

ATTACHMENT 8  
PLANNING DIVISION  
9700 Seventh Avenue, Hesperia, California 92345  
(760) 947-1224 FAX (760) 947-1221

NEGATIVE DECLARATION ND-2016-13  
Preparation Date: May 15, 2017

Name or Title of Project: General Plan Amendment GPA16-00002 and Conditional Use Permit CUP16-00009

Location: On the northeast corner of Seventh Avenue and Ranchero Road. (APN: 0412-172-01).

Entity or Person Undertaking Project: Steeno Design Studio.

Description of Project: A General Plan Amendment from Limited Agricultural with a minimum parcel size of 2.5 acres (A1-2<sup>1/2</sup>) to General Commercial (C2) in conjunction with a Conditional Use Permit to construct a gas station with 6 fuel islands, a 5,000 square foot convenience store with a drive-thru restaurant, a detached 1,560 square foot automated carwash tunnel, a 3,300 square foot drive-thru restaurant and a 19,000 square foot multi-tenant commercial building, located on approximately 3.5 gross acres. The CUP will also allow the retail sale of beer, wine and liquor for off-site consumption.

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. To reduce noise impacts associated with the carwash, noise suppression/mufflers shall be incorporated in the blowers for use in the carwash and any noisy mechanical equipment like hydraulic pumps be contained in a noise attenuating enclosure or room.
3. To reduce noise impacts associated with the vacuums, the vacuums that are utilized shall incorporate factory installed noise suppression and the unit shall be surrounded on three sides with an enclosure that is constructed of masonry materials or stuccoed wood framing. The height of the enclosure shall extend at least two feet above the top of the vacuum.
4. The hours of operation of the carwash shall be limited to the daytime hours of 7:00 a.m to 10:00 p.m.
5. Applicant shall install a traffic signal at the Ranchero Road and Seventh Avenue intersection. The applicant shall also install dual southbound left turn lanes at the Seventh Avenue and Ranchero Road intersection because the left turn volume in the southbound direction exceeds the recommended left turn maximum for a single left turn lane.

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: May 17, 2017 through June 6, 2017.

Adopted by the Planning Commission: June 27, 2017

Attest:

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DAVE RENO, AICP, PRINCIPAL PLANNER

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

**PROJECT DESCRIPTION**

1. **Project Title:** General Plan Amendment GPA16-00002 and Conditional Use Permit CUP16-00009
2. **Lead Agency Name:** City of Hesperia Planning Division  
**Address:** 9700 Seventh Avenue, Hesperia, CA 92345.
3. **Contact Person:** Ryan Leonard, AICP, Associate Planner  
**Phone number:** (760) 947-1651.
4. **Project Location:** On the northeast corner of Ranchero Road and Seventh Avenue (APN: 0412-172-01).
5. **Project Sponsor:** Steeno Design Studio  
**Address:** 11774 Hesperia Road, Suite B1, Hesperia CA, 92345
6. **General Plan & Zoning:** The site is currently within the Limited Agricultural with a minimum parcel size of 2.5 acres (A1-2<sup>1/2</sup>) General Plan land use designation.
7. **Description of project:**

The project consists of General Plan Amendment GPA16-00002, to change the designation of the subject property from Limited Agricultural with a minimum parcel size of 2.5 acres (A1-2<sup>1/2</sup>) to General Commercial (C2). GPA16-00002 is being processed in conjunction with Conditional Use Permit CUP16-00009 to construct a gas station with 6 fuel islands, a 5,000 square foot convenience store with a drive-thru restaurant, a detached 1,560 square foot automated carwash tunnel, a 3,300 square foot drive-thru restaurant and a 19,000 square foot multi-tenant commercial building, located on approximately 3.5 gross acres. The convenience store will include the retail sale of beer, wine and liquor for off-site consumption. The proposed project will be constructed in two phases; the proposed convenience store, gas station and carwash will be constructed in phase 1 and the drive-thru restaurant and multi-tenant commercial building will be constructed in phase 2. The site is currently occupied by a single family residence and is accessed by Ranchero Road, Seventh Avenue and Third Avenue.
8. **Surrounding land uses and setting:** (Briefly describe the project's surroundings.) The properties to the north and east are within the General Plan Limited Agricultural with a minimum lot size of 2.5 acres (A1-2<sup>1/2</sup>) land use designation and are improved with single family residences. The property to the west, on the opposite side of Seventh Avenue is designated Limited Agricultural with a minimum lot size of 1 acre (A1) and is vacant. The property to the south, on the opposite side of Ranchero Street is designated single family residential with a minimum lot size of 18,000 square feet (R1-18,000) and is currently vacant as shown on Attachment "A."
9. **Other public agency whose approval is required** (e.g., permits, financing approval, or participation agreement.) Review and approval is required from the City.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION:** (Completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature \_\_\_\_\_

Date \_\_\_\_\_

Ryan Leonard, AICP, Associate Planner, Hesperia Planning Division

### 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.

| <b>I. AESTHETICS.</b> 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 <b>(1 &amp; 2)</b> ?                                                                                                  |                                |                                       | X                            |           |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway <b>(1 &amp; 2)</b> ? |                                |                                       |                              | X         |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings <b>(1, 2, 3 &amp; 4)</b> ?                                                |                                |                                       | X                            |           |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area <b>(5)</b> ?                                            |                                |                                       | X                            |           |

**Comments.**

The subject property is currently vacant and is adjacent to Ranchero Road, Seventh Avenue, Third Avenue and existing single-family residences to the north, 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 Ranchero Road, Seventh Avenue and Third 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 project 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. Although commercial development will produce additional light and glare, any light or glare produced would be subject to Title 16 regulations which requires that all exterior lighting fixtures to be hooded and directed downward to minimize light and glare impacts on neighboring properties **(1 & 5)**. While commercial development of the site will have the potential to negatively impact the residentially designated properties to the north, east and west, implementation of the Title 16 zoning regulations will assure that adjacent residential land uses are buffered through the incorporation of setbacks, landscaping buffers, site planning, and other design techniques **(1 & 6)**. Consequently, development of the site will not substantially degrade the existing visual character or quality of the site and its surroundings. As such, development of the project would have a less than significant impact upon aesthetics.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                |                                       |                              |           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------|------------------------------|-----------|
| <b>II. AGRICULTURE AND FOREST RESOURCES.</b> 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 <b>(2 &amp; 8)</b> ?                                     |  |  |  | X |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract <b>(8, 9 &amp; 10)</b> ?                                                                                                                                                                                           |  |  |  | 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)) <b>(10)</b> ? |  |  |  | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use <b>(1, 10 &amp; 11)</b> ?                                                                                                                                                                                          |  |  |  | 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 <b>(1, 9 &amp; 10)</b> ?                                                                   |  |  |  | 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."

