RR-2½) designation. The additional residential density allowed by the RR-1 designation will not result in a significant increase in the number of residences in this area, since only one of the vacant lots within the 38.6 acres is two acres in size. Further, of the two-acre developed lots, only one could be split, given the location of the residences. Consequently, approval of the General Plan Amendment would allow at most two additional residences within the 38.6-acre area. Approval of the proposed five-parcel subdivision (PM-19608) results in seven fewer lots on the 5.0 gross acre parcel, which is allowed up to 12 lots. Therefore, approval of this project will result in five fewer lots within this 43.6 gross acre area. Consequently, the impact of the General Plan Amendment is within the density of residential development evaluated by the Hesperia General Plan's Program Environmental Impact Report (PEIR).

The Land Use plan within the General Plan identifies large areas where future residential, commercial, and industrial development will occur. The Hesperia General Plan's PEIR analyzed the land use impact upon build-out of the Land Use Element. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with the cumulative impacts (7). Inasmuch as this project would result in a reduction of four residences in the vicinity of the subject property, the proposed General Plan Amendment will not increase the allowable number of residences beyond that currently allowed by the adopted Land Use plan. Consequently, no additional impact of development beyond that identified within the General Plan PEIR would occur.

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 (23). 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. The project site is located approximately five miles northwest of these sensitive vegetation communities, in a developed portion of the City. Therefore, the proposed Tentative Parcel Map and General Plan Amendment, including its expansion to 38.6 acres, will not have a 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. Although the project contains a wash, which contains sand and gravel, the mineral resources within the property are not unique locally or regionally and need not be preserved. Consequently, the proposed Tentative Parcel Map and General 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, 2 & 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 & 61)? | | | | 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 (10 & 61)? | | | | X |

Comments.

Approval of the proposed Tentative Parcel Map and General Plan Amendment will ultimately 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 subdivision, after it is completed, will be mostly from traffic caused by residents arriving and departing in passenger vehicles. Other vehicles, such as mail delivery and other services will also occur. These will have a very small impact on residents in the area (60).

Construction noise levels associated with any future construction activities will be slightly higher than the existing ambient noise levels in the vicinity of the subdivision. Noise generated by construction equipment, including trucks, graders, backhoes, well drilling 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 (59).

The location of the proposed Tentative Parcel Map and General Plan Amendment expansion is within an area of very low density residential development, with lots at least one-acre in size. Further, the area is approximately two miles from Main Street and even farther from Interstate 15. The nearest arterial roadway is Maple Avenue, over ¼-mile to the east. At this distance, the area will be subjected to less than 60dB(A)(62). Since 60dB(A) is a normally acceptable noise level for single-family residences (63), the impact of noise and vibration upon the future residences with approval of the Tentative Parcel Map and General Plan Amendment expansion is not significant.

The project site is over two miles northwest of the Hesperia Airport. At this distance, the project is not impacted by any safety zones associated with this private airport (61). The project site is much 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 density 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 (7). Inasmuch as the proposed Tentative Parcel Map and General Plan Amendment is within the density limitations of the adopted Land Use plan, no additional impact beyond that identified within the General Plan PEIR would occur. Consequently, the impact of the proposed project, including the expansion of the General Plan Amendment, will not result in an additional noise impact.

| 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) (1 & 2)? | | | 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 existing residential developments of the adjacent properties, with approval of the proposed General Plan Amendment (1, 2 & 10). Proposed Tentative Parcel Map (TPM15-00001) is consistent with the current General Plan Land Use designation and zoning, with approval of the General Plan Amendment. The proposed General Plan Amendment from Single-family residence with a minimum lot size of 18,000 square feet in area (R1-18000) to Rural Residential with a minimum lot size of one-acre (RR-1) on the 5.0 gross acre parcel results in a reduction in residential density. The R1-18000 designation allows residential density between 2.1 and 2.4 dwelling units per gross acre. Consequently, between 10 and 12 lots are allowed by the current designation on this parcel. The RR-1 designation allows residential development with a density between 0.41 and 1.0 dwelling units per acre. The RR-1 designation allows between two and five residential lots on the subject property. Therefore, the General Plan Amendment will reduce the number of residences by as much as seven for this five-acre parcel.

