

PLANNING COMMISSION AGENDA

SPECIAL MEETING

Date: September 24, 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.

September 24, 2015

**AGENDA
SPECIAL MEETING
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: September 10, 2015 Planning Commission Meeting Draft Minutes.

PUBLIC HEARINGS

- 1.
 - A. Certification of Tapestry Final EIR SCH# 2013111021 and adoption of Facts, Findings and Statement of Overriding Considerations and Approval of a Mitigation Monitoring and Reporting Program.
 - B. Consideration of Specific Plan SPL13-00001 to approve the Tapestry Specific Plan Project.

C.

- i. Tentative Tract TT14-00004 (TT-18985) to create 15 lots for finance and conveyance purposes consistent with the phases of the Tapestry Specific Plan on 9,365 gross acres.
- ii. Tentative Tract TT14-00005 (TT-18989), to create 39 lots for single family residences and Public Uses and street right-of-ways necessary to develop Phase 1 of the Tapestry project on 987 gross acres.
- ii. Tentative Tract TT13-00001 (TT-18955) to create 1,941 single-family residential lots and 2 lots for 220 medium density residential units within Phase 1 of the Tapestry Specific Plan.

PRINCIPAL PLANNER'S REPORT

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

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, September 17, 2015 at 5:30 p.m. pursuant to California Government Code §54954.2.

 Andrea Ngalo
 Planning Commission Secretary



DATE: September 24, 2015
TO: Planning Commission
FROM: ✓ Dave Reno, AICP, Principal Planner
BY: Daniel S. Alcayaga, AICP, Senior Planner
Stan Liudahl, AICP, Senior Planner
SUBJECT: Tapestry Project

RECOMMENDED ACTION

It is recommended that the Planning Commission 1) adopt Resolution No. PC-2015-19, recommending that the City Council certify the environmental impact report as complete and final, adopt the statement of facts and findings and the statement of overriding considerations and adopt the mitigation monitoring and reporting program; 2) adopt Resolution No. PC-2015-20, recommending that the City Council adopt the Tapestry Specific Plan and 3) adopt Resolution Nos. PC-2015-21, 25 and 26, recommending that the City Council approve tentative tract maps, TT-18985, TT-18989 and TT-18955.

BACKGROUND

The Tapestry Project was considered by the Planning Commission on August 27, 2015. The Commission held a public hearing to take testimony from 28 individuals who commented on a variety of issues, including land use, overall density, water supply, traffic impacts, earthquake faults, and dam inundation zones. Following the public hearing, the Planning Commission voted unanimously to continue the item until September 24, 2015. The Commission requested additional information on several items. These were 1) The construction of the Cedar Springs Dam and its associated dam inundation zones; 2) Information regarding the availability of water as specified by the Mojave Water Agency (MWA); 3) Revisions to the tentative tracts within the two northern "fingers" of the project for buffering purposes with land outside Tapestry. The Commission desired that larger lots be located within these fingers to range in size from 12,000 to 18,000 square feet. The Commission also specified that lots on the perimeter of the fingers be limited to construction of single story homes. Due to the volume of the material, the previous report has been included with updated attachments related to the issues mentioned above.

ISSUES/ANALYSIS

Ceder Springs Dam/Indundation Zones:

Commissioner Muller quoted from a 2007 article regarding design options for dams located in seismically active areas. The article references Cedar Springs Dam, as well as five other dams located in Greece, New Zealand, Iran, Tajikistan and Los Angeles County. The article listed design features and mitigations and discusses the relative merits of embankment dams, like the Cedar Springs dam, versus concrete dams and their ability to withstand earthquakes. In general, the article concluded that while concrete dams could be built, embankment dams have a greater ability to withstand ground movement during earthquakes.

In addition, Hesperia's General Plan Land Use map includes the dam inundation zone that was established with construction of the Cedar Springs Dam. The dam inundation zone is shown in the Site Analysis (Attachment 1) from the Specific Plan. As shown, except for the sports park and limited Grass Valley Village residential areas, (where any proposed habitable structures will be required to mitigate out of the inundation water surface elevation), the area included in this inundation area will remain undeveloped. Residential development is not proposed within the FEMA 100 year flood plain. Further, should subsequent studies by the state (Department of Water Resources) revise the dam inundation zone, then the Specific Plan would have to be amended to conform.

Available Water:

Water supply is discussed under Section 3.18 (Utilities) in the draft Final Environmental Impact Report. It references the Water Supply Assessment (WSA) that was prepared for the Project and approved by the Hesperia Water District Board on July 15, 2014. For background, the Hesperia Water District (HWD), which is the water purveyor for the City of Hesperia, including the Tapestry project, is required to have an adopted "Urban Water Management Plan" (UWMP). The UWMP is similar to the City's General Plan in that it provides a "vision" of the HWD's long range water needs (the next 20 years) to serve all land uses within its service boundary. The HWD UWMP was adopted in 2011. This plan relies on information from the Mojave Water Agency (MWA) which has a similar role for the entire Mojave River Basin. As a long-range plan, it takes into account the historical trend of "wet" and "dry" years for groundwater supply and replenishment, as well as outside sources, specifically the State Water Project.

Under State law (California Water, Business and Professions, and Government codes), a WSA must be prepared for large projects by the HWD in order to inform the City whether it can serve the project. Once the HWD has made a determination on the WSA, this information is included in the environmental analysis. The project is estimated to require 6,542 acre-feet of potable water and 4,380 acre-feet of reclaimed water per year at build-out (19,396 dwelling units max). Tapestry's 6,542 acre-feet demand of potable water is well within the UWMP's projected water demand growth for Hesperia. In this case, the HWD's WSA has concluded that, based on the measures included in the Tapestry project, adequate water supplies are available to serve it for a minimum period of twenty years.

If the HWD was unable to make this finding with all known information, which is not the case, the HWD would be obligated to provide the City with a plan on *how and when* it would have the ability to serve. The City, as Lead Agency, relies on the "expert" in the area of water supply, which is the HWD.

Traffic Impacts to Ranchero Road/I Avenue/Highway 138:

The project will be responsible for improvements on Ranchero Road needed to accommodate Phase 1 traffic is identified in the Traffic Impact Analysis (TIA). The timing and nature of improvements needed to mitigate impacts associated with each successive phase will be determined through phase-specific traffic analyses approved by the City. The provision for pedestrian buttons for equestrians will be incorporated into the signal design for traffic signals adjacent to the equestrian trails.

As the successive phases of the project are constructed, Rancho Las Flores Parkway will be completed as a major arterial and eventually provide a connection to Highway 138. In addition, the project EIR evaluated completion of other connections identified in the General Plan, including Santa Fe Avenue and Maple Avenue, as well as an improved interchange with the Highway 138/173 junction. As mentioned above, the timing and nature of these improvements will be determined by subsequent phase specific traffic analyses.

In addition, it is acknowledged that the Maple Avenue connection to Rancho Road could be eliminated for several reasons. As a fourth connection to the Rancho Road corridor, it does not provide enough additional capacity beyond the other three connections (Santa Fe, Farmdale, and the Parkway) to warrant the expense of building a bridge structure over the existing railroad. In addition, the traffic study indicated that the vehicle trips utilizing Rancho Road can be accommodated with the other three connections, even at project build-out. Since the Maple Avenue connection is shown on the City's General Plan Circulation Element, it had to be included in the analysis. It was included in the General Plan Update in 2010 as a carry-over from the previously approved project. The changes in the new project have rendered this connection obsolete.

Finally, the traffic analysis assumed that Phase 1 traffic would make its way to Main Street and other shopping or employment opportunities via one of the north-south streets that connect to Rancho Road, not just I Avenue. It was estimated that the addition of Phase 1 traffic would increase the daily volume on I Avenue by roughly 300 trips in each peak hour. It was acknowledged that this increase in traffic would be noticeable, but that the roadway will continue to operate within its current LOS D capacity even as currently constructed as a two-lane road.

Lot sizes within the "fingers":

Chair Murphy discussed the variations in lot sizes within the two northern fingers of the project and suggested that a greater percentage of larger lots be included. In response, these areas have been redesigned as shown on Attachment 1. The western finger now features lots on the perimeter of minimum 18,000 SF lots. Within the perimeter are minimum 16,000 SF lots and in the interior, lots are over 14,000 SF. A total of 24 lots have been removed from this area. The eastern finger extending to Rancho Road also features lots on the perimeter of over 18,000 SF. Lots east of the perimeter are now at least 14,000 SF and lots along Rancho Las Flores Parkway are a minimum of 12,000 SF. This redesign removed an additional 34 lots. As a result of the changes to the lots within Phase 1, the new land use summary is as shown in the table below:

| Land Uses | Minimum Lot Size**** | Density Target (DU/AC) | Density Range (DU/AC) | Acres | Total Units |
|--------------------------------------------------------------|----------------------|------------------------|-----------------------|-----------------|---------------|
| Residential | | | | | |
| Estate (E) | 0.5 AC | 0.7 | 0 - 2 | 887.76 | 677 |
| Very Low (VL) | 18,000 SF | 2.3 | 1 - 2.5 | 0 | 0 |
| Low (L) | 7,200 SF***** | 3.5 | 2 - 4.5 | 1,371.63 | 4,637 |
| Low Medium (LM) | 4,000 SF | 5.0 | 4 - 8 | 1,826.53 | 9,559 |
| Medium (M) | 2,900 SF | 10.0 | 7 - 15 | 287.67 | 3,093 |
| High (H) | CONDOS/FLATS | 17.0 | 14 - 25 | 47.96 | 815 |
| Total | | | | 4,421.55 | 18,781 |
| Mixed Use | | | | | |
| Mixed Use Residential (MU) | CONDOS/FLATS | 18 (4.5') | 18 - 30 | 94.43 | 425 |
| Mixed Use Commercial (MU) ** | | | - | - | 0 |
| Total | | | | 94.44 | 425 |
| Residential & Mixed Use Total | | | | 4,515.99 | 19,206 |
| Schools | | | | | |
| Elementary | | | | 90.24 | |
| Middle | | | | 53.04 | |
| High | | | | | |
| Total | | | | 118.45 | 261.73 |
| Facilities | | | | | |
| Treatment Plant | | | | 11.09 | |
| Roads | | | | | |
| Total | | | | 606.53 | |
| Parks | | | | | |
| Parks | | | | 215.95 | |
| Sport Park | | | | 43.85 | |
| Community Parks | | | | | |
| Total | | | | 127.58 | 387.38 |
| Open Space | | | | | |
| Open Space | | | | 3,003.75 | |
| Serrano Heritage Preserve (not within Conservation Easement) | | | | 8.40 | |
| ***Serrano Heritage Preserve/ Conservation Easement | | | | 72.30 | |
| ***Conservation Easement | | | | 450.71 | |
| Landscape Lot (Arterial) | | | | 47.64 | |
| Total | | | | 3,582.80 | |
| Grand Total | | | | 9,365.5 | 19,206 |

* The Mixed Use density factors in the assumption that 25% of the Mixed Use area will have a density of 18 du/ac, therefore 4.5 du/ac is being used to establish the number of units.

** Commercial/retail area to be approximately 500,000 - 700,000 sf.

*** Total Conservation Easement = 523.01

**** For Phase I no lot shall be less than the minimum lot size. For all other phases, the minimum lot size will apply to the average lot size calculation for a tract or planning area.

***** All lots located on the perimeter of the Tapestry project boundary will be 12,000 sf minimum lot sizes.

The revised numbers and types of units proposed in Phase 1 are illustrated in the table below:

Residential Lot Sizes in Phase 1

| PHASING INDEX SUMMARY TABLE | | | | | | | |
|------------------------------------|---------------|---------------|---------------|----------|-----------|-----------------|------------------|
| PLANNING AREA | 18989 Lot No. | 18955 TR. No. | TOTAL ACRES | LAND USE | LOT COUNT | LOT S.F. (Min.) | Average Lot Size |
| A1 | 24 | 24 | 16.12 AC | L (3.5) | 27 | 12,000 SF | 14,752 SF |
| P1 PARK | | | 2.47 AC | -- | -- | -- | -- |
| A2 | 1 | 1 | 39.05 AC | L (3.5) | 57 | 12,000 SF | 15,371 SF |
| P2 PARK | | | 2.00 AC | -- | -- | -- | -- |
| A3 | 2 | 2 | 17.90 AC | L (3.5) | 37 | 12,000 SF | 16,572 SF |
| A4 | 3 | 3 | 37.51 AC | L (3.5) | 83 | 12,000 SF | 13,447 SF |
| A5 | 5 | 5 | 24.40 AC | LM (5.0) | 72 | 6,500 SF | 7,546 SF |
| A6 | 4 | 4 | 21.12 AC | LM (5.0) | 58 | 6,000 SF | 7,338 SF |
| A7 | 6 | 6 | 20.78 AC | LM (5.0) | 72 | 7,000 SF | 8,231 SF |
| A8 | 7 | 7 | 28.20 AC | L (3.5) | 55 | 8,000 SF | 9,900 SF |
| A9 | 9 | 9 | 39.57 AC | L (3.5) | 61 | 12,000 SF | 16,376 SF |
| A10 | 8 | 8 | 26.94 AC | L (3.5) | 51 | 12,000 SF | 16,377 SF |
| A11 | 10 | 10 | 30.23 AC | L (3.5) | 77 | 7,200 SF | 9,445 SF |
| A12 | 11 | 11 | 16.82 AC | LM (5.0) | 81 | 5,500 SF | 6,013 SF |
| A13 | 12 | 12 | 19.67 AC | LM (5.0) | 87 | 6,000 SF | 6,666 SF |
| A14 | 23 | 23 | 31.98 AC | L (3.5) | 113 | 7,200 SF | 8,254 SF |
| A15 | 22 | 22 | 28.68 AC | LM (5.0) | 101 | 7,000 SF | 8,165 SF |
| A16 | 21 | 21 | 28.08 AC | LM (5.0) | 111 | 6,500 SF | 7,704 SF |
| A17 | 26 | 26 | 20.13 AC | M (10) | -- | -- | -- |
| A18 | 20 | 20 | 27.31 AC | LM (5.0) | 79 | 6,500 SF | 7,143 SF |
| A28 | 13 | 13 | 24.25 AC | LM (5.0) | 106 | 5,000 SF | 5,832 SF |
| A29 | 14 | 14 | 17.60 AC | LM (5.0) | 72 | 6,000 SF | 7,047 SF |
| A30 | 15 | 15 | 35.30 AC | L (3.5) | 109 | 7,200 SF | 8,916 SF |
| A37 | 16 | 16 | 17.13 AC | LM (5.0) | 68 | 7,000 SF | 7,900 SF |
| A38 | 17 | 17 | 21.00 AC | LM (5.0) | 106 | 5,500 SF | 6,090 SF |
| A41 | 25 | 25 | 9.71 AC | M (10) | -- | -- | -- |
| A42 | 18 | 18 | 15.61 AC | LM (5.0) | 65 | 6,000 SF | 7,064 SF |
| A43 | 19 | 19 | 33.54 AC | LM (5.0) | 135 | 6,000 SF | 7,206 SF |
| Sub-Total Acreage | | | 653.10 AC | | 1,883 | | |
| TREAT. PLANT | 27 | WWRP | 11.09 AC | | | | |
| OPEN SPACE | 30 | LOT B | 71.32 AC | | | | |
| OPEN SPACE | 32 | LOT D | 43.68 AC | | | | |
| OPEN SPACE | 31 | LOT C | 74.87 AC | | | | |
| OPEN SPACE | 29 | LOT A | 31.08 AC | | | | |
| PARK | 39 | LOT K | 13.93 AC | | | | |
| PARK | 38 | LOT J | 5.73 AC | | | | |
| PARK | 36 | LOT N | 12.74 AC | | | | |
| PARK | 37 | LOT I | 7.68 AC | | | | |
| PARK | 35 | LOT G | 3.56 AC | | | | |
| PARK | 34 | LOT F | 9.37 AC | | | | |
| PARK | 33 | LOT E | 7.69 AC | | | | |
| SCHOOL | 28 | SCHOOL | 20.36 AC | | | | |
| Sub-Total Acreage | | | 333.38 AC | | | | |
| TTM No. 18955 Total Acreage | | | 986.48 | | | | |

