



PALMDALE

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**PLANNING COMMISSION MEETING
CITY COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CA 93550
THURSDAY, SEPTEMBER 12, 2024
7:00 PM
www.cityofpalmdaleca.gov**

WELCOME

1. CALL TO ORDER

2. ROLL CALL:

CHAIR DEAN HENDERSON, VICE CHAIR GETRO ELIZE, COMMISSIONERS
AYEASHA JONES, DAVID LUJAN, MATEO OLIVAREZ

3. PLEDGE OF ALLEGIANCE

PUBLIC COMMENT RULES:

“(California Government Code Section 54954.3).

(a) Every agenda for a special meeting shall provide an opportunity for members of the public to directly address the legislative body on any item that has been described in the notice for the meeting, before or during the legislative body’s consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2 [section omitted].

(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of the subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of

a local agency.”

In furtherance of Section 54954.3 of the Brown Act, the public is allotted to speak a total of two (2) minutes on the entirety of the Consent Calendar, Appointment(s), with two (2) minutes on each Public Hearing, and, if desired, an additional two (2) minutes on items not on the agenda that are within the subject matter jurisdiction of the Planning Commission. As specified in the Brown Act, a speaker utilizing a translator will receive twice the amount of time specified.

4. PUBLIC COMMENTS

CONSENT CALENDAR ITEMS: Now is the time for public participation on items listed on the Consent Calendar Items. Each speaker is allotted two (2) minutes in total for the entirety of the above sections.

5. CONSENT CALENDAR

All matters listed under the Consent Calendar will be enacted by one motion unless an item(s) is pulled by the Planning Commission, in which case the item(s) will be removed from the Calendar and will be considered separately following this portion of the Agenda.

Waiver of the full reading of Resolutions to be considered and voted on at this meeting. (This allows for reading the title only in lieu of reciting the entire text).

- 5.A Approve Minutes of the Planning Commission meeting of August 8, 2024.
[PC Minutes 8.8.24.docx](#)

6. PUBLIC HEARINGS

- 6.A Adopt Resolution No. PC-2024-018, a Resolution of the Planning Commission of the City of Palmdale approving Conditional Use Permit 23-0020 an application to establish a large Residential Care Facility located at 4036 Tournament Drive and find that the project is categorically exempt from environmental review.

[SR CUP 23-0020.docx](#)
[Reso. No. PC-2024-018 CUP 23-0020.docx](#)

- 6.B Adopt Resolution No. PC-2024-020, a Resolution of the Planning Commission of the City of Palmdale approving Conditional Use Permit 23-0021, an application to establish a large Residential Care Facility located at 5542 Las Brisas Terrace and find that the project is categorically exempt from environmental review.

[SR CUP 23-0021.docx](#)
[Reso. No. PC-2024-020 CUP 23-0021.docx](#)

- 6.C Adopt Resolution No. PC-2024-022, a Resolution of the Planning Commission of the City of Palmdale, approving Conditional Use Permit 23-0023, a request to establish an adult vocational facility within an existing building 10,000 square foot building located at 38626 9th Street East and find that the project is categorically exempt from environmental review.

[SR CUP23-0023.docx](#)

[Reso. No. PC-2024-022 CUP23-0023.docx](#)

- 6.D Adopt Resolution No. PC-2024-021, a Resolution of the Planning Commission of the City of Palmdale approving Conditional Use Permit 03-05 Major Modification No. 1, an application to construct a park and ride facility on approximately 15 acres at an existing Marie Kerr Park located at the northwest corner of Rancho Vista Boulevard and 25th Street West and adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project.

[SR CUP 03-05 MOD No. 1.docx](#)

[Reso No. PC-2024-021 CUP 03-05 MOD No. 1.pdf](#)

7. NON-AGENDA PUBLIC COMMENTS

Now is the time for public participation on item not listed on the agenda. Each speaker is allotted two (2) minutes total.

8. STAFF COMMUNICATIONS

9. COMMISSIONER REPORTS, ANNOUNCEMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

10. **Adjourn the Planning Commission meeting to Thursday, October 10, 2024, at 7:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.**

Americans with Disabilities Act (ADA) Accommodations

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (661) 267-5151.

If you require oral Spanish translation, please contact the City Clerk's Office at (661) 267-5151 at least 48 hours prior to the meeting.

**PLANNING COMMISSION MEETING
CITY COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CA 93550
THURSDAY, AUGUST 8, 2024
7:00 PM**

MINUTES

1. CALL TO ORDER

Chair Dean Henderson called the meeting to order.

2. PLEDGE OF ALLEGIANCE

Chair Dean Henderson led the pledge of allegiance.

3. ROLL CALL

PRESENT: Chair Dean Henderson, Vice Chair Getro Elize, Commissioners Ayeasha Jones, David Lujan and Mateo Olivarez

ABSENT: None

4. PUBLIC COMMENT

No public comments were received.

5. CONSENT CALENDAR

5.A Approve Planning Commission Minutes of June 13, 2024.

Motion: Move to approve the minutes from June 13, 2024.

Moved by: Commissioner Olivarez, seconded by Commissioner Lujan

Vote: Motion carried 5-0

Yes: Chair Henderson, Vice Chair Elize, Commissioners Jones, Lujan, and Olivarez

6. PUBLIC HEARINGS

6.A Adopt Resolution No. PC-2024-017, a Resolution of the Planning Commission of the City of Palmdale, approving Tentative Tract Map 83794 to subdivide approximately 8.5-acres into 31 parcels for the purpose of constructing 30 detached single-family residences, with the remaining parcel to be used as a drainage basin located on the northwest corner of East Avenue R and 40th Street East and adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project.

Commissioner Jones recused herself from this item and stepped away from the dais.

Chantal Powers, Contract Planner presented the item and noted the applicant and staff are available to answer questions.

Chair Henderson opened the public hearing.

Public Testimony in support of this item was received by Kevin Charter, who raised concerns about illegal dumping on the site and temporary fencing once the construction begins.

The Commission and staff discussed the issue concerning dumping, temporary fencing, and the presence of on-site security during construction. Staff informed the Commission that the mitigation of dust, noise, and temporary fencing on the project site is a requirement as per the Conditions of Approval.

Imad Aboujwdah, representing the applicant, responded to concerns about illegal dumping and temporary fencing and committed to conveying them to the applicant.

Chair Henderson closed the public hearing.

Motion: Adopt Resolution No. PC-2024-017

Moved by: Commissioner Olivarez, seconded by Vice Chair Elize

Vote: Motion carried 4-1

Yes: Chair Dean Henderson, Vice Chair Getro Elize, Commissioners, David Lujan, and Mateo Olivarez

Obstain: Commissioner Ayeasha Jones

6.B Adopt Resolution No. PC-2024-016, a Resolution of the Planning Commission of the City of Palmdale, approving Tentative Tract Map 83674 to subdivide approximately 60 acres into 242 numbered lots and 13 lettered lots including three detention basins for the purpose of constructing 239 single-family residences and approximately 17 acres of open space in two phases located at the northwest corner of Rancho Vista Boulevard and Tilbury Drive and adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project.

Associate Planner Jasmine Almora presented the item and noted the applicant and staff are available for questions.

Chair Dean Henderson opened the public hearing.

Public Testimony was received from seven residents in opposition to the project. They raised concerns about fencing, traffic, emergency and public services, public safety, wildlife, and natural habitat preservation.

Chad Stadnicki of LA DF Investment Fund, representing the property owner and applicant, addressed the concerns related to public comments received as follows:

1. The unfinished infrastructure will be completed in two phases which includes traffic and street improvements that are meant to provide internal circulation and connections to existing roadways.
2. The property is privately owned and is not intended for public recreational use.
3. Initial studies for environmental impacts have been conducted in compliance with the California Environmental Quality Act (CEQA). Mitigation measures for biological resources, cultural resources, geology/soils, noise, and tribal cultural resources have been included. Additionally, the western Joshua trees, a protected species under the California Endangered Species Act, have been surveyed. There are eight western Joshua trees on site, and three will be removed to comply with all requirements from the California Department of Fish and Wildlife.
4. Retaining walls and a sidewalk on the north side of Collections Drive will include perimeter walls and fencing to address privacy concerns and will comply with City requirements.

The Commission and staff discussed public comments, access points for traffic signals, and concerns related to recreation and public facility uses. The Tentative Tract Map being presented is for a subdivision development plan that will facilitate the construction of the land. During discussions, staff noted that revisions to the Conditions of Approval have been provided and that there is an appeals process that takes place 10 days after the Commission adopts the project.

Chair Henderson closed the public hearing.

Motion: Adopt Resolution No. PC-2024-016; as amended.

Moved by: Vice Chair Elize, seconded by Commissioner Jones

Vote: Motion carried 5-0

Yes: Chair Dean Henderson, Vice Chair Getro Elize, Commissioners Ayeasha Jones, David Lujan, and Mateo Olivarez

6.C Adopt Resolution No. PC-2024-015, a Resolution of the Planning Commission of the City of Palmdale, approving Conditional Use Permit 23-0019, to extend the hours of operation and modify the existing restaurant use to establish a bar/nightclub/lounge for an existing restaurant located at 1173 West Rancho Vista Boulevard (Medrano's Mexican Restaurant) and finding that the project is categorically exempt from environmental review.

Juan Lopez, Assistant Planner, presented the item and noted both staff and applicant are available for questions.

Chair Henderson opened the public hearing.

Jose Medrano, the owner, addressed the Commission and stated that his priority in requesting this type of use is the safety and security of his customers. He confirmed that he understands all the conditions of approval.

The Commission and staff discussed the safety plan. The Public Safety division has reviewed the condition. If the business is not compliant, the City has the authority to revoke the Conditional Use Permit.

Chair Henderson closed the public hearing.

Motion: Adopt Resolution No. PC-2024-015

Moved by: Commissioner Jones, seconded by Commissioner Lujan

Vote: Motion carried 5-0

Yes: Chair Dean Henderson, Vice Chair Getro Elize, Commissioners Ayeasha Jones, David Lujan, and Mateo Olivarez

7. NON-AGENDA PUBLIC COMMENTS

No public comments were received.

8. STAFF COMMUNICATIONS

Brenda Magaña, Planning Manager, announced that the City is currently working with the Covington Group to entitle their large development project, the Antelope Valley Commerce Center (AVCC) Specific Plan. The EIR was recently circulated and the Specific Plan will be before the Commission in the upcoming months.

9. COMMISSIONER REPORTS, ANNOUNCEMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

No items were reported.

10. ADJOURNMENT

Chair Henderson Adjourned the Planning Commission meeting at 8:24 pm to Thursday, September 12, 2024, at 7:00 pm in the City Hall Council Chamber located at 38300 Sierra Highway.

PASSED, APPROVED AND ADOPTED this 12th day of September 2024.

Dean Henderson, Chair

ATTEST:

Sylvia Magallanes, Deputized Clerk



Planning Commission Staff Report

DATE: SEPTEMBER 12, 2024
TO: HONORABLE CHAIR AND PLANNING COMMISSIONERS
FROM: ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICANT: VIKAS AND SUNITI JINDAL
DISTRICT: 2
SUBJECT: ADOPT RESOLUTION NO. PC-2024-018, A RESOLUTION OF THE
PLANNING COMMISSION OF THE CITY OF PALMDALE
APPROVING CONDITIONAL USE PERMIT 23-0020, AN
APPLICATION TO ESTABLISH A LARGE RESIDENTIAL CARE
FACILITY LOCATED AT 4036 TOURNAMENT DRIVE AND FIND
THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM
ENVIRONMENTAL REVIEW

RECOMMENDATION

Staff recommends that the Planning Commission:

Adopt Resolution No. PC-2024-018, a Resolution of the Planning Commission of the City of Palmdale approving Conditional Use Permit (CUP) 23-0020 an application to establish a large Residential Care Facility located at 4036 Tournament Drive and find that the project is categorically exempt from environmental review.

BACKGROUND

The application for CUP 23-0020 was submitted on November 11, 2023, reviewed by staff and after the resolution of completeness items, the application was deemed complete on July 23, 2024, and scheduled for the September 12, 2024, Planning Commission meeting.

The site currently operates a small Residential Care Facility which is permitted by the Rancho Vista Specific Plan (SP), Palmdale Municipal Code (PMC), and State of California. The applicant is requesting to increase the number of residents within the current small Residential Care Facility from six to nine and establish a new large Residential Care Facility located at 4036 Tournament Drive.

The property is located within the Rancho Vista Specific Plan (SP), which does not specify regulations for the proposed use. As stated within the SP Section 3.0 Development Standards and Criteria, when any issue or condition arises that is not covered by the SP, the appropriate regulations contained in the Palmdale Zoning Ordinance apply as determined by the Director of Economic and Community Development. Therefore, PMC Section 17.91.070 requires the review and approval of a Conditional Use Permit.