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 is located in the central portion of the City within the suburban area and is 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.

The limited size of the property (3.5 gross acres), as well as the proximity of residential uses, do not make this site viable for agriculture. In addition, the site is presently zoned Limited Agricultural with a minimum parcel size of 2.5 acres (A1-2<sup>1/2</sup>), which permits single family residential development. According to the City of Hesperia General Plan, no agriculture-specific land use exists within the project site and the land is not within a Williamson Act contract. **(10)**. 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 proposed project would not have an impact upon agricultural resources.

| 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 <b>(15, 16 &amp; 17)?</b>                                                                                                                                                                                                             |                                |                                       |                              | X         |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation <b>(15, 16 &amp; 17)?</b>                                                                                                                                                                          |                                |                                       | 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) <b>(15, 16 &amp; 17)?</b> |                                |                                       | X                            |           |
| d) Expose sensitive receptors to substandard pollutant concentrations <b>(2, 15 &amp; 16)?</b>                                                                                                                                                                                                                       |                                |                                       | X                            |           |
| e) Create objectionable odors affecting a substantial number of people <b>(1, 2, 15 &amp; 16)?</b>                                                                                                                                                                                                                   |                                |                                       |                              | X         |

#### Comments.

The General Plan Update and its Environmental Impact Report (EIR) address the impact of build-out in accordance with the Land Use Plan, with emphasis upon the impact upon sensitive receptors **(15 & 16)**. Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. These population groups are generally more sensitive to poor air quality. The closest sensitive receptors are the occupants of the single-family residences located immediately adjacent to the east of the site **(1)**. These adjacent residences are currently within the Limited Agricultural with a minimum parcel size of 2.5 acres (A1-2<sup>1/2</sup>) designation.

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

All uses identified within the Hesperia General Plan are classified as area sources by the MDAQMD **(17)**. Programs have been established in the Air Quality Attainment Plan which address emissions caused by area sources. Both short-term (construction) emissions and the long-term (operational) emissions associated with the development were considered. Short-term airborne emissions will occur during the construction phase related to site preparation, land clearance, grading, excavation, and building construction; which will result in fugitive dust emissions. Also, equipment emissions, associated with the use of construction equipment during site preparation and construction activities, will generate emissions. Construction activities generally do not have the potential to generate a substantial amount of odors. The primary source of odors associated with construction activities are generated from the combustion petroleum products by equipment. However, such odors are part of the ambient odor

environment of urban areas. In addition, the contractor will be required to obtain all pertinent operating permits from the Mojave Desert Air Quality Management District (MDAQMD) for any equipment requiring AQMD permits.

The General Plan Update identifies large areas where future residential, commercial, industrial, and institutional development will occur. The General Plan Update Environmental Impact Report (GPUEIR) analyzed the impact to air quality upon build-out of the General Plan. Based upon this analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with air quality impacts **(7)**. As part of the GPUEIR, the impact of commercial and residential development to the maximum allowable intensity permitted by the Land Use Plan was analyzed. The projected number of vehicles trips and turning movements associated with this project is analyzed within Section XV. Transportation/Traffic. Although the proposed development will increase traffic in the area it will not result in the creation of an unacceptable level of service (LOS). Therefore approval of this project will not result in a significant impact upon air quality.

| 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 <b>(10 &amp; 21)</b> ? |  |  |  |  |                                |                                       |                              | 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 <b>(1, 10 &amp; 23)</b> ?                                                        |  |  |  |  |                                |                                       |                              | 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 <b>(1, 10 &amp; 23)</b> ?                                            |  |  |  |  |                                |                                       |                              | 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 <b>(1&amp;10 )</b> ?                                                                                  |  |  |  |  |                                | X                                     |                              |           |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance <b>(10 &amp; 19)</b> ?                                                                                                                                                                               |  |  |  |  |                                |                                       |                              | 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 <b>(10, 21 &amp; 23)</b> ?                                                                                                                          |  |  |  |  |                                |                                       |                              | 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 Ranchero Road, Seventh Avenue, and Third Avenue as well as neighboring residences **(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)**.

The site has been previously disturbed as it is developed with a single family residence, and it is in an area that is surrounded by other development, therefore the likelihood of the site containing the desert tortoise or Mohave ground squirrel is extremely remote. Consequently, a biological report assessing the existence of the desert tortoise or other endangered/threatened species is unnecessary. However, since the burrowing owl is not sensitive to development, and may occupy the site at any time, a mitigation measure requiring a biological survey to determine their presence shall be submitted no more than 30 days prior to commencement of grading activities. The mitigation measure is listed on page 27. Furthermore, prior to approval of a grading plan, a protected plant plan shall also be submitted by a qualified botanist to ensure that all healthy cactus, yucca, Joshua trees, and large creosote bushes, which are capable of being transplanted, will either be relocated or protected in place. This mitigation measure is also listed on page 27.

The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest communities, exist within Tapestry Specific Plan and vicinity **(23)**. The project site is located approximately six miles to the north within a developed portion of the City. Consequently, approval of the conditional use permit and General Plan Amendment will not have an impact upon biological resources, subject to the enclosed mitigation measures.

| <b>V. CULTURAL RESOURCES.</b> 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 <b>(24 &amp; 26)</b> ?    |  |                                |                                       |                              | X         |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 <b>(24 &amp; 26)</b> ? |  |                                |                                       |                              | X         |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature <b>(24)</b> ?                     |  |                                |                                       |                              | X         |
| d) Disturb any human remains, including those interred outside of formal cemeteries <b>(27)</b> ?                                          |  |                                |                                       |                              | X         |

#### Comments.

Based upon a site visit and review of the aerial photos **(1)**, there is no evidence that historic resources exist within the project site. In addition, the site is not on the list of previously recorded cultural resources **(25)**. This list, which was compiled as part of the 2010 General Plan Update; was created 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. Paleontological resources are not expected to exist on the project site inasmuch as the Cultural Resources Sensitivity Map indicates that the site has a low sensitivity potential for containing cultural resources **(26)**. Since this project is not exempt from the California Environmental Quality Act (CEQA), and the proposed General Plan Amendment requires that Native American tribes be contacted as per SB18 and AB52, the City sent a letter dated September 19, 2016 giving all interested tribes the opportunity to consult pursuant to Section 21080.3.1 of the California Public Resources Code (AB 52) **(28)**. The City will also notify the tribes in writing of the Planning Commission

and City Council meeting dates. As of the date of preparation of this document, staff has not received a consultation request. 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) **(27)**. 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, this project 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 <b>(29, 30 &amp; 31)</b> . |                                |                                       |                              | X         |
| ii) Strong seismic ground shaking <b>(32 &amp; 33)</b> ?                                                                                                                                                                                                                                                         |                                |                                       | X                            |           |
| iii) Seismic-related ground failure, including liquefaction <b>(12 &amp; 32)</b> ?                                                                                                                                                                                                                               |                                |                                       |                              | X         |
| iv) Landslides <b>(32)</b> ?                                                                                                                                                                                                                                                                                     |                                |                                       |                              | X         |
| b) Result in substantial soil erosion or the loss of topsoil <b>(12)</b> ?                                                                                                                                                                                                                                       |                                |                                       | 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 <b>(12 &amp; 32)</b> ?                                                         |                                |                                       |                              | 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 <b>(12)</b> ?                                                                                                                                                    |                                |                                       |                              | 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 <b>(12)</b> ?                                                                                                                  |                                |                                       |                              | X         |