Staff has expanded the proposed General Plan Amendment to include an additional 38.6 gross acres in the vicinity of the subdivision so that approval of the subdivision would not create a "spot zone." Most of these lots are approximately one-acre in size and of these 17 lots, 11 lots contain single-family residences. The lots are currently within the Rural Residential with a minimum lot size of 2½ acre (RR-2½) designation. The additional residential density allowed by the RR-1 designation will not result in a significant increase in the number of residences in this area, since only one of the vacant lots within the 38.6 acres is two acres in size. Further, of the two-acre developed lots, only one could be split, given the location of the residences. Consequently, approval of the General Plan Amendment would allow at most two additional residences within the 38.6-acre area. Approval of the proposed five-parcel subdivision (PM-19608) results in seven fewer lots on the 5.0 gross acre parcel, which is allowed up to

12 lots. Therefore, approval of this project will result in five fewer lots within this 43.6 gross acre area. Consequently, the impact of the General Plan Amendment is within the density of residential development evaluated by the Hesperia General Plan's Program Environmental Impact Report (PEIR).

The Land Use plan within the General Plan identifies large areas where future residential, commercial, and industrial development will occur. The Hesperia General Plan's PEIR analyzed the impact of development to the maximum allowable density/intensity upon build-out of the Land Use Element. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with the cumulative impacts (7). Inasmuch as this project would result in a reduction of four residences in the vicinity of the subdivision with adoption of the General Plan Amendment expansion to 38.6 acres adjacent to the proposed five-acre subdivision, the proposed General Plan Amendment will not increase the impact of residential development of the area from that currently allowed by the adopted Land Use plan. As per the Transportation/Traffic Section, approximately 48 daily vehicle trips would be generated by this subdivision. The proposed project, including the expansion of the General Plan Amendment, will result in 29 fewer daily vehicle trips than the number of trips which were analyzed by the GPEIR. Consequently, no additional impact of development beyond that identified within the General Plan PEIR would occur.

The site is in close proximity to water and other utility systems (64). 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 residential land uses (1 & 10) and the proposed Specific Plan Amendment will continue to allow residential land uses. Therefore, the project will not displace any existing housing, necessitating the construction of replacement housing elsewhere. Inasmuch as this project is within the density limitations of the adopted Land Use plan, no additional impact beyond that identified within the General Plan PEIR would occur. As such, the proposed Tentative Parcel Map and expansion of the General Plan Amendment 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 (65): | | | X | |
| Fire protection? (65) | | | X | |
| Police protection? (65) | | | X | |
| Schools? (65) | | | X | |
| Parks? (65) | | | X | |
| Other public facilities? (65) | | | X | |

Comments.

Although the proposed project will create an increase in demand for public services (2), that increase is consistent with that anticipated as part of the General Plan Update Environmental Impact Report

(GPUEIR). The site served by water lines adequate to serve the development (64). Street improvements will be constructed along the project frontage and in Topaz Avenue from the south subdivision boundary to Mesquite Street when construction of the first home within the subdivision begins (66). Additionally, development impact fees will be assessed at the time that building permits are issued for construction of each residence (67). 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 subdivision and General 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 (2)? | | | 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 (2)? | | | X | |

Comments.

The proposed residential development may cause a direct increase in the need for recreational facilities (2). Park impact fees will be assessed at the time that building permits are issued for construction of the proposed development. The City collects impact fees for the Recreation and Park District. Portions of these impact fees are to be used for construction of additional park facilities and/or to provide for increased recreational services.

| 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 (39)? | | | | 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, 2 & 66)? | | | | X |
| e) Result in inadequate emergency access (2)? | | | | 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 proposed Tentative Parcel Map fronts upon Sage Street and Topaz Avenue (APN: 3046-131-27). Joshua Street and Topaz Avenue are local roads, which are therefore not shown on the General Plan Traffic Circulation Plan, which identifies the arterial road network (72).

The project site is located over two miles from the Hesperia Airport and is not within an airport safety zone (61). 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 density 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 impacts (7).

According to the Institute of Traffic Engineers, Trip Generation, 7th Edition, approval of the proposed subdivision (four parcels and a remainder) on five gross acres would generate an estimated 48 daily vehicle trips (9.57 daily trips per dwelling unit). The current General Plan Land Use designation of the property is Single-family Residence with a minimum lot size of 18,000 square feet (R1-18000), which allows between 2.1 and 2.4 dwelling units per gross acre. Development of a residential subdivision to the maximum allowable density of 2.4 units per acre on the five-acre parcel would generate an estimated 115 daily vehicle trips, which was the density of residential development analyzed by the City's General Plan Program Environmental Impact Report (PEIR) at build-out for this property. Therefore, the proposed subdivision will generate approximately 67 fewer daily vehicle trips than the General Plan allows for the area.

