

PLANNING COMMISSION

ATTACHMENT A

Site Plan Resolution No. P-25-014

RESOLUTION NO. P-25-014

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VICTORVILLE APPROVING SITE PLAN CASE NO. PLAN23-00018; A SITE PLAN WITH A CALIFORNIA ENVIRONMENTAL QUALITY ACT SECTION 15183 DETERMINATION TO ALLOW FOR THE DEVELOPMENT OF AN APPROXIMATELY 231,500 SQUARE FOOT PET TREAT MANUFACTURING FACILITY ON 10-ACRES OF UNDEVELOPED PROPERTY ZONED M-2 (HEAVY INDUSTRIAL) GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HESPERIA ROAD AND NISQUALLI ROAD

WHEREAS, an application has been received from Victorville Real Estate Investment, LLC regarding property in the City of Victorville, County of San Bernardino, State of California, particularly described as follows:

REMAINDER PARCEL OF PARCEL MAP 20254, IN THE CITY OF VICTORVILLE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 257 OF PARCEL MAPS, PAGES 76 THROUGH 77, INCLUSIVE, RECORDS OF SAID COUNTY; and

WHEREAS, a public hearing was held on the 14th day of May 2025, pursuant to Title 7, Division I, Chapter 4, of the Government Code, State of California, to hear arguments for and against the issue; and

WHEREAS, according to Section 15168(c)(2) of the State of California CEQA Guidelines, a Program EIR can be used in compliance with CEQA to address the effects of a subsequent activity, as long as the activity of the project is within the scope of the Program EIR, and no new effects are found and no new mitigation measures are required; and

WHEREAS, according to Section 15162 of the State of California CEQA Guidelines, when a Program EIR has been certified for a project, no new subsequent EIR needs to be prepared as long as the activity of the project is within the scope of the

Program EIR, and no new effects are found and no new mitigation measures are required; and

WHEREAS, State of California CEQA Guidelines Section 15183 allows streamlining for projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified; and

WHEREAS, State of California CEQA Section 15183(c) states that if an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, an additional EIR need not be prepared for the project solely on the basis of that impact; and

WHEREAS, per State of California CEQA Guidelines Section 15183(b), in approving such projects, the Lead Agency may limit the examination of environmental effects to the following in an Initial Study or other analysis, where the environmental effects: 1. Are peculiar to the project or the parcel on which the project would be located; 2. Were not analyzed as significant effects in a prior EIR for the general plan, community plan, or zoning action with which the project is consistent; 3. Are potentially significant off-site impacts and cumulative impacts that were not discussed in a prior EIR prepared for the general plan, community plan, or zoning action; or 4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the prior EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR; and

WHEREAS, the Planning Commission finds the Project is consistent with the analysis performed for the General Plan Program EIR; and the GP Program EIR adequately anticipated and described the impacts of the buildout of the City, identified applicable mitigation measures necessary to reduce project specific impacts, and the proposed project implements these mitigation measures as indicated in the attached conditions of approval; and

WHEREAS, the Planning Commission finds a comprehensive environmental evaluation has been completed for the project as documented in the 15183 Environmental Compliance Checklist; and the evaluation concludes that the project qualifies for an exemption from additional environmental review because it is consistent with the development density and use characteristics established by the City of Victorville General Plan, as analyzed by the City of Victorville General Plan Update Final Program EIR (SCH #202110136), and all required findings can be made; and

WHEREAS, the Planning Commission finds the Section 15183 Environmental Compliance Checklist prepared for the project and the analysis presented in the document reflects the lead agency's independent judgment and analysis and finds the proposed project would not result in new or substantially more severe significant environmental impacts than were analyzed in the City of Victorville General Plan Update Certified Program Environmental Impact Report (2022 PEIR); 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 site is adequate in size to accommodate the proposed use along with adequate development standards to ensure land use compatibility due to the sites location within a heavy industrial zone, the projects conformance with applicable standards of Title 16 of the Victorville Municipal Code including building size and placement, sufficient access and off-site connections, and the sites location along two Arterial Roadways (Nisqualli Road and Hesperia Road) with direct access to truck routes which access to Interstate 15; and