| Land Use Legend |
|-----------------------------------------------|
| Low (L) - 7,200-18,000 SF (3.5 DU/Ac.) |
| Low Medium (LM) - 4,000-7,200 SF (5.0 DU/Ac.) |
| Medium (M) - 2,900-4,000 SF (10.0 DU/Ac.) |

NOTE: Medium Density = 220 lots
 (Total lots with MDR = 2,103)

Single Story Homes/Buffering:

Commissioner Bell-Hahn suggested that lots on the perimeter of Phase 1 be restricted to single-story homes as shown on Attachment 2. This will minimize the visual impacts of 2-story homes, primarily upon existing homes existing to the north and west of Phase 1. The plan has been revised to meet this request.

Based on the discussion by the Commission, separate resolutions for the three tentative tract maps are included in this report:

- Tentative Tract Map 1 (TT-18985): The first tentative tract would subdivide the property into large parcels consistent with future phasing and large open spaces. These parcels would be greater than 40 acres and in some cases exceed 1,000 acres. It would result in 15 parcels.
- Tentative Tract Map 2 (TT-18989): The second layer of mapping would subdivide Phase 1 into the different tracts, parks, schools, open spaces, WWRP and other uses proposed as part of Phase 1, that would occur in the northeastern portion of the site, in the Mesa Village. These lots would range in size, generally making the residential tract lots approximately 20 or more acres, with some smaller sites for parks and other non-residential uses. It would subdivide Phase 1 into 39 lots (Attachment 3).
- Tentative Tract Map 3 (TT-18955): The third layer of mapping would subdivide each residential lot in TT-18989 into single-family residential lots. These lots would range from 5,500 SF minimums to 10,000 SF minimums (12,000 SF on the perimeter of the project) as shown in the revised table above. This tract map is proposed to include 24 tracts, for a total of 1,883 single-family residential units. An additional two lots could be developed with up to 220 attached units. The total number of units authorized in Phase 1 is 2,103. The remaining 13 lots will be dedicated for open space, parks, water quality basins, the WWRP and other non-residential uses (Attachment 4).

ALTERNATIVE(S)

1. Provide alternative direction to staff.

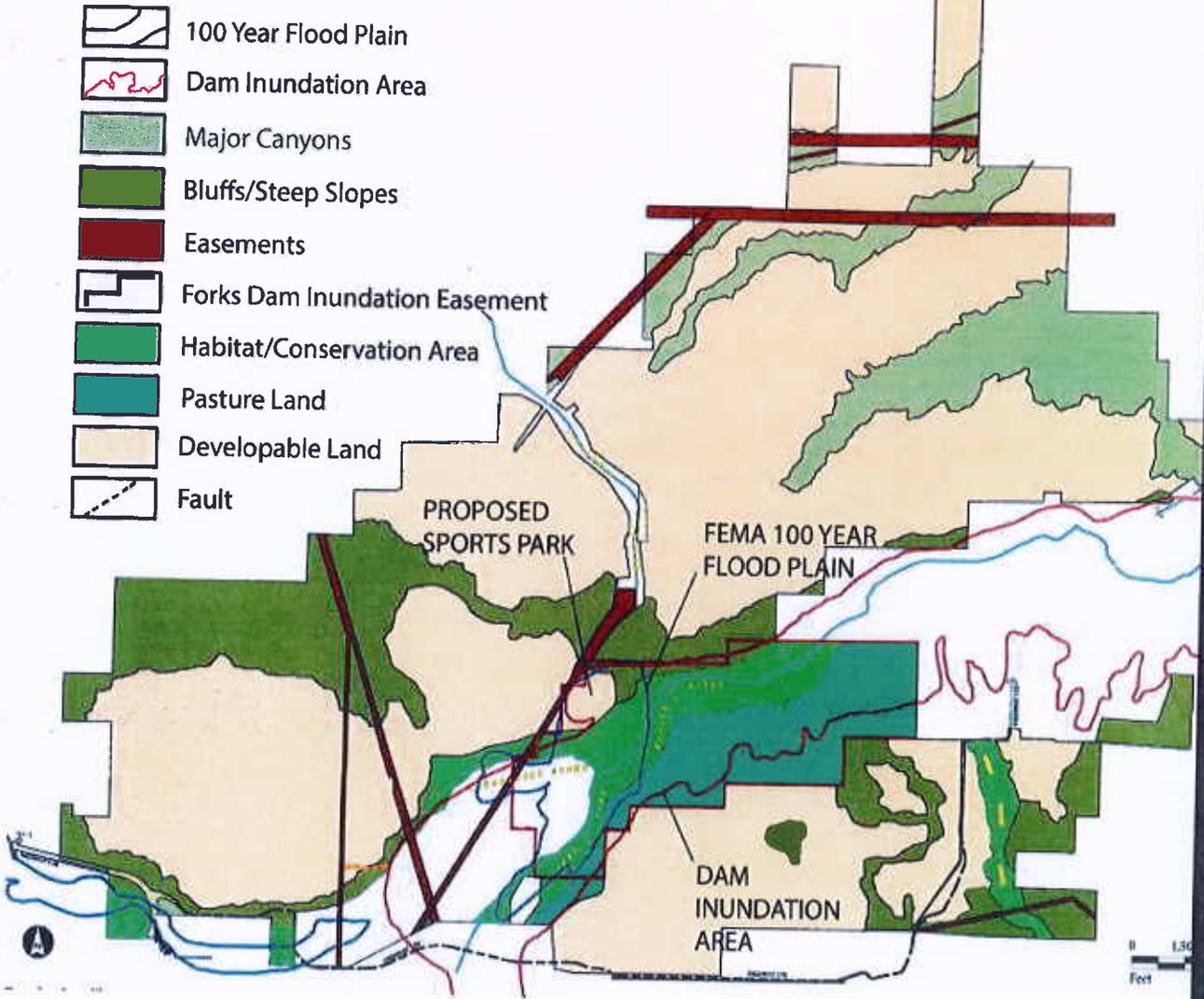
REVISED ATTACHMENT(S)

1. Site Analysis Map from the Specific Plan
2. Lot Diagram of West Finger and East Finger/Lots Restricted to Single-story Homes
3. Tentative Tract Map TT-18989 (Backbone Map, also provided under separate cover)
4. Tentative Tract Map TT-18955 (Merchant Map, also provided under separate cover)
5. Resolution No. PC-2015-19 (Certification of EIR/approval of the Findings, SOC and MMRP)
6. Resolution No. PC-2015-20 (Adoption of Specific Plan)
7. Resolution No. PC-2015-21 (Approval of the Overall Map)
8. Resolution No. PC-2015-25 (Approval of the Backbone Map)
9. Resolution No. PC-2015-26 (Approval of the Merchant Map)

Note: All other attachments and exhibits from the August 27, 2015 Planning Commission agenda remain the same.

ATTACHMENT 1

SITE ANALYSIS



APPLICANT:

Hesperia Ventures I, LLC

LOCATION:

Summit Valley

APN(S):

Various

PROPOSAL:

Tapestry Specific Plan Project

Standard Graphic.DOC

N

ATTACHMENT 2

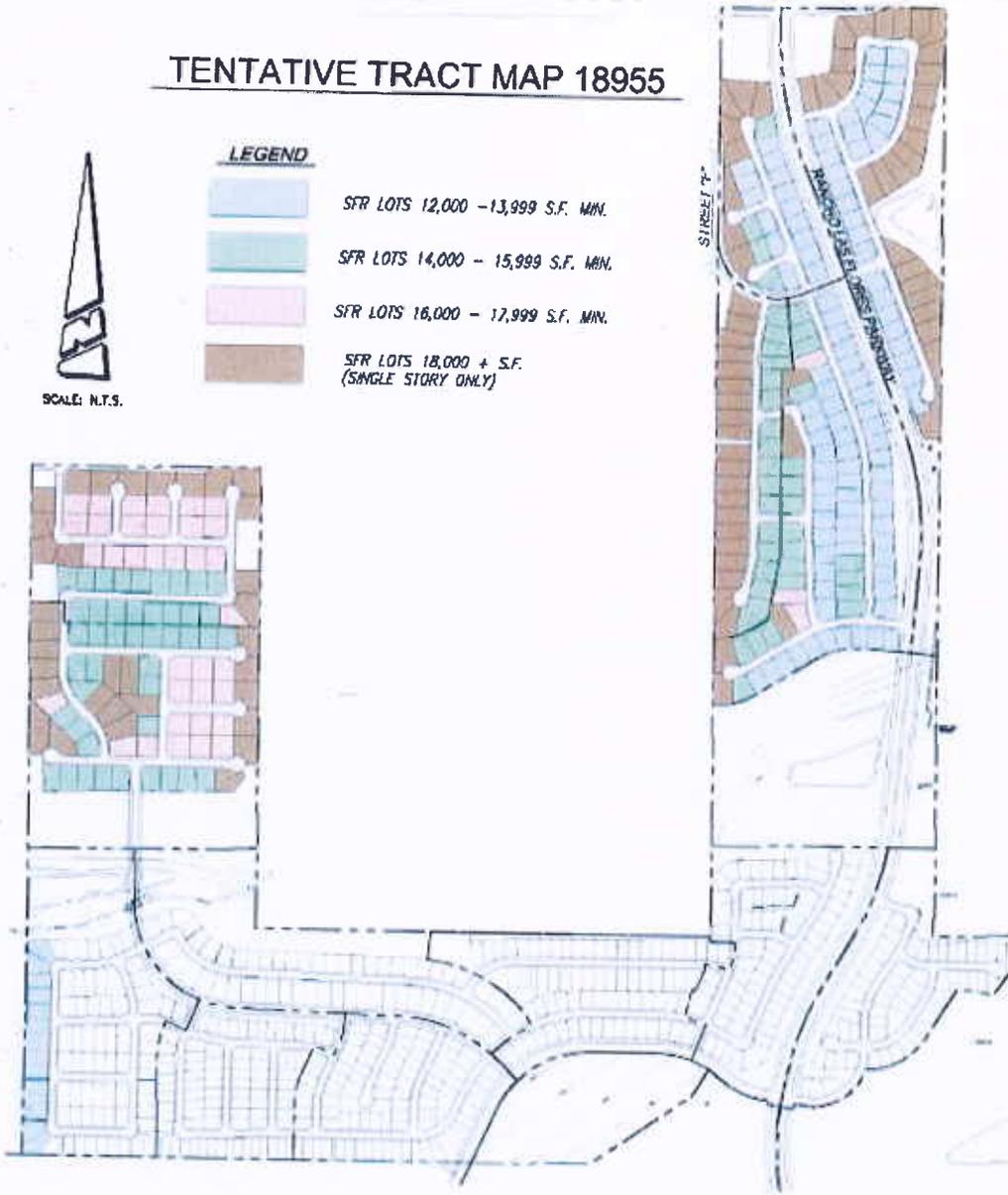
TENTATIVE TRACT MAP 18955



SCALE: N.T.S.

