

PLANNING COMMISSION REGULAR MEETING



Meeting Agenda

Thursday, May 8, 2025

6:30 PM

**City Council Chambers
9700 Seventh Ave.,
Hesperia, CA, 92345**

Planning Department: (760) 947-1224

Planning Commission Members

Roger Abreo, Chair

Sophie Steeno, Vice Chair

Dale Burke, Commissioner

Earl Hodson V, Commissioner

Timothy Auman, Commissioner

Nathan Freeman, Director of Development Services

Ryan Leonard, Principal Planner

Robert Hensley, Assistant City Attorney



NOTE: In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (760) 947-1026 or (760) 947-1224. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

To leave a Public Comment by phone, call and leave a recorded message at (760) 947-1056 up to 5:30 pm on the day of the scheduled meeting. City Council meetings may be viewed live or after the event on the City's website at www.cityofhesperia.us.

AGENDA
HESPERIA PLANNING COMMISSION
9700 Seventh Ave., Council Chambers, Hesperia, CA 92345

As a courtesy, please silence your cell phones, pagers, and other electronic devices while the meeting is in session. Thank you.

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

CALL TO ORDER - 6:30 PM

- A. Pledge of Allegiance to the Flag
- B. Invocation
- C. Roll Call
- D. Reorganization of Planning Commission
 - 1. Election of Chair
 - 2. Election of Vice Chair
- E. Agenda Revisions and Announcements by Planning Secretary

JOINT PUBLIC COMMENTS

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

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

CONSENT CALENDAR

- 1. Page 1** Consideration of the April 10, 2025, Planning Commission Meeting Minutes.

Recommended Action:

It is recommended that the Planning Commission approve the Draft Minutes from the regular scheduled meeting on April 10, 2025.

Staff Person: Planning Specialist Maricruz Montes

Attachments: [April 10, 2025 Draft Meeting Minutes](#)

PUBLIC HEARINGS**2. Page 5**

Consideration of Conditional Use Permit (CUP23-00010) to establish an outdoor semi-truck parking and maintenance facility on the former 84 Lumber Site that contains three buildings and four metal canopies on 8.6 acres along with a Variance (VAR25-00002) to modify the required materials for screen walls and to waive the requirement to fully screen semi-trucks along Hercules Street within the General Industrial (GI) zone of the Main Street and Freeway Corridor Specific Plan located at the southeast corner of Hercules Street and "C" Avenue in conjunction with the adoption of a mitigated negative declaration pursuant to the provisions of CEQA (APN: 0410-082-04; Applicant: United Holding Group, LLC)

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2025-03, approving Conditional Use Permit (CUP23-00010) and make a determination between two of the variances presented to Planning Commission. Resolution No. PC-2025-04 for approval of Variance (VAR25-00002) or Resolution No. PC-2025-05 for denial of Variance (VAR25-00002).

Staff Person: Senior Planner Edgar Gonzalez

Attachments: [Staff Report](#)

[Attachment 1 - Aerial photo](#)

[Attachment 2 - General Plan Map](#)

[Attachment 3 - Site Plan](#)

[Attachment 4 - Floor Plans](#)

[Attachment 5 - Elevations](#)

[Attachment 6 - Screen Wrought Iron Fence](#)

[Attachment 7 - Line of Sight Section \(Hercules Street\)](#)

[Attachment 8 - MND & MMRP](#)

[Attachment 9 - Resolution PC-2025-03](#)

[Attachment 10 - Resolution PC-2025-04](#)

[Attachment 11 - Resolution PC-2025-05](#)

[Attachment A - Conditions of Approval](#)

3. Page 131

Consideration of Site Plan Review SPR22-00010 to construct an 84-unit apartment complex on a 4.3 gross acre site within the High-Density Residential (HDR) zone of the Main Street and Freeway Corridor Specific Plan located south of Smoke Tree Street, approximately 220 feet east of Eleventh Avenue (Applicant: Hossein Mazi; APN: 0407-251-12)

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2025-06 approving Site Plan Review SPR22-00010.

Staff Person: Principal Planner Ryan Leonard

Attachments: [Staff Report](#)

[Attachment 1- Site Plan](#)

[Attachment 2- General Plan and Zoning Map](#)

[Attachment 3- Aerial](#)

[Attachment 4- First Story Floor Plan \(Building 1\)](#)

[Attachment 4b- Second Story Floor Plan \(Building 1\)](#)

[Attachment 5- Elevation \(Building 1\)](#)

[Attachment 5b- Elevation \(Building 1\)](#)

[Attachment 6- Color Rendering](#)

[Attachment 7-Initial Study/Mitigated Negative Declaration](#)

[Attachment 8- Resolution No. PC-2025-06](#)

[Exhibit A-Conditions of Approval](#)

PLANNING DIVISION REPORT

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

A. DRC Comments

B. Major Project Update

ASSISTANT CITY ATTORNEY REPORT

The Assistant Attorney may make comments of general interest to the City.

DIRECTOR REPORT

The Director may make announcements or reports concerning items of interest to the Commission or the public.

PLANNING COMMISSION COMMENTS

The Commission Members may make comments of general interest to the City.

ADJOURNMENT

I, Maricruz Montes, Planning Commission Secretary of the City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Friday, May 2, 2025 at 5:30 p.m. pursuant to California Government Code §54954.2.



Maricruz Montes,
Planning Commission Secretary



City of Hesperia
Meeting Minutes - Draft
PLANNING COMMISSION
REGULAR MEETING

City Council Chambers
9700 Seventh Avenue
Hesperia, CA 92345

Thursday, April 10, 2025

CALL TO ORDER - 6:35 PM

A. Pledge of Allegiance to the Flag

Led by Commissioner Burke.

B. Invocation

Led by Chair Abreo.

C. Roll Call

Present 4 - Commissioner Hodson V, Commissioner Burke, Chair Chair Roger Abreo, and Commissioner Auman

Absent 1 - Vice Chair Steeno

D. Reorganization of Planning Commission

A motion was made by Chair Abreo, seconded by Commissioner Burke, that this item be continued. The motion carried by the following vote:

Aye: 4 - Commissioner Hodson V, Commissioner Burke, Chair Abreo and Commissioner Auman

Nay: 0

Absent: 1 - Vice Chair Steeno

E. Agenda Revisions and Announcements by Planning Secretary

None

JOINT PUBLIC COMMENTS

Public Comments opened at 6:39 PM.

Public Comments closed at 6:39 PM.

CONSENT CALENDAR

1. Consideration of the March 13, 2025 Planning Commission Meeting Minutes.

Recommended Action:

It is recommended that the Planning Commission approve the Draft Minutes from the regular scheduled meeting on March 13, 2025.

Sponsors: Planning Specialist Maricruz Montes

A motion was made by Commissioner Auman, seconded by Commissioner Burke, that this item be approved. The motion carried by the following vote:

Aye: 3 - Commissioner Burke, Chair Abreo and Commissioner Auman

Nay: 0

Absent: 1 - Vice Chair Steeno

Abstain: 1 - Commissioner Hodson V

PUBLIC HEARINGS

2. Consideration of Tentative Tract Map No. 20673 (TT23-00006) to create 17 single-family residential lots and 1 lettered lot on 4.9 gross acres within the Single Family Residential (R1-4500) zone located at the northwest corner of Hollister Street and Joshua Tree Avenue (Applicant: Nighthawk Holdings, LLC; APN: 3057-051-19).

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2025-02, approving Tentative Tract Map No. 20673 (TT23-00006).

Sponsors: Senior Planner Edgar Gonzalez

A motion was made by Commissioner Hodson V, seconded by Commissioner Auman, that this item be approved with a modification to the "Perimeter Streets-Sewer" and "Perimeter Streets-Water" conditions of approval to include the following language: *"this condition may be modified to reduce or remove portions of this requirement by the City Engineer upon filing final street improvement plans."* The motion carried by the following vote:

Aye: 4 - Commissioner Hodson V, Commissioner Burke, Chair Abreo and Commissioner Auman

Nay: 0

Absent: 1 - Vice Chair Steeno

PLANNING DIVISION REPORT

Principal Planner Ryan Leonard reported that the Development Review Committee (DRC) approved an extension for a project located off Aspen and HWY-395, which involves truck parking and repair. Additionally, a project for two industrial buildings totaling 80,000 square feet was continued due to opposition from a law firm, with the issue pending resolution before the application can proceed. Furthermore, an 84-unit apartment project will be forwarded to the next meeting, along with a proposed truck parking project. The General Plan update is scheduled for discussion at the second meeting in May.

ASSISTANT CITY ATTORNEY REPORT

The Assistant City Attorney had no further comments for the meeting but was pleased to be in attendance.

DIRECTOR REPORT

The Director was not in attendance at the meeting.

PLANNING COMMISSION COMMENTS

Commissioner Aumen reported experiencing an error on his screen, which made it difficult to view the documents. He requested further information regarding the guidance and purpose of the upcoming workshops.

Commissioner Burke had no comments.

Commissioner Hodson expressed his appreciation to staff for finding a solution to his concerns.

Chair Abreo expressed concerns regarding the city's current zoning, particularly in relation to the potential establishment of a rescue mission or similar organization for the homeless. He also expressed his appreciation to staff and wished everyone a happy Easter.

ADJOURNMENT

Meeting adjourned at 7:20 pm until the next regular scheduled meeting

Maricruz Montes,
Planning Commission Secretary

Roger Abreo,
Planning Commission- Chair

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City of Hesperia

STAFF REPORT



DATE: May 8, 2025

TO: Planning Commission

FROM: Nathan R. Freeman, Director of Development Services

BY: Ryan Leonard, Principal Planner
Edgar Gonzalez, Senior Planner

SUBJECT: Conditional Use Permit (CUP23-00010) and Variance (VAR25-00002); United Holding Group, LLC; APN: 0410-082-04

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2025-03, approving Conditional Use Permit (CUP23-00010), and make a determination between two variance options: either approve Variance (VAR25-00002) by adopting Resolution No. PC-2025-04, or deny Variance (VAR25-00002) by adopting Resolution No. PC-2025-05.

BACKGROUND

Proposal: Conditional Use Permit CUP23-00010 has been filed to establish an outdoor semi-truck parking and maintenance facility on the former 84 Lumber site, which contains three existing buildings and four metal canopies on 8.6 acres. A Variance (VAR25-00002) has also been filed to modify the required materials for screen walls and to waive the requirement to fully screen semi-trucks from public view along Hercules Street.

Location: Southeast corner of Hercules Street and "C" Avenue (Attachment 1).

Current General Plan, Zoning and Land Uses: The subject site is located within the General Industrial (GI) zone of the Main Street and Freeway Corridor Specific Plan. All surrounding properties share the General Industrial (GI) designation, except for the Burlington Northern Santa Fe Railway (BNSF) to the south, zoned Railroad Corridor (RRC). The subject site was previously used by 84 Lumber for truss manufacturing and storage. Nearby uses include a recycling facility to the north across Hercules Street, a wood manufacturing company to the east, a building construction company to the west across "C" Avenue, and the BNSF Railway to the south (Attachment 2).

ISSUES/ANALYSIS

Land Use: the proposed project would establish a new outdoor semi-truck parking and maintenance facility. No new structures are proposed; existing buildings and canopies will be reused.

- Building 1: 3,600-square-foot, two-story building at the southwest corner, to be used as an office.
- Building 2: 310-square-foot, one-story building under a canopy at the southwest corner, to be used as a bathroom and storage facility.

- Building 3: 4,985-square-foot, one-story building at the northwest corner, to be used as a maintenance building.
- Canopies: Four metal canopies, ranging from 4,000 to 7,350 square feet, distributed across the site for shaded semi-truck parking (Attachments 3 & 4).

Access is currently provided through three driveways: two 30-foot-wide driveways from "C" Avenue, and one 30-foot-wide driveway from Hercules Street, which will be expanded to 50 feet. Planned on-site improvements include a new trash enclosure, an 8-foot-high perimeter screen fence along both streets, landscaping, and striped parking. An adjacent vacant area to the east will remain undisturbed and unused. As part of required street improvements, the applicant will construct curb, gutter, sidewalk, and streetlights along the project frontages on Hercules Street and "C" Avenue.

The project requires a minimum of 17 vehicle parking spaces. The site will provide 17 spaces for employees and visitors, along with 59 oversized spaces for tractor-trailers, thereby complying with the parking requirements.

Buildings 1 and 3, which are visible from the street, will receive architectural enhancements, including stone veneer bases, decorative window trim, stucco-finished walls, decorative cornices, and repainting (Attachment 5).

Operations will be from 7:00 a.m. to 7:00 p.m., Monday through Sunday, with approximately 5–7 employees and 12–14 drivers daily.

The applicant has submitted a truck route plan designating truck traffic as follows: from the I-15 Freeway, east on Bear Valley Road, south on "I" Avenue, west on Lemon Street, south on "E" Avenue, and west on Hercules Street to the site. The business owner will be responsible for implementation and monitoring of the truck route.

Variance: a Variance request, in conjunction with the Conditional Use Permit, was submitted to modify required screen wall materials and waive the full screening requirement for semi-trucks along Hercules Street.

Section 16.16.365(K)(3) of the Hesperia Municipal Code requires trucks and trailers within outdoor storage areas to be screened by buildings or solid walls made of decorative concrete masonry block or tilt-up walls. The applicant proposes an 8-foot-high wrought iron fence with attached sheet metal panels instead, to be installed along Hercules Street, "C" Avenue, and around the driveways. Existing chain-link fencing along the south and east property lines will remain (Attachment 6).

The applicant is also requesting to waive the requirement to fully screen semi-trucks along Hercules Street. Along "C" Avenue, semi-trucks will be set back approximately 125 feet, allowing for full visual screening. However, along Hercules Street, the 28-foot setback is insufficient to fully screen semi-trucks with an 8-foot-high fence. Additionally, the site is elevated relative to Hercules Street, making screening more challenging (Attachment 7).

Justification for the variance includes several factors. The site was previously developed for industrial use and will not be expanded or intensified under the proposed project. Furthermore, the property is currently considered blighted, and the proposed improvements would enhance the site's visual character and help reduce crime, including vandalism and break-ins. Cost

considerations also support the request, as constructing a block wall would cost substantially more than the proposed wrought iron fencing with sheet metal panels. Finally, the low traffic volume in the area, along with the presence of largely undeveloped surrounding properties, minimizes the potential visual impact on the public.

Despite these justifications, there are concerns associated with the variance request. Approval would be inconsistent with Ordinance No. 2022-10, which was specifically adopted to regulate semi-truck parking facilities and establish screening standards. Granting the variance could also set an unfavorable precedent for future projects, potentially undermining the City's requirements for decorative screening and the full concealment of semi-trucks or outdoor equipment from public view.

Staff requests that the Planning Commission determine whether to approve or deny the variance based on the findings and supporting documentation provided in the staff report.

Environmental: Approval of this development requires adoption of an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to the California Environmental Quality Act (CEQA).

An IS/MND was prepared for the project, concluding that there would be no significant environmental impacts with the implementation of mitigation measures. A Western Joshua Tree Census was also conducted, identifying one Joshua tree on-site, which will require an incidental take permit for its removal. The IS/MND was circulated for public review from April 2, 2025, through May 1, 2025, and one comment letter was received by Mojave Desert Air Quality Management District (MDAQMD), informing the applicant of the requirement to obtain a Dust Control Plan. The applicant is aware of this requirement and has including appropriate mitigations under the Air Quality section of the MND to ensure compliance.

Conclusion: The proposed Conditional Use Permit conforms with the City's General Plan and meets the Development Code and Specific Plan standards, except for the variance request, which presents exceptional circumstances for consideration.

CITY GOAL SUPPORTED BY THIS ITEM

Future Development: Facilitate balanced growth to ensure cohesive community development and pursue economic development.

ALTERNATIVE

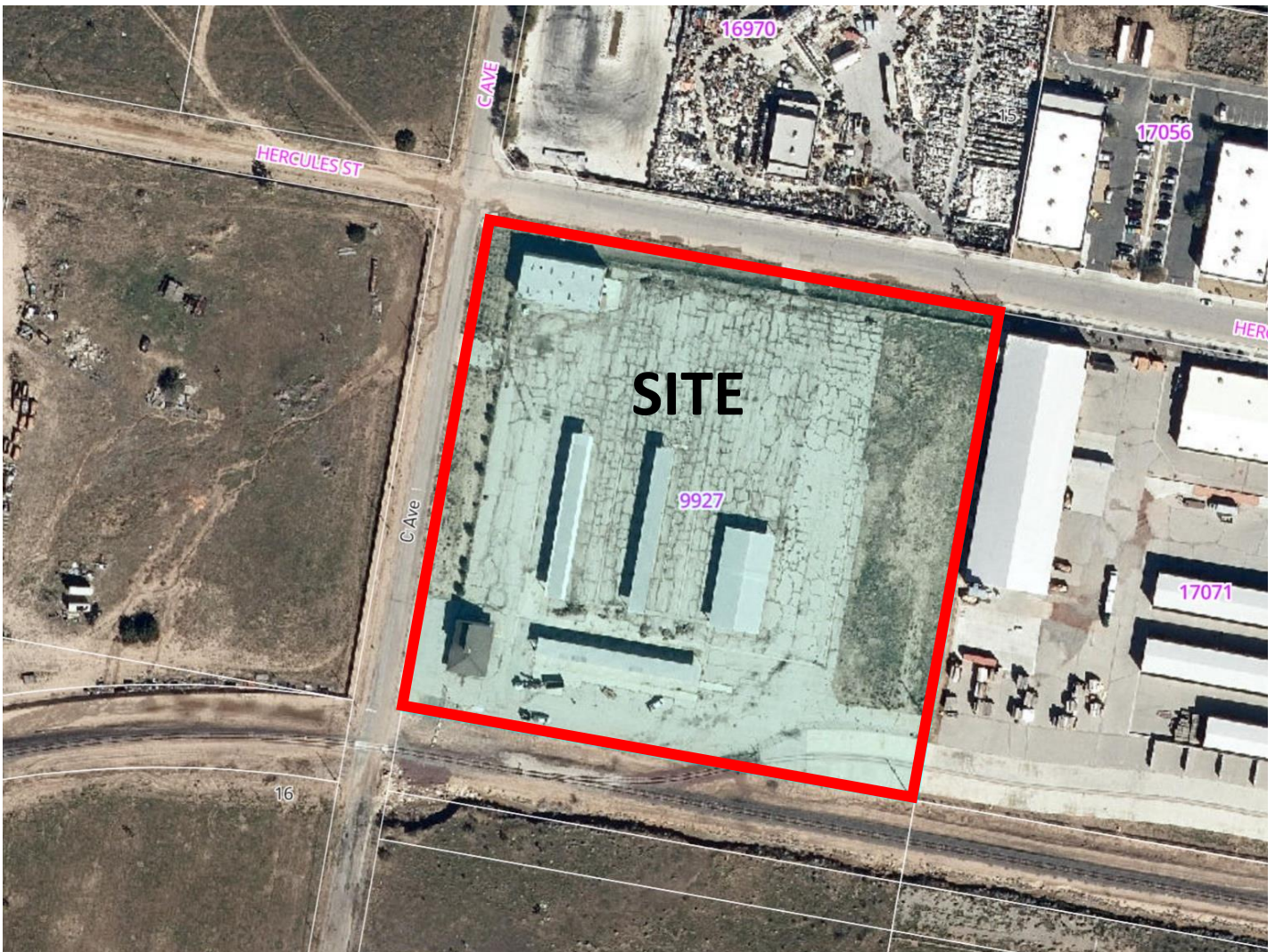
Provide alternative direction to staff.

ATTACHMENTS

1. Aerial Photo
2. General Plan Land Use Map
3. Site Plan
4. Floor Plans
5. Elevations
6. Screen Wrought Iron Fence
7. Line of Sight Section (Hercules Street)
8. Mitigated Negative Declaration/Mitigation Monitoring and Reporting Program
9. Resolution No. PC-2025-03 (CUP23-00010)

10. Resolution No. PC-2025-04 (VAR25-00002 - Approved)
11. Resolution No. PC-2025-05 (VAR25-00002 - Deny)
12. Attachment A - Conditions of Approval

ATTACHMENT 1



APPLICANT(S): United Holding Group, LLC

FILE NO(S): CUP23-00010 & VAR25-00002

LOCATION: SOUTHEAST CORNER OF HERCULES STREET
AND "C" AVENUE

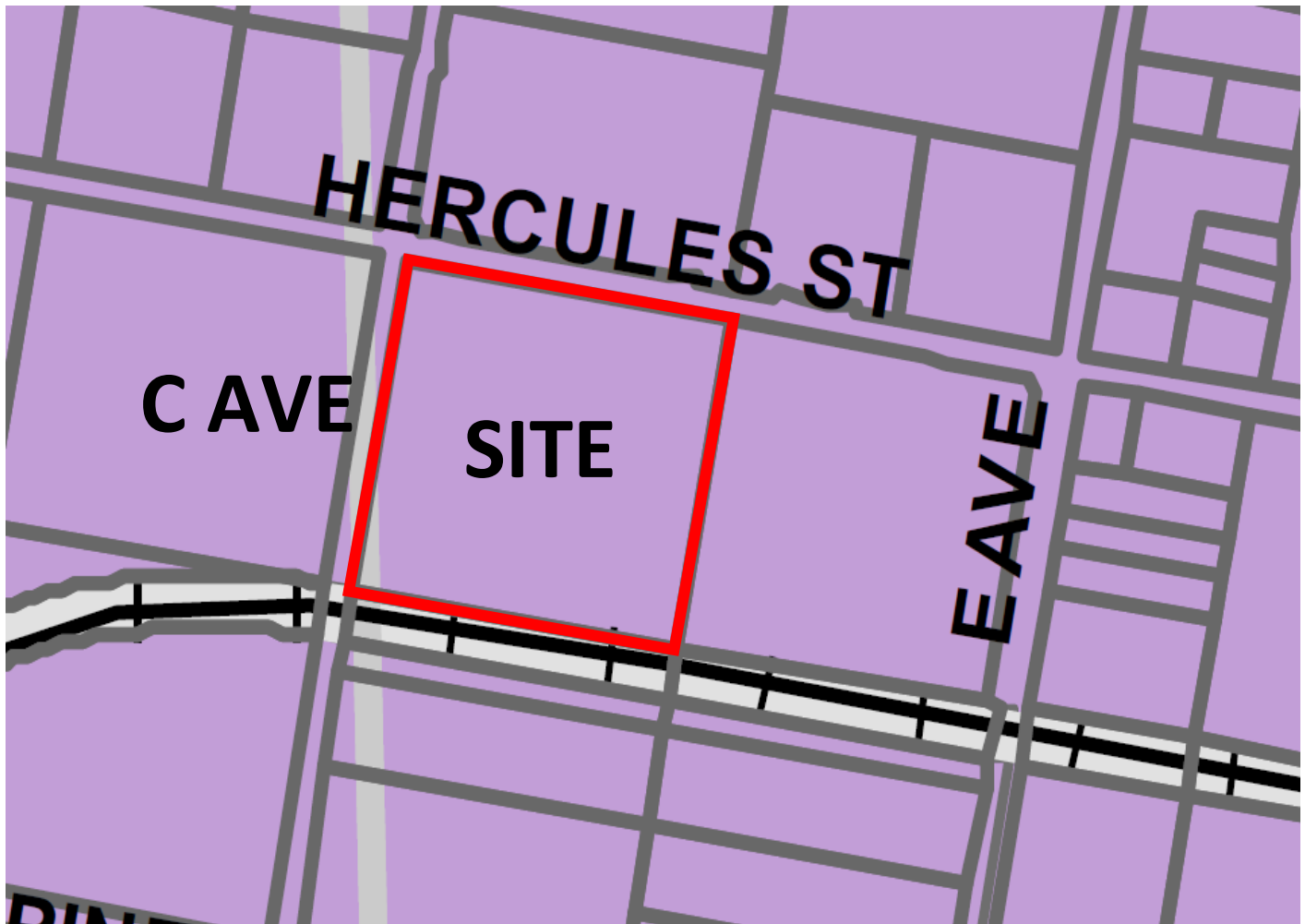
APN(S): 0410-082-04

PROPOSAL: CONSIDERATION OF CONDITIONAL USE PERMIT (CUP23-00010) TO ESTABLISH AN OUTDOOR SEMI-TRUCK PARKING AND MAINTENANCE FACILITY ON THE FORMER 84 LUMBER SITE THAT CONTAINS THREE BUILDINGS AND FOUR METAL CANOPIES ON 8.6 ACRES ALONG WITH VARIANCE (VAR25-00002) TO MODIFY THE REQUIRED MATERIALS FOR SCREEN WALLS AND TO WAIVE THE REQUIREMENT TO FULLY SCREEN SEMI-TRUCKS ALONG HERCULES STREET WITHIN THE GENERAL INDUSTRIAL (GI) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN IN CONJUNCTION WITH THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE PROVISIONS OF CEQA



AERIAL PHOTO

ATTACHMENT 2



APPLICANT(S): United Holding Group, LLC

FILE NO(S): CUP23-00010 & VAR25-00002

LOCATION: SOUTHEAST CORNER OF HERCULES STREET
AND "C" AVENUE

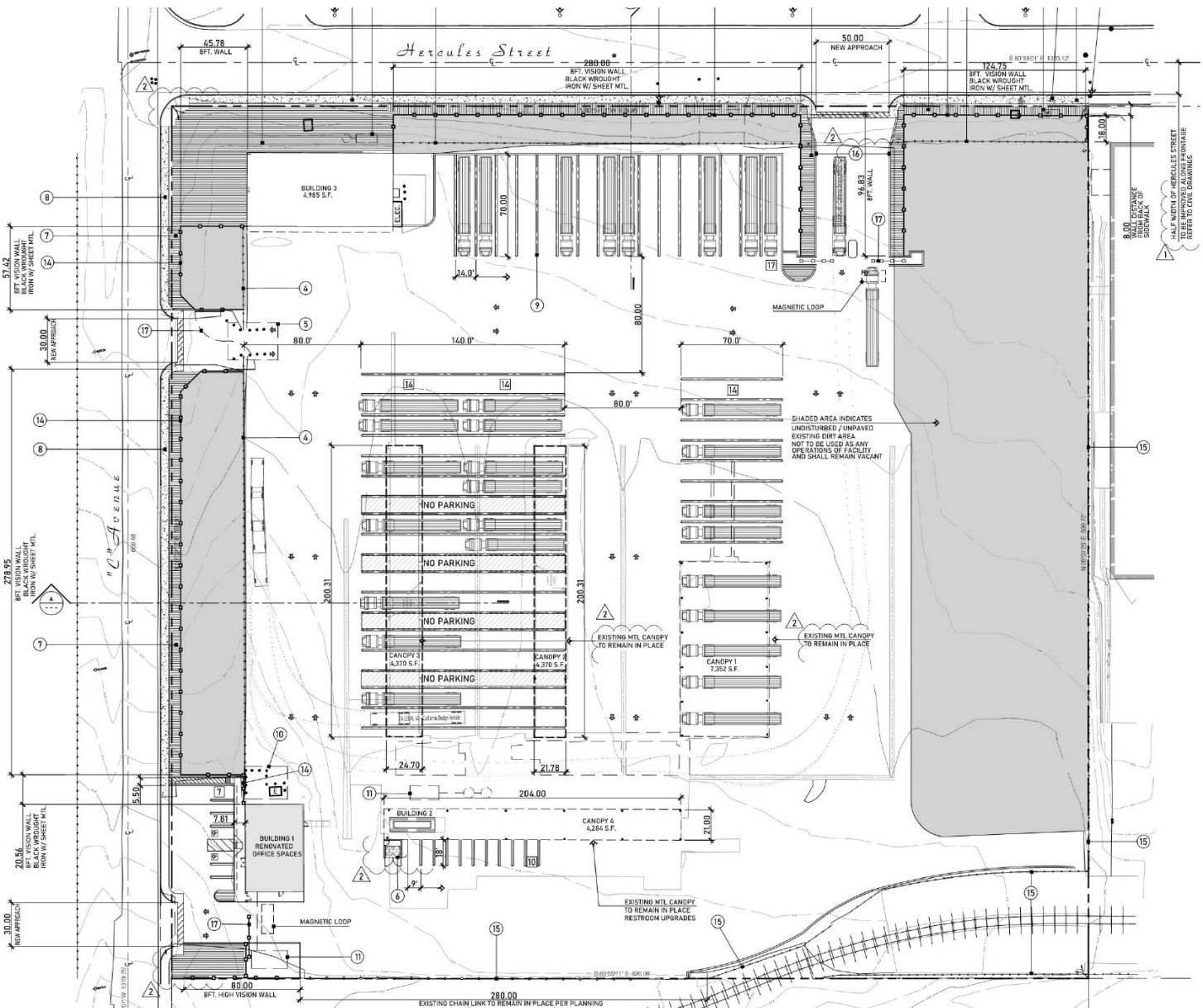
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GENERAL PLAN MAP

ATTACHMENT 3



APPLICANT(S): United Holding Group, LLC

FILE NO(S): CUP23-00010 & VAR25-00002

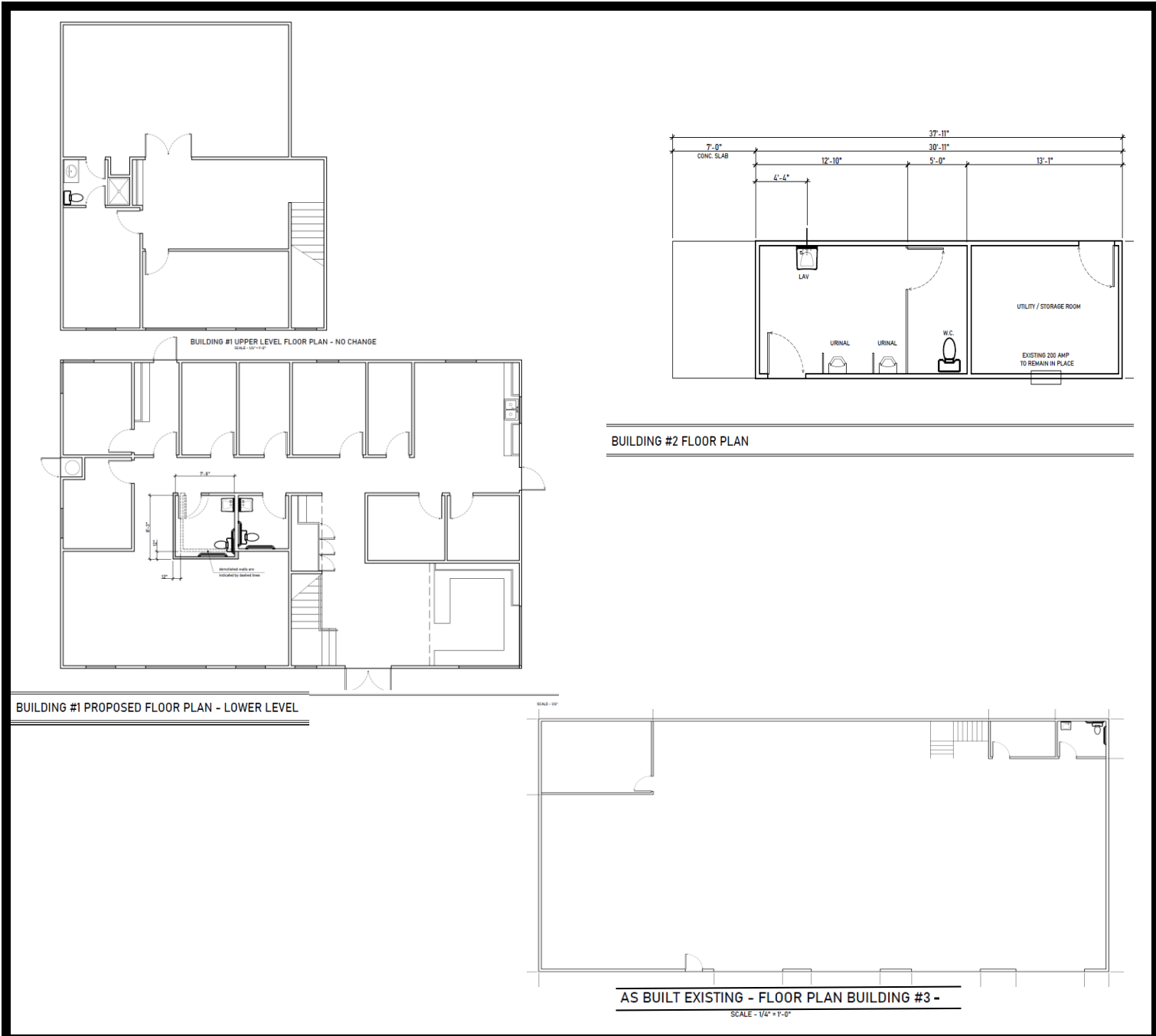
LOCATION: SOUTHEAST CORNER OF HERCULES STREET AND "C" AVENUE

APN(S): 0410-082-04

PROPOSAL: CONSIDERATION OF CONDITIONAL USE PERMIT (CUP23-00010) TO ESTABLISH AN OUTDOOR SEMI-TRUCK PARKING AND MAINTENANCE FACILITY ON THE FORMER 84 LUMBER SITE THAT CONTAINS THREE BUILDINGS AND FOUR METAL CANOPIES ON 8.6 ACRES ALONG WITH VARIANCE (VAR25-00002) TO MODIFY THE REQUIRED MATERIALS FOR SCREEN WALLS AND TO WAIVE THE REQUIREMENT TO FULLY SCREEN SEMI-TRUCKS ALONG HERCULES STREET WITHIN THE GENERAL INDUSTRIAL (GI) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN IN CONJUNCTION WITH THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE PROVISIONS OF CEQA



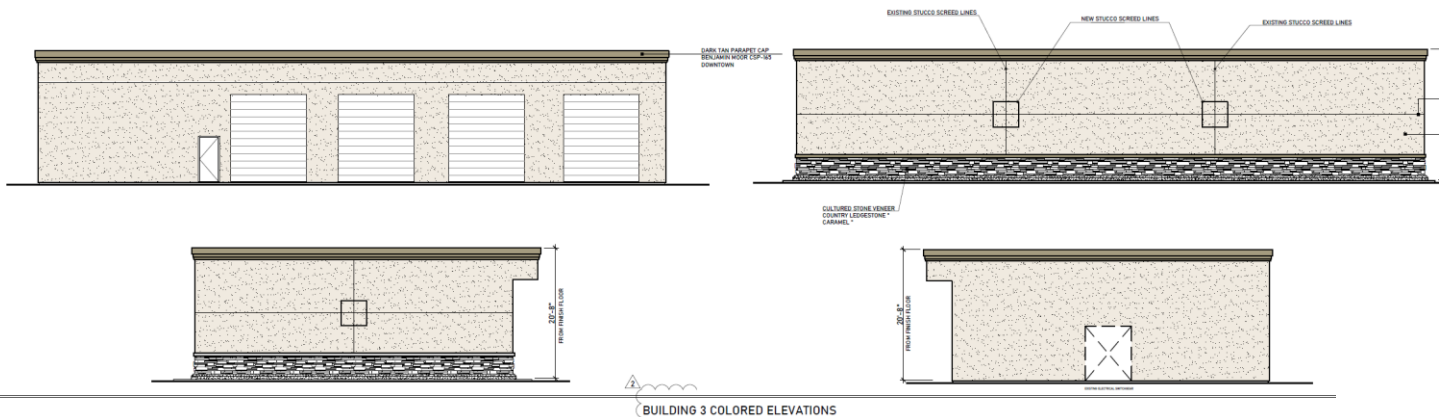
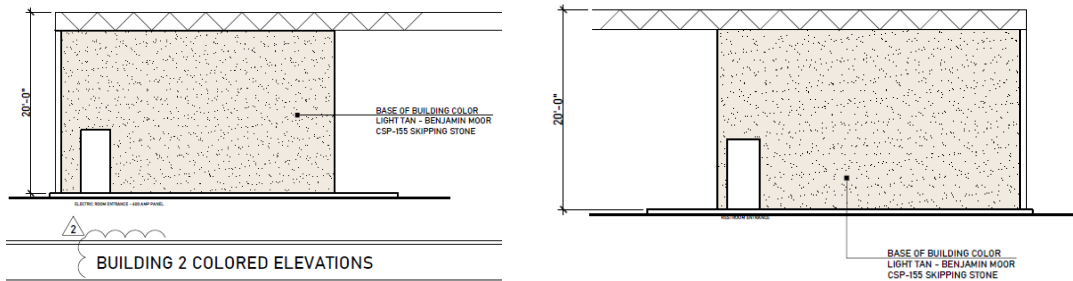
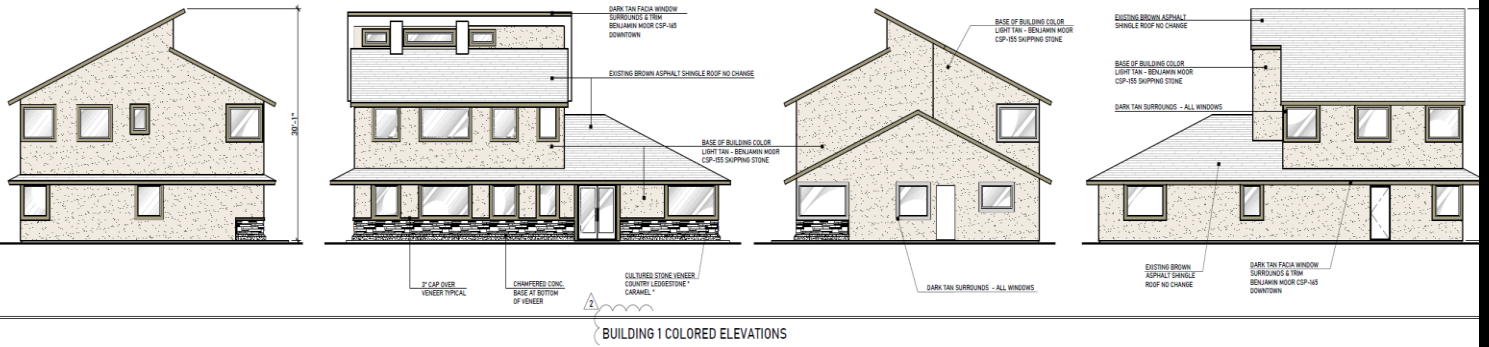
ATTACHMENT 4



APPLICANT(S): United Holding Group, LLC	FILE NO(S): CUP23-00010 & VAR25-00002
LOCATION: SOUTHEAST CORNER OF HERCULES STREET AND "C" AVENUE	APN(S): 0410-082-04
PROPOSAL: CONSIDERATION OF CONDITIONAL USE PERMIT (CUP23-00010) TO ESTABLISH AN OUTDOOR SEMI-TRUCK PARKING AND MAINTENANCE FACILITY ON THE FORMER 84 LUMBER SITE THAT CONTAINS THREE BUILDINGS AND FOUR METAL CANOPIES ON 8.6 ACRES ALONG WITH VARIANCE (VAR25-00002) TO MODIFY THE REQUIRED MATERIALS FOR SCREEN WALLS AND TO WAIVE THE REQUIREMENT TO FULLY SCREEN SEMI-TRUCKS ALONG HERCULES STREET WITHIN THE GENERAL INDUSTRIAL (GI) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN IN CONJUNCTION WITH THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE PROVISIONS OF CEQA	



ATTACHMENT 5



APPLICANT(S): United Holding Group, LLC

FILE NO(S): CUP23-00010 & VAR25-00002

LOCATION: SOUTHEAST CORNER OF HERCULES STREET AND "C" AVENUE

APN(S): 0410-082-04

PROPOSAL: CONSIDERATION OF CONDITIONAL USE PERMIT (CUP23-00010) TO ESTABLISH AN OUTDOOR SEMI-TRUCK PARKING AND MAINTENANCE FACILITY ON THE FORMER 84 LUMBER SITE THAT CONTAINS THREE BUILDINGS AND FOUR METAL CANOPIES ON 8.6 ACRES ALONG WITH VARIANCE (VAR25-00002) TO MODIFY THE REQUIRED MATERIALS FOR SCREEN WALLS AND TO WAIVE THE REQUIREMENT TO FULLY SCREEN SEMI-TRUCKS ALONG HERCULES STREET WITHIN THE GENERAL INDUSTRIAL (GI) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN IN CONJUNCTION WITH THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE PROVISIONS OF CEQA



ELEVATIONS

ATTACHMENT 6



APPLICANT(S): United Holding Group, LLC

FILE NO(S): CUP23-00010 & VAR25-00002

LOCATION: SOUTHEAST CORNER OF HERCULES STREET
AND "C" AVENUE

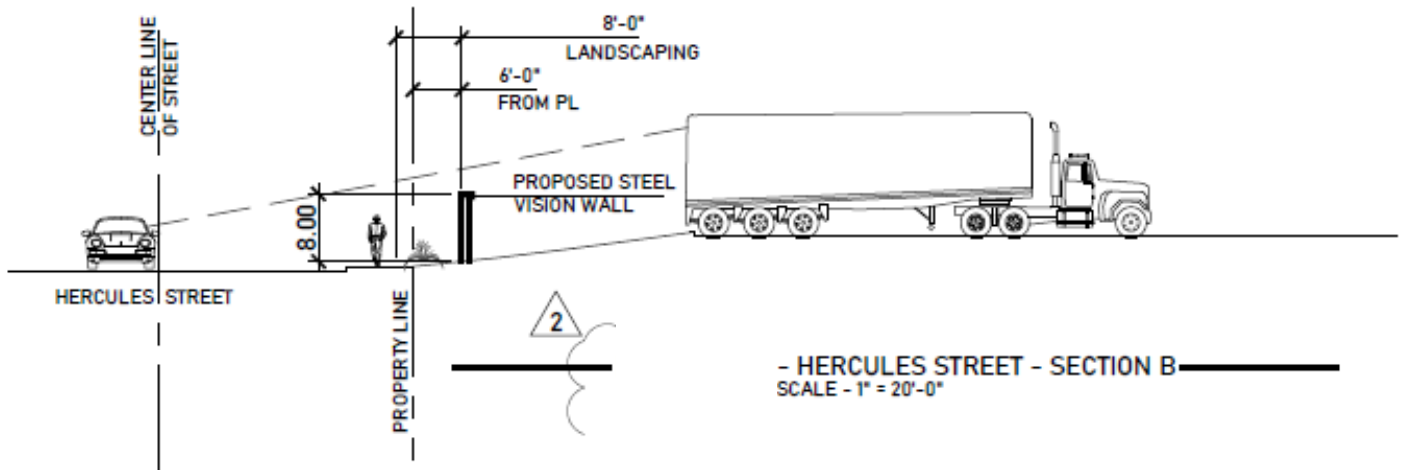
APN(S): 0410-082-04

PROPOSAL: CONSIDERATION OF CONDITIONAL USE PERMIT (CUP23-00010) TO ESTABLISH AN OUTDOOR SEMI-TRUCK PARKING AND MAINTENANCE FACILITY ON THE FORMER 84 LUMBER SITE THAT CONTAINS THREE BUILDINGS AND FOUR METAL CANOPIES ON 8.6 ACRES ALONG WITH VARIANCE (VAR25-00002) TO MODIFY THE REQUIRED MATERIALS FOR SCREEN WALLS AND TO WAIVE THE REQUIREMENT TO FULLY SCREEN SEMI-TRUCKS ALONG HERCULES STREET WITHIN THE GENERAL INDUSTRIAL (GI) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN IN CONJUNCTION WITH THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE PROVISIONS OF CEQA



SCREEN WROUGHT IRON FENCE

ATTACHMENT 7



APPLICANT(S): United Holding Group, LLC

FILE NO(S): CUP23-00010 & VAR25-00002

LOCATION: SOUTHEAST CORNER OF HERCULES STREET AND "C" AVENUE

APN(S): 0410-082-04

PROPOSAL: CONSIDERATION OF CONDITIONAL USE PERMIT (CUP23-00010) TO ESTABLISH AN OUTDOOR SEMI-TRUCK PARKING AND MAINTENANCE FACILITY ON THE FORMER 84 LUMBER SITE THAT CONTAINS THREE BUILDINGS AND FOUR METAL CANOPIES ON 8.6 ACRES ALONG WITH VARIANCE (VAR25-00002) TO MODIFY THE REQUIRED MATERIALS FOR SCREEN WALLS AND TO WAIVE THE REQUIREMENT TO FULLY SCREEN SEMI-TRUCKS ALONG HERCULES STREET WITHIN THE GENERAL INDUSTRIAL (GI) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN IN CONJUNCTION WITH THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE PROVISIONS OF CEQA



LINE OF SIGHT SECTION (HERCULES STREET)

**INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION**

**UNITED HOLDINGS TRUCK PARKING FACILITY
CONDITIONAL USE PERMIT 23-00010
SEC OF HERCULES STREET AND C AVENUE
APN 0410-082-04
HESPERIA, CALIFORNIA 92345**



LEAD AGENCY:

**CITY OF HESPERIA
PLANNING DIVISION
9700 SEVENTH AVENUE
HESPERIA, CALIFORNIA 92345**

REPORT PREPARED BY:

**BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING
2211 S. HACIENDA BOULEVARD, SUITE 107
HACIENDA HEIGHTS, CALIFORNIA 91745**

APRIL 2025

HESP 020

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MITIGATED NEGATIVE DECLARATION

PROJECT NAME: United Holdings Trucking Facility

PROJECT NUMBER: CUP23-00010

PROJECT APPLICANT: Jasdeep Singh

PROJECT LOCATION: The 8.67 acre project site is located in the central portion of the City of Hesperia, California. The project site was previously developed as a lumber truss yard that is undergoing conversion to a truck parking facility. The site's address is 9927 C Avenue. The proposed project site is located on the southeast corner of Hercules Street and C Avenue. Hercules Street extends along the project site's north side and C Avenue extends along the site's west side. The project site's latitude and longitude are 34°25'51.35"N, -117°17'36.7"W. The project site is located within the United States Geological Survey (USGS) 7 1/2 Minute, Hesperia, California Quadrangle (1956), Section 15 Township 4 North, Range 4 West.

CITY AND COUNTY: City of Hesperia, San Bernardino County.

PROJECT: The proposed project would involve the renovation of an existing lumber truss yard to a truck parking facility. The site is entirely paved over except undisturbed dirt areas along the site boundary and includes three buildings totaling 7,695 square feet. These buildings include a main office referred to as Building 1 with a footprint of 2,400 square feet, a bathroom and utility building referred to as Building 2 with a footprint of 310 square feet, and a maintenance building referred to as Building 3 with a footprint of 4,985 square feet. In addition to the buildings, four canopy structures are located within the center of the site. A chain-link fence currently surrounds the entire property. The existing paved area totals 274,896 square feet or 73% coverage and the undisturbed area consists of 95,309 square feet or 25% coverage.

The proposed changes include renovations to three (3) existing buildings, installing sidewalks, landscaping, street improvements to Hercules Street and C Avenue along the street frontages, repairing asphalt, repairing the existing chain-link fence and installing a new screening steel or block wall, adding additional street lighting on existing poles on Hercules Street, and installing a new trash enclosure. The building renovations include repairing bathroom fixtures and finishes in the maintenance building (Building 2), and renovating the main office building (Building 1) to include an accessible bathroom. Block walls or steel fencing would be installed along the Hercules Street and C Avenue landscaping area, and to provide security and screen views of trailers from the street. The only new additions would include a trash enclosure adjacent to Building 2, painted strips for truck parking stalls, and "cobra head" streetlights to power poles on Hercules Street. No additional building footprint or area would be added to either building and no changes are proposed to Building 3. There is one Joshua Tree located on the northeast corner of the property where the proposed sidewalk would be installed. The Joshua Tree is surrounded by development that was constructed between 1989 to 2002. These improvements included concrete, asphalt, electrical and underground utilities.

EVALUATION FORMAT: The attached initial study is prepared in accordance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of the attached Initial Study was guided by Section 15063 of the State CEQA Guidelines. The project was evaluated based on its effect on 21 categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist includes a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
--------------------------------	--	-----------------------	-----------

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

No Impact: No impacts are identified or anticipated, and no mitigation measures are required.

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UNITED HOLDINGS TRUCK PARKING FACILITY (CUP 23-00010) • SEC OF HERCULES ST AND C AVE

Less than Significant Impact: No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less than Significant Impact with Mitigation: Possible significant adverse impacts have been identified or anticipated and mitigation measures are required as a condition of the project's approval to reduce these impacts to a level below significance.

Potentially Significant Impact: Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below will be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist in the attached Initial Study.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <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 checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation & Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation, the following finding is made:

<input type="checkbox"/>	The proposed project <i>COULD NOT</i> have a significant effect on the environment, and a <i>NEGATIVE DECLARATION</i> shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall 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 <i>MITIGATED NEGATIVE DECLARATION</i> shall be prepared.
<input type="checkbox"/>	The proposed project <i>MAY</i> have a significant effect on the environment, and an <i>ENVIRONMENTAL IMPACT REPORT</i> is required.
<input type="checkbox"/>	The proposed project <i>MAY</i> 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 attached sheets. An <i>ENVIRONMENTAL IMPACT REPORT</i> is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an <i>earlier EIR or NEGATIVE DECLARATION</i> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that <i>earlier EIR or NEGATIVE DECLARATION</i> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature _____

Date _____



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1. INTRODUCTION

1.1 OVERVIEW OF THE PROPOSED PROJECT

The proposed project would involve the renovation of an existing lumber truss yard to a truck parking facility. The site is entirely paved over except undisturbed dirt areas along the site boundary and includes three buildings totaling 7,695 square feet. These buildings include a main office referred to as Building 1 with a footprint of 2,400 square feet, a bathroom and utility building referred to as Building 2 with a footprint of 310 square feet, and a maintenance building referred to as Building 3 with a footprint of 4,985 square feet. In addition to the buildings, four canopy structures are located within the center of the site. A chain-link fence currently surrounds the entire property. The existing paved area totals 274,896 square feet or 73% coverage and the undisturbed area consists of 95,309 square feet or 25% coverage.

The proposed changes include renovations to three existing buildings (Buildings 1, 2, and 3), installing sidewalks, landscaping, street improvements to Hercules Street and C Avenue along the street frontages, repairing asphalt, repairing the existing chain-link fence and installing a new screening steel or block wall, adding additional street lighting on existing poles on Hercules Street, and installing a new trash enclosure. The building renovations include repairing bathroom fixtures and finishes in the maintenance building (Building 2), and renovating the main office building (Building 1) to include an accessible bathroom. Block walls would be installed along the Hercules Street and C Avenue landscaping area, and to provide security and screen views of trailers from the street. The only new additions would include a trash enclosure adjacent to Building 2, painted strips for truck parking stalls, and “cobra head” streetlights to power poles on Hercules Street. No additional building footprint or area would be added to either building and no changes are proposed to Building 3. There is one Joshua Tree located on the northeast corner of the property where the proposed sidewalk would be installed. The Joshua Tree is surrounded by development that was constructed between 1989 and 2002. These improvements included concrete, asphalt, electrical and underground utilities.

1.2 PURPOSE OF THIS STUDY

The City of Hesperia is the designated *Lead Agency*, and as such, the City will be responsible for the project’s environmental review. Section 21067 of California Environmental Quality Act (CEQA) defines a Lead Agency as the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect on the environment.¹ As part of the proposed project’s environmental review, the City of Hesperia has authorized the preparation of this Initial Study.² The primary purpose of CEQA is to ensure that decision-makers and the public understand the environmental implications of a specific action or project. An additional purpose of this Initial Study is to ascertain whether the proposed project will have the potential for significant adverse impacts on the environment once it is implemented. Pursuant to the CEQA Guidelines, additional purposes of this Initial Study include the following:

- To provide the City of Hesperia with information to use as the basis for deciding whether to prepare an environmental impact report (EIR), mitigated negative declaration, or negative declaration for a project;

¹ California, State of. *California Public Resources Code. Division 13, Chapter 2.5. Definitions.* as Amended 2001. §21067.

² Ibid. (CEQA Guidelines) §15050.

- To facilitate the project's environmental assessment early in the design and development of the proposed project;
- To eliminate unnecessary EIRs; and,
- To determine the nature and extent of any impacts associated the proposed project.

Although this Initial Study was prepared with consultant support, the analysis, conclusions, and findings made as part of its preparation fully represent the independent judgment and position of the City of Hesperia, in its capacity as the Lead Agency. The City determined, as part of this Initial Study's preparation, that a Mitigated Negative Declaration is the appropriate environmental document for the proposed project's CEQA review. Certain projects or actions may also require oversight approvals or permits from other public agencies. These other agencies are referred to as *Responsible Agencies* and *Trustee Agencies*, pursuant to Sections 15381 and 15386 of the State CEQA Guidelines.³ This Initial Study and the *Notice of Intent to Adopt (NOIA) a Mitigated Negative Declaration* will be forwarded to responsible agencies, trustee agencies, and the public for review and comment. This Initial Study and Mitigated Negative Declaration will be forwarded to the State of California Office of Planning Research (the State Clearinghouse). A 30-day public review period would be provided to allow these entities and other interested parties to comment on the proposed project and the findings of this Initial Study.⁴ Questions and/or comments should be submitted to the following:

Ryan Leonard, Principal Planner,
Edgar Gonzalez, Senior Planner,
City of Hesperia Development Department, Planning Division
9700 Seventh Avenue
Hesperia, California 92345

1.3 INITIAL STUDY'S ORGANIZATION

The following annotated outline summarizes the contents of this Initial Study:

- *Section 1 Introduction* provides the procedural context surrounding this Initial Study's preparation and insight into its composition.
- *Section 2 Project Description* provides an overview of the existing environment as it relates to the project area and describes the proposed project's physical and operational characteristics.
- *Section 3 Environmental Analysis* includes an analysis of potential impacts associated with the construction and the subsequent operation of the proposed project.
- *Section 4 Conclusions* summarizes the findings of the analysis.
- *Section 5 References* identifies the sources used in the preparation of this Initial Study.

³ California, State of. Public Resources Code Division 13. *The California Environmental Quality Act. Chapter 2.5, Section 21067 and Section 21069.* 2000.

⁴ California, State of. Public Resources Code Division 13. *The California Environmental Quality Act. Chapter 2.6, Section 2109(b).* 2000.

2. PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The proposed project site is located in the central portion of the City of Hesperia. The City of Hesperia is located in southwestern portion of San Bernardino County in the southwestern Mojave Desert physiographic subregion. This physiographic subregion is more commonly referred to as either the "Victor Valley" or the "High Desert" due to its approximate elevation of 2,900 feet above sea level. The Victor Valley is separated from the more populated areas of coastal Southern California by the Cajon Pass which serves to separate the San Bernardino and San Gabriel mountains.