WHEREAS, the Planning Commission finds that the proposed use does not meet the suspension allowances provided by Planning Commission Policy PCP-09-001 or Section 16-5.12.190 of the Victorville Municipal Code for any unfinished right-of-way improvements and that the suspension of any unfinished improvements may adversely affect the public's health, safety and welfare; and therefore requires the construction of any unfinished right-of-way improvements as required by the Victorville Municipal Code; and

WHEREAS, the Planning Commission finds that the proposed site plan satisfies the Site Plan Review criteria, pursuant to Section 16-3.01.030(a) of the Victorville Municipal Code because the project follows the existing contours of the site and does not create significant artificial slopes or introduce buildings with views that would impact or reduce the privacy of neighboring residents; and

WHEREAS, the Planning Commission finds that the proposed site plan satisfies the Site Plan Review criteria, pursuant to Section 16-3.01.030(b) of the Victorville Municipal Code because the project will include a design theme that coordinates with recently approved industrial developments in the area with screened loading areas, and enhanced building elevations, as well as complete roadway improvements along the sites street frontage; and

WHEREAS, the Planning Commission finds that the proposed site plan satisfies the Site Plan Review criteria, pursuant to Section 16-3.01.030(c) of the Victorville Municipal Code because the proposal will ensure minimal disruption to surrounding uses since the project site is bound on the north by an industrial site with shared access to the public right-of-way on the north and with direct access to the public right-of-way on the west, and adjacent to undeveloped property expected to be developed with similar uses and/or complementary uses; and

WHEREAS, the Planning Commission finds that the proposed site plan satisfies the Site Plan Review criteria, pursuant to Section 16-3.01.030(d) & (e) of the Victorville Municipal Code because the development is in general compliance with the applicable development standards, regulations and requirements of Title 16 of the Victorville Municipal Code the applicable standards of the Industrial Design Guidelines including setbacks, lot coverage, parking, landscaping, site design, building design and site access; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission, pursuant to Sections 16-3.01.060 of the Victorville Municipal Code that Site Plan Case No. PLAN23-00018, a Site Plan with a California Environmental Quality Act Section 15183

determination to allow for the development of an approximately 231,500 square foot pet treat manufacturing facility on 10 acres of undeveloped property zoned M-2 (Heavy Industrial) on the hereinabove described property be granted subject to the following conditions of approval:

Planning Conditions:

1. The site plan approval allows for the development of an approximately 231,500 sq. ft. dog treat manufacturing facility that includes 19,588 sq. ft. of ancillary office space, 10 loading docks, 3 grade doors, as well as 186 passenger vehicle parking spaces. Associated site improvements such as paving, landscaping, walls, fencing, etc. are also included in the approval as depicted in the approved Site Plan and by Conditions of Approval.
2. The proposed development shall comply with all applicable development standards of Title 16 and shall be in general compliance with the Industrial Design Guidelines.
3. The proposed development shall be in substantial conformity with the plans submitted as part of this application, unless modification is required to comply with the applicable development standards of Title 16 and/or conditions of approval.
4. The development shall be in substantial conformity with the architectural elevations and renderings submitted with this application, unless modification is required by condition.
5. Any change in use or implementation of a new use within the facility, which will require additional parking spaces resulting in noncompliance with the parking standards of Title 16, shall cause that use to be subject to Planning Commission review and approval.
6. The number and location of all handicapped parking spaces shall be subject to Development Department review and approval.
7. All off-street parking spaces and access thereto required by Title 16 shall be provided in accordance with the specifications for standard parking spaces outlined in Title 16. Parking spaces provided in excess of required parking may be designed in accordance with the specifications for compact parking spaces outlined in Title 16.
8. Stamped color concrete shall be installed at driveway entrances, ADA path of travel and at the main building entries with the color and design subject to review and approval by the Zoning Administrator prior to the issuance of a building permit. The stamped color concrete shall be noted on the approved construction plans accordingly.
9. All proposed signs, including any freestanding signage, shall comply with Title 16. The applicant shall be required to submit a sign package for review and must gain

approval by the Planning Commission prior to approval of any signage proposed which is inconsistent with Title 16. All signs shall be subject to Planning Staff review and approval prior to obtaining a building permit.

