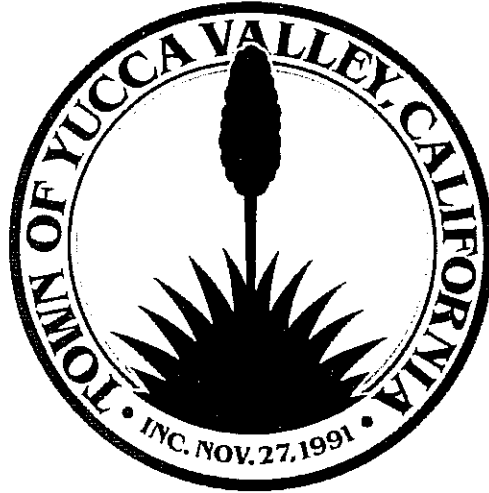


TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING



*The Mission of the Town of Yucca Valley is to
provide a government that is responsive to the needs and
concerns of its diverse citizenry and
ensures a safe and secure environment
while maintaining the highest quality of life*

TUESDAY
JANUARY 24, 2012
6:00 p.m.

YUCCA VALLEY COMMUNITY CENTER, YUCCA ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284

* * * *

PLANNING COMMISSION MEMBERS

*Tim Humphreville, Chairman
Mike Alberg, Vice Chairman
Vickie, Bridenstine, Commissioner
Jeff Drozd, Commissioner
Michael Hildebrand, Commissioner*

AGENDA

MEETING OF THE TOWN OF YUCCA VALLEY PLANNING COMMISSION 6:00 P.M., TUESDAY, JANUARY 24, 2012

The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Town Clerk's office at (760) 369-7209 at least 48 hours prior to the meeting.

If you wish to comment on any subject on the agenda, or any subject not on the agenda during public comments, please fill out a card and give it to the Planning Commission secretary. The Chair will recognize you at the appropriate time. Comment time is limited to 3 minutes.

CALL TO ORDER:

ROLL CALL: Mike Alberg, Vice Chairman
Vickie Bridenstine, Commissioner
Jeff Drozd, Commissioner
Michael Hildebrand, Commissioner
Tim Humphreville, Chairman

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Action: Move by _____ 2nd by _____ Voice Vote _____.

PUBLIC COMMENTS

In order to assist in the orderly and timely conduct of the meeting, the Planning Commission takes this time to consider your comments on items of concern, which are not on the agenda. When you are called to speak, please state your name and community of residence. Please limit your comments to three minutes or less. Inappropriate behavior, which disrupts or otherwise impedes the orderly conduct of the meeting, will result in forfeiture of your public comment privileges. The Planning Commission is prohibited by State law from taking action or discussing items not included on the printed agenda.

PUBLIC HEARING:

1. CONDITIONAL USE PERMIT, CUP 06-11 AND ENVIRONMENTAL ASSESSMENT, EA 04-11, SOUTH SIDE COMMUNITY PARK

A proposal to develop Phase 1A of a multi-phase, multi-purpose neighborhood/ community park. Phase 1A will consist of an approx. 1.5 acre dog park, 2 acres of playground, turf and hardscape improvements, approximately 19,000 square feet of parking. Phase 1A will also include additive alternatives (optional items) for an approximately 180 square foot restroom building and an approximately 1,400 square foot shade structure. Phase 1A is located on approximately 5 acres.

RECOMMENDATION:

ENVIRONMENTAL ASSESSMENT, EA 04-11: That the Planning Commission approves the Mitigated Negative Declaration for Environmental Assessment, EA 04-11 for the project site.

CONDITIONAL USE PERMIT, CUP 06-11: That the Planning Commission approves Conditional Use Permit, CUP 06-11, for Phase 1A, based on the findings contained within the staff report and the recommended Conditions of Approval

Action: Moved by ___ 2nd by _____ Voice Vote

CONSENT AGENDA:

All items listed on the consent agenda are considered to be routine matters and may be enacted by one motion and a second. There will be no separate discussion of the consent agenda items unless a member of the Planning Commission or Town Staff requests discussion on specific consent calendar items at the beginning of the discussion. Public requests to comment on consent calendar items should be filed with the Deputy Town Clerk before the consent agenda is called.

2. MINUTES--

A request that the Planning Commission approve as submitted the minutes of the meeting held on December 13, 2011.

Action: Moved by _____ 2nd by _____ Voice Vote _____.

STAFF REPORTS AND COMMENTS:

Super Walmart update

Dollar General Update

Town Council Strategic Planning, January 27, 2012 8:30-2:30

FUTURE AGENDA ITEMS:

COMMISSIONER REPORTS AND REQUESTS:

Commissioner Bridenstine
Commissioner Drozd
Commissioner Hildebrand
Vice Chairman Alberg
Chairman Humphreville

ANNOUNCEMENTS:

The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, February 14, 2012 at 6:00 p.m.

ADJOURN

Planning Commission: January 24, 2012
TOWN OF YUCCA VALLEY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION STAFF REPORT
SOUTH SIDE NEIGHBORHOOD/ COMMUNITY PARK

Case: CONDITIONAL USE PERMIT, CUP-06-11 AND ENVIRONMENTAL ASSESSMENT, EA-04-11, SOUTHSIDE NEIGHBORHOOD/ COMMUNITY PARK

THE PROJECT WAS REVIEWED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). THE TOWN, AS LEAD AGENCY, DETERMINED THAT ALTHOUGH THE PROJECT COULD HAVE SIGNIFICANT IMPACTS ON THE ENVIRONMENT, THE MITIGATION MEASURES INCLUDED IN THE INITIAL STUDY WILL REDUCE THE POTENTIAL IMPACTS TO LESS THAN SIGNIFICANT LEVELS. A MITIGATED NEGATIVE DECLARATION IS PROPOSED.

Request: THE TOWN OF YUCCA VALLEY REQUESTS APPROVAL OF THE FOLLOWING:

ENVIRONMENTAL ASSESSMENT, EA-04-11: THAT THE PLANNING COMMISSION ADOPTS THE MITIGATED NEGATIVE DECLARATION FOR THE PROJECT INCLUDING ALL PHASES; AND

CONDITIONAL USE PERMIT, CUP-06-11: THAT THE PLANNING COMMISSION APPROVES CUP-06-11, AN APPLICATION TO DEVELOP PHASE 1A OF A MULTI-PHASE, MULTI-PURPOSE NEIGHBORHOOD/COMMUNITY PARK. PHASE 1A WILL CONSIST OF AN APPROX. 1.5 ACRE DOG PARK, 2 ACRES OF PLAYGROUND, TURF AND HARDSCAPE IMPROVEMENTS, AND APPROXIMATELY 19,000 SQUARE FEET OF PARKING. PHASE 1A WILL ALSO INCLUDE ADDITIVE ALTERNATES (OPTIONAL ITEMS) FOR AN APPROXIMATELY 180 SQUARE FOOT RESTROOM BUILDING AND AN APPROX 1,400 SQUARE FOOT SHADE STRUCTURE, AND OTHER ANCIALLY IMPROVEMENTS. PHASE 1A CONTAINS APPROXIMATELY 5 ACRES.

FUTURE PHASES, SUBJECT TO ADDITIONAL REVIEW AND APPROVAL BY THE PLANNING COMMISSION, MAY INCLUDE THE DEVELOPMENT OF APPROX 10 ACRES OF MULTI-USE ATHLETIC FIELDS, A FRISBEE GOLF COURSE, RESTROOM AND CONCESSION BUILDING, ADDITIONAL PLAYGROUND AND PICNIC AREAS, INFORMAL OPEN SPACE, ADDITIONAL VEHICLE PARKING, AN APPROXIMATE 1 ACRE NATIVE PLANT GARDEN, SAND

Division Approvals:
Engineering _____ Building & Safety _____ Public Works _____

VOLLEYBALL COURTS, WALKING AND EXERCISE TRAILS, A MINIMUM 2 ACRE UNDISTURBED AREA, AN APPROX 5,000 SQUARE FOOT MAINTENANCE BUILDING, AND ANCILLARY PARK IMPROVEMENTS INCLUDING FIELD LIGHTING, PARKING LOT LIGHTING, ACCESS AND MAINTENANCE ROADS, HARDSCAPE AND SIDEWALK IMPROVEMENTS, PICNIC AND SHADE SHELTERS, BARBECUES, HORSESHOE AND SHUFFLEBOARD AREAS, JOGGING AND EXERCISE COURSES AND RELATED IMPROVEMENTS. THE NEIGHBORHOOD/COMMUNITY PARK IS PROPOSED TO BE CONSTRUCTED ON AN APPROX. 37.75 ACRE PARCEL WHEN ALL PHASES ARE COMPLETED

Applicant: TOWN OF YUCCA VALLEY
57090 29 PALMS HWY
YUCCA VALLEY, CA 92284

Property Owner:

TOWN OF YUCCA VALLEY
57090 29 PALMS HWY
YUCCA VALLEY, CA 92284

Representative:

TOWN OF YUCCA VALLEY
57090 29 PALMS HWY
YUCCA VALLEY, CA 92284

Location: THE PROJECT IS LOCATED AT THE NORTH WEST CORNER OF JOSHUA LANE AND WARREN VISTA AVENUE AND IS IDENTIFIED AS APN 0585-061-06.

Existing General Plan Land Use Designation:

THE SITE IS DESIGNATED RURAL LIVING, SPECIFIC PLAN (RL-1, SP)

Existing Zoning Designation:

THE SITE IS DESIGNATED RURAL LIVING, SPECIFIC PLAN (RL-1, SP)

Surrounding General Plan Land Use Designations:

NORTH: RURAL HILLSIDE RESERVE, SPECIFIC PLAN (R-HR, SP)
SOUTH: MULTI-FAMILY 4 UNITS TO THE ACRE, SPECIFIC PLAN (RM-4 SP)
WEST: RURAL LIVING, SPECIFIC PLAN (RL-1, SP)
EAST: RESIDENTIAL SINGLE FAMILY 2 UNITS PER ACRE (RS-2)

Surrounding Zoning Designations:

NORTH: RURAL HILLSIDE RESERVE, SPECIFIC PLAN (R-HR, SP)

SOUTH: MULTI-FAMILY 4 UNITS TO THE ACRE, SPECIFIC PLAN (RM-4 SP)
WEST: RURAL LIVING, SPECIFIC PLAN (RL-1, SP)
EAST: RESIDENTIAL SINGLE FAMILY 2 UNITS PER ACRE (RS-2)

Surrounding Land Use:

NORTH: EXISTING SINGLE FAMILY RESIDENCE AND EQUESTRIAN FACILITY
SOUTH: VACANT PROPERTY, SCATTERED SINGLE FAMILY RESIDENCES, CHURCH, SCHOOL AND ASSISTED LIVING FACILITY (TO THE SOUTH WEST)
WEST: VACANT LAND
EAST: SCATTERED SINGLE FAMILY RESIDENCES AND VACANT LOTS

Public Notification:

PURSUANT TO SECTION 83.030115, LEGAL NOTICE IS REQUIRED TO BE GIVEN TO ALL PROPERTY OWNERS WITHIN A THREE (300) HUNDRED FOOT RADIUS OF THE EXTERIOR BOUNDARIES OF THE SUBJECT SITE. THIS PROJECT WAS POSTED AND PUBLISHED ON **WEDNESDAY DECEMBER 21, 2011**. ONE RESPONSE HAS BEEN RECEIVED.

OUTSIDE AGENCIES COMMENTS RECEIVED

THE TOWN OF YUCCA VALLEY HAS RECEIVED COMMENTS FROM THE FOLLOWING AGENCIES:

1. MORONGO BAND OF MISSION INDIANS
 2. NATIVE AMERICAN HERITAGE COMMISSION
 3. MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
 4. UNITED STATES DEPARTMENT OF THE INTERIOR-FISH AND WILDLIFE SERVICE
-

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

THE PROJECT WAS REVIEWED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). THE TOWN DETERMINED THAT ALTHOUGH THE PROJECT COULD HAVE SIGNIFICANT IMPACTS ON THE ENVIRONMENT, THE MITIGATION MEASURES INCLUDED IN THE INITIAL STUDY WILL REDUCE THE POTENTIAL IMPACTS TO LESS THAN SIGNIFICANT LEVELS. A MITIGATED NEGATIVE DECLARATION IS PROPOSED.

RECOMMENDATIONS:

ENVIRONMENTAL ASSESSMENT, EA-04-11: That the Planning Commission approves the Mitigated Negative Declaration for Environmental Assessment, EA-04-11 for the South Side Neighborhood/Community Park.

CONDITIONAL USE PERMIT, CUP-06-11: That the Planning Commission approves Conditional Use Permit, CUP-06-11, for Phase 1A of the South Side Neighborhood/Community Park, based on the findings contained within the staff report and the recommended Conditions of Approval.

Project Planner: Robert Kirschmann

Reviewed by: Shane Stueckle

Appeal Information:

Actions by the Planning Commission, including any finding that a negative declaration be adopted, may be appealed to the Town Council within 10 calendar days. Appeal filing and processing information may be obtained from the Planning Division of the Community Development Department. Per Section 83.030145 of the Development Code, minor modifications may be approved by the Planning Division if it is determined that the changes would not affect the findings prescribed in Section 83.030140 of the Development Code, Required Findings, and that the subject of the proposed changes were not items of public controversy during the review and approval of the original permit, including modifications to phasing schedules for the project.

I. GENERAL INFORMATION

PROJECT DESCRIPTION:

Environmental Assessment, EA-04-11: Environmental Assessment, EA-04-11, evaluates the development of an approximate 37.75 acre public park facility.

Conditional Use Permit, CUP-06-11: A proposal to develop Phase 1A of a multi-phase, multi-purpose neighborhood/ community park. Phase 1A will consist of an approximately 1.5 acre dog park, 2 acres of playground, turf and hardscape, and approximately 19,000 square feet of parking area. Phase 1A will also include additive alternatives (optional items) for an approximate 180 square foot restroom building and an approximate 1,400 square foot shade structure. Phase 1A is located on approximately 5 acres.

Future phases, subject to additional review and approval by the Planning Commission may include the development of approximately 10 acres of multi-use athletic fields, a frisbee golf course, restroom and concession building, additional playground and picnic areas, informal open space, additional vehicle parking, an approximate 1 acre native plant garden, sand volleyball courts, walking and exercise trails, a minimum 2 acre undisturbed area, an approximate 5,000 square foot maintenance building, and ancillary park improvements including field lighting, parking lot lighting, access and maintenance roads, hardscape and sidewalk improvements, picnic and shade shelters, barbecues, horseshoe and shuffleboard areas, jogging and exercise courses and related improvements. The entire neighborhood/community park is proposed to be constructed on a 37.75 +/- acre parcel.

PROJECT OBJECTIVES: The facility is designed to provide active and passive park and recreational facilities with amenities for the surrounding single family residential neighborhoods. Today, residents in the immediate vicinity must either travel to Machris Park or the Community Center in order to enjoy recreational facilities. Machris Park is located approximately 2 miles from the project site, while the Community Center is located approximately 2.25 miles from the project site.

The park facility is planned and designed to provide typical active and passive park facilities and amenities that are commonly provided within municipal neighborhood and community parks as listed below.

Phase 1A is proposed to include the following amenities:

- 1.5 acre dog park
- 2 acres of playground, turf and hardscape
- Parking (29 spaces) along Warren Vista Avenue
- Paths/walkways
- Landscaping

The base bid will include site prep and grading, concrete work, utilities, irrigation, fencing, parking, turf, etc. Based upon discussions with the Town's Engineering Division, several possible improvements at the park will be bid as additive alternates. The additive alternatives to this project will include an approximate 180 square foot restroom, an approximate 1,400 square foot shade structure, and parking lot lighting. Based upon available funds and bids received, the Town may be able to include those improvements in the construction contract.

Future phases beyond Phase IA may include the following improvements:

- | | |
|-------------------------------------|------------------------------------|
| Multi-Use Athletic Fields | Restroom and Concession Facilities |
| Playground Equipment | Picnic Areas |
| Shade Shelters | Vehicle Parking Areas |
| Informal Active Open Space | Informal/passive Open Space |
| Walking & Exercise Trails | Maintenance Facilities |
| Hardscape Sidewalk Improvements | Volleyball Courts |
| Basketball Courts | Undisturbed Native Plant Areas |
| Field Lighting/Parking Lot Lighting | Maintenance Access & Roads/Paths |
| Barbeques | Horseshoe Pits |
| Shuffleboard Court Areas | Ancillary Park Amenities |

No time frames has been identified for the construction of future phases. There are no funds immediately available for construction beyond Phase IA at the current time.

As identified in the Yucca Valley General Plan, Parks, Recreation and Trails Element, the park project is consistent with the following General Plan goals.

Goal 1: A multi-use, quality system of parks, and recreational areas that support a broad range of activities, as well as cultural, and passive open space enjoyment opportunities for current and future residents.

Goal 2: An Enhanced and expanded park and recreational system designed to provide opportunities for healthful active, passive and cultural enjoyment throughout the Town and to all segments of the population.

LOCATION: The project is located at the northwest corner of Joshua Lane and Warren Vista Avenue and is identified as APN 0585-061-06.

PROJECT SYNOPSIS:

PROJECT AREA:
Phase (1A)

BUILDING AREA (Phase 1A):
(Additive alternates)

PHASED CONSTRUCTION:

FLOOD ZONE:

ALQUIST PRIOLO ZONE:

OFF-SITE IMPROVEMENTS REQ:

ASSESSMENT DISTRICTS REQ:

RIGHT-OF-WAY DEDICATION REQ:

UTILITY UNDERGROUNDING:

AIRPORT INFLUENCE AREA:

TRAILS & BIKE LANE MASTER PLAN:

PUBLIC FACILITY MASTER PLAN:

SITE COVERAGE

37.75 acres
Approx. 5 acres or less

Restroom Building ~180
Shade structure ~1,400
Total structure area ~1580

Yes, this request is for Phase 1A (5 acres or less), additional, multiple phases, subject to Planning Commission action

Map 8860 Zone D, areas where flood hazards are possible but undetermined

Yes, Yucca Valley south, approx. 150' of the south western corner of the site, the closest structure to the area is approx. 500' to the east

Warren Vista Avenue; Joshua Lane improvements with future phases

No

Yes

All new service lines shall be underground in conformance to Ordinance in place at time of construction

Outside the Airport Influence area

A Class 3 bike route is proposed on Joshua Lane

The Master Plan proposes both a future police and fire station along Joshua Lane to the east of the site. An area is set aside on

the site for a potential future fire station; the fire station site is not a part of this project and is subject to future review, analysis, and action

PARKS AND RECREATION MASTER PLAN:

The Master Plan calls for a 20-30 acre neighborhood park in this location with amenities similar to those proposed

MASTER PLAN OF DRAINAGE:

Y-02 traverses the site generally from south east to north-west and is classified as a managed flood plain

STATE OF CALIFORNIA STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REQUIRED:

Yes, more than 1 acre disturbed

REDEVELOPMENT PROJECT AREA:

No

STREET LIGHTS:

None in Phase IA; Joshua Lane with future phases

SPECIFIC PLAN/ PLANNED DEVELOPMENT AREA:

No

FUTURE PLANNING COMMISSION ACTION REQUIRED:

Yes, future phases

FUTURE TOWN COUNCIL ACTION REQUIRED:

None, unless appealed

II. PROJECT ANALYSIS

GENERAL PLAN CONSIDERATION: The proposed project is located in the Rural Living 1, acre minimum, Specific Plan (RL-1, SP) General Plan and Zoning designations. Subject to the additional uses section of the Development Code, a public park may be constructed in any land use district, subject to the review and approval of a Conditional Use Permit. The project is consistent with General Plan and does not require any General Plan amendments or rezoning of the site.

The proposed public park facility is consistent with the Yucca Valley General Plan, Parks, Recreation and Trails Element, as identified in the following goals.

Goal 1: A multi-use, quality system of parks, and recreational areas that support a broad range of activities, as well as cultural, and passive open space enjoyment opportunities for current and future residents.

Goal 2: An Enhanced and expanded park and recreational system designed to provide opportunities for healthful active, passive and cultural enjoyment throughout the Town and to all segments of the population.

The Parks and Recreation Master Plan (Plan) identifies the facility in section 9.2.11. The Plan calls for a dog park, tot lot, multi-purpose practice fields, open space and restroom facilities. The proposed park is consistent with the Plan.

Staff finds the proposed South Side Neighborhood/ Community Park Phase 1A is consistent with both the General Plan and the Parks and Recreation Master Plan.

DEVELOPMENT CODE CONSIDERATION: Ordinance 211, Additional Uses, Section 84.0401(a) (1), allows:

Temporary and permanent government facilities and enterprises (Federal, State and Local) where buildings and or property are publicly owned or leased

Section 84.0401(a) (23) also allows:

Recreation and community centers gymnasiums, athletic clubs;

These sections of the Development Code allow a public park to be constructed in any land use district subject to a Conditional Use Permit.

The proposed use is consistent with the Development Code.

ENVIRONMENTAL CONSIDERATIONS: The project site was reviewed under the requirements of the California Environmental Quality Act (CEQA) and an Initial Study was prepared. The Study found that all potential impacts could be mitigated to less than significant levels. A Mitigated Negative Declaration is recommended.

Greenhouse Gas and Air Quality Studies were prepared for the project and those potential impacts are addressed within the Initial Study. A native plant inventory was conducted for implementation of the Town's native plant regulations.

The south western 150' of the site is located within an Alquist Priolo Special Study area. This means that faults occur on or in close proximity to the site. The closest building is proposed approximately 500' away from the A-P zone. A mitigation measure has been included requiring final County Geologist approval.

A general biological assessment, a focused desert tortoise survey, and a habitat assessment for the western burrowing owl were prepared for the site. These studies found signs that the desert tortoise has been present on the northern portion of the site. The Town has been working with the biologist and the U.S. Fish and Wildlife Service (Service). In compliance with Service requirements, a tortoise fence will be constructed around the Phase 1A portion of the project. Only the area proposed in Phase 1A will be disturbed and the remainder of the site shall remain undisturbed. Burrowing owl was absent from the site and adjoining areas. Mitigation measures have been put in place to reduce impacts to biological resources.

A blue line stream traverses the site from approximately the south east to the north west. A blue line stream is any stream shown as a solid or broken blue line on 7.5 Minute Series quadrangle maps prepared by the U.S. Department of the Interior Geological Survey (USGS). A blue line stream may be any creek, stream or other flowing water feature, perennial or ephemeral, indicated on USGS quadrangle maps, with the exception of man-made watercourses. The United States Army Corps of Engineers uses USGS blue line stream markings as a preliminary indicator of "Waters of the United States". Streams identified on USGS maps in such a manner are therefore generally subject to federal environmental regulations. The project, as proposed does not encroach into the existing blue line stream. Encroachment into the blue line stream may require clearances from the U.S. Army Corps of Engineers (404 Permit) and the California Department of Fish and Game (1604 Permit). The project as proposed will leave the wash undisturbed and left as natural open space. The Master Plan of Drainage proposes no changes in this area, leaving the wash as a managed flood plain. Phase 1A will not encroach into the blue line stream. Although the final construction documents have not been completed for the entire site, it is not anticipated that any future phase will encroach into the blue line stream.

The proposed traffic impacts of the project were evaluated and a traffic study letter prepared. The study illustrates that Joshua Lane has the capacity to accommodate, as a two-lane roadway as currently classified in the General Plan Circulation Element, the additional trips generated by the project.

The project also had a soils report, percolation report and geotechnical report prepared. These reports evaluate the content of the soil conditions and makes recommendations for the construction of the site.

ADJACENT LAND USES: The property is located in proximity to both vacant and developed lands. Lands to the west are vacant and zoned for residential land use (RL-1, SP). Land immediately to the north is developed with equestrian facilities and a residential dwelling, and is zone R-HR, Hillside Reserve, which allows for single family residential development on 20 acre parcels. Lands to the east consist of single family residential dwellings with few vacant lots remaining, and those lands are zoned R-S-2, single family residential. Lands to the south consist of vacant residentially zoned lands across Joshua Lane (R-M-4, SP); with single family residential development further south and south east of the project site. Institutional and health care land use activities

are located south west of the project site, and consist of a combination Church/School facility and a care facility for the elderly.

The placement of the South Side Neighborhood/Community Park adjacent to single family residential development is intended to provide recreational opportunities to an area that is currently under served. The closest parks to the area are Machris or the Community Center which are both located in excess of two miles away from this facility.

SITE CHARACTERISTICS: The site is traversed by a natural drainage course that flows from the south east to the west-north west, and will ultimately be retained by the West Burnt Mountain Basin pursuant to the Town's Master Plan of Drainage.

The site contains desert native vegetation typically encountered within the Town. A significant portion of the native vegetation on the 37 +/- acre site was destroyed in a fire disaster that occurred in approximately in the late 1990's, while locations of non-fire damaged areas remain on the site as identified in the biological assessments prepared for the site. The plant community on site can best be described as Joshua tree woodland, with an understory of brush and grasses.

BUILDING ELEVATIONS: Phase 1A of the project includes additive alternates which include a 180 square foot restroom building near the playground/dog park and an approximately 1,400 square foot shade structure. The restroom building is proposed at approximately 11 feet in height. The shade structure is proposed at approximately 15' 8". The restroom may include stone, block construction or concrete and all structures will include metal roofs as is the standard in Town parks. The heights are far below the 35' height permitted by right in both the Rural Living and Single Family Residential districts.

ROADWAY IMPROVEMENTS: The proposed project is bounded by Warren Vista to the east and Joshua Lane to the south. Both roads are improved with pavement and maintained by the Town of Yucca Valley. Phase 1A improvements will include curb, gutter, sidewalk and driveway approaches on Warren Vista Avenue. With future phases Joshua Lane will be improved to the ultimate right of way, including curb gutter and sidewalk.

ASSESSMENT DISTRICTS: No assessment districts are recommended as part of this project as this is a planned public facility

CONDITIONAL USE PERMIT DISCUSSION: The Town of Yucca Valley requests approval of:

Environmental Assessment, EA 04-11: A request that the Planning Commission adopts the Mitigated Negative Declaration for the project site and

Conditional Use Permit, CUP 06-11: A request that the Planning Commission approves CUP-06-11, a proposal to develop Phase 1A of a multi-phase, multi-purpose neighborhood/ community park. Phase 1A will consist of a 1.5 +/- acre dog park, 2 acres of playground, turf and hardscape, and 19,000 +/- square feet of parking. Phase 1a will also include additive alternatives (optional items) for a 180 +/- square foot restroom building and a 1,400 +/- square foot shade structure. Phase 1A is located on approximately 5 acres.

Future phases, subject to additional review and approval may include the development of approx 10 acres of multi-use athletic fields, a frisbee golf course, restroom and concession building, additional playground and picnic areas, informal open space, additional vehicle parking, an approximate 1 acre native plant garden, sand volleyball courts, walking and exercise trails, a minimum 2 acre undisturbed area, an approx 5,000 square foot maintenance building, and ancillary park improvements including field lighting, parking lot lighting, access and maintenance roads, hardscape and sidewalk improvements, picnic and shade shelters, barbecues, horseshoe and shuffleboard areas, jogging and exercise courses and related improvements. The entire neighborhood/community park is proposed to be constructed on an approx. 37.75 acre parcel.

Ordinance 211, Additional Uses, Section 84.0401(a) (1), allows:

Temporary and permanent government facilities and enterprises (Federal, State and Local) where buildings and or property are publicly owned or leased

Section 84.0401(a) (23) allows:

Recreation and community centers gymnasiums athletic clubs

These sections allow public parks to be constructed in any land use district subject to a Conditional Use Permit.

The proposed-use-is consistent with the Development Code.

The future fire station site is not a part of this environmental review or a part of this Conditional Use Permit. The potential fire station, if proposed to be constructed, will be subject to CEAQ review and land use permitting at that time. However, the Town should plan for the increase in future service demands throughout the community.

Circulation: The project site is bound by Joshua Lane to the south and Warren Vista Avenue to the east. Portions of Joshua Lane are designated as a Major Arterial within the Town's Circulation Element of the General Plan. Segments of Joshua Lane carry in excess of 5,000 Average Daily Trips, and Joshua Lane provides vehicular access to Joshua Tree National Park via the Black Rock Canyon Campground/Nature Center.

The project is expected to generate an estimated 8 trips during the AM peak hour of adjacent street traffic, 33 trips during the PM peak hour of adjacent street traffic, and a total of 371 vehicle trip-ends on a daily basis.

