

PLANNING COMMISSION

ATTACHMENT A

Resolution No. P-25-013

RESOLUTION NO. P-25-013

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VICTORVILLE GRANTING APPROVAL OF TENTATIVE TRACT MAP CASE NO. PLAN23-00030 - A TENTATIVE TRACT MAP WITH A MITIGATED NEGATIVE DECLARATION TO ALLOW FOR THE DEVELOPMENT OF 242-SINGLE-FAMILY RESIDENTIAL LOTS ON FOUR VACANT PARCELS DESIGNATED AS R-1 (SINGLE-FAMILY RESIDENTIAL) ZONING AND TOTALING APPROXIMATELY 70 ACRES OF R-1 (SINGLE-RESIDENTIAL) ZONED PROPERTY LOCATED AT THE NORTHWEST CORNER OF MESA STREET AND TOPAZ ROAD.

WHEREAS, an application has been received from Tim Roofian - Rodeo Credit Enterprises, regarding property in the City of Victorville, County of San Bernardino, State of California, particularly described as follows:

TENTATIVE TRACT NO. 20576, BEING A SUBDIVISION OF THE FOLLOWING:

PARCEL A: [APN: 3136-411-04-0-000(AFFECTS: PARCEL 3)] AND [APN: 3136-411-05-0-000(AFFECTS: PARCEL 4)];

PARCELS 3 AND 4 OF PARCEL MAP NO. 14448, IN THE CITY OF VICTORVILLE, COUNTY OF SANBERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 173 OF PARCEL MAPS, PAGES(S) 93 TO 95, RECORDS OF SAID COUNTY;

PARCEL B: [APN: 3136-441-01-0-000]

THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 4NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF; AND

PARCEL C: [APN: 3136-441-02-0-000]

THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL, DATED JULY 25, 1856; and

WHEREAS, a public hearing was held on the 14th day of May 2025, pursuant to Title 7, Division 2, Chapter 3, of the Government Code, State of California, to hear arguments for and against the issue; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), and the CEQA Guidelines, the City of Victorville Planning Department undertook and completed an Initial Study for the project, the result of which was the preparation and circulation of a Mitigated Negative Declaration; and

WHEREAS, the Planning Commission finds that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis; and

WHEREAS, the Initial Study, supporting documents, and a Mitigated Negative Declaration for the proposed Tentative Tract Map have been presented to the Planning Commission, and after review and consideration of the environmental information the Planning Commission found that the proposal will not have a significant effect on the environment and therefore adopted the Mitigated Negative Declaration; and

WHEREAS, the Planning Commission finds that all materials that constitute the record of proceedings upon which its decision is based, shall be located with the City of Victorville Clerk, located at 14343 Civic Drive, Victorville, CA; and

WHEREAS, the Planning Commission finds that the proposal will ensure a functional and safe neighborhood is developed due to the inclusion of street designs, lot designs, landscaped entry features and overall enhanced tract design as required by the Single-family Design Guidelines, which will create a pedestrian friendly interactive environment; and

WHEREAS, the Planning Commission finds that the overall tentative tract and drainage designs are in accordance with the Single-family Design Guidelines and Title 16, as there varying lot widths throughout that provide numerous opportunities for home designs and placement, and landscaping areas create an enhanced entry feature and enhanced pedestrian access to recreational amenities; and

WHEREAS, the Planning Commission finds that the proposed project will have no adverse effect upon abutting properties due to: development standards included in Title 16 that ensure this proposal and any future development is in accordance with minimum standards designed to protect the health, safety and welfare of the community; because the subject proposal is a single-family residential development that is in accordance with the underlying General Plan and Zone District; and because the project will complement existing and planned single-family residential development in the vicinity; and

WHEREAS, the Planning Commission finds that this land division is consistent with the City's adopted General Plan and Zoning Ordinance since the site meets the required density, lot size, access requirements, is in general conformance with the purpose of the Single-family Design Guidelines, and the proposal will not divide an established land use designation; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission, pursuant to Article 16-4.02 of the Victorville Municipal Code that Tentative Tract Map 20576, Case No. PLAN23-00030, a Tentative Tract Map with a Mitigated Negative Declaration to allow for the creation of 242 single-family residential lots from four existing undeveloped parcels zoned R-1 (Single-family Residential) at the above-described property, be granted subject to the following conditions of approval:

Planning Conditions:

1. The proposed subdivision shall comply with all applicable development standards of Title 16 and Title 17 of the City of Victorville Municipal Code, as well as the Subdivision Map Act of the State of California.
2. The final map shall be in substantial conformance with the tentative map submitted as part of this application, unless modification is required to comply with Title 16 of the City of Victorville Municipal Code and/or conditions of approval.
3. The applicant shall provide the Zoning Administrator or his designee with a lot closure list for all lots within the subdivision at the time of submission of maps for final approval.
4. The final map shall be subject to review and approval by the Zoning Administrator or his designee prior to recordation.
5. All areas within lots "A", "B", "C", "D", "E", "F" and any required lettered lots and the public right-of-way of Topaz Road, Mesa Street and Cataba Road not improved with pavement, curbs, gutters, or sidewalks shall be landscaped. The developer shall provide a means to ensure their permanent maintenance as approved by the Zoning Administrator and the Director of Public Works or their designee.
6. All drainage basins/facilities that abut the public right-of-way not otherwise utilized as a recreational amenity shall provide a 10-foot-wide landscape buffer (exclusive of right-of-way area) between the drainage basin/facility and the public right-of-way. The developer shall provide a means to ensure their permanent maintenance as approved by the Zoning Administrator and the Director of Public Works or their designee.
7. Site Plan approval by the Zoning Administrator is required prior to recordation of the final map in order to review the dual use drainage/recreational basin (Lot J) and park and the final design of landscape spaces within lots "G", "H", "K", "N", "L", "M" and "I

and ensure Municipal Code compliance and adequate maintenance access, unless otherwise deemed unnecessary by the Zoning Administrator, City Engineer and Director of Public Works or their designees. All other individual components not otherwise reviewed and approved by the Planning Commission, including but not limited to stock plans, recreational amenities, tract entry features/signage, wall plans, easement/lettered lot final designs, and installation schedules shall be approved via Site Plan application prior to associated permit issuance and may occur after recordation of the final map.

8. Pursuant to Section 16-3.08.030 of the Municipal Code, rear and side masonry walls are required for each lot with the concurrent construction of two or more units by the same developer. Project perimeter walls shall be of decorative block with anti-graffiti coating and include architectural features and colors to match the project.
9. Pursuant to Section 16-3.08.020 – Table 8-2 of the Municipal Code, all lots shall have a pad area equal to minimum required lot width and depth, which is exclusive of slopes, open drainage and unusable easements. All required yard areas shall also be free from these obstructions.
10. Pursuant to Section 16-3.08.020 – Table 8-2 of the Municipal Code, the width of side yards shall be five and ten feet. The width of the side yard along the street lot line of a corner lot shall be ten feet.
11. The Applicant and/or Developer shall incorporate drought tolerant landscaping in accordance with Chapter 13.60 and Section 16-3.24.030 of the Victorville Municipal Code.
12. In accordance with section 13.60.110 of the Victorville Municipal Code, all new residential tract development shall provide for the installation of reclaimed water pipelines, to the extent required by the responsible water purveyor. Such pipelines shall be connected to the water purveyor's reclaimed water system. The foregoing requirements are not applicable to individual residential lots.
13. The City of Victorville's name shall not be used in any Conditions, Covenants, and Restrictions (CC&Rs) associated with this development to which it is not a party.
14. The Applicant/Owner shall agree to defend, indemnify and hold harmless, the City of Victorville, its agents, officers and employees from any claim, action or proceeding against the City of Victorville or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Victorville shall promptly notify the applicant of any such claim, action or proceeding, and the City of Victorville shall cooperate fully in the defense.
15. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
16. All street names shall be taken from the City's Approved Master Street name list and be selected by the applicant/developer prior to the recordation of the final map.
17. The project shall comply with all Federal, State and local laws and policies, including: the California Government Code (including the Planning, Zoning and Development Laws), Environmental Quality Act (CEQA), Subdivision Map Act, International Building Code, Green Code, Fire Code; and, Victorville General Plan and Municipal Code; unless permitted to

deviate through provisions of such, or through adopted mitigation measures, conditions of approval, or the plans themselves.

