

**ATTACHMENT "A"**  
**List of Conditions for TT14-00004**

**Approval Date: January 26, 2016**

**Effective Date: March 04, 2016**

**Expiration Date: March 04, 2019**

This list of conditions applies to the overall map for the Tapestry Specific Plan Tentative Tract TT14-00004 (TT-18985), to create 15 lots for finance and conveyance purposes consistent with the planning areas of the Specific Plan (Hesperia Venture I, 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 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**      **COMPLIED BY**  
 NOT IN COMPLIANCE

**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 Surveyor's Office Final Map Standards. (E)

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 NOT IN COMPLIANCE

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

**COMPLETED**      **COMPLIED BY**  
 NOT IN COMPLIANCE

**PLAN CHECK FEES.** Plan checking fees must be paid in conjunction with the Final map submittal. The Final Map, title report and fees must be submitted as a package. The developer shall coordinate with the City's Engineering Department for any additional fees. (E)

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 NOT IN COMPLIANCE

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

**COMPLETED**      **COMPLIED BY**  
 NOT IN COMPLIANCE

**SPECIFIC PLAN.** These conditions are concurrent with Ordinance No. 2015-10 (Tapestry Specific Plan) becoming effective. (P)

**COMPLETED**      **COMPLIED BY**  
 NOT IN COMPLIANCE

**CONSISTENCY WITH APPROVED GRAPHICS.** The final map shall be consistent with the tentative map approved as part of this tentative tract application and shall also comply with all applicable Title 16 and Engineering Division requirements. (E, P)

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**TAPESTRY SPECIFIC PLAN DEVELOPMENT REQUIREMENTS.** Recordation or development within this tentative map is contingent upon compliance with all development requirements of the Tapestry Specific

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Plan, including but not limited to approval of the Development Agreement and a Public Facilities and Financing Plan. (E, P)

**CONSERVATION EASEMENTS.** The open space identified within the adopted Tapestry Specific Plan shall be established as open space in accordance with the provisions of the Specific Plan; managed in accordance with a Habitat Management Plan approved by the City, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife; and subject to the adopted Mitigation Monitoring and Reporting Program and the requirements of applicable federal and state permits. As portions of the open space become necessary to mitigate phase-specific biological impacts, they shall be subject to additional conservation instruments, which may include, but are not necessarily limited to, dedication in fee, easement or deed restriction. Open space shall be maintained by a Homeowners' Association established by the Conditions Covenants and Restrictions (CC&Rs) and/or by an approved conservation entity. Trails shall be dedicated to the Homeowner's Association for construction and maintenance. (P)

**CONDITIONS REQUIRED PRIOR TO RECORDATION OF ANY PHASE OF THE FINAL MAP**

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

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NOT IN COMPLIANCE

**UTILITIES.** (Underground) The Developer shall establish an Underground Utility District to cover the entire map for the purpose of future undergrounding of utilities for electric, communications or similar associated service. (E)

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**FISH AND GAME FEE.** The applicant shall submit a check to the City in the amount of \$3,119.75 payable to the Clerk of the Board of Supervisors of San Bernardino County to enable the filing of a Notice of Determination. (P)

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**DEVELOPMENT AGREEMENT.** The applicant shall execute a development agreement with the City of Hesperia to implement the Tapestry Specific Plan. The agreement shall be subject to review and approval by the City prior to its execution. (P)

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NOT IN COMPLIANCE

**CFD ANNEXATION.** The applicant shall establish a Community Facilities District concurrent with recordation of the final map pursuant to the Public Facilities and Financing Plan. (P)

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**DAM INUNDATION ZONE.** Construction of residential, commercial, or other enclosed buildings within the inundation zone below the Cedar Springs Dam is prohibited unless adequate protection from inundation effects can be demonstrated to the satisfaction of the City Engineer. (P)

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NOT IN COMPLIANCE

**SERRANO HERITAGE PRESERVE.** The Serrano Heritage Preserve identified on the Tapestry Land Use Plan shall be set aside and managed in accordance with state law, the final Cultural Resources Management Plan, and the Mitigation Monitoring and Reporting Program. Said mitigations shall prescribe procedures for access and reburial of any Native American remains found on the property in the course of development. (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

**ATTACHMENT "A"**  
**List of Conditions for TT14-00005**

**Approval Date: January 26, 2016**

**Effective Date: March 04, 2016**

**Expiration Date: March 04, 2019**

This list of conditions applies to the backbone map for the Tapestry Specific Plan Tentative Tract TT14-00005 (TT-18989), to create 39 lots and right-of-ways necessary to develop the 986 gross acre project (Hesperia Venture I, 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 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.

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

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**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)

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**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 Surveyor's Office Final Map Standards. (E)

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**PLANS.** All required plans shall be prepared by a registered Civil Engineer per City standards 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 package. (E)

COMPLETED      COMPLIED BY  
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**TITLE REPORT.** The Developer shall provide an updated title report 90 days or newer from the date of submittal. (E)

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**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)

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**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)

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**STORM WATER POLLUTION PREVENTION PLAN.** The Developer shall provide a Storm Water Pollution Prevention Plan (S.W.P.P.P.) which addresses the method of storm water run-off control during construction. (E)

COMPLETED      COMPLIED BY  
NOT IN COMPLIANCE

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

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**SPECIFIC PLAN.** These conditions are concurrent with Ordinance No. 2015-10 becoming effective (Tapestry Specific Plan). (P)

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**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 City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

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**SOLID MASONRY WALLS AND FENCES.** The Developer shall submit four sets of masonry wall and/or wrought iron fencing plans to the Building Division with the required application fees for all required walls. A six-foot high split face masonry wall with a decorative cap or other approved decorative wall shall be provided along the arterial streets within the backbone map as well as along the eastern side of Farmdale Avenue in accordance with the Specific Plan. (P)

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**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)

#### **CONDITIONS REQUIRED PRIOR TO RECORDATION OF ANY PHASE OF THE FINAL MAP**

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**IMPROVEMENT AGREEMENT/SURETY.** 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)

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**NON-VEHICULAR ACCESS.** Vehicular access rights across the project frontage on Rancho Las Flores Parkway, Ranchero Road, Farmdale Avenue, Summit Valley Road, Upper Loop Street from Street "BBBB" to approximately Street "QQQ," Street "F," Street "Q," Street "BB," and Street "SSS" east of Las Flores Parkway; shall be dedicated to the City of Hesperia and labeled as N.V.A. on the Final map along the areas where all lots back up to the street. An exception is made for the lots that are to be developed as parks, open space, and the school site. (E)

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NOT IN COMPLIANCE

**OFF-SITE OFFER OF DEDICATION AND EASEMENT.** Should off-site offers of dedication or easements be required for off-site improvements, it shall be the responsibility of the Developer to obtain such dedications or easements at no cost to the City pursuant to section 66462.5 of the Subdivision Map Act. (E)

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**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 and as described below. (E)

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**INTERIOR STREETS-( "QQ", "PP" and "LL").** The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of (56) feet wide per the Local Road Standard in the Tapestry Specific Plan. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways except at knuckles. (E)

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**INTERIOR STREETS-( "BB", "Q", "LLL", "SSS", "UU", "III", "BBBB" and**

