

City of Hesperia STAFF REPORT



ATTACHMENT 9

*The Following Attachments Were Provided to the Planning Commission for Review on 2-14-2019

DATE: February 14, 2019
TO: Planning Commission
FROM: Chris Borchert, Acting Principal Planner
BY: Daniel Alcayaga, Senior Planner
SUBJECT: General Plan Amendment GPA17-00003 & Tentative Tract TT17-00002 (TT-17339); Applicant: Yogesh Goradia; APN: 0398-031-41 & 42

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution Nos. PC-2019-04 and PC-2019-05, recommending that the City Council approve GPA17-00003 and TT17-00002.

BACKGROUND

Proposal: A General Plan Amendment from Rural Residential-Special Development (RR-SD) to Single-Family Residence with a minimum lot size of 18,000 square feet (R1-18000), and a Tentative Tract Map to create 16 single-family residential lots on 11.1 acres of a 20.2 gross acre site. The smallest lot within the subdivision is 18,000 square feet, the average lot size is 18,817 square feet, and the largest lot is 20,958 square feet in area.

Location: On the west side of Arrowhead Lake Road, approximately 900 feet south of Calpella Avenue.

Current General Plan, Zoning and Land Uses: The site is within the Rural Residential-Special Development (RR-SD) General Plan designation and zoning. The General Plan designates a Utility Corridor going through the middle of the property. The surrounding land is designated as noted on Attachment 2. The properties to the north are vacant and include a single-family residence. The land is vacant to the south and west. Hesperia Lake Park exists to the east (Attachment 3).

ISSUES/ANALYSIS

Land Use: The tentative tract would create 16 single-family residential lots on 11.1 gross acres, resulting in a density of 1.4 dwelling units per acre. The subdivision includes a 12,073 square foot lot to be used as a retention basin. The tract will be developed in a single phase. All single-family residences within this subdivision will contain a minimum livable area of 1,400 square feet. The lots comply with the 18,000 square foot minimum lot size, as well as the 60-foot minimum lot width and the 100-foot minimum lot depth requirements.

The land's current General Plan designation is RR-SD. Properties that are designated RR-SD typically have minimal or no infrastructure, varying topography or other developmental constraints. The General Plan calls for these properties to be developed with a specific plan from which a variety of densities can be proposed to be supported by adequate infrastructure. Otherwise, the land should be developed with lot sizes of 2 ½ acres.

The R1-18000 designation is appropriate in that other properties nearby are similarly zoned. There is a combination of properties designated RR-20000 and R1-18000 in the area making the General Plan Amendment consistent with surrounding properties. The applicant has submitted a development proposal that shows the proposed residential subdivision can stand alone. The proposal addresses all infrastructure needs and other developmental constraints. Primary access to the subdivision will be from Arrowhead Lake Road. The subdivision will connect to a water line that exists in Arrowhead Lake Road. The development can use private septic systems for sewage disposal consistent with the adopted Local Agency Management Plan (LAMP). The site is affected by a significant amount of drainage. As a result, the subdivision will dedicate a large portion of the property for a drainage easement to allow flows to be conveyed through the property.

The 16 single-family residential lots are proposed on the east 11.1 acres of the 20.2-acre site. The General Plan Amendment from RR-SD to R1-18000 only applies to the east 11.1 acres. The remaining 9.1 acres will remain undeveloped, as there is a 100' wide gas easement and a large drainage easement on that portion of the property. The General Plan designates this gas easement as a Utility Corridor. In the future, there is a possibility that lots can be created on the west end of the property along Calpella Avenue. To meet fire standards, any tract map proposed on the west portion of the property would need to have two points of access. Calpella Avenue is not a through street to the south; therefore, two points of access do not exist at this time. The proposed 16 lot subdivision meets Fire Department standards.

Drainage: A large drainage course runs through the property, which handles 4,159 cubic feet per second (cfs) during a 100-year storm event. This drainage easement has a maximum width of 370 feet at the upstream end and minimum width of 195 feet at the downstream end. The proposed residential subdivision will be elevated and will be protected with rip-rap along the subdivision's southwestern boundary.

All drainage created on-site beyond that which has occurred historically would be detained within a detention/retention basin within the tract. The Hesperia Recreation and Park District and the City will maintain this lettered lot upon improvement completion and dedication to the City of Hesperia. The retention basin will be enclosed with a six-foot high decorative fence and wall. A four-foot high wrought iron fence will sit atop of a two-foot high decorative masonry wall along the street side, and by a six-foot high decorative wall along the sides bounded by private property.

Water and Sewer: The project will connect to an existing 8-inch PVC water line in Arrowhead Lake Road. The subdivision will use private septic systems for sewage disposal. The subdivision is eligible to use septic systems because all the lots sizes are a minimum of 18,000 net square feet consistent with the adopted LAMP.

Street Improvements: The proposed project fronts upon Arrowhead Lake Road, which are to be constructed as a 100-foot wide Arterial roadway. As part of development of this project, Arrowhead Lake Road will be constructed to City standards, including curb, gutter, and sidewalk across the project frontage and pavement tapers beyond the frontage, improving safety.

Traffic: According to the Institute of Traffic Engineers, Trip Generation, 9th Edition, approval of the proposed 16-lot subdivision would create an estimated 153 daily vehicle trips (9.57 daily trips per dwelling unit). During the development review process, there were extensive revisions to the tract map's internal circulation plan in order to limit the number of connections along Arrowhead Lake Road. Due to its size, the project alone will not result in changes to traffic patterns in the area.

Schools and Parks: The development is about one mile east of Ranchero Middle School, and is three miles southeast of Sultana High School. Hesperia Lake Park is located directly on the opposite side of Arrowhead Lake Road to the east.

Environmental: A Mitigated Negative Declaration (MND) has been prepared for the project pursuant to the California Environmental Quality Act (CEQA) (Attachment 4). A biological assessment and a protected plant plan were required. The biological assessment shows that the site does not contain habitat for the desert tortoise nor any other threatened or endangered species. However, a pre-construction survey for the burrowing owl will be conducted prior to issuance of a grading permit. A protected plant plan was also submitted, which ensures that all transplantable plants protected by the City's Ordinance will be handled in accordance with the City's Protected Plant Ordinance. Pursuant to AB-52 & SB-18, the City consulted with San Manuel Band of Mission Indians and Twenty-Nine Palms Band of Mission Indians. As a result of consultation, it was agreed that archeological and tribal monitors would be present during all soil disturbing and grading activities due to the potential of finding culturally sensitive resources on the site.

Conclusion: The project conforms to the policies of the City's General Plan and meets the standards of the Development Code.

FISCAL IMPACT

Development will be subject to payment of all development impact fees adopted by the City.

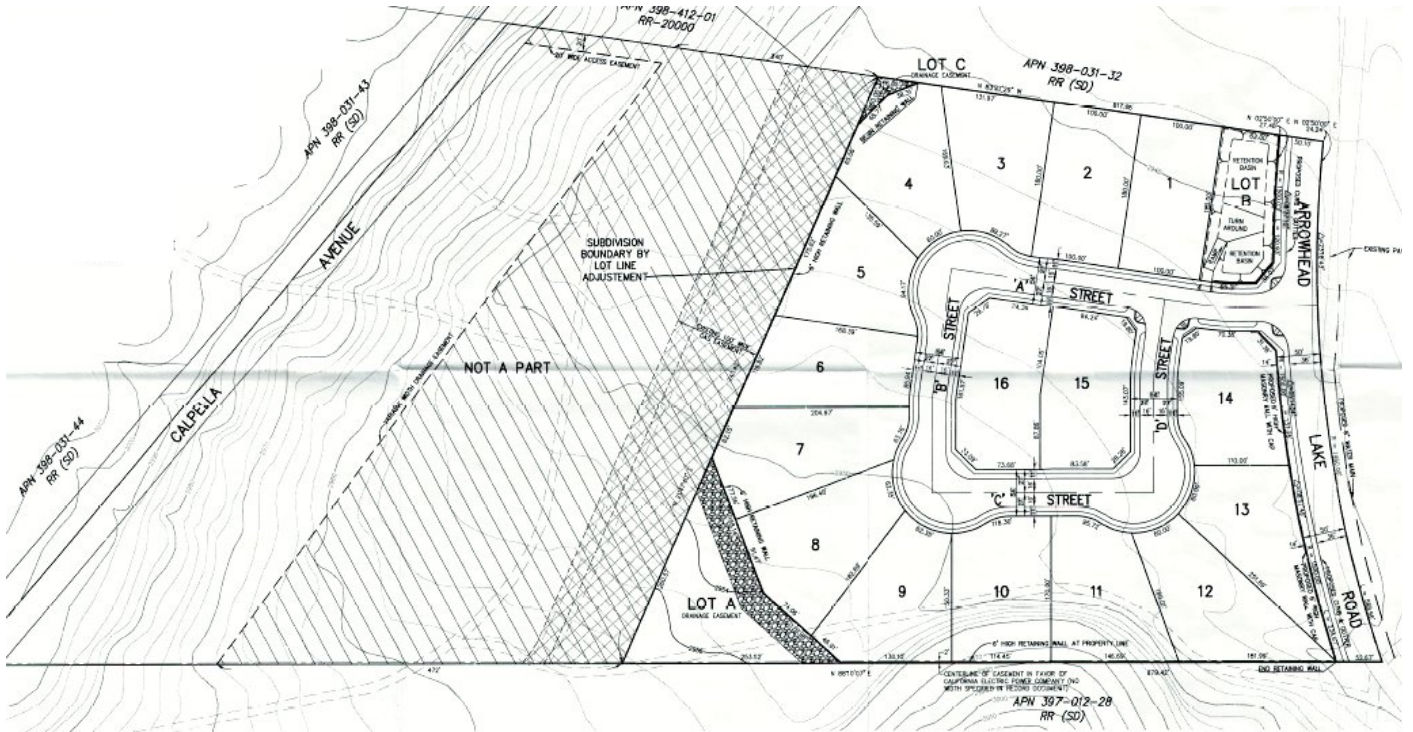
ALTERNATIVE

Provide alternative direction to staff.