18. The applicant shall file a Notice of Determination and pay the necessary filing fee to the County of San Bernardino pursuant to Public Resources Code Section 21089(b). The project is not effective until such time as this condition has been satisfied. The applicant shall submit evidence to the Development Director or his designee indicating that this condition has been satisfied. Any delay in the applicant's payment of the required fee shall not toll the lapse of approval date nor appeal period of this project.
19. The applicant shall indemnify, protect, and hold harmless the City from any lawsuit filed due to the applicant's failure to pay the fee imposed by Fish and Game Code Section 711.4.
20. Prior to issuance of a grading permit the applicant shall obtain coverage, if required, under the statewide general NPDES permit for control of construction and post-construction related storm water. In addition, if coverage is required, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) as required in the NPDES permit and shall identify site-specific best management practices that will be implemented.
21. The proposed development is required to mitigate its ongoing economic impacts that require the provision of additional municipal services. To mitigate ongoing economic impacts created by new development, the City formed Community Facilities District (CFD) No. 2024-01 of the City of Victorville (Municipal Services) to fund the ongoing costs of City services, including public safety, street/sidewalk maintenance, flood and storm protection, and other eligible service impacts. Prior to the recording of the final map or issuance of a building permit for the proposed development, the Developer shall annex the subject site into CFD No. 2024-01, or shall establish a funding mechanism to provide an ongoing source of funds for the additional services comparable to the uniform standardized rates established for CFD No. 2024-01.
22. Prepare and submit to the Mojave Desert Air Quality Management District (MDAQMD), prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project.
23. Signage compliant with Rule 403 Attachment B shall be erected at each project site entrance not later than the commencement of construction.
24. Use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.
25. All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project specific biological mitigation prohibiting wind fencing.
26. All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from

vehicular travel and wind erosion. Take actions to prevent project-related trackout onto paved surfaces, and clean any project-related trackout within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

Additionally, obtain District permits for any miscellaneous process equipment that may not be exempt under District Rule 219 including, but not limited to internal combustion engines with a manufactures maximum continuous rating greater than 50 brake horsepower.

27. **MM-BIO-1** Western Joshua Tree Fee Payment. Mitigation for direct impacts and indirect impacts to western Joshua trees will be fulfilled through a payment of fees as described in Section 1927.3 of the WJTCA. California Department of Fish and Wildlife (CDFW) determines the final fee. Alternatively, if a CESA incidental take permit (ITP) is obtained, mitigation will occur through off-site conservation or through a CDFW approved mitigation bank, or as required by the Section 2081 Incidental Take Permit.

Prior to the fee payment, WJTCA also requires submittal of a WTJCA Incidental Take Permit application, accompanied by a census of western Joshua trees within the Project site and a 50-foot buffer (census area). At minimum, the census requires parallel survey transects throughout the Census Area, photographs of each tree, and tree measurements per CDFW protocol.

Prior to the issuance of grading permits, the project applicant shall also submit an application and applicable fee paid to the County of San Bernardino for removal or relocation of protected western Joshua tree under California Desert Native Plants Act (CDNPA), as determined by designated County personnel. However, removal, trimming, encroachment upon, or relocation of western Joshue tree shall now occur without an incidental take permit from CDFW.

The project must also receive written consent from the City of Victorville's Director of Parks and Recreation prior to the removal or relocation of western Joshua trees in accordance with City of Victorville Code of Ordinances, Chapter 13.33, Preservation and Removal of Joshua Trees.

28. **MM-BIO-2** Designated Biologist Authority. The designated biologist shall have authority to immediately stop any activity that does not comply with the biological resources mitigation measures and/or to order any reasonable measure to avoid the unauthorized take of an individual western Joshua tree.
29. **MM-BIO-3** Compliance Monitoring. The designated biologist shall be on site daily during vegetation clearance and initial ground-breaking activities. The designated biologist shall conduct a pre-construction sweep of the project site prior to disturbance activities. The biologist shall also conduct compliance inspections to minimize incidental take of western Joshua trees and impacts to other sensitive biological resources; prevent unlawful take of western Joshua trees; ensure that signs, stakes, and fencing are intact; and ensure that impacts are only occurring within the direct impact footprint. Written observation and inspection records that summarize oversight activities, compliance inspections, and monitoring activities required by the Incidental Take Permit shall be prepared.