#### Comments.

The project site contains generally flat topography with slopes of two to five percent. No large hills or mountains are located within the project site. 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 North Frontal fault, located approximately five miles to the east of the City.

The Alquist-Priolo Earthquake Fault Zoning Act prohibits structures designed for human occupancy within 500 feet of a major active fault and 200 to 300 feet from minor active faults **(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 **(12)**.

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 development 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.

| <b>VII. GREENHOUSE GAS EMISSIONS.</b> 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 <b>(35)</b> ?                  |                                |                                       | X                            |           |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases <b>(35, 36 &amp; 37)</b> ? |                                |                                       | 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 Conditional Use Permit will not significantly increase greenhouse gas (GHG) emissions beyond that analyzed within the GPUEIR. The additional job creation from this development will also reduce the number of residents commuting to other communities for work, reducing vehicle miles traveled and resulting in additional GHG reductions. All buildings will be equipped with energy efficient mechanical systems for heating and cooling. That, in combination with use of dual pane glass and insulation meeting current Building Code regulations **(35)** will cause a reduction in GHG emissions from use of less efficient systems, resulting in additional community emission reduction credits. The building size is below the allowable floor area ratio.

Approval of the proposed project would result in an increase in vehicular trips. The proposed project is projected to generate a total of approximately 7,045 daily vehicle trips. However, many of the trips generated by the proposed land uses would not be new trips, but instead would be trips already traveling on the surrounding roadway network and pass-by the project before proceeding to their original destination **(77)**. This increase in traffic impact is analyzed further within Section XV. Transportation/Traffic.

Development of the proposed project will not significantly increase greenhouse gas (GHG) emissions beyond that analyzed within the GPUEIR. Additionally, the use will provide additional jobs to the area, creating a reduction in the number of commuters into the Inland Empire. Consequently, the impact upon GHG emissions associated with the proposed project is less than significant.

| VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:                                                                                                                                                                               | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials <b>(2 &amp; 38)</b> ?                                                                            |                                |                                       | 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 <b>(2 &amp; 38)</b> ?                    |                                |                                       | 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 <b>(2)</b> ?                                                             |                                |                                       |                              | 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 <b>(2)</b> ? |                                |                                       |                              | 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 <b>(39)</b> ? |  |  |  | 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 <b>(39)</b> ?                                                                                                      |  |  |  | X |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan <b>(40)</b> ?                                                                                                                                        |  |  |  | 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 <b>(41)</b> ?                                             |  |  |  | X |

#### Comments.

The property is currently occupied by a single family residence and has no history of commercial development. There is no evidence that hazardous materials have been used on the property. A component of the proposed project will involve the construction of a vehicle fueling station, which entails handling of hazardous materials. Prior to storing hazardous materials on-site, a Hazardous Materials Business Plan (HMBP) shall be approved (38), which shall be subject to review and approval by the San Bernardino County Fire Department. These materials shall be stored and transported/disposed of in accordance with the HMBP. Although these issues pose a potential health risk, compliance with the HMBP will reduce the possibility of an accidental release to an acceptable level.

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

- National Priorities List [www.epa.gov/superfund/sites/query/basic.htm](http://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](http://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](http://www.epa.gov/enviro/html/rcris/rcris_query_java.html). Resource Conservation and Recovery Information System is a national program management and inventory system of hazardous waste handlers. There are 53 Resource Conservation and Recovery Act facilities in the City of Hesperia, however, the project site is not a listed site.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) (<http://cfpub.epa.gov/supercpad/cursites/srchsites.cfm>). This database contains information on hazardous waste sites, potentially hazardous waste sites, and remedial activities across the nation. There is one Superfund site in the City of Hesperia, however, the project site is not located within or adjacent to the Superfund site.
- Solid Waste Information System (SWIS) (<http://www.ciwmb.ca.gov/SWIS/Search.asp>). The SWIS database contains information on solid waste facilities, operations, and disposal sites throughout the State of California. There are three solid waste facilities in the City of Hesperia, however the project site is not listed.

- Leaking Underground Fuel Tanks (LUFT)/ Spills, Leaks, Investigations and Cleanups (SLIC) (<http://geotracker.waterboards.ca.gov/search/>). This site tracks regulatory data about underground fuel tanks, fuel pipelines, and public drinking water supplies. There are fourteen LUFT sites in the City of Hesperia, six of which are closed cases. The project site is not listed as a LUFT site and there are no SLIC sites in the City of Hesperia.
- There are no known Formerly Used Defense Sites within the limits of the City of Hesperia.  
Formerly Used Defense Sites  
<http://hq.environmental.usace.army.mil/programs/fuds/fudsinv/fudsinv.html>.

The site is 1.75 miles from the nearest school (Krystal Elementary School) at 17160 Krystal Drive **(1)**. Any use which includes hazardous waste as part of its operations is prohibited within 500 feet of a school **(18)**. Consequently, HMBP compliance will provide sufficient safeguards to prevent health effects. The project will not pose a significant health threat to any existing or proposed schools.

The proposed project will not conflict with air traffic nor emergency evacuation plans. The site is approximately 0.5 miles north of the Hesperia Airport, and is not within a restricted use zone associated with air operations **(39)**. Consequently, implementation of the project will not cause safety hazards to air operations. The site is located along Ranchero Road which is designated in the General Plan as an emergency evacuation route, however implementation of the project will not interfere with emergency operations. The site is not located on or near a potential emergency shelter **(40)** and will not interfere with emergency evacuation plans.