LEGEND

- SFR LOTS 12,000 - 13,999 S.F. MIN.
- SFR LOTS 14,000 - 15,999 S.F. MIN.
- SFR LOTS 16,000 - 17,999 S.F. MIN.
- SFR LOTS 18,000 + S.F. (SINGLE STORY ONLY)



APPLICANT:

Hesperia Ventures I, LLC

LOCATION:

Summit Valley

APN(S):

Various

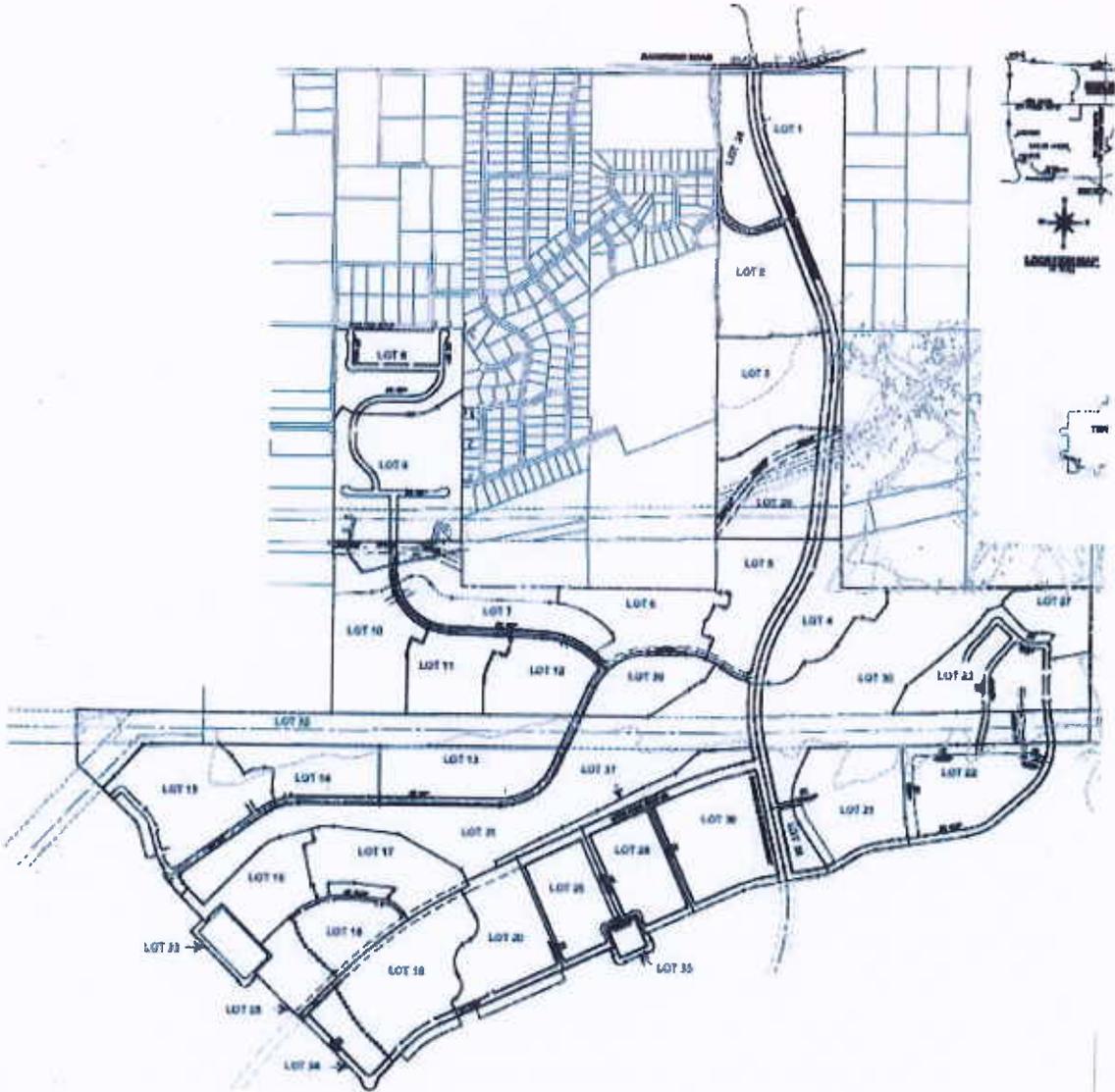
PROPOSAL:

Tapestry Specific Plan Project

N

ATTACHMENT 3

IN THE CITY OF HESPERIA, COUNTY OF SAN BERNARDINO
TENTATIVE TRACT NO. 18989
BEING A SUBDIVISION OF LOT 1 OF TRACT MAP NO. 14884, AS SHOWN ON MAP ON FILE RECORDED IN TRACT MAP BOOK _____ PAGE(S) _____ THROUGH _____ INCLUSIVE, RECORDED ON _____ 2013 PER RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA.

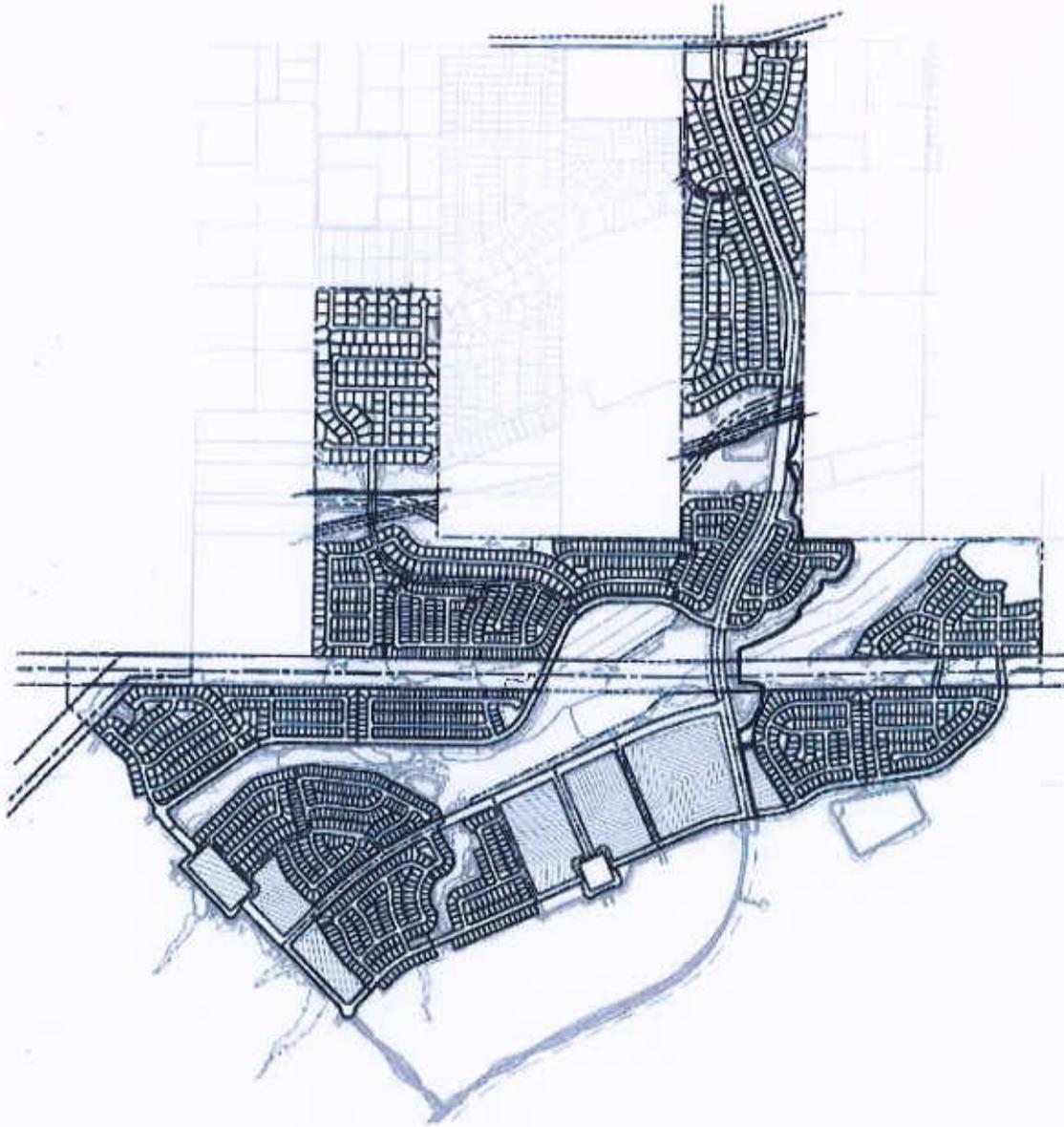


| | | |
|----------------------------------------------------|---------------------------|---|
| APPLICANT:
Hesperia Ventures I, LLC | | |
| LOCATION:
Summit Valley | APN(S):
Various | |
| PROPOSAL:
Tapestry Specific Plan Project | | N |

Standard Graphic.DOC

ATTACHMENT 4

TENTATIVE TRACT NO. 18955
CITY OF HESPERIA



APPLICANT:

Hesperia Ventures I, LLC

LOCATION:

Summit Valley

APN(S):

Various

PROPOSAL:

Tapestry Specific Plan Project

Standard Graphic.DOC

N

ATTACHMENT 5

RESOLUTION NO. PC-2015-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA RECOMMENDING THAT THE CITY COUNCIL ADOPT ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS, CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2013111021), AND ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the Tapestry Specific Plan project consists of development of a maximum of 19,206 residential units; two mixed-use town centers with approximately 500,000 to 700,000 SF of commercial and retail space, 387 acres of parkland; trails totaling 59 miles; eight elementary schools, two middle schools and two high schools totaling approximately 263 acres; public and civic facilities, a wastewater reclamation plant; drainage facilities, domestic and recycled water infrastructure and preservation of approximately 3,004 acres of open space. The project would also repeal and replace the existing Rancho Las Flores Specific Plan. The project includes three tentative maps, including a tentative map for Phase 1 to include 2,103 dwelling units.

WHEREAS, the Project would be accessible to both Interstate 15 and State Highway 138, via Rancho Road and Rancho Las Flores Parkway, providing the accessibility that will support a large specific plan; and,

WHEREAS, The overall objectives of the Specific Plan are to:

- Provide a complementary and supportive array of land uses that will enable development of a community with homes, shopping, schools, recreation, community facilities, public services, and open areas within a walkable/bikeable distance.
- Provide land use designations and development regulations that allow for a wide range of housing densities, types, styles, and prices while ensuring a quality development.
- Conserve significant natural and cultural resources, significant landforms such as bluffs, canyons and open space for recreational and habitat purposes.
- Create a unique identity for the Project that is compatible with surrounding development and the character of the Hesperia community, while also creating a distinctive identity and sense of place within each village.
- Incorporate sustainable design concepts into the community.
- Develop a logical multi-modal project transportation network encouraging safe and efficient travel throughout the community and neighboring areas.
- Provide for orderly development that ensures appropriate phasing of development with infrastructure and public facilities, while also allowing for flexible adaptation to market trends and conditions; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") (*Public Resources Code* § 21000 et. seq.) and the State CEQA Guidelines (14 CCR § 15000 et. seq.), the City of

Hesperia is the lead agency for the Project as the public agency with general governmental powers; and

WHEREAS, a Notice of Preparation ("NOP") identifying the scope of environmental issues were distributed to numerous state, federal, and local agencies and organizations on November 6, 2013, for a period of 30 days, pursuant to State CEQA Guidelines sections 15082(a), 15103, and 15375. Relevant comments received in response to the NOP were incorporated into the Draft EIR ("DEIR"); and

WHEREAS, a scoping meeting was held at City Hall on December 2, 2013; and

WHEREAS, the City completed the DEIR and circulated it with the Notice of Completion ("NOC") to affected public agencies and interested members of the public for an extended 56 day public comment period, from December 4, 2014 through January 30, 2015; and

WHEREAS, the Planning Commission duly noticed and conducted a public workshop on January 8, 2015, at which time all interested parties were provided the opportunity to comment on the Draft Environmental Impact Report; and

WHEREAS, the Planning Commission duly noticed and conducted a public hearing on August 27, 2015, and September 24, 2015 at which time all interested parties were provided the opportunity to give testimony for or against the issue; and

WHEREAS, as contained herein, the City has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, the EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR. The City has independently reviewed and analyzed the EIR and accompanying studies and finds that the report reflects the independent judgment of the City for the purposes of making decisions on the merits of the project.

WHEREAS, all the requirements of CEQA, the State CEQA Guidelines, and the City's Local CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Project's environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA, the State CEQA Guidelines, and the City's Local CEQA Guidelines.

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 August 27, 2015 and September 24, 2015 hearings, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- 1) The Planning Commission has independently reviewed, analyzed and considered the Final EIR and all written documentation and public comments prior to making recommendations on the proposed Project; and
- 2) The Final EIR was prepared and completed in compliance with the provisions of CEQA, the State CEQA Guidelines, and the City's Local CEQA Guidelines; and
- 3) The information and analysis contained in the Final EIR reflects the City's independent judgment as to the environmental consequences of the proposed Project; and
- 4) The documents and other materials, including without limitation, staff reports, memoranda, maps, letters and minutes of all relevant meetings, which constitute the administrative record of proceedings upon which the Planning Commission's decision is based are located at the City of Hesperia, Planning Division, 9700 Seventh Avenue, Hesperia, CA 92345. The custodian of the records is the Principal Planner.

Section 3. That on the basis of the evidence contained in the administrative record of the Final EIR, the Planning Commission finds based on the information submitted the following conclusion of the public comment period on the Draft EIR, following the consultant's responses thereto, there is no significant new information concerning the Project's environmental effects, feasible mitigation measures, or feasible project alternatives; therefore there is no need or requirement to recirculate the EIR for additional public comment.

Section 4. That the Planning Commission of the City of Hesperia hereby recommends that the City Council certify the Final EIR.

Section 5. **Exhibit A** (Facts, Findings and Statement of Overriding Considerations) and **Exhibit B** (Mitigation Monitoring and Reporting Program) of this Resolution provide findings required under Section 15091 of the State CEQA Guidelines for significant effects of the Project. **Exhibit A** of this Resolution provides the findings required under Section 15093 of the State CEQA Guidelines relating to the acceptable adverse impacts of the Project due to overriding considerations. The City has balanced the economic, legal, social, technological, and other benefits of the Project against the unavoidable environmental risks that may result, and finds that the specific economic, legal, social, technological, and other benefits outweigh the unavoidable adverse environmental effects. Therefore, the Planning Commission hereby recommends that the City Council adopt the Facts, Findings and Statement of Overriding Considerations attached hereto as **Exhibit A**.

Section 6. Pursuant to *Public Resources Code* Section 21081.6, the Planning Commission hereby recommends approval of the Mitigation Monitoring and Reporting Program attached as **Exhibit B** to this Resolution and recommends the Council require the Project to comply with the mitigation measures contained therein. The Planning Commission finds that these mitigation measures are fully enforceable on the Project and shall be binding upon the City and affected parties.

Exhibits A & B are referenced in their entirety in the August 27, 2015 Planning Commission Agenda under Attachment 6

ATTACHMENT 6

RESOLUTION NO. PC-2015-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT THE TAPESTRY SPECIFIC PLAN

WHEREAS, on February 15, 1990, the City Council of the City of Hesperia adopted the Rancho Las Flores Specific Plan, currently applicable in regards to development on the property; and

WHEREAS, Hesperia Venture I, LLC, has proposed the Tapestry Specific Plan project consisting of development of a maximum of 19,206 residential units; two mixed-use town centers with approximately 500,000 to 700,000 SF of commercial and retail space, 387 acres of parkland; trails totaling 59 miles; eight elementary schools, two middle schools and two high schools totaling approximately 263 acres; public and civic facilities, a wastewater reclamation plant; drainage facilities, domestic and recycled water infrastructure and preservation of approximately 3,004 acres of open space. The project would also repeal and replace the existing Rancho Las Flores Specific Plan. The project includes three tentative maps, including a tentative map for Phase 1 to include 2,103 dwelling units; and,

WHEREAS, the Project would be accessible to both Interstate 15 and State Highway 138, via Rancho Road and Rancho Las Flores Parkway, providing the accessibility that will support a large specific plan; and

WHEREAS, The overall objectives of the Specific Plan are to:

- Provide a complementary and supportive array of land uses that will enable development of a community with homes, shopping, schools, recreation, community facilities, public services, and open areas within a walkable/bikeable distance.
- Provide land use designations and development regulations that allow for a wide range of housing densities, types, styles, and prices while ensuring a quality development.
- Conserve significant natural and cultural resources, significant landforms such as bluffs, canyons and open space for recreational and habitat purposes.
- Create a unique identity for the Project that is compatible with surrounding development and the character of the Hesperia community, while also creating a distinctive identity and sense of place within each village.
- Incorporate sustainable design concepts into the community.
- Develop a logical multi-modal project transportation network encouraging safe and efficient travel throughout the community and neighboring areas.