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"I" to Oxford Road). The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of (70) feet wide per the Local Connector Road in the Tapestry Specific Plan. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

INTERIOR STREETS-(Upper Loop Road). The Developer shall grant to the City an Irrevocable Offer of Dedication for Upper Loop Road. The Street shall be a minimum of 108' feet wide per the Tapestry Specific Plan for a Minor Arterial. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

INTERIOR STREETS-("GGGG", and "UU"). The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of 108' feet wide per the Neighborhood Entry Road in the Tapestry Specific Plan. Street "UU" is from Upper Loop Road to the park (lot 33) and from the park (lot 33) to street "Q". Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

INTERIOR STREETS-(Road Surrounding Park). The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of 64' feet wide per the Tapestry Specific Plan for a Road Surrounding Park. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. The Developer shall dedicate an additional temporary easement for a knuckle at Lot 33, where street "HHH" is intended to continue through to the west as a future extension of the street. (E)

INTERIOR STREETS-(Traffic Circles) The Developer shall grant to the City an Irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of 150' diameter ROW per the Tapestry Specific Plan. Traffic Circles are located at streets "SSS" and "UU", and streets "Q" and "UU". (E)

INTERIOR STREETS-(Rancho Las Flores Parkway). The Developer shall grant to the City an Irrevocable Offer of Dedication for Rancho Las Flores Parkway. The Street shall be a minimum of 144' feet wide per the standards for a Major Arterial in the Tapestry Specific Plan. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

INTERIOR STREETS-(Summit Valley Road). The Developer shall grant to the City an Irrevocable Offer of Dedication for Summit Valley Road. The Street shall be a minimum of 120' feet wide per City standards for a Major Arterial. (E)

PERIMETER STREETS-(Ranchero Road). The Developer shall obtain an Irrevocable Offer of Dedication for Ranchero Road. The dedication shall be at a 50-foot half-width per the City standards for an Arterial Roadway Standard west of I Avenue and 40-foot half-width for a Secondary Arterial Standard east of I Avenue. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

PERIMETER STREETS-(Rysland Road). The Developer shall grant to the City an Irrevocable Offer of Dedication for Rysland Road (between Farmdale Ave. and Glider Ave.) The dedication shall be at a (30-foot half-width - south side only) per the City standards for a Local Road. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

COST ESTIMATE AND 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 and the Tapestry Specific Plan. (E)

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 proposed development of streets, the building footprint

for the sewer treatment plant, and proposed development of the regional retention basin(s) at 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 10 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)

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**ON-SITE RETENTION.** The Developer shall dedicate in fee title and quitclaim after map recordation, the Water Quality basins that are to be located in lots 29, 30 and 31 (lots that will not further subdivide in Tract 18955) and shall construct on-site retention facilities which have minimum impact to ground water quality. All retention basins shall be designed to effectively handle both nuisance and storm water flows without accumulating standing water for a period longer than 72 hours. All dry wells in retention basins shall be Two-Stage Systems per C.O.H Standard SP-1 with a minimum depth of 30 feet and a maximum depth to be determined by soils engineer at time of boring test. Retention basins over 18 inches in depth shall be fenced on all sides and shall have a paved 14-foot wide (min.) 12 percent (max.) access with a 20' x 20' concrete parking apron at the bottom of the ramp. The maximum depth of any on-site retention basin shall be 6 feet. Side slopes in excess of 3:1 shall provide erosion control per City requirements. (E)

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**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 Citys Engineering Department for plan check approval. (E)

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**DRAINAGE ACCEPTANCE LETTERS.** It is the Developer's responsibility to obtain signed Drainage Acceptance Letters from any adjacent property owners outside the Specific Plan boundaries who are affected by concentrated off-site storm water discharge from any on-site retention basins and storm water runoff. The Acceptance letter, along with the latest grant deed, must be submitted to the Citys Engineering Department for plan check approval. (E)

**COMPLETED**      **COMPLIED BY**  
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**STREET IMPROVEMENTS.** The Developer shall design street improvements in accordance with the Tapestry Specific Plan and these conditions. (E)

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**INTERIOR STREETS ("QQ", "PP", and "LL" STREETS).** Shall be designed for a 56-foot wide Local Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 18 feet from centerline: (E)

- A. 8" Curb and Gutter per City standards.
- B. Handicapped ramps at all intersections per City standards.
- C. Concrete residential driveway per City standards.
- D. Full paved roadway section (minimum section 3 A.C. over 4" aggregate base).
- E. Roadway drainage device(s).
- F. Streetlights per City standards.
- G. Traffic control signs and devices as required by the traffic study and/or the City Engineer.

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**INTERIOR STREETS ("SSS", "UU", "Q", "BB", "LLL", "III", "BBBB" and "F to Oxford Rd.)** shall be designed for a 70-foot wide Local Connector Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 22 feet from centerline: (E)

- A. 8" Curb and Gutter per City standards.
- B. Separated sidewalk (width = 5 feet) per City standards. Sidewalks on Streets "BB" and "SSS," where future lots will be fronting will not require

construction of the sidewalk until the associated tract creating said lots records.

- 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.

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INTERIOR STREETS ("GGGG" and "UU" from Upper Loop Road to Park, Lot 33, and from Park to Street "Q") shall be designed for a 108-foot wide Neighborhood Entry Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 30 feet from centerline and a raised median 20 feet wide: (E)

- A. 8" Curb and Gutter per City standards.
- B. Separated meandering sidewalk, (width = 10 feet) per City Standard.
- 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.

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INTERIOR STREETS (Roads surrounding parks, Lots 33 and 35) shall be designed for a 64-foot wide Surrounding Park Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 18 feet from centerline: (E)

- A. 8" Curb and Gutter per City standards.
- B. Separated sidewalk (width = 5 feet) per City standards on the opposite side of the street from the park site and a 12 foot wide sidewalk section (an additional 4-foot sidewalk within the park site must be added to the 8-foot sidewalk) adjacent to the curb on the park side.
- 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.

I. A temporary knuckle shall be designed and constructed at the northwest corner of lot 33 until such time when street "HHH" becomes a through street to the west.

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INTERIOR STREETS (Upper Loop Road). Shall be designed for a 106-foot wide Minor Arterial Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 33 feet from centerline and a 14-foot wide median: (E)

- A. 8" Curb and Gutter per City standards.
- B. Separated meandering sidewalk (width = 10 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.

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INTERIOR STREETS (Rancho Las Flores Parkway). Shall be designed

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for a 144-foot wide Major Arterial Road per the Tapestry Specific Plan street sections, as indicated below. Curb face is to be at 48 feet from centerline: (E)

- A. 8" Curb and Gutter per City standards.
- B. Separated meandering sidewalk (width = 10 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.

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INTERIOR STREETS (Traffic circles). Shall be designed for a 150-foot diameter Circular Roadway per the Tapestry Specific Plan street sections, as indicated below. (E)

- A. 8" Curb and Gutter per City standards.
- B. Sidewalk (width = 12 feet) per City standards.
- C. Handicapped ramps at all intersections per City standards.
- D. The central portion of the circle shall have a 6' wide concrete apron.
- 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.

