

# DRAFT

## ATTACHMENT "A" List of Conditions for TT23-00004

Approval Date:  
Effective Date:  
Expiration Date:

This list of conditions applies to Consideration of Tentative Tract Map No. 20637 (TT23-00004) to create 22 single-family residential lots and 2 lettered lots on 4.1 gross acres within the Single Family Residential (R1-4500) zone located at the southwest corner of Oak Valley Street and Fuente Avenue, in conjunction with the adoption of a mitigated negative declaration pursuant to the provisions of CEQA (Applicant: Hesperia Canyon LLC; APNs: 3057-051-25 and -26).

The use shall not be established until all conditions of this land use approval application have been met. This approved land use shall become null and void if all conditions have not been by the expiration date noted above.

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

### CONDITIONS REQUIRED AS PART OF SUBMITTAL OF PUBLIC IMPROVEMENT PLANS

<u>COMPLETED</u> NOT IN COMPLIANCE	<u>COMPLIED BY</u>	DUST CONTROL. Dust control shall be maintained before, during, and after all grading operations. (B)
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<u>COMPLETED</u> NOT IN COMPLIANCE	<u>COMPLIED BY</u>	STREET NAME APPROVAL. The developer shall submit a request for street names for all of the interior streets for review and approval by the Building Division. (B)
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<u>COMPLETED</u> NOT IN COMPLIANCE	<u>COMPLIED BY</u>	PERCOLATION TEST. The applicant shall submit a percolation test, performed by a California licensed civil or soils engineer for determining the percolation rate for the required private sewage disposal systems. Should the applicant agree in writing to use the most restrictive percolation test for a site in close proximity to the subject property in designing the sewage disposal systems, then a percolation test shall not be required to be performed on-site. The applicability of any percolation test for use in designing the sewage disposal systems shall be subject to review and approval by the Building and Safety Division. In the event a tract map or parcel map has previously been recorded on the project site, the City of Hesperia has a percolation test on file, and no unusual conditions apply, this requirement may be waived by the Building and Safety Division. (B)
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<u>COMPLETED</u> NOT IN COMPLIANCE	<u>COMPLIED BY</u>	PLANS. All required plans shall be prepared by a registered Civil Engineer per City standards and to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review along with required checking fees. The Final Map CDP Improvement Plans requested studies and CFD annexation must be submitted as a
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package. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FINAL MAP: A Final Map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor based upon a survey and shall conform to all provisions as outlined in article 66433 of the Subdivision Map Act as well as the San Bernardino County Surveyors Office Final Map Standards. (E)

**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 dlalcalyaga@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**

VACATION. The Developer shall submit a Request for Vacation to the City's Engineering Department for acceptance. 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**

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 two (2) 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**

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).

**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 RECORDATION OF ANY PHASE OF THE FINAL MAP**

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

INTERIOR STREET-IOD. The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior street. Street shall be sixty (60') feet wide per City standards for a Local Standard. Corner cut-off right of way dedication per City standards is required at all intersections. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

NON-VEHICULAR ACCESS. Vehicular access rights across the project frontage on Oak Valley Street, Fuente Avenue and Hollister Street shall be dedicated to the City of Hesperia and labeled as N.V.A. on the Final map. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

PERIMETER STREETS. The Developer shall grant to the City an Irrevocable Offer of Dedication for Hollister Street. The dedication shall be at a (30 foot half-width) per the City standards for a Local Roadway Standard. Corner cut-off right of way dedication per City standards is required at all intersections. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

PERIMETER STREETS: Saw-cut (2-foot min.) and match-up asphalt pavement on Fuente Avenue and Oak Valey Street and construction full half-width improvements on Hollister Street across the project frontages based on City's 60-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. Intersection improvements including handicapped ramps per City standards.
- F. Pavement transitions per City Standards.
- G. Design roadway sections per existing approved street sections and per R value testing with a traffic index of 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. It is the Developers responsibility to obtain any off-site dedications for transition tapers including acceleration deceleration tapers per City standards
- L. Relocate any existing utilities as required. The Developer shall coordinate with affected utility companies.

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

INTERIOR STREET. Shall be designed to the City standard for a 60 foot wide Local Roadway per City standards, as indicated below. Curb face is to be at 20' from centerline: (E)

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

UTILITY PLAN: The Developer shall design a Utility Plan for service connections, hydrant locations and sewer connections. The Developer shall adjust any existing fire hydrants to grade that are affected by the construction of the proposed project improvements. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

UTILITY EASEMENTS. The Developer shall grant to the City a Utility Easement as required to install required water main as shown on the approved tentative map. Said easement shall be indicated on the appropriate final map per the Subdivision Map Act. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

- A. During construction the entire tract shall have a Master Water Meter per City standards. The Master Meter shall remain in place until all lots are occupied at which time the individual meters shall be set and activated per City standards.
- B. Automatic meter readers to be added on all meter connections.