FIGURE 1 - AERIAL MAP



ANALYSIS

TABLE 1 - EXISTING LAND USE / ZONING / GENERAL PLAN

| | Land Use | Zoning | General Plan |
|---------------------|-----------------------------------|--|----------------------------|
| Subject Site | Existing Single-Family Residence | Rancho Vista Specific Plan - Golf Course Community | Rancho Vista Specific Plan |
| North | Existing Single-Family Residences | Rancho Vista Specific Plan - Golf Course Community | Rancho Vista Specific Plan |
| South | Golf Course | Rancho Vista Specific Plan - Golf Course Community | Rancho Vista Specific Plan |
| East | Existing Single-Family Residences | Rancho Vista Specific Plan - Golf Course Community | Rancho Vista Specific Plan |
| West | Existing Single-Family Residences | Rancho Vista Specific Plan - Golf Course Community | Rancho Vista Specific Plan |

TABLE 2 - GENERAL PLAN AND SP CONSISTENCY

| Element | Goal, Objective, or Policy | Standard Met? | Justification* |
|--------------------------------------|---|----------------------|--|
| Land Use and Community Design | LUD-22.6 Special Needs Housing. Allow housing for special needs groups, including the developmentally disabled and non-traditional family groups, by allowing a diverse range of housing configurations. | Yes | The proposed large Residential Care Facility provides housing for patients with health issues, disabilities, and/or elderly within a single-family residence. Therefore, the use meets the goal of providing a diverse range of housing configurations for individuals with special needs, developmentally disabled persons, and/or non-traditional housing. |
| Housing | EHC-6.3 American with Disabilities Act (ADA) compliant housing. Facilitate housing for older adults and special needs groups, including the developmentally disabled and non-traditional family groups by allowing a diverse range of housing configurations that are compliant and flexible. | Yes | The proposed large Residential Care Facility provides housing for patients, which typically are older adults needing care, but not to a level where hospice care is needed. |

*Justification is based on a review by the case planner of the plans date stamped 'Received June 8, 2024'.

TABLE 3 - PMC AND SP STANDARDS

| | Standard | Standard Met? | Justification* |
|--------------------------|--|----------------------|---|
| Density | Large Residential Care Facilities which do not include individual kitchen facilities shall not be subject to density requirements. If the facility does include individual kitchen facilities and the units are considered “dwelling units” as defined in PMC Section 17.16.040, the facility shall be subject to the density. | Yes | The proposed large Residential Care Facility does not propose individual kitchen facilities and, therefore, complies with this requirement. |
| Common Facilities | Large Residential Care Facilities shall provide the following common areas, which shall be centrally located and accessible to all residents: kitchen(s), dining room(s), laundry facilities, restrooms, and lounges that provide televisions and areas for socializing and sitting (PMC Section 17.91.070.B.4). | Yes | The proposed large Residential Care Facility provides a kitchen, dining room, laundry facilities, restrooms, and lounges that provide television, areas for sitting, and areas for socializing and therefore, complies with this requirement. |
| Recreation | Recreation and entertainment areas shall be provided. Examples of recreation and entertainment areas include: activity areas; workshops; outdoor patios; and walking paths. The minimum standard is 1,200 square feet for one - 100 units (PMC Section 17.91.070.B.5). | Yes | The proposed large Residential Care Facility provides recreational facilities with an outdoor patio lounge, indoor television room, area for activities, and a 1,592 square foot outdoor walking area. Therefore, the project complies with this requirement. |

TABLE 3 - PMC AND SP STANDARDS (CONTINUED)

| | Standard | Standard Met? | Justification* |
|----------------|--|----------------------|--|
| Parking | <p>Parking. Off-street parking shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading) and the following: All required off-street parking shall be located a maximum of 150 feet from at least one entrance to the facility; If a shuttle stop is located on the property, shaded waiting areas and adequate and suitably striped paved areas for shuttle parking shall be provided adjacent to the shuttle stops; and large Residential Care Facility parking requirements may be adjusted on an individual project basis, subject to a parking study based on the type of assistance provided, and the location and proximity to services including but not limited to medical offices, shopping areas, mass transit, etc. Table 17.87.060-1: Residential Care Facilities, Large: one space for each employee, plus one space for each facility vehicle, plus one space for every eight beds.</p> | Yes | <p>The proposed large Residential Care Facility requires a total of three parking spaces. One space for the employee, one space for the facility vehicle, and one space for the nine beds. The proposed project has one covered and enclosed space within a garage and two parking spaces immediately in front of the garage and dwelling. Therefore, the parking provided complies with this requirement.</p> |

*Justification is based on a review by the case planner of the plans date stamped 'Received June 8, 2024'.

Site Layout

FIGURE 2 - SITE PLAN

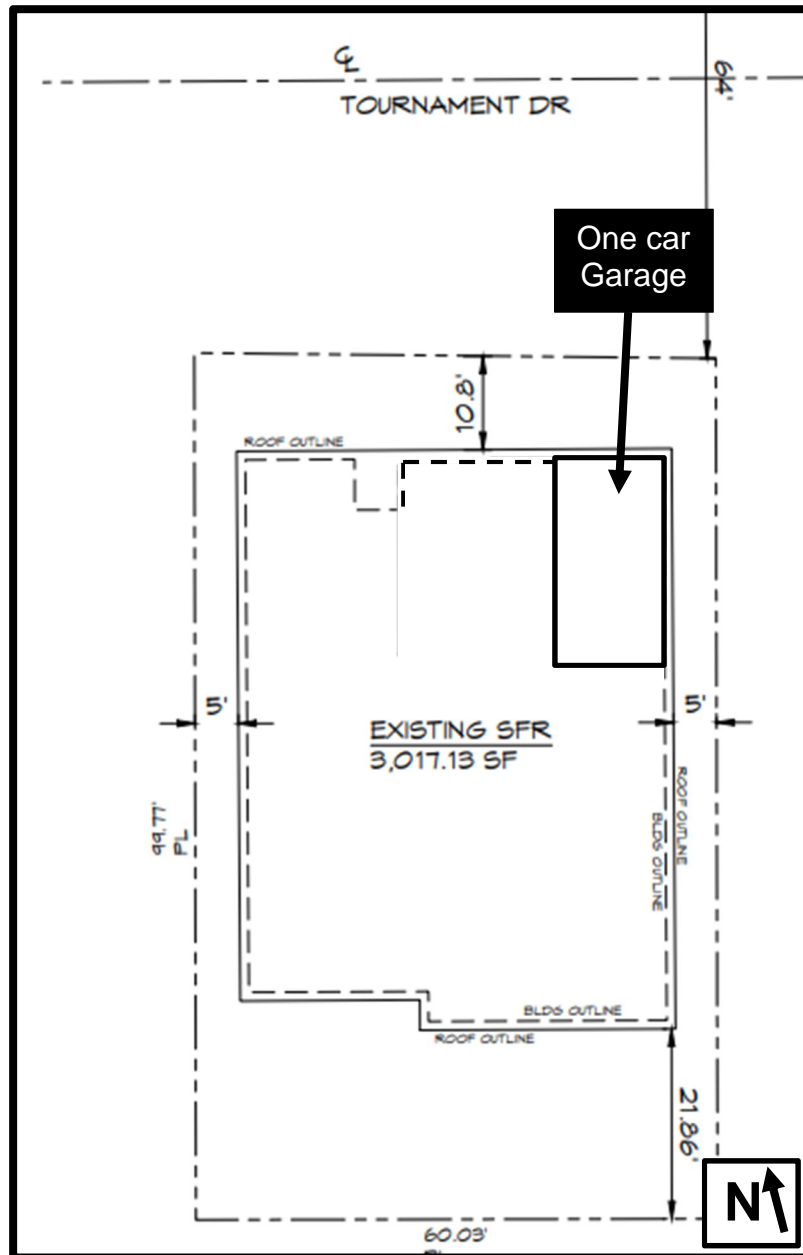


FIGURE 3 - FLOOR PLAN



Conditional Use Permit

CUP 23-0020 is a request to enlarge an existing small Residential Care Facility that was approved for six residents and proposes to increase the total to nine residents. The proposed large Residential Care Facility will have nine beds located within seven bedrooms and four bathrooms per the submitted floor plan. The residence will have one kitchen and dining room, a living room and recreational lounge, a laundry room, an outdoor recreational patio and walking area, a one-car garage and two spaces on the driveway. The large Residential Care Facility is a permitted use with the approval of a CUP application within the SP and as specified within PMC Section 17.35.020 (Allowed uses - Residential zones).

Conditions of Approval have been included within the draft Conditions of Approval to mitigate potential impacts associated with the large Residential Care Facility that may impact adjacent residences. Additionally, the existing use of a small Residential Care Facility has been in operation at the current location. The location is within an existing residential neighborhood and there are no anticipated impacts to the existing neighborhood. Therefore, the proposed project is not expected to adversely affect nearby properties.

In addition, the Residential Care Facility will be required to comply with the City of Palmdale as well as the State of California regulations for large Residential Care Facilities.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is categorically exempt from California Environmental Quality Act (CEQA) Guidelines review pursuant to Section 15301, Class 1, Existing Facilities of the CEQA Guidelines, which exempts the operation, permitting, and licensing involving negligible or no expansion of existing or former use. The proposed large Residential Care Facility within an existing single-family residence is a negligible expansion of the existing small Residential Care Facility and does not include any exterior modifications to the existing residence. Therefore, the project is exempt per CEQA Section 15301, Class 1 Existing Facilities.

| | |
|----------------------|--------------------------------------|
| Prepared by: | Ivan Galeazzi, Associate Planner |
| Approved by: | Brenda Magaña, Planning Manager |
| Approved as to form: | William P. Curley III, City Attorney |

ATTACHMENTS

Resolution No. PC-2024-018

PLANNING COMMISSION
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. PC-2024-018

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 23-0020, AN APPLICATION TO ESTABLISH A LARGE RESIDENTIAL CARE FACILITY LOCATED AT 4036 TOURNAMENT DRIVE AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW (APN: 3001-130-008)

WHEREAS, Vikas Jindal and Suniti Jindal have filed an application requesting the approval of Conditional Use Permit (CUP) 23-0020, described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application, applies to a parcel located at 4036 Tournament Drive as indicated on the Los Angeles County Assessor roll as Assessor Parcel Number 3001-130-008, legally described in Exhibit A hereto and shown on the map attached hereto as Exhibit B; and

WHEREAS, on September 12, 2024, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date; and

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

NOW THEREFORE, BE IT RESOLVED, THE PLANNING COMMISSION OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

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

SECTION 2. The Planning Commission hereby finds as follows with respect to the environmental document.

- A The proposed project is exempt pursuant to the California Environmental Quality Act (CEQA), the proposed project is categorically exempt from California Environmental Quality Act (CEQA) Guidelines review pursuant to Section 15301, Class 1, Existing Facilities of the CEQA Guidelines, which exempts the operation, permitting, and licensing involving negligible or no expansion of existing or former use. The proposed large Residential Care Facility within an existing single-family residence, is a negligible expansion of the existing small Residential Care Facility and does not include any

exterior modifications to the existing residence. Therefore, the project is exempt per CEQA Section 15301, Class 1 Existing Facilities.

- B The custodian of records for all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

SECTION 3. Based upon substantial evidence presented to this Commission during the above-referenced September 12, 2024, public hearing, including public testimony, and written and oral staff report, this Commission specifically finds as follows:

- A The proposed use is consistent with the goals, policies, and objectives of the General Plan.

The project is consistent with the policies and objectives of the General Plan as shown in Exhibit C. The subject site is within the Rancho Vista Specific Plan General Plan Land Use designation. The proposed use is a request to establish a large Residential Care Facility and no expansion of the single-family residence is proposed. The request for the proposed use is permitted under the Rancho Vista Specific Plan, subject to the approval of a CUP application.

- B The proposed use is beneficial and desirous to the community and is consistent with the purpose, intent and standards of this Title and other applicable ordinances and codes adopted by the City.

The Large Residential Care Facility will allow for additional housing options, care, and affordability for more residents. Additionally, the project will comply with the standards of development as described in Exhibit D.

- C The proposed use and the ongoing operation of the use will not have a substantial adverse effect on abutting property or the allowed use thereof, and will not generate excessive noise, vibration, traffic, or other disturbances, nuisances, or hazards.

The proposed project is a request to establish a large Residential Care Facility and that does not propose an expansion to the single-family residence as depicted in Exhibit B. The use is permitted with the approval of a CUP application within the Rancho Vista Specific Plan. The existing Residential Care Facility currently provides care to six residents in a

residential setting, and the additional three residents will not have a substantial adverse effect on abutting properties because the appearance of the use of the property as single-family residence will continue. Therefore, the allowed use will not generate excessive noise, vibration, traffic, or other disturbances, nuisances, or hazards.

Conditions have been included within the Conditions of Approval to mitigate potential impacts associated with noise, rideshare or other transportation services. Additionally, the existing sensitive uses within the immediate vicinity are residential uses similar to the proposed project. The increase in residents does not change the existing use; it will continue the appearance of the use of the property as a single-family residence, and the day-to-day operational characteristics are similar to those of the surrounding residential properties. Therefore, the proposed project is not expected to adversely affect nearby properties.

- D The site for the proposed use has adequate pedestrian and vehicular access.

The project site is fully developed, and access is provided through Tournament Drive. There are no proposed changes to the exterior of the dwelling or driveway as part of this Application.

SECTION 4. Based on the findings and conclusions set forth in Sections 1, 2, and 3 above, this Commission hereby approves Conditional Use Permit 23-0020.

SECTION 5. The Deputized Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 12th day of September 2024.