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RANCHERO ROAD. Saw-cut (2-foot min.) and match-up asphalt pavement on Ranchero Road across the project frontage based on the City's Arterial (100-foot) and Secondary Arterial (80-foot) Roadway Standard. The curb face is to be at 36 feet west of I Avenue and 25 feet east of I Avenue 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:

- A. 8" Curb and Gutter per City standards.
- B. Sidewalk (width = 8 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 10 and per the soils report.
- H. Cross sections every 50 feet per City standards.
- I. Traffic signal at Rancho Las Flores Parkway.

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NOT IN COMPLIANCE

SECONDARY ACCESS. The Developer is responsible to construct Secondary Access. The street improvement (26-foot min. paved section) is required for secondary access per City standards. The Developer shall pave Ryeland Road from Glider Avenue to Farmdale Avenue and pave Farmdale Avenue from the proposed cul-de-sac south of Las Lunas Street to the existing improvements at Krystal Drive. It is the Developers responsibility to obtain off-site roadway dedications prior to City Council approval of the Final Map. 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. Pavement sections shall be designed per R value testing using a T.I. of 8. The minimum pavement section shall be 3 A.C. over 4 Class II aggregate base.
- B. Pavement transitions per City standards.
- C. Roadway drainage device(s).
- D. Traffic control signs and devices as required by the traffic study and/or



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the City Engineer.

E. Provide a signage and striping plan per City standards.

UTILITY PLAN. The Developer shall design a Utility Plan for service connections, private hydrant locations and sewer connections. The Utility plan shall provide for construction of all utilities necessary for full build out of Subdivision under the streets required to be constructed in this Tract and provide stub out for future extension. The Developer shall adjust any existing fire hydrants to grade that are affected by the construction of the proposed project improvements. (E)

UTILITY EASEMENTS. The Developer shall grant to the City Utility Easements as required to install required water sewer and storm drain facilities as conditioned below. Said easements shall be indicated on the appropriate final map per the Subdivision Map Act. Off-site easements may be required to complete the infrastructure. (E)

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 reader to be added on all meter connections.

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

WATER MODELING STUDY. The Developer is required to conform to a modeling study by Infrastructure Engineering for water service consistent with the City's existing water standards and required flows. The Developer is required to adhere to and address the requirements as outlined in the study. The study shall identify the need for any offsite improvements or upsizing of existing water lines or appurtenances. The cost of the study is the Developer's responsibility. (E)

INTERIOR STREETS (Rancho Las Flores Parkway, Upper Loop Road, Streets "III", "BBBB", "GGG", "HHHH", "SSS", "UU", "Q", "F", "BB", "LLL", "GGGG", "LL", "PP", and "QQ") WATER. Interior water service shall be a looped system of 8" minimum P.V.C. water lines with hydrants at 880 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 lines. The Developer shall provide plan and profile per City standards. (E)

PERIMETER STREETS (Ranchero Road) WATER. Install an 8" (min.) P.V.C. water main from the intersection of I Avenue south into the subdivision, sized per the Master Plan or water modeling study by Infrastructure Engineering and per City standards and City approval. It is the Developer's responsibility to obtain any dedication(s) or easement(s) needed to construct water lines should there be any additional offsite water lines or upsizing. The Developer shall provide plan and profile for connections to existing water mains per City standards. (E)

OFF-SITE (Rancho Las Flores Parkway) Water. The Developer shall provide easements and paved access for the tank site and water lines from the tank site to the subdivision. Its size and capacity shall be as per the Master plan of water as well as the modeling study by Infrastructure Engineering. (E)

SEWER IMPROVEMENTS. The Developer shall dedicate Lot 27 for the Waste Water Reclamation Plant in fee title to the appropriate owning agency and construct the sewer treatment plant in accordance with State and Federal regulations. The Developer shall design sewer improvements in accordance with City standards, and as indicated below.

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INTERIOR STREETS (Rancho Las Flores Parkway, Upper Loop Road, Streets "III", "BBBB", "GGG", "HHHH", "SSS", "UU", "Q", "F", "BB", "LLL", "GGGG", "LL", "PP", and "QQ") SEWER. The Developer shall provide the appropriate on-site sewer lines, force mains, Waste Water treatment plant, and lift stations necessary to serve the project per the City Engineer. The Developer is required to provide a minimum diameter of 8 S.D.R. 35 P.V.C. sewer lines within the tract. Any sewer easements that are required will be a minimum of 15 feet in width on one lot unless it is shared with another utility, in which case 20 feet on one lot is required. It is the Developer's responsibility to obtain any dedication(s) or easement(s) needed to construct the sewer lines. The Developer shall provide plans and profiles per City standards. (E)

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

STORM DRAIN WITHIN INTERIOR STREETS. The Developer shall design and construct the backbone storm drain lines that will be under the backbone streets required to be constructed with this map, TT14-00005, Tract 18989. (E)

ELECTRONIC COPIES. The Developer shall provide electronic copies of the approved project in AutoCAD format Version 2007 to the City's Engineering Department. (E)

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

INTERIOR STREETS (Rancho Las Flores Parkway, Upper Loop Road, Streets "III", "BBBB", "GGG", "HHHH", "SSS", "UU", "Q", "F", "BB", "LLL", "GGGG", "LL", "PP", and "QQ") RECLAIMED WATER. Interior reclaimed water service shall be designed per City and State Standards and per the Tapestry Specific Plan for reclaimed water pipelines. The Developer shall provide plans and profiles per City standards. Installation of the reclaimed water pipe locations shall coordinate with the dry utilities (E)

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.

DEDICATION TO CITY FOR PUBLIC FACILITIES. All tentative maps shall provide that roads, water, sewer, storm drain facilities and associated easements shall be dedicated to the City of Hesperia. Properties intended for parks, police, fire, schools and other public facilities must be dedicated to the City of Hesperia, the Hesperia Recreation and Park District or Hesperia Unified School District. (E)

PERIMETER STREETS. The Developer shall grant to the City an Irrevocable Offer of Dedication for Ryeland Road and Farmdale Avenue. The dedications shall be at twenty-eight (28') foot half-width per the Tapestry Specific Plan for a Local Roadway Standard. It is the Developers 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 except at knuckles. Curb face is to be located at 18' from approved centerline. These improvements shall consist of: (E)

A. 6" Curb and Gutter per SPPWC (Greenbook) standard on the south side of Ryeland Road. Paving connection to all existing asphalt drive approaches on the north side of Ryeland Road.

B. 6" Curb and Gutter per SPPWC (Greenbook) standard on the east side of Farmdale Avenue.

C. Separated sidewalk (width = 5 feet) per City standards on the south

side of Ryeland Road and the east side of Farmdale Avenue.  
D. Handicap ramps at all intersections per City standards.  
E. Concrete residential drive approaches per City standards along Ryeland Road.  
F. 26' (min.) paved roadway section per soils "R" value test and a traffic index of 8 (minimum section 6" AC over 4" aggregate base).  
G. Roadway drainage device(s).  
H. Streetlights per City standards.  
I. Traffic control signs and devices as required by the traffic study and/or the City Engineer.  
J. Parkway landscaping per the Tapestry Specific Plan for a Local Roadway Standard.