ATTACHMENTS

1. Tentative Tract TT17-00002 (TT-17339)
2. General Plan Land Use Map
3. Aerial Photo
4. Mitigated Negative Declaration and Initial Study
5. Resolution No. PC-2019-04, with Exhibit "A"
6. Resolution No. PC-2019-05, with list of conditions

ATTACHMENT 1



APPLICANT(S): YOGESH GORADIA

FILE NO(S): GPA17-00003 and TT17-00002

LOCATION: ON THE WEST SIDE OF ARROWHEAD LAKE ROAD, APPROXIMATELY 900 FEET SOUTH OF CALPELLA AVENUE.

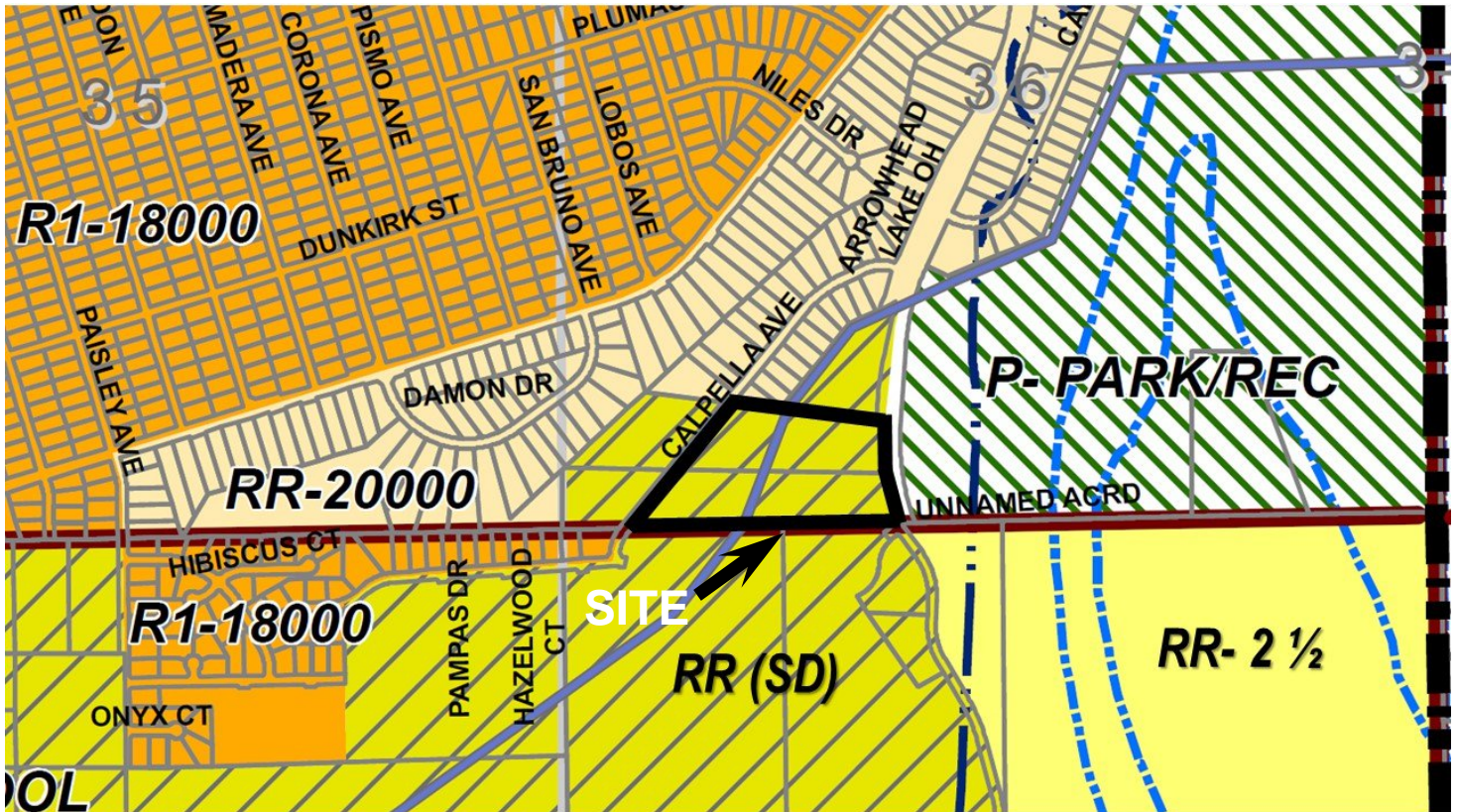
APN(S): 0397-161-32

PROPOSAL: CONSIDERATION OF A GENERAL PLAN AMENDMENT FROM RR-SD TO R1-18000 AND A TENTATIVE TRACT MAP TO CREATE 16 SINGLE-FAMILY RESIDENTIAL LOTS ON 11.1 ACRES OF A 20.2 GROSS ACRE SITE



TENTATIVE TRACT MAP

ATTACHMENT 2



APPLICANT(S): YOGESH GORADIA

FILE NO(S): GPA17-00003 and TT17-00002

LOCATION: ON THE WEST SIDE OF ARROWHEAD LAKE ROAD, APPROXIMATELY 900 FEET SOUTH OF CALPELLA AVENUE.

APN(S): 0397-161-32

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GENERAL PLAN & ZONING MAP

ATTACHMENT 3



APPLICANT(S): YOGESH GORADIA

FILE NO(S): GPA17-00003 and TT17-00002

LOCATION: ON THE WEST SIDE OF ARROWHEAD LAKE ROAD, APPROXIMATELY 900 FEET SOUTH OF CALPELLA AVENUE.

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AERIAL PHOTO

ATTACHMENT 4

CITY OF HESPERIA PLANNING DIVISION
9700 Seventh Avenue, Hesperia, California 92345
(760) 947-1224 FAX (760) 947-1221

PROPOSED NEGATIVE DECLARATION ND-2019-01
Preparation Date: January 28, 2019

Name or Title of Project: General Plan Amendment GPA17-00003 & Tentative Tract TT17-00002 (TT-17339)

Location: On the west side of Arrowhead Lake Road, approximately 900 feet south of Calpella Avenue (APNs: 0398-031-41 & 42)

Entity or Person Undertaking Project: Yogesh Goradia, 32063 Pacifica Drive, Rancho Palos Verde, CA 90275

Description of Project: Consideration of General Plan Amendment GPA17-00003 from Rural Residential-Special Development (RR-SD) to Single-Family Residence with a minimum lot size of 18,000 square feet (R1-18000), and Tentative Tract TT17-00002 (TT-17339) to create 16 single-family residential lots on 11.1 acres of a 20.2 gross acre site. The subdivision includes a 12,073 square foot lot to be used as a retention basin. The subdivision will dedicate a large portion of the property for a drainage easement to allow flows to be conveyed through the property. The project will connect to an existing 8-inch PVC water line in Arrowhead Lake Road. The subdivision will use private septic systems for sewage disposal. Arrowhead Lake Road will be constructed to City standards, including curb, gutter, and sidewalk across the project frontage and pavement tapers beyond the frontage.

Statement of Findings: The Planning Commission has reviewed the Initial Study for this proposed project and has found that there are no significant adverse environmental impacts to either the man-made or physical environmental setting with inclusion of the following mitigation measures and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

Mitigation Measures:

1. The applicant shall water all unpaved areas as necessary to control dust.
2. A pre-construction survey for the burrowing owl shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.
3. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.
4. Archeological and tribal monitors shall be present during all soil disturbing and grading activities consistent with the project's conditions of approval.

A copy of the Initial Study and other applicable documents used to support the proposed Mitigated Negative Declaration is available for review at the City of Hesperia Planning Department.

Public Review Period: February 1, 2019 through March 2, 2019

Tentative Hearing Date: February 14, 2019 & March 5, 2019

Attest:

DANIEL ALCAYAGA, AICP, SENIOR PLANNER

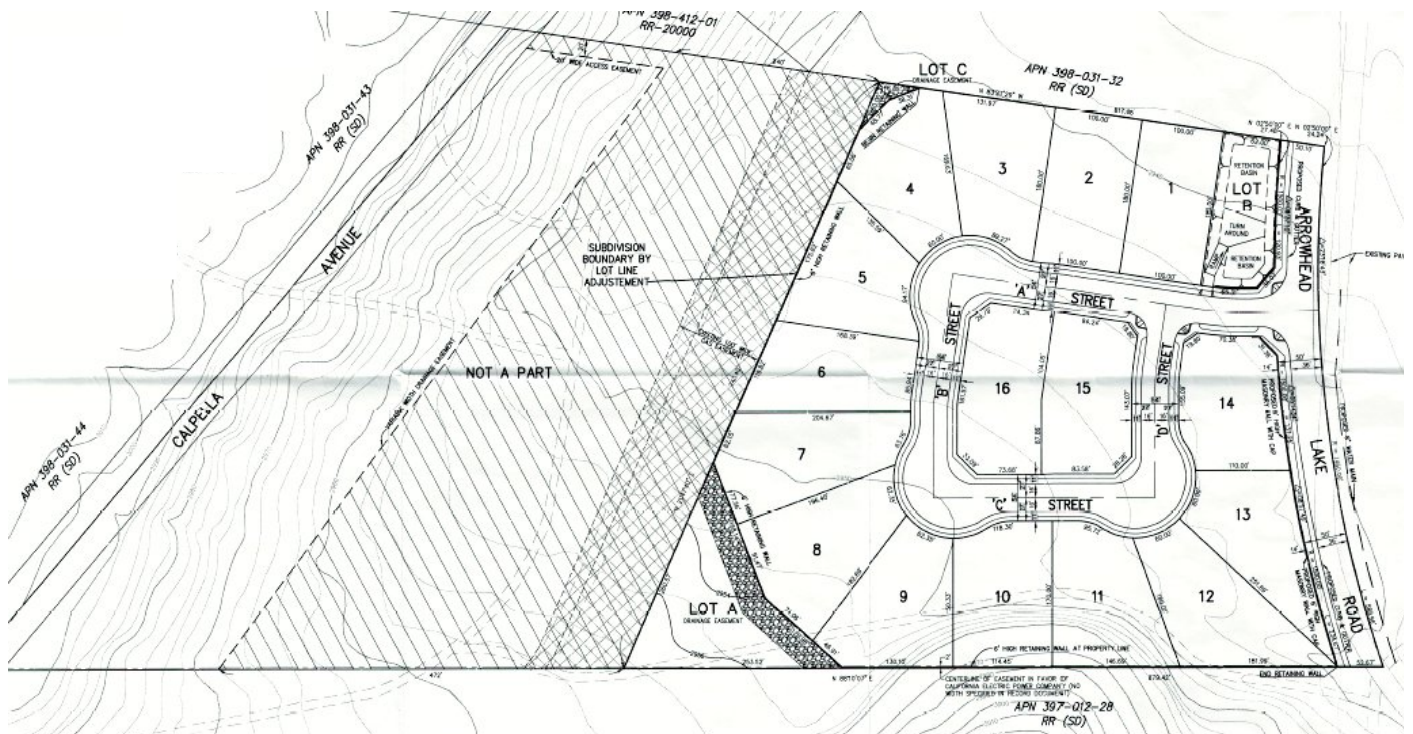
**CITY OF HESPERIA INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM**