Joshua Lane adjacent to the project site is designated as a 2 lane Collector roadway per the current Town of Yucca Valley General Plan Circulation Element. Warren Vista Road north of Joshua Lane is not explicitly identified in the Town of Yucca Valley General Plan Circulation Element and is therefore a 2 lane local street. The Town of Yucca Valley does not specifically identify daily capacities for roadways; however, the recently completed County of San Bernardino General Plan update traffic analysis identified a service volume threshold of 7,000 vehicles per day (VPD) for 2 lane roadways in the desert regions of the County. Based upon this threshold, the proposed South Side Neighborhood/ Community Park would utilize approximately 5% of the capacity of the adjacent 2 lane roadways, if all of the project traffic were concentrated at a single location. The General Plan Environmental Impact Report Traffic Study projects existing General Plan build-out Average Daily Trips (ADTs) on Joshua Lane in proximity to Warren Vista Avenue between 4,000 and 6,000 ADTs. Based upon the recently completed County of San Bernardino General Plan update traffic analysis, which identified a service volume threshold of 7,000 vehicles per day (VPD) for 2 lane roadways in the desert regions of the County, the existing General Plan roadway designation for Joshua Lane, accommodates the increased vehicle trips created by the park project.

Public improvements include street widening, curb, gutter and sidewalks on Warren Vista Avenue. Proposed parking is located off of Warren Vista and will be included in Phase 1A. Approximately 29 parking stalls are proposed to be constructed in the parking lot adjacent to Warren Vista.

Flood control/drainage: The site is traversed by a natural drainage course that flows from the south east to the west-north west, and will ultimately be retained by the West Burnt Mountain Basin pursuant to the Town's Master Plan of Drainage. The Facility is identified in the Master Plan of Drainage as Y-02. The plan prescribes an approximately 10 foot-wide, 5 foot deep managed flood plain. The MPD estimates that 1,644 cubic feet per second will be carried during a hundred year storm event.

A blue line stream is any stream shown as a solid or broken blue line on 7.5 Minute Series quadrangle maps prepared by the U.S. Department of the Interior Geological Survey (USGS). A blue line stream may be any creek, stream or other flowing water feature, perennial or ephemeral, indicated on USGS quadrangle maps, with the exception of man-made watercourses. The United States Army Corps of Engineers uses USGS blue line stream markings as a preliminary indicator of "Waters of the United States". Streams identified on USGS maps in such a manner are therefore generally subject to federal environmental regulations. The project, as proposed does not encroach into the existing blue line stream. Encroachment into the blue line stream may require clearances from the U.S. Army Corps of Engineers (404 Permit) and the California Department of Fish and Game (1604 Permit).

Development of the project site is in excess of one acre; therefore, the proposed project is required to obtain approval under an NPDES General Construction permit. The implementation of NPDES permits ensures that a state's mandatory standards for clean water and the federal minimums are met. Coverage with the permit would prevent sedimentation and soil erosion through implementation of a Storm Water Pollution Prevention Plan (SWPPP). A SWPPP is a written document that describes the construction operator's activities to comply with the requirements in the NPDES permit. Required elements of an SWPPP include (1) site description addressing the elements and characteristics specific to the project site; (2) descriptions of BMPs for erosion and sediment controls; (3) BMPs for construction waste handling and disposal; (4) implementation of approved local plans; and (5) proposed post-construction controls, including a description of local post-construction erosion and sediment control requirements. The SWPPP is intended to facilitate a process whereby the operator evaluates potential pollutant sources at the site and selects and implements BMPs designed to prevent or control the discharge of pollutants in stormwater runoff.

On-site retention facilities will be constructed to capture incremental increase in storm water run-off. All incremental flows, plus a minimum of 10% above the incremental increase, shall be retained by the project.

Utilities: The extension of utilities to and on-site will be necessary, including electricity, water supply, telephone, and associated improvements. Electricity, phone, and water are located near the site.

Electrical services are provided by Southern California Edison. Electrical service is in close proximity to the site. Services to the site, as required by Town Ordinance, shall be placed underground.

The Hi-Desert Water District (HDWD, District) serves the Town of Yucca Valley with groundwater from the Warren Valley Basin and Ames/Means Valley Basin. A 10 inch ACP main is present in Joshua Lane and an 8 inch PVC line is present in Warren Vista.

Solid waste services are provided by Burrtec. The closest landfill, Landers, is located approximately 7 miles north of the Town of Yucca Valley. The Landers Landfill is owned by San Bernardino County and operated by Burrtec. The Town of Yucca Valley requires mandatory solid waste services and the project will be served by Burrtec.

Landscaping: A conceptual landscape plan has been provided. The Plan includes relocated Joshua Trees, and various shade and accent trees, shrubs, groundcovers, and turf areas. A final plan is required to be reviewed and approved by both the Town and the Hi-Desert Water District. Not all of the options shown in the planting palette will be included in the final design. The Town will provide as much xeroscape landscaping as possible in order to help conserve water and continue with the desert character present on the site today. The Town will also be working to ensure the greatest number of Joshua Trees will be relocated on site.

Walls/fences: The dog park will be surrounded by a 5' tall chain link fence. There will be two separate areas for the dog park. One area is for the large breed dogs and one area for the small breed dogs. Portions of the tortoise fence may remain following construction.

Parks & Recreation Master Plan: As taken from the Parks and Recreation Master Plan, the following information identified the need for the future development of the South Side Park.

9.2.11: Southside Neighborhood Park

In the previous Yucca Valley Park and Recreation Master Plan the proposed Southside site was designated as a potential community center and sports complex site. However, over the past several years properties adjacent to this 80 acre site have developed into upscale residential and the impact that a large scale community center complex and sports park would have on these residential areas now makes the site less desirable for such development. However, there is a need for a typical neighborhood park with neighborhood park amenities to serve all of the residential development that has taken place, so 20-30 acres should be designated for such a purpose. The additional acreage at the site can be considered as an alternative location for future park priorities.

Tables 8-4 and 8-3, as taken from the Parks and Recreation Master Plan, identify the features most commonly associated with Neighborhood and Community Parks.

Park Type	Desirable Size	Minimum Base Recreation Facilities		Support Facilities
Neighborhood	3-15 acres	Tot Lot/Playground	1	Public Restrooms
		Informal/Open Space (minimum two (2) acres open space field at 2% gradient)	1	Tennis Courts (fenced)
		Open Picnic Tables	4	Sand Volleyball
		Picnic Shelters ¹	1	Jogging Path
		Barbecues	1	Water Spray Pool
		Basketball	5	Softball: Practice Only ²
		Volleyball	1	Baseball: Practice Only ²
		Paved /walkways	1	On-site parking for 15-20 cars
		Trash Receptacles	1	
		Notes:	¹ Picnic shelters for group-type structures must accommodate six to ten picnic tables beneath the shelter ² Practice fields can be accommodated in the informal/open space areas	

Table 8-3

Base Level Park Development Guidelines for Community Parks					
Park Type	Min. to Max. Size	Minimum Base Recreation Facilities		Support Facilities	Optional Facilities
Community	15-40 acres	Tot Lot/Playground	1	Public	Lighted Baseball Fields (practice and game) ² Lighted Softball Fields (practice and game) ² Performing Arts Center Senior Center Gymnasium Community Center Swimming Pool or Aquatics Complex, Skate Park Horseshoes or Shuffleboard Jogging/Exercise Course Historical and/or Cultural Facilities Teen/Multi-purpose Center Dog Park
		Informal/Open Space ¹	1	Restrooms	
		Open Picnic Tables	12	Trash	
		Picnic Shelters	4	Receptacles	
		Barbecues	16	Maintenance Building	
		Basketball: Informal	2	Concession Building	
		Lighted Soccer Fields (practice and game) ³	2	{3,000 to 5,000 s. f.}	
		Lighted Tennis Courts	2	On-site parking for 150 - 200 cars	
		Volleyball			

Notes:
¹ All Informal/Open Space areas should have a maximum 2% gradient.
² Picnic shelters for group-type structures should accommodate six to ten picnic tables beneath the shelter.
³ Practice fields can be accommodated in the informal/open space areas.

As illustrated by the above information, the park, when fully constructed, will provide many park features typically identified with a neighborhood/community park.

Policy 5 of Chapter 8 of the Parks and Recreation Master Plan establishes criteria for providing neighborhood and community parks. The following criteria are taken from Chapter 5.

Policy 5: Establish and apply criteria to provide new Neighborhood Parks and Community Parks that complement the Town's existing facilities in the fulfillment of a well-conceived, functional overall park system.

Item 5.1 Ensure that new parks provide needed activity centers and are strategically distributed throughout the Town.

Item 5.6 Adopt the following minimum site size standards in planning and acquiring parks:

Neighborhood Parks 5 usable acres

Community Parks 20 usable acres

(Variations may be allowed based on constraints such as land availability, natural obstacles, financing, funding and projected maintenance costs.)

Item 5.11 Plan for and expand recreation opportunities in connection with the development and conservation of appropriate areas along natural washes and flood

control channels. Allow the physical integration of washes and canals in park design if feasible.

Item 5.15 Provide facilities for both active (play areas and courts) and passive (turf, walk-ways, trees and picnic facilities) recreational activity in the design and development of parks.

Item 5.20 Pursue the development of more lighted playing fields to offset the current deficit of such facilities.

Again, the above criteria illustrate the consistency between the Parks and Recreation Master Plan and the proposed project.

Fiscal Impact: The Town began the development of the South Side Park approximately ten-to-twelve years ago when seeking federal assistance for the development of parks in order for the Town to address the deficit of park facilities that existed in the community at that time. That deficit continues to exist today.

The Town of Yucca Valley received federal funding for the development of the park over a number of years. Those funds have been used to acquire the property (80 acres) and to prepare construction plans. Approximately \$430,000 of federal funds remains unexpended. These funds, if unused, must be returned to the federal government. The first deadline for returning grant funds is September 2012, and is in the amount of \$79,000. Returning infrastructure grant funds due to lack of constructing public facilities (lack of performance) affects agencies ability to obtain future grant funds, both at technical and political levels. The federal funds cannot be allocated to a park facility at a different location. The funds were legislatively obligated to the south side location.

Therefore the Town has structured a program for delivering Phase IA of the park facility without the use of General Fund dollars. The following outlines the financial resources allocated to the development of Phase IA.

SOURCE	AMOUNT	USE RESTRICTIONS
HUD EDI	\$434,160	South Side Park
LTF	\$300,000	Street/Road Improvements
Doran May Park DIF	\$25,000	Park Improvements
County CIP	\$200,000	Park Improvements
Town Park DIF	\$13,680	Park Improvements
Quimby Fees	\$88,888	Park Improvements
Total Available Funds	\$1,061,728	

As illustrated above, all funds being used for the development of Phase IA are referred to as "restricted" funds. These funds are not available for allocation or appropriation for general government services, such as police protection, animal control, code enforcement, or other similar services. No General Fund dollars are being expended on the project, and 59 percent of the construction funds are from agencies other than the Town of Yucca Valley.

It should be noted that the 3rd District Supervisor allocated \$200,000 to the development of the park facility.

CONCLUSION: The proposed project is consistent with both the General Plan, the Zoning classification, and with the Development Code.

The project is also consistent with the Parks and Recreation Master Plan.

The project has been reviewed under CEQA, and it has been determined that although the project could have significant impacts, these could all be mitigated to less than significant. The findings for approval can be made.

CONDITIONAL USE PERMITS FINDINGS:

1. The location, size, design, density and intensity of the proposed development is consistent with the General Plan, the purpose of the land use district in which the site is located, and the development policies and standards of the Town;

The South Side Neighborhood/ Community Park has been designed to minimize site disturbance to the greatest extent possible, while ensuring the park provides the needed amenities to the community. The natural drainage course will remain as undisturbed open space. In addition a minimum of two acres of open space area will be provided on northern portion of the site. As identified in the General Plan policies contained within this staff report, as well as the Development Code requirements, the proposal is consistent with the General Plan, the Development Code, development policies and Town standards. The General Plan and Development Code allow, with the issuance of a Conditional Use Permit, for the construction of park facilities in the RL land use district.

As illustrated in the Parks & Recreation Master Plan policy statements contained within this staff report, the project is consistent with the policies and standards of the Parks & Recreation Master Plan.

2. The location, size, design and architectural design features of the proposed structures and improvements are compatible with the site's natural landform, surrounding sites, structures and streetscapes;

The location, size, design and architectural design features for the additive alternatives have been designed to blend into the area. Maximum structure height will not exceed 15' 8" for the shade structures 11' for the restrooms, while the Development Code allows a 35' in height single family residential structure by right. Approximately 5 acres are included Phase 1A. The remainder of the site will remain undisturbed at this time.

3. The proposed development produces compatible transitions in the scale, bulk, coverage, density and character of the development between adjacent land uses;

The proposed development produces compatible transitions in scale, bulk, coverage, density and character. The buildings, should they be constructed in Phase 1A have been designed to blend and enhance the surrounding development. Maximum structure height will not exceed 15' 8" for the shade structures 11' for the restrooms, while the Development Code allows a 35' in height single family residential structure by right. Approximately 5 acres are included Phase 1A. The remainder of the site will remain undisturbed at this time. The colors are designed to blend the facility into the natural setting, and landscaping will buffer and soften the site development from surrounding lands.

4. The building site and architectural design is accomplished in an energy efficient manner;

The restroom building is designed under the current Title 24 energy conservation standards and regulations and will meet the requirements of the code in place at time of plan submittal. The restroom building is proposed with 12" eaves which will help to provide some shade to the structure

5. The materials, textures and details of the proposed construction, to the extent feasible, are compatible and consistent with the adjacent and neighboring structures;

The materials, textures and details of the project are compatible and are an enhancement to the adjacent and neighboring structures. The materials on both structures (additive alternatives) will consist of block or stone restroom/concession buildings and metal shade structures. The materials proposed are all consistent with those found in a typical park. Maximum structure height will not exceed 15' 8" for the shade structures 11' for the restrooms, while the Development Code allows a 35' in height single family residential structure by right. Approx 5 acres of the site will be utilized for Phase 1A. The remainder of the site will be left undisturbed until approval of future phases.

6. The development proposal does not unnecessarily block views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;

The proposed structures (additive alternatives) have all been designed as a one story structures. The site will include 5 foot tall chain link fencing blend into the residential character of the area and to allow the feeling of openness. Maximum structure height will not exceed 15' 8" for the shade structures 11' for the restrooms, while the Development Code allows a 35' in height single family residential structure by right. The height, combined with proposed landscaping will ensure that the development will not unnecessarily block views from other buildings or public ways.

7. That the amount, location, and design of open space and landscaping conforms to the requirements of the Development Code, enhances the visual appeal and is compatible with the design and functions of the structure(s), site and surrounding area;

The project meets and exceeds the requirements of the Development Code. The project includes landscaping, lighting, hardscape improvements, on-site water retention. Only approx. 5 acres of the site will be developed with Phase 1A. The remainder of the site will be left undisturbed until approval of the future phases.

8. The quality in architectural design is maintained in order to enhance the visual desert environment of the Town and to protect the economic value of existing structures;

The majority of the site will consist of park amenities including a dog park, tot lot, restroom building (additive alternative) and shade structure (additive alternative). The buildings will all be consistent to those at other parks. The shade structure will be constructed of decorative metal and the restroom building of stone, block, or concrete construction with a metal roof.

9. There are existing public facilities, services, and utilities available at the appropriate levels and/or that new or expanded facilities, services and utilities shall be required to be installed at the appropriate time to serve the project as they are needed;

The proposed project will provide facilities, services and amenities desired and needed by and for the public. Utilities, such as water and electric exist in the area. This project will provide new park facilities to the community. The High Desert Water District has a 10 inch ACP main in Joshua Lane and an 8 PVC inch pipe in Warren Vista.

10. That access to the site and circulation on and off-site is required to be safe and convenient for pedestrians, bicyclists, equestrians and motorists;

The proposed project will provide improved circulation for pedestrian and bicyclists upon completion of the project. Street improvements will provide wider roadways and sidewalk to help provide safer access to the site from surrounding residential areas. The onsite parking and drive aisles have been designed to comply with all requirements of the Development Code and the Fire Department requirements. Approximately 29 parking stalls are proposed to be constructed in the Phase 1A parking lot adjacent to Warren Vista.

11. That traffic generated from the proposed project has been sufficiently addressed and mitigated and will not adversely impact the capacity and physical character of surrounding streets;

It is not expected that this project or the proposed activities would substantially affect existing traffic volumes. Activities generally will take place during evenings and on weekends and would not generally affect peak-hour traffic volumes (generally 7AM-9AM and 4PM-6PM Monday through Friday). The project is expected to generate an estimated 8 trips during the AM peak hour of adjacent street traffic, 33 trips during the PM peak hour of adjacent street traffic, and a total of 371 vehicle trip-ends on a daily basis.

12. That traffic improvements and/or mitigation measures have been applied or required in a manner adequate to maintain a Level of Service C or better on arterial roads, where applicable, and are consistent with the Circulation Element of the Town General Plan;

The project has been conditioned to construct street improvements on both Warren Vista, and on Joshua Lane with future phases. Portions of Joshua Lane are designed as a Major Arterial within the Town's Circulation Element of the General Plan. Segments of Joshua Lane carry in excess of 5,000 Average Daily Trips, and Joshua Lane provides vehicular access to Joshua Tree National Park via the Black Rock Canyon Campground/Nature Center. The construction of the facilities have been evaluated and are sufficient to accommodate the increased traffic created by the park project.

13. There will not be significant harmful effects upon environmental quality and natural resources including endangered, threatened, rare species, their habitat, including but not limited to plants, fish, insects, animals, birds or reptiles;

An Initial Study was completed for the project that found that the impacts to Biological Resources would be less than significant with mitigation measures. A general biological assessment, in addition to a focused

desert tortoise survey and a habitat assessment for the western burrowing owl were prepared for the site. These studies determined that tortoise sign was present on the northern portion of the site. Burrowing owl was absent from the site and adjoining areas. Mitigation measures have been put in place to reduce impacts to biological resources. Phase IA will result in the development of approximately five acres of the 37.75 acre site. The remainder of the site will remain undisturbed until approval of future phases.

14. There are no other relevant or anticipated negative impacts of the proposed use that cannot be mitigated and reduced to a level of non-significance in conformance with CEQA, the California Environmental Quality Act;

An Initial Study was prepared for the project. All negative impacts of the proposed use have been mitigated to a level that is less than significant.

15. The impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained will not be considered to be detrimental to the public health, safety and welfare of the community or be materially injurious to properties and/or improvements within the immediate vicinity or be contrary to the General Plan; and

An Initial Study was prepared for the project. All negative impacts of the proposed use have been mitigated to a level that is less than significant. There will be no impacts to the public health, safety, and welfare of the community.

16. The proposed development will comply with each of the applicable provisions of the Development Code, and applicable Town policies, except approved variances.

The project, as proposed complies with all applicable provisions of the Development Code and applicable Town policies. No variances are requested or required for the project.

Attachments:

1. Standard Exhibits
2. Notice of Intent
3. Initial Study
4. Application materials
5. Site Plan
6. Comment letters
7. Notice of Hearing

**TOWN OF YUCCA VALLEY
COMMUNITY DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS OF APPROVAL
SOUTH SIDE NEIGHBORHOOD/ COMMUNITY PARK**

Conditional Use Permit, CUP-06-11 is a proposal to develop Phase 1A of a multi-phase, multi-purpose neighborhood/community park. Phase 1A will consist of an approx. 1.5 acre dog park, 2 acres of playground, turfed and hardscape improvement area, and approximately 19,000 square feet of parking. Phase 1A will also include, at ultimate completion, a water feature/splash park, restroom facilities, sand volleyball, a natural desert plant/trail area, restroom facilities, shade shelters combined with playground equipment, and ancillary supporting park improvements and infrastructure. Phase 1A is located on approx 5 acres.

The project is located at the north west corner of Joshua Lane and Warren Vista Avenue and is identified as APN 0585-061-06.

GENERAL CONDITIONS

- G1. The applicant shall agree to defend, indemnify and hold harmless the Town of Yucca Valley, its agents, officers and employees, at his sole expense, against any action, claim or proceedings brought against the Town or its agents, officers or employees, to attack, set aside, void, or annul this approval or because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with the Town of Yucca Valley Development Code. The applicant shall reimburse the Town, its agents, officers, or employees for any court costs, and attorney's fees which the Town, its agents, officers or employees may be required by a court to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition. The Town shall promptly notify the applicant of any claim, action or proceedings arising from the Town's approval of this project, and the Town shall cooperate in the defense.
- G2. This Conditional Use Permit shall become null and void if construction has not commenced within three (3) years of the Town of Yucca Valley date of approval. Extensions of time may be granted by the Planning Commission and/or Town Council, in conformance with the Town of Yucca Valley Development Code. The applicant is responsible for the initiation of an extension request.

**Approval Date: January 24, 2012
Expiration Date: January 24, 2015**

- G3. The applicant shall ascertain and comply with requirements of all State, County, Town and local agencies as are applicable to the project area. These include, but are not limited to, Environmental Health Services, Transportation/Flood Control, County Fire Warden, Building and Safety, State Fire Marshal, Caltrans, High Desert Water District, Airport Land Use Commission, California Regional Water Quality Control Board, the Federal Emergency Management Agency, MDAQMD-Mojave Desert Air Quality Management District, Community Development, Engineering, and all other Town Departments.
- G4. All conditions are continuing conditions. Failure of the applicant to comply with any or all of said conditions at any time shall result in the revocation of the approval on the property.
- G5. No on-site or off-site work shall commence without obtaining the appropriate permits for the work required by the Town and the appropriate utility companies. The approved permits shall be readily available on the job site for inspection by Town personnel.
- G6. All improvements shall be inspected by the Town as appropriate. Any work completed without proper inspection may be subject to removal and replacement under proper inspection.
- G7. All refuse shall be removed from the premises in conformance with Yucca Valley Town Code 33.083.
- G8. During construction, the applicant shall be responsible to sweep public paved roads adjacent to the project as necessary and as requested by the Town staff to eliminate any site related dirt and debris within the roadways. During business activities, the applicant shall keep the public right-of-way adjacent to the property in a clean and sanitary condition.
- G9. No staging of construction equipment or parking of worker's vehicles shall be allowed within the public-right-of-way.
- G10. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB 1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a qualified licensed land surveyor or civil engineer to reset those monuments per Town Standards and file the necessary information with the County Recorder's office as required by law (AB 1414).
- G11. If phasing is proposed, each phase of a phased project shall function independently of all other phases. All improvements shall be completed for each phase to ensure that each phase functions separate from the remainder of the project, and shall include, but not be limited to, street improvements, wastewater collection, treatment and disposal, drainage and retention/detention facilities, water delivery systems, fire suppressions systems, post construction erosion and

sediment control systems, all utilities necessary to serve the project, and those improvements deemed necessary by the Town. All phasing plans shall be illustrated on rough and precise grading plans, erosion and sediment control plans, all plans required for obtaining native plant plan approval, and on any other plan as deemed necessary by the Town.

- G12. **One sign, facing Warren Vista Avenue** shall be posted on the site and must contain the following information: the grading permit number, the project name, map number (if appropriate), the authorized dust controller phone number(s), the Town phone number and the Mojave Desert Air Quality Management District (MDAQMD) phone number. The signs must be obtained and installed by the developer using the sample format to be provided. The Applicant must keep the contact name and phone number active and current at all times. Failure of the contact system may be considered grounds for revocation of the permit. All signs shall be a minimum of 4' x 8' in size.
- G13. At the time of permit issuance the applicant shall be responsible for the payment of fees associated with electronic file storage of documents
- G14. Prior to the issuance of a Certificate of Occupancy all improvements shall be constructed, final inspection performed, punch-list items completed, and all installations approved by the appropriate agency.
- G15. After final plan check by the Town, original mylars (4 mil) shall be submitted to the Town for signature by the Town Engineer. All original mylars submitted for Town Engineer's signature must contain the design engineer's wet signature and stamp and all other required signatures.
- G16. Prior to any work being performed within the public right-of-way, the Applicant shall provide the name, address, telephone, facsimile number, and e-mail address of the Contractor to perform the work. A description of the location, purpose, method of construction, and surface and subsurface area of the proposed work shall be supplied. A plat showing the proposed location and dimensions of the excavation and the facilities to be installed, maintained, or repaired in connection with the excavation, shall be provided and such other details as may be required by the Town Engineer.
- G17. The site shall be developed in accordance with the approved plans on file with the Town of Yucca Valley, in accordance with the Conditions of Approval approved for the project, and in accordance with the General Plan and Development Code. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Town.
- G18. Prior to issuances of building permits, all site plans, grading plans, landscape and irrigation plans, drainage/flood control plans, public improvement plans, composite development plans, erosion and sediment control plans, and

assessment district plans and formations shall be coordinated for consistency with this approval.

- G19. The Town Engineer may allow phased construction of the project provided that the improvements necessary to adequately serve or mitigate the impacts of each phase of development are completed prior to the issuance of a Certificate of Occupancy for that phase.
- G20. The applicant or the applicant's successor-in-interest shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust.
- G21. If archaeological, paleontological or historical resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person with appropriate expertise shall be consulted by the applicant regarding mitigation measures to preserve or record the find. Recommendations by the consultant shall be implemented as deemed necessary and feasible by the Town before work commences in the affected area. If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains might be those of a Native American, the California Native American Heritage Commission shall be notified and appropriate measures provided by State law shall be implemented.
- G22. All street dedications shall be irrevocably offered to the public and shall continue in force until the Town accepts or abandons such offers. All dedications shall be free of all encumbrances as approved by the Town Engineer.
- G23. The street design and circulation pattern of this project shall be coordinated with adjoining developments.
- G24. The final Conditions of Approval issued by the approving authority shall be photographically or electronically placed on bond (blue/black line) paper and included in the Grading and Street Improvement plan sets on 24" x 36" bond (blue/ black line) paper and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field and during construction. Plan check fees shall not be charged for sheets containing the Conditions of Approval.
- G25. If phasing is proposed, a construction-phasing plan for the construction of on-site public and private improvements shall be reviewed and approved by the Town Engineer prior to the approval of the project grading plan. The Town Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area the project if the improvements are needed for circulation, parking, access, or for the welfare or safety of future occupants of the development.

- G26. Violations of any condition or restriction or prohibition set forth in these conditions, including all approved construction plans, public and private, for this project and subject to the Town's overall project approval and these conditions of approval, shall subject the owner, applicant, developer or contractor(s) to the remedies as noted in the Municipal Code. In addition, the Town Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
- G27. All property corners, logs, easements, street centerlines and curve radii shall be monumented and horizontally tied to identified control points. A copy of the monumentation survey and centerline tie notes shall be provided to the Town Engineer for approval.
- G28. For any import or export of material, the applicant shall provide the route of travel, estimated cubic yards of import/export, number of trucks, daily schedule, and length of time necessary to complete the import/export of materials to/from the site. No hauling of material shall occur prior to approval by the Town Engineer.

PLANNING CONDITIONS

- P1. The development of the property shall be in conformance with FEMA requirements and the Town's Floodplain Management Ordinance requirements. Adequate provision shall be made to intercept and conduct the existing tributary drainage flows around or through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to modifying existing facilities or by securing a drainage easement.
- P2. Utilities shall be placed underground in conformance to the Ordinance in effect at time of construction.
- P3. All exterior lighting shall comply with the Ordinance in effect at time of construction and shall be illustrated on all construction plans.
- P4. A final plan identifying all protected plants as well as a Native Plant Relocation Plan with any area proposed to be disturbed in accordance with the Town's Native Plant Protection Ordinance shall be submitted for approval prior to issuance of any construction permits, including grading and utility installations, for the project. The applicant shall make every effort to relocate the regulated native plants back onsite. The adoption of native plants shall be consistent with the Native Plant Ordinance in effect at the time of grading permits.

