

PLANNING COMMISSION AGENDA

REGULAR MEETING

Date: March 24, 2016

Time: 6:30 P.M.

COMMISSION MEMBERS

Tom Murphy, Chair

William A. Muller, Vice Chair

Jim Heywood, Commissioner

Joline Bell- Hahn, Commissioner

Cody Leis, 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.

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**AGENDA
HESPERIA PLANNING COMMISSION**

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

CALL TO ORDER

6:30 p.m.

- A. Pledge of Allegiance to the Flag
- B. Invocation
- C. Roll Call:
 - Chair Tom Murphy
 - Vice Chair William Muller
 - Commissioner James Heywood
 - Commissioner Joline Bell-Hahn
 - Commissioner Cody Leis
- D. Reorganization of the Planning Commission
 - 1. Election of Chair
 - 2. Election of Vice Chair

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

- E. Approval of Minutes: January 14, 2016, Planning Commission Meeting Draft Minutes.

-1-

PUBLIC HEARINGS

- 1. Consideration of General Plan Amendment GPA15-00002, to amend the land use designation from Rural Residential with a minimum lot size of 2 1/2 acres (RR-2 1/2) to Rural Residential with a minimum lot size of one-acre (RR-1) in conjunction with Tentative Parcel Map TPM15-00006 (PM-19703), to create four parcels and a remainder on 5.0 gross acres. General Plan Amendment GPA15-00002 is expanded to include an additional parcel of 17.6 gross acres to the north.

1-1

PRINCIPAL PLANNER'S REPORT

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

- F. Annual Report on Status and Implementation of the General Plan 2-1
- G. DRC Comments
- H. Major Project Update

PLANNING COMMISSION BUSINESS OR REPORTS

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

ADJOURNMENT

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

I, Denise Bossard, Planning Commission Secretary for City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Wednesday , March 16, 2015 at 5:30 p.m. pursuant to California Government Code §54954.2.



Denise Bossard
Planning Commission Secretary

**HESPERIA PLANNING COMMISSION MEETING
REGULAR MEETING
January 14, 2016
MINUTES**

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

CALL TO ORDER 6:30 p.m.

Pledge of Allegiance to the Flag

Invocation

Roll Call:

Present: Chair Tom Murphy
Vice Chair William Muller
Commissioner James Heywood
Commissioner Joline Bell-Hahn
Commissioner Cody Leis

JOINT PUBLIC COMMENTS

Chair Murphy opened the Public Comments at 6:33 pm.

Chair Murphy closed the Public Comments at 6:33 pm.

CONSENT CALENDAR

Approval of Minutes: December 10, 2015, Planning Commission Meeting Draft Minutes.

Motion by Joline Bell-Hahn to approve December 10, 2015, Planning Commission Meeting Draft Minutes, Seconded by William Muller, passed with the following roll call vote:

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

ABSTAIN Cody Leis

PUBLIC HEARING

Consideration of Conditional Use Permit CUP15-00007 to construct a retail development comprised of an 18,600 square foot Aldi Market, an 11,700 square foot Les Schwab Tire building with outdoor tire storage, a 10,000 square foot single-tenant retail building, a 7,000 square foot multi-tenant retail building, and a 3,000 square foot drive-thru restaurant on 7.4 gross acres within the Regional Commercial (RC) zone of the Main Street and Freeway Corridor Specific Plan located on the northeast corner of Main Street and Escondido Avenue (Applicant: Rich Development; APNs: 0405-062-45 & 58)

Senior Planner, Daniel Alcayaga, gave a presentation.

Discussion ensued between Staff and the Planning Commission.

Economic Development Management Analyst, Rod Yahnke, provided clarification on the project.

Discussions ensued between Staff and the Planning Commission.

Senior Planner, Daniel Alcayaga, and the applicant, conferred briefly, in an effort to answer the Commission's questions.

**HESPERIA PLANNING COMMISSION MEETING
REGULAR MEETING
January 14, 2016
MINUTES**

Chair Murphy opened the Public Hearing at 6:50 pm.

Tab Johnson, of Rich Development, spoke about the project.

Discussion ensued between the Planning Commission and Tab Johnson from Rich Development.

Chair Murphy closed the Public Hearing at 6:53 pm.

Motion by Joline Bell-Hahn to adopt Resolution Nos. PC-2016-02, approving CUP15-00007, Seconded by James Heywood, passed with the following roll call vote:

AYES: Tom Murphy, William Muller, Cody Leis, James Heywood, and Joline Bell-Hahn
NOES: None

Consideration of Conditional Use Permit CUP15-00006 to replace an existing 71-foot high stadium light with a 77-foot high stadium light pole with a wireless communications facility at Lime Street Park located at the northwest corner of Lime Street and Hesperia Road (Applicant: LA Verizon Wireless; APN: 0413-222-23).

Associate Planner, Ryan Leonard, gave a presentation.

Discussions ensued between Staff and the Planning Commission.

Chair Murphy opened the Public Hearing at 7:01 pm.

Chair Murphy closed the Public Hearing at 7:02 pm.

Motion by William Muller to adopt Resolution No. PC-2016-01, approving CUP15-00006, Seconded by James Heywood, passed with the following roll call vote:

AYES: Tom Murphy, William Muller, Cody Leis, James Heywood, and Joline Bell-Hahn
NOES: None

Consideration of Conditional Use Permit CUP15-00005 to construct a 75-foot high wireless communications facility disguised as a pine tree and Variance VAR15-00001, to exceed the 45-foot height limitation within the Neighborhood Commercial (NC) zone on 2.2 gross acres located on the southwest corner of Hesperia Road and Hercules Street (Project ID: Cashew; Applicant: Verizon Wireless; APN: 0407-061-11).

Cody Leis recused himself from the discussion, and vote, as recommended by City Attorney, Jeff Malawy.

Senior Planner, Stan Liudahl, provided a presentation.

Discussions ensued between Staff and the Planning Commission.

Chair Murphy opened the Public Hearing at 7:09 pm.

Chair Murphy closed the Public Hearing at 7:09.

**HESPERIA PLANNING COMMISSION MEETING
REGULAR MEETING
January 14, 2016
MINUTES**

Motion by Joline Bell-Hahn to adopt Resolution No. PC-2015-29 and PC-2015-30 approving CUP15-00005 and Variance VAR15-00001, Seconded by Tom Murphy, passed with the following roll call vote:

**AYES: Tom Murphy, William Muller, James Heywood, and Joline Bell-Hahn
NOES: None**

Consideration of Development Code Amendment DCA15-00003 to establish regulations to prohibit mobile marijuana dispensaries, cultivation and manufacturing of marijuana products. (Applicant: City of Hesperia; Affected area: City wide).

Principal Planner, Dave Reno, gave a presentation.

Discussions ensued between Staff and the Planning Commission.

Discussions ensued between the Planning Commission, Staff and City Attorney, Jeff Malawy.

Chair Murphy opened the Public Hearing at 7:25 pm.

Chair Murphy closed the Public Hearing at 7:25 pm.

Motion by Joline Bell-Hahn to adopt Resolution Nos. PC-2016-03, approving DCA15-00003., Seconded by William Muller, passed with the following roll call vote:

**AYES: Tom Murphy, William Muller, Cody Leis, James Heywood, and Joline Bell-Hahn
NOES: None**

PRINCIPAL PLANNER'S REPORT

DRC Comments

Principal Planner, Dave Reno talked about Advance Disposal's request for an extension relative to the State's new green waste regulations.

Major Project Update

Principal Planner, Dave Reno, announced the Tapestry Meeting of January 16, 2016, Hesperia High School Cafeteria, 10:00 am.

PLANNING COMMISSION BUSINESS OR REPORTS

Chair Murphy welcomed Commissioner Cody Leis.

Chair Murphy thanked Commissioner Rogers for his time on the Planning Commission.

ADJOURNMENT

Meeting adjourned at 7:30 pm until February 11, 2016.

Tom Murphy
Chair

By: Denise Bossard,
Commission Secretary

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DATE: March 24, 2016
TO: Planning Commission
FROM: Dave Reno, Principal Planner
BY: Stan Liudahl, AICP, Senior Planner
SUBJECT: General Plan Amendment GPA15-00002 & TPM15-00006; Applicants: CJC Holdings, LLC, Toberet, LLC, and the City of Hesperia; APN: 0405-471-31; GPA15-00002 expanded to include APN:0405-471-06

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution Nos. PC-2016-04 and PC-2016-05, recommending that the City Council introduce and place on first reading an ordinance approving GPA15-00002 and approve TPM15-00006.

BACKGROUND

Proposal: A General Plan Amendment from Rural Residential with a minimum lot size of 2½ acres (RR-2½) to Rural Residential with a minimum lot size of one acre (RR-1) in conjunction with a Tentative Parcel Map (PM-19703), to create four parcels and a remainder on 5.0 gross acres (Attachment 1). Staff has expanded the General Plan Amendment to include the 17.6 gross acre parcel north of the subject property.

Location: On the northeast corner of Tioga Street and Topaz Avenue.

Current General Plan, Zoning and Land Uses: The property is currently within the Rural Residential with a minimum lot size of 2½ acres (RR-2½) designation. The surrounding land is designated as noted on Attachment 2. The subject property as well as the surrounding property to the north is vacant. The properties to the south, east, and west contain single-family residences (Attachment 3).

The General Plan of the property to the east was changed from RR-2½ to RR-1 in conjunction with Tentative Parcel Map PM-16263 on February 4, 2004. This subdivision created four parcels on the 5.0 gross acre property to the east.

ISSUES/ANALYSIS

Land Use: The proposed subdivision is inconsistent with the allowable residential density of the existing RR-2½ designation. This designation allows residential uses at a density between 0.0 and 0.4 dwelling units per gross acre, which allows a maximum of 2.0 dwelling units on the 5.0 gross acre property. The tentative parcel map creates four parcels and a remainder, which would yield a density of 1.0 dwelling units per gross acre, which exceeds the maximum density requirement of the RR-2½ designation.

The proposed General Plan Amendment would change the Land Use designation of the subject property from Rural Residential with a minimum lot size of 2½ acres (RR-2½) to Rural Residential with a minimum lot size of one acre (RR-1), which allows residential development between 0.4 and 1.0 dwelling units per gross acre. The project site is bounded by land within the RR-2½ designation to the north, south and the properties to the west are unincorporated, but are also required a minimum lot size of 2½ acres. The properties to the east are within the RR-1 designation. Therefore, the proposed General Plan Amendment is consistent with the designation of the properties to the east. The proposed tentative parcel map is consistent with the proposed General Plan Amendment.

Staff has expanded the proposed General Plan Amendment to include an additional 17.6 gross acres north of the subdivision so that approval of the subdivision would not create a “spot zone.” This property is currently vacant and will create a logical transition between the subject property and the Single-family Residential with a minimum lot size of 18,000 square feet (R1-18000) designated properties farther north. The additional residential density allowed by the RR-1 designation will result in 13 additional residences in this area, based upon the increase in density from 0.4 to 1.0 units per acre for the 22.6 gross acres.

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

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

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

Water and Sewer: The developer shall connect to the existing 8-inch minimum PVC water main in Tioga Street. The applicant shall obtain approval from the Local Agency Formation Commission (LAFCO) of an Out-of-Area Service Agreement and a will serve letter from County Service Area 70, Zone J (CSA 70-J). Each parcel shall be served by an approved septic system.

Environmental: Approval of this project requires adoption of a mitigated negative declaration pursuant to the California Environmental Quality Act (CEQA). The mitigated negative declaration and initial study (Attachment 4) prepared for this project concludes that there are no significant adverse impacts resulting from development of the project with the mitigation measures provided. The biological assessment shows that the site does not contain habitat for the desert tortoise nor any other threatened or endangered species. A pre-construction survey for the burrowing owl will be conducted prior to the issuance of a grading permit. A Protected

Plant Plan indicates that the five-acre parcel contains 16 Joshua Trees, of which 8 are capable of being transplanted. The site is in an area which has a low probability of containing archaeological/paleontological resources.

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

FISCAL IMPACT

Development will be subject to payment of development impact fees.

ALTERNATIVE(S)

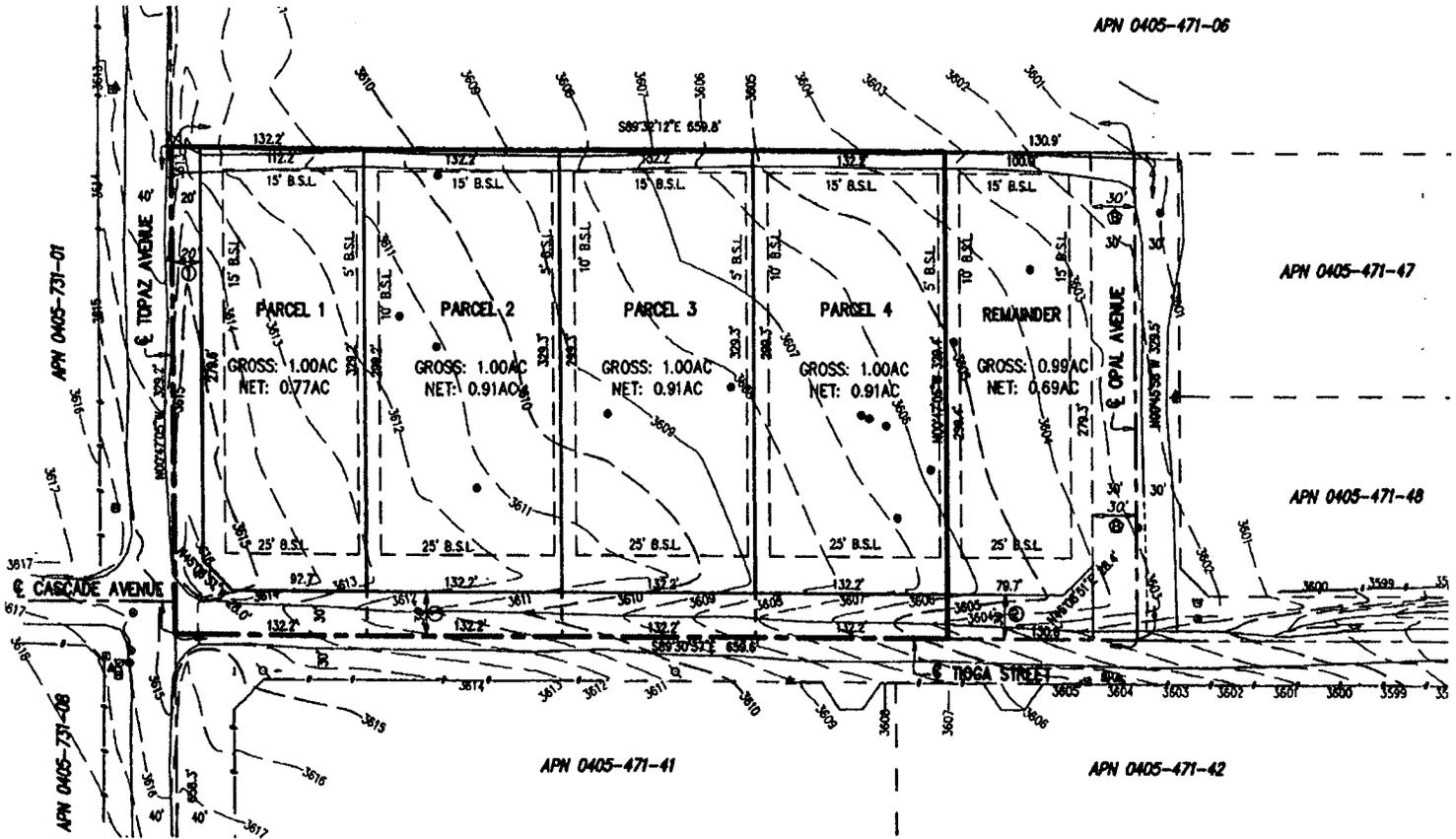
1. The Planning Commission may choose not to recommend that the City Council expand the General Plan Amendment to the additional 17.6 gross acres. Adoption of a General Plan Amendment creating just five acres of land designated RR-1 separated from properties designated R1-18000 by a 17.6 gross acre property designated RR-2½, would result in a "spot zone," which is generally to be avoided. Therefore, staff does not support this alternative.
2. Provide alternative direction to staff.