10. All proposed temporary signage shall comply with Title 16. All temporary signs (grand openings, special sales, etc.) shall only be affixed to the suite they serve in accordance with an approved Temporary Sign Permit. Flags or other off-site signage is prohibited within multi-tenant developments.
11. A six-inch wide planter curbing, in accordance with Engineering Standard S-09, is required along the perimeter of all landscaped areas, including planters that abut the public right-of-way sidewalk. All planter strips abutting a public right-of-way and planter islands/landscape fingers shall be a minimum interior width of five feet, exclusive of curbing. The grading and site plans shall clearly show all required curbing.
12. The applicant/developer shall provide landscaping/irrigation plans in accordance with Chapter 13.60 of the Victorville Municipal Code, entitled Water Conservation. Landscape areas shall not exceed a slope of 3:1, unless otherwise approved by the Zoning Administrator and shall also meet Title 16 standards, including the minimum interior percentage of landscaping and the maximum dispersal of landscaping within a parking lot. The landscaping plan shall include a minimum of one 24-inch box tree for every eight parking spaces provided on-site. In addition, the landscaping plan shall include the maximum spacing of all plants as follows:
 - A. Ground cover – eighteen inches on center
 - B. One-gallon plants – three feet on center
 - C. Five-gallon plants – five feet on center

In addition, a note shall be conspicuously placed on the landscape plan indicating the following: Any discrepancy between the maximum spacing criteria and the number of plants shown on the landscape plan shall result in the spacing criteria superseding any other information shown on the landscape plan.

13. All proposed landscaping plant materials shall be listed on the City's approved water-wise plant list and verified during the building permit plan check. Any plant materials not listed on the approved plant shall be subject to review and approval by the Zoning Administrator to confirm the plant's ability to survive in the local climate. Additionally, the site shall include rock groundcover throughout all landscaped areas in accordance with the Municipal Code.
14. All landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This includes proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary and the regular watering of all plants. In addition, all landscaped areas shall be provided with a suitable permanent water system.

15. Prior to issuance of a certificate of occupancy, the Applicant/Owner shall submit documentation that demonstrates the site will be regularly maintained by a commercial landscape company or comparable means, subject to the review and approval of the Zoning Administrator. The Applicant/Owner shall also include current property management contact information when submitting the documentation.
16. The proposed screen wall shall architecturally match the building. The 8-foot-high wrought iron decorative fence shall include decorative pilasters that architecturally match the building at each entrance to the facility at regular intervals at a maximum of 100 feet apart on center. Additionally, the proposed walls and fencing shall be sited in a manner that adequately screens the truck court and loading areas from public view subject to the review and approval of the Zoning Administrator.
17. The applicant shall install trash enclosures in conformance with Section 16-3.24.110 of the Victorville Municipal Code. The enclosure shall have solid block split-face walls or tilt-up walls to match the building, non-transparent metal gates, a solid roof/cover that is architecturally compatible with the primary building(s) onsite and serves to protect the refuse area from inclement weather. Additionally, all trash enclosures shall include “walk-in” rear or side access for pedestrian use. The location, design and quantity of said enclosures shall be subject to Planning Staff and Burrtec review and approval prior to the issuance of a building permit.
18. All trash enclosures on site shall provide numerical identification in accordance with Section 16-3.24.110(c)(3) of the Victorville Municipal Code. Details and specifications of required identification subject to review and approval by the Zoning Administrator prior to the issuance of a building permit.
19. All light standards (wall and freestanding) shall be approved by the Zoning Administrator prior to building permit issuance and be architecturally compatible with the design of the building. All freestanding light standards shall match and be consistent with lighting utilized throughout the site.
20. All rooftop and/or ground mounted equipment visible from public rights-of-way shall be screened from view and architecturally integrated into the building.
21. Any wall mounted utility equipment (i.e. meters, panels, boxes, conduit etc.) shall not be visually exposed on the building. This type of equipment shall be internally located, screened with landscaping or covered in a manner that is architecturally integrated into the design of the building, subject to the review and approval of the Zoning Administrator.
22. Roof drains (i.e. scuppers and down spouts) shall not be visually exposed on the building(s). Roof drains shall be internally located, and scuppers screened, subject to the review and approval of the Zoning Administrator.