PROJECT DESCRIPTION

1. **Project Title:** General Plan Amendment GPA17-00003 & Tentative Tract TT17-00002 (TT-17339)
2. **Lead Agency Name:** City of Hesperia Planning Division
Address: 9700 Seventh Avenue, Hesperia, CA 92345.
3. **Contact Person:** Daniel S. Alcayaga, AICP, Senior Planner
Phone number: (760) 947-1330.
4. **Project Location:** On the west side of Arrowhead Lake Road, approximately 900 feet south of Calpella Avenue (APNs: 0398-031-41 & 42)
5. **Project Sponsor:** Yogesh Goradia
Address: 32063 Pacifica Drive
Rancho Palos Verde, CA 90275
6. **General Plan & zoning:** The site is within the Rural Residential – Special Development (RR-SD) zone
7. **Description of project:** Consideration of General Plan Amendment GPA17-00003 from Rural Residential-Special Development (RR-SD) to Single-Family Residence with a minimum lot size of 18,000 square feet (R1-18000), and Tentative Tract TT17-00002 (TT-17339) to create 16 single-family residential lots on 11.1 acres of a 20.2 gross acre site. The subdivision includes a 12,073 square foot lot to be used as a retention basin. The subdivision will dedicate a large portion of the property for a drainage easement to allow flows to be conveyed through the property. The project will connect to an existing 8-inch PVC water line in Arrowhead Lake Road. The subdivision will use private septic systems for sewage disposal. Arrowhead Lake Road will be constructed to City standards, including curb, gutter, and sidewalk across the project frontage and pavement tapers beyond the frontage. **A site plan for the project is illustrated on page 2.**
8. **Surrounding land uses and setting:** (Briefly describe the project's surroundings.)

The properties to the north and west are within the RR-20000 zone. The land to the south is within the Rural Residential – Special Development (RR-SD) zone. The land to the east is zoned Public (P-Park/Rec). The properties to the north are vacant and include a single-family residence. The land is vacant to the south and west. Hesperia Lake Park exists to the east.
9. **Other public agency whose approval is required** (e.g., permits, financing approval, or participation agreement.) This project is subject to review and approval by the Mojave Desert Air Quality Management District, the Hesperia Water District, Southern California Edison, and Southwest Gas.

EXHIBIT "A"



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (Completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature

Daniel S. Alcayaga, AICP, Senior Planner, Hesperia Planning Division

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting information sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista (1) ?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway (1 & 2) ?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings (1 & 4) ?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area (7) ?			X	

Comments.

The property is currently vacant with scattered vegetation **(1)**. The project is bounded by the Arrowhead Lake Road to the east. The site is not in close proximity to any scenic vistas, scenic resources or historic buildings **(2, 3 & 58)**. Arrowhead Lake Road is not considered a scenic highway. The site's proximity to existing development and the current site condition is evidence that the project would have a limited impact upon the visual character of the area. Consequently, the site is not considered a scenic resource.

The proposed residential subdivision will not have any adverse impact to the aesthetics of the area as the residential development is subject to Title 16 zone district **(5 & 6)**, which limit the building height and provide for minimum yard and lot coverage standards as implemented through the building permit review process. The proposed architectural designs and earth tone colors of the buildings will complement the surrounding developments. Consequently, development of the proposed project will not have a significant negative impact upon the visual character or quality of the area **(4)**.

The project will produce light similar to that already being produced by nearby developments and will be subject to the Development Code, which limits the amount of light produced at the boundary of the site, which will not have an adverse impact upon the surrounding properties. The lighting standard will ensure that the development will not have an adverse impact upon the surrounding properties. Further, lighting fixtures must be hooded and directed downward.

The Environmental Impact Report (EIR) for the 2010 General Plan Update addressed development to the maximum build-out of the General Plan **(7)**. This project site is not adjacent to sensitive land uses. Based upon regulations applicable to the project, the use will not adversely affect day or nighttime views in the area. Therefore, approval of the proposed project will not have a negative impact upon aesthetics.

II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and State Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use (8) ?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract (9) ?				X
c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) (9 & 10) ?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use (1 & 10) ?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use (8 & 10) ?				X

Comments.

The project site has been partially disturbed, and is not presently, nor does it have the appearance of previous agricultural uses. Additionally, the site does not contain any known unique agricultural soils. Based on the lack of neither past agricultural uses nor designated agricultural soils on the project site, it is concluded that the project will not result in significant adverse impacts to agriculture or significant agricultural soils. The soil at this location is classified by the U.S. Soil Conservation Service as Cajon-Wasco, cool, complex, 2 to 9 percent slopes. This soil is limited by moderate to high soil blowing hazard, high water intake rate, and low to moderate available water capacity **(8)**. The proximity of developed uses is further evidence that the site is not viable for agriculture. The U.S. Department of Agriculture, Soil Conservation Service (SCS) Soil Survey of San Bernardino County California Mojave River Area states that "Urban and built-up land and water areas cannot be considered prime farmland..." **(20)**. The project is located within an urbanized area which, according to the SCS, is not considered prime farmland. The site is also not within the area designated by the State of California as "unique farmland **(8)**." The City of Hesperia General Plan does not designate the site for agricultural use nor is the land within a Williamson Act contract. Therefore, this project has no potential to be used for agriculture.

The City and its Sphere of Influence (SOI) is located within the Mojave bioregion, primarily within the urban and desert land use classes **(10)**. The southernmost portions of the City and SOI contain a narrow distribution of land within the shrub and conifer woodland bioregions. These bioregions do not contain sufficient forest land for viable timber production and are ranked as low priority landscapes **(11)**. The project site is located in an urban area and is substantially surrounded by urban development **(1)**. Since the site is not forested, this project will not have an impact upon forest land or timberland.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan (12, 13 & 14) ?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation (12, 13 & 14) ?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors) (12, 13 & 14) ?		X		
d) Expose sensitive receptors to substandard pollutant concentrations (4, 12 & 13) ?			X	
e) Create objectionable odors affecting a substantial number of people (1, 4, 12 & 13) ?			X	

Comments.

The General Plan Update and its Environmental Impact Report (EIR) addresses the impact of build-out in accordance with the Land Use Plan, with emphasis upon the impact upon sensitive receptors **(12 & 13)**. Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. These population groups are generally more sensitive to poor air quality. The proposed subdivision is not expected to provide pollution at levels that would impact sensitive receptors.

The Mojave Desert Air Quality Management District (MDAQMD) has published a number of studies that demonstrate that the Mojave Desert Air Basin (MDAB) can be brought into attainment for particulate matter and ozone, if the South Coast Air Basin (SCAB) achieves attainment under its adopted Air Quality Management Plan. The High Desert and most of the remainder of the desert has been in compliance with the federal particulate standards for the past 15 years **(13)**. The ability of MDAQMD to comply with ozone ambient air quality standards will depend upon the ability of SCAQMD to bring the ozone concentrations and precursor emissions into compliance with ambient air quality standards **(12 & 13)**. All uses identified within the Hesperia General Plan are classified as area sources by the MDAQMD **(14)**. Programs have been established in the Air Quality Attainment Plan which addresses emissions caused by area sources.

The project will have a temporary impact upon air quality during its construction. The Building and Safety Division dust control measures include limited grading and site watering during construction. As a further safeguard against the potential for blowing dust associated, site watering shall be continued as needed to prevent nuisance dust in accordance with the mitigation measure on page 23.

The General Plan Update identifies large areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact to air quality upon build-out of the General Plan. Based upon this analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with air quality impacts **(15)**. As part of the General Plan Update Environmental Impact Report (GPUEIR), the impact of residential development to the maximum allowable density permitted by the Land Use Plan was analyzed. The projected number of vehicles trips associated with this project is analyzed within Section XV. Transportation/Traffic. Further, the impact of the project does not meet any threshold which requires air quality analysis or mitigation under the Air Quality Attainment

Plan (14). Consequently, the proposed development will not have a significant negative impact upon air quality, with imposition of mitigation measures.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service (16)?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service (1 & 16)?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (1 & 16)?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (1 & 16)?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (1 & 17)?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan (18)?				X

Comments.

The site is not expected to support the Mohave ground squirrel, given the very low population levels of the species in the region and proximity to existing development. Further, the project site is outside the area considered suitable habitat for the species (19). Similarly, the potential for the existence of a desert tortoise upon the site is extremely low. The site is also outside the range of the arroyo toad, which has been documented to inhabit a portion of the Tapestry Specific Plan and adjacent areas (19).

Since the site contains native plant species, a biological survey was prepared to determine the presence of the desert tortoise, Mohave ground squirrel, burrowing owl, loggerhead shrike, and sharp-skinned hawk (16). The biological report states that none of these nor any other threatened or endangered species inhabit the site. Since the burrowing owl is not sensitive to development and may occupy the site at any time, a mitigation measure requiring another biological survey to determine their presence shall be submitted no more than 30 days prior to commencement of grading activities.

A protected plant plan was prepared as part of the biological report. This protected plant plan will ensure that 42 Joshua Trees which are protected under the City's Native Plant Protection Ordinance, will be relocated or protected in place (16 & 17). A certain amount of which will not be protected as they will be unsuitable for transplanting and/or are unhealthy. The grading plan for the project shall stipulate that all protected plants identified within the report will be relocated or protected in place. The mitigation measure is listed on page 23.