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OFF-SITE GRADING. All off-Site Grading, debris basins, slopes and temporary recycled water storage ponds shown on Tentative Tract Map 18955 (TT13-00001) that is needed to make site work shall remain with the developer and shall be maintained in good working order until the property is developed. (E)

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EMERGENCY ACCESS REQUIREMENTS. A minimum of two points of access shall be provided to each lot on the backbone map in accordance with City of Hesperia and San Bernardino County Fire Standards and the Fire Protection Plan dated July 7, 2014. Primary access shall be from Ranchero Rd and I Avenue and continuing south along Rancho Los Flores Parkway. Secondary access shall be from Ranchero and Farmdale Rd., entering the project at Ryeland Rd. and Street "QQ" continuing south and east along Street "O" until it connects with Rancho Las Flores Parkway. All access roads shall be constructed prior to any combustible construction. (F)

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FIRE SURFACE. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus in accordance with the Fire Protection Plan dated July 7, 2014. (F)

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FIRE TURNAROUND. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sacs shall not provide access for more than 22 lots. Roadways shall not exceed a 12% grade and shall have a minimum forty (40) foot turning radius. (F)

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WATER SYSTEM-RESIDENTIAL. A water system approved by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than six hundred feet (600') apart, as measured along vehicular travel ways. Hydrants shall be installed concurrently with public street improvements. Temporary fire water systems are not permitted. (F)

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WATER SYSTEM. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. (F)

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EMERGENCY ACCESS REQUIREMENTS. Minimum 26-foot wide all-weather emergency/evacuation access shall be provided as approved by the San Bernardino County Fire Department connecting Lots 21 and 22. (F)

#### CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY

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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)

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

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**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)

**AGGREGATE RESOURCES.** If necessary, the development of aggregate (natural) resources within the project shall be subject to the following conditions:

A. Plans shall be submitted to the City to be reviewed and approved in accordance with the Surface Mining and Reclamation Act, the City's Municipal Code and applicable California building codes.

B. Geotechnical investigations shall be conducted and findings implemented. If necessary, the design of pits shall properly ensure the stability of slopes.

C. Water or other dust palliatives shall be applied as necessary to minimize generation of fugitive dust during mining, processing and transport.

D. The main plant access road shall be paved with asphaltic concrete within 150 feet of a public road. Other access roads within 100 feet of the main plant access road shall be surfaced with 3 to 4 inches of crushed rock.

E. Appropriate measures to control runoff from runoff onto the processing sites shall be developed to avoid rapid erosion and downstream siltation.

F. Any disturbance of native vegetation shall be minimized.

G. Following completion of construction, disturbed areas which are undeveloped shall be revegetated with indigenous or other drought resistant species.

H. Any aggregate mining shall be restricted to the development period of the project.

I. Alternative truck routes shall be designed to reduce traffic congestion on existing and planned roadways.

J. When needed, earthen berms and other visual setbacks shall be required from surrounding land uses. (B)

**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 run off control during construction prior to the grading permit being issued. (E)

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

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**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)

**GROUNDWATER RECHARGE.** Storm drains and detention or retention measures shall be designed to assist groundwater recharge and to minimize impact to downstream properties. All storm water facilities shall meet National Pollution Discharge Elimination Standards (NPDES) and local standards for the treatment of storm water prior to discharge into any natural wash or any storm drain system. (E)

**EROSION CONTROL.** Prior to issuance of any grading permit, the developer and all contractors 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)

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FIRE STATION. A Fire Station shall be constructed prior to any residential construction commencing within the project. The location shall be in or near Phase 1, to provide six minute response time, and shall be approved by the San Bernardino County Fire Department, per the Fire Protection Plan dated July 7, 2014. The developer shall contribute "fair share" cost as determined by the Public Facilities and Financing Plan (PFFP). (F)

PUBLIC FACILITY REVIEW. The applicant shall obtain approval of a Public Facility Review (PFR) application for the required wastewater treatment plant and lift stations. (P)

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)

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)

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)

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)

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**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)

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**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)

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**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)

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**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)

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**CULTURAL RESOURCES TRAINING** (Mitigation Measure CUL-9). Prior to onset of construction activities, a workshop shall be held to brief all construction workers and supervisors on the types of cultural and paleontological resources that could be found in the area, in accordance with Mitigation Measure CUL-9. The training shall identify the procedures to be followed should cultural or paleontological resources be encountered during construction as well as the penalties for unauthorized collection of artifacts or fossils and the need to temporarily redirect work away from the location of any unanticipated discovery of archaeological or paleontological resources until it is recorded and adequately documented and treated by a qualified professional. (P)

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**PALEONTOLOGICAL RESOURCES FIELD SURVEY** (Mitigation Measure CUL-10). Prior to issuance of grading permits for each project phase underlain by geologic units with high potential for fossil resources (Figure 3.5-1), the Project proponent shall retain a qualified paleontologist to undertake a comprehensive paleontological field survey of the area covered by the phase. (P)

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**PALEONTOLOGICAL RESOURCES MANAGEMENT PLAN** (Mitigation

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Measures CUL-11 thru 13). Prior to issuance of grading permits for phases determined to be underlain by geologic units with moderate or high potential to contain fossil resources, the Project proponent shall retain a qualified paleontologist to prepare and implement a Paleontological Resource Mitigation Plan (PRMP) in accordance with Mitigation Measures CUL-11 thru 13. The developer shall also provide evidence to the City that a qualified paleontologist has been retained to observe grading activities and to salvage and catalog fossils. The paleontologist shall be present at the pre-construction meeting, shall establish procedures for paleontological resource surveillance and shall also establish procedures for temporarily halting or redirecting work to permit sampling, identification and evaluation of fossils. (P)

**DISCOVERY OF HUMAN REMAINS** (Mitigation Measure CUL-14). In the event that human remains are encountered, work shall halt in the immediate vicinity of the discovery and the San Bernardino County coroner and a qualified cultural resources management professional will be contacted in accordance with Mitigation Measure CUL-14. If the human remains are determined to be those of a Native American, the coroner will notify the Native American Heritage Commission (NAHC) within 24 hours of identification. The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD), who shall help determine what course of action should be taken in dealing with the human remains. Vehicles, equipment and unauthorized personnel will not be permitted within 60 feet of the discovery site until work is allowed to resume. Work may not resume until notification requirements and proper assessments have been completed. (P)

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**LAND USE APPROVAL.** Prior to nonresidential development, including the wastewater treatment plant, lift stations, and other required nonresidential improvements, a Land Use Application shall be filed with the Planning Division for review and approval. (P)

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**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)

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**PUBLIC FACILITIES AND FINANCING PLAN.** Development shall occur in conformance with an adopted Public Facilities and Financing Plan (PFFP) to be submitted to and approved by the City prior to issuance of any permits. The PFFP shall comprehensively address all required public infrastructure, and if necessary, include agreements with the Hesperia Unified School District and the Hesperia Recreation and Park District for payment of fees or dedication of land to address the impacts of the project on school and park facilities. (E, P)

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**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)