The project's potential for exposing people and property to fire and other hazards was also examined. The site is located within an urbanized area and is not in an area susceptible to wildland fires. The southernmost and westernmost portions of the City are at risk, due primarily to proximity to the San Bernardino National Forest **(41 & 42)**. All new structures associated with this project will be constructed to the latest building standards including applicable fire codes. Consequently, approval of the proposed project will not have any impact upon or be affected by hazards and hazardous materials.

| IX. HYDROLOGY AND WATER QUALITY. Would the project:                                                                                                                                                                                                                                                                                                                                                                 |                                |                                       |                              |           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------|------------------------------|-----------|
|                                                                                                                                                                                                                                                                                                                                                                                                                     | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
| a) Violate any water quality standards or waste discharge requirements <b>(43 &amp; 44)</b> ?                                                                                                                                                                                                                                                                                                                       |                                |                                       |                              | 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) <b>(45 &amp; 46)</b> ? |                                |                                       | 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 <b>(47)</b> ?                                                                                                                                                                     |                                |                                       |                              | 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 <b>(5 &amp; 47)</b> ?                                                                                                                      |                                |                                       |                              | 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 <b>(48)</b> ? |  |  |   | X |
| f) Otherwise substantially degrade water quality <b>(48)</b> ?                                                                                                                                     |  |  | 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 <b>(2, 41, 49 &amp; 50)</b> ?  |  |  |   | X |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows <b>(2, 41 &amp; 50)</b> ?                                                                       |  |  |   | 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 <b>(2, 10 &amp; 50)</b> ?        |  |  |   | X |
| j) Inundation by seiche, tsunami, or mudflow <b>(41)</b> ?                                                                                                                                         |  |  |   | X |

#### Comments.

Development of the site will disturb more than one-acre of land area. Consequently, the project will be required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge Elimination System (NPDES) permit prior to land disturbance **(52)**. Issuance of a Storm Water Pollution Prevention Plan (SWPPP) will also be required, which specifies the Best Management Practices (BMP) that will be implemented to prevent construction pollutants from contacting storm water **(52)**. Obtaining the NPDES and implementing the SWPPP is required by the State Water Resources Control Board (WRCB) and the California Regional Water Quality Control Board (RWQCB). These are mandatory and NPDES and SWPPP have been deemed adequate by these agencies to mitigate potential impacts to water quality during project construction.

The development may change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff **(2)**. Therefore, the project shall retain the drainage created on-site beyond that which has occurred historically within an approved drainage system in accordance with City of Hesperia Resolution 89-16 **(51)**. The site is also not within a Flood Zone, based upon the latest Flood Insurance Rate Maps **(50)**. The retention facility required by the City will ensure that no additional storm water runoff impacts the area and that any contaminants will be filtered from storm water runoff prior to any release into a street.

The City is downstream of three dams. These are the Mojave Forks, Cedar Springs, and Lake Arrowhead Dams. In the event of a catastrophic failure of one or more of the dams, the project site would not be inundated by floodwater **(51)**. The areas most affected by a dam failure are located in the low lying areas of southern Rancho Las Flores, most of the Antelope Valley Wash, and properties near the Mojave River. The City of Hesperia is located just north of the Cajon Pass at an elevation of over 2,500 feet above sea level, which is over 60 miles from the Pacific Ocean. As such, the City is not under threat of a tsunami, otherwise known as a seismic sea wave **(53)**. Similarly, the potential for a seiche to occur is remote, given the limited number of large water bodies within the City and its sphere. The subject property exhibits a two percent slope. In addition, the water table is significantly more than 50 feet from the surface. The area north of Summit Valley contains steep slopes which have the potential to become unstable during storm events **(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 available water supply, which is projected to match 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 proposed project is considered less than significant.

| <b>X. LAND USE AND PLANNING.</b> Would the project:                                                                                                                                                                                                                                                                      | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Physically divide an established community <b>(1)</b> ?                                                                                                                                                                                                                                                               |                                |                                       |                              | 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 <b>(10)</b> ? |                                |                                       | X                            |           |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan <b>(23)</b> ?                                                                                                                                                                                                           |                                |                                       |                              | X         |

#### Comments.

The project consists of a General Plan Amendment to change the designation of the subject property from Limited Agricultural with a minimum lot size of 2.5 acres (A1-2<sup>1/2</sup>) to General Commercial (C2). The proposed project is consistent with the proposed General Commercial (C2) zone **(6)** and complies with all development standards in the Development Code, including buffering the proposed uses from the existing adjacent residential uses with a 20’ setback, a 6’ high block wall, and 5’ landscape buffer. The project also complies with the maximum Floor Area Ratio (FAR) of 1.0 by proposing a FAR of 0.20 **(2)**.

The proposed General Commercial (C2) designation can be justified, as the site is adjacent to Ranchero Road which is described in the General Plan as a special arterial roadway and is designed to link local traffic with Interstate 15. Given the regional significance of Ranchero Road, commercial uses along this roadway are certain to occur and are considered appropriate land uses at various locations.

Approval of the proposed project would result in an increase in vehicular trips. The proposed project is projected to generate a total of approximately 7,045 daily vehicle trips. However, many of the trips generated by the proposed land uses would not be new trips, but instead would be trips already traveling

on the surrounding roadway network and pass-by the project before proceeding to their original destination **(77)**.

The project site is currently occupied by a single family residence and implementation of the proposed project will not physically divide an established community. The project is compatible with the adjacent land uses through the use of buffering techniques and though compliance with the Municipal Code and the development review process **(6)**. The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest community, exist within the Tapestry Specific Plan and vicinity **(23)**. The project site is located approximately 3.5 miles northwest of this specific plan within the developed portion of the City. Therefore, the proposed project would have a less than significant impact upon land use and planning.

| <b>XI. MINERAL RESOURCES.</b> 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 <b>(55)</b> ?                                |                                |                                       |                              | 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 <b>(55)</b> ? |                                |                                       |                              | 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. The project contain does not contain a wash and/or unique mineral resources. Consequently, the proposed project would not have an impact upon mineral resources.

| <b>XII. NOISE.</b> 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 <b>(1, 2 &amp; 56)</b> ? |                                | X                                     |                              |           |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels <b>(56 &amp; 57)</b> ?                                                                               |                                |                                       |                              | X         |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project <b>(55 &amp; 59)</b> ?                                                        |                                |                                       | X                            |           |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project <b>(59)</b> ?                                                     |                                |                                       | 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 <b>(10 &amp; 60)</b> ? |  |  |  | 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 <b>(10 &amp; 60)</b> ?                                                                                                      |  |  |  | X |

#### Comments.

Approval of the proposed project will result in both construction noise and operational noise, mostly associated with trucks and vehicular traffic to and from the site, but also including noise from the operation of the facility, in particular from roof top mechanical equipment associated with the three buildings, mechanical equipment within the carwash, and a self-service vacuum located adjacent to the eastern property line.