The City of Hesperia is bounded on the north by Victorville and Apple Valley, unincorporated San Bernardino County (Oro Grande); on the east by Apple Valley and unincorporated San Bernardino County (Bell Mountain); the south by the City of Hesperia and unincorporated San Bernardino County (Oak Hills); and on the west by unincorporated San Bernardino County (Baldy Mesa). Regional access to the City of Hesperia is provided by three area highways: the Mojave Freeway (Interstate 15), extending in a southwest to northeast orientation through the center of the City; U.S. Highway 395, traversing the western portion of the City in a northwest to southeast orientation; and Palmdale Road (State Route 18), which traverses the southern portion of the City in an east to west orientation.⁵ The location of Hesperia, in a regional context, is shown in Exhibit 2-1. A citywide map is provided in Exhibit 2-2.

The 8.67 acre project site is located in the central portion of the City of Hesperia, California. The project site was formerly used as a lumber truss yard and is being developed as a truck parking facility. The project site's address is 9927 C Avenue. The proposed project site is located on the southeast corner of Hercules Street and C Avenue. Hercules Street extends along the project site's north side and C Avenue extends along the site's east side. The project site's latitude and longitude are 34°25'51.35"N, -117°17'36.7"W. The project site is located within the United States Geological Survey (USGS) 7 1/2 Minute, Hesperia, California Quadrangle (1956), Section 15 Township 4 North, Range 4 West. A local vicinity map is provided in Exhibit 2-3. An aerial photograph of the site and the surrounding area is provided in Exhibit 2-4.

2.2 ENVIRONMENTAL SETTING

The proposed project site is located on an 8.67-acre site that is currently being developed as a truck parking facility. Currently, the existing onsite improvements (the 1989 development) had 73% of the total site is paved over and 25% with undeveloped graded dirt area within the project site. The site remains the same today. One Western Joshua Tree is located in the northeast corner of the site. The single Joshua Tree is surrounded by Edison transformers and underground equipment (within ten feet); curb, gutter, and asphalt (within six feet); chain-link fence (within twenty feet); power and utility poles (within ten feet); and asphalt parking (within forty feet). This development occurred over twenty years ago, as far back as 1989. The project site is located within the Mainstreet / Freeway Corridor Specific Plan (MSFC-SP). The project site's Land Use and Zoning Designation is General Industrial (GI).⁶

⁵ Google Earth. Website accessed January 8, 2025.

⁶ City of Hesperia. *General Plan Land Use*. October 5, 2023.

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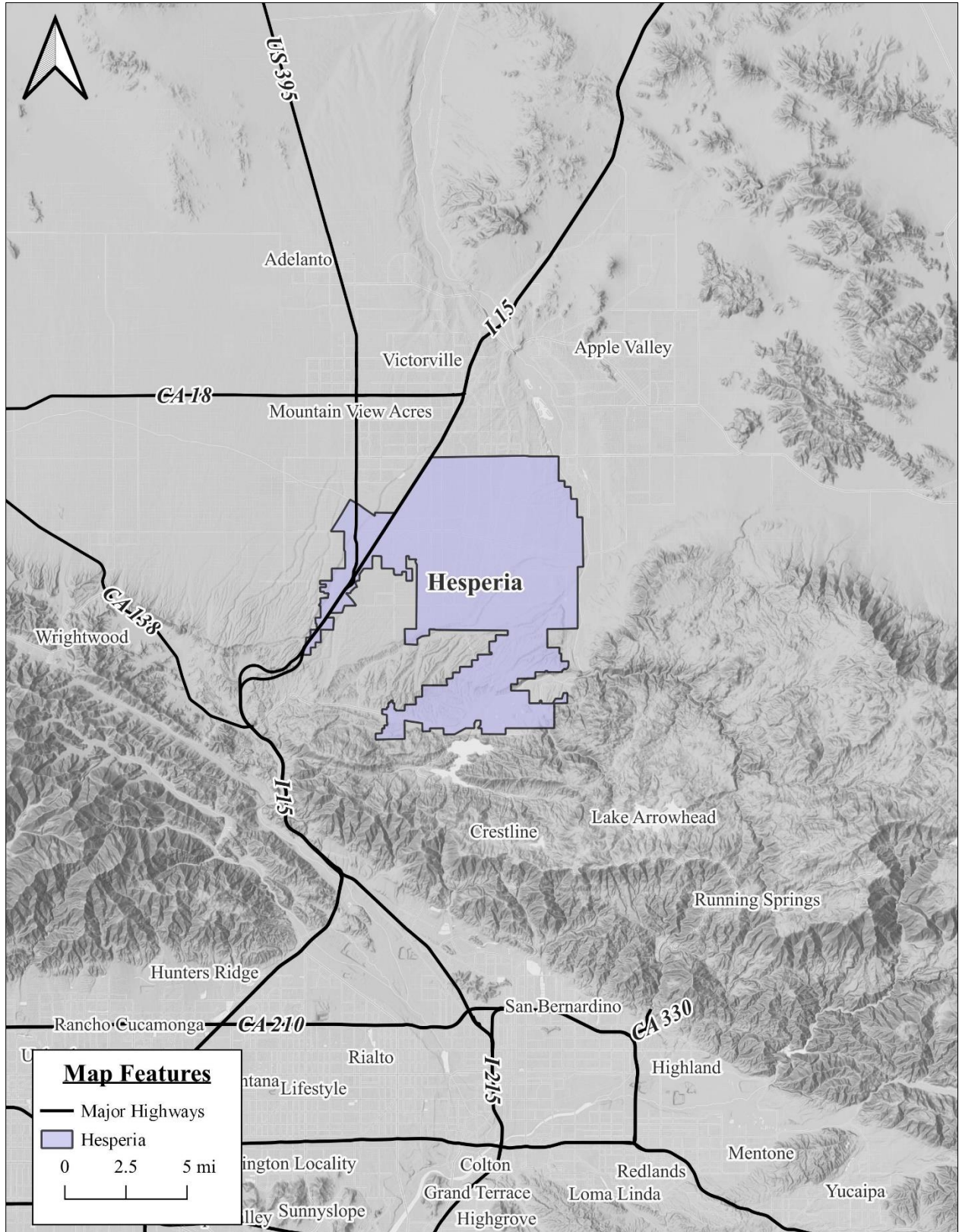


EXHIBIT 2-1 REGIONAL MAP
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

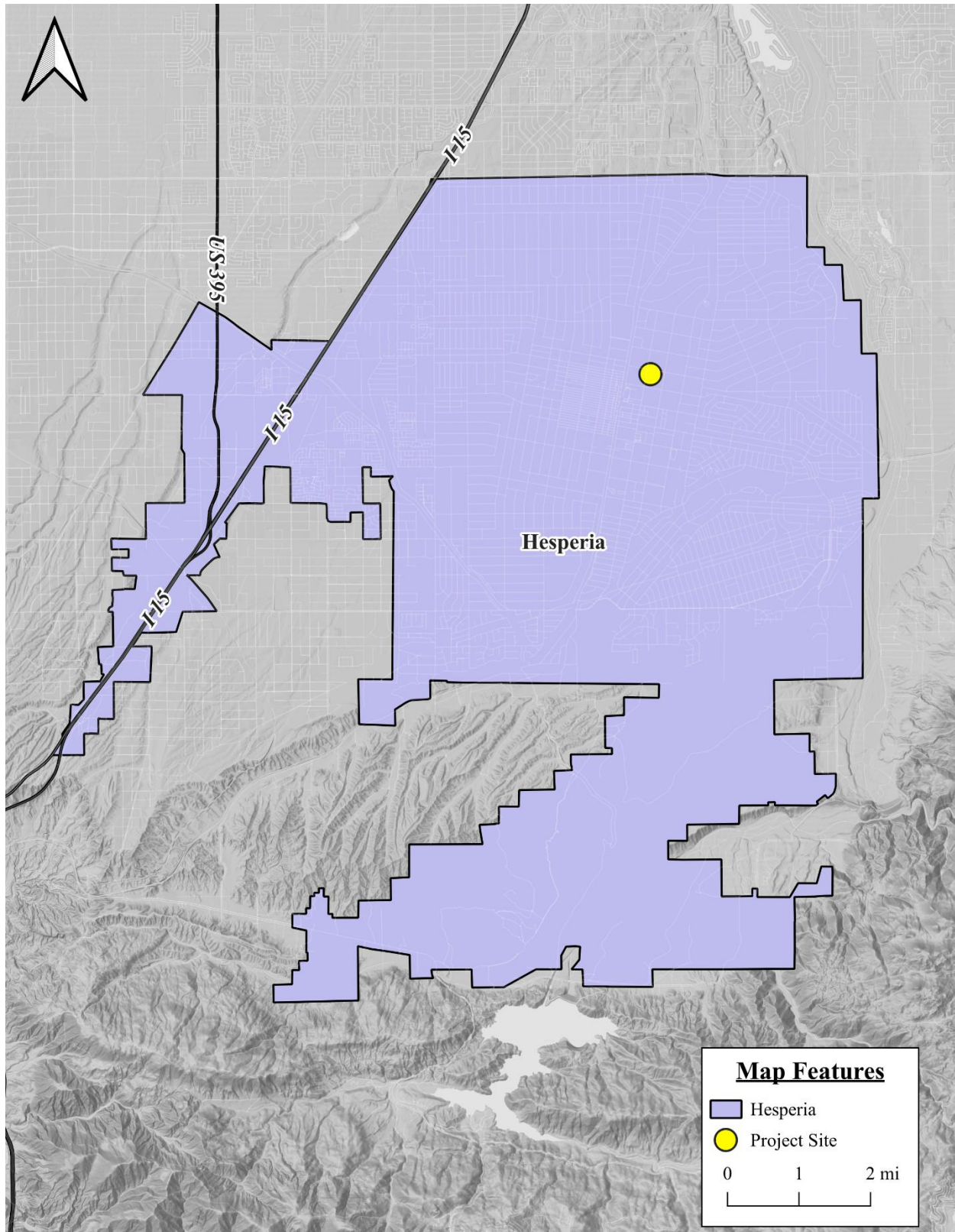


EXHIBIT 2-2 CITYWIDE MAP
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

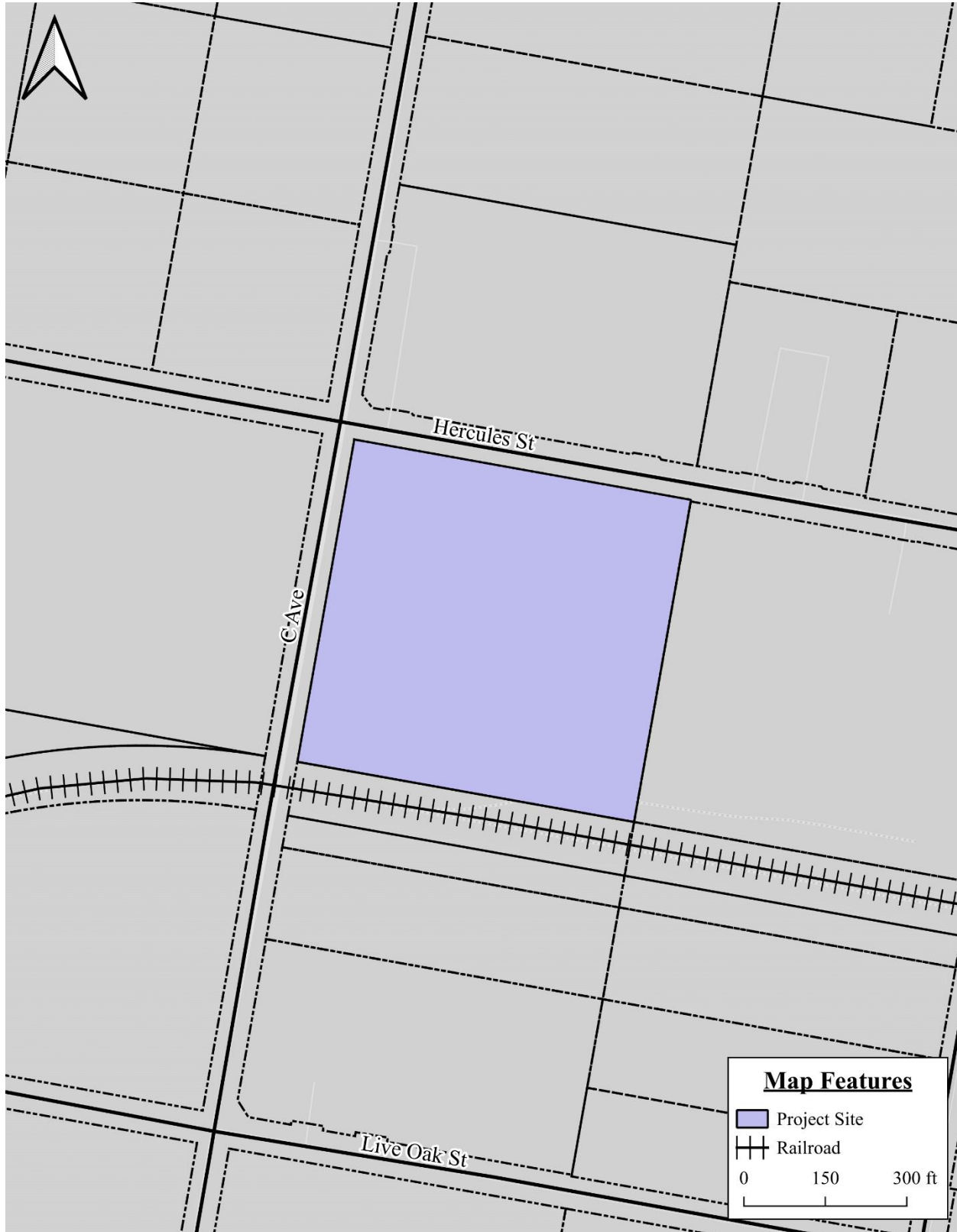


EXHIBIT 2-3 LOCAL MAP
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING



EXHIBIT 2-4 AERIAL MAP
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

Land uses and development located in the vicinity of the proposed project site are outlined below:

- *North of the project site:* Hercules Street extends along the project site’s north side. An outdoor concrete mixing plant and storage yard and truck driving school are located on the north side of the aforementioned street. The Land Use and Zoning for this area is *General Industrial (GI)*.
- *West of the project site:* “C” Avenue extends along the project site’s west side. Further west, on the east side of “C” Avenue, is an outdoor truss manufacturing facility. The Land Use and Zoning for this area is *General Industrial (GI)*.
- *South of the project site:* The Burlington Northern-Santa Fe (BNSF) Cushenberry Branch Line extends along the project site’s south side. A rail spur enters the project site on the south side. A vacant, undeveloped property is located further south of the railroad right-of-way. The Land Use and Zoning for this area is *General Industrial (GI)*
- *East of the project site:* “A wood product warehouse development is located east of the project site. The Land Use and Zoning for this area is *General Industrial (GI)*.⁷

An aerial photograph of the project site and the surrounding area is provided in Exhibit 2-4. The environmental setting is summarized in Table 2-1.

TABLE 2-1 SUMMARY OF ENVIRONMENTAL SETTING

Project Element	Existing Use	General Plan and Zoning
Project Site	Former 84 Lumber Yard, to Truck Parking Facility	General Industrial (GI)
North of Project Site	Hercules Street, Storage Yard, Cement Mixing Industrial Plant	General Industrial (GI)
East of Project Site	Warehouse, and Rail Spur	General Industrial (GI)
South of Project Site	BNSF Railroad and rail spur entry to the project site	General Industrial (GI)
West of Project Site	“C” Avenue, Manufacturing Facility	General Industrial (GI)

Source: Blodgett Baylosis Environmental Planning

2.3 PHYSICAL CHARACTERISTICS OF THE PROPOSED PROJECT

The key physical elements of the proposed project are outlined below.

- *Site Plan.* The proposed changes include renovations to three existing buildings (Buildings 1, 2, and 3), and installing sidewalks and landscaping along the street frontages, renovating and repainting parking spaces, building a new chain-link fence or block wall, adding additional street lighting on Hercules Street, and installing a new trash enclosure adjacent to Building 2. The remaining existing structures would be kept in place without change.
- *Building Renovations.* The building renovations include repairing bathroom fixtures and finishes in the accessory building, Building 2, and renovating the main office building, Building 1, to include

⁷ City of Hesperia. *General Plan Land Use*. October 5, 2023.

an accessible bathroom. No additional building footprint or area would be added to either building and no changes are proposed to Building 3.

- *Landscaping Renovations.* New landscaping and sidewalks would be installed along the Hercules Street and C Avenue frontages. Landscaping would total 10,324 square feet. Block walls or steel walls would be constructed along the street frontages to provide security and screen views of trailers from the street. The section of the wall proposed along Hercules Street and the section along “C” Avenue would be 8 feet in height (the ultimate height would be determined by the Planning Commission).
- *Parking.* In total, 76 parking spaces would be provided on the project site including 59 truck and trailer spaces and 17 automobile spaces. The 17 automobile spaces, two of which are ADA spaces, are located in the public parking lot west of Building 1 and the south of building 2. In total, 59 new truck and trailer parking spaces would be provided. Of these spaces, 17 spaces would be located along the north of the project site, between Building 3 and the north truck entrance and 14 spaces would be located underneath and adjacent to the north of the easternmost existing canopy structure. Additionally, 14 truck and trailer parking lanes that can accommodate two trucks per lane would be added underneath and adjacent to the north of the central canopy structures. The facility would store approximately 35 to 45 trucks at anytime.

The proposed site plan is illustrated in Exhibit 2-5. The proposed building elevations are included in Exhibit 2-6. The line-of-sight diagrams are shown in Exhibit 2-7. The physical characteristics of the proposed project are summarized in Table 2-2.

TABLE 2-2 SUMMARY OF PROPOSED PROJECT

Project Element	Description
Building Renovations	Building 1, Building 2
Landscape Renovations	10,234 sq. ft.
Block Wall or Steel Fencing	8 feet
Parking	76 Total, 59 Truck/Trailer, 17 Vehicle

Source: Design Development, Inc

2.4 OPERATIONAL CHARACTERISTICS OF THE PROPOSED PROJECT

The existing facility employs four individuals onsite at any given time. The hours of operation for the existing facility would be 5 days a week, 6:00 AM to 6:00 PM. The facility would be expected to store 35 to 45 trucks at any time. No changes would be proposed to the existing project site.

2.5 CONSTRUCTION CHARACTERISTICS

The construction for the current proposed project is assumed to commence in June 2025 and would take approximately three months to complete. The key construction phases are outlined in the paragraphs that follow.

- *Paving, Landscaping, and Finishing Phase.* The development site would be paved during this phase. This phase will take approximately three months to complete. The typical heavy equipment used during this construction phase would include trucks, backhoes, rollers, pavers, and trenching equipment.

2.6 DISCRETIONARY ACTIONS

A Discretionary Action is an action taken by a government agency (for this project, the government agency is the City of Hesperia) that calls for an exercise of judgment in deciding whether to approve a project. The following discretionary approvals are required:

- Approval of the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP).



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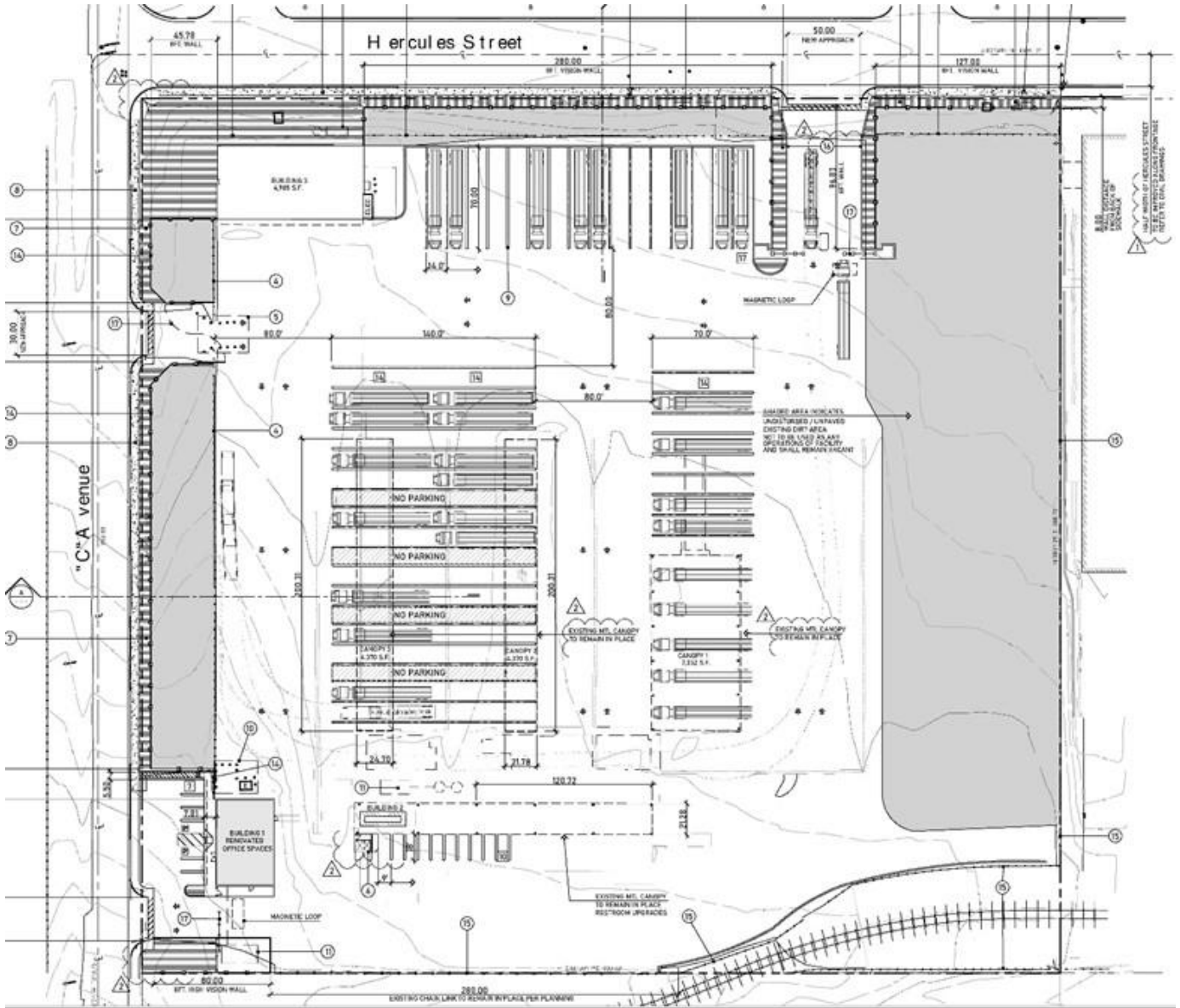


EXHIBIT 2-5 SITE PLAN OF PROJECT SITE
 SOURCE: DESIGN DEVELOPMENT INC

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3. ENVIRONMENTAL ANALYSIS

This section of the Initial Study analyzes the potential environmental impacts that may result from the proposed project's implementation. The issue areas evaluated in this Initial Study include the following:

Aesthetics (Section 3.1);	Mineral Resources (Section 3.12);
Agricultural & Forestry Resources (Section 3.2);	Noise (Section 3.13);
Air Quality (Section 3.3);	Population & Housing (Section 3.14).
Biological Resources (Section 3.4);	Public Services (Section 3.15);
Cultural Resources (Section 3.5);	Recreation (Section 3.16);
Energy (Section 3.6);	Transportation (Section 3.17);
Geology & Soils (Section 3.7);	Tribal Cultural Resources (Section 3.18);
Greenhouse Gas Emissions; (Section 3.8);	Utilities (Section 3.19);
Hazards & Hazardous Materials (Section 3.9);	Wildfire (Section 3.20); and,
Hydrology & Water Quality (Section 3.10);	Mandatory Findings of Significance (Section 3.21).
Land Use & Planning (Section 3.11);	

3.1 AESTHETICS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project have a substantial adverse effect on a scenic vista?			✗	
B. Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?				✗
C. Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				✗
D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				✗

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on aesthetics if it results in any of the following:

- The proposed project would have an adverse effect on a scenic vista, except as provided in PRC Sec. 21099.
- The proposed project would have an adverse effect on scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- The proposed project would substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality. or,
- The proposed project would, except as provided in Public Resources Code Section 21099, create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The evaluation of aesthetics and aesthetic impacts is generally subjective, and it typically requires the identification of key visual features in the area and their importance. The characterization of aesthetic impacts involves establishing the existing visual characteristics including visual resources and scenic vistas that are unique to the area. Visual resources are determined by identifying existing landforms (e.g., topography and grading), views (e.g., scenic resources such as natural features or urban characteristics), and existing light and glare characteristics (e.g., nighttime illumination). Changes to the existing aesthetic environment associated with the proposed project's implementation are identified and *qualitatively* evaluated based on the proposed modifications to the existing setting and the viewers' sensitivity. The project-related impacts are then compared to the context of the existing setting, using the threshold criteria discussed above.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project have a substantial adverse effect on a scenic vista? • Less Than Significant Impact.*

The proposed screening walls would have a height of 8 feet and could potentially be higher pending a determination of the Planning Commission. The biological resources on the site consist of a heavily desert scrub community typical of the area with grasses and shrubbery and one western Joshua Tree located in the northeast corner of the site. The dominant scenic views from the project site includes distant views of the San Bernardino and San Gabriel Mountains, located south, southwest and southeast of the site and the City. In addition, local views are already dominated by neighboring development and the nearby I-15 freeway. The proposed project shall be designed, constructed, and operated in accordance with General Plan Policy LU-8.5 of the Land Use Element, which requires all development within the City to “Adopt design standards that will ensure land use compatibility and enhance the visual environment by providing attractive, aesthetically pleasing development which is sensitive to the unique local characteristics of the Hesperia community.” In accordance with City policy, the Applicant shall provide replacement landscaping or vegetation to disturbed areas consistent with the natural surroundings, and in accordance with City Municipal Code Section 16.24.150 (Subject Desert Native Plants) and County Codes 88.01.050 (Tree or Plant Removal Permits) and 88.01.060 (Desert Native Plant Protection). Pursuant to these codes, landscaping shall be selected and incorporated to be drought-tolerant and shall complement existing natural and manmade features, including the dominant landscaping of surrounding areas.

Additionally, as part of the Mainstreet / Freeway Corridor Specific Plan, the project site is required to screen the parked vehicles and trailers to some degree. The proposed block walls or steel fencing would be designed to be as low as possible while maintaining screening coverage of the trailers as determined by the Planning Commission. Through compliance with the City General Plan and Municipal Code, the proposed project would minimize the contrast between project features and the surrounding Mojave Desert landscape and ensure adverse effects on scenic vistas remain less than significant. No mitigation is required. In addition, views from the mountains will not be obstructed. Once operational, views of the aforementioned mountains will continue to be visible from the public right-of-way. *As a result, the impacts would be less than significant.*

B. *Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? • No Impact.*

According to the California Department of Transportation, none of the streets located adjacent to the proposed project site are not designated scenic highways and there are no state or county designated scenic highways in the vicinity of the project site.⁸ The City of Hesperia General Plan identifies prominent view sheds within the City. These view sheds are comprised primarily of undeveloped desert land, the Mojave River, and distant views of the San Bernardino Mountains.⁹ Lastly, the project site does not contain any buildings listed in the State or National register. *As a result, no impacts would occur.*

⁸ California Department of Transportation. *Official Designated Scenic Highways.*

⁹ City of Hesperia General Plan Website accessed on January 8, 2025.

C. *Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? • No Impact.*

There are no protected views in the vicinity of the project site and the City does not contain any scenic vistas in the vicinity of the project site. In addition, the City does not have any zoning regulations or other regulations governing scenic quality other than the development standards for which the new development will conform to. *As a result, no impacts would occur.*

D. *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? • No Impact.*

The site's development would involve the installation of two "cobra head" streetlights on existing power poles on the north side of Hercules Street. In addition, the City of Hesperia Municipal Code Section 16.16.415 includes design standards for outdoor lighting that apply to new development in the City (the site is located in the *General Industrial* (GI) zone district). All lighting would comply with the development standards contained in the City's Zoning Code. The Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding nuisance (e.g., blinking/flashing lights, unusually high intensity or needlessly bright lighting). It is important to note that there are no light sensitive land uses located in the vicinity of the project site. *As a result, no impacts are anticipated.*

MITIGATION MEASURES

The analysis of aesthetics indicated that no impact on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

3.2 AGRICULTURE & FORESTRY RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project 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 uses?				×
B. Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract?				×
C. Would the project 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))?				×
D. Would the project result in the loss of forest land or conversion of forest land to a non-forest use?				×
E. Would the project 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 a non-forest use?				×

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on agriculture and forestry resources if it results in any of the following:

- The proposed project would 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.
- The proposed project would conflict with existing zoning for agricultural use, or a Williamson Act contract.
- The proposed project would 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)).
- The proposed project would result in the loss of forest land or conversion of forest land to non-forest use.
- The proposed project would 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.

The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) was established in 1982 to track changes in agricultural land use and to help preserve areas of Important Farmland. It divides the state's land into eight categories of land use designation based on soil quality and existing agriculture uses to produce maps and statistical data. These maps and data are used to help

preserve productive farmland and to analyze impacts on farmland. Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance are all Important Farmland and are collectively referred to as Important Farmland in this analysis. The highest rated Important Farmland is Prime Farmland. The California Land Conservation Act of 1965, or the Williamson Act, allows a city or county government to preserve agricultural land or open space through contracts with landowners. The County has areas that are currently agriculture preserves under contract with San Bernardino County through the Williamson Act of 1965. Contracts last 10 years and are automatically renewed unless a notice of nonrenewal is issued.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project 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 uses? • No Impact.

According to the California Department of Conservation, the project site nor the surrounding properties do not contain any areas of Farmland of Statewide Importance, and no agricultural uses are located onsite or adjacent to the property. The implementation of the proposed project would not involve the conversion of any prime farmland, unique farmland, or farmland of statewide importance to urban uses. *As a result, no impacts would occur.*¹⁰

B. Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract? • No Impact.

There are no agricultural uses located within the site that would be affected by the project's implementation. According to the California Department of Conservation Division of Land Resource Protection, the project site is not subject to a Williamson Act Contract.¹¹ *As a result, no impacts would occur.*

C. Would the project 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))? • No Impact.

There are no forest lands or timber lands located within or adjacent to the site. An adjacent property located to the north is disturbed and contains structures. Furthermore, the site's existing zoning designation does not contemplate forest land or timber land uses. *As a result, no impacts would occur.*

D. Would the project result in the loss of forest land or conversion of forest land to a non-forest use? • No Impact.

No forest lands are located within the project site. The proposed use will be restricted to the site and would not affect any forest land or farmland. No loss or conversion of forest lands to urban uses would result from

¹⁰ California Department of Conservation, Division of Land Resource Protection, Farmland Mapping, and Monitoring Program. *California Important Farmland Finder*.

¹¹ California Department of Conservation. *State of California Williamson Act Contract Land*.
<https://maps.conservation.ca.gov/dlrp/WilliamsonAct/>

the proposed project's implementation. *As a result, no impacts would occur.*

E. *Would the project 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 a non-forest use? • No Impact.*

The project would not involve the disruption or damage of the existing environment resulting in a loss of farmland to nonagricultural use or conversion of forest land to non-forest use. The site does not contain any agricultural or forestry vegetation. No farmland conversion impacts would occur with the implementation of the proposed project. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of agricultural and forestry resources indicated that no impact on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

3.3 AIR QUALITY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with or obstruct implementation of the applicable air quality plan?				✗
B. Would the project 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?		✗		
C. Would the project expose sensitive receptors to substantial pollutant concentrations?			✗	
D. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✗	

The air quality worksheets are included in Appendix A.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on air quality if it results in any of the following:

- The proposed project would conflict with or obstruct implementation of the applicable air quality plan.
- The proposed project would 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.
- The proposed project would expose sensitive receptors to substantial pollutant concentrations.
- The proposed project would result in other emissions (such as those leading to odors adversely affecting a substantial number of people).

The Mojave Desert Air Quality Management District (MDAQMD) has established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the criteria pollutants listed below. Projects in the Mojave Desert Air Basin (MDAB) generating construction and operational-related emissions that exceed any of the following emissions thresholds are considered to be significant under CEQA.

- *Ozone (O₃)* is a nearly colorless gas that irritates the lungs, and damages materials and vegetation. Ozone is formed by photochemical reaction (when nitrogen dioxide is broken down by sunlight).
- *Carbon Monoxide (CO)* is a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain and is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust. The threshold is 548 pounds per day of carbon monoxide (CO).

- *Nitrogen Oxide (NO_x)* is a yellowish-brown gas, which at high levels can cause breathing difficulties. NO_x is formed when nitric oxide (a pollutant from burning processes) combines with oxygen. The daily threshold is 137 pounds per day of nitrogen oxide (NO_x).
- *Sulfur Dioxide (SO₂)* is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Health effects include acute respiratory symptoms. The daily threshold is 137 pounds per day of sulfur oxides (SO_x).
- *PM₁₀ and PM_{2.5}* refers to particulate matter less than ten microns and two and one-half microns in diameter, respectively. Particulates of this size cause a greater health risk than larger-sized particles since fine particles can more easily cause irritation. The daily threshold is 82 pounds per day of PM₁₀ and 65 pounds per day of PM_{2.5}.
- *Reactive Organic Gasses (ROG)* refers to organic chemicals that, with the interaction of sunlight photochemical reactions may lead to the creation of “smog.” The daily threshold is 137 pounds per day of ROG.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project conflict with or obstruct implementation of the applicable air quality plan? • No Impact.*

Air quality impacts may occur during the construction or operation of a project, and may come from stationary sources (e.g., industrial processes, generators), mobile sources (e.g., automobiles, trucks), or area (e.g., residential water heaters) sources. Projects that are consistent with the projections of employment and population forecasts identified in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by SCAG are considered consistent with the MDAQMP growth projections, since the RTP/SCS forms the basis of the land use and transportation control portions of the MDAQMP. According to the Growth Forecast Appendix prepared by SCAG for the 2020-2045 RTP/SCS, the City of Hesperia is projected to increase to 10,200 jobs in 2040 from 7,200 jobs in 2020.¹² The proposed project will not introduce any new residents or employees onsite at any given time. Therefore, the proposed project is not in conflict with the growth projections established for the City by SCAG. The project’s construction emissions would be below the thresholds of significance established by the MDAQMD (the project’s daily construction emissions are summarized in Table 3-1). In addition, the proposed project’s long-term (operational) airborne emissions will be below levels that the MDAQMD considers to be a significant impact (refer to Table 3-2). *As a result, no impacts would occur.*

B. *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? • Less than Significant Impact with Mitigation.*

According to the MDAQMD, any project is significant if it triggers or exceeds the MDAQMD daily emissions threshold identified previously and noted at the bottom of Tables 3-1 and 3-2. In general, a project will have the potential for a significant air quality impact if any of the following are met:

¹² Southern California Association of Governments. 2020-2045 *Regional Transportation Plan/Sustainable Communities Strategy. Demographics & Growth Forecast*. November 2021.

- Generates total emissions (direct and indirect) that exceeds the MDAQMD thresholds (the proposed project emissions are less than the thresholds as indicated in Tables 3-1 and 3-2);
- Results in a violation of any ambient air quality standard when added to the local background (the proposed project will not result, in any violation of these standards);
- Does not conform with the applicable attainment or maintenance plan(s) (the proposed project is in conformance with the City's Zoning and General Plan); and,
- Exposes sensitive receptors to substantial pollutant concentrations, including those resulting in a cancer risk greater than or equal to 10 in a million and/or a Hazard Index (HI) (non-cancerous) greater than or equal to 1 (the proposed project will not expose sensitive receptors to substantial pollutant concentrations nor is the site located near any sensitive receptors).

The proposed project's construction and operation will not lead to a violation of the above-mentioned criteria. The analysis of daily construction and operational emissions was prepared utilizing the California Emissions Estimator Model (CalEEMod V.2022.1.1.29). As shown in Table 3-1, relevant daily construction emissions will not exceed the MDAQMD significance thresholds.

Table 3-1 Estimated Daily Construction Emissions in lbs./day

Construction Phase	ROG	NOx	CO	SO ₂	PM ₁₀	PM _{2.5}
Maximum Daily Emissions	3.93	10.4	13.0	0.02	0.52	0.40
Daily Thresholds	137	137	548	137	82	65
Significant Impact?	No	No	No	No	No	No

Source: CalEEMod V.2022.1.1.29

While the construction-related emissions will be below thresholds, the following mitigation measures will be required to further reduce potential construction-related emissions.

- The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project;
- The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.
- The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.
- All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.
- All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any

project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

Long-term emissions refer to those air quality impacts that would occur once the proposed project has been constructed and is operational. These impacts will continue over the operational life of the project. The two main sources of operational emissions include mobile emissions and area emissions related to off-site electrical generation. The analysis of long-term operational impacts summarized in Table 3-2 also used the CalEEMod V.2022.1.1.29 computer model. The analysis summarized in Table 3-2 indicates that the operational (long-term) emissions will be below the MDAQMD daily emissions thresholds.

Table 3-2 Estimated Operational Emissions in lbs./day

Operational Phase	ROG	NOx	CO	SO ₂	PM ₁₀	PM _{2.5}
Total Maximum Daily (lbs./day)	0.85	0.21	1.50	0.0001	0.01	0.003
Daily Thresholds	137	137	548	137	82	65
Significant Impact?	No	No	No	No	No	No

Source: CalEEMod V.2022.1.1.29

The analysis presented in Tables 3-1 and 3-2 reflect projected emissions that are typically higher during the summer months and represent a worse-case scenario. As indicated in Tables 3-1 and 3-2, the impacts are considered to be less than significant. In addition, the MDAQMD Rule Book contains numerous regulations governing various activities undertaken within the district. Among these regulations is Rule 403.2 – Fugitive Dust Control for the South Coast Planning Area, which was adopted in 1996 for the purpose of controlling fugitive dust. Adherence to Rule 403.2 regulations is required for all projects undertaken within the district. Future construction truck drivers must also adhere to Title 13 - §2485 of the California Code of Regulations, which limits the idling of diesel-powered vehicles to less than five minutes.³ Adherence to the aforementioned standard condition will minimize odor impacts from diesel trucks. Adherence to Rule 403 Regulations and Title 13 - §2485 of the California Code of Regulations will reduce potential impacts. *As a result, the impacts would be less than significant with mitigation.*

C. Would the project expose sensitive receptors to substantial pollutant concentrations? • Less than Significant Impact.

The nearest sensitive receptors to the project site are single-family residences located approximately 1,822 feet to the west of the project site. According to the MDAQMD, residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated: any industrial project within 1,000 feet; a distribution center (40 or more trucks per day) within 1,000 feet; a major transportation project within 1,000 feet; a dry cleaner using perchloroethylene within 500 feet; and a gasoline dispensing facility within 300 feet. The proposed improvements are not located within 1,000 feet of the sensitive receptor. *As a result, the impacts would be less than significant.*

D. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? • Less than Significant Impact.

The proposed project would be required to adhere to the rules governing nuisance odors. All truck drivers visiting the site must adhere to Title 13 - §2485 of the California Code of Regulations, which limits the idling of diesel-powered vehicles to less than five minutes. Adherence to the aforementioned standard condition will minimize odor impacts from diesel trucks. Furthermore, adherence to MDAQMD Rule 402 Nuisance Odors will minimize odors generated during daily activities. Adherence to the existing regulations governing “nuisance odors” will reduce potential impacts. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The following mitigation measures have been incorporated herein to further reduce the potential air quality impacts to levels that are less than significant.

AIR Mitigation No. 1. The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project.

AIR Mitigation No. 2. The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.

AIR Mitigation No. 3. The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.

AIR Mitigation No. 4. All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.

AIR Mitigation No. 5. All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

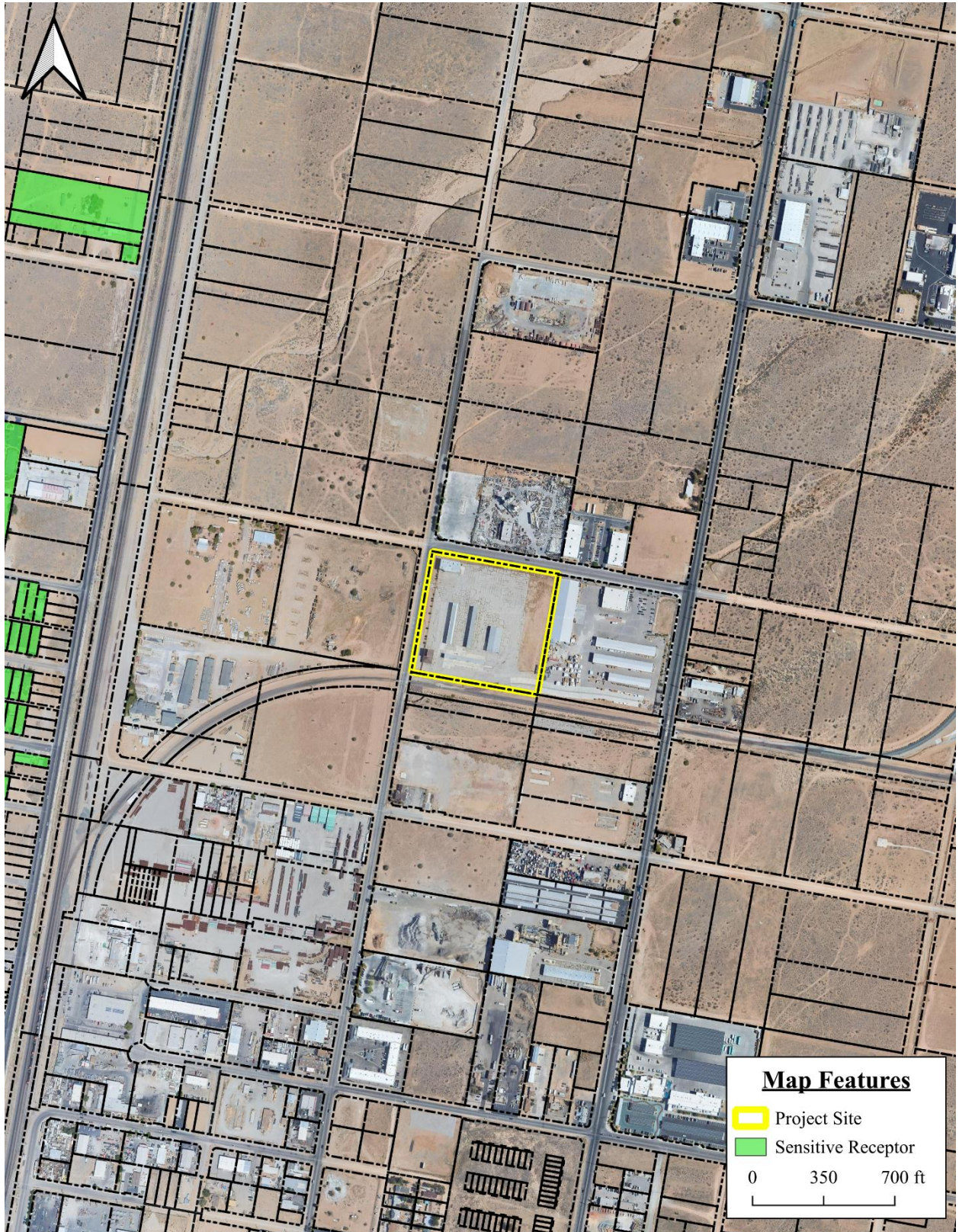


EXHIBIT 3-1 SENSITIVE RECEPTORS MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

3.4 BIOLOGICAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project 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 Wildlife or U.S. Fish and Wildlife Service?		✗		
B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✗
C. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✗
D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?				✗
E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✗		
F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?				✗

The biological report is included in Appendix B.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on biological resources if it results in any of the following:

- The proposed project would 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 Wildlife or U.S. Fish and Wildlife Service.
- The proposed project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.
- The proposed project would have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- The proposed project would 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.

- The proposed project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- The proposed project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Sensitive biological resources include a variety of plant and animal species that are specialized and endemic to a particular habitat type. Due to loss of habitat, some of these species have been designated by either, or both, the federal and state government resource agencies as threatened or endangered. Species listed as threatened include those whose numbers have dropped to such low levels and/or whose populations are so isolated that the continuation of the species could be jeopardized. Endangered species are those with such limited numbers or subject to such extreme circumstances that they are considered in imminent danger of extinction. Other government agencies and resource organizations also identify sensitive species, those that are naturally rare and that have been locally depleted and put at risk by human activities. While not in imminent danger of jeopardy or extinction, sensitive species are considered vulnerable and can become candidates for future listing as threatened or endangered.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project 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 Wildlife or U.S. Fish and Wildlife Service? • Less than Significant Impact with Mitigation.*

Approximately 274,896 square feet or 73% of the project site is currently paved over and was being used for truss yard construction while 95,309 square feet or 25% of the site is undeveloped graded dirt. The proposed project would convert 10,324 square feet of landscaping area located from the undeveloped graded dirt area along “C” Avenue and Hercules Street. The remaining undeveloped dirt area would remain unchanged. The site is surrounded on all sides by industrial development. The site’s disturbed character and development in the surrounding areas do not provide a suitable habitat except within the undeveloped dirt areas within the project site.

A western Joshua Tree census was performed by RCA Associates biologists on December 10, 2024. There is one (1) western Joshua tree located on the property and zero western Joshua trees located within a 15-meter buffer surrounding the site. This tree is located at the northeast corner of the site within the undeveloped area and is greater than 5 meters in height.¹³ As of July 10, 2023, California legislature passed and signed the Western Joshua Tree Conservation Act (WJTCA, Senate Bill 122) into effect listing the western Joshua tree (*Yucca brevifolia*) as an endangered species. The WJTCA authorizes CDFW to oversee the various permitting processes dealing with mitigation and/or removal of western Joshua trees. A single dying Western Joshua trees was observed on the property during the October 2024 field investigations. Therefore, any attempt to remove a Joshua tree from its current position will require a California Endangered Species Act Incidental Take Permit (CESA, ITP) or a Western Joshua Tree Conservation Act Incidental Take Permit (WJTCA, ITP).

Due to the site’s already developed character, further minor renovations on the project site, such as the proposed project, would have minimal impact on the biological resources present on site. *Biological*

¹³ RCA Associates, Inc. *Western Joshua Tree Census*. January 7, 2025

Resources Mitigation Measure No. 1 will reduce the impacts to levels that are less than significant. The impacts will be less than significant with the above mitigation measures.

B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? • No Impact.

According to the United States Fish and Wildlife Service, there are no wetland or migratory bird nesting areas located within the project site. In addition, there is no riparian habitat located on-site or in the surrounding areas. No offsite wetland or migratory bird nesting areas would be affected by the proposed development since all development will be confined to the project site. *As a result, no impacts would occur.*

C. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? • No Impact.

No wetland areas or riparian habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were found on National Wetlands Inventory.¹⁴ *As a result, no impacts would occur.*

D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites? • No Impact.

The site's utility as a habitat and a migration corridor is constrained by the presence of adjacent roadways, railroads, and the industrial development that is present in the neighboring areas. The aforementioned conditions restrict the site's utility as a migration corridor because the site lacks adequate suitable habitat for migratory species. *As a result, no impacts would occur.*

E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? • Less than Significant with Mitigation.

The project would be required to comply with the County of San Bernardino Desert Native Plant Protection Ordinance. The removal of any trees listed under Section 88.01.060 would be required to comply with Section 88.01.050, which requires the project applicant to apply for a Tree or Plant Removal Permit prior to removal from the project site. *With the inclusion of Biological Resources Mitigation Measure No. 1, the impacts would be less than significant with mitigation.*

F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? • No Impact.

Under the Federal Endangered Species Act, "Critical Habitat" is designated at the time of listing of a species or within one year of listing. Critical Habitat refers to specific areas within the geographical range of a species at the time it is listed that include the physical or biological features that are essential to the survival and eventual recovery of that species. Maintenance of these physical and biological features requires special

¹⁴ U.S. Fish & Wildlife Service. *National Wetlands Inventory Mapper*. Accessed October 3, 2023.

management considerations or protection, regardless of whether individuals or the species are present or not. All federal agencies are required to consult with the USFWS regarding activities they authorize, fund, or permit which may affect a federally listed species or its designated Critical Habitat. The project site is not located within federally designated Critical Habitat. The nearest Critical Habitat occurs approximately 3.35 miles to the northeast for southwestern willow flycatcher (*Empidonax traillii extimus*). Therefore, no impacts to federally designated Critical Habitat will occur from implementation of the proposed project. The proposed project's implementation would not be in conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans. *As a result, no impacts are anticipated.*

MITIGATION MEASURES

There is one (1) Joshua tree located on the property. The following mitigation would apply:

Bio Mitigation No. 1. The western Joshua tree is a candidate threatened species under the California Endangered Species Act. Prior to construction, and initiation of western Joshua tree removal, relocation, replanting, trimming or pruning or any activity that may result in take of WJT on site, the project proponent is required to obtain California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Section 2081(b) of the CESA, or under the Western Joshua Tree Conservation Act (WJTCA) of Fish and Game Code (§§ 1927-1927.12) through CDFW for the take of western Joshua trees. Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height. b. One meter or greater but less than five meters in height. c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree. In lieu of completing the mitigation on its own, the permittee may elect to pay mitigation fees. (4) CDFW may require the permittee to relocate one or more of the western Joshua trees. The City of Hesperia does not fall within an area of the WJTCA and would not qualify for reduced Mitigation Fees for impacts to western Joshua trees (Fish and Wildlife Code, Section 1927). The Mitigation Fees are as follows [Fish and Wildlife Code, Section 1927.3 (d)]: 1. Trees 5 meters or greater in height - \$2,500; 2. Trees 1 meter or greater but less than 5 meters in height - \$500; 3. Trees less than 1 meter in height - \$340. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem or trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. It is recommended that specific Joshua tree mitigation measures or determination of in-lieu fees be addressed through consultation with CDFW.

3.5 CULTURAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?				✗
B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		✗		
C. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?			✗	

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on cultural resources if it results in any of the following:

- The proposed project would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.
- The proposed project would cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.
- The proposed project would disturb any human remains, including those interred outside of formal cemeteries.

Historic structures and sites are defined by local, State, and Federal criteria. A site or structure may be historically significant if it is locally protected through a General Plan or historic preservation ordinance. In addition, a site or structure may be historically significant according to State or Federal criteria even if the locality does not recognize such significance. To be considered eligible for the National Register, a property's significance may be determined if the property is associated with events, activities, or developments that were important in the past, with the lives of people who were important in the past, or represents significant architectural, landscape, or engineering elements. Specific criteria include the following:

- Districts, sites, buildings, structures, and objects that are associated with the lives of significant persons in or past;
- Districts, sites, buildings, structures, and objects that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,
- Districts, sites, buildings, structures, and objects that have yielded or may be likely to yield, information important in history or prehistory.

Ordinarily, properties that have achieved significance within the past 50 years are not considered eligible for the National Register. However, such properties *will qualify* if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

**CITY OF HESPERIA • INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
UNITED HOLDINGS TRUCK PARKING FACILITY (CUP 23-00010) • SEC OF HERCULES ST AND C AVE**

- A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- Districts, sites, buildings, structures, and objects that are associated with events that have made a significant contribution to the broad patterns of our history;
- A building or structure removed from its original location that is significant for architectural value, or which is the surviving structure is associated with a historic person or event;
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life;
- A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;
- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,
- A property achieving significance within the past 50 years if it is of exceptional importance.¹⁵

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? • No Impact.*

A search was conducted using the California Historical Resources database available at the California Office of Historic Preservation website to identify the presence of historic structures within the project site. The search through the State's registrar yielded no results. In addition, a second search was conducted using the National Register of Historic Places. Again, the search yielded no results. The proposed project would be confined to the existing vacant lot. In addition, the project site does not appear on any State or Federal historic register. The property is not a locally designated landmark or within a locally designated historic district. *As a result, no impacts would occur.*

B. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? • Less than Significant Impact with Mitigation.*

Implementation of the proposed project is not anticipated to result in significant impacts to archaeological resources. However, in the event of a discovery of archaeological resources during renovations of the site, a qualified archaeologist would be brought in to assess the find and develop a course of action to preserve the find, as indicated in the mitigation measure that has been required. The proposed project site is currently developed, but renovations are proposed at previously undeveloped areas on the project site. Implementation of the proposed project is not anticipated to result in significant impacts to paleontological resources. However, in the event of a discovery of paleontological resources during groundwork, a qualified paleontologist would be required to assess the find and develop a course of action to preserve the find, as indicated in the mitigation measures. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to

¹⁵ U. S. Department of the Interior, National Park Service. National Register of Historic Places. <http://nrhp.focus.nps.gov>. 2010.

assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register of Historic Places (National Register), plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include: historic-period artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects; historic-period structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements; prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates; groundstone artifacts, including mortars, pestles, and grinding slabs; dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks; human remains. Since it is possible that previously unrecognized resources could exist at the site, the proposed project would be required to adhere to the following mitigation measures:

- In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
- If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed in TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
- If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

The aforementioned mitigations will reduce the impacts to levels that are less than significant.

C. Would the project disturb any human remains, including those interred outside of dedicated cemeteries? • Less than Significant Impact.

There are no dedicated cemeteries located in the vicinity of the project site. The proposed project will be restricted to the project site and therefore will not affect any dedicated cemeteries in the vicinity. Notwithstanding, the following mitigation is mandated by the California Code of Regulations (CCR) Section 15064.5(b)(4):

“A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.”

Additionally, Section 5097.98 of the Public Resources Code states:

“In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with (b) Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

Adherence to the aforementioned standard condition will ensure potential impacts remain at levels that are less than significant.