23. Electrical transformers and associated bollards shall be delineated on the site plan, landscape plan and utility plan. This equipment shall be appropriately screened from view, should not be placed adjacent to public areas and shall not encroach into required planters and/or parking stalls. The location of this equipment shall be subject to the review and approval of the Zoning Administrator and shall correspond with the utility company's approved location.
24. Prior to the release of any utilities for the use, all Title 16 improvements for the project shall be installed or a bond posted in the amount of one hundred fifty percent (150%) of the value of the uncompleted work shall be submitted to the Zoning Administrator, unless otherwise deemed unnecessary by the Zoning Administrator. Any modifications to the amount of the bond shall be subject to review and approval by the Zoning Administrator only if found by the Zoning Administrator that there are circumstances unique to the use that is not applicable to other uses.
25. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
26. The handling and disposal of construction and demolition waste for the project shall comply with 6.36.040 of the Victorville Municipal Code. In summary, only the City of Victorville's employees working in their official capacity and the City's waste handling contractor, Victorville Disposal (Burrtec Waste), are authorized to provide solid waste handling services from any and all premises in the City; and no person other than those above specified shall provide solid waste handling services, convey or transport any solid waste material in, along or over any public street, alley or highway in the City, with the exception of solid waste removed from any premises by the waste generator, and which is transported personally by such waste generator (or his/her employees) to a processing or disposal facility in a manner consistent with all applicable laws and regulations, utilizing equipment owned and/or leased by the waste generator.
27. 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.
28. Prior to the issuance of building permits for the proposed development, the applicant/developer shall coordinate with Victorville Municipal Utility Services (VMUS) to evaluate the potential for project connection to the Municipal Utility. Proof of consultation and/or connection shall be provided prior to issuance of building permits.

29. 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.
30. 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.
31. The applicant/developer shall be responsible for obtaining all necessary permits from the California Department of Fish and Wildlife (CDFW) for the removal and/or relocation of any sensitive or protected species as defined or identified by CDFW including obtaining as required Incidental Take Permits or other regulatory permits. These permits will include but are not limited to the Western Joshua Tree. The applicant/developer shall provide copies of the permits to the Zoning Administrator for review and approval prior to the issuance of building permits.
32. The applicant/developer/operator shall be responsible for obtaining all necessary permits from the Mojave Desert Air Quality Management District (MDAQMD) and to ensure that no detectable odors are present beyond the project boundary in accordance with Rule 402. Any odors that are detected shall be mitigated to prevent odor nuisances and potential violation, subject to the review and permitting of the City of Victorville and MDAQMD.
33. The Applicant shall prepare and submit to the 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.
34. The Applicant shall ensure that signage, compliant with Rule 403 Attachment B, is erected at each project site entrance not later than the commencement of construction.
35. The Applicant shall ensure the use of 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.

36. 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 fugitive dust. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.
37. 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 track out onto paved surfaces and clean any project-related track out 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.

Environmental Conditions:

38. Pre-Construction Nesting Bird and Raptor Surveys. To the extent feasible, grubbing, trimming, or clearing of vegetation from the Planning Area shall not occur during the general bird and raptor nesting season (January 15 through September 15). If grubbing, trimming, or clearing of vegetation cannot feasibly occur outside the general bird and raptor nesting season, a qualified biologist shall perform a pre-construction nesting bird and raptor survey in sites in the Planning Area with vegetation supporting nesting birds and raptors. Nesting bird and raptor surveys shall occur within 10 days before the start of vegetation clearing or grubbing to determine if active bird nests are present. If no active bird nests are identified on a site or within a 300-foot buffer of the site, no further mitigation is necessary. If active nests of bird species covered by the Migratory Bird Treaty Act are detected on sites in the Planning Area during the 10-day pre-construction survey, construction activities shall stay outside a 300-foot buffer around the active nest. For raptor species, this buffer shall be expanded to 500 feet. It is recommended that a biological monitor be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by construction activity. Once the young have fledged and a qualified biologist has determined the nest is inactive, normal construction activities can occur.
39. Aquatic Resources Delineation. Future projects within or adjacent to the Mojave River or other aquatic resources that have the potential to impact sensitive aquatic resources shall be required to conduct an aquatic resources delineation following the methods outlined in the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the U.S. Army Corps of Engineers Wetland Delineation Manual: Arid West Region to map the extent of wetlands and non-wetland waters, determine jurisdiction, and assess potential impacts. The aquatic resources shall be conducted by a qualified biologist. The results of the delineation shall be

presented in an Aquatic Resources Delineation Report and be incorporated into the California Environmental Quality Act documents required for approval and permitting of the proposed project.