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

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**HEALTH RISK ASSESSMENT** (mitigation measure AIR-6). Upon completion of the plans and facility design for the proposed WWRP and sewer lift stations, a Health Risk Assessment shall be conducted to demonstrate that emissions would not expose sensitive receptors within 1,000 feet of the facility to substantial pollutant concentrations. (B)

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**ODOR CONTROL MEASURES** (Mitigation Measure AIR-7). Odor control measures shall be incorporated into the design of the WWRP and sewer lift stations to minimize odors. An odor analysis shall be conducted upon completion of facility design to ensure that odor emissions comply with

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#### **ONGOING CONDITIONS**

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MDAQMD Rule 42 and would not result in objectionable odors for residential uses within two miles of the WWRP and one mile of the sewer lift stations. (B)

**UTILITY RELOCATION/UNDERGROUNDING.** 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)

**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)

**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)

**SEWER CONNECTION REQUIRED.** All residential, commercial, and institutional uses shall connect to sewer. The Developer is responsible for the construction of a wastewater treatment plant with solids handling capacity for the project and capacity for additional projects; producing recycled water suitable for irrigation of landscaped areas. Recycled water shall be utilized within the project to irrigate schools, parks, parkways and other landscaped areas. Design and operation of the wastewater treatment plant shall be coordinated with the City. (E)

**FUEL MODIFICATION ZONE.** The project shall comply with the Fuel Modification Design Criteria report dated July 7, 2014.

**OFF-SITE SOUND WALL** (Mitigation Measures NOI-10 and NOI-12). Prior to issuance of a Certificate of Occupancy for the Phase 1 area, the Project applicant shall, with the permission of the land owner or City (as applicable), install a sound wall along portions of Ranchero Road and "I" Avenue. The noise wall's height, location, and material will be determined through a site-specific acoustical analysis performed by a City-approved acoustical engineer or equivalent. The noise wall shall be of sufficient height and length to ensure that the exterior noise levels at residential outdoor use spaces does not exceed 65 CNEL in accordance with Mitigation Measures NOI-10 and NOI-12. (P)

**MASONRY WALLS AND FENCING.** The required split-face masonry walls and wrought iron fencing shall be completed in accordance with City standards. (P)

**INTERIOR NOISE ATTENUATION** (Mitigation Measures NOI-11 and 13). A site-specific acoustic analysis shall be conducted with the permission of the land owner (as applicable) to ensure that the exterior noise attenuation and/or building design limits the interior noise environment to 45 CNEL or below; this would be necessary for residences along portions of Ranchero Road and along "I" Avenue. Noise attenuation, such as double-paned windows, shall be installed where necessary to achieve interior noise levels that do not exceed 45 CNEL in accordance with Mitigation Measures NOI-11 and 13. The site-specific analysis shall be conducted by a City-approved acoustical engineer or equivalent. (P)

**HYDRANT MARKING.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. (F)



**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>(B) Building Division</b>	<b>947-1300</b>
<b>(E) Engineering Division</b>	<b>947-1476</b>
<b>(F) Fire Prevention Division</b>	<b>947-1603</b>
<b>(P) Planning Division</b>	<b>947-1200</b>
<b>(RPD) Hesperia Recreation and Park District</b>	<b>244-6488</b>

**ATTACHMENT "A"**  
**List of Conditions for TT13-00001**

**Approval Date: January 26, 2016**

**Effective Date: March 04, 2016**

**Expiration Date: March 04, 2019**

This list of conditions applies to the merchant map for the Tapestry Specific Plan Tentative Tract TT13-00001 (TT-18955), to create 2,104 residential units on approximately 986 gross acres within Phase 1 of the Specific Plan located within the northern portion of the project identified as the Mesa Village (Hesperia Venture I, 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 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**

<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	<b>STREET NAME APPROVAL.</b> The developer shall submit a request for street names for all of the interior streets for review and approval by the Building Division. (B)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	<b>LIGHT AND LANDSCAPE DISTRICT ANNEXATION.</b> Developer shall annex property into the lighting and landscape district administered by the Hesperia Recreation and Parks District for all parks two acres and larger (except view parks). The required forms are available from the Building Division and once completed, shall be submitted to the Building Division. (B)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	<b>FINAL MAP.</b> 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 Surveyor's Office Final Map Standards. (E)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	<b>PLANS.</b> 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 package. (E)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	<b>DRAINAGE STUDY.</b> The Developer shall submit the Final Hydrology Hydraulic study identifying the method of collection and conveyance of any tributary flows from off-site as well as the method of control for increased run-off generated on-site and any revisions caused by street/lot changes in the Map. (E)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	<b>TITLE REPORT.</b> The Developer shall provide a complete title report 90 days or newer from the date of submittal. (E)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	<b>GEOTECHNICAL REPORT.</b> 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)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	<b>N.P.D.E.S.</b> 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)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	<b>STORM WATER POLLUTION PREVENTION PLAN.</b> The Developer shall provide a Storm Water Pollution Prevention Plan (S.W.P.P.) which

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addresses the method of storm water run-off control during construction.  
(E)

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

**CONDITIONS, COVENANTS AND RESTRICTIONS.** Conditions, Covenants and Restrictions (CC&Rs) shall be submitted for review and approval by the City prior to recordation. The CC&Rs shall contain the following provisions at a minimum:

A. Establishment of a homeowners association, including membership requirements, members and association rights (powers and obligations), selection of officers, and meetings, which shall occur at least once per quarter with special meetings to occur on an as needed basis, due to special circumstances. The association shall be developed and maintained for the operational lifetime of the project. The association shall operate and maintain all properties, buildings and amenities in accordance with the Specific Plan.

B. Maintenance provisions for parks less than 2 acres in size, view parks, common areas, open space, conservation easements, and trails shall be created to ensure that the project is maintained satisfactorily. The provisions shall include, but need not be limited to the trail systems; retention/detention and other drainage facilities; recreational facilities, including open areas and landscaped areas; walls, gates, fences and signage; and maintenance of buildings within parks and the heritage preserve.

C. Provisions for architectural controls and variances shall be included. Only an architectural review board composed of members of the association shall exercise judgments in these matters.

D. The CC&Rs shall be enforced by the association. Should the CC&Rs be deemed invalid in part by court action, the provisions required as part of this condition shall remain in full force and effect.

E. The CC&Rs or the common amenities addressed therein shall not be terminated, amended, or removed without the prior written authorization of the City of Hesperia.