- P5. **All mitigation measures identified in the Initial Study are included as conditions of approval by this reference.**
- P6. Prior to the issuance of any permits the Applicant shall provide three (3) copies of a landscape and irrigation plan showing the size, type and location of all plant and irrigation systems. Said irrigation system shall incorporate a permanent automatic irrigation system, and all landscaping and irrigation systems shall be maintained in good condition at all times. All ground within proposed landscape planter areas shall be provided with approved ground cover. This shall include but not be limited to drought-tolerant plant materials or colored desert rock. The Landscape Plan shall be approved by Hi-Desert Water District.
- P7. **All driveways shall be a minimum of 26' unless otherwise approve by San Bernardino County Fire.**

ENGINEERING CONDITIONS

- E1. **Dedicate and construct full half width improvements (20 feet from centerline) including sidewalk curb, and gutter on Warren Vista Dr. per Town of Yucca Valley Standard Drawing No. 101 and 220. A Channel Crossing per Town of Yucca Valley Standard Drawing No. 451 shall be constructed at the wash crossing.**
- E2. Prepare precise grading plans for review/approval by the Town. Grading plans shall include details of any retention area proposed.
- E3. A licensed civil engineer or land surveyor shall survey and certify that the rough grading was completed in substantial conformance with the approved Rough Grading Plans. Prior to the issuance of any building permits the project Engineer shall certify the finished lot was graded in conformance to approved plans. Certification to be on Town of Yucca Valley supplied form(s), included with the permit package.
- E4. Prior to issuance of a grading permit for any portion of a site, the Applicant shall submit, for review and approval, an irrigation and landscaping plan or other appropriate treatment for all slope areas. After certification of final grading all manufactured slopes over the height of 3 feet shall be irrigated and landscaped unless otherwise approved by the Town.
- E5. Prior to the issuance of a Grading Permit for the onsite areas, a Grading Plan, including rough and precise grading plans, prepared by a recognized professional Civil Engineer shall be submitted, and the corresponding fees shall be paid to the Town prior to any grading activity. The Grading Plans shall be reviewed and approved by the Town Engineer prior to issuance of grading permits. The Applicant is responsible for all fees incurred by the Town.
- E6. Prior to the issuance of Permits, the Applicant shall comply with the recommendations of a site-specific Geotechnical and Soils Report which shall be

reviewed and subject to Town approval. The report shall include recommendations for any onsite and offsite grading, foundations, compaction, structures, drainage, and existence of fault zones. It shall include recommendations for retention basins, slope stability and erosion control. The Geotechnical and Soils engineering report shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, when necessary and opinions and recommendation covering the adequacy of sites for development. The report shall identify if the site contains any areas susceptible to landslide risk, liquefaction potential and/or subsidence potential on the project site. The report shall identify and include the location of major geologic features, topography and drainage, distribution and general nature of rock and soils, a reasonable evaluation and prediction of the performance of any proposed cut or fill in relation to geological conditions, and the capability of soils and substrata to support structures.

- E7. All recommended approved measures identified in the Geotechnical and Soils Engineering report shall be incorporated into the project design.
- E8. When a development is constructed in phases, each phase of the development shall function independent of the others. Retention basin(s) shall be constructed and functional prior to the issuance of Building Permits for any structure within that phase of the project. The applicant shall provide on-site retention for the incrementally larger flows caused by each phase of development of the site, pursuant to a final drainage report, subject to approval by the Town Engineer.
- E9. A **final** drainage report, prepared by a registered Civil Engineer, shall be prepared to determine the flows exiting the site under current undeveloped conditions compared to the incrementally larger flows due to the development of the site. The retention basin size will be determined, per County of San Bernardino Flood Control methodology, such that the incremental 100 year 24-hour storm volume, plus 10% minimum, 20% desired, is retained on-site.
- E10. In lieu of an engineered drainage report the retention basin shall be sized to retain 550 cubic feet of storm-water for each 1,000 square feet, and increments thereof, of impervious area proposed.
- E11. Basin(s) shall be designed to fully dissipate storm waters within a 48 hour period.
- E12. Prior to acceptance and final construction approval, all retention/detention basins shall be certified by a civil engineer that all retention/ detention basins have been constructed in substantial conformance with the approved plans, and shall be certified that they have the required capacity and will operate in accordance with the approved final drainage report for the project.
- E13. Prior to acceptance or final construction approval, all drainage systems, both public and private, shall be certified by a civil engineer that they have been constructed in substantial conformance with the approved plans, and shall be

certified that they have the required capacity and will operate in accordance with the approved final drainage report(s) for the project.

- E14. No on-site or off-site work shall commence without obtaining the appropriate permits for the work involved from the Town. The approved permits shall be readily available on the job-site for inspection by the Town personnel.
- E15. All grading activities shall minimize dust through compliance with MDAQMD Rules 402 and 403.
- E16. Prior to issuance of a grading permit, a Fugitive Dust and Erosion and Sediment Control Plan shall be submitted and approved by the Town Engineer. The Fugitive Dust and Erosion and Sediment Control Plan shall be illustrated on all proposed phasing plans for construction of the project.
- E17. A Notice of Intent to comply with Statewide General Construction Stormwater Permit (Water Quality Order 2010-0009-DWQ as modified July 1, 2010 or as otherwise updated by the Board) is required for the proposed development via the California Regional Water Quality Control Board (phone no. 760-346-7491). A copy of the executed letter issuing a Waste Discharge Identification number shall be provided to the Town prior to issuance of a grading permit. Applicant shall comply with NPDES requirements as applicable. The Applicant shall install devices on his property to keep erodible material, rocks, and gravel on the site. Three copies of the SWPPP submitted to the CRWCB shall be submitted to the Town.
- E18. Prior to any work being performed in the public right-of-way, fees shall be paid and an encroachment permit shall be obtained from the Town. The Applicant shall apply for an encroachment permit from the Town for utility trenching, utility connection, or any other encroachment onto public right-of-way. The Applicant shall be responsible for the associated costs and arrangements with each public utility.
- E19. Areas for Construction stockpiling, equipment storage and maintenance shall be submitted to the Town Engineer for review and approval with each phase (if any) of the project.
- E20. The Applicant shall restore any pavement cuts required for installation or extension of utilities for his project within the public right-of-way. In all cases where cuts are allowed, the Applicant is required to patch the cuts to Town standards and the approval of the Town Engineer. The patching shall include a grinding of the pavement to a width 4 feet beyond the edge of the trench on each side, or as determined by the Town Engineer, and replacement with full-depth asphalt concrete recommended by the Soils Engineer.
- E21. In conjunction with rough grading plan submittal for plan check, street plans prepared by a recognized professional Civil Engineer shall be submitted, and the corresponding fees shall be paid to the Town. The final street plans shall be reviewed and approved by the Town Engineer.

- E22. Street improvements **for each phase** shall be completed, approved, and certified by a civil engineer as constructed in substantial conformance with the approved plans, and accepted by the Town of Yucca Valley prior to issuance of a certificate of occupancy for any structures **for each phase** of the project.
- E23. The Applicant shall install all water and sewer systems required to serve the project. All water and sewer systems shall be completed to the requirements of the Hi Desert Water District. The location of the septic system shall be shown on the project grading plans.
- E24. The Applicant shall observe the construction of this project to make certain that no damage or potential for damage occurs to adjacent roadway, existing improvements, adjacent property and other infrastructure. The Applicant shall be responsible for the repair of any damage occurring to offsite infrastructure and/or property damage as determined by the Town Engineer. The Applicant shall repair any such damage prior to certificate of occupancy. If the damage is such that it is not repairable within a reasonable amount of time as determined by the Town Engineer, the Applicant may petition the Town Engineer for additional conditions that may allow him the time, amount of surety and other requirements to repair the damage.
- E25. The Applicant shall be responsible for all improvements constructed within the public right-of-way as required by the conditions of approval. The improvements shall be constructed to the standards and requirements as determined and approved by the Town Engineer. Any improvements not considered to be to the required standards shall be replaced. The applicant shall be required to maintain and repair those improvements prior to and after acceptance by the Town Council for the length of time required by the applicable conditions, standards and ordinances.
- E26. The wastewater collection and treatment system shall be maintained so as not to create a public nuisance and shall be serviced by a maintenance company approved by the Regional Water Quality Control Board. The wastewater collection and treatment system shall be approved by the Regional Water Quality Control Board and functional prior to the issuance of grading permits for the project.
- E27. All improvement plans shall be designed by a Registered Civil Engineer.
- E28. Any area which remains undeveloped for a period of more than 30 days shall be stabilized using either chemical stabilizers or a desert wildflower mix hydroseed on the affected portion of the site, or methods identified within the SWPPP, subject to Town Engineer approval.
- E29. The Applicant shall be responsible for inspection, modification, and proper maintenance of the erosion control devices as necessary. If the Applicant fails or refuses to properly maintain the erosion control devices, the Town Engineer may cause emergency maintenance work to be done in order to protect potentially impacted property. The cost shall be deducted from the erosion control security posted for the project and shall include all costs related to the emergency

maintenance including initial mobilization and performance of the work in addition to applicable administrative costs.

- E30. If construction of erosion control systems outside of the project boundaries is necessary, permission to construct such systems from the owner of such off-site property is required. Plans for the off-site system shall be included with the on-site plans submitted to the Town Engineer. The plans for the off-site erosion control system shall include permission to grade and maintain the erosion control system from all affected property owners and letters of clearance and/or permits from all appropriate governmental entities.
- E31. The Applicant shall submit a post construction erosion and sediment control plan which identifies and illustrates all necessary improvements to prevent the movement and or loss of any soil and sediment materials from the project site, including all individual lots for construction of habitable structures, all slope banks, and all areas of the site capable of resulting in the deposit of soils and sediments with the street or storm drain system. The post construction erosion and sediment improvements shall be certified by a civil engineer that they were constructed in substantial conformance with the approved plans and specifications.
- E32. Drainage easements, when required, shall be shown on the grading plan and separate legal descriptions and plats prepared delineating the location of the easements.
- E33. Private drainage easements for cross-lot drainage shall be dedicated by separate instrument and delineated on the grading plan.
- E34. A construction area traffic control plan, including temporary and final permanent striping, shall be designed by a registered Civil Engineer or Traffic Engineer for review and approval by the Town Engineer for any street construction, closure, detour or other disruption to traffic circulation.
- E35. All permanent street closures must be approved by Town Council action.
- E36. For any import or export of material, the applicant shall provide the route of travel, estimated cubic yards of import/export, number of trucks, daily schedule, and length of time necessary to complete the import/export of materials to/from the site. No hauling of material shall occur prior to approval by the Town.
- E37. Unless approved by the Town Engineer the project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Lot lines shall be located at the top of slopes. The Applicant shall accept and properly dispose of all off-site drainage flowing onto or through the site.

- E38. Improvement plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the Town Engineer.

- E39. The following information regarding the presence of the Marine Corps Air Ground Combat Center (MGAGCC) shall be recorded on the **title of the property, and included in the information presented to any owners.** "The Marine Corps Air Ground Combat Center is located in the Morongo Basin. To prepare Marines for future conflicts, the MGAGCC carries out realistic training with military munitions, both day and night. As a result, Military aircraft fly over the area, and military vehicles drive on and off the base every day. This property is located directly under two aircraft flying routes and is located approximately 13 miles from the installation boundary. Consequently, you should expect to hear military training, see low-flying military aircraft, and encounter other experiences associated with the important mission of the MCAGCC".

BUILDING AND SAFETY CONDITIONS

- B1. Prior to the delivery of combustible materials, the following items shall be accepted as complete:
 - a. The water system is functional from the source of water past the lots on which permits are being requested (i.e. All services are installed, valves are functional and accessible, etc.); and
 - b. Fire hydrants are accepted/approved by the County Fire Department and the Hi Desert Water District. The fire hydrants associated with each phase shall be functioning prior to issuance of building permits.
- B2. The applicant shall submit three sets of plans to the Building and Safety Dept. for plan check and approval.
- B3. At the time of building plan check submittal, the applicant shall provide approval from the San Bernardino County Fire Dept.

Prior to final inspection, all required improvements shall be constructed and finalized and accepted by the appropriate agency prior to the issuance of a Certificate of Occupancy.

FIRE CONDITIONS

- F1. Prior to any construction occurring, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.

- F2. The Applicant shall be responsible for all fees required by San Bernardino County Fire Department.
- F3. A water system approved by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site.
- F4. This project is required to have an approved street name sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior to any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.
- F5. Prior to issuance of a Certificate of Occupancy, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with County Fire Department Requirements.
- F6. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job-site.

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT CONDITION

- MD The applicant shall comply with the provisions of District Rule 403, Fugitive Dust.

HIGH DESERT WATER DISTRICT CONDITIONS

- H1. Water and sewer improvement plans and plan check fees shall be submitted for review and approval-prior to issuance of a building permit
- H2. Landscape plans shall be submitted in accordance with Hi Desert Water District Landscape Ordinance Package if total landscape area exceeds 500 square feet and a separate landscape meter will also be required.
- H3. It is recommended that the developer schedule a meeting with HDWD to discuss project water demand and fire flow requirements in the planning stages
- H4. Reduced pressure (RP) backflow devices shall be required for all water connections.
- H5. Any fire sprinkler/suppression supply service shall be separate from the domestic and landscape services.

H6. All onsite water mains shall be private.

H7. An agreement for water service shall be approved by HDWD Board of Directors prior to construction.

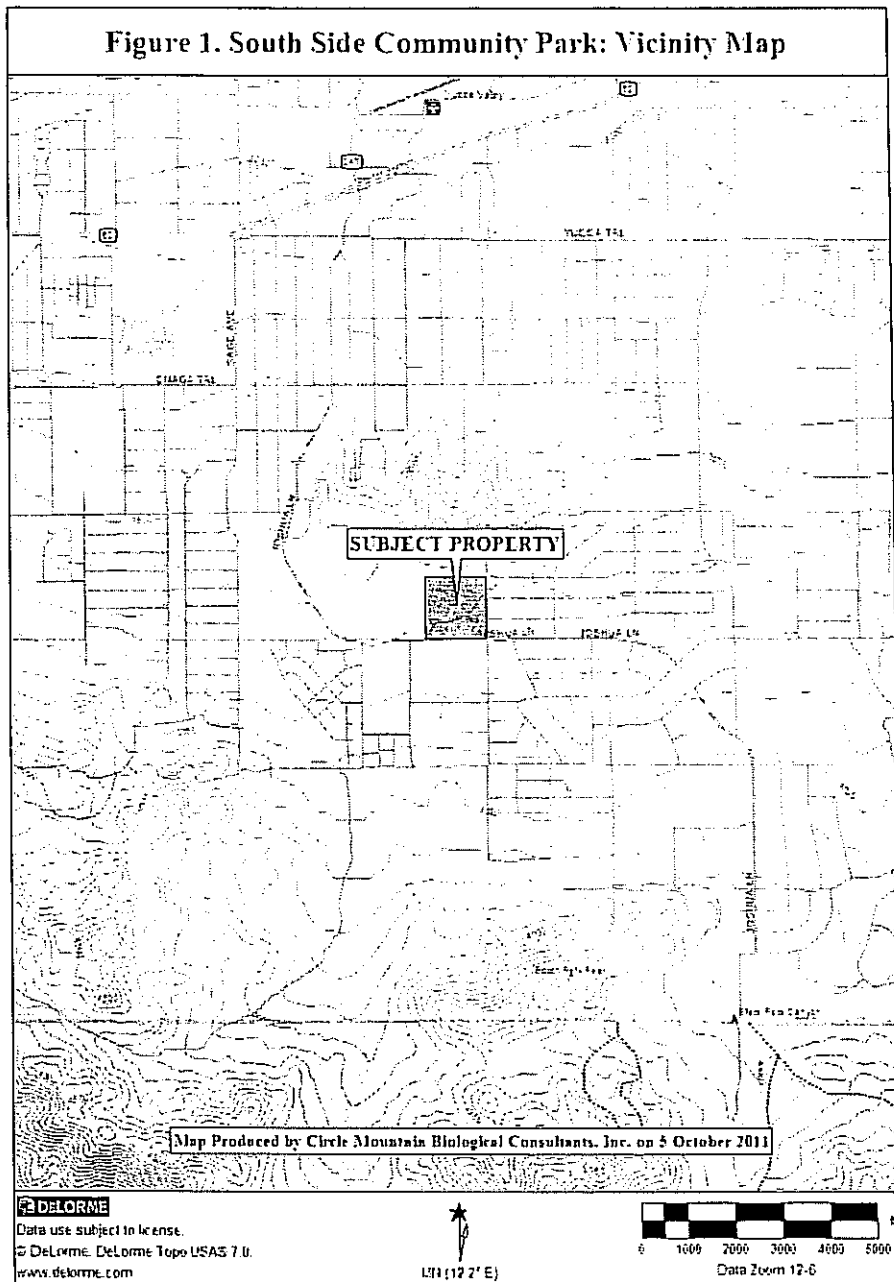
**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD-COLORADO RIVER
BASIN CONDITIONS**

WQ1. The applicant shall comply with all regulations and requirements as established by the board.

I HEREBY CERTIFY THAT THE APPROVED CONDITIONS OF APPROVAL WILL BE SATISFIED PRIOR TO OR AT THE TIMEFRAMES SPECIFIED AS SHOWN ABOVE. I UNDERSTAND THAT FAILURE TO SATISFY ANY ONE OF THESE CONDITIONS WILL PROHIBIT THE ISSUANCE OF ANY PERMIT OR ANY FINAL MAP APPROVAL.

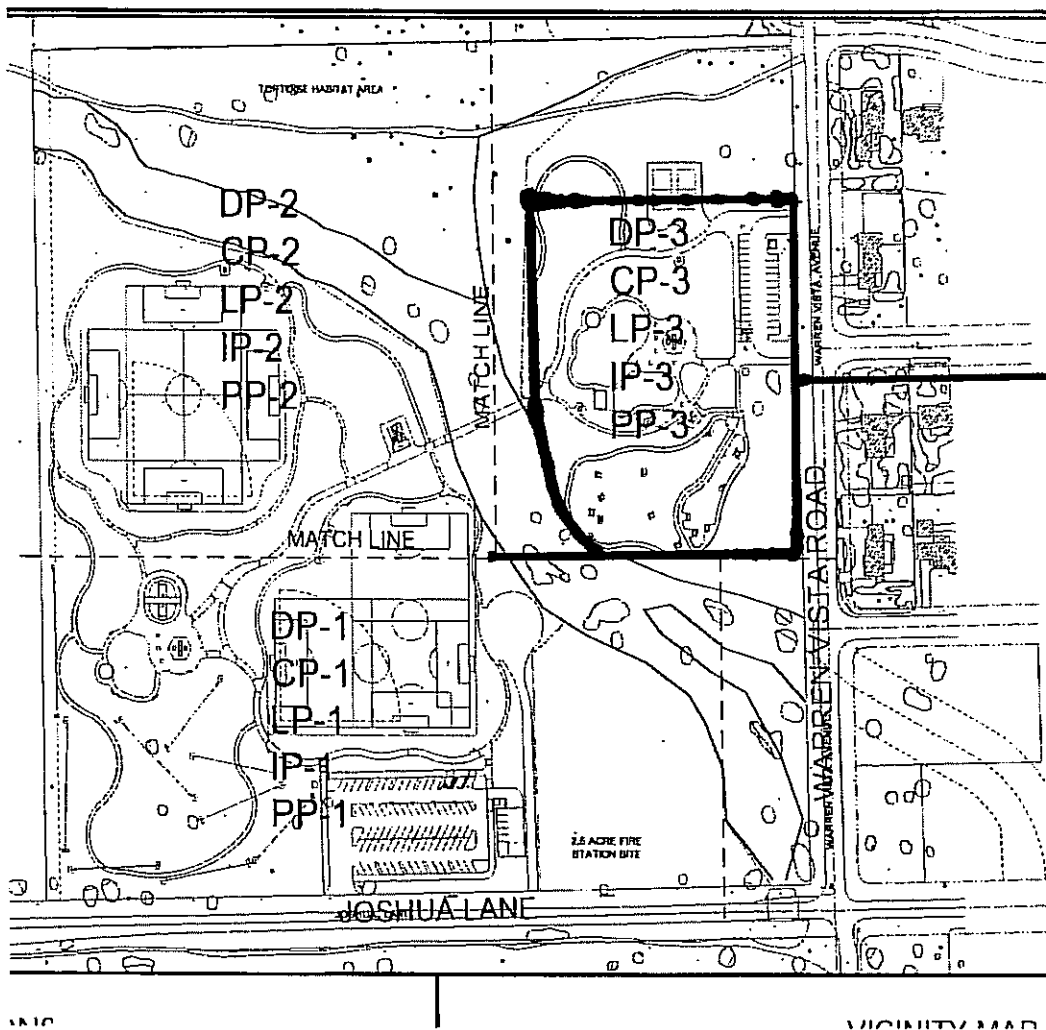
Applicant's Signature _____ Date _____

LOCATION MAP

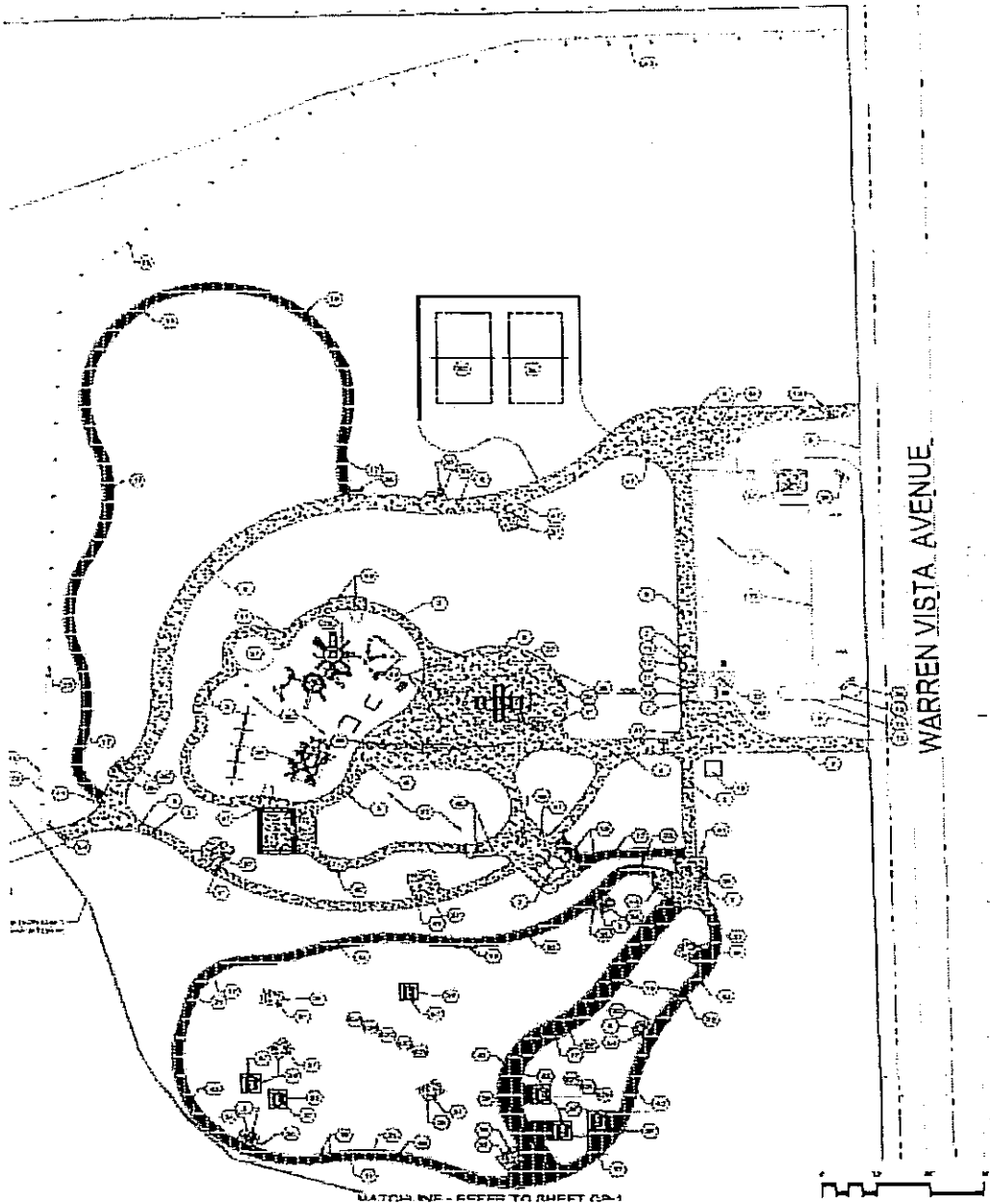


SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

Overall Site Plan

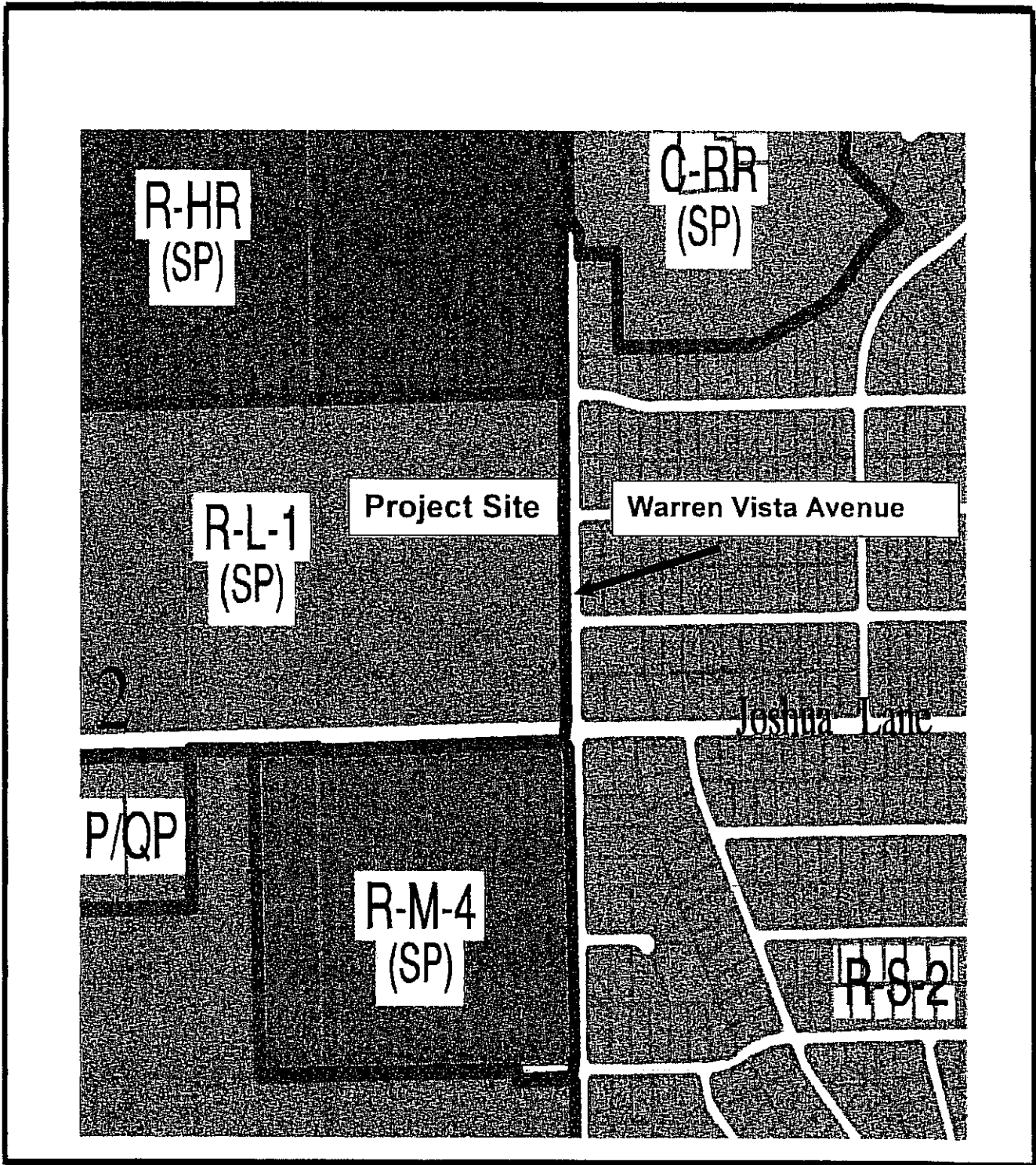


East Parking Lot



TOWN OF YUCCA VALLEY

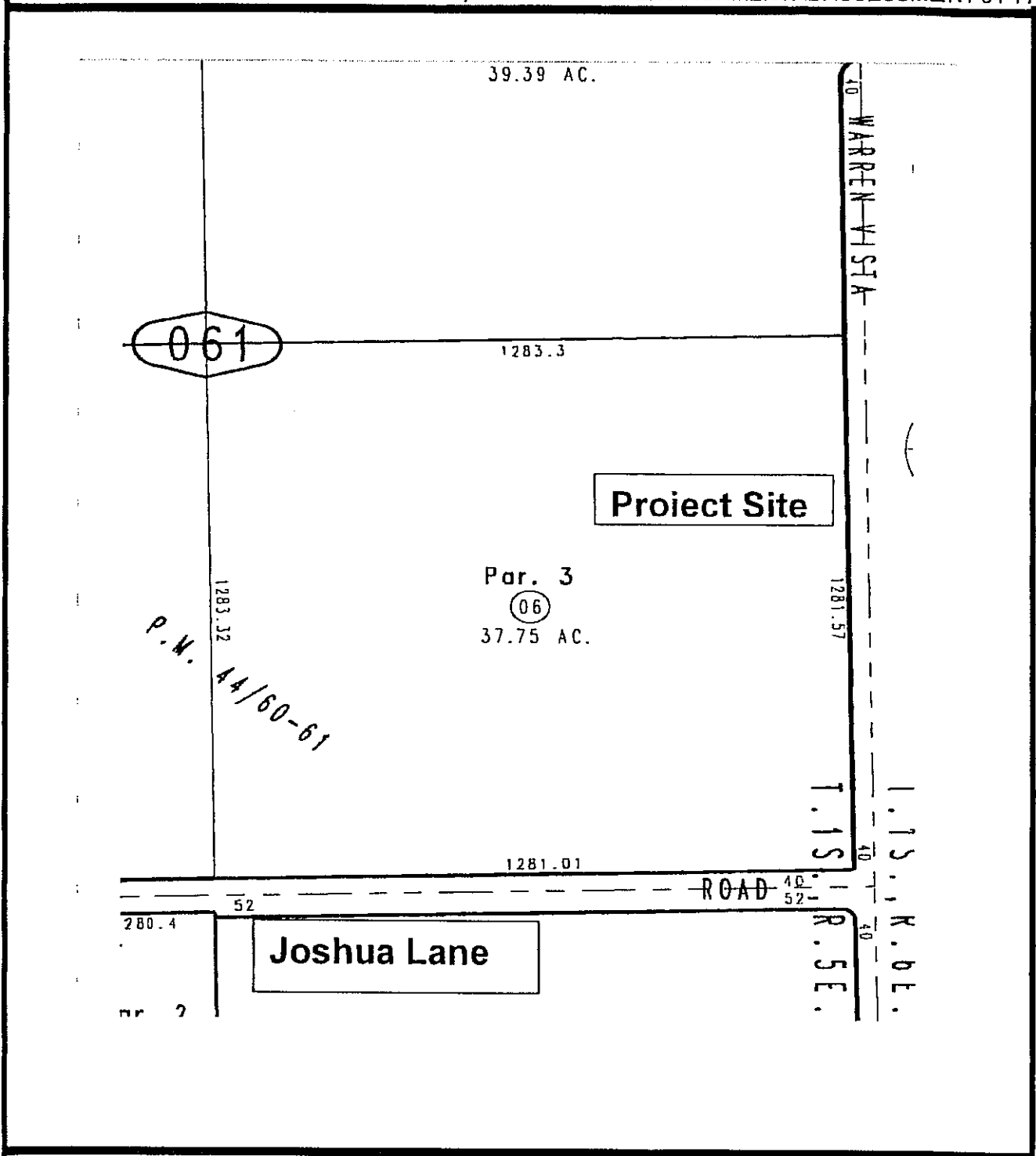
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 06-11 AND ENVIRONMENTAL ASSESSMENT 04-11