MITIGATION MEASURES

Since it is possible that previously unrecognized resources could exist at the site, the proposed project would be required to adhere to the following mitigation measures:

CUL Mitigation No. 1. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

CUL Mitigation No. 2 If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment as detailed in TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

CUL Mitigation No. 3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

3.6 ENERGY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?			✗	
B. Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?			✗	

The energy and utilities worksheets are provided in Appendix D.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on energy resources if it results in any of the following:

- The proposed project would result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during the proposed project's construction or operation.
- The proposed project would conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

Energy and natural gas consumption were estimated using default energy intensities by building type in CalEEMod. In addition, it was assumed the new buildings would be constructed pursuant to the 2022 CALGreen standards, which was considered in the CalEEMod inputs.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation? • Less than Significant Impact.*

The proposed changes include renovations to the three existing buildings (Buildings 1, 2, and 3), installing sidewalks and landscaping along the street frontages, creating truck parking stalls with painted stripes, keeping the existing chain-link fence and adding a screening block wall or steel wall, adding additional street lighting on Hercules Street, and installing a new trash enclosure. The proposed project would redevelop existing structures and would not increase building footprint or size. The only proposed items within the scope of work that would increase energy consumption are two “cobra head” streetlights located on two power poles on the north side of Hercules Street. On average these streetlights consume approximately 50 to 400 watts per hour depending on the bulb's energy efficiency. As shown in Table 3-3, the proposed project would consume approximately 4 kWh of electricity daily in a worst-case scenario. As a result, less than significant impacts would occur.

Table 3-3 Proposed Project's Energy Consumption

Energy Type	Daily Energy Consumption
Electrical Consumption	4 kWh/day

Source: Blodgett Baylosis Environmental Planning

B. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? • Less Than Significant Impact.

On January 12, 2010, the State Building Standards Commission adopted updates to the California Green Building Standards Code (Code) which became effective on January 1, 2011. The California Code of Regulations (CCR) Title 24, Part 11: California Green Building Standards (Title 24) became effective to aid efforts to reduce GHG emissions associated with energy consumption. Title 24 now requires that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials. The proposed project will be required to comply with all pertinent Title 24 requirements along with other Low Impact Development (LID) requirements. *As a result, the potential impacts would be less than significant.*

MITIGATION MEASURES

The analysis of energy resources indicated that no impact on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

3.7 GEOLOGY & SOILS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving.			✗	
i). Would the project, directly or indirectly, cause 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.			✗	
ii). Would the project, directly or indirectly, cause Strong seismic ground shaking?			✗	
iii). Would the project, directly or indirectly, cause seismic-related ground failure, including liquefaction;				✗
iv). Would the project, directly or indirectly, cause landslides?				✗
B. Would the project result in substantial soil erosion or the loss of topsoil?			✗	
C. Would the project 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?			✗	
D. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			✗	
E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?				✗
F. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✗

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on geology and soils if it results in any of the following:

- The proposed project would, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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); strong seismic ground shaking; seismic-related ground failure, including liquefaction; and, landslides?
- The proposed project would result in substantial soil erosion or the loss of topsoil.

- The proposed project would 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.
- The proposed project would be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.
- The proposed project would 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.
- The proposed project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

The proposed project's potential seismic and soils risk was evaluated in terms of the site's proximity to earthquake faults and unstable soils.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death? • Less than Significant Impact.*

Surface ruptures are visible instances of horizontal or vertical displacement, or a combination of the two. The amount of ground shaking depends on the intensity of the earthquake, the duration of shaking, soil conditions, type of building, and distance from the epicenter or fault. The potential impacts from fault rupture and ground shaking are considered no greater for the project site than for the surrounding areas given the distance between the site and the fault trace. Other potential seismic issues include ground failure and liquefaction. Ground failure is the loss in stability of the ground and includes landslides, liquefaction, and lateral spreading. *As a result, the potential impacts would be less than significant.*

i). *Would the project, directly or indirectly, cause 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. • Less than Significant Impact.*

The City of Hesperia is located in a seismically active region. Earthquakes caused by several active and potentially active faults in the Southern California region could affect the proposed project site. In 1972, the Alquist-Priolo Earthquake Zoning Act was passed in response to the damage sustained in the 1971 San Fernando Earthquake. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. A list of cities and counties subject to the Alquist-Priolo Earthquake Fault Zones is available on the State's Department of Conservation website. The City of Hesperia is not on the list.¹⁶ The nearest significant active fault zones are Cleghorn fault zone and the North Frontal thrust system, which are approximately 5.5 miles southeast of the project site and the Helendale Fault, approximately 14.9 miles northeast of the project site.¹⁷ Surface ruptures are visible instances of horizontal or vertical displacement, or a combination of the two. The

¹⁶ California Department of Conservation. *Table 4, Cities and Counties Affected by Alquist Priolo Earthquake Fault Zones as of January 2010.*

¹⁷ California Department of Conservation. *Fault Activity Map of California.* <https://maps.conservation.ca.gov/cgs/fam/>

amount of ground shaking depends on the intensity of the earthquake, the duration of shaking, soil conditions, type of building, and distance from epicenter or fault. The potential impacts from fault rupture and ground shaking are considered no greater for the project site than for the surrounding areas given the distance between the site and the fault trace. Other potential seismic issues include ground failure and liquefaction. Ground failure is the loss in stability of the ground and includes landslides, liquefaction, and lateral spreading. The project site is not located within a liquefaction zone.¹⁸ According to the United States Geological Survey, liquefaction is the process by which water-saturated sediment temporarily loses strength and acts as a fluid. *As a result, the potential impacts would be less than significant.*

ii). Would the project, directly or indirectly, cause strong seismic ground shaking. • Less than Significant Impact.

Surface ruptures are visible instances of horizontal or vertical displacement, or a combination of the two. The amount of ground shaking depends on the intensity of the earthquake, the duration of shaking, soil conditions, type of building, and distance from the epicenter or fault. The potential impacts from fault rupture and ground shaking are considered no greater for the project site than for the surrounding areas given the distance between the site and the fault trace. *As a result, the potential impacts are less than significant.*

iii). Would the project, directly or indirectly, cause seismic-related ground failure, including liquefaction. • No Impact.

According to the United States Geological Survey, liquefaction is the process by which water-saturated sediment temporarily loses strength and acts as a fluid. Liquefaction generally occurs when groundwater is located less than 50 feet below ground surface. Within the City, liquefaction zones are generally located along the Mojave River. According to the City's General Plan EIR, the project site is located outside of a liquefaction zone.¹⁹ *As a result, no impacts would occur.*

iv). Would the project, directly or indirectly, cause landslides? • No Impact.

According to the United States Geological Survey, a landslide is defined as the movement of a mass of rock, debris, or earth down a slope. The City of Hesperia is generally level with little to no slope except a few natural slopes near the base of the San Bernardino Mountains located approximately 4.7 miles south of the project site, the foothills north of Summit Valley located approximately 6.5 miles southwest of the project site, and the Antelope Valley Wash and other deeply incised drainage channels located approximately 5.1 miles west of the project site. The project site and the surrounding areas have been developed and graded and are not located within an area at risk of landslides. *As a result, no impacts would occur.*

B. Would the project result in substantial soil erosion or the loss of topsoil? • Less than Significant Impact.

The University of California, Davis SoilWeb database was consulted to determine the nature of the soils that underlie the project site. According to the University of California, Davis SoilWeb database, the property is

¹⁸ California State Geoportal. *CGS Seismic Hazards Program: Liquefaction Zones*. February 11, 2022.

¹⁹ Michael Brandman Associates. *City of Hesperia General Plan Update Environmental Impact Report Exhibit 3.6-3 Seismic Hazard Areas*. May 26, 2010

underlain by soils of various associations including Bryman, Cajon, Mojave Variant, and Helendale and is classified as Bryman Loamy Fine Sand. Slopes range from 2 to 5 percent.²⁰ The proposed project's contractors will be required to adhere to specific requirements that govern wind and water erosion during site preparation and construction activities. Following development, a large portion of the project site would be paved over or landscaped. The project's construction will not result in soil erosion with adherence to those development requirements that restrict storm water runoff (and the resulting erosion) and require soil stabilization. In addition, stormwater discharges from construction activities that disturb one or more acres, or smaller sites disturbing less than one acre that are part of a common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater permitting program. Prior to initiating construction, contractors must obtain coverage under an NPDES permit, which is administered by the State. In order to obtain an NPDES permit, the project Applicant must prepare a Stormwater Pollution Prevention Plan (SWPPP). The County has identified sample construction Best Management Practices (BMPs) that may be included in the mandatory SWPPP. The use of these construction BMPs identified in the mandatory SWPPP will prevent soil erosion and the discharge of sediment into the local storm drains during the project's construction phase. *As a result, the impacts would be less than significant.*

C. Would the project 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? • Less than Significant Impact.

The proposed project's construction will not result in soil erosion since the project's contractors must implement the construction BMPs identified in the mandatory SWPPP. The BMPs will minimize soil erosion and the discharge of sediment off-site. Additionally, the project site is not located within an area that could be subject to landslides or liquefaction.²¹ The soils that underlie the project site possess a low potential for shrinking and swelling. Soils that exhibit certain shrink swell characteristics become sticky when wet and expand according to the moisture content present at the time. Since the soils have a low shrink-swell potential, lateral spreading resulting from an influx of groundwater is slim. The likelihood of lateral spreading will be further reduced since the project's implementation will not require grading and excavation that would extend to depths required to encounter groundwater. Moreover, the project will not result in the direct extraction of groundwater. *As a result, the potential impacts would be less than significant.*

D. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? • Less than Significant Impact.

According to the University of California, Davis SoilWeb database, the property is underlain by soils of various associations including Bryman, Cajon, Mojave Variant, and Helendale associations.²² According to the U.S. Department of Agriculture, these soils are acceptable for the development of commercial and

²⁰ UC Davis. *SoilWeb*. Website accessed January 13, 2025.

²¹ Michael Brandman Associates. *City of Hesperia General Plan Update Environmental Impact Report Exhibit 3.6-3 Seismic Hazard Areas*. May 26, 2010

²² UC Davis. *SoilWeb*. Website accessed January 13, 2025.

industrial buildings.²³ *As a result, the impacts would be less than significant.*

E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater? • No Impact.

The project site includes existing septic tanks which would not be changed by the proposed project. No septic tanks will be installed as part of the proposed project's implementation. *As a result, no impacts would occur.*

F. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? • No Impact

The surface deposits in the proposed project area are composed entirely of younger Quaternary Alluvium. This younger Quaternary Alluvium is unlikely to contain significant vertebrate fossils, at least in the uppermost layers. The closest vertebrate fossil locality from these deposits is LACM 1224, west of Spring Valley Lake, which produced a specimen of fossil camel, *Camelops*. The next closest fossil vertebrate locality is LACM 7786, between Hesperia and the former George Air Force Base. This locality produced a fossil specimen of meadow vole, *Microtus*. Additionally, on the western side of the Mojave River below the bluffs, an otherwise unrecorded specimen of mammoth was collected in 1961 from older Quaternary Alluvium deposits. The proposed project would not involve significant new excavation or grading. The only new proposed earthwork would be to excavate space for sidewalks and landscaping along "C" Avenue and Hercules Street. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis determined that the proposed project will not result in significant impacts related to geological or paleontological resources and no mitigation measures are required.

²³ United States Department of Agriculture. Natural Resources Conservation Service. Website accessed January 13, 2025.

3.8 GREENHOUSE GAS EMISSIONS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✗	
B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✗	

The air quality and GHG worksheets are provided in Appendix A.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on greenhouse gas emissions if it results in any of the following:

- The proposed project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- The proposed project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). The accumulation of GHG in the atmosphere regulates the earth's temperature. Without these natural GHG, the Earth's surface would be about 61°F cooler. However, emissions from fossil fuel combustion have elevated the concentrations of GHG in the atmosphere to above natural levels. These man-made GHG will have the effect of warming atmospheric temperatures with the attendant impacts of changes in the global climate, increased sea levels, and changes to the worldwide biome. The major GHG that influence global warming are described below.

- *Water Vapor.* Water vapor is the most abundant GHG present in the atmosphere. While water vapor is not considered a pollutant, while it remains in the atmosphere it maintains a climate necessary for life. Changes in the atmospheric concentration of water vapor is directly related to the warming of the atmosphere rather than a direct result of industrialization. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to “hold” more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. When water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are more able to reflect incoming solar radiation. This will allow less energy to reach the Earth’s surface thereby affecting surface temperatures.
- *Carbon Dioxide (CO₂).* The natural production and absorption of CO₂ is achieved through the terrestrial biosphere and the ocean. Manmade sources of CO₂ include the burning coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700’s, these activities have

increased the atmospheric concentrations of CO₂. Prior to the industrial revolution, concentrations were fairly stable at 280 parts per million (ppm). The International Panel on Climate Change (IPCC Fifth Assessment Report, 2014) Emissions of CO₂ from fossil fuel combustion and industrial processes contributed about 78% of the total GHG emissions increase from 1970 to 2010, with a similar percentage contribution for the increase during the period 2000 to 2010.

- *Methane (CH₄)*. CH₄ is an extremely effective absorber of radiation, although its atmospheric concentration is less than that of CO₂. Methane's lifetime in the atmosphere is brief (10 to 12 years), compared to some other GHGs (such as CO₂, N₂O, and Chlorofluorocarbons (CFCs)). CH₄ has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other human-related sources of methane production include fossil-fuel combustion and biomass burning.
- *Nitrous Oxide (N₂O)*. Concentrations of N₂O also began to increase at the beginning of the industrial revolution. In 1998, the global concentration of this GHG was documented at 314 parts per billion (ppb). N₂O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is also commonly used as an aerosol spray propellant.
- *Chlorofluorocarbons (CFC)*. CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C₂H₆) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source but were first synthesized in 1928. It was used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and in 1989 the European Community agreed to ban CFCs by 2000 and subsequent treaties banned CFCs worldwide by 2010. This effort was extremely successful, and the levels of the major CFCs are now remaining level or declining. However, their long atmospheric lifetimes mean that some of the CFCs will remain in the atmosphere for over 100 years.
- *Hydrofluorocarbons (HFC)*. HFCs are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential. The HFCs with the largest measured atmospheric abundances are (in order), HFC-23 (CHF₃), HFC-134a (CF₃CH₂F), and HFC-152a (CH₃CHF₂). Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant. Concentrations of HFC-23 and HFC-134a in the atmosphere are now about 10 parts per trillion (ppt) each. Concentrations of HFC-152a are about 1 ppt. HFCs are manmade and used for applications such as automobile air conditioners and refrigerants.
- *Perfluorocarbons (PFC)*. PFCs have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface are able to destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF₄) and hexafluoroethane (C₂F₆). Concentrations of CF₄ in the atmosphere are over 70 ppt. The two main sources of PFCs are primary aluminum production and semiconductor manufacturing.

- *Sulfur Hexafluoride (SF₆)*. SF₆ is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF₆ has the highest global warming potential of any gas evaluated; 23,900 times that of CO₂. Concentrations in the 1990s were about 4 ppt. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

The MDAQMD mass emissions threshold was previously 100,000 tons (90,720 metric tons (MT)) CO₂E per year. The MDAQMD emission threshold is not recognized as a valid threshold, hence, the South Coast Air Quality Management District (SCAQMD) mass emission threshold would be used. The SCAQMD threshold for industrial land uses is 10,000 MTCO₂E per year.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? • Less than Significant Impact.

The State of California requires CEQA documents to include an evaluation of greenhouse gas (GHG) emissions or gases that trap heat in the atmosphere. GHG emissions are emitted by both natural processes and human activities. Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). Carbon dioxide equivalent, or CO₂E, is a term that is used for describing different greenhouse gases in a common and collective unit. The SCAQMD established the 10,000 MTCO₂ threshold for industrial land uses. As indicated in Table 3-4, the operational CO₂E is 58.4 metric tons per year, which is well below the threshold.

Table 3-4 Greenhouse Gas Emissions Inventory

Source	GHG Emissions (Metric tons/year)			
	CO ₂	CH ₄	N ₂ O	CO ₂ E
Total Operational Emissions	58.2	<0.005	<0.005	58.4
Total Construction Emissions	158	0.01	<0.005	159
Significance Threshold				10,000

Source: CalEEMod V.2022.1.1.29

Furthermore, as mentioned in Section 3.17 Transportation, the projected vehicle trips to and from the site will not be significant given the proposed use. *As a result, the impacts would be less than significant.*

B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases? • Less than Significant Impact.

The San Bernardino County Transit Authority (SBCTA) authorized the preparation of a county-wide Regional Greenhouse Gas Reduction Plan. This plan was adopted in March 2021. The plan contains multiple reduction measures that would be effective in reducing GHG emissions throughout the SBCTA region. The lack of development in the immediate area may preclude residents from obtaining employment or commercial services within City boundaries, thus compelling residents to travel outside of City boundaries for employment and commercial services. It is important to note that the California Department of Transportation as well as the Counties of Los Angeles and San Bernardino are engaged in an effort to construct a multi-modal transportation corridor consisting of public transit, a new freeway, and bicycle lanes known as the High Desert Corridor (HDC). The aforementioned regional program will reduce potential GHG emissions related to excessive VMTs to levels that are less than significant.

Those Partnership jurisdictions, including Hesperia, choosing to complete and adopt local Climate Action Plans (CAPs) that are consistent with the County's GHG Reduction Plan and with the prior Regional Plan Program EIR and the addendum or supplemental CEQA document prepared by SBCOG will be able to tier their future project-level CEQA analyses of GHG emissions from their CAP. In 2010, the City of Hesperia completed a CAP. The City participated in this regional effort as a study to inform their decision to update or revise their existing CAP. As part of this effort, the City of Hesperia has selected a goal to reduce its community GHG emissions to a level that is 40% below its 2020 level of GHG emissions by 2030. The City will meet and exceed this goal subject to reduction measures that are technologically feasible and cost-effective through a combination of state (~70%) and local (~30%) efforts. The Pavley vehicle standards, the State's low carbon fuel standard, the RPS, and other state measures will reduce GHG emissions in Hesperia's on-road, off-road, and building energy sectors in 2030. An additional reduction of 110,304 MTCO₂E will be achieved primarily through the following local measures, in order of reductions achieved: GHG Performance Standard for Existing Development (PS-1); Water Efficiency Renovations for Existing Buildings (Water-2); and Waste Diversion and Reduction (Waste-2). Hesperia's Plan has the greatest impacts on GHG emissions in the building energy, on-road transportation, and waste sectors. The proposed project will not involve or require any variance from an adopted plan, policy, or regulation governing GHG emissions. As a result, no potential conflict with an applicable greenhouse gas policy plan, policy, or regulation would occur. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The analysis of potential impacts related to greenhouse gas emissions indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

3.9 HAZARDS & HAZARDOUS MATERIALS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			×	
B. Would the project 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?			×	
C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			×	
D. Would the project 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 it create a significant hazard to the public or the environment?				×
E. Would the project 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 or excessive noise for people residing or working in the project area?				×
F. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				×
G. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				×

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on hazards and hazardous materials if it results in any of the following:

- The proposed project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- The proposed project would 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.
- The proposed project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- The proposed project would 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.
- The proposed project would result in a safety hazard or excessive noise for people residing or working in the project area 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.

- The proposed project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- The proposed project would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Hazardous materials refer generally to hazardous substances that exhibit corrosive, poisonous, flammable, and/or reactive properties and have the potential to harm human health and/or the environment. Hazardous materials are used in a wide variety of products (household cleaners, industrial solvents, paint, pesticides, etc.) and in the manufacturing of products (e.g., electronics, newspapers, plastic products). Hazardous materials can include petroleum, natural gas, synthetic gas, acutely toxic chemicals, and other toxic chemicals that are used in agriculture, commercial, and industrial uses; businesses; hospitals; and households. Accidental releases of hazardous materials can occur from a variety of causes, including highway incidents, warehouse fires, train derailments, shipping accidents, and industrial incidents.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? • Less than Significant Impact.*

The project's construction would require the use of diesel fuel to power the trucks being parked. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. *As a result, the impacts will be less than significant.*

B. *Would the project 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? • Less than Significant Impact.*

The project's construction would require the use of diesel fuel to power the individual trucks being parked. The proposed use is not a bulk fuel transporter. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline and equipment lubricants. There will be no storage or disposal of hazardous materials on site. No fuel will be stored on site above ground or underground (UST). As a result, the likelihood of encountering contamination or other environmental concerns is remote. *The impacts will be less than significant.*

C. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? • Less than Significant Impact.*

The nearest school is the LaVerne Elementary Preparatory Academy, located approximately 2,300 feet to the east. The project's construction would require the use of diesel fuel to power the trucks being parked. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. The proposed use is not a bulk fuel transporter. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline and equipment lubricants. These

products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. The Applicant will be required to prepare a safety and hazard mitigation plan that indicates those protocols that must be adhered to in the event of an accident. This plan will be reviewed and approved by the City prior to the issuance of the Occupancy Permit. As indicated in Subsection D, the project site is not listed in either the CalEPA's Cortese List or the Envirostor database. Underground storage tanks (USTs) do not exist or will be provided onsite. The chemicals that will be transported and stored on-site are regulated by the US EPA and the CalEPA. *The impacts would be less than significant.*

D. *Would the project 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 it create a significant hazard to the public or the environment? • No Impact.*

Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List. The Cortese List is a planning document used by the State and other local agencies to comply with CEQA requirements that require the provision of information regarding the location of hazardous materials release sites. A search was conducted through the California Department of Toxic Substances Control Envirostor website to identify whether the project site is listed in the database as a Cortese site. The project site is not identified as a Cortese site.²⁴ *Therefore, no impacts would occur.*

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 a public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? • No Impact.*

The project site is not located within an airport land use plan and is not located within two miles of a public airport or public use airport.²⁵ The nearest airport to the site is the Hesperia Airport that is located approximately 3.7 miles to the southwest. The Southern California Logistics Airport is located approximately 11.6 miles to the northwest of the project site.²⁶ The project will not introduce any structures that will interfere with the approach and take off of airplanes utilizing any regional airports as the maximum height of the proposed wall is expected to be 12-feet.²⁷ *As a result, no impacts would occur.*

F. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? • No Impact.*

At no time will "C" Avenue or Hercules Street be completely closed to traffic during the proposed project's construction. In addition, all construction staging must occur on-site. *As a result, no impacts would occur.*

²⁴ CalEPA. *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*.
http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm.

²⁵ Toll-Free Airline. *San Bernardino County Public and Private Airports, California*.
<http://www.tollfreeairline.com/california/sanbernardino.htm>.

²⁶ Google Maps. Website accessed January 13, 2025.

²⁷ Design Development Inc. United Holdings. Site Plan. Sheet A-O. August 2023.

G. *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? • No Impact.*

The project site, along with the entire City is located within a “moderate fire hazard severity zone” and Local Responsibility Area (LRA).²⁸ The portions of the undeveloped areas currently on the project site will be removed and replaced with drought tolerant landscaping. The minimal amount of vegetation on the project site will not expose people or structures to a risk of loss involving wildfires. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of potential impacts related to Hazards and Hazardous Materials indicated that no significant adverse impacts would result from the proposed project’s approval and subsequent implementation. As a result, no mitigation measures are required.

²⁸ CalFire. *Very High Fire Hazard Severity Zone Map for SW San Bernardino County*.
http://frap.fire.ca.gov/webdata/maps/san_bernardino_sw/

3.10 HYDROLOGY & WATER QUALITY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			✗	
B. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✗	
C. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			✗	
i). Would the project result in substantial erosion or siltation on- or off-site;			✗	
ii). Would the project substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site.			✗	
iii). Would the project 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; or			✗	
iv). Would the project impede or redirect flood flows?			✗	
D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✗
E. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✗

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on hydrology and water quality if it results in any of the following:

- The proposed project would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.
- The proposed project would substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
- The proposed project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; 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; or, impede or redirect flood flows.

- The proposed project would risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones.
- The proposed project would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? • Less than Significant Impact.*

The new construction may result in debris, leaves, soils, oil/grease, and other pollutants. The project Applicant will be required to adhere to Section 8.30 Surface and Groundwater Protection of the Municipal Code which regulates erosion and sediment control. In addition, stormwater discharges from construction activities that disturb one or more acres, or smaller sites disturbing less than one acre that are part of a common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater permitting program. *As a result, the impacts would be less than significant.*

B. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? • Less than Significant Impact.*

No new direct construction related impacts to groundwater supplies, or groundwater recharge activities would occur as part of the proposed project's implementation. Water used to control fugitive dust will be transported to the site via truck. The proposed project will be connected to the City's water lines. No direct ground water extraction would occur. Furthermore, the construction and post-construction BMPs will address contaminants of concern from excess runoff, thereby preventing the contamination of local groundwater. As a result, there would be no direct groundwater withdrawals associated with the proposed project's implementation. *As a result, the impacts would be less than significant.*

C. *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces? • Less than Significant Impact.*

The project site is currently paved and the site's natural drainage patterns have been altered as a result of the previous construction within the adjacent properties and development. In addition, the proposed project would not alter the course of any stream. As previously mentioned, the applicant would be required to adhere to Section 8.30 Surface and Groundwater Protection of the Municipal Code. *As a result, the potential impacts would be less than significant.*

i). *Would the project result in a substantial erosion or siltation on- or off-site; • Less than Significant Impact.*

The project applicant will be required to abide by Hesperia's City Ordinance Chapter 8.30.210 which requires all applicants for projects involving construction activities, regardless of size, to submit an Erosion

and Sediment Control Plan ("ESCP") to the City for review and approval as mentioned in subsection A. *With conformance to the ordinance, the impacts would be less than significant.*

ii). *Would the project result substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; • Less than Significant Impact.*

The project's construction will be restricted to the designated project site and the project will not alter the course of any stream or river that would lead to flooding. The proposed project would implement sidewalks and landscaping along "C" Avenue and Hercules Street. *As a result, the impacts would be less than significant.*

iii). *Would the project 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; • Less than Significant Impact.*

As mentioned previously, the only impervious surface that would be added to the currently developed project site would be sidewalks along the street frontages. New landscaping would total 10,324 square feet. This landscaping would be located along the "C" Avenue and Hercules Street frontages. Stormwater would be designed to percolate in the proposed landscaping and existing dirt areas. *As a result, the impacts would be less than significant.*

iv). *Would the project impede or redirect flood flows? • Less than Significant Impact.*

The proposed project's location will be restricted to the proposed project site and will not alter the course of any stream or river that would lead to on- or off-site siltation or erosion. The site is presently developed and there are no stream channels or natural drainages that occupy the property. New landscaping would total 10,324 square feet. This landscaping would be located along the "C" Avenue and Hercules Street frontages. Stormwater would be designed to percolate in the proposed landscaping and existing dirt areas. *As a result, the potential impacts would be less than significant.*

D. *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? • No Impact.*

According to the Federal Emergency Management Agency (FEMA) flood insurance maps obtained for the City of Hesperia, the proposed project site is not located in a Flood Hazard zone.²⁹ The proposed project site is also not located in an area that is subject to inundation by seiche or tsunami. In addition, the project site is located inland approximately 65 miles from the Pacific Ocean and the project site would not be exposed to the effects of a tsunami.³⁰ *As a result, no impacts would occur.*

E. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? • No Impact.*

The project Applicant will be required to adhere to Section 8.30 Surface and Groundwater Protection of the Municipal Code which regulates erosion and sediment control. This Section of the City of Hesperia

²⁹ Federal Emergency Management Agency. *Flood Insurance Rate Mapping Program*. 2021.

³⁰ Google Earth. Website accessed January 13, 2025.

Municipal Code is responsible for implementing the NPDES and MS4 stormwater runoff requirements. In addition, the project's operation will not interfere with any groundwater management or recharge plan because there are no active groundwater management recharge activities on-site or in the vicinity. *As a result, no impacts would occur.*

MITIGATION MEASURES

As indicated previously, hydrological characteristics will not substantially change as a result of the proposed project. As a result, no mitigation is required.

3.11 LAND USE & PLANNING

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project physically divide an established community?				×
B. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				×

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, acting as Lead Agency, a project may be deemed to have a significant adverse impact on mineral resources if it results in any of the following:

- The proposed project would physically divide an established community.
- The proposed project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project physically divide an established community? • No Impact.

The proposed project site is located on an 8.67-acre site that is currently developed with a trucking facility. Currently, 73% of the total site is paved over and 25% is graded dirt area within the project site. The site and surrounding area is developed and disturbed with one dying western Joshua Tree located in the northeast corner of the site. The project site is located within the Mainstreet / Freeway Corridor Specific Plan (MSFC-SP). The project site's Land Use and Zoning Designation is *General Industrial* (GI).³¹ Land uses and development located in the vicinity of the proposed project site are outlined below:

- *North of the project site:* Hercules Street extends along the project site's north side. An outdoor storage yard and truck driving school are located on the north side of the aforementioned street. The Land Use and Zoning for this area is *General Industrial* (GI).
- *West of the project site:* "C" Avenue extends along the project site's west side. Further west, on the west side of "C" Avenue, is an outdoor truss manufacturing facility. The Land Use and Zoning for this area is *General Industrial* (GI).
- *South of the project site:* The Burlington Northern-Santa Fe (BNSF) Cushenberry Branch Line extends along the project site's south side; a spur off this branch line enters the project site. A vacant, undeveloped property is located further south of the railroad right-of-way. The Land Use and Zoning for this area is *General Industrial* (GI).

³¹ City of Hesperia. *General Plan Land Use*. October 5, 2023.

- *East of the project site:* “A wood product warehouse development is located east of the project site. The Land Use and Zoning for this area is *General Industrial* (GI).³²

The granting of the requested entitlements and subsequent construction of the proposed project will not result in any expansion of the use beyond the current boundaries or the change from its existing use. As a result, the project will not lead to any division of an existing established neighborhood. *As a result, no impacts would occur.*

B. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? • No Impact.

The project site is located within the Mainstreet / Freeway Corridor Specific Plan (MSFC-SP). The project site’s Land use and Zoning Designation is *General Industrial* (GI). According to the Hesperia General Plan, Industrial districts are appropriate for areas having or planned to have adequate sanitation, water, transportation, drainage, utilities, and public services available to meet the needs of this type of development. The industrial designations are not intended for general commercial uses, either of a retail or service nature that will attract non-industrial users, vehicular traffic, or incompatible uses into the industrial area. When possible, industrial areas should be separated from single family residential areas by commercial or multiple family residential designations, natural or manmade barriers such as drainage courses, utility easements, railroad tracks, or major arterials. Adequate land use and design buffers to mitigate impacts of truck traffic, noise, emissions, dust, and other potential land use conflicts must be addressed through the design review process within the Industrial designations.

The *General Industrial* (GI) designation is intended to permit the establishment of manufacturing and related uses within the city in areas which are protected from encroachment by incompatible residential uses. This designation permits the heaviest types of manufacturing and industrial uses with approval of a site plan or conditional use permit. Manufacturing, warehousing, and fabrication uses are all appropriate for this designation. Development within the General Industrial designation should occur at a Floor Area Ratio (FAR) not to exceed 1.0. The proposed project is consistent with the above General Plan guidelines. Additionally, as part of the Mainstreet / Freeway Corridor Specific Plan, the project site is required to screen the parked vehicles and trailers. The proposed block walls would be designed to be as low as possible while maintaining screening coverage of the trailers as shown in the line-of-sight diagrams in Exhibit 2-6. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis determined that no impacts on land use and planning would result upon the implementation of the proposed project. As a result, no mitigation measures are required.

³²City of Hesperia. *General Plan Land Use*. October 5, 2023.

3.12 MINERAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project 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. Would the project 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?				✗

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, acting as Lead Agency, a project may be deemed to have a significant adverse impact on mineral resources if it results in any of the following:

- The proposed project would physically divide an established community.
- The proposed project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The Surface Mining and Reclamation Act of 1975 (SMARA) has developed mineral land classification maps and reports to assist in the protection and development of mineral resources. According to the SMARA, the following four mineral land use classifications are identified:

- *Mineral Resource Zone 1 (MRZ-1)*: This land use classification refers to areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- *Mineral Resource Zone 2 (MRZ-2)*: This land use classification refers to areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.
- *Mineral Resource Zone 3 (MRZ-3)*: This land use classification refers to areas where the significance of mineral deposits cannot be evaluated from the available data. Hilly or mountainous areas underlain by sedimentary, metamorphic, or igneous rock types and lowland areas underlain by alluvial wash or fan material are often included in this category. Additional information about the quality of material in these areas could either upgrade the classification to MRZ-2 or downgrade it to MRZ-1.
- *Mineral Resource Zone 4 (MRZ-4)*: This land use classification refers to areas where available information is inadequate for assignment to any other mineral resource zone.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project 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? • No Impact.*

A review of California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells located in the vicinity of the project site.³³ The project site is located in a Significant Mineral Aggregate Resource Area (SMARA) Zone 3 and is not located in an area with active mineral extraction activities.³⁴ As indicated previously, the site is developed and there are no active mineral extraction activities occurring on-site or in the adjacent properties. *As a result, no impacts would occur.*

B. *Would the project 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? • No Impact.*

As previously mentioned, no mineral, oil, or energy extraction and/or generation activities are located within the project site. Moreover, the proposed project will not interfere with any resource extraction activity. *Therefore, no impacts would occur.*

MITIGATION MEASURES

The analysis of potential impacts related to mineral resources indicated that no significant adverse impacts would result from the approval of the proposed project and its subsequent implementation. As a result, no mitigation measures are required.

³³ California, State of. Department of Conservation. *California Oil, Gas, and Geothermal Resources Well Finder*. <https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-117.41448/34.56284/14>.

³⁴ California Department of Conservation. *Mineral Land Classification Map for the Hesperia Quadrangle*. Map accessed January 13, 2025.

3.13 NOISE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✗		
B. Would the project result in generation of excessive ground borne vibration or ground borne noise levels?			✗	
C. For a project located within the vicinity of a private airstrip or 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?				✗

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on noise if it results in any of the following:

- The proposed project would result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- The proposed project would result in the generation of excessive ground borne vibration or ground borne noise levels.
- For a proposed project located within the vicinity of a private airstrip or 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?

Noise levels may be described using a number of methods designed to evaluate the “loudness” of a particular noise. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans. The eardrum may rupture at 140 dB. In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity. Noise level increases of 3.0 dB or less are not generally perceptible to persons with average hearing abilities. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? • Less than Significant Impact with Mitigation.

The maximum noise level allowed by Hesperia's code of ordinances is 65 dB during any time period. The major source of noise in the City of Hesperia and the project area is vehicular traffic. The level of vehicular traffic noise varies with many factors, including traffic volume, vehicle mix (truck percentage), traffic speed, and distance from the roadway. Other sources of noise include railroad, aircraft, industrial and commercial activity, and construction. The project site is located within the industrial district of the City, therefore ambient noise levels are expected to be greater in this area due to higher amounts of truck traffic and industrial activity which generate louder noises compared to residential or commercial zones. Additionally, the project site is already developed and has operated as a trucking facility. The proposed project would not increase the amount of truck traffic traveling to and from the project site as no expansion of existing facilities is included within the scope of work. The proposed project would include the construction of new steel or block walls, which would improve noise reduction measures onsite.

The following noise standards are located within the City of Hesperia Municipal Code, Section 16.20.125: A. Noise Measurement. For the *General Industrial (GI)* zone, the 65 dB represents the noise standard for the zone. In addition, as stated within the City of Hesperia Municipal Code Section 16.20.125, no person shall operate or cause to be operated any source of sound at any location or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level, when measured on any other property, either incorporated or unincorporated, to exceed:

- The noise standard for the receiving land use (as specified in subsection (B)(1) of this section) for a cumulative period of more than thirty (30) minutes in any hour; or
- The noise standard plus five dB(A) for a cumulative period of more than fifteen (15) minutes in any hour; or
- The noise standard plus ten dB(A) for a cumulative period of more than five minutes in any hour; or
- The noise standard plus fifteen (15) dB(A) for a cumulative period of more than one minute in any hour; or
- The noise standard plus twenty (20) dB(A) for any period of time.

To ensure the project's potential noise impacts are mitigated, the following mitigation measures must be implemented:

- The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise during construction.

Adherence to the aforementioned mitigation measures will reduce the potential noise impacts to levels that are less than significant.

B. *Would the project result in generation of excessive ground-borne vibration or ground-borne noise levels? • Less than Significant Impact.*

The nearest sensitive receptors to the project site are single-family residences located approximately 1,822 feet to the west of the project site. The project site is located within the industrial district of the City, therefore ambient noise levels are expected to be greater in this area due to higher amounts of truck traffic and industrial activity which generate louder noises compared to residential or commercial zones. A wood framing factory and the Burlington Northern-Santa Fe (BNSF) Cushenberry Branch Line exist between the project site and the nearest sensitive receptors. Additionally, the project site is already developed and has operated as a trucking facility. The proposed project would not increase the amount of truck traffic traveling to and from the project site as no expansion of existing facilities is included within the scope of work. The construction of the proposed project will result in the generation of vibration and noise, though the vibrations and noise generated during the project's construction will not adversely impact the nearby sensitive receptors. The background vibration velocity level in residential areas is usually around 50 vibration velocity level (VdB). The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity of 75 VdB is the approximately dividing line between barely perceptible and distinctly perceptible levels for many people. Sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors causes most perceptible indoor vibration. Construction activities may result in varying degrees of ground vibration, depending on the types of equipment, the characteristics of the soil, and the age and construction of nearby buildings.

The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Ground vibrations associated with construction activities using modern construction methods and equipment rarely reach the levels that result in damage to nearby buildings though vibration related to construction activities may be discernible in areas located near the construction site. A possible exception is in older buildings where special care must be taken to avoid damage. The U.S. Department of Transportation (U.S. DOT) has guidelines for vibration levels from construction related to their activities and recommends that the maximum peak-particle-velocity (PPV) levels remain below 0.05 inches per second at the nearest structures. PPV refers to the movement within the ground of molecular particles and not surface movement. Vibration levels above 0.5 inches per second have the potential to cause architectural damage to normal dwellings. The U.S. DOT also states that vibration levels above 0.015 inches per second (in/sec) are sometimes perceptible to people, and the level at which vibration becomes an irritation to people is 0.64 inches per second.

Typical levels from vibration generally do not have the potential for any structural damage. Some construction activities, such as pile driving and blasting, can produce vibration levels that may have the potential to damage some vibration sensitive structures if performed within 50 to 100 feet of the structure. The reason that normal construction vibration does not result in structural damage has to do with several issues, including the frequency vibration and magnitude of construction related vibration. Unlike earthquakes, which produce vibration at very low frequencies and have a high potential for structural damage, most construction vibration is in the mid- to upper- frequency range, and therefore has a lower potential for structural damage.

The project's implementation will not require deep foundations since no new buildings would be constructed and the only new construction would be sidewalks, landscaping area, and a block wall. The use of shallow foundations precludes the use of pile drivers or any auger type equipment. However, other vibration generating equipment may be used on-site during construction. As stated above, the project will require the use of excavators, loaders, bulldozers, and haul trucks.

Once operational, the proposed project would not generate excessive ground-borne noise because the project will not require the use of equipment capable of creating ground-borne noise. The project will be required to adhere to all pertinent City noise control regulations. In addition, the cumulative traffic associated with the proposed project will not be great enough to result in a measurable or perceptible increase in traffic noise (it typically requires a doubling of traffic volumes to increase the ambient noise levels to 3.0 dBA or greater). *As a result, the impacts would be less than significant.*

C. *For a project located within the vicinity of a private airstrip or 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? • No Impact.*

The nearest airport to the site is the Hesperia Airport that is located approximately 3.7 miles to the southwest. The Southern California Logistics Airport is located approximately 11.6 miles to the northwest of the project site. The proposed use is not considered to be a sensitive receptor. As a result, the proposed project will not expose people residing or working in the project area to excessive noise levels related to airport uses. *As a result, no impacts would occur.*

MITIGATION MEASURES

The following mitigation will be required in order to further reduce construction noise:

NOI Mitigation No. 1. The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.

3.14 POPULATION & HOUSING

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project induce substantial unplanned 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. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✗

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on population and housing if it results in any of the following:

- The proposed project would induce substantial unplanned 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).
- The proposed project would displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project induce substantial unplanned 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)? • No Impact.*

The proposed project would involve the renovation of an existing lumber truss yard to a truck parking facility. The site is entirely paved over except undisturbed dirt areas along the site boundary and includes three buildings totaling 7,695 square feet. These buildings include a main office referred to as Building 1 with a footprint of 2,400 square feet, a bathroom and utility building referred to as Building 2 with a footprint of 310 square feet, and a maintenance building referred to as Building 3 with a footprint of 4,985 square feet. In addition to the buildings, four canopy structures are located within the center of the site. A chain-link fence currently surrounds the entire property. The existing paved area totals 274,896 square feet or 73% coverage and the undisturbed area consists of 95,309 square feet or 25% coverage. The proposed changes include renovations to three (3) existing buildings (Buildings 1, 2, and 3), installing sidewalks, landscaping, street improvements to Hercules Street and C Avenue along the street frontages, repairing asphalt, repairing the existing chain-link fence and installing a new screening steel or block wall, adding additional street lighting on existing poles on Hercules Street, and installing a new trash enclosure. The building renovations include repairing bathroom fixtures and finishes in the maintenance building (Building 2), and renovating the main office building (Building 1) to include an accessible bathroom. Block walls would be installed along the Hercules Street and C Avenue landscaping area, and to provide security and screen views of trailers from the street. The only new additions would include a trash enclosure adjacent to Building 2, painted strips for truck parking stalls, and “cobra head” streetlights to power poles on Hercules Street. No additional building footprint or area would be added to either building and no changes are proposed to Building 3.

Growth-inducing impacts are generally associated with the provision of urban services to an undeveloped or rural area. Growth-inducing impacts include the following:

- *New development in an area presently undeveloped and economic factors which may influence development.* The site is currently undeveloped though it has been disturbed. The proposed use is consistent with the *General Industrial (GI)* zone.
- *Extension of roadways and other transportation facilities.* The site has been developed and no expansion is planned.
- *Extension of infrastructure and other improvements.* The only infrastructure improvements proposed by the project include two streetlights and one trash enclosure which would be used for the project site only. It is unlikely two streetlights located on Hercules Street, which has already been developed and mainly illuminates a section of road between the project site and already developed properties, would contribute to substantial unplanned growth.
- *Major off-site public projects (treatment plants, etc.).* The project's increase in demand for utility services can be accommodated without the construction or expansion of landfills, water treatment plants, or wastewater treatment plants.
- *The removal of housing requiring replacement housing elsewhere.* The site does not contain any housing units. As a result, no replacement housing will be required.
- *Additional population growth leading to increased demand for goods and services.* The project will not result in an increase in employment. The project site has already been developed as a trucking facility and no additional building footprint or area would be added.
- *Short-term growth-inducing impacts related to the project's construction.* The project will result in temporary employment during the construction phase.

The proposed project will utilize existing roadways and infrastructure. The proposed project will not result in any unplanned growth. *As a result, no impacts would occur.*

B. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? • No Impact.

The project site is vacant and ungraded. The project site is located within the Mainstreet / Freeway Corridor Specific Plan (MSFC-SP). The project site's Land Use and Zoning Designation is *General Industrial (GI)*.³⁵ No housing units will be permitted, and none will be displaced as a result of the proposed project's implementation. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of potential population and housing impacts indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

³⁵ City of Hesperia. *General Plan Land Use*. October 5, 2023.

3.15 PUBLIC SERVICES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact 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 would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
i). Would the project result in substantial adverse physical impacts associated with Fire protection?			✗	
ii). Would the project result in substantial adverse physical impacts associated with Police protection?			✗	
iii). Would the project result in substantial adverse physical impacts associated with Schools?			✗	
iv). Would the project result in substantial adverse physical impacts associated with Parks?			✗	
v). Would the project result in substantial adverse physical impacts associated with Other public facilities?			✗	

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on public services if it results in any of the following:

- The proposed project would 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: fire protection, police protection, schools, parks or other public facilities.

ANALYSIS OF ENVIRONMENTAL IMPACTS

<p>A. <i>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 would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:</i></p> <p>i). <i>Would the project result in substantial adverse physical impacts associated with fire protection? • Less than Significant Impact.</i></p>
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The City of Hesperia and the sphere of influence are served by the San Bernardino County Fire Department. Currently there are five fire stations within the City of Hesperia, Stations 302, 303, 304, and 305. In addition, there are two stations outside of the City, which include Stations 22 and 23. The nearest station to the project site is Station 302 located approximately 1.11 miles southeast of the project

site. The proposed project would only place an incremental demand on fire services since the project will be constructed with strict adherence to all pertinent building and fire codes. In addition, the proposed project would be required to implement all pertinent Fire Code Standards. Furthermore, the project will be reviewed by City and County building and fire officials to ensure adequate fire service and safety. All buildings have monitored fire alarm systems with heat detection, smoke detection and pull station by exits. *As a result, the impacts would be less than significant.*

ii). Would the project result in substantial adverse physical impacts associated with police protection? • Less than Significant Impact.

Law enforcement services within the City are provided by the San Bernardino County Sheriff's Department which serves the community from one police station. The San Bernardino County Sheriff's Department provides police protection and crime prevention services for the City of Hesperia and its sphere of influence on a contractual basis. The Hesperia Police Department is located at 15840 Smoke Tree Street approximately 1.19 miles to the southwest of the project site. This station is adjacent to the City Hall and Library, surrounding the Hesperia Civic Plaza. The primary potential security issues will be related to vandalism and potential burglaries during off-business hours. The project Applicant has (night-time) security on site, to protect the property from intruders and vandalism, offices and employees during business hours (day-time). *As a result, the impacts would be less than significant.*

iii). Would the project result in substantial adverse physical impacts associated with schools? • Less than Significant Impact.

The Hesperia Unified School District (HUSD) is the largest school district in the high desert, covering nearly 160 square miles, serving approximately 21,000 students (K–12) on 26 separate campuses. The nearest school to the project site is the La Verne Elementary Preparatory Academy approximately 2,900 feet northeast of the site. Due to the nature of the proposed project (an industrial use), no direct enrollment impacts regarding school services would occur. The proposed project will not directly increase demand for school services. *As a result, the impacts on school-related services would be less than significant.*

iv). Would the project result in substantial adverse physical impacts associated with parks? • Less than Significant Impact.

The Hesperia Recreation and Park District (HRPD) is an independent special district within the County of San Bernardino. HRPD was created in 1957 to meet the recreational needs of the community and encompasses approximately 100 square miles, including the 75 square miles within the City of Hesperia and much of the Sphere of Influence. HRPD constructs and maintains parks, recreation facilities, retention basins, Landscape Maintenance Districts, streetlights, and other recreational services and programs to the community. The nearest park to the project site is Live Oak Park located 3,000 feet to the southeast of the project site. The proposed project would not result in any local increase in residential development (directly or indirectly) which could potentially impact the local recreational facilities. *As a result, the impacts would be less than significant.*

v). Would the project result in substantial adverse physical impacts associated with other public facilities? • Less than Significant Impact.

The proposed project would not create direct local population growth which could potentially create demand for other governmental services. *As a result, less than significant impacts will result from the proposed project's implementation.*

MITIGATION MEASURES

The analysis of public service impacts indicated that no significant adverse impacts are anticipated, and no mitigation is required with the implementation of the proposed project.

3.16 RECREATION

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact 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. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✕

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on recreation if it results in any of the following:

- The proposed project would 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.
- The proposed project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

ANALYSIS OF ENVIRONMENTAL IMPACTS

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?* • *No Impact.*

The Hesperia Recreation and Park District (HRPD) is an independent special district within the County of San Bernardino. HRPD was created in 1957 to meet the recreational needs of the community and encompasses approximately 100 square miles, including the 75 square miles within the City of Hesperia and much of the Sphere of Influence. HRPD constructs and maintains parks, recreation facilities, retention basins, Landscape Maintenance Districts, streetlights, and other recreational services and programs to the community. No parks are located adjacent to the site. The nearest park to the project site is Live Oak Park located 3,000 feet to the southeast of the project site. The proposed project would not result in any improvements that would potentially significantly physically alter any public park facilities and services. *As a result, no impacts would occur.*

B. *Would the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?* • *No Impact.*

As previously indicated, the implementation of the proposed project would not affect any existing parks and recreational facilities in the City. No such facilities are located adjacent to the project site. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of potential impacts related to parks and recreation indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

3.17 TRANSPORTATION

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			✗	
B. Conflict or be inconsistent with CEQA Guidelines §15064.3 subdivision (b)?			✗	
C. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✗	
D. Would the project result in inadequate emergency access?			✗	

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on transportation and circulation if it results in any of the following:

- The proposed project would conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
- The proposed project would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).
- The proposed project would substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- The proposed project would result in inadequate emergency access.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project conflict with a program, plan, or ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? • Less than Significant Impact.*

The proposed project would involve the renovation of an existing lumber truss yard to a truck parking facility. The site is entirely paved over except undisturbed dirt areas along the site boundary and includes three buildings totaling 7,695 square feet. These buildings include a main office referred to as Building 1 with a footprint of 2,400 square feet, a bathroom and utility building referred to as Building 2 with a footprint of 310 square feet, and a maintenance building referred to as Building 3 with a footprint of 4,985 square feet. In addition to the buildings, four canopy structures are located within the center of the site. A chain-link fence currently surrounds the entire property. The proposed changes include renovations to three (3) existing buildings (Buildings 1, 2, and 3), installing sidewalks, landscaping, street improvements to Hercules Street and C Avenue along the street frontages, repairing asphalt, repairing the existing chain-link fence and installing a new screening steel or block wall, adding additional street lighting on existing poles on Hercules Street, and installing a new trash enclosure. The building renovations include repairing bathroom fixtures and finishes in the maintenance building (Building 2), and renovating the main office

building (Building 1) to include an accessible bathroom. Block walls would be installed along the Hercules Street and C Avenue landscaping area, and to provide security and screen views of trailers from the street. The only new additions would include a trash enclosure adjacent to Building 2, painted strips for truck parking stalls, and “cobra head” streetlights to power poles on Hercules Street. No additional building footprint or area would be added to either building and no changes are proposed to Building 3.

In total, 59 truck and trailer parking spaces would be provided. Of these spaces, 17 would be located along the north of the project site, between Building 3 and the north truck entrance and 14 spaces would be located underneath and adjacent to the north of the easternmost existing canopy structure. Additionally, 14 truck and trailer parking lanes that can accommodate two trucks each would be added underneath and adjacent to the north of the central canopy structures.

In order to accurately assess future traffic conditions, trip generation estimates were developed for the project. There are no specific ITE generation rates for truck yards. A truck parking facility, Hesperia Truck Parking Center approved by the City under CUP 23-00007 in 2023, was found to be of similar use and have operational characteristics similar to the proposed project. The Trip Generation Memorandum conducted by Urban Crossroads, Inc. for the project was consulted to determine the potential trip generation rates for the proposed project. The potential trip generation is summarized below in Table 3-5.

TABLE 3-5 TRIP GENERATION

Use	Units	Daily	AM Peak Hour of Adjacent Street Traffic			PM Peak Hour of Adjacent Street Traffic		
			In	out	Total	In	Out	Total
Truck Yard	59 Spaces	Total Project Trip Generation by Vehicle Type						
Passenger Cars (Percent of Total)		28	0	0	1	1	2	2
2-Axle Trucks (Percent of Total)		5	0	0	0	0	0	0
3-Axle Trucks (Percent of Total)		41	1	2	3	2	1	3
4-Axle Trucks (Percent of Total)		38	1	1	2	1	1	2
PCE	PCE Factor	Total Project Trip Generation in Passenger Car Equivalents (PCE)						
Passenger Cars	1.0	28	0	0	1	1	2	2
2-Axle Trucks	1.5	8	0	0	1	0	0	4
3-Axle Trucks (Percent of Total)	2.0	82	2	4	6	4	2	6
4+Axle Trucks (Percent of Total)	3.0	114	4	2	7	3	2	5
Total		232	6	6	15	8	6	17

Source: Urban Crossroads, Inc. *Truck Parking Center Trip Generation Assessment*.

The project site is currently vacant though it was formerly a lumberyard. Given that the site is currently unused, the onsite trip generation is minimal (security and occasional maintenance). The existing trip generation is well under 50 trips per day. As indicated in Table 3-5, the future project is anticipated to generate approximately 232 daily PCE trips, with approximately 15 trips occurring during the AM peak hour, and 17 trips occurring during the PM peak hour. The planned truck route for ingress would start from

I-15 exiting at Bear Valley Road before turning onto “I” Avenue, then Lemon Street, “E” Avenue, and finally turning onto Hercules Street to reach the site. Egress would follow the same route. The proposed truck route would adhere to the City’s local truck route and Chapter 10.25 Truck Routes Program of the City’s Municipal Code. *Therefore, the potential impacts are anticipated to be less than significant.*

B. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)? • Less than Significant Impact.

VMT is defined as a measurement of miles traveled by vehicles in a certain region for a specified time period. VMT measures the use and efficiency of the transportation network within that region and is calculated from individual vehicle trips generated and their associated trip lengths. VMT accounts for two-way (round-trip) travel and is often estimated for a typical weekday for the purpose of measuring transportation impacts. After the signing of Senate Bill 743 (SB 743) in September 2013, the process of analyzing transportation impact under CEQA was significantly revised. SB 743 became a law effective July 1, 2020, and identifies VMT as the most appropriate CEQA transportation metric. The City’s TIA Guidelines include VMT screening criteria, guidelines, and thresholds for analyzing transportation impacts under CEQA. The Guidelines state that a project needs to satisfy only one of the criteria below to be exempt from further VMT analysis.

1. The project is located within a Transit Priority Area (TPA).
2. The project is located in a low VMT generating area.
3. Project Type Screening (the project generates fewer than 110 daily vehicle trips or is considered a local-serving land use)

The applicability of each criterion to the project is discussed below.

- *Screening Criteria 1 - Transit Priority Area Screening:* According to the City’s guidelines, projects located in a TPA may be presumed to have a less than significant impact. The proposed project is not located within an existing major transit stop or an existing stop along a high-quality transit corridor. Therefore, the project would not meet Screening Criteria 1 – Transit Priority Area Screening.
- *Screening Criteria 2 - Low VMT Area Screening:* The City’s guidelines include a screening threshold for projects located in a low VMT generating area. Low VMT generating area is defined as traffic analysis zones (TAZs) with a total daily VMT/Employee that is less than the current County of San Bernardino VMT/Employee (noted to be 16.9 in the guidelines). The project’s site was evaluated using the SBCTA VMT Screening Tool (SBCTA VMT Screening Tool (arcgis.com)). According to the results of the online tool, the VMT/Employee of the project TAZ is 12.2 which is lower than the County average. Therefore, the project would meet Screening Criteria 2 – Low-VMT Area Screening.
- *Screening Criteria 3 –Project Type:* According to the City’s guidelines, projects which generate fewer than 110 daily vehicle trips, propose local serving retail (retail projects less than 50,000 square feet) or other local serving uses would have a less than significant impact on VMT. As shown in Table 1, the project would generate more than 110 daily trips and is not a retail project. The proposed project does not meet this screening criterion.

