

Silverwood - TTM 18989 Conditions of Approval

List of Conditions for TTR25-00001

Approval Date:
Effective Date: August 26, 2025
Expiration Date: March 04, 2041

Consideration of a Revised Tentative Tract Map (TTR25-00001; Amendment No. 2 to TT-18989) to amend Tentative Tract Map 18989 to reflect the following modifications: 1) expansion of Lot 23 to accommodate a proposed Wastewater Treatment Plant that was originally approved as part of the Tapestry Specific Plan; 2) revision of the overall tract boundary and total acreage to incorporate an additional 1.9 acres, consistent with the approved improvement plans reflecting the re-alignment of Kennedy Meadows; and 3) reconfiguration of lot numbering and other minor adjustments to ensure consistency with recorded maps. The proposed revisions will not result in an increase in the total number of residential units or any changes to the previously approved development standards (Applicant: Silverwood Development)

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 met 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. Text in red reflects added or revised language.

								Phase in which condition applies - Place Initials once Condition is complied.					
Dept	Conditon Type	Page	Condition	Required Prior To:	Status	Compliance Date	Comments	1A Grd	1B Grd	1A	1B	1C	
PRIOR TO GROUND DISTURBANCE													
P	COA	2.3	SPECIFIC PLAN. These conditions are concurrent with Ordinance No. 201510 becoming effective (Tapestry Specific Plan). (P)	Ground Disturbance	IN COMPLIANCE			RL					
P	COA	3.1	DEVELOPMENT AGREEMENT. The applicant shall execute a development agreement placing restrictions on the tenants/owners of the development with all incentives approved by the City in accordance with state law. The agreement shall be subject to review and approval by the City prior to its execution. (P)	Ground Disturbance	IN COMPLIANCE			RL					
E	COA	5.4	GRADING PLAN. The Developer shall submit a grading plan with existing contours tied to an acceptable City benchmark. The grading plan shall indicate proposed development of streets and proposed development of the regional retention basin(s) at a minimum. Site grading shall comply with recommendations provided in the approved soils report. All proposed walls shall be indicated on the grading plans showing top of wall (tw) and top of footing (tf) elevations along with finish grade (fg) elevations. Wall height from finish grade (fg) to top of wall (tw) shall not exceed 10 feet in height. Grading Plans are subject to review by the City Engineer upon submittal of the Improvement Plans. (E)	Ground Disturbance	IN COMPLIANCE			BGH	BGH				
E B	COA	1.5	GEOTECHNICAL REPORT. The Developer shall provide two copies of the soils report to substantiate all grading requirements and pavement section recommendations for public streets including R value testing. (E B)	Ground Disturbance	ONGOING			BGH	BGH	BGH			
E	COA	2.1	STORM WATER POLLUTION PREVENTION PLAN. The Developer shall provide a Storm Water Pollution Prevention Plan (S.W.P.P.P.) that includes an erosion control plan which addresses the method of storm water run-off control during construction. (E)	Ground Disturbance	IN COMPLIANCE			BGH					
E	COA	1.6	N.P.D.E.S. The Developer shall apply for the required NPDES (National Pollutant Discharge Elimination System) permit with the Regional Water Quality Control Board and pay applicable fees. (E)	Ground Disturbance	IN COMPLIANCE			BGH	BGH				

E	COA	6.1	OFF-SITE GRADING LETTER(S). It is the Developers responsibility to obtain signed Off-Site Grading Letters from any adjacent property owner(s) who are affected by any Off-Site Grading that is needed to make site work. The Off-Site Grading letter(s) along with the latest grant deed(s) must be submitted and appropriate fees paid to the City's Engineering Department for plan check approval. (E)	Ground Disturbance	IN COMPLIANCE			BGH	BGH	BGH			
E	COA	6.2	DRAINAGE ACCEPTANCE LETTERS. If Developer changes the quantity or character runoff that discharges from the project – either project runoff or runoff conveyed through the project, Developer shall obtain Drainage Acceptance Letters from any adjacent property owners outside the Specific Plan boundaries who are affected. The Acceptance letter, along with the latest grant deed, must be submitted to the City's Engineering Department for plan check approval. (E)	Ground Disturbance	IN COMPLIANCE								
E	COA	10.1	UTILITY EASEMENTS. Developer shall acquire off-site easements for work beyond the project and existing public right-of-way. (E)	Ground Disturbance	ONGOING								
E	COA	12.4	UTILITIES. NON-INTERFERENCE. The developer shall provide a letter of non-interference from Edison and permissions to grade, construct trails, street crossings and recreational uses within their existing easements.	Ground Disturbance	ONGOING		SW Dry Utility Consultant to provide update on as needed basis.						
B	COA	14.6	DUST CONTROL. Dust control shall be maintained before, during, and after all grading operations. (B)	Ground Disturbance	ONGOING			BGH	BGH	BGH			
B	COA	14.7	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)	Ground Disturbance	ONGOING			RA	RA	RA			
B	COA	15.1	AGGREGATE RESOURCES. If necessary, the development of aggregate (natural) resources within the project shall be subject to the following conditions:	Ground Disturbance			RA to check with AL						
B	COA	14.5	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)	Ground Disturbance	ONGOING			RG	RG	RG			
E	COA	15.2	S.W.P.P.P IMPLEMENTATION. The Developer shall implement the approved Storm Water Pollution Prevention Plan (S.W.P.P.P), which addresses the method of storm water runoff control during construction. (E)	Ground Disturbance	IN COMPLIANCE			BGH	BGH				
E	COA	15.3	EROSION CONTROL. Developer shall comply with the State's Construction General Permit for grading and shall have all Best Management Practices (BMPs) in place. BMPs shall remain in place until all post-construction BMPs are in place and operational and the Notice of Termination (NOT) is filed and accepted by the State. (E)	Ground Disturbance	IN COMPLIANCE			BGH	BGH				