- Provide for orderly development that ensures appropriate phasing of development with infrastructure and public facilities, while also allowing for flexible adaptation to market trends and conditions; and

WHEREAS, the Specific Plan proposes to amend the existing Rancho Las Flores Specific Plan on the subject property to the Specific Plan Zone Designations as identified by Exhibit "A," and

WHEREAS, the Specific Plan proposes a wide variety of land uses, including, residential, mixed-use, institutional, and retail. The Specific Plan area is undeveloped; and

WHEREAS, the City of Hesperia, as lead agency, determined that an Environmental Impact Report ("EIR") should be prepared pursuant to CEQA in order to analyze all adverse environmental impacts of the Project; and

WHEREAS, on August 27, 2015 and September 24, 2015, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Specific Plan, and concluded said hearing on September 24, 2015; 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 August 27, 2015 and September 24, 2015 hearings, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon the EIR and the findings contained herein, the Tapestry Specific Plan will have a significant effect on the environment. Facts, findings and a Statement of Overriding Considerations have been prepared in accordance with CEQA.
- (b) The site of the proposed Specific Plan is suitable for the land uses permitted within the proposed Land Use designations because the Specific Plan establishes the best mix of land uses and development standards to assure that the area achieves its land use potential for residential uses, retail growth and establishment of local jobs.
- (c) The proposed Specific Plan 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 because the plan extends and enhances development standards already in place within the current Development Code.
- (d) The proposed Specific Plan is consistent with the Land Use Element, which provides for a mix of residential, commercial and in, mixed-use and institutional land uses capable of supporting the development of

necessary infrastructure and municipal services, as directed by the City's adopted General Plan.

- (e) Adoption of the Specific Plan is consistent with the General Plan, including the following goals and policies:

- L.G.3 Adopt land use strategies which will facilitate development of a self-contained community, with a full range of residential densities and housing types, commercial, educational, institutional, and recreational services, and job opportunities. *The plan contains the full range of land uses and locates them to take full advantage of the site's opportunities and constraints, including establishment of schools, parks and trails, as well as creation of open space and cultural resource preservation areas.*
- L.G.7 Develop a fiscally sound and balanced land use mix and distribution, recognizing long-term commitments to both rural and urban lifestyles, to managed growth, and to a balance of jobs and housing. *The plan enhances the City's residential density range, to provide to urban lifestyles in proximity to services in conformance with a public facilities and financing plan, and adds opportunities for local job growth in the High Desert.*
- L.G.8 Provide for a visually pleasing environment through adoption of design standards which will enhance the natural desert environment, conserve natural resources, and minimize visual clutter and blight. *The plan contains development standards and architectural guidelines to provide a unique environment in which to live work and play, as well as establish an appropriate transition between the new developments within the Specific Plan and adjacent residential areas.*
- C.G.1 Develop a safe, efficient, convenient, and attractive transportation system throughout the community, providing links within the City and with neighboring regions, and accommodating automobile, truck, pedestrian, recreational, equestrian, rail, air, and public transit needs, which will meet current and future development requirements within the planning area. *The Specific Plan's Design standards for the three villages (Mesa, Summit Valley, Grass Valley) contains design elements for community gateways, open space areas, the City's Civic Plaza as well as pedestrian facilities. In addition, the plan includes recommendations for streetscape design of the Specific Plan's principal thoroughfares.*
- H.G. 15 Establish mixed-use zoning and development standards to enhance the availability of sites and facilitate the location of affordable and special needs housing near commercial and civic services. *Higher density residential zones are planned near destination nodes located throughout the Specific Plan area. The plan also includes a mixed use zone in the town Center and allows for civic and recreational uses, as well as live-work units to permit the development of vertical or horizontal mixed-use for small business purposes.*
- H.G. 17 Maintain the City's General Plan land use map and zoning ordinance to permit the full range of residential densities within the City boundaries. *The plan includes residential densities that facilitate the full range of housing types available on the*

market. These include mixed-use, live work and pedestrian scaled institutional uses in the town center.

Section 3. The Planning Commission hereby finds that the proposed Tapestry Specific Plan will have a significant effect on the environment, recommending that the City Council certify the EIR and adopt the facts, findings and a statement of overriding considerations, as well as a mitigation monitoring and reporting program pursuant to Resolution No. PC-2015-19.

Section 4. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends approval of the Tapestry Specific Plan Development Requirements attached hereto as Exhibit "A", and the Tapestry Specific Plan (Refined Project Alternative), attached hereto as Exhibit "B" and said exhibits are incorporated herein by this reference.

Section 5. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED on this 24th day of September 2015

Tom Murphy, Chair, Planning Commission

ATTEST:

Andrea Ngalo, Secretary, Planning Commission

ATTACHMENT 7

RESOLUTION NO. PC-2015-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE TENTATIVE TRACT TT-18985

WHEREAS, on February 15, 1990, the City Council of the City of Hesperia adopted the Rancho Las Flores Specific Plan, currently applicable in regards to development on the property; and

WHEREAS, Hesperia Venture I, LLC, has proposed the Tapestry Specific Plan project consisting of development of a maximum of 19,206 residential units; two mixed-use town centers with approximately 500,000 to 700,000 SF of commercial and retail space, 387 acres of parkland; trails totaling 59 miles; eight elementary schools, two middle schools and two high schools totaling approximately 263 acres; public and civic facilities, a wastewater reclamation plant; drainage facilities, domestic and recycled water infrastructure and preservation of approximately 3,004 acres of open space. The project would also repeal and replace the existing Rancho Las Flores Specific Plan; and

WHEREAS, the project includes Tentative Tract Map TT-18985 to subdivide the property into large parcels consistent with future phasing and large open spaces. It would result in 15 parcels; and

WHEREAS, the Specific Plan area is currently vacant. Adjacent land uses consist of occupied single-family residences to the north and west. Land to the east is vacant. The properties on the west also include a middle school; and

WHEREAS, the City of Hesperia, as lead agency, determined that an Environmental Impact Report ("EIR") should be prepared pursuant to CEQA in order to analyze all adverse environmental impacts of the Project; and

WHEREAS, on August 27, 2015 and September 24, 2015, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Specific Plan, and concluded said hearing on September 24, 2015; 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 August 27, 2015 and September 24, 2015 hearings, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon the EIR and the findings contained herein, the Tapestry Specific Plan will have a significant effect on the environment. Facts, findings and a Statement of Overriding Considerations have been prepared in accordance with CEQA.
- (b) The site of the proposed Specific Plan is suitable for the land uses permitted within the proposed Land Use designation because the Specific Plan establishes the best mix of land uses and development standards to assure that the area achieves its land use potential for residential uses, retail growth and establishment of local jobs.
- (c) The site is physically suitable for the proposed density of development, because the Specific Plan contains the full range of land uses and locates them to take full advantage of the site's opportunities and constraints, including establishment of schools, parks and trails, as well as creation of open space and cultural resource preservation.
- (d) The design of the subdivisions and any related types of proposed improvements are not likely to cause serious public health problems, because the requirements to develop the Specific Plan and related subdivisions will physically improve and extend public utilities and infrastructure to ensure adequate public services to the site.
- (e) The proposed subdivisions, its design, density, and type of development and improvements conform to the regulations of the proposed Specific Plan, Development Code, and all applicable City Ordinances.
- (f) The proposed subdivision is not deemed to be a land project.
- (g) The design of the subdivision provides, to the extent feasible, passive or natural heating/cooling opportunities to each of the proposed lots as solar power will be accommodated on all residential, commercial and institutional buildings.

Section 3. The Planning Commission hereby finds that the proposed Tapestry Specific Plan will have a significant effect on the environment, recommending that the City Council certify the EIR and adopt the facts, findings and a statement of overriding considerations, as well as a mitigation monitoring and reporting program pursuant to Resolution No. PC-2015-19.

Section 4. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends that the City Council approve Tentative Tract TT-18985, in accordance with the Conditions of Approval as shown in Attachment "A".

Section 5. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED on this 24th day of September 2015

Tom Murphy, Chair, Planning Commission

ATTEST:

Andrea Ngalo, Secretary, Planning Commission

ATTACHMENT "A"
List of Conditions for TT14-00004

Approval Date:
Effective Date:
Expiration Date:

This list of conditions applies to the overall map for the Tapestry Specific Plan Tentative Tract TT14-00004 (TT-18985), to create 15 lots for finance and conveyance purposes consistent with the planning areas of the Specific Plan (Hesperia Venture I, LLC; APNs:)

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

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

CONDITIONS REQUIRED AS PART OF SUBMITTAL OF PUBLIC IMPROVEMENT PLANS

| | | |
|---------------------------------------|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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 Surveyor's Office Final Map Standards. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | TITLE REPORT. The Developer shall provide an updated 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. Plan checking fees must be paid in conjunction with the Final map submittal. The Final Map, title report and fees must be submitted as a package. The developer shall coordinate with the City's Engineering Department for any additional fees. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | 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 City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | SPECIFIC PLAN. These conditions are concurrent with Ordinance No. 2015-10 (Tapestry Specific Plan) becoming effective. (P) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | CONSISTENCY WITH APPROVED GRAPHICS. The final map shall be consistent with the tentative map approved as part of this tentative tract application and shall also comply with all applicable Title 16 and Engineering Division requirements. (E, P) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | TAPESTRY SPECIFIC PLAN DEVELOPMENT REQUIREMENTS. Recordation or development within this tentative map is contingent upon compliance with all development requirements of the Tapestry Specific |

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

and a Public Facilities and Financing Plan. (E, P)

CONSERVATION EASEMENTS. The open space identified within the adopted Tapestry Specific Plan shall be established as open space in accordance with the provisions of the Specific Plan; managed in accordance with a Habitat Management Plan approved by the City, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife; and subject to the adopted Mitigation Monitoring and Reporting Program and the requirements of applicable federal and state permits. As portions of the open space become necessary to mitigate phase-specific biological impacts, they shall be subject to additional conservation instruments, which may include, but are not necessarily limited to, dedication in fee, easement or deed restriction. Open space shall be maintained by a Homeowners' Association established by the Conditions Covenants and Restrictions (CC&Rs) and/or by an approved conservation entity. Trails shall be dedicated to the Homeowner's Association for construction and maintenance. (P)

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

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

RECORDATION OF FINAL MAP. Final Map shall be approved by City Council and Recorded with the County of San Bernardino. (E)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

UTILITIES. (Underground) The Developer shall establish an Underground Utility District to cover the entire map for the purpose of future undergrounding of utilities for electric, communications or similar associated service. (E)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

FISH AND GAME FEE. The applicant shall submit a check to the City in the amount of \$3,119.75 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

DEVELOPMENT AGREEMENT. The applicant shall execute a development agreement with the City of Hesperia to implement the Tapestry Specific Plan. The agreement shall be subject to review and approval by the City prior to its execution. (P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

CFD ANNEXATION. The applicant shall establish a Community Facilities District concurrent with recordation of the final map pursuant to the Public Facilities and Financing Plan. (P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

DAM INUNDATION ZONE. Construction of residential, commercial, or other enclosed buildings within the inundation zone below the Cedar Springs Dam is prohibited unless adequate protection from inundation effects can be demonstrated to the satisfaction of the City Engineer. (P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

SERRANO HERITAGE PRESERVE. The Serrano Heritage Preserve identified on the Tapestry Land Use Plan shall be set aside and managed in accordance with state law, the final Cultural Resources Management Plan, and the Mitigation Monitoring and Reporting Program. Said mitigations shall prescribe procedures for access and reburial of any Native American remains found on the property in the course of development. (P)

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

ATTACHMENT 8

RESOLUTION NO. PC-2015-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE TENTATIVE TRACT TT-18989

WHEREAS, on February 15, 1990, the City Council of the City of Hesperia adopted the Rancho Las Flores Specific Plan, currently applicable in regards to development on the property; and

WHEREAS, Hesperia Venture I, LLC, has proposed the Tapestry Specific Plan project consisting of development of a maximum of 19,206 residential units; two mixed-use town centers with approximately 500,000 to 700,000 SF of commercial and retail space, 387 acres of parkland; trails totaling 59 miles; eight elementary schools, two middle schools and two high schools totaling approximately 263 acres; public and civic facilities, a wastewater reclamation plant; drainage facilities, domestic and recycled water infrastructure and preservation of approximately 3,004 acres of open space. The project would also repeal and replace the existing Rancho Las Flores Specific Plan; and

WHEREAS, the project includes Tentative Tract TT-18989 to subdivide Phase 1 into the different tracts, parks, schools, open spaces, Wastewater Treatment Plant and other uses proposed as part of Phase 1 that would occur in the northeastern portion of the site, in the Mesa Village. It would subdivide Phase 1 into 39 lots; and

WHEREAS, the Specific Plan area is currently vacant. Adjacent land uses consist of occupied single-family residences to the north and west. Land to the east is vacant. The properties on the west also include a middle school; and

WHEREAS, the City of Hesperia, as lead agency, determined that an Environmental Impact Report ("EIR") should be prepared pursuant to CEQA in order to analyze all adverse environmental impacts of the Project; and

WHEREAS, on August 27, 2015 and September 24, 2015 the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Specific Plan, and concluded said hearing on September 24, 2015; 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 August 27, 2015 and September 24, 2015 hearings, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon the EIR and the findings contained herein, the Tapestry Specific Plan will have a significant effect on the environment. Facts, findings and a Statement of Overriding Considerations have been prepared in accordance with CEQA.
- (b) The site of the proposed Specific Plan is suitable for the land uses permitted within the proposed Land Use designation because the Specific Plan establishes the best mix of land uses and development standards to assure that the area achieves its land use potential for residential uses, retail growth and establishment of local jobs.
- (c) The site is physically suitable for the proposed density of development, because the Specific Plan contains the full range of land uses and locates them to take full advantage of the site's opportunities and constraints, including establishment of schools, parks and trails, as well as creation of open space and cultural resource preservation.
- (d) The design of the subdivisions and any related types of proposed improvements are not likely to cause serious public health problems, because the requirements to develop the Specific Plan and related subdivisions will physically improve and extend public utilities and infrastructure to ensure adequate public services to the site.
- (e) The proposed subdivisions, its design, density, and type of development and improvements conform to the regulations of the proposed Specific Plan, Development Code, and all applicable City Ordinances.
- (f) The proposed subdivision is not deemed to be a land project.
- (g) The design of the subdivision provides, to the extent feasible, passive or natural heating/cooling opportunities to each of the proposed lots as solar power will be accommodated on all residential, commercial and institutional buildings.