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

An Acoustical Analysis was prepared by P. A. Penardi & Associates to evaluate the noise impacts from the operation of the proposed facility **(55)**. The results of the study indicate that noise from the mechanical equipment would not exceed 55 dB(A) at the eastern boundary of the site **(55)**. The City's Development Code restricts noise impacting residentially designated property to a limit of 55 dB(A) at the property line during nighttime hours **(58)**. With regard to air conditioning compressors, 16 5-ton units on top of the proposed 19,000 square foot building were assumed to be operating simultaneously which would result in a combined noise impact at the east property line of 40 dB(A). This, again, is in conformance with the City's 55 dB(A) nighttime requirement.

With regard to the carwash, a noise impact of about 80 dB(A) can be expected at 10 feet from the exit of the carwash, primarily due to blowers used in water removal, and about 75 dB(A) can be expected at 15 feet from the vacuum. Compliance with the City's Noise Ordinance will be achieved by limiting the hours of operation from 7:00 a.m. to 10:00 p.m., ensuring that the carwash is not operational during morning and nighttime hours and by requiring noise suppression/mufflers in the blowers. The noise study prepared by P.A Penardi and Associates states that with incorporation of the noise suppression mufflers, the carwash will generate noise of 63 dBA at the project boundary. This would be in compliance with the City's Noise Ordinance which allows a maximum noise level of 65 dBA for a duration not exceeding 15 minutes out of any 1 hour period<sup>1</sup>.

<sup>1</sup> The typical time for a "rollover" type of carwash is approximately 5 minutes/vehicle. Therefore the maximum number of cars possible during a 1-hour period would be 12 cars. For a typical blower on time of about one minute per vehicle, this calculates to a maximum blower on time of 12 minutes per hour.

With regard to the self-serve vacuum, the noise study recommends a 3-sided acoustical enclosure be constructed around the vacuum with the open side facing the proposed project. Incorporation of the enclosure is expected to reduce noise levels to less than 60 dBA at the project boundary. This would be in compliance with the City's maximum noise level of 60 dBA for the daytime hours of 7:00 a.m. to 10:00 p.m. The noise study states that with incorporation of the mitigation measures listed on page 27 requiring noise canceling equipment as well as restricting the hours of operation, the facility will comply with the City's Noise Ordinance **(55)**. In addition, as an ongoing condition of approval, the project is required to be in conformance with the City's Noise Ordinance at all times **(76)**. Therefore, the impact of this facility upon the adjacent residential properties is less than significant.

The project site is located approximately 0.5 miles north of the Hesperia Airport. However, 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.

| <b>XIII. POPULATION AND HOUSING.</b> 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) <b>(1 &amp; 2)</b> ? |                                |                                       | X                            |           |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere <b>(1)</b> ?                                                                                             |                                |                                       |                              | X         |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere <b>(1)</b> ?                                                                                                       |                                |                                       |                              | X         |

#### Comments.

The project consists of a General Plan Amendment to change the designation of the subject property from Limited Agricultural with a minimum lot size of 2.5 acres (A1-2<sup>1/2</sup>) to General Commercial (C2) **(2)**. Residential development at a maximum density of one dwelling unit per gross acre was assessed as part of the General Plan Environmental Impact Report (EIR). Although this project would allow for commercial development, its impact potential as a growth-inducing factor is less than significant as the use will not generate a significant increase in traffic. Most customers will stop on their way to or from there residence. The proposed action will remove 3.5 acres (gross) of residential uses from the General Plan Land Use and Zoning Map **(2)**. Therefore, approval of the proposed project would eliminate one single family residence in this area with approval of this General Plan Amendment. The site is currently occupied by a single family residence that will be demolished as a part of the project, however this will not necessitate construction of a substantial amount of replacement housing elsewhere.

In regards to the project's growth inducing impacts, the site is currently served by water and other utility systems **(62)**. Therefore, development of the project would not require the extension of major improvements to existing public facilities. Consequently, the proposed project will not have a significant impact upon population and housing.

| <b>XIV. PUBLIC SERVICES.</b>                                                                                                                                                                                                                                                                                                                                                                                                             | 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 <b>(63)</b> : |                                |                                       | X                            |           |
| Fire protection? <b>(63)</b>                                                                                                                                                                                                                                                                                                                                                                                                             |                                |                                       | X                            |           |
| Police protection? <b>(63)</b>                                                                                                                                                                                                                                                                                                                                                                                                           |                                |                                       | X                            |           |
| Schools? <b>(63)</b>                                                                                                                                                                                                                                                                                                                                                                                                                     |                                |                                       | X                            |           |
| Parks? <b>(63)</b>                                                                                                                                                                                                                                                                                                                                                                                                                       |                                |                                       | X                            |           |
| Other public facilities? <b>(63)</b>                                                                                                                                                                                                                                                                                                                                                                                                     |                                |                                       | X                            |           |

**Comments.**

The proposed project will create an increase in demand for public services however, that increase is not significantly greater than that analyzed by the GPUEIR. The development will be connected to an existing 16-inch water line in Ranchero Road within the City's water system **(62)**. The proposed project is allowed to use an approved on-site septic waste system. Full street improvements comprised of curb, gutter, and sidewalk will be constructed along the project frontage as part of development of the use **(2)**. Additionally, the project will be conditioned to improve the intersection at Seventh Avenue and Ranchero Road to install a traffic signal. In addition, the project is subject to the payment of required development impact fees. These fees will be collected at the time that building permits are issued, which will provide the City partial funding for the construction of other signal improvements along Ranchero Road to reduce the impacts of additional vehicular traffic. **(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 proposed project upon public services is less than significant.

| <b>XV. RECREATION.</b>                                                                                                                                                                                                     | 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 <b>(2)</b> ? |                                |                                       |                              | 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 <b>(2)</b> ?                        |                                |                                       |                              | X         |

**Comments.**

Approval of the proposed project will not induce population growth, as commercial uses are proposed **(2)**. Therefore, the proposed project will not have an impact upon recreation.

| XVI. TRANSPORTATION / TRAFFIC. Would the project:                                                                                                                                                                                                                                                                                                                                                                                                   | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------|------------------------------|-----------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit <b>(65 &amp; 77)</b> ? |                                | 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 <b>(66 &amp; 67 &amp; 77)</b> ?                                                                                                                                                       |                                |                                       | 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 <b>(39 &amp; 77)</b> ?                                                                                                                                                                                                                                                               |                                |                                       |                              | X         |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) <b>(1, 2 66 &amp; 77)</b> ?                                                                                                                                                                                                                                                                   |                                |                                       |                              | X         |
| e) Result in inadequate emergency access <b>(2)</b> ?                                                                                                                                                                                                                                                                                                                                                                                               |                                |                                       |                              | 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 <b>(68)</b> ?                                                                                                                                                                                                                                                 |                                |                                       |                              | X         |