Because the project would meet Screening Criteria 2 – Low VMT Area Screening, the project’s impact on VMT would be considered less than significant and an analysis of VMT would not be required. As a result, the project will not result in a conflict or be inconsistent with Section 15064.3 subdivision (b) of the CEQA Guidelines. *As a result, the potential impacts will be less than significant.*

C. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? • Less than Significant Impact.

The project would include block walls installed along the Hercules Street and C Avenue landscaping area to replace the existing chain-link fence to provide security and screen views of trailers from the street. The block walls would be placed such that line-of-sight at the three driveway approaches on the project site and the “C” Avenue and Hercules Street intersection would not be obstructed. *As a result, the potential impacts will be less than significant.*

D. Would the project result in inadequate emergency access? • Less than Significant Impact.

The proposed project would not affect emergency access to any adjacent parcels. At no time during construction will the adjacent public street be completely closed to traffic. All construction staging must occur on-site. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The analysis determined that the traffic impacts would be less than significant. As a result, no mitigation was required.

3.18 TRIBAL CULTURAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:		✕		
i) Would the project have listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				✕
ii). Would the project have resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American.		✕		

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on tribal cultural resources if it results in any of the following:

- The proposed project would cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).
- The proposed project would cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:*

A Tribal Resource is defined in Public Resources Code section 21074 and includes the following:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “non-unique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms to the criteria of subdivision (a).

Adherence to the standard condition presented in Subsection B under Cultural Resources will minimize potential impacts to levels that are less than significant. The City of Hesperia received a response from the Yuhaaviatam of San Manuel Nation (formerly San Manuel Band of Mission Indians) following the AB52 letters. The proposed project site is located on recognized Yuhaaviatam/Maarenga’yam land. The word Maara’yam, the People of Maara’, is used to describe all peoples known today as Serrano. The project area is located within the Serrano ancestral territory, which covers present-day Antelope Valley on the west, southwest Mojave Desert to the north, the Inland Empire north of the city of Riverside to the south, and the city of Twentynine Palms to the east.³⁶ The site is developed and is within an area of the City that has been disturbed due to adjacent development meaning there is a limited likelihood that artifacts would be encountered. The proposed project’s construction would involve shallow excavation for the installation of the wall footings. Ground disturbance would involve grading and earth-clearing activities for the installation of the grass and landscaping and along “C” Avenue and Hercules Street. In addition, the proposed project area is not located within an area that is typically associated with habitation sites, foraging areas, ceremonial sites, or burials. Nevertheless, mitigation was provided in the previous subsection.

i). Would the listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). • No Impact

Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1. The project site is not listed in the Register. *As a result, no impacts would occur.*

ii). Would the project have a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe? • Less than Significant Impact with Mitigation.

³⁶ San Manuel Band of Mission Indians. History. <https://sanmanuel-nsn.gov/culture/history> . Website Accessed January 13, 2025.

A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “non-unique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms to the criteria of subdivision (a). The following mitigation measures are required as a means to reduce potential tribal cultural resources impacts to levels that are less than significant:

- The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.
- Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

As a result, the impacts would be less than significant with mitigation.

MITIGATION MEASURES

The following mitigation measures are required as a means to reduce potential tribal cultural resources impacts to levels that are less than significant:

TRC Mitigation No. 1. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.

TRC Mitigation No. 2. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

3.19 UTILITIES AND SERVICE SYSTEMS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✗	
B. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?			✗	
C. Would the project 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?				✗
D. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				✗
E. Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?				✗

The energy and utilities worksheets are provided in Appendix D.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on utilities if it results in any of the following:

- The proposed project would require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- The proposed project would result in a determination by the wastewater treatment provider which serves or may serve the proposed project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- The proposed project would generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.
- The proposed project would negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals.

- The proposed project would comply with Federal, State, and local management and reduction statutes and regulations related to solid waste.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? • Less than Significant Impact.*

There are no existing water or wastewater treatment plants, electric power plants, telecommunications facilities, natural gas facilities, or stormwater drainage infrastructure located on-site. Therefore, the project's implementation will not require the relocation of any of the aforementioned facilities. The project site is currently developed and has existing electrical and water connections adjacent to the project site. The proposed project's connection can be adequately handled by the existing infrastructure. *As a result, the potential impacts will be less than significant.*

B. *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? • Less than Significant Impact.*

The Hesperia Water District (HWD) currently maintains 18 storage reservoirs within the distribution system with a total capacity of 49.5 million gallons. The City sits above the Upper Mojave River Basin within the jurisdiction of the Mojave Water Agency, and draws its water from the Alto sub-basin, which has a capacity of 2,086,000 acre-feet. Approximately 960,000 acre-feet of stored groundwater is estimated within the basin with an additional 1,126,000 acre-feet of storage capacity available through recharge efforts. The proposed project would not include expansion of any existing facilities, only repairs and renovations. These renovations include new bathroom fixtures which are more efficient than existing fixtures and a new accessible bathroom. The only increase in water consumption would be for the proposed landscaping and is shown in Table 3-6. Landscaping water consumption figures were estimated by linear regression by using 55.8 gallons per square foot per year as a ratio.³⁷ The existing water supply facilities and infrastructure would accommodate any future demand. *As a result, the impacts will be less than significant.*

Table 3-6 Projected Water Consumption

Project Element	Consumption Rate	Project Consumption
Landscaping (10,324 sq. ft.)	0.15 gals. /day/sq. ft.	1,576 gals. /day
Total		1,576 gals. /day

Source: Blodgett Baylosis Environmental Planning

C. *Would the project 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? • No Impact.*

³⁷ Sovovool. *Xeriscape Conversion Study Final Report*. 2005. <https://www.snwa.com/assets/pdf/reports-xeriscape.pdf>

Wastewater would be managed onsite with an existing septic system. As previously mentioned, the proposed project would not include expansion of any existing facilities, only repairs and renovations to restroom facilities which would not result in the intensification of the existing use. Therefore, no increase in wastewater generation would occur as a result of project implementation. *As a result, no impacts would occur.*

D. Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? • No Impacts.

Approximately 63 percent of the solid waste generated in Hesperia is being recycled, exceeding the 50 percent requirement pursuant to the California Integrated Waste Management Act of 1989 (AB939). Currently, about 150 tons of the solid waste generated by the City per day is sent to the landfill. This remaining solid waste is placed in transfer trucks and disposed of at the Victorville Sanitary Landfill at 18600 Stoddard Wells Road in Victorville, owned and operated by the County of San Bernardino. As previously mentioned, the proposed project would not include expansion of any existing facilities, only repairs and renovations to restroom facilities which would not result in the intensification of the existing use. Therefore, no increase in solid waste generation would occur as a result of project implementation. *As a result, no impacts would occur.*

E. Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste? • No Impact.

The proposed project, like all other development in Hesperia and San Bernardino County, will be required to adhere to City and County ordinances with respect to waste reduction and recycling. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of utilities impacts indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

3.20 WILDFIRE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?				×
B. Would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				×
C. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				×
D. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				×

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on wildfire risk and hazards if it results in any of the following:

- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, substantially impair an adopted emergency response plan or emergency evacuation plan.
- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.
- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan? • No Impact.*

At no time will “C” Avenue or Hercules Street be completely closed to traffic during the proposed project’s construction. In addition, all construction staging must occur on-site. The proposed project would not involve the closure or alteration of any existing evacuation routes that would be important in the event of a wildfire. *As a result, no impacts would occur.*

B. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? • No Impact.

The project site is located in the midst of an urbanized area. The proposed project may be exposed to particulate emissions generated by wildland fires in the mountains (the site is located approximately 12 miles northeast and northwest of the San Gabriel and San Bernardino Mountains). However, the potential impacts would not be exclusive to the project site since criteria pollutant emissions from wildland fires may affect the entire City as well as the surrounding cities and unincorporated county areas. *As a result, no impacts would occur.*

C. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? • No Impact.

The project site is located in an area that is classified as a Moderate fire risk severity within a Local Responsibility Area (LRA) and will not require the installation of specialized infrastructure such as fire roads, fuel breaks, or emergency water sources. *As a result, no impacts would occur.*

D. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? • No Impact.

While the site is located within a moderate fire risk and local responsibility area, the proposed project site is located within an area classified as urban with relatively flat land. Therefore, the project will not expose future employees to flooding or landslides facilitated by runoff flowing down barren and charred slopes. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of wildfires impacts indicated that less than significant impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Does the project have the potential to substantially 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, substantially 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?		✕		
B. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				✕
C. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✕

The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

A. Does the project have the potential to substantially 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, substantially 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? • *Less than Significant Impact with Mitigation.*

The proposed project *would not* have the potential to substantially 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, substantially 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. As indicated in Section 3.1 through 3.20, the proposed project will not result in any significant unmitigable environmental impacts. Mitigation is required to address impacts on air quality, biological resources, cultural resources, noise, and tribal cultural resources. *As a result, the impacts are less than significant with mitigation.*

B. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? • *No Impact.*

The proposed project *would not* have impacts that are individually limited, but cumulatively considerable. The environmental impacts will not lead to a cumulatively significant impact on any of the issues analyzed herein. *As a result, no impacts would occur.*

C. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? • *No Impact.*

The proposed project *would not* have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. As indicated in Section 3.1 through 3.20, the proposed project will not result in any significant unmitigable environmental impacts. *As a result, no impacts would occur.*

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4. CONCLUSIONS

4.1 FINDINGS

The Initial Study determined that the proposed project is not expected to have significant adverse environmental impacts. The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this Initial Study:

- The proposed project *will not* have the potential to substantially 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, substantially reduce the number or restrict the range of an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory.
- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable.
- The proposed project *will not* have environmental effects which will cause substantially adverse effects on human beings, either directly or indirectly.

4.2 MITIGATION MEASURES

The following mitigation measures have been incorporated herein to further reduce the potential air quality impacts to levels that are less than significant.

AIR Mitigation No. 1. The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project.

AIR Mitigation No. 2. The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.

AIR Mitigation No. 3. The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.

AIR Mitigation No. 4. All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.

AIR Mitigation No. 5. All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

There is one (1) Joshua tree located on the property. The following mitigation would apply:

Bio Mitigation No. 1. The western Joshua tree is a candidate threatened species under the California Endangered Species Act. Prior to construction, and initiation of western Joshua tree removal, relocation, replanting, trimming or pruning or any activity that may result in take of WJT on site, the project proponent is required to obtain California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Section 2081(b) of the CESA, or under the Western Joshua Tree Conservation Act (WJTCA) of Fish and Game Code (§§ 1927-1927.12) through CDFW for the take of western Joshua trees. Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height. b. One meter or greater but less than five meters in height. c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree. In lieu of completing the mitigation on its own, the permittee may elect to pay mitigation fees. (4) CDFW may require the permittee to relocate one or more of the western Joshua trees. The City of Hesperia does not fall within an area of the WJTCA and would not qualify for reduced Mitigation Fees for impacts to western Joshua trees (Fish and Wildlife Code, Section 1927). The Mitigation Fees are as follows [Fish and Wildlife Code, Section 1927.3 (d)]: 1. Trees 5 meters or greater in height - \$2,500; 2. Trees 1 meter or greater but less than 5 meters in height - \$500; 3. Trees less than 1 meter in height - \$340. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem or trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. It is recommended that specific Joshua tree mitigation measures or determination of in-lieu fees be addressed through consultation with CDFW.

Since it is possible that previously unrecognized resources could exist at the site, the proposed project would be required to adhere to the following mitigation measures:

CUL Mitigation No. 1. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

CUL Mitigation No. 2. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR Mitigation No. 1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

CUL Mitigation No. 3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

The following mitigation will be required in order to further reduce construction noise:

NOI Mitigation No. 1. The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.

The following mitigation measures are required as a means to reduce potential tribal cultural resources impacts to levels that are less than significant:

TRC Mitigation No. 1. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.

TRC Mitigation No. 2. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

The mitigation monitoring and reporting program (MMRP) table is provided in Table 4-1 which is included on the following pages.

CITY OF HESPERIA • INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
UNITED HOLDINGS TRUCK PARKING FACILITY (CUP 23-00010) • SEC OF HERCULES ST AND C AVE

Table 4-1 Mitigation Monitoring Program

Mitigation Measures	Enforcement Agency	Timing of Compliance	Signature & Date of Compliance
AIR QUALITY MEASURES			
AIR Mitigation #1. The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project.	City of Hesperia Planning Department (The Applicant is responsible for implementation)	Prior to Project Grading and Construction Activities	Date: Name & Title:
AIR Mitigation #2. The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.	City of Hesperia Planning Department (The Applicant is responsible for implementation)	Prior to Project Grading and Construction Activities	Date: Name & Title:
AIR Mitigation #3. The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.	City of Hesperia Planning Department (The Applicant is responsible for implementation)	During to Project Grading and Construction Activities	Date: Name & Title:
AIR Mitigation #4. All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.	City of Hesperia Planning Department (The Applicant is responsible for implementation)	During to Project Grading and Construction Activities	Date: Name & Title:
AIR Mitigation #5. All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24-hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.	City of Hesperia Planning Department (The Applicant is responsible for implementation)	During to Project Grading and Construction Activities	Date: Name & Title:

CITY OF HESPERIA • INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
UNITED HOLDINGS TRUCK PARKING FACILITY (CUP 23-00010) • SEC OF HERCULES ST AND C AVE

Table 4-1 Mitigation Monitoring Program

Mitigation Measures	Enforcement Agency	Timing of Compliance	Signature & Date of Compliance
BIOLOGICAL RESOURCE MEASURES			
<p>BIO Mitigation #1. The western Joshua tree is a candidate threatened species under the California Endangered Species Act. Prior to construction, and initiation of western Joshua tree removal, relocation, replanting, trimming or pruning or any activity that may result in take of WJT on site, the project proponent is required to obtain California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Section 2081(b) of the CESA, or under the Western Joshua Tree Conservation Act (WJTCA) of Fish and Game Code (§§ 1927-1927.12) through CDFW for the take of western Joshua trees. Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height. b. One meter or greater but less than five meters in height. c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree. In lieu of completing the mitigation on its own, the permittee may elect to pay mitigation fees. (4) CDFW may require the permittee to relocate one or more of the western Joshua trees. The City of Hesperia does not fall within an area of the WJTCA and would not qualify for reduced Mitigation Fees for impacts to western Joshua trees (Fish and Wildlife Code, Section 1927). The Mitigation Fees are as follows [Fish and Wildlife Code, Section 1927.3 (d)]: 1. Trees 5 meters of greater in height - \$2,500; 2. Trees 1 meter or greater but less than 5 meters in height - \$500; 3. Trees less than 1 meter in height - \$340. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem of trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. It is recommended that specific Joshua tree mitigation measures or determination of in-lieu fees be addressed through consultation with CDFW.</p>	<p style="text-align: center;">City of Hesperia Planning Department</p> <p style="text-align: center;">(The Applicant is responsible for implementation)</p>	<p style="text-align: center;">During to Project Grading and Construction Activities</p>	<p>Date:</p> <p>Name & Title:</p>
CULTURAL RESOURCE MEASURES			

CITY OF HESPERIA • INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
UNITED HOLDINGS TRUCK PARKING FACILITY (CUP 23-00010) • SEC OF HERCULES ST AND C AVE

Table 4-1 Mitigation Monitoring Program

Mitigation Measures	Enforcement Agency	Timing of Compliance	Signature & Date of Compliance
CUL Mitigation No. 1. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.	City of Hesperia Planning Department (The Applicant is responsible for implementation)	During to Project Grading and Construction Activities	Date: Name & Title:
CUL Mitigation #2. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR Mitigation No. 1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.	City of Hesperia Planning Department (The Applicant is responsible for implementation)	Prior to Project Grading and Construction Activities	Date: Name & Title:
CUL Mitigation #3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.	City of Hesperia Planning Department (The Applicant is responsible for implementation)	Prior to Project Grading and Construction Activities	Date: Name & Title:
NOISE MEASURES			
NOI Mitigation #1. The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.	City of Hesperia Planning Department (The Applicant is responsible for implementation)	Prior to Project Grading and Construction Activities	Date: Name & Title:
TRIBAL CULTURAL RESOURCE MEASURES			

CITY OF HESPERIA • INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
UNITED HOLDINGS TRUCK PARKING FACILITY (CUP 23-00010) • SEC OF HERCULES ST AND C AVE

Table 4-1 Mitigation Monitoring Program

Mitigation Measures	Enforcement Agency	Timing of Compliance	Signature & Date of Compliance
TCR Mitigation #1. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.	City of Hesperia Planning Department (The Applicant is responsible for implementation)	Prior to Project Grading and Construction Activities	Date: Name & Title:
TCR Mitigation #2. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.	City of Hesperia Planning Department (The Applicant is responsible for implementation)	Prior to Project Grading and Construction Activities	Date: Name & Title:



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5. REFERENCES

5.1 PREPARERS

Blodgett Baylosis Environmental Planning
2211 S Hacienda Boulevard, Suite 107
Hacienda Heights, CA 91745
(626) 336-0033

Marc Blodgett, Project Principal
Brian Wong, Project Planner

5.2 REFERENCES

The references that were consulted have been identified using footnotes.

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ATTACHMENT 9

RESOLUTION NO. PC-2025-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, ESTABLISHING AN OUTDOOR SEMI-TRUCK PARKING AND MAINTENANCE FACILITY ON THE FORMER 84 LUMBER SITE THAT CONTAINS THREE EXISTING BUILDINGS AND FOUR EXISTING METAL CANOPIES ON 8.6 ACRES. IN CONJUNCTION WITH A VARIANCE TO MODIFY THE REQUIRED MATERIALS FOR SCREEN WALLS AND TO WAIVE THE REQUIREMENT TO FULLY SCREEN SEMI-TRUCKS ALONG HERCULES STREET WITHIN THE GENERAL INDUSTRIAL (GI) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN LOCATED AT THE SOUTHEAST CORNER OF HERCULES STREET AND "C" AVENUE (CUP23-00010 & VAR25-00002)

WHEREAS, United Holding Group, LLC, has filed an application requesting approval of Conditional Use Permit CUP23-00010 in conjunction with Variance VAR25-00002 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application, as contemplated, proposes to establish an outdoor semi-truck parking and maintenance facility on the former 84 Lumber site that contains three existing buildings and four existing metal canopies on 8.6 acres of land in conjunction with a Variance to modify the required materials for screen walls and to waive the requirement to fully screen semi-trucks from public view along Hercules Street; and

WHEREAS, the Application applies to the property located at the southeast corner of Hercules Street and "C" Avenue and consists of Assessor's Parcel Number 0410-082-04; and

WHEREAS, the proposed project will use the existing buildings on-site for their everyday business operations, therefore no new development will be proposed. The site currently has three buildings and four metal canopies that will be used as part of the operations. Building 1 is a 3,600 square foot two-story building located at the southwest corner of the site that will be used as an office. Building 2 is a 310 square foot one-story building located at the southwest corner of the site, under a canopy, that will be used as a bathroom and storage. Building 3 is a 4,985 square foot one-story building located at the northwest corner of the site that will be used as a maintenance building. Additionally, four canopies, ranging in size from 4,000 to 7,350 square feet, are distributed throughout the site to provide shade for designated semi-truck parking areas; and

WHEREAS, the access to the site is currently provided through three existing driveways. There are two 30-foot wide driveways accessible from "C" Avenue and a 30-foot wide driveway that will be expanded to a 50-foot wide driveway accessible from Hercules Street. Only a few on-site improvements will be conducted as part of the project which will include a new trash enclosure, an 8-foot-high perimeter screen fence adjacent to both streets, landscaping, and striped parking. There is a vacant undisturbed area adjacent to the east side of the site which will remain untouched and will not be used for any business operations. As part of street improvements required for the project, the applicant will construct curb, gutter, sidewalk, and streetlights along their project frontage on Hercules Street and "C" Avenue.

WHEREAS, the project requires a minimum of 17 vehicle parking spaces based on the office and industrial ratio. The project proposes 17 employee/visitor parking spaces along the southwestern portion of the site and 59 oversized spaces for tractor trailers located in the center of the site and along the northern edge adjacent to Hercules Street. As proposed, the project complies with the minimum number of parking spaces; and

WHEREAS, the project was required to comply with a truck route plan, which was provided by the applicant. The truck route plan is designating all trucks to exit the I-15 freeway to go east on Bear Valley Road, south on "I" Avenue, west on Lemon Street, south on "E" Avenue and west on Hercules Street to reach subject site. The business owner shall be responsible for implementing and monitoring the truck route plan during all operations; and

WHEREAS, the subject site is within the General Industrial (GI) zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan). All surrounding properties have the same land use designation of General Industrial (GI) except for the Burlington Northern Santa Fe Railway to the south zoned Railroad Corridor (RRC); and

WHEREAS, the subject site was previously used by 84 lumber for truss manufacturing and storage. The property to the north across from Hercules Street, consists of a recycling facility; to the east is a wood manufacturing company; to the west, across from 'C' Avenue, is a building construction company; to the south is the BNSF Railway; and

WHEREAS, an Initial Study/Mitigated Negative Declaration for the proposed project was circulated for a 30-day public review period from April 2, 2025 through May 1, 2025. During the public review period no comments were received. A Mitigated Negative Declaration was prepared, a copy of the document is available at City Hall or on the City's website and the custodian of administrative record is the Planning Department; and

WHEREAS, on May 8, 2025, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the Planning Commission during the above-referenced May 8, 2025 hearing, including public testimony, and written and oral staff reports, this Commission specifically finds as follows:

- (a) The site is adequate in size and shape to accommodate yards, open spaces, setbacks, walls and fences, parking areas, fire and building code with the exceptional circumstances of a variance. The proposed project is conditionally permitted within the General Industrial (GI) Zone of the Main Street and Freeway Corridor Specific Plan and will comply with all applicable provisions of the Development Code in conjunction with the approval or denial of the variance. The development will be constructed pursuant to the California Building and Fire Codes and subsequent adopted amendments. The site is suitable for the type and intensity of the use that is proposed.
- (b) The proposed use would not create significant noise, vibration, traffic or other conditions or situations that may be objectionable or detrimental to other allowed uses in the vicinity or be adverse to the public's convenience, health, safety, or general welfare with the

implementations of the conditions of approval. The project includes general services for sanitation, water, and public utilities to ensure the public's convenience, health, safety, and general welfare. Additionally, the proposed use will be consistent with surrounding uses within the vicinity.

- (c) The proposed project is consistent with the goals, policies, standards and maps of the adopted zoning, Development Code, MSFC Specific Plan, General Plan and all applicable codes and ordinances adopted by the City of Hesperia with the exceptional circumstances of a variance. The project is consistent with the regulations conditionally allowing semi-truck parking and maintenance facilities uses within the General Industrial (GI) zone of the MSFC Specific Plan. The development is subject to conditions of approval and with the approval or denial of the variance will comply with the standards for setbacks, landscaping, driveway aisles, parking stall dimensions, building heights and all other applicable development standards.
- (d) The subject site will have adequate access based upon the three existing driveways on site. There are two 30-foot wide driveways accessible from "C" Avenue and a 30-foot wide driveway that will be expanded to a 50-foot-wide driveway accessible from Hercules Street. Additionally, the site will have adequate internal access through various drive aisles between 30 and 80 feet wide.

Section 3. Pursuant to Public Resources Code Section 21081.6, the Planning Commission hereby approves the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program. The Planning Commission finds that the mitigation measures are fully enforceable on the Project and shall be binding upon the City and affected parties.

Section 4. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Conditional Use Permit CUP23-00010, subject to the conditions of approval as shown in Attachment "A".

Section 5. That the Secretary shall certify the adoption of this Resolution.

ADOPTED AND APPROVED on this 8th day of May 2025.

Roger Abreo, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission

ATTACHMENT 10

RESOLUTION NO. PC-2025-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, TO APPROVE A VARIANCE TO MODIFY THE REQUIRED MATERIALS FOR SCREEN WALLS AND TO WAIVE THE REQUIREMENT TO FULLY SCREEN SEMI-TRUCKS ALONG HERCULES STREET IN CONJUNCTION WITH THE ESTABLISHMENT OF AN OUTDOOR SEMI-TRUCK PARKING AND MAINTENANCE FACILITY ON THE FORMER 84 LUMBER SITE THAT CONTAINS THREE EXISTING BUILDINGS AND FOUR EXISTING METAL CANOPIES ON 8.6 ACRES WITHIN THE GENERAL INDUSTRIAL (GI) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN LOCATED AT THE SOUTHEAST CORNER OF HERCULES STREET AND “C” AVENUE (VAR25-00002 & CUP23-00010)

WHEREAS, United Holding Group, LLC, has filed an application requesting approval of Variance VAR25-00002 in conjunction with Conditional Use Permit CUP23-00010 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application, as contemplated, proposes the approval of a variance to modify the required materials for screen walls and to waive the requirement to fully screen semi-trucks from public view along Hercules Street in conjunction with the establishment of an outdoor semi-truck parking and maintenance facility on the former 84 Lumber site that contains three existing buildings and four existing metal canopies on 8.6 acres of land; and

WHEREAS, the Application applies to the property located at the southeast corner of Hercules Street and “C” Avenue and consists of Assessor’s Parcel Number 0410-082-04; and

WHEREAS, A Variance was submitted in conjunction with the Conditional Use Permit application to modify the required screen wall materials and waive the requirement to fully screen semi-trucks from public view along Hercules Street, as otherwise required by Section 16.16.365(K)(3) of the Hesperia Municipal Code; and

WHEREAS, the applicant is proposing to replace the required concrete masonry or concrete tilt-up screen walls with an 8-foot-high wrought iron fence with sheet metal to serve as the solid screen wall. The proposed wrought iron screen fence will be installed along Hercules Street and “C” Avenue and the return fences along the three driveway entrances. An existing chain link fence will remain in place along portions of the south and east sides of the property; and

WHEREAS, the applicant is also requesting to waive the requirement to fully screen semi-trucks from public view along Hercules Street. The proposed 8-foot-high screen fence along “C” Avenue properly screens semi-trucks from public view, as the proposed semi-truck parking is setback approximately 125 feet from the screen fence. This substantial distance allows for complete visual screening from public view. The semi-truck parking close to Hercules Street has a setback of approximately 28 feet, which is not enough distance to properly screen semi-trucks from the public view with an 8-foot-high fence. The subject property is also slightly higher in elevation than Hercules Street and based on the location of the wall, it makes it more challenging to screen the proposed semi-trucks; and

WHEREAS, the subject site is within the General Industrial (GI) zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan). All surrounding properties have the same land use designation of General Industrial (GI) except for the Burlington Northern Santa Fe Railway to the south zoned Railroad Corridor (RRC); and

WHEREAS, the subject site was previously used by 84 lumber for truss manufacturing and storage. The property to the north across from Hercules Street, consists of a recycling facility, to the east is a wood manufacturing company, to the west across from 'C' Avenue, is a building construction company and to the south, is the BNSF Railway; and

WHEREAS, an Initial Study/Mitigated Negative Declaration for the proposed project was circulated for a 30-day public review period from April 2, 2025 through May 1, 2025. During the public review period no comments were received. A Mitigated Negative Declaration was prepared, a copy of the document is available at City Hall or on the City's website and the custodian of administrative record is the Planning Department; and

WHEREAS, on May 8, 2025, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the Planning Commission during the above-referenced May 8, 2025 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship with objectives of the development code. The property sits slightly higher in elevation than Hercules Street, which makes screening semi-trucks along that side of the street more challenging than other properties within the vicinity. The high cost of constructing a block wall would render the project financially unfeasible, especially when compared to the substantially lower cost of installing a wrought iron fence; and
- (b) There are exceptional circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties in the same zone. The subject property was previously developed as the 84 Lumber yard and the applicant would not be conducting any development to establish the outdoor semi-truck parking and maintenance facility. Requiring the construction of a decorative masonry block or tilt-up wall on a site that has been developed would impose a significant burden on the project. The site has become a blighted area within the City, subject to frequent break-ins and persistent graffiti. The applicant proposes to revitalize the property by making street improvements and other minor on-site improvements. As mentioned above, one of the main challenges in constructing a masonry block or tilt-up wall instead of a wrought iron fence is the significant cost difference, with block walls being substantially more expensive. Portions of the streets surrounding the site are not fully paved, leading many drivers to

avoid traveling through them. Due to the limited traffic, the presence of semi-trucks that are not fully screened along Hercules Street will have minimal visual impact on residents and visitors; and

- (c) The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges that could be enjoyed by the owners of other properties in the same designation in the future. Approving the applicant's request will allow this property to enjoy the same privileges enjoyed by other owners in the same vicinity, as other properties do not face the same grade differences relative to the street, and developed sites do not face significant added cost of constructing a block wall to meet current screening requirements. Therefore, granting this variance will allow the subject property to enjoy the same development privileges as others in the area; and
- (d) The granting of a variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same designation. As stated above, due to the grade differences and extensive cost impact of the screen wall on a developed site, the subject property has exceptional circumstances that do not generally apply to other properties within the General Industrial (GI) zone; and
- (e) The granting of a variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The reviewing authority believes that approval of the variance will not have an adverse effect on abutting properties. Furthermore, staff will ensure that the proposed project complies with all other regulations and standards of the Planning, Engineering and Building Department when going through the permitting process.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Variance VAR25-00002, subject to the conditions of approval as shown in Attachment "A".

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

ADOPTED AND APPROVED on this 8th day of May 2025.

Roger Abreo, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission

ATTACHMENT 11

RESOLUTION NO. PC-2025-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, TO DENY A VARIANCE TO MODIFY THE REQUIRED MATERIALS FOR SCREEN WALLS AND TO WAIVE THE REQUIREMENT TO FULLY SCREEN SEMI-TRUCKS ALONG HERCULES STREET IN CONJUNCTION WITH THE ESTABLISHMENT OF AN OUTDOOR SEMI-TRUCK PARKING AND MAINTENANCE FACILITY ON THE FORMER 84 LUMBER SITE THAT CONTAINS THREE EXISTING BUILDINGS AND FOUR EXISTING METAL CANOPIES ON 8.6 ACRES WITHIN THE GENERAL INDUSTRIAL (GI) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN LOCATED AT THE SOUTHEAST CORNER OF HERCULES STREET AND “C” AVENUE (VAR25-00002 & CUP23-00010)

WHEREAS, United Holding Group, LLC, has filed an application requesting approval of Variance (VAR25-00002) in conjunction with Conditional Use Permit (CUP23-00010) described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application, as contemplated, proposes the approval of a variance to modify the required materials for screen walls and to waive the requirement to fully screen semi-trucks from public view along Hercules Street in conjunction with the establishment of an outdoor semi-truck parking and maintenance facility on the former 84 Lumber site that contains three existing buildings and four existing metal canopies on 8.6 acres of land; and

WHEREAS, the Application applies to the property located at the southeast corner of Hercules Street and “C” Avenue and consists of Assessor’s Parcel Number 0410-082-04; and

WHEREAS, a Variance was submitted in conjunction with the Conditional Use Permit to modify the required materials for screen walls and to waive the requirement to fully screen semi-trucks from public view along Hercules Street. Section 16.16.365(K)(3) of the Hesperia Municipal Code, requires all trucks, trailers and containers within outdoor storage areas to be completely screened from public view by a combination of buildings and/or solid screen walls of either decorative concrete masonry block or decorative concrete tilt-up walls; and

WHEREAS, the applicant is proposing to replace the required concrete masonry or concrete tilt-up screen walls with an 8-foot-high wrought iron fence with sheet metal to serve as the solid screen wall. The proposed wrought iron screen fence will be installed along Hercules Street and “C” Avenue and the return fences along the three driveway entrances. An existing chain link fence will remain in place along portions of the south and east sides of the property; and

WHEREAS, the applicant is also requesting to waive the requirement to fully screen semi-trucks from public view along Hercules Street. The proposed 8-foot-high screen fence along “C” Avenue properly screens semi-trucks from public view, as the proposed semi-truck parking is setback approximately 125 feet from the screen fence. This substantial distance allows for complete visual screening from public view. The semi-truck parking close to Hercules Street has a setback of approximately 28 feet, which is not enough distance to properly screen semi-trucks from the public view with an 8-foot-high fence; and

WHEREAS, the subject site is within the General Industrial (GI) zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan). All surrounding properties have the same land use designation of General Industrial (GI) except for the Burlington Northern Santa Fe Railway to the south zoned Railroad Corridor (RRC); and

WHEREAS, the subject site was previously used by 84 Lumber for truss manufacturing and storage. The property to the north across from Hercules Street, consists of a recycling facility, to the east is a wood manufacturing company, to the west across from 'C' Avenue, is a building construction company and to the south, is the BNSF Railway; and

WHEREAS, an Initial Study/Mitigated Negative Declaration for the proposed project was circulated for a 30-day public review period from April 2, 2025 through May 1, 2025. During the public review period no comments were received. A Mitigated Negative Declaration was prepared, a copy of the document is available at City Hall or on the City's website and the custodian of administrative record is the Planning Department; and

WHEREAS, on May 8, 2025, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the Planning Commission during the above-referenced May 8, 2025 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship with objectives of the development code. The property sits at a slightly higher elevation than Hercules Street, which means the proposed screen wall could be increased in size to adequately screen semi-trucks from public view. Alternatively, the truck parking could be relocated elsewhere on the site to prevent visibility from Hercules Street. The property to the north, along with other projects within the City of Hesperia that proposed on-site storage, were required to install decorative block walls as part of their development. In those cases, the high cost of construction was not a significant issue; and
- (b) There are exceptional circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties in the same zone. The fact that the property was previously developed does not inherently create exceptional circumstances for not constructing a block wall. Many General Industrial (GI) zoned properties are redeveloped or reused, and the existence of pre-existing structures or conditions does not automatically warrant flexibility in zoning or development standards. The presence of vacant land nearby or lower traffic in the area does not create exceptional circumstances. Other industrial properties within the zone, even those surrounded by similar vacant or underdeveloped parcels, still face the same zoning regulations, and

are required to meet appropriate screening and development standards; and

- (c) The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges that could be enjoyed by the owners of other properties in the same designation in the future. Approving the applicant's request will not deprive the applicant of privileges that could be enjoyed by other owners in the vicinity, as other properties face the same grade differences relative to the street, and developed sites do not inherently create exceptional circumstances for not constructing a block wall. Therefore, denying the variance will not deprive the applicant to enjoy the same development privileges as others in the area; and
- (d) The granting of a variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same designation. As stated above, due to similar grade differences on other properties and developed sites not creating exceptional circumstances for eliminating or replacing development standards, the subject property does not exhibit exceptional circumstances that are not also found on other properties within the General Industrial (GI) zone. The physical characteristics and development constraints of the site are common among industrial properties in the area and do not warrant special consideration; and
- (e) The granting of the variance would be detrimental to the public health, safety, and welfare, and materially injurious to properties or improvements in the vicinity. The reviewing authority finds that approval of the variance would set an unfavorable precedent for future semi-truck parking projects or similar developments, potentially undermining the City's requirements for decorative screen block walls and the full screening of semi-trucks and outdoor equipment from public view. This could result in increased noise impacts and a decline in the aesthetic quality of the streetscape within the City of Hesperia.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby denies Variance VAR25-00002, subject to the conditions of approval as shown in Attachment "A".

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

ADOPTED AND APPROVED on this 8th day of May 2025.

Roger Abreo, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission

DRAFT

ATTACHMENT "A" List of Conditions for CUP23-00010

Approval Date: May 08, 2025
Effective Date: May 20, 2025
Expiration Date: May 20, 2028

This list of conditions applies to: Consideration of Conditional Use Permit (CUP23-00010) to establish an outdoor semi-truck parking and maintenance facility on the former 84 lumber site that contains three buildings and four metal canopies on 8.6 acres along with a Variance (VAR25-00002) to modify the required materials for screen walls and to waive the requirement to fully screen semi-trucks along Hercules Street within the General Industrial (GI) zone of the Main Street and Freeway Corridor Specific Plan located at the southeast corner of Hercules Street and "C" Avenue in conjunction with the adoption of a mitigated negative declaration pursuant to the provisions of CEQA (APN: 0410-082-04; Applicant: United Holding Group, LLC)

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

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

CONDITIONS REQUIRED AS PART OF SUBMITTAL OF PUBLIC IMPROVEMENT PLANS

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

CONSTRUCTION PLANS. Five complete sets of construction plans prepared and wet stamped by a California licensed Civil or Structural Engineer or Architect shall be submitted to the Building Division with the required application fees for review. (B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

IRREVOCABLE OFFERS OF DEDICATION. The Developer shall submit an Offer of Dedication to the City's Engineering Department for review and approval. At time of submittal the developer shall complete the City's application for document review and pay all applicable fees. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

PLAN CHECK FEES. Plan checking fees must be paid in conjunction with the improvement plan submittal. All required plans, maps, requested studies, CFD annexations, etc. must be submitted as a package. The Developer shall coordinate with the City's Engineering Analyst, Dena Alcayaga at (760) 947-1438 or dalcayaga@cityofhesperia.us, to obtain the fee calculation form which shall be completed and submitted, along with fee payment, at time of plan submittal. Any outstanding fees must be paid before final inspection and the release of bonds.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

INDEMNIFICATION(1). To the furthest extent allowed by law, Applicant shall indemnify, hold harmless and defend City and each of its officers, officials, employees, consultants, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, damages and costs (including attorney's fees, litigation expenses and administrative record preparation costs) arising from, resulting from, or in connection with any Third Party Action (as hereinafter defined). The term "Third Party Action" collectively means any legal action or other proceeding instituted by (i) a third party or parties, or (ii) a governmental body, agency or official other than the City, that: (a) challenges or contests any or all of these Conditions of Approval or any approval associated with entitlements associated with the project to which these conditions of approval apply (collectively "Approvals"); or (b) claims or alleges a violation of CEQA or another law in connection with the Approvals by the City, or the grant, issuance or approval by the City of any or all Approvals. Applicant's obligations under this paragraph shall apply regardless of whether City or any of its officers, officials, employees, consultants, agents or volunteers are actively or passively negligent, but shall not apply to any loss, liability, fines, penalties forfeitures, costs or damages caused solely by the active negligence or willful misconduct of the City or any of its officers, officials, employees, agents or volunteers. The provisions of this section shall survive any termination, revocation, overturn, or expiration of an approval. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

INDEMNIFICATION(2). Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim unless the City approves the settlement in writing. Additionally, the City shall not be prohibited from independently defending any claim, and whether or not the City does decide to independently defend a claim, the applicant shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Unless the City independently chooses to defend any Third Party Action on its behalf, Applicant shall control the conduct of the defense of any claim or action provided that: (1) the City shall have the right, prior to filing, to review and approve any and all pleadings or related documents filed with the court in connection with such defense and Applicant shall reimburse the City for review time for each draft brief or pleading to be filed on behalf of the City; and (2) the City shall review and reasonably approve any proposed settlement. The Applicant acknowledges that the City is not obligated to approve a proposed settlement requiring the City to pay or incur any monetary amount, take a future legislative action, render a future quasi-judicial decision, or otherwise take a future discretionary government action. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

INDEMNIFICATION(3). The City may, at any time, require the applicant to reimburse the City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of processing or defending any Third Party Actions. The City shall provide Applicant with an invoice

detailing all reasonable costs incurred. Applicant shall tender to the City payment-in-full of all reasonable and necessary costs within thirty (30) days from the date upon the invoice. Applicant further acknowledges and agrees that failure to timely tender payment-in-full to the City shall be considered a breach and non-compliance with the conditions of approval for the project. Applicant shall also be required, upon request of the City, to deposit two month's estimated costs anticipated by the City to be incurred, which may be used by the City as a draw down account to maintain a positive balance pending tender of payment by Applicant as noted herein. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

EXPIRATION OF ENTITLEMENT. Unless the applicant has obtained a grading permit and/or building permit and commenced construction, this approval shall expire three (3) years from the date of action of the reviewing authority. Where no grading or building permit is required, the allowed use on the site shall have commenced prior to the expiration date in compliance with the approval and any applicable conditions of approval. An extension of time may be granted pursuant to Municipal Code Section 16.12.060 if the applicant files an application and written request for an extension prior to the expiration of the permit. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

FISH & GAME FEE. Within five days from approval of the entitlement, the applicant shall file a Notice of Determination with the San Bernardino County Clerk of the Board and pay the filing fee of \$3,018.75 payable to the Clerk of the Board of Supervisors of San Bernardino County. A copy of the stamped NOD from the County shall be provided to the Planning Division when completed. Additionally, an electronic copy of the stamped NOD shall be filed with the Governor's Office of Planning and Research and posted on the CEQAnet Web Portal. (P)

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

APPROVAL OF IMPROVEMENT PLANS. All required improvement plans shall be prepared by a registered Civil Engineer per City standards and per the City's improvement plan checklist to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review with the required plan checking fees. All Public Works plans shall be submitted as a complete set. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

DEDICATION(S). The Developer shall grant to the City an Irrevocable Offer of Dedication for Said Street. The right-of-way full width for Said Street shall be specified (??)

feet. The Developer shall also grant to the City an Irrevocable Offer of Dedication for any part of the Path of Travel located behind any commercial drive approaches that encroach onto private property. It is the Developer's responsibility to obtain any additional right-of-way dedication needed to satisfy the 26' minimum paving requirement at no cost to the City. Corner cut off right of way dedication per City standards is required at all intersections, including interior roadways. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

HERCULES STREET: Saw-cut (2-foot min.) and match-up asphalt pavement on Hercules Street across the project frontage. These improvements shall consist of (E)

- A. Sidewalk (width = 6 feet) per City standards.
- B. Streetlights per City standards.
- C. Intersection improvements including handicapped ramps per City standards.
- D. Commercial drive approach per City standards.
- E. Design roadway sections per existing approved street section.
- F. Traffic control signs and devices as required by the traffic study and or the City Engineer.
- G. Provide a signage and striping plan per City standards.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

STREET IMPROVEMENTS. The Developer shall design street improvements in accordance with City standards and these conditions. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

"C" AVENUE Saw-cut (2-foot min.) and match-up asphalt pavement on "C" Avenue across the project frontage. These improvements shall consist of (E)

- A. Sidewalk (width = 6 feet) per City standards.
- B. Intersection improvements including handicapped ramps per City standards.
- C. Commercial drive approach per City standards.
- D. Design roadway sections per existing approved street section.
- E. Traffic control signs and devices as required by the traffic study and or the City Engineer.
- F. Provide a signage and striping plan per City standards.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

A. A remote read automatic meter reader shall be added on all meter connections as approved by the City Engineer.

B. The Developer shall design a Utility Plan for service connections and / or private water and sewer connections. Domestic and fire connections shall be made from the existing 12" ACP (Asbestos Concrete Pipe) water line in Hercules Street per City Standards.

C. It is the Developers responsibility to connect to sewer and pay the appropriate fees. The Developer will be required to connect to the existing 8" PVC sewer main in Hercules Street per City standards.

D. Complete V.V.W.R.A.s Wastewater Questionnaire for Commercial / Industrial Establishments and submit to the Engineering Department. Complete the Certification Statement for Photographic and X ray Processing Facilities as required.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

NATIVE AMERICAN RESOURCES. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project. In the event that Native American cultural resources are discovered during project activities, all work in the immediate vicinity of the find shall cease and a qualified archaeologist shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. If significant Native American historical resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, a qualified archaeologist shall be retained to develop a cultural resources Treatment Plan, as well as a Discovery and Monitoring Plan. The Lead Agency and/or applicant shall, in good faith, consult local Indian tribes on the disposition and treatment of any artifacts or other cultural materials encountered during the project. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

CEQA MITIGATION MEASURES. In addition to the conditions of approval, the project must comply with all mitigation measures that are identified in the Initial Study/Mitigated Negative Declaration (P).

CONDITIONS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

ELECTRIC VEHICLE CHARGING INFRASTRUCTURE. The project shall comply with the requirements of California Green Building Standards Code (CALGreen) Section 5.106.5.3 regarding electric vehicle (EV) charging infrastructure for non-residential developments. The developer shall provide the required number of EV-capable parking spaces, including the necessary raceways, conduits, panel capacity, and other supporting infrastructure to facilitate the future installation of EV charging stations in accordance with state and local requirements. This may include designated Electric Vehicle Charging Spaces (EVCS) that are required to have Electric Vehicle Supply Equipment (EVSE) installed as part of the project. (B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

LIGHT POLLUTION REDUCTION. The project shall comply with California Green Building Standards Code (CALGreen) Section 5.106.8 regarding Light Pollution Reduction for non-residential developments. Outdoor lighting systems shall be designed and installed to meet the minimum requirements of the California Energy Code for applicable Lighting Zones (0-4) and shall not exceed the allowable BUG (Backlight, Uplight, and Glare) ratings as specified in CALGreen Table 5.106.8 [N]. (B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

ACCESSIBLE PARKING SPACES. The project shall comply with California Building Code (CBC) Section 11B-208, ensuring that accessible parking spaces are provided as required for non-residential developments. (B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

the Development Code. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

CFD ANNEXATION. The applicant shall annex the site into the Community Facilities District CFD-2022-1 (Non-Residential Maintenance and Services). (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

MASONRY WALLS AND FENCING PLANS. The Developer shall submit four sets of masonry wall/wrought iron fencing plans to the Building Division with the required application fees for all proposed walls in accordance with the Development Code. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

MASONRY WALLS AND FENCING. The development is required to construct an 8-foot high split-face tan screen block wall along Hercules Street and "C" Avenue including return walls and portions along the south and east property lines as per the approved site plan. If the variance is approved along with the project, an 8-foot-high black wrought iron fence with sheet metal screening shall be installed in the same area as described above. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

TRASH ENCLOSURE. All trash enclosures shall be in conformance with Municipal Code Section 16.16.360 and City approved construction details. The enclosure shall be enclosed on three sides by a minimum six-foot tall decorative masonry wall with split face block on the viewable side and a decorative cap. The masonry wall shall be earth tone in color; solid grey block is not allowed. The enclosure shall have non-transparent metal gates and a solid roof-cover that is architecturally compatible with the primary building onsite and that serves to protect the refuse area from inclement weather, as well as prevents unauthorized entry into the enclosure.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

ROOFTOP EQUIPMENT. All rooftop equipment shall be screened from view from the right-of-way and architecturally integrated into the design of the building. All roof-mounted mechanical equipment proposed on the roof shall be shown on a cross-section of the building, as well as a line of site study, evidencing that the equipment will be screened from view and will not be visible from the right-of-way. (P)

CONDITIONS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

UTILITY CLEARANCE AND C OF O. The Building Division will provide utility clearances on individual buildings after required permits and inspections and after the issuance of a Certificate of Occupancy on each building. Utility meters shall be permanently labeled. Uses in existing buildings currently served by utilities shall require issuance of a Certificate of Occupancy prior to establishment of the use. (B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

ON SITE IMPROVEMENTS. All on site improvements as recorded in these conditions, and as shown on the approved site plan shall be completed in accordance with all applicable Title 16 requirements. The building shall be designed consistent with the design shown upon the approved materials and color exterior building elevations. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

TRUCK AND TRAILER PARKING. Trucks and trailers shall only be parked or stored within designated striped parking spaces. Parking or storage of trucks and trailers is prohibited in drive aisles, undeveloped or vacant areas, standard vehicle parking spaces, and public streets. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

OPERATIONS AND TRUCK ROUTE PLAN. The operator of the truck yard shall be responsible for implementing and monitoring the operations and truck route plan established for the project.

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

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

City of Hesperia

STAFF REPORT



DATE: May 8, 2025
TO: Planning Commission
FROM: Nathan R. Freeman, Director of Development Services
BY: Ryan Leonard, AICP, Principal Planner
SUBJECT: Site Plan Review SPR22-00010; Applicant: Hossein Mazi; APN: 0407-251-12

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2025-06 approving Site Plan Review SPR22-00011.

BACKGROUND

On October 4, 2016, the then City Council, acting as the Commissioners of the Hesperia Housing Authority, adopted Resolution No. HHA 2016-011 approving a Purchase and Sale Agreement with Hossein Mazi for the future development of a housing project on Assessor Parcel No. 0407-251-12 (Subject Property). Pursuant to that agreement, Hossein Mazi has filed an application requesting consideration of Site Plan Review SPR22-00010 to construct an 84-unit apartment project on approximately 4.3 gross acres (4 acres net).

Subject Site Location: On the south side of Smoke Tree Street, between Ninth and Eleventh Avenues (Attachment 1).

Current General, Plan, Zoning and Land Uses: The Subject Site is located within the High Density Residential (HDR) zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan). Surrounding land uses are designated as noted on the General Plan Land Use Map (Attachment 2). The Subject Site is currently vacant and is surrounded by existing single-family residences to the north (across Live Oak Street) and to the south and west. The front half of the property to the east is developed as a church, while the rear half adjacent to the proposed development site remains vacant (Attachment 3).

Development Review Committee: The proposed development was reviewed by the Development Review Committee (DRC) and determined to comply with all applicable development standards. During the public review of the Initial Study/Mitigated Negative Declaration (IS/MND), staff received several calls from neighboring residents expressing concern and opposition. Section 16.12.040 of the Development Code allows staff to forward projects to the Planning Commission when public opposition exists. Given the level of public concern, staff determined that a Planning Commission hearing would provide an appropriate forum for residents to learn more about the proposed development and express their concerns, opposition, and/or support.

ISSUES/ANALYSIS

Site Plan Review: The Subject Site is located within the High Density Residential (HDR) designation, which allows for residential densities between 15 and 20 dwelling units per gross

acre. The proposed 84-unit apartment complex yields a density of 19.5 dwelling units per gross acre.

The proposed development will contain eight (8) one-bedroom and seventy-six (76) two-bedroom units across nine (9) two-story apartment buildings and a single-story clubhouse, totaling ten (1) buildings.

- Four buildings will have 11 units each (2 one-bedroom and 9 two-bedroom units per building).
- Two buildings will have 8 units each (all two-bedroom).
- Two buildings will have 10 units each (all two-bedroom).
- One building will have 4 two-bedroom units.

The one-bedroom units are 875 square feet, and the two-bedroom units are 1,125 square feet (Attachments 4a and 4b). One-bedroom units will be single-story with private fenced rear yards. Two-bedroom units will have living areas on the first floor and bedrooms on the second floor, also with private fenced rear yards. All units will include washers and dryers.

Amenities will include a 4,160-square-foot clubhouse featuring a resident gym, an entertainment room with billiard tables, a wet bar, outdoor seating with a fireplace, two BBQ grills, a pool, a spa, and four picnic areas with permanent tables and barbecues. The proposed development will be enclosed by a 6-foot-high decorative block wall along the side and rear property lines and a 6-foot-high wrought iron fence with decorative pilasters spaced every 30 feet along Live Oak Street.

The development meets or exceeds all applicable City standards, including:

- Minimum front and rear yard setbacks (15 feet)
- Minimum side yard setbacks (8 feet)
- Maximum building height (35 feet)
- Parking requirements

The proposed development requires 185 parking spaces (1.75 per one-bedroom unit and 2.25 per two-bedroom unit) and will provide 187 spaces (88 covered, 99 uncovered). Landscaping will cover 15.9% of the site (26,375 square feet), exceeding the 15% minimum requirement.

Architecture: The architectural design complies with the Specific Plan requirements (Attachments 5 and 6). Features include tile roofs, stone veneer wainscoting, accent walls, wood window trim, ornamental features, and decorative lighting. A condition of approval requires at least two contrasting yet complementary color schemes throughout the proposed development.

Access/Roadway Improvements: The developer will construct half-width improvements along Smoke Tree Street, including curb, gutter, and sidewalk across the proposed development's frontage. Two driveway approaches from Smoke Tree Street will provide full vehicle access, with stamped decorative concrete at each driveway.

Traffic Impact: Based on the Institute of Traffic Engineers' Trip Generation Manual, the 84 units are expected to generate approximately 566 daily vehicle trips, including 35 AM peak hour and 44 PM peak hour trips. Per the City of Hesperia's Traffic Impact Analysis Guidelines (July 2020), a traffic study is required if a project generates at least 50 AM or 50 PM peak trips. As the proposed development falls below that threshold, no traffic impact study is required.

Water and Sewer: The developer is required to connect to the existing 8-inch water line in Smoke Tree Street and construct a minimum 8-inch sewer main along Smoke Tree Street from Ninth Avenue to the proposed development's western boundary.

Drainage: All on-site drainage will be detained/retained in an underground retention system beneath the parking lot. Following the proposed development's completion, no significant downstream impacts are anticipated.

Environmental: Approval of the proposed development requires the adoption of an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to the California Environmental Quality Act (CEQA) (Attachment 7). The IS/MND concluded that the proposed development will not result in any significant environmental impacts with the implementation of mitigation measures. A biological assessment determined that impacts to biological resources would be minimal but recommended that pre-construction surveys be conducted to identify any sensitive species. Additionally, while the IS/MND found no known impacts to archaeological or tribal cultural resources, it included mitigation measures to address the potential discovery of previously unknown resources during construction activities. The IS/MND was circulated for public review from February 12, 2025, to March 14, 2025, during which one comment letter expressing opposition to the proposed development was received from a neighboring resident.

Conclusion: The proposed development complies with all applicable standards of the Specific Plan, Development Code, and General Plan, meeting or exceeding requirements for density, setbacks, building height, parking, landscaping, and design.

Under California Government Code Sections 65589.5(j)(1) and (j)(2) (Housing Accountability Act) and Section 16.12.100 of the City's Development Code, projects meeting objective standards must be approved. Although the proposed development is market-rate, these provisions apply.

The required findings for approval are as follows:

1. The Subject Site is adequate in size and shape to accommodate all required features (yards, setbacks, parking, etc.).
2. The proposed use will not adversely affect surrounding properties or generate excessive disturbances.
3. The proposed use is consistent with the General Plan, Development Code, and applicable ordinances.
4. The Subject Site provides adequate access considering street and highway limitations.

Therefore, it is recommended that the Planning Commission adopt Resolution No. PC-2025-06 approving Site Plan Review SPR22-00010.

FISCAL IMPACT

The development will be subject to the City's development impact fees.