Section 3. The Planning Commission hereby finds that the proposed Tapestry Specific Plan will have a significant effect on the environment, recommending that the City Council certify the EIR and adopt the facts, findings and a statement of overriding considerations, as well as a mitigation monitoring and reporting program pursuant to Resolution No. PC-2015-19.

Section 4. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends that the City Council approve Tentative Tract TT-18989 in accordance with the Conditions of Approval as shown in Attachment "A".

Section 5. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED on this 24th day of September 2015

Tom Murphy, Chair, Planning Commission

ATTEST:

Andrea Ngalo, Secretary, Planning Commission

ATTACHMENT "A"
List of Conditions for TT14-00005

Approval Date:
Effective Date:
Expiration Date:

This list of conditions applies to the backbone map for the Tapestry Specific Plan Tentative Tract TT14-00005 (TT-18989), to create 39 lots and right-of-ways necessary to develop the 987-acre project (Hesperia Venture I, LLC; APNs:)

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

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

CONDITIONS REQUIRED AS PART OF SUBMITTAL OF PUBLIC IMPROVEMENT PLANS

| | |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>COMPLETED</u> <u>COMPLIED BY</u>
NOT IN COMPLIANCE | STREET NAME APPROVAL. The developer shall submit a request for street names for all of the backbone streets for review and approval by the Building Division. The final map shall incorporate all approved street names as well as the street names in proximity to the subdivision. (B) |
| <u>COMPLETED</u> <u>COMPLIED BY</u>
NOT IN COMPLIANCE | FINAL MAP. A Final Map shall be prepared by or under the direction of a registered Civil Engineer or licensed Land Surveyor based upon a survey and shall conform to all provisions as outlined in Article 66433 of the Subdivision Map Act as well as the San Bernardino County Surveyor's Office Final Map Standards. (E) |
| <u>COMPLETED</u> <u>COMPLIED BY</u>
NOT IN COMPLIANCE | PLANS. All required plans shall be prepared by a registered Civil Engineer per City standards to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review along with required checking fees. The Final Map, CDP Improvement Plans, requested studies and CFD annexation must be submitted as a package. (E) |
| <u>COMPLETED</u> <u>COMPLIED BY</u>
NOT IN COMPLIANCE | TITLE REPORT. The Developer shall provide an updated title report 90 days or newer from the date of submittal. (E) |
| <u>COMPLETED</u> <u>COMPLIED BY</u>
NOT IN COMPLIANCE | GEOTECHNICAL REPORT. The Developer shall provide two copies of the soils report to substantiate all grading building and public improvement plans. Include R value testing and pavement recommendations for public streets. (E B) |
| <u>COMPLETED</u> <u>COMPLIED BY</u>
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) |
| <u>COMPLETED</u> <u>COMPLIED BY</u>
NOT IN COMPLIANCE | STORM WATER POLLUTION PREVENTION PLAN. The Developer shall provide a Storm Water Pollution Prevention Plan (S.W.P.P.P.) which addresses the method of storm water run-off control during construction. (E) |
| <u>COMPLETED</u> <u>COMPLIED BY</u>
NOT IN COMPLIANCE | PLAN CHECK FEES. Plan checking fees must be paid in conjunction with the improvement plan submittal. The Final Map, CDP improvement plans, requested studies and CFD annexation must be submitted as a package. The developer shall coordinate with the City's Engineering Department for any additional fees. Any outstanding fees must be paid before final inspection and the release of bonds. (E) |
| <u>COMPLETED</u> <u>COMPLIED BY</u>
NOT IN COMPLIANCE | SPECIFIC PLAN. These conditions are concurrent with Ordinance No. 2015-10 becoming effective (Tapestry Specific Plan). (P) |

NOT IN COMPLIANCE

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 City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

SOLID MASONRY WALLS AND FENCES. The Developer shall submit four sets of masonry wall and/or wrought iron fencing plans to the Building Division with the required application fees for all required walls. A six-foot high split face masonry wall with a decorative cap or other approved decorative wall shall be provided along the arterial streets within the backbone map in accordance with the Specific Plan. (P)

TAPESTRY SPECIFIC PLAN DEVELOPMENT REQUIREMENTS. Recordation or development within this tentative map is contingent upon compliance with all development requirements of the Tapestry Specific Plan, including but not limited to approval of the Development Agreement and a Public Facilities and Financing Plan. (E, P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

IMPROVEMENT AGREEMENT/SURETY. The Developer shall execute Improvement and Grading Agreements and post surety for all public improvements. The amounts will be approved by the City Engineer. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

NON-VEHICULAR ACCESS. Vehicular access rights across the project frontage on Rancho Las Flores Parkway, Ranchero Road, Ryeland Road, Summit Valley Road, Upper Loop Street from Street "BBBB" to approximately Street "QQQ," Street "F," Street "Q," Street "BB," and Street "SSS" east of Las Flores Parkway; shall be dedicated to the City of Hesperia and labeled as N.V.A. on the Final map along the areas where all lots back up to the street. An exception is made for the lots that are to be developed as parks, open space, and the school site. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

OFF-SITE OFFER OF DEDICATION AND EASEMENT. Should off-site offers of dedication or easements be required for off-site improvements, it shall be the responsibility of the Developer to obtain such dedications or easements at no cost to the City pursuant to section 66462.5 of the Subdivision Map Act. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

DEDICATIONS. The Developer shall grant to the City of Hesperia an Irrevocable Offer of Dedication for roadways and Grant of Easement(s) for storm drain and utility purposes as shown on the approved tentative map and as described below. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS-("QQ", "PP" and "LL"). The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of (56) feet wide per the Local Road Standard in the Tapestry Specific Plan. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways except at knuckles. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS-("BB", "Q", "LLL", "SSS", "UU", "IIII", "BBBB" and "F" to Oxford Road). The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

INTERIOR STREETS-(Upper Loop Road). The Developer shall grant to the City an Irrevocable Offer of Dedication for Upper Loop Road. The Street shall be a minimum of 106' feet wide per the Tapestry Specific Plan for a Minor Arterial. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS-("GGGG", and "UU"). The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of 108' feet wide per the Neighborhood Entry Road in the Tapestry Specific Plan. Street "UU" is from Upper Loop Road to the park (lot 33) and from the park (lot 33) to street "Q". Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS-(Road Surrounding Park). The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of 64' feet wide per the Tapestry Specific Plan for a Road Surrounding Park. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. The Developer shall dedicate an additional temporary easement for a knuckle at Lot 33, where street "HHH" is intended to continue through to the west as a future extension of the street. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS-(Traffic Circles) The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of 150' diameter ROW per the Tapestry Specific Plan. Traffic Circles are located at streets "SSS and "UU", and streets "Q" and "UU". (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS-(Rancho Las Flores Parkway). The Developer shall grant to the City an Irrevocable Offer of Dedication for Rancho Las Flores Parkway. The Street shall be a minimum of 144' feet wide per the standards for a Major Arterial in the Tapestry Specific Plan. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS-(Summit Valley Road). The Developer shall grant to the City an Irrevocable Offer of Dedication for Summit Valley Road. The Street shall be a minimum of 120' feet wide per City standards for a Major Arterial. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

PERIMETER STREETS-(Ranchero Road). The Developer shall obtain an Irrevocable Offer of Dedication for Ranchero Road. The dedication shall be at a 50-foot half-width per the City standards for an Arterial Roadway Standard west of I Avenue and 40-foot half-width for a Secondary Arterial Standard east of I Avenue. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

PERIMETER STREETS-(Ryeland Road). The Developer shall grant to the City an Irrevocable Offer of Dedication for Ryeland Road (between Farmdale Ave. and Glider Ave.) The dedication shall be at a (30-foot half-width - south side only) per the City standards for a Local Road. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

COST ESTIMATE AND MATERIALS LIST. The Developer shall submit a cost estimate and materials list to the City's Engineering Department for all on-site and off-site public improvements per City standards and the Tapestry Specific Plan. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

GRADING PLAN. The Developer shall submit a Grading Plan with existing contours tied to an acceptable City of Hesperia benchmark. The grading plan shall indicate proposed development of streets, the building footprint for the sewer treatment plant, and proposed development of the regional retention basin(s) at a minimum. Site grading and building pad preparation

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 10 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 COMPLIED BY
NOT IN COMPLIANCE

ON-SITE RETENTION. The Developer shall dedicate in fee title and quitclaim after map recordation, the Water Quality basins that are to be located in lots 29, 30 and 31 (lots that will not further subdivide in Tract 18955) and 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 feet and a maximum depth to be determined by soils engineer at time of boring test. Retention basins over 18 inches in depth shall be fenced on all sides and shall have a paved 14-foot wide (min.) 12 percent (max.) access with a 20' x 20' concrete parking apron at the bottom of the 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 COMPLIED BY
NOT IN COMPLIANCE

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 Citys Engineering Department for plan check approval. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

DRAINAGE ACCEPTANCE LETTERS. It is the Developer's responsibility to obtain signed Drainage Acceptance Letters from any adjacent property owners outside the Specific Plan boundaries who are affected by concentrated off-site storm water discharge from any on-site retention basins and storm water runoff. The Acceptance letter, along with the latest grant deed, must be submitted to the Citys Engineering Department for plan check approval. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

STREET IMPROVEMENTS. The Developer shall design street improvements in accordance with the Tapestry Specific Plan and these conditions. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS ("QQ", "PP", and "LL" STREETS). Shall be designed for a 56-foot wide Local Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 18 feet from centerline: (E)

- A. 6" Curb and Gutter per City standards.
- B. Handicapped ramps at all intersections per City standards.
- C. Concrete residential driveway per City standards.
- D. Full paved roadway section (minimum section 3 A.C. over 4" aggregate base).
- E. Roadway drainage device(s).
- F. Streetlights per City standards.
- G. Traffic control signs and devices as required by the traffic study and/or the City Engineer.

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS ("SSS", "UU", "Q", "BB", "LLL", "III", "BBBB" and "F to Oxford Rd.) shall be designed for a 70-foot wide Local Connector Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 22 feet from centerline: (E)

- A. 8" Curb and Gutter per City standards.
- B. Separated sidewalk (width = 5 feet) per City standards. Sidewalks on Streets "BB" and "SSS," where future lots will be fronting will not require construction of the sidewalk until the associated tract creating said lots records.

- D. Concrete residential driveway per City standards.
- E. Full paved roadway section (minimum section 3 A.C. over 4" aggregate base).
- F. Roadway drainage device(s).
- G. Streetlights per City standards.
- H. Traffic control signs and devices as required by the traffic study and/or the City Engineer.

COMPLETED **COMPLIED BY**
 NOT IN COMPLIANCE

INTERIOR STREETS ("GGGG" and "UU" from Upper Loop Road to Park, Lot 33, and from Park to Street "Q") shall be designed for a 108-foot wide Neighborhood Entry Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 30 feet from centerline and a raised median 20 feet wide: (E)

- A. 8" Curb and Gutter per City standards.
- B. Separated meandering sidewalk, (width = 10 feet) per City Standard.
- C. Handicapped ramps at all intersections per City standards.
- D. Concrete residential driveway per City standards.
- E. Full paved roadway section (minimum section 3" A.C. over 4" aggregate base).
- F. Roadway drainage device(s).
- G. Streetlights per City standards.
- H. Traffic control signs and devices as required by the traffic study and/or the City Engineer.

COMPLETED **COMPLIED BY**
 NOT IN COMPLIANCE

INTERIOR STREETS (Roads surrounding parks, Lots 33 and 35) shall be designed for a 64-foot wide Surrounding Park Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 18 feet from centerline: (E)

- A. 8" Curb and Gutter per City standards.
- B. Separated sidewalk (width = 5 feet) per City standards on the opposite side of the street from the park site and a 12 foot wide sidewalk section (an additional 4-foot sidewalk within the park site must be added to the 8-foot sidewalk) adjacent to the curb on the park side.
- C. Handicapped ramps at all intersections per City standards.
- D. Concrete residential driveway per City standards.
- E. Full paved roadway section (minimum section 3 A.C. over 4" aggregate base).
- F. Roadway drainage device(s).
- G. Streetlights per City standards.
- H. Traffic control signs and devices as required by the traffic study and/or the City Engineer.

COMPLETED **COMPLIED BY**
 NOT IN COMPLIANCE

I. A temporary knuckle shall be designed and constructed at the northwest corner of lot 33 until such time when street "HHH" becomes a through street to the west.

INTERIOR STREETS (Upper Loop Road). Shall be designed for a 106-foot wide Minor Arterial Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 33 feet from centerline and a 14-foot wide median: (E)

- A. 8" Curb and Gutter per City standards.
- B. Separated meandering sidewalk (width = 10 feet) per City standards.
- C. Handicapped ramps at all intersections per City standards.
- D. Concrete residential driveway per City standards.
- E. Full paved roadway section (minimum section 3 A.C. over 4" aggregate base)
- F. Roadway drainage device(s).
- G. Streetlights per City standards.
- H. Traffic control signs and devices as required by the traffic study and/or the City Engineer.