ZONING AND GENERAL PLAN LAND USE MAP

TOWN OF YUCCA VALLEY

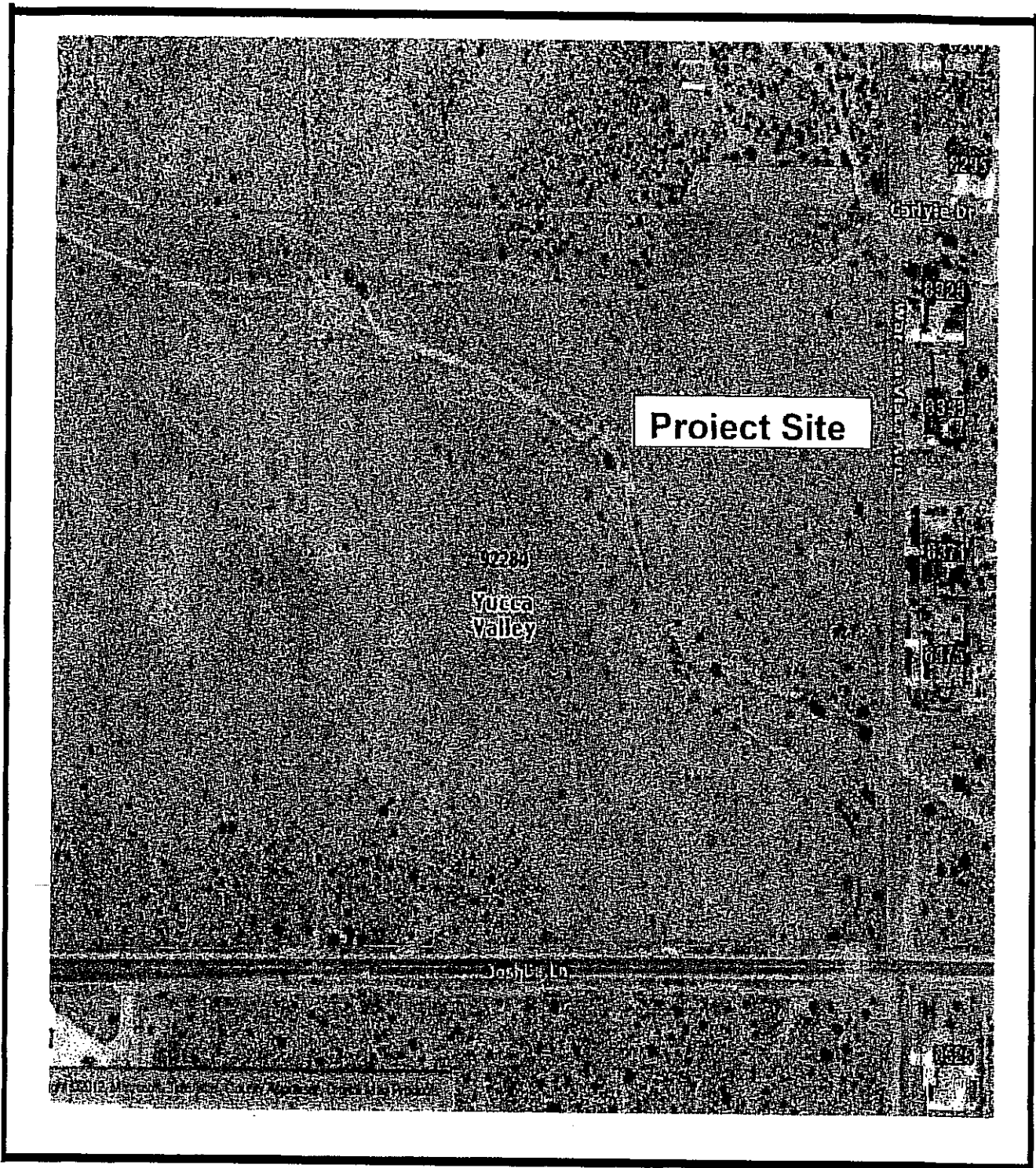
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 06-11 AND ENVIRONMENTAL ASSESSMENT 04-11



Assessor's Parcel Map

TOWN OF YUCCA VALLEY

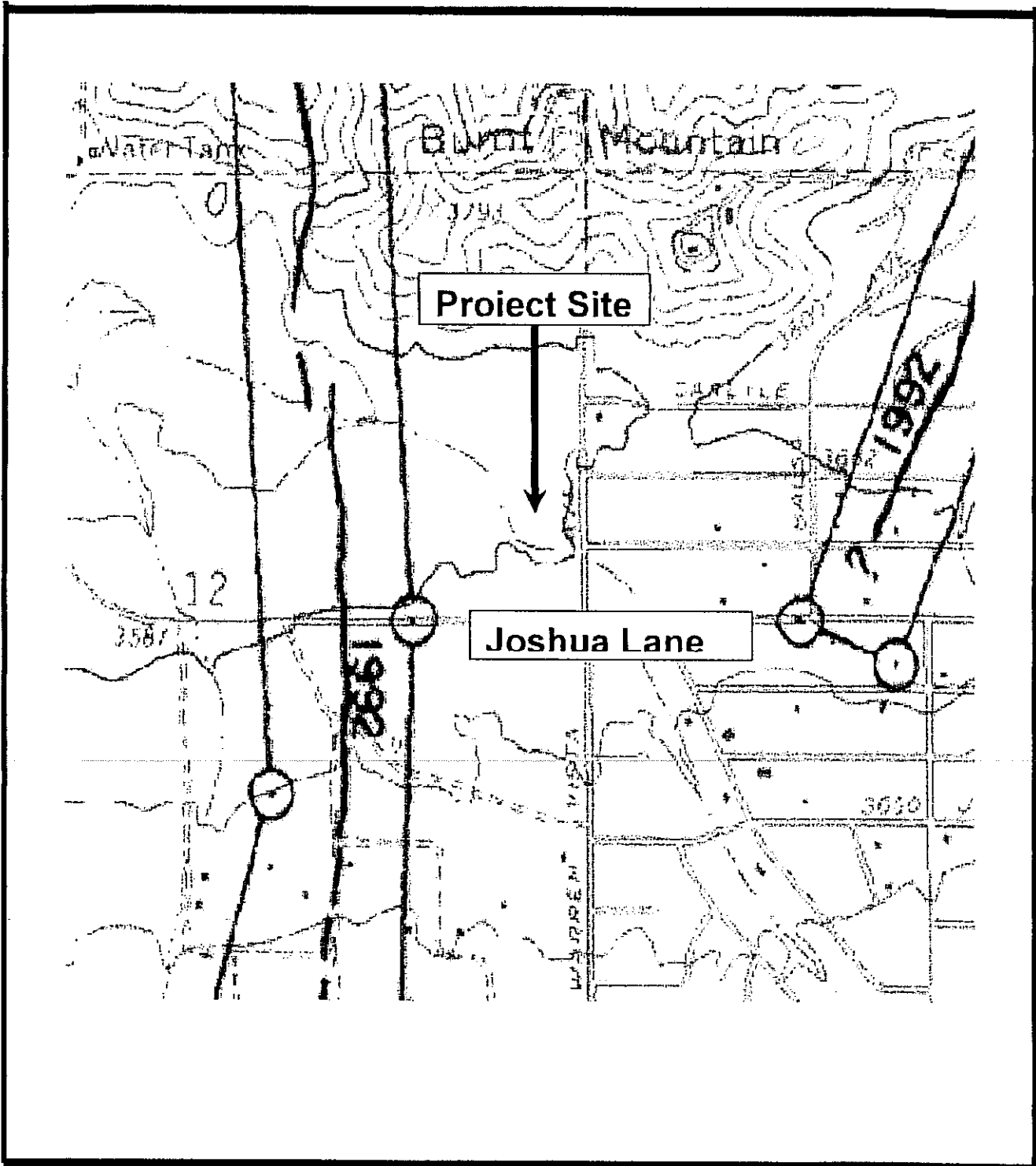
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 06-11 AND ENVIRONMENTAL ASSESSMENT 04-11



AERIAL PHOTO

TOWN OF YUCCA VALLEY

PROJECT NO.: CONDITIONAL USE PERMIT, CUP 06-11 AND ENVIRONMENTAL ASSESSMENT 04-11



Alquist-Priolo Map

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION,
CONDITIONAL USE PERMIT, CUP 06-11, ENVIRONMENTAL ASSESSMENT, EA 04-11**

TO: Responsible and Trustee Agencies/Interested Organizations and Individuals
FROM: Town of Yucca Valley
RE: Conditional Use Permit, CUP 06-11, Environmental Assessment, EA 04-11

The Town of Yucca Valley (Town), in its capacity as the Lead Agency for this project under CEQA, evaluated the potential environmental impacts of the project under CEQA. The Town has determined through the preparation of an Initial Study that although the project has the potential to result in significant environmental effects, these impacts will not be significant in this case because the mitigation measures described in the detailed Initial Study have been added to the project. The Initial Study meets the requirements of the State of California CEQA, the State CEQA Guidelines, and the Town of Yucca Valley Guidelines for the Implementation of CEQA. A Mitigated Negative Declaration will be prepared.

This notice constitutes a Notice of Intent (NOI) to adopt the aforementioned Mitigated Negative Declaration.

Project Location/ Description:

Project location: The project is located on the northwest corner of Joshua Lane and Warren Vista Avenue and is identified as APN 0585-061-06.

Project description: This environmental document has been prepared in response to a proposal to develop a multi-purpose neighborhood/community park. The neighborhood/community park project will be constructed in phases over multiple years. The park project is planned to include the development of approximately 10 acres of multi-use athletic fields; 3 acres of playground and picnic areas, including tot lots; informal open space; and a splash pad/water play improvements; an approximate 1.5 acre dog park; restroom and concession buildings; approximately 2 acres of vehicle parking; an approximate 1 acre native plant garden; sand volleyball courts; an approximately 5,000 square foot maintenance building; a frisbee golf course; walking and exercise trails; a minimum 2 acre undisturbed area; and ancillary park improvements including field lighting; parking lot lighting; access and maintenance roads; hardscape and sidewalk improvements; picnic and shade shelters; barbecues; horseshoe and shuffleboard areas; jogging and exercise courses and related improvements. The neighborhood/community park is proposed to be constructed on an approximately 37.75 acre parcel.

Other permits: Not applicable

Toxic Sites: None

Public Hearing: The Planning Commission public hearing for this item has been set for January 24, 2012, beginning at 6:00 p.m. at the Yucca Valley Community Center, 57090 29 Palms Highway, Yucca Valley, CA 92284.

Public Review: The Initial Study and related documents are available for public review daily. Members of the public may view these documents at the Planning Department, 58928 Business Center Drive, Yucca Valley, CA 92284, and submit written comments at or prior to the Planning Commission.

If any group challenges the action in court, issues raised may be limited to only those issues raised at the public hearing described in this notice or in written correspondence at, or prior to the Planning Commission hearing.

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Robert Kirschmann at 760-369-6575 X 328.

Comment Period: Based on the time limits defined by CEQA, your response should be sent at the earliest possible date. The public comment period on this project is from **Thursday December 22, 2011 to Monday January 23, 2012**. All comments and any questions should be directed to:

Robert Kirschmann
Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284
(760) 369-6575 X 328
RKirschmann@yucca-valley.org

Note to Press: Publish on December 21, 2011

Dated: December 20, 2011

INITIAL STUDY OVERVIEW

PROJECT DETAILS

1. **Project Title:** South Side Neighborhood/Community Park
2. **Lead agency name and address:** Town of Yucca Valley, 57090 29 Palms Highway, Yucca Valley, CA.
3. **Contact person and phone number:** Mr. Robert Kirschmann, Associate Planner, 760-369-1265, Ext. 328
4. **Project location:** Town of Yucca Valley, San Bernardino County, California, Assessor's Parcel Number 0585-061-06, located at the north west corner of Joshua Lane and Warren Vista Avenue
5. **Project sponsor's name and address:** Town of Yucca Valley, 57090 29 Palms Highway, Yucca Valley, California 92284
6. **General Plan Designation:** Rural Living, RL-1 7. **Zoning:** RL-1
8. **Description of project:** This environmental document has been prepared in response to a proposal to develop a multi-purpose neighborhood/community park. The neighborhood/community park project will be constructed in phases over multiple years. The park project is planned to include the development of approximately 10 acres of multi-use athletic fields; 3 acres of playground and picnic areas, including tot lots; informal open space; and a splash pad/water play improvements; an approximate 1.5 acre dog park; restroom and concession buildings; approximately 2 acres of vehicle parking; an approximate 1 acre native plant garden; sand volleyball courts; an approximately 5,000 square foot maintenance building; a frisbee golf course; walking and exercise trails; a minimum 2 acre undisturbed area; and ancillary park improvements including field lighting; parking lot lighting; access and maintenance roads; hardscape and sidewalk improvements; picnic and shade shelters; barbecues; horseshoe and shuffleboard areas; jogging and exercise courses and related improvements. The neighborhood/community park is proposed to be constructed on an approximately 37.75 acre parcel.
9. **Surrounding land uses and setting:** The property is located in proximity to both vacant and developed lands. Lands to the west are vacant and zoned for residential land use (RL-1). Land immediately to the north is developed with equestrian facilities and a residential dwelling, and is zone R-HR, Hillside Reserve, which allows for single family residential development on 20 acre parcels. Lands to the east consist of single family residential dwellings with few vacant lots remaining, and those lands are zoned R-S-2, single family residential. Lands to the south consist of vacant residentially zoned lands across Joshua Lane (R-M-4, SP), with single family residential development further south and south east of the project site. Institutional and health care land use activities are located south west of the project site, and consist of a combination Church/School facility and a care facility for the elderly.

The site is traversed by a natural drainage course that flow from the south east to the west-north west, and will ultimately be retained by the West Burnt Mount Basin pursuant to the Town's Master Plan of Drainage.

The site contains desert native vegetation typically encountered within the Town. A significant portion of the native vegetation on the 37 +/- acre site was destroyed in a fire disaster that occurred in approximately in the late 1990's, while locations of non-fire damaged areas remain on the site as identified in the biological assessments prepared for the site. The plant community on site can best be described as Joshua tree woodland, with an understory of brush and grasses.

The project site is bound by Joshua Lane to the south and Warren Vista Avenue to the east. Portions of Joshua Lane are designed as a Major Arterial within the Town's Circulation Element of the General Plan. Segments of Joshua Lane carry in excess of 5,000 Average Daily Trips, and Joshua Lane provides vehicular access to Joshua Tree National Park via the Black Rock Canyon Campground/Nature Center.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

At a minimum, the following permits and approvals will be required:

County of San Bernardino

Town of Yucca Valley Conditional Use Permit

- Town of Yucca Valley Building and Safety, building plan check and construction
- Town of Yucca Valley Engineering, public improvements and hydrology
- California Region Water Quality Control Board
- CRWQCB, General Construction Activity Storm Water Permit
- CRWQCB, Wastewater Discharge System permit
- San Bernardino County Fire Department, Fire Safety Requirements
- Hi Desert Water District, Water Service Requirements
- San Bernardino County Environmental Health, concession building approval

SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|---|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> None Mandatory Findings of Significance |

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

DETERMINATION

On the basis of this initial evaluation:

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

Signature

Date

Printed Name

For

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

SOURCES

The following documents or sources were utilized by this analysis:

1. California Environmental Quality Act (CEQA)
2. Town of Yucca Valley General Plan Environmental Impact Report (EIR),
3. Town of Yucca Valley Comprehensive General Plan, December 14, 1995
4. Town of Yucca Valley Development Code
5. Town of Yucca Valley Zoning District Map.
6. Focused Survey for Desert Tortoise, Habitat Assessment for Western Burrowing Owl, and General Biological Resource Assessment for a 37-acres+/- Site (APN 0585-061-06) in the Town of Yucca Valley, San Bernardino County, California, by Circle Mountain Biological Consultants, Inc., October, 2011, and 2009
7. Mojave Desert Air Quality Management District Rule Book
8. United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey. <http://websoilsurvey.nrcs.usda.gov/app/>
9. Town of Yucca Valley, Master Plan of Drainage
10. State Planning and Zoning Law
11. Project Plans and Reports prepared by RHA Landscape Architects, Riverside CA
12. Field Inspection
13. Experience with other projects of this size and nature
14. Aerial Photography
15. USGS Data Contribution
16. Geotechnical Investigation Report, Proposed South Side Community Park, by Sladden Engineering, September 20, 2010.
17. California Stormwater Quality Association Construction Handbook
18. California Department of Fish and Game 2005 summary animals and plants listed under the California Endangered Species Act, accessed May 2, 2011
http://www.dfg.ca.gov/wildlife/nongame/t_e_spp/new_te_rpt.html
19. California Department of Fish and Game 2007 California's Wildlife Action Plan, accessed May 23, 2011, <http://www.dfg.ca.gov/wildlife/wap/report.html>
20. California Department of Fish and Game Wildlife Species Matrix, accessed May 24, 2011, http://www.dfg.ca.gov/wildlife/wap/matrix_search.html
21. California Department of Toxic Substances Control, Envirostar Database, Accessed May 31, 2011, <http://www.envirostor.dtsc.ca.gov/public/>
22. National Flood Insurance Program, Flood Insurance Map, San Bernardino County California and Incorporated Areas, Map #06071C8120H. August 28, 2008:-
23. California Code of Regulations, Title 24 (California Building Standards Code)
24. Air Quality Assessment for Town of Yucca Valley South Side Community Park, by Lilburn Corporation, December 2011
25. South Side Community Park Traffic Evaluation, by Urban Crossroads, December 2011
26. Parks and Recreation Master Plan Update, October 2008, Prepared by MIG
27. Protected Desert Native Plant Survey, July 15, 2009, Prepared by Archie Riser

PROJECT DESCRIPTION

PROJECT SETTING

The project site is located approximately two miles south-south east of the intersection of SR 62 and SR 247, in the Town of Yucca Valley. The project site is located at the north west corner of Joshua Lane and Warren Vista Avenue, and is identified as Assessor Parcel Number 0585-061-06 (Figure 1 Project Location and Site Map). The project site is bordered by Joshua Lane to the south and Warren Vista Avenue to the east.

The terrain of the site is relatively flat, while sloping south to north. The site appears to be in its natural state except for fire damage which occurred in the late 1990's on a significant portion of the site. The plant community on site can best be described as Joshua tree woodland, with an understory of brush and grasses. The site is traversed by natural drainage courses, including a blue line stream as indicated on the USGS 7.5 minute quadrangle map(s), and as depicted and described in the Town's Master Plan of Drainage.

The property is located in proximity to both vacant and developed lands. Lands to the west are vacant and zoned for residential land use (RL-1). Land immediately to the north is developed with equestrian facilities and a single family residence, and is zone R-HR, Hillside Reserve, which allows for single family residential development on 20 acre parcels. Lands to the east consist of single family residential dwellings with few vacant lots remaining, and those lands are zoned R-S-2, single family residential. Lands to the south consist of vacant residentially zoned lands across Joshua Lane (R-M-4, SP), with single family residential development further south and south east of the project site. Institutional and health care land use activities are located south west of the project site, and consist of a church/school facility and care facilities for the elderly.

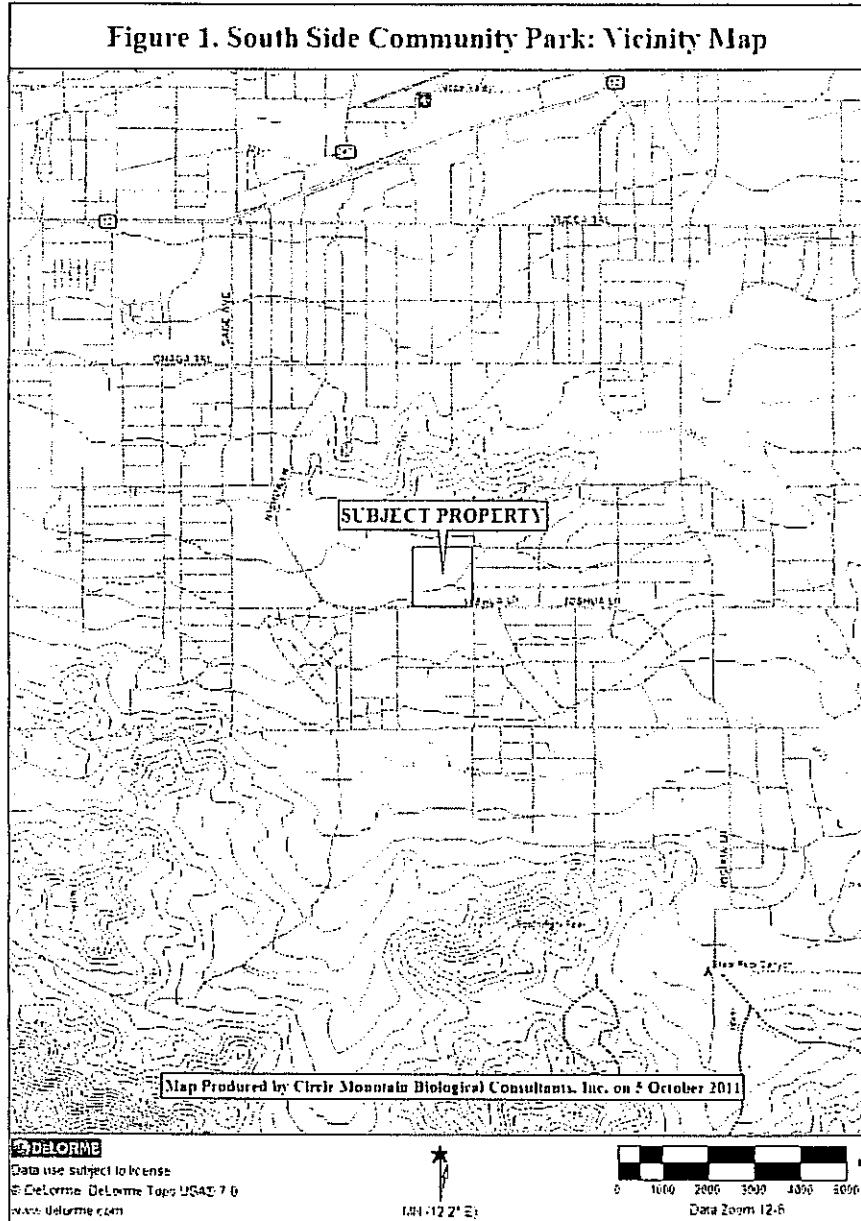
PROJECT BACKGROUND

Prior to 2008 with the Town's update to the Parks and Recreation Master Plan, the Town of Yucca Valley Parks Master Plan identified the project site as the preferred location of the South Side Community Center. The South Side Community Center was defined as a 50 + acre multi-purpose sports park and recreational facility, planned to serve the needs of the Town of Yucca Valley, as well as residents of the surrounding unincorporated County of San Bernardino communities. With adoption of the updated Parks and Recreation Master Plan in 2008, the site was designated as a potential neighborhood or community park.

The Town of Yucca Valley began receiving federal funding for development of the South Side park facility in the late 1990's. Over a period of years, the Town acquired approximately 80 +/- acres of vacant lands for the future development of the park facility. Pursuant to the Parks & Recreation Master Plan Update, Chapter 7, page 26, *"However, there is a need for a typical neighborhood park with neighborhood park amenities to serve all of the residential development that has taken place, so 20-30 acres should be designated for such a purpose. The additional acreage at the site can be considered as an alternative location for future park priorities."* There are no plans at this time for park expansion into the additional 40 acres which the Town owns immediately west of the project site. The Parks & Recreation Master Plan Update of 2008 identified a preliminary plan for the Southside Neighborhood Park that proposed the park include a dog park, restroom facilities, multi-purpose athletic fields, vehicle parking, and tot lot playground areas.