In addition to the 67 daily vehicle trips below the traffic volume analyzed by the GPEIR, the proposed General Plan Amendment, which reduces the allowable residential density of Tentative Parcel Map (PM-19608), is being expanded to include 17 existing lots on 38.6-acres currently designated Rural Residential with a minimum lot size of 2½ acre (RR-2½). The additional residential density allowed by the RR-1 designation will not result in a significant increase in the number of residences in this area, since only one of the vacant lots within the 38.6 acres is two acres in size. Further, of the two-acre developed lots, only one could be split, given the location of the residences. Consequently, approval of the General Plan Amendment would allow at most two additional residences within the 38.6-acre area. These additional residences would only increase the daily vehicle trips in the area by about 19 trips. Therefore, the proposed project, including the expansion of the General Plan Amendment, will result in 48 fewer daily vehicle trips than the number of trips which were analyzed by the GPEIR. Inasmuch as the Tentative Parcel Map and General Plan Amendment reduces the estimated daily vehicle trips below the number of trips analyzed by the GPEIR, approval of the project will not pose a significant negative impact upon traffic or transportation.

| 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 (73)? | | | | 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 (74)? | | | | 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 (47 & 66)? | | | | X |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed (45 & 46)? | | | | 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 (76 & 77)? | | | | X |
| g) Comply with federal, state, and local statutes and regulations related to solid waste (78)? | | | | X |

Comments.

The proposed subdivision and General Plan Amendment will increase the amount of wastewater. However, the additional amount is less than the amount accounted for considered as part of the GPUEIR. The development will be connected to the existing eight-inch Hesperia Water District water system in Topaz Avenue (64). The proposed parcels exceed 18,000 square feet in area and are allowed to use an approved on-site septic waste system.

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 (45).

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 less than half of its available water supply and that supply is projected to exceed demand beyond the year 2030 (46 & 75). 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 (78). Currently, approximately 63 percent of the solid waste within the City is being recycled (76 & 77). About 168 tons of solid waste is disposed at the landfill and 243 tons are recycled of the total solid waste produced by the City per day. The waste disposal hauler for the City has increased the capacity of its Materials Recovery Facility (MRF) to 600 tons per day in order to accommodate future development. Therefore, the conditional use permit and 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 effects on human beings, either directly or indirectly? | | | | X |

Comments.

Based upon the analysis in this initial study, a 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. |
|---|
| <p>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:</p> |
| <p>The Certified General Plan Environmental Impact Report.</p> |
| <p>a) Earlier analyses used. Earlier analyses are identified and stated where they are available for review.</p> |
| <p>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.</p> |
| <p>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.</p> |

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.
2. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavaceae family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.

Authority: Public Resources Code Sections 21103 and 21107.

REFERENCES

- (1) Aerial photos of the City of Hesperia taken February, 2014.
- (2) General Plan Amendment GPA15-00001 and Tentative Parcel Map TPM15-00001 (PM-19608) applications and related materials.
- (3) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-7.
- (4) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-8.
- (5) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-9.
- (6) Section 16.16.120 - Development standards of the Hesperia Municipal Code.
- (7) Resolution No. 2010-057, making the environmental findings pursuant to the California Environmental Quality Act, adopting a statement of overriding considerations, certifying the final environmental impact report, and adopting a mitigation monitoring and reporting plan adopting the 2010 Hesperia General Plan Update (GPA10-10185).
- (8) Residential Designations within the Hesperia General Plan Land Use Element, Pages LU-29 thru LU-40.
- (9) Williamson Act map within Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-2.
- (10) Official Maps showing the General Plan Land Use and zoning of the City of Hesperia and its sphere of influence.
- (11) Conservation Element of the 2010 City of Hesperia General Plan Update, Page CN-34.
- (12) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area Map 31 and Page 44.
- (13) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.5.
- (14) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.1.4.
- (15) Air Quality Section of the 2010 City of Hesperia General Plan Update, pages CN-47 thru CN-50.
- (16) Section 3.3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.3-1 thru 3.3-30.
- (17) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.