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

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**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 City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

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SPECIFIC PLAN. These conditions are concurrent with Ordinance No. 2015-10 becoming effective (Tapestry Specific Plan). (P)

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TAPESTRY SPECIFIC PLAN DEVELOPMENT REQUIREMENTS. Recordation or development within this tentative map is contingent upon compliance with all development requirements of the Tapestry Specific Plan, including but not limited to approval of the Development Agreement and a Public Facilities and Financing Plan. (E, P)

**CONDITIONS REQUIRED PRIOR TO RECORDATION OF ANY PHASE OF THE FINAL MAP**

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PRE-PAYMENT OF DEVELOPMENT IMPACT FEES. The Developer shall pre-pay \$12,000,000 of the street portion of the development impact fees prior to recordation of the first phase of the final map. These fees shall be used for improvements to Ranchero Road and I Avenue. (B)

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NOT IN COMPLIANCE

DEDICATION TO CITY FOR PUBLIC FACILITIES. All tentative maps shall provide that all roads, water, sewer, storm drain facilities and associated easements shall be dedicated to the City of Hesperia. Properties intended for parks, police, fire, schools and other public facilities must be dedicated to the City of Hesperia, the Hesperia Recreation and Park District or Hesperia Unified School District. (E)

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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)

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IMPROVEMENT AGREEMENT/SURETY. 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)

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NOT IN COMPLIANCE

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 and as described below. (E)

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INTERIOR STREETS-IOD. The Developer shall grant to the City an irrevocable Offer of Dedication for the interior streets. Streets shall be a minimum of 56 feet wide for Local Roads per the Tapestry Specific Plan. Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways, except at knuckles. (E)

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COST ESTIMATE AND 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)

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NOT IN COMPLIANCE

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 10 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)

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ON-SITE RETENTION. The Developer shall construct on-site retention facilities which have minimum impact to ground water quality. All retention basins shall be designed to effectively handle both nuisance and storm water flows without accumulating standing water for a period longer than 72 hours. All dry wells in retention basins shall be Two-Stage Systems per C.O.H Standard SP-1 with a minimum depth of 30 feet and a maximum depth to be determined by soils engineer at the time of the boring test. Retention basins over 18 inches in depth shall be fenced on all sides and shall have a paved 14-foot wide (min.) 12 percent (max.) access with a 20'

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x 20' concrete parking apron at the bottom of the ramp. The maximum depth of any on-site retention basin shall be 6 feet. Side slopes in excess of 3:1 shall provide erosion control per City requirements. (E)

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

**INTERIOR STREETS.** Shall be designed to the City standard for a 56-foot wide Local Road per the Tapestry Specific Plan, as indicated below. Curb face is to be at 18 feet from centerline: (E)

- A. 6" Curb and Gutter per City standards.
- B. Separated sidewalk (width = 5 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.

**SECONDARY ACCESS.** The Developer is responsible to provide and construct Secondary Access for each phase of the tract. The street improvement (26-foot Min paved section) is required for secondary access per City standards. The Developer shall provide the City with a circulation plan that identifies the best connection points to existing paved street frontages. It is the Developer's responsibility to obtain off-site roadway dedications prior to City Council approval of the Final Map. These improvements shall consist of: (E)

- A. Pavement sections shall be designed per R value testing using a T.I. of 6. The minimum pavement section shall be 3 A.C. over 4 Class II aggregate base.
- B. Pavement transitions per City standards.
- C. Roadway drainage device(s).
- D. Traffic control signs and devices as required by the City Engineer.
- E. Provide a signage and striping plan per City standards.

**UTILITY PLAN.** The Developer shall design a Utility Plan for service connections, private 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)

**UTILITY EASEMENTS.** The Developer shall grant to the City Utility Easements as required to install required water, sewer and storm drain facilities as conditioned below. Said easements shall be indicated on the appropriate final map per the Subdivision Map Act. Off-site easements may be required to complete the infrastructure. (E)

**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. Fire Fly automatic meter reader to be added on all meter connections.

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

**INTERIOR STREETS- WATER.** Interior water service shall be a looped system of 8" minimum 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 Developer's responsibility to obtain any dedication(s) or

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easement(s) needed to construct water line. The Developer shall provide plan and profile per City standards. (E)

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

**INTERIOR STREETS- SEWER.** The Developer shall provide the appropriate sewer lines necessary to serve the project per the City Engineer. The Developer is required to provide a minimum diameter of 8" S.D.R. 35 P.V.C. sewer lines within the tract. Any sewer easements that are required will be a minimum of 15 feet in width on one lot unless it is shared with another utility, in which case 20 feet on one lot is required. It is the Developer's responsibility to obtain any dedication(s) or easement(s) needed to construct sewer line. The Developer shall provide plans and profiles per City standards. (E)

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

**INTERIOR STREETS- Storm Drain.** The Developer shall provide the appropriate storm drains necessary to serve the project per the Master Drainage Study for the Tapestry Specific Plan and the City Engineer. (E)

**ELECTRONIC COPIES.** The Developer shall provide electronic copies of the approved project in AutoCAD format Version 2007 to the City's Engineering Department. (E)

**FIRE ACCESS.** The development shall have a minimum of TWO points of vehicular access. These are for fire emergency equipment access and for evacuation routes. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions. Multi Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. All Fire access shall comply with the Fire Protection Plan dated July 7, 2014. (F)

**WATER SYSTEM.** Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. (F)

**WATER SYSTEM-RESIDENTIAL.** A water system approved by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than six hundred (600) feet apart (as measured along vehicular travel ways) and no more than three hundred (300) feet from any portion of a structure. Temporary fire water systems are not permitted. (F)

**FIRE TURNAROUND.** An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sacs shall not provide access for more than 22 lots. Roadways shall not exceed a 12% grade and shall have a minimum forty (40) foot turning radius. (F)

**EMERGENCY ACCESS.** A minimum 26-foot wide all-weather emergency/evacuation access with gates and Knox boxes at each end shall be developed within Lots "UUU" and "ZZZ." This will provide a necessary connection between Streets "JJJJ" and "RRRR" in accordance with San Bernardino County Fire Department standards. (F)

**AVIGATION EASEMENT.** A portion of the project site is located within Safety Area C for Hesperia Airport as identified in the City's adopted Comprehensive Airport Land Use Plan. The developer shall record an Avigation Easement to Hesperia Airport as approved by the City Attorney.

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The easement and the required application and fees shall be submitted to the Planning Division prior to review and approval by the City for recordation. (P)

**CONCURRENCY PLAN.** Prior to recordation of a final map for any phase, a concurrency plan shall be submitted to the City illustrating improvements outlined in the PFFP required to be constructed with that phase. The concurrency plan must be approved by the reviewing authority prior to issuance of permits for development within the associated phase. (P)

**CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY**

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**DEMOLITION OF ON-SITE STRUCTURES** (Mitigation Measure HAZ-1). Prior to implementing associated demolition operations, an evaluation of the potential occurrence of asbestos-containing materials (ACMs), lead-based paint (LBP) and/or polychlorinated biphenyls (PCBs) shall be conducted for demolition/removal of pertinent on-site structures, including the abandoned fire station and telephone office, previously occupied structures in the "rock house" complex and applicable power pole transformers in accordance with Mitigation Measure HAZ-1. (B)

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NOT IN COMPLIANCE

**ACOUSTIC STUDY** (Mitigation Measure NOI-1). Prior to approval of building permits for residential development along Rancho Las Flores Parkway and all on-site four lane roads within the Specific Plan area (including Phase 1), a site-specific interior acoustic analysis shall be conducted using the Year 2036 Buildout Traffic volumes for all single- and multi-family residences proposed for development in areas where exterior sound levels are projected to exceed 60 Community Noise Equivalent Level (CNEL). The analysis shall ensure that the building design limits the interior noise environment to 45 CNEL or below in accordance with Mitigation Measure NOI-1. (B)

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**NOISE BARRIERS** (Mitigation Measure NOI-3). Prior to approval of building permits for residential or park development along Rancho Las Flores Parkway, noise barriers shall be constructed that reduce exterior use area noise levels to City standards (below 65 CNEL) in accordance with Mitigation Measure NOI-3. (B)