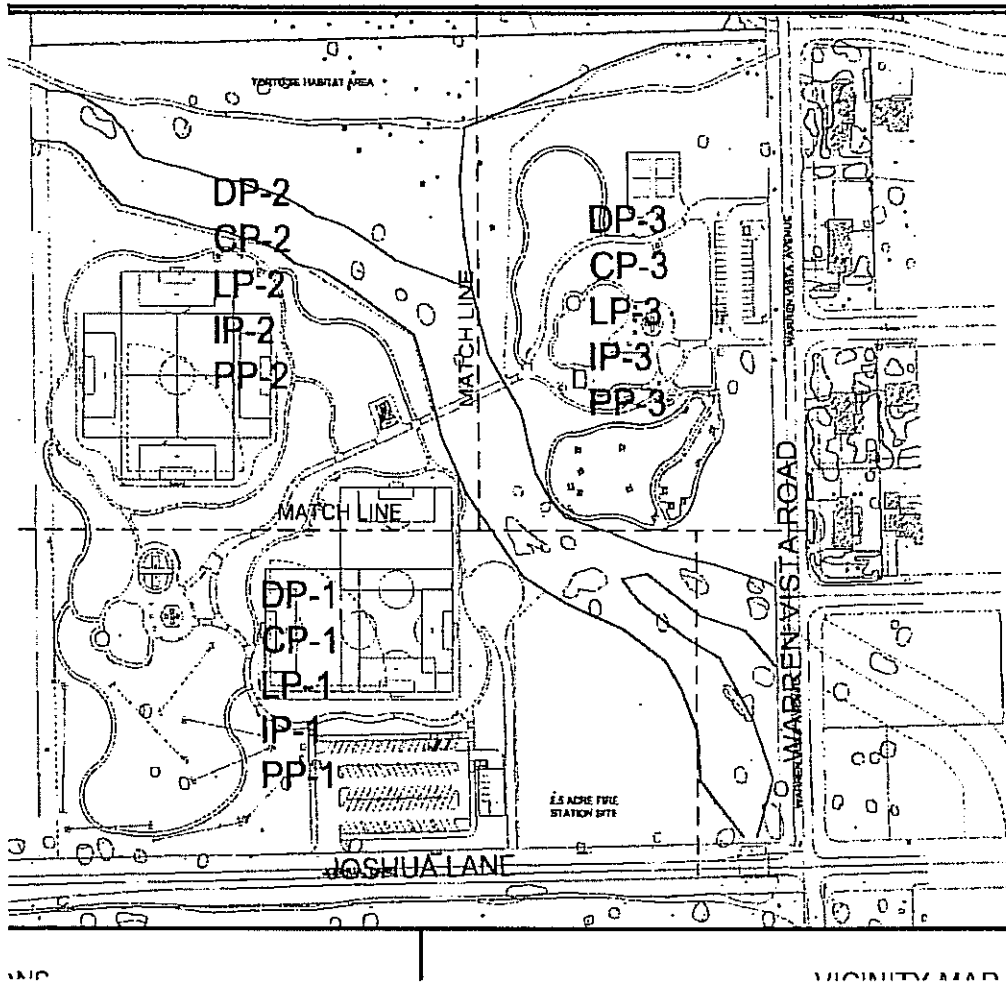
SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

LOCATION MAP



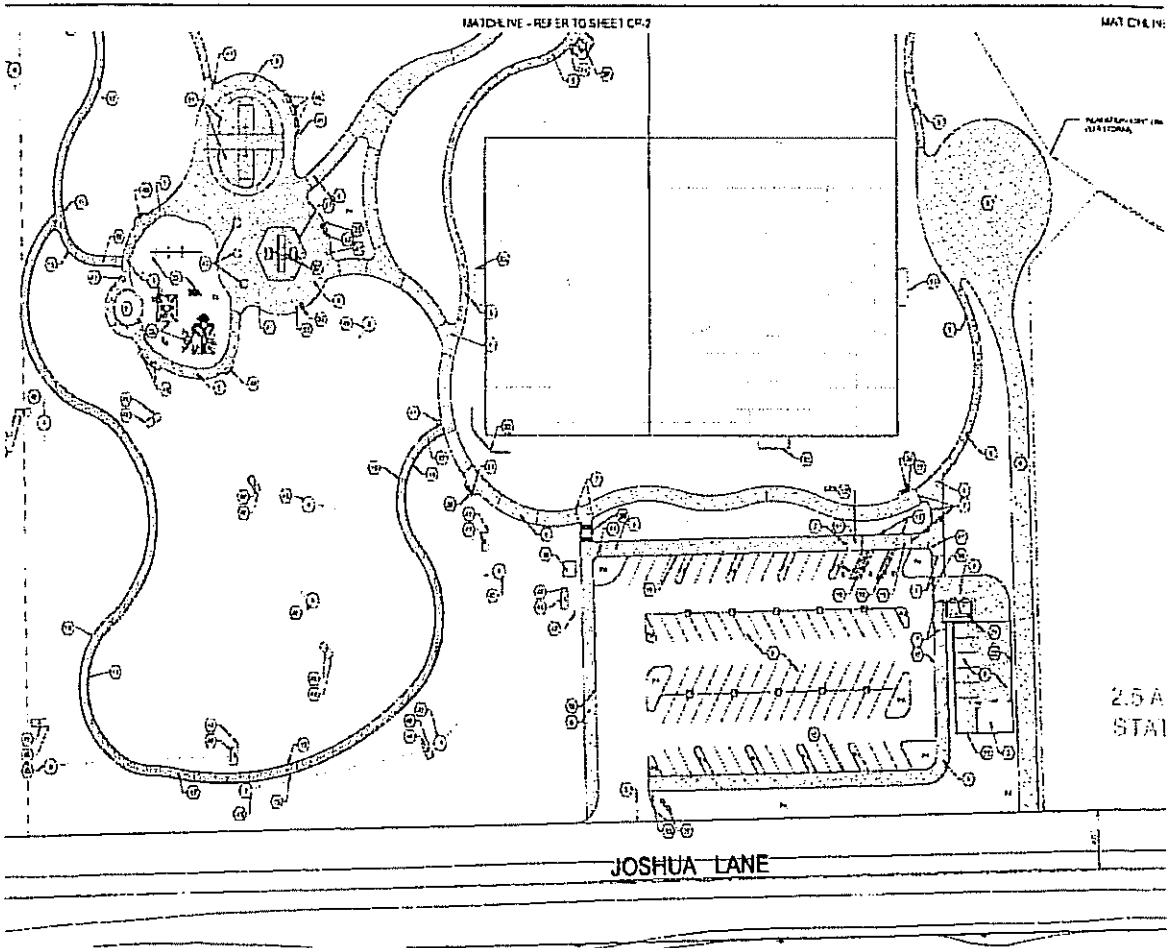
SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

Overall Site Plan



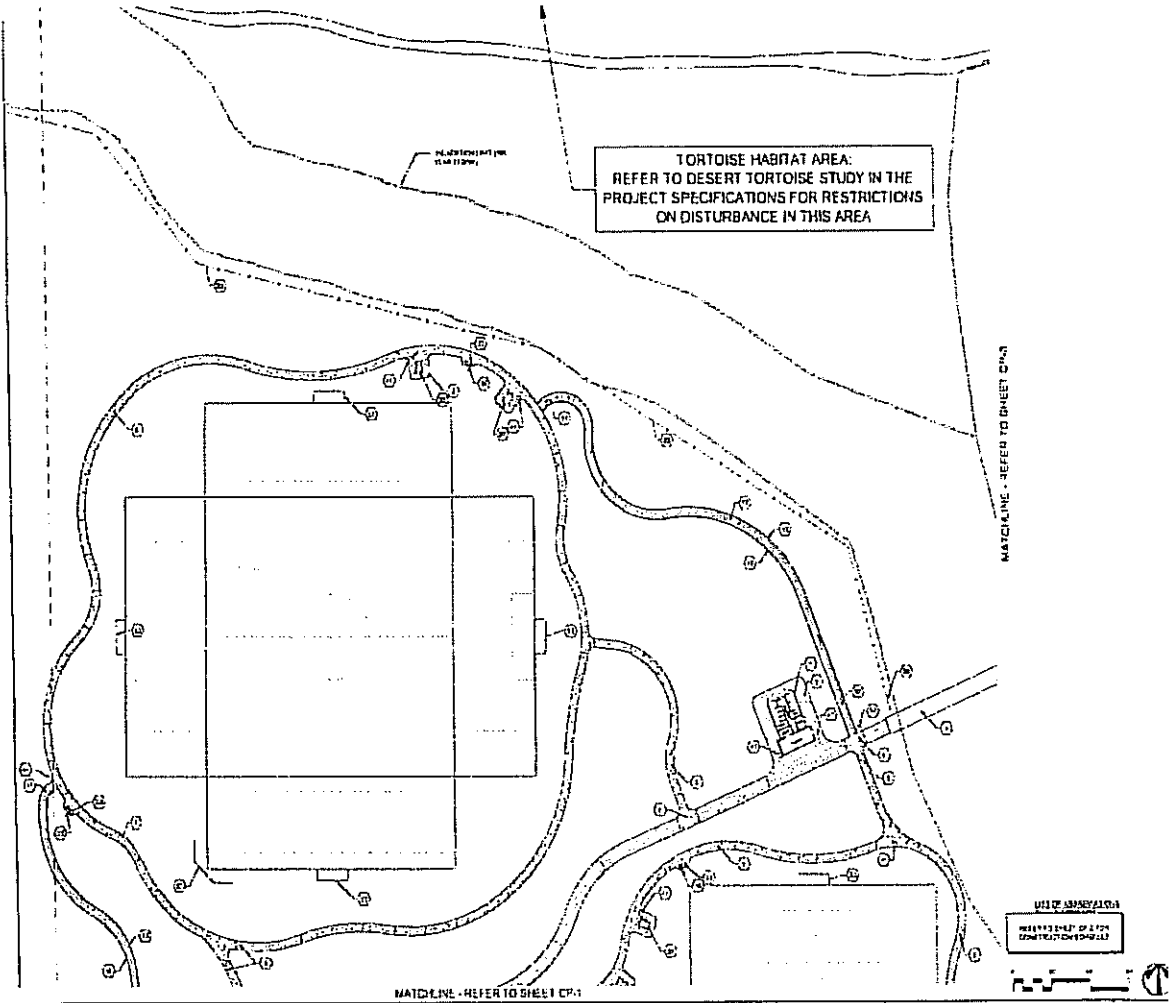
SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

West Parking Lot



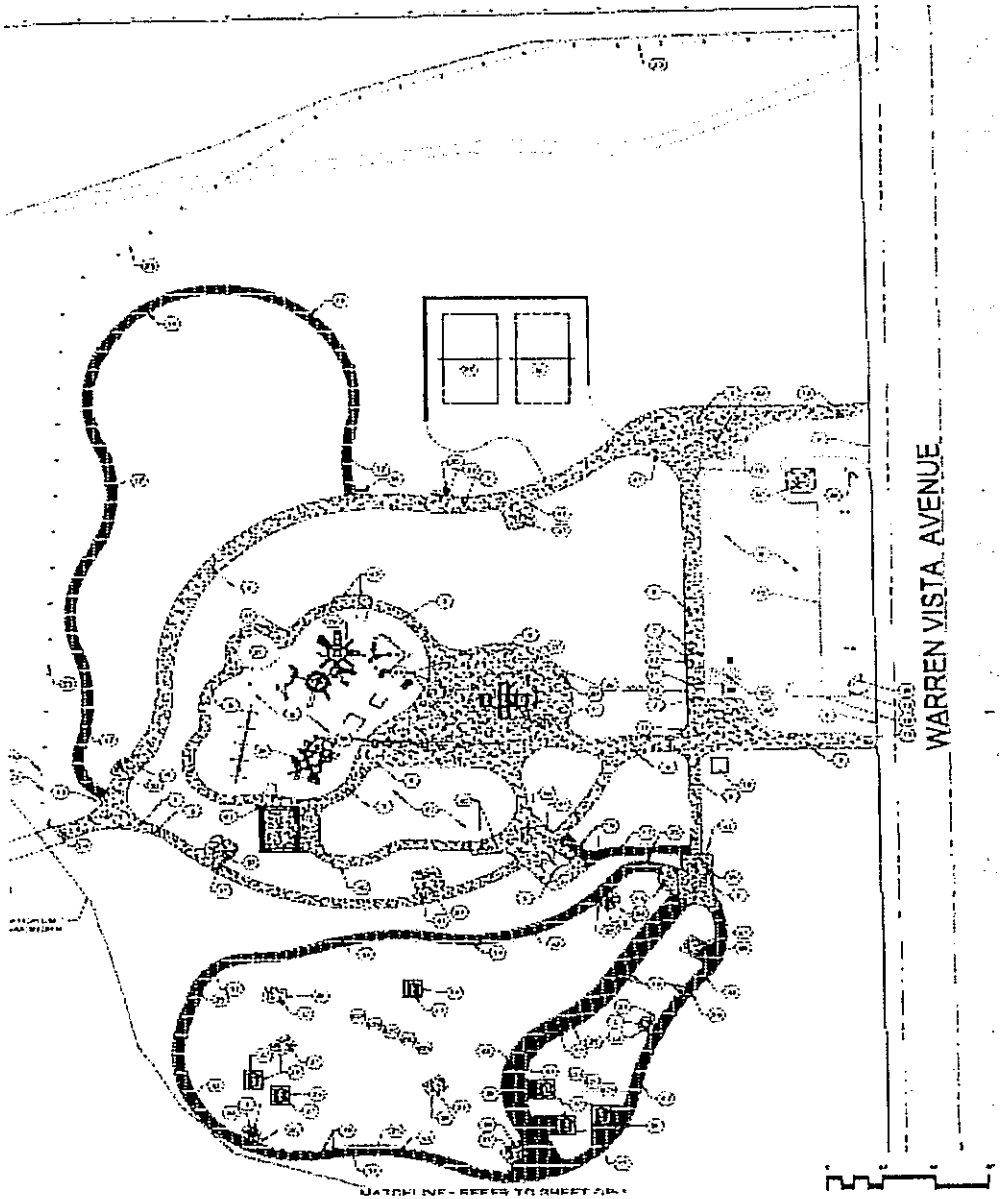
SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

Northwestern Sports Fields



SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

East Parking Lot



SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

PROJECT OBJECTIVES

The facility is designed to provide active/passive park and recreational facilities with amenities for the surrounding single family residential neighborhoods. Today, residents in the immediate vicinity must either travel to Machris Park or the Community Center in order to enjoy recreational facilities. Machris Park is located approximately 2 miles from the project site, while the Community Center is located approximately 2.25 miles from the project site.

The park facility is planned and designed to provide typical active and passive park facilities and amenities that are commonly provided within municipal neighborhood and community parks as listed below.

Multi-Use Athletic Fields	Restroom and Concession Facilities
Playground Equipment	Picnic Areas
Shade Shelters	Vehicle Parking Areas
Informal Active Open Space	Informal/passive Open Space
Dog Park	Walking & Exercise Trails
Maintenance Facilities	Hardscape Sidewalk Improvements
Volleyball Courts	Basketball Courts
Undisturbed Native Plant Areas	Field Lighting
Parking Lot Lighting	Maintenance Access & Roads/Paths
Barbeques	Horseshoe Pits
Shuffleboard Court Areas	Ancillary Park Amenities

As identified in the Yucca Valley General Plan, Parks, Recreation and Trails Element, the following goals are supported and implemented by the proposed public park facility.

Goal 1: A multi-use, quality system of parks, and recreational areas that support a broad range of activities, as well as cultural, and passive open space enjoyment opportunities for current and future residents.

Goal 2: An Enhanced and expanded park and recreational system designed to provide opportunities for healthful active, passive and cultural enjoyment throughout the Town and to all segments of the population.

ENVIRONMENTAL ANALYSIS

This Initial Study/Mitigated Negative Declaration (IS/MND) was prepared in conformance with the California Environmental Quality Act (CEQA) Statutes and Guidelines. This IS/MND analyzes the potential site-specific and localized impacts of the project with regard to 18 environmental topics, listed below:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas
- Mineral Resources
- Noise
- Population/ Housing
- Public Services
- Recreation
- Transportation/ Traffic
- Utilities/ Service Systems

- Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mandatory Findings of Significance

ENVIRONMENTAL CHECKLIST

The following checklist contains the Environmental Checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the proposed project. For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which mitigation has not been identified. If any potentially significant impacts are identified, an Environmental Impact Review must be prepared.

Less Than Significant with Mitigation Incorporation: An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less Than Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

Each section below contains a brief explanation of determinations of impact described in the Environmental Checklist, supported by the information sources cited above in Section 1.4.

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

a) The Town of Yucca Valley is located in the Morongo Basin in the eastern part of San Bernardino County. The Town is bordered on the west by the San Bernardino Mountains and to the south by the Joshua Tree National Park. The mountains provide dramatic and desirable viewsheds within the community. The mountain ranges reach up to 4,673 feet above sea level to the north, south and west. The proposed project will have a less than significant impact on these aesthetic resources since the proposed improvements will be constructed with limited on-site building development. Surrounding properties to the north, east, south east, and south west are substantially developed with both residential and institutional land use activities. The project site is located south of and behind Burn/Scenic Mountain, and with limited structural development on the project site there will be no adverse effects on the surrounding scenic vistas. Given the distance between the project site and the surrounding mountain ranges, including building height limitations, the project would not significantly impact a scenic view; therefore, no mitigation is required. Additionally, limited structural development is planned for the project site, with structures planned for restrooms, a concession building, and a park maintenance building. The majority of improvements proposed for the project consist of flat hardscape improvements as-well as athletic field improvements.

b) The proposed project site is bordered by Joshua Lane to the south and Warren Vista Avenue to the east. Vacant land owned by the Town of Yucca Valley is located immediately west of the project site. Single family residential development surrounds the project site to the east, south east, south beyond the adjacent vacant RM-4 properties, and by Institutional land uses to the south west. As identified in the Yucca Valley General Plan, Scenic Highways Element, Joshua Lane is identified as a locally designed roadway for consideration of viewshed impacts. Policy 1 of the Scenic Highways Element identifies Joshua Lane as a Scenic Roadway. The Scenic Highways Element identifies the following Goal for implementation. *Preservation and enhancement of natural scenic resources associated with major roadway viewsheds and open space corridors, as essential assets reflecting the community's image and character.* The park project implements this goal by creating both passive and active open space, thereby removing the potential development of approximately 40 single family residential units from the subject property. Limited structural building improvements are proposed for the park site, creating long term preservation of the viewsheds available from Joshua Lane and surrounding areas, and as such, implementing the long term vision as established in the Scenic Highways Element.

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

Scenic resources that will be affected by the proposed project include Joshua trees and various desert plant species that occur on site. The site was highly impacted by a fire in the late 1990s. Many of the plants onsite were killed or badly damaged from the intense heat of the fire. Some have started to rebound from the ground, while others have not. The entire site was surveyed by native plant expert Archie Riser Sr. on July 15, 2011. The native plant survey included Joshua trees, Mojave Yuccas and Junipers, and other non-regulated plants. The survey results are as follows:

Joshua Trees	
Save in place or transplant	74
Save in place or destroy	21
Destroy	18
Mojave Yuccas	
Save in place or transplant	42
Save in place or save a portion	40
Destroy	181
Junipers	
Save in place or destroy	184
destroy	7

As mentioned in other sections of the Initial Study more than 2 acres of the site are proposed to remain undisturbed. In these areas there are a minimum of 65 Junipers, 41 Mojave Yuccas and 42 Joshua Trees proposed to remain undisturbed. The Town will meet or exceed the requirements of Ordinance 140 and transplant the greatest number of plants back onto the site. The construction of the park facility will involve the transplanting, relocation, and removal of Joshua Trees from the site. While the proposed project may have a significant impact on the scenic resources of the Joshua Trees, this impact will be mitigated through the relocation of the Joshua Trees throughout portions of the site in accordance with Ordinance 140 of the Town of Yucca Valley Development Code, mitigating the effect to less than significant. There are no historical buildings or rock outcroppings on or in the vicinity of the project site.

Additionally, a minimum of two acres and as much as seven acres have been identified to remain in their natural condition, undisturbed, providing on-site natural resource management, undisturbed open space and potential habitat for local species.

c) The existing site is an undeveloped parcel surrounded on two sides by vacant and undeveloped properties, and by developed properties on the two remaining sides. The property on the north side of the site is developed with existing equestrian facilities and a single family residential unit; and there are single family residences to the east and south east. The proposed project includes removing native vegetation and converting the site to contain approximately 25 acres of active and passive public park improvements as identified in the project description. Regulated native plant removal will be mitigated through the relocation of regulated native plants, and the planting of new vegetation appropriate to the desert region, ensuring minimal water use as established by the Town of Yucca Valley and the Hi Desert Water District. The project will include landscaping within and around the park facility, which will include the addition of trees and shrubs. All landscaping and proposed project construction aspects will be subject to building, design, landscaping, and lighting requirements found in the Yucca Valley Development Code, which address the aesthetic quality of development within the Town.

d) The development of the park facility will result in the installation of field lighting, parking lot lighting, and safety/sidewalk lighting throughout the facility. This will include both wall mounted light fixtures and parking lot and lighting of pathways. This will add a new source of light or glare. To minimize the impacts to any surrounding residential uses, the lighting shall be directed down and screened in such a manner to reduce any spill over lighting or direct lighting. With the incorporation of the mitigation measure below, impacts will be less than significant. All lighting on the site will be designed in a way consistent with the requirements of Ordinance 90, Outdoor Lighting, Section 87.0920 of the Town of Yucca Valley Development Code.

MITIGATION MEASURES

- A-1 The removal of Joshua Trees and other regulated native desert plants as established by Ordinance 140, will be mitigated through the relocation/transplanting, adoption, and removal the additional planting of new landscaping appropriate for the desert region around the building and parking lots.
- A-2 Structures on the site shall be limited to single story construction thereby minimizing the overall visual impact on the existing visual character of the site.
- A-3 Any lighting installed on the site shall be designed and installed to minimize adverse fugitive light and/or glare impacts to the adjacent residential properties. Additionally, all lighting on the site will be designed in a way consistent with the requirements of Ordinance 90, Outdoor Lighting, Section 87.0920 of the Town of Yucca Valley Development Code.

Level of Significance after Mitigation Measures: Less than Significant

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

II. AGRICULTURE AND FOREST RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a-e) There are no Prime Farmlands, Unique Farmland or Farmland of Statewide Importance in proximity to the project site, or within the Town of Yucca Valley, and as such, there are no impacts to these resources. There is no state or federally designated forest in close proximity to the project site or within the Town of Yucca Valley. The proposed project area is not zoned for agricultural use nor is there any Williamson Act contract in effect. The proposed project will not affect land zoned for agricultural use. Development of the project would not result in the premature conversion of other lands designed as farmland to non-agricultural uses as there are no active farmland uses in the vicinity of the project.

Level of Significance: No impact.

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III. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

a-b) An Air Quality and Greenhouse Gas Assessment was prepared for this project in December 2011 by Lilburn Corporation. The report is a study of the potential impacts the project may have on the local and regional air quality in the vicinity during construction and ultimate operational use. The air quality assessment discusses the existing air quality in the vicinity/region and the potential air quality impacts associated with the proposed project. The assessment determined that project emissions during construction and during long-term operation of the project are anticipated to be less than significant. The following discussion is taken from the report.

The site is located within the Mojave Desert Air Basin (MDAB), which is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD has jurisdiction over the portion of the MDAB within San Bernardino and Riverside counties.

Air quality is determined primarily by the types and amounts of contaminants emitted into the atmosphere, the size and topography of the air basin and the pollutant-dispersing properties of local weather patterns. As pollutants concentrate in the atmosphere, photochemical reactions occur, producing ozone and other oxidants. Another major factor that influences the MDAB's ambient air quality is its location downwind from the South Coast Air Basin and the San Joaquin Valley Air Basin. Air pollutants from these two air basins are transported into the MDAB and contribute significantly to the ozone violations that occur.

Both the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common pollutants. These ambient air quality standards are summarized in Table 1 for important pollutants. The federal and state ambient standards were developed independently with differing methods and purposes. As a result, the federal and state standards differ in certain areas.

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Table 1
State and Federal Air Quality
Designations and Classification

Ambient Air Quality Standard	Status
One –hour Ozone (Federal)	Non- attainment; classified Severe-17 (portion of MDAQMD outside of Southeast Desert Modified AQMA is attainment)
Eight-hour Ozone (Federal)	Non-attainment, classified Severe-17 (portion of MDAQMD in Riverside County is attainment)
Ozone (State)	Non-attainment; classified Moderate
PM ₁₀ (Federal)	Non-attainment; classified Moderate (portion of MDAQMD in Riverside County is attainment)
PM _{2.5} (Federal)	Unclassified/attainment
PM _{2.5} (State)	Non-attainment (portion of MDAQMD outside of Western Mojave Desert Ozone)
PM ₁₀ (State)	Non-attainment
Carbon Monoxide (State and Federal)	Attainment
Nitrogen Dioxide (State and Federal)	Attainment/unclassified
Sulfur Dioxide (State and Federal)	Attainment/unclassified
Lead (State and Federal)	Attainment
Particulate Sulfate (State)	Attainment
Hydrogen Sulfide (State)	Unclassified (Searles Valley Planning Area is non- attainment)
Visibility Reducing Particles (State)	Unclassified

Source: MDAQMD CEQA and Federal Conformity Guidelines, February 2009. Verified September 2011

Table 2
MDAQMD Attainment Plans

Name of Plan	Date of Adoption	Applicable Area	Pollutant (s) Targeted	Attainment Date
1991 Air Quality Attainment Plan (AQAP)	August 26, 1991	San Bernardino County portion	NO _x and VOC	1994*
Mojave Desert Planning Area Federal Particulate Matter Attainment Plan	July 31, 1995	Mojave Desert Planning Area	PM ₁₀	2000*
Triennial Revision to the 1991 Air Quality Attainment Plan	January 22, 1996	Entire District	NO _x and VOC	2005
2004 Ozone Attainment Plan (State and Federal)	April 26, 2004	Entire District	Ozone (NO _x and VOC)	2007
Federal 8-Hour-Ozone Attainment Plan (Western Mojave Desert Non- attainment Area)	June 9, 2008	Western Mojave Desert Non-attainment Area	NO _x and VOC	2021

*Note: a historical attainment date given in an attainment plan does not necessarily mean that the affected area has been re -designed to attainment

Source: MDAQMD and Federal Conformity Guidelines, February 2009. Verified September 2011

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

Federal and state air quality laws require identification of areas not meeting the ambient air quality standards. These areas must develop regional air quality plans to eventually attain the standards. The USEPA and the CARB have designated portions of the District as non-attainment for a variety of pollutants including ozone and PM₁₀.

a) A project is considered non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. According to the MDAQMD's California Environmental Quality Act and Federal Conformity Guidelines, dated February 2009, a project is conforming if it complies with all applicable MDAQMD rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s). Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast. As the project is consistent with the land use plan and it will not increase the number of dwelling units, is not anticipated to significantly increase the number of trips, or increase overall vehicle miles traveled in an affected area, the project is conforming.

b) The proposed project was screened using the CalEEMod version 2011.1.1 emission model to establish emissions associated with the proposed project during construction. The model can analyze emissions that occur during different phases of the project, such as building construction and architectural coatings. According to MDAQMD, a project is considered to cause a significant impact to air quality if it would exceed the MDAQMD thresholds of significance for criteria pollutants. The criteria pollutants analyzed in the CalEEMod model included reactive gasses (ROG), nitrous oxide (NO_x), carbon monoxide (CO), particulates (PM₁₀ and PM_{2.5}), carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O).

The CalEEMod model allows the user to set certain defaults to incorporate Air Quality Management District required rules and regulations. The project site is vacant; therefore, no demolition will occur. The development of the site would include site grading and soil preparation, and construction of the facility. The emissions calculations for the construction phase include fugitive dust from grading and exhaust emissions from on-site equipment and worker travel. Construction emissions are calculated based on emissions per 1,000 square feet. The fugitive dust emissions are based on earthwork activities per day. In order to account for dust suppression controls, it is assumed the contractor will comply with MDAQMA Rules 402 and 403 requiring the application of water to the site twice daily – see Mitigation Measure AQ-1. Construction emissions are considered short-term, temporary impacts. Table 3 shows the construction emissions that would occur from the proposed project.

**Table 3
-Construction Emission Summary
(Pounds Per Day)**

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	11.1	89.9	52.3	0.1	13.0	9.1
Grading	13.3	111.0	59.8	0.1	9.6	6.9
Building Construction	6.1	40.2	24.0	0.0	2.8	2.8
Paving	6.0	35.8	22.5	0.0	3.3	3.1
Architectural Coating	0.5	3.2	2.0	0.0	0.3	0.3
Highest Value (lbs/day)	13.3	111.0	59.8	0.1	13.0	9.1
MDAQMD threshold	137	137	584	137	82	82
Significant	No	No	No	No	No	No

Source: CalEEMod 2011

Phases don't overlap and represent the highest concentration

As shown in the Table 3, the construction emissions would not exceed MDAQMD's threshold of significance for any of the criteria pollutants and would be considered less than significant.

Operational Emissions: The proposed project will not manufacture or produce any products on-site,

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therefore, no industrial type emissions will be emitted. Stationary source emissions associated with the operation of the site are primarily from natural gas consumption from space and water heating and mobile emissions were estimated by the CalEEMod model based on the size of the development. Emissions associated with these operational activities are shown in Table 4

**Table 4
Operations Emission Summary
(Pounds Per Day)**

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile	0.3	1.5	2.5	0.0	0.3	0.1
Energy	0.0	0.0	0.0	0.0	0.0	0.0
Area	0.42	0.0	0.0	0.0	0.0	0.0
Total Value (lbs/day)	0.62	0.81	1.41	0.0	0.2	0.03
MDAQMD threshold	137	137	548	137	82	82
Significant	No	No	No	No	No	No

Source: CalEEMod 2011

Phases don't overlap and represent the highest concentration

As shown in Table 4, operational emissions associated with implementation of the proposed project would not exceed MDAQMD thresholds of significance for any pollutant. Therefore, operational emissions for the proposed project are considered less than significant.

c) The proposed project does not exceed any of the MDAQMD thresholds of significance for any criteria pollutants and is not considered to have a cumulative considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. The proposed project will have a less than significant impact with respect to cumulative direct or indirect project emissions.

d) The existing sensitive receptors near the proposed project include residences; however the proposed project is not expected to result in substantial pollutant concentration. Any pollutant concentrations would be produced during site preparation and construction by construction equipment. Since any such pollutant concentration would be minor and temporary; impacts would be considered less than significant.

e) Objectionable odors will be generated during a brief period of the asphalt paving for the new parking lots. Paving and associated odors are likely to last no longer than 3-4 days during the construction period. These odors are not expected to persist or have an adverse effect on residents or other sensitive receptors in the proposed project's vicinity.