- (18) General Biological Resources Assessment for Tentative Parcel Map 19608 prepared April 9, 2015 by RCA Associates, LLC.
- (19) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.
- (20) Desert Native Plant Preservation Plan for Tentative Parcel Map 19608 prepared April 9, 2015 by RCA Associates, LLC.
- (21) Section 3.0 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-5.
- (22) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, Exhibit CN-7.
- (23) Section 3.0 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-3.
- (24) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, C-1 thru C-34.
- (25) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, Exhibit 5e.
- (26) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report.
- (27) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.
- (28) Section 8 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, page 64.
- (29) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, Exhibit SF-1.
- (30) Section 1.2.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-4 thru 1-79.
- (31) Section 1.3 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-12 thru 1-13.
- (32) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.
- (33) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-23 thru 1-36.
- (34) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-12.
- (35) Section 1 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 1.
- (36) Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 18.
- (37) Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, pages 20 and 21.
- (38) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-31 thru SF-33.
- (39) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-60 and LU-61.
- (40) Potential Emergency Shelters and Evacuation Routes shown within the 2010 Hesperia General Plan Safety Element, Exhibit SF-4.
- (41) 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.
- (42) Fire Hazard Section of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.7-9.

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- (43) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-13.
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- (44) Section 3.8.5 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-20 thru 3.8-22.
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- (45) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.
-
- (46) Mojave Water Agency letter dated March 27, 1996.
-
- (47) Drainage Study for Tentative Parcel Map 19608 prepared by Cubit Engineering, Inc.
-
- (48) Section 4.3.8 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-8 thru 4-9.
-
- (49) 1992 Hesperia Master Plan of Drainage Volume III, identifying future drainage improvements for the area.
-
- (50) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.
-
- (51) Section 3.8.2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-1 thru 3.8-7.
-
- (52) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-15.
-
- (53) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.
-
- (54) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.
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- (55) Table 3.6-2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.6-24.
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- (56) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.
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- (57) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, page CN-20.
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- (58) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-4 thru NS-12.
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- (59) Section 16.20.125 of the Hesperia Municipal Code, pages 467 thru 468.
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- (60) Section 3.11 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.11-25 thru 3.11-51.
-
- (61) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, Exhibit LU-3.
-
- (62) Table 3.11-9 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-36.
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- (63) Table 3.11-4 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-24.
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- (64) Current Hesperia water and sewer line atlas, page N9.
-
- (65) Section 4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-13 thru 4-18.
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- (66) Conditions of approval for TPM15-00001 (PM-19608).
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- (67) 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. 2007-110 on November 20, 2007, updated November 16, 2014.
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- (68) Table 4-4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, page 40.
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- (69) Section 2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 2-19.
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- (70) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.
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- (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.
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- (72) Traffic Circulation Plan within Section 3.0 of the 2010 City of Hesperia General Plan Update Circulation Element, page CI-17.
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- (73) Section 3.8 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-8 thru 3.8-14.
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- (74) 2013 California Plumbing Code.
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- (75) Hesperia Water District's Urban Water Management Plan (UWMP).
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- (76) Quarterly data of the San Bernardino County Disposal Reporting System for the 3rd quarter 2014.
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- (77) 2014 California Department of Resources, Recycling and Recovery Annual AB939 Report.
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- (78) California Integrated Waste Management Act (AB 939).

ATTACHMENT 5

RESOLUTION NO. PC-2015-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AMEND THE OFFICIAL GENERAL PLAN LAND USE MAP BY RECLASSIFYING CERTAIN REAL PROPERTY FROM SINGLE-FAMILY RESIDENCE WITH A MINIMUM LOT SIZE OF 18,000 SQUARE FEET (R1-18000) TO RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF ONE ACRE (RR-1) ON 5.0 GROSS ACRES AND FROM RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF 2½ ACRES (RR-2½) TO RR-1 ON APPROXIMATELY 38.6 GROSS ACRES LOCATED GENERALLY NORTH OF MESQUITE STREET, SOUTH OF THE CALIFORNIA AQUEDUCT, EAST OF TOPAZ AVENUE AND WEST OF THE SOUTHERN CALIFORNIA EDISON TRANSMISSION LINE (GPA15-00001)