30. **MM-BIO-4** Demarcation of Disturbance Limits. Before beginning activities that would cause impacts, the contractor shall, in consultation with the designated biologist, clearly delineate the boundaries with fencing, stakes, or flags, consistent with the grading plan, within which the impacts will take place. All impacts outside the fenced, staked, or flagged areas shall be avoided, and all fencing, stakes, and flags shall be maintained until the completion of impacts in that area.
31. **MM-BIO-5** Pre-Construction Special-Status Reptile Survey. A pre-construction survey for coast horned lizard shall be conducted no more than 7 days prior to the initiation of initial vegetation removal or initial grading activities. If coast horned lizard is observed on the project site, a qualified biologist shall capture and relocate the species to suitable habitat outside of the impact footprint prior to the onset of ground disturbing activities. Any special-status reptiles requiring relocated with be documented in compliance monitoring records.
32. **MM-BIO-6** Pre-Construction Burrowing Owl Surveys. Breeding season surveys for burrowing owl shall be conducted in accordance with protocols established in the 2012 (or most recent version) Staff Report on Burrowing Owl Mitigation.

If burrowing owls are detected, the Project proponent shall fully avoid impacts to burrowing owl. If impacts to burrowing owl are unavoidable, the Project proponent shall obtain a CESA ITP.

Compensatory mitigation for permanent loss of owl habitat shall be provided following the guidance in CDFW's Staff Report on Burrowing Owl Mitigation and as determined by CDFW through a CESA ITP.

Should burrowing owl be located during the pre-construction survey, the project would result in the loss of at least 65.55 acres of occupied habitat for burrowing owl, and impacts shall be authorized and fully mitigated, as determined by CDFW, through a CESA ITP. Mitigation for direct impacts to occupied habitat shall be fulfilled through conservation of suitable burrowing owl habitat through the purchase of credits (if available) or perpetual management and conservation of acquired in-kind habitat of equal or better functions and values to those impacted by the project.

33. **MM-BIO-7** Nesting Bird Avoidance. Prior to vegetation removal or initial ground disturbance an avian nesting survey of the project site and within 500 feet of all impact areas must be conducted to determine the presence/absence of birds and active nests. The avian nesting survey shall be performed by a qualified wildlife biologist within 72 hours prior to the start of construction in accordance with the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 3513. If the biologist does not find any active nests within or adjacent to the impact areas, the vegetation clearing/construction work shall be allowed to proceed.

If an active bird nest is found (i.e., nests that support eggs, nestlings, or juveniles), the nest shall be flagged and mapped on the construction plans along with an appropriate buffer established around the nest, which will be determined by the qualified wildlife biologist based on the species' sensitivity to disturbance. The nest area shall be avoided until the nest is vacated and the juveniles have fledged, as confirmed by the qualified wildlife biologist. The nest area shall be demarcated in the field with flagging and stakes or construction fencing. On-site construction monitoring shall also be conducted when

construction occurs in close proximity to an active nest buffer. No project activities may encroach into established buffers without the consent of a qualified monitoring biologist who has experience with monitoring nesting birds and who determined that encroachment will not cause an adverse effect to nesting birds. The buffer shall remain in place until it is determined the nestlings have fledged and the nest is no longer considered active, as confirmed by the qualified wildlife biologist.

34. **MM-BIO-8** Hazardous Waste. The applicant shall immediately stop work and, pursuant to pertinent state and federal statutes and regulations, arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so.
35. **MM-BIO-9** Herbicides. The applicant shall limit herbicide use for invasive plant species and shall use herbicides only if it has been determined that hand or mechanical efforts are infeasible. To prevent drift, the permittee shall apply herbicides only when wind speeds are less than 7 miles per hour. All herbicide application shall be performed by a licensed applicator and in accordance with all applicable federal, state, and local laws and regulations.
36. **MM-BIO-10** Trash and Debris. The following avoidance and minimization measures shall be implemented during project construction.
 - (1) Fully covered trash receptacles that are animal-proof will be installed and used by the operator to contain all food, food scraps, food wrappers, beverage containers, and other miscellaneous trash. Trash contained within the receptacles will be removed at least once a week from the project site.
 - (2) Construction work areas shall be kept clean of debris, such as cable, trash, and construction materials. All construction/contractor personnel shall collect all litter, vehicle fluids, and food waste from the project site on a daily basis.
37. **MM-BIO-11** Lighting for construction activities and post-construction operations within 50 feet of the outside edge of the impact footprint containing habitat for special-status wildlife will be shielded and directed downward.
38. **MM-BIO-12** Invasive Plant Management. In order to reduce the spread of invasive plant species, landscape plants within 200 feet of native vegetation communities shall not be on the most recent version of the Cal-IPC California Invasive Plant Inventory (<http://www.cal-ipc.org/ip/inventory/index.php>). Post construction, the applicant shall continually remove invasive plant species on site by hand or mechanical methods, as feasible.
39. **MM-CUL-1** Workers Environmental Awareness Program (WEAP) Training. All construction personnel and monitors conducting ground disturbing activities who are not trained archaeologists shall be briefed regarding unanticipated discoveries prior to the start of construction activities. A basic presentation should be prepared and presented by a qualified archaeologist to inform all personnel working on the project about the archaeological sensitivity of the area. The purpose of the WEAP training is to provide specific details on the kinds of archaeological materials that may be identified during construction of the project and explain the importance of and legal basis for the protection of significant archaeological resources. Each worker shall also learn the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground-disturbing activities.