MITIGATION MEASURES

AQ-1 All construction contracts will include provisions for a comprehensive dust control plan and be consistent with MDAQMD requirements, including, but limited to Rules 402 and 403. Dust control efforts will include watering dirt surfaces twice daily and removing construction-site mud that has been deposited on roadways during construction.

AQ-2 Limit traffic speeds on unpaved roads on and adjacent to project to 15 mph during construction.

AQ-3 Install sandbags or other erosion control measures to prevent silt runoff on public roadways.

Level of Significance after Mitigation Measures: Less than Significant

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

IV. BIOLOGICAL RESOURCES

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

DISCUSSION

a-f) Review of the California Department of Fish and Game's (CDFG), California Natural Diversity Database, (CNDDB) indicates that there are 13 special plants and animals reported from the Yucca Valley South 7.5 – minute U.S. Geological Survey quadrangle. A Focused Survey for Desert Tortoise, Habitat Assessment for Western Burrowing Owl, and General Biological Resource Assessment for the site was conducted by Circle Mountain Biological Consultants, Inc. in October 2011. The following discussion is taken from the report.

The biological survey conducted on site found 95 plant species, 5 reptile, 26 birds and 9 mammal species during the survey. The plant community on site is best described as Joshua Tree woodland, with an

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understory of brush and grasses. (see Biological Report) Tortoise signs were identified on the project site in both the 2009 and 2011 protocol surveys (U.S. Fish and Wildlife Service 1992, 2009) for the species. The Town of Yucca Valley has initiated formal consultation concerning the Town's proposal to develop a community park on habitats that have recently been occupied by the Agassiz's desert tortoise (*Gopherus agassizii*).

U.S. Fish and Wildlife Service (2002), California Department of Fish and Game (2009a, 2010), and California Native Plant Society (CNPS 2010) maintain lists of animals and/or plants considered rare, threatened, or endangered, which are collectively referred to as "special status species". No special status species were detected on-site during the Biologist's survey, except for the prairie falcon observed in 2011. Suitable habitat does exist on site for several bird species that are considered a Bird of Conservation Concern by the USFWS (2002) and a Bird Species of Special Concern by the CDFG (2009a). These species include LeConte's thrasher, loggerhead shrike, burrowing owl, northern harrier, and prairie falcon. There is potential for loggerhead shrike and LeConte's thrasher to nest on site. Loss of eggs or young could occur during development of the site if construction occurs during the nesting season and involves removal of trees and shrubs. The project will involve the removal/relocation of some Joshua trees and brush. This could disturb the nesting of migratory birds. The Federal Migratory Bird Treaty Act (16 USC Section 703-711), 50 CFR 10, Fish and Game Code Sections 3503, 3503.5, 3513, and 3800 protect migratory and nongame birds, their occupied nests, and their eggs. Nesting or attempted nesting by migratory and nongame birds is anticipated to occur February through September 1. The incorporation of the mitigation listed below will reduce impacts to migratory and nongame birds to less than significant.

No evidence of burrowing owl, a California Species of Special Concern, was found on site during the biologist's survey, however, there is potential for the species to move on site from adjacent areas. With the mitigation incorporated below, impacts will be less than significant.

There is a USGS-designated blue line stream on site. The wash runs roughly south-east to north-west through the site. Impacts to washes, such as spoil deposition or alteration are regulated by the CDFG. Impact to wash onsite may require a 1601-03 Streambed Alteration Agreement from CDFG, as well as, review and evaluation through the Town based on Chapter 2 of Ordinance 140 (Riparian Plant Conservation) based on proximity of development to the stream bed.

The project development is planned to stay a minimum of 30 feet away from the managed flood plain of the intermittent stream bed. Any paved area will be located approximately 30 feet from the managed flood plain at its closest point. The grading and hydrology of the site will occur in such a way as to not allow storm water from developed (paved) portions of the site to flow into the intermittent stream.

The project will not affect wetlands as defined by Section 404 of the Clean Water Act or interfere with fish and wildlife movements. The project will not be in conflict with any local policies to protect biological resources or provisions of an existing Conservation Plan.

MITIGATION MEASURES

BR-1 Joshua trees, and any other protected species of plants, affected by the development will be transplanted, adopted and/or relocated in accordance with local regulations/Ordinance No. 140 (Desert Native Plant Protection) of the Town of Yucca Valley Development Code, which is intended to preserve native plants unique to Yucca Valley, and which outlines the regulations and guidelines for the management of plant resources in the Town). A Native Plant Permit shall be required for the removal of any regulated native plant as regulated in Section 89.0107 of Ordinance 140. In addition, site development will include the planting of trees and other appropriate vegetation as part of re-landscaping of the site.

BR-2 To avoid impacts to migratory and nongame birds, their occupied nests, and their eggs, any trees should not be removed between February and September 1. If trees are to be removed between

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February and September 1, qualified Biologist shall survey the trees to be removed to determine if there are active nests. If active nests are found, an appropriate no disturbance buffer will be established to avoid disturbance until after the breeding season or after a wildlife biologist determines the young have fledged. If no active nests are found, no additional mitigation is required.

- BR-3 A preconstruction survey for burrowing owls shall be conducted by a qualified biologist 30 days prior to the start of construction of the project site. If no burrowing owls are detected, no further mitigation is required. If active burrowing owls are detected then the protocol established by the California Department of Fish and Game shall be followed.

- BR-4 The Town of Yucca Valley shall obtain necessary consultation direction and approval from the U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Game (Department) prior to development of the site. Development of the site shall only proceed based upon the processes, requirements and criteria established by the Service and Department

- BR-4 A preconstruction survey for desert tortoise shall be conducted by a qualified biologist 30 days prior to the start of construction of the project site. If no desert tortoise is detected, no further mitigation is required. If desert tortoise are detected then the protocol established by the California Department of Fish and Game shall be followed.

- BR-5 All site development and construction activities shall maintain a minimum 30 foot buffer zone from any point of the existing bank of the intermittent stream. No construction or land disturbance activity shall occur within this buffer zone.

- BR-6 Site development shall follow the recommendations contained in the Focused Survey for Desert Tortoise, Habitat Assessment for Western Burrowing Owl, and General Biological Resource Assessment for the site was conducted by Circle Mountain Biological Consultants, Inc. in October 2011, and as amended with future protocol surveys, and as identified in Measure BR-4 above.

Level of Significance after Mitigation Measures: Less than Significant

V. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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DISCUSSION

a-d) There are no known or documented national or State historic resources that have been designated as landmarks or points of interest on or in the immediate vicinity of the project. The Town's General Plan states it will review and address issues related to cultural resources as set forth in the California Environmental Quality Act. The proposed project would not affect any historical or archaeological resources as defined in the CEQA's Section 15064.5. Additionally, there are no known paleontology resources, unique geologic features, or cemeteries within the project vicinity.

MITIGATION MEASURES

CUL-1 In the event that cultural and/or paleontological resources are discovered during demolition and construction activities, construction shall be halted in the work area until a professional archaeologist and/or paleontologist has been retained and has the opportunity to investigate the resource and assess its significance. Any such resource uncovered during the course of project-related grading or construction shall be recorded and/or removed per standard archaeological or paleontological practices and/or applicable City and/or state regulations. If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains might be those of Native Americans, the California Native American Heritage Commission shall be notified and appropriate measures provided by State law shall be implemented.

Level of Significance after Mitigation Measures: Less than Significant

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a) i-iii) According to the Town of Yucca Valley General Plan EIR, the site lies within a seismically active region. Faults within the site planning area include the San Andreas Fault System, Johnson Valley, Burnt Mountain, Eureka Peak, and Pinto mountain Faults.

Alquist-Priolo Fault Zoning Act: The Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) of 1994 (previously known as the Alquist-Priolo Special Studies Zones Act of 1972) primary purpose is to mitigate the hazard of fault rupture by prohibiting the location of structures for human occupancy across the trace of an active fault. The A-P Act addresses only the hazards associated with surface fault rupture and not other earthquake hazards. The A-P Act requires the State Geologist to delineate the Earthquake Fault Zones along faults that are sufficiently active and well defined. Sufficiently active faults show evidence of Holocene surface displacement along one or more of their segments. Well defined faults are clearly detectable by a trained geologist at, or just below the ground surface. The A-P Act dictates that local jurisdictions withhold permits for development for sites within the A-P Zone until geologic investigations determine that the proposed structures are not threatened by surface displacements from future faulting.

An A-P Zone is located immediately west of the project site and extends approximately 150 feet into the southwestern portion of the site. No habitable structures are proposed within the area. The closest habitable structure will be the restroom concession building, located approximately 500 feet away from the eastern boundary of the A-P zone. A mitigation measure is included requiring the County Geologist's final approval of the project.

Liquefaction occurs when loose, unconsolidated, water-laden soils are subject to shaking, which causes the soils to lose cohesion. The possibility of liquefaction occurring at the project site is dependent upon the occurrence of a significant seismic event in the vicinity, sufficient ground water (typically within 50 feet of the ground surface) to cause high pore pressure, and conditions relative to plasticity, relative density and confining pressures of the soil. The project's geotechnical investigation did not encounter free ground water at boring locations. The Department of Water Resource data for Wells 01N05E14P001S and 01N05E14Q001S indicate the depth of groundwater in the order of 82 to 100 feet below ground surface in 1958. Due to the absence of shallow groundwater (>50 feet), the geotechnical investigation determined the risk for liquefaction potential at the site to be considered very low. Although the Town of Yucca Valley is subject to the hazards associated with a seismically active region, adherence to the most

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recent construction and maintenance practices, including the California Building Code (CBC) and the recommendations of the geotechnical investigation, would reduce impacts from known geologic hazards. Adherence to such practices and state and federal regulations would reduce the potential impacts relating to ground-shaking to a less-than-significant level.

a) iv) In the Town of Yucca Valley area, the potential for landslides to occur increases in the following: areas of high seismic potential, sites with rapid uplift and erosion resulting in steep slopes and deeply incised canyons, areas of rock with inherently weak component such as silt or clay layer, and areas of highly fractured and folded rock. In addition, slope orientation relative to the direction of the seismic wave can contribute to the occurrence of landslides. Although the Town of Yucca Valley may be subject to the hazards associated with landslides, adherence to the most recent construction and maintenance practices, such as the California Building Code (CBC), and implementation of the recommendations of the geotechnical investigation regarding earthwork, grading and foundations, would reduce the potential for landslides to a less than significant level.

b) The park project and associated site improvements will involve the disturbance and relocation of topsoil, rendering earth surfaces susceptible to erosion from wind and water. Soil erosion or the loss of topsoil resulting from the grading and excavation of the project site could result in an adverse impact. During construction activities, there is a potential for sedimentation, erosion, and runoff to occur. However, the project site is relatively flat in the area construction will occur. Construction projects resulting in the disturbance of one acre or more are required to obtain a NPDES permit issued by the Regional Water Quality Control Board (RWQCB) to control soil erosion due to storm water. Project proponents are also required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Additionally, the project would be required to comply with Mojave Desert Air Quality management District (MDAQMD) rules to control fugitive dust. Implementation of dust suppression techniques required by MDAQMD, along with implementation of Best Management Practices (BMP's) required of all new development projects as specified in the NPDES permit and SWPPP for the project, would reduce potential impacts associated with soil erosion and loss of topsoil to a less than significant impact.

c-d) A geotechnical investigation conducted by Sladden Engineering in September 2010, 11 exploratory boreholes were constructed. These field investigation identified alluvium consisting of poorly graded sand and silty sand were encountered to the maximum depths explored. In general, the alluvium appeared loose to very dense and dry to moist. Groundwater was not encountered during the maximum explored depth of 51.5 feet bgs during the field investigation on August 26, 2010. Liquefaction risks were identified as negligible. The site is situated on relatively flat ground and not immediately adjacent to any slopes or hillsides. As such, risks associated with slope instability should be considered low. The materials underlying the site are considered to have a very low expansion potential.

Expansive soils—are soils with a significant amount of clay. These soils have the ability to take on and absorb water. When this occurs, the soils swell and exert pressure on the loads imposed on them. Expansive soils are not considered a problem in the Yucca Valley due to the relatively minor amount of clay in the soil. Based on the results of the laboratory testing of the on-site soils in the geotechnical report, the on-site soils are generally considered granular and non-expansive.

A percolation feasibility report was performed by Sladden Engineering to determine the feasibility of utilizing an on-site septic system/ leach field disposal system. The percolation testing included two shallow boring locations. Based on the results of the study, the soils encountered were classified as silty sand. Groundwater was not reported in any of the test pits. The on-site soils are considered suitable, and able to support the septic system/leach field.

MITIGATION MEASURES

GS-1 All project structures will meet applicable standards of the CBC, Structural Engineers Association of California, and recommendations from the geotechnical investigation report for the site.

GS-2 A minimum of 100 feet shall be maintained between water supply wells and leach lines.

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- GS-3 A minimum of 8 feet shall be maintained between buildings or structures and leach lines.
- GS-4 A minimum of 8 feet shall be maintained between leach lines and private property lines.
- GS-5 Qualified geotechnical engineers shall be retained to observe on-site construction when determined necessary by the Building Official; and shall be retained to provide updated and revised geotechnical recommendations based upon proposed construction methodologies.
- GS-6 The project shall receive clearance from the County Geologist, who may require additional documentation prior to the start of construction.

Level of Significance after Mitigation Measures: Less than Significant

VII. GREENHOUSE GAS EMISSIONS:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Source
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) An Air Quality and Greenhouse Gas Assessment was prepared for this project in December 2011 by Lilburn Corporation. The report is a study of the potential impacts the project may have on greenhouse gases. The assessment determined that the proposed project GHG emissions would be less than significant. The following discussion is taken from the report.

GHG emissions were estimated by the CalEEMod model based on the size and proposed use of the project. GHG emissions include Mobile (vehicle trips), Energy (generation and distribution of energy to the facility), Area (facility in use), Water (generation and distribution of water to the facility), and Waste (collecting and hauling waste to the landfill) emissions.

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere. The accumulation of GHGs has been implicated as a driving force for global climate change. The Town of Yucca Valley does not currently have any policies, regulations, significance thresholds or laws addressing climate change. The MDAQMD does not have an adopted threshold of significance or guidance for evaluating GHGs. However, the MDAQMD allows the use of SCAQMD models and guidance documents as acceptable tools in addressing emissions of GHGs. Where SCAQMD is not the lead agency, they have not yet adopted CEQA GHG significance thresholds for new residential/commercial projects, but have proposed several draft thresholds. To assist in assessing the significance of GHG emissions from new residential/commercial development projects under CEQA, the SCAQMD has been working on developing thresholds. To achieve its policy objective of capturing 90% of GHG emissions from new residential/commercial projects and implementing a "fair share" approach to reducing emissions increases from each residential/commercial development sector, SCAQMD has proposed combining performance standards and screening thresholds. Based on a presentation given on September 28th, 2010 GHG CEQA Significance Working Group meeting, the last Working Group meeting prior to date of GHG assessment report by Lilburn for this project, SCAQMD staff proposed a draft threshold for 2020 of 4.8 MT/SP/YR (metric tons of CO₂EQ per service population per year) for mixed use developments. Since

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the goal of AB 32 is to return to 1990 GHG emission levels by 2020, the basis for this threshold is the statewide emission inventory for 1990 based on "land use" related sectors divided by the statewide service population. The SCAQMD also developed draft thresholds for commercial and residential projects where it is not the lead agency. The draft thresholds recommend a 3,000 MTCO₂EQ per year screening threshold.

Proposed project GHG emissions for construction are shown in Table 5. An interim threshold of 3,000 MTCO₂E per year has been adopted by SCAQMD as potentially significant to global warming. Based on this threshold, and modeling the construction activity schedule to 13 months or less, the construction of the project would not exceed significance thresholds.

**Table 5
Greenhouse Gas Construction Emissions**

Source/Phase	CO ₂	CH ₄	N ₂ O
Material Export	85.4	0.0	0.0
Site Preparation	37.2	0.0	0.0
Grading	150.7	0.0	0.0
Building Construction	367.5	0.1	0.0
Paving	27.9	0.0	0.0
Architectural Coating	2.6	0.0	0.0
Totals Per Year (lbs/day)	671.3	0.1	0.0
TOTAL MTCO₂e	671.4		
Threshold	3,000		
Significant	No		

GHG operational emissions were estimated by the CalEEMod model based on the size and proposed use of the project. GHG operational emissions include Mobile (vehicle trips), Energy (generation and distribution of energy to the facility), Area (facility in use), water (generation and distribution of water to the facility), and Waste (collection and hauling waste to landfills) emissions.

**Table 6
Greenhouse Gas Operational Emissions
"Tons Per Year"**

Source/Phase	CO ₂	CH ₄	N ₂ O
Mobile	47.8	0.0	0.0
Energy	0	0.0	0.0
Area	0.0	0.0	0.0
Water	77.0	0.0	0.0
Total Per Year	125.1	0.02	
TOTAL MTCO₂e	126.2		
Threshold	3,000		
Significant	NA		

As shown in Table 6, operational emissions for GHG's for the proposed project would not exceed thresholds and result in a less than significant impact with respect to GHG emissions.

GHG emissions for both construction and operational emissions for the proposed project are significantly lower than thresholds and no mitigation measures are recommended.

Level of Significance after Mitigation Measures: Less than Significant

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b) AB 32 is the State of California's primary GHG emissions current regulation. As previously discussed, SCAQMD guidance standards have been used in this analysis. The SCAQMD GHG significance threshold was designed to ensure compliance with AB 32 emissions reductions requirements. Therefore, if a project emits less than the draft significance threshold it can be assumed to comply with AB 32 within the SCAQMD jurisdiction.

In an effort to ensure the project will not have an impact on Greenhouse Gas emissions, the project will incorporate the following strategies.

MITIGATION MEASURES

GCC-1The project shall minimize waste through construction practices and design features. At least 50% of construction generated waste will be recycled/reused.

GCC-2The project shall incorporate at least 10 percent locally produced and/or manufactured building materials used for the project.

GCC-3The project shall meet or exceed California Building Code's most recent Title 24 energy standards including: installing energy efficient lighting, installing light-colored "cool" roofing system, installing energy-efficient heating and cooling systems, increasing the R-Value of the insulation to ensure heat transfer and thermal bridging is minimized, limiting air leakage through structure, installing high-efficiency window assemblies.

Level of Significance after Mitigation Measures: Less than Significant

VIII. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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VIII. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

a-c) Policy 1 through 7 of the General Plan Hazardous and Toxic Materials Elements were adopted to reduce the potential safety risks associated with hazardous materials and urban development. Additionally, the disposal of all hazardous and/or toxic materials is required to be in compliance with Federal, State and County regulations. Activities associated with hazardous materials would also be subject to compliance with the San Bernardino County Hazardous Waste Management Plan (HWMP). The project does not involve the construction or operation of hazardous materials facilities. Construction activities would involve the standard use of fuels and lubricants for construction equipment, but would not be expected to utilize hazardous materials or generate hazardous waste. Therefore, the proposed project would not be expected to pose risk of accidental explosion or release of hazardous substances.

The proposed project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The proposed project will not create hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste.

d) The Town has identified and listed hazardous materials sites within Town limits pursuant to Government Code Section 65962.5. There are no hazardous materials or wastes known to currently exist on the project property. The project would not create a significant hazard to the public or the environment as a result of being sited on a hazardous waste materials site. Impacts related to hazardous materials sites would be less than significant.

e-f) The Yucca Valley airport is located approximately two miles north of the proposed project. The project site is not within the Airport Influence Area and is not within the vicinity of any private airstrips. It is not anticipated that the park project will result in a safety hazard for people residing or working in the area.

g) The Town of Yucca Valley has an adopted Emergency Preparedness Plan which details planned responses in the event of a natural or man-made disaster. The objective is to coordinate all the facilities and personnel of the Town, county and other jurisdictions into an effective organization capable of responding effectively to any emergency. This plan establishes the emergency organization, assigns tasks, specifies general procedures, and provides for coordination of planning efforts of the various emergency staff and resources. Response plans are identified for specific hazards. Approval of the proposed project and the subsequent construction of the buildings and related improvements will not directly interfere with the Emergency Preparedness Plan or emergency response system.

h) The threat of fire exists in both developed and undeveloped regions of the Town of Yucca Valley. Fires in developed areas are usually building fires, rubbish fires and brush fires on vacant lots. Fires in undeveloped areas include large brush fires and grass fires. A wild land fire's hazard potential is affected by fuel, climate and topography. The topographical influences related to wild land fires include percentage of slope, configuration and orientation. The steeper the slope, the greater the rate at which the fire spreads. Additionally, steep slopes contribute to the channeling effects of winds which spread fires more rapidly, while restricting the ability of fire fighters to respond.

The General Plan describes strategies for wild land fire protection that include coordination with the San Bernardino County Fire Department (SBCFD) and the California Department of Forestry to assure adequate levels of fire prevention services, construction materials standards, special on-site fire protection requirements for hilly sites, and fire safety education.

The proposed project construction shall comply with all municipal codes for new construction including the 2010 California Fire Code and Town amendments and building construction standards. Incorporation of the appropriate fire protection strategies would reduce the potential for fire hazards. New plantings will be reviewed by applicable agencies for appropriateness. Any building and covered areas will be built with a fire-retardant roof covering as defined in the CBC or some other similarly approved fire-retardant roofing material.

Using proper prevention measures such as fire hydrants, sprinklers, fire access and construction per the 2010 California Fire Code, the park facility will not expose people or structures to a significant risk of loss, injury or death involving wildland fires. The risks to people and buildings associated with hazards and hazardous materials are less than significant with application of appropriate mitigation.

MITIGATION MEASURES

HAZ-1 Project structures will meet applicable standards of the CBC, Structural Engineers Association of California, Town of Yucca Valley Building Code, and will comply with all municipal codes for new construction including the 2010 California Fire Code and Town amendments and building construction standards and SBCFD general requirements.

HAZ-2 In the event malodorous or discolored soils, liquids, containers, or other materials known or suspected to contain hazardous materials and/or contaminants are encountered during project grading and/or construction, earthmoving activities in the vicinity of said material shall be halted until the extent and nature of the suspect material is determined by qualified personnel and in consultation with appropriate Town staff. The removal and/or disposal of any such contaminants shall be in accordance with all applicable local, State, and Federal standards to the degree that adequate public health and safety standards are maintained, to the satisfaction of the Town.

Level of Significance after Mitigation Measures: Less than Significant

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IX. HYDROLOGY AND WATER QUALITY

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

DISCUSSION

a, f) The State Water Resources Control Board (SWRCB) and the nine RWQCBs are responsible for the protection and enhancement of the quality of California's waters. The SWRCB sets statewide policy and, together with the RWQCBs, implements state and federal laws and regulations. Water quality for all surface water and groundwater for the Town of Yucca Valley is regulated under the jurisdiction of the Colorado River Region of the State Water Resources Control Board.

Currently, the Town of Yucca Valley does not have specific standards for water quality. The standards for water quality are established by the Water Quality Control Plan for the Colorado River Basin. During construction, the project would be required to obtain coverage under the State's National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities and Discharges of Stormwater Runoff Associated with Construction Activity. The park project will include the preparation and implementation of a stormwater pollution prevention plan (SWPPP) to meet the requirements of the General Permit. The implementation of BMPs, as described in the California Stormwater Quality Association Construction Handbook (CASQA Handbook), are required both during and after construction in order to reduce or eliminate adverse water quality impacts resulting from development.

The proposed project construction will comply with all applicable federal, state, and local water quality regulations. A detention basin will serve to capture incremental run-off from site development. The facility will be served by an on-site septic and leach field system design to accommodate the project and meet all applicable codes and standards. The project will not violate water quality standards or waste discharge requirements, nor will it substantially degrade water quality.

b) The source of water supply for the Town of Yucca Valley is the Warren Valley Groundwater Basin (WVGB) which is recharged by the Morongo Basin Pipeline. The General Plan EIR determined sufficient water resources exist for residential and commercial land development without the use of additional water resources.

The project does not include new wells or other means of extracting ground water supplies. The development of the facility will result in increased use, but it is not expected to result in a depletion of groundwater resources.

c-e) There is a USGS-designated blue line stream passing roughly south east to the north west through the site. A blue line stream is any stream shown as a solid or broken blue line on 7.5 Minute Series quadrangle maps prepared by the U.S. Department of the Interior Geological Survey (USGS). A blue line stream may be any creek, stream or other-flowing water feature, perennial or ephemeral, indicated on USGS quadrangle maps, with the exception of man-made watercourses. The United States Army Corps of Engineers uses USGS blue line stream markings as a preliminary indicator of "Waters of the United States". Streams identified on USGS maps in such a manner are therefore generally subject to federal environmental regulations. The project, as proposed does not encroach into the existing blue line stream. Encroachment into the blue line stream may require clearances from the U.S. Army Corps of Engineers (404 Permit) and the California Department of Fish and Game (1604 Permit).

Any construction activity must be kept clear of the intermittent stream bed with a designated buffer zone. The distance of the development from the streambed will provide an adequate buffer zone to protect the stream.

The Town of Yucca Valley, Master Plan of Drainage designates the stream as a Regional Facility. The MPD calls for a rock lined channel, 6' in width at the channel bottom with an approximately depth of 6 feet.

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

After the site has been graded to accommodate the development, drainage devices and a retention basin will be installed to accommodate incremental increase in site runoff. The retention basin will be designed to hold the development's incremental increase plus 10%. A final Hydrology study will be completed in conjunction with the grading plan which the Town Engineer will review and approve.

The increase in surface runoff will be less than significant with mitigation incorporation of the proposed retention basin. The potential for this project to create a condition that would exceed the capacity of downstream stormwater drainage systems or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site is considered a less-than-significant impact.

g-j) The project does not include housing construction. The project is in Zone D of the FEMA Flood Maps and the flood hazards for this area of Town have not yet been established. There is a blue line stream which traverses the site. It is designated as part of the Yucca Valley Master Plan of Drainage as a rock lined channel approximately 6' in width at the channel bottom. The developed portion of the site will maintain a minimum buffer from the stream of 30 feet. The project site is not subject to inundation by seiche, tsunami, or mudflow, and there are no nearby dams.

The proposed park facility will not be constructed in locations where they will impede or redirect flood flows. Grading Plans, Drainage Plans, and Storm Drain Plans will be prepared to reflect designs to prevent flood damage to structures. Design measures will be consistent with the intent of those promulgated under the National Flood Insurance Program. Because mitigation measures will be incorporated, the project will not expose people or structures to a significant risk of loss, injury or death involving flooding.

MITIGATION MEASURES

HYD-1 Prior to the first issuance of a grading permit by the Town, the project proponent shall file a Notice of Intent (NOI) with the Colorado River Regional Water Quality Control Board to be covered under the State National Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of stormwater associated with demolition and construction activities.

HYD-2 Prior to the first issuance of a grading permit by the Town, the project applicant shall submit to and receive approval from the Town of Yucca Valley a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control onsite and off-site erosion during the entire grading and construction period. In addition, the SWPPP shall emphasize structural and nonstructural best management practices (BMPs) to control sediment and non-visible discharges from the site. Some of the BMPs to be implemented may include (but shall not be limited to) the following:

- Sediment discharges from the site may be controlled by the following: necessary), and other discharge control devices. The construction and condition of the BMPs would be periodically inspected during construction, and repairs would be made when necessary as required by the SWPPP.
- All materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles would be surrounded by silt fences and covered with plastic tarps.
- The SWPPP would include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

- Additional BMPs and erosion control measures would be documented in the SWPPP and utilized if necessary.
- The SWPPP would be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

HYD-3 The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and available for Town inspection. In addition, the Contractor would also be required to maintain an inspection log and have the log on site available for review by the Town of Yucca Valley and the representatives of the Regional Water Quality Control Board.

HYD-4 The following is a selection of BMP's which should be utilized in order of preference:

- 1) BMP's that promote storm water infiltration.
- 2) BMP's that store and beneficially use storm water runoff.
- 3) BMP's that utilize the runoff for other water conservation uses including but not limited to:
 - a) BMP's that incorporate vegetation to promote pollutant removal and runoff volume reduction and to integrate multiple uses; and
 - b) BMP's that percolate runoff through engineered soil and allow it to discharge downstream slowly.

HYD-5 The following source control and BMP measures should be applied as applicable to the project site:

- 1) The incorporation of vegetated swales and landscaped buffer strips throughout the site.
- 2) Development and implementation of a street sweeping and catch basin cleaning program.
- 3) Use of native and/or non-invasive vegetation in landscaped areas.

HYD-6 Applicable Town codes and BMPs specified in the CASQA Handbook will be implemented for grading and erosion control. Other measures, such as siltation fences and filtering dewatering discharges through sediment traps, will be used as necessary to prevent sediment runoff. Areas of ground disturbance will be landscaped as soon as possible to reduce soil loss and sediment runoff.