WHEREAS, on May 15, 1991, the City Council of the City of Hesperia adopted the City's General Plan, currently applicable in regards to development within the City; and

WHEREAS, James A. Vandenberg Construction, Inc. has filed an application requesting approval of GPA15-00001 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to 5.0 gross acres within the Single-Family Residence with a minimum lot size of 18,000 square feet (R1-18000) designation located on the southeast corner of Sage Street and Topaz Road and consists of Assessor's Parcel Number 3046-131-27. Staff has expanded this application to include approximately 38.6 gross acres within the Rural Residential with a minimum lot size of 2½ acres (RR-2½) designation located generally north of Mesquite Street, south of the California Aqueduct, east of Topaz Avenue and west of the Southern California Edison transmission line and consists of Assessor's Parcel Numbers 3046-101-25, 3046-131-29 thru 32, 46 thru 49, and 54 thru 61; and

WHEREAS, the Application, as contemplated, proposes to change the General Plan Land Use designation of the subject property from R1-18000 to RR-1 and the expanded application from RR-2½ to RR-1; and

WHEREAS, James A. Vandenberg Construction, Inc. has also filed an application requesting approval of Tentative Parcel Map TPM15-00001 (PM-19608), to create four single-family residential lots and a remainder on the 5.0 gross acres located on the southeast corner of Sage Street and Topaz Avenue; and

WHEREAS, the subject site is vacant. Single-family residences exist to the north and south. The properties to the east and west are also vacant; and

WHEREAS, the subject property is currently within the R1-18000 designation, which is proposed to be changed to RR-1. The expanded application will change approximately 38.6 gross acres from RR-2½ to RR-1. The properties beyond the expanded application to the south are also within the RR-2½ designation, the properties to the north and east are within the Utility Corridor (UC) designation, and the properties to the west are within an unincorporated area of San Bernardino County; and

WHEREAS, an environmental Initial Study for the proposed project was completed on May 28, 2015, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND-2015-03 was subsequently prepared; and

WHEREAS, on July 9, 2015, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed 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 the Planning Commission during the above-referenced July 9, 2015 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon Negative Declaration ND-2015-03 and the initial study which supports the Mitigated Negative Declaration, the Planning Commission finds that there is no substantial evidence that the proposed General Plan Amendment will have a significant effect on the environment;
- (b) The Planning Commission has independently reviewed and analyzed the Negative Declaration, and finds that it reflects the independent judgement of the Planning Commission, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.
- (c) The area of the proposed General Plan Amendment is suitable for the land uses permitted within the proposed Land Use designation. This application proposes to allow one dwelling unit per gross acre, which will not significantly increase the density of this area and is generally consistent with the current parcel sizes. In addition, each parcel contains sufficient land area to allow a suitable building pad.
- (d) The proposed General Plan Amendment is consistent with the goals, policies, standards and maps of the adopted Zoning, Development Code and all applicable codes and ordinances adopted by the City of Hesperia.
- (e) The proposed General Plan Amendment is consistent with City policy, which will allow nonresidential uses capable of utilizing existing supporting infrastructure and municipal services, as directed by the City's adopted General Plan.
- (f) The proposed General Plan Amendment is consistent with the goals and policies of the General Plan, specifically to promote policies that will provide for a mix of residential, commercial, and industrial land uses which will generate sufficient tax revenues to pay the costs of maintaining desired levels of services and adequate infrastructure facilities.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends that the City Council adopt General Plan Amendment GPA15-00001, amending the General Plan map of the City of Hesperia as shown on Exhibit "A," and Negative Declaration ND-2015-03, which is attached to the staff report for this item.