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NOT IN COMPLIANCE

**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)

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NOT IN COMPLIANCE

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

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NOT IN COMPLIANCE

**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)

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**RETENTION AND DRAINAGE FACILITIES.** The required retention basin(s) and other drainage facilities for each phase shall be designed and completed in accordance with City standards. (E, P)

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**EROSION CONTROL.** Prior to issuance of a grading permit, the developer and all contractors 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

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filed and accepted by the State. (E)

**STORM WATER POLLUTION PREVENTION PLAN.** The Developer shall provide a Storm Water Pollution Prevention Plan (S.W.P.P.) which addresses the method of storm water run-off control during construction. (E)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

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

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NOT IN COMPLIANCE

**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)

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NOT IN COMPLIANCE

**MEDIUM DENSITY RESIDENTIAL LOTS.** The Developer shall provide a site plan for review and approval for the development of any portion of Lots 25 and 26 of Tract 18989. (P)

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**COMBUSTIBLE PROTECTION.** Prior to combustibles being placed on the project site, an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. (F)

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NOT IN COMPLIANCE

**FIRE SPRINKLER NFPA#13/13D/13R.** Automatic fire sprinkler systems complying with NFPA Pamphlet #13/13D/13R and the Fire Department standards are required. The fire sprinkler contractor shall submit three (3) sets of plans (minimum 1/8" scale) and shall include hydraulic calculations and manufacturer's specification sheets. The required fees shall be paid at the time of plan submittal. (F)

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NOT IN COMPLIANCE

**FUEL MODIFICATION ZONE.** The project shall comply with the Fuel Modification Design Criteria report dated July 7, 2014. (F)

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NOT IN COMPLIANCE

**SENSITIVE PLANT COMMUNITIES (Mitigation Measure BIO-2).** During the City's normal project-specific environmental review (Initial Study) process for all future, discretionary, public improvement and private development projects beyond Phase 1, the City shall determine the possible presence of, or confirm the extent of, potential impacts of the action on sensitive vegetation communities. Mitigation for impacts to sensitive vegetation communities shall be provided in accordance with Mitigation Measure BIO-2, prior to the issuance of grading permits for each phase of development. (P)

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NOT IN COMPLIANCE

**JURISDICTIONAL DELINEATION (Mitigation Measure BIO-5).** During the City's normal project-specific environmental review (Initial Study) process for all future, discretionary, public improvement and private development projects beyond Phase 1, a qualified biologist shall conduct a jurisdictional delineation to identify Waters of the US (WUS) and Waters of the State (WS) in accordance with Mitigation Measure BIO-5. The results of the delineation shall be summarized in a Jurisdictional Delineation Report, subject to approval by the City, RWQCB, U.S. Army Corps of Engineers (USACE) and California Department of Fish and Wildlife (CDFW). (P)

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**IMPACT MITIGATIONS FOR WATERS OF THE US AND WATERS OF THE STATE (Mitigation Measure BIO-6).** Impacts upon Waters of the US and Waters of the State shall first be avoided and then minimized to the maximum extent practicable by the Project design. Where avoidance of these areas is not feasible, mitigation shall be provided in accordance with Mitigation Measure BIO-6 to the satisfaction of the City, USACE, CDFW, and/or RWQCB, as applicable. The types of mitigation required may include on-site protection, enhancement, restoration, establishment (creation) or a combination thereof. Mitigation shall be in-kind and in the same watershed as the impacts. (P)

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NOT IN COMPLIANCE

**LISTED PROTECTED PLANTS (Mitigation Measures BIO-8 thru 11).** During the City's normal project-specific environmental review (Initial Study) process for all future, discretionary, public improvement and private development projects, a qualified biologist shall conduct surveys during



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NOT IN COMPLIANCE

the appropriate season(s) to identify special status plant species locations and numbers within the subject phase of development in accordance with Mitigation Measures BIO-8 thru 11. The results of the surveys shall be summarized in a report, subject to approval by the City. (P)

**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 reseeding (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)

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**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)

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NOT IN COMPLIANCE

**AVIAN BREEDING SURVEY** (Mitigation Measure BIO-18). It is anticipated that vegetation clearing shall generally be scheduled to take place outside of the general avian breeding season (which generally occurs from February through August). Tree removal/trimming shall generally be scheduled to take place outside the raptor breeding season (which generally occurs from January through August). Each phase of development will be subject to the specific date restrictions in use by the City at the time grading permits for that phase are issued. If vegetation clearing and/or tree removal/trimming cannot occur outside the general avian and raptor breeding seasons, then a pre-construction survey for avian nesting shall be conducted by a qualified biologist within seven calendar days prior to construction. A report summarizing the survey results shall be submitted to the City prior to the initiation of grading activities. (P)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**CULTURAL RESOURCES MANAGEMENT PLAN** (Mitigation Measures CUL-1 thru 8). Prior to issuance of grading permits for each Project phase beyond Phase 1, any historical or archaeological resources identified within the area covered by the TTM that cannot feasibly be preserved in place shall be evaluated for listing on the CRHR in accordance with Mitigation Measures 1 thru 8. To obtain sufficient data to assess the significance and integrity of the affected cultural resources, a cultural resources evaluation program shall be completed by a qualified cultural resources management professional. The evaluation program will include the development of an appropriate research design and methodological approach to evaluate all known historical and archaeological resources that have the potential to be impacted by development. The findings of the cultural resources evaluation program shall be presented in a technical report to be submitted to the City for review and approval. (P)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**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)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**CULTURAL RESOURCES TRAINING** (Mitigation Measure CUL-9). Prior to the onset of construction activities, a workshop shall be held to brief all construction workers and supervisors on the types of cultural and

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NOT IN COMPLIANCE

paleontological resources that could be found in the area in accordance with Mitigation Measure CUL-9. The training shall identify the procedures to be followed should cultural or paleontological resources be encountered during construction as well as the penalties for unauthorized collection of artifacts or fossils and the need to temporarily redirect work away from the location of any unanticipated discovery of archaeological or paleontological resource until it is recorded and adequately documented and treated by a qualified professional. (P)