Dean Henderson
Chair, Planning Commission

ATTEST:

Sylvia Magallanes, Deputized Clerk

I, Sylvia Magallanes, Deputized Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly approved, and adopted by the Planning Commission of the City of Palmdale at a regular meeting of said Commission held on the 12th day of September, 2024, by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

Date: _____
Sylvia Magallanes, Deputized Clerk

EXHIBIT A

LEGAL DESCRIPTION FOR CUP 23-0020

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT 7 OF TRACT NO. 49016-08 IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1272. PAGES 44 THROUGH 51, INCLUSIVE OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM AND EXCEPTING TO GRANTOR ALL OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BUT WITHOUT THE RIGHT OF SURFACE ENTRY.

PROPERTY COMMONLY KNOWN AS: 4036 TOURNAMENT DRIVE, PALMDALE, CA 93351

(APN: 3001-130-008)

EXHIBIT B

AERIAL MAP FOR CUP 23-0020



EXHIBIT C

GENERAL PLAN AND SP CONSISTENCY TABLE

| Element | Goal, Objective, or Policy | Standard Met? | Justification* |
|--------------------------------------|---|----------------------|--|
| Land Use and Community Design | LUD-22.6 Special Needs Housing. Allow housing for special needs groups, including the developmentally disabled and non-traditional family groups, by allowing a diverse range of housing configurations. | Yes | The proposed large Residential Care Facility provides housing for patients with health issues, disabilities, and/or elderly within a single-family residence. Therefore, the use meets the goal of providing a diverse range of housing configurations for individuals with special needs, developmentally disabled persons, and/or non-traditional housing. |
| Housing | EHC-6.3 American with Disabilities Act (ADA) compliant housing. Facilitate housing for older adults and special needs groups, including the developmentally disabled and non-traditional family groups by allowing a diverse range of housing configurations that are compliant and flexible. | Yes | The proposed large Residential Care Facility provides housing for patients, which typically are older adults needing care, but not to a level where hospice care is needed. |

*Justification is based on a review by the case planner of the plans date stamped 'Received June 8, 2024'.

EXHIBIT D

PMC AND SP DEVELOPMENT STANDARDS TABLE

| | Standard | Standard Met? | Justification* |
|-----------------------------------|--|----------------------|---|
| Density | Large Residential Care Facilities which do not include individual kitchen facilities shall not be subject to density requirements. If the facility does include individual kitchen facilities and the units are considered “dwelling units” as defined in PMC Section 17.16.040, the facility shall be subject to the density. | Yes | The proposed large Residential Care Facility does not propose individual kitchen facilities and, therefore, complies with this requirement. |
| Common Area and Facilities | Large Residential Care Facilities shall provide the following common areas, which shall be centrally located and accessible to all residents: kitchen(s), dining room(s), laundry facilities, restrooms, and lounges that provide televisions and areas for socializing and sitting (PMC Section 17.91.070.B.4). | Yes | The proposed large Residential Care Facility provides a kitchen, dining room, laundry facilities, restrooms, and lounges that provide television, areas for sitting, and areas for socializing and therefore, complies with this requirement. |

PMC AND SP DEVELOPMENT STANDARDS TABLE (CONTINUED)

| | Standard | Standard Met? | Justification* |
|-------------------|---|----------------------|---|
| Recreation | Recreation and entertainment areas shall be provided. Examples of recreation and entertainment areas include: activity areas; workshops; outdoor patios; and walking paths. The minimum standard is 1,200 square feet for one -100 units (PMC Section 17.91.070.B.5). | Yes | The proposed large Residential Care Facility provides recreational facilities with an outdoor patio lounge, indoor television room, area for activities, and a 1,592 square foot outdoor walking area. Therefore, the project complies with this requirement. |

PMC AND SP DEVELOPMENT STANDARDS TABLE (CONTINUED)

| | Standard | Standard Met? | Justification* |
|---------------------------|---|----------------------|--|
| Off-Street Parking | <p>Parking. Off-street parking shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading) and the following: All required off-street parking shall be located a maximum of 150 feet from at least one entrance to the facility; If a shuttle stop is located on the property, shaded waiting areas and adequate and suitably striped paved areas for shuttle parking shall be provided adjacent to the shuttle stops; and large Residential Care Facility parking requirements may be adjusted on an individual project basis, subject to a parking study based on the type of assistance provided, and the location and proximity to services including but not limited to medical offices, shopping areas, mass transit, etc.</p> <p>Table 17.87.060-1: Residential Care Facilities, Large: one space for each employee, plus one space for each facility vehicle, plus one space for every eight beds.</p> | Yes | <p>The proposed large Residential Care Facility requires a total of three parking spaces. One space for the employee, one space for the facility vehicle, and one space for the nine beds. The proposed project has one covered and enclosed space within a garage and two parking spaces immediately in front of the garage and dwelling. Therefore, the parking provided complies with this requirement.</p> |

*Justification is based on a review by the case planner of the plans date stamped 'Received June 8, 2024'

EXHIBIT E

DRAFT

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 23-0020

APPROVAL DATE: SEPTEMBER 12, 2024
EFFECTIVE DATE: SEPTEMBER 24, 2024
USE INAUGURATION DATE: SEPTEMBER 24, 2027

These Conditions of Approval apply to Conditional Use Permit (CUP) 23-0020; a request to establish a large Residential Care Facility located at 4036 Tournament Drive, (APN: 3001-130-008). Any proposed change of use or expansion of the area, or modifications to the site plan or structures shall be submitted to the Planning Division, along with the required application and fee, for review. For the purpose of these conditions, the term “applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS:

- 1 Conditional Use Permit 23-0020 shall be inaugurated within three years, or it shall automatically expire on September 24, 2027. This approval is based on the plans date stamped, ‘Received June 8, 2024’. The CUP shall be considered inaugurated when the notarized Certification of Acceptance of Conditions is provided to the Planning Division. (P)
- 2 This approval shall not become effective for any purposes until any appeal period has passed and the applicant has filed at the office of the Planning Division their notarized affidavit stating that they agree to and accept all of the Conditions of Approval as approved by the Reviewing Authority as set forth in Resolution No. PC-2024-018. (P)
- 3 Should this project not be inaugurated during the initial approval period, an extension of time not to exceed an additional two years may be granted by the Review Authority. Applications for time extensions must be filed a minimum of 90 days prior to the expiration date. Requests for time extensions must be accompanied by a formal application, all required exhibits and plans, and required application fees. (P)

- 4 Immediately upon approval of this project by the Review Authority, the applicant shall submit to the City a cashier's check or check, payable to Los Angeles County Clerk in the amount of \$75 for the environmental filing fee in compliance with the California Environmental Quality Act (CEQA) Guidelines. Furthermore, if the California Department of Fish and Wildlife (CDFW) determines that this project is not exempt from a filing fee imposed pursuant to Fish and Wildlife Code Section 711.4 because the project has more than a de minimis impact on fish and wildlife, then the applicant shall also pay to CDFW any fee and any fine which the Department determines to be owed. (P)
- 5 The applicant shall defend, indemnify, and hold harmless the City its elected and appointed officials, officers, employees, and agents from and against any claim, action, or proceeding against the City, its elected and appointed officials, officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City concerning this project, including but not limited to any approval or condition of approval of the Review Authority. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its elected and appointed officials, officers, employees, and agents in the defense of the matter. (P)
- 6 Pursuant to Government Code Section 66020(a), any party may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this development project. Required fees must be paid in full or arrangements must be made to pay the fee when due. Written notice of payment under protest must be filed with the City at the time of approval or conditional approval of this project or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions imposed on this project. (P)
- 7 The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements in the PMC, including the requirement that a business license be obtained by all entities doing business in the City. (P)
- 8 The use shall meet the standards and shall be developed within the limits established by the Palmdale Municipal Code (PMC) as related to emissions of noise, odor, dust, vibration, wastes, fumes, or any public nuisances arising or occurring incidental to operation of the facility. (P)

- 9 The applicant shall be responsible for the ongoing maintenance and upkeep of the site, in accordance with the property maintenance requirements as set forth in the PMC Chapter 8.36 (Regulation of Property Maintenance). (P)
- 10 When exhibits and written Conditions of Approval are inconsistent, the written conditions shall prevail. (P)(E)

THE FOLLOWING CONDITIONS SHALL BE MET AS AN ON-GOING ELEMENT OF THE PROJECT:

- 11 A valid business license obtained from HdL Business Support Center shall be maintained while the use is in operation. (P)
- 12 The operation of the business shall comply fully with all the rules and regulations of the PMC. Failure to comply with the PMC shall be subject to PMC Section 1.12.010 (Misdemeanors – Infractions – Administrative Citations), which specifies the violation is a misdemeanor, and subject to penalties specified in PMC Section 1.12.020 (Punishment). (P)
- 13 If problems arise as a result of business practices or operations that are detrimental to public health, safety, or welfare, the Review Authority may review the CUP and, if after review, the Review Authority deems that there is sufficient evidence that the business practices or operations are detrimental to public health, safety, or welfare then the Review Authority, subsequent to a public hearing, may revoke the CUP pursuant to PMC Section 17.22.070 (Post Decision Procedures). (P)
- 14 Pursuant to PMC Section 17.22.050 (Approval Requirements and Conditions), the CUP approval shall apply only to the property for which the application was made and shall apply to that property as long as the use for which approval was granted is in effect, regardless of changes in ownership. (P)
- 15 Revisions or modifications to an approved CUP such as, but not limited to, expansions or intensification of the use, may be requested by the applicant. Such requests shall be processed through the proper application, as determined by the Review Authority. (P)
- 16 The applicant shall be responsible for the establishment, maintenance, and upkeep of the landscape area and all landscape vegetation. All landscape vegetation shall be maintained in a manner to ensure proper growth. Trees and other landscape vegetation shall be pruned as needed to ensure proper growth

and give a maintained appearance. Trees shall not be “topped” or pruned excessively. (P)

- 17 The applicant shall comply with the State of California’s Department of Health Care Services requirements for Residential Care Facilities for the Elderly and shall be in substantial compliance and good standing with the licensing regulations [Ref: Title 22, § 87101(s)(9)].

Key to Departmental Conditions:

(B&S) Building and Safety Division (661-267-5353)

(E) Engineering Division (661-267-5272)

(F) Los Angeles County Fire Department (661-949-6319)

(P) Planning Division (661-267-5200)

(PS) Public Safety Division (661-267-5170)

(TE) Traffic Engineering (661-267-5300)



Planning Commission Staff Report

DATE: SEPTEMBER 12, 2024
TO: HONORABLE CHAIR AND PLANNING COMMISSIONERS
FROM: ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICANT: VIKAS AND SUNITI JINDAL
DISTRICT: 2
SUBJECT: ADOPT RESOLUTION NO. PC-2024-020, A RESOLUTION OF THE
PLANNING COMMISSION OF THE CITY OF PALMDALE
APPROVING CONDITIONAL USE PERMIT 23-0021, AN
APPLICATION TO ESTABLISH A LARGE RESIDENTIAL CARE
FACILITY LOCATED AT 5542 LAS BRISAS TERRACE AND FIND
THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM
ENVIRONMENTAL REVIEW

RECOMMENDATION

Staff recommends that the Planning Commission:

Adopt Resolution No. PC-2024-020, a Resolution of the Planning Commission of the City of Palmdale approving Conditional Use Permit (CUP) 23-0021, an application to establish a large Residential Care Facility located at 5542 Las Brisas Terrace and find that the project is categorically exempt from environmental review.

BACKGROUND

The application for CUP 23-0021 was submitted on November 16, 2023, reviewed by staff and after the resolution of completeness items, the application was deemed complete on July 23, 2024, and scheduled for the September 12, 2024, Planning Commission meeting.

The site currently operates a small Residential Care Facility which is permitted by the Palmdale Municipal Code (PMC) and State of California. The applicant is requesting to increase the number of residents within the current small Residential Care Facility from six to 10 and establish a new Large Residential Care Facility located at 5542 Las Brisas Terrace.

The property is located within the Single-Family Residential 2 (SFR 2) zoning district. The proposed use is regulated by PMC Section 17.91.070 and requires the review and approval of a Conditional Use Permit.

FIGURE 1 - AERIAL MAP



ANALYSIS

TABLE 1 - EXISTING LAND USE / ZONING / GENERAL PLAN

| | Land Use | Zoning | General Plan |
|---------------------|-----------------------------------|-------------------------------------|-------------------------------------|
| Subject Site | Existing Single-Family Residences | Single-Family Residential 2 (SFR 2) | Single-Family Residential 2 (SFR 2) |
| North | Existing Single-Family Residences | Single-Family Residential 2 (SFR 2) | Single-Family Residential 2 (SFR 2) |
| South | Existing Single-Family Residences | Single-Family Residential 2 (SFR 2) | Single-Family Residential 2 (SFR 2) |
| East | Existing Single-Family Residences | Single-Family Residential 2 (SFR 2) | Single-Family Residential 2 (SFR 2) |
| West | Existing Single-Family Residences | Single-Family Residential 2 (SFR 2) | Single-Family Residential 2 (SFR 2) |

TABLE 2 - GENERAL PLAN CONSISTENCY

| Element | Goal, Objective, or Policy | Standard Met? | Justification* |
|--------------------------------------|---|----------------------|--|
| Land Use and Community Design | LUD-22.6 Special Needs Housing. Allow housing for special needs groups, including the developmentally disabled and non-traditional family groups, by allowing a diverse range of housing configurations. | Yes | The proposed large Residential Care Facility provides housing for patients with health issues, disabilities, and/or elderly within a single-family residence. Therefore, the use meets the goal of providing a diverse range of housing configurations for individuals with special needs, developmentally disabled persons, and/or non-traditional housing. |
| Housing | EHC-6.3 American with Disabilities Act (ADA) compliant housing. Facilitate housing for older adults and special needs groups, including the developmentally disabled and non-traditional family groups by allowing a diverse range of housing configurations that are compliant and flexible. | Yes | The proposed large Residential Care Facility provides housing for patients, which typically are older adults needing care, but not to a level where hospice care is needed. |

*Justification is based on a review by the case planner of the plans date stamped 'Received July June 8, 2024'.