HYD-7 Project design will include measures for preventing flood damage to structures. The grading plan, drainage/storm drain plan will reflect designs to prevent flood damage to structures.

HYD-8 Project development and any construction activity must maintain a buffer zone of 30' minimum from the existing intermittent stream bed.

HYD-9 The retention basin will be designed to hold the development's incremental increase plus 10% minimum

HYD-10: Subject to a final hydrology report, the project site shall retain a minimum of 5,005 cubic feet of flood waters, which represents the estimated incremental increase in site run off generated from the development of the project, plus a minimum of 10% additional capacity.

Level of Significance after Mitigation Measures: Less than Significant

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

X. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a-b) The project site is designated as Rural Living, Single Family Residential 1 acre minimum (RL-1). The Land Use Element for the General Plan intends this designation to provide "intermediate steps in development density between the more typical urban residential densities and "reserve" densities, providing lots sufficient for rural lifestyle, animal keeping and country living". The majority of lots in the vicinity of the site are zoned R-S-2 (18,000 square foot minimum), which are developed with single family residences or undeveloped. The Rural Living, 1 acre minimum land use district permits public facilities, subject to the review and approval of a Conditional Use Permit. The Development Code, Ordinance 211 section 84.0401(a) allows for publicly owned or leased government facilities, such as park facilities to be constructed in any land use district subject to a Conditional Use Permit process. The proposed development would neither disrupt nor violate any applicable land use plan, policy, or regulation.

c) The project would not conflict with any applicable habitat conservation plan or natural community conservation plan as there is no plan in place for the project site. In the absence of an applicable habitat conservation plan, the project would not result in any conflicts and no mitigation is required. The proposed project is consistent with the Town of Yucca Valley General Plan. See Biological Resources for mitigations relative to plant and wildlife communities.

Level of Significance: No impact

XI. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

XI. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a-b) Within the Town of Yucca Valley, there are relatively few mineral resources, as the majority of the area is made up of alluvial fans, consisting of sand, silty sands, gravel and traces of clay. The project site is not designated as containing mineral resources and the geotechnical investigation verified the composition of the on-site soils as older alluvial. The proposed project would not result in the loss of availability of known mineral resources and no mitigation is required.

The proposed project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The proposed project will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan and no mitigation is required.

Level of Significance: No impact

XII. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

to excessive noise levels?

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

DISCUSSION

a, c, d) In close proximity to the site (within one half mile), sensitive noise receptors include single family residences. Development Code Section 87.0905(b), states that noise levels in residential areas shall not exceed 55 dBA at any time. (The standard used for maximum outdoor noise levels in residential areas in California and the Town specifically is a Community Noise Equivalency Level (CNEL) of 65 dBA. These noise impacts are characteristically "unmitigated" and represent the worst-case noise impact without any obstruction.

Community noise generation includes that associated with construction activities. Proposed project construction will result in intermittent, short-term noise impacts resulting from construction-related activities. Construction-related activities associated with the proposed project include excavating, grading, and general building construction. Construction-related activities would be limited to the day-time hours; however, the proposed development would be required to comply with the Town of Yucca Valley's Noise Ordinance. After completion of construction activities, ambient noise levels would return to approximate existing levels. The existing noise environment in the vicinity of the project is dominated by noise from local street traffic.

In summary, the proposed project will not expose persons to or generate noise levels in excess of standards established in the Town's General Plan and Ordinances. The project construction and operation will create temporary, periodic increases in ambient noise levels in the vicinity as compared to current noise levels. Construction noise will be a one-time event and ambient noise levels will return to existing conditions. The project construction and operation will not create a substantial permanent increase in ambient noise levels

b) There will be no underground mining or blasting associated with project construction. The proposed project will not expose persons to or generate excessive ground-borne vibration or ground-borne noise levels.

e-f) The project is not located near an airport or private airstrip and no airborne noise associated with aircraft is anticipated.

MITIGATION MEASURES

- N-1 Construction stockpiling, equipment storage and maintenance shall be placed on site to minimize disturbance to surrounding property owners, subject to Town Engineer approval.
- N-2 All grading equipment shall be muffled and properly maintained throughout construction of the project.
- N-3 Grading and construction activities shall be limited to those hours prescribed in the Municipal Code.
- N-4 The project may be limited to operating during daytime hours only, between the hours of 7AM and 10PM, pending final noise reports.

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

- N-5 The project shall comply with the requirements of the Town of Yucca Valley Noise Standards, Code section 87.0901 with regards to neighboring residential units. If excess noise levels occur beyond the Town Standards, then additional mitigation measures should be considered

- N-6 During Construction the contractor shall ensure that that all construction equipment is equipped with appropriate noise attenuating devices.

- N-7 Idling equipment shall be turned off when not in use.

- N-8 Equipment will be maintained so that parts of vehicles and their loads are secured from rattling and banging.

Level of Significance after Mitigation Measures: Less than Significant

XIII. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a) The project would not substantially affect population growth or exceed regional or local population projections due to the fact that no housing is proposed as part of the project.

b-c) The project would not induce growth, nor would it displace any housing development.

The park project is designed to serve the residential neighborhood. The park will not displace any existing residential development or units. The park is identified in the Town's Parks and Recreation Master Plan Update (2008) and is consistent with the Yucca Valley General Plan goals for park development within the community.

Level of Significance: No impact

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

XIV. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a-e) The park facility is not anticipated to induce new growth in the Town of Yucca Valley. Therefore the project is not expected to impact existing public services. The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the Town's public services.

Level of Significance: No impact

XV. RECREATION

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

DISCUSSION

a-b) The proposed project will not result in substantial population growth which would contribute to increased use of existing neighborhood and regional park facilities. The project is proposed for development in order to assist the Town in meeting current park space demands and needs.

Level of Significance: No impact

XVI. TRANSPORTATION / TRAFFIC	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

The traffic evaluation was performed by Urban Crossroads in December 2011. The trip rates used in this analysis are presented on Table 1. The trip rates for County Park have been obtained from the ITE report Trip Generation, 8th Edition (Institute of Transportation Engineers, 2008). The rates presented for multi-use fields have been obtained from the report Laguna Hills Community Center Park Growth Management/CMP Traffic Analysis (Revised) (RKJK & Associates, Inc., 1997). Table 2 summarizes the resulting trip generation for the proposed South Side Neighborhood/ Community Park. The project is expected to generation an estimated 8 trips during the AM peak hour of adjacent street traffic, 33 trips during the PM peak hour of adjacent street traffic, and a total of 371 vehicle trip-ends on a daily basis.

Joshua Lane adjacent to the project site is designated as a 2 lane Collector roadway per the current Town of Yucca Valley General Plan Circulation Element. Warren Vista Road north of Joshua Lane is not explicitly identified in the Town of Yucca Valley General Plan Circulation Element and is therefore a 2 lane local street. The Town of Yucca Valley does not specifically identify daily capacities for roadways, however, the recently completed County of San Bernardino General Plan update traffic analysis identified a service volume threshold of 7,000 vehicles per day (VPD) for 2 lane roadways in the desert regions of the County. Based upon this threshold, the proposed South Side Neighborhood/ Community Park would utilize approximately 5% of the capacity of the adjacent 2 lane roadways, if all of the project traffic were concentrated at a single location. The General Plan Environmental Impact Report, Traffic Study, projects existing General Plan build-out Average Daily Trips (ADTs) on Joshua Lane in proximity to Warren Vista Avenue between 4,000 and 6,000 ADTs. Based upon the recently completed County of San Bernardino General Plan update traffic analysis, which identified a service volume threshold of 7,000 vehicles per day (VPD) for 2 lane roadways in the desert regions of the County, the existing General Plan roadway designation for Joshua Lane does accommodate the increased trip projection created by the park project.

a-b) The proposed project would incrementally increase vehicle trips during construction. Joshua Lane is an improved road from SR 62 to its southern terminus. Warren Vista Avenue from Joshua Lane to its southern terminus is also an improved road. The surrounding neighborhood would experience little or no traffic impacts from construction-related traffic activities. The proposed project would not create transportation and circulation hazards, barriers or hazards for pedestrians or bicyclists; or result in inadequate emergency access or access to nearby uses as construction activities occur.

c) Constructed features at the park will not exceed height restrictions established by the Federal Aviation Administration (FAA) and the project is not within an Airport Influence Area. The proposed project will not result in a change in air traffic patterns.

d) The proposed project will not increase hazards due to a design feature or incompatible uses. Onsite parking has been designed to meet the requirements of the Town of Yucca Valley Development Code and San Bernardino County Fire Department requirements. ..

e) The proposed project will not be constructed in a way to interfere with emergency access. Service roads leading to the park will be sufficient to support emergency vehicles including police vehicles, ambulances, and fire trucks. Nor will it interfere with emergency access anywhere else as it is not located in a traffic circulation area.

f) The proposed project includes a new parking facility for on-site parking. The proposed project will not result in inadequate parking capacity.

g) The proposed project would not conflict with Town policies, plans, or programs to support alternative modes of transportation.

Level of Significance: Less than Significant

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a, b, e) The Town of Yucca Valley is not served by a centralized wastewater collection system at this time. The California Regional Water Quality Board, Colorado River Region establishes requirements for waste discharge for project within the Town of Yucca Valley. It is anticipated that the project would be required to submit a waste discharge report application to the Board for approval. The project must conform to the requirements of the California Regional Water Quality Board, Colorado River Region, and therefore, no mitigation is required.

c) The proposed project includes new impervious surface associated with a new parking lot, walkways and building. These features will necessitate the construction of a new storm water detention basin. The detention basin will be constructed using BMPs as described in the CSWQ Handbook. The detention basin will be constructed to capture incremental increases plus 10% minimum in site flood water runoff.

d) The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources.

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

f) Solid waste generated in the Town of Yucca Valley is taken by Burrtec to the Landers Landfill for disposal. The Landers Landfill is owned by the County of San Bernardino. The proposed project will be served by Burrtec and no mitigation is required.

g) The proposed project construction and operations will comply with all applicable federal, state, and local statutes and regulations related to solid waste.

MITIGATION MEASURES

USS-1 A stormwater detention basin will be constructed as part of the project. No new run-off will occur as a result of the proposed project.

Level of Significance after Mitigation Measures: Less than Significant

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

DISCUSSION

The following potentially significant impacts have been mitigated to a level less than significant with application of the identified mitigation measures:

Aesthetics - Mitigation Measures A -1, A-2, and A-3.

Air Quality - Mitigation Measures AQ-1, AQ-2, AQ-3.

SOUTH SIDE NEIGHBORHOOD/COMMUNITY PARK

Biological Resources - Mitigation Measures BR-1, Br-2, Br-3, Br-4, BR-5, BR-6.

Geology and Soils – Mitigation Measures GS-1, GS-2, GS-3.

Hydrology and Water Quality HYD-1, HYD-2, HYD-3, HYD-4, HYD-5, HYD-6, HYD-7, HYD-8, HYD -9, HYD-10.

With incorporation of the Mitigation Measures the project's impacts, individually and cumulatively, will be less than significant.



Conditional Use Permit Application

Date Received	_____
By	_____
Fee	_____
Case #	CUP 06-11
EA #	EA 04-11

General Information

APPLICANT Town of Yucca Valley Phone (760) 369-6575 Fax (760) 228-0084
Mailing Address 57090 29 Palms Highway Email rkirschmann@yucca-valley.org
City Yucca Valley State CA Zip 92284

REPRESENTATIVE Same Phone _____ Fax _____
Mailing Address _____ Email _____
City _____ State _____ ZIP _____

PROPERTY OWNER Same Phone _____ Fax _____
Mailing Address _____ Email _____
City _____ State _____ Zip _____

Project Information

Project Address N/A Assessor Parcel Number(s) 0585-061-06
Project Location The project is located at the north west corner of Joshua Lane and Warren Vista Avenue .
Project Description: Proposal to construct phase 1A of the South Side Neighborhood/ Community Park and request for environmental approval of the entire project. Phase 1A will include amenities such as a dog park(with separate areas for large/small breed dogs), a tot lot, parking and possibly a rest room and shade structure, dependent upon available funds.

Please attach any additional information that is pertinent to the application.

Town of Yucca Valley
Community Development Department
Planning Division
58928 Business Center Dr
Yucca Valley, CA 92284
760 369-6575 Fax 760 228-0084
www.yucca-valley.org

Environmental Assessment

1. Property boundaries, dimensions and area (also attach an 8 ½ x 11" site plan):
Approx 1,280' by 1,280', 37.6 acres
2. Existing site zoning: RL-1 (SP) 3. Existing General Plan designation: RL-1(SP)
4. Precisely describe the existing use and condition of the site: The site is currently vacant.
There are scattered native plants on the site, however most were heavily damaged by a fire in the late 1990s.
5. Zoning of adjacent parcel:
North RHR(SP) South RM-4(SP) East RS-2 West RL-1 (SP)
6. Existing General Plan designation of adjacent parcels:
North RHR(SP) South RM-4(SP) East RS-2 West RL-1 (SP)
7. Precisely describe existing uses adjacent to the site: The area to the east of the site is an existing single family neighborhood, land to the north has an existing home and horse facilities, land to the south is vacant. The south west has a church, school and care facility.
8. Describe the plant cover found on the site, including the number and type of all protected plants: There are scattered native plants on the site, however most were heavily damaged by a fire in the late 1990s.

Note: Explain any "Yes" or "Maybe" responses to questions below. If the information and responses are insufficient or not complete, the application may be determined incomplete and returned to the applicant.

Yes Maybe No

- | | | | |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Is the Site on filled or slopes of 10% or more or in a canyon? (A geological and/or soils investigation report is required with this application.) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Has the site been surveyed for historical, paleontological or archaeological resources? (If yes, a copy of the survey report is to accompany this application.) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Is the site within a resource area as identified on the archaeological and historical resource General Plan map? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 12. Does the site contain any unique natural, ecological, or scenic resources? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 13. Do any drainage swales or channels border or cross the site? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 14. Has a traffic study been prepared? (If yes, a copy of the study is to accompany this application.) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 15. Is the site in a flood plain? (See appropriate FIRM) |

Project Description

Complete the items below as they pertain to your project. Attach a copy of any plans submitted as part of the project application and any other supplemental information that will assist in the review of the proposed project pursuant to CEQA.

1. Commercial, Industrial, or Institutional Projects:

- A. Specific type of use proposed: Public Park
- B. Gross square footage by each type of use: 18- square foot rest room, 1,400 square foot shade structure, and an ~2,100 square foot rest room/concession building
- C. Gross square footage and number of floors of each building: single story construction 180 square foot rest room, 1,400 square foot shade cover, and rest room/concession building ~2,100 square feet
- D. Estimate of employment by shift: N/A
- E. Planned outdoor activities: Those normally associated with a public park

2. Percentage of project site covered by:

 % Paving, % Building, % Landscaping, % Parking

3. Maximum height of structures 15 ft. 8 in.

4. Amount and type of off street parking proposed: 29 phase 1A, 83 in future phases, for a total of 112

5. How will drainage be accommodated? On-site retention basins

6. Off-site construction (public or private) required to support this project:

Future phases may require street improvements to Joshua Lane and Warren Vista

7. Preliminary grading plans estimate 27,617 cubic yards of cut and 30,839 cubic yards of fill

8. Description of project phasing if applicable: Multiple phases, dependent upon available resources

9. Permits or public agency approvals required for this project: Town of Yucca Valley, Hi Desert Water District, Regional Water Quality Control Board, San Bernardino County Fire, etc

Town of Yucca Valley
Community Development Department
Planning Division
58928 Business Center Dr
Yucca Valley, CA 92284
760 369-6575 Fax 760 228-0084
www.yuccavaley.org

10. Is this project part of a larger project previously reviewed by the Town? If yes, identify the review process and associated project title(s) ^{No} _____

11. During construction, will the project: (Explain any "yes" or "maybe" responses to questions below – attach extra pages if necessary.)

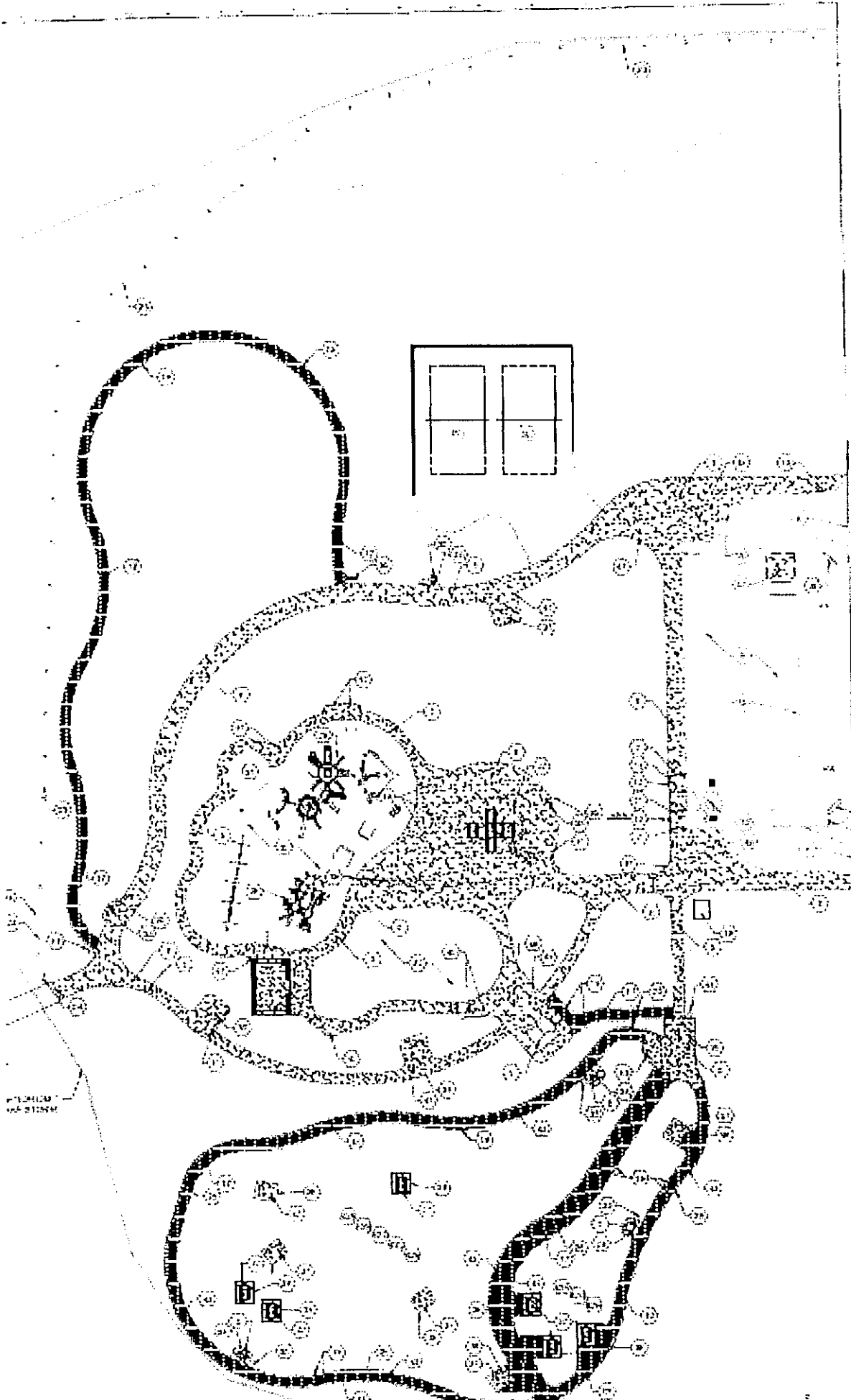
Yes Maybe No

- A. Emit dust, ash, smoke, fumes or odors?
- B. Alter existing drainage patterns?
- C. Create a substantial demand for energy or water?
- D. Discharge water of poor quality?
- E. Increase noise levels on site or for adjoining areas?
- F. Generate abnormally large amounts of solid waste or litter?
- G. Use, produce, store, or dispose of potentially hazardous materials such as toxic or radioactive substances, flammable or explosives?
- H. Require unusually high demands for such services as police, fire, sewer, schools, water, public recreation, etc.
- I. Displace any residential occupants?

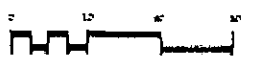
Certification

I hereby certify that the information furnished above, and in the attached exhibits, is true and correct to the best of my knowledge and belief.

Signature: _____ Date: _____



WARREN VISTA AVENUE



PLANTING
AS SHOWN

TORTOISE HABITAT AREA:
REFER TO DESERT TORTOISE STUDY IN THE
PROJECT SPECIFICATIONS FOR RESTRICTIONS
ON DISTURBANCE IN THIS AREA

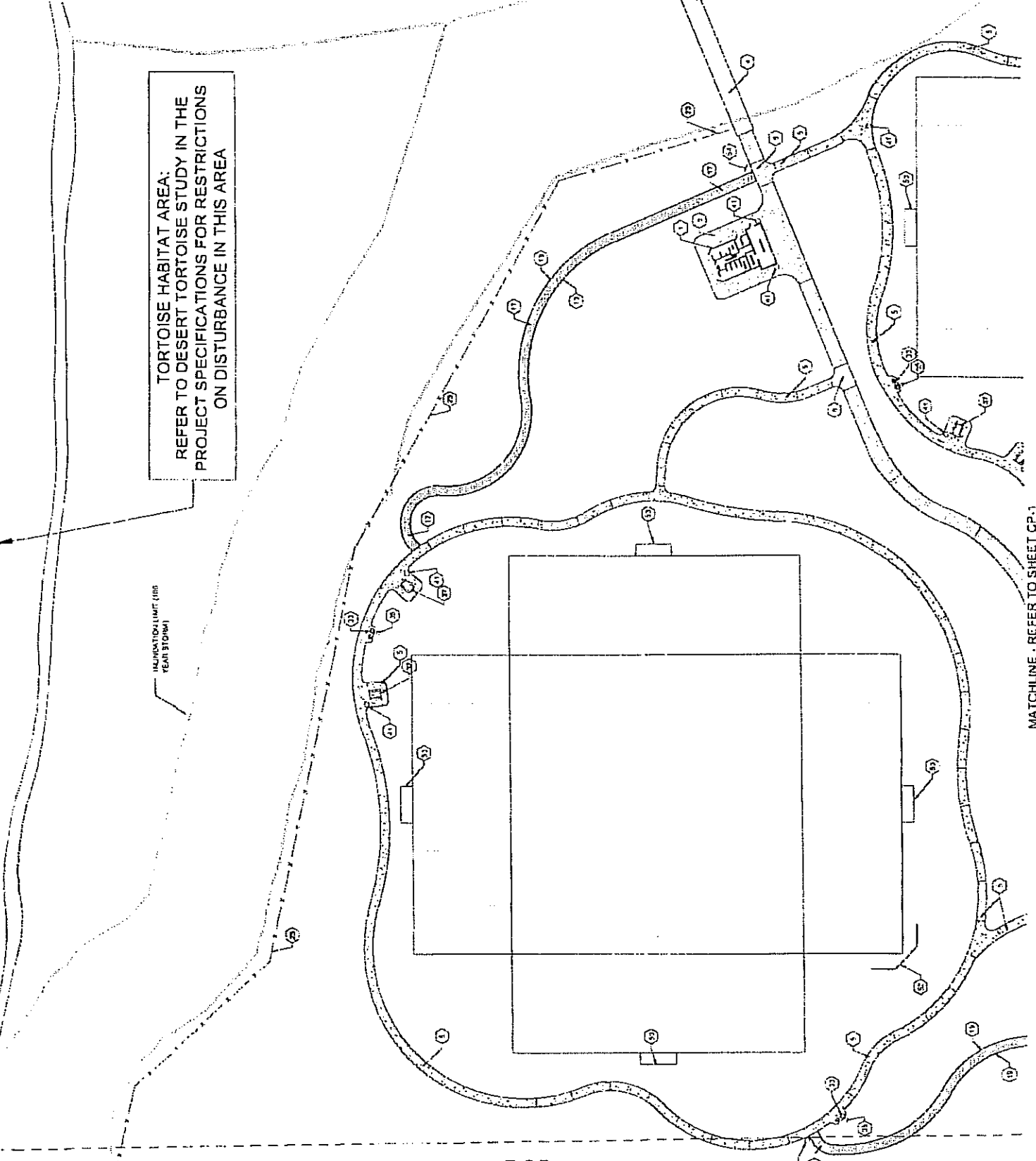
BOUNDARY LIMIT (800
FEET STORM)

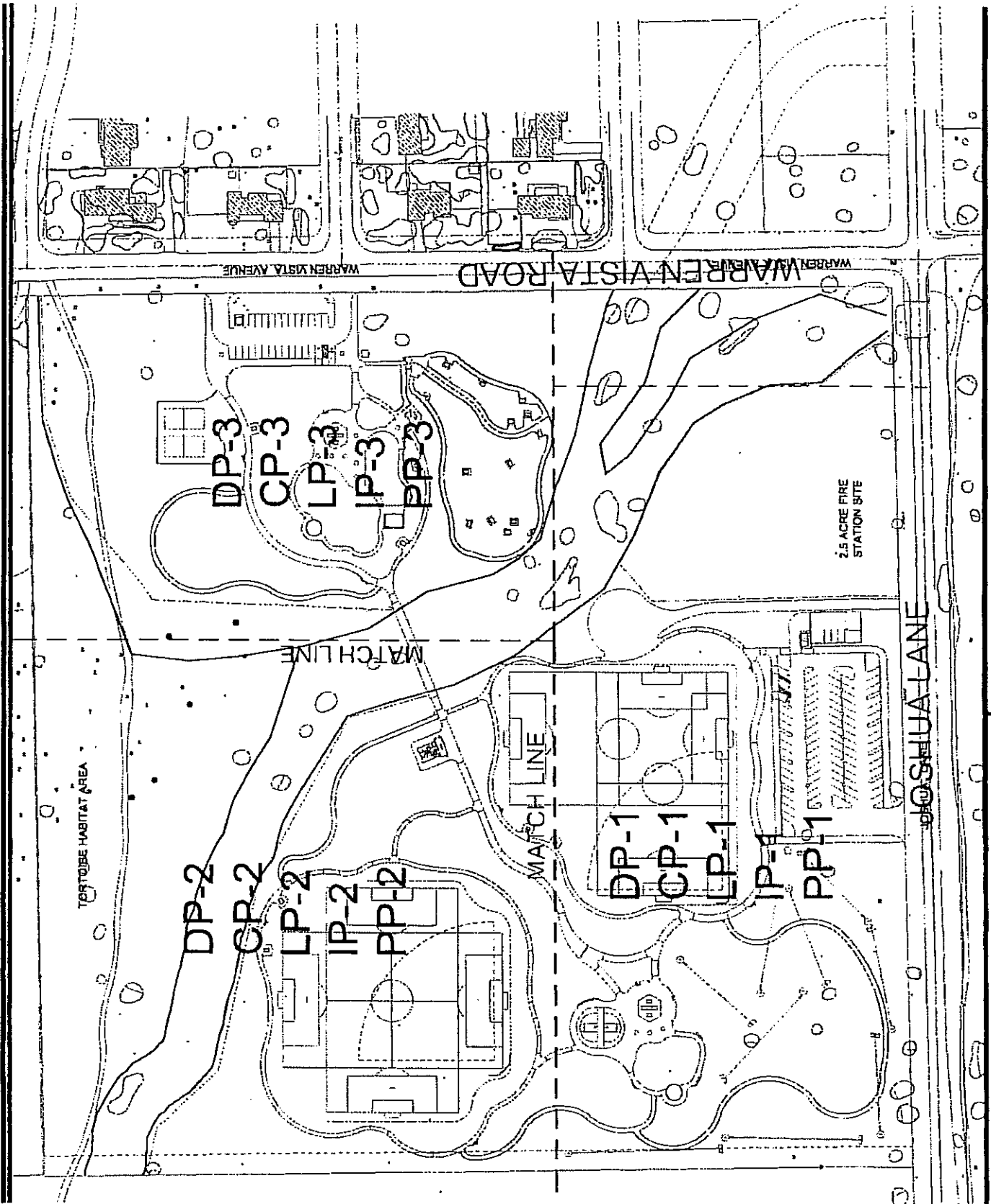
MATCHLINE - REFER TO SHEET CP-3

LIST OF ABBREVIATIONS
REFER TO SHEET CP-2 FOR
CONSTRUCTION SCHEDULE



MATCHLINE - REFER TO SHEET CP-1





VICINITY MAP

INIC

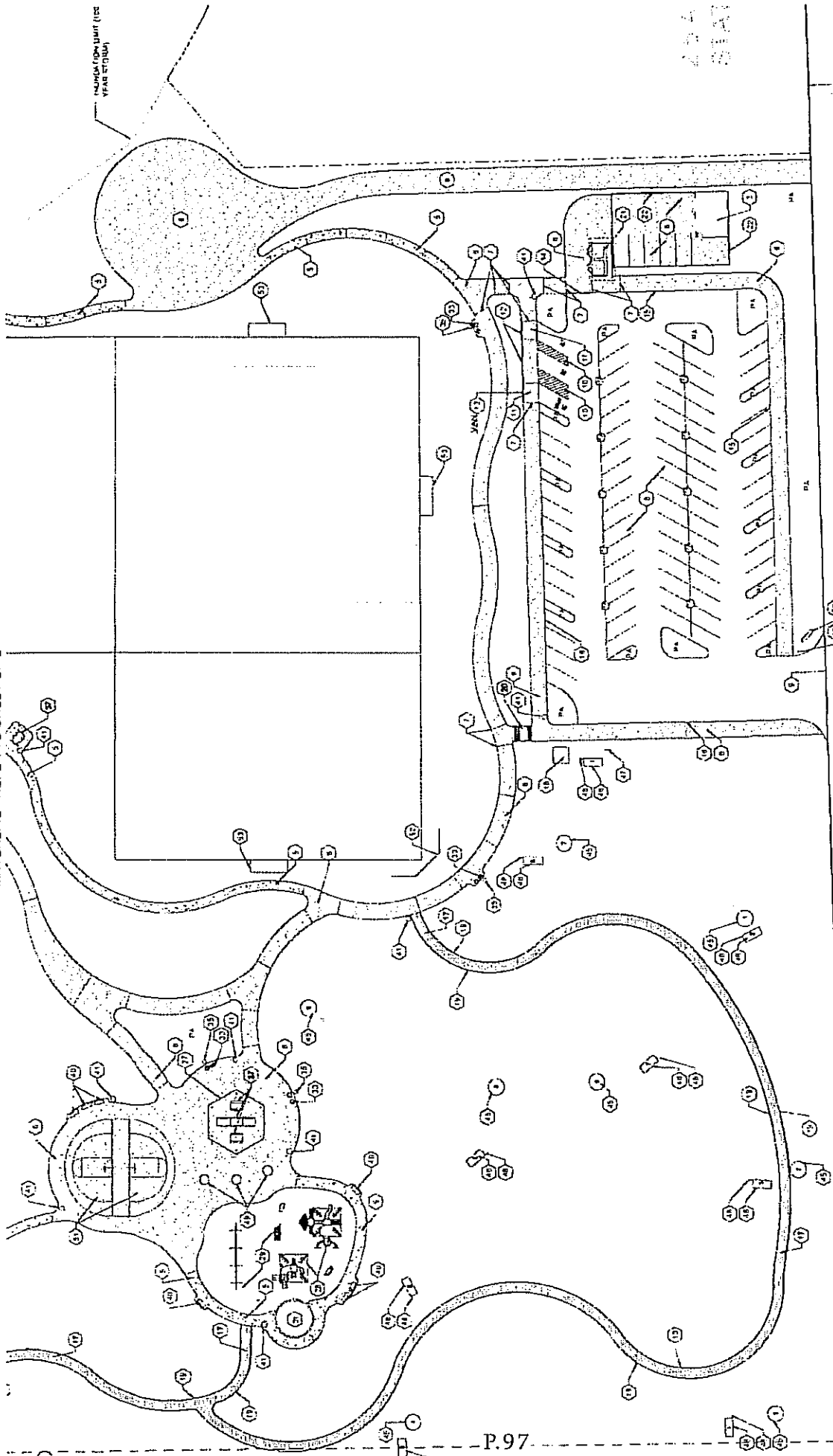
MATCHLINE

INDICATED FOR LIGHT (100
YEAR STRENGTH)