#### Comments.

The project consists of a General Plan Amendment to change the designation of the subject property from Limited Agricultural with a minimum lot size of 2.5 acres (A1-2<sup>1/2</sup>) to General Commercial (C2). Approval of the proposed project would allow for construction of a gas station with 6 fuel islands, a 5,000 square foot convenience store with a drive-thru restaurant, a detached 1,560 square foot automated carwash tunnel, a 3,300 square foot drive-thru restaurant and a 19,000 square foot multi-tenant commercial building located on approximately 3.5 gross acres **(2)**. A Traffic Impact Analysis (TIA) was prepared to assess the traffic impacts resulting from the proposed project **(77)**. Based on the TIA, the development would generate a total of 7,045 daily vehicle trips, 229 of which will occur during the morning peak hour and 331 of which will occur during the evening peak hour. This represents a significant increase from the General Plan Environmental Impact Report (EIR) which assumed residential development at a maximum density of one dwelling unit per 2.5 gross acres.

The City's Circulation Plan is consistent with the Congestion Management Program (CMP) for San Bernardino County **(67)**. The CMP requires a minimum Level of Service (LOS) standard of "E." When a jurisdiction requires mitigation to a higher LOS, then the jurisdiction's standard takes precedence. The following implementation policies from the General Plan Circulation Element establish the LOS standard in the City.

**Implementation Policy CI-2.1:** Strive to achieve and maintain a LOS D or better on all roadways and intersections: LOS E during peak hours shall be considered

acceptable through freeway interchanges and major corridors (Bear Valley Road, Main Street/Phelan Road, Highway 395).

Therefore, any roadway segments and intersections operating at a LOS of E to F is considered deficient unless located on freeway interchanges and major corridors. Roadway segments and intersections located within freeway interchanges and major corridors operating at Level LOS of F are considered deficient. A TIA was prepared to assess the traffic impacts resulting from the proposed project. The information below is a summary of the TIA and provides the existing and future Average Daily Traffic (ADT) and LOS that will result from the proposed project:

**Table 1- Summary of Roadway Segments- Existing Conditions**

| Roadway     | Segment            |                      | Roadway Capacity Existing Conditions |       |          | Existing Level of Service |                    |                  |
|-------------|--------------------|----------------------|--------------------------------------|-------|----------|---------------------------|--------------------|------------------|
|             | From               | To                   | Classification                       | Lanes | Capacity | Average Daily Traffic     | Volume to Capacity | Level of Service |
| Ranchero Rd | West of Maple Ave  | Maple Ave            | Special Street                       | 2U    | 18,360   | 13,700                    | 0.746              | C                |
|             | Maple Ave          | Cottonwood Ave       | Special Street                       | 2U    | 18,360   | 14,100                    | 0.768              | C                |
|             | Cottonwood Ave     | Eleventh Ave         | Special Street                       | 2U    | 18,360   | 14,400                    | 0.784              | C                |
|             | Eleventh Ave       | Seventh Ave          | Special Street                       | 2U    | 18,360   | 14,900                    | 0.812              | D                |
|             | Seventh Ave        | Santa Fe Ave         | Special Street                       | 4D    | 32,200   | 13,500                    | 0.419              | A                |
|             | Santa Fe Ave       | East of Santa Fe Ave | Special Street                       | 4D    | 32,200   | 11,000                    | 0.342              | A                |
| Seventh Ave | North of Third Ave | Third Ave            | Arterial                             | 2U    | 15,300   | 3,600                     | 0.235              | A                |
|             | Third Ave          | Ranchero Rd          | Arterial                             | 2U    | 15,300   | 5,600                     | 0.366              | A                |
|             | Ranchero Rd        | South of Ranchero Rd | Arterial                             | 2U    | 15,300   | 2,100                     | 0.137              | A                |

**Table 2-Summary of Roadway Segments- Future Conditions: Existing Plus Project**

| Roadway     | Segment            |                      | Roadway Capacity Existing Conditions |       |          | Existing Level of Service |                    |                  |
|-------------|--------------------|----------------------|--------------------------------------|-------|----------|---------------------------|--------------------|------------------|
|             | From               | To                   | Classification                       | Lanes | Capacity | Average Daily Traffic     | Volume to Capacity | Level of Service |
| Ranchero Rd | West of Maple Ave  | Maple Ave            | Special Street                       | 2U    | 18,360   | 14,400                    | 0.784              | C                |
|             | Maple Ave          | Cottonwood Ave       | Special Street                       | 2U    | 18,360   | 15,510                    | 0.845              | D                |
|             | Cottonwood Ave     | Eleventh Ave         | Special Street                       | 2U    | 18,360   | 16,160                    | 0.880              | D                |
|             | Eleventh Ave       | Seventh Ave          | Special Street                       | 2U    | 18,360   | 16,660                    | 0.907              | E                |
|             | Seventh Ave        | Santa Fe Ave         | Special Street                       | 4D    | 32,200   | 16,320                    | 0.507              | A                |
|             | Santa Fe Ave       | East of Santa Fe Ave | Special Street                       | 4D    | 32,200   | 12,060                    | 0.375              | A                |
| Seventh Ave | North of Third Ave | Third Ave            | Arterial                             | 2U    | 15,300   | 4,660                     | 0.305              | A                |
|             | Third Ave          | Ranchero Rd          | Arterial                             | 2U    | 15,300   | 8,590                     | 0.468              | A                |
|             | Ranchero Rd        | South of Ranchero Rd | Arterial                             | 2U    | 15,300   | 2,800                     | 0.183              | A                |

**Table 3- Summary of Intersection Operations: Existing Conditions**

| Intersection                             | Traffic Control | Peak Hour |     |         |     |
|------------------------------------------|-----------------|-----------|-----|---------|-----|
|                                          |                 | Morning   |     | Evening |     |
|                                          |                 | Delay     | LOS | Delay   | LOS |
| Maple Ave (NS) at: Ranchero Rd (EW)      | AWS             | 107.8     | F   | 48.7    | E   |
| Cottonwood Ave (NS) at: Ranchero Rd (EW) | AWS             | 29.3      | D   | 71.9    | F   |
| Eleventh Ave (NS) at: Ranchero Rd (EW)   | CSS             | 24.8      | C   | 32.2    | D   |
| Seventh Ave(NS) at: Third Ave (EW)       | CSS             | 13.1      | B   | 13.0    | B   |
| Ranchero Rd (EW)                         | AWS             | 13.2      | B   | 13.5    | B   |
| Santa Fe Ave at: Ranchero Rd (EW)        | TS              | 37.0      | D   | 33.5    | C   |