The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities **(18)**. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest communities, exist within the Tapestry Specific Plan and vicinity **(18)**. The project site is located approximately less than one mile to the north within the developed portion of the City. Consequently, approval of the project will not have an impact upon biological resources, subject to the enclosed mitigation measures.

V. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 (21) ?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 (21) ?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature (23) ?				X
d) Disturb any human remains, including those interred outside of formal cemeteries (24) ?			X	

Comments.

The Cultural Resources Sensitivity Map within the Cultural Resource background technical report of the General Plan Update indicates that the site has a high sensitivity potential for containing cultural resources **(23)**. Past records of archeological and paleontological resources were evaluated. This research was compiled from records at the South Central Coastal Information Center located at the California State University, Fullerton.

The project was originally survey in 2005 for cultural resources, and a walkover was done in 2017 **(22 & 58)**. Based on literature review, several recorded prehistoric sites (a village) and a one historical site (a can scatter and a foundation) were identified within one mile of the project area. Historic maps indicated that a portion of the alignment paralleling the Mojave River representing the Mojave Trail exists near the vicinity of the study area. The field survey failed to find any remnants of the features within the property boundaries. The 2005 survey found a single isolate piece of debitage, and the subsequent walkover in 2017 found no additional cultural materials. They study found no indication of subsurface prehistorical deposits evident across the property.

In the event that human remains are discovered during grading activities, grading shall cease until the County Coroner has made the necessary findings in accordance with the California Environmental Quality Act (CEQA) **(24)**. Should the Coroner determine that the remains are Native American, the Native American Heritage Commission (NAHC) shall be contacted and the remains shall be handled in accordance with Public Resources Code Section 5097.98. The NAHC has indicated that the City and Sphere of Influence does not contain any sacred lands **(25)**. Consequently, approval of the project will not have an impact upon cultural resources.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42 (26 & 27) .				X
ii) Strong seismic ground shaking (26 & 28)?			X	
iii) Seismic-related ground failure, including liquefaction (8 & 26)?				X
iv) Landslides (26)?				X
b) Result in substantial soil erosion or the loss of topsoil (8)?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse (8 & 26)?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property (8 & 27)?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater (8 & 27)?				X

Comments.

The City and Sphere of Influence (SOI) is near several major faults, including the San Andreas, North Frontal, Cleghorn, Cucamonga, Helendale, and San Jacinto faults **(28)**. The nearest fault to the site is the North Frontal fault, located approximately five miles to the east of the City. The Alquist-Priolo Earthquake Fault Zoning Act prohibits structures designed for human occupancy within 500 feet of a major active fault and 200 to 300 feet from minor active faults **(29)**. The project site is not located within an Alquist-Priolo Earthquake Fault Zone **(26, 27 & 28)**. Further, the site is not in an area which has the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse **(27)**.

As a function of obtaining a building final, the proposed development will be built in compliance with the Hesperia Municipal Code and the Building Code **(68)**, which ensures that the buildings will adequately resist the forces of an earthquake. In addition, prior to issuance of a grading permit, a soil study is required, which shall be used to determine the load bearing capacity of the native soil. Should the load bearing capacity be determined to be inadequate, compaction or other means of improving the load bearing capacity shall be performed in accordance with all development codes to assure that all structures will not be negatively affected by the soil.

The soil at this location is classified by the U.S. Soil Conservation Service as Cajon-Wasco, cool, complex, 2 to 9 percent slopes. This soil is limited by moderate to high soil blowing hazard, high water intake rate, and low to moderate available water capacity **(8)**. During construction, soil erosion will be limited through compliance with an approved erosion control plan in accordance with National Pollution Discharge Elimination System (NPDES) and Storm Water Prevention Plan (SWPP) regulations. Although disturbance of the soil will result in significant soil loss due to wind erosion, the site will be fully developed with buildings, paved driveways, roads, and landscaping **(4)**. These improvements will ensure that soil disturbance will not result in significant soil erosion.

Sewer is not in proximity to the project location **(30)**. The subdivision is eligible to use septic systems because all the lots sizes are a minimum of 18,000 square feet consistent with the adopted Local Agency Management Program (LAMP) **(74)**. Consequently, approval of the project will not have an impact upon geology or soils.

VII. GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment (31) ?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases (31, 32 & 33) ?			X	

Comments.

Assembly Bill 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California's greenhouse gas emissions to 1990 levels by 2020. In addition, Senate Bill 97 requires that all local agencies analyze the impact of greenhouse gases under CEQA and task the Office of Planning and Research (OPR) to develop CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions..."

On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). The Natural Resources Agency forwarded the adopted amendments and the entire rulemaking file to the Office of Administrative Law (OAL) on December 31, 2009. On February 16, 2010, OAL approved the Amendments, which became effective on March 18, 2010 **(73)**. This initial study has incorporated these March 18, 2010 Amendments.

Lead agencies may use the environmental documentation of a previously adopted Plan to determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements of the Plan or mitigation program under specified circumstances. As part of the General Plan Update, the City adopted a Climate Action Plan (CAP)**(31)**. The CAP provides policies along with implementation and monitoring which will enable the City of Hesperia to reduce greenhouse emissions 29 percent below business as usual by 2020, consistent with AB 32 **(32)**.

Development of the proposed development is consistent with the greenhouse gas (GHG) emissions analyzed by the General Plan Update Environmental Impact Report (GPUEIR). The development will meet energy conservations measures that meet or exceed Title 24 standards. Landscape areas within the development are required to ensure water efficient plants and a low-flow irrigation system are maintained. In addition, a water budget is required to ensure a water efficient landscaping and irrigation system. Consequently, the impact upon GHG emissions associated with the proposed project is less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (4 & 34) ?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment (4 & 34) ?			X	

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (4) ?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment (1) ?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area (18) ?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area (36) ?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (37) ?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands (4) ?				X

Comments.

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

- National Priorities List www.epa.gov/superfund/sites/query/basic.htm. List of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. There are no known National Priorities List sites in the City of Hesperia.
- Site Mitigation and Brownfields Reuse Program Database www.dtsc.ca.gov/database/Calsites/Index.cfm. This database (also known as CalSites) identifies sites that have known contamination or sites that may have reason for further investigation. There are no known Site Mitigation and Brownfields Reuse Program sites in the City of Hesperia.
- Resource Conservation and Recovery Information System www.epa.gov/enviro/html/rcris/rcris_query_java.html. Resource Conservation and Recovery Information System is a national program management and inventory system of hazardous waste handlers. There are 53 Resource Conservation and Recovery Act facilities in the City of Hesperia, however, the project site is not a listed site.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) (<http://cfpub.epa.gov/supercpad/cursites/srchsites.cfm>). This database contains information on hazardous waste sites, potentially hazardous waste sites, and remedial activities across the nation. There is one Superfund site in the City of Hesperia, however, the project site is not located within or adjacent to the Superfund site.
- Solid Waste Information System (SWIS) (<http://www.ciwmb.ca.gov/SWIS/Search.asp>). The SWIS database contains information on solid waste facilities, operations, and disposal sites throughout the State of California. There are three solid waste facilities in the City of Hesperia, however the project site is not listed.
- Leaking Underground Fuel Tanks (LUFT)/ Spills, Leaks, Investigations and Cleanups (SLIC) (<http://geotracker.waterboards.ca.gov/search/>). This site tracks regulatory data about underground fuel tanks, fuel pipelines, and public drinking water supplies. There are fourteen LUFT sites in the City of Hesperia, six of which are closed cases. The project site is not listed as a LUFT site and there are no SLIC sites in the City of Hesperia.
- There are no known Formerly Used Defense Sites within the limits of the City of Hesperia.

Formerly Used Defense Sites

<http://hq.environmental.usace.army.mil/programs/fuds/fudsinv/fudsinv.html>.

The proposed subdivision will not conflict with air traffic nor emergency evacuation plans. The site is just over three miles east from the Hesperia Airport and is therefore not within a restricted use zone associated with air operations **(36)**. Consequently, implementation of the project will not cause safety hazards to air operations. The site is also not along an emergency evacuation route or near a potential emergency shelter **(37)**. Consequently, the project will not interfere with emergency evacuation plans.

The project's potential for exposing people and property to fire and other hazards was also examined. The site is located within an urbanized area. The southernmost and westernmost portions of the City are at risk, due primarily to proximity to the San Bernardino National Forest **(38 & 43)**. All new structures associated with this project will be constructed to the latest building standards including applicable fire codes. All residences are required to have fire sprinklers. San Bernardino County Fire administers the weed abatement program to reduce the potential of vegetation fires. Consequently, approval of the project will not have any impact upon or be affected by hazards and hazardous materials with compliance with an approved HMBP and required mitigation measures.

IX. HYDROLOGY AND WATER QUALITY. Would the project:				
	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements (39) ?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted) (41 & 42) ?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site (44) ?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site (44) ?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff (44) ?			X	
f) Otherwise substantially degrade water quality (44) ?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map (4 & 45) ?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows (4, 45 & 54) ?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (44 & 53) ?				X

j) Inundation by seiche, tsunami, or mudflow (46)?				X
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Comments.

Development of the site will disturb more than one-acre of land area. Consequently, the project will be required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge Elimination System (NPDES) permit prior to land disturbance (39). Issuance of a Storm Water Pollution Prevention Plan (SWPPP) will also be required, which specifies the Best Management Practices (BMP) that will be implemented to prevent construction pollutants from contacting storm water (40). Obtaining the NPDES and implementing the SWPPP is required by the State Water Resources Control Board (WRCB) and the California Regional Water Quality Control Board (RWQCB). These are mandatory and NPDES and SWPPP have been deemed adequate by these agencies to mitigate potential impacts to water quality during project construction.

The development may change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff (4). Therefore, the project shall retain the drainage created on-site beyond that which has occurred historically within an approved drainage system in accordance with City of Hesperia Resolution 89-16 (44). The proposed development is not allowed to concentrate or redirect storm water flow. A retention basin is proposed to handle the sites increase in runoff, the project site is not impacted (69). The retention facilities required by the City for the development will ensure that no additional storm water runoff impacts the area and that any contaminants will be filtered from storm water runoff prior to any release. The release will be no greater than the amount of runoff which currently leaves the site prior to development. In addition, the site is not within a Flood Zone, based upon the latest Flood Insurance Rate Map (54).