ATTACHMENTS

1. Tentative Parcel Map
2. General Plan Land Use Map
3. Aerial Photo
4. Negative Declaration ND16-00001 and its initial study
5. Resolution No. PC-2016-04 (GPA15-00002)
6. Resolution No. PC-2016-05, including conditions of approval (TPM15-00006)

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ATTACHMENT 1

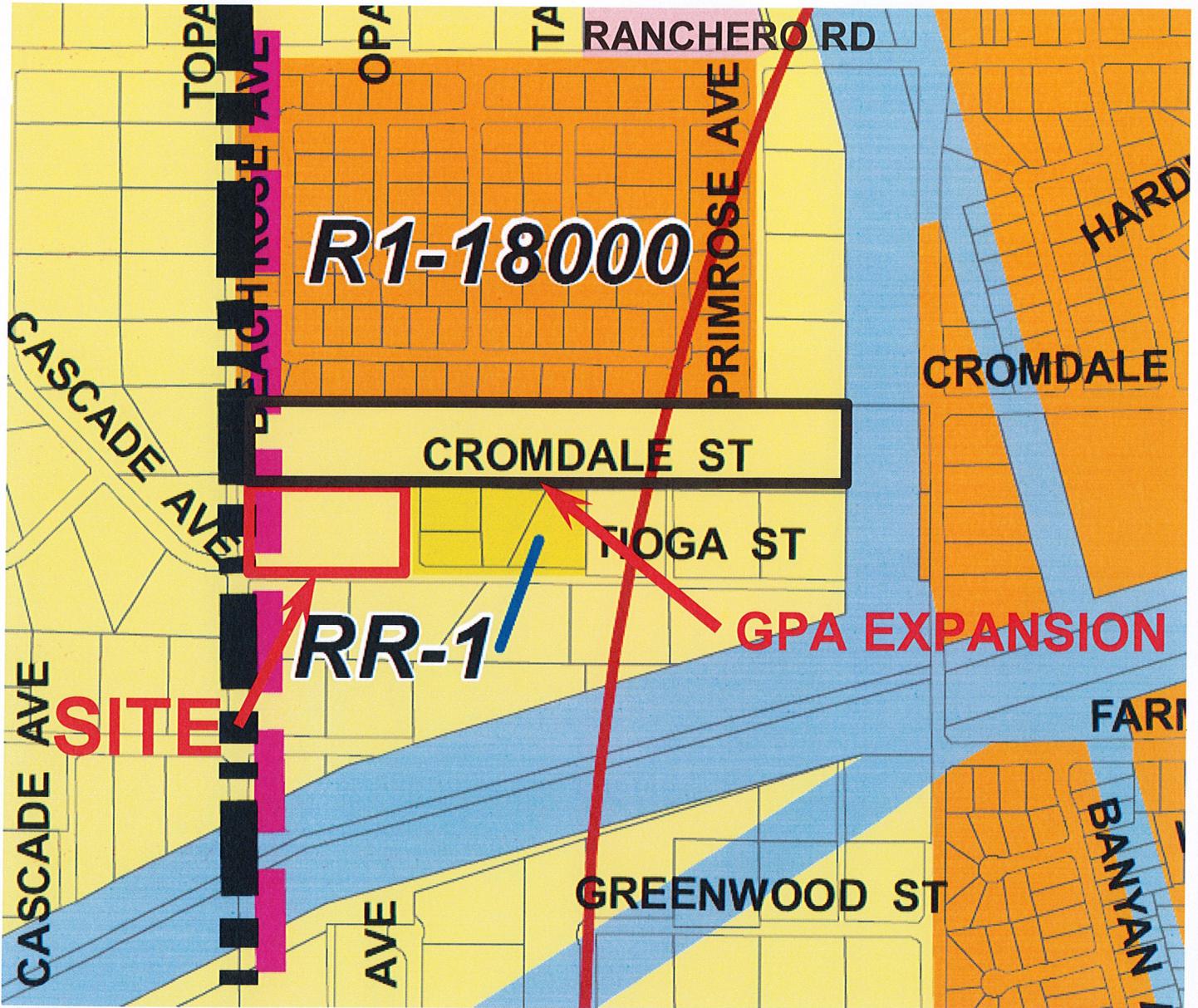


| | |
|--|---|
| APPLICANT(S):
CJC HOLDINGS, LLC & TOBERET, LLC | FILE NO(S):
GPA15-00002 & TPM15-00006 |
| LOCATION:
ON THE NORTHEAST CORNER OF TIOGA STREET AND TOPAZ AVENUE | APN(S):
0405-471-31 & 06 |
| PROPOSAL:
CONSIDERATION OF A GENERAL PLAN AMENDMENT FROM RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF 2½ ACRES (RR-2½) TO RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF ONE ACRE (RR-1) IN CONJUNCTION WITH A TENTATIVE PARCEL MAP TO CREATE FOUR PARCELS AND A REMAINDER ON 5.0 GROSS ACRES. THE CITY HAS EXPANDED THE GENERAL PLAN AMENDMENT TO INCLUDE 17.6 ADDITIONAL GROSS ACRES NORTH OF THE SUBJECT PROPERTY | N
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TENTATIVE PARCEL MAP

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ATTACHMENT 2



APPLICANT(S):

CJC HOLDINGS, LLC & TOBERET, LLC

FILE NO(S):

GPA15-00002 & TPM15-00006

LOCATION:

ON THE NORTHEAST CORNER OF TIOGA STREET AND TOPAZ AVENUE

APN(S):

0405-471-31 & 06

PROPOSAL:

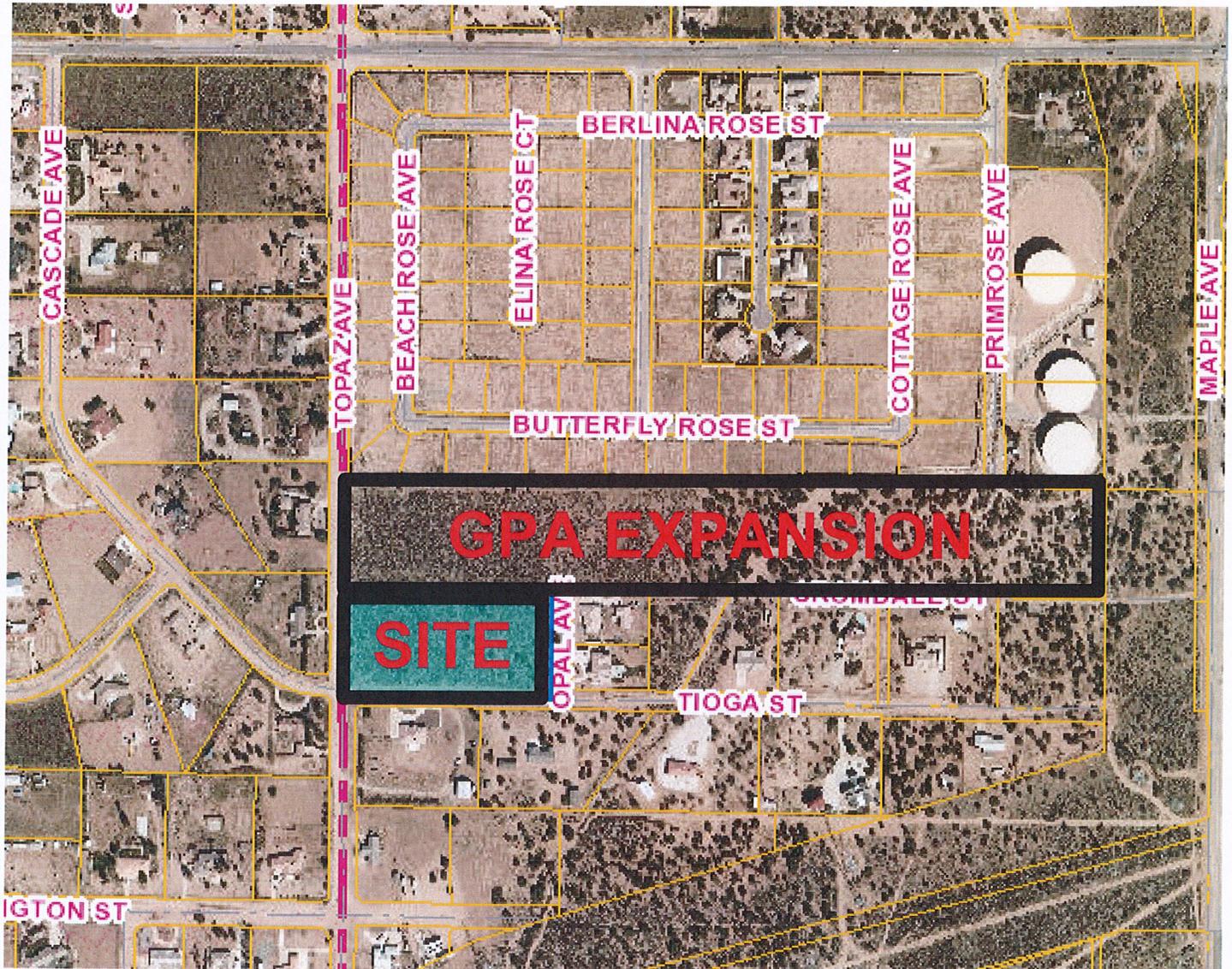
CONSIDERATION OF A GENERAL PLAN AMENDMENT FROM RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF 2½ ACRES (RR-2½) TO RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF ONE ACRE (RR-1) IN CONJUNCTION WITH A TENTATIVE PARCEL MAP TO CREATE FOUR PARCELS AND A REMAINDER ON 5.0 GROSS ACRES. THE CITY HAS EXPANDED THE GENERAL PLAN AMENDMENT TO INCLUDE 17.6 ADDITIONAL GROSS ACRES NORTH OF THE SUBJECT PROPERTY



GENERAL PLAN LAND USE MAP

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ATTACHMENT 3



APPLICANT(S):
CJC HOLDINGS, LLC & TOBERET, LLC

FILE NO(S):
GPA15-00002 & TPM15-00006

LOCATION:
ON THE NORTHEAST CORNER OF TIOGA STREET AND TOPAZ AVENUE

APN(S):
0405-471-31 & 06

PROPOSAL:
CONSIDERATION OF A GENERAL PLAN AMENDMENT FROM RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF 2½ ACRES (RR-2½) TO RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF ONE ACRE (RR-1) IN CONJUNCTION WITH A TENTATIVE PARCEL MAP TO CREATE FOUR PARCELS AND A REMAINDER ON 5.0 GROSS ACRES. THE CITY HAS EXPANDED THE GENERAL PLAN AMENDMENT TO INCLUDE 17.6 ADDITIONAL GROSS ACRES NORTH OF THE SUBJECT PROPERTY



AERIAL PHOTO

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ATTACHMENT 4

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

NEGATIVE DECLARATION ND16-00001
Preparation Date: February 22, 2016

Name or Title of Project: General Plan Amendment GPA15-00002 and Tentative Parcel Map TPM15-00006 (PM-19703).

Location: On the northeast corner of Tioga Street and Topaz Avenue. The General Plan Amendment has been expanded by the City to include an additional parcel to the north (APNs: 0405-471-31 and 06).

Entity or Person Undertaking Project: CJC Holdings, LLC, Toberet, LLC and the City of Hesperia.

Description of Project: Consideration of General Plan Amendment GPA15-00002, to amend the land use designation from Rural Residential with a minimum lot size of 2½ acres (RR-2½) to Rural Residential with a minimum lot size of one-acre (RR-1) and Tentative Parcel Map TPM15-00006 (PM-19703), to create four parcels and a remainder on 5.0 gross acres. The City of Hesperia has expanded the General Plan Amendment to include an additional 17.6 gross acre parcel to the north.

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

Mitigation Measures:

1. A pre-construction survey for the burrowing owl shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.
2. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.

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

Public Review Period: February 24, 2016 through March 24, 2016.

Adopted the Planning Commission: March 24, 2016.

Attest:

DAVE RENO, AICP, PRINCIPAL PLANNER

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

PROJECT DESCRIPTION

1. **Project Title:** General Plan Amendment GPA15-00002 and Tentative Parcel Map TPM15-00006 (PM-19703)
2. **Lead Agency Name:** City of Hesperia Planning Division
Address: 9700 Seventh Avenue, Hesperia, CA 92345.
3. **Contact Person:** Stan Liudahl, AICP, Senior Planner
Phone number: (760) 947-1231.
4. **Project Location:** General Plan Amendment GPA15-00002 and Tentative Parcel Map TPM15-00006 (PM-19703) are located on the northeast corner of Tioga Street and Topaz Avenue. The City expanded GPA15-00002 to include an additional parcel to the north as shown on Attachment "A" (APNs: 0405-471-31 and 06).
5. **Project Sponsor:** CJC Holdings, LLC & Toberet, LLC
Address: 17260 Bear Valley Road, Unit 110, Victorville, CA 92395
6. **General Plan & zoning:** The site is currently within the Rural Residential with a minimum lot size of 2 ½ acres (RR-2½) General Plan Land Use designation.

7. **Description of project:**

The proposed General Plan Amendment will change the designation of the subject property from Rural Residential with a minimum lot size of 2 ½ acres (RR-2½) to Rural Residential with a minimum lot size of one acre (RR-1). The General Plan Amendment is in conjunction with a proposed Tentative Parcel Map to create four parcels and a remainder on 5.0 gross acres. The RR-2½ designation allows residential development within a density between 0.0 and 0.4 dwelling units per gross acre. The site is currently vacant and is accessed by dirt roads. The nearest paved road is Rancho Road, which is approximately 1,600 feet to the north.

The proposed subdivision requires approval of a General Plan Amendment from Rural Residential with a minimum lot size of two and one-half acres (RR-2½) to Rural Residential with a minimum lot size of one acre (RR-1). The RR-1 designation allows residential development at a density between 0.0 and 0.4 dwelling units per gross acre. Therefore, a subdivision with only two parcels is allowed under the current designation. The RR-1 designation allows residential development with a density between 0.41 and 1.0 dwelling units per acre. Therefore, the RR-1 designation allows between 2 and 5 residential lots. Consequently, approval of a General Plan Amendment to RR-1 is needed to allow for the proposed subdivision. The RR-1 designation requires a minimum lot width of 60 feet (70 feet for corner lots), depth of 100 feet, and area of one-acre. The proposed Tentative Parcel Map meets all of these minimum lot requirements. Therefore, approval of the proposed General Plan Amendment will enable the Tentative Parcel Map to be approved.

Approval of the General Plan Amendment for this proposed five-acre subdivision would be consistent with the properties to the east, which are currently designated RR-1. However, the properties to the north, south, and west are designated RR-2½. A partially developed subdivision designated R1-18000 is approximately 330 feet north of the subject property. The 17.6 gross acre parcel abutting the subject property to the north lies between the subject

property and the subdivision designated R1-18000. Changing the designation of the 17.6-acre parcel to RR-1 would create a transition in lot size from the 18,000 square foot lots to the north and the one-acre lots to the south. Consequently, staff has proposed to expand the General Plan Amendment to include the 17.6 gross acres to the north. Therefore, these additional 17.6 gross acres are part of the General Plan Amendment from RR-2 ½ to RR-1 and are included in this environmental evaluation.

- 8. **Surrounding land uses and setting:** (Briefly describe the project's surroundings.) All surrounding properties are designated RR-2 ½, except for the properties to the east, which are designated RR-1. All properties surrounding the subject property contain single-family residences, except the 17.6-acre parcel to the north, which is vacant. The properties west of Topaz Avenue are unincorporated. The County has designated this area for development of single-family residences with a minimum lot size of one-acre as shown on Attachment "A."
- 9. **Other public agency whose approval is required** (e.g., permits, financing approval, or participation agreement.) Review and approval is required from the City and possibly from the San Bernardino County Local Agency Formation Commission (LAFCO) in the event that an Out-of-Agency service agreement is proposed, allowing County Service Area CSA 70-J (Zone J) to provide water services to the property. This will be needed, as the property is within the Hesperia Water District boundary.

10. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (Completed by the Lead Agency)

On the basis of this initial evaluation:

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

"De minimis"



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

2/22/16
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to

- a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
 6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 7. Supporting information sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
 9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

| I. AESTHETICS. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Have a substantial adverse effect on a scenic vista (1 & 2)? | | | X | |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway (1 & 2)? | | | | X |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings (1, 2, 3 & 4)? | | | X | |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area (5)? | | | X | |

Comments.

The subject property, as well as the property to the north, is currently vacant. The five-acre Tentative Parcel Map is adjacent to existing single-family residences to the south, east and west (1 & 2). Given the site's proximity to existing residences, the site is not considered a scenic resource. Further, the site contains frontage on Tioga Street, Topaz Avenue and Opal Avenue. None of these roadways are a scenic highway nor is the site in close proximity to any scenic resources or historic buildings.

Approval of the proposed General Plan Amendment and Tentative Parcel Map will allow creation of four parcels and a remainder. Approval of the General Plan Amendment from Rural Residential with a minimum lot size of two and one-half acres (RR-2½) to Rural Residential with a minimum lot size of one acre (RR-1) for this proposed five-acre subdivision is consistent with the properties to the east, which are currently designated RR-1. The proposed four parcels and a remainder on the five-acre parcel will not pose a significant adverse impact to the aesthetics of the area as the development is subject to Title 16 regulations (6), which limit the building height and provide for minimum yard and lot coverage standards as implemented through the building permit review process. Although the project will produce additional light and glare, any light or glare produced would be similar to that already being produced by the nearby residences (1 & 5). Consequently, development of the site will not substantially degrade the existing visual character or quality of the site and its surroundings.

Proposed Tentative Parcel Map (TPM15-00006) is consistent with the current General Plan Land Use designation of the properties to the east, with approval of the General Plan Amendment. The proposed General Plan Amendment from RR-2½ to RR-1 on the 5.0 gross acre parcel will result in a small increase in residential density. The existing RR-2½ designation allows residential density between 0.0 and 0.4 dwelling units per gross acre. The proposed General Plan Amendment to RR-1 allows a density from 0.41 and 1.0 dwelling units per acre. Consequently, a maximum of two dwelling units are allowed by the current designation on this parcel. The RR-1 designation allows up to five residential lots on the subject property. Therefore, the General Plan Amendment will increase the number of residences by as much as three for this five-acre parcel.

Staff expanded the General Plan Amendment to include the 17.6 gross acre parcel to the north designated RR-2½, since it separates the proposed project from a partially developed subdivision designated R1-18000. Changing the designation of the 17.6-acre parcel to RR-1 will create a logical transition in lot size from the 18,000 square foot lots to the north and the one-acre lots to the south and east. Staff considered including other parcels in this General Plan Amendment, but decided not to, since the majority of the parcels in the vicinity are developed. Inclusion of the 17.6-acre parcel within the RR-1 designation will increase the allowable number of lots for this property from 7 to 17 lots. The proposed Tentative Parcel Map will increase the allowable number of residences from 2 to 5. Consequently, adoption of the proposed General Plan Amendment would allow at most 13 more residences in this 22.6 gross acre area than currently permitted within the RR-2½ designation. Therefore, the impact of this General Plan Amendment exceeds the density of residential development evaluated by the Hesperia General Plan's Program Environmental Impact Report (PEIR) by 13 residences.

The Land Use plan within the General Plan identifies large areas where future residential, commercial, and industrial development will occur. The Hesperia General Plan's PEIR analyzed the impact to aesthetics upon build-out of the Land Use Element. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with the cumulative impacts (7). Inasmuch as this project would at most result in an increase of 13 residences in this area, the proposed General Plan Amendment will not cause a significant increase in development from that currently allowed by the adopted Land Use plan. As such, development of the project would have a less than significant impact upon aesthetics.

| II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and State Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use (2 & 8) ? | | | | X |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract (8, 9 & 10) ? | | | | X |
| c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) (10) ? | | | | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use (1, 10 & 11) ? | | | | X |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use (1, 9 & 10) ? | | | | X |

Comments.