P	COA	16.2	BIOLOGICAL REPORTS (MITIGATION MEASURE BIO-1). Monitoring shall be provided by a qualified biologist approved by the City to ensure that construction does not have an impact upon listed species. The biologist shall attend a pre-construction meeting with the contractor and shall be present during construction, including full-time monitoring of all grubbing and clearing of vegetation. The biologist will have the authority to halt construction activities in an area if unauthorized impacts to sensitive biological resources occur. The qualified biologist shall also perform periodic inspections of construction (after grubbing and clearing of vegetation) once or twice per week, depending on the sensitivity of the adjacent biological resources. The qualified biologist shall send monthly monitoring reports to the City. At the end of construction of each phase, the biologist shall prepare a post-construction report for the City that documents the as-built impacts of construction so that mitigation requirements can be revised accordingly, if necessary. (P)	Ground Disturbance	ONGOING			RL	RL	RL			
P	COA	16.3	PROTECTED PLANTS PHASE I (MITIGATION MEASURE BIO-3). Mitigation for permanent and temporary impacts to Mojave mixed scrub in Phase 1 shall occur as directed by a Phase 1 Mitigation Plan (see BIO-2 for Mitigation Plan contents) that is approved by the City prior to issuance of grading permits for Phase 1. The 70.6 acres of Mojave mixed scrub that would be retained in Phase 1 open space may be used in partial fulfillment of the mitigation requirement for the permanent impacts (Table 6-10, Mitigation for Permanent Impacts to Sensitive Vegetation Communities – Refined Project Alternative Phase 1). The remainder of the mitigation for the permanent impacts would be fulfilled through either on-site or off-site restoration, preservation of additional Mojave mixed scrub in a future phase, or off-site acquisition and purchase of land containing this vegetation community. Phase 1 trail construction would temporarily impact approximately 1.3 acres of Mojave mixed scrub. Mitigation for these impacts could include revegetation in place (where practical), on-site or off-site restoration or preservation of additional Mojave mixed scrub in a future phase, or off-site acquisition and purchase of land containing this vegetation community. Since the impact is temporary, and the community is an upland, a 1:1 mitigation ratio is required. Therefore, 1.3 acres of mitigation shall be required. (P)	Ground Disturbance	ONGOING			RL	RL	RL			
P	COA	17.1	HABITAT MANAGEMENT PLAN (MITIGATION BIO-4). A Habitat Management Plan (HMP) shall be prepared and implemented for the 3,533 acres of conservation easement and open space in the Specific Plan area. The HMP shall outline the long-term, perpetual management of these areas in order to protect and monitor sensitive and special status biological resources in conformance with Mitigation Measure BIO-4. (P)	Ground Disturbance	ONGOING			RL	RL	RL			