TABLE 3 - PMC STANDARDS

| | Standard | Standard Met? | Justification* |
|------------------------------------|--|----------------------|---|
| Density | Large Residential Care facilities which do not include individual kitchen facilities shall not be subject to density requirements. If the facility does include individual kitchen facilities and the units are considered “dwelling units” as defined in PMC Section 17.16.040, the facility shall be subject to the density. | Yes | The proposed large Residential Care Facility does not propose individual kitchen facilities and, therefore, complies with this requirement. |
| Common Areas and Facilities | Large Residential Care Facilities shall provide the following common areas, which shall be centrally located and accessible to all residents: kitchen(s), dining room(s), laundry facilities, restrooms, and lounges that provide televisions and areas for socializing and sitting (PMC Section 17.91.070.B.4). | Yes | The proposed large Residential Care Facility provides a kitchen, dining room, laundry facilities, restrooms, and lounges that provide television, areas for sitting, and areas for socializing and therefore, complies with this requirement. |
| Recreation | Recreation and entertainment areas shall be provided. Examples include: activity areas; workshops; outdoor patios; and walking paths. The minimum standard is 1,200 square feet for one - 100 units (PMC Section 17.91.070.B.5). | Yes | The proposed large Residential Care Facility provides recreational facilities with an outdoor patio lounge, indoor television room, area for activities, and a 2,236-square-foot outdoor walking area, which complies with this requirement. |

TABLE 3 - PMC STANDARDS (CONTINUED)

| | Standard | Standard Met? | Justification* |
|----------------|--|----------------------|--|
| Parking | <p>Parking. Off-street parking shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading) and the following: All required off-street parking shall be located a maximum of 150 feet from at least one entrance to the facility; If a shuttle stop is located on the property, shaded waiting areas and adequate and suitably striped paved areas for shuttle parking shall be provided adjacent to the shuttle stops; and large Residential Care Facility parking requirements may be adjusted on an individual project basis, subject to a parking study based on the type of assistance provided, and the location and proximity to services including but not limited to medical offices, shopping areas, mass transit, etc. Table 17.87.060-1: Residential Care Facilities, Large: one space for each employee, plus one space for each facility vehicle, plus one space for every eight beds.</p> | Yes | <p>The proposed large Residential Care Facility, per Section 17.87.060-1, requires a total of three parking spaces: one space for the employee, one space for the facility vehicle, and one space for the 10 beds. The proposed project has three enclosed spaces within a garage and two parking spaces in the driveway in front of the garage. Therefore, the parking provided complies with this requirement.</p> |

*Justification is based on a review by the case planner of the plans date stamped 'Received June 8, 2024'.

Site Layout

FIGURE 2 - SITE PLAN

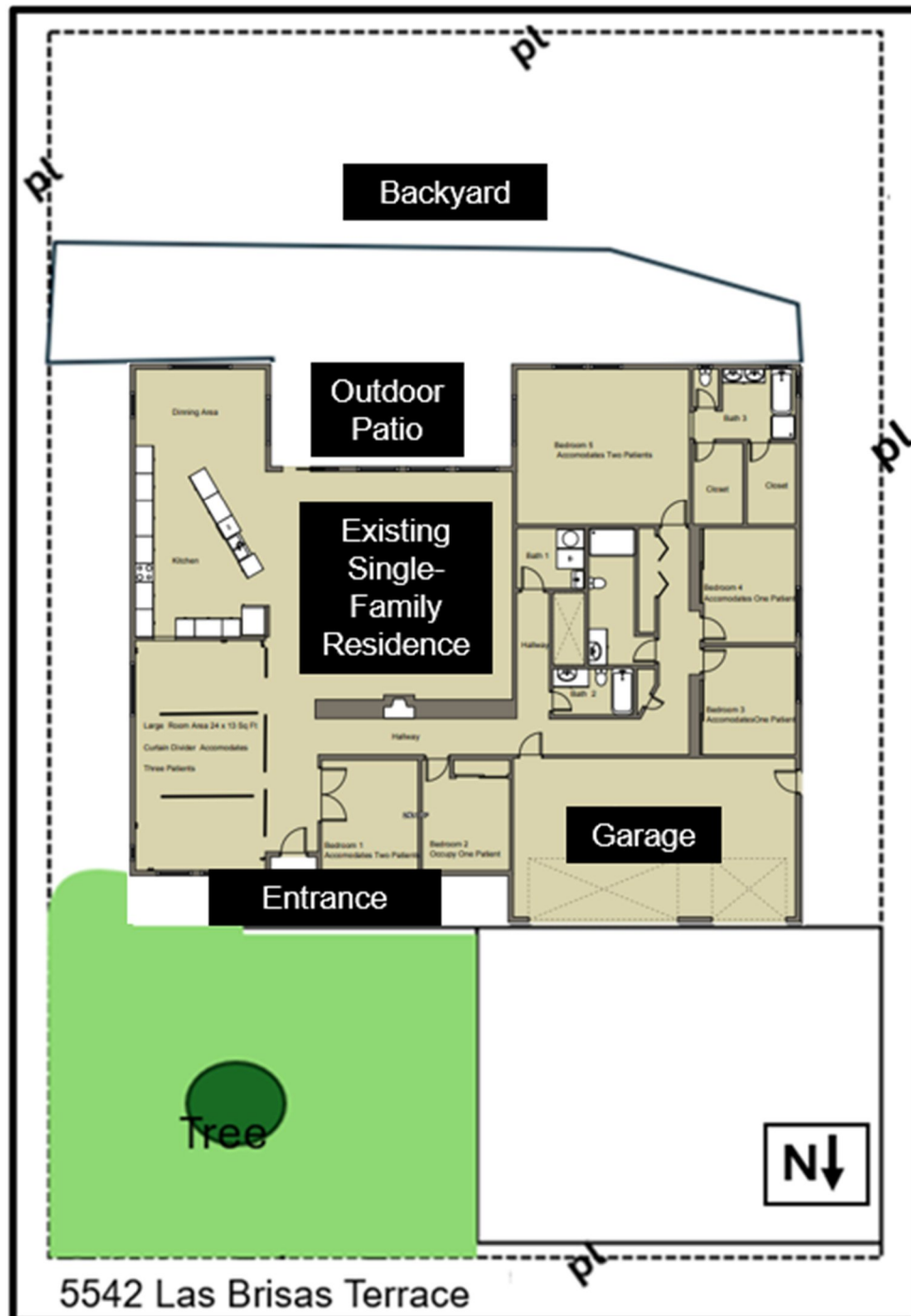
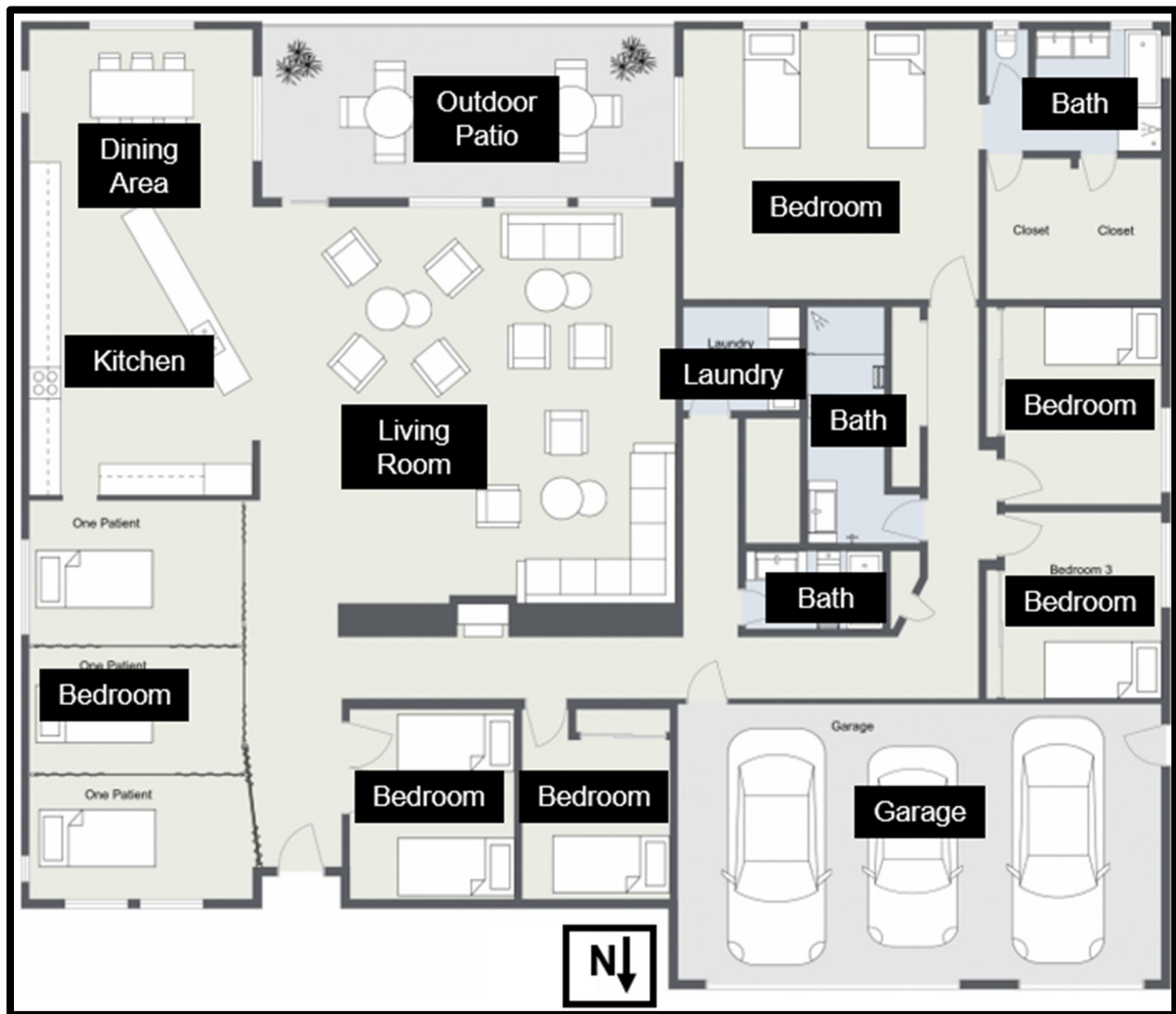


FIGURE 2 - FLOOR PLAN



Conditional Use Permit

CUP 23-0021 is a request to establish a large Residential Care Facility which proposes 10 residents. The proposed large Residential Care Facility will have 10 beds located within six bedrooms and three bathrooms per the submitted floor plan. The residence will have one kitchen and dining room, a living room and recreational lounge, a laundry room, an outdoor recreational patio and walking area, a three-car garage and two spaces on the driveway. The large Residential Care Facility is a permitted use with the approval of a CUP application within the SFR 2 zone and as specified within PMC Section 17.35.020 (Allowed uses - Residential zones).

Draft Conditions of Approval have been included to mitigate potential impacts associated with the large Residential Care Facility that may impact adjacent residences. Additionally, the existing use of a small Residential Care Facility has been in operation at the current location. The location is within an existing residential neighborhood and there are no anticipated impacts to the existing neighborhood as the proposed use is maintaining the appearance of a residential use. Therefore, the proposed project is not expected to adversely affect nearby properties.

In addition, the large Residential Care Facility will be required to comply with the City of Palmdale as well as the State of California regulations for large Residential Care Facilities.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is categorically exempt from California Environmental Quality Act (CEQA) Guidelines review pursuant to Section 15301, Class 1, Existing Facilities of the CEQA Guidelines, which exempts the operation, permitting, and licensing involving negligible or no expansion of existing or former use. The proposed large Residential Care Facility within an existing single-family residence, is a negligible expansion of the existing small Residential Care Facility and does not include any exterior modifications to the existing residence. Therefore, the project is exempt per CEQA Section 15301, Class 1 Existing Facilities.

| | |
|----------------------|--------------------------------------|
| Prepared by: | Ivan Galeazzi, Associate Planner |
| Approved by: | Brenda Magaña, Planning Manager |
| Approved as to form: | William P. Curley III, City Attorney |

ATTACHMENT

Resolution No. PC-2024-020

PLANNING COMMISSION
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. PC-2024-020

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 23-0021, AN APPLICATION TO ESTABLISH A LARGE RESIDENTIAL CARE FACILITY LOCATED AT 5542 LAS BRISAS TERRACE AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW (APN: 3001-140-010)

WHEREAS, Vikas Jindal and Suniti Jindal have filed an application requesting the approval of Conditional Use Permit (CUP) 23-0021, described herein (hereinafter referred to as “Application”); and

WHEREAS, the Application applies to a parcel located at 5542 Las Brisas Terrace as indicated on the Los Angeles County Assessor roll as Assessor Parcel Number 3001-140-010, legally described in Exhibit A hereto and shown on the map attached hereto as Exhibit B; and

WHEREAS, on September 12, 2024, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date; and

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

NOW THEREFORE, BE IT RESOLVED, THE PLANNING COMMISSION OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

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

SECTION 2. The Planning Commission hereby finds as follows with respect to the environmental document.