These procedures include work curtailment or redirection, and the immediate contact of the on-call archaeologist and if appropriate, tribal representative. Necessity of training attendance shall be stated on all construction plans.

40. **MM-CUL-2** Retention of Archaeologist. Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground disturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.
41. **MM-CUL-3** Inadvertent Discovery of Cultural Resources. In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly nonsignificant deposits shall be minimally documented in the field and collected so the monitored grading can proceed. If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference.
- A. Full avoidance.
 - B. If avoidance is not feasible, Preservation in place.
 - C. If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.
 - D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1).
42. **MM-CUL-4** Tribal Monitoring Services Agreement. Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal

Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.

43. **MM-CUL-5** Cultural Resource Management Plan. Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the Project schedule.
44. **MM-CUL-6** Pre-Grade Meeting. The retained Qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.
45. **MM-CUL-7** On-Site Monitoring. During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.
46. **MM-CUL-8** Inadvertent Discovery of Human Resources. The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. **No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].**
 - A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
 - B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.
 - C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98.

D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.

47. **MM-CUL-9** Final Report. The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center, and the Consulting Tribe[s].
48. **MM-GHG-1** Updated Screening Table. Prior to the recordation of the final map, the applicant/developer shall complete a revised Greenhouse Gas Emissions Screening Table in accordance with the City's adopted version of the San Bernardino County Regional Greenhouse Gas Reduction Plan 2021, while achieving the minimum number of points necessary to comply with the City of Victorville Greenhouse Gas reductions goals.
49. **MM-GHG-2** Compliance Verification. To the extent feasible, the City of Victorville Planning Department shall verify incorporation of the identified Screening Table Measures within the Project building plans/site designs and/or verify compliance with an updated version of the City's Greenhouse Gas Screening Table prior to the issuance of building permit(s).
50. **MM-HAZ-1** Accidental Spills. The applicant/developer shall prepare and implement a comprehensive Spill Prevention and Response Plan for the Project, subject to review and approval by the City Planner and City Engineer (or their designee) prior to the issuance of any associated building or grading permit. This plan should outline the site-specific monitoring requirements and list the best management practices necessary to prevent hazardous material spills or to contain and cleanup a hazardous material spill, should one occur.
51. **MM-NOI-1** Construction Equipment. The City will require that all construction equipment be operated with mandated noise control equipment (mufflers or silencers). Enforcement will be accomplished by random field inspections by applicant personnel during construction activities.
52. **MM-NOI-2** Hourly Noise Levels. Noise minimizing measures shall be implemented to reduce noise levels to the greatest extent feasible at the nearest receptors, defined as at or below 55 dBA permitted between the hours of 10:00 PM and 7:00 AM; and at or below 65 dBA permitted between the hours of 7:00 AM and 10:00 PM. Measures shall include portable noise barriers and scheduling specific construction activities to avoid conflict with adjacent sensitive receptors.
53. **MM-NOI-3** Construction Staging. Construction staging areas shall be located as far from adjacent sensitive receptor locations as possible.