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

According to the City of Hesperia General Plan, no agriculture-specific land use exists within the project site. The land is not within a Williamson Act contract, is within the Rural Residential with a minimum lot size of 2½ acres General Plan designation (RR-2½) and is proposed to be designated Rural Residential with a minimum lot size of one-acre (RR-1) designation **(10)**. The additional 17.6 gross acres in the project's vicinity also contains the same soil type, does not have past or present history of agricultural use, and is currently designated Rural Residential with a minimum lot size of 2½ acres (RR-2½). This project has no potential to conflict with existing zoning for agricultural uses or a Williamson Act contract and will not have an impact upon agricultural resources. As such, approval of the General Plan Amendment and Tentative Parcel Map would not have an impact upon agricultural resources.

The City and its Sphere Of Influence (SOI) is located within the Mojave bioregion, primarily within the urban and desert land use classes **(13)**. The southernmost portions of the City and SOI contain a narrow distribution of land within the shrub and conifer woodland bioregions. These bioregions do not contain sufficient forest land for viable timber production and are ranked as low priority landscapes **(14)**. The project site as well as the 17.6 acre expansion are located in the southwestern portion of the City within the suburban area and are substantially surrounded by large lot single-family residential development **(1)**. During the nineteenth century, juniper wood from Hesperia was harvested for use in fueling bakery kilns. Use of juniper wood was discontinued when oil replaced wood in the early twentieth century **(11)**. Local timber production has not occurred since that time. Therefore, this project will not have an impact upon forest land or timberland.

| III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Conflict with or obstruct implementation of the applicable air quality plan (15, 16 & 17)? | | | | X |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation (15, 16 & 17)? | | | X | |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors) (15, 16 & 17)? | | | X | |
| d) Expose sensitive receptors to substandard pollutant concentrations (2, 15 & 16)? | | | | X |
| e) Create objectionable odors affecting a substantial number of people (1, 2, 15 & 16)? | | | | X |

Comments.

The impact of the proposed subdivision and General Plan Amendment upon the surrounding area is slightly greater than what was evaluated by the General Plan PEIR, since it evaluated the impact of residential development of up to the maximum allowable density permitted by the General Plan. The Rural Residential with a minimum lot size of 2½ acres General Plan designation (RR-2½) designation allows residential development at a density between 0.0 and 0.4 dwelling units per gross acre. Based upon this density range, a maximum of two parcels is allowed on the five-acre parcel. The proposed subdivision will allow five dwelling units on the five-acre parcel, resulting in up to three additional parcels. Inclusion of the 17.6-acre parcel within the RR-1 designation will increase the allowable number of lots for this area to increase from 7 to 17 lots. Therefore, the proposed Tentative Parcel Map and the 17.6-acre expansion of the General Plan Amendment will allow at most 13 additional residences in this area.

All uses identified within the Hesperia General Plan are classified as area sources by the Mojave Desert Air Quality Management District (MDAQMD) **(16)**. Programs have been established in the MDAQMD Air Quality Attainment Plan which addresses emissions caused by area sources. Based upon the minor increase in density proposed as part of the proposed Tentative Parcel Map and General Plan Amendment, a significant change in air quality emissions is not expected to occur **(17)**.

Both short-term (construction) emissions and the long-term (operational) emissions were considered. Short-term airborne emissions will occur during the construction phase related to demolition, site preparation land clearance, grading, excavation, and building construction; which will result in fugitive

dust emissions. Also, equipment emissions, associated with the use of construction equipment during site preparation and construction activities, will generate emissions. These impacts will be addressed through a condition of approval that requires the developer to implement dust control measures consistent with the Mojave Desert Planning Area Rule Book Section 403.2 (17), which would also address requirements of the Air Quality Management Plan’s PM₁₀ Program. In addition, the contractor will be required to obtain all pertinent operating permits from the Mojave Desert Air Quality Management District (MDAQMD) for any equipment requiring such permits. Long-term emissions refer to those air quality impacts that occur after construction has been completed and these impacts will continue over the operational life of the residences. The long-term air quality impacts are mainly associated with mobile emissions created by motor vehicles. Emissions created by the mechanical equipment and exhaust systems associated with the allowable land uses will comply with all applicable building codes, which ensure compliance with the MDAQMD’s regulations.

Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. These population groups are generally more sensitive to poor air quality. Since there is no change in permitted land uses, or their intensities the change of policies will not create additional emissions, which would have a significant impact upon sensitive receptors.

Staff has expanded the proposed General Plan Amendment to include an additional 17.6 gross acres in the vicinity of the 5-acre subdivision so that approval of the subdivision would not create a “spot zone” and a logical transition in residential density from one-half acre to one-acre lots. The additional residential density allowed by the RR-1 designation will result in at most 13 additional residences, which is not a significant increase in the number of residences in this area. Consequently, the impact of this General Plan Amendment is slightly greater than the density of residential development evaluated by the Hesperia General Plan’s Program Environmental Impact Report (PEIR).

The Land Use plan within the General Plan identifies large areas where future residential, commercial, and industrial development will occur. The Hesperia General Plan’s Program Environmental Impact Report (PEIR) analyzed the impacts upon air quality. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with the cumulative impacts (7). Inasmuch as this project does not significantly exceed the density limitations of the adopted Land Use Plan, no additional impact beyond that identified within the General Plan PEIR would occur.

| IV. BIOLOGICAL RESOURCES. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service (10, 18 & 21)? | | | | X |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service (1, 10, 18 & 23)? | | | | X |

| | | | | |
|--|--|---|--|---|
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (1, 10, 18 & 23) ? | | | | X |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (1, 10 & 18) ? | | X | | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (10, 19 & 20) ? | | X | | |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan (10, 21 & 23) ? | | | | X |

Comments.

The site is not expected to support the Mohave ground squirrel, given the very low population levels of the species in the region and proximity to existing development. Further, the project site is outside the area considered suitable habitat for the species **(21)**. The desert tortoise is also not expected to inhabit the site, given its proximity to Rancho Road, Topaz Avenue, Tioga Street, and the Southern California Edison Transmission Line **(1)**. The site is outside the range of the arroyo toad, which has been documented to inhabit a portion of the Tapestry Specific Plan and adjacent areas **(22)**.

RCA Associates, LLC prepared a Biological Report for the five-acre subdivision, which concluded that no sensitive species or specie habitats were observed on the site including desert tortoise, Mojave ground squirrel, burrowing owls, or any other special-status species **(18)**. The biological report states that none of these or any other threatened or endangered species inhabit the site. Due to the unpredictability of the burrowing owl, a pre-construction survey shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading. The mitigation measure is listed on page 24.

A Protected Plant Plan was also prepared by RCA Associates, LLC **(20)**. The protected plant plan concluded that the five-acre site contains 16 Joshua Trees, of which 8 are healthy and capable of being transplanted. This protected plant plan will ensure that the 8 Joshua Trees will be relocated or protected in place. The 8 trees which will not be protected are unsuitable for transplanting and/or are unhealthy. The grading plan for the project shall stipulate that all protected plants identified within the report will be relocated or protected in place. The mitigation measure is listed on page 24.

Neither the project site nor the expansion of the General Plan Amendment is within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest communities exist within the Tapestry Specific Plan and vicinity. The project site is within the Mojave Mixed Woody Scrub plant community **(23)**, approximately five miles to the northwest and substantially surrounded by single-family residences. Consequently, approval of the proposed Tentative Parcel Map and General Plan Amendment will not have an impact upon biological resources, subject to the enclosed mitigation measures.

| V. CULTURAL RESOURCES. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 (24 & 26)? | | | | X |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 (24 & 26)? | | | | X |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature (24)? | | | X | |
| d) Disturb any human remains, including those interred outside of formal cemeteries (27)? | | | X | |

Comments.

Based upon a site visit and review of the aerial photos, there is no evidence that historic resources exist within the project site or the 17.6-acre expansion for the General Plan Amendment. In addition, the site is not on the list of previously recorded cultural resources (24). This list, which was compiled as part of the 2010 General Plan Update; was compiled from the inventory of the National Register of Historic Properties, the California Historic Landmarks list, the California Points of Historic Interest list, and the California State Resources Inventory for San Bernardino County. Past records of paleontological resources were also evaluated as part of the General Plan. This research was compiled from records at the Archaeological Information Center located at the San Bernardino County Museum. Based upon this review, paleontological resources are not expected to exist on the project site. Further, the Cultural Resources Sensitivity Map indicates that the site has a low sensitivity potential for containing cultural resources (25). Consequently, a cultural resource survey is not required.

The City sent a letter to the Native American Heritage Commission (NAHC) and 12 tribes, informing them as well as providing them the opportunity to consult in accordance with the requirements of California Government Code Sections 65352.3, 65352.4, 65562, and 65560 (also known as AB-52 and SB-18). The affected tribes have up to 90 days to respond to the letter. Regardless of whether a tribe(s) decides to consult, they will be notified 45 days before the public hearing on the project so that they may attend. The NAHC reviewed the Sacred Lands File (SFL) and determined that it is unlikely that the project site will contain any sacred lands (28).

In the event that human remains are discovered during grading activities, grading shall cease until the County Coroner has made the necessary findings in accordance with the California Environmental Quality Act (CEQA) (7). Should the Coroner determine that the remains are Native American, the Native American Heritage Commission (NAHC) shall be contacted and the remains shall be handled in accordance with Public Resources Code Section 5097.98. Consequently, approval of the Tentative Parcel Map and General Plan Amendment is not expected to have an impact upon cultural resources.

| VI. GEOLOGY AND SOILS. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |

| | | | | |
|--|--|--|---|---|
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42 (29, 30 & 31) . | | | | X |
| ii) Strong seismic ground shaking (32 & 33)? | | | X | |
| iii) Seismic-related ground failure, including liquefaction (12 & 32)? | | | | X |
| iv) Landslides (32)? | | | | X |
| b) Result in substantial soil erosion or the loss of topsoil (12)? | | | X | |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse (12 & 32)? | | | | X |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property (12)? | | | | X |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater (12)? | | | | X |

Comments.

The project site contains generally flat topography with slopes of between two and five percent. No large hills or mountains are located within the project site, including the 17.6-acre expansion of the General Plan Amendment. The state geologist has identified (zoned) several faults in California for which additional geologic studies are required. According to Exhibit SF-1 of the General Plan Safety Element, no active faults are known or suspected to occur adjacent to or within the project site or within its vicinity and the site is not within an Alquist-Priolo Special Studies Zone or Earthquake Fault Zone **(29)**. The City and Sphere of Influence (SOI) is near several major faults, including the San Andreas, North Frontal, Cleghorn, Cucamonga, Helendale, and San Jacinto faults **(29 & 30)**. The nearest fault to the site is the Cleghorn fault, located approximately five miles to the southwest.

The Alquist-Priolo Earthquake Fault Zoning Act prohibits structures designed for human occupancy within 500 feet of a major active fault and 200 to 300 feet from minor active faults **(34)**. The project site is not located in an Alquist-Priolo Earthquake Fault Zone or within 500 feet of a fault **(29 & 30)**. Further, the soil at this site does not have the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse **(13)**.

The soil at this location is identified as Hesperia loamy fine sand, two to five percent slopes **(12)**. This soil is limited by high soil blowing hazard, high water intake rate, and moderate to high available water capacity. The site's shallow slope and moderately rapid permeability negates the potential for soil instability.

Because the project disturbs more than one acre of land area, the project is required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge Elimination System (NPDES) permit prior to the start of land disturbance activities. Issuance of these permits requires preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) which specifies the Best Management Practices (BMP) that will be implemented to prevent construction pollutants from contacting stormwater. Obtaining the NPDES and implementing the SWPPP is required by the State Water Resources Control Board (WRCB) and the California Regional Water Quality Control Board (RWQCB). These are mandatory and NPDES and SWPPP have been deemed adequate by these agencies to mitigate potential impacts.

As a function of obtaining a building final, the proposed residences will be built in compliance with the Hesperia Municipal Code (6) and the 2013 Building Code, which ensures that the structures will adequately resist the forces of an earthquake. In addition, prior to issuance of a grading permit, a soil study is required, which shall be used to determine the load bearing capacity of the native soil. Should the load bearing capacity be determined to be inadequate, compaction or other means of improving the load bearing capacity shall be performed in accordance with all development codes to assure that all structures will not be negatively affected by the soil. Regardless of the General Plan Land Use designation, each lot shall meet these standards. Consequently, the impact upon geology and soils associated with the proposed development is considered less than significant.

| VII. GREENHOUSE GAS EMISSIONS. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment (35)? | | | X | |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases (35, 36 & 37)? | | | X | |

Comments.

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

On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). The Natural Resources Agency forwarded the adopted amendments and the entire rulemaking file to the Office of Administrative Law (OAL) on December 31, 2009. On February 16, 2010, OAL approved the Amendments, which became effective on March 18, 2010 (37). This initial study has incorporated these March 18, 2010 Amendments.

Lead agencies may use the environmental documentation of a previously adopted Plan to determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements of the Plan or mitigation program under specified circumstances. As part of the General Plan Update, the City adopted a Climate Action Plan (CAP)(35). The CAP provides policies along with implementation and monitoring which will enable the City of Hesperia to reduce greenhouse emissions 28 percent below business as usual by 2020, consistent with AB 32 (36).

Development of the proposed General Plan Amendment and Tentative Parcel Map will not significantly increase greenhouse gas (GHG) emissions beyond that analyzed within the General Plan Update Environmental Impact Report (GPUEIR). Although approval of this project will allow development of up to 13 single-family residences beyond the number of residences considered by the Hesperia General Plan’s Program Environmental Impact Report (PEIR), all of these residences will be equipped with energy efficient mechanical systems for heating and cooling. That, in combination with use of dual pane glass and insulation meeting current Building Code regulations, will result in reduced GHG emissions for this project. Ultimately, older heating and cooling systems will be replaced with these more efficient systems, resulting in substantial community emission reduction credits.

Although the proposed use will result in an additional number of vehicle trips, the impact of development of single-family residences to the maximum density allowed by the General Plan was taken into account by the GPUEIR. The proposed General Plan Amendment will allow for an increase of just 13 residences beyond the density analyzed by the GPUEIR. These 13 additional dwelling units will generate only 124 additional daily vehicle trips (9.57 daily trips per dwelling unit) beyond the number accounted for by the GPUEIR. This increase in traffic impact will be analyzed further within the Transportation/Traffic Section.

Development of the proposed subdivision and General Plan Amendment will not significantly increase greenhouse gas (GHG) emissions beyond that analyzed within the General Plan Update Environmental Impact Report (GPUEIR). Approval of this project will result in only 13 additional lots, 3 within the 5-acre Tentative Parcel Map and 10 within the 17.6-acre expansion of the General Plan Amendment. Consequently, the impact upon GHG emissions associated with the proposed Tentative Parcel Map and General Plan Amendment expansion is less than significant.

| VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (2 & 38) ? | | | | X |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment (2 & 38) ? | | | | X |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (2) ? | | | | X |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment (2) ? | | | | X |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area (39) ? | | | | X |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area (39) ? | | | | X |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (40) ? | | | | X |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands (41) ? | | | | X |

Comments.

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

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

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

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

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

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

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

| IX. HYDROLOGY AND WATER QUALITY. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Violate any water quality standards or waste discharge requirements (43 & 44) ? | | | | X |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted) (45 & 46) ? | | | X | |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site (47) ? | | | | X |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site (5 & 47) ? | | | | X |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff (48) ? | | | | X |
| f) Otherwise substantially degrade water quality (48) ? | | | X | |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map (2, 41, 49 & 50) ? | | | | X |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows (2, 41 & 50) ? | | | | X |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (2, 10 & 50) ? | | | | X |
| j) Inundation by seiche, tsunami, or mudflow (41) ? | | | | X |

Comments.

Development of the parcels proposed as part of this Tentative Parcel Map as well as the properties within the General Plan Amendment expansion will disturb more than one-acre of land area. The development may change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff. Although the site is west of a planned major drainage facility, it is at a higher elevation and will not be impacted. Further, the site is also not within a Flood Zone, based upon the latest Flood Insurance Rate Maps **(50)**. Prior to development of any parcel within the Tentative Parcel Map or a lot within the additional 17.6 gross acres to be designated RR-1, a grading plan shall be reviewed and approved. If greater than one-acre of land is to be disturbed, the developer will be required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge

Elimination System (NPDES) permit prior to land disturbance **(52)**. Issuance of a Storm Water Pollution Prevention Plan (SWPPP) will also be required, which specifies the Best Management Practices (BMPs) that will be implemented to prevent construction pollutants from contacting storm water **(52)**. Obtaining the NPDES and implementing the SWPPP is required by the State Water Resources Control Board (WRCB) and the California Regional Water Quality Control Board (RWQCB). These are mandatory and NPDES and SWPPP have been deemed adequate by these agencies to mitigate potential impacts to water quality during project construction.

The City is downstream of three dams. These are the Mojave Forks, Cedar Springs, and Lake Arrowhead Dams. In the event of a catastrophic failure of one or more of the dams, the project site would not be inundated by floodwater **(51)**. The areas most affected by a dam failure are located in the low lying areas of southern Tapestry, most of the Antelope Valley Wash, and properties near the Mojave River.

The City of Hesperia is located just north of the Cajon Pass at an elevation of over 2,500 feet above sea level, which is over 60 miles from the Pacific Ocean **(53)**. The subject property exhibits between a two and five percent slope. In addition, the water table is significantly more than 50 feet from the surface. The area north of Summit Valley contains steep slopes which have the potential to become unstable during storm events **(54)**. Therefore, the mechanisms necessary to create a mudflow; a steep hillside with groundwater near the surface, does not exist at this location.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment “to secure supplemental water as necessary to fully implement the provisions of this Judgment.” Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City’s Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, a letter dated May 21, 1997 from the MWA’s legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(55)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere Of Influence (SOI). The UWMP indicates that the City is currently using less than half of its available water supply and that supply is projected to exceed demand beyond the year 2030 **(46)**. The HWD has maintained a water surplus through purchase of water transfers, allocations carried over from previous years, and recharge efforts. Therefore, the impact upon hydrology and water quality associated with the Tentative Parcel Map and General Plan Amendment, including its 17.6-acre expansion, is considered less than significant.

| X. LAND USE AND PLANNING. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Physically divide an established community (1) ? | | | | X |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect (10) ? | | | | X |

| | | | | |
|--|--|--|--|---|
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan (23)? | | | | X |
|--|--|--|--|---|

Comments.