40. Archaeological and Native American Monitoring Program. Because there is always a potential for encountering cultural resources during excavation, the implementation of an archaeological and Native American monitoring program is recommended for future development that would conduct new ground disturbance in areas identified as having a potential for unknown archaeological resources or Tribal Cultural Resources. The archaeological and Native American monitoring program shall consist of the full-time presence of a qualified archaeologist and traditionally and culturally affiliated Native American monitor during ground-disturbing activities, or an alternative frequency approved by the qualified archaeologist and the Native American monitor. If an archaeological and Native American monitoring program is implemented, the program shall include the following:

- a) The requirement for the archaeological and Native American monitoring to be noted on applicable construction documents, including plans.
- b) The archaeologist and Native American monitor shall attend the pre-construction meeting with the contractor and/or the City.
- c) The archaeologist shall maintain ongoing collaborative consultation with the Native American monitor during all ground-disturbing or altering activities, as identified above.
- d) In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department shall be contacted regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find so as to provide Tribal input with regards to significance and treatment.
- e) Archaeological isolates and non-significant materials shall be minimally documented in the field and ground disturbance shall be allowed to resume.
- f) The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If significant pre-contact and/or historic-era cultural resources, as defined by the California Environmental Quality Act (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of

which shall be provided to the Yuhaaviatam for review. The archaeologist shall monitor the remainder of the project and implement the plan accordingly.

- g) Prior to the conclusion of each project, a Monitoring Report and/or Evaluation Report, which describes the results, analysis and conclusions of the archaeological and Native American monitoring program (such as, but not limited to, a data recovery program) shall be submitted by the archaeologist, along with the Native American monitor's notes and comments, to the City of Victorville for approval.

41. Identification and Treatment of Human Remains. In the event that human remains (or possible human remains) are encountered, all ground disturbance within 100 feet of the remains shall halt and California Environmental Quality Act Guidelines, Section 15064.5, subdivision (e); California Public Resource Code, Section 5097.98; and California Health and Safety Code, Section 7050.5, shall be followed, including informing the County Medical Examiner and City of Victorville. If human remains are determined to be of Native American origin, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the Native American Heritage Commission (California Public Resources Code, Section 5097). The Medical Examiner shall contact the Native American Heritage Commission to determine the most likely descendant. The most likely descendant shall inspect the site as needed and make recommendations or preferences for treatment of the remains within 48 hours of being granted access to the site. The disposition of the remains shall be overseen by the most likely descendant to determine the most appropriate means of treating the human remains and any associated grave artifacts. The specific locations of Native American burials and reburials is proprietary and shall not be disclosed to the general public. If Native American remains are discovered, the remains shall be kept in situ (in place), or in a secure location, as approved by the most likely descendant until the repatriation process can be completed. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony.

42. The Yuhaaviatam shall be contacted, as detailed in Mitigation Measure CUL-5, regarding any precontact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by the California Environmental Quality Act (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with the Yuhaaviatam, and all subsequent finds shall be subject to this plan. This plan shall allow for a monitor to be present that represents the Yuhaaviatam for the remainder of the project, should the Yuhaaviatam elect to place a monitor on site. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports,

etc.) shall be supplied to the applicant and lead agency for dissemination to the Yuhaaviatam. The lead agency and/or applicant shall, in good faith, consult with the Yuhaaviatam throughout the life of the project.

43. Construction Noise Best Management Practices. Prior to approval of a grading permit for new development requiring use of heavy construction equipment, the construction contractor shall demonstrate that the following best management practices would be implemented during construction, as applicable. Best management practices shall be documented on the project's grading or other construction plan and submitted to the City of Victorville Planning and Building Departments for review and approval before the start of any construction.