COMPLETED **COMPLIED BY**
 NOT IN COMPLIANCE

INTERIOR STREETS (Rancho Las Flores Parkway). Shall be designed for a 144-foot wide Major Arterial Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 48 feet from centerline: (E)

- A. 8" Curb and Gutter per City standards.
- B. Separated meandering sidewalk (width = 10 feet) per City standards.
- C. Handicapped ramps at all intersections per City standards.
- D. Concrete residential driveway per City standards.
- E. Full paved roadway section (minimum section 3 A.C. over 4" aggregate base).
- F. Roadway drainage device(s).
- G. Streetlights per City standards.
- H. Traffic control signs and devices as required by the traffic study and/or the City Engineer.

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS (Traffic circles). Shall be designed for a 150-foot diameter Circular Roadway per the Tapestry Specific Plan street sections, as indicated below. (E)

- A. 8" Curb and Gutter per City standards.
- B. Sidewalk (width = 12 feet) per City standards.
- C. Handicapped ramps at all intersections per City standards.
- D. The central portion of the circle shall have a 6' wide concrete apron.
- E. Full paved roadway section (minimum section 3 A.C. over 4" aggregate base).
- F. Roadway drainage device(s).
- G. Streetlights per City standards.
- H. Traffic control signs and devices as required by the traffic study and/or the City Engineer.

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

RANCHERO ROAD. Saw-cut (2-foot min.) and match-up asphalt pavement on Ranchero Road across the project frontage based on the City's Arterial (100-foot) and Secondary Arterial (80-foot) Roadway Standard. The curb face is to be at 36 feet west of I Avenue and 25 feet east of I Avenue 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 = 8 feet) per City standards.
- C. Roadway drainage device(s).
- D. Streetlights per City standards.
- E. Intersection improvements including handicapped ramps per City standards.
- F. Pavement transitions per City Standards.
- G. Design roadway sections per existing approved street sections and per R value testing with a traffic index of 10 and per the soils report.
- H. Cross sections every 50 feet per City standards.
- I. Traffic signal at Rancho Las Flores Parkway.

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

SECONDARY ACCESS. The Developer is responsible to construct Secondary Access. The street improvement (26-foot min. paved section) is required for secondary access per City standards. The Developer shall pave Ryeland Road from Glider Avenue to Farmdale Avenue and pave Farmdale Avenue from Ryeland Road to existing improvements at Krystal Drive. It is the Developers responsibility to obtain off-site roadway dedications prior to City Council approval of the Final Map. 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: (E)

- A. Pavement sections shall be designed per R value testing using a T.I. of 8. The minimum pavement section shall be 3 A.C. over 4 Class II aggregate base.
- B. Pavement transitions per City standards.
- C. Roadway drainage device(s).
- D. Traffic control signs and devices as required by the traffic study and/or the City Engineer.
- E. Provide a signage and striping plan per City standards.

COMPLETED COMPLIED BY

UTILITY PLAN. The Developer shall design a Utility Plan for service

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

plan shall provide for construction of all utilities necessary for full build out of Subdivision under the streets required to be constructed in this Tract and provide stub out for future extension. The Developer shall adjust any existing fire hydrants to grade that are affected by the construction of the proposed project improvements. (E)

UTILITY EASEMENTS. The Developer shall grant to the City Utility Easements as required to install required water sewer and storm drain facilities as conditioned below. Said easements shall be indicated on the appropriate final map per the Subdivision Map Act. Off-site easements may be required to complete the infrastructure. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

UTILITIES. Utility plans shall be in accordance with City standards as described below. (E)

A. During construction, the entire tract shall have a Master Water Meter per City standards. The Master Meter shall remain in place until all lots are occupied, at which time the individual meters shall be set and activated per City standards.

B. Automatic meter reader to be added on all meter connections.

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

WATER IMPROVEMENTS. The Developer shall design water improvements in accordance with City standards and as indicated below. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

WATER MODELING STUDY. The Developer is required to conform to a modeling study by Infrastructure Engineering for water service consistent with the City's existing water standards and required flows. The Developer is required to adhere to and address the requirements as outlined in the study. The study shall identify the need for any offsite improvements or upsizing of existing water lines or appurtenances. The cost of the study is the Developer's responsibility. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS (Rancho Las Flores Parkway, Upper Loop Road, Streets "IIII", "BBBB", "GGG", "HHHH", "SSS", "UU", "Q", "F", "BB" "LLL", "GGGG", "LL", "PP", and "QQ") WATER. Interior water service shall be a looped system of 8" minimum P.V.C. water lines with hydrants at 660 foot intervals, including loops through the cul de sacs utilizing utility easements. Water mains in easements shall be ductile iron pipe. All utility easements shall be 15 feet minimum in width on one lot unless it is shared with another utility, in which case 20 feet is required on one lot per City standards. It is the Developers responsibility to obtain any dedication(s) or easement(s) needed to construct water lines. The Developer shall provide plan and profile per City standards. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

PERIMETER STREETS (Rancho Road) WATER. Install an 8" (min.) P.V.C. water main from the intersection of I Avenue south into the subdivision, sized per the Master Plan or water modeling study by Infrastructure Engineering and per City standards and City approval. It is the Developer's responsibility to obtain any dedication(s) or easement(s) needed to construct water lines should there be any additional offsite water lines or upsizing. The Developer shall provide plan and profile for connections to existing water mains per City standards. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

OFF-SITE (Rancho Las Flores Parkway) Water. The Developer shall provide easements and paved access for the tank site and water lines from the tank site to the subdivision. Its size and capacity shall be as per the Master plan of water as well as the modeling study by Infrastructure Engineering. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

SEWER IMPROVEMENTS. The Developer shall dedicate Lot 27 for the Waste Water Reclamation Plant in fee title to the appropriate owning agency and construct the sewer treatment plant in accordance with State and Federal regulations. The Developer shall design sewer improvements in accordance with City standards, and as indicated below. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS (Rancho Las Flores Parkway, Upper Loop Road, Streets "IIII", "BBBB", "GGG", "HHHH", "SSS", "UU", "Q", "F", "BB" "LLL",

appropriate on-site sewer lines, force mains, Waste Water treatment plant, and lift stations necessary to serve the project per the City Engineer. The Developer is required to provide a minimum diameter of 8 S.D.R. 35 P.V.C. sewer lines within the tract. Any sewer easements that are required will be a minimum of 15 feet in width on one lot unless it is shared with another utility, in which case 20 feet on one lot is required. It is the Developer's responsibility to obtain any dedication(s) or easement(s) needed to construct the sewer lines. The Developer shall provide plans and profiles per City standards. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

STORM DRAIN IMPROVEMENTS. The Developer shall design storm drain improvements in accordance with City standards as indicated below. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

STORM DRAIN WITHIN INTERIOR STREETS. The Developer shall design and construct the backbone storm drain lines that will be under the backbone streets required to be constructed with this map, TT14-00005, Tract 18989. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

ELECTRONIC COPIES. The Developer shall provide electronic copies of the approved project in AutoCAD format Version 2007 to the City's Engineering Department. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

RECLAIMED WATER IMPROVEMENTS. The Developer shall design reclaimed water improvements in accordance with City standards and as indicated below. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS (Rancho Las Flores Parkway, Upper Loop Road, Streets "IIII", "BBBB", "GGG", "HHHH", "SSS", "UU", "Q", "F", "BB", "LLL", "GGGG", "LL", "PP", and "QQ") RECLAIMED WATER. Interior reclaimed water service shall be designed per City and State Standards and per the Tapestry Specific Plan for reclaimed water pipelines. The Developer shall provide plans and profiles per City standards. Installation of the reclaimed water pipe locations shall coordinate with the dry utilities (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

UTILITIES. NON-INTERFERENCE. The developer shall provide a letter of non-interference from Edison and permissions to grade, construct trails, street crossings and recreational uses within their existing easements.

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

DEDICATION TO CITY FOR PUBLIC FACILITIES. All tentative maps shall provide that roads, water, sewer, storm drain facilities and associated easements shall be dedicated to the City of Hesperia. Properties intended for parks, police, fire, schools and other public facilities must be dedicated to the City of Hesperia, the Hesperia Recreation and Park District or Hesperia Unified School District. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

PERIMETER STREETS (Ryeland Road). Shall be designed to the City standard for a 60-foot wide local Roadway per City standards, as indicated below. Curb face is to be at 30' from centerline: (E)

- A. 6" Curb and Gutter per City standards on the south side and a 6" mountable dike on the north side.
- B. Separated sidewalk (width = 5 feet) per City standards on the south side.
- C. Handicapped ramps at all intersections per City standards.
- D. Concrete residential driveway per City standards.
- E. Full paved roadway section (minimum section 3 A.C. over 4 aggregate base)
- F. Roadway drainage device(s).
- G. Streetlights per City standards.
- H. Traffic control signs and devices as required by the traffic study and/or the City Engineer.

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

OFF-SITE GRADING. All off-Site Grading, debris basins, slopes and temporary recycled water storage ponds shown on Tentative Tract Map 18955 (TT13-00001) that is needed to make site work shall remain with the developer and shall be maintained in good working order until the

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

EMERGENCY ACCESS REQUIREMENTS. A minimum of two points of access shall be provided to each lot on the backbone map in accordance with City of Hesperia and San Bernardino County Fire Standards and the Fire Protection Plan dated July 7, 2014. Primary access shall be from Rancho Rd and I Avenue and continuing south along Rancho Los Flores Parkway. Secondary access shall be from Rancho and Farmdale Rd., entering the project at Ryeland Rd. and Street "QQ" continuing south and east along Street "O" until it connects with Rancho Las Flores Parkway. All access roads shall be constructed prior to any combustible construction. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

FIRE SURFACE. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus in accordance with the Fire Protection Plan dated July 7, 2014. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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-sacs shall not provide access for more than 22 lots. Roadways shall not exceed a 12% grade and shall have a minimum forty (40) foot turning radius. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

WATER SYSTEM-RESIDENTIAL. A water system approved by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than six hundred feet (600') apart, as measured along vehicular travel ways. Hydrants shall be installed concurrently with public street improvements. Temporary fire water systems are not permitted. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

EMERGENCY ACCESS REQUIREMENTS. Minimum 26-foot wide all-weather emergency/evacuation access shall be provided as approved by the San Bernardino County Fire Department connecting Lots 21 and 22. (F)

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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 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 COMPLIED BY
NOT IN COMPLIANCE

AGGREGATE RESOURCES. If necessary, the development of aggregate (natural) resources within the project shall be subject to the following conditions:

A. Plans shall be submitted to the City to be reviewed and approved in accordance with the Surface Mining and Reclamation Act, the City's

B. Geotechnical investigations shall be conducted and findings implemented. If necessary, the design of pits shall properly ensure the stability of slopes.

C. Water or other dust palliatives shall be applied as necessary to minimize generation of fugitive dust during mining, processing and transport.

D. The main plant access road shall be paved with asphaltic concrete within 150 feet of a public road. Other access roads within 100 feet of the main plant access road shall be surfaced with 3 to 4 inches of crushed rock.

E. Appropriate measures to control runoff from runoff onto the processing sites shall be developed to avoid rapid erosion and downstream siltation.

F. Any disturbance of native vegetation shall be minimized.

G. Following completion of construction, disturbed areas which are undeveloped shall be revegetated with indigenous or other drought resistant species.

H. Any aggregate mining shall be restricted to the development period of the project.

I. Alternative truck routes shall be designed to reduce traffic congestion on existing and planned roadways.

J. When needed, earthen berms and other visual setbacks shall be required from surrounding land uses. (B)

S.W.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)

RECORDATION OF FINAL MAP. The Final Map shall be approved by the City Council and Recorded with the County of San Bernardino. (E)

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

GROUNDWATER RECHARGE. Storm drains and detention or retention measures shall be designed to assist groundwater recharge and to minimize impact to downstream properties. All storm water facilities shall meet National Pollution Discharge Elimination Standards (NPDES) and local standards for the treatment of storm water prior to discharge into any natural wash or any storm drain system. (E)

EROSION CONTROL. Prior to issuance of any grading permit, the developer and all contractors shall comply with the State's Construction General Permit for grading and shall have all Best Management Practices (BMPs) in place. BMPs shall remain in place until all post-construction BMPs are in place and operational and the Notice of Termination (NOT) is filed and accepted by the State. (E)

FIRE STATION. A Fire Station shall be constructed prior to any residential construction commencing within the project. The location shall be in or near Phase 1, to provide six minute response time, and shall be approved by the San Bernardino County Fire Department, per the Fire Protection Plan dated July 7, 2014. The developer shall contribute "fair share" cost as determined by the Public Facilities and Financing Plan (PFFP). (F)

PUBLIC FACILITY REVIEW. The applicant shall obtain approval of a Public Facility Review (PFR) application for the required wastewater treatment plant and lift stations. (P)

BIOLOGICAL REPORTS (Mitigation Measure BIO-1). Monitoring shall be provided by a qualified biologist approved by the City to ensure that construction does not have an impact upon listed species. The biologist shall attend a pre-construction meeting with the contractor and shall be present during construction, including full-time monitoring of all grubbing

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

construction activities in an area if unauthorized impacts to sensitive biological resources occur. The qualified biologist shall also perform periodic inspections of construction (after grubbing and clearing of vegetation) once or twice per week, depending on the sensitivity of the adjacent biological resources. The qualified biologist shall send monthly monitoring reports to the City. At the end of construction of each phase, the biologist shall prepare a post-construction report for the City that documents the as-built impacts of construction so that mitigation requirements can be revised accordingly, if necessary. (P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

PROTECTED PLANTS PHASE I (Mitigation Measure BIO-3). Mitigation for permanent and temporary impacts to Mojave mixed scrub in Phase 1 shall occur as directed by a Phase 1 Mitigation Plan (see BIO-2 for Mitigation Plan contents) that is approved by the City prior to issuance of grading permits for Phase 1. The 70.6 acres of Mojave mixed scrub that would be retained in Phase 1 open space may be used in partial fulfillment of the mitigation requirement for the permanent impacts (Table 6-10, Mitigation for Permanent Impacts to Sensitive Vegetation Communities – Refined Project Alternative Phase 1). The remainder of the mitigation for the permanent impacts would be fulfilled through either on-site or off-site restoration, preservation of additional Mojave mixed scrub in a future phase, or off-site acquisition and purchase of land containing this vegetation community.

Phase 1 trail construction would temporarily impact approximately 1.3 acres of Mojave mixed scrub. Mitigation for these impacts could include revegetation in place (where practical), on-site or off-site restoration or preservation of additional Mojave mixed scrub in a future phase, or off-site acquisition and purchase of land containing this vegetation community. Since the impact is temporary, and the community is an upland, a 1:1 mitigation ratio is required. Therefore, 1.3 acres of mitigation shall be required.