The site is currently vacant and is within the Rural Residential with a minimum lot size of 2 ½ acres (RR-2½) land use designation (1 & 10). Changing the designation from RR-2½ to Rural Residential with a minimum lot size of one-acre (RR-1) will allow the residential density proposed within Tentative Parcel Map (PM-19703)(2). This proposed land use designation is consistent with the land uses in proximity to the subdivision and will not physically divide an established community. The proposed General Plan Amendment expansion to include 17.6 gross acres in the vicinity of PM-19703 is also consistent with the adjacent land uses (1).

The proposed General Plan Amendment on the 5.0 gross acre parcel results in a slight increase in residential density. The RR-2½ designation allows residential density between 0.0 and 0.4 dwelling units per gross acre. Consequently, at most two parcels are allowed by the current designation on this parcel. The RR-1 designation allows residential development with a density between 0.41 and 1.0 dwelling units per acre. This allows between two and five residential lots on the subject property. Therefore, the General Plan Amendment will allow three additional residences for this five-acre parcel.

Staff has expanded the proposed General Plan Amendment to include an additional 17.6 gross acres in the vicinity of the subdivision. This will create a logical transition in lot size from the 18,000 square foot lots to the north and the one-acre lots to the south and east. These lots are currently within the Rural Residential with a minimum lot size of 2½ acre (RR-2½) designation. Inclusion of the 17.6-acre properties within the RR-1 designation will increase the allowable number of lots for this property from 7 to 17 lots. The proposed Tentative Parcel Map will increase the allowable number of residences from 2 to 5. Consequently, adoption of the proposed General Plan Amendment would allow at most 13 more residences in this 22.6 gross acre area than currently permitted within the RR-2½ designation. Therefore, the impact of this General Plan Amendment will exceed the density of residential development evaluated by the Hesperia General Plan’s Program Environmental Impact Report (PEIR) by 13 residences.

The Land Use plan within the General Plan identifies large areas where future residential, commercial, and industrial development will occur. The Hesperia General Plan’s PEIR analyzed the land use impact upon build-out of the Land Use Element. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with the cumulative impacts (7). Inasmuch as this project would result in an increase of at most 13 residences in the vicinity of the subject property, the proposed General Plan Amendment will not significantly increase the allowable number of residences beyond that currently allowed by the adopted Land Use plan. Although the proposed General Plan Amendment would allow additional development beyond that identified within the General Plan PEIR, the impact would not be significant.

The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan (23). The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest community, exist within the Tapestry Specific Plan and vicinity. The project site is located approximately five miles northwest of these sensitive vegetation communities, in a developed portion of the City. Therefore, the proposed Tentative Parcel Map and General Plan Amendment, including its expansion to 17.6 acres, will not have a significant impact upon land use and planning.

| XI. MINERAL RESOURCES. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state (55) ? | | | | X |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan (55) ? | | | | X |

Comments.

According to data in the Conservation Element of the City’s General Plan, no naturally occurring important mineral resources occur within the project site **(55)**. Known mineral resources within the City and sphere include sand and gravel, which are prevalent within wash areas and active stream channels. Sand and gravel is common within the Victor Valley. Although the project contains a wash, which contains sand and gravel, the mineral resources within the property are not unique locally or regionally and need not be preserved. Consequently, the proposed Tentative Parcel Map and General Plan Amendment would not have an impact upon mineral resources.

| XII. NOISE. Would the project result in: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (1, 2 & 56) ? | | | | X |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels (56 & 57) ? | | | | X |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project (59) ? | | | | X |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project (59) ? | | | X | |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels (10 & 60) ? | | | | X |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels (10 & 60) ? | | | | X |

Comments.

Approval of the proposed Tentative Parcel Map and General Plan Amendment will ultimately result in both construction noise and operational noise, mostly associated with trucks and vehicular traffic to and from the site. According to the General Plan, the majority of noise sources within the City are mobile sources, which include motor vehicles and aircraft **(57)**. Freeways, major arterials, railroads, airports, industrial, commercial, and other human activities contribute to noise levels. Noises associated with this subdivision, after it is completed, will be mostly from traffic caused by residents arriving and departing in passenger vehicles. Other vehicles, such as mail delivery and other services will also occur. These will have a very small impact on residents in the area **(59)**.

Construction noise levels associated with any future construction activities will be slightly higher than the existing ambient noise levels in the vicinity of the subdivision. Noise generated by construction equipment, including trucks, graders, backhoes, well drilling equipment, bull-dozers, concrete mixers and portable generators can reach high levels and is typically one of the sources for the highest potential noise impact of a project. However, the construction noise would subside once construction is completed. The proposed project must adhere to the requirements of the City of Hesperia Noise Ordinance (57). The Noise Ordinance contains an exemption from the noise level regulations during grading and construction activities occurring between 7:00 A.M. and 7:00 P.M., Monday through Saturday, except federal holidays (58).

The location of the proposed Tentative Parcel Map and General Plan Amendment expansion is within an area of very low density residential development, with lots at least one-acre in size. Further, the area is approximately two miles from Main Street and even farther from Interstate 15. The nearest arterial roadway is Maple Avenue, over ¼-mile to the east. At this distance, the area will be subjected to less than 60dB(A)(61). Since 60dB(A) is a normally acceptable noise level for single-family residences (58), the impact of noise and vibration upon the future residences with approval of the Tentative Parcel Map and General Plan Amendment expansion is not significant.

The project site is over one mile west of the Hesperia Airport. At this distance, the project is not impacted by any safety zones associated with this private airport (60). The project site is much farther from the Southern California Logistics Airport (SCLA) and the Apple Valley Airport and will not be affected by any safety zones for these airports.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the noise impact upon build-out of the General Plan to the maximum allowable density permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with noise impacts (7). Inasmuch as the proposed Tentative Parcel Map and General Plan Amendment will exceed the density limitations of the adopted Land Use plan by only 13 residences, a slight increase in impact beyond that identified within the General Plan PEIR would occur. Consequently, the impact of the proposed project, including the expansion of the General Plan Amendment, will not result in a significant additional noise impact.

| XIII. POPULATION AND HOUSING. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) (1 & 2)? | | | X | |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere (1)? | | | | X |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere (1)? | | | | X |

Comments.

The proposed project is consistent with the existing residential development of the adjacent properties to the east with approval of the proposed General Plan Amendment (1, 2 & 10). Proposed Tentative Parcel Map TPM15-00006 is consistent with the current General Plan Land Use designation and zoning, with

approval of the General Plan Amendment. The proposed General Plan Amendment from Rural Residential with a minimum lot size of two and one-half acres (RR-2½) to Rural Residential with a minimum lot size of one-acre (RR-1) on the 5.0 gross acre parcel and the additional 17.6 gross acres to be changed from RR-2½ to RR-1 will result in an increase of at most 13 residences than currently permitted within the RR-2½ designation. Consequently, the impact of this General Plan Amendment is slightly greater than the density of residential development evaluated by the Hesperia General Plan's Program Environmental Impact Report (PEIR).

As per the Transportation/Traffic Section, approximately 48 daily vehicle trips would be generated by this subdivision. The proposed project, including the expansion of the General Plan Amendment, will result in an increase of 124 daily vehicle trips than the number of trips which were analyzed by the GPEIR. Consequently, approval of the General Plan Amendment will result in a slight additional impact of development beyond that identified within the General Plan PEIR.

The site is in close proximity to water and other utility systems (62). As a result, development of the project would not require significant extension of major improvements to existing public facilities. The site is vacant and is identified for development of residential land uses (1 & 10) and the proposed Specific Plan Amendment will continue to allow residential land uses. Therefore, the project will not displace any existing housing, necessitating the construction of replacement housing elsewhere. As such, the proposed Tentative Parcel Map and expansion of the General Plan Amendment would have a less than significant impact upon population and housing.

| XIV. PUBLIC SERVICES. | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services (63): | | | X | |
| Fire protection? (63) | | | X | |
| Police protection? (63) | | | X | |
| Schools? (63) | | | X | |
| Parks? (63) | | | X | |
| Other public facilities? (63) | | | X | |

Comments.

The proposed project will create an increase in demand for public services (2). That increase is not significantly greater than that analyzed by the General Plan Update Environmental Impact Report (GPUEIR). However, the property is within the Hesperia Water District (HWD). Prior to development of the proposed parcels, adequate water service will be required. The site is adjacent to an existing eight-inch water line in Tioga Street currently supplied by County Service Area CSA Zone J (Zone J)(62). Should the developer decide to connect to the Zone J water line, an application for extension of service by contract must be approved by the Local Agency Formation Commission (LAFCO). The development will be supplied by HWD water if LAFCO doesn't approve the agreement. Additionally, development

impact fees will be assessed at the time that building permits are issued for construction of each residence (64). These fees are designed to ensure that appropriate levels of capital resources will be available to serve any future development. Therefore, the impact of the subdivision and General Plan Amendment upon public services is less than significant.

| XV. RECREATION. | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated (2)? | | | X | |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment (2)? | | | X | |

Comments.

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

| XVI. TRANSPORTATION / TRAFFIC. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit (65)? | | | X | |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways (66 & 67)? | | | X | |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks (39)? | | | | X |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (1, 2 & 66)? | | | | X |
| e) Result in inadequate emergency access (2)? | | | | X |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities (68)? | | | | X |

Comments.

The proposed Tentative Parcel Map fronts upon Tioga Street and Topaz Avenue (APN: 0405-471-31). Tioga Street and Topaz Avenue are local roads, which are therefore not shown on the General Plan Traffic Circulation Plan, which identifies the arterial road network (69).

The project site is located over two miles from the Hesperia Airport and is not within an airport safety zone (60). Consequently, the project will not cause a change in air traffic patterns nor an increase in traffic levels or location. The project site will also not impact the air traffic patterns for the Southern California Logistics Airport nor the Apple Valley Airport.

According to the Institute of Traffic Engineers, Trip Generation, 7th Edition, approval of the proposed subdivision (four parcels and a remainder) on five gross acres would generate an estimated 48 daily vehicle trips (9.57 daily trips per dwelling unit). The current General Plan Land Use designation of the property is Rural Residential with a minimum lot size of 2½ acres (RR-2 ½), which allows between 0.0 and 0.4 dwelling units per gross acre. The proposed General Plan Amendment to RR-1 allows a density from 0.41 and 1.0 dwelling units per acre. Development of a residential subdivision to the maximum allowable density of 0.4 units per acre on the five-acre parcel would generate an estimated 19 daily vehicle trips, which was the density of residential development analyzed by the City’s General Plan Program Environmental Impact Report (PEIR) at build-out for this property. Development of the five proposed parcels will generate 48 daily vehicle trips. Therefore, the proposed subdivision will generate approximately 29 additional daily vehicle trips than the General Plan allows for the area.

The additional residential density allowed by the RR-1 designation will result in at most 10 additional residences in this area, which would cause an increase of approximately 96 daily vehicle trips. Consequently, the impact of this General Plan Amendment is slightly greater than the density of residential development evaluated by the Hesperia General Plan’s Program Environmental Impact Report (PEIR).

The proposed tentative parcel map in combination with the additional residential density allowed by the RR-1 designation will result in at most 124 additional daily vehicle trips than the number of trips analyzed by the GPEIR. The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact upon transportation at build-out of the General Plan to the maximum allowable density permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with transportation impacts (7). This will not result in a significant increase in the number of residences in this area. Therefore, the proposed project, including the expansion of the General Plan Amendment, will not pose a significant negative impact upon traffic or transportation.

| XVII. UTILITIES AND SERVICE SYSTEMS. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (70)? | | | | X |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects (71)? | | | | X |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects (47 & 66)? | | | | X |

| | | | | |
|--|--|--|--|---|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed (45 & 46) ? | | | | X |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments (72) ? | | | | X |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs (73 & 75) ? | | | | X |
| g) Comply with federal, state, and local statutes and regulations related to solid waste (75) ? | | | | X |

Comments.

The proposed subdivision and General Plan Amendment will increase the amount of wastewater. However, the additional amount is slightly greater than that accounted for as part of the GPUEIR. The development will be connected to the existing eight-inch Zone J water line in Tioga Street, subject to approval of an Out-of-Agency agreement **(64)**. The proposed parcels are allowed to use an approved on-site septic waste system.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, in a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(46)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere Of Influence (SOI). The UWMP evidences that the City is currently using less than half of its available water supply and that supply is projected to exceed demand beyond the year 2030 **(45 & 72)**. The HWD has maintained a surplus water supply through purchase of water transfers, allocations carried over from previous years, and recharge efforts.

The City is in compliance with the California Integrated Waste Management Act of 1989, which requires that 50 percent of the solid waste within the City be recycled **(78)**. Currently, approximately 63 percent of the solid waste within the City is being recycled **(73 & 74)**. About 168 tons of solid waste is disposed at the landfill and 243 tons are recycled of the total solid waste produced by the City per day. The waste disposal hauler for the City has increased the capacity of its Materials Recovery Facility (MRF) to 600 tons per day in order to accommodate future development. Therefore, the conditional use permit and Specific Plan Amendment will not cause a significant negative impact upon utilities and service systems.

| XVIII. MANDATORY FINDINGS OF SIGNIFICANCE. | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | | X | | |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | | | X | |
| c) Does the project have environmental effects which will cause substantial adverse affects on human beings, either directly or indirectly? | | | | X |

Comments.

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

XIV. EARLIER ANALYSES.

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

The Certified General Plan Environmental Impact Report.

- a) **Earlier analyses used.** Earlier analyses are identified and stated where they are available for review.
- b) **Impacts adequately addressed.** Effects from the above checklist that were identified to be within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards are noted with a statement whether such effects were addressed by mitigation measures based on the earlier analysis.
- a) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project are described.

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

1. A pre-construction survey for the burrowing owl shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.
2. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State

Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.

Authority: Public Resources Code Sections 21103 and 21107.

REFERENCES

- (1) Aerial photos of the City of Hesperia taken in Spring 2015 and on-site field investigations conducted in February 2016.
- (2) General Plan Amendment GPA15-00002 and Tentative Parcel Map TPM15-00006 (PM-19703) applications and related materials.
- (3) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-7.
- (4) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-8.
- (5) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-9.
- (6) Section 16.16.120 - Development standards of the Hesperia Municipal Code.
- (7) Resolution No. 2010-057, making the environmental findings pursuant to the California Environmental Quality Act, adopting a statement of overriding considerations, certifying the final environmental impact report, and adopting a mitigation monitoring and reporting plan adopting the 2010 Hesperia General Plan Update (GPA10-10185).
- (8) Residential Designations within the Hesperia General Plan Land Use Element, Pages LU-29 thru LU-40.
- (9) Williamson Act map within Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-2.
- (10) Official Maps showing the General Plan Land Use and zoning of the City of Hesperia and its sphere of influence.
- (11) Conservation Element of the 2010 City of Hesperia General Plan Update, Page CN-34.
- (12) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area Map 31 and Page 44.
- (13) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.5.
- (14) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.1.4.
- (15) Air Quality Section of the 2010 City of Hesperia General Plan Update, pages CN-47 thru CN-50.
- (16) Section 3.3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.3-1 thru 3.3-30.
- (17) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.
- (18) General Biological Resources Assessment for Tentative Parcel Map 19703 prepared January 13, 2016 by RCA Associates, LLC.
- (19) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.
- (20) Desert Native Plant Preservation Plan for Tentative Parcel Map 19703 prepared January 13, 2016 by RCA Associates, LLC.

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- (21) Section 3.0 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-5.
-
- (22) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, Exhibit CN-7.
-
- (23) Section 3.0 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-3.
-
- (24) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, C-1 thru C-34.
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- (25) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, Exhibit 5h.
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- (26) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report.
-
- (27) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.
-
- (28) Native American Heritage Commission (NAHC) letter dated February 17, 2016 in response to the City's request for review of the Sacred Lands File and provide a list of tribes for consultation.
-
- (29) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, Exhibit SF-1.
-
- (30) Section 1.2.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-4 thru 1-79.
-
- (31) Section 1.3 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-12 thru 1-13.
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- (32) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.
-
- (33) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-23 thru 1-36.
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- (34) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-12.
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- (35) Section 1 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 1.
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- (36) Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 18.
-
- (37) Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, pages 20 and 21.
-
- (38) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-31 thru SF-33.
-
- (39) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-60 and LU-61.
-
- (40) Potential Emergency Shelters and Evacuation Routes shown within the 2010 Hesperia General Plan Safety Element, Exhibit SF-4.
-
- (41) Map showing very high fire hazard areas, flood zones, and significant hazardous materials sites of the 2010 City of Hesperia General Plan Update Safety Element, Exhibit SF-2.
-
- (42) Fire Hazard Section of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.7-9.
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- (43) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-13.
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- (44) Section 3.8.5 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-20 thru 3.8-22.
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- (45) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.
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- (46) Mojave Water Agency letter dated March 27, 1996.
-
- (47) Drainage Study for Tentative Parcel Map 19703 prepared November 25, 2015 by Cubit Engineering, Inc.
-
- (48) Section 4.3.8 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-8 thru 4-9.
-
- (49) 1992 Hesperia Master Plan of Drainage Volume III, identifying future drainage improvements for the area.
-
- (50) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.
-
- (51) Section 3.8.2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-1 thru 3.8-7.
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- (52) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-15.
-
- (53) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.
-
- (54) Table 3.6-2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.6-24.
-
- (55) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.
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- (56) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, page CN-20.
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- (57) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-4 thru NS-12.
-
- (58) Section 16.20.125 of the Hesperia Municipal Code, pages 467 thru 468.
-
- (59) Section 3.11 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.11-25 thru 3.11-51.
-
- (60) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, Exhibit LU-3.
-
- (61) Table 3.11-9 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-36.
-
- (62) Current Hesperia water and sewer line atlas, page R9.
-
- (63) Section 4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-13 thru 4-18.
-
- (64) 1991 City of Hesperia Ordinance 180 entitled "An Ordinance of the City Council of the City of Hesperia, California, Establishing a Development Impact Fee for all New Residential, Commercial, and Industrial Structures" and Resolution No. 2007-110 on November 20, 2007, updated November 16, 2014.
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- (65) Table 4-4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, page 70.
-
- (66) Section 2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 2-19.
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- (67) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.
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- (68) Sections 6.3 and 6.4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 74 thru 76.
-
- (69) Traffic Circulation Plan within Section 3.0 of the 2010 City of Hesperia General Plan Update Circulation Element, figure 6-1.
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- (70) Section 3.8 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-8 thru 3.8-14.
-
- (71) 2013 California Plumbing Code.
-
- (72) Hesperia Water District's Urban Water Management Plan (UWMP).
-
- (73) Quarterly data of the San Bernardino County Disposal Reporting System for the 3rd quarter 2014.
-
- (74) 2014 California Department of Resources, Recycling and Recovery Annual AB939 Report.
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- (75) California Integrated Waste Management Act (AB 939).