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**

**COMPLIED BY**

INTERIOR STREET WATER. Interior water service shall

NOT IN COMPLIANCE

be a looped system of 8" P.V.C. water lines with hydrants at 660 foot intervals, including loops through the cul-de-sacs utilizing utility easements. Water mains in easements shall be ductile iron pipe. All utility easements shall be 15 feet minimum in width on one lot unless it is shared with another utility, in which case 20 feet is required on one lot per City standards. It is the Developers responsibility to obtain any dedication(s) or easement(s) needed to construct water line. The Developer shall provide plan and profile per City standards. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

PERIMETER STREET WATER. Developer shall design to install an 8" (min.) P.V.C. water main in Hollister Street from the intersection of Fuente Avenue and Hollister Street across project frontage per City standards and City approval. Install hydrants at 660 foot intervals and stub outs for future connections per City standards. The Developer shall provide plan and profile for connections to existing water mains per City standards. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

SEWER IMPROVEMENTS. The Developer shall design sewer improvements in accordance with City standards, and as indicated below. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

INTERIOR STREET SEWER. The Developer is required to provide a minimum diameter of 8" S.D.R. 35 P.V.C. sewer lines within the tract and connect to the existing 10" D.I.P. sewer in the intersection of Oak Valley Street and Canyon View Avenue . The Developer shall provide plan and profile per City standards. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

STORM DRAIN. As Required. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

EXECUTED AND RECORDED WQMP MAINTENANCE AGREEMENT. The WQMP Maintenance Agreement: Covenant and Agreement Regarding Water Quality Management Plan and Stormwater Best Management Practices Transfer, Access, and Maintenance, must be (1) prepared using the WQMP Maintenance Agreement Template provided as Attachment A to the City of Hesperia WQMP Templates, and (2) the complete WQMP Maintenance Agreement, with the Property Owners notarized signature(s) and suitable for recordation by the City, must be received before the City will authorize the final inspection or issue a Certificate of Occupancy. (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. (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/Retention 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. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

COMPOSITE DEVELOPMENT PLAN (CDP). Two copies of a CDP shall be submitted in accordance with Chapter 17.20 of the Municipal Code. CDP notes to be delineated are referenced in Section 17.20.020(C). In addition, the following notes shall be included: 1) Each single-family residence within this subdivision shall contain a minimum livable area (excluding required garages) of not less than 1,200 square feet; 2) A minimum of three different floor plans shall be provided, each with a minimum of three different elevations. At

least one single story plan shall be provided; 3) Building Setback Lines shall be provided in accordance with the Single Family Residential (R1-4500) zoning designation; and 4) All Easements of Record. (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 for landscape maintenance and all required street lights. The required forms are available from the Building Division and once completed, shall be submitted to the Building Division. (HRPD)

**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**

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**  
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. (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**

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. (E)

**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, desert tortoise, nesting birds and a habitat assessment for the crotch bumble bee shall

be conducted by a City approved and licensed biologist, prior to ground disturbance. (P)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**CONDITIONS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE**

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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 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**

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**

MODEL HOME COMPLEXES. Model homes and sales trailers require approval of a Temporary Occupancy Permit. Building permits for the garage conversion to an office; signage etc., shall be submitted and approved prior to their establishment. (B)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**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**

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**

DESIGN REVIEW. The Developer shall submit a Substantial Conformance application to the Planning Division for the review of the architecture design, floor plans and lot layout. At a minimum, the plans should include three different floor plans with three different architectural elevations for each floor plan. (P)

**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. 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**

RETENTION BASIN WALL & FENCING. A combination wall with a four-foot high wrought iron fence on the top and two-foot high tan split-face masonry wall at the base shall be constructed on all street facing sides of the retention basin and along the south property line, at the front yard setback of Lot 1. Two complete sets of engineered construction plans for the required fencing shall be submitted to the Building and Safety Division. (P)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

UNOBSTRUCTED BUILDING SETBACKS. All building setbacks shall be unobstructed from any slopes to provide a clear and accessible space for each home. (P)

**CONDITIONS REQUIRED PRIOR TO OCCUPANCY OF ANY UNIT**

**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**

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**

ON SITE IMPROVEMENTS. All on site improvements as recorded in these conditions, and as shown on the approved tentative tract map shall be completed in accordance with all applicable Title 16 requirements. Single family residential homes shall be designed consistent with the approved Substantial Conformance application. (P)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

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

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

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