CP-2
START

MATCHLINE - REFER TO SHEET CP-2

JOSHUA LANE





Mojave Desert Air Quality Management District

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdoqmd.ca.gov>

Eldon Heaston, Executive Director

RECEIVED
JAN 10 2012
TOWN OF YUCCA VALLEY

January 5, 2012

Robert Kirschmann
Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284

Project: South Side Neighborhood/Community Park (CUP 06-11, EA 04-11)

Dear Mr. Kirschmann:

The Mojave Desert Air Quality Management District (District) has received the Notice of Intent to adopt a Mitigated Negative Declaration for Conditional Use Permit, CUP 06-11, Environmental Assessment, EA 04-11. The project proposes to develop a multi-purpose neighborhood/community park. The neighborhood/community park project will be constructed in phases over multiple years. The park project is planned to include the development of approximately 10 acres of multi-use athletic fields; 3 acres of playground and picnic areas, including tot lots; informal open space; and a splash pad/water play improvements; an approximate 1.5 acre dog park; restroom and concession buildings; approximately 2 acres of vehicle parking; an approximate 1 acre native plant garden; sand volleyball courts; an approximately 5,000 square foot maintenance building; a Frisbee golf course; walking and exercise trails; a minimum 2 acre undisturbed area; and ancillary park improvements including field lighting; parking lot lighting; access and maintenance roads; hardscape and sidewalk improvements; picnic and shade shelters; barbecues; horseshoe and shuffleboard areas; jogging and exercise courses and related improvements. The neighborhood/community park is proposed to be constructed on an approximately 37.75 acre parcel.

Based on the information provided in the Initial Study, the District concurs with the Air Quality Analysis, and the Air Quality Mitigation Measures (AQ-1 to AQ-3). Please note that, in addition to the requirements of Rules 402 and 403, this project is also subject to the requirements of Rule 403.2 - *Fugitive Dust Control for the Mojave Desert Planning Area*.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,

Alan J. De Salvio
Supervising Air Quality Engineer

AJD/tw

YV South Side Park.doc

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 384
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5390
 Web Site www.nahc.ca.gov
 ds_nahc@pacbell.net



December 29, 2011

RECEIVED

Mr. Robert Kierschmann, Associate Planner

Town of Yucca Valley

57090 29 Palms Highway
 Yucca Valley, CA 92284

JAN -3 2012

TOWN OF YUCCA VALLEY

Re: SCH#201121085 CEQA Notice of Completion; proposed Mitigated Negative Declaration for the "Conditional Use Permit CUP 06-11; Environmental Assessment EA 04-11 Southside Neighborhood/Community Park Project;" located in the Town of Yucca Valley; San Bernardino County, California

Dear Mr. Kirschmann:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. Also, the absence of archaeological resources does not preclude their existence. California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California

Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, if the project is under federal jurisdiction, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

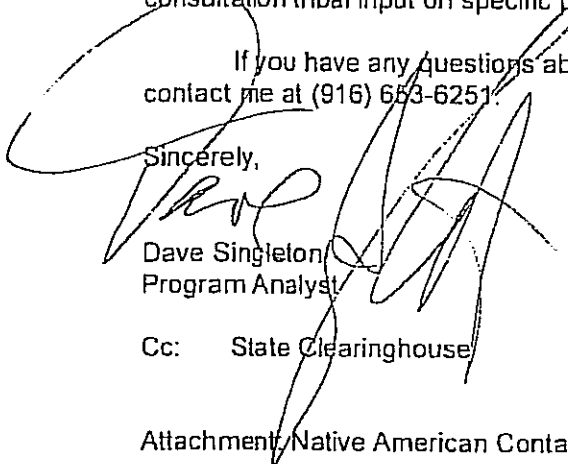
Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be

followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Robert Kirschmann

From: Diane Olsen
Sent: Tuesday, January 03, 2012 7:40 AM
To: Robert Kirschmann
Subject: FW: Town of Yucca Valley Notice of Intent to Adopt a Mitigated Negative Declaration, Conditional use Permit 06-11, Environmental assessment 04-11



Diane Olsen
Planning Technician
Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284
(760) 369-6575 X 317
www.yucca-valley.org

From: Franklin Dancy [mailto:FDancy@morongo-nsn.gov]
Sent: Friday, December 23, 2011 10:15 AM
To: Diane Olsen
Subject: RE: Town of Yucca Valley Notice of Intent to Adopt a Mitigated Negative Declaration, Conditional use Permit 06-11, Environmental assessment 04-11

Thank you for contacting the Morongo Band of Mission Indians regarding the above referenced project. The Tribe greatly appreciated the opportunity to review the project and, respectfully, offer the following comments;

The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). It appears that the Mitigated Negative Declaration adequately addresses the Tribe's concerns of cultural, archaeological and/or historical artifacts with the findings and mitigation measures found in Section CUL-1 of the Mitigated Negative Declaration. Based upon this determination, the Morongo Band of Mission Indians has no further comments at this time.

If I may be of further assistance with regard to this mater, please do not hesitate to contact m at your convenience.

Franklin A. Dancy, Director of Planning
Department of Planning and Construction Services
Morongo Band of Mission Indians
12700 Pumarra Road
Banning, CA 92220
office 951-755-5212
fax 951-922-8146
cell 951-990-0948

**ADVERTISING FOR
NOTICE OF PUBLIC HEARING
YUCCA VALLEY COMMUNITY CENTER
57090 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284**

TUESDAY, JANUARY, 24 2012, BEGINNING AT 6:00 P.M.

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE TOWN OF YUCCA VALLEY PLANNING COMMISSION TO CONSIDER THE FOLLOWING DESCRIBED APPLICATION:

CASE NUMBER: Conditional Use Permit, CUP 06-11, Environmental Assessment EA 04-11 South Side Neighborhood/ Community Park

APPLICANT: Town of Yucca Valley
57090 Twentynine Palms Highway
Yucca Valley, CA 92284

PROPOSAL: A proposal to develop a multi-purpose neighborhood/community park. The neighborhood/community park project will be constructed in phases over multiple years. The park project is planned to include the development of approximately 10 acres of multi-use athletic fields, 3 acres of playground and picnic areas, including tot lots, informal open space, and a splash pad/water play improvements, an approximate 1.5 acre dog park, restroom and concession buildings, approximately 2 acres of vehicle parking, an approximate 1 acre native plant garden, sand volleyball courts, an approximately 5,000 square foot maintenance building, a frisbee golf course, walking and exercise trails, a minimum 2 acre undisturbed area, and ancillary park improvements including field lighting, parking lot lighting, access and maintenance roads, hardscape and sidewalk improvements, and picnic and shade shelters, barbecues, horseshoe and shuffleboard areas, jogging and exercise courses and related improvements. The neighborhood/community park is proposed to be constructed on an approximately 37.75 acre parcel.

LOCATION: The project is located on the northwest corner of Joshua Lane and Warren Vista Avenue and is identified as APN 0585-061-06.

ENVIRONMENTAL DETERMINATION: The project was reviewed under the California Environmental Quality Act (CEQA) and the Town's Guidelines to implement same. The Town determined that although the project could have significant impacts on the environment, the mitigation measures included in the Initial Study will reduce the potential impacts to less than significant levels. A Mitigated Negative Declaration is proposed.

Any person affected by the application(s) may appear and be heard in support or opposition to the proposal at the time of the hearing. The environmental findings, along with proposed project application(s) are available and may be reviewed at the Town of Yucca Valley Planning Division, 58928 Business Center Drive, Yucca Valley, CA 92284 from 7:30 a.m. to 5:30 p.m., Monday through Thursday or obtain information at (760) 369-6575.

The Planning Commission in their deliberation could recommend approval of the project, deny the project, or approve the project in an alternative form. If you challenge any of the projects in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Town Planning Division at, or prior to the Public Hearing.

Publish Date: Posted on December 21, 2011 and published on December 21, 2011.

December 20, 2011
Date

Jaime Anderson
Deputy Town Clerk

Wm. Wayland & Associates

A Professional Partnership

54999 Martinez Trail – Suite 106

Yucca Valley, California 92284

760-662-9652 Fax: 760-369-1260 wwpia@aol.com

Monday, January 16th, 2012

Janet M. Anderson
Deputy Town Clerk
Town of Yucca Valley
57090 29 Palms Highway
Yucca Valley, California 92284

Planning Commission
Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, California 92284

In Re: January 24th, 2012 Public Hearing regarding CUP #06-11 South Side Neighborhood Community Park;
and designation/appointment of representative for property owner Larry Morley, APN#585-061-02, i.e.
"Burnt Mountain Horse Ranch".

Ms. Anderson,

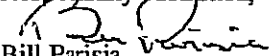
Attached is a written authorization from the above referenced property owner designating the undersigned to act in his behalf at the upcoming public hearing on the 24th.

The following is a list of his considerations/concerns relating to the project and any potential impact on his current plans to bring the property to it's full potential as a high quality Equestrian Center.

- (1) In the event the park project comes to fruition is there any consideration to rezoning the adjacent properties and adjustment to the existing Conditional Use Permit.
- (2) The letter indicates the park project would be located at the northwest corner of Joshua Lane and Warren Vista. This appears to parallel the southerly property line of our clients project.
 - (a) Is there planned an access road from Warren Vista westerly that would entail an easement on our client's southerly property line ?
- (3) Have all of the properties required for the project been acquired, or is there additional land to be considered, and if so please identify same.
- (4) The main access is to be on Joshua Lane. There exists an easement along the west side of the project property and the adjoining lot to the West. Is this anticipated main access to the project ?
- (5) If there is an access road from Warren Vista is this to be mainly a utility road or a secondary entrance to the facility ? (potential traffic impact on Warren Vista).

If these issues can be addressed at the open forum on the 24th, it will be greatly appreciated by Mr. Morley.

Respectfully submitted,


Bill Parisia
Wm. Wayland & Associates

cc: L. Morley
B. Warner, Nolte Engineering

RECEIVED

JAN 18 2012

TOWN OF YUCCA VALLEY

January 11, 2012

To Whom It May Concern,

Dear Sir /Madam:

This will confirm that Bill Parisia of Wm Wayland & Associates is authorized to be my representative for the TYV meeting scheduled for Jan 24, 2012 regarding the South Side Community Center.

Sincerely,



L.C. Morley
Owner, Warren Vista Ranch

**TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING MINUTES
DECEMBER 13, 2011**

Chair Humphreville called the regular meeting of the Yucca Valley Planning Commission to order at 6:00 p.m.

Commissioners Present: Alberg, Bridenstine, Drozd, Hildebrand, and Chair Humphreville.

Pledge of Allegiance was led by Vice Chair Humphreville

APPROVAL OF AGENDA

Commissioner Alberg moved to approve the agenda. Commissioner Hildebrand seconded. Motion carried 5-0 on a voice vote.

PUBLIC COMMENTS

None

DEPARTMENT REPORTS:

1. **CONDITIONAL USE PERMIT, CUP 05-11 AND ENVIRONMENTAL ASSESSMENT, EA 03-11, YUCCA VALLEY ANIMAL SHELTER**

The Animal Control Joint Powers Authority (JPA) requests approval of Environmental Assessment, EA 03-11 and Conditional Use Permit, CUP 05-11 a proposal to develop a replacement animal shelter on approximately 2.16 acres of a five acre parcel located directly south of the existing Yucca Valley animal shelter. The replacement animal shelter will serve both the incorporated areas of the Town of Yucca Valley, as well as, the unincorporated areas of the County of San Bernardino. The facility will include three (3), new single story buildings including an approximately 3,816 square foot administration building (4,419 sq. ft. covered), approximately 2,072 enclosed square foot impound kennel (3,558 sq. ft. covered), approximately 1,355 enclosed square foot adoptable kennel (2,097 sq. ft. covered). Total enclosed area is approximately 7,243 square feet. Parking areas will be constructed to accommodate vehicles for staff, public and shelter vehicles.

Deputy Town Manager Stueckle presented the staff report contained in the printed agenda and maintained in the project file. A PowerPoint presentation was displayed during the discussion. The project site is located at the south east corner of Malin Way and Paseo Los Ninos. The project site contains approximately 5 acres with approximately 2.16 proposed for development. There are three separate buildings consisting of a 3,816 square foot customer service/administration building, a 2072 square foot impound kennel and a 1,355

square foot adoption kennel. Section 84.0320 (b) of the Rural Living Land Use District allows for establishment of commercial kennels and catteries on lots of 2 acres or greater subject to approval of a Conditional Use Permit, Section 84.0630 allows for the establishment of private kennels subject to approval of a Special Use Permit, and Section 84.0410(a)(1) allows for temporary and permanent government facilities in the Council Member Lombardo District subject to a CUP. The Animal Shelter as a proposed use is consistent with the General Plan and Development Code, and the implementation is consistent with standards and processes applied to private land development, while the Town is only required to comply with CEQA. The facility is staffed by 7 full time and 1 part time employee, houses 2 full time County Animal Control Officers. It is staffed from 8:00 a.m. to 5:00 7 days a week but is only open to the public from 12:00 noon to 5:00 p.m. Tuesday through Saturday. The facility averages approximately 500 visitors per month or approximately 23 visitors per day. It handles approximately 3,500 animals annually or approximately 300 per month, and there are 90-100 dogs and 70 cats/kittens at any one time.

The Animal Services JPA conducted limited public outreach for the proposed shelter and the site was brought to the Planning Commission on July 13, 2010 for discussion and outreach. In answer to issues that were brought up during that meeting, the proposed property was purchased in 2006 and is adjacent to the existing animal shelter which has been operating since 1973, and the Development Code allows both public as well as private kennel facilities in the Rural Living Land Use District, subject to a CUP. With reference to the lack of preliminary design concept at the time, the site plan, elevations, environmental documents have addressed both mandatory (CEQA) as well as design issues for complete functionality as a replacement shelter with room for expansion. There will be subsequent fault hazard investigation to complete the east property analysis. Current water use is approximately 800 to 900 gallons per day and the Regional Water Quality Control Board authorizes the Town to permit projects up to 2,500 gallons per day, and the site is outside of any phase of Hi Desert Water District wastewater planning efforts, so there is no need for a package treatment plant. He also provided answers to a list of 6 questions provided by a citizen in the area.

Town Manager Nuaimi, Applicant, gave a PowerPoint presentation showing the scope of the project and the work the JPA and Architects have been doing. The new facility is going to improve the functionality of the facility and mitigate the current impacts. He advised that the existing facility is being band aided. The Town did look at a variety of alternative areas and assets the town owns and none of them panned out. The issue was brought before the Town Council at the strategic planning workshop last January and there has been public JPA meetings held from that time to today. In addition, the residents of the area were taken to Upland to view their facility. The Town is going to deliver a quality facility if it is approved and moved forward. There is adequate area for future growth if

necessary. The facility has been value engineered to reduce costs of the project dropping it from \$3.8 million to \$3.2 million.

Commissioner Bridenstine questioned what is going to happen to the existing shelter. Town Manager Nuaimi advised that the current structures will be removed, noting that demolition will be a separate activity.

Commissioner Drozd questioned if the cost of the project, is shared with County. Town Manager Nuaimi advised it is a 50/50 cost share noting that half of the animals coming into the facility are from the Town and half from the county.

Commissioner Alberg questioned if the county is paying for half the land. Town Manager Nuaimi advised the Town and County are doing a cost share agreement with part of his time being credited to the Town's contribution as well as the land.

Commissioner Hildebrand questioned if there are any outside kennels at the Upland facility. Town Manager Nuaimi advised they had an outdoor area that has an open air roof. Commissioner Hildebrand questioned if the earthquake study on the second half is going to be done before construction. Town Manager Nuaimi advised that it is intended to include it in the construction work. We have adequate site area cleared to support this project. Commissioner Hildebrand commented regarding an issue one of the local owners had with the aquifer. Town Manager Nuaimi advised there were comments provided that the facility is going to impact the ground water, which is why the presentation had a graphic showing where potable water is extracted, and noted we are not going to affect any of them.

Chair Humphreville opened the Public Hearing.

George Nudson submitted a card in opposition to the project but did not wish to speak.

Alanna Ponder, Yucca Valley, advised of her background as an architect and involvement in animal rescue groups, and spoke in opposition to the project noting the kennels are not an improvement in the way they are designed. The animals are isolated from each other and the euthanasia room is too close to the intake kennels.

Earnest Goodlander, Yucca Valley, spoke in opposition to the project expressing concern regarding the impact it may have on his water well. He stated the only notification he received was a business card on his fence. The facility doesn't need to be where it is, it can be on the property on 247 that the Town owns.

Olivia Parker, Yucca Valley, spoke in opposition to the facility noting she has not heard anything about the impact on the animals living in the facility, noting the kennels are very small, and keeps them isolated. Recommended that when the old facility is bulldozed the area be made into an exercise area for the dogs. The Town should involve animal behaviorists and professionals in the planning of the structure.

Yolanda Nudson submitted a card in opposition but did not wish to speak.

Dallas Nudson, Yucca Valley, spoke in opposition noting the Upland facility mitigated the noise by putting very large expensive doors that can be closed to shut out the noise. He commented there was enough information for the site at the last Planning Commission hearing, it was adequately reviewed and voted down. The animals need to be closer to the community where they can be seen and where the site is more accessible.

Marti Poist, Yucca Valley, questioned if there will be enough kennels for the number of dogs that are taken in.

Town Manager Nuaimi advised this facility is not a boarding kennel or extended stay facility, noting a majority of the animals we are receiving are not adoptable. A vast majority of the animals we are getting would be classified as aggressive. We are trying to accommodate and contain animals that have been brought in as strays and public safety issues, he noted we do our best to go through and adopt them out but there are some that cannot be. Regarding Mr. Goodlander's concerns about feces runoff, he noted that any runoff will be collected in our septic system and the solids picked up and disposed of in the trash. Also regarding comments about not being properly notified, he has been at our meetings, and we have shared the current status of the project with him and folks have had adequate time for additional tours if they were interested. As to the comment regarding trenching, we have adequate site available currently to accommodate this project, and are confident that even if additional trenching finds faulting in the area we still believe we can add additional kennels in the future if necessary. The animals will be completely enclosed in the facility at night and in the morning mitigating the noise. He noted that visual stimulus has been the cause the noise we have now. There are going to be sky lights and windows in the facility. This kind of facility faces opposition in every community wherever they are located. There will be NIMBY response regardless of where we site it. The section along 247 that is owned by the Town does not have any infrastructure. The Town did improve Malin Way knowing there will be a facility. When the project was presented to the Planning Commission in July we did not give you enough information, and had no analysis etc. Until we hired the Architect who studied site it was premature. Staff was given support by the Council to reanalyze the project and we have done that.

Chair Humphreville questioned what happened to the brush removed from the trenching. Deputy Town Manager Stueckle advised that those trees that were deemed transplantable were transplanted, and those that were not transplantable were destroyed.

Commissioner Drozd commented that everyone's concerns were legitimate noting this is a complicated issue and no answer will make everyone happy.

Chair Humphreville questioned how notification is different for a zoning change versus a Conditional Use Permit. Deputy Town Manager Stueckle advised there is no different notification required for the two processes, noting that both require 300' radius mailings to all properties within that distance from the project.

There being no one else wishing to speak, Chair Humphreville closed the Public Hearing.

Commissioner Bridenstine commented she thinks this is a very nice project, and certainly so much better than what we currently have, in the same neighborhood. The project makes an attempt to mitigate nuisances currently existing as well as making it nicer for the animals. They will be protected from weather, not exposed to heat or cold, and have bigger spaces available. This is a good attempt at filling the need of the community.

Commissioner Hildebrand questioned if music is played at night to soothe the dogs. Animal Care and Control Manager Crider advised that is an option that some shelters have chosen to use noting she hasn't heard the results, and we currently don't have that at our shelter. She noted 65 to 70% of the dogs the Town receives are pit bulls and that visual impact causes them to get excited. Commissioner Hildebrand commented it is a good facility, noting it is not going to make everyone happy, but is 100% better than what we have now.

Commissioner Alberg questioned if there were there any objections from the agency comment letters we received. Deputy Town Manager Stueckle advised there were not. There were public comments by phone call and e-mail expressing concern that discharge of the septic from this facility would harm an aquifer and we have had ongoing communications with the regional water quality control staff about what they would want to regulate this facility. Commissioner Alberg questioned if it is required that the parking area be paved. Deputy Town Manager Stueckle advised that in the current code yes parking is required to be paved, but there is some room with access to the parking. Commissioner Alberg questioned if staff would approve this project. Deputy Town Manager Stueckle advised that staff would, noting what you see before you this evening is a project that creates significantly less impact than what is on the property today. The Environment here is a significant improvement for the neighborhood and animals as well.

Chair Humphreville questioned if there is a base growth rate or timeframe considered when the traffic study is done. Deputy Town Manager Stueckle advised that, depending on the size and scope of a project, there are different times and maybe different growth factors. Chair Humphreville commented it is his hope this is a 40 or 50 year project not just a 10 year. This is a very rural zone and traffic is a big impact. Deputy Town Manager Stueckle commented, in the Town's long range planning numbers for RHNA, the growth rate for Yucca Valley is around 1.3% to 1.4% annually over that next planning period. Chair Humphreville noted his concerns about the project are not the design of the building but the zoning as it stands now and the impact the facility will have on the rural area. He read the minutes from the July 13, 2010 meeting and sees more than a 1% growth. Deputy Town Manager Stueckle advised that the Animal Control numbers were pretty consistent noting we were seeing some incremental increase, but the uptake occurred in this recession event. Animal Care and Control Manager Crider advised the kennel very rarely receives any traffic for Animal Control, noting Animal Control goes to the people to pick up animals, they don't come to us. She also noted that the spike has now leveled out. Town Manager Nuaimi added that part of the phone calls we are getting are also questions about licensing and requirements and regulations and not all of them translate to traffic on the site. Animal control officers are out in the field and dispatched from call to call. Call volume increasing doesn't translate to more people coming to the shelter. Chair Humphreville questioned if the Fire Department has looked at the plans. Deputy Town Manager Stueckle advised that County Fire has reviewed the plans, issued conditions of approval and has been involved in the process. Chair Humphreville commented the parking seems to meet what we have been talking about for rural development. With regard to the zoning and the fact that there are churches and health care facilities allowed on the site, he stated he does not think those uses have the same noise issues. On the design, he noticed there was no evaporative cooling shown. Deputy Town Manager Stueckle commented he does not believe evaporative cooling is included in the final design. Chair Humphreville noted that should be considered in the kennel area because the cost is cheaper than refrigerated areas.

Commissioner Bridenstine stated she understands Chair Humphreville's concern about the zoning, but it does allow the project with the use of a CUP, which the Town has provided. She commended Deputy Town Manager Stueckle, Town Manager Nuaimi and the staff for putting together the CUP and not cutting some corners.

Commissioner Drozd questioned if a possible change would be made so that Paseo Los Ninos would go through to Old Woman Springs Road. Deputy Town Manager Stueckle advised that circulation is a mandatory element in the General Plan update so we will be looking at circulation issues in all our neighborhoods, however he is not sure that additional access to 247 would be required. In addition, there are some topographic issues that would need to be looked at.

Chair Humphreville questioned what the hours of operation would be allowed to be 10 or 15 years down the road if the facility continues to grow. Deputy Town Manager Stueckle advised the hours of operation are identified and laid out in the CEQA documents as what they are today which also outlines being able to go back to 8:00 a.m. to 5:00 p.m. Monday through Friday. He noted that the biggest impact to hours of operation won't be driven by growth, but driven by changes in state law and how they dictate to local agencies.

Commissioner Hildebrand questioned if the administration building is require to be fire sprinkled. Deputy Town Manager Stueckle advised they are only required for buildings over 5,000 s.f.

Commissioner Bridenstine moved to approve the Mitigated Negative Declaration for Environmental Assessment, EA 03-11, and approve Conditional Use Permit, CUP 05-11 based on the findings contained within the staff report and the recommended Conditions of Approval. Motion carried 4-1 on a voice vote with Chair Humphreville voting no.

CONSENT AGENDA

2. MINUTES

A request that the Planning Commission approve as submitted the minutes of the Special meeting held on October 25, 2011

Commissioner Alberg moved to approve the minutes as presented.
Commissioner Drozd seconded. Motion carried 5-0 on a voice vote.

STAFF REPORTS AND COMMENTS

Deputy Town Manager Stueckle reported that the Super Wal-Mart is fully within the plan check process, noting as of now grading plans, street improvement and traffic plans have all been submitted. Staff has heard that they hope to be out to bid for construction in February. Dollar General is also in the plan check process.

Construction is continuing at Mesquite 55 and new model plans have been approved at Desert Vista Village.

FUTURE AGENDA ITEMS:

COMMISSIONER REPORTS AND REQUESTS

ANNOUNCEMENTS

The next regular meeting of the Yucca Valley Planning Commission is Tuesday, January 10, 2012 at 6:00 p.m. in the Yucca Valley Community Center.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Jamie Anderson, MMC
Town Clerk