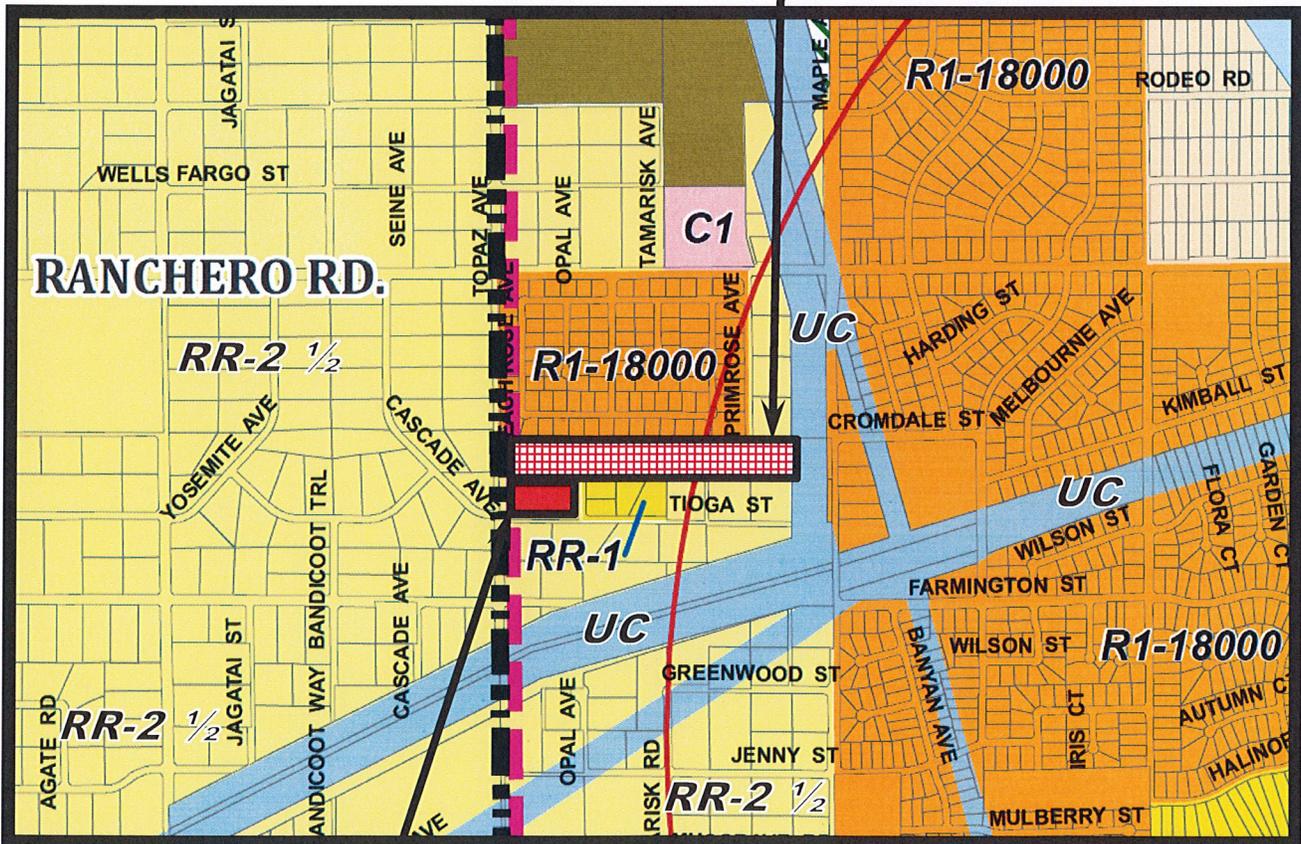
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ATTACHMENT "A"

GPA15-00002 & TPM15-00006

Applicants: CJC Holdings, LLC & Toberet, LLC;
the City of Hesperia has expanded the proposed
General Plan Amendment

ADDITIONAL PROPERTY
TO BE CHANGED FROM
RR-2 1/2 TO RR-1



PROPERTY TO BE
CHANGED FROM RR-2 1/2
TO RR-1 PROPOSED BY
THE APPLICANTS

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ATTACHMENT 5

RESOLUTION NO. PC-2016-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AMEND THE OFFICIAL GENERAL PLAN LAND USE MAP BY RECLASSIFYING CERTAIN REAL PROPERTY FROM RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF 2½ ACRES (RR-2½) TO RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF ONE ACRE (RR-1) ON 22.6 GROSS ACRES GENERALLY LOCATED ON THE NORTHEAST CORNER OF TIOGA STREET AND TOPAZ AVENUE (GPA15-00002)

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

WHEREAS, CJC Holdings, LLC and Toberet, LLC have filed an application requesting approval of GPA15-00002 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to 5.0 gross acres within the Rural Residential with a minimum lot size of 2½ acres (RR-2½) designation located on the northeast corner of Tioga Street and Topaz Road and consists of Assessor's Parcel Number 0405-471-31. Staff has expanded this application to include 17.6 additional gross acres within the RR-2½ designation located north of the subject property and consists of Assessor's Parcel Number 0405-471-06; and

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

WHEREAS, CJC Holdings, LLC and Toberet, LLC have also filed an application requesting approval of Tentative Parcel Map TPM15-00006 (PM-19703), to create four single-family residential parcels and a remainder on the 5.0 gross acres located on the northeast corner of Tioga Street and Topaz Avenue; and

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

WHEREAS, the subject property is currently within the RR-2½ designation, which is proposed to be changed to RR-1. The expanded application will change approximately 22.6 gross acres from RR-2½ to RR-1. The properties beyond the expanded application to the north are within the Single-family Residential with a minimum lot size of 18,000 square feet (R1-18000) designation, the properties to the south are designated RR-2½, the properties to the east are within the RR-1 designation, and the properties to the west are within an unincorporated area of San Bernardino County; and

WHEREAS, an environmental Initial Study for the proposed project was completed on February 22, 2016, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND16-00001 was subsequently prepared; and

WHEREAS, on March 24, 2016, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the Planning Commission during the above-referenced March 24, 2016 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon Negative Declaration ND16-00001 and the initial study which supports the Mitigated Negative Declaration, the Planning Commission finds that there is no substantial evidence that the proposed General Plan Amendment will have a significant effect on the environment;
- (b) The Planning Commission has independently reviewed and analyzed the Negative Declaration, and finds that it reflects the independent judgement of the Commission, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.
- (c) The area of the proposed General Plan Amendment is suitable for the land uses permitted within the proposed Land Use designation. This application proposes to allow one dwelling unit per gross acre, which will not significantly increase the density of this area and is generally consistent with the current parcel sizes to the east. In addition, each parcel contains sufficient land area to allow a suitable building pad.
- (d) The proposed General Plan Amendment is consistent with the goals, policies, standards and maps of the adopted Zoning, Development Code and all applicable codes and ordinances adopted by the City of Hesperia.
- (e) The proposed General Plan Amendment is capable of utilizing existing supporting infrastructure and municipal services, as directed by the City's adopted General Plan.
- (f) The development within the proposed General Plan Amendment is consistent with the goals and policies of the General Plan, specifically Land Use Goal L.G.10 that promotes policies that will ensure maximum utilization of existing facilities and infrastructure within the City because the proposed development will utilize the streets and services available to existing development in the area.

Section 3. Based on the findings and conclusions set forth in this Resolution, the Planning Commission hereby recommends that the City Council adopt General Plan Amendment GPA15-00002, amending the General Plan map of the City of Hesperia as shown on Exhibit "A," and Negative Declaration ND16-00001, which is attached to the staff report for this item.

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

ADOPTED AND APPROVED this 24th day of March 2016.

Chair, Planning Commission

ATTEST:

Denise Bossard, Secretary, Planning Commission

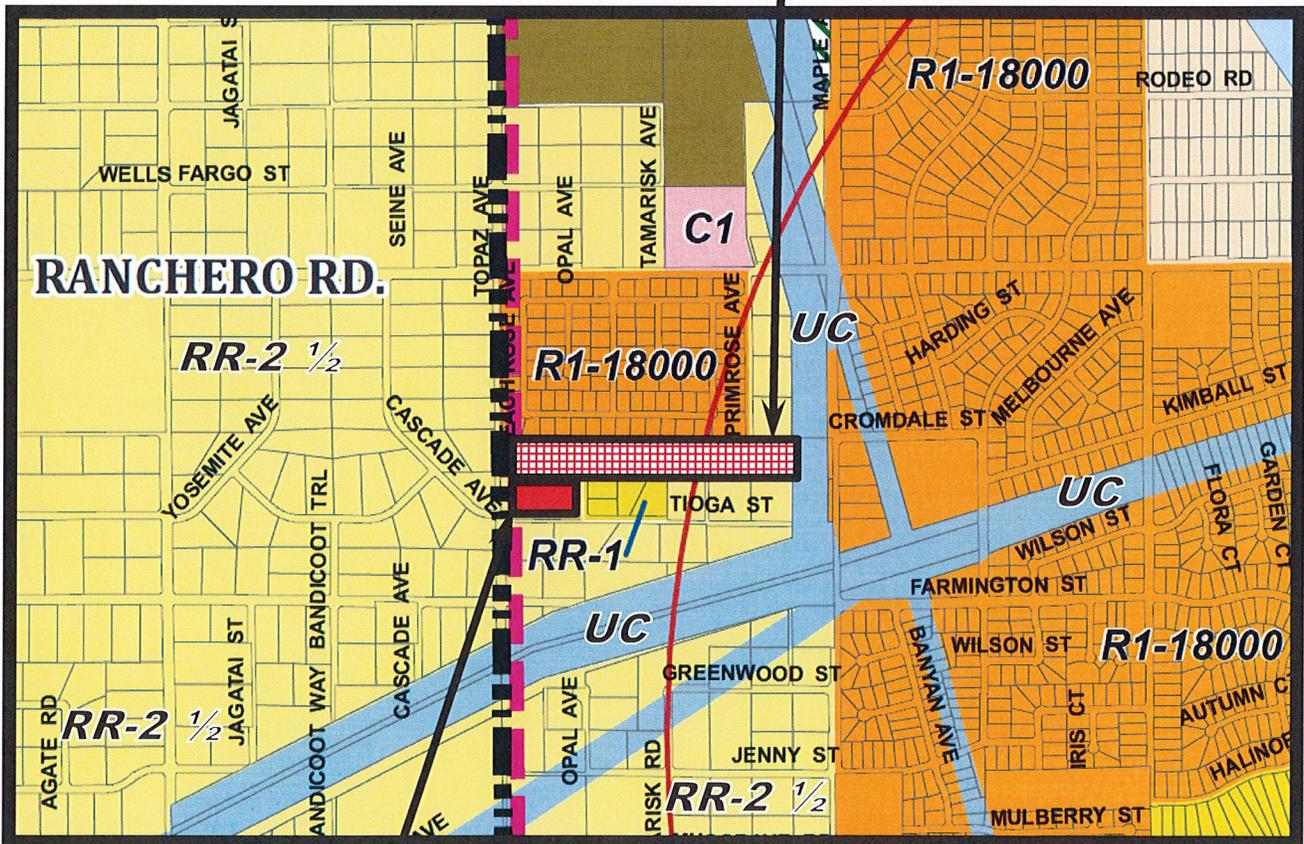
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EXHIBIT "A"

GPA15-00002

Applicants: CJC Holdings, LLC & Toberet, LLC;
the City of Hesperia has expanded the proposed
General Plan Amendment

ADDITIONAL PROPERTY
TO BE CHANGED FROM
RR-2 1/2 TO RR-1



PROPERTY TO BE
CHANGED FROM RR-2 1/2
TO RR-1 PROPOSED BY
THE APPLICANTS

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ATTACHMENT 6

RESOLUTION NO. 2016-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE A TENTATIVE PARCEL MAP (PM-19703), TO CREATE FOUR PARCELS AND A REMAINDER ON APPROXIMATELY 5.0 GROSS ACRES LOCATED ON THE NORTHEAST CORNER OF TIOGA STREET AND TOPAZ AVENUE (TPM15-00006)

WHEREAS, CJC Holdings, LLC and Toberet, LLC have filed an application requesting approval of GPA15-00002 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to 5.0 gross acres within the Rural Residential with a minimum lot size of 2½ acres (RR-2½) designation located on the northeast corner of Tioga Street and Topaz Road and consists of Assessor's Parcel Number 0405-471-31. Staff has expanded this application to include 17.6 additional gross acres within the RR-2½ designation located north of the subject property and consists of Assessor's Parcel Number 0405-471-06; and

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

WHEREAS, CJC Holdings, LLC and Toberet, LLC have also filed an application requesting approval of General Plan Amendment GPA15-00002, to change the General Plan Land Use designation of the subject property and the expanded application from RR-2½ to RR-1; and

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

WHEREAS, the subject property is currently within the RR-2½ designation, which is proposed to be changed to RR-1. The expanded application will change approximately 22.6 gross acres from RR-2½ to RR-1. The properties beyond the expanded application to the north are within the Single-family Residential with a minimum lot size of 18,000 square feet (R1-18000) designation, the properties to the south are designated RR-2½, the properties to the east are within the RR-1 designation, and the properties to the west are within an unincorporated area of San Bernardino County; and

WHEREAS, an environmental Initial Study for the proposed project was completed on February 22, 2016, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND16-00001 was subsequently prepared; and

WHEREAS, on March 24, 2016, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESERIA 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 March 24, 2016 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon Negative Declaration ND16-00001 and the initial study which supports the Mitigated Negative Declaration, the Planning Commission finds that there is no substantial evidence that the proposed Tentative Parcel Map will have a significant effect on the environment;
- (b) The Planning Commission has independently reviewed and analyzed the Negative Declaration, and finds that it reflects the independent judgement of the Council, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.
- (c) The proposed map is consistent with the City's General Plan of the City of Hesperia, with approval of General Plan Amendment GPA15-00002.
- (d) The design or improvement of the proposed subdivision is consistent with the General Plan of Hesperia, as the project supports the existing land use and circulation pattern in the area.
- (e) The site is physically suitable for the type of development because there are no known physical constraints to residential development and the site has adequate area to accommodate the proposed parcels.
- (f) The site is physically suitable for the proposed density of residential development because the parcels are adequate in size and shape and all regulations applicable to the development can be met with approval of GPA15-00002.
- (g) The design of the subdivision or type of improvements are not likely to cause serious public health problems because all construction will require necessary permits and will conform to the City's adopted building and fire codes.
- (h) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Section 3. Based on the findings and conclusions set forth in this Resolution, the Planning Commission hereby approves Tentative Parcel Map TPM15-00006 (PM-19703) subject to the conditions of approval as shown in Attachment "A," and Negative Declaration ND16-00001, which is attached to the staff report for this item.

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

ADOPTED AND APPROVED this 24th day of March 2016.

Chair, Planning Commission

ATTEST:

Denise Bossard, Secretary, Planning Commission

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ATTACHMENT "A"
List of Conditions for TPM15-00006

Approval Date:
Effective Date: May 03, 2016
Expiration Date: May 03, 2019

This list of conditions applies to Tentative Parcel Map TPM15-00006 (PM-19703) in conjunction with GPA15-00002, to create four parcels and a remainder on 5.0 gross acres located on the northeast corner of Tioga Street and Topaz Avenue (CJC Holdings, LLC and Toberet, LLC; APN: 0405-471-31)

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

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

CONDITIONS REQUIRED PRIOR TO RECORDATION OF THE PARCEL MAP

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

PARCEL MAP (RES). A Parcel Map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor, based upon a survey, and shall conform to all provisions as outlined in article 66444 of the Subdivision Map Act as well as the San Bernardino County Surveyors Office Map Standards. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

TITLE REPORT. The Developer shall provide a complete title report 90 days or newer from the date of submittal. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

PLAN CHECK FEES. Plan checking fees must be paid in conjunction with the improvement plan submittal. The Final Map CDP improvement plans requested studies and CFD annexation must be submitted as a package. The developer shall coordinate with the Citys Engineering Department for any additional fees. Any outstanding fees must be paid before final inspection and the release of bonds. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

ALL EASEMENTS OF RECORD. It shall be the responsibility of the Developer to provide all Easements of Record per recent title report. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

IRREVOCABLE OFFERS OF DED. AND EASEMENT. The Developer shall show all Offers of Dedication(s) and Easement(s) on the Map as outlined below: (E)

- A. 20 - foot offer of dedication on Topaz Avenue.
- B. 30 - foot offer of dedication on Tioga Street across parcels 1 through 4.
- C. Corner cut-off at the intersection of Topaz Avenue and Tioga Street.