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

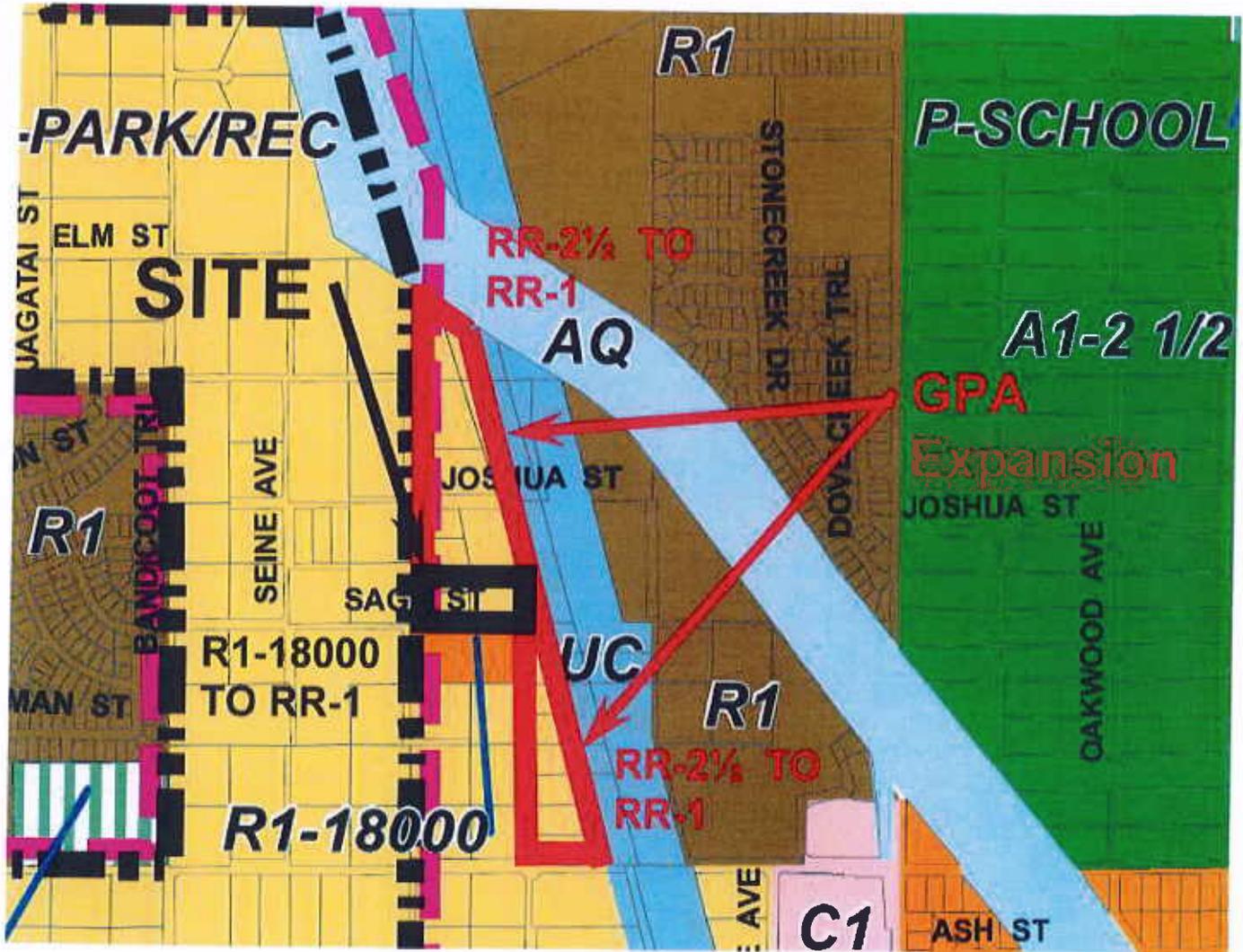
ADOPTED AND APPROVED on this 9th day of July 2015

Tom Murphy, Chair, Planning Commission

ATTEST:

Andrea Ngalo, Secretary, Planning Commission

Exhibit "A"



GPA15-00001

A GENERAL PLAN AMENDMENT FROM SINGLE-FAMILY RESIDENCE WITH A MINIMUM LOT SIZE OF 18,000 SQUARE FEET (R1-18000) TO RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF ONE ACRE (RR-1) ON 5.0 GROSS ACRES AND FROM RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF 2½ ACRES (RR-2½) TO RR-1 ON APPROXIMATELY 38.6 GROSS ACRES

ATTACHMENT 6

RESOLUTION NO. PC-2015-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE A TENTATIVE PARCEL MAP (PM-19608) TO CREATE FOUR PARCELS AND A REMAINDER ON APPROXIMATELY 5.0 GROSS ACRES LOCATED ON THE SOUTHEAST CORNER OF SAGE STREET AND TOPAZ AVENUE (TPM15-00001)