AWS= All Way Stop, CSS=Cross Street Stop, TS=Traffic Signal

**Table 4- Summary of Intersection Operations: Existing Plus Project Conditions**

| Intersection                                                                                           | Traffic Control  | Peak Hour            |             |                      |             |
|--------------------------------------------------------------------------------------------------------|------------------|----------------------|-------------|----------------------|-------------|
|                                                                                                        |                  | Morning              |             | Evening              |             |
|                                                                                                        |                  | Delay                | LOS         | Delay                | LOS         |
| Maple Ave (NS) at:<br>Ranchero Rd (EW)<br>Without Improvements<br>With Improvements                    | AWS<br>TS        | 120.0<br>24.5        | F<br>C      | 58.2<br>30.2         | F<br>C      |
| Cottonwood Ave (NS) at:<br>Ranchero Rd (EW)<br>Without Improvements<br>With Improvements               | AWS<br>TS        | 37.4<br>14.0         | C<br>B      | 88.5<br>12.1         | F<br>B      |
| Eleventh Ave (NS) at:<br>Ranchero Rd (EW)<br>Without Improvements<br>With Improvements                 | CSS<br>CSS       | 28.1<br>15.8         | D<br>C      | 35.6<br>17.0         | E<br>C      |
| Seventh Ave(NS) at:<br>Third Ave (EW)<br>Ranchero Rd (EW)<br>Without Improvements<br>With Improvements | CSS<br>AWS<br>TS | 14.0<br>17.4<br>10.4 | B<br>C<br>B | 14.3<br>18.1<br>14.5 | B<br>C<br>B |
| Santa Fe Ave at:<br>Ranchero Rd (EW)                                                                   | TS               | 38.9                 | D           | 35.8                 | D           |

AWS= All Way Stop, CSS=Cross Street Stop, TS=Traffic Signal

**Table 5-Summary of Intersection Operations: Opening Year (2017) With and Without Project**

| Intersection                                                                                           | Traffic Control  | Opening Year (2017)<br>WITHOUT PROJECT |             |                      |             | Opening Year (2017) WITH PROJECT |             |                      |             |
|--------------------------------------------------------------------------------------------------------|------------------|----------------------------------------|-------------|----------------------|-------------|----------------------------------|-------------|----------------------|-------------|
|                                                                                                        |                  | Peak Hour                              |             |                      |             | Peak Hour                        |             |                      |             |
|                                                                                                        |                  | Morning                                |             | Evening              |             | Morning                          |             | Evening              |             |
|                                                                                                        |                  | Delay                                  | LOS         | Delay                | LOS         | Delay                            | LOS         | Delay                | LOS         |
| Maple Ave (NS) at:<br>Ranchero Rd (EW)<br>Without Improvements<br>With Improvements                    | AWS<br>TS        | 272.2<br>25.2                          | F<br>C      | 176.2<br>30.1        | F<br>C      | 287.7<br>26.8                    | F<br>C      | 191.5<br>31.5        | F<br>C      |
| Cottonwood Ave (NS) at:<br>Ranchero Rd (EW)<br>Without Improvements<br>With Improvements               | AWS<br>TS        | 99.0<br>13.2                           | F<br>B      | 191.7<br>11.5        | F<br>B      | 115.3<br>13.3                    | F<br>B      | 218.5<br>11.7        | F<br>B      |
| Eleventh Ave (NS) at:<br>Ranchero Rd (EW)<br>Without Improvements<br>With Improvements                 | CSS<br>CSS       | 31.0<br>18.6                           | D<br>C      | 57.9<br>20.0         | F<br>C      | 33.7<br>19.2                     | D<br>C      | 67.4<br>21.0         | F<br>C      |
| Seventh Ave(NS) at:<br>Third Ave (EW)<br>Ranchero Rd (EW)<br>Without Improvements<br>With Improvements | CSS<br>AWS<br>TS | 14.1<br>21.2<br>23.4                   | B<br>C<br>C | 14.3<br>22.2<br>25.6 | B<br>C<br>C | 14.7<br>28.2<br>28.8             | B<br>D<br>C | 15.3<br>33.8<br>27.4 | B<br>D<br>C |
| Santa Fe Ave at:<br>Ranchero Rd (EW)                                                                   | TS               | 40.3                                   | D           | 34.8                 | C           | 42.1                             | D           | 35.2                 | D           |

AWS= All Way Stop, CSS=Cross Street Stop, TS=Traffic Signal

As shown in Tables 1 and 2 above, the study area roadways are projected to operate within capacity except for the following study area roadway without improvements **(77)**:

Ranchero Road:  
Eleventh Avenue to Seventh Avenue.

The project is subject to the payment of required development impact fees. These fees will be collected at the time that building permits are issued, which will provide the City partial funding for the future widening of Ranchero Road from 2 to 4 lanes **(64)**. The widening of Ranchero Road is a planned capital improvement project identified by the City's General Plan Circulation Element and DIF program. With this improvement the roadway segment would operate acceptably and impacts would be reduced to less than significant.

As shown in Tables 3 and 4 above, for existing plus project traffic conditions the following three intersections are projected to operate at unacceptable levels of service during the peak hours without improvements **(77)**:

Maple Avenue (NS) at:  
Ranchero Road (EW)

Cottonwood Avenue (NS) at:  
Ranchero Road (EW)

Eleventh Avenue (NS) at:  
Ranchero Road (EW)

For existing plus project conditions, the study area intersections are projected to operate within acceptable levels of service during the peak hours, with improvements. To mitigate project impacts the TIA recommends that the project pay its fair share contribution towards the installation of traffic signals at Maple Avenue (NS)/Ranchero Road (EW) and Cottonwood Avenue (NS)/ Ranchero Road (EW) intersections. With respect to the Eleventh Avenue (NS)/Ranchero Road (EW) intersection, the TIA recommends that the project pay DIF fees to construct two eastbound through lanes, one westbound through lane and one shared through right lane. The payment of fair share fees and DIF fees will be collected at the time that building permits are issued, which will provide funding for the construction of signal improvements to reduce the impacts of additional vehicular traffic **(64)**. With these improvements the intersections would operate acceptably.

As shown in Table 5 above, for opening year 2017 traffic conditions, the study area intersections are projected to operate within acceptable levels of service during the peak hours with the improvements discussed above. In addition, the TIA recommends a traffic signal installation and lane control modification at the Seventh Avenue and Ranchero Road intersection based on volume analysis. Dual southbound turn lanes are recommended at the intersection because the left turn volume in the southbound direction exceeds the recommended left turn maximum for a single left turn lane. With incorporation of the mitigation measures listed on page 27 which require installation of a traffic signal at the Seventh Avenue and Ranchero Road intersection, as well as dual left hand turn lanes, the intersection would operate safely and acceptably **(77)**.