P	COA	17.2	LISTED PROTECTED PLANTS (MITIGATION MEASURES BIO-8 THRU 11). IMPACTS to federal or state listed plant species shall first be avoided where feasible, and where not feasible, impacts shall be handled in accordance with a phase-specific Mitigation Plan and/or through on-site or off-site protection of habitat containing the plant(s) in accordance with Mitigation Measures BIO-8 thru 11. A qualified biologist shall prepare a phase-specific Mitigation Plan that indicates where and how mitigation would take place. The USFWS and/or CDFW (depending on whether the plants are federal and/or state listed) shall decide whether listed plants can be salvaged and relocated or if habitat supporting the plants shall be protected off-site. Each phase-specific Mitigation Plan shall also identify, at a minimum, the goals of the mitigation, responsible parties, timing of mitigation, methods of mitigation implementation, maintenance and monitoring requirements, final success criteria and contingency measures. (P)	Ground Disturbance	ONGOING			RL	RL	RL			
P	COA	17.3	NONLISTED PROTECTED PLANTS (MITIGATION MEASURE BIO-9). Impacts to non-listed, special status plant species shall first be avoided where feasible, and where not feasible, impacts shall be compensated, for example, through reseeded (with locally collected seed stock) of temporarily impacted areas and/or plant salvage and relocation to temporarily impacted areas, all within the Specific Plan area. A qualified biologist shall prepare a phase-specific Mitigation Plan in accordance with Mitigation Measure BIO-9. The Mitigation Plan shall be approved by the City prior to the issuance of grading permits for that phase. (P)	Ground Disturbance	ONGOING			RL	RL	RL			
P	COA	17.4	PRE-CONSTRUCTION SURVEY (MITIGATION MEASURES BIO-12 AND 13). 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, consistent with Mitigation Measures BIO-12 and 13. Further, in accordance with the Staff Report on Burrowing Owl Mitigation (CDFW 2012), breeding and non-breeding season surveys shall be conducted by a qualified biologist to determine the presence/absence of the burrowing owl (Athene cunicularia; BUOW) for all phases of the development containing suitable BUOW habitat (potential suitable BUOW habitat is present throughout the Specific Plan area). The report shall be submitted to the City prior to issuance of the grading permit for each phase. (P)	Ground Disturbance	ONGOING			RL	RL	RL			
P	COA	18.1	CULTURAL RESOURCES MANAGEMENT PLAN (MITIGATION MEASURES CUL-1 THRU 8). A Cultural Resources Management Plan shall be submitted prior to issuance of a grading permit for Phase 1. The Project proponent shall retain a qualified cultural resource management professional to finalize a Cultural Resources Management Plan (CRMP) for the entire Specific Plan Area that will detail how all known historical and archaeological resources within the Specific Plan area will be avoided or treated, consistent with Mitigation Measures CUL-1 thru 8. In addition, the CRMP will also detail how unknown historical and archaeological resources will be treated in the event of their discovery during construction activities. The CRMP shall be submitted to the City for review and approval. (P)	Ground Disturbance	IN COMPLIANCE			RL	RL	RL			
P	COA	18.2	CULTURAL RESOURCES UNANTICIPATED DISCOVERY PROTOCOL (MITIGATION MEASURE CUL-7). The Project proponent shall minimize or avoid impacts to potentially significant archaeological resources discovered during construction by developing and implementing an Unanticipated Discovery Protocol as part of the CRMP in accordance with Mitigation Measure CUL-7. (P)	Ground Disturbance	ONGOING			RL	RL	RL			

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P	COA	2.4	INDEMNIFICATION. As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration, mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether by the City Council, the Planning Commission, or other City reviewing authority), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on Applicants project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City with counsel reasonably acceptable to the City. The Citys election to defend itself, whether at the cost of the Applicant or at the Citys own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)	Ongoing				X	X	X	X	X	
P	COA	19.2	DEVELOPMENT AGREEMENT. Prior to the issuance of any permits, the City and the developer shall enter into a development agreement to address all aspects of the project's development in accordance with state law, as well as the City of Hesperia's General Plan, Municipal Code and the adopted Tapestry Specific Plan. Prior to development within each phase, the required water and sewer facilities shall be evaluated to account for existing and proposed development as well as any Specific Plan Amendments or density transfers approved in accordance with the Specific Plan. (P)	Ongoing	IN COMPLIANCE			RL	RL	RL			
P	COA	21.6M	LAND USE APPROVAL. Prior to nonresidential development, including the lift stations, community buildings and other required nonresidential improvements, a Land Use Application shall be filed with the Planning Division for review and approval. (P)	Ongoing				n/a	n/a				
P	COA	19.3	STATE AND FEDERAL APPROVALS. The Developer shall obtain all necessary state and federal permits, approvals and other entitlements, where applicable, prior to each phase of the development of the project. (P)	Ongoing				x	x	n/a	n/a	n/a	
E	COA	2.2M	PLAN CHECK FEES: Developer shall provide the City with a security deposit for the amount as determined in the Deposit and Reimbursement Agreement for plan check services and staff time associated with the project as set forth in the terms of the Deposit and Reimbursement Agreement dated May 16, 2022. City shall bill the developer monthly for all costs incurred as listed under Section 2 of the Deposit and Reimbursement Agreement.	Ongoing									
SUBMITTAL OF PUBLIC IMPROVEMENT PLANS													
B	COA	1.1	STREET NAME APPROVAL. The developer shall submit a request for street names for all of the backbone streets for review and approval by the Building Division. The final map shall incorporate all approved street names as well as the street names in proximity to the subdivision. (B)	Submittal of Public Impv.	ONGOING						RA		

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