WHEREAS, James A. Vandenberg Construction, Inc. has filed an application requesting approval of TPM15-00001 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to approximately 5.0 gross acres located within the Single-Family Residence with a minimum lot size of 18,000 square feet (R1-18000) designation located on the southeast corner of Sage Street and Topaz Avenue and consists of Assessor's Parcel Number 3046-131-27; and

WHEREAS, the Application, as contemplated, proposes to create four parcels and a remainder on approximately 5.0 gross acres; and

WHEREAS, James A. Vandenberg Construction, Inc. has also filed an application requesting approval of General Plan Amendment GPA15-00001, which will change the General Plan Land Use designation of the subject property from Single-Family Residence with a minimum lot size of 18,000 square feet (R1-18000) to Rural Residential with a minimum lot size of one-acre (RR-1); and

WHEREAS, the subject site is vacant. Single-family residences exist to the north, south and west. The properties to the east are vacant; and

WHEREAS, the subject property is currently within the R1-18000 designation. The properties to the north, south and east are within the RR-2½ designation. The properties to the west are within the unincorporated area of San Bernardino County; and

WHEREAS, an environmental Initial Study for the proposed project was completed on May 28, 2015, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND-2015-03 was subsequently prepared; and

WHEREAS, on July 9, 2015, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed 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 the Planning Commission during the above-referenced July 9, 2015 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon Negative Declaration ND-2015-03 and the initial study which supports the Mitigated Negative Declaration, the Planning Commission finds that there is no substantial evidence that the proposed Tentative Parcel Map will have a significant effect on the environment;
- (b) The Planning Commission has independently reviewed and analyzed the Negative Declaration, and finds that it reflects the independent judgement of the Planning Commission, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.
- (c) The proposed map is consistent with the City's General Plan of the City of Hesperia, with approval of General Plan Amendment GPA15-00001.
- (d) 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.
- (e) The site is physically suitable for the type of development because there are no known physical constraints to residential development and the site has adequate area to accommodate the proposed parcels.
- (f) The site is physically suitable for the proposed density of residential development because the parcels are adequate in size and shape and all regulations applicable to the development can be met with approval of GPA15-00001.
- (g) 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.
- (h) 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, the Planning Commission hereby recommends approval of Tentative Parcel Map TPM15-00001 (PM-19608) subject to the conditions of approval as shown in Attachment "A," and Negative Declaration ND-2015-03, which is attached to the staff report for this item.

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

ADOPTED AND APPROVED on this 9th day of July 2015

Tom Murphy, Chair, Planning Commission

ATTEST:

Andrea Ngalo, Secretary, Planning Commission

ATTACHMENT "A"
List of Conditions for TPM15-00001

Approval Date:
Effective Date: September 18, 2015
Expiration Date: September 18, 2018

This list of conditions applies to Consideration of Tentative Parcel Map TPM15-00001 (PM-19608) in conjunction with General Plan Amendment GPA15-00001, to create four single-family residential parcels and a remainder on 5.0 gross acres located on the southeast corner of Sage Street and Topaz Avenue (Applicant: James Vandenberg Construction, Inc.; APN: 3046-131-27)

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 PRIOR TO RECORDATION OF THE PARCEL MAP

| | | |
|---------------------------------------|--------------------|---|
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | COMPOSITE DEVELOPMENT PLAN (CDP). Four copies of a CDP shall be submitted in accordance with Chapter 17.20 of the Municipal Code. CDP notes to be delineated are referenced in Section 17.20.020(C). In addition, the following note shall be included: i) All parcels within this parcel map are currently and will continue to be served by unimproved streets. |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | PARCEL MAP (RES). A Parcel 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 66444 of the Subdivision Map Act as well as the San Bernardino County Surveyors Office Map Standards. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | TITLE REPORT. The Developer shall provide a complete title report 90 days or newer from the date of submittal. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | PLAN CHECK FEES. A customer request form from Engineering shall be completed and submitted to the Engineering Department. Upon receipt of form, plan-checking fees will be provided to the developer. Fees must be paid along with submittal. Map, CDP, Improvement Plans (If Required), requested studies, and CFD annexation must be submitted as a package. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | ALL EASEMENTS OF RECORD. It shall be the responsibility of the Developer to provide all Easements of Record per recent title report. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | IRREVOCABLE OFFERS OF DED. AND EASEMENT. The Developer shall show all Offers of Dedication(s) and Easement(s) on the Map as outlined below: (E)