- A The proposed project is exempt pursuant to the California Environmental Quality Act (CEQA), the proposed project is categorically exempt from California Environmental Quality Act (CEQA) Guidelines review pursuant to Section 15301, Class 1, Existing Facilities of the CEQA Guidelines, which exempts the operation, permitting, and licensing involving negligible or no expansion of existing or former use. The proposed large Residential Care Facility within an existing single-family residence, is a negligible expansion of the existing small Residential Care Facility and does not include any exterior modifications to the existing residence. Therefore, the project is

exempt per CEQA Section 15301, Class 1 Existing Facilities. The custodian of records for all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

SECTION 3. Based upon substantial evidence presented to this Commission during the above-referenced September 12, 2024, public hearing, including public testimony, and written and oral staff report, this Commission specifically finds as follows:

- A The proposed use is consistent with the goals, policies, and objectives of the General Plan.

The project is consistent with the policies and objectives of the General Plan as shown in Exhibit C. The subject site is within the Single-Family 2 (SFR 2) General Plan Land Use designation. The proposed use is a request to would establish a large Residential Care Facility and no expansion of the single-family residence is proposed. The request for the proposed use is permitted under Palmdale Municipal Code (PMC) Section 17.35.020, subject to the approval of a CUP application.

- B The proposed use is beneficial and desirous to the community and is consistent with the purpose, intent and standards of this Title and other applicable ordinances and codes adopted by the City.

The Residential Care Facility will allow for additional housing options, care, and affordability for more residents. Additionally, the project will comply with the standards of development as described in Exhibit D.

- C The proposed use and the ongoing operation of the use will not have a substantial adverse effect on abutting property or the allowed use thereof, and will not generate excessive noise, vibration, traffic, or other disturbances, nuisances, or hazards.

The proposed project is a request to establish a large Residential Care Facility and no expansion of the single-family residence is proposed as depicted in Exhibit B. The use is permitted with the approval of a CUP application within the SFR 2 zone, as specified within PMC Chapter 17.35.020 (Allowed uses – Residential zones). The existing Residential Care Facility currently provides care to six residents in a residential setting, and the additional four residents will not have a substantial adverse effect

on abutting properties because the appearance of the use of the property as a single-family residence will continue. Therefore, the allowed use will not generate excessive noise, vibration, traffic, or other disturbances, nuisances, or hazards.

Conditions have been included within the Conditions of Approval to mitigate potential impacts associated with noise, rideshare or other transportation services. Additionally, the existing sensitive uses within the immediate vicinity are residential uses similar to the proposed project. The increase in residents does not change the existing use; it will continue the appearance of the use of the property as a single-family residence, and the day-to-day operational characteristics are similar to those of the surrounding residential properties. Therefore, the proposed project is not expected to adversely affect nearby properties.

- D The site for the proposed use has adequate pedestrian and vehicular access.

The project site is fully developed, and access is provided through Las Brisas Terrace. There are no proposed changes to the exterior of the dwelling or driveway as part of this Application.

SECTION 4. Based on the findings and conclusions set forth in Sections 1, 2, and 3 above, this Commission hereby approves Conditional Use Permit 23-0021.

SECTION 5. The Deputized Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 12th day of September 2024.

Dean Henderson
Chair, Planning Commission

ATTEST:

Sylvia Magallanes, Deputized Clerk

I, Sylvia Magallanes, Deputized Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly approved, and adopted by the Planning Commission of the City of Palmdale at a regular meeting of said Commission held on the 12th day of September 2024, by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

Date: _____
Sylvia Magallanes, Deputized Clerk

EXHIBIT A

LEGAL DESCRIPTION FOR CUP 23-0021

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT 9 OF TRACT NO. 52490 IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1287. PAGE(S) 20 AND 21 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PROPERTY COMMONLY KNOWN AS: 5542 LAS BRISAS TERRACE, PALMDALE, CA 93351

(APN: 3001-140-010)

EXHIBIT B

AERIAL MAP FOR CUP 23-0021

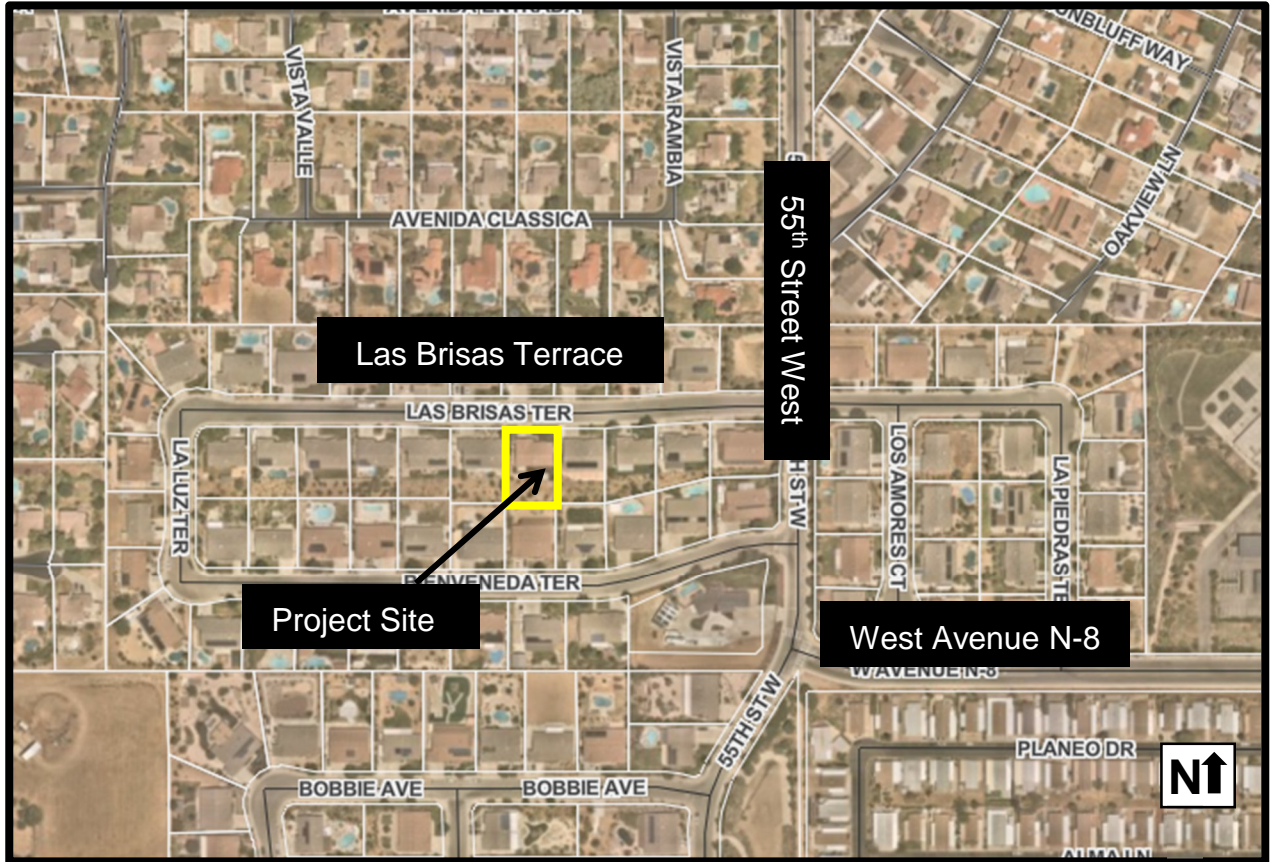


EXHIBIT C

GENERAL PLAN CONSISTENCY TABLE

| Element | Goal, Objective, or Policy | Standard Met? | Justification* |
|--------------------------------------|--|---------------|--|
| Land Use and Community Design | LUD-22.6 Special Needs Housing. Allow housing for special needs groups, including the developmentally disabled and non-traditional family groups, by allowing a diverse range of housing configurations. | Yes | The proposed large Residential Care Facility provides housing for patients with health issues, disabilities, and/or elderly within a single-family residence. Therefore, the use meets the goal of providing a diverse range of housing configurations for individuals with special needs, developmentally disabled persons, and/or non-traditional housing. |
| Housing | EH-6.3 American with Disabilities Act (ADA) compliant housing. Facilitate housing for older adults and special needs groups, including the developmentally disabled and non-traditional family groups by allowing a diverse range of housing configurations that are compliant and flexible. | Yes | The proposed large Residential Care Facility provides housing for patients, which typically are older adults needing care, but not to a level where hospice care is needed. |

*Justification is based on a review by the case planner of the plans date stamped 'Received June 8, 2024'.

EXHIBIT D

PMC DEVELOPMENT STANDARDS TABLE

| | Standard | Standard Met? | Justification* |
|--------------------------|--|---------------|---|
| Density | Large Residential Care facilities which do not include individual kitchen facilities shall not be subject to density requirements. If the facility does include individual kitchen facilities and the units are considered “dwelling units” as defined in PMC Section 17.16.040, the facility shall be subject to the density. | Yes | The proposed large Residential Care Facility does not propose individual kitchen facilities and, therefore, complies with this requirement. |
| Common Facilities | Large Residential Care Facilities shall provide the following common areas, which shall be centrally located and accessible to all residents: kitchen(s), dining room(s), laundry facilities, restrooms, and lounges that provide televisions and areas for socializing and sitting (PMC Section 17.91.070.B.4). | Yes | The proposed large Residential Care Facility provides a kitchen, dining room, laundry facilities, restrooms, and lounges that provide television, areas for sitting, and areas for socializing and therefore, complies with this requirement. |
| Recreation | Recreation and entertainment areas shall be provided. Examples include: activity areas; workshops; outdoor patios; and walking paths. The minimum standard is 1,200 square feet for one -100 units (PMC Section 17.91.070.B.5). | Yes | The proposed large Residential Care Facility provides recreational facilities with an outdoor patio lounge, indoor television room, area for activities, and a 2,236-square-foot outdoor walking area, which complies with this requirement. |

PMC DEVELOPMENT STANDARDS TABLE (CONTINUED)

| | Standard | Standard Met? | Justification* |
|---------------------------|--|----------------------|--|
| Off-Street Parking | <p>Parking. Off-street parking shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading) and the following: All required off-street parking shall be located a maximum of 150 feet from at least one entrance to the facility; If a shuttle stop is located on the property, shaded waiting areas and adequate and suitably striped paved areas for shuttle parking shall be provided adjacent to the shuttle stops; and large Residential Care Facility parking requirements may be adjusted on an individual project basis, subject to a parking study based on the type of assistance provided, and the location and proximity to services including but not limited to medical offices, shopping areas, mass transit, etc. Table 17.87.060-1: Residential Care Facilities, Large: one space for each employee, plus one space for each facility vehicle, plus one space for every eight beds.</p> | Yes | <p>The proposed large Residential Care Facility, per Section 17.87.060-1, requires a total of three parking spaces: one space for the employee, one space for the facility vehicle, and one space for the 10 beds. The proposed project has three enclosed spaces within a garage and two parking spaces in the driveway in front of the garage. Therefore, the parking provided complies with this requirement.</p> |

*Justification is based on a review by the case planner of the plans date stamped 'Received June 8, 2024'.