**PALEONTOLOGICAL RESOURCES FIELD SURVEY** (Mitigation Measure CUL-10). Prior to issuance of grading permits for each project phase underlain by geologic units with high potential for fossil resources (Figure 3.5-1), the Project proponent shall retain a qualified paleontologist to undertake a comprehensive paleontological field survey of the area covered by the TTM. (P)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**PALEONTOLOGICAL RESOURCES MANAGEMENT PLAN** (Mitigation Measures CUL-11 thru 13). Prior to issuance of grading permits for phases determined to be underlain by geologic units with moderate or high potential to contain fossil resources, the Project proponent shall retain a qualified paleontologist to prepare and implement a Paleontological Resource Mitigation Plan (PRMP) in accordance with Mitigation Measures CUL-11 thru 13. The developer shall also provide evidence to the City that a qualified paleontologist has been retained to observe grading activities and to salvage and catalog fossils. The paleontologist shall be present at the pre-construction meeting, shall establish procedures for paleontological resource surveillance and shall also establish procedures for temporarily halting or redirecting work to permit sampling, identification and evaluation of fossils. (P)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**DISCOVERY OF HUMAN REMAINS** (Mitigation Measure CUL-14). In the event that human remains are encountered, work shall halt in the immediate vicinity of the discovery and the San Bernardino County coroner and a qualified cultural resources management professional will be contacted in accordance with Mitigation Measure CUL-14. If the human remains are determined to be those of a Native American, the coroner will notify the Native American Heritage Commission (NAHC) within 24 hours of identification. The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD), who shall help determine what course of action should be taken in dealing with the human remains. Vehicles, equipment and unauthorized personnel will not be permitted within 60 feet of the discovery site until work is allowed to resume. Work may not resume until notification requirements and proper assessments have been completed. (P)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**LAND USE APPROVAL.** Prior to nonresidential development, a Land Use Application shall be filed with the Planning Division for review and approval. (P)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**LANDSCAPE AND IRRIGATION 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 with the required application fees. The landscaping plans shall be for the required landscaping along arterial streets, landscaping area along the street side yard and front yards of numbered lots, and within retention areas as required by the Planning 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, RPD)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**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)

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

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

HVAC CONDENSER NOISE ATTENUATION (Mitigation Measure NOI-4). Prior to issuance of Certificates of Occupancy for each development phase, attenuation of exterior heating, ventilation and air conditioning (HVAC) noise to levels to 55 dBA LEQ (for usable outdoor space) shall be ensured in accordance with Mitigation Measure NOI-4. (B)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

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**      **COMPLIED BY**  
NOT IN COMPLIANCE

RESOURCE AND ENERGY CONSERVATION. Water conserving appliances and energy-saving devices, including solar panels, shall be installed at all residences, as well as commercial, industrial and other related structures to minimize energy and water use in the project and shall be a condition of issuance of building permits in accordance with Section 7 of the Tapestry Specific Plan. Architectural standards shall be considered, but shall not be used to preclude the deployment of solar panels on buildings or structures within the Tapestry Specific Plan. (B)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

GROUNDWATER RECHARGE. Storm drains and detention or retention measures shall be designed to assist groundwater recharge, and to minimize impact to downstream properties. All storm water facilities shall meet National Pollution Discharge Elimination Standards (NPDES) and local standards for the treatment of storm water prior to discharge into any natural wash or any storm drain system. (E)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

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**      **COMPLIED BY**  
NOT IN COMPLIANCE

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**      **COMPLIED BY**  
NOT IN COMPLIANCE

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**      **COMPLIED BY**  
NOT IN COMPLIANCE

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**      **COMPLIED BY**  
NOT IN COMPLIANCE

FIRE STATIONS (Mitigation Measure PUB-1). Prior to issuance of Certificates of Occupancy for each development phase, the applicant shall demonstrate to the satisfaction of the Fire Chief that fire service facilities existing at that time are adequate to enable the fire protection servers to achieve the City's response time goal of six minutes for the subject development phase and existing development in accordance with Mitigation Measure PUB-1. (F)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

HYDRANT MARKING. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. (F)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

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

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

PARKS AND TRAILS. Parks as well as pedestrian, equestrian, and bicycle trails shall be designed and developed in accordance with the Specific Plan and constructed in accordance with the concurrency plan approved by the City of Hesperia and dedicated to the City or the City's designee.

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

(P, RPD)

**FENCING PLANS.** A Low Masonry Wall with W.I. Fencing shall be constructed on private property along the boundary of the retention basins in accordance with Section 16.4.6 of the Tapestry Specific Plan (except along the boundary of the basin abutting private lots, where a six foot high split face masonry wall with decorative cap is required). Two complete sets of engineered construction plans for the required fencing shall be submitted to the Building and Safety counter. (P)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**MASONRY WALLS AND FENCING.** The required masonry walls and wrought iron fencing shall be completed in accordance with City standards. (P)

#### **ONGOING CONDITIONS**

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**TRASH AND WASTE REDUCTION.** Transfer stations associated with waste reduction facilities and programs shall be implemented to help meet countywide and statewide waste reduction and recycling objectives. The project shall implement procedures regarding construction debris in accordance with the City's Municipal Code, and shall utilize the City's franchised trash company. (B)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**VALIDATION OF TRAFFIC IMPACT ANALYSIS.** The Traffic Impact Analysis (TIA) shall be reviewed and validated prior to issuance of building permits for the 1st unit within Phase 1 and the project conditions of approval shall be adjusted accordingly. The TIA shall be revalidated for each additional 10% of the units within Phase 1 in order to prioritize and require construction of infrastructure improvements, including but not limited to, the four off-site traffic signals to be constructed along Ranchero Road (Maple Avenue, Seventh Avenue, Farndale Avenue and Danbury Avenue, along with the associated widening of street segments and intersections). Prior to development within subsequent phases, the TIA shall be validated to account for existing and proposed development as well as any Specific Plan Amendments or density transfers approved in accordance with the Specific Plan. In addition to the foregoing, the developer shall:

a. Construct off-site improvements including widening of Ranchero Road from Mariposa Road to Seventh Avenue, and then from Danbury Avenue to I Avenue per the approved Traffic Impact Analysis (TIA). Improvements shall include a multi-lane bridge over the Southern California Aqueduct and expansion of the Railroad at-grade crossing. (E, P)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**BUS STOPS AND TURNOUTS.** The Specific Plan shall include facilities to promote circulation efficiency, such as bus stops and turnouts. A comprehensive operational analysis shall be completed in cooperation with the Victor Valley Transit Authority to determine service capabilities and associated costs. The timing and implementation of the required transit facilities and equipment shall be included in the PFFP and said facilities shall be incorporated into the approved plans for each development phase and tentative map. (E)

**COMPLETED**      **COMPLIED BY**  
NOT IN COMPLIANCE

**STREET AND HIGHWAY FUNDING AND IMPROVEMENTS.** The number of units that may be permitted at any given time shall be conditioned on the construction of the required improvements to the Hesperia Street network, including Ranchero Road or other alternative routes which are determined by the City to be needed to accommodate the increased volume of circulation to be generated by the development and to the construction of other required infrastructure and public or community facilities needed to support the proposed units. These required improvements shall be substantiated by the traffic impact analysis and any subsequent validations as the project is developed. (E, P)

**COMPLETED**      **COMPLIED BY**  
IN COMPLIANCE

**OFF-ROAD VEHICLE USE PROHIBITED.** Recreational all-terrain vehicle use shall be prohibited throughout the project area. (P)

**COMPLETED**      **COMPLIED BY**

**WOOD BURNING FIREPLACES/OPEN BURNING.** Open burning will be

NOT IN COMPLIANCE

restricted or prohibited within the project area. Fireplaces shall not be designed to burn wood. Fireplaces using natural gas or pellet stoves are permitted. (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>(B) Building Division</b>	<b>947-1300</b>
<b>(E) Engineering Division</b>	<b>947-1476</b>
<b>(F) Fire Prevention Division</b>	<b>947-1603</b>
<b>(P) Planning Division</b>	<b>947-1200</b>
<b>(RPD) Hesperia Recreation and Park District</b>	<b>244-5488</b>