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

OUT OF AREA SERVICE AGREEMENT. The Developer shall submit completed documents indicating approval for an Out of Area Service Contract for the Tentative Parcel Map - per San Bernardino County Special District Service Area 70 and L.A.F.C.O. (Local Agency Formation Commission) requirements. If this service agreement is not approved, then the project shall be served by the Hesperia Water District. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

GENERAL PLAN AMENDMENT. These conditions are concurrent with General Plan Amendment GPA15-00002 becoming effective. (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

FISH AND GAME FEE. The applicant shall submit a check to the City in the amount of \$2,260.25 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

COMPOSITE DEVELOPMENT PLAN (CDP). Four copies of a CDP shall be submitted in accordance with Chapter 17.20 of the Municipal Code. CDP notes to be delineated are referenced in Section 17.20.020(C). Information to be delineated on the CDP shall include:

A. Building Setback Lines shall be provided in accordance with the RR-1 regulations (25-foot front, 5-foot and 10-foot interior side and 15-foot rear yard setbacks). (P)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

CONDITIONS REQUIRED PRIOR TO DEVELOPMENT OF ANY PARCEL OF THE PARCEL MAP

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

UTILITIES. Each parcel shall be served by a separate water meter, service line, and sewer lateral connection where available. A Fire Fly automatic meter reader to be included on all meter connections. (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

DRAINAGE STUDY. The Developer shall submit a Final Hydrology / Hydraulic study identifying the method of collection and conveyance of any tributary flows from off site as well as the method of control for increased run off generated on site. The Developer shall design street improvements, as identified in the Hydrology study or per the Citys Engineering and Building and Safety Department requirements upon review of the grading plan. Street design shall be in accordance with City standards (E)

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

IRREVOCABLE OFFERS OF DED. AND EASEMENT. The Developer shall show all Offers of Dedication(s) and Easement(s) on the Map as outlined below: (E)

- A. 30 - foot offer of dedication on Tioga Street across Remainder Parcel.
- B. Corner cut-off at the intersection of Tioga Street and Opal Avenue.

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

CONDITIONS REQUIRED PRIOR TO OCCUPANCY OF ANY UNIT

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

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

COMPLETED COMPLIED BY
NOT IN COMPLIANCE

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

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)

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

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

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DATE: March 24, 2016
TO: Planning Commission
FROM:  Dave Reno, AICP, Principal Planner

SUBJECT: ANNUAL REPORT ON STATUS AND IMPLEMENTATION OF THE GENERAL PLAN

RECOMMENDED ACTION

Staff recommends that the Planning Commission review this annual report, and forward it to the City Council with the intent to direct staff to transmit copies to the Governor's Office of Planning and Research, and the Department of Housing and Community Development as required by law.

BACKGROUND

State law requires the Planning Department and Planning Commission to provide an annual report to the City Council on the status of the General Plan and progress in its implementation. Specifically, Government Code Section 65400 states in part,

“After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development...the status of the plan and its implementation...the progress in meeting its share of regional housing needs...and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing...”

The report also includes forms required by the Department of Housing and Community Development to report progress towards completion of the goals in the Housing Element. As noted, this report will be transmitted to the Office of Planning and Research, and the Department of Housing and Community Development. This annual report will cover the 2015 calendar year.

ISSUES/ANALYSIS

Staff has prepared the attached document to serve three purposes. First, this report serves as the Annual Report on the status of the General Plan and progress towards implementation in accordance with Government Code Section 65400; second, this report is the Implementation

Plan for the City's General Plan, providing a comprehensive picture of the steps taken by the City in realizing the major policies established in the General Plan. Finally, since many of the General Plan policies are environmental mitigation measures from the Final Environmental Impact Report (FEIR) adopted for the General Plan, this report is the method through which the City of Hesperia complies with the requirements of Section 21081.6 of the California Public Resources Code (the "California Environmental Quality Act") which mandates monitoring of the mitigation measures.

FISCAL IMPACT

None

ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENT(S)

1. Hesperia General Plan Annual Report - 2015

HESPERIA GENERAL PLAN ANNUAL REPORT

2015



ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN

INTRODUCTION

Government Code Section 65400(b) requires each City and County with an adopted General Plan to provide an annual report to the legislative body on: 1) The status of the plan and progress of its implementation, including the progress in meeting its share of regional housing needs, and; 2) Local efforts to remove governmental constraints to the maintenance, improvement and development of housing. This annual report is a working document that provides information on the specific direction of the City of Hesperia and it is a tool to alert the City of potential revisions that may be required in the future.

This document serves three purposes for the City of Hesperia. First, this report serves as the required annual report for the 2015 calendar year. Second, this report is the Implementation Plan for the General Plan, providing a comprehensive picture of the steps taken by the City in realizing the major policies established in the General Plan. Finally, since many of the General Plan policies are environmental mitigation measures from the Final Environmental Impact Report (FEIR) adopted for the General Plan, this report is the method through which the City of Hesperia complies with the requirements of Section 21081.6 of the California Public Resources Code (the "California Environmental Quality Act") which mandates monitoring of the mitigation measures.

ACTIONS COMPLETED, ONGOING OR INITIATED IN 2015

The following activities have been completed, initiated, implemented or processed by the City of Hesperia in 2015, which relate to General Plan goals and/or mitigation measures. These activities are categorized by the General Plan element they relate to and assist in implementation. Many of the policies, actions and mitigation measures contained within the General Plan are on-going in nature and are not listed below.

The General Plan Update was adopted on September 7, 2010. This was the first comprehensive update since the original General Plan was adopted in 1991. The update covers the entire City and all seven elements of the General Plan. Of particular importance was the goal to convert the plan to a one-map system where all land uses are designated on the General Plan map, eliminating the zoning map and any remaining inconsistencies. This enables the public to easily determine the appropriate land uses for any parcel in the City and sphere of influence.

The General Plan is the City's "Constitution" and guide for development, outlining what the City is and how it will develop in the future. All decisions made by the City, from the annual budget and capital improvement program, to the issuance of building permits, must be consistent with the General Plan.

The City's population, size and composition have changed considerably in the last 25 years. The City has grown from about 50,000 residents to over 90,000 and is 75 square miles in area compared to 50 square miles at incorporation. Another 36 square miles of unincorporated land is in the City's Sphere of influence. As this is an area that bears

direct relationship to the City's planning, the State requires that Hesperia's General Plan include this area as well. The update addressed new laws, regulations and circumstances that did not exist when the original plan was adopted. For example, the State enacted several laws addressing climate change that will require cities to take actions that reduce carbon emissions. There were also new mandates regarding endangered species, housing and sustainable communities. Finally, the updated General Plan included the Main Street and Freeway Corridor Specific Plan, as adopted in October 2008.

General Plan Goals:

In addition to addressing the current circumstances of the City as described above, the overall goals of the General Plan Update are as follows:

- Preserve existing neighborhoods;
- Enhance the quality of residential areas in a variety of densities, with landscaping and architectural standards;
- Reinforce efforts to build a local job base and establish sales tax-producing businesses along Bear Valley Road, Main Street and the Freeway Corridor;
- Preserve lot sizes and prevent premature subdivision of land;
- Enhance the quality of life in higher residential density developments with paseos, parks and other amenities;
- Establish a circulation system of arterial and connector streets to carry traffic efficiently within and across the City;
- Support the urban design framework, which has two new greenways to link the freeway corridor with the downtown area;
- Dedicate housing units for senior citizens as well as for all income levels;
- Permit mixed-use developments in the downtown area and along the freeway corridor.

In addition, the General Plan Update addressed climate change issues as mandated by Assembly Bill AB32 and Senate Bill SB375. The General Plan text identifies each implementation measure that specifically mitigates impacts to the production of greenhouse gasses. The Climate Action Plan was adopted separately as a special program to be implemented that outlines requirements for new development, as well as feasible measures the City will take to address global climate change.

General Plan Elements:

The General Plan consists of seven chapters, or elements. These elements address the seven subjects required by state law. A summary of each element and the associated issues are as follows:

Land Use: The most frequently referenced part of the General Plan is the Land Use Map. This map shows the location of residential, commercial, industrial uses, as well as schools and parks. The map also shows other features such as railroads, the airport and the California Aqueduct. Residential uses are classified by density in dwelling units per acre. The current land use map superseded and replaced both the previous land use plan as well as the zoning map. Therefore, the City has a one-map system. This will eliminate any inconsistencies between the two current maps.

Staff completed a comparison of all of the parcels where the General Plan designation was inconsistent with the Zoning map. In every case, staff revised either the General Plan or zoning designation to support the preservation of residential lot sizes and the predominant land use in the neighborhood. The Land Use map also incorporates the Main Street and Freeway Corridor Specific Plan, adopted in 2008.

The current land use map also consolidated and reduced the six previous residential General Plan designations and six zoning districts to a total of 11 designations based principally on lot size. Because adoption of the General Plan Update does not repeal or revise any part of the Development Code, the Development Code has been revised to directly address the new General Plan designations.

The text of the Land Use Element includes a description of the City's existing land uses, infrastructure and public services. Residential, commercial and industrial uses are described as well as the City's three specific plans. All of the proposed land use designations are listed and described. The implementation measures to address these issues include:

- Improving the quality of life in residential areas;
- Promoting balanced, efficient commercial development to generate sales taxes;
- Providing for industrial development to increase opportunities for local employment;
- Designate and protect land for public and open space uses;
- Sustainable development measures, including water conservation, energy efficient design and Leadership in Energy Efficient Design (LEED) building certification.

Circulation: The Circulation Element classifies and defines the City's system of arterial roadways. The Transportation Plan maps their locations and shows the right-of way width as well as the curb-to-curb width. The plan also shows where special street-sections will be used, such as within the Township area. As the Circulation Element also

addresses other transportation modes, the Non-Motorized Transportation Plan shows the City's system of bike paths. Most of the City's streets include room for bike paths to encourage their use. Finally, the Urban Design Framework map shows how the City's bike paths, bus routes, equestrian trails and greenways link the City's parks and schools. This supports the goal of providing alternatives to the automobile.

The text addresses the challenges the City faces, including the current need for more freeway interchanges and more crossings at the railroad and the Mojave River. Intersections operating below acceptable levels are identified. Each street cross-section is illustrated and described. Implementation measures include:

- Require road dedications in accordance with the Transportation Plan;
- Increasing the number of railroad grade separations;
- Expand park-and-ride facilities, rail spurs and bus routes;
- Construct the bike path system;
- Collect Development Impact Fees to fund construction of the transportation system;

Housing: The Housing Element addresses the requirement for the City to assure that housing is provided for all economic segments of the community. The Element satisfies the State's goals and includes the current Regional Housing Needs Assessment (RHNA). The Housing Element is the only element that requires approval by the State's Department of Housing and Community Development (HCD) as part of its adoption. The Southern California Associated Governments (SCAG) adopted its Sustainable Communities Strategies (SCS) in late 2012. The City prepared an updated Housing Element in 2013 as mandated by SB375. The Planning Commission recommended adoption of the Housing Element in December 2013. The City Council adopted the Housing Element in February 2014. The City is now under a new RHNA cycle (2013-2021).

The Housing Element contains a complete demographic profile of the City, including income, ethnicity, employment and age. The type and age of the City's housing stock is described. An inventory of land available for multi-family housing is included. This shows that the City has an abundant amount of land to meet its RHNA without zoning any additional land for multi-family units. The Element reviews the City's past accomplishments and discusses affordable projects completed or in the planning process. The progress towards the RHNA's required number of units for each income category is shown. Finally, the City is required to report to the State the annual progress made towards meeting these goals.

The Element describes the City's program to support construction of new housing and outlines the City's Housing Plan. The Plan consists of 6 goals and 19 programs to achieve the City's objectives. These include:

- Density bonuses and/or design concessions to encourage the development of affordable projects;
- The Main Street and Freeway Corridor Specific Plan includes two zones where development may occur at above 15-units per acre. The high density residential zone allows up to 20 units per acre and the Regional Commercial zone allows up to 25 units per acre;
- Other programs include down-payment assistance, or other financial assistance for financing or infrastructure, including the township program;
- The Hesperia Community Redevelopment Agency was required to set-aside 20 percent of its tax increment to assist in the development of affordable housing. These funds were used to provide direct assistance to qualified projects or to build roads, water or sewer lines that benefit an affordable project. However, since this agency ceased operation in February 2012, alternative sources of financing may have to be developed;
- Community Development Block Grant (CDBG) funds are used to rehabilitate lower-income households.

Open Space: The Open Space Element details the City's plans to preserve natural areas and resources and to provide parks, recreational facilities and trails for its residents. Natural resources include habitat for endangered or threatened species. The City is in the historical range of the Desert Tortoise and the Mojave Ground Squirrel. Arroyo Toads have been found in portions of the West Fork of the Mojave River. The City is also required to survey for the Burrowing Owl before any ground-disturbing activity. Finally, Joshua Trees and other native plants are protected by City ordinance. As part of the development review process, surveys are required for these species and plants. Should any occur on the site, appropriate action is taken, depending on the species found and the associated regulations applicable to that animal or plant.

Open space also includes scenic areas, such as the Mojave River or the mountains to the south of the City. The Oro Grande Wash also provides visual separation from the freeway corridor and Oak Hills. Other wash areas include the unnamed wash on the east side of the freeway, the Antelope Valley Wash, and the area known as Honda Valley. During 2013, the Planning Commission and City Council discussed the Transfer of Development Rights (TDR) program and ultimately revised the General Plan and Main Street and Freeway Corridor Specific Plan to eliminate this program. Open spaces identified in the Open Space Element and the Conservation Element will be protected through setbacks, buffering and other regulations.

The City's park and recreation areas are described. The Hesperia Recreation and Park District's 2006 Master Plan includes regional, community and local parks. These include Hesperia Lake Park (owned by the City) and Hesperia Community Park. The District also recently assumed operation of the Hesperia Golf and Country Club, which is also owned by the City. The City or Water District also owns several other parcels managed by the District, including Civic Plaza Park, located west of City Hall.

The Element discusses the City's requirements to acquire and develop new park land. The City requires dedication of three acres of land for every 1,000 persons. In addition to this, the City requires two acres of open space for 1,000 persons. Based on this standard, at projected build out within both the City and Park District (which is larger than the City) there will be an abundance of open space for current and future use. Finally, the Element describes the City's system of bike paths and equestrian trails, consistent with the Circulation Element. Implementation measures are consistent with the Circulation Element to support development of this trail system.

Noise: The Noise Element is a comprehensive program to include noise control in the planning and development process. Noise at excessive levels can affect our environment and quality of life.

The Element discusses sources of noise, including roads, railroads and industrial areas. Land uses sensitive to noise, such as residential areas, schools, libraries and parks are mentioned. The Element includes compatibility standards based on state and federal standards as well as accepted methodologies. The City's noise ordinance is also discussed and is not proposed to be modified.

Implementation measures to control noise include:

- Requiring acoustical analysis for all residential structures near noise sources such as the railroad, airport or major roads;
- Requiring enhanced construction methods to limit interior noise within residences adjacent to noise sources;
- Locating or screening loading docks and other site features to protect sensitive areas or uses;
- Limiting delivery hours to commercial or industrial uses near residential areas.

Conservation: The Conservation Element establishes the City's priorities as they relate to natural, historical and paleontological resources and outlines the means for their preservation. This element is most closely tied to Open Space and Safety, as many of these areas identified for their value as visual amenities or drainage courses are also ideal for conservation.

Implementation measures include:

- Require use of water conserving plants and native vegetation in landscaped areas and use low-water consumption fixtures in homes and businesses;
- Coordinate activities with the Victor Valley Wastewater Reclamation Authority (VWVRA) to develop sub-regional treatment facilities and encourage and provide for use of reclaimed water for irrigation;
- Preserve areas associated with wildlife habitat and open space uses;

- Coordinate with the County Museum to research records, perform additional research and preserve any artifacts that may be found;
- Contact Native American representatives to comply with all requirements concerning monitoring and preservation of Native American artifacts and places;
- Implement the green building program and encourage LEED, or similar certification of buildings;
- Coordinate with other San Bernardino County cities to develop a greenhouse gas inventory;
- Promote the use of alternative, renewable energy sources;

Safety: The Safety Element describes the City's hazards, including:

- Seismic Hazards from ground shaking, including potential for liquefaction and slope failure;
- Geologic hazards not related to earthquakes, including slope instability and subsidence;
- Flood hazards;
- Fire hazards, including structure and wildland fires;
- Hazardous materials including waste sites.

The Element also discusses emergency plans, evacuation routes and emergency shelters. Maps showing these areas and routes are included.

Implementation measures to address these issues include:

- Require geo-technical and soil reports to assure proper grading and compaction of soils;
- New construction to adhere to current building codes, including provisions for lateral forces;
- Encourage assessment of older structures and conduct seismic retrofits as necessary;
- Require that new development retain additional runoff from rooftops, parking lots and driveways;
- Restrict development in floodways and FEMA defined flood areas;

- Support recycling and disposal of hazardous materials;
- Maintain mutual aid agreements with neighboring cities and the County.

Additional actions taken by the City that address implementation of General Plan goals are discussed below:

Land Use Element:

The City is continuing to implement the Main Street and Freeway Corridor Specific Plan, which became effective in October 2008. As mentioned above, this plan was incorporated into the General Plan Update. This plan addresses land use and design standards, as well as motorized, bicycle and pedestrian circulation in a 10,000 acre area encompassing the City's two most important thoroughfares Main Street and the I-15 Freeway. The plan includes new zone districts, which take advantage of the City's existing and planned land use patterns to create a vibrant and attractive downtown area. The plan also anticipates regional commercial, auto sales and industrial uses to establish sales tax producing businesses and locally based jobs along the freeway corridor. The Specific Plan also includes architectural and design standards. The City reviews all new development for compliance with these standards. This assures compatibility with adjacent uses and high quality architecture.