EXHIBIT E

DRAFT

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 23-0021

APPROVAL DATE: SEPTEMBER 12, 2024
EFFECTIVE DATE: SEPTEMBER 24, 2024
USE INAUGURATION DATE: SEPTEMBER 24, 2027

These Conditions of Approval apply to Conditional Use Permit (CUP) 23-0021; a request to establish a large Residential Care Facility located at 5542 Las Brisas Terrace, (APN: 3001-140-010). Any proposed change of use or expansion of the area, or modifications to the site plan or structures shall be submitted to the Planning Division, along with the required application and fee, for review. For the purpose of these conditions, the term “applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS:

- 1 Conditional Use Permit 23-0021 shall be inaugurated within three years or it shall automatically expire on September 24, 2027. This approval is based on the plans date stamped, ‘Received June 8, 2024’. The CUP shall be considered inaugurated when the notarized Certification of Acceptance of Conditions is provided to the Planning Division. (P)
- 2 This approval shall not become effective for any purposes until any appeal period has passed and the applicant has filed at the office of the Planning Division their notarized affidavit stating that they agree to and accept all of the Conditions of Approval as approved by the Reviewing Authority as set forth in Resolution No. PC-2024-020. (P)
- 3 Should this project not be inaugurated during the initial approval period, an extension of time not to exceed an additional two years may be granted by the Review Authority. Applications for time extensions must be filed a minimum of 90 days prior to the expiration date. Requests for time extensions must be accompanied by a formal application, all required exhibits and plans, and required application fees. (P)
- 4 Immediately upon approval of this project by the Review Authority, the applicant shall submit to the City a cashier’s check or check, payable to Los Angeles County

Clerk in the amount of \$75 for the environmental filing fee in compliance with the California Environmental Quality Act (CEQA) Guidelines. Furthermore, if the California Department of Fish and Wildlife (CDFW) determines that this project is not exempt from a filing fee imposed pursuant to Fish and Wildlife Code Section 711.4 because the project has more than a de minimis impact on fish and wildlife, then the applicant shall also pay to CDFW any fee and any fine which the Department determines to be owed. (P)

- 5 The applicant shall defend, indemnify, and hold harmless the City its elected and appointed officials, officers, employees, and agents from and against any claim, action, or proceeding against the City, its elected and appointed officials, officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City concerning this project, including but not limited to any approval or condition of approval of the Review Authority. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its elected and appointed officials, officers, employees, and agents in the defense of the matter. (P)
- 6 Pursuant to Government Code Section 66020(a), any party may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this development project. Required fees must be paid in full or arrangements must be made to pay the fee when due. Written notice of payment under protest must be filed with the City at the time of approval or conditional approval of this project or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions imposed on this project. (P)
- 7 The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements in the PMC, including the requirement that a business license be obtained by all entities doing business in the City. (P)
- 8 The use shall meet the standards and shall be developed within the limits established by the Palmdale Municipal Code (PMC) as related to emissions of noise, odor, dust, vibration, wastes, fumes, or any public nuisances arising or occurring incidental to the operation of the facility. (P)

- 9 The applicant shall be responsible for the ongoing maintenance and upkeep of the site, in accordance with the property maintenance requirements as set forth in the PMC Chapter 8.36 (Regulation of Property Maintenance). (P)
- 10 When exhibits and written Conditions of Approval are inconsistent, the written conditions shall prevail. (P)(E)

THE FOLLOWING CONDITIONS SHALL BE MET AS AN ON-GOING ELEMENT OF THE PROJECT:

- 11 A valid business license obtained from HdL Business Support Center shall be maintained while the use is in operation. (P)
- 12 The operation of the business shall comply fully with all the rules and regulations of the PMC. Failure to comply with the PMC shall be subject to PMC Section 1.12.010 (Misdemeanors – Infractions – Administrative Citations), which specifies the violation is a misdemeanor, and subject to penalties specified in PMC Section 1.12.020 (Punishment). (P)
- 13 If problems arise as a result of business practices or operations that are detrimental to public health, safety, or welfare, the Review Authority may review the CUP and, if after review, the Review Authority deems that there is sufficient evidence that the business practices or operations are detrimental to public health, safety, or welfare then the Review Authority, subsequent to a public hearing, may revoke the CUP pursuant to PMC Section 17.22.070 (Post Decision Procedures). (P)
- 14 Pursuant to PMC Section 17.22.050 (Approval Requirements and Conditions), the CUP approval shall apply only to the property for which the application was made and shall apply to that property as long as the use for which approval was granted is in effect, regardless of changes in ownership. (P)
- 15 Revisions or modifications to an approved CUP such as, but not limited to, expansions or intensification of the use, may be requested by the applicant. Such requests shall be processed through the proper application, as determined by the Review Authority. (P)
- 16 The applicant shall be responsible for the establishment, maintenance, and upkeep of the landscape area and all landscape vegetation. All landscape vegetation shall be maintained in a manner to ensure proper growth. Trees and other landscape vegetation shall be pruned as needed to ensure proper growth

and give a maintained appearance. Trees shall not be “topped” or pruned excessively. (P)

- 17 The applicant shall comply with the State of California’s Department of Health Care Services requirements for Residential Care Facilities for the Elderly and shall be in substantial compliance and good standing with the licensing regulations [Ref: Title 22, § 87101(s)(9)].

Key to Departmental Conditions:

(B&S) Building and Safety Division (661-267-5353)

(E) Engineering Division (661-267-5272)

(F) Los Angeles County Fire Department (661-949-6319)

(P) Planning Division (661-267-5200)

(PS) Public Safety Division (661-267-5170)

(TE) Traffic Engineering (661-267-5300)



Planning Commission Staff Report

DATE: SEPTEMBER 12, 2024
TO: HONORABLE CHAIR AND PLANNING COMMISSIONERS
FROM: ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICANT: ADVANCING COMMUNITIES TOGETHER, INC.
DISTRICT: 1
SUBJECT: ADOPT RESOLUTION NO. PC-2024-022, A RESOLUTION OF THE
PLANNING COMMISSION OF THE CITY OF PALMDALE,
APPROVING CONDITIONAL USE PERMIT 23-0023, A REQUEST
TO ESTABLISH AN ADULT VOCATIONAL FACILITY WITHIN A
PORTION OF AN EXISTING 10,000 SQUARE FOOT BUILDING
LOCATED AT 38626 9th STREET EAST AND FIND THAT THE
PROJECT IS CATEGORICALLY EXEMPT FROM
ENVIRONMENTAL REVIEW

RECOMMENDATION

Staff recommends that the Planning Commission:

Adopt Resolution No. PC-2024-022, approving Conditional Use Permit (CUP) 23-0023, a request to establish an adult vocational facility within a portion of an existing 10,000 square foot building located at 38626 9th Street East and find that the project is categorically exempt from environmental review.

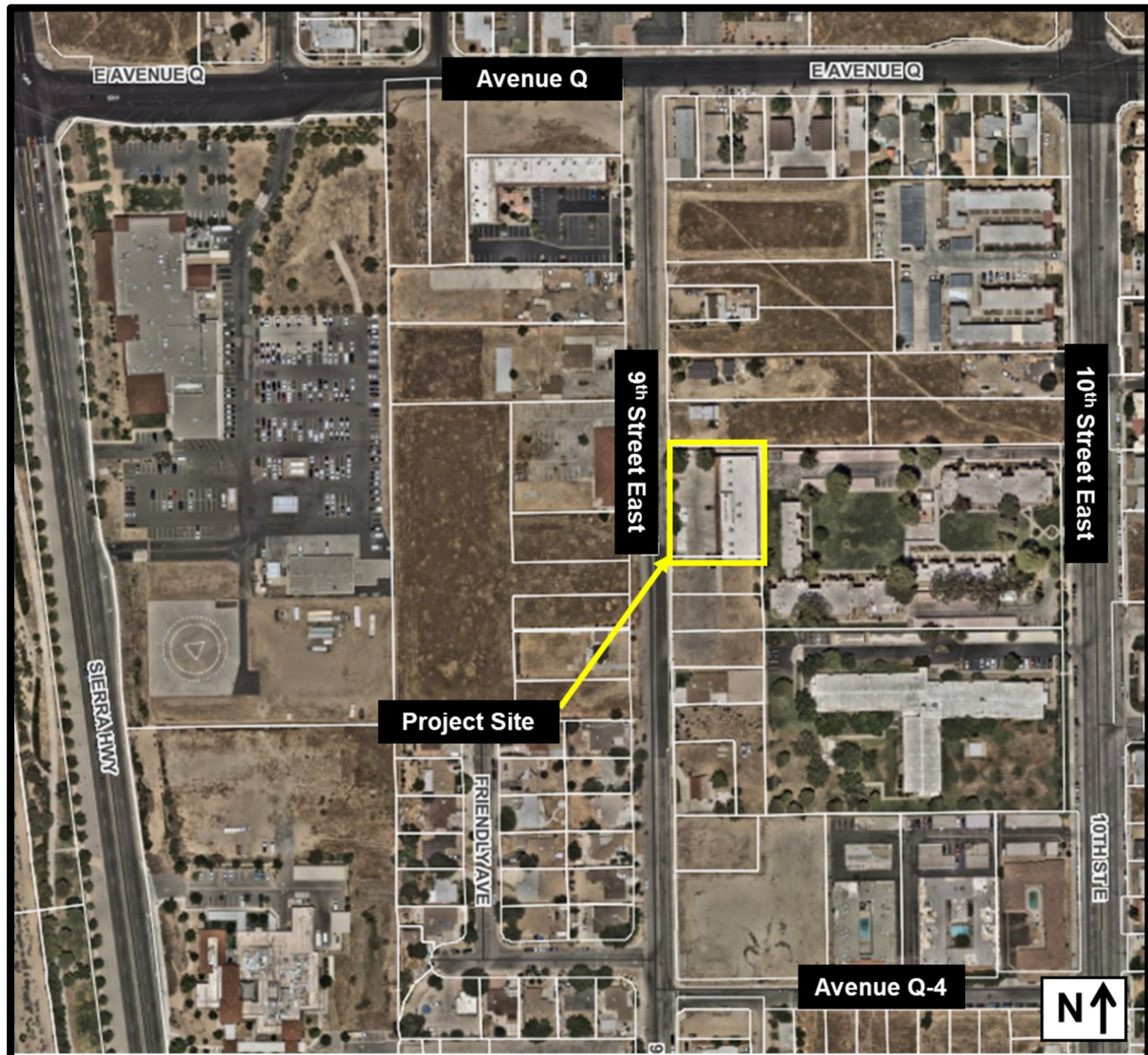
BACKGROUND

On December 15, 2020, the City Council adopted the Palmdale Transit Area Specific Plan (SP) (Resolution No. CC 2020-096) for the comprehensive development of a pedestrian-oriented mixed-use area surrounding the existing Palmdale Transportation Center and future multi-modal high-speed rail station. The SP was subsequently amended in September 2022 (CC 2022-096) and June 2024 (Ordinance No. 1643). The SP outlines design guidelines for streets, sidewalks, and various densities with convenient access to surrounding businesses and amenities.

The applicant is requesting minor interior alterations to convert approximately 5,000 square feet of an existing 10,000 square foot building for a vocational school use located at 38626 9th Street East. Advancing Communities Together (ACT) is a non-profit organization that supports activities that aim to enhance the community's quality of life, by fostering pre-apprenticeships and career preparation training. The facility includes four training rooms and office space that support education and vocational services.

The proposed application was distributed on May 14, 2024, reviewed by staff, and deemed incomplete on June 24, 2024. After resolution of completeness items, the application was subsequently deemed complete on August 5, 2024, and scheduled for the September 12, 2024, Planning Commission meeting.

FIGURE 1 - AERIAL MAP



Noticing/Agency Comments

TABLE 1 - AFFECTED AGENCIES

| | Agency | Comments |
|----------------------------|---|---|
| Water Service: | Palmdale Water District | The project must comply with the District's connection requirements |
| School District(s): | Palmdale School District | No comments received |
| | Antelope Valley Union High School District | No comments received |
| Other: | Antelope Valley Air Quality Management (AVAQMD) | The project shall comply with all applicable AVAQMD requirements. |
| | AT&T | No conflict |

ANALYSIS

TABLE 2 - EXISTING LAND USE / ZONING / GENERAL PLAN

| | Land Use | Zoning | General Plan |
|---------------------|--|-------------------|--|
| Subject Site | Existing commercial building | Urban Center (T5) | Palmdale Transit Area Specific Plan (SP) |
| North | Existing single-family residence | Urban Center (T5) | Palmdale Transit Area Specific Plan (SP) |
| South | Vacant land | Urban Center (T5) | Palmdale Transit Area Specific Plan (SP) |
| East | Existing multi-family developments | Urban Center (T5) | Palmdale Transit Area Specific Plan (SP) |
| West | Existing commercial building and vacant land, across 9 th Street East | Urban Center (T5) | Palmdale Transit Area Specific Plan (SP) |

TABLE 3 - GENERAL PLAN AND SP CONSISTENCY

| Element | Goal, Objective, or Policy | Standard Met? | Justification* |
|--------------------------------------|--|----------------------|---|
| Public Safety | SP Goal PS5: Support the provision of adequate public and community services to meet the needs of residents. | Yes | The project is within an existing building that is served by the Palmdale Water District and Los Angeles County Sanitation District. Additionally, the project is proposed within an existing building that has access to adequate roadways, curbs, gutters, and sidewalks to adequately serve future students. |
| Land Use and Community Design | <p>SP Goal L6: Plan for and reserve land to accommodate uses needed for public benefit, including open space, recreation, public improvements, schools and community facilities.</p> <p>GP Goal LUD-13.3 New Institution. Seek to attract a new major higher education institution (such as a nursing school or technical/vocational academy).</p> | Yes | The project will offer an approximately 5,000 square foot vocational training facility. The proposed use will benefit the public by providing supportive services for adults above Grade 12. |

*Justification is based on a review by the case planner of the plans date stamped 'Received April 8, 2024'.