The project will not conflict with City's General Plan Circulation Element or the Hesperia Municipal Code. As a condition of approval, 'Ranchero Road, Seventh Avenue and Third Avenue will be required to be

constructed to ultimate across the project frontage. The streets will include curb, gutter, and sidewalk across the project frontages and pavement tapers beyond the frontage. These improvements will not conflict with the Transportation Plan and are consistent with City ordinances or policies establishing measures of effectiveness for the performance of the circulation system.

The project site is located 0.5 miles north of the Hesperia Airport and is not within an airport safety zone **(63)**. 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.

| <b>XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:</b>                                                                                                                                                                                 | 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 <b>(70)</b> ?                                                                                                                               |                                |                                       |                              | 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 <b>(71)</b> ?                            |                                |                                       |                              | 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 <b>(47 &amp; 66)</b> ?                            |                                |                                       |                              | X         |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed <b>(45 &amp; 46)</b> ?                                                                   |                                |                                       |                              | 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 <b>(72)</b> ? |                                |                                       |                              | X         |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs <b>(73 &amp; 75)</b> ?                                                                                                   |                                |                                       |                              | X         |
| g) Comply with federal, state, and local statutes and regulations related to solid waste <b>(75)</b> ?                                                                                                                                         |                                |                                       |                              | X         |

#### Comments.

The proposed project 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 16-inch water line in Ranchero Road within the City's water system **(62)**. The proposed project is allowed to use an approved on-site septic waste system. Therefore, water and sewage capacity will be sufficient for the use. As part of construction of the project, the City requires installation of an on-site retention facility which will retain any additional storm water created by the impervious surfaces developed as part of the project **(76)**. A drainage system will be installed on the east side of the property to prevent impacting downstream properties. Consequently, based upon a 100-year storm event, development of this project will not increase the amount of drainage impacting downstream properties beyond that which would occur prior to its development. Additionally, the retention facility will contain a filtration system preventing contamination of the environment.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al.

vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment “to secure supplemental water as necessary to fully implement the provisions of this Judgment.” Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City’s Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, in a letter dated May 21, 1997 from the MWA’s legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(56)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere of Influence (SOI). The UWMP evidences that the City is currently using its available water supply and that supply is projected to match demand beyond the year 2030 **(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 **(75)**. Currently, approximately 75 percent of the solid waste within the City is being recycled **(73 & 74)**. The waste disposal hauler for the City has increased the capacity of its Materials Recovery Facility (MRF) to 1,500 tons per day in order to accommodate future development. Therefore, the proposed project will not cause a significant negative impact upon utilities and service systems.

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

#### **Comments.**

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

**XIV. EARLIER ANALYSES.**

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

The Certified General Plan Environmental Impact Report.

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

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

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

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

1. 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. To reduce noise impacts associated with the carwash, noise suppression/mufflers shall be incorporated in the blowers for use in the carwash and any noisy mechanical equipment like hydraulic pumps be contained in a noise attenuating enclosure or room.
3. To reduce noise impacts associated with the vacuums, the vacuums that are utilized shall incorporate factory installed noise suppression and the unit shall be surrounded on three sides with an enclosure that is constructed of masonry materials or stuccoed wood framing. The height of the enclosure shall extend at least two feet above the top of the vacuum.
4. The hours of operation of the carwash shall be limited to the daytime hours of 7:00 a.m to 10:00 p.m.
5. Applicant shall install a traffic signal at the Ranchero Road and Seventh Avenue intersection. The applicant shall also install dual southbound left turn lanes at the Seventh Avenue and Ranchero Road intersection because the left turn volume in the southbound direction exceeds the recommended left turn maximum for a single left turn lane.

**Authority:** Public Resources Code Sections 21103 and 21107.

**REFERENCES**

- (1) Aerial photos of the City of Hesperia taken in Spring 2016 and on-site field investigations conducted in December 2016.
- (2) General Plan Amendment GPA16-00002 and Conditional Use Permit CUP16-00009 applications and related materials.
- (3) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-7.

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- (4) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-8.
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- (5) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-9.
- 
- (6) Section 16.16.350 - 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.
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- (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) California Health and Safety Code Section 25232 (b) (1) (A-E).
- 
- (19) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.
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- (20) Conservation Element of the 2010 City of Hesperia General Plan Update, Page CN-34
- 
- (21) Section 3.0 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-5.
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- (22) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, Exhibit CN-7.
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- (23) Section 3.0 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-3.
- 
- (24) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, C-1 thru C-34.
- 
- (25) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, Exhibit 5h.
- 
- (26) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report.
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- (27) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.
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- (28) Native American Heritage Commission (NAHC) letter dated September 19, 2016 in response to SB-18 consultation and to provide a list of tribes for consultation.
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- (29) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, Exhibit SF-1.
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- (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.
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- (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.
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- (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.
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- (37) Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, pages 20 and 21.
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- (38) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-31 thru SF-33.
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- (39) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-60 and LU-61.
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- (40) Potential Emergency Shelters and Evacuation Routes shown within the 2010 Hesperia General Plan Safety Element, Exhibit SF-4.
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- (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.
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- (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.
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- (47) Hydrology/Drainage Study for the site prepared January 2017 by Jerry L. Miles, P.E..
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- (48) Section 4.3.8 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-8 thru 4-9.
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- (49) 1992 Hesperia Master Plan of Drainage Volume III, identifying future drainage improvements for the area.
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- (50) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.
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- (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.
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- (53) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.
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- (54) Table 3.6-2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.6-24.
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- (55) Preliminary Acoustical Analysis prepared for the site on March 28, 2017 and May 2, 2017 by P.A. Penardi & Associates..
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- (56) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10 and 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.
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- (58) Section 16.20.125 of the Hesperia Municipal Code, pages 467 thru 468.
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- (59) Section 3.11 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.11-25 thru 3.11-51.
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- (60) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, Exhibit LU-3.
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- (61) Table 3.11-9 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-36.
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- (62) Current Hesperia water and sewer line maps.
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- (63) Section 4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-13 thru 4-18.
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- (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.
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- (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.
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- (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.
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- (71) 2013 California Plumbing Code.
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- (72) Hesperia Water District’s Urban Water Management Plan (UWMP).
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- (73) Quarterly data of the San Bernardino County Disposal Reporting System for the 3<sup>rd</sup> quarter 2014.
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**(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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**(76)** Conditions of Approval for GPA16-00002 and CUP16-00009

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**(77)** Traffic Impact Analysis prepared for the site, prepared January 26, 2017 by Kunzman Associates, Inc.

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