Engineering Conditions:

54. The subdivider shall prepare and file with the City, a final map in accordance with the requirements of the Subdivision Map Act, latest amendments, and all applicable provisions of Title 16 and Title 17 of the Victorville Municipal Code.
55. The final map shall be based upon a recent field survey made in conformity with the Land Surveyor's Act.
56. The subdivision map shall show all easements of record within the subdivision boundary and annotate said easements as required by the City.
57. Any easements required for public utilities, City owned water, sewer, and/or drainage facilities shall be dedicated on the final map.
58. Prior to the acceptance for recordation of the final map, the subdivider shall enter into a Subdivision Improvement Agreement as required by Section 16-4.08.060 of the Victorville Municipal Code and Section 66411.1 of the Subdivision Map Act for the completion of any improvements as set forth in Section 16-4.09.010 that have not been completed. Said agreement shall be secured by one of the forms specified by Section 17.64.060 of the Victorville Municipal Code.
59. The subdivider shall monument or reference at least one exterior boundary line of the land being subdivided before the map is recorded and shall furnish to the City a security guaranteeing the payment of the cost of setting monuments not in place at the time the map is recorded.
60. The developer shall dedicate an easement for public right-of-way to the City of Victorville for the following in accordance with the Circulation Element:
 - a) An additional 7-feet from the existing dedication of 42-feet for a total of 49-feet from the centerline of Topaz Road.
 - i) There will be an additional dedication requirement of 13-feet alongside the 49-feet requirement for a total of 62-feet to accommodate a right-turn pocket along Topaz Road, approaching Mesa Street.
 - b) A variable width dedication requirement for proposed alignment of Topaz Road the corner of Topaz Road and Mesa Street shall be required.
 - c) An additional 2-feet from the centerline of improvements for Mesa Street for a total of 34-feet.
 - d) The corner cut-off/chamfer for Topaz Road and Mesa Street shall accommodate a 30-foot radius curb return per City Standard S-25 and City standard accessibility ramps per City Standard No. S-11.
 - e) The corner cut-off/chamfer for Topaz Road and Street (A & J) shall accommodate a 30-foot radius curb return per City Standard S-25 and City standard accessibility ramps per City Standard No. S-11.
 - f) The corner cut-off/chamfer for Cataba Road and Mesa Street shall accommodate a 25-foot radius curb return per City Standard S-25 and City standard accessibility ramps per City Standard No. S-11.
61. All public improvements along the frontages of the subject property(ies) shall be constructed as required by Sections 16-4.08.010, 16-4.08.020, 16-4.08.030, and 16

4.08.040, of the Victorville Municipal Code in accordance with the requirements of the Standard Specifications for Public Improvements of the City of Victorville and the City Engineer.

- a) Construction of Topaz Road shall be built to ultimate half-width along the project frontage (inclusion of the dedicated right turn pocket) approaching Hopland Street City Standard No. S-25 (Minimum Criteria: TI =10 and R-Value of 50 or 5.5" AC over 8" CAB). The developer shall install an additional 12-feet of pavement widening, an AC berm, and parkway grading on the opposite side of the street centerline as required by the City Engineer.
 - b) Construction of Mesa Street shall be built to ultimate half-width along the project frontage City Standard No. S-25 (Minimum Criteria: TI =8 and R-Value of 50 or 3.5" AC over 8" CAB). The developer shall install an additional 12-feet of pavement widening, an AC berm, and parkway grading on the opposite side of the street centerline as required by the City Engineer.
 - c) Landscaping parkway improvements along the frontages of the property per City Standards. See City Standard for Landscape, Basin, and Drainage Guidelines.
62. Grading plans and Erosion control plans for the subdivision shall be prepared by a licensed Civil Engineer per City Standards and submitted to Development Engineering for review and mylar approval by the City Engineer.
63. Street improvement plans for all required curb and gutter, sidewalks, pavement widening, driveway approaches, and cross-gutters, with reference to drainage structures, street lighting, signing & striping, and other roadway improvements within public right-of-way, shall be prepared by a licensed Civil Engineer per City Standards and submitted to Development Engineering for review and mylar approval by the City Engineer.
64. Water improvement plans shall be prepared by a licensed Civil Engineer per City Standards and submitted to the Development Engineering for review and mylar approval by the City Engineer. The water improvement plans shall show water service connections and valves. A current water service will serve letter from Victorville Water District is required with the plan submittal. Water service construction shall be subject to the conditions within the will serve letter and the approved Water Feasibility Study including:
- a) New construction of approximately 2.8 miles (14,784 feet) of 8-inch water main.
65. Sewer improvement plans shall be prepared by a licensed Civil Engineer per City Standards and submitted to the Development Engineering for review and mylar approval by the City Engineer. This project requires a connection to the City's sewage collection system. All improvements shall be installed by the developer in accordance with the Standard Specifications for Public Improvements of the City of Victorville.
66. Signing and Striping improvement plans shall be prepared by a licensed Civil/Traffic Engineer per City Standards and submitted to the Development Engineering for review and mylar approval by the City Engineer.
67. Streetlight improvement plans shall be prepared by a licensed Civil Engineer per City Standards and submitted to the Development Engineering for review and mylar approval by the City Engineer.