The Hesperia Gateway Shopping Center, featuring a Target Supercenter, opened in October 2008. This center is consistent with the land use goal to establish regional commercial uses along the freeway. The design and architecture meets the requirements of the Specific Plan to create a visually interesting and attractive place to shop or dine. Marshall's, Ross and Rue 21 opened in 2010. Two more retail chains (Joann's and Famous Footwear) have been constructed and opened in 2012, along with a Chase Bank branch and a Farmers Boy's restaurant. This center approached build out in with the approval of Fitness 19 in 2015. In 2014, the developer obtained land use approval for four additional buildings located west of Catapa, initiating the second phase of the development. In 2015, Tractor Supply opened a store at the corner of Main Street and Mesa Linda Avenue.

Wal-Mart opened a Supercenter in August 2012. The store employs approximately 300 and is already attracting interest to develop the surrounding out-pads. A Panda Express restaurant opened in December 2013 and a carwash was completed in spring 2015. In addition, a Petco store opened in this center, as well as a multi-tenant building that includes Pielogy Pizza.

Since 2006, the City completed construction of the Hesperia Branch Library, City Hall, Civic Plaza Park, the Police Station and County High Desert Government Center, on 30 acres the City had acquired. All of these buildings exhibit common architecture, which unifies the Civic Plaza around the park. Cinema West opened a 12-screen theatre on land west of the park in December 2012. Desert Barn Microbrewery also opened on Hesperia Road.

In 2012, the City has completed the first phase (Spruce and Smoke Tree streets) of the Downtown Revitalization Program. This consists of installing new curb, gutter, sidewalks,

landscaping and front yard fencing in a one-square mile area immediately east of the Civic Plaza. Water lines were replaced and new sewer lines were installed. Street trees have been added to complete the thematic improvements in harmony with the City's plans for the Civic Plaza. The intent is to increase the property values in this area to encourage construction or remodeling of the existing homes and apartments in this area, many of which are in dilapidated or sub-standard condition. Each of the aforementioned projects involved Redevelopment Tax Increment expenditures.

In 2014, the City adopted a park use policy and updated the Housing Element to reflect the new 8-year RHNA cycle.

Finally, on February 2, 2016, the City Council adopted the Tapestry Specific Plan after a review process that took over two years. Ultimately, the Specific Plan will have over 16,000 new dwelling units, 500,000 to 700,000 square feet of retail, office and administrative uses, eight elementary schools, two middle schools and two high schools. The 9,365 acre project will have over 387 acres of parks, 170 miles of trails and paths and over 3,900 acres of open space.

Circulation Element:

As part of the General Plan Update, the City identified new land use districts that better suited the locations along two major corridors. A traffic model was created to address impacts over a 20-year period.

Capital Improvement Program

Projects underway in 2015 which implement the Transportation Plan goals are as follows:

- Rancho Road Interchange - Construction began in January 2013 and it was expected to be completed in October 2014. However, a fire occurred in May of 2014 and delayed the completion date to February of 2015.
- Rancho Corridor – Widening of the road to 4 lanes between the Underpass and the Interchange. This has been planned and design is underway in conjunction with San Bernardino County, as one-half of the five-mile length of this project is within their jurisdiction. A focused EIR was prepared and certified in June 2013. Design continued, and is expected to be complete in mid-2015. As noted above, the City approved the Tapestry Specific Plan. As part of the project's required traffic mitigations, the developer has agreed to pre-pay \$10 million towards improvements to Rancho Road.
- The City also completed four other projects in the 2015-16 Fiscal Year totaling \$3.3 million. These included 2.5 miles of paving and 14.5 miles of slurry seal.

The Main Street and Freeway Corridor Specific Plan addresses land uses along the City's important thoroughfares. Land uses are located to take maximum advantage of planned transportation facilities. For example, auto sales uses are planned along the freeway, adjacent to the Rancho Road freeway interchange. This will provide exposure for the auto dealerships and convenient access from the freeway. In addition,

this interchange will facilitate commuter access from Ranchero Road, which extends east to the southern portion of the City.

The Specific Plan also specifies areas of higher residential density in the freeway corridor as well as along the western portion of Main Street. This will place more housing in commuter-friendly locations near the freeway.

The City has also planned for housing and office uses to be located within the Civic Plaza area, so that the employees and residents may access commercial uses along Main Street and Eighth Avenue. The last 68 units of the KDF apartments, which are reserved for low income households were completed in January 2010. As mentioned above, the police station and County Government center have been completed. These new employees and residents will enhance the prospects for businesses in this area.

The General Plan Update also includes the non-motorized Transportation Plan. This includes class 1, 2 and 3 trails for bikes as well as equestrian trails these are located within power line transmission corridors as well as in open space areas. In addition, the Main Street and Freeway Corridor Specific Plan includes the Urban Design Framework. This plan established two new east-west corridors to link the City's system of parks and open space areas.

Safety Element:

The City completed interim emergency repairs to the H-01 drainage course where it washed out Third Avenue. Permanent repairs are being planned with assistance by the Federal Emergency Management Agency (FEMA). A negative declaration was circulated and approved by the City Council in December 2013. The negative declaration found that the environmental impacts were not significant. A decision on construction is expected in 2015, contingent on the level of mitigation required by the Army Corps of Engineers and the California Department of Fish and Wildlife.

Fire Station 305 on the west side of the freeway continues operating. This 18,000 SF station protects the west side of Hesperia as well as the commercial and industrial areas along the freeway corridor. The City has also bid the rebuilding of Fire Station 301, but due to budget constraints, the project was not awarded. Revisions to the plans and specifications were made, but have not been rebid. A temporary station with use of portable trailers was re-established in February 2014. The City was awarded a Federal FEMA Staffing for Adequate Fire and Emergency Response (SAFER) grant that was originally awarded in 2013 to staff this station (lapses in July 2015). The City approved the Public Safety Operations Center (PSOC) within the County's High Desert Government Center in 2011. A 175-foot communications tower was constructed adjacent to the County Government Center in 2013. The second floor was concurrently remodeled to serve as the regional Emergency Operations Center (EOC).

In 2010, The City completed Community Emergency Response Team (CERT) training for all staff. The City is now offering this training to residents and completed two classes and trained 65 people in 2015. Of these, 20 are certified as disaster service workers. The City also maintains a Reverse 911 system to allow residents to receive automatic

emergency notifications. The City's new social media websites will also feature these notices. Fortunately, the City did not have to activate its EOC this year.

Open Space Element:

The City has worked with Hesperia Recreation and Park District (HRPD), a separate government agency, to develop and expand the park system in the City. As part of new residential development on the west side of the City, three parks have been developed, totaling 16 acres. In addition, a paseo system was established to link these parks with Hesperia Community Park, located west of Datura Avenue. The first phase of a fourth park, Maple Park was completed west of Maple Avenue in 2010, containing soccer fields.

In 2008, the City opened Civic Plaza Park adjacent to City Hall and the Hesperia Branch Library, is operated by HRPD for various purposes throughout the year.

The General Plan includes a Non-Motorized Transportation Plan. This plan established a city-wide system of paths and trails. The plan includes class 1, 2 and 3 bike trails as well as equestrian trails in power line easements and open space areas, such as the Mojave River. The Mojave River Trail connects to the Pacific Crest Trail in Summit Valley.

The Planning Commission and City Council held discussions regarding the open space policies and the possible establishment of a Transfer of Development Rights (TDR) ordinance. The purpose of TDR regulations was to acquire Open Space areas necessary to complete the trail system. Ultimately, the City Council voted to revise the General Plan to eliminate the TDR ordinance and to use a variety of alternatives to preserve open spaces as development occurs.

Conservation Element:

The City's adopted landscape ordinance was established in 2007 to be consistent with the State's Model Ordinance. This requires use of an approved plant list as well as restrictions on the use of turf and spray irrigation. In 2011, the ordinance was last amended to incorporate the mandated water budget standards in AB 1881.

The City's General Plan identifies washes, open spaces and culturally sensitive areas within the City and Sphere of Influence. As part of the review of any development project, the City applies mitigations for drainage facilities, preservation of protected plants and hillsides as well as surveys for cultural and archaeological resources as recommended by the County Museum.

The City continues to implement its Fats, Oils and Grease (FOG) program, adopted in 2010. The FOG program requires restaurants and other food uses to monitor and maintain grease interceptors and properly dispose of FOG products to reduce potential blockages of the City's sewer system. Lack of maintenance can lead to blocked sewer pipes, poor drainage and Sanitary Sewer Overflows (SSO's). SSO's can subject the City to fines from the Lahontan Regional Water Quality Control Board.

The City requires that new development, as well as public projects, irrigate their landscaping with provisions to convert to the use of reclaimed water when it becomes available. The City, in conjunction with the regional wastewater authority, is building sub-regional treatment plants that will supply treated water for this purpose. The Lahontan Regional Water Quality Control Board approved a plan for the VVWRA to construct a sub-regional treatment plant located at the corner of Mojave Street and Tamarisk Avenue. The project is currently under construction, with construction anticipated to be completed in February, 2017. The plant is expected to go on-line by June, 2017. The City also requires best management practices for new construction including watering of graded areas and dirt access ways, Storm Water Pollution Prevention Program (SWPPP) measures and surveys for cultural or biological resources, as applicable to each project. The City is in the third year of its MS4 Municipal Storm Water Permit which has significant requirements related to storm water capture, treatment, and controlled release, along with requirements for Low Impact Development (LID) features. City staff will be modifying existing ordinances and crafting new ones to meet the requirements of the permit.

Noise Element:

The City requires walls or other noise attenuation measures as part of construction of any building within the noise contours of any highway, as well as the railroad. This provides for the interior noise levels in homes and businesses to meet the City's standards.

The City's General Plan contains an inventory of noise contours for all noise sources, including highways and railroads. The City also has established notification areas as part of the adopted Airport Land Use Plan. Referral Area "C" permits land owners to be aware of the proximity of the airport and its impacts. Projects within this area must provide avigation easements as part of the approval process.

The City's Noise Ordinance sets limits on noise from stationary sources and construction activity. These limits are consistent with the data and the compatibility matrix within the Noise Element. The City requires that outdoor activities associated with a development project must be curtailed after normal work hours to protect adjacent residential uses. The City also limits the hours and days that construction activity may occur.

Housing Element:

The City's original Housing Element was adopted along with the remainder of the General Plan in May 1991. In 2002 the Housing Element was updated as required under state law, based on the schedule for the SCAG region. This update addressed the City's housing needs for the RHNA reporting period ending in 2005.

In 2010, the City completed the General Plan Update, including the Housing Element. The new Housing Element addressed the previous RHNA reporting period, which was from January 1, 2006 to June 30, 2014. Following the State's adoption of Senate Bill SB375, a new Housing Element cycle was established from 2013 to 2021. The City updated the Housing Element in 2013, using the new RHNA assigned by the State. The City Council adopted the updated Housing Element in February 2014.

The following tables contain the necessary information to report progress in meeting the City's housing goals, as well as the State's mandates for compliance with the State Department of Housing and Community Development requirements.

Table A is the annual building activity for 2015. The report indicates that 0 very-low income, 0 low income, and 0 moderate income units were constructed. **Table A2** shows that 96 single family residence permits and permits for 2 duplex units were issued in 2015.

Table B shows the City's progress towards meeting the regional Housing Needs Assessment Needs numbers. No very-low, low or moderate income units were constructed in 2014. As mentioned above, 96 permits for single family residences and permits for two duplex units were issued in 2015, this follows the 82 permits issued in 2014 and 28 permits issued in 2013. As the City's RHNA is now 1,715 units for the new housing element cycle established by SB375, this leaves 1,507 units to be constructed to meet the current RHNA. Finally, **Table C** lists the progress the City and Housing Authority made during FY 2014-2015 towards meeting the program goals in the City's Housing Element.

Due to the enactment by the State of Assembly Bill AB 26X, which dissolved redevelopment agencies, funding for affordable housing was significantly affected. The City evaluated the impacts of this action, and modified programs previously funded by redevelopment "20% housing set-aside", as no replacement funding for such programs is available.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Hesperia
Reporting Period 1-Jan-15 - 31-Dec-15

Table A

Annual Building Activity Report
Very Low-, Low-, and Moderate-Income Units and Mixed-Income Multifamily Projects

| 1
Project Identifier
(may be APN No.,
project name or
address) | 2
Unit
Category | 3
Tenure
R=Renter
O=Owner | 4
Housing Development Information | | | | 5
Total Units
per
Project | 6
Housing with Financial
Assistance and/or
Deed Restrictions | | 8
Housing without
Financial
Assistance
or Deed
Restrictions |
|--|-----------------------|------------------------------------|--------------------------------------|----------------|---------------------|------------------------------|------------------------------------|---|-----------------------------|--|
| | | | Affordability by Household Incomes | | | | | Assistance
Programs
for Each
Development | Deed
Restricted
Units | |
| | | | Very Low-
Income | Low-
Income | Moderate-
Income | Above
Moderate-
Income | | | | |
| | | | 0 | 0 | | 0 | | 0 | | 0 |
| | | | 0 | 0 | | 0 | | 0 | | 0 |

Table C
Program Implementation Status

| Program Description
(By Housing Element Program Names) | Name of Program | Objective | Deadline in H.E. | Status of Program Implementation
The City of Hesperia has continued to implement the goals and objectives of the H.E. The following data represents implementation for the 2014-2015 fiscal year |
|--|--|------------------|---|---|
| PROGRAM 1:
FIRST-TIME HOMEBUYER
DOWNPAYMENT ASSISTANCE
PROGRAM (DAP). | Assist 5 (5) low and moderate-income first-time homebuyers.

Implement federal HOME funds (via State HCD) as awarded, and annually apply for additional funding for homeowner assistance programs.

Utilize Hesperia Housing Authority funds to assist with downpayment assistance.

Promote programs that will increase the level of home ownership in Hesperia to reduce the number of foreclosed, vacant and HUD owned homes by a minimum of 10%.

Note: Numerical goals are based on a 5-year period | Through 2014 | During fiscal year 2014-15 the City had a Housing Authority - funded Downpayment Assistance Program (DAP) that offered a 30-year, zero percent interest loan with payments deferred for thirty years. During this fiscal year the City did not fund any DAP loans, as the program was put on hold.

The City will continue to provide homeownership opportunities in the future for the community by promoting its First-Time Homebuyer Downpayment Assistance Program. The City has focused outreach efforts towards lower income households. The City has Spanish translators available on staff if needed. | |
| PROGRAM 2:
SECTION 8 RENTAL ASSISTANCE
PROGRAM. | Provide Section 8 rental assistance through the County of San Bernardino Housing Authority to three hundred (300) very-low and low-income people.

Provide information at the public counter and the City's website.

Note: Numerical goals are based on a 5-year period | Ongoing | This federally funded program provides rental assistance in the form of a Section 8 Housing Choice Voucher to very low income families, senior citizens, disabled, handicapped, and other individuals for the purpose of securing decent, affordable housing. The City is not a direct recipient of Section 8 Housing Choice Vouchers, instead the San Bernardino County Housing Authority (HASB) obtains the vouchers and recipients of the vouchers may choose to use them in the City. As a result, the HASB provided Section 8 rental subsidies to 265 lower-income renters in the City. In addition, the HASB has 100 Authority owned housing units.

The City of Hesperia continues to work with the Housing Authority of the County of San Bernardino to maintain its Section 8 Rental Assistance lease-up rate at full utilization of contract authority. | |

HESPERIA GENERAL PLAN
2015 ANNUAL REPORT

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| <p>PROGRAM 3:
AFFORDABLE HOUSING DEVELOPMENT.
DENSITY BONUSES AND REGULATORY CONCESSIONS.
FINANCIAL ASSISTANCE, IDENTIFICATION OF AVAILABLE SITES.</p> | <p>Based on available funds, issue a NOFA to solicit housing developers.
Purchase vacant and underutilized sites.
Achieve 595 affordable housing units, (291 extremely/very low and 304 low income units)</p> | <p>2008 to 2014</p> | <p>A final NOFA has been approved by the City Council but is currently on hold.

The City adopted revised density bonus provisions in its Development Code in 2011. The city offers and promotes density bonuses in conjunction with design concessions to enable developers to construct affordable units within the City. The City's current inventory for multiple-family properties has been included in the adopted 2014-2021 Housing Element. This list is made available to housing providers and developers.

There are Public Housing projects in the City of Hesperia; however, that are not sponsored by the City. The City is actively involved in the efforts of the Housing Authority of the County of San Bernardino (HASB) and its endeavor to provide public housing for low-income and special needs households. The City reviews HASB's administrative, annual and five-year plans to ensure (1) there is a system in place for public housing residents input; (2) consistency with the City's Consolidated Plan goals; and (3) that public housing priorities reflect the needs of the community. To the extent possible, the City encourages landlords to renew their agreements with the HASB to preserve the affordable housing options for recipients of Section 8 vouchers.

The City utilized \$615,788 in 2014-15 and prior year CDBG funds for programs including Public Service, Housing Rehabilitation, and Energy Efficiency and Minor Home Repair E. In addition, the City's Housing Authority continued to implement housing programs using CDBG and NSP funds.</p> |
| <p>PROGRAM 4:
LARGE SITES FOR LOWER INCOME HOUSING PROGRAM. (2-10 ACRES)</p> | <p>Streamlining approval process.
Reduced fees
Provide technical assistance
Modification of development requirements</p> | <p>Ongoing</p> | <p>The City adopted the Main Street and Freeway Corridor Specific Plan in 2008. This plan includes the majority of the City's land designated for multiple-family housing as well as the CDBG target areas. As a result, densities in these properties have been maintained or increased. This will enable developers to realize the development potential and position the City to implement the available design incentives and concessions necessary to develop affordable housing. In 2011, the City also adopted new density bonus regulations to be consistent with State law and Housing Element requirements. In 2014, the City defined and permitted transitional and supportive housing within all zones that were also adopted.</p> |

HESPERIA GENERAL PLAN
2015 ANNUAL REPORT

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| <p>PROGRAM 5:
ADEQUATE SITES MONITORING PROGRAM.</p> | <p>Monitor development to assure remaining capacity of site is adequate to accommodate city RHNA

Annually update land inventory and provide to interested developers.</p> | <p>Ongoing</p> | <p>The City's current inventory for multiple-family properties has been included in the 2014-2021 adopted Housing Element. Should development occur on any of these parcels, the inventory will be updated to reflect their status. The City has more than enough available property to accommodate its RHNA. The likelihood that any of these properties would be rezoned or developed as anything other than housing is extremely remote. As of 2015, no inventoried land has been rezoned or developed.</p> |
| <p>PROGRAM 6:
GREEN BUILDING PROGRAM.</p> | <p>Promote LEED certification

Provide incentives for wind and solar power

Include green building program in 2013 building code adoption (Completed)</p> | <p>Ongoing</p> | <p>In 2009 and as amended in 2011, the City adopted an ordinance to allow wind and solar power on residential, commercial and industrial uses. The City, through the development review process also enforces the mandatory measures in the Green Building Code related to parking of clean air vehicles.</p> |
| <p>PROGRAM 7:
ASSISTANCE FOR THE HOMELESS.
PROVIDE SERVICES AND/OR HOUSING ASSISTANCE FOR HOMELESS PERSONS OR PERSONS AT-RISK OF BECOMING HOMELESS.</p> | <p>Provide homeless assistance services, emergency shelter, transitional shelter, and supportive housing for twelve hundred (1200) homeless persons, and persons at-risk of becoming homeless on an annual basis.