The City is downstream of three dams. These are the Mojave Forks, Cedar Springs, and Lake Arrowhead Dams. In the event of a catastrophic failure of one or more of the dams, a portion of the project site has the potential to be inundated by floodwater (44 & 53). The areas most affected by a dam failure are located in the low lying areas of southern Rancho Las Flores, most of the Antelope Valley Wash, and properties near the Mojave River. The project is not considered an essential or critical facility, and does not store large quantities of hazardous material. The project is required to be constructed consistent with the recommendations of a hydrological study prepared by a State-certified engineer (69).

The City of Hesperia is located just north of the Cajon Pass at an elevation of over 2,500 feet above sea level, which is over 60 miles from the Pacific Ocean. As such, the City is not under threat of a tsunami, otherwise known as a seismic sea wave (46). Similarly, the potential for a seiche to occur is remote, given the limited number of large water bodies within the City and its sphere. A seiche would potentially occur only in proximity to Silverwood Lake, Hesperia Lake and at recharge basins (46). In addition, the water table is significantly more than 50 feet from the surface. Therefore, the mechanisms necessary to create a mudflow; a steep hillside with groundwater near the surface, does not exist at this location (8).

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin (41).

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere of Influence (SOI). The UWMP indicates that the City is currently using available water supply, which is projected to match demand beyond the year 2030 **(42)**. The HWD has maintained a water surplus through purchase of water transfers, allocations carried over from previous years, and recharge efforts. Therefore, the impact upon hydrology and water quality associated with the project is considered less than significant.

X. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community (1) ?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect (47) ?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan (18) ?				X

Comments.

The site is currently vacant and a residential subdivision is proposed on the site **(1)**. Therefore, the use will not physically divide an established community. A general plan amendment to R1-18000 is consistent with zoning of nearby properties. The current zoning RR(SD) allows development with a specific plan, which allows a subdivision of varying lot sizes. The density of this subdivision is similar to what can be developed with a specific plan **(47 & 61)**. The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities **(18)**. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest community, exist within the Tapestry Specific Plan and vicinity **(18)**. The project site is located just under one mile to the north of this specific plan within the developed portion of the City. Therefore, development of the project would have a less than significant impact upon land use and planning.

XI. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state (48) ?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan (48) ?				X

Comments.

According to data in the Conservation Element of the City's General Plan, no naturally occurring important mineral resources occur within the project site **(48)**. Known mineral resources within the City and sphere include sand and gravel, which are prevalent within wash areas and active stream channels. Sand and gravel is common within the Victor Valley. Although the project is near a

wash/river, which contains sand and gravel, the mineral resources within the property are not unique locally or regionally and need not be preserved. Consequently, the proposed project would not have an impact upon mineral resources.

XII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (1, 4 & 49) ?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels (50 & 51) ?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project (52) ?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project (52) ?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels (36) ?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels (36) ?				X

Comments.

Approval of the proposed project will result in both construction noise and operational noise, mostly associated with trucks and vehicular traffic to and from the site. According to the General Plan, the majority of noise sources within the City are mobile sources, which include motor vehicles and aircraft **(49)**. Freeways, major arterials, railroads, airports, industrial, commercial, and other human activities contribute to noise levels. Noises associated with this type of project will be mostly from traffic caused by arriving and departing vehicles.

Construction noise levels associated with any future construction activities will be slightly higher than the existing ambient noise levels in the vicinity of the project site. Noise generated by construction equipment, including trucks, graders, backhoes, well drilling equipment, bull-dozer, concrete mixers and portable generators can reach high levels and is typically one of the sources for the highest potential noise impact of a project. However, the construction noise would subside once construction is completed. The proposed project must adhere to the requirements of the City of Hesperia Noise Ordinance **(49)**. The Noise Ordinance contains an exemption from the noise level regulations during grading and construction activities occurring between 7:00 A.M. and 7:00 P.M., Monday through Saturday, except federal holidays.

The nearest major roadway in the vicinity to the development is Arrowhead Lake Road along the eastern project boundary. This arterial roadway generates noise levels up to 56 CNEL **(55)**. The proposed land uses are not sensitive to noise. The boundary of the site is more than three miles from the Hesperia Airport. At this distance, the project is not impacted by any safety zones associated with this private airport **(36)**. The project site is even farther from the Southern California Logistics Airport (SCLA) and the Apple Valley Airport and will not be affected by any safety zones for these airports. In addition, the site is over three miles from the Burlington Northern Santa Fe Railroad **(51 & 56)**. Therefore, area impacts by noise and vibration generated by the project are less than significant.

Certain activities particularly sensitive to noise include sleeping, studying, reading, leisure, and other activities requiring relaxation or concentration, which will not be impacted. Hospitals and convalescent homes, churches, libraries, and childcare facilities are also considered noise-sensitive uses as are residential and school uses. The nearest sensitive use is Ranchero Middle School located one mile to the west. Construction noise will subside once the construction phase is completed.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the noise impact upon build-out of the General Plan to the maximum allowable density permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with noise impacts **(15)**. No additional noise impact beyond that previously analyzed would occur.

XIII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) (4) ?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere (1) ?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere (1 & 9) ?				X

Comments.

The site is in close proximity to water and other utility systems **(30)**. As a result, development of the project would not require significant extension of major improvements to existing public facilities. The site is vacant and is identified for residential development **(1 & 9)**. Therefore, the project will not displace any existing housing, necessitating the construction of replacement housing elsewhere.

The population in Hesperia has increased mainly because of the availability of affordable housing in the high desert and its proximity to the job-rich areas of the Inland Empire. The proposed development will not induce substantial population growth as the development will provide additional housing opportunities for future and existing residents. Based upon the limited size, development of the project would have a less than significant impact upon population and housing.

XIV. PUBLIC SERVICES.	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services (1 & 2) :			X	
Fire protection? (1 & 2)			X	

Police protection? (1 & 2)			X	
Schools? (1 & 2)			X	
Parks? (1 & 2)			X	
Other public facilities? (1 & 2)			X	

Comments.

The proposed project will create a very slight increase in demand for public services (2). The project will connect to an existing water line in Arrowhead Lake Road (30). The subdivision will use private septic systems for sewage disposal. Full street improvements comprised of curb, gutter, and sidewalk will be constructed along the project frontage as part of development of the site (61). Additionally, development impact fees will be assessed at the time that building permits are issued for construction of the site (59). These fees are designed to ensure that appropriate levels of capital resources will be available to serve any future development. Consequently, satisfactory levels of public services will be maintained. Therefore, the proposed project will not have a significant impact upon public services.

XV. RECREATION.	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated (9)?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment (4)?			X	

Comments.

Due to the low number of homes, along with the larger lot sizes which allow for recreational opportunities, the impact to neighborhood and regional parks would be minimal if any. The size of the project would not require construction of any new facilities either, therefore no impact is foreseen.

XVI. TRANSPORTATION / TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit (63)?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways (64)?			X	

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks (36) ?			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (1 & 61) ?			X	
e) Result in inadequate emergency access (4) ?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities (64 & 65) ?				X

Comments.

The proposed project fronts upon Arrowhead Lake Road, which are to be constructed as a 100-foot wide Arterial roadway **(63)**. As part of development of this project, Arrowhead Lake Road will be constructed to City standards, including curb, gutter, and sidewalk across the project frontage and pavement tapers beyond the frontage, improving safety. Access to and within the site has been evaluated by both the City and the San Bernardino County Fire Department.

The City's General Plan includes a non-motorized transportation network **(75)**. The site fronts upon Arrowhead Lake Road, which is part of the Bikeway System Plan. A Class II bike path will ultimately be constructed within Arrowhead Lake Road. This will provide a viable alternative to the use of automobiles.

The project site is located just over three miles from the Hesperia Airport and is not within an airport safety zone **(9)**. Consequently, the project will not cause a change in air traffic patterns nor an increase in traffic levels or location. The project site will also not impact the air traffic patterns for the Southern California Logistics Airport nor the Apple Valley Airport.

According to the Institute of Traffic Engineers, Trip Generation, 9th Edition, approval of the proposed 16-lot subdivision would create an estimated 153 daily vehicle trips (9.57 daily trips per dwelling unit). Based upon the street improvements to be constructed, the impact upon transportation facilities associated with the proposed development is considered to be less than significant. During the development review process, there were extensive revisions to the tract map's internal circulation plan in order to limit the number of connections along Arrowhead Lake Road. In addition, payment of the required development impact fees at the time of building permit issuance will provide funding for the construction of arterial roadways and traffic signals to reduce the impacts of additional vehicular traffic.

The City's Circulation Plan is consistent with the Congestion Management Program (CMP) for San Bernardino County **(64)**. The CMP requires a minimum Level of Service (LOS) standard of "E." When a jurisdiction requires mitigation to a higher LOS, then the jurisdiction's standard takes precedence. The Circulation Element requires a minimum LOS of D for street segments instead of LOS E. The Element also strives to maintain a LOS of C or better on roadways which exhibit an LOS better than D. The LOS of Arrowhead Lake Road, which is B, will not be significantly negatively affected by the number of vehicle trips to be created by the proposed 16 lot subdivision. As a result, the project's impact upon traffic will not exceed the impact analyzed by the GPUEIR.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact upon transportation at build-out of the General Plan to the maximum allowable density permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with transportation impacts **(15)**.

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

The questions related to impacts to tribal cultural resources required as part of Assembly Bill 52 approved by the Office of Administrative Law on September 27, 2016 were included in this checklist. All California Native American tribes that requested to be informed pursuant to Public Resources Code 21080.3.1(a) (aka AB-52) and California Government Code Sections 65352.3, 65352.4, 65562, and 65560 requirements (aka SB-18) were notified prior to release of this environmental document. San Manuel Band of Mission Indians and Twenty-Nine Palms Band of Mission Indians requested consultation. As a result of consultation, it was agreed that archeological and tribal monitors would be present during all soil disturbing and grading activities. The mitigation measure is listed on page 23.