(P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

HABITAT MANAGEMENT PLAN (Mitigation BIO-4). A Habitat Management Plan (HMP) shall be prepared and implemented for the 3,533 acres of conservation easement and open space in the Specific Plan area. The HMP shall outline the long-term, perpetual management of these areas in order to protect and monitor sensitive and special status biological resources in conformance with Mitigation Measure BIO-4. (P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

LISTED PROTECTED PLANTS (Mitigation Measures BIO-8 thru 11). Impacts to federal or state listed plant species shall first be avoided where feasible, and where not feasible, impacts shall be handled in accordance with a phase-specific Mitigation Plan and/or through on-site or off-site protection of habitat containing the plant(s) in accordance with Mitigation Measures BIO-8 thru 11. A qualified biologist shall prepare a phase-specific Mitigation Plan that indicates where and how mitigation would take place. The USFWS and/or CDFW (depending on whether the plants are federal and/or state listed) shall decide whether listed plants can be salvaged and relocated or if habitat supporting the plants shall be protected off-site. Each phase-specific Mitigation Plan shall also identify, at a minimum, the goals of the mitigation, responsible parties, timing of mitigation, methods of mitigation implementation, maintenance and monitoring requirements, final success criteria and contingency measures. (P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

NONLISTED PROTECTED PLANTS (Mitigation Measure BIO-9). Impacts to non-listed, special status plant species shall first be avoided where feasible, and where not feasible, impacts shall be compensated, for example, through reseedling (with locally collected seed stock) of temporarily impacted areas and/or plant salvage and relocation to temporarily impacted areas, all within the Specific Plan area. A qualified biologist shall prepare a phase-specific Mitigation Plan in accordance with Mitigation Measure BIO-9. The Mitigation Plan shall be approved by the City prior to the issuance of grading permits for that phase. (P)

NOT IN COMPLIANCE

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, consistent with Mitigation Measures BIO-12 and 13. Further, in accordance with the Staff Report on Burrowing Owl Mitigation (CDFW 2012), breeding and non-breeding season surveys shall be conducted by a qualified biologist to determine the presence/absence of the burrowing owl (*Athene cunicularia*; BUOW) for all phases of the development containing suitable BUOW habitat (potential suitable BUOW habitat is present throughout the Specific Plan area). The report shall be submitted to the City prior to issuance of the grading permit for each phase. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

CULTURAL RESOURCES MANAGEMENT PLAN (Mitigation Measures CUL-1 thru 8). A Cultural Resources Management Plan shall be submitted prior to issuance of a grading permit for Phase 1. The Project proponent shall retain a qualified cultural resource management professional to finalize a Cultural Resources Management Plan (CRMP) for the entire Specific Plan Area that will detail how all known historical and archaeological resources within the Specific Plan area will be avoided or treated, consistent with Mitigation Measures CUL-1 thru 8. In addition, the CRMP will also detail how unknown historical and archaeological resources will be treated in the event of their discovery during construction activities. The CRMP shall be submitted to the City for review and approval. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

CULTURAL RESOURCES UNANTICIPATED DISCOVERY PROTOCOL (Mitigation Measure CUL-7). The Project proponent shall minimize or avoid impacts to potentially significant archaeological resources discovered during construction by developing and implementing an Unanticipated Discovery Protocol as part of the CRMP in accordance with Mitigation Measure CUL-7. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

CULTURAL RESOURCES TRAINING (Mitigation Measure CUL-9). Prior to onset of construction activities, a workshop shall be held to brief all construction workers and supervisors on the types of cultural and paleontological resources that could be found in the area, in accordance with Mitigation Measure CUL-9. The training shall identify the procedures to be followed should cultural or paleontological resources be encountered during construction as well as the penalties for unauthorized collection of artifacts or fossils and the need to temporarily redirect work away from the location of any unanticipated discovery of archaeological or paleontological resources until it is recorded and adequately documented and treated by a qualified professional. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

PALEONTOLOGICAL RESOURCES FIELD SURVEY (Mitigation Measure CUL-10). Prior to issuance of grading permits for each project phase underlain by geologic units with high potential for fossil resources (Figure 3.5-1), the Project proponent shall retain a qualified paleontologist to undertake a comprehensive paleontological field survey of the area covered by the phase. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

PALEONTOLOGICAL RESOURCES MANAGEMENT PLAN (Mitigation Measures CUL-11 thru 13). Prior to issuance of grading permits for phases determined to be underlain by geologic units with moderate or high potential to contain fossil resources, the Project proponent shall retain a qualified paleontologist to prepare and implement a Paleontological Resource Mitigation Plan (PRMP) in accordance with Mitigation Measures CUL-11 thru 13. The developer shall also provide evidence to the City that a qualified paleontologist has been retained to observe grading activities and to salvage and catalog fossils. The paleontologist shall be present at the pre-construction meeting, shall establish procedures for paleontological resource surveillance and shall also establish procedures for temporarily halting or redirecting work to permit sampling, identification and evaluation of fossils. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

DISCOVERY OF HUMAN REMAINS (Mitigation Measure CUL-14). In the event that human remains are encountered, work shall halt in the immediate vicinity of the discovery and the San Bernardino County

be contacted in accordance with mitigation measure GUL-14. If the human remains are determined to be those of a Native American, the coroner will notify the Native American Heritage Commission (NAHC) within 24 hours of identification. The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD), who shall help determine what course of action should be taken in dealing with the human remains. Vehicles, equipment and unauthorized personnel will not be permitted within 60 feet of the discovery site until work is allowed to resume. Work may not resume until notification requirements and proper assessments have been completed. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

LAND USE APPROVAL. Prior to nonresidential development, including the wastewater treatment plant, lift stations, and other required nonresidential improvements, a Land Use Application shall be filed with the Planning Division for review and approval. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

DEVELOPMENT AGREEMENT. Prior to the issuance of any permits, the City and the developer shall enter into a development agreement to address all aspects of the project's development in accordance with state law, as well as the City of Hesperia's General Plan, Municipal Code and the adopted Tapestry Specific Plan. Prior to development within each phase, the required water and sewer facilities shall be evaluated to account for existing and proposed development as well as any Specific Plan Amendments or density transfers approved in accordance with the Specific Plan. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

PUBLIC FACILITIES AND FINANCING PLAN. Development shall occur in conformance with an adopted Public Facilities and Financing Plan (PFFP) to be submitted to and approved by the City prior to issuance of any permits. The PFFP shall comprehensively address all required public infrastructure, and if necessary, include agreements with the Hesperia Unified School District and the Hesperia Recreation and Park District for payment of fees or dedication of land to address the impacts of the project on school and park facilities. (E, P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

STATE AND FEDERAL APPROVALS. The Developer shall obtain all necessary state and federal permits, approvals and other entitlements, where applicable, prior to each phase of the development of the project. (P)

CONDITIONS REQUIRED PRIOR TO OCCUPANCY OF ANY UNIT

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

HEALTH RISK ASSESSMENT (mitigation measure AIR-6). Upon completion of the plans and facility design for the proposed WWRP and sewer lift stations, a Health Risk Assessment shall be conducted to demonstrate that emissions would not expose sensitive receptors within 1,000 feet of the facility to substantial pollutant concentrations. (B)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

ODOR CONTROL MEASURES (Mitigation Measure AIR-7). Odor control measures shall be incorporated into the design of the WWRP and sewer lift stations to minimize odors. An odor analysis shall be conducted upon completion of facility design to ensure that odor emissions comply with MDAQMD Rule 42 and would not result in objectionable odors for residential uses within two miles of the WWRP and one mile of the sewer lift stations. (B)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

UTILITY RELOCATION/UNDERGROUNDING. The developer is required to install water, sewer, or construct street improvements, or when required utilities shall be placed underground, it shall be the responsibility of the developer to relocate/underground any existing utilities at his/hers own expense. Relocation/undergrounding of utilities shall be identified upon submittal of the construction plans. (P, E, W/S)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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 COMPLIED BY

PUBLIC IMPROVEMENTS. All public improvements shall be completed

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

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

SEWER CONNECTION REQUIRED. All residential, commercial, and institutional uses shall connect to sewer. The Developer is responsible for the construction of a wastewater treatment plant with solids handling capacity for the project and capacity for additional projects; producing recycled water suitable for irrigation of landscaped areas. Recycled water shall be utilized within the project to irrigate schools, parks, parkways and other landscaped areas. Design and operation of the wastewater treatment plant shall be coordinated with the City. (E)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

FUEL MODIFICATION ZONE. The project shall comply with the Fuel Modification Design Criteria report dated July 7, 2014.

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

OFF-SITE SOUND WALL (Mitigation Measures NOI-10 and NOI-12). Prior to issuance of a Certificate of Occupancy for the Phase 1 area, the Project applicant shall, with the permission of the land owner or City (as applicable), install a sound wall along portions of Rancho Road and "I" Avenue. The noise wall's height, location, and material will be determined through a site-specific acoustical analysis performed by a City-approved acoustical engineer or equivalent. The noise wall shall be of sufficient height and length to ensure that the exterior noise levels at residential outdoor use spaces does not exceed 65 CNEL in accordance with Mitigation Measures NOI-10 and NOI-12. (P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

MASONRY WALLS AND FENCING. The required split-face masonry walls and wrought iron fencing shall be completed in accordance with City standards. (P)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

INTERIOR NOISE ATTENUATION (Mitigation Measures NOI-11 and 13). A site-specific acoustic analysis shall be conducted with the permission of the land owner (as applicable) to ensure that the exterior noise attenuation and/or building design limits the interior noise environment to 45 CNEL or below; this would be necessary for residences along portions of Rancho Road and along "I" Avenue. Noise attenuation, such as double-paned windows, shall be installed where necessary to achieve interior noise levels that do not exceed 45 CNEL in accordance with Mitigation Measures NOI-11 and 13. The site-specific analysis shall be conducted by a City-approved acoustical engineer or equivalent. (P)

ONGOING CONDITIONS

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

HYDRANT MARKING. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. (F)

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

ATTACHMENT 9

RESOLUTION NO. PC-2015-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE TENTATIVE TRACT TT-18955

WHEREAS, on February 15, 1990, the City Council of the City of Hesperia adopted the Rancho Las Flores Specific Plan, currently applicable in regards to development on the property; and

WHEREAS, Hesperia Venture I, LLC, has proposed the Tapestry Specific Plan project consisting of development of a maximum of 19,206 residential units; two mixed-use town centers with approximately 500,000 to 700,000 SF of commercial and retail space, 387 acres of parkland; trails totaling 59 miles; eight elementary schools, two middle schools and two high schools totaling approximately 263 acres; public and civic facilities, a wastewater reclamation plant; drainage facilities, domestic and recycled water infrastructure and preservation of approximately 3,004 acres of open space. The project would also repeal and replace the existing Rancho Las Flores Specific Plan; and

WHEREAS, the project Tentative Tract TT-18955 is to subdivide each residential lot on TT-18989 into single-family residential lots. These lots would range from 5,500 SF minimum to 10,000 SF minimum (18,000 SF to 12,000 SF on the perimeter of the project). This Tentative Tract is proposed to include 24 tracts, for a total of 1,883 single-family residential units. An additional two lots could be developed with up to 220 attached units. The total number of units authorized in Phase 1 is 2,103. The remaining 13 lots will be dedicated for open space, parks, water quality basins, the WWRP and other non-residential uses; and

WHEREAS, the Specific Plan area is currently vacant. Adjacent land uses consist of occupied single-family residences to the north and west. Land to the east is vacant. The properties on the west also include a middle school; and

WHEREAS, the City of Hesperia, as lead agency, determined that an Environmental Impact Report ("EIR") should be prepared pursuant to CEQA in order to analyze all adverse environmental impacts of the Project; and

WHEREAS, on August 27, 2015 and September 24, 2015 the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Specific Plan, and concluded said hearing on September 24, 2015; 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 August 27, 2015 and September 24, 2015 hearings, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon the EIR and the findings contained herein, the Tapestry Specific Plan will have a significant effect on the environment. Facts, findings and a Statement of Overriding Considerations have been prepared in accordance with CEQA.
- (b) The site of the proposed Specific Plan is suitable for the land uses permitted within the proposed Land Use designation because the Specific Plan establishes the best mix of land uses and development standards to assure that the area achieves its land use potential for residential uses, retail growth and establishment of local jobs.
- (c) The site is physically suitable for the proposed density of development, because the Specific Plan contains the full range of land uses and locates them to take full advantage of the site's opportunities and constraints, including establishment of schools, parks and trails, as well as creation of open space and cultural resource preservation.
- (d) The design of the subdivisions and any related types of proposed improvements are not likely to cause serious public health problems, because the requirements to develop the Specific Plan and related subdivisions will physically improve and extend public utilities and infrastructure to ensure adequate public services to the site.
- (e) The proposed subdivisions, its design, density, and type of development and improvements conform to the regulations of the proposed Specific Plan, Development Code, and all applicable City Ordinances.
- (f) The proposed subdivision is not deemed to be a land project.
- (g) The design of the subdivision provides, to the extent feasible, passive or natural heating/cooling opportunities to each of the proposed lots as solar power will be accommodated on all residential, commercial and institutional buildings.

Section 3. The Planning Commission hereby finds that the proposed Tapestry Specific Plan will have a significant effect on the environment, recommending that the City Council certify the EIR and adopt the facts, findings and a statement of overriding considerations, as well as a mitigation monitoring and reporting program pursuant to Resolution No. PC-2015-19.

Section 4. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends that the City Council approve Tentative Tract TT-18955 in accordance with the Conditions of Approval as shown in Attachment "A".