ALTERNATIVE(S)

1. Provide alternative direction to staff.

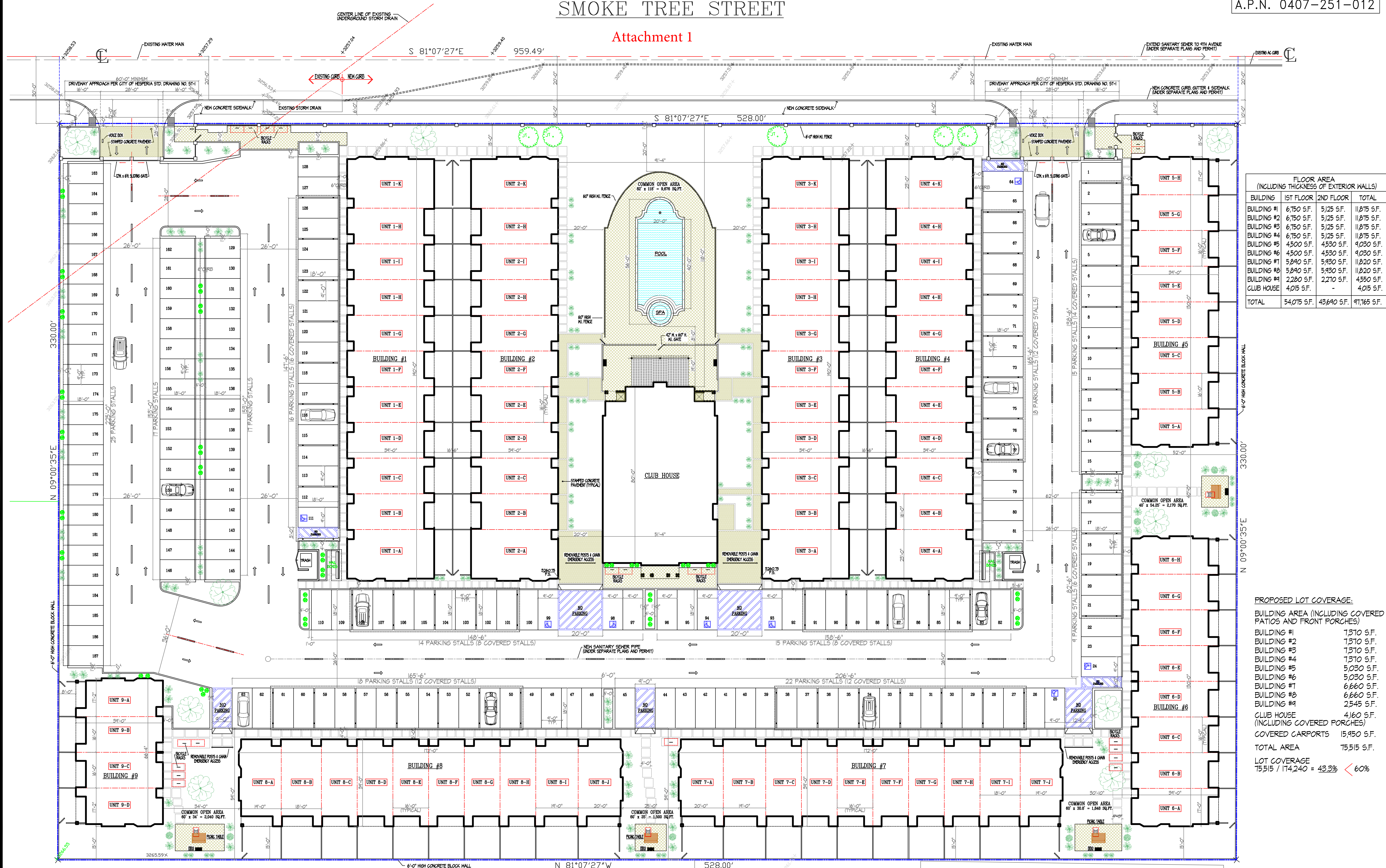
ATTACHMENT(S)

1. Site Plan
2. General Plan Land Use Map
3. Aerial photo
- 4.a 1st Story Floor Plan
- 4b 2nd Story Floor Plan
- 5a Color Elevation
- 5b Color Elevation
- 6 Color Rendering
7. Initial Study/Mitigated Negative Declaration
8. Resolution No. PC-2025-06 with list of conditions

SMOKE TREE STREET

A.P.N. 0407-251-012

Attachment 1



FLOOR AREA (INCLUDING THICKNESS OF EXTERIOR WALLS)			
BUILDING	1ST FLOOR	2ND FLOOR	TOTAL
BUILDING #1	6,750 S.F.	5,125 S.F.	11,875 S.F.
BUILDING #2	6,750 S.F.	5,125 S.F.	11,875 S.F.
BUILDING #3	6,750 S.F.	5,125 S.F.	11,875 S.F.
BUILDING #4	6,750 S.F.	5,125 S.F.	11,875 S.F.
BUILDING #5	4,500 S.F.	4,530 S.F.	9,030 S.F.
BUILDING #6	4,500 S.F.	4,530 S.F.	9,030 S.F.
BUILDING #7	5,840 S.F.	5,430 S.F.	11,270 S.F.
BUILDING #8	5,840 S.F.	5,430 S.F.	11,270 S.F.
BUILDING #9	2,280 S.F.	2,270 S.F.	4,550 S.F.
CLUB HOUSE	4,015 S.F.	-	4,015 S.F.
TOTAL	54,075 S.F.	43,640 S.F.	97,715 S.F.

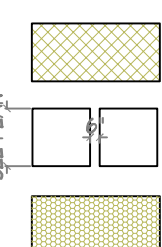
PROPOSED LOT COVERAGE:	
BUILDING AREA (INCLUDING COVERED PATIOS AND FRONT PORCHES)	
BUILDING #1	1370 S.F.
BUILDING #2	1370 S.F.
BUILDING #3	1370 S.F.
BUILDING #4	1370 S.F.
BUILDING #5	5,030 S.F.
BUILDING #6	5,030 S.F.
BUILDING #7	6,660 S.F.
BUILDING #8	6,660 S.F.
BUILDING #9	2,545 S.F.
CLUB HOUSE	4,160 S.F.
(INCLUDING COVERED PORCHES)	
COVERED CARPORTS	15,950 S.F.
TOTAL AREA	75,515 S.F.
LOT COVERAGE	
75,515 / 174,240 = 43.3% < 60%	

PARKING INFORMATION
 PARKING REQUIRED:
 (8 x 1.75) + (76 x 2.25) = 185 STALLS
 PARKING PROVIDED:
 8- ACCESSIBLE PARKING STALLS
 88- COVERED PARKING STALLS (1 PER UNIT)
 91- STD. PARKING STALLS
 187- TOTAL PARKING STALLS PROVIDED
 BICYCLE RACKS REQUIRED:
 (20/5 x 2) + (64/5 x 1) = 20.8 RACKS
 BICYCLE RACKS PROVIDED = 22

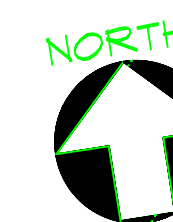
COMMON USABLE OPEN SPACE
 COMMON SPACE REQUIRED:
 84 UNITS x 150 = 12,600 SQ.FT.
 OPEN SPACE PROVIDED:
 2040 + 1500 + 1848 + 9544 + 2,170 = 17,152 SQ.FT.
 TOTAL LANDSCAPE AREA
 (NOT INCLUDING PRIVATE OPEN SPACES)
 26,375 SQ.FT. OR 15.3% OF LOT AREA

SITE PLAN
 A-1.0
 1"=20'-0"

LEGEND



PERMEABLE PAVING STONE
 SQUARE CONCRETE PAVEMENTS
 5'-0" SQUARE MAX. 6" INCHES APART
 (20% PERMEABLE MIN.)
 STAMPED CONCRETE PAVEMENT



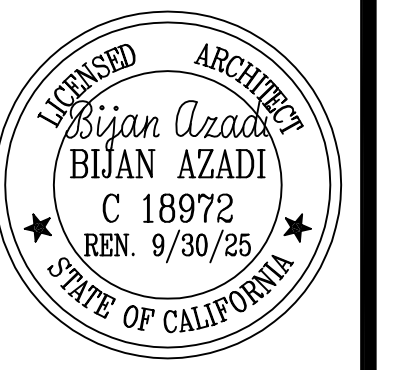
GROSS LOT AREA = 528' x (330'+30') = 190,080 S.F. OR 4.36 ACRES
 NET LOT AREA = 528' x 330' = 174,240 S.F. OR 4.0 ACRES
 PROPOSED NUMBER OF UNITS = 84 UNITS
 BUILDING #1 2- ONE BEDROOM + 4- TWO BEDROOM UNITS
 BUILDING #2 2- ONE BEDROOM + 4- TWO BEDROOM UNITS
 BUILDING #3 2- ONE BEDROOM + 4- TWO BEDROOM UNITS
 BUILDING #4 2- ONE BEDROOM + 4- TWO BEDROOM UNITS
 BUILDING #5 8- TWO BEDROOM UNITS
 BUILDING #6 8- TWO BEDROOM UNITS
 BUILDING #7 10- TWO BEDROOM UNITS
 BUILDING #8 10- TWO BEDROOM UNITS
 BUILDING #9 4- TWO BEDROOM UNITS

8- ONE BEDROOM
 76- TWO BEDROOM

REVISIONS	BY

BIJAN AZADI, AIA
 ARCHITECT & ASSOCIATES

3837 EAST SEVENTH STREET
 LONG BEACH, CALIFORNIA 90804
 TEL. 310-713-9477



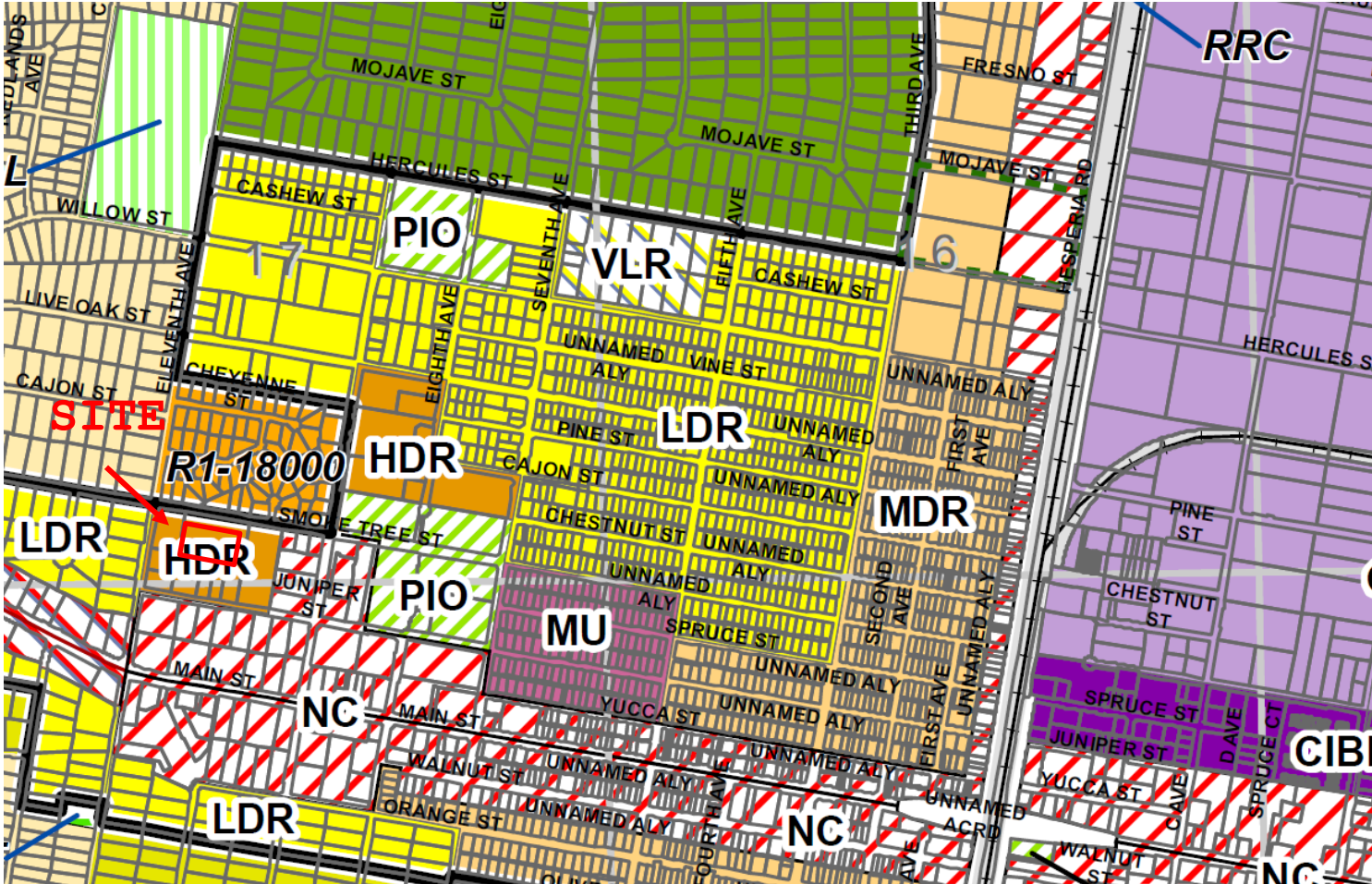
15639 SMOKE TREE STREET
 HESPERIA, CALIF. 92345

DRAWN
 B.A.
 CHECKED
 DATE
 8-7-2024
 SCALE
 AS NOTED
 JOB NO.
 21-435
 SHEET

A-1.0

OF SHEETS

ATTACHMENT 2



APPLICANT(S):
HOSSEIN MAZI

FILE NO(S):
SPR22-00010

LOCATION:
ON THE SOUTH SIDE OF SMOKE TREE STREET, BETWEEN
NINTH AND ELEVENTH AVENUE

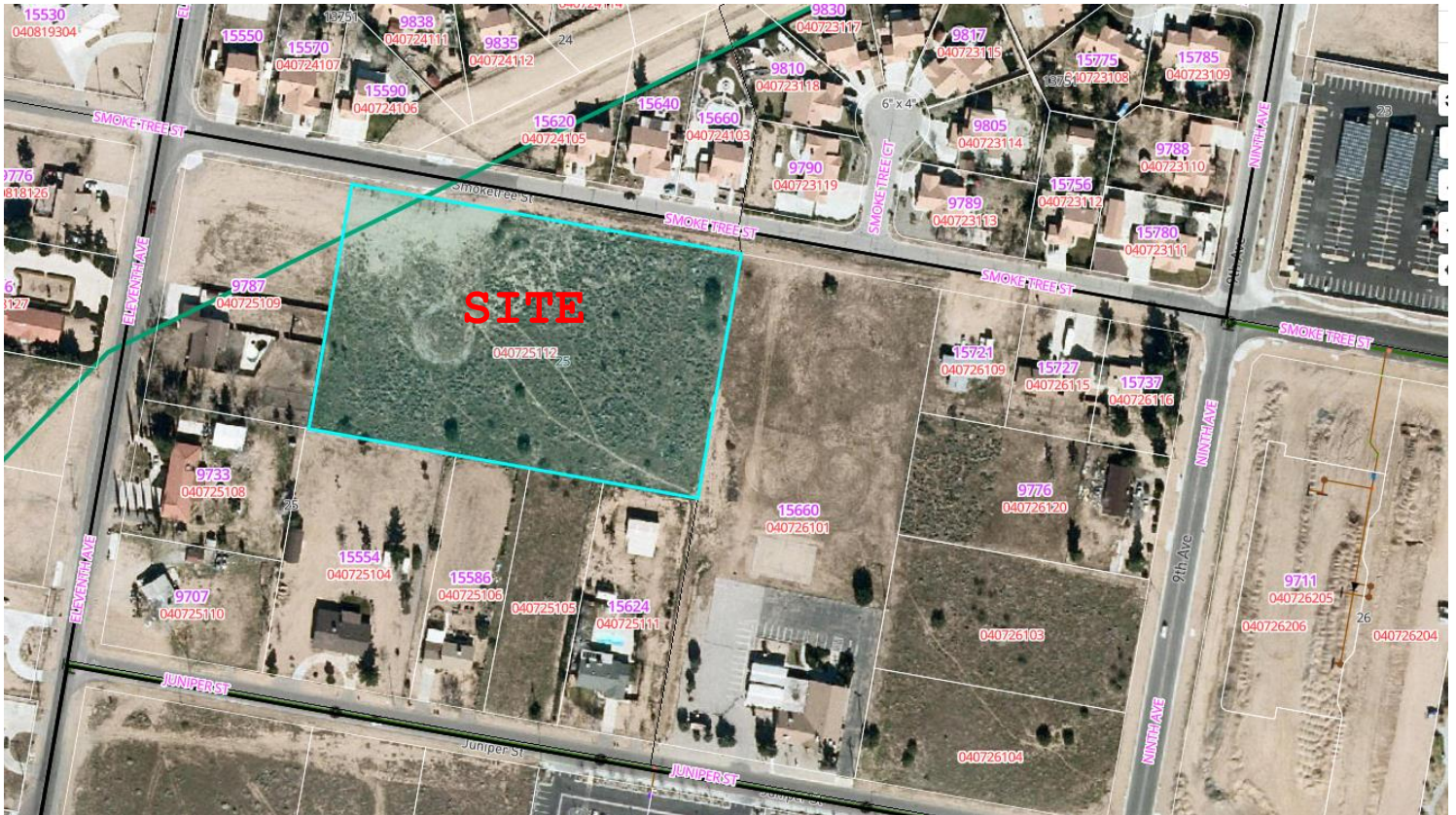
APNs:
0407-251-12

PROPOSAL:
CONSIDERATION OF A SITE PLAN REVIEW TO CONSTRUCT AN 84-UNIT APARTMENT COMPLEX
ON APPROXIMATELY 4.3 GROSS ACRES



GENERAL PLAN AND ZONING MAP

ATTACHMENT 3



APPLICANT(S):
HOSSEIN MAZI

FILE NO(S):
SPR22-00010

LOCATION:
ON THE SOUTH SIDE OF SMOKE TREE STREET, BETWEEN
NINTH AND ELEVENTH AVENUE

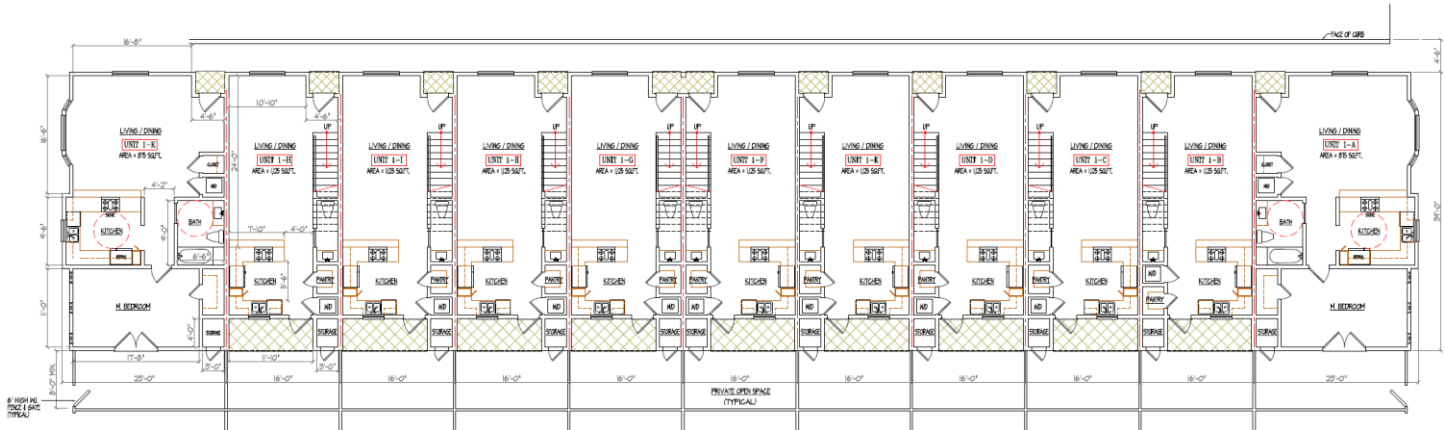
APNs:
0407-251-12

PROPOSAL:
CONSIDERATION OF A SITE PLAN REVIEW TO CONSTRUCT AN 84-UNIT APARTMENT COMPLEX
ON APPROXIMATELY 4.3 GROSS ACRES



AERIAL

ATTACHMENT 4a



FIRST FLOOR PLAN BUILDING #1 (BUILDING #3 SIMILAR, #2 & #4 REVERSE)
1/8"=1'-0"



APPLICANT(S):
HOSSEIN MAZI

FILE NO(S):
SPR22-00010

LOCATION:
ON THE SOUTH SIDE OF SMOKE TREE STREET, BETWEEN
NINTH AND ELEVENTH AVENUE

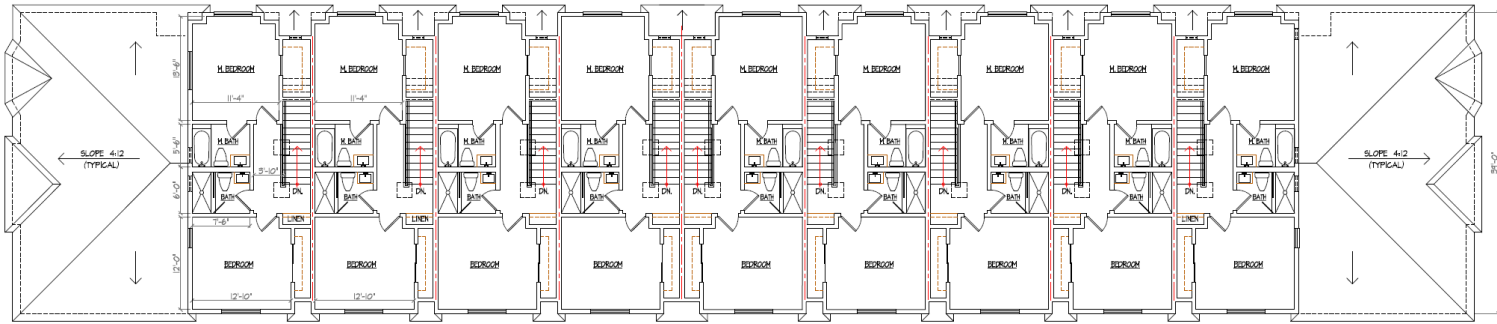
APNs:
0407-251-12

PROPOSAL:
CONSIDERATION OF A SITE PLAN REVIEW TO CONSTRUCT AN 84-UNIT APARTMENT COMPLEX
ON APPROXIMATELY 4.3 GROSS ACRES



1st Story Floor Plan (Building 1)

ATTACHMENT 4b



2 SECOND FLOOR PLAN BUILDING #1 (BUILDING #3 SIMILAR, #2 & #4 REVERSE)
A-2.0 1/8"=1'-0"

APPLICANT(S):
HOSSEIN MAZI

FILE NO(S):
SPR22-00010

LOCATION:
ON THE SOUTH SIDE OF SMOKE TREE STREET, BETWEEN
NINTH AND ELEVENTH AVENUE

APNs:
0407-251-12

PROPOSAL:
CONSIDERATION OF A SITE PLAN REVIEW TO CONSTRUCT AN 84-UNIT APARTMENT COMPLEX
ON APPROXIMATELY 4.3 GROSS ACRES



2nd Story Floor Plan (Building 1)

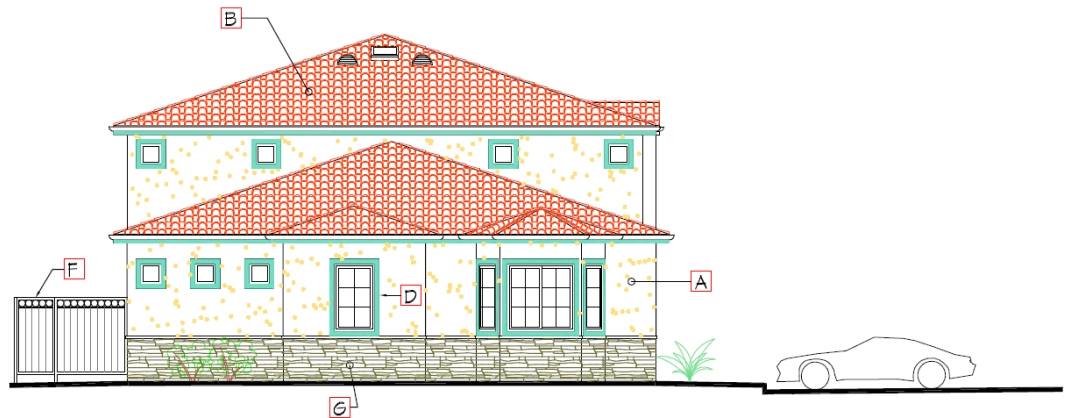
ATTACHMENT 5a



2 WEST ELEVATION
A-2.1 1/8"=1'-0"

BUILDING #1 (BUILDING #3 SIMILAR / #2 & #4 REVERSE)

EXTERIOR FINISH SCHEDULE	
(A)	EXTERIOR PLASTER (STUCCO) SMOOTH FINISH



3 NORTH ELEVATION
A-2.2 1/8"=1'-0"

BUILDING #1 (BUILDING #3 SIMILAR / #2 & #4 REVERSE)

APPLICANT(S):
HOSSEIN MAZI

FILE NO(S):
SPR22-00010

LOCATION:
ON THE SOUTH SIDE OF SMOKE TREE STREET, BETWEEN
NINTH AND ELEVENTH AVENUE

APNs:
0407-251-12

PROPOSAL:
CONSIDERATION OF A SITE PLAN REVIEW TO CONSTRUCT AN 84-UNIT APARTMENT COMPLEX
ON APPROXIMATELY 4.3 GROSS ACRES



ELEVATION (BUILDING 1)

ATTACHMENT 5b



2 SOUTH ELEVATION BUILDING #1 (BUILDING #3 SIMILAR / #2 & #4 REVERSE)
A-2.2 1/8"=1'-0"

APPLICANT(S):
HOSSEIN MAZI

FILE NO(S):
SPR22-00010

LOCATION:
ON THE SOUTH SIDE OF SMOKE TREE STREET, BETWEEN
NINTH AND ELEVENTH AVENUE

APNs:
0407-251-12

PROPOSAL:
CONSIDERATION OF A SITE PLAN REVIEW TO CONSTRUCT AN 84-UNIT APARTMENT COMPLEX
ON APPROXIMATELY 4.3 GROSS ACRES



ELEVATION (BUILDING 1)

ATTACHMENT 6



APPLICANT(S):
HOSSEIN MAZI

FILE NO(S):
SPR22-00010

LOCATION:
ON THE SOUTH SIDE OF SMOKE TREE STREET, BETWEEN
NINTH AND ELEVENTH AVENUE

APNs:
0407-251-12

PROPOSAL:
CONSIDERATION OF A SITE PLAN REVIEW TO CONSTRUCT AN 84-UNIT APARTMENT COMPLEX
ON APPROXIMATELY 4.3 GROSS ACRES



COLOR RENDERING



Smoke Tree Townhouse Apartments
DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
Site Plan Review SPR22-00010

Lead Agency:

City of Hesperia
Development Services Department
9700 7th Avenue
Hesperia, California 92345

Applicant:

Hossein Mazi
7772 Warner Avenue, Suite 102
Huntington Beach, CA 92647

Prepared by:



2201 N. Grand Avenue #10098
Santa Ana, CA 92711-0098

February 2025

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Appendix B *Biological Resources Assessment for the Proposed Project located at 15639 Smoke Tree Street in the City of Hesperia, San Bernardino County, California, ELMT Consulting, October 31, 2022*

Appendix C *Cultural Resources Assessment for the 15639 Smoke Tree Street Project, located in the City of Hesperia, San Bernardino County, CRM Tech, June 20, 2024*

Appendix D-1 *Geotechnical Investigation Report, Proposed Residential Development, APN 040725112, 15629 Smoke Tree Street, Hesperia, California, GeoBoden, Inc, May 30, 2022*

Appendix D-2 *Paleontology Records Review for Proposed 86-Unit Apartment Complex, San Bernardino County Museum, June 21, 2024*

Appendix E *Water Quality Management Plan for APN 0407-251-12, Sake Engineers Inc, February 28, 2024*

Appendix F *Smoke Tree Residential Project, Noise Impact Study, MD Acoustics, October 28, 2024*

Appendix G *Project Scoping Form, Site Plan Review SPR22-00010, Integrated Engineering Group, March 5, 2024*

Appendix H Project Plans

Appendix I (Reserved)

LIST OF ACRONYMNS

<u>Acronym</u>	<u>Definition</u>
AB 32	Assembly Bill 32
AB 52	Assembly Bill 52
ADA	Americans with Disabilities Act
AFY	Acre Feet Per Year
AQMP	Air Quality Management Plan
APE	Area of Potential Effect
APN	Assessor Parcel Number
APZ	Accident Potential Zone
BMPs	Best Management Practices
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
City	City of Hesperia
CMP	Congestion Management Program
CNPS	California Native Plant Society
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CRHR	California Register of Historic Places
dBA	A-Weighted Decibels
DIF	Development Impact Fees
DPM	Diesel Particulate Matter
EPA	Environmental Protection Agency
ERRP	Enhanced Recharge and Recovery Program
ESA	Endangered Species Act
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FMMP	Farmland Mapping Management Program
GHG	Greenhouse Gas
GSP	Groundwater Sustainability Plan
gpd/acre	Gallons per Day per Acre
HAER	Historic American Engineering Record
HCP	Habitat Conservation Plan
ITE	Institute of Transportation Engineers
LID	Low Impact Design
LOS	Level of Service
LST	Localized Significance Threshold
MDAQMD	Mojave Desert Air Quality Management District
mgd	Millions of Gallons per Day
MLD	Most Likely Descendent
MMRP	Mitigation Monitoring and Reporting Program
MRZ	Mineral Resources Zone
MS4	Municipal Separate Storm Water Sewer System
MTCO2e	Metric Tons Carbon Dioxide Equivalent
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NO2	Nitrogen Dioxide
NOx	Nitrogen Oxides

NPDES	National Pollutant Discharge Elimination System
PCE	Passenger Car-Equivalent
PM-2.5	Particulate Matter Less Than 2.5 Microns in Diameter
PM-10	Particulate Matter Less Than 10 Microns in Diameter
PRIMMP	Paleontological Resource Impact Mitigation Monitoring Program
RWQCB	Regional Water Quality Control Board
SGMA	the Sustainability Groundwater Management Act
SF	Square Feet
SCAG	Southern California Association of Governments
SLF	Sacred Lands File
SRA	State Responsibility Area
SSC	Species of Special Concern
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TIA	Traffic Impact Analysis
TUMF	Transportation Uniform Mitigation Fee

1 PURPOSE AND SCOPE

Hossein Mazi (Applicant) proposes to construct a 84-unit townhome style multi-family complex, consisting of eight one- and 76 two-bedroom units in nine separate buildings, on 4.36 gross acres located at 15639 Smoke Tree Street, approximately 220 feet east of Eleventh Avenue, identified as Assessor Parcel Number (APN) 0407-251-12, within the High Density Residential (HDR) zone of the Main Street and Freeway Corridor Specific Plan (Proposed Project). The Proposed Project would also construct road improvements to Smoke Tree Street resulting in 4 net acres for development of the townhome complex. The Project is subject to a Site Plan Review by the City of Hesperia (SPR24-00010).

The Proposed Project is a project under the California Environmental Quality Act (Public Resource Code § 21000 et seq.: "CEQA"). The primary purpose of CEQA is to inform the public and decision makers as to the potential impacts of a project and to allow an opportunity for public input to ensure informed decision-making. CEQA requires all state and local government agencies to consider the environmental effects of projects over which they have discretionary authority. CEQA also requires each public agency to mitigate or avoid any significant environmental impacts resulting from the implementation of projects subject to CEQA.

Pursuant to Section 15367 of the State CEQA Guidelines, the City of Hesperia (City) is the lead agency for the Proposed Project. The lead agency is the public agency that has the principal responsibility for conducting or approving a project. The City, as the lead agency for the Proposed Project, is responsible for preparing environmental documentation in accordance with CEQA to determine if approval of the discretionary actions requested and subsequent development of the Proposed Project would have a significant impact on the environment.

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Initial Study has been prepared to analyze the Proposed Project to determine any potential significant impacts upon the environment that would result from construction and implementation of the Proposed Project. In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the Proposed Project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the Proposed Project.

A Lead Agency may prepare a Mitigated Negative Declaration for a project that is subject to CEQA when an Initial Study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the Applicant before the proposed Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment (Public Resources Code Section 21064.5).

This Initial Study has been prepared for the Proposed Project, in conformance with Section 15070(b) of the State CEQA Guidelines. This Initial Study analyzes potentially significant impacts associated with the Proposed Project and incorporates mitigation measures into the Proposed Project as necessary to

eliminate the potentially significant effects of the Proposed Project or to reduce the effects to a level of less than significant.

1.1 CONTENT AND FORMAT OF THE INITIAL STUDY

The Initial Study is organized as follows:

- **Section 1 – Purpose and Scope**. This section introduces the scope of the Proposed Project and the City's role in the project, as well as a brief summary of findings.
- **Section 2 – Project Summary and Environmental Determination**. This section summarizes the Proposed Project and actions to be undertaken by the City. This section also provides the determination of the environmental document to be approved by the City.
- **Section 3 – Project Description**. This section details the Proposed Project components and general environmental setting.
- **Section 4 – Environmental Impacts**. This section contains the Environmental Checklist Form, as suggested in Section 15063(d)(3) of the State CEQA Guidelines, as amended, and includes a series of questions about the project for each of the listed environmental topics. The Form evaluates whether or not there would be significant environmental effects associated with the development of the project and provides mitigation measures, when required, to reduce impacts to a less than significant level. The form requires an analysis in 20 subject categories as well as Mandatory Findings of Significance.
- **Section 5 – List of Preparers**. This section identifies the names and affiliations of the individuals who contributed to the preparation of the environmental evaluation.
- **Section 6 – References**. This section identifies the references used in the preparation of this Initial Study.

1.2 INITIAL STUDY SUMMARY OF FINDINGS

Based on the analysis in Section 4, there were no environmental factors that could potentially affect ("Potentially Significant") the environment. Mitigation measures were identified to reduce some impacts to Less Than Significant. Therefore, the determination, based on the Initial Study, is that a **Mitigated Negative Declaration** would be prepared.

1.3 DOCUMENTS INCORPORATED BY REFERENCE

The following reports and/or studies are applicable to development of the Project Site and are hereby incorporated by reference:

- *City of Hesperia, General Plan 2010* (City, Sept. 2010). (Available at <https://www.cityofhesperia.us/409/Hesperia-General-Plan>)
- *City of Hesperia, General Plan Land Use Map*, Effective Date October 5, 2023, (Available at <https://www.cityofhesperia.us/409/Hesperia-General-Plan>)
- *Hesperia Main Street and Freeway Corridor Specific Plan, last amended July 15, 2021* (Specific Plan, July 2021), prepared by The Arroyo Group (Available at: <https://www.cityofhesperia.us/411/Main-Street-Freeway-Corridor-Specific-Pl>)

These documents are available for review at the City of Hesperia Development Services Department
9700 7th Avenue, Hesperia, California 92345.

1.4 CONTACT PERSON

Any questions about the preparation of the Initial Study, its assumptions, or its conclusions should be referred to the following:

City of Hesperia
Development Services Department
Attn: Ryan Leonard, Principal Planner
9700 7th Avenue
Hesperia, California 92345
Phone: (760) 947-1651
Email: rleonard@hesperiaca.gov

2 PROJECT SUMMARY AND ENVIRONMENTAL DETERMINATION

2.1 PROJECT SUMMARY

1. **Project Title:** Smoke Tree Townhouse Apartments
Site Plan Review SPR22-00010
2. **Lead Agency Name:** City of Hesperia
Address Development Services Department
9700 7th Avenue
Hesperia, California 92345
3. **Contact Person:** Ryan Leonard, Principal Planner
(760) 947-1651
Email: rleonard@hesperiaca.gov
4. **Project Location:** Smoke Tree Street, 220 feet east of Eleventh Avenue
Gross Acres: 4.36 acres; Net Acres: 4.0
Site Address: 15639 Smoke Tree Street
Topographic Quad (USGS 7.5"): *Hesperia*
Topographic Quad Coordinates: T4 North, R4 West, Section 17
Latitude: 34.428236° N, Longitude: -117.322899 W
APN: 0407-251-12
5. **Project Sponsor's Name:** Hossein Mazi
Address 7772 Warner Avenue, Suite 201
Huntington Beach, CA 92647
6. **General Plan Designation:** Main Street /Freeway Corridor Specific Plan
7. **Zoning Designation:** HDR (High Density Residential, 15 – 20 units/acre)
8. **Description of Project:**

Site Plan Review SPR24-00010 by Hossein Mazi (Applicant) is the development of an 84-unit townhome style multi-family complex, consisting of eight one- and 76 two-bedroom units in nine separate buildings, on 4.36 gross acres (4 net acres), and associated road improvements on Smoke Tree Street located at 15639 Smoke Tree Street, approximately 220 feet east of Eleventh Avenue, identified as Assessor Parcel Number (APN) 0407-251-12, within the High Density Residential (HDR) zone of the Main Street and Freeway Corridor Specific Plan (Proposed Project).

9. Surrounding Land Uses:

Surrounding land uses are identified in **Table 1 – Surrounding Land Use** and are also all located in the Main Street and Freeway Corridor Specific Plan (MS/FC SP). The Project Site is currently vacant.

Table 1: Surrounding Land Use

Direction	Existing Land Use Description	General Plan Land Use Designation
North	Smoke Tree Street; residential and flood control channel beyond Smoke Tree Street	Residential R1-18000 (2.1-24. Du/acre
East	Vacant land	MS/FC SP High Density Residential
South	Rural residential	MS/FC SP High Density Residential
West	One single-family residence with large backyard	MS/FC SP High Density Residential

10. Other Public Agencies Whose Approval is Required:

The following discretionary approvals are required for the Project:

State Agencies:

- Lahontan Regional Water Quality Control Board: approval of a National Pollutant Discharge Elimination System (NPDES) permit to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened.
- California Department of Fish and Wildlife: Western Joshua Tree Incidental Take Permit to remove Joshua Trees on-site.

11. California Native American Consultation

On January 15, 2025 the City of Hesperia notified via email the following tribal entities of the Project and that the 30-day timeframe in which to request consultation would end on February 14, 2025, in accordance with AB52. The following summarizes the results of the AB52 consultation.

- Torres Martinez Desert Cahuilla Indians. Result: No comments received. Consultation concluded.
- Yuhaaviatam of San Manuel Nation. Result: Response received January 16, 2025, although the Tribe had no formal comments, mitigation measures were requested to protect unknown resources. Consultation concluded.

Mitigation measures to ensure resources to tribal cultural resources are minimized have been incorporated, as appropriate, into the Initial Study.

2.2 ENVIRONMENTAL ANALYSIS AND DETERMINATION

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Initial Study has been prepared to analyze the Proposed Project to determine any potential significant impacts upon the environment that would result from construction and implementation of the Project. This Initial Study is based on an Environmental Checklist Form (Form), as suggested in Section 15063(d)(3) of the State CEQA Guidelines, as amended, and includes a series of questions about the project for each of the listed environmental topics. The Form evaluates whether or not there would be significant environmental effects associated with the development of the project and provides mitigation measures, when required, to reduce impacts to a less than significant level.

In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the Proposed Project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the Proposed Project.

2.2.1 Organization of Environmental Analysis

Section 4 provides a discussion of the potential environmental impacts of the Project. The evaluation of environmental impacts follows the questions provided in the Checklist provided in the CEQA Guidelines.

2.2.2 Evaluation of Environmental Impacts

A brief explanation is required 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 the project (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).

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.

Once the Lead Agency has determined that a particular physical impact may occur, 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.

“Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” Mitigation measures are identified and explain how they reduce the effect to a less than significant level (mitigation measures may be cross-referenced).

Earlier analyses may be used where, pursuant to the 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 analyses used where they are available for review.
- b) Which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) The mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project for effects that are “Less than Significant with Mitigation Measures Incorporated.”

References and citations have been incorporated into the checklist references to identify information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document, where appropriate, include a reference to the page or pages where the statement is substantiated.

Source listings and other sources used, or individuals contacted are cited in the discussion.

The explanation of each issue should identify:

- a) The significance criteria or threshold, if any, used to evaluate each question
- b) The mitigation measure identified, if any, to reduce the impact to less than significant.

2.2.3 Environmental Factors Potentially Affected

Based on the analysis in Section 4, the Proposed Project could potentially affect (“Potentially Significant”) the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor and identifies where mitigation measures would be necessary to reduce all impacts to less than significant levels.

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

2.2.4 Determination

On the basis of this initial evaluation, the following finding is made:

	The Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	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.
	The Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	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 attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	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 Proposed Project, nothing further is required.

Signature

Date

Name

Title

3 PROJECT DESCRIPTION

3.1 PROJECT SITE SETTING

The Proposed Project is situated at 15639 Smoke Tree Street, approximately 6.4 miles east of Interstate 15 (I-15), north of Main Street, west of 9th Avenue, east of Eleventh Avenue. The 4.36-acre parcel is currently vacant and identified as Assessor Parcel Number (APN) 0407-251-12 (**Exhibit 1: Regional Vicinity and Exhibit 2: Site Location: Aerial View**). The parcel is bounded by Smoke Tree Street on the north, followed by medium dense residential uses and a flood control channel on the north side of Smoke Tree Street, vacant land on the west and east, and rural residential along the south where the zoning is high-density residential.

Smoke Tree Street in front of the Project Site is an approximate 40 foot-wide paved road, with curb and gutter and no sidewalks, even on the north side of the street along the frontage of the existing residential land uses.

The Proposed Project Site is within the *Hesperia* U.S. Geological Survey (USGS) 7.5-minute topographical map in Section 17, Township 4 North, Range 4 West at an elevation ranging from 3,261 to 3,276 above mean sea level (**Exhibit 3: Site Location: USGS**). The topography of the site is relatively flat with the site sloping slightly from east to west.

Due to historic and existing land uses, most of the Project site supports areas that are vegetated by weedy/early successional species, in addition to a few large perennials. Six Western Joshua Trees were identified on site and are currently identified as a candidate State endangered species by the California Department of Fish and Wildlife. A permit under the Western Joshua Tree Conservation Act (WJCTA) is required for removal of these species to facilitate Project development.

Site Land Use and Zoning

The Project site and Project vicinity are located within the HDR (High Density Residential, 15 – 20 units/acre) zone of the Main Street and Freeway Corridor Specific Plan within the City of Hesperia's General Plan (**Exhibit 4: Site Zoning: City of Hesperia**). The HDR zone is established to provide areas for higher density multi-family housing in areas near civic and commercial uses that meet the everyday shopping, educational, entertainment and similar needs of residents. This zone contains multi-story residential development with common recreational space for the residents. The HDR is consistent with the R3 (Multiple Family Residential) land use designation of the General Plan.

The residential on the north side of Smoke Tree Street is zoned Residential R1-18000 (2.1-24. Du/acre) and is not within the Main Street and Freeway Corridor Specific Plan.

3.2 PROJECT CHARACTERISTICS

The Project components include the following:

Site Plan: The Project is the development of a an 84-unit, nine-building, two-story townhome complex that surrounds a 4,160 square foot (SF) clubhouse, a 9,676 common open area with a swimming pool and spa, with other smaller open space areas interspersed throughout the complex that each offer a BBQ and picnic table on 4 net acres. The Project also includes the completion of public road improvements to the

Project frontage along Smoke Tree Street with new curb and gutter and sidewalk, and connections to the City's water and sewer services. **Exhibit 5: Site Plan: Schematic** identifies the site plan.

Two 28-foot-wide, all access main entrances are planned from Smoke Tree Street, one on the western portion of the property frontage and one on the eastern portion of the property frontage. Both entrances are gated and the entrances would be stamped concrete before transitioning to pavement in the interior of the complex. Two buildings are situated on each side of the clubhouse, with the remainder of the buildings situated along the east, west and south sides of the complex, accessed by one main drive aisle that connects to each of the driveways. Trash enclosures are provided near the southern portion of the complex.

In total, the structures occupy 75,515 SF of the 4 net acres, which would represent approximately 43.3 percent lot coverage where 60 percent is allowed.

The apartment homes consist of eight one-bedroom units and 76 two-bedroom units. Overall, the living area for the residential units are proposed to be slightly larger than the City's requirements, and each contains a laundry room in the units:

Room Type	City Standard	Provided (Typical)
1 Bedroom	875 SF	875
2 Bedroom	1,075 SF	1,125
Patio	100 SF	150 SF+

The Project Site would be fully enclosed by a 6-foot-high masonry wall with gated ingress/egress on Smoke Tree Street. **Appendix H - Project Plans** provides detailed plans of the Project.

Architecture: The color scheme of the complex is primarily white stucco with clay tile roofs, consistent with the architectural style of the existing residential homes in the vicinity. The buildings would be approximately 25.9 feet high at the top of the ridge, with varying rooflines to add character and reduce massing (**Exhibit 6: Elevations**).

Off-Site Improvements: Project improvements along Smoke Tree Street include the following, and would be dedicated for public right-of-way following improvements:

- Construct approximately 480 linear feet of new curb, gutter and 6-foot wide sidewalks with ADA ramps at each of the driveways
- New pavement along the Project frontage to the centerline of Smoke Tree Street
- Approximately 15,840 SF (0.36 AC) of new right-of-way to be dedicated to the City

Site Access: Primary access to the Project Site would be via two, all-access entrances and exits on Smoke Tree Street, approximately 380 feet apart. Driveway 1, along the western portion of the property frontage is approximately 220 feet east of 11th Avenue. Driveway 2, along the eastern portion of the property frontage is approximately 650 feet west of 9th Avenue.

On-Site Circulation: The complex is designed for two-way traffic within all 26-foot-wide drive aisles throughout the complex. Driveway 1 on the western portion of complex leads to two, two-way drive aisles

that are separated by parking stalls, which connects to a single, two-way drive aisle along the southern portion of the site, that turns north, connecting to a two-way drive aisle that connects to Driveway 2.

Parking: The site contains a total of 187 parking spaces, whereas 185 are required. Of the 187 parking spaces, 88 would be covered stalls, where solar panels would be installed on the roof, representing approximately 14,700 SF of solar panels. Handicapped accessible parking is provided at two of the units and the clubhouse. Pursuant to Section 5.106.5.2 of the 2022 California Green Building Standards Code (CCR, Title 24, Part 11 – CalGreen), parking spaces would be dedicated for low-emitting, fuel efficient and/or carpool/vanpool vehicles would be determined upon occupancy. In accordance with the 2022 California Green Building Code (CGBS), Section 4.106.4.2.2 item 1b, the Project would provide 19 electric vehicle charging stations (EVCS) and 47 EVCS ready stalls. Additionally, 22 bicycle racks are provided throughout the complex, where 20 are required.

Landscaping and Hardscape: Landscaping is designed primarily for the Smoke Tree frontages and near the breaks in the buildings and would primarily consist of drought tolerant trees and shrubs consistent with the City's landscape guidelines.

Fenestration and Glazing: As identified in the building elevations provided in Exhibit 6, exterior surfaces of the proposed building would be finished with a combination of architectural coatings, trim, and/or other building materials (e.g., concrete). Windows would consist of low reflective glass. The Project plans related to building materials are designed to ensure that glare does not create a nuisance to on- and off-site viewers of the Project site.

Site Lighting: Site lighting will be low-level light emitting diode (LED) that will be pointed downward at the parking lot and/or along the edges of the building.

Stormwater Management: The Project applicant has prepared a Water Quality Management Plan (Appendix E) that identifies stormwater management for the building operations/post construction. Overall, the existing drainage patterns were identified as flowing to the northeast, and the proposed design preserves the overall drainage pattern.

The on site drainage systems consist of graded area, concrete swale/ribbon gutter, grate/drop inlets with filter inserts for pre-treatment, and pipes that will convey the flows to the proposed underground chamber collection system. The Project also uses devices to re-route water from rooftop and impervious areas into the proposed landscape area/planters prior to draining into the proposed structural BMPs. Stormwater flows that exceed the design capacity of the chamber system would flow into the City's stormwater system along Smoke Tree Street, and/or surface flow and into any City storm drain systems, finally drain into the Mojave River.

Construction of the Proposed Project will also require the contractor to prepare a Stormwater Pollution Prevention Plan (SWPPP) as the Project Site is more than 1 acre.

Utilities and Services: The Proposed Project would connect to existing water and sewer mains served by the Hesperia Water District and located in Orange Street. Electrical service is readily available through Southern California Edison (SCE), and natural gas is available through Southwest Gas.

3.2.1 Construction Timing

Construction is anticipated to occur in one phase. Construction is anticipated to begin in early Winter 2025, lasting approximately 12 months. Initial site improvements include grading and underground infrastructure followed by building construction, paving, and landscape activities, and road improvements. The grading quantities are anticipated to balance on site and little to no import or export of fill material is anticipated. Project construction will require the use of heavy equipment such as dozers, scrapers, paving machines, concrete trucks, and water trucks.

Construction activities include the following:

- Site grading and underground utility construction – this is expected to last approximately two months. Site activities include placement of underground water, sewer and other utilities underground throughout the site to service the structures. Typical equipment includes excavators and trenchers. Site excavation is anticipated to be balanced with little to no import or export.
- Building Construction – construction of the buildings is expected to occur over approximately seven months. The construction method is standard wood framing. Typical equipment includes welders, concrete trucks, and cranes for lifting. The type of equipment will be evaluated and all permits obtained as necessary prior to construction.
- Final Site Paving and Landscaping – this activity is anticipated to occur over two months. All parking areas will be paved, and landscaping placed per the design. All architectural and parking lot lighting will also be installed.

3.2.2 Best Management Practices During Construction

The following best management practices are incorporated into the Project construction specifications to identify how the Project would conform to Federal, State, and Local regulations:

- Construction Water Quality Control. Construction projects that disturb 1 acre of land or more are required to obtain coverage under the NPDES General Permit for Construction Activities (General Construction Permit), which requires the applicant to file a notice of intent (NOI) to discharge stormwater and to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP includes an overview of the Best Management Practices (BMPs) that would be implemented to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources. The Project is more than 1-acre, therefore, the contractor is required to provide an SWPPP. The SWPPP will also address post-construction measures for water quality protection.

3.3 PROJECT CHARACTERISTICS - OPERATIONS

Operations of the Project would include an on-site leasing office to manage the complex and would employ an estimated three to seven persons. The leasing office would be open five days per week, Mondays through Fridays, from 8 am to 5 pm, and weekends as determined as necessary by the management. It is anticipated that the maintenance staff would handle repairs, and some repairs may be contracted out.

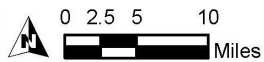
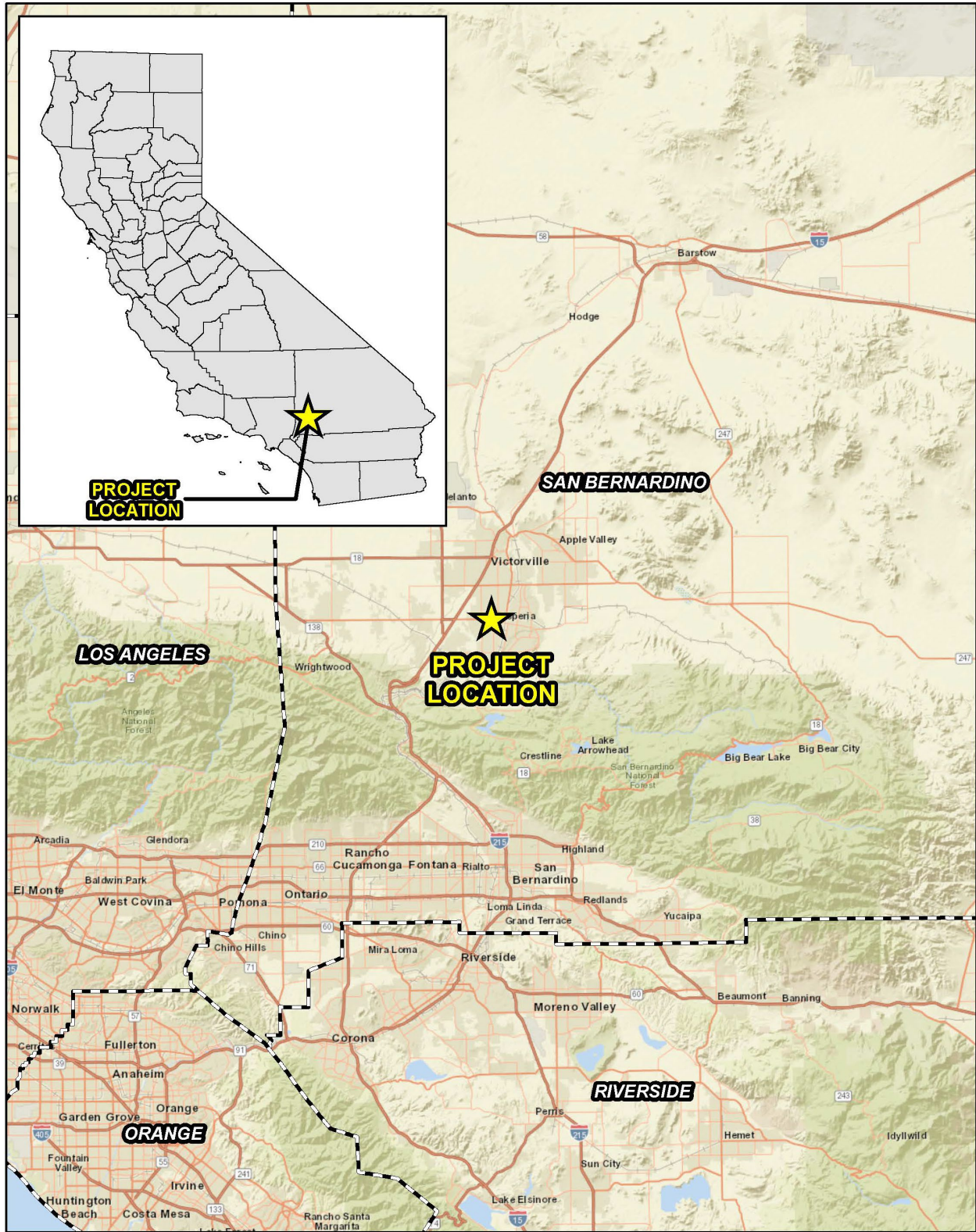
3.4 PROJECT APPROVALS

The following approvals and permits are required from the City of Hesperia to implement the Proposed Project:

- Site Plan SPR22-00010 to allow for the development of a 84-unit townhome style, two-story apartment complex, consisting of one- and two-bedroom units in nine separate buildings, on 4.36 gross acres located at 15639 Smoke Tree Street, identified as Assessor Parcel Number (APN) 0407-251-12, within the High Density Residential (HDR) zone of the Main Street and Freeway Corridor Specific Plan (Proposed Project), and associated road and utility improvements.