The Cultural Resources Sensitivity Map within the Cultural Resource background technical report of the General Plan Update indicates that the site has a high sensitivity potential for containing cultural resources **(23)**. The site was investigated by Analytical Archaeology on August 2017 and June 2005. Based on literature review, several recorded prehistoric sites (one a village) and a one historical site (a can scatter and a foundation) were identified within one mile of the project area. The field survey failed to find any remnants of the features within the property boundaries. The 2005 survey found a single isolate piece of debitage, and the subsequent walkover in 2017 found no additional cultural materials. The study found no indication of subsurface prehistorical deposits evident across the property. Consequently, approval of the project will not have an impact upon cultural resources with mitigation.

XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (66) ?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects (67 & 68) ?			X	

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects (69) ?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed (41 & 42) ?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments (67 & 68) ?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs (70 & 72) ?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste (71) ?			X	

Comments.

The project will connect to an existing water line in Arrowhead Lake Road (30). The subdivision will use private septic systems for sewage disposal. As part of construction of the project, the City requires installation of an on-site drainage system which will retain any additional storm water created by the impervious surfaces developed as part of the project **(69)**. Consequently, based upon a 100-year storm event, development of this project will not increase the amount of drainage impacting downstream properties beyond that which would occur prior to its development. Additionally, the drainage system will contain a filtration system preventing contamination of the environment.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, in a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(41)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere of Influence (SOI). The UWMP indicates that the City is currently using available water supply, which is projected to match demand beyond the year 2030 **(42)**. The HWD has maintained a water surplus through purchase of water transfers, allocations carried over from previous years, and recharge efforts.

The City is in compliance with the California Integrated Waste Management Act of 1989, which requires that 50 percent of the solid waste within the City be recycled **(72)**. Currently, approximately 63 percent of the solid waste within the City is being recycled **(70 & 71)**. The waste disposal hauler for the City has increased the capacity of its Materials Recovery Facility (MRF) to 1,500 tons per day in order to accommodate future development. Therefore, the project will not cause a significant negative impact upon utilities and service systems.

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

Comments.

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

XIV. EARLIER ANALYSES.

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

The Certified General Plan Environmental Impact Report.

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

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

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

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

1. The applicant shall water all unpaved areas as necessary to control dust.
2. A pre-construction survey for the burrowing owl shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.
3. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.
4. Archeological and tribal monitors shall be present during all soil disturbing and grading activities consistent with the project's conditions of approval.

Authority: Public Resources Code Sections 21103 and 21107.

REFERENCES

- (1) Aerial photos of the City of Hesperia flown taken in Spring 2018 and on-site field investigations conducted in October 2018.
- (2) Section 3.1.2 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.1-3.
- (3) Section 3.0 of the 2010 City of Hesperia General Plan Open Space Element, pages OS-13 thru OS-27.
- (4) Application and related materials for General Plan Amendment GPA17-00003 & Tentative Tract TT17-00002 (TT-17339)
- (5) Chapter 16.16 of the Hesperia Municipal Code.
- (6) Chapter 16.16, Article 1 of the Development Code, including the general plan land use map
- (7) Section 3.1.4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.1-6.
- (8) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area, Pages 23 thru 24 and Map Sheet No. 31.
- (9) 2010 Official Map showing the General Plan Land Use and zoning of the City of Hesperia and its sphere of influence.
- (10) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.5.
- (11) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.1.4.
- (12) Air Quality Section of the 2010 City of Hesperia General Plan Conservation Element, pages CN-47 thru CN-51.
- (13) Section 3.3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.3-1 thru 3.3-30.
- (14) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.
- (15) Statement of overriding considerations for the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR).
- (16) Supplement for Original Tortoise Study and Joshua Tree Reports prepared by Altec Land Planning dated February 1 , 2018

- (17) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.
- (18) Section 3.2 of the 2010 City of Hesperia General Plan Update Conservation Element background technical report, pages 8 and 9.
- (19) Section 3.3.2 of the 2010 City of Hesperia General Plan Update Conservation Element background technical report, pages 14 thru 25.
- (20) 1988 United States Bureau of Land Management California Desert Conservation Area map.
- (21) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages C-1 thru C-34.
- (22) Section 6 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 22 thru 38.
- (23) Cultural Resource Sensitivity Map Exhibit 5c of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report.
- (24) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.
- (25) Letter dated September 25, 2006 from Dave Singleton of the Native American Heritage Commission within Appendix B of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report.
- (26) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-8.
- (27) Exhibit SF-1 of Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, page SF-9.
- (28) Figure 1-2 of Section 1.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-5.
- (29) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-12.
- (30) Current Hesperia water and sewer line atlas
- (31) Section 1 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 1.
- (32) Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 18.
- (33) Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 20 and 21.
- (34) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, page SF-32.
- (35) Section 5 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 5-4 and 5-5.
- (36) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-71 and LU-72.
- (37) Disaster Preparedness, Response, and Recovery Section of the 2010 Hesperia General Plan Safety Element, pages SF-37 thru SF-48.
- (38) Fire Hazard Section of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.7-9.
- (39) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-13.
- (40) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-15.
- (41) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.

- (42) Mojave Water Agency letter dated March 27, 1996.
- (43) Exhibit SF-2 of the 2010 City of Hesperia General Plan Update Safety Element, page SF-19.
- (44) Flooding Hazards Section of the 2010 City of Hesperia General Plan Update Safety Element, pages SF-16 thru SF-18.
- (45) 1996 Hesperia Master Plan of Drainage
- (46) Section 3.0 of the 2010 City of Hesperia General Plan Update Safety Element, page SF-8.
- (47) Chapter 16.16, Article IV of the Development Code
- (48) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, page CN-20.
- (49) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-4.
- (50) Section 16.20.125 of the Hesperia Municipal Code, pages 464 thru 467 and Table NS-5 of Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, pages NS-11 and NS-12.
- (51) Table 7 of Section 2.2.1 of the 2010 City of Hesperia General Plan Update Noise Element background technical report, page 22.
- (52) Table 3.11-10 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-45.
- (53) Dam Inundation Map within Section 3.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 3-22.
- (54) FEMA Flood Map within Section 3.1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 3-9.
- (55) Table 9 within Section 2.2 of the 2010 City of Hesperia General Plan Update Noise Element background technical report, page 20.
- (56) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-13.
- (57) 2012 Trip Generation Manual, Volume II, 9th Edition, Institute of Transportation Engineers
- (58) Cultural Resource Assessment prepared by Analytic Archaeology, LLC dated August 2017.
- (59) 1991 City of Hesperia Ordinance 180 entitled "An Ordinance of the City Council of the City of Hesperia, California, Establishing a Development Impact Fee for all New Residential, Commercial, and Industrial Structures" and Resolution No. 2007-110 on November 20, 2007. Park impact fees are established by the Hesperia Recreation and Park District. School fees are established by the Hesperia Unified School District.
- (60) 2016 California Plumbing Code
- (61) Chapter 17.08 Tentative and Final Maps of the Subdivisions Code
- (62) California Health and Safety Code Section 25232 (b) (1) (A-E).
- (63) Traffic Circulation Plan within Section 3.0 of the 2010 City of Hesperia General Plan Update Circulation Element, page CI-17.
- (64) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4-17.
- (65) Sections 6.3 and 6.4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 74 and 75.

- (66) Section 3.8 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-8 thru 3.8-14.
- (67) Environmental policies of the Lahontan Regional Water Quality Control Board regarding use of private wastewater treatment systems.
- (68) 2016 California Building Code
- (69) Drainage Analysis prepared by Nikita Dave and Yogesh Goradia dated February 2018
- (70) 2014 California Department of Resources, Recycling and Recovery Annual AB939 Report.
- (71) California Integrated Waste Management Act (AB 939).
- (72) Quarterly data of the San Bernardino County Disposal Reporting System for the 3rd quarter 2014.
- (73) Section 15183.5 – Tiering and Streamlining the Analysis of Greenhouse Gas Emissions, March 18, 2010 Amendments to the Guidelines for Implementation of the California Environmental Quality Act.
- (74) Local Agency Management Program (LAMP) prepared by City of Hesperia and Charles Abbot & Associates
- (75) Exhibit CI-23 - Non-motorized Transportation Plan, Circulation Element of the 2010 General Plan, Page CI-57

ATTACHMENT 5

RESOLUTION NO. PC-2019-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AMEND THE OFFICIAL GENERAL PLAN LAND USE MAP BY RECLASSIFYING CERTAIN REAL PROPERTY FROM RURAL RESIDENTIAL – SPECIAL DEVELOPMENT (RR-SD) TO SINGLE-FAMILY RESIDENCE WITH A MINIMUM LOT SIZE OF 18,000 SQUARE FEET (R1-18000) ON 20.2 GROSS ACRES LOCATED ON THE WEST SIDE OF ARROWHEAD LAKE ROAD, APPROXIMATELY 900 FEET SOUTH OF CALPELLA AVENUE (GPA17-00003)

WHEREAS, on May 15, 1991, the City Council of the City of Hesperia adopted the City's General Plan, currently applicable in regards to development within the City; and

WHEREAS, Yogesh Goradia filed an application requesting approval of GPA17-00003 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to 20.2 gross acres within the Rural Residential-Special Development (RR-SD) designation located on the west side of Arrowhead Lake Road, approximately 900 feet south of Calpella Avenue and consists of Assessor's Parcel Numbers 0398-031-41 & 42; and

WHEREAS, the Application, as contemplated, proposes to change the General Plan Land Use designation of the subject property and the expanded application from Rural Residential- Special Development (RR-SD) to Single-Family Residence with a minimum lot size of 18,000 square feet (R1-18000); and

WHEREAS, Yogesh Goradia has also filed an application requesting approval of Tentative Tract Map TT17-00002 (TT-17339) to create 16 single-family residential lots on 11.1 acres of a 20.2 gross acre site; and

WHEREAS, the subject site is currently vacant. The properties to the north are vacant and include a single-family residence. The land is vacant to the south and west. Hesperia Lake Park exists to the east; and