- a) Limit hours of construction to between 7:00 a.m. and 7:00 p.m. Monday through Saturday.
- b) The construction contractor shall provide written notification to the noise sensitive uses within 500 feet of construction activities at least 3 weeks prior to the start of construction activities informing them of the estimated start date and duration of construction activities.
- c) Construction activities that could generate high noise levels, such as pile driving, shall be scheduled during times that would have the least impact on sensitive receptor locations.
- d) Stationary construction noise sources, such as temporary generators, shall be located as far from nearby noise sensitive receptors as possible.
- e) Trucks shall be prohibited from idling along streets serving the construction site where noisesensitive receptors are located.
- f) Outfit construction equipment with properly maintained, manufacturer-approved or recommended sound abatement means on air intakes, combustion exhausts, heat dissipation vents, and the interior surfaces of engine hoods and power train enclosures.
- g) Position (to the extent practical) construction laydown and vehicle staging areas as far from noise-sensitive land uses as feasible.
- h) If feasible and determined to be an effective option, install temporary noise barriers around the perimeter of the construction area to minimize construction noise.

44. Vibration Best Management Practices. Before the start of construction activities that would involve use of a vibratory roller (or equivalent equipment) within 235 feet of a vibration-sensitive land use or within 110 feet of other land uses or the use of typical (not vibratory) construction equipment within 135 feet of a vibration-sensitive land use or within 65 feet of other land uses, the project applicant shall retain a qualified acoustician to demonstrate that vibration would not exceed the applicable FTA threshold (65 VdB for vibration-sensitive land uses or 75 VdB for other daytime land uses), or shall identify best management practices to be implemented by the construction contractor to reduce vibration levels to below the applicable threshold.

The best management practices shall be included in project construction documents, including the Grading Plan and contract with the construction contractor. Practices may include but not be limited to the following:

- a) Use only properly maintained equipment with vibratory isolators.
- b) Operate equipment as far from sensitive receptors as possible.
- c) Use rubber-tired vehicles as opposed to tracked vehicles.

Engineering Conditions:

45. 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 12-feet from the centerline of improvements along Hesperia Road for a total of 124-feet.

46. The developer shall install all improvements required by Section 9.32.040 of the Victorville Municipal Code (including curbs, gutters, sidewalks, pavement widening, drive approaches, street lighting, and drainage facilities) along the street frontages of the project, in accordance with the Standard Specifications for Public Improvements of the City of Victorville. The required street improvements include:

- a) Landscaping parkway improvements along the frontages of the property per City Standards. See City Standard for Landscape, Basin, and Drainage Guidelines.
- b) Installation of commercial (decorative marbelite) streetlights along the frontages of the property, per City Standards.
- c) Hesperia Road has been partially constructed. The developer may match existing street improvements along Hesperia Road if the current pavement structural section meets City Standard No. S-25 (Minimum Criteria: TI =12 and R-Value of 50 or 7" AC over 10" CAB). A clean saw-cut joint shall be used to match the existing edge of pavement and the developer shall provide for the installation of a crack seal, fill, and slurry seal curb to curb along the project frontage.

47. 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.

48. 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.

49. 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. If landscaped areas equal or exceeds 1,000 square feet then a separate irrigation with an RP device shall be required. A reduced pressure

backflow device per City standard W-39 must be installed behind the domestic water meter serving the site. A Fire Service Reduced Pressure Detector Assembly per City standard W-28 shall be installed on the fire protection service if on-site protection is required. 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) Connection of two independent sources of water:
 - i. Connect to existing 12-inch pipeline along Hesperia Road; and
 - ii. Connect to existing 16-inch pipeline along Nisqualli Road
50. 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. Per the approved sewer feasibility study, the developer shall:
- a) Connect to existing 8-inch sewer main along Hesperia Road; or
 - b) Connect to existing 15-inch sewer main along Nisqualli Road
51. The owner/developer shall be required to obtain a Utility Easement running along the northern shared drive access traversing through the neighboring northerly parcel.
52. 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.
- a) The North Leg of Hesperia Road at the intersection of Hesperia Road and Nisqualli Road shall be re-striped to accommodate an additional dedicated Southbound right-turn lane onto Nisqualli Road to improve the LOS.
53. Traffic Signal 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.
- a) The phasing and cycle length shall be modified to accommodate the new additional Southbound right-turn lane and improve the LOS at the intersection of Nisqualli Road and Hesperia Road.
54. 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.
55. Landscape and irrigation improvement plan shall be submitted to the Development Engineering for review and mylar approval by the City Engineer.
56. 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 channel and/or storm drains.