Other non-discretionary actions anticipated to be taken by the City at the staff level as part of the Proposed Project include:

- Review and approval of all off-site infrastructure plans, including street and utility improvements pursuant to the conditions of approval;
- Review all on-site plans, including grading and on-site utilities; and
- Approval of a Preliminary Water Quality Management Plan (PWQMP) to mitigate post-construction runoff flows.



Source: World Street Map, San Bernardino County

SMOKE TREE TOWNHOUSE APARTMENTS Regional Vicinity

Exhibit 1



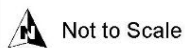
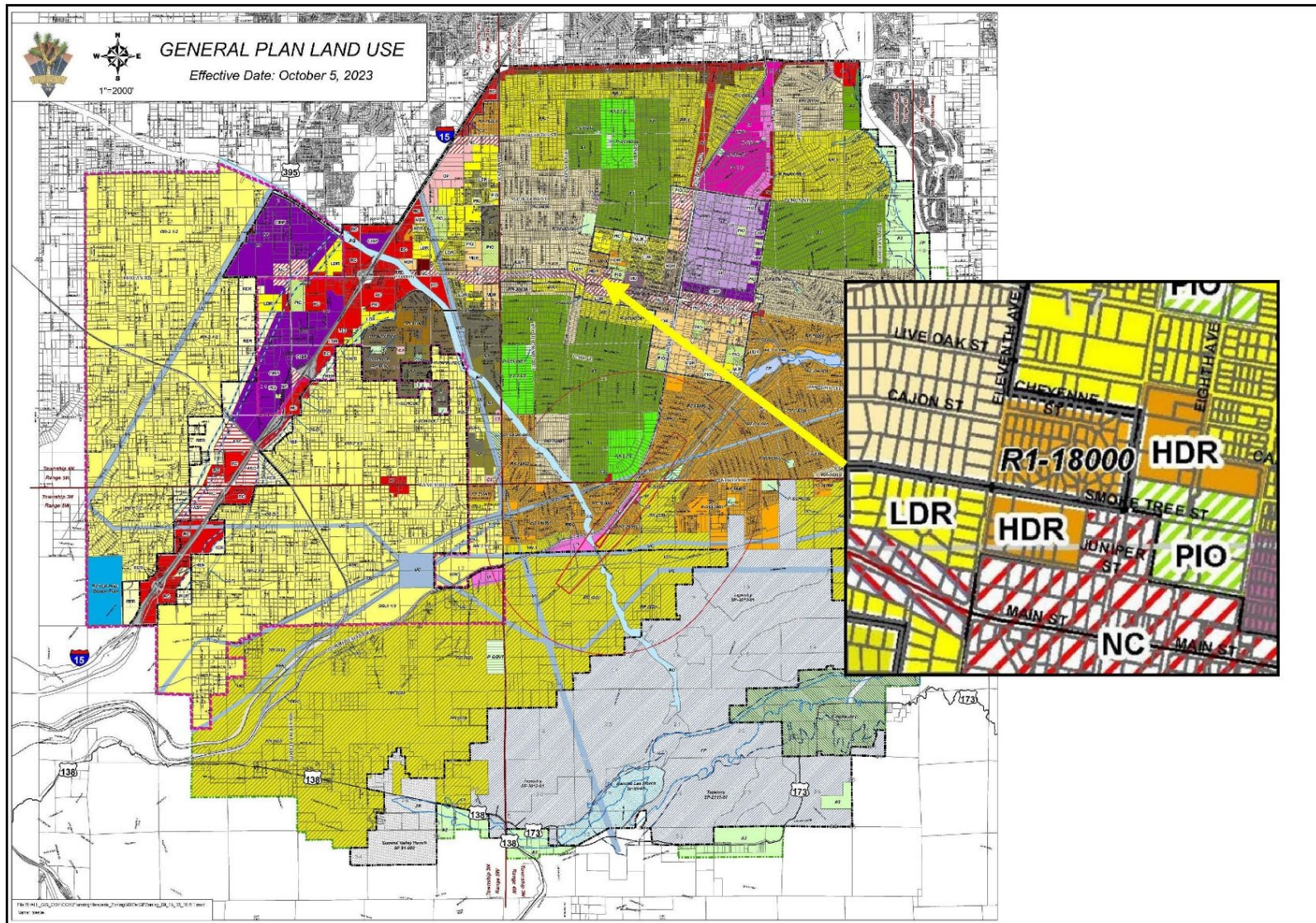
Source: ESRI Aerial Imagery, San Bernardino County

SMOKE TREE TOWNHOUSE APARTMENTS Site Location - Aerial View

Exhibit 2



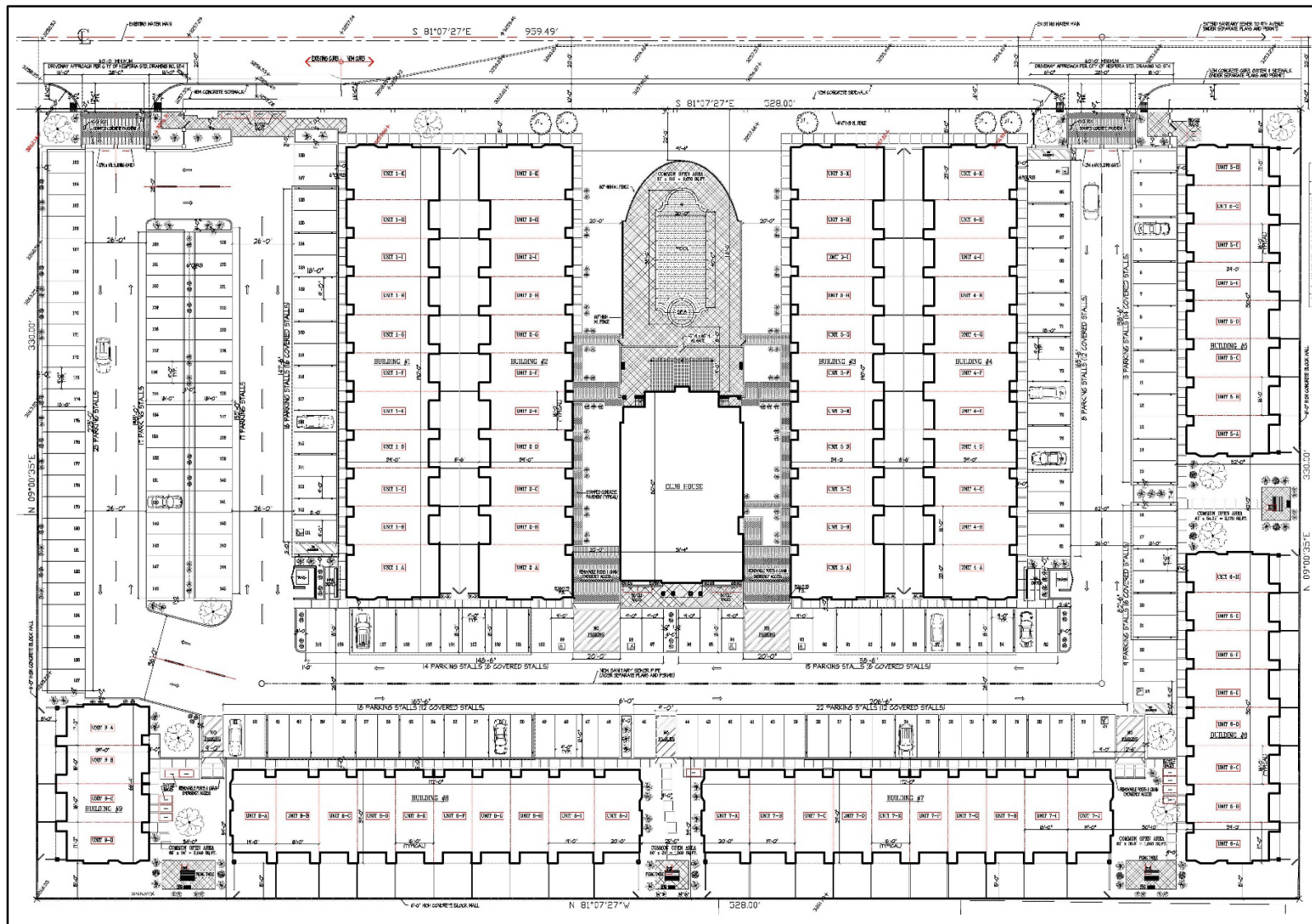
Exhibit 3



Source: City of Hesperia Zoning Map 2023

SMOKE TREE TOWNHOUSE APARTMENTS
Site Zoning: City of Hesperia

Exhibit 4



SMOKE TREE TOWNHOUSE APARTMENTS

Site Plan: Schematic

Exhibit 5



Not to Scale

Source: Architect Associates

Exhibit 6 – Elevations
(Exhibit in development)

4 ENVIRONMENTAL IMPACTS

4.1 AESTHETICS

4.1.1 Environmental Setting

The project site generally located south of State Route 18, east of United States Route 395 and Interstate 15, and north of State Route 138 in the City of Hesperia, San Bernardino County, California. Specifically, the site is bounded to the north by Smoke Tree Street and lies east of 11th Avenue, north of main street, and west of 9th Avenue within APN 0407-251-12. The Project site and Project vicinity are located within the HDR (High Density Residential, 15 – 20 units/acre) zone of the Main Street and Freeway Corridor Specific Plan within the City of Hesperia's General Plan (Exhibit 4).

4.1.2 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
I. AESTHETICS: Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

a) *Have a substantial adverse effect on a scenic vista?*

Less Than Significant Impact. The CEQA Guidelines do not provide a definition of what constitutes a “scenic vista” or “scenic resource” or a reference as to from what vantage point(s) the scenic vista and/or resource, if any, should be observed. Scenic resources are typically landscape

patterns and features that are visually or aesthetically pleasing and that contribute affirmatively to the definition of a distinct community or region such as trees, rock outcroppings, and historic buildings.

A scenic vista is generally identified as a public vantage viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Common examples may include a public vantage point that provides expansive views of undeveloped hillsides, ridgelines, and open space areas that provide a unifying visual backdrop to a developed area.

The 4.36-acre vacant parcel is bounded by Smoke Tree Street on the north, followed by medium dense residential uses and a flood control channel along the north side of Smoke Tree Street, vacant land on the west and east, and rural residential along the south where the zoning is high-density residential.

The Proposed Project would change the visual character of the Project site in that it would add structures to a currently vacant parcel. However, the Proposed Project will be consistent and compatible with surrounding the Project vicinity site in terms of building height, massing, and development intensity. Views from the residential streets are primarily of the flat desert floor, with mountainous terrain in the far background. The Project Site is not a scenic vista nor are there designated scenic vistas in the vicinity where the Project would interrupt the views from any scenic vista. Therefore, there is a less than significant impact.

- b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

No Impact. The Project Site is along Smoke Tree Street in the City of Hesperia, which is not a State scenic highway. Therefore, no impacts associated with scenic resources within a State scenic highway would occur, and no mitigation would be required.

- c) *In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Less than Significant Impact. The Project site and Project vicinity are located within the HDR (High Density Residential) zone of the City of Hesperia's Main Street and Freeway Corridor Specific Plan. The Project is designed to be consistent with the City's Standards and Guidelines which ensures compatibility with the visual character intended for the vicinity. Therefore, impacts are less than significant, and no mitigation is required.

- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Less than Significant Impact. Impacts from light are typically associated with the use of artificial lighting at nighttime. Glare typically occurs during the day, generally caused by a reflection of sunlight on highly polished surfaces, such as windows, generally associated by mid- to high-rise buildings with exterior facades that are comprised of highly reflective glass or mirror-like

materials. Nighttime glare is primarily associated with bright point source light that contrasts with the surrounding ambient lighting.

The type of land uses typically sensitive to light and glare include residential uses, hospitals, senior housing, and other types of uses that may disrupt sleep. The Project proposes to construct a two-story townhome complex, which would be surrounded by a 6-foot-high block wall.

Rural residential land uses exist along the Project's southern boundary, even though these parcels are zoned HDR. These land uses include existing single story residences, which face Juniper Street, and larger backyards that are adjacent to the Project's southern boundary. The backyards provide at least 70 feet of buffer between the residence and the Project site's southern boundary. Similarly, the backyard of one residence exists along the Project Site's southwestern boundary, but the backyard also provides a significant buffer between the residence and the Project Site's development.

Existing single-family residences, which are a mix of single story and two-story, exists on the north side of Smoke Tree Street.

During Project construction, no activities would occur at night. Therefore, no short-term impacts associated with light and glare would occur.

For Project operation, the Proposed Project is required to comply with the City of Hesperia Municipal Code Section 16.16.415 includes design standards for outdoor lighting that apply to new development in the City.

This would require all exterior lighting to be shielded/hooded to prevent light trespass onto nearby properties. This would include onsite safety and security lighting that would face downwards to the parking lot. Additionally, the Project design features would include the use of non-reflective building materials. And though some new reflective improvements (i.e., windows and building front treatments) would be introduced to the site, the Project would not be a source of glare in the Project area because of the architectural treatments, and because it is adjacent to other similar commercial uses.

4.1.3 Mitigation Measures:

No mitigation measures associated with impacts to Aesthetics apply to the Proposed Project.

4.1.4 Conclusion

There are no potential impacts of the Proposed Project associated with Aesthetics, and no mitigation would be required.

4.2 AGRICULTURE AND FORESTRY RESOURCES

4.2.1 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site 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 and 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:				
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?				X
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?				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))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				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?				X

Discussion

- 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 nonagricultural use?*

No Impact. According to the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), the Project site is identified as Urban and Built-Up Land. Therefore, there would be no potential impacts associated with conversion of 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 nonagricultural use, and no mitigation would be required.

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

No Impacts. The Project site is not subject to any Williamson Act contracts. No impacts would occur, and no mitigation is required.

- 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))?*

No Impact. No part of the Project site or its surroundings are designated as timberland. No impacts would occur, and no mitigation is required.

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact. There is no designated forest land on the Project site, and the Proposed Project would therefore not affect forests during construction or operations. No impacts would occur, and no mitigation is required.

- e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or the conversion of forest land to non-forest use?*

No Impact. According to the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), the Project site is identified as Urban and Built-Up Land. The California Dept of Conservation defines Urban and Built-Up Land as land that is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures. The Proposed Project is also consistent with its current zoning, which is High-Density Residential. As discussed under Thresholds II.2 (b) through II.2(d), the Proposed Project would not involve other changes in the existing environment that would result in conversion of forest land to non-forest land. Therefore, there are no impacts associated with changes in the environment which could result in conversion of farmland to non-agricultural use, and no mitigation would be required.

4.2.2 Mitigation Measures

No mitigation measures associated with impacts to Agriculture and Forestry Resources apply to the Proposed Project.

4.2.3 Conclusion

There are no potential impacts of the Proposed Project associated with Agriculture and Forestry Services, and no mitigation would be required.

4.3 AIR QUALITY

Information for this section is derived from an air quality analysis prepared for the Proposed Project evaluate the potential impacts to air quality (**Appendix A – Smoke Tree Residential Project, Air Quality, Greenhouse Gas, and Energy Impact Study, City of Hesperia, CA, MD Acoustics, August 16, 2024**).

4.3.1 Regulatory Setting

Air pollutants are regulated at the national, state, and air basin level; each agency has a different level of regulatory responsibility. The United States Environmental Protection Agency (EPA) regulates at the national level under the Clean Air Act of 1970. The California Air Resources Board (ARB) regulates at the state level. The State is currently divided into 15 air basins, and each air basin is regulated on a regional level.

There are six common air pollutants, called criteria pollutants, which were identified from the provisions of the Clean Air Act of 1970.

- Ozone
- Nitrogen Dioxide (NO₂)
- Lead
- Particulate Matter (PM₁₀ and PM_{2.5})
- Carbon Monoxide (CO)
- Sulfur Dioxide (SO₂)

The US environmental Protection Agency (EPA) and the California Air Resources Board (CARB) designate air basins where ambient air quality standards are exceeded as “nonattainment” areas. If standards are met, the area is designated as an “attainment” area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered “unclassified.” National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards.

The Project site is located in the City of Hesperia, which is part of the Mojave Desert Air Basin (MDAB) which includes the desert portion of San Bernardino County, and managed by the MDAQMD. The MDAQMD and the Southern California Association of Governments (SCAG) are responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The AQMP details goals, policies, and programs for improving air quality in the Basin. **Table 2: Attainment Status of MDAQMD – Portion of Mojave Desert Air Basin** identifies the status of State and Federal attainment in the MDAB. The AQMP is updated every three years. Each iteration of the AQMP is an update of the previous plan and has a 20-year horizon. The latest AQMP, the 2016 AQMP, was adopted on March 3, 2017.

Table 2: Attainment Status of MDAQMD – Portion of Mojave Desert Air Basin

Pollutant	Federal Designation	State Designation
1-Hour Ozone	--	Nonattainment
8-Hour Ozone	Nonattainment	Nonattainment
CO	Unclassified/Attainment	Attainment
PM10	Nonattainment	Nonattainment
PM2.5	Unclassified/Attainment	Nonattainment
Lead	Unclassified/Attainment	Attainment
SO2	Unclassified/Attainment	Attainment
NO2	Unclassified/Attainment	Attainment

Notes:

¹ MDAQMD = Mojave Desert Air Quality Management District

² Source: California Air Resources Board (2019) (<https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations>) and MDAQMD (<https://www.mdaqmd.ca.gov/air-quality/mdaqmd-attainment-status>).

4.3.2 Environmental Setting

The MDAB is an assemblage of mountain ranges interspersed with long broad valleys that often contain dry lakes. Many of the lower mountains which dot the vast terrain rise from 1,000 to 4,000 feet above the valley floor. Prevailing winds in the MDAB are out of the west and southwest. These prevailing winds are due to the proximity of the MDAB to coastal and central regions and the blocking nature of the Sierra Nevada Mountains to the north; air masses pushed onshore in southern California by differential heating are channeled through the MDAB. The MDAB is separated from the southern California coastal and central California valley regions by mountains (highest elevation approximately 10,000 feet), whose passes form the main channels for these air masses.

During the summer the MDAB is generally influenced by a Pacific Subtropical High cell that sits off the coast, inhibiting cloud formation and encouraging daytime solar heating. The MDAB is rarely influenced by cold air masses moving south from Canada and Alaska, as these frontal systems are weak and diffuse by the time they reach the desert. Most desert moisture arrives from infrequent warm, moist and unstable air masses from the south. The MDAB averages between three and seven inches of precipitation per year (from 16 to 30 days with at least 0.01 inches of precipitation). The MDAB is classified as a dry-hot desert climate (BWh), with portions classified as dry-very hot desert (BWbh), to indicate at least three months have maximum average temperatures over 100.4° F.

Based on temperature and precipitation patterns for Hesperia, July is typically the warmest month and December is typically the coolest month. Rainfall in the Project area varies considerably in both time and space. Almost all the annual rainfall comes from the fringes of mid-latitude storms from late November to early April, with summers being almost completely dry.

4.3.3 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) 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?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			X	

Discussion

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

Less Than Significant Impact. According to the MDAQMD, a Project would not obstruct the implementation of District rules and regulations if it complies with all applicable District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast. An example of a non-conforming project would be one that increases the gross number of dwelling units, increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area (relative to the applicable land use plan).

The Project site and Project vicinity are located within the HDR (High Density Residential, 15 – 20 units/acre) zone of the Main Street and Freeway Corridor Specific Plan within the City of Hesperia's General Plan. The Proposed Project is a 84-unit townhome complex to be developed on 4 net acres. The Project is consistent with the City of Hesperia's zoning code.

Attainment plans prepared by the various air pollution control districts throughout the state are used to develop the State Implementation Plan (SIP) for the State of California. The proposed

Project is located within the MDAQMD and, thus, is subject to the rules and regulations of the MDAQMD. The MDAQMD and Southern California Association of Governments (SCAG) are responsible for formulating and implementing the air quality attainment plan (AQAP) for the Basin. Regional AQAPs were adopted in 1991, 1994, and 1997. The following SIP and AQAP are the currently approved plans for the Basin region:

- 1997 SIP for O3, PM10, and NO2
- 1995 Mojave Desert Planning Area Federal PM10 Attainment Plan; no formal action by the EPA

The MDAQMD completed the MDAQMD 2004 Ozone Attainment Plan (State and federal) in April 2004, which has been approved by the EPA.

The MDAQMD currently recommends that projects with construction-related and/or operational emissions that exceed any of the following emissions thresholds should be considered significant:

- 25 tons per year or 137 pounds per day of VOC
- 25 tons per year or 137 pounds per day of NOx
- 100 tons per year or 548 pounds per day of CO
- 25 tons per year or 137 pounds per day of Sox
- 15 tons per year or 82 pounds per day of PM10
- 12 tons per year or 65 pounds per day of PM2.5

The Air Quality Assessment in Appendix A modeled the Project's construction and operations to determine if the Project would exceed any threshold. **Table 3: Daily Construction Emissions** and **Table 4: Operational Emissions** identify that the Project would not exceed emission thresholds during construction or operation (also refer to Appendix A).

Table 3: Daily Construction Emissions

Activity	Pollutant Emissions (pounds/day)					
	VOC	NOx	CO	SO2	PM10	PM2.5
2025	3.39	31.70	31.20	0.06	9.26	5.25
2026	36.50	6.50	9.91	0.01	0.57	0.31
Maximum	36.50	31.70	31.20	0.06	9.26	5.25
MDAQMD Thresholds	137	137	548	137	82	65
Exceeds Thresholds	No	No	No	No	No	No

Notes:

¹ Source: CalEEMod Version 2022.1.1.26

² On-site emissions from equipment operated on-site that is not operated on public roads. On-site grading PM-10 and PM-2.5 emissions show mitigated values for fugitive dust for compliance with MDAQMD Rule 403.

³ Off-site emissions from equipment operated on public roads.

⁴ Construction, architectural coatings and paving phases may overlap.

Table 4: Operational Emissions

	Pollutant Emissions (tons/year) ¹
--	--

Activity	VOC	NOx	CO	SO2	PM10	PM2.5
Area Sources ²	0.46	0.00	0.44	0.00	0.00	0.00
Energy Usage ³	0.00	0.04	0.02	0.00	0.00	0.00
Mobile Sources ⁴	0.48	0.57	3.99	0.01	0.94	0.24
Total Emissions	0.94	0.61	4.45	0.01	0.94	0.24
MDAQMD Annual Thresholds	25	25	100	25	15	12
Exceeds Threshold?	No	No	No	No	No	No

Notes:

¹ Source: CalEEMod Version 2022.1.1.26

² Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.

³ Energy usage consists of emissions from on-site natural gas usage.

⁴ Mobile sources consist of emissions from vehicles and road dust.

The Proposed Project is consistent with its zoning and land use designations of the City of Hesperia. Therefore, the Proposed Project would not result in an inconsistency with the MDAQMD policy. The Proposed Project would not exceed MDAQMD thresholds for air quality constituents of concern, therefore, Project is found to be consistent with the MDAQMD policies. Therefore, potential impacts associated with an inconsistency with the MDAQMD rules, regulations and policies. would be less than significant, and no mitigation would be required.

- b) *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?*

Less Than Significant Impact. The MDAB has been designated by the EPA as a non-attainment area for ozone (O3) and suspended particulates (PM10). Currently, the Basin is in attainment with the ambient air quality standards for carbon monoxide (CO), lead, sulfur dioxide (SO2), nitrogen dioxide (NO2) and particulate matter (PM2.5) (refer to Appendix A). The MDAQMD also has developed regulatory standards for criteria pollutants that are considered pre-cursors to Ozone, PM10 and PM2.5 production. These include CO, nitrogen dioxide (NO₂), sulfur dioxide (SO₂).

Construction Impacts

Based on the analysis provided in Appendix A, the Proposed Project would result in short-term emissions from construction associated with site grading/preparation, utilities installation, construction of buildings, and paving. Emissions would include carbon (CO), volatile organic compounds (VOC), nitrogen oxides (NOx), SO2, PM10, and PM2.5, however, none are above the MDAQMD thresholds, as shown in Table 3. Therefore, potential impacts associated with construction emissions would be less than significant, and no mitigation would be required.

The Project is also required to comply with all MDAQMD rules and regulations including but not limited to idling engines and architectural coatings during construction. Additionally, MDAQMD Rule 403 establishes fugitive dust reduction measures during site grading. Compliance with this rule is achieved through application of standard best management practices in construction and operation activities, such as application of water or chemical stabilizers to disturbed soils, managing haul road dust by application of water, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 mph, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph and establishing a permanent, stabilizing ground cover on finished sites.

Operational Impacts

Operational activities associated with the Proposed Project would result in emissions of VOC, NO_x, CO, SO₂, PM₁₀, and PM_{2.5}, however, none are above the MDAQMD thresholds as shown in Table 4. As identified in Table 4, potential impacts associated with operational emissions would be less than significant, and no mitigation would be required.

The Project area is out of attainment for both ozone and particulate matter. Construction and operation of cumulative projects will further degrade the air quality of the MDAB. The greatest cumulative impact on the quality of regional air cell will be the incremental addition of pollutants mainly from increased traffic from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction of these projects. Air quality will be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the MDAQMD methodology, projects that do not exceed the MDAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact.

Project operations would generate emissions of NO_x, CO, PM₁₀, and PM_{2.5}, which would not exceed the MDAQMD regional thresholds and would not be expected to result in ground level concentrations that exceed the National Ambient Air Quality Standards or the California Ambient Air Quality Standards. Therefore, operation of the Project would not result in a cumulatively considerable net increase for non-attainment of criteria pollutants or ozone precursors.

As a result, the Project would result in a less than significant cumulative impact for operational emissions.

As demonstrated above, the Project impacts would be less than significant and not 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. As such, no mitigation is required.

c) *Expose sensitive receptors to substantial pollutant concentrations?*

Less Than Significant Impact. A sensitive receptor is defined by MDAQMD as any residence including private homes, condominiums, apartments, and living quarters, schools as defined

under paragraph (b)(57), preschools, daycare centers and health facilities such as hospitals or retirement and nursing homes. Also included are long term care hospitals, hospices, prisons, and dormitories or similar live-in housing.

The MDAQMD recommends avoiding siting new sensitive land uses such as residences, schools, daycare centers, playgrounds, or medical facilities within 1,000 feet of a major transportation project (50,000 or more vehicles per day). The Proposed Project involves the construction of a 84-unit apartment complex, consisting of two- and three-bedroom units, on 4 net acres located along Smoke Tree Street.

The closest existing sensitive receptors to the site are single family residences to the north and south of the Project Site. The traffic study in Appendix G identified that the Project would generate approximately 580 daily trips. Therefore, as the Proposed Project would not generate more than 50,000 vehicles per day, a project specific health risk assessment is not required or warranted. Impacts to nearby sensitive receptors are considered to be less than significant.

The Project emissions for both construction and operations would not exceed MDAQMD thresholds of significance. Therefore, potential impacts associated with exposing sensitive receptors to substantial pollutant concentrations from operation of the Proposed Project would be less than significant, and no mitigation would be required.

- d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Less Than Significant Impact. Potential sources that may emit odors during construction activities include the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are short-term in nature, and the odor emissions are expected cease upon the drying or hardening of the odor producing materials. Diesel exhaust and VOCs would be emitted during construction of the Project, which are objectionable to some; however, emissions would disperse rapidly from the Project Site and therefore should not reach an objectionable level at the nearest sensitive receptors. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the Proposed Project.

Potential sources that may emit odors during the on-going operations of the Proposed Project would include odor emissions from vehicular emissions and trash storage areas. As the Proposed Project is a multifamily residential complex, the nearest sensitive receptors are located within the Project boundaries. The Project's trash enclosures would be constructed to City standard which includes walled, covered enclosures, and Project-generated refuse would be removed at regular intervals. Therefore, potential impacts associated with other emissions, such as those leading to odors adversely affecting a substantial number of people, would be less than significant, and no mitigation would be required.

4.3.4 Mitigation Measures

No mitigation measures associated with impacts to Air Quality apply to the Proposed Project.

4.3.5 Conclusion

There are less than significant of the Proposed Project associated with Air Quality, and no mitigation would be required.

4.4 BIOLOGICAL RESOURCES

A biological survey was completed to determine potential impacts to biological services associated with the development of the Proposed Project (**Appendix B - *Biological Resources Assessment for the Proposed Project located at 15639 Smoke Tree Street in the City of Hesperia, San Bernardino County, California***, ELMT Consulting, October 31, 2022).

4.4.1 Regulatory Setting

Given the local environment, regulations governing biological resources for this Project include the following:

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C 703-711) provides protection for nesting birds that are both residents and migrants whether they are considered sensitive by resource agencies. The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The direct injury or death of a migratory bird, due to construction activities or other construction-related disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered a take under federal law. The USFWS, in coordination with the California Department of Fish and Wildlife (CDFW) administers the MBTA. CDFW's authoritative nexus to MBTA is provided in California Fish and Game Code (FGC) Sections 3503.5 which protects all birds of prey and their nests and FGC Section 3800 which protects all non-game birds that occur naturally in the State.

Endangered Species Act - Federal

The purpose of the United States Endangered Species Act that was established in 1973 provides protections for fish, wildlife, and plants that are listed as threatened or endangered; provides for adding species to and removing them from the list of threatened and endangered species, and for preparing and implementing plans for their recovery; provides for interagency cooperation to avoid take of listed species and for issuing permits for otherwise prohibited activities; provides for cooperation with States, including authorization of financial assistance; and implements the provisions of the Convention on International Trade in Endangered Species of Wild Flora and Fauna. The US Fish and Wildlife administers the federal Endangered Species Act.

California Endangered Species Act

The California Endangered Species Act (CESA) is a California environmental law that conserves and protects plant and animal species at risk of extinction. Originally enacted in 1970, CESA was repealed and replaced by an updated version in 1984 and amended in 1997. Plant and animal species may be designated threatened or endangered under CESA after a formal listing process by the California Fish and Game Commission. Approximately 250 species are currently listed under CESA. A CESA-listed species, or any part or product of the plant or animal, may not be imported into the state, exported out of the state, "taken" (i.e., killed), possessed, purchased, or sold without proper authorization. Implementation of CESA has reduced and avoided impacts to California's most imperiled plants and animals, has protected hundreds

of thousands of acres of vital habitat, and has led to a greater scientific understanding of California's incredible biodiversity.

The California Department of Fish and Wildlife (CDFW) works with agencies, organizations, and other interested persons to study, protect, and preserve CESA-listed species and their habitats. CDFW also conducts scientific reviews of species petitioned for listing under CESA, administers regulatory permitting programs to authorize take of listed species, maintains an extensive database of listed species occurrences, and conducts periodic reviews of listed species to determine if the conditions that led to original listing are still present.

4.4.2 Environmental Setting

The Proposed Project Site is within the *Hesperia* U.S. Geological Survey (USGS) 7.5-minute topographical map in Section 17, Township 4 North, Range 4 West at an elevation ranging from 3,261 to 3,276 above mean sea level (Exhibit 3). The topography of the site is relatively flat with the site sloping slightly from east to west.

Due to historic and existing land uses, most of the Project site supports areas that are vegetated by weedy/early successional species, in addition to a few large perennials. Six Western Joshua Trees were identified on site and are currently identified as a candidate State endangered species by the California Department of Fish and Wildlife. A permit under the Western Joshua Tree Conservation Act (WJCTA) is required for removal of these species to facilitate Project development.

4.4.3 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
IV. BIOLOGICAL RESOURCES: Would the project:				
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 Wildlife or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not				X

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means				
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?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			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?				X

Discussion

- a) *Have a substantial adverse effect, either directly or through habitat modification, 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?*

Less Than Significant Impact With Mitigation Incorporated.

Vegetation and Land Cover

Due to historic and existing land uses, no native plant communities or natural communities of special concern are present on or adjacent to the Project Site (Appendix B). The Project Site consists primarily of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances. These disturbances have eliminated and/or greatly disturbed the natural plant communities that historically occurred within the immediate vicinity of the project site. The site supports one land cover types that would be classified as disturbed.

Special Status Species

According to the literature review conducted as part of the Biological Resources Assessment in Appendix B, seven special-status plant species and 14 special-status wildlife species as having potential to occur within the *Hesperia* USGS 7.5-minute quadrangle. No special status plant communities were identified as having potential to occur within the *Hesperia* quadrangle.

The Project site has been subject to anthropogenic disturbances from grading, illegal dumping, off-road vehicular access and surrounding development. These disturbances have reduced the

suitability of the habitat to support special-status plant species known to occur in the general vicinity of the Project site, except for the Western Joshua Tree. The analysis in Appendix B determined that the Project site does not have the potential to support the remainder of the special-status plant species known to occur in the vicinity of the site and all are presumed to be absent.

Western Joshua Tree

The Western Joshua Tree was granted candidate status under the California Endangered Species Act on September 25, 2020. This species is endemic to the Mojave Desert and occupies an elevation range of 1,600 and 6,660 feet above mean sea level. This species is recognized in several vegetation communities in varying densities. Known occupied communities include sagebrush scrub, desert shrub, southwestern shrubsteppe, pinyon-juniper woodland, and desert grasslands. When this species is dominant in high densities, the occupied habitat may be classified as a Joshua tree woodland, although densities are typically low due to their extensive and competitive root systems. Mature size varies greatly due to irregular branching, and large individuals can exceed 40 feet in height. Like other large members of family Agavaceae, western Joshua trees grow slowly, with estimated growth rates ranging from 2.3 to 4.6 inches per year depending on individual age and conditions. Western Joshua trees are long-lived species, with most estimates of average lifespan ranging from 150 to 300 years, although some estimates exceed 700 years. The largest known western Joshua tree exceeds 60 feet in height and is an estimated 1,000 years old. Like other long-lived plant species, seed production occurs very slowly and irregularly, although rhizome production and clonal growth can occur. Western Joshua trees are only known to be pollinated by one species: the yucca moth (*Tegeticula synthetica*).

Joshua trees are also considered a significant resource under the CEQA and are a covered species under the Desert Plant Protection Act.

In late June 2023, the State of California enacted the Western Joshua Tree Conservation Act which requires CDFW to develop a state-wide management plan for protecting Joshua trees, as well as to develop a new and independent permitting process for removing Joshua trees. The new permitting process will be similar to the California Desert Native Plant Act and will rely on a simpler template for permits and payment of an in-lieu fee for mitigation. CDFW is also expected to delegate authority to the various Counties and City municipalities to issue permits and collect fees.

Based on the results of the field investigation, six western Joshua trees were observed within the Project Site (1 to 5 meters in height) during the field investigation. The CDFW considers any disturbance within 50 feet of a Western Joshua Tree as a “take” and therefore, even if the tree would not be removed, a permit for impacts is required.

Based on existing site plans, all six western Joshua trees within the Project Site would require removal to support the Project. Therefore, a permit would be required.

To reduce impacts to Joshua Trees to less than significant, **Mitigation Measure BIO-1**, located at the end of this section, requires the applicant to obtain a Western Joshua Tree Conservation Act

Incidental Take Permit (ITP) from the California Dept of Fish and Wildlife (CDFW) prior to issuance of grading permits for all Joshua trees that would be impacted by the Project per the CDFW guidelines. With the implementation of Mitigation Measure BIO-1, impacts would be less than significant.

Burrowing Owl

The burrowing owl was granted candidate status under the California Endangered Species Act on October 10, 2024. It is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls use a wide variety of arid and semi-arid environments with well-drained, level to gently-sloping areas characterized by sparse vegetation and bare ground. They are dependent upon the presence of burrowing mammals (such as ground squirrels) for roosting and nesting habitat.

Portions of the Project Site are unvegetated and/or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owl. However, the Project Site lacks suitable burrows (greater than 4 inches in diameter) capable of providing roosting and nesting opportunities. In addition, the site is bordered by electrical towers and power lines which decrease the likelihood that burrowing owls would occur on the project site as these features provide perching opportunities for larger raptor species (i.e., red-tailed hawk [*Buteo jamaicensis*]) that prey on burrowing owls.

Additionally, no burrowing owls or recent sign (i.e., pellets, feathers, castings, or whitewash) was observed during the field investigation. Based on the results of the field investigation, it was determined that the Project Site has a low potential to support burrowing owls and focused surveys are not recommended. However, to ensure burrowing owls have not moved into the site prior to construction, **Mitigation Measure BIO-2** to provide a site survey prior to construction is required to reduce potential impacts to less than significant. With the implementation of Mitigation Measure BIO-2, impacts would be less than significant.

Mojave Desert Tortoise

The Mojave population of the desert tortoise (*Gopherus agassizii*) was listed as Threatened on April 2, 1990 and a recovery plan was published in June 1994 (revised May 2011) to describe a strategy for recovering the Mojave population of the desert tortoise including the identification of five recovery units, recommendations for a system of Desert Wildlife Management Areas (DWMAs) within the recovery units, and development and implementation of specific recovery actions, especially within DWMAs. The establishment of recovery units and DWMAs was intended to facilitate an ecosystem approach to land management and desert tortoise recovery.

No desert tortoise or recent sign (i.e. burrows, tracks, or scat) were observed during the field investigation. The project site does not support vegetation communities routinely associated with desert tortoise, nor does available on-site vegetation feature the openness preferred by desert tortoises. Therefore, it was determined that the Project Site does not have potential to provide suitable habitat for desert tortoise and focused surveys are not recommended.

Critical Habitat

Under the federal Endangered Species Act, “Critical Habitat” is designated at the time of listing of a species or within one year of listing. Critical Habitat refers to specific areas within the geographical range of a species at the time it is listed that include the physical or biological features that are essential to the survival and eventual recovery of that species. Maintenance of these physical and biological features requires special management considerations or protection, regardless of whether individuals or the species are present or not. All federal agencies are required to consult with the USFWS regarding activities they authorize, fund, or permit which may affect a federally listed species or its designated Critical Habitat. The purpose of the consultation is to ensure that projects will not jeopardize the continued existence of the listed species or adversely modify or destroy its designated Critical Habitat. The designation of Critical Habitat does not affect private landowners, unless a project they are proposing is on federal lands, uses federal funds, or requires federal authorization or permits (e.g., funding from the Federal Highways Administration or a Clean Water Act Permit from the United States Army Corps of Engineers). If there is a federal nexus, then the federal agency that is responsible for providing the funding or permit would consult with the USFWS.

The Project Site is not located within federally designated Critical Habitat. Further, the nearest Critical Habitat designations are located approximately 4.73 miles to northeast for southwestern willow flycatcher (*Empidonax traillii extimus*) and 6.64 miles to the south for arroyo toad (*Anaxyrus californicus*). Therefore, no impacts to federally designated Critical Habitat will occur from implementation of the Proposed Project.

- b) *Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

No Impact. There is no riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service present on the Project Site (Appendix B). There would be no impact, and no mitigation is required.

- c) *Have a substantial adverse effect on state or federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. The Project Site and off-site improvement area does not contain any federally protected wetlands, marsh, vernal pool, or coastal wetlands, or drainage features.

- 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?*

Less Than Significant Impact With Mitigation Incorporated. A wildlife corridor is defined as a linear landscape element which serves as a linkage between historically connected habitats/natural areas and is meant to facilitate movement between these natural areas.

Birds observed during the biological assessment field review (Appendix B) include house finch (*Haemorhous mexicanus*), common raven (*Corvus corax*), Eurasian collared dove (*Streptopelia decaocto*) and rock dove (*Columba livia*).

According to the San Bernardino County General Plan, the Project Site has not been identified as occurring within a Wildlife Corridor or Linkage. As designated by the San Bernardino County General Plan Open Space Element, the nearest major open space area documented in the vicinity of the Project Site is the Mojave River, located approximately 6 miles to the east of the site. The site is separated from this identified regional wildlife corridors and linkages by existing development and roadways, and undeveloped land, and there are no riparian corridors or creeks connecting the Project Site to these areas.

The Project Site and limited adjacent undeveloped land are generally isolated from other open space nearby. As such, the site is not expected to contribute meaningfully to local wildlife movement through the area. Therefore, implementation of the Proposed Project is not expected to have a significant impact to wildlife movement opportunities or prevent local wildlife movement through the area. Therefore, the Proposed Project would have a less than significant impact 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, and no mitigation is required.

However, the vegetation on site may attract birds and other mammal species that are protected by the MBTA. As such, implementation of **Mitigation Measure BIO-3** to perform a pre-construction nesting bird survey is required to reduce potential impacts to nesting birds protected by the MBTA. With the implementation of Mitigation Measure BIO-5, impacts would be less than significant.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Less Than Significant. Certain desert plant species (i.e. Western Joshua trees and Mojave yuccas) are regulated pursuant to Section 80073 of the California Desert Native Plant Act and Section 88.01.060 of the San Bernardino County Development Code. Impacts to these species should be avoided in all instances. The Western Joshua Tree is a candidate species for CESA, and as such, is afforded a higher level of protection than any local policies or ordinances could provide, as well as sets for regulatory requirements for mitigation.

There are no biological resources on the Project Site that are applicable to local ordinances that are not already afforded a higher protection level under a State or federal regulation. Therefore, there is a less than significant impact with local policies and ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- 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?*

No Impact. The Project Site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan. Therefore, impacts to any local, regional, or state habitat conservation plans are not expected to occur from development of the Proposed Project, and mitigation is not required.

4.4.4 Mitigation Measures

BIO-1: For any Western Joshua Trees that would be removed or impacted, the Project applicant shall either obtain an Incidental Take Permit (ITP) from California Department of Fish and Wildlife (CDFW) either under CDFW under §2081 of the California Endangered Species Act (CESA) or through the Western Joshua Tree Conservation Act. Proof of the permit is required prior to the City issuance of grading permits.

BIO-2: A pre-construction clearance survey shall be conducted prior to any ground disturbance or vegetation removal activities to ensure that burrowing owls remain absent, and impacts do not occur to occupied burrows on or within 500 feet of the Project site. In accordance with the CDFW's *Staff Report on Burrowing Owl Mitigation* (CDFW 2012), two (2) pre-construction clearance surveys should be conducted 14 – 30 days and 24 hours prior to any ground disturbance or vegetation removal activities.

BIO-3: In order to avoid violation of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code, site-preparation activities (removal of trees and vegetation) for all projects shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31) of potentially occurring native and migratory bird species. If site-preparation activities for an implementing projects are proposed during the nesting/breeding season (February 1 to August 31), a pre-activity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits for such project, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone.

4.4.5 Conclusion

Implementation of **Mitigation Measures BIO-1, BIO-2, and BIO-3**, would reduce potential impacts of the Proposed Project associated with Biological Resources to less than significant.

4.5 CULTURAL RESOURCES

A Cultural Resources Assessment for the Proposed Project was performed to determine potential impacts to historic and archaeological resources (**Appendix C – Cultural Resources Assessment for the 15639 Smoke Tree Street Project, located in the City of Hesperia, San Bernardino County, CRM Tech, June 20, 2024**).

4.5.1 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
V. CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Discussion

- a) *Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

Less Than Significant Impact. Public Resources Code Section 15064.5(a) defines historical resources, which includes: *A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 14 CCR, Section 4850 et seq.).* The study in Appendix C included a records search through the South Central Coastal Information Center (SCCIC), intensive-level pedestrian field survey, paleontological resources overview, and Sacred Lands File Search with the Native American Heritage Commission. The records search revealed that 25 previous cultural resource studies have taken place within a 1-mile radius of the Project, but no studies on the Project Site. As a result of these and other similar studies in the vicinity, nine historical/archaeological sites were previously identified within the scope of the records search. All of these resources date to the historic-period; no precontact resources have been recorded within the scope of the records search. The closest site to the Project Site, 36-020766, was recorded nearly one half of a mile to the southwest. Since none of these sites are found in the immediate vicinity of the Project Site, there would be no impact to these resources.

The report in Appendix C determined that there are no “historical resources” as defined by CEQA that exist within or adjacent to the Project site. Therefore, potential impacts associated with an adverse change to a historical resource would be less than significant, and no mitigation would be required.

- b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Less Than Significant Impact With Mitigation Incorporated. Archaeological sites represent the material remains of human occupation and activity either prior to European settlement (prehistoric sites) or after the arrival of Europeans (historical sites). No other potential markers of prehistoric human activities were found in the on the Project site.

An inquiry to the Native American Heritage Commission (NAHC) was submitted as part of the investigation in Appendix C to ascertain the presence of known sacred sites, Native American cultural resources, and/or Native American human remains within the boundaries of the proposed Project. On March 5, 2024, the NAHC search of the Sacred Land Files came back positive for tribal resources within or adjacent to the Project (Appendix C). On March 15, 2024, CRM TECH contacted the San Manuel Band of Mission Indians and the Chemehuevi Indian Tribe asking for any information regarding any Tribal Cultural Resources within or near the proposed project location. The San Manuel Band of Mission Indians indicated that the area was potentially sensitive and wished to consult with the City of Hesperia under AB52.

As it always possible that intact archaeological deposits could be present at subsurface levels, the Project site should be treated as potentially sensitive for archaeological resources. Implementation of **Mitigation Measures CUL-1 and CUL-2**, located at the end of this section, are required to manage unanticipated discoveries of archaeological and Native American resources when monitoring is not required by the Phase 1 cultural resources survey. Implementation of Mitigation Measures CUL-1 and CUL-2 would reduce potential impacts to unanticipated discoveries of archaeological resources.

- c) *Disturb any human remains, including those interred outside of formal cemeteries?*

Less than Significant Impact With Mitigation Incorporated. Based on an analysis of records and surveys of the property, it has been determined that the Project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. However, implementation of **Mitigation Measure CUL-3** would manage unanticipated discoveries of human remains.

4.5.2 Mitigation Measures

- CUL-1** In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
- CUL-2** If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
- CUL-3** If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

4.5.3 Conclusion

Implementation of Mitigation Measures **CUL-1**, **CUL-2**, and **CUL-3** would reduce potential impacts of the Proposed Project associated with Cultural Resources to less than significant.

4.6 ENERGY

This section describes the potential energy usage effects from implementation of the Proposed Project for both construction activities as well as long-term operations. and is based on information provided in Appendix A.

4.6.1 Regulatory Setting

The discussion below provides a summary of key standards relative to this Project.

Building Energy Efficiency Standards

The California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) were adopted to ensure that building construction and system design and installation achieve energy efficiency and preserve outdoor and indoor environmental quality. The current California Building Energy Efficiency Standards (Title 24 standards) are the 2019 Title 24 standards, which became effective on January 1, 2020. The 2019 Title 24 standards include efficiency improvements to the lighting and efficiency improvements to the non-residential standards include alignment with the American Society of Heating and Air-Conditioning Engineers.

The 2019 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, went into effect on January 1, 2020. The 2019 CALGreen Code includes mandatory measures for non-residential development related to site development; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. Specifically, the code requires the following measures that are applicable to energy use:

- New buildings with tenant spaces that have 10 or more tenant-occupants to provide secure bicycle parking for 5 percent of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility.
- New buildings that require 10 or more parking spaces to provide a specific number of spaces to facilitate the future installation of electric vehicle supply equipment. The raceways are required to be installed at the time of construction.

Senate Bill 100

Senate Bill 100 (SB 100) was signed into law September 2018 and increased the goal of the California RPS Program to achieve at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also includes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

4.6.2 Environmental Setting

California is one of the lowest per capita energy users in the United States, ranked 48th in the nation, due to its energy efficiency programs and mild climate (United States Energy Information Administration [EIA] 2018). California consumed 292,039 gigawatt-hours (GWh) of electricity and 2,110,829 million cubic feet of natural gas in 2017 (California Energy Commission [CEC] 2019; EIA 2018). In addition, Californians consume approximately 18.9 billion gallons of motor vehicle fuels per year (Federal Highway Administration 2019). The single largest end-use sector for energy consumption in California is transportation (39.8 percent), followed by industry (23.7 percent), commercial (18.9 percent), and residential (17.7 percent) (EIA 2018).

Most of California's electricity is generated in-state with approximately 30 percent imported from the Northwest (Alberta, British Columbia, Idaho, Montana, Oregon, South Dakota, Washington, and Wyoming) and Southwest (Arizona, Baja California, Colorado, Mexico, Nevada, New Mexico, Texas, and Utah) in 2017. In addition, approximately 30 percent of California's electricity supply comes from renewable energy sources such as wind, solar photovoltaic, geothermal, and biomass (CEC 2018). Adopted on September 10, 2018, SB 100 accelerates the State's Renewables Portfolio Standards Program by requiring electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

To reduce statewide vehicle emissions, California requires that all motorists use California Reformulated Gasoline, which is sourced almost exclusively from refineries located in California. Gasoline is the most used transportation fuel in California with 15.5 billion gallons sold in 2017 and is used by light-duty cars, pickup trucks, and sport utility vehicles (California Department of Tax and Fee Administration 2018). Diesel is the second most used fuel in California with 4.2 billion gallons sold in 2015 and is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles (CEC 2016). Both gasoline and diesel are primarily petroleum-based, and their consumption releases greenhouse gas (GHG) emissions, including CO₂ and NO_x. The transportation sector is the single largest source of GHG emissions in California, accounting for 41 percent of all inventoried emissions in 2016 (California Air Resources Board [CARB] 2018).

4.6.3 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
VI. ENERGY: Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
			X	

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				
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Discussion

- a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Less Than Significant Impact. The Project will not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. Information from the CalEEMod 2020.4.0 Daily and Annual Outputs contained in the air quality and greenhouse gas analyses (Appendix A) were utilized to determine the potential energy demand. The CalEEMod outputs detail Project related construction equipment, transportation energy demands, and facility energy demands. Electricity used for the Project during construction and operations would be provided by Southern California Edison, which serves more than 15 million customers. SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. Natural gas would be provided to the Project by Southwest Gas. Project-related vehicle trip energy consumption will be predominantly gasoline and diesel fuel. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the Project patrons and employees via commercial outlets.

Construction Energy

The Project's estimated energy consumption during construction is provided in Appendix A (refer to Tables 12-16. In summary, the usage was estimated as follows:

- Table 12: Project Construction Power Cost and Electricity Usage: 54,902 kWh.
- Table 13: Construction Equipment Fuel Consumption Estimates: 28,878 gallons of diesel fuel.
- Table 14: Construction Worker Fuel Consumption Estimates: 8,983 gallons.
- Table 15: Construction Vendor Fuel Consumption Estimates (Medium Heavy Duty Trucks): 2,438 gallons.
- Table 16: Construction Hauling Fuel Consumption Estimates (Heavy Heavy Duty Trucks): 1,854 gallons.

Construction of the Proposed Project would require the typical use of energy resources. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Project construction is required to comply with applicable California Air Resources Board (CARB) regulations regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Compliance with these measures would result in a more

efficient use of construction- related energy and would minimize or eliminate wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Additionally, as required by California Code of Regulations Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby minimizing or eliminating unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints.

Therefore, Project compliance with State regulations will reduce impacts to less than significant and no mitigation is required.

Operations

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the Project site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

To model the Proposed Project's energy usage, the vehicle fleet mix was used as determined in the CalEEMod output from the air quality and greenhouse gas analysis (Appendix A). The air emissions modeling in Appendix A identified that the Project would generate approximately 560 trips per weekday and consume approximately 102,571 gallons per year of gasoline and diesel. The State of California consumed approximately 4.2 billion gallons of diesel and 15.1 billion gallons of gasoline in 2015. Therefore, the increase in fuel consumption from the Proposed Project is insignificant in comparison to the State's demand. Therefore, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Table 18 in Appendix A identifies that the Project's annual operational energy demand according to the CalEEMod 2020.4.0 model annual output would be as follows:

- Natural Gas – 949,197 million cubic feet per year (MMcf/year)
- Electricity – 456,474 kilowatt hours per year

In 2022, the non-residential sector of the County of San Bernardino consumed approximately 10,328 million kWh of electricity. In addition, the estimated natural gas consumption for the proposed Project is approximately 930,160 kBTU per year. In 2022, the non-residential sector of the County of San Bernardino consumed approximately 294.8 million therms of gas. Therefore, the increase in both electricity and natural gas demand from the proposed Project is insignificant compared to the County's 2022 demand.

Energy use in buildings is divided into energy consumed by the built environment and energy consumed by uses that are independent of the construction of the building such as in plug-in appliances. In California, the California Building Standards Code Title 24 governs energy consumed by the built environment, mechanical systems, and some types of fixed lighting. Non-building

energy use, or “plug-in” energy use can be further subdivided by specific end-use (refrigeration, cooking, appliances, etc.). The Proposed Project is required to comply with Title 24 standards, which require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

The Project would also comply with the CALGreen Code.

The Site’s current land use classification is HDR (High Density Residential, 15 – 20 units/acre) within the City of Hesperia’s General Plan which is consistent with the current land use classification. As such, the energy demands of the Project would be accommodated within the context of the planned availability of resources and energy delivery systems by City and Regional planning documents.

In addition, there are no characteristics of the Proposed Project that would involve atypical usage of energy for the construction and operations phases of the Project.

The Project therefore would not cause or result in the need for additional energy producing or transmission facilities. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservations goals within the State of California particularly because the Project has been designed in compliance with California’s Energy Efficiency Standards and 2019 CALGreen Standards. Therefore, there is a less than significant impact, and no mitigation is required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. Regarding federal transportation regulations, the Project Site is located in an already developed area and accessed from existing roadways. Therefore, the Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be proposed pursuant to the Intermodal Surface Transportation Efficiency Act (ISTEA) because SCAG is not planning for intermodal facilities in the Project area.

Regarding the State’s Energy Plan and compliance with Title 24 CCR energy efficiency standards, the applicant is required to comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances as well as utility energy efficiency programs implemented by the SCE and Southern California Gas Company.

Regarding the State’s Renewable Energy Portfolio Standards, the Project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CALGreen). CalGreen Standards require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

The City of Hesperia General Plan 2010 also has an Energy Section of the Conservation Element. The Energy Section establishes Goal: CN-6 *“Provide programs and incentives to encourage residents, businesses and developers to reduce consumption and efficiently use energy resources.”*

The Proposed Project is consistent with the Implementation Policies of this Goal by including energy efficiency to reduce energy consumption and conserve resources. The Proposed Project would also include solar photovoltaic electricity generation through solar panels being installed on carport roofs, which is also consistent with Implementation Policy CN-7.4 which promotes the development of renewable energy generation.