TABLE 4 - SP STANDARDS

| | Standard | Standard Met? | Justification* |
|---------------------------|--|----------------------|--|
| Setbacks | Front: Up to five feet Interior: 0 feet where allowed, a minimum of 15 feet adjacent to single-family residential Rear: A minimum of five feet (SP Section 5.5) | Yes | The proposed use will be utilizing an existing building within the SP. The structure was approved prior to the establishment of the SP. As such, the building is a legal non-conforming structure as set forth by SP Section 5.4. The project does not propose to expand the existing building area as part of the application. Therefore, the use may be established within the legal non-conforming structure, even though the building does not comply with the maximum five-foot front setback standard of the SP. The existing building meets the interior and rear setback requirements. |
| Height | Maximum Height: 65 feet Accessory Structures: 17 feet (SP Section 5.5) | Yes | The existing building is one story, and the project will not increase its height. |
| Open Space | A minimum of 25 square feet for every 1,000 square feet of development (SP Section 5.5) | No | A total of 140 square feet of open space is required ($5,605 \text{ square feet} / 1,000 = 5.605 \times 25 \text{ square feet}$). Therefore, a Condition of Approval has been added to ensure compliance with the SP development standard. |
| Off-Street Parking | Four and a half spaces per classroom (SP Section 6.22) | Yes | A total of 18 vehicle spaces are required, and 34 spaces currently exist on-site. |

*Justification is based on a review by the case planner of the plans date stamped 'Received April 8, 2024'.

Site Layout

FIGURE 2 - SITE PLAN

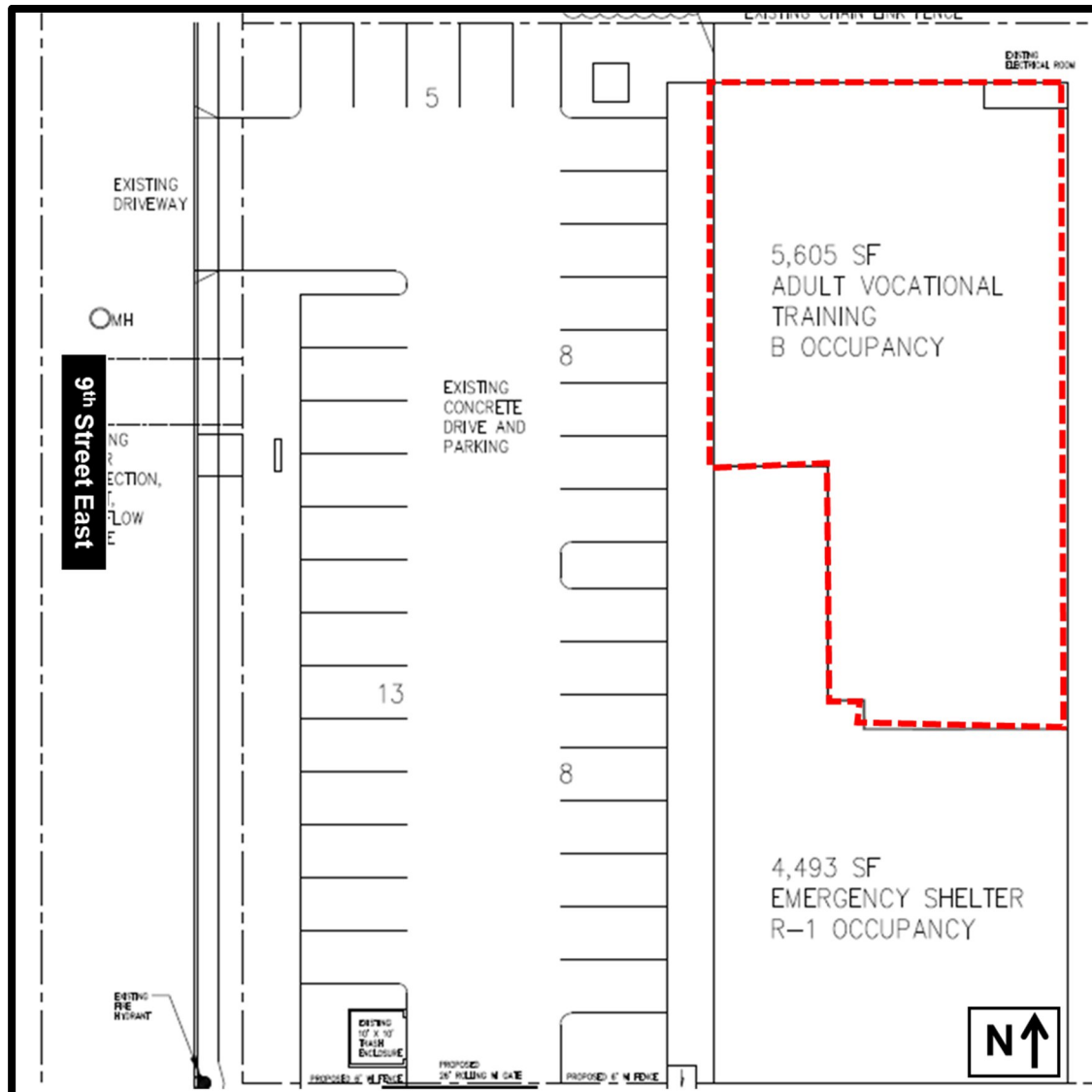
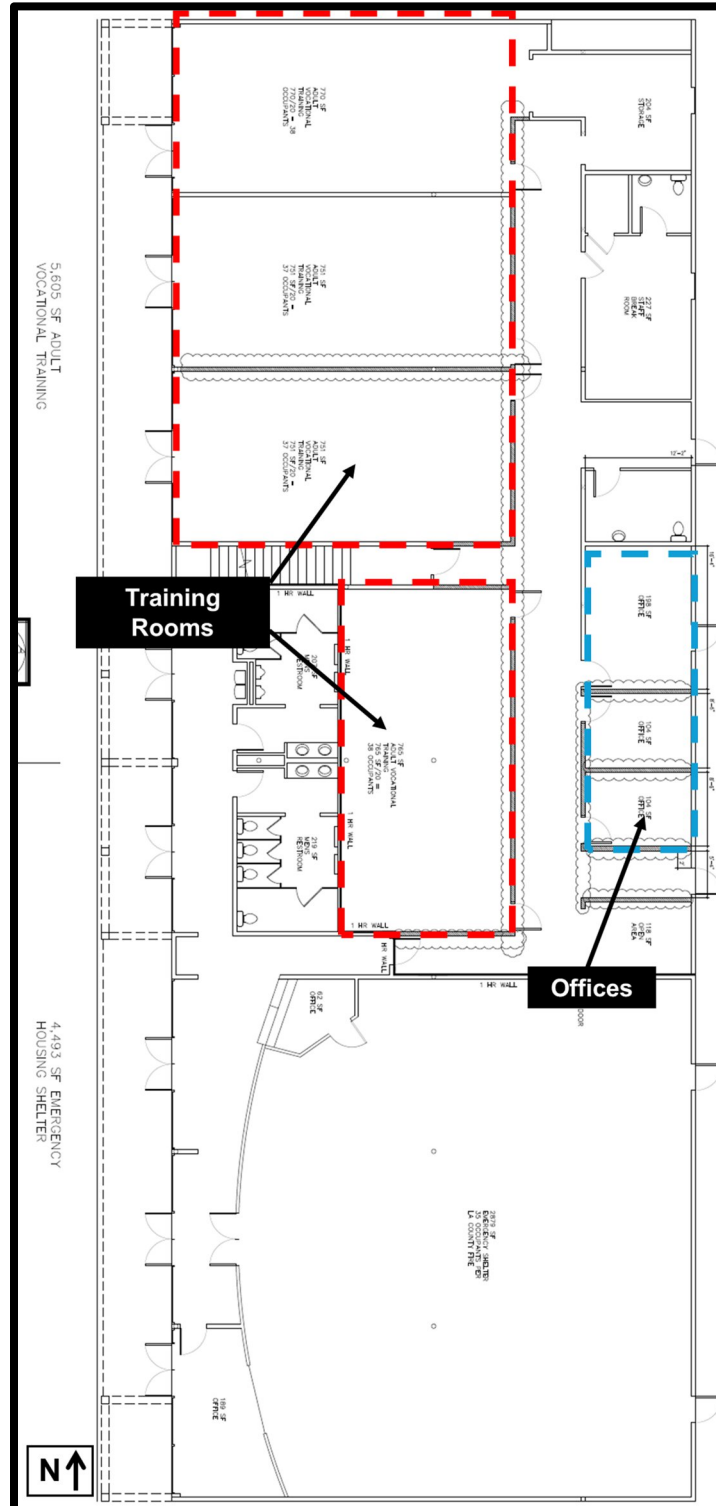


FIGURE 3 - FLOOR PLAN



Conditional Use Permit

CUP 23-0023 is a request to establish an adult vocational facility within a portion of an existing 10,000-square-foot building. The project site is located within the T5 zone of the SP, which permits the proposed use subject to the approval of a Conditional Use Permit application. The proposed facility includes four training rooms and office space that support education and vocational services. The proposed office hours will be from 8:00 a.m. to 5:00 p.m., Monday through Friday. The facility will have three academic teachers and five administrative staff.

ACT provides pre-apprenticeship and career training programs through partnerships with the Los Angeles County and Orange County Building and Trade Council and other local, regional, state, and federal partners. With these partnerships, ACT is authorized to implement construction training to equip participants with the skills necessary to enter apprenticeship placement in various industries. Participants receive classroom-based instruction through various learning platforms, including virtual reality, and extensive hands-on training in construction fundamentals such as framing, drywall, blueprint reading, and measurements. Real-world training experiences are provided through on-site demonstrations at construction sites under the supervision of a certified Construction Manager/Trainer. ACT estimates that services will be provided to between 60 to 75 participants aged 18 and up, and the number of on-campus participants will vary.

Access/Circulation

The site will be accessed from the existing driveway on 9th Street East. Pathways connecting to the existing sidewalk along the street frontage will maintain safe pedestrian access.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is categorically exempt from CEQA Guidelines review pursuant to Section 15301, Class 1, Existing Facilities, which exempts the operation, permitting, and licensing involving negligible or no expansion of existing or former use. The project is exempt because the minor interior alterations to the existing building will not expand the building footprint and does not include any exterior modifications to the existing building. Therefore, the project is exempt per CEQA Section 15301, Class 1, Existing Facilities.

| | |
|----------------------|--------------------------------------|
| Prepared by: | Jasmine Almora, Associate Planner |
| Approved by: | Brenda Magaña, Planning Manager |
| Approved as to form: | William P. Curley III, City Attorney |

ATTACHMENT

Resolution No. PC-2024-022

PLANNING COMMISSION
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. PC-2024-022

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 23-0023; A REQUEST TO ESTABLISH AN ADULT VOCATIONAL FACILITY WITHIN A PORTION OF AN EXISTING 10,000 SQUARE FOOT BUILDING LOCATED AT 38626 9th STREET EAST (APN: 3008-039-029)

WHEREAS, Advancing Communities Together, Inc. has filed an application requesting approval of Conditional Use Permit (CUP) 23-0023 for the establishment of an adult vocational facility within a portion of an existing 10,000 square foot building, described herein as “Application”; and

WHEREAS, The Application applies to a parcel located at 38626 9th Street East indicated on the Los Angeles County Assessor’s roll as Assessor Parcel Number 3008-039-029, legally described in Exhibit A hereto and shown on the map attached as Exhibit B; and

WHEREAS, On September 12, 2024, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date; and

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

NOW THEREFORE, BE IT RESOLVED, THE PLANNING COMMISSION OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

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

SECTION 2. The Planning Commission hereby finds as follows with respect to the environmental document:

- A Pursuant to the California Environmental Quality Act (CEQA), the proposed project is categorically exempt from CEQA Guidelines review pursuant to Section 15301, Class 1, Existing Facilities, which exempts the operation, permitting, and licensing involving negligible or no expansion of existing or former use. The project is exempt because the minor interior alterations to the existing building will not expand the building footprint and does not include any exterior modifications to the existing building. Therefore, the project is exempt per CEQA Section 15301, Class 1, Existing Facilities.

- B The custodian of records for all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

SECTION 3. Based upon substantial evidence presented to this Commission during the above-referenced September 12, 2024, public hearing, including public testimony, and written and oral staff report, this Commission specifically finds as follows:

- A The proposed use is consistent with the goals, policies, and objectives of the General Plan.

The project site is located within the Urban Center (T5) zone of the Palmdale Transit Area Specific Plan (SP) Land Use designation, which allows for trade/vocational school uses. The proposed project involves minor interior alterations to convert approximately 5,000 square feet of an existing 10,000 square foot building for a vocational school use. As described in Exhibits C and D, the proposed project is consistent with the policies and objectives of the General Plan and SP. For example, the project site is relatively flat, located within a portion of the City that has existing infrastructure improvements and will provide supportive services to the community.

- B The proposed use is beneficial and desirous to the community and is consistent with the purpose, intent and standards of this Title and other applicable ordinances and codes adopted by the City.

The project site is located within the T5 zone of the SP, which permits the proposed use subject to the approval of a Conditional Use Permit application. The proposed use will be utilizing an existing building within the SP. The structure was approved before the establishment of the SP. As such, the building is a legal non-conforming structure as set forth by SP Section 5.4. The project does not propose to expand the existing building area as part of the application. Therefore, the use may be established within the legally non-conforming structure, even though the building does not comply with the front setback standard of the SP, as demonstrated within Exhibit D. The existing building meets the interior and rear setback requirements. The Application is consistent with the provisions of the SP in regard to location, height, and parking, as demonstrated in Exhibit D. Additionally, Conditions of Approval have been included to ensure the proposed project meets all of the standards specified within the SP.