68. Landscape and irrigation improvement plan shall be submitted to the Development Engineering for review and mylar approval by the City Engineer.
69. A final hydrology and hydraulic study shall be prepared by a licensed Civil Engineer per City Standards and submitted to Development Engineering for review and approval by the City Engineer. The developer shall provide hydrology and hydraulic calculations to size any drainage structures and facilities included in all the improvement plans. The study shall identify both on and off-site flows including an analysis of all recommended drainage structures and facilities included within the wash and/or storm drains.
 - a) Please note that a small portion of the property, southeast corner of the parcel, lies within the Oro Grande Wash. Please contact the State Water Board, San Bernardino County Flood Control District, California Department of Fish and Wildlife, Army Corp of Engineers, and any other regulatory agencies for encroachment onto the wash. Improvements to the wash may or may not be required upon their review.
70. A final geotechnical report shall be prepared by a licensed Civil/Geotechnical Engineer per City Standards and submitted to Development Engineering for review and approval by the City Engineer.
71. A final Water Quality Management Plan (WQMP) for the subdivision for the on-site post-construction BMPs for treatment of storm water run-off, along with a WQMP exhibit, shall be prepared by a licensed Civil Engineer per City Standards and submitted to Development Engineering for review and approval by the City Engineer.
72. The site shall be designed and permanent drainage detention facilities installed such that post-development peak storm water runoff discharge rates shall not exceed the estimated pre-development rate where the increase peak storm water discharge rate will result in increased potential for downstream erosion, and to mitigate potential water quality impacts related to stormwater. A flood control water quality retention/detention improvement plan prepared by a licensed Civil Engineer detailing all proposed mitigatory measures/infrastructure shall be prepared and submitted to Development Engineering for review and approval by the City Engineer in accordance with the approved WQMP and final hydrology study.
73. The developer shall construct an all-way stop control at the intersections of 1) Topaz Road and Eucalyptus Street; and 2) Topaz Road and Mesa Street per the approved traffic study and the City Traffic Engineer.
74. A permit issued from the City's Engineering Department is required prior to commencement of any work performed within public right-of-way and the City's inspection process followed for the connection to and construction of any facilities that are to be dedicated to, owned and maintained by the City.
75. A permit issued from the Engineering Department is required for the connection to the public sewer, water, and/or storm drain system.

76. The subdivider shall pay any and all fees and charges that may become effective prior to the issuance of a building permit or utility connection and shall pay such fees as a condition of obtaining a building permit.
77. The owner of the subdivision shall agree, binding upon any successors and assigns of interest in the subdivision, to pay any and all fees and assessments applicable to the subdivision from the date of recordation until such a time that building permits have been issued for each lot.
78. Pursuant to Section 17.76.010 of the Victorville Municipal Code, prior to the filing of any final map or parcel map, the subdivider shall pay or cause to be paid any fees (assessments) for defraying the actual or estimated costs of constructing planned drainage facilities for the removal of surface and storm waters from local or neighborhood drainage areas, or sanitary sewer facilities for local sanitary sewer areas established pursuant to Section 66483 of the Government Code.
79. The subdivider shall be responsible for all costs (including application fees, design, and construction) incurred due to the relocation of existing utility facilities where such facilities conflict with the improvements associated with this development.
80. The subdivider shall be responsible for obtaining any street right-of-way dedications to the City where they do not exist for access roads required by the fire department.
81. The subdivider shall be responsible for obtaining any permits, permissions, easements, and/or non-interference letters for land disturbing activities or public improvements constructed on or along adjacent properties/easements prior to the approval of plans and issuance of permits. A copy of the abovementioned document shall be submitted to Development Engineering for review and approval prior to the issuance of a grading permit.
82. The subdivider shall submit an initial and final digital AutoCAD (.dwg file) copy of the map.
83. The subdivider shall provide the City with a copy of the recorded final map on reproducible polyester-based film (mylar).
84. The subdivider shall provide the City with a copy of approved improvement plans on reproducible polyester-based film (mylar) for the City Engineer's signature of approval.
85. The design and construction of any access roads to the subdivision required by the fire department shall include improvements and requirements determined to be necessary by the City Engineer.
86. All requirements of Section 16-5.12.170 of the Victorville Municipal Code regarding the placing of utility lines underground shall be complied with.
87. Any public walkways fronting the subdivision shall be designed and constructed for accessibility in compliance with the guidelines of the Americans with Disabilities Act Standards for Accessible Design and the Standard Specifications for Public Improvements of the City of Victorville.