The Proposed Project would also include electric vehicle (EV) charging stations, which would reduce transportation fuel consumption and consistent with the goals of the electrification of vehicles detailed under the California Air Resources Board (CARB) Advanced Clean Cars II Rule and transition to renewable energy goals of the Renewable Portfolio Standards.

Given the above, the Proposed Project would have a less than significant potential to conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

4.6.4 Mitigation Measures

No mitigation measures associated with impacts to Energy apply to the Proposed Project.

4.6.5 Conclusion

There would be less than significant of the Proposed Project associated with Energy resources, and no mitigation would be required.

4.7 GEOLOGY AND SOILS

4.7.1 Environmental Setting

A geotechnical investigation was prepared for the Proposed Project (**Appendix D-1 - *Geotechnical Investigation Report, Proposed Residential Development, APN 040725112, 15629 Smoke Tree Street, Hesperia, California, GeoBoden, Inc, May 30, 2022***) to assess the potential for geological conditions that would impact site design. Additionally, a paleontological sensitivity review was also conducted to determine the potential for buried paleontological resources to exist (**Appendix D-2 - *Paleontology Records Review for Proposed 86-Unit Apartment Complex, San Bernardino County Museum, June 21, 2024***)

4.7.2 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
VII. GEOLOGY AND SOILS:				
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
<ul style="list-style-type: none"> 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. 				X
<ul style="list-style-type: none"> Strong seismic ground shaking? 			X	
<ul style="list-style-type: none"> Seismic-related ground failure, including liquefaction? 			X	
<ul style="list-style-type: none"> Landslides? 				X
b) Result in substantial soil erosion or the loss of topsoil?			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- site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
			X	

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
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?				
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?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

Discussion

a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- *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.*

Less Than Significant Impact. The Project site is located in Southern California, a seismically active area and susceptible to the effects of seismic activity include rupture of earthquake faults. The proposed development site lies outside of any Alquist Priolo Special Studies Zone¹. There is no impact to this criterion, and no mitigation is required. The closest fault is the Ord Mountains Fault, which is part of the Noth Frontal Thrust System, located approximately 10 miles to the east of the Project Site.

- *Strong seismic ground shaking?*

Less Than Significant Impact. The site is situated in an area of high regional seismicity. the Ord Mountains Fault, which is part of the Noth Frontal Thrust System, located approximately 10 miles to the east of the Project Site. The North Frontal fault zone of the San Bernardino Mountains is a zone consisting of numerous fault segments. The primary sense of slip is south-dipping thrust. This zone interacts with several other faults in a variety of intersections. It seems to be offset (right-laterally) by the Helendale fault, and forms a complex junction with the Old Woman Springs fault

¹ California Dept of Conservation, Earthquake Zones of Required Investigation map, accessed 12/4/24 at: https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/#data_s=id%3AdataSource_4-191d8e93088-layer-27%3A453

Because this zone is somewhat fragmented, many of the individual fault segments have their own, commonly-used names. Among these are the Ord Mountains fault, Ocotillo Ridge fold, Sky Hi Ranch fault, and the Black Hawk Spring fault. Therefore, due to the proximity of known active and potentially active faults, severe ground shaking should be expected during the life of the proposed structures. The Project is required to be constructed consistent with all applicable seismic design standards contained in the 2019 California Building Code (CBC), including Section 1613-Earthquake Loads, which would reduce impacts from ground shaking. Therefore, the impacts are less than significant, and no mitigation is required.

- *Seismic related ground failure, including liquefaction?*

Less Than Significant Impact. Liquefaction is a seismic phenomenon in which loose, saturated, fine-grained granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. Liquefaction occurs when these ground conditions exist: 1) Shallow groundwater; 2) Low density, fine, clean sandy soils; and 3) High intensity ground motion. Effects of liquefaction can include sand boils, settlement, and bearing capacity failures below foundations.

The geotechnical investigation in Appendix D-1 identified that groundwater is in excess of 50 feet below ground surface. Therefore, as shallow groundwater does not exist, the possibility of liquefaction at the site is considered negligible. Therefore, the impacts are less than significant, and no mitigation is required.

- *Landslides?*

No Impact. The Project site and the surrounding area is flat. Therefore, there is no impact, and no mitigation is required.

Based on the above, the Project will have a less than significant impact regarding exposure people or structures to potential substantial adverse effects of earthquakes, ground shaking, liquefaction and landslides, and no mitigation is required.

- b) *Result in substantial soil erosion or the loss of topsoil?*

Less Than Significant Impact. During Project construction when soils are exposed, temporary soil erosion may occur, which could be exacerbated by rainfall. To control the potential for soil erosion, wind, dust, and water quality impacts, the Project is required to comply with MDAQMD rules relating to dust control (such as MDAQMD Rule 403) and rules to protect water quality including preparing a SWPPP to be approved by the RWQCB. Compliance with Federal, State, and Local regulations will ensure potential impacts are less than significant.

The Proposed Project would develop a 86-unit townhome style multi-family complex, consisting of eight one- and 76 two-bedroom units in nine separate buildings, on 4.36 gross acres. Construction would result in the cut and fill of materials. The Project applicant would be required to comply with State and local requirements to ensure dust and water quality are not impacted during grading operations.

Project development would develop a vacant lot with buildings, pavement, stormwater controls, and grassy areas for 100 percent coverage by pavement, buildings and landscaping. Therefore, once constructed, there would be no loss of topsoil.

Therefore, Project impacts regarding soil erosion or loss of topsoil are less than significant, and no mitigation is required.

- 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?*

Less Than Significant Impact. Refer to the above discussion regarding hazards associated with liquefaction and landslide hazards. As noted, there is no potential for landslide and low potential for liquefaction. Therefore, because no aspects of the Proposed Project could increase the likelihood of landslides, lateral spreading, subsidence, liquefaction, potential impacts would be less than significant, and no mitigation is required.

- d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

Less Than Significant Impact. Expansive soil is a soil/clay (such as montmorillonite or bentonite) that is prone to expansion or shrinkage due directly to variation in water volume. Expansive soils swell when exposed to large amounts of water and shrink when the water evaporates. This continuous cycle of wet to dry soil keeps the soil in perpetual motion causing structures built on this soil to sink or rise unevenly, often requiring foundation repair. Expansive soils are comprised primarily of minerals (incredibly fine particles) with little to no organic material and are thus incredibly viscous, proving difficult to drain.

Onsite soils were identified in Appendix D-1 as having “very low” expansion potential. The Project would follow the California Building Codes including any recommendations by the geotechnical engineer. Therefore, the Project impacts regarding expansive soils would be less than significant, and no mitigation is required.

- 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?*

No Impact. The Project does not propose to install septic tanks or alternative wastewater disposal systems. No impacts would occur, and no mitigation is required.

- f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Less Than Significant Impact With Mitigation Incorporated. The Project Site is flat, and there are no rock outcroppings or unique geologic features within the Project Site.

Surface geology within the Project area is mapped as Qoa, or Older Alluvium (Holocene). In general, alluvium has the potential to contain fossorial elements (Appendix D-2). The results of the paleontological records search indicated that no paleontological resources have been discovered within the proposed Project Site, nor within 1 mile of its perimeter. The nearest locality, SBCM 1.114.235, is approximately 1.6 miles east of the proposed project site. Root casts were collected both at and shallowly beneath the surface of SBCM 1.114.235. The nearest recorded vertebrate paleontological resources are situated in a cluster of SBCM localities approximately 3.5 miles away from the Project Site

Project excavation may exceed 5 feet in some areas of the building footings to achieve adequate engineered compaction.

Due to the variability and unknown paleontological sensitivity of the Project Site, **Mitigation Measure GEO-1**, is required to manage unanticipated discoveries of paleontological resources. Implementation of Mitigation Measure GEO-1 will reduce potential impacts to unanticipated discoveries of paleontological resources to less than significant.

4.7.3 Mitigation Measures

GEO-1 If evidence of subsurface paleontological resources is found during construction, excavation and other construction activity in that area shall cease and the construction contractor shall contact the City of Hesperia Planning Director. With direction from the Planning Director, a qualified paleontologist shall evaluate the find prior to resuming ground disturbing activities in the immediate vicinity. If warranted, the paleontologist shall prepare and complete a standard Paleontological Resources Mitigation Program for the salvage and curation of identified resources.

4.7.4 Conclusion

Implementation of **Mitigation Measure GEO-1** would reduce potential impacts of the Proposed Project associated with Geology and Soils to less than significant.

4.8 GREENHOUSE GAS EMISSIONS

A Greenhouse Gas Analysis was prepared for the Project as part of the Air Quality Assessment (Appendix A).

4.8.1 Regulatory Setting

Since 1988, many countries around the world have made an effort to reduce GHG emissions since climate change is a global issue. Over the past 30 years, the United States, and the State of California, have enacted a myriad of regulations that have evolved over time aimed at reducing GHG emissions in transportation, building and manufacturing.

The Project is within the Mojave Air Basin, which is under the jurisdiction of the MDAQMD.

According to MDAQMD CEQA and Federal Conformity Guidelines, a project is significant if it triggers or exceeds the most appropriate evaluation criteria. MDAQMD would clarify upon request which threshold is most appropriate for a given project; in general, for GHG emissions, the MDAQMD significance emission threshold of 100,000 metric tons of carbon dioxide equivalent (MTCO₂e) per year is sufficient. A significant project must incorporate mitigation sufficiently to reduce its impact to a level that is not significant. A project that cannot be mitigated to a level that is not significant must incorporate all feasible mitigation.

4.8.2 Environmental Setting

Constituent gases of the Earth's atmosphere, called atmospheric greenhouse gases (GHG), play a critical role in the Earth's radiation amount by trapping infrared radiation emitted from the Earth's surface, which otherwise would have escaped to space. Prominent greenhouse gases contributing to this process include carbon dioxide (CO₂), methane (CH₄), ozone, water vapor, nitrous oxide (N₂O), and chlorofluorocarbons (CFCs). This phenomenon, known as the Greenhouse Effect, is responsible for maintaining a habitable climate. Anthropogenic (caused or produced by humans) emissions of these greenhouse gases in excess of natural ambient concentrations are responsible for the enhancement of the Greenhouse Effect and have led to a trend of unnatural warming of the Earth's natural climate, known as global warming or climate change. Emissions of gases that induce global warming are attributable to human activities associated with industrial/manufacturing, agriculture, utilities, transportation, and residential land uses. Transportation is responsible for 41 percent of the State's greenhouse gas emissions, followed by electricity generation. Emissions of CO₂ and nitrous oxide (NO₂) are byproducts of fossil fuel combustion. Methane, a potent greenhouse gas, results from off-gassing associated with agricultural practices and landfills. Sinks of CO₂, where CO₂ is stored outside of the atmosphere, include uptake by vegetation and dissolution into the ocean. Appendix A provides a description of each of the greenhouse gases and their global warming potential.

For the purposes of Greenhouse Gas Analysis (Appendix A), the focus was on emissions of CO₂, CH₄, and N₂O because these gases are the primary contributors to Global Climate Change (GCC) from development projects. Although there are other substances such as fluorinated gases that also contribute to GCC, these fluorinated gases were not evaluated as their sources are not well-defined and do not contain accepted emissions factors or methodology to accurately calculate these gases.

4.8.3 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
VIII. GREENHOUSE GAS EMISSIONS: Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Less Than Significant Impact. The Proposed Project is anticipated to generate GHG emissions from area sources, energy usage, mobile sources, waste disposal, water usage, and construction equipment. GHG emissions have been calculated with the CalEEMod model based on construction and operational parameters (Appendix A).

The greenhouse gas emissions from Project construction and operations are shown on Table 10 and Table 11 of Appendix A. The total construction and operations emissions amortized over a period of 30 years are estimated at 1,178.97 metric tons of CO₂e per year, which is below the MDAQMD threshold of 100,000 metric tons per year and the San Bernardino County GHG Emissions Reduction Plan threshold of 3,000 metric tons per year.

Therefore, potential impacts associated the generation of greenhouse gas emissions would be less than significant, and no mitigation would be required.

- b) *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Less Than Significant Impact. In November 2017, the California Air Resources Board released the 2017 Scoping Plan. This Scoping Plan incorporates, coordinates, and leverages many existing and ongoing efforts and identifies new policies and actions to accomplish the State's climate goals, and includes a description of a suite of specific actions to meet the State's 2030 GHG limit. In addition, Chapter 4 of the Scoping Plan provides a broader description of the many actions and proposals being explored across the sectors, including the natural resources sector, to achieve the State's mid and long- term climate goals.

Guided by legislative direction, the actions identified in the 2017 Scoping Plan reduce overall GHG emissions in California and deliver policy signals that will continue to drive investment and certainty in a low carbon economy. The 2017 Scoping Plan builds upon the successful framework established by the Initial Scoping Plan and First Update, while identifying new, technologically feasible, and cost-effective strategies to ensure that California meets its GHG reduction targets in a way that promotes and rewards innovation, continues to foster economic growth, and delivers improvements to the environment and public health, including in disadvantaged communities. The Plan includes policies to require direct GHG reductions at some of the State's largest stationary sources and mobile sources. These policies include the use of lower GHG fuels, efficiency regulations, and the Cap-and Trade Program, which constrains and reduces emissions at covered sources.

County of San Bernardino

According to the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan*, "all development projects, including those otherwise determined to be exempt from CEQA will be subject to applicable Development Code provisions, including the GHG performance standards, and state requirements, such as the California Building Code requirements for energy efficiency. With the application of the GHG performance standards, projects that are exempt from CEQA and small projects that do not exceed 3,000 MTCO₂e per year will be considered to be consistent with the Plan and determined to have a less than significant individual and cumulative impact for GHG emissions." The Reduction Plan also states that "the 3,000 MTCO₂e per year value was chosen as the medial value and is used in defining small projects that must include the Performance Standards (refer to Attachment B of the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan*), but do not need to use the Screening Tables or alternative GHG mitigation analysis (refer to Attachment D of the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan*)."

The Project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO₂e per year. Therefore, the Project does not need to accrue points using the screening tables and is consistent with the GHG Plan, pursuant to Section 15183.5 of the State CEQA Guidelines. As mentioned above, the Project is expected to comply with the performance standards for residential uses as detailed in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.

City of Hesperia

The City of Hesperia adopted the City of Hesperia Climate Action Plan (CAP) in June of 2010. The Hesperia CAP outlines a course of action for the City government and the community of Hesperia to reduce per capita GHG emissions 29% below 2010 levels by 2020 and to adapt to the effects of climate change. The Hesperia CAP includes actions such as reducing emissions from new development through CEQA, increasing bicycle use through a safe and well-connected system of bicycle paths and end of trip facilities, reducing energy use from the transport and treatment of water, and improving recycling and source reduction programs to make continued progress in minimizing waste. Projects that are consistent with the CAP could result in a less than significant impact regarding climate change. This is because the emissions from these projects are generally accounted for in the CAP and would be consistent with the CAP's reduction target.

The City's CAP Goals include the following:

- | | |
|-----------------|--|
| Strategy CAP-1 | Reduce emissions from new development through the California Environmental Quality Act process. |
| Strategy CAP-2 | Encourage mixed use development in new development and redevelopment areas. |
| Strategy CAP-3 | Increase transit use. |
| Strategy CAP-4 | Promote compact development by protecting open space and encouraging infill and redevelopment of underutilized parcels in urbanized areas. |
| Strategy CAP-5 | Provide pedestrian connections in new and existing development to improve pedestrian mobility and accessibility. |
| Strategy CAP-6 | Increase bicycle use through a safe and well-connected system of bicycle paths and end of trip facilities |
| Strategy CAP-7 | Use traffic calming measures to improve traffic flow, pedestrian orientation, and bicycle use. |
| Strategy CAP-8 | Use parking facility designs and parking management to reduce vehicle trips. |
| Strategy CAP-9 | Increase the use of energy conservation features and renewable sources of energy. |
| Strategy CAP-10 | Reduce energy use from the transport and treatment of water. |
| Strategy CAP-11 | Improve the City's recycling and source reduction programs to make continued progress in minimizing waste. |
| Strategy CAP-12 | Participate in regional programs and initiatives that reduce greenhouse gas emissions. |

The Project would be constructed in accordance with the current version of Title 24 that requires buildings to be efficient. Additionally, solar panels would be placed on all parking structures, and bicycle facilities are offered throughout the complex. All interior road improvements, as well as improvements to the right-of-way, would be conducted to City standards.

Therefore, the Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, impacts are considered to be less than significant, and no mitigation is required.

4.8.4 Mitigation Measures

No mitigation measures associated with impacts to Greenhouse Gas apply to the Proposed Project.

4.8.5 Conclusion

Potential impacts of the Proposed Project associated with Greenhouse Gas Emissions would be less than significant, and no mitigation would be required.

4.9 HAZARDS AND HAZARDOUS MATERIALS

4.9.1 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard or excessive noise to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?				X

Discussion

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less than Significant Impact. Construction of the Proposed Project would involve the use of construction-related chemicals. These include but are not limited to hydraulic fluids, motor oil,

grease, runoff, and other related fluids and lubricants. The construction activities would involve the disposal and recycling of materials, trash, and debris. These materials would be disposed of via the City's waste provider, which operates in compliance with local, state and federal regulations, as applicable.

With mandatory regulatory compliance with federal, State, and local laws, potential hazardous materials impacts associated with construction of the Project would be less than significant, and no mitigation is required.

Once constructed, the proposed dwelling units would use household hazardous materials (e.g., paint, pesticides, cleansers, and solvents) for maintenance activities but any use would be in limited household quantities. The dwelling units would not use, store, or generate hazardous materials or wastes in quantities that would pose a significant hazard to the public or the environment. Routine maintenance chemicals, such as commercially available pesticides and chlorine for pool cleaning would also be utilized. The quantities of these stored on site would be typical of other multi-family operations in the region, and the quantities of the materials to be stored, used, and transported would be minimal and not present a hazardous condition.

With mandatory regulatory compliance with Federal, State, and local laws, potential impacts associated with hazardous materials would be less than significant, and no mitigation would be required.

- 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?*

Less than Significant Impact. Construction and operation of the Project would involve the routine transport, use, or disposal of hazardous materials on- and off-site.

Construction

Construction activities would require the temporary use of hazardous substances, such as fuel, lubricants, and other petroleum-based products for operation of construction equipment as well as oil, solvents, or paints. As a result, the Proposed Project could result in the exposure of persons and/or the environment to an adverse environmental impact due to the accidental release of a hazardous material. However, the transportation, use, and handling of hazardous materials would be temporary and would coincide with the short-term Project construction activities. Further, these materials would be handled and stored in compliance with all with applicable federal, state, and local requirements, any handling of hazardous materials would be limited to the quantities and concentrations set forth by the manufacturer and/or applicable regulations, and all hazardous materials would be securely stored in a construction staging area or similar designated location within the Project site. In addition, the handling, transport, use, and disposal of hazardous materials must comply with all applicable federal, state, and local agencies and regulations, including the Department of Toxic Substances Control; Occupational Health and Safety Administration (OSHA); Caltrans; and the County Health Department - Hazardous Materials Management Services.

With the compliance with local, state, and federal regulations short-term construction impacts associated with the handling, transport, use, and disposal of hazardous materials would be less than significant.

Therefore, because the City and its contractors are required to comply with federal, State, and local regulations, impacts associated with the handling, transport, use, and disposal of hazardous materials and the release of hazardous materials into the environment would be less than significant, and no mitigation would be required.

Operations

The Proposed Project would operate as a multi-family townhome complex. Although operation of the Proposed Project may involve the use of materials common to all urban development that are labeled hazardous (e.g., solvents and commercial cleansers; petroleum products; and pesticides, fertilizers, and other landscape maintenance materials), with required compliance with federal, State, and City regulations, standards, and guidelines pertaining to hazardous materials management, there would be a less than significant hazard to the public or the environment through routine use, storage, or disposal of hazardous materials, and no mitigation would be required.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Less Than Significant Impact. The closest school to the Project Site is the Joshua Circle Elementary School, located approximately 0.5 mile northeast of the Project Site at 10140 8th Avenue, Hesperia, CA 92345. Construction of the Proposed Project would involve the use of routine construction-related chemicals, but handling would be in compliance with all Federal, State, and local regulations. The Project would operate as a 84-unit townhome complex, and no hazardous materials would be generated or handled. The limited use of household cleaning products and pool maintenance products would not occur in sufficient quantities to cause a risk to the school. Therefore, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The impact would be less than significant, and no mitigation is required.

- d) *Would the project 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 it create a significant hazard to the public or the environment?*

No Impact. Government Code Section 65962.5(a)(1) requires that Department of Toxic Substance Control (DTSC) “shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all the following: (1) all hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code (“HSC”).” The hazardous waste facilities identified in HSC § 25187.5 are those where DTSC has taken or contracted for corrective action because a facility owner/operator has failed to comply with a date for taking corrective action in an order issued under HSC § 25187, or because DTSC

determined that immediate corrective action was necessary to abate an imminent or substantial endangerment. This is known as the "Cortese List." This is a very small and specific subgroup of facilities and they are not separately posted on the DTSC or Cal/EPA's website. The following databases that meet the "Cortese List" requirements were reviewed for this Project.

Envirostore Database. There are no sites listed in the Envirostore Database within 1,000 feet of the Project site.

Geotracker Database. Geotracker is the SWRCB's database that manages potential hazardous sites to groundwater. There are no sites listed in the Geotracker Database within 1,000 feet of the Project site.

Based on the result of the database review the Project site is not located on any site that has been identified in accordance with Section 65962.5 of the Government Code.

Therefore, there are no impacts because the Project Site is not located on any site that has been identified in accordance with Section 65962.5 of the Government Code. No mitigation would be required.

- e) *For a project located within an airport land use plan or, where such a plan had not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

No Impact. The Project site is located approximately 4 miles north of the Hesperia Airport, a public use and privately owned airport. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area because the Project Site is not located within the influence of an airport land use plan or, or within 2 miles of a public airport or public use airport. There would be no impacts, and no mitigation would be required.

- f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less Than Significant Impact. Development of the Project site would not interfere with any of the daily operations of the City of Hesperia Emergency Operation Center, San Bernardino County Fire Department, or San Bernardino County Sheriff's Department. Access to the Proposed Project is via two driveways, both along Smoke Tree Street. The Project would not interfere with the City's emergency operations plan or impede roadway access through removal or closure of any streets. All construction activities would be required to be performed according to the standards and regulations of the City, City Fire Dept and sheriff's departments. For example, the Project applicant and construction contractor would be required to provide on- and offsite access and circulation for emergency vehicles and services during the construction and operation phases.

The Proposed Project would also be required to undergo the City's development review and permitting process and would be required to incorporate all applicable design and safety standards and regulations of the San Bernardino County Fire Department, which serves as the City

of Hesperia's Fire Department, to ensure that the Project does not interfere with the provision of local emergency services (e.g., provision of adequate access roads to accommodate emergency response vehicles, adequate numbers/locations of fire hydrants).

Overall, the Proposed Project would not impair implementation of or physically interfere with the City of Hesperia's emergency operations plan or evacuation plan. Project-related impacts would be less than significant, and no mitigation is required.

- g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Less Than Significant Impact. The City of Hesperia's *Hazard Mitigation Plan* (2017), identifies on Figure 4-7 that the Proposed Project is located within an "Urban, Unzoned" Wildfire Hazard Severity Zone. Additionally, the Project would be required to comply with the City's current building and planning codes including but not limited to fire access, building sprinklers, fire wall separations, and property weed abatement. Therefore, Project's potential exposure of people or structures to wildfire is less than significant because the Project would be required to comply with City requirements relative to fire prevention, and no mitigation is required.

4.9.2 Mitigation Measures

No mitigation measures associated with impacts to Hazards and Hazardous Materials apply to the Proposed Project.

4.9.3 Conclusion

Potential impacts of the Proposed Project associated with Hazards and Hazardous Materials would be less than significant, and no mitigation would be required.

4.10 HYDROLOGY AND WATER QUALITY

A Water Quality Management Plan (WQMP) for the Project to address post-construction drainage management was also prepared for the Project (**Appendix E – *Water Quality Management Plan for APN 0407-251-12, Sake Engineers Inc, February 28, 2024***).

4.10.1 Regulatory Setting

The Lahontan Regional Water Quality Control Board requires that dischargers whose construction projects disturb one (1) or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation. The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD).

The State's Municipal Storm Water Permitting Program regulates stormwater discharges from municipal separate storm sewer (drain) systems (MS4s). Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. The MS4 permits require the discharger to develop and implement a storm water management plan/program with the goal of reducing the discharge of pollutants to the "maximum extent practicable," which is the performance standard specified in Section 402(p) of the Clean Water Act. The management programs specify which BMPs will be used to address certain program areas. The program areas include public education and outreach, illicit discharge detection and elimination, construction and post-construction, and good housekeeping for municipal operations.

The County of San Bernardino and other incorporated cities (co-permittees) discharge pollutants from their MS4s. Stormwater and non-stormwater enter and are conveyed through the MS4 and discharged to surface water bodies of the San Bernardino region. These discharges are regulated under countywide waste discharge requirements per Order No. R8-2010-0036. The MS4 permit requires the development and implementation of a program addressing stormwater pollution issues in development planning for private projects. The primary objectives of the municipal stormwater program requirements are to: 1) effectively prohibit non-stormwater discharges, and 2) reduce the discharge of pollutants from stormwater conveyance systems to the "maximum extent practicable" statutory standard.

4.10.2 Environmental Setting

The Mojave Desert is found at elevations of 2,000 to 5,000 feet above mean sea level and is characterized by cool winter temperatures and warm summer temperatures, with its rainfall occurring almost entirely in the winter. Climatological data obtained for the City of Hesperia indicates the annual precipitation averages 6.72 inches per year. Almost all of the precipitation in the form of rain occurs in the months between October and April, with hardly any occurring between the months of November and April. The wettest month is typically January, with a monthly average total precipitation of 1.26 inches. The average minimum and maximum temperatures for the region are 45.7 and 78.9 degrees Fahrenheit (°F)

respectively with December and January (monthly average 41° F) being the coldest months and July being the hottest (monthly average 100° F).

Water Supply

Water service is provided to the Project by Hesperia Water District (HWD). The HWD serves potable water to approximately 95,000 customers. The District provides domestic water from 16 active wells within this area. All wells are located in the Mojave River Groundwater Basin (Basin). Water is conveyed from the wells to the consumers via a distribution system with pipe sizes ranging between 4 and 24 inches in diameter. The District currently maintains 14 storage reservoirs within the distribution system with a total capacity of nearly 200 AF, or 64 million gallons.

4.10.3 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
X. HYDROLOGY AND WATER QUALITY:				
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			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, or through the addition of impervious surfaces, in a manner which would:				
<ul style="list-style-type: none"> result in substantial erosion or siltation onsite or offsite; 			X	
<ul style="list-style-type: none"> substantially increase the rate or amount of surface water runoff in a manner which would result in flooding on or offsite; 			X	
<ul style="list-style-type: none"> create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or 			X	
<ul style="list-style-type: none"> impede or redirect flood flows? 				X
				X

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Discussion

- a) *Violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or ground water quality?*

Less Than Significant Impact.

Construction

Construction-related runoff pollutants are typically generated from waste and hazardous materials handling or storage areas, outdoor work areas, material storage areas, and general maintenance areas (e.g., vehicle or equipment fueling and maintenance, including washing). Construction projects that disturb 1 acre or more of soil, including the Proposed Project, are regulated under the Construction Stormwater General Permit Order 2022-0057-DWQ - Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity (CGP) issued by the State Water Resources Board (SWRCB). Projects obtain coverage under the CGP by developing and implementing a SWPPP, estimating sediment risk from construction activities to receiving waters, and specifying best management practices that would be implemented as a part of the Project's construction phase to minimize pollution of stormwater prior to and during grading and construction.

Adherence to the BMPs in the SWPPP would reduce, prevent, minimize, and/or treat pollutants and prevent degradation of downstream receiving waters; reduce or avoid contamination of urban runoff with sediment; and reduce or avoid contamination with other pollutants such as trash and debris, oil, grease, fuels, and other toxic chemicals.

Therefore, with implementation of the BMPs in the required SWPPP, water quality or waste-discharge impacts from Project-related grading and construction activities would be less than significant, and no mitigation is required.

Operations

The Project applicant has prepared a Preliminary Water Quality Management Plan (PWQMP, (Appendix E) that identifies stormwater management for the building operations/post construction, which the City would review and approve as a Final WQMP.

The on site drainage systems consist of graded area, concrete swale/ribbon gutter, grate/drop inlets with filter inserts for pre-treatment, and pipes that will convey the flows to the proposed underground chamber collection system. The Project also uses devices to re-route water from rooftop and impervious area into the proposed landscape are/planters prior to draining into the proposed structural BMPs. The Site is designed so that the chamber system and landscaping will handle all stormwater, and no stormwater would be directed to the City's streets or City's stormdrain system.

The proposed on-site stormwater network would provide adequate retardation of runoff flow to mitigate the increase in peak flow or discharge in the proposed condition.

Overall, implementation of the BMPs in the final WQMP and compliance with NPDES MS4 permit requirements would reduce water quality and waste-discharge impacts from operational activities to less than significant, and no mitigation is required.

- b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Less Than Significant Impact. HWD's potable water system supplies water solely from groundwater pumped from the Mojave River Basin (Basin). The Basin is adjudicated, and MWA serves as the Watermaster. Per the Mojave Basin Area Judgment, producers in the Mojave Basin Area are allocated a Free Production Allowance (FPA). Producers may pump more than their FPA, provided they purchase replacement water. Funds collected for replacement water are then used by MWA to purchase imported water supplies in wet years and recharge them into the Basin for use in dry years.

Natural groundwater supply estimates are based on the long-term averages, which account for inconsistency in natural supplies (i.e., historic periods of drought are included in the long-term average). Therefore, HWD does not have any inconsistent water sources that result in reduced supplies in dry or multiple-dry years. Therefore, according to the HWD's *Final Draft 2015 Urban Water Management Plan* (UWMP), the HWD has adequate supplies to meet demands during average, single-dry, and multiple-dry years throughout the 25-year planning period. HWD will continue aggressive water conservation efforts, increased use of conservation efforts to offset potable water demand, and participation in new water supply projects with MWA to ensure that supplies continue to meet current and projected demands, according to the HWD's UWMP.

The Project Site's stormwater runoff will be treated by the proposed subgrade infiltration gallery, which mitigates for peak flow reduction and detention based on the City of Hesperia's "13.5 cubic feet (cf) per 100 SF of impervious area" rule.

Therefore, the Project would not interfere with groundwater recharge and would beneficially retain water to ensure more groundwater recharge. Thus, impacts to groundwater recharge and groundwater supplies would be less than significant.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:*

- *result in substantial erosion or siltation onsite or offsite;*

Less Than Significant Impact. The soils that underly the site are identified by the Natural Resources Conservation Service as Helendale Loamy Sand, which has a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission. The existing flow condition is generally southerly boundary to the north as sheet flows that are directed westerly and easterly. within the historic conveyance along the south side of Smoke Tree Street. The Project drainage is designed in a manner that will mimic existing drainage patterns. Grading activities during construction of the Proposed Project may result in wind driven soil erosion and loss of topsoil. During construction and with implementation of the SWPPP, the Project would provide standard erosion sediment control measures that would protect against erosion, including installation of groundcover (e.g., landscaping as required) and other BMPs such as use of gravel bags and straw wattles to allow for sediment retention. The Project would also be required to comply with the mandatory requirements of the NPDES to control and reduce the potential for siltation to occur. The post Project condition includes a series of stormwater infiltration basins that would capture stormwater, allowing it to percolate into the ground.

The Project Site is not located in an area that would be subject to flood flows, and there are no drainages that exist on site.

- *substantially increase the rate or amount of surface water runoff in a manner which would result in flooding on or offsite;*

Less Than Significant Impact. The PWQMP prepared for the Project (Appendix E) identifies that runoff produced from the development will be captured with the curb and gutters into catch basins that would be equipped with trash capture devices. Runoff will then be routed toward an underground infiltration chamber that is designed to be CMP with perforations to allow infiltration with 2 feet of rock underneath for additional storage. The chamber system is designed to capture 9,338 cubic feet, where only 9,041 cubic feet would be generated from the Project (Appendix E).

Therefore, the Project would not substantially increase the rate or amount of surface water runoff in a manner which would result in flooding on or offsite. The impact would be less than significant, and no mitigation is required.

- *create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*

Less Than Significant Impact. Refer to the answers above.

- *impede or redirect flood flows?*

No Impact. The Project Site is depicted on FEMA FIRM Panel 06071C6490H as “Zone X” or an area with minimal flood hazard. Therefore, the Project would not impede or redirect flood flows. There would be no impact, and no mitigation is required.

- d) *Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

No Impact. The Project site does not contain any natural drainages or waterways, according to the biological resources report in Appendix B. The Project site also does not occur within areas where a tsunami or seiche could occur. Therefore, there would be no impact with respect to the risk of release of pollutants due to project inundation, and no mitigation is required.

- e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Less Than Significant Impact. The Proposed Project would comply with the City’s and County’s MS4 permit, as noted above. Implementation of Project’s PWQMP during proposed operational activities would reduce any impacts associated with water quality to less than significant. In addition, the Proposed Project does not include any activities that will interfere with any groundwater management plan as all construction would occur entirely within the Proposed Project site. Impacts would be less than significant. Therefore, overall, impacts are less than significant, and no mitigation is required.

4.10.4 Mitigation Measures

No mitigation measures associated with impacts to Hydrology and Water Quality apply to the Proposed Project.

4.10.5 Conclusion

Potential impacts of the Proposed Project associated with Hydrology and Water Quality would be less than significant, and no mitigation would be required.

4.11 LAND USE PLANNING

4.11.1 Regulatory Setting

The Project Site is located within the Main Street /Freeway Corridor Specific Plan of the City of Hesperia's General Plan, with a zoning of High Density Residential (High Density Residential, 15 – 20 units/acre). The Proposed Project includes developing a 84-unit apartment complex which is consistent with the High Density Residential identified in the City of Hesperia's General Plan 2010.

4.11.2 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XI. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

Discussion

a) *Would the project physically divide an established community?*

No Impact. The Project Site is vacant, and the immediate Project vicinity is developed with residential uses. The planned land uses in the vicinity of the Proposed Project site are consistent with the residential land uses. Improvements would be made to the existing roadway Smoke Tree Street. There are no linear features proposed that would divide these communities. Therefore, the Proposed Project is consistent with the surrounding land uses, and there are no impacts with regard to the division of an established community.

b) *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

No Impact. The Proposed Project is consistent with the definitions for High Density Residential as allowed for in the General Plan. Therefore, the Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. There is no impact, and no mitigation is required.

4.11.3 Mitigation Measures

No mitigation measures associated with impacts to Land Use and Planning apply to the Proposed Project.

4.11.4 Conclusion

There would be no potential impacts of the Proposed Project associated with Land Use and Planning, and no mitigation would be required.

4.12 MINERAL RESOURCES

4.12.1 Regulatory Setting

In 1975, the California legislature enacted the Surface Mining and Reclamation Act (SMARA). This act provides for the reclamation of mined lands and directs the State Geologist to classify (identify and map) the non-fuel mineral resources of the state to show where economically significant mineral deposits occur and where they are likely to occur based upon the best available scientific data.

4.12.2 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XII. MINERAL RESOURCES: Would the project:				
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?				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?				X

Discussion

- a) *Would the project 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?*

No Impact. The City of Hesperia's General Plan, Conservation Element, identifies that mineral resources in the City have been identified by the Department of Conservation Division of Mines and Geology as potentially containing concrete aggregate resources consistent with the majority of the Barstow and Victorville areas. These resources are not considered to be significant due to the vast availability of similar deposits in the region. The Project Site is located on a 4.36-acre vacant parcel within a High Density Residential zone where residential land uses also exist in the immediate vicinity. Therefore, no impacts associated with any known mineral resource that would be of value to the region and the residents of the state would occur, and no mitigation would be required.

- b) *Would the project 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?*

No Impact. See response to Threshold Question XIIa, above. Additionally, no areas in the City of Hesperia have been designated as locally important mineral resource recovery sites on any local plan. Thus, the Project would have no impact on the availability of locally important mineral resource recovery sites.

4.12.3 Mitigation Measures

No mitigation measures associated with impacts to Mineral Resources apply to the Proposed Project.

4.12.4 Conclusion

There are no potential impacts of the Proposed Project associated with Mineral Resources, and no mitigation would be required.

4.13 NOISE

A Noise Impact Analysis to determine potential impacts from noise associated with the development of the Proposed Project (**Appendix F – *Smoke Tree Residential Project, Noise Impact Study, MD Acoustics, October 28, 2024***).

Environmental noise is commonly measured in A-weighted decibels (dBA). A decibel (dB) is a unit of sound energy intensity. Sound waves, traveling outward from a source, exert a sound pressure level (commonly called a “sound level”) measured in dB. An A-weighted decibel (dBA) is a decibel corrected for the variation in frequency response that duplicates the sensitivity of human ears. Decibels are measured on a logarithmic scale. Generally, a three dBA increase in ambient noise levels represents the threshold at which most people can detect a change in the noise environment; an increase of 10 dBA is perceived as a doubling of loudness.

Generally noise is perceptible at an increase of 3 dBA as illustrated below:

Changes in Intensity Level, dBA	Changes in Apparent Loudness
1	Not perceptible
3	Just perceptible
5	Clearly noticeable
10	Twice (or half) as loud

Source: https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm

Noise Descriptors

The noise descriptors utilized in the noise study for this Project include but are not limited to the following:

- **Ambient Noise Level**: The composite of noise from all sources, near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.
- **Community Noise Equivalent Level (CNEL)**: The average equivalent A-weighted sound level during a 24- hour day, obtained after addition of five (5) decibels to sound levels in the evening from 7:00 to 10:00 PM and after addition of ten (10) decibels to sound levels in the night before 7:00 AM and after 10:00 PM.
- **Equivalent Sound Level (LEQ)**: The sound level corresponding to a steady noise level over a given sample period with the same amount of acoustic energy as the actual time-varying noise level. The energy average noise level during the sample period.

Vibration

Ground-borne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. The effects of ground-borne vibrations typically only cause a nuisance to people, but at extreme vibration levels, damage to buildings may occur. Although ground-borne vibration can be felt outdoors, it is typically only an annoyance to people indoors where the associated effects of the shaking of a building can be notable. Ground-borne noise is an effect of ground-borne vibration and only exists indoors since it is produced from noise radiated from the motion of the walls and floors of a room and may also consist of the rattling of windows or dishes on shelves.

4.13.1 Regulatory Setting

Federal Regulations

The adverse impact of noise was officially recognized by the federal government in the Noise Control Act of 1972, which serves three purposes:

- Publicize noise emission standards for interstate commerce
- Assist state and local abatement efforts
- Promote noise education and research

The federal government advocates that local jurisdictions use their land use regulatory authority to arrange new development in such a way that “noise sensitive” uses are either prohibited from being constructed adjacent to a highway or, or alternatively that the developments are planned and constructed in such a manner that potential noise impacts are minimized.

Since the federal government has preempted the setting of standards for noise levels that can be emitted by the transportation source, the City is restricted to regulating the noise generated by the transportation system through nuisance abatement ordinances and land use planning.

State Regulations

The State of California has established noise insulation standards as outlined in Title 24 and the Uniform Building Code (UBC) which in some cases requires acoustical analyses to outline exterior noise levels and to ensure interior noise levels do not exceed the interior threshold.

The State Department of Health Services has published guidelines that rank noise land use compatibility in terms of normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable as illustrated in **Table 5: Land Use Compatibility Guidelines**, as identified in the City’s General Plan Noise Element.

Table 5: Land Use Compatibility Guidelines

Land Use Categories		Community Noise Equivalent Level (CNEL)	
Categories	Land Uses	Interior ¹	Exterior ²
Residential	Single Family, Duplex, Multiple Family	45 ³	65
	Mobile Homes	n/a	65 ⁴
Commercial	Hotel, Motel, Transient Lodging	45	65 ⁵
Industrial	Commercial Retail, Bank, Restaurant	55	n/a
Institutional	Office Building, Research and Development, Professional Offices, City Office Building	50	n/a
	Amphitheatre, Concert Hall, Meeting Hall	45	n/a
	Gymnasium (Multipurpose)	50	n/a
	Sports Club	55	n/a
	Manufacturing, Warehousing, Wholesale, Utilities	65	n/a
Institutional	Movie Theatres	45	n/a
	Hospitals, School Classrooms	45	65
	Church, Library	45	n/a
Open Space	Parks	n/a	65

Interpretation

- Indoor environment excluding: Bathrooms, toilets, closets, corridors.
- Outdoor environment limited to:
Private yard of single family
Multi-family private patio or balcony which is served by a means of exit from inside.
Mobile home park
Hospital patio
Park picnic area
School playground
Hotel and motel recreation area
- Noise level requirement with closed windows. Mechanical ventilation system or other means of natural ventilation shall be provided per Building Code.
- Exterior noise level should be such that interior noise level will not exceed 45 dBA CNEL.
- Except those areas affected by aircraft noise.

City of Hesperia

The City of Hesperia outlines its noise regulations and standards within the Noise Element from the General Plan and the Noise Ordinance from the City of Hesperia Municipal Code, Section 16.20.125, as identified on **Table 6: City of Hesperia Noise Standards**.

Table 6: City of Hesperia Noise Standards

Affected Land Use (Receiving Noise)	Noise Level (dBA)	
	10 p.m. to 7 a.m.	7 a.m. to 10 p.m.
A-1, A-2, R-1, R-3, and RR Zone Districts	55	60*
C-1, C-2, C-3, C-4, C-R, AP, and P-I Zone Districts	65*	
I-1 and I-2 Zone Districts	70*	

*Due to wind noise, the maximum permissible noise level may be adjusted so that it is no greater than five dBA above the ambient noise level.

4.13.2 Environmental Setting

The Proposed Project is situated at 15639 Smoke Tree Street, approximately 6.4 miles east of Interstate 15 (I-15), north of Main Street, west of 9th Avenue, east of Eleventh Avenue. The 4.36-acre parcel is currently vacant and identified as Assessor Parcel Number (APN) 0407-251-12 (Figure 1 and Figure 2). The Project site and Project vicinity are located within the HDR (High Density Residential, 15 – 20 units/acre) zone of the Main Street and Freeway Corridor Specific Plan within the City of Hesperia's General Plan. The parcel is bounded by Smoke Tree Street on the north, followed by medium dense residential uses and a flood control channel on the north side of Smoke Tree Street, vacant land on the west and east, and rural residential along the south where the zoning is high-density residential.

The Project is the development of 4 net acres with an 84-unit, nine-building, two-story townhome complex that surrounds a 4,160 square foot (SF) clubhouse, a 9,676 common open area with a swimming pool and spa, with other smaller open space areas interspersed throughout the complex that each offer a BBQ and picnic table.

4.13.3 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XIII. NOISE: Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project site in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or 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?				X

- a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less Than Significant Impact.

One short-term 15-minute noise measurement was conducted at the Project site to document the existing noise environment. The measurements include the 15-minute Leq, Lmin, Lmax, and other statistical data. Noise measurement field sheets are provided in Appendix F and are summarized below:

Number	Location	Start Time	Stop Time	Leq	Lmax	Lmin	L(2)	L(8)	L(25)	L(50)	L(90)	Estimated CNEL ²
NM1	NW Property Corner	12:51 PM	1:06 PM	58.1	70.2	48.6	67.3	62.8	56.4	53.4	50.2	61.5

Notes:

1. Short-term noise monitoring locations are illustrated in Exhibit F.
2. 24-hour noise levels extrapolated based on typical traffic patterns.

During the site visit, the noise monitoring indicated that traffic is the primary source of noise impacting the site and surrounding area. Noise data indicates that the ambient noise level is 58 dBA Leq at and near the Project Site. The 24-hour noise data was extrapolated based on typical traffic patterns. The ambient noise level at the site is anticipated to be 62 dBA CNEL and meets the multi-family exterior noise standard of 65 dBA CNEL according to Table NS-4 of the City of Hesperia's Noise Element.

Construction

The Project site is located in a High Density Residential (R-3) land use area as designated by the City's General Plan.

For construction noise, the City's Municipal Code Section 16.20.125 – *Noise* prohibits the use of construction equipment between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday, or at any time on Sunday or federal holidays. The code also sets a daytime noise limit at certain residential properties, including Medium Density Residential (R-3) at 60 dBA, though an exception is granted for "Temporary construction, repair, or demolition activities between seven a.m. and seven p.m. except Sundays and federal holidays." The code also states that, "Due to wind noise, the maximum permissible noise level may be adjusted so that it is no greater than five dB(A) above the ambient noise level."

Construction is considered a short-term impact and would be considered significant if construction activities are taken outside the allowable times as described in the City's Municipal Code. Construction is anticipated to occur during the permissible hours according to the City's Municipal Code.

Operations – Project-Generated Traffic

It takes a change of 3 dB for the human ear to perceive a difference. Traffic along the subject roadways would need to double in average daily traffic volumes to see a 3 dBA increase in noise level. The proposed Project generates 44 peak hour trips and 580 daily trips and is not anticipated to double the existing traffic volumes. Additionally, the proposed Project will generate less than 50 peak hour trips and thus meets the project-type exemption, and an LOS analysis is not required.

The Project is screened out from a VMT analysis and is presumed to have a less than significant transportation impact (refer to the Traffic Study in Appendix G).

Operations – Off-Site Stationary Noise Impact

Off-site operational noise includes transformers and heating, ventilation and air conditioning (HVAC) units. HVAC equipment is assumed to be located in the backyard of each unit. Equipment will be at least 20 feet away from the nearest residential uses to the south. The maximum sound power level from a single unit is 72 dBA. At 20 feet away, the sound pressure level is estimated to be 45 dBA. Assuming all units of Buildings 6, 7, 8, and 9 (34 units total) are located 20 feet away from the southern receptor and running simultaneously, the sound level is 61 dBA Leq. The project proposes a six-foot tall concrete property line wall around the project site. The wall will reduce the noise by a conservative 8 dB, resulting in a total noise level of 53 dBA Leq if all of the nearest units are running simultaneously. According to the City's Municipal Code, the noise at residential properties must not exceed 55 dBA Leq during nighttime hours. The worst-case noise due to the HVAC units operating simultaneously will be 53 dBA Leq, and thus meets the City's noise level limit for residential properties.

Per ANSI and NEPA requirements for transformer noise, transformers must be no louder than 65 dBA at 6 feet. Transformers should be placed at least 20 feet from the adjacent residential receptors or should be shielded to stay below the nighttime ambient level.

Operational noise complies with 16.20.125(B)(1) of the Hesperia Municipal Code. The impact is, therefore, less than significant.

Operations – Interior Noise Levels

The future interior noise level was calculated for the proposed residential units using a typical "windows open" and "windows closed" condition. A "windows open" condition assumes 12 dBA of noise attenuation from the exterior noise level. A "windows closed" condition assumes 20 dBA of noise attenuation from the exterior noise level. **Table 7: Future Interior Noise Levels (dBA CNEL)** indicates the first and second-floor interior noise levels for the Project site.

Table 7: Future Interior Noise Levels (dBA CNEL)

Location	Roadway Noise Source	Exterior Facade Study Location	Noise Level at Building Facade ¹	Interior Noise Reduction Required to Meet Interior Noise Standard of 45 dBA CNEL	Interior Noise Level w/ Typical Residential Windows (STC ≥ 25)		STC Rating for Windows Facing Subject Roadway ⁴
					Window Open ²	Windows Closed ³	
1st Row Units Along Northern Property Line	Smoke Tree Street	1 st Floor	62	17	50	42	25
		2 nd Floor	62	17	50	42	25

Notes:

1. Noise level from Section 6.1 and Appendix A.

2. A minimum of 12 dBA noise reduction is assumed with a "windows open" condition.

3. A minimum of 20 dBA noise reduction is assumed with a "windows closed" condition.

4. Indicates the required STC rating to meet the interior noise standard.

As shown in Table 7, the interior noise level would be 50 dBA CNEL with the windows open and 42 dBA CNEL with the windows closed.

To meet the City's interior 45 dBA CNEL standard a "windows closed" condition is required. The windows and sliding glass doors will meet the requirement with the standard window STC rating of 25. A "windows closed" condition simply means that in order to achieve a 45 dBA CNEL interior noise level, the windows must be closed and does not mean the windows must be fixed.

b) *Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?*

Less Than Significant Impact. Construction activities can produce vibration that may be felt by adjacent land uses. The construction of the proposed Project would not require the use of equipment such as pile drivers, which are known to generate substantial construction vibration levels. The primary vibration source during construction may be from a vibratory roller. A vibratory has a vibration impact of 0.210 inches per second peak particle velocity (PPV) at 25 feet which is perceptible but below any risk to architectural damage.

The nearest residential façade is at least 75 feet north of the Project site. At a distance of 75 feet, a vibratory roller would yield a worst-case 0.063 PPV (in/sec) which may be perceptible but sustainably below any risk of damage (0.3 in/sec PPV is the threshold of old residential structures). The impact is less than significant, and no mitigation is required. **Table 8: Vibration Source Levels for Construction Equipment** gives approximate vibration levels for particular construction activities. This data provides a reasonable estimate for a wide range of soil conditions.

Table 8: Vibration Source Levels for Construction Equipment

Equipment	Peak Particle Velocity (inches/second) at 25 feet	Approximate Vibration Level LV (dVB) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 upper range	105
	0.170 typical	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill	0.008 in soil	66
(slurry wall)	0.017 in rock	75
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

Source: Transit Noise and Vibration Impact Assessment, Federal Transit Administration, May 2006

The Proposed Project, once operational, is not likely to cause groundborne vibration as the use is primarily office and commercial. Therefore, the Project's generation of excessive groundborne vibration or groundborne noise levels during both construction and operations is less than significant, and no mitigation is required.

- c) *For a project located within the vicinity of a private airstrip or 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?*

No Impact. The Project site is not located within two miles of an airport. The nearest major airport is the Hesperia Airport, which is a small general aviation airport and is located approximately 4 miles to the southeast of the Project site. As such, the Project site is also located well outside the existing and projected 65-dBA CNEL noise contour of any airport. Therefore, there would be no impact related to aircraft noise

4.13.4 Mitigation Measures

No mitigation measures associated with impacts to Noise apply to the Proposed Project.

4.13.5 Conclusion

Potential impacts of the Proposed Project associated with Noise would be less than significant, and no mitigation would be required.

4.14 POPULATION AND HOUSING

4.14.1 Environmental Setting

During the past decades, Hesperia has grown rapidly. From 1990 to 2000, Hesperia's population increased by 24.1 percent, or from 50,418 in 1990 to 62,582 in 2000, according to the City of Hesperia's General Plan, Economic Conditions Report. The 2020 Census identified that the population of Hesperia is currently 99,838, consisting of 28,687 households with an average of 3.48 person per household.

Based on an average of 3.48 persons per household, the proposed 84-unit apartment complex could generate approximately 292 persons in the complex. It is unknown if the persons would be relocating from within Hesperia or to Hesperia.

4.14.2 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XIV. POPULATION AND HOUSING: Would the project:				
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)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Discussion

- 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)?*

Less Than Significant. The subject property is currently vacant and undeveloped. The proposed Project will provide pedestrian and vehicular connectivity between the Project Site and existing adjacent urban neighborhoods via sidewalks and roadway improvements. Circulation patterns are consistent with the Circulation Element of the General Plan and will not physically divide any established community. There will be no impact.

- b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

No Impact. The Project site is vacant and within the HDR (High Density Residential) zone of the Main Street and Freeway Corridor Specific Plan within the City of Hesperia's General Plan (Figure 4). The HDR zoning district provides for medium density multi-family housing in a garden setting such as courtyard apartments, condominiums and walk-up townhomes. Neither construction nor operation of the Proposed Project will displace the surrounding existing homes or substantial numbers of people necessitating the construction of replacement housing elsewhere. Therefore, potential impacts associated with displacement of existing people or housing would be less than significant and no mitigation would be required.

4.14.3 Mitigation Measures:

No mitigation measures associated with impacts to Population and Housing apply to the Proposed Project.

4.14.4 Conclusion

Potential impacts of the Proposed Project associated with Population and Housing would be less than significant, and no mitigation would be required.

4.15 PUBLIC SERVICES

4.15.1 Environmental Setting

Police and fire services are provided by contract with the County of San Bernardino. The Hesperia Unified School District (HUSD) provides the school services within the Project vicinity. Recreation services are provided by the City of Hesperia.

4.15.2 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XV. PUBLIC SERVICES: 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:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Recreation/Parks?			X	
Other public facilities?			X	

- 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:*

Fire Protection

Less Than Significant Impact. The closest fire station to the Project site is San Bernardino County Fire Station 304 at 15560 Eucalyptus Street, approximately 2 miles north of the Project site. This station would be the first to respond to calls for service from the site.

Development of the Proposed Project consists of an apartment complex that contains nine buildings, parking lots, common recreational facilities and landscaping. The facility may increase the number of fire or emergency services calls.

Additionally, the Proposed Project is required to comply with the most current adopted fire, building, and electrical codes and nationally recognized fire and life safety standards. Compliance with these codes and standards would be enforced through the City's building plan check process.

The development of this Project will be offset by the payment of the City of Hesperia's Development Impact Fee for Fire Facilities which would also assist the City in mitigating potential Project impacts. Therefore, potential impacts associated with fire protection would be less than significant and no mitigation would be required.

Additionally, the Proposed Project is required to comply with the most current adopted fire, building, and electrical codes and nationally recognized fire and life safety standards of the City's municipal code. Compliance with these codes and standards would be enforced through the City's development review and building plan check process.

Therefore, potential impacts associated with fire protection would be less than significant, and no mitigation would be required.

Police Protection

Less Than Significant Impact. The San Bernardino Sheriff's Department at 15840 Smoke Tree St, Hesperia, CA 92345, approximately 0.2 mile east of the Project Site is the closest police station to the Project Site. Typically, impacts on police services are analyzed based on increases in permanent residents from projects involving residential developments. The Proposed Project could generate a typical range of police service calls, such as vehicular burglaries or thefts and disturbances.

The Site will have perimeter fences/walls and will be secured at all times, with entry allowed by residents and guests entering a gate code. The Project Site is within the San Bernardino County Sheriff's Station service area, and the Project would not require an expansion of San Bernardino County Sheriff's Department/Hesperia City service area. The applicable Developer Impact Fees (DIFs) would be assessed to the Project which includes police services that could be used to add additional officers if deemed necessary by the Sheriff's Department.