WHEREAS, the subject property is currently within the Rural Residential-Special Development (RR-SD) designation, which is proposed to be changed to R1-18000. The properties to the north and west are within the RR-20000 zone. The land to the south is within the Rural Residential – Special Development (RR-SD) zone. The land to the east is zoned Public (P-Park/Rec); and

WHEREAS, an environmental Initial Study for the proposed project was completed on January 28, 2019, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND19-01 was subsequently prepared; and

WHEREAS, on February 14, 2019, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the Planning Commission during the above-referenced February 14, 2019 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon Negative Declaration ND19-01 and the initial study which supports the Mitigated Negative Declaration, the Planning Commission finds that there is no substantial evidence that the proposed General Plan Amendment will have a significant effect on the environment;
- (b) The Planning Commission has independently reviewed and analyzed the Negative Declaration, and finds that it reflects the independent judgement of the Commission, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.
- (c) The area of the proposed General Plan Amendment is suitable for the land uses permitted within the proposed Land Use designation. The proposed R1-18000 designation is appropriate at this location as there are similar subdivisions of similar density to the west and north of the proposed project. There is a combination of properties designated RR-20000 and R1-18000 in the area making the General Plan Amendment consistent with surrounding properties. The applicant has submitted a development proposal that shows the proposed residential subdivision can stand alone. The proposal addresses all infrastructure needs and other developmental constraints by adequately addressing access, water, sewage disposal, and drainage issues.
- (d) The proposed General Plan Amendment is consistent with the goals, policies, standards and maps of the adopted Zoning, Development Code and all applicable codes and ordinances adopted by the City of Hesperia. The applicant has submitted a residential subdivision that meets the standards of the R1-18000 General Plan designation, and addresses infrastructure needs.
- (e) The proposed General Plan Amendment is capable of utilizing existing supporting infrastructure and municipal services, as directed by the City's adopted General Plan. Primary access, which will be from Arrowhead Lake Road, meets fire standards. The subdivision will connect to City water that exists in Arrowhead Lake Road. The development will use private septic systems for sewage disposal consistent with the adopted Local Agency Management Plan (LAMP). The subdivision will have a retention basin to address on-site flows beyond that which has occurred historically and will dedicate a large portion of the property for a drainage easement to allow off-site flows to be conveyed through the property.

- (f) The development within the proposed General Plan Amendment is consistent with the goals and policies of the General Plan, specifically Land Use Goal L.G.10 that promotes policies that will ensure maximum utilization of existing facilities and infrastructure within the City because the proposed development will utilize the streets and services available to existing development in the area.

Section 3. Based on the findings and conclusions set forth in this Resolution, the Planning Commission hereby recommends that the City Council adopt General Plan Amendment GPA17-00003, amending the General Plan map of the City of Hesperia as shown on Exhibit "A," and Negative Declaration ND19-01, which is attached to the staff report for this item.

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

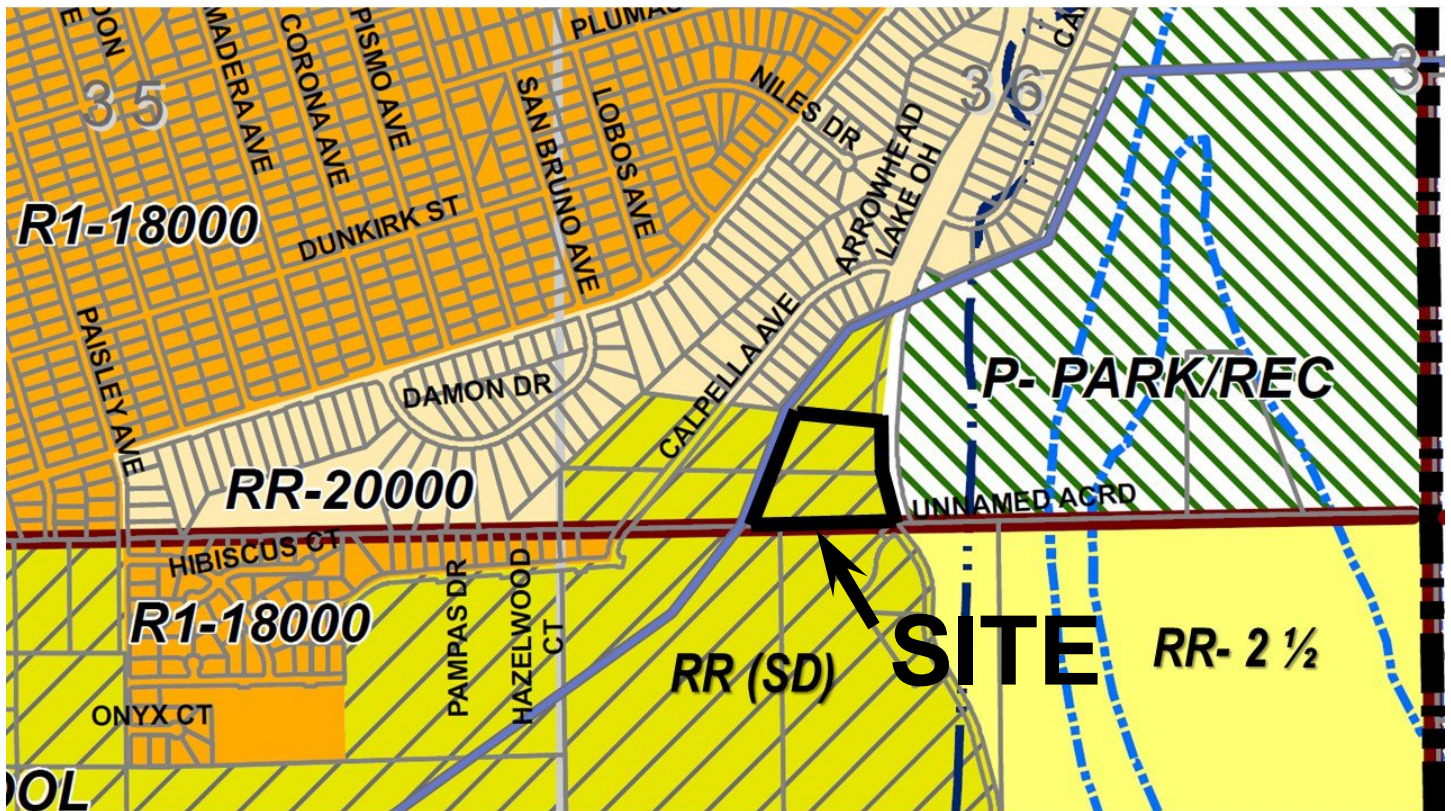
ADOPTED AND APPROVED this 14th day of February 2019.

Chair, Planning Commission

ATTEST:

Cecilia Alonzo, Planning Commission Secretary

Exhibit "A"



GPA17-00003

A GENERAL PLAN AMENDMENT FROM RURAL RESIDENTIAL- SPECIAL DEVELOPMENT (RR-SD) TO SINGLE-FAMILY RESIDENCE WITH A MINIMUM LOT SIZE OF 18,000 SQUARE FEET (R1-18000) ON APPROXIMATELY 11.1 GROSS ACRES

ATTACHMENT 6

RESOLUTION NO. PC-2019-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A TENTATIVE TRACT MAP TO CREATE 16 SINGLE-FAMILY RESIDENTIAL LOTS ON 11.1 ACRES OF A 20.2 GROSS ACRE SITE LOCATED ON THE WEST SIDE OF ARROWHEAD LAKE ROAD, APPROXIMATELY 900 FEET SOUTH OF CALPELLA AVENUE (TT17-00002/TT-17339)

WHEREAS, Yogesh Goradia has filed an application requesting approval of Tentative Tract Map No. TT-17339, Case Number TT17-00002 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to the east 11.1 acres of a 20.2 gross acre site within the Rural Residential- Special Development (RR-SD) designation located on the west side of Arrowhead Lake Road, approximately 900 feet south of Calpella Avenue and consists of Assessor's Parcel Numbers 0398-031-41 & 42; and

WHEREAS, the Application, as contemplated, proposes to create 16 single-family residential lots and a retention basin; and

WHEREAS, Yogesh Goradia has also filed an application requesting approval to change the General Plan Land Use designation of the subject property from Rural Residential-Special Development (RR-SD) to Single-Family Residence with a minimum lot size of 18,000 square feet (R1-18000); and

WHEREAS, the subject site is currently vacant. The properties to the north are vacant and include a single-family residence. The land is vacant to the south and west. Hesperia Lake Park exists to the east; and

WHEREAS, the subject property is currently within the Rural Residential-Special Development (RR-SD) designation, which is proposed to be changed to R1-18000. The properties to the north and west are within the RR-20000 zone. The land to the south is within the Rural Residential – Special Development (RR-SD) zone. The land to the east is zoned Public (P-Park/Rec); and

WHEREAS, an environmental Initial Study for the proposed project was completed on January 28, 2019, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND19-01 was subsequently prepared; and

WHEREAS, on February 14, 2019, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the Planning Commission during the above-referenced February 14, 2019 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based upon Negative Declaration ND19-01 and the initial study which supports the Mitigated Negative Declaration, the Planning Commission finds that there is no substantial evidence that the proposed Tentative Tract will have a significant effect on the environment;
- (b) The Planning Commission has independently reviewed and analyzed the Negative Declaration, and finds that it reflects the independent judgement of the Commission, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.
- (c) The site is physically suitable for the type of development because there are no known physical constraints to residential development and the site has adequate area to accommodate the proposed lots. The project site is currently undisturbed by physical development and the development is not required to demolish or build around existing improvements. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision; and
- (d) The site is physically suitable for the proposed density of development because the lots are adequate in size and shape and all Development Code regulations for the permitted uses can be met.
- (e) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat because the project site is surrounded by existing development and not known to have fish, wildlife or related habitat; and
- (f) The design of the subdivision or type of improvements are not likely to cause serious public health problems because all construction will require necessary permits and will conform to the City's adopted building and fire codes. Prior to any ground disturbance, improvement plans for drainage, erosion, sewer, water, and circulation are required to be submitted to ensure on-site and off-site improvements are constructed to the latest standards. The project will connect to a reliable potable water source and will use private septic systems ensuring sanitary disposal of wastewater. Upon

development of the residences, each home will be required to have trash pickup service from the City's franchised waste hauler; and

- (g) The design or improvement of the proposed subdivision is consistent with the General Plan of Hesperia as the project supports the existing land use and circulation pattern in the area; and
- (h) The design of the subdivision provides to the extent feasible, passive or natural heating and cooling opportunities to each of the proposed lots. All single-family residences must meet the minimum energy efficiency standards in Title 24, which mandates building insulation, whole house fans, and light/ventilation systems to make the homes energy efficient.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends that the City Council approve Tentative Tract TT17-00002 (TT-17339), subject to the Conditions of Approval as set forth in ATTACHMENT "A" and the Mitigated Negative Declaration ND-2019-01 which is attached to the staff report for this item.