A. 30' half-width dedication for Topaz Avenue.
B. 30' half-width dedication for Sage Street.
C. Corner-cut-off at the intersection of Topaz Avenue and Sage Street. |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | ELECTRONIC COPIES. The Developer shall provide electronic copies of the approved project in AutoCAD format Version 2014 to the City's Engineering Department. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | OUT OF AREA SERVICE AGREEMENT. The Developer shall submit completed documents indicating approval for an Out of Area Service Contract for the Tentative Parcel Map - per City of Hesperia San Bernardino County Special District Service Area 70 and L.A.F.C.O. (Local Agency Formation Commission) requirements. If this service agreement is not approved, then the project shall be served by the Hesperia Water District. (E) |

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

CFD ANNEXATION. The applicant shall annex the property into Community Facilities District CFD 94-01 concurrent with recordation of the final map. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

GENERAL PLAN AMENDMENT. These conditions are concurrent with approved General Plan Amendment GPA15-00001 becoming effective. (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

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 DEVELOPMENT OF ANY PARCEL OF THE PARCEL MAP

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

DUST CONTROL. Dust control shall be maintained before, during, and after all grading operations. (B)

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

PERCOLATION TEST. The applicant shall submit a percolation test, performed by a California licensed civil or soils engineer, and approved by the San Bernardino County Department of Environmental Health Services for the required private sewage disposal systems. Should the applicant agree in writing to use the most restrictive percolation test for a site in close proximity to the subject property in designing the sewage disposal systems, then a percolation test shall not be required to be performed on-site. The applicability of any percolation test for use in designing the sewage disposal systems shall be subject to review and approval by the Building and Safety Division. In the event a tract map or parcel map has previously been recorded on the project site, the City of Hesperia has a percolation test on file, and no unusual conditions apply, this requirement may be waived by the Building and Safety Division. (B)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

RECORDATION OF MAP. Map shall be recorded with the San Bernardino County Recorders Office. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

UTILITIES. Each parcel shall be served by the Hesperia Water District (HWD); and be served by a separate water meter, service line, and sewer lateral connection where available. An automatic meter reader shall be included on all meter connections. If the parcels are served by CSA70-J instead, then a copy of the will serve agreement from Zone J shall be submitted to the satisfaction of the City Engineer. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

UTILITY RELOCATION/UNDERGROUND. If the developer is required to install water, sewer, or construct street improvements or when utilities shall be placed underground, it shall be the developer's responsibility to relocate / underground any existing utilities at their own expense. Relocation / undergrounding of utilities shall be identified upon submittal of construction plans. (P, 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. The Developer shall design street improvements, as identified in the Hydrology study or per the Citys Engineering and Building and Safety Department requirements upon review of the grading plan. Street design shall be in accordance with City standards (E)

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)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

PROTECTED PLANTS. Three copies of a protected plant plan shall be submitted to the Building Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua Trees, and other plants protected by the State Desert Native Plant Act. The grading plan shall be consistent with the approved protected plant plan. No clearing or grading shall commence until the protected plant plan is approved and the site is inspected and approved for clearing. (P)

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY

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

S.W.P.P.P IMPLEMENTATION. 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)

CONDITIONS REQUIRED PRIOR TO OCCUPANCY OF ANY UNIT

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

- A. Development Impact Fees (B)
- B. Park Fees (B)
- C. Utility Fees (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

CDP CONFORMANCE. All Special Requirements as outlined on the approved CDP (Composite Development Plan) shall be completed, inspected and approved through the appropriate department. (E)

NOTICE TO DEVELOPER: THIS CONCLUDES THE REQUIREMENTS FOR RECORDATION OF THE PARCEL MAP. IF YOU NEED ADDITIONAL INFORMATION OR ASSISTANCE REGARDING THESE CONDITIONS, PLEASE CONTACT 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
DEVELOPMENT REVIEW COMMITTEE**

**City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, July 1, 2015**

A. PROPOSALS:

1. TMS CONSORTIUM (SPR14-00008)

Proposal: To construct a 23-unit affordable multi-family residential development.

Location: West side of H Avenue 90 feet north of Sultana Street (APN: 0410-192-56 & 61)

Planner: Stan Liudahl



**CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE**

**City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, June 17, 2015**

A. PROPOSALS:

There are no items scheduled for this meeting; however, the meeting will be open for any walk-ons.