Participate in regional efforts to develop a continuum of care.

Provide handouts for available services at public counters.

Note: Numerical goals are based on a 5-year period</p> | <p>Ongoing</p> | <p>In order to effectively address homelessness in a comprehensive manner, HUD asks cities to form Continuums of Care. A Continuum of care refers to an overall plan to coordinate the efforts of all involved parties to meet the needs of homeless persons and persons at risk of homelessness. The components of a continuum include homeless prevention, emergency shelter, transitional shelter, permanent supportive housing, and supportive services. The overall objective is to move homeless persons and families outside the service delivery system into emergency housing, then to transitional housing, and finally to self-sufficiency or permanent supportive housing.

In addition, City CDBG funds were used to implement the High Desert Domestic Violence program which provides shelter and support for battered women and their children; the High Desert Homeless Services which provides shelter and support services for homeless women with children, families and single adults; Victor Valley Domestic Violence which provides shelter and support services for battered women and their children; and Moses House Ministries which provides housing and services for pregnant teens, single mothers and their children. There were 348 supportive services provided to homeless persons.</p> |
| <p>PROGRAM 8:
CITY OF HESPERIA TOWNSHIP PROGRAM.</p> | <p>Improve streets in the Township area with curb, gutter, sidewalks landscaping and front-yard fencing.

Rehabilitate and improve the remaining streets as funds become available.</p> | <p>2009-2014</p> | <p>The City's original township (one square mile) had fallen on challenging times and suffered from significant disinvestment, high crime rates, gang activity and graffiti, failing infrastructure, and abnormally high number of vacant homes. The increasing cost of law enforcement in this area resulted in the City dedicating one full time officer to implement community-based policing. This</p> |

HESPERIA GENERAL PLAN
2015 ANNUAL REPORT

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| | <p>actively pursue funding for this program.</p> | <p>aggressive stance resulted in a significant drop in crime rates which started a trend towards neighborhood recovery. The City and Agency realized that direct investment in the Township Area was necessary if revitalization efforts were to be successful.</p> <p>The City has performed public improvement in the first phase of the Township Improvement and Redevelopment Project. The City performed overlay paving and added curb and gutters and landscaping on two streets in the targeted area, which included new water lines, sewer lines, and storm drains. The City utilized redevelopment funds and water funds to complete the first phase of the project leveraging the resources available through CDBG funding. Due to the abolishment of the Agency, the Community Development Commission will administer future involvement in this program.</p> |
| <p>PROGRAM 9:
CODE ENFORCEMENT.</p> | <p>Provide Code Enforcement service to 175 households in the designated low-income enhancement areas.</p> <p>Provide Code Enforcement assistance to 20 low-income households.</p> <p>Note: Numerical goals are based on a 5-year period</p> | <p>The Code Enforcement Program provided services for the elimination and abatement of public nuisances in low income designated target areas. Also, code enforcement increased City efforts to improve existing housing stock and eliminate blighted structures. Code Enforcement did not utilize CDBG funds for this program during FY 2014-15.</p> <p>Neighborhood Police Services have proven to be successful in reducing illegal activities in creating a suitable living environment for the residents in CDBG eligible areas.</p> <p>The Graffiti Removal Program provided services for the elimination of blight utilizing City general funds.</p> |
| <p>PROGRAM 10:
OWNER-OCCUPIED HOUSING REHABILITATION LOAN PROGRAM (HRLP) AND SEWER CONNECTION PROGRAM (SCP).</p> | <p>Offer HRLP loans between \$15-50,000 to properties within the City's projects and township areas.</p> <p>Provide five rehabilitation and/or sewer connection loans.</p> <p>Advertise program on website and at the public counter.</p> | <p>The Hesperia Housing Authority (HHA) operates the HRLP utilizing housing funds providing eligible borrowers with fully deferred, non-interest bearing loans (not grants). The minimum HRLP Loan is \$15,000. Typical HRLP Loans may not exceed \$40,000 inclusive of all eligible costs for housing rehabilitation, sewer connection, loan underwriting, processing, set-up, title, and escrow, etc. as defined herein.</p> <p>The rehabilitation programs incorporate necessary repairs to bring the housing units up to code and to make them accessible to disabled residents. During this fiscal year the City did not fund any HHA HRLP loans.</p> |

HESPERIA GENERAL PLAN
2015 ANNUAL REPORT

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| <p>PROGRAM 11:
COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING REHABILITATION LOAN PROGRAM (CDBG-HRLP).</p> | <p>Assist lower-income home owners with loans up to \$20,000.
Provide loans to five lower-income housing units.
Advertise program on website and at the front counter.</p> | <p>Ongoing</p> | <p>The CDBG Housing Rehabilitation Loan program (HRLP) was available to provide loans and grants of up to \$20,000 for low-income homeowners for housing repairs including electrical, plumbing, and roofing. During this fiscal year the City did not fund any CDBG-HRLP Loans.

The City funded two (2) Energy Efficiency Rehabilitation grants and one (1) combined Energy Efficiency Rehabilitation and Minor Home Repair grant/loan during this fiscal year.

One of the City's primary goals for this Program is to assist in serving to increase, improve, and preserve the supply of low- and moderate-income housing within the City for qualified low- and moderate-income individuals.</p> |
| <p>PROGRAM 12:
LEAD-BASED PAINT EDUCATION AND OUTREACH EFFORTS.</p> | <p>Provide lead-based paint education and outreach to 75 low and moderate income households.
Provide lead-based paint testing as needed.
Note: Numerical goals are based on a 5-year period</p> | <p>Ongoing</p> | <p>As the lead agency for the CDBG programs, the Economic Development Department will continually refine its monitoring procedures to ensure that each monitoring has a meaningfully positive impact on the overall program and that projects have measurable outcomes.

According to the Consolidated Plan, the incidence of lead-poisoning in Hesperia is not extensive. In addition to supporting HUD and EPA efforts in disseminating public information on the health hazards of lead-based paint (LBP), the City addresses LBP issues through its Housing Rehabilitation Loan Program (HRLP) and through its participation in the State's HOME programs.

In addition, all housing units acquired or participants applying for assistance under the Neighborhood Stabilization Program (NSP) were implemented in compliance with the HUD Lead Based Paint requirements. The Program's housing inspector is required to comply with the federal requirements for lead-based paint hazards and removal.</p> |
| <p>PROGRAM 13:
AFFORDABLE HOUSING MONITORING.</p> | <p>Monitor affordable housing projects annually for compliance with affordability restrictions income eligibilities and housing quality standards.</p> | <p>Ongoing</p> | <p>There was no Lead-Based Paint activity in fiscal year 2014-15.

The City offers a wide range of housing and density bonuses, design concessions and financial assistance to projects that commit units to affordable rents or sales levels as well as to seniors. To date, the City has deed restricted provisions in effect on 9 projects, totaling 623 units. Staff monitors the projects annually for compliance with their Regulatory Agreements. In addition, Compliance Managers at the affordable complexes submit biannual monitoring reports to City staff. The City's 2010 General Plan Update includes within the Housing Element provisions to reinforce mixed use zoning, affordable housing and higher densities within multiple family areas.</p> |

HESPERIA GENERAL PLAN
2015 ANNUAL REPORT

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| <p>The City worked with the fair housing service provider or other housing service agency to hold a credit workshop(s) for households entering or re-entering the rental market. Credit history information, the apartment rental process, and fair housing rights and responsibilities are discussed.</p> <p>Provided fair housing education and outreach services to sixty five (65) residents in Fiscal year 2014-2015.</p> <p>Provided two (2) outreach meetings to assist renters with fair housing problems in Fiscal Year 2014-2015.</p> | | | |
| <p>The City adopted the Main Street and Freeway Corridor Specific Plan in 2008. This plan incorporates design standards and establishes mixed use and higher density residential zoning in commuter-friendly locations along the City's two principal thoroughfares. The plan also places higher density residential in proximity to the City's new Civic Plaza and pedestrian commercial zoning along Main Street to create a walkable downtown area. The City's completed the General Plan Update in 2010 and included provisions to reinforce mixed use zoning, affordable housing and higher densities within multiple family areas.</p> | <p>Ongoing</p> | <p>The Specific Plan includes five residential zones with densities up to 25 units per acre.</p> <p>Promote densities and development tools to developers.</p> <p>Implement shared parking, density bonus and other design incentives for affordable projects in the Specific Plan area.</p> | <p>PROGRAM 14:
MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN.</p> |
| <p>The City adopted revised density bonus provisions in its Development Code in 2011. The City offers and promotes density bonuses in conjunction with design concessions for enable developers to construct affordable units within the City. One project, consisting of 23 senior units, (a 17% density bonus) was approved in 2015.</p> <p>The City's Housing Authority provides assistance by providing low interest and/or deferred loan programs.</p> | <p>Ongoing</p> | <p>Amend Development Code to be consistent with current density bonus laws (completed)</p> <p>Market density bonus incentives to developers.</p> <p>Provide financial and non-financial housing development incentives, seek financing for needed on and off site improvement through assessment districts or Community Facilities Districts, assist private developers who propose construction of low or moderately priced housing units, coordinate City efforts with available County programs, incorporating State and federal funds, as available.</p> | <p>PROGRAM 15:
DENSITY BONUS PROGRAM.</p> |
| <p>The Main Street and Freeway Corridor Specific Plan provides for two zones (Mixed-Use and Medium Density Residential) to permit emergency/homeless shelters. The design will be generally held to similar institutional uses, depending on the services offered by the shelter. These zones are in proximity to the City's commercial core as well as the Civic Plaza. This</p> | <p>Completed</p> | <p>Provide for two zones where emergency/homeless shelters are permitted.</p> <p>Provide for design standards for emergency/homeless shelters.</p> | <p>PROGRAM 16:
HOUSING FOR THE HOMELESS/EXTREMELY LOW INCOME HOUSEHOLDS.</p> |

HESPERIA GENERAL PLAN
2015 ANNUAL REPORT

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| | <p>enables the homeless to access services necessary to provide substance and maintain contact with society. In 2014, the city defined and recognized Transitional/supportive housing and permitted them in the same manner as other housing allowed in all residential zones. Standards for single room occupancies (SRO's) were also adopted.</p> | | | |
| <p>PROGRAM 17:
FARMWORKER HOUSING.</p> | <p>In 2011, the City revised its residential and agricultural zoning to be consistent with the General Plan update. The agricultural zones permit accessory units, guest houses and farm labor camps to augment the full range of agricultural uses and activities expected to occur on these properties.</p> | <p>Completed</p> | | |
| <p>PROGRAM 18:
HOUSING FOR PERSONS WITH
DISABILITIES.</p> | <p>The City has trained two plan checkers in the latest requirements for construction of accommodations for persons with disabilities.</p> <p>The City enforces applicable California Title 24 disabled access regulations on all new development. This includes the public right-of-way as well as on-site and within the building. Plan check on these plans or improvements is conducted in conjunction with the remainder of the building and public improvement plans and does not pose a constraint. Accommodations are also made for the retrofit of existing buildings to permit their use in special circumstances.</p> | <p>2013</p> | <p>Develop a reasonable accommodation process to review and approve projects related to housing for people with disabilities.</p> | |
| <p>PROGRAM 19:
FAIR HOUSING SUPPORT AND
SERVICES.</p> | <p>There were no ADA projects budgeted during this program year due to the limitation on available funds.</p> | <p>Ongoing</p> | <p>Provide fair housing services and annual outreach meeting to assist residents, landlords and housing professionals.
Place fair housing information and resources in the website and at the front counter.</p> | <p>The Inland Fair Housing and Mediation Board assisted sixty five (65) households.</p> |



CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE

City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, January 27, 2016

A. **PROPOSALS:**

1. **ALBERT VALCORE; (ME15-00011)**

Proposal: Consideration of a Minor Exception to allow a 1,080 square foot garage in lieu of the 1,000 square foot limit.

Location: 17922 Manzanita Street (APN: 0399-155-19).

Planner: Daniel Alcayaga

2. **MAGED (MATT) YOUSSEF; (TTE15-00002/TT-17305)**

Proposal: To create 52 single-family residential lots on 9.4 gross acres.

Location: 9th Avenue, north and south of Live Oak Street (407-111-04 and 407-141-01).

Planner: Daniel Alcayaga

3. **TMS CONSORTIUM; (SPRE15-00007)**

Proposal: A seventh extension of time for approved Site Plan Review SPR-2003-25, to construct a 2-story, 84-unit apartment complex on 5.6 gross acres within the Medium Density Residential (MDR) Zone of the Main Street and Freeway Corridor Specific Plan

Location: East side of Santa Fe Avenue East, 346 feet south of Sultana Street (APN: 0410-211-08 & 09).

Planner: Stan Liudahl



CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE

City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, February 10, 2016

A. **PROPOSALS:**

1. **GRANITE SPRINGS; (TTE16-00001 and SPRE16-00001)**

Proposal: Consideration of an Extension of Time for a Tentative Parcel Map and a Site Plan Review to construct 164 detached condominium units on 15 gross acres.

Location: 660 feet north of Main Street between Topaz Avenue and Tamarisk Ave. (APN: 405-271-32)

Planner: Daniel Alcayaga

2. **ELIZABETH ANN MATHIAS; (ME16-00001)**

Proposal: Consideration of a Minor Exception to allow for a 7 foot high fence, which exceeds the 6 foot height limitation, along 79 feet of the rear property line.

Location: 17539 Adobe Rd. (APN: 0398-233-24)

Planner: Ryan Leonard

3. **SPIRIT FILLED CHURCH; (SPRR15-00009)**

Proposal: Consideration of a Revised Site Plan Review to construct a two-story, 8,450 square foot addition to an existing 8,772 square foot church.

Location: 9980 Hesperia Rd. (0407-061-12)

Planner: Ryan Leonard

4. **MAGED YOUSSEF; (TPM16-00001) (PM-19724)**

Proposal: Consideration of a Tentative Parcel Map to create two parcels on 2.8 gross acres.

Location: North side of Aspen Street, approximately 273 feet east of Maple Avenue. (APN: 0409-062-20)

Planner: Stan Liudahl

5. **CJC HOLDINGS & TOBERET, LLC AND CITY OF HESPERIA; (GPA15-00002) & (TPM15-00006)**

Proposal: Consideration of General Plan Amendment GPA15-00002, to amend the land use designation from Rural Residential with a minimum lot size of 2 1/2 acres (RR-2 1/2) to Rural Residential with a minimum lot size of one-acre (RR-1) in conjunction with Tentative Parcel Map TPM15-00006 (PM-19703), to create four parcels and a remainder on 5.0 gross acres. General Plan Amendment GPA15-00002 is expanded to include an additional parcel of 17.6 gross acres to the north.

Location: Northeast corner of Tioga Street and Topaz Avenue. (APNs: 0405-471-31 and 06)

Planner: Stan Liudahl



**CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE**

**City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, MARCH 9, 2016**

A. PROPOSALS:

1. HIGH DESERT CHURCH; (SPRR16-00001)

Proposal: Consideration of a Revised Site Plan to construct a new 960 square foot modular building to an existing 6,225 square foot church.

Location: 7885 Arcadia Street. (APN: 0398-312-17)

Planner: Ryan Leonard

2. CARL ROSS; TPMN15-00004 (PM-19686)

Proposal: Consideration of a Tentative Parcel Map to create two parcels and a remainder on approximately 65.5 gross acres.

Location: East of Mariposa Road between Sultana Street and Emerald Street. (APN: 3057-011-35)

Planner: Ryan Leonard

3. CARL ROSS; SPR16-00002

Proposal: Consideration of a Site Plan Review to construct a four-story, 98 room hotel and another four story, 110 room hotel on 5 acres.

Location: 670 feet south of Main Street on the east side of Mariposa Road. (APN: 3057-011-35)

Planner: Ryan Leonard

4. HESPERIA ALL STAR SMOG TEST ONLY; CUPR16-00001

Proposal: Consideration of a revised Conditional Use Permit to establish an internet car sale business.

Location: 10232 'I' Avenue. (APN: 0410-032-23)

Planner: Daniel Alcayaga

5. **MICHAEL GALLAGHER; CUP16-00002**

Proposal: Consideration of a Conditional Use Permit to construct a 3,645 square foot mini-mart including the sale of alcoholic beverages with four fuel islands and an automated carwash and two 2,546 square foot drive-thru restaurants on approximately 3.8 gross acres.

Location: Southeast corner of Interstate 15 and Rancho Road. (APN: 0357-561-65 & 66)

Planner: Stan Liudahl

6. **MICHAEL GALLAGHER; TPMN16-00001**

Proposal: Consideration of a Tentative Parcel Map to create three parcels on 3.8 gross acres in conjunction with development of a 3,645 square foot mini-mart with four fuel islands and an automated carwash and two 2,546 square foot drive-thru restaurants including the sale of alcoholic beverage on approximately 3.8 gross acres.

Location: Southeast corner of Interstate 15 and Rancho Road. (APN: 0357-561-65 & 66)

Planner: Stan Liudahl

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