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

ADOPTED AND APPROVED this 14th day of February 2019.

Chair, Planning Commission

ATTEST:

Cecilia Alonzo, Planning Commission Secretary

ATTACHMENT "A"
List of Conditions for TT17-00002

Approval Date: March 05, 2019

Effective Date: March 05, 2019

Expiration Date: March 05, 2022

This list of conditions applies to Consideration of Tentative Tract TT17-00002 (TT-17339) in conjunction with General Plan Amendment GPA17-00003 to create 16 single-family residential lots on 11.1 acres of a 20.2 gross acre site located on the west side of Arrowhead Lake Road, approximately 900 feet south of Calpella Avenue (Applicant: Yogesh Goradia: APNs: 0398-031-41 & 42)

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
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

PLANS. All required plans shall be prepared by a registered Civil Engineer per City standards and to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review along with required checking fees. The Final Map CDP Improvement Plans requested studies and CFD annexation must be submitted as a package. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

GEOTECHNICAL REPORT. The Developer shall provide two copies of the soils report to substantiate all grading building and public improvement plans. Include R value testing and pavement recommendations for public streets. (E B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

PLAN CHECK FEES. Plan checking fees must be paid in conjunction with the improvement plan submittal. All required plans, maps, requested studies, CFD annexations, etc. must be submitted as a package. The Developer shall coordinate with the City's Engineering Analyst, Jamie Carone at (760)947-1149 or

jcarone@cityofhesperia.us, to obtain the fee calculation form which shall be completed and submitted, along with fee payment, at time of plan submittal. Any outstanding fees must be paid before final inspection and the release of bonds. (E)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

STREET NAME APPROVAL. The developer shall submit a request for street names for all of the interior streets for review and approval by the Building Division. (B)

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

FISH AND GAME FEE. The applicant shall submit a check to the City in the amount of \$2,404.75 payable to the Clerk of the Board of Supervisors of San Bernardino County to enable the filing of a Notice of Determination. (P)

COMPLETED **COMPLIED BY**
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)

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

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

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

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

AGREEMENTS/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)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

NON-VEHICULAR ACCESS. Vehicular access rights across the project frontage on Arrowhead Lake Road and along the northerly property line of Lot 14 shall be dedicated to the City of Hesperia and labeled as N.V.A. on the Final map. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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 fifty-four (54') feet wide per City standards. Corner cut-off right of way dedication per City standards is required at all intersections including interior roadways except at knuckles. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

PERIMETER STREETS. The Developer shall grant to the City an Irrevocable Offer of Dedication for Arrowhead Lake Road. The dedication shall be at a 50-foot half-width per the City standards for a Major Arterial Roadway Standard. Corner cut-off right of way dedication per City standards is required at all intersections including interior roadways except at knuckles. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

OFF-SITE GRADING LETTER(S). It is the Developers responsibility to obtain signed Off-Site Grading Letters from any adjacent property owner(s) who are affected by any Off-Site Grading that is needed to make site work. The Off-Site Grading letter(s) along with the latest grant deed(s) must be submitted and appropriate fees paid to the City's Engineering Department for plan check approval. (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

INTERIOR STREETS Shall be designed to the City standard for a 54-foot wide roadway per City standards, as indicated below. Curb face is to be at 16-feet from centerline: (E)

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

ARROWHEAD LAKE ROAD: Saw-cut (2-foot min.) and match-up asphalt pavement on Arrowhead Lake Road across the project frontage, based on City's 100-foot Arterial Roadway Standard. The curb face is to be at 36' from the approved centerline. The design shall be based upon an acceptable centerline profile extending a minimum of three hundred (300) feet beyond the project boundaries where applicable. These improvements shall consist of: (E)

- A. 8" Curb and Gutter per City standards.
- B. Sidewalk (width = 6 feet) per City standards.
- C. Roadway drainage device(s).
- D. Streetlights per City standards.
- E. Intersection improvements including handicapped ramps per City standards.
- F. Pavement transitions per City Standards.
- G. Design roadway sections per existing, approved street sections and per "R" value testing with a traffic index of 10 and per the soils report.
- H. Cross sections every 50-feet per City standards.
- I. Traffic control signs and devices as required by the traffic study and / or the City Engineer.
- J. Provide a signage and striping plan per City standards.
- K. It is the Developer's responsibility to obtain any off-site dedications for transition tapers including acceleration / deceleration tapers and to satisfy the 26' minimum paving requirement per City standards.
- L. Relocate existing overhead utilities to underground. The Developer shall coordinate with affected utility companies.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

- A. During construction, the entire tract shall have a "Master Water Meter" per City standards. The "Master

Meter” shall remain in place until all lots are occupied, at which time the individual meters shall be set and activated per City standards.

B. “AMR” automatic meter reader to be added on all meter connections.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

NON-VEHICULAR ACCESS. Vehicular access rights along Arrowhead Lake Road shall be dedicated to the City of Hesperia, and labeled on the Final map. (E, P)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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). In addition, the following notes shall be included: i) Each single-family residence within this subdivision shall contain a minimum livable area (excluding required garages) of not less than 1,400 square feet; and ii) 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.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

LIGHT AND LANDSCAPE DISTRICT ANNEXATION. Developer shall annex property into the lighting and landscape district administered by the Hesperia Recreation and Parks District. The required forms are available from the Building Division and once completed, shall be submitted to the Building Division. (RPD)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

LOT LINE ADJUSTMENT. A lot line adjustment shall be recorded matching the configuration of the tentative tract Map. (P/E)

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

APPROVAL OF IMPROVEMENT PLANS. All required improvement plans shall be prepared by a registered Civil

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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. The topcoat of asphalt does not have to be installed until final inspection and occupancy. [F 44]

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

FIRE ACCESS-POINTS OF VEH. ACCESS. The development shall have a minimum of one point of vehicular access. These are for fire/emergency equipment access and for evacuation routes.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

FIRE ACCESS-SINGLE STORY ROAD ACCESS. 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.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

FIRE SURFACE. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85 compaction and or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds. [F 42]

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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. The Fire Flow for this project shall be: 1000 GPM for a 2-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 3600 sq.ft. structure. [F 5]

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

WATER SYSTEM-RESIDENTIAL. A water system approved and inspected 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 three hundred (300) feet apart (as measured along vehicular travel ways) and no more than one hundred fifty (150) feet from any portion of a structure. [F 54]

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

COMPLETED **COMPLIED BY**
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)

TRIBAL RESOURCES.

TCR-1

Due to the heightened cultural sensitivity of the proposed project area, an archaeological monitor with at least 3 years of regional experience in archaeology and a Tribal monitor representing the San Manuel Band of Mission Indians and the Twenty-Nine Palms Band of Mission Indians (consulting Tribes) shall be present for all ground-disturbing activities that occurs within the proposed project area. A sufficient number of archaeological and Tribal monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage. Monitoring and associated costs will be at the expense of the property owner.

TCR-2

A Monitoring, Discovery, Treatment, and Disposition Plan (MDTDP) shall be created prior to any and all ground-disturbing activity in consultation with the consulting Tribes and agreed to by all Parties. The MDTDP shall provide details regarding the hiring of tribal monitors, the process for in-field treatment of inadvertent discoveries, and the disposition of inadvertently discovered non-funerary resources. Inadvertent discoveries of human remains and/or funerary object(s) are subject to California State Health and Safety Code Section 7050.5, and the subsequent disposition of those discoveries shall be decided by the Most Likely Descendent (MLD), as determined by the Native American Heritage Commission (NAHC), should those findings be determined as Native American in origin.

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

TRIBAL RESOURCES.

The Twenty-Nine Palms Band of Mission Indians is proposing that a monitor selected or accepted by the Twenty-Nine Palms Band of Mission Indians be present throughout the process of grading as an independent observer to determine if there are any objects or indication of any significant past presence of Mission Indians of the site. Should the findings be positive, the future course of action shall be in accordance with the accepted practice per laws of California. The expense of the Monitor and any future action required to handle the found artifacts shall be borne by the Owner of the Project. The Developer of the Project shall be fully responsible for notifying the Twenty-Nine Palms Band of Mission Indians in a timely manner and coordinating this effort.

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

LANDSCAPING/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 areas along along Arrowhead Lake Road, along the street side yard and front yards of numbered lots, and within Lot A 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
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

CONDITIONS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE:

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

DEVELOPMENT FEES. The Developer shall pay required school fees. (B)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

FENCING PLANS. A combination four foot high wrought iron fence and two-foot-high split face masonry wall shall

be constructed along the boundary of the retention basin in accordance with City standards (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
NOT IN COMPLIANCE

COMPLIED BY

MASONRY WALL/ FENCING PLANS. A six-foot high split-face masonry wall with decorative cap shall be constructed on private property adjacent to Arrowhead Lake Road, and along the street side (north) yard of Lot 14 in accordance with City standards. In addition, a six-foot high split-face masonry wall with decorative cap shall be constructed on private property adjacent to the lettered lot A from the rear property line to the minimum front yard setback. Two complete sets of engineered construction plans for the required walls shall be submitted to the Building and Safety counter for review. (P)

CONDITIONS REQUIRED PRIOR TO OCCUPANCY OF ANY UNIT

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

HYDRANT MARKING. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road. [F80]

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

DEVELOPMENT FEES. The Developer shall pay required development fees as follows:

- A. Development Impact Fees (B)
- B. Park Fees (B)
- C. Utility Fees (E)

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED
NOT IN COMPLIANCE

COMPLIED BY

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

COMPLETED **COMPLIED BY**
NOT IN COMPLIANCE

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

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/her 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)

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