Section 5. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED on this 24th day of September 2015

Tom Murphy, Chair, Planning Commission

ATTEST:

Andrea Ngalo, Secretary, Planning Commission

ATTACHMENT "A"
List of Conditions for TT13-00001

Approval Date:
Effective Date:
Expiration Date:

This list of conditions applies to the merchant map for the Tapestry Specific Plan Tentative Tract TT13-00001 (TT-18955), to create 1,941 single-family residential lots on approximately 987 gross acres within Phase 1 of the Specific Plan located within northern portion of the project identified as the Mesa Village (Hesperia Venture I, LLC; APNs:)

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

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

CONDITIONS REQUIRED AS PART OF SUBMITTAL OF PUBLIC IMPROVEMENT PLANS

| | | |
|---------------------------------------|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | STREET NAME APPROVAL. The developer shall submit a request for street names for all of the interior streets for review and approval by the Building Division. (B) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | LIGHT AND LANDSCAPE DISTRICT ANNEXATION. Developer shall annex property into the lighting and landscape district administered by the Hesperia Recreation and Parks District for all parks two acres and larger (except view parks). The required forms are available from the Building Division and once completed, shall be submitted to the Building Division. (B) |
| <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 Surveyor's Office Final Map Standards. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | PLANS. All required plans shall be prepared by a registered Civil Engineer per City standards and to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review along with required checking fees. The Final Map, CDP Improvement Plans, requested studies and CFD annexation must be submitted as a package. (E) |
| <u>COMPLETED</u>
NOT IN COMPLIANCE | <u>COMPLIED BY</u> | DRAINAGE STUDY. The Developer shall submit the 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 and any revisions caused by street/lot changes in the Map. (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> | GEOTECHNICAL REPORT. The Developer shall provide two copies of the soils report to substantiate all grading, building and public improvement plans. Include R value testing and pavement recommendations for public streets. (E, B) |
| <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 (S.W.P.P.P.) which |

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

TAPESTRY SPECIFIC PLAN DEVELOPMENT REQUIREMENTS. Recordation or development within this tentative map is contingent upon compliance with all development requirements of the Tapestry Specific Plan, including but not limited to approval of the Development Agreement and a Public Facilities and Financing Plan. (E, P)

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

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

DEDICATION TO CITY FOR PUBLIC FACILITIES. All tentative maps shall provide that all roads, water, sewer, storm drain facilities and associated easements shall be dedicated to the City of Hesperia. Properties intended for parks, police, fire, schools and other public facilities must be dedicated to the City of Hesperia, the Hesperia Recreation and Park District or Hesperia Unified School District. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

LETTERED LOTS. Lettered lots shall be dedicated to the City of Hesperia for drainage storm drain, retention basin, slope maintenance, and open space purposes. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

IMPROVEMENT AGREEMENT/SURETY. The Developer shall execute Improvement and Grading Agreements and post surety for all public improvements. The amounts will be approved by the City Engineer. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

DEDICATIONS. The Developer shall grant to the City of Hesperia an Irrevocable Offer of Dedication for roadways and Grant of Easement(s) for storm drain and utility purposes as shown on the approved tentative map and as described below. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS-IOD. The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of 56 feet wide for Local Roads per the Tapestry Specific Plan. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

COST ESTIMATE AND MATERIALS LIST. The Developer shall submit a cost estimate and materials list to the City's Engineering Department for all on-site and off-site public improvements per City standards. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

GRADING PLAN. The Developer shall submit a Grading Plan with existing contours tied to an acceptable City of Hesperia benchmark. The grading plan shall indicate building footprints and proposed development of the retention basin(s) as a minimum. Site grading and building pad preparation shall include recommendations provided per the Preliminary Soils Investigation. All proposed walls shall be indicated on the grading plans showing top of wall (tw) and top of footing (tf) elevations along with finish grade (fg) elevations. Wall height from finish grade (fg) to top of wall (tw) shall not exceed 10 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 COMPLIED BY
NOT IN COMPLIANCE

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 feet and a maximum depth to be determined by soils engineer at the time of the boring test. Retention basins over 18 inches in depth shall be fenced on all sides and shall have a paved 14-foot wide (min.) 12 percent (max.) access with a 20' x 20' concrete parking apron at the bottom of the 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 COMPLIED BY

STREET IMPROVEMENTS. The Developer shall design street

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS- SEWER. The Developer shall provide the appropriate sewer lines necessary to serve the project per the City Engineer. The Developer is required to provide a minimum diameter of 8" S.D.R. 35 P.V.C. sewer lines within the tract. Any sewer easements that are required will be a minimum of 15 feet in width on one lot unless it is shared with another utility, in which case 20 feet on one lot is required. It is the Developer's responsibility to obtain any dedication(s) or easement(s) needed to construct sewer line. The Developer shall provide plans and profiles per City standards. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

STORM DRAIN IMPROVEMENTS. The Developer shall design storm drain improvements in accordance with City standards as indicated below. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

INTERIOR STREETS- Storm Drain. The Developer shall provide the appropriate storm drains necessary to serve the project per the Master Drainage Study for the Tapestry Specific Plan and the City Engineer. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

ELECTRONIC COPIES. The Developer shall provide electronic copies of the approved project in AutoCAD format Version 2007 to the City's Engineering Department. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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. Multi Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. All Fire access shall comply with the Fire Protection Plan dated July 7, 2014. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

WATER SYSTEM-RESIDENTIAL. A water system approved by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than 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. Temporary fire water systems are not permitted. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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-sacs shall not provide access for more than 22 lots. Roadways shall not exceed a 12% grade and shall have a minimum forty (40) foot turning radius. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

EMERGENCY ACCESS. A minimum 26-foot wide all-weather emergency/evacuation access with gates and Knox boxes at each end shall be developed within Lots "UUU" and "ZZZ." This will provide a necessary connection between Streets "JJJ" and "RRRR" in accordance with San Bernardino County Fire Department standards. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

AVIGATION EASEMENT. A portion of the project site is located within Safety Area C for Hesperia Airport as identified in the City's adopted Comprehensive Airport Land Use Plan. The developer shall record an Avigation Easement to Hesperia Airport as approved by the City Attorney. The easement and the required application and fees shall be submitted to the Planning Division prior to review and approval by the City for recordation. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

CONCURRENCY PLAN. Prior to recordation of a final map for any phase, a concurrency plan shall be submitted to the City illustrating improvements

NOT IN COMPLIANCE

Council and Recorded with the County of San Bernardino. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

MEDIUM DENSITY RESIDENTIAL LOTS. The Developer shall provide a site plan for review and approval for the development of any portion of Lots 25 and 26 of Tract 18989. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

COMBUSTIBLE PROTECTION. Prior to combustibles being placed on the project site, an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

FIRE SPRINKLER NFPA#13/13D/13R. Automatic fire sprinkler systems complying with NFPA Pamphlet #13/13D/13R and the Fire Department standards are required. The fire sprinkler contractor shall submit three (3) sets of plans (minimum 1/8" scale) and shall include hydraulic calculations and manufacturer's specification sheets. The required fees shall be paid at the time of plan submittal. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

FUEL MODIFICATION ZONE. The project shall comply with the Fuel Modification Design Criteria report dated July 7, 2014. (F)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

SENSITIVE PLANT COMMUNITIES (Mitigation Measure BIO-2). During the City's normal project-specific environmental review (Initial Study) process for all future, discretionary, public improvement and private development projects beyond Phase 1, the City shall determine the possible presence of, or confirm the extent of, potential impacts of the action on sensitive vegetation communities. Mitigation for impacts to sensitive vegetation communities shall be provided in accordance with Mitigation Measure BIO-2, prior to the issuance of grading permits for each phase of development. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

JURISDICTIONAL DELINEATION (Mitigation Measure BIO-5). During the City's normal project-specific environmental review (Initial Study) process for all future, discretionary, public improvement and private development projects beyond Phase 1, a qualified biologist shall conduct a jurisdictional delineation to identify Waters of the US (WUS) and Waters of the State (WS) in accordance with Mitigation Measure BIO-5. The results of the delineation shall be summarized in a Jurisdictional Delineation Report, subject to approval by the City, RWQCB, U.S. Army Corps of Engineers (USACE) and California Department of Fish and Wildlife (CDFW). (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

IMPACT MITIGATIONS FOR WATERS OF THE US AND WATERS OF THE STATE (Mitigation Measure BIO-6). Impacts upon Waters of the US and Waters of the State shall first be avoided and then minimized to the maximum extent practicable by the Project design. Where avoidance of these areas is not feasible, mitigation shall be provided in accordance with Mitigation Measure BIO-6 to the satisfaction of the City, USACE, CDFW, and/or RWQCB, as applicable. The types of mitigation required may include on-site protection, enhancement, restoration, establishment (creation) or a combination thereof. Mitigation shall be in-kind and in the same watershed as the impacts. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

LISTED PROTECTED PLANTS (Mitigation Measures BIO-8 thru 11). During the City's normal project-specific environmental review (Initial Study) process for all future, discretionary, public improvement and private development projects, a qualified biologist shall conduct surveys during the appropriate season(s) to identify special status plant species locations and numbers within the subject phase of development in accordance with Mitigation Measures BIO-8 thru 11. The results of the surveys shall be summarized in a report, subject to approval by the City. (P)

COMPLETED COMPLIED BY

NONLISTED PROTECTED PLANTS (Mitigation Measure BIO-9). Impacts

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

paleontological resource until it is recorded and adequately documented and treated by a qualified professional. (P)

PALEONTOLOGICAL RESOURCES FIELD SURVEY (Mitigation Measure CUL-10). Prior to issuance of grading permits for each project phase underlain by geologic units with high potential for fossil resources (Figure 3.5-1), the Project proponent shall retain a qualified paleontologist to undertake a comprehensive paleontological field survey of the area covered by the TTM. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

PALEONTOLOGICAL RESOURCES MANAGEMENT PLAN (Mitigation Measures CUL-11 thru 13). Prior to issuance of grading permits for phases determined to be underlain by geologic units with moderate or high potential to contain fossil resources, the Project proponent shall retain a qualified paleontologist to prepare and implement a Paleontological Resource Mitigation Plan (PRMP) in accordance with Mitigation Measures CUL-11 thru 13. The developer shall also provide evidence to the City that a qualified paleontologist has been retained to observe grading activities and to salvage and catalog fossils. The paleontologist shall be present at the pre-construction meeting, shall establish procedures for paleontological resource surveillance and shall also establish procedures for temporarily halting or redirecting work to permit sampling, identification and evaluation of fossils. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

DISCOVERY OF HUMAN REMAINS (Mitigation Measure CUL-14). In the event that human remains are encountered, work shall halt in the immediate vicinity of the discovery and the San Bernardino County coroner and a qualified cultural resources management professional will be contacted in accordance with Mitigation Measure CUL-14. If the human remains are determined to be those of a Native American, the coroner will notify the Native American Heritage Commission (NAHC) within 24 hours of identification. The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD), who shall help determine what course of action should be taken in dealing with the human remains. Vehicles, equipment and unauthorized personnel will not be permitted within 60 feet of the discovery site until work is allowed to resume. Work may not resume until notification requirements and proper assessments have been completed. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

LAND USE APPROVAL. Prior to nonresidential development, a Land Use Application shall be filed with the Planning Division for review and approval. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

LANDSCAPE AND IRRIGATION PLANS. The Developer shall submit three sets of landscape and irrigation plans including water budget calculations, required application fees and completed landscape packet to the Building Division with the required application fees. The landscaping plans shall be for the required landscaping along arterial streets, landscaping area along the street side yard and front yards of numbered lots, and within retention areas as required by the Planning 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, RPD)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

STATE AND FEDERAL APPROVALS. The Developer shall obtain all necessary state and federal permits, approvals and other entitlements, where applicable, prior to each phase of the development of the project. (P)

CONDITIONS REQUIRED PRIOR TO OCCUPANCY OF ANY UNIT

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

HVAC CONDENSER NOISE ATTENUATION (Mitigation Measure NOI-4). Prior to issuance of Certificates of Occupancy for each development phase, attenuation of exterior heating, ventilation and air conditioning (HVAC) noise to levels to 55 dBA LEQ (for usable outdoor space) shall be ensured in accordance with Mitigation Measure NOI-4. (B)

sets of engineered construction plans for the required fencing shall be submitted to the Building and Safety counter. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

MASONRY WALLS AND FENCING. The required masonry walls and wrought iron fencing shall be completed in accordance with City standards. (P)

ONGOING CONDITIONS

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

TRASH AND WASTE REDUCTION. Transfer stations associated with waste reduction facilities and programs shall be implemented to help meet countywide and statewide waste reduction and recycling objectives. The project shall implement procedures regarding construction debris in accordance with the City's Municipal Code, and shall utilize the City's franchised trash company. (B)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

VALIDATION OF TRAFFIC IMPACT ANALYSIS. The Traffic Impact Analysis (TIA) shall be reviewed and validated prior to issuance of building permits for the 1st unit within Phase 1 and the project conditions of approval shall be adjusted accordingly. The TIA shall be revalidated for each additional 10% of the units within Phase 1 in order to prioritize and require construction of infrastructure improvements, including but not limited to, the four off-site traffic signals to be constructed along Rancho Road (Maple Avenue, Seventh Avenue, Farmdale Avenue and Danbury Avenue, along with the associated widening of street segments and intersections). Prior to development within subsequent phases, the TIA shall be validated to account for existing and proposed development as well as any Specific Plan Amendments or density transfers approved in accordance with the Specific Plan. In addition to the foregoing, the developer shall:

- a. Construct off-site improvements including widening of Rancho Road from Mariposa Road to Seventh Avenue, and then from Danbury Avenue to I Avenue per the approved Traffic Impact Analysis (TIA). Improvements shall include a multi-lane bridge over the Southern California Aqueduct and expansion of the Railroad at-grade crossing. (E, P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

BUS STOPS AND TURNOUTS. The Specific Plan shall include facilities to promote circulation efficiency, such as bus stops and turnouts. A comprehensive operational analysis shall be completed in cooperation with the Victor Valley Transit Authority to determine service capabilities and associated costs. The timing and implementation of the required transit facilities and equipment shall be included in the PFFP and said facilities shall be incorporated into the approved plans for each development phase and tentative map. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

STREET AND HIGHWAY FUNDING AND IMPROVEMENTS. The number of units that may be permitted at any given time shall be conditioned on the construction of the required improvements to the Hesperia Street network, including Rancho Road or other alternative routes which are determined by the City to be needed to accommodate the increased volume of circulation to be generated by the development and to the construction of other required infrastructure and public or community facilities needed to support the proposed units. These required improvements shall be substantiated by the traffic impact analysis and any subsequent validations as the project is developed. (E, P)

COMPLETED COMPLIED BY
IN COMPLIANCE

OFF-ROAD VEHICLE USE PROHIBITED. Recreational all-terrain vehicle use shall be prohibited throughout the project area. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

WOOD BURNING FIREPLACES/OPEN BURNING. Open burning will be restricted or prohibited within the project area. Fireplaces shall not be designed to burn wood. Fireplaces using natural gas or pellet stoves are permitted. (P)

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