Development of the Project Site would not result in the need for new or physically altered police protection facilities. Therefore, potential impacts associated with police protection would be less than significant, and no mitigation would be required.

Schools

Less Than Significant Impact. The Proposed Project is located within Hesperia Unified School District (HUSD) service boundaries. Several charter schools and other private schools also provide educational opportunities within the City of Hesperia. Enrollment information within the public schools for the 2009-10 school year was identified in the General Plan as 21,428 students, which was more than the capacity of 17,073 students. The City's General Plan identified that Construction of additional schools will be necessary to meet the number of students currently enrolled in the district, as well as future increases in student population. The Project may add

additional school children to the HUSD service area, although it is unknown if those occupying the complex would be moving from other areas of the HUSD district. It may indirectly affect schools by providing a source of employment that may draw new residents into the area; however, appropriate developer impact fees, as required by state law, shall be assessed and paid to the school district. The Proposed Project would be required to pay State mandated development impact fees to off-set impacts to schools. Therefore, potential impacts associated with schools would be less than significant, and no mitigation would be required.

Recreational/Parks

Less Than Significant Impact. The Proposed Project may affect public recreational facilities by providing a source of employment that may draw new residents into the area. The applicable Recreational Facilities Developer Impact Fees (DIFs) shall be assessed and paid toward parks. With the payment of these fees, the impacts to parks and other public recreational facilities are considered mitigated to a less than significant level. Based on the above discussion, impacts are considered to be less than significant.

4.15.3 Mitigation Measures:

No mitigation measures associated with impacts to Public Services apply to the Proposed Project.

4.15.4 Conclusion

Potential impacts of the Proposed Project associated with Public Services would be less than significant, and no mitigation would be required.

4.16 RECREATION

The Hesperia Recreation and Park District is an independent special district within the City of Hesperia. The Hesperia Recreation and Park District maintains retention basins, public landscaping, street lights, and parks within the City. There are a total of 14 parks and recreational facilities throughout the City. There are no parks or recreational facilities within the Project vicinity.

4.16.1 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XVI. RECREATION:				
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?			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?			X	

Discussion

- 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?*

Less Than Significant Impact. The proposed Project will not substantially 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. The Proposed Project will generate an estimated increase in population of approximately 292 persons. The proposed Project will have a common area that includes a grassy area, recreational facility, swimming pool, and a BBQ area, as well as smaller pocket parks along the south and eastern boundaries. The nearest City park to the proposed Project Site is Hesperia Civic Plaza Park, located at 15833 Smoke Tree St, approximately 0.3 mile east of the Project Site. In addition, there are a number of recreational facilities open to the general public including the City community center, Boys and Girls Club, and public golf courses that provide recreational opportunities for the community.

The development of this Project will be offset by the payment of the City of Hesperia's Development Impact Fee for Park Facilities which would also assist the City in mitigating potential Project impacts. With the proposed Project being required to pay a development impact fee for parks, impacts recreational facilities will be less than significant.

- 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?*

Less Than Significant. The Proposed Project is the development of a 84-unit, nine building apartment complex with a 4,015 SF clubhouse, a 17,152 square feet of common open space area with a swimming pool, BBQ, picnic tables, as well as pocket parks with picnic facilities on the south and east side of the development. The impacts of these facilities are assessed in this document. All facilities will be on site to serve the residents. There will be a less than significant impact, and no mitigation is required.

4.16.2 Mitigation Measures

No mitigation measures associated with impacts to Recreation apply to the Proposed Project.

4.16.3 Conclusion

Potential impacts of the Proposed Project associated with Recreation would be less than significant, and no mitigation would be required.

4.17 TRANSPORTATION

This analysis is based on technical studies that were prepared for the proposed Project, included as **Appendix G - Project Scoping Form, Site Plan Review SPR22-00010, Integrated Engineering Group, March 5, 2024.**

The Trip Generation Analysis identified that the proposed Project would generate a total of 35 AM peak hour trips, 44 PM peak hour trips, and 580 daily trips.

4.17.1 Traffic Impacts Terminology

Level of Service Evaluation

The Level of Service (LOS) is defined in the Highway Capacity Manual 6 and assigns a qualitative letter grade that represents the operations of the intersection, ranging from LOS A (minimal delay) to LOS F (excessive congestion). LOS E represents at-capacity operations. Descriptions of the LOS letter grades for signalized and unsignalized intersections are provided in **Table 9: Level of Service Descriptors**. The City of Hesperia's General Plan Circulation Element identifies that the City strives to achieve and maintain a LOS D or better on all roadways and intersections: LOS E during peak hours is considered acceptable through freeway interchanges and major corridors (Bear Valley Road, Main Street/Phelan Road, Highway 395). (refer to Circulation Element, Implementation Policy CI-2.1).

The Proposed Project is located on Smoke Tree Street, which is considered a Local Street that primarily serves residential neighborhoods. Smoke Tree Street connects to 7th Street, which is identified as an Arterial, located approximately 0.4 mile to the east of the Project Site. Main Street, a Major Arterial, exists approximately 0.24 mile south of the Project Site, accessed from 11th Avenue and 9th Avenue, located west and east of the Project Site, respectively. Both 11th Avenue and 9th Avenue are also Local Roads.

Table 9: Level of Service Descriptors

LOS	Description	Intersection Control Delay (seconds/vehicle)	
		Signalized Intersections	Unsignalized Intersections
A	Operations with very low delay occurring with favorable progression and/or short cycle length.	≤ 10	≤ 10
B	Operations with low delay occurring with good progression and/or short cycle lengths.	>10 and < 20	>10 and < 15
C	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	>20 and < 35	>15 and < 25
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	>35 and < 55	>25 and < 35
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences.	>55 and < 80	>35 and < 50

LOS	Description	Intersection Control Delay (seconds/vehicle)	
		Signalized Intersections	Unsignalized Intersections
F	Operation with delays unacceptable to most drivers occurring due to oversaturation, poor progression, or very long cycle lengths.	> 80	> 50

Vehicle Miles Traveled (VMT) Evaluation Method

The City TIA Guidelines (City of Hesperia 2020) provide details on appropriate screening thresholds that can be used to identify when a proposed land use project is anticipated to result in a less-than-significant impact without conducting a more detailed analysis.

The State OPR also set forth guidance for agencies to use “screening thresholds” to quickly identify when a project should be expected to cause a less-than-significant impact without conducting a detailed study. (refer to CEQA Guidelines, §§ 15063(c)(3)(C), 15128, and Appendix G.). The types of projects that are exempt from preparing a detailed VMT analysis are based on project size, maps, transit availability, and provision of affordable housing.

The City of Hesperia uses screening criteria which may be applied to screen proposed projects out of detailed VMT analysis. If a project meets one of the criteria, then the VMT impact of the project would be considered less-than significant and no further analysis of VMT would be required. The screening criteria are:

- Screening Criteria–1 - Transit Priority Area Screening: (TPA) (e.g., within ½ mile of an existing “major transit stop” or an existing stop along a “high-quality transit corridor”) may be presumed to have a less than significant impact absent substantial evidence to the contrary.
- Screening Criteria–2 - Low VMT Area Screening: The City’s guidelines include a screening threshold for projects located in a low VMT generating area. Low VMT generating area is defined as traffic analysis zones (TAZs) with a total daily VMT/Service Population (employment plus population) that is less than the County of San Bernardino VMT/Service Population (noted to be 32.7 in the guidelines).
- Screening Criteria 3 –Project Type: According to the City’s guidelines, projects which generate fewer than 110 daily vehicle trips, propose local serving retail (retail projects less than 50,000 square feet) or other local serving uses would have a less than significant impact on VMT.

4.17.2 Regulatory Setting

Senate Bill 743

Senate Bill 743, adopted in 2013, added section 21099 to the Public Resources Code, which states that automobile delay, as described by level of service (LOS) or similar measures of vehicular capacity or traffic

congestion, shall not be considered a significant impact on the environment. The law also directed the Office of Planning and Research (OPR) to amend the CEQA Guidelines to establish new metrics for determining the significance of transportation impacts of projects. The California Natural Resources Agency certified and adopted the amended CEQA Guidelines in December 2018. In the amended CEQA Guidelines, OPR selected vehicle miles traveled (VMT) as the preferred transportation impact metric and applied its discretion to require use of VMT statewide, beginning in July 2020. Accordingly, jurisdictions must now use the VMT methodology as the metric for evaluating the environmental impacts on transportation under CEQA instead of the traditional level of service (LOS) methodology. Essentially a project's environmental impacts can no longer focus on vehicle delay at street intersections or on roadway segments but must use the miles a vehicle must travel between a dwelling and commerce, recreation and/or work. The intent of this shift in methodology is to encourage different land use and transportation decisions to reduce greenhouse gas emission, support in-fill development and improve public health through active transportation.

Regional Transportation Plan

The Southern California Association of Governments (SCAG) is a council of governments representing the six-county region of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. Every four years SCAG updates the Regional Transportation Plan (RTP) for the six-county region. On April 7, 2016, the SCAG's Regional Council adopted the 2016-2040 Regional Transportation Plan / Sustainable Communities Strategy (2016 RTP/SCS). The SCS outlines a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce greenhouse gas emissions from transportation (excluding goods movement).

City of Hesperia

The City of Hesperia's Circulation Element for its General Plan was established to provide for a safe, convenient and efficient transportation system for the City. To meet this objective, the Circulation Element was designed to accommodate the anticipated transportation needs based on the estimated intensities of various land uses within the region. The City's Circulation Element and the Final General Plan sets forth actions and policies pertaining to accident and traffic safety, transit and public transportation, ensuring easy and convenient access to the regional facilities, bicycle routes and pedestrian facilities, among other things.

4.17.3 Environmental Setting

The Project is the development of a 84-unit, eight building apartment complex with a 4,015 SF clubhouse, a swimming pool, and other amenities on 4 net acres. The Project also includes the completion of public road improvements to the Project's Smoke Tree project frontages to add sidewalk, curb and gutter, and connections to the City's water and sewer services.

Primary access to the Project Site would be via two, all-access entrances and exits on Smoke Tree Street, approximately 380 feet apart. Driveway 1, along the western portion of the property frontage is approximately 220 feet east of 11th Avenue. Driveway 2, along the eastern portion of the property frontage is approximately 650 feet west of 9th Avenue.

4.17.4 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XVII. TRANSPORTATION: Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

- a) *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?*

Less Than Significant Impact.

Congestion Management Policies

The City of Hesperia's Circulation Element for its General Plan was designed to accommodate the anticipated transportation needs based on the estimated intensities of various land uses within the region. The City of Hesperia General Plan Circulation Element, Policy CI-2.1 requires the City to achieve and maintain a LOS D or better on all roadways and intersections: LOS E during peak hours shall be considered acceptable through freeway interchanges and major corridors (Bear Valley Road, Main Street/Phelan Road, Highway 395).

The Proposed Project is located on Smoke Tree Street, which is a Local Street that primarily serves residential neighborhoods. Based on the trip generation calculated for the Project (Appendix G), operation of the proposed Project would result in an additional 580 ADT. While no traffic data is available for Smoke Tree Street, 11th Avenue or 9th Avenue, it is anticipated that because these are local streets that serve residential neighborhoods, the level of service would be at or better than D, as allowed by the General Plan. Therefore, the Project would not be inconsistent with the level of service as identified in the General Plan. The impact would be less than significant, and no mitigation is required.

Public/Mass Transit

The City is a member of the Victor Valley Transit Authority (VVTA), along with the cities of Adelanto, Victorville, the Town of Apple Valley, and the County of San Bernardino. The VVTA provides multiple occupancy vehicle service to the City with the intent to reduce traffic congestion, vehicle miles traveled, and vehicle trips which improves air quality. Also, the City provides Victor Valley Transit Authority with input and information that can help them to provide service in the areas that best meet the needs of the local community.

VVTA offers Bus 68 (Hesperia Post Office-Super Target) along Main Street, with an existing bus stop at the intersection of 7th Avenue and Main Street. This stop can serve the Project Site.

Because the Project can be served by the existing bus stop, the Project would be consistent with the General Plan.

Trails and Bikeways

The General Plan, Exhibit CI-23 *Non-Motorized Transportation Plan* identifies bike lanes in the City of Hesperia. Main Street is identified as having a Class I Bike Path, but no designations are identified for Smoke Tree Street. The Project proposes road improvements along the Project frontages of Tamarisk Avenue and Orange Street which include curb, gutter and sidewalk. No bike lanes are proposed as part of the Project improvements.

Overall, the Project is compliant with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities, potential impacts associated with the circulation system would be less than significant, and no mitigation would be required.

- b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Less Than Significant Impact. CEQA Guidelines Section 15064.3 provides that transportation impacts of projects are, in general, best measured by evaluating the Project's vehicle miles traveled (VMT). Automobile delay (often called Level of Service) will no longer be considered to be an environmental impact under CEQA.

The City of Hesperia uses screening criteria to determine if a development project is required to conduct a VMT analysis. If a project satisfies the criteria described below it is considered to have a less than significant impact on VMT and does not require an analysis. The traffic analysis in Appendix G identified that the Project meets Screening Criteria—2 - Low VMT Area Screening: The City's guidelines include a screening threshold for projects located in a low VMT generating area. Low VMT generating area is defined as traffic analysis zones (TAZs) with a total daily VMT/Service Population (employment plus population) that is less than the County of San Bernardino VMT/Service Population (noted to be 32.7 in the guidelines). The SBCTA VMT Screening tool identified that the Project is located in a low VMT generating area. Therefore, the

Project would satisfy the requirements of Screening Criteria 2 – Low VMT Area Screening.

Based on this criterion, the Project qualifies as being exempt from being required to conduct a VMT analysis based on Screening Criteria–2 - Low VMT Area Screening. Therefore, the Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts are less than significant, and no mitigation is required.

- c) *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?*

Less Than Significant Impact. Project improvements include the following, and would be dedicated for public right-of-way following improvements:

Smoke Tree Street:

- Approximately 4,000 square feet of curb, gutter & 6' wide sidewalk with ADA ramps at each driveway, plus pavement one-half of street (10,560 s.f.)

Each of these improvements would be constructed in accordance with City standards and would not increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment). Therefore, the impact is less than significant, and no mitigation is required.

- d) *Would the project result in inadequate emergency access?*

Less Than Significant Impact. The Proposed Project is required to comply with the City's development review process including review by the City Fire Department for compliance with all applicable fire code requirements for construction and access to the site. The access and circulation features within the site would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. Emergency vehicles would enter the Project site using the either of the driveways on Smoke Tree Street. The internal circulation includes ample area that can accommodate vehicle delivery trucks as well as fire trucks. The roadway paving and design as well as the final design plans for the Project site's ingress and egress will be reviewed by the City Engineer for appropriate width and lanes. All access lanes will meet City requirements pursuant to the Uniform Building and Fire Code to ensure adequate emergency access throughout the Project site.

Therefore, impacts are less than significant, and no mitigation is required.

4.17.5 Mitigation Measures

No mitigation measures associated with impacts to Transportation apply to the Proposed Project.

4.17.6 Conclusion

Potential impacts of the Proposed Project associated with Transportation would be less than significant, and no mitigation would be required.

4.18 TRIBAL CULTURAL RESOURCES

A Cultural Resources Assessment for the Proposed Project was performed to determine potential impacts to historic and archaeological resources (Appendix C). The assessment addressed the ethnographic and archaeology of the Native American occupation in the City of Hesperia.

City of Hesperia AB 52 Tribal Consultation

On January 15, 2025 the City of Hesperia notified via certified mail the following tribal entities of the Project and that the 30-day timeframe in which to request consultation would end on February 14, 2025, in accordance with AB52. The following summarizes the results of the AB52 consultation.

- Torres Martinez Desert Cahuilla Indians. Result: No comments received. Consultation concluded.
- Yuhaaviatam of San Manuel Nation. Result: Response received January 16, 2025, although the Tribe had no formal comments, mitigation measures were requested to protect unknown resources. Consultation concluded.

Mitigation measures to ensure resources to tribal cultural resources are minimized have been incorporated, as appropriate, into the Initial Study.

4.18.1 Environmental Setting

The Cultural Resources Report in Appendix C assessed the proposed Project for potentially important cultural resources as required under CEQA. The pedestrian survey identified no cultural resources within the Project area. A Review of the Native American Heritage Commission (NAHC) Sacred Lands File returned positive results for tribal resources within or adjacent to the Project.

4.18.2 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XVIII. TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X		

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

Discussion

- a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

Less Than Significant Impact With Mitigation Incorporated. According to PRC Chapter 2.5, Section 21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and items with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in Section 5020.1.

There were no resources that were identified as eligible for listing to the California Register of Historic Places within or near the Project site during the cultural resources assessment Appendix C. Therefore, there would be no impact to known tribal cultural resources. However, on January 16, 2025, the Yuhaaviatam of San Manuel Nation (YSMN) informed the City of Hesperia during the AB52 process that the Proposed Project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed project, and given the YSMN's present state of knowledge, YSMN did not have any concerns with the project's implementation, as planned, at this time. However, the YSMN requested that **Mitigation Measures TCR-1 and TCR-2**, located at the end of this section, be made a part of the project/permit/plan conditions to protect for unidentified resources.

- b) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be*

significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less Than Significant Impact With Mitigation Incorporated. The Project has no resources that have been identified as significant within or near the Project site. Ground-disturbing activities, however, do have the potential to uncover unanticipated tribal cultural resources.

There are no resources that have been identified as eligible for listing to the California Register of Historic Places within or near the Project site. As discussed above, the Mitigation Measures TCR-1 and TCR-2 would be implemented to avoid potential impacts to tribal cultural resources that may be unearthed by Project construction activities.

4.18.3 Mitigation Measures

- TCR-1** The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.
- TCR-2** Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

4.18.4 Conclusion

Implementation of **Mitigation Measure TCR-1** and **Mitigation Measure TCR-2** would reduce potential impacts of the Proposed Project associated with Tribal Cultural Resources to less than significant.

4.19 UTILITIES AND SERVICE SYSTEMS

4.19.1 Environmental Setting

Water is supplied to the Project site by the City of Hesperia Water District (HWD). Electricity is provided by Southern California Edison (SCE), and natural gas is provided by Southwest Gas. Public sewer service is served by the HWD and treated by the Victor Valley Wastewater Reclamation Authority (VWVRA).

4.19.2 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XIX. UTILITIES AND SERVICE SYSTEMS:				
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) 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?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

Discussion

- a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or*

telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less than Significant Impact. The Proposed Project site would be serviced by the existing electric lines, gas lines, wastewater and water lines within the vicinity of the Project site.

Water Facilities

The Project would make a connection to an existing water line in Smoke Tree Street.

Wastewater Treatment Facilities

The City owns, operates, and maintains a wastewater collection system, including approximately 128 miles of gravity sewer pipe, 2,407 manholes, 704 cleanouts, 1 operational lift station, and 1 force main. The primary sources of wastewater in the City's system include sanitary flow from residential, commercial, and industrial sources. The City's sewer system connects to VVWRA's 3-mile interceptor that runs along the northeast boundary of the City, and ultimately flows to the Regional Wastewater Treatment Plant (RWWTP) that is owned and operated by the VVWRA. The City has a total of six outlets to the VVWRA interceptor. The RWWTP is located outside, and to the north of, Hesperia's service area.

The Project will complete the necessary infrastructure to connect the Project to the City's main line in Smoke Tree Street. Therefore, implementation of the Project would have a less-than-significant impact on the City of Hesperia's ability to service wastewater and would not require construction or expansion of existing wastewater facilities.

The HWD would provide sanitary sewer services to the Project Site. All proposed sewer lines within the Project Site will follow general street slopes. Payment of standard sewer connection fees and ongoing user fees would ensure that sufficient capacity is available. Payment of these fees would fund improvements and upgrades to surrounding sewer lines as needed and would offset the project's increase in demand for wastewater collection services. Following compliance with the relevant laws, ordinances, and regulations, as well as the specified mitigation measures identified in this IS/MND, it is not anticipated that Project implementation would require construction of new or the expansion of existing wastewater facilities that would result in a significant environmental effect. Impacts would be less than significant in this regard, and no mitigation is required.

Stormwater Drainage Facilities

As detailed in Section 4.10, The Project applicant has prepared a WQMP (Appendix E) that identifies stormwater management for the Project's post-project conditions. Overall, the existing drainage patterns were identified, and the design preserves the overall drainage pattern. The Proposed Project is the construction of new residential buildings, parking areas, landscaping, and utilities on approximately 4 acres of undeveloped land, to be constructed in a single phase. The on site drainage systems consist of graded area, concrete swale/ribbon gutter, grate/drop inlets with filter inserts for pre-treatment, and pipes that will convey the flows to the proposed

underground chamber collection system. The Project also uses devices to re-route water from rooftop and impervious area into the proposed landscape are/planters prior to draining into the proposed structural BMPs. All stormwater would be retained on site.

The Applicant will contract with a third-party maintenance group or be directly responsible for the long-term maintenance of WQMP stormwater facilities for the privately-owned property.

Compliance with relevant laws, ordinances, and regulations, as well as the specified mitigation measures, would ensure the Project's construction-related environmental impacts associated with the proposed storm drain improvements remain less than significant.

Electric Power Facilities

Electrical energy is accessed by transmission and distribution lines from substations owned by Southern California Edison (SCE). At full buildout, the Project's operational phase would require electricity for building operation (appliances, lighting, etc.). In addition, the project would be required to comply with the most recent Title 24 standards at the time of building permit issuance. The energy-using fixtures within the Project would likely be newer technologies, using less electrical power. Implementation of the Project would not require new or expanded SCE facilities. Therefore, impacts associated with electrical power facilities would be less than significant.

Natural Gas Facilities

Natural gas is provided to the City by Southwest Gas. Although the Project would require natural gas for building heating, the Project would comply with the most up to date Title 24 building energy efficiency standards, reducing energy used in the state. Based on compliance with Title 24, the Project would generate a need for natural gas that is consistent with industrial uses. Implementation of the Project would not require new or expanded Southern California Gas Company facilities. Therefore, impacts to natural gas facilities would be less than significant.

Telecommunications Facilities

The City is served by various telecommunication companies. Since the Project site is in an urbanized area and is largely surrounded by industrial uses, there are existing telecommunication facilities that would be able to serve the project site. The telephone and cable provider specific to the Project site is Frontier Communications. Once the Project is completed, future employees of the Project would be able to connect to existing telecommunication services without the need for expansion or construction of new facilities. Therefore, impacts associated with telecommunications facilities would be less than significant.

- b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Less than Significant Impact. The HWD provides domestic water from 16 active wells within this area. All wells are located in the Mojave River Groundwater Basin (Basin). Water is conveyed from the wells to the consumers via a distribution system with pipe sizes ranging between 4 and 24

inches in diameter. The District currently maintains 14 storage reservoirs within the distribution system with a total capacity of nearly 200 AF, or 64 million gallons. The District supplies more than 10,000 acre-feet annually to nearly 95,000 customers and coordinates with the Mojave Water Agency (MWA) on its delivery.

MWA developed future water demand projections by region as well as by purveyor service area, including HWD. The MWA provided gross water demand projections, in 5-year increments, which were then allocated to individual user types in proportion to the actual user type water demand in 2015. The projections included use for Multi-Family residential land uses in the City of Hesperia.

Because the Project is consistent with the City's Multi-Family zoning, the Project's water allocation would have been included in the projections to serve the Project and the City of Hesperia.

Therefore, the Project's water demands would be adequately served by the HWD's projected, current, and future water supplies. Therefore, impacts to water supply as a result of the Project would be less than significant.

- c) *Would the project 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?*

Less than Significant Impact. The VVWRA is responsible for wastewater treatment for a 279 square mile area that includes Apple Valley, Hesperia, Victorville, Spring Valley Lake and Oro Grande. VVWRA treats about 12 million gallons of wastewater per day.

Based upon the 2015 Wastewater Master Plan, the current (2015) wastewater flow volume from the service area is 2.0 million gallons per day (MGD) or 2,240 acre feet per year (AFY). To support the VVWRA plant, the City of Hesperia develops its system of trunk and interceptor sewers in cooperation with the VVWRA capacity. In addition to measures provided in the Municipal Code, with implementation of the City's General Plan policies and objectives for collection of storm drainage fees to support infrastructure expansion, the City is able to support VVWRA's development and expansion of wastewater treatment and delivery for beneficial uses, water conservation and water quality protection. Therefore, the Project has a less than significant impact on wastewater treatment capacity, and no mitigation is required.

- d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Less than Significant Impact. Sanitation services are administered by Advance Disposal, located at 17105 Mesa Street, Hesperia. Advance Disposal is contracted to collect solid waste within the City. Advance Disposal also operates a Materials Recovery Facility (MRF) which has a capacity of 600 tons per day. Non-hazardous solid and liquid waste generated in the City is currently deposited in the Victorville Landfill, which is operated by the County of San Bernardino Public Works Department, Solid Waste Management Division. The landfill is located at 18600 Stoddard

Wells Road, north of the City of Victorville. The Victorville Landfill has a maximum permitted capacity of 93.4 million cubic yards and a remaining capacity of 79.4 million cubic yards. Overall, the landfill has a maximum permitted throughput of 3,000 tons per day and is expected to remain operational until 2047.

Construction

Project construction is not anticipated to generate significant quantities of solid waste with the potential to affect the capacity of regional landfills. As indicated above, the Victorville Landfill has adequate capacity to accommodate such solid waste disposal needs over the short-term. Further, all construction activities would be subject to conformance with relevant federal, State, and local requirements related to solid waste disposal. Specifically, the project would be required to demonstrate compliance with the California Integrated Waste Management Act of 1989 (AB 939), which requires all California cities to “reduce, recycle, and re-use solid waste generated in the State to the maximum extent feasible.” The California Integrated Waste Management Act of 1989 requires that at least 50 percent of waste produced is recycled, reduced, or composted. The project would also be required to demonstrate compliance with the 2016 (or most recent) Green Building Code, which includes design and construction measures that act to reduce construction-related waste through material conservation measures and other construction-related efficiency measures. Compliance with these programs would ensure the project’s construction-related solid waste impacts would be less than significant, and no mitigation is required.

Operations

Based on CalRecycle’s *Estimated Solid Waste Generation Rates*², a variety of baseline rates have been used to determine the potential waste stream for multi-family residential. Based on one methodology which assumes 4 pounds per day per dwelling unit, the Project’s 84 units could potentially generate approximately 336 pounds of refuse per day, or approximately 0.168 ton per day or approximately 61 tons per year. As described above, the Victor Valley Landfill has ample capacity to service the Project. The impact would be less than significant, and no mitigation is required.

- e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

Less than Significant Impact. All collection, transportation, and disposal of solid waste generated by the Project would comply with all applicable federal, state, and local statutes and regulations. Under AB 939, the Integrated Waste Management Act of 1989, local jurisdictions are required to develop source reduction, reuse, recycling, and composting programs to reduce the amount of solid waste entering landfills. Local jurisdictions are mandated to divert at least 50% of their solid waste generation into recycling. In addition, the state had set an ambitious goal of 75% recycling, composting, and source reduction of solid waste by 2020. To help reach this goal, the state has adopted AB 341 and AB 1826. AB 341 is a mandatory commercial recycling bill and AB 1826 is a

² <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates>

mandatory organic recycling bill. The County adopted its Integrated Waste Management Plan in 1998, which includes the Countywide Summary Plan, Source Reduction and Recycling Elements, and Non-Disposal Facility Elements for the County and each city in the County. Waste generated by the project would enter the City's waste stream but would not adversely affect the City's ability to meet the requirements of AB 939, AB 341, or AB 1826, since the project's waste generation would represent a nominal percentage of the waste created within the City. The Project would comply with all regulatory requirements regarding solid waste, and impacts associated with solid waste disposal regulations would be less than significant.

4.19.3 Mitigation Measures:

No mitigation measures associated with impacts to Utilities and Service Systems apply to the Proposed Project.

4.19.4 Conclusion

Potential impacts of the Proposed Project associated with Utilities and Service Systems would be less than significant, and no mitigation would be required.

4.20 WILDFIRE

4.20.1 Environmental Setting

The City's General Plan identifies that the City has a very low risk and a very low incidence of brush fires. As discussed in Section 4.9 of this document, the City of Hesperia's Hazard Mitigation Plan (2017), identifies on Figure 4-7 that the Proposed Project is located within an "Urban, Unzoned" Wildfire Hazard Severity Zone. Additionally, the Project would be required to comply with the City's current building and planning codes including but not limited to fire access, building sprinklers, fire wall separations, and property weed abatement.

4.20.2 Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, Would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

Discussion

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

No Impact. The Proposed Project site is not located within a very high fire hazard severity zone according to City General Plan maps or Local Responsibility and State Responsibility Area maps by the City of Hesperia. Therefore, no impacts associated with wildfire would occur and no mitigation is required.

- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

No Impact. The Proposed Project site is not located within a very high fire hazard severity zone according to City General Plan maps or Local Responsibility and State Responsibility Area maps by the City of Hesperia. Therefore, no impacts associated with wildfire would occur and no mitigation is required.

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

No Impact. The Proposed Project site is not located within a very high fire hazard severity zone according to City General Plan maps or Local Responsibility and State Responsibility Area maps by the City of Hesperia. Therefore, no impacts associated with wildfire would occur and no mitigation is required.

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

No Impact. The Proposed Project site is not located within a very high fire hazard severity zone according to City General Plan maps or Local Responsibility and State Responsibility Area maps by the City of Hesperia. Therefore, no impacts associated with wildfire would occur and no mitigation is required.

4.20.3 Mitigation Measures

No mitigation measures associated with impacts to Wildfire apply to the Proposed Project.

4.20.4 Conclusion

The Proposed Project would have no impact associated with Wildfire risk, and no mitigation would be required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to substantially 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, substantially 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 a project are considerable 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		

Discussion

- a) *Does the project have the potential to substantially 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, substantially 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?*

Less Than Significant With Mitigation Incorporated. As concluded in Section 4.4, *Biological Resources*, the Project Site is vacant disturbed land and is not located within an urbanized area of the City. Six Joshua trees, a candidate endangered species, are present on site. Mitigation Measures **BIO-1** through **BIO-3** are proposed to reduce potential Project-related construction impacts to the Joshua Trees and sensitive wildlife species (burrowing owl, migratory birds) that may be present on-site through the requirement for pre-construction surveys. Such mitigation would reduce project impacts on sensitive wildlife species to less than significant. As indicated in Section 4.5, *Cultural Resources*, and Section 4.18, *Tribal Cultural Resources*, implementation of Mitigation Measures **CUL-1**, **CUL-2**, and **CUL-3**, as well as **TCR-1** and **TCR-2** would reduce the project's potential environmental impacts to cultural and tribal cultural resources to less than

significant. Therefore, the Proposed Project would not potentially 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. Impacts would be less than significant with mitigation incorporated.

Thus, the Proposed Project will not 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 an endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Therefore, impacts are less than significant with mitigation incorporated.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

The Proposed Project is being developed according to the General Plan and is an allowed use under the Medium Density Residential land use designations.

However, as demonstrated by the analysis in this IS, the Proposed Project would not result in any significant and unavoidable environmental impacts in any environmental category with implementation of Project-specific mitigation measures. Implementation of mitigation measures at the Project-level would reduce the potential for incremental environmental effects of the Proposed Project to be considered when viewed in conjunction with the effects of past projects, current projects, or probably future projects. Project impacts would be less than significant with mitigation incorporated.

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

The Project is required to comply with a number of Project-specific mitigation measures that are identified throughout this document. Implementation of these measures will ensure that Project-specific impacts will be less than significant.

Therefore, with mitigation incorporated, the Proposed Project would not directly or indirectly cause substantial adverse effects on human beings.

5 LIST OF PREPARERS

Contributors and Consultants

Julie Gilbert, Compass Consulting Enterprises, Inc, Senior CEQA Specialist'
Tin Cheung, Principal Scientist, Yorke Engineering, LLC,
Morgan Beigle, M.A., RPA, Archaeologist/Co-Principal Investigator, DUKE CRM
Ryan D. Hunter, Principal Environmental Scientist & Wildlife Biologist, RCA Associates
Brian S. Bunyi, Environmental Scientist & Wildlife Biologist, RCA Associates
Cristina Carranza, LOR Geotechnical

City Staff

Edgar Gonzalez, Senior Planner, Development Services Department

Staff, Public Works Engineering

6 REFERENCES

The following reports and/or studies are applicable to development of the Project site and are hereby incorporated by reference:

City of Hesperia, *General Plan 2010* (City, 2010)

City of Hesperia, *Hesperia Main Street and Freeway Corridor Specific Plan*, Amended (Last) July 15, 2021.

City of Hesperia, *Hazard Mitigation Plan 2017 Update*.

City of Hesperia, June 7, 2016. *Hesperia Water District, FINAL DRAFT, 2015 Urban Water, Management Plan*, Submitted by: GEI Consultants, Inc.

State of California, Department of Conservation, Farmland Mapping and Monitoring Program.
<https://maps.conservation.ca.gov/DLRP/CIFF>.

SBCTA VMT Screening Tool, <https://sbcta-gis.sanbag.ca.gov/gisportal/apps/webappviewer/index.html?id=3cd02c669e3442e79f732be92d26d320>, accessed 10/24/24

United States Dept of Agriculture, Natural Resources Conservation Service (USDA), Web Soil Survey, <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>.

ATTACHMENT 8

RESOLUTION NO. PC-2025-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A SITE PLAN REVIEW TO CONSTRUCT AN 84-UNIT APARTMENT COMPLEX ON APPROXIMATELY 4.3 GROSS ACRES WITHIN THE HIGH DENSITY RESIDENTIAL (HDR) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN LOCATED ON THE SOUTH SIDE OF SMOKE TREE STREET, BETWEEN NINTH AVENUE AND ELEVENTH AVENUE (SPR22-00010)

WHEREAS, on October 4, 2016, the then City Council, acting as the Commissioners of the Hesperia Housing Authority, adopted Resolution No. HHA 2016-011, approving a Purchase and Sale Agreement with Hossein Mazi for the development of a housing project on Assessor's Parcel Number 0407-251-12; and

WHEREAS, pursuant to that Purchase and Sale Agreement, Hossein Mazi has filed an application requesting consideration of Site Plan Review SPR22-00010, described herein (hereinafter referred to as the "Application"); and

WHEREAS, the Application pertains to a 4.3-gross-acre (4.0-net-acre) site located within the High Density Residential (HDR) District of the Main Street and Freeway Corridor Specific Plan, situated on the south side of Smoke Tree Street between Ninth Avenue and Eleventh Avenue, and identified as Assessor's Parcel Number 0407-251-12; and

WHEREAS, the Application proposes to construct an 84-unit apartment complex; and

WHEREAS, the subject property is currently vacant and is bounded by existing single-family residences to the north, south, and west. The front half of the subject property to the east is developed with a church, while the rear half adjacent to the proposed development site is vacant; and

WHEREAS, the subject property is within the HDR zone of the Specific Plan. The properties to the south, east, and west are also within the HDR zone, while the properties to the north are within the Single Family Residential-18,000 Square Foot Minimum Lot Size (R1-18,000) zone; and

WHEREAS, an Initial Study/Mitigated Negative Declaration for the proposed development was circulated for a 30-day public review period from February 12, 2025, through March 14, 2025. During this period, one comment letter was received from a neighboring resident expressing opposition to the proposed development; and

WHEREAS, the proposed development was reviewed by the Development Review Committee (DRC), which determined that it complies with all applicable development standards. During the IS/MND public review period, staff received numerous phone calls from neighboring residents expressing concern and opposition to the proposed development. Section 16.12.040 of the Development Code allows staff to forward projects to the Planning Commission when public opposition exists. Given the level of concern, the DRC forwarded the proposed development to the Planning Commission to provide an appropriate forum for residents to learn more about the proposed development and express their concerns, opposition, and/or support; and

WHEREAS, on May 8, 2025, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing on the proposed Application and concluded the hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to this Commission during the above-referenced May 8, 2025, hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon the Initial Study/Mitigated Negative Declaration prepared for the proposed development, the Planning Commission finds that there is no substantial evidence that the proposed Site Plan Review will have a significant effect on the environment.
- (b) The Planning Commission has independently reviewed and analyzed the Mitigated Negative Declaration and finds that it reflects the independent judgment of the Commission, and that there is no substantial evidence, considering the whole record, that the proposed development may have a significant effect on the environment.
- (c) The subject site is adequate in size and shape to accommodate the proposed development. The approximately 4.3-gross-acre site can accommodate the 84-unit multi-family development and all proposed improvements, including 187 parking spaces (88 covered and 99 uncovered), minimum 26-foot-wide drive aisles, and landscaping. The complex meets all San Bernardino County Fire Department standards, including fire lanes, two points of access, fire truck turn-around, FDC/PIVs, and fire hydrants. The proposed development also complies with ADA requirements and includes an on-site underground retention/detention system to accommodate a 100-year storm.
- (d) The proposed development will not have a substantial adverse effect on abutting properties or their permitted uses, as the development is consistent with the City's HDR Zone District within the Specific Plan.
- (e) The proposed development is consistent with the goals, policies, standards, and maps of the adopted Specific Plan, Zoning, Development Code, and all applicable City ordinances. It complies with standards for landscaping, driveway aisles, parking dimensions, building height, and accessibility. One accessible parking space with a loading area and a 4-foot-wide path of travel is provided. The proposed development will be constructed in compliance with the California Building and Fire Codes and all conditions of approval for off-site and on-site improvements. The proposed development must also comply with the development's conditions of approval for off-site and on-site

improvements required prior to grading and building construction and prior to issuance of a Certificate of Occupancy.

- (f) The site has adequate access via Smoke Tree Street. The City's Traffic Impact Mitigation Fee Program, part of the Development Impact Fees (DIF), ensures construction of traffic improvements to maintain adequate service levels. The developer is required to pay all applicable DIF fees.
- (g) The proposed development is consistent with and promotes the goals and policies of the General Plan. It also contributes to the City's compliance with state housing mandates and the Housing Element.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Site Plan Review SPR22-00010.

Section 5. That the Secretary shall certify to the adoption of this Resolution, subject to the conditions of approval as shown in Attachment 'A'.

ADOPTED AND APPROVED this 8th day of May 2025.

Roger Abreo, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission

ATTACHMENT "A"
List of Conditions for SPR22-00010

Approval Date: **MAY 8, 2025 (DRAFT)**

Effective Date: May 20, 2025

Expiration Date: May 20, 2028

This list of conditions applies to: Consideration of Site Plan Review SPR22-00010 to construct an 84-unit apartment complex on a 4.3 gross acre site within the High-Density Residential (HDR) zone of the Main Street and Freeway Corridor Specific Plan located south of Smoke Tree Street, approximately 220 feet east of Eleventh Avenue (Applicant: Hossein Mazi; APN: 0407-251-12)

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

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

CONDITIONS REQUIRED AS PART OF SUBMITTAL OF PUBLIC IMPROVEMENT PLANS

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

CONSTRUCTION PLANS. Five complete sets of construction plans prepared and wet stamped by a California licensed Civil or Structural Engineer or Architect shall be submitted to the Building Division with the required application fees for review. (B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

SPECIALTY PLANS. The following additional plans/reports shall be required for businesses with special environmental concerns: (B)

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

RECREATIONAL FACILITY PLANS. The Developer shall submit two sets of plans to develop the recreational facilities to the Building Division with the required application fees. The recreational facilities shall include passive recreational areas of turf, picnic tables, barbeques, concrete benches, and concrete trash receptacles, and the paseo. Active recreational facilities shall include the recreation building and a tot-lot with permanent playground equipment. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

IRREVOCABLE OFFERS OF DEDICATION. The Developer shall submit an Offer of Dedication to the City's Engineering Department for review and approval. At time of submittal the developer shall complete the City's application for document review and pay all applicable fees. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

UTILITY NON INTERFERE/QUITCLAIM DOCS. The Developer shall provide non interference and or quitclaim

letter(s) from any applicable utility agencies for any utility easements that affect the proposed project. All documents shall be subject to review and approval by the Engineering Department and the affected utility agencies. The improvement plans will not be accepted without the required documents and approval from the affected agencies. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

GEOTECHNICAL REPORT. The Developer shall provide two copies of the soils report to substantiate all grading building and public improvement plans. Include R value testing and pavement recommendations for public streets. (E B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

PLAN CHECK FEES. Plan checking fees must be paid in conjunction with the improvement plan submittal. All required plans, maps, requested studies, CFD annexations, etc. must be submitted as a package. The Developer shall coordinate with the City's Engineering Analyst, Dena Alcayaga at (760) 947-1438 or dalcayaga@cityofhesperia.us, to obtain the fee calculation form which shall be completed and submitted, along with fee payment, at time of plan submittal. Any outstanding fees must be paid before final inspection and the release of bonds.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

The Project shall be designed to prevent adverse impacts to downstream properties and/or drainage facilities caused or exacerbated by the project. The project shall demonstrate that runoff from the completed project site will not exceed 90% of the pre-project runoff discharge rates for the 24-hour design storm for the 100-year return frequency rainfall events.

A. Drawdown Time. All drainage facilities which are designed to percolate/infiltrate surface runoff (including basins, drywells, or infiltration-based low impact development features) shall not accumulate standing water for more than 48 hours. All drainage facilities designed to provide detention storage shall recover 100 percent of their design detention volume within 48 hours.

B. Groundwater Protection. The Project shall ensure any retention/infiltration or detention facilities will not adversely impact groundwater.

C. Underground Retention/Detention Systems. The Project shall demonstrate a minimum functional life span of 50 years for materials (e.g., polymer, metal, mineral-based, or other) used in underground retention/detention systems.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

STORM WATER POLLUTION PREVENTION PLAN. The Project shall submit to the City for approval two (2) copies of a Storm Water Pollution Prevention Plan (SWPPP) as specified in the prevailing National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities issued by the California State Water Resources Control Board.

Prepare the SWPPP using or following the format of the most recent SWPPP Template in the Construction BMP Handbook prepared by the California Stormwater Quality Association (requires subscription); see:
<https://www.casqa.org/resources/bmp-handbooks>

NPDES: The Project shall enroll under the prevailing National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities issued by the California State Water Resources Control Board and pay applicable fees. The Project shall provide proof of such permit coverage including a copy of the Notice of Intent Receipt Letter and the project WDID No. to the City.

Alternatively, projects from 1 to 5 acres with an approved Rainfall Erosivity Waiver authorized by U.S. EPA Phase II regulations certifying to the State Water Resources Control Board that construction activity will occur only when the Rainfall Erosivity Factor is less than 5 (R in the Revised Universal Soil Loss Equation), shall provide a copy of the project's Erosivity Waiver Certification and Waiver ID to the City.

NPDES-PERMIT TERMINATION: Upon completion of construction, the Project shall ensure that all disturbed areas are stabilized and all construction waste, equipment, and unnecessary temporary BMPs are removed from the site. In addition, the Project shall file a Notice of Termination (NOT) with the Lahontan Regional Water Board as required by the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

INDEMNIFICATION(1). To the furthest extent allowed by law, Applicant shall indemnify, hold harmless and defend City and each of its officers, officials, employees, consultants, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, damages and costs (including attorney's fees, litigation expenses and administrative record preparation costs) arising from, resulting from, or in connection with any Third-Party Action (as hereinafter defined). The term "Third Party Action" collectively means any legal action or other proceeding instituted by (i) a third party or parties, or (ii) a governmental body, agency or official other than the City, that: (a) challenges or contests any or all of these Conditions of Approval or any approval associated with entitlements associated with the project to which these conditions of approval apply (collectively "Approvals"); or (b) claims or alleges a violation of CEQA or another law in connection with the Approvals by the City, or the grant, issuance or approval by the City of any or all Approvals. Applicant's obligations under this paragraph shall apply regardless of whether City or any of its officers, officials, employees, consultants, agents or volunteers are actively or passively negligent, but shall not apply to any loss, liability, fines, penalties forfeitures, costs or damages caused solely by the active negligence or willful misconduct of the City or any of its officers, officials, employees, agents or volunteers. The provisions of this section shall survive any termination, revocation, overturn, or

expiration of an approval. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

INDEMNIFICATION(2). Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim unless the City approves the settlement in writing. Additionally, the City shall not be prohibited from independently defending any claim, and whether or not the City does decide to independently defend a claim, the applicant shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Unless the City independently chooses to defend any Third Party Action on its behalf, Applicant shall control the conduct of the defense of any claim or action provided that: (1) the City shall have the right, prior to filing, to review and approve any and all pleadings or related documents filed with the court in connection with such defense and Applicant shall reimburse the City for review time for each draft brief or pleading to be filed on behalf of the City; and (2) the City shall review and reasonably approve any proposed settlement. The Applicant acknowledges that the City is not obligated to approve a proposed settlement requiring the City to pay or incur any monetary amount, take a future legislative action, render a future quasi judicial decision, or otherwise take a future discretionary government action. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

INDEMNIFICATION(3). The City may, at any time, require the applicant to reimburse the City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of processing or defending any Third-Party Actions. The City shall provide Applicant with an invoice detailing all reasonable costs incurred. Applicant shall tender to the City payment in full of all reasonable and necessary costs within thirty (30) days from the date upon the invoice. Applicant further acknowledges and agrees that failure to timely tender payment in full to the City shall be considered a breach and non compliance with the conditions of approval for the project. Applicant shall also be required, upon request of the City, to deposit two month's estimated costs anticipated by the City to be incurred, which may be used by the City as a draw down account to maintain a positive balance pending tender of payment by Applicant as noted herein . (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

EXPIRATION OF ENTITLEMENT. Unless the applicant has obtained a grading permit and/or building permit and commenced construction, this approval shall expire three (3) years from the date of action of the reviewing authority. Pursuant to Measure N and Municipal Code Section 16.12.095, residential projects are not eligible for extensions of time. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

A. A minimum of two different types of contrasting, but complimentary colors schemes shall be provided to be used throughout the project

B. All internal fencing for private rear yards shall consist of a minimum 6-foot high vinyl fence. However, the portions of the private yards which are adjacent to Smoke Tree Street, and which are located between buildings 1 and 2, buildings 3 and 4, and east of building 5 shall be split face decorative block.

C. Bicycle racks shall be located outside of the front yard setback. A minimum 8-foot wide landscape planter shall be provided behind the sidewalk within the front yard setback area in place of portions of the permeable pavement.

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

A. School Fees (B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

CFD ANNEXATION. The applicant shall annex the property into Community Facilities District CFD 2021-01 (Residential Maintenance and Services) before occupancy of the first unit. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

LIGHT AND LANDSCAPE DISTRICT ANNEXATION. Developer shall annex property into the lighting and landscape district administered by the Hesperia Recreation and Parks District. The required forms are available from the Building Division and once completed, shall be submitted to the Building Division. (RPD)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

SOLID MASONRY WALLS AND FENCES. The Developer shall submit four sets of masonry wall/wrought iron fencing plans to the Building Division with the required application fees for all proposed walls. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

APPROVAL OF IMPROVEMENT PLANS. All required improvement plans shall be prepared by a registered Civil Engineer per City standards and per the City's improvement plan checklist to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review with the required plan checking fees. All Public Works plans shall be submitted as a complete set. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

UTILITY NON INTERFERENCE/QUITCLAIM. The Developer shall provide non interference and or quitclaim letter(s) from any applicable utility agencies for any utility easements that affect the proposed project. All documents shall be subject to review and approval by the Engineering Department and the affected utility agencies. Grading permits will not be issued until the required documents are reviewed and approved by all applicable agencies. Any fees associated with the required documents are the Developers responsibility. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

SMOKETREE STREET: Developer shall design to construct half-width improvements on Smoketree Street across the project frontage based on City's -foot Local Roadway Standard. The curb face is to be 20' from the approved centerline. The design shall be based upon an acceptable centerline profile extending a minimum of three hundred (300) feet beyond the project boundaries where applicable. These improvements shall consist of (E)

A. 8 Curb and Gutter per City standards.

B. Sidewalk (width = 6 feet) per City standards.

- C. Roadway drainage device(s).
- D. Streetlights per City standards.
- E. Concrete residential driveway per City standards.
- F. Pavement transitions per City Standards.
- G. Design roadway sections per existing approved street sections and per R value testing with a traffic index of 8 and per the soils report.
- H. Cross sections every 50-feet per City standards.
- I. Traffic control signs and devices as required by the traffic study and or the City Engineer.
- J. Provide a signage and striping plan per City standards.
- K. Relocate utilities as required. The Developer shall coordinate with affected utility companies.
- L. Provide signage and striping for a Class 3 bike trail per City's adopted non-motorized transportation plan.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

STREET IMPROVEMENTS. The Developer shall design street improvements in accordance with City standards and these conditions. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

SEWER IMPROVEMENT PLAN: The Developer shall design to construct an 8 minimum PVC SDR 35 sewer main in Smoketree Street from 9th Avenue to the westerly property line of project site. Design shall consist of plan and profile per City standards. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

- A. A remote read automatic meter reader shall be added on all meter connections as approved by the City Engineer.
- B. The Developer shall design a Utility Plan for service connections and / or private water and sewer connections. Domestic and fire connections shall be made from the existing 8" ACP (Asbestos Concrete Pipe) water line in Smoketree Street per City Standards.
- C. It is the Developers responsibility to connect to sewer and pay the appropriate fees. The Developer will be required to connect to the proposed 8" minimum PVC sewer main in Smoketree Street per City standards.

D. Complete V.V.W.R.A.s Wastewater Questionnaire for Commercial / Industrial Establishments and submit to the Engineering Department. Complete the Certification Statement for Photographic and X ray Processing Facilities as required.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

SWPPP IMPLEMENTATION. All of the requirements of the City-approved Storm Water Pollution Prevention Plan shall be implemented prior to the City's issuance of a grading permit, and shall be maintained until construction is complete and all disturbed areas are fully stabilized. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

FISH AND GAME FEE. Within five days from approval of the entitlement, the applicant shall file a Notice of Determination with the San Bernardino County Clerk of the Board and pay the filing fee of \$3,018.75 payable to the Clerk of the Board of Supervisors of San Bernardino County. A copy of the stamped NOD from the County shall be provided to the Planning Division when completed. Additionally, an electronic copy of the stamped NOD shall be filed with the Governor's Office of Planning and Research and posted on the CEQAnet Web Portal. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

NATIVE AMERICAN RESOURCES. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project. In the event that Native American cultural resources are discovered during project activities, all work in the immediate vicinity of the find shall cease and a qualified archaeologist shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. If significant Native American historical resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, a qualified archaeologist shall be retained to develop a cultural resources Treatment Plan, as well as a Discovery and Monitoring Plan. The Lead Agency and/or applicant shall, in good faith, consult local Indian tribes on the disposition and treatment of any artifacts or other cultural materials encountered during the project. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

STAMPED CONCRETE. Stamped color concrete shall be installed at the driveway entrances in a color and design consistent with the architectural theme of the structures on-site, prior to the issuance of a building permit. The stamped color concrete shall be noted on the approved construction plans accordingly.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

LANDSCAPE PLANS. The Developer shall submit three sets of landscape and irrigation plans including water budget calculations, required application fees, and completed landscape packet to the Building Division. Plans shall utilize xeriscape landscaping techniques in conformance with the

Landscaping Ordinance. The number, size, type and configuration of plants approved by the City shall be maintained in accordance with the Development Code. (P)

CONDITIONS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

ELECTRIC VEHICLE CHARGING INFRASTRUCTURE. The project shall comply with the requirements of California Green Building Standards Code (CALGreen) Section 4.106.2 regarding electric vehicle (EV) charging infrastructure. The developer shall provide designated EV-capable parking spaces and install the necessary electrical raceways, conduits, and panel capacity to accommodate future EV charging stations in accordance with applicable state and local requirements. (B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

__ACCESSIBLE PARKING SPACES. The project shall comply with California Building Code (CBC) Section 1105A.1, ensuring that garages, carports, and other parking facilities accessory to covered multifamily dwelling units are designed and constructed to meet accessibility requirements as specified in Section 1109A. (B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

FINAL WQMP SUBMITTAL. Submit a final WQMP, prepared using the applicable Mojave River Watershed Group Regulated WQMP Template, which includes all required or proposed revisions, addresses any comments provided on the draft WQMP, provides final designs for best management practices (BMPs), and includes calculations for BMP sizing.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

ROOFTOP EQUIPMENT. All rooftop equipment shall be screened from view from the right-of-way and architecturally integrated into the design of the building. All roof-mounted mechanical equipment proposed on the roof shall be shown on a cross-section of the building, as well as a line of site study, evidencing that the equipment will be screened from view and will not be visible from the right-of-way. (P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

TRASH ENCLOSURE. All trash enclosures shall be in conformance with Municipal Code Section 16.16.360 and City approved construction details. The enclosure shall be enclosed on three sides by a minimum six-foot tall decorative masonry wall with split face block on the viewable side and a decorative cap. The masonry wall shall be earth tone in color; solid grey block is not allowed. The enclosure shall have non-transparent metal gates and a solid roof-cover that is architecturally compatible with the primary building onsite and that serves to protect the refuse area from inclement weather, as well as prevents unauthorized entry into the enclosure.

CONDITIONS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

A. Development Impact Fees (B)

- B. Park Fees (B)
- C. Utility Fees (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

UTILITY CLEARANCE AND C OF O. The Building Division will provide utility clearances on individual buildings after required permits and inspections and after the issuance of a Certificate of Occupancy on each building. Utility meters shall be permanently labeled. Uses in existing buildings currently served by utilities shall require issuance of a Certificate of Occupancy prior to establishment of the use. (B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

PUBLIC IMPROVEMENTS. All public improvements shall be completed by the Developer and approved by the Engineering Department. Existing public improvements determined to be unsuitable by the City Engineer shall be removed and replaced. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

WQMP PERMIT. The Property Owner shall apply for a City WQMP Permit with the Building and Safety Department and pay the applicable permit fees. The WQMP Permit shall be renewed annually. To comply with the WQMP Permit, the Property Owner shall certify on an annual basis that all of the post-construction best management practices (BMPs) described in the approved project WQMP have been inspected and maintained as specified and required by the BMP Inspection and Maintenance Form and Operation and Maintenance Plan. The Property Owner shall provide proof of the WQMP Permit before the City will issue a Certificate of Occupancy.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

ON SITE IMPROVEMENTS. All on site improvements as recorded in these conditions, and as shown on the approved site plan shall be completed in accordance with all applicable Title 16 requirements. The building shall be designed consistent with the design shown upon the approved materials board and color exterior building elevations identified as Exhibit A. Any exceptions shall be approved by the Director of Development Services. (P)

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

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

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