57. 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.
58. 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.
59. 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.
60. 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.
61. An application for plan review and an engineer's construction cost estimate for civil improvements shall be required at the time of initial improvement plan submittal. Payment of plan and map check fees as per the City's Development Department Engineering Plan Check Fee Schedule based on the engineer's cost estimate shall be required with the plan submittal.
62. A current water service will serve letter from Victorville Water District is required with the plan submittal.
 - a) Developer shall apply for two separate water (EWTR) permits:
 - i. Water Meter Installation(s) Permit
 - ii. RP/RPDA Installation & Testing Permit.
63. The site and public walkways 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.
64. The project property owner shall enter into a maintenance agreement with the City for the water quality management plan.

65. 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.
66. 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.
67. 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) stormwater 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 an erosion control plan shall be submitted to the Development Department. All NPDES guidelines must be adhered to, and best management practices followed at all times during construction.
68. In accordance with State Water Quality Resources Board requirements, the developer shall implement measures for site design, source control, run-off reduction, storm water treatment and baseline hydro modification as defined by the Phase II Small MS4 Permit. This includes measures installed such that post-development peak storm water runoff discharge rates do not exceed the estimated pre-development rate, and on-site post-construction BMPs for treatment of storm water run-off.
69. A boundary survey or corner record must be performed, and property corners verified prior to construction to facilitate the placement of improvements per plan direction. The developer's engineer shall provide a horizontal control plan to the City for review or provide adequate control/dimensioning on the site/grading plan.
70. 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.
71. Prior to the issuance of permits, the developer shall enter into an Improvement Agreement for the completion of all public improvements as required by Section 9.32.040 of the Victorville Municipal Code. The improvement agreement shall be secured by one of the forms specified by Section 17.64.060 of the Victorville Municipal Code.

72. 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. 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.
73. 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.
74. The developer shall comply with Section 16-5.12.170 of the Victorville Municipal Code regarding the undergrounding of any existing above ground utilities on-site, along property lines, and street frontages. Overhead electrical utilities shall be relocated and placed underground prior to occupancy.
75. All public utility distribution lines, including service lines to the site, shall be installed by the developer.
76. The method of installation (trenching or boring) for connections to existing utilities (sewer, water, storm drain, etc.) within paved streets shall be subject to approval by the City Engineer.
77. On-site drainage to streets shall be conveyed through parkway drains or as approved by the City Engineer.
78. Landscaping within the traffic sighting distance triangle at intersections and driveway connections to public streets shall be limited to ground cover only and shall not include shrubs and trees

Building Conditions:

79. The project shall comply with all building codes in effect at the time of plan submittal.
80. 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 at <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.

Fire Conditions:

81. Shall comply with all 2022 California Building and Fire Code requirements based on occupancy classification; and all applicable City of Victorville Fire Prevention Standards.
82. Automatic Fire Sprinkler System(s) are required for the proposed building(s). System shall be monitored. Plans shall be submitted and approved prior to construction and comply with City of Victorville Fire Prevention Standard F-1.

83. Monitored Fire Alarm System(s) is required for the proposed building(s). Plans shall be submitted and approved prior to construction and comply with City of Victorville Fire Prevention Standard F-5.
84. Paved access from 3 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.
85. 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.
86. Required Fire Flow for this project is estimated to be 4,000gpm @20psi for a 4-hour duration at furthest remote hydrant. Contact City of Victorville Cross-Connection Department to assure availability of required fire flow.
87. Commercial projects with a building(s) exceeding 100,000 square feet or a private underground supply that serves five (5) or more sprinkler risers or fire hydrants 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.
88. Knox Box/Key Box is required and shall be provided and installed in accordance with City of Victorville Fire Prevention Standard A-4.
89. Access gates shall be provided with an 'Opticom' receiver capable of opening gates via decoding of the 'Opticom' strobe signal transmitted by Fire, police, and Ambulance units. All access gates shall require mechanical means for opening in event of power failure, shall not impinge on required clear width when fully open, and shall be equipped with Knox Box lock actuation devices. City of Victorville Fire Prevention Standard A-3.