88. Grading operations and construction shall be conducted in a manner and/or measures taken to prevent sand, dust, and debris to blow onto other properties. Temporary fencing shall be erected as required by City staff during construction to prevent windblown debris from leaving the project site and to ensure public safety. An adequate dust palliative shall be used at all times. After completion of grading the developer shall maintain the site such that sand, dust and debris do not blow onto other properties.
89. Prior to construction of any improvements or any land disturbance, the developer shall construct temporary drainage facilities and provide erosion control measures as necessary to minimize storm water run-off, erosion, and silt deposition. The developer shall provide an erosion control plan of the Best Management Practices to be implemented during construction. The National Pollutant Discharge Elimination System (NPDES) permit program requires operators of construction sites one acre or larger (including smaller sites that are part of a larger common plan of development) to obtain an NPDES permit and prepare a Storm Water Pollution Prevention Plan (SWPPP). A copy of the SWPPP (and erosion control plan) shall be submitted to Development Engineering. All NPDES guidelines and requirements must be adhered to, and best management practices followed at all times during construction.
90. The developer shall be responsible for all costs (including application, design, and construction fees) incurred due to the relocation of existing utility facilities where such facilities conflict with the improvements associated with this project.
91. The developer shall pay any and all fees and charges that may become effective prior to the issuance of a building permit or utility connection and shall pay such fees as a condition of obtaining a building permit.
92. The proposed development is required to mitigate its ongoing economic impacts that require the provision of additional municipal services. To mitigate ongoing economic impacts created by new development, the City formed **Community Facilities District (CFD) No. 2024-01 of the City of Victorville (Municipal Services)** to fund the ongoing costs of City services, including public safety, street/sidewalk maintenance, flood and storm protection, and other eligible service impacts. Prior to the recording of the final map or issuance of a building permit for the proposed development, the Developer shall annex the subject site into CFD No. 2024-01, or shall establish a funding mechanism to provide an ongoing source of funds for the additional services comparable to the uniform standardized rates established for CFD No. 2024-01.
93. The engineer of record shall acknowledge and provide a response to Caltrans District 8's Local Development Review (LDR) branch's comment letter provided to the IS/MND of this project. If a modification is required, a final traffic study shall be provided to Caltrans District 8 and the City of Victorville's Engineering Department for review and approval prior to final map recordation.

Fire Conditions:

94. Shall comply with all 2022 California Building and Fire Code requirements based on occupancy classification; and all applicable City of Victorville Fire Prevention Standards.
95. Automatic Fire Sprinkler System(s) are required for the proposed dwellings. Plans shall be submitted and approved prior to construction and comply with City of Victorville Fire Prevention Standard F-1.
96. Paved access from 2 points is required and shall comply with City of Victorville Fire Prevention Standard A-2. Plans shall be approved prior to the commencement of construction.
97. Interior/Exterior Fire Department Access roadways/fire lanes shall be required per City of Victorville Fire Prevention Standard A-1.
98. An approved On-Site Private Underground Fire Service Line(s), in accordance with City of Victorville Fire Prevention Standard W-2/F-4 and City of Victorville Water Standard W-28, shall be in-service prior to any combustible materials being located on-site.
99. Required Fire Flow for this project is estimated to be 1,500gpm @20psi for a 2-hour duration at furthest remote hydrant. Contact City of Victorville Cross-Connection Department to assure availability of required fire flow.
100. Residential Projects with more than 100 proposed dwellings shall be required to have a looped fire line system with a minimum of two (2) points of connection to the public and private water source. City of Victorville Fire Prevention Standard W-2.

Building Conditions:

101. The project shall comply with all building codes in effect at the time of plan submittal.
102. Plan check fees for this project will be due, and shall be paid in full, upon submittal of plans to the Building Division. The Building Division may be contacted at (760) 955-5100 for an estimation of these fees. Tools for estimating total permit fees are available on the City's website <https://www.victorvilleca.gov/government/city-departments/development/permit-center/fees-forms>. Actual amounts owed will be determined upon submittal of the plans via the City's online permit center.