Furthermore, the proposed use will be established within an existing building with minor interior alterations.

- C The proposed use and the ongoing operation of the use will not have a substantial adverse effect on abutting property or the allowed use thereof, and will not generate excessive noise, vibration, traffic, or other disturbances, nuisances, or hazards.

The project will not have a substantial adverse impact on surrounding properties and is compatible with the surrounding area because the development is consistent with all applicable development standards, with the exception of the front setback, and occupies an existing building.

- D The site for the proposed use has adequate pedestrian and vehicular access.

The project site consists of an existing commercial building. Access to the site will continue to be provided by an existing driveway along 9th Street East. Pathways connecting to the existing sidewalk along the street frontage will maintain safe pedestrian access.

SECTION 4. Based on the findings and conclusions set forth in Sections 1, 2, and 3 above, this Commission hereby approves Conditional Use Permit 23-0023 and finds that the project is categorically exempt from environmental review, subject to the Conditions of Approval as set forth in Exhibit E.

SECTION 5. The Deputized Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 12th day of September, 2024.

Dean Henderson
Chair, Planning Commission

ATTEST:

Sylvia Magallanes, Deputized Clerk

I, Sylvia Magallanes, Deputized Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly approved, and adopted by the Planning Commission of the City of Palmdale at a regular meeting of said Commission held on the 12th day of September, 2024, by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

Date: _____
Sylvia Magallanes, Deputized Clerk

EXHIBIT A

LEGAL DESCRIPTION FOR CONDITIONAL USE PERMIT 23-0023

Real property in the City of Palmdale, County of Los Angeles, State of California, described as follows:

Lots 1,2 and 3 inclusive of Tract 17543, in the City of Palmdale, County of Los Angeles, State of California, as per map recorded in Book 450 Pages 3 and 4 of Maps, in the Office of the County Recorder of said County.

Property commonly known as: 38626 9th Street East, Palmdale, CA 93550

(APN: 3008-039-029)

EXHIBIT B

AERIAL MAP FOR CONDITIONAL USE PERMIT 23-0023

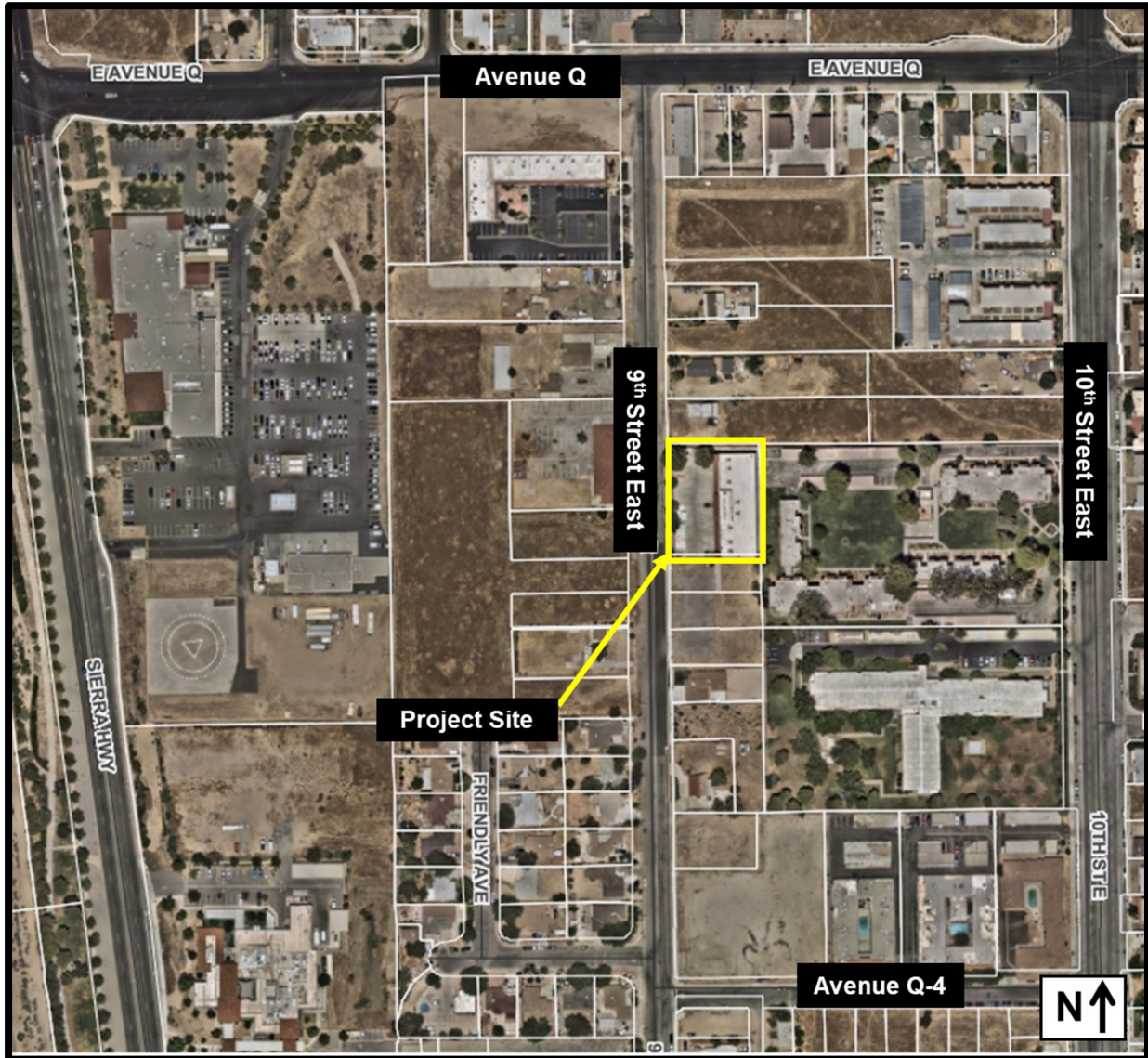


EXHIBIT C

GENERAL PLAN AND SP CONSISTENCY TABLE

| Element | Goal, Objective, or Policy | Standard Met? | Justification* |
|--------------------------------------|--|---------------|---|
| Public Safety | SP Goal PS5: Support the provision of adequate public and community services to meet the needs of residents. | Yes | The project is within an existing building that is served by the Palmdale Water District and Los Angeles County Sanitation District. Additionally, the project is proposed within an existing building that has access to adequate roadways, curbs, gutters, and sidewalks to adequately serve future students. |
| Land Use and Community Design | <p>SP Goal L6: Plan for and reserve land to accommodate uses needed for public benefit, including open space, recreation, public improvements, schools and community facilities.</p> <p>GP Goal LUD-13.3 New Institution. Seek to attract a new major higher education institution (such as a nursing school or technical/vocational academy).</p> | Yes | The project will offer an approximately 5,000 square foot vocational training facility. The proposed use will benefit the public by providing supportive services for adults above Grade 12. |

*Justification is based on a review by the case planner of the plans date stamped 'Received April 8, 2024'.

EXHIBIT D

DEVELOPMENT STANDARD TABLE

| | Standard | Standard Met? | Justification* |
|---------------------------|--|---------------|--|
| Setbacks | Front: Up to five feet Interior: 0 feet where allowed, a minimum of 15 feet adjacent to single-family residential Rear: A minimum of five feet (SP Section 5.5) | Yes | The proposed use will be utilizing an existing building within the SP. The structure was approved prior to the establishment of the SP. As such, the building is a legal non-conforming structure as set forth by SP Section 5.4. The project does not propose to expand the existing building area as part of the application. Therefore, the use may be established within the legal non-conforming structure, even though the building does not comply with the maximum five-foot front setback standard of the SP. The existing building meets the interior and rear setback requirements. |
| Height | Maximum Height: 65 feet Accessory Structures: 17 feet (SP Section 5.5) | Yes | The existing building is one story, and the project will not increase its height. |
| Open Space | A minimum of 25 square feet for every 1,000 square feet of development (SP Section 5.5) | No | A total of 140 square feet of open space is required ($5,605 \text{ square feet} / 1,000 = 5.605 \times 25 \text{ square feet}$). Therefore, a Condition of Approval has been added to ensure compliance with the SP development standard. |
| Off-Street Parking | Four and a half spaces per classroom (SP Section 6.22) | Yes | A total of 18 vehicle spaces are required, and 34 spaces currently exist on-site. |

*Justification is based on a review by the case planner of the plans date stamped 'Received April 8, 2024'.

EXHIBIT E

DRAFT

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 23-0023

APPROVAL DATE: SEPTEMBER 12, 2024
EFFECTIVE DATE: SEPTEMBER 24, 2024
EXPIRATION DATE: SEPTEMBER 24, 2027

These Conditions of Approval apply to Conditional Use Permit (CUP) 23-0023, a request to establish an adult vocational facility within a portion of an existing 10,000 square foot building located at 38626 9th Street East (APN: 3008-039-029). Any proposed change of use or expansion of the area, or modifications to the site plan or structures shall be submitted to the Planning Division, along with the required application and fee, for review. For the purpose of these conditions, the term “applicant” shall also mean the developer, the owner, or any successor(s) in interest to the terms of this approval. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS:

- 1 Conditional Use Permit (CUP) 23-0023 shall be inaugurated within three years or it shall automatically expire on September 24, 2027. This approval is based on the plans date stamped, ‘Received April 8, 2024’. The CUP shall be considered inaugurated if applicable grading and/or building permits have been issued, construction is initiated, and ongoing. Cessation of construction activity for over 180 days will result in lapse of this approval. (P)
- 2 This approval shall not become effective for any purposes until any appeal period has passed and the applicant has filed at the office of the Planning Division their notarized affidavit stating that they agree to and accept all of the Conditions of Approval as approved by the Reviewing Authority as set forth in herein. (P)
- 3 Should this project not be inaugurated during the initial approval period, an extension of time not to exceed an additional two years may be granted by the Review Authority. Applications for time extensions must be filed a minimum of 90 days prior to the expiration date. Requests for time extensions must be accompanied by a formal application, all required exhibits and plans, and required application fees. (P)
- 4 Immediately upon approval of this project by the Review Authority, the applicant shall submit to the City a cashier’s check or check, payable to the Los Angeles County Clerk in the amount of \$75 for the environmental filing fee in compliance with the California Environmental Quality Act (CEQA) Guidelines. Furthermore, if

the California Department of Fish and Wildlife (CDFW) determines that this project is not exempt from a filing fee imposed pursuant to Fish and Wildlife Code Section 711.4 because the project has more than a de Minimis impact on fish and wildlife, then the applicant shall also pay to CDFW any fee and any fine which the Department determines to be owed. (P)

- 5 The applicant shall comply with all requirements of the Palmdale Municipal Code (PMC) all requirements of the City ordinances, resolutions, and all applicable standards and policies that are in effect at the time that building permits are issued for the development. (P)(E)
- 6 The applicant shall defend, indemnify, and hold harmless the City its elected and appointed officials, officers, employees, and agents from and against any claim, action, or proceeding against the City, its elected and appointed officials, officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City concerning this project, including but not limited to any approval or condition of approval of the Review Authority. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its elected and appointed officials, officers, employees, and agents in the defense of the matter. (P)
- 7 Pursuant to Government Code Section 66020(a), any party may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this development project. Required fees must be paid in full or arrangements must be made to pay the fee when due. Written notice of payment under protest must be filed with the City at the time of approval or conditional approval of this project or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions imposed on this project. (P)
- 8 The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements in the Specific Plan (SP), PMC, including the requirement that a business license be obtained by all entities doing business in the City. (P)
- 9 The use shall meet the standards and shall be developed within the limits established by the PMC as related to emissions of noise, odor, dust, vibration,

wastes, fumes, or any public nuisances arising or occurring incidental to the establishment or operation. (P)

- 10 The applicant shall be responsible for the ongoing maintenance and upkeep of undeveloped portions of the site, in accordance with the property maintenance requirements as set forth in the PMC Chapter 8.36 (Regulation of Property Maintenance). (P)
- 11 No expansion of use beyond the scope of nature described in the application, which would tend to increase the projected scale of the project, shall be permitted except upon application for and approval of modification of this application in compliance with all procedures and requirements therefore. (P)
- 12 When exhibits and written Conditions of Approval are inconsistent, the written conditions shall prevail. (P)(E)
- 13 Sign approval for the project is a separate process requiring the issuance of a sign permit and building permits and is subject to review and approval by the Planning Division and Building and Safety Division. (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

- 14 The applicant shall submit the final site plan, floor plans, architectural elevation(s), and photometric lighting plans to the Planning Division for review and approval along with the required fee(s) for plan check review through the Accela Citizen Access portal. Such plans shall be fully dimensioned and in substantial conformance with those approved by the Review Authority. Plans shall address the following: (P)(TE)(BS)(PS)

Use Related

- 14.1 The site plan shall provide a Building Code Analysis showing the occupancy of each building, the allowable area of the buildings, and the proposed areas of the building. (Adopted codes are the 2022 California Building Codes with Palmdale amendments.)
- 14.2 The applicant shall provide a total of 140 square feet of open space dedicated for the proposed use designed as specified within SP Section 5.5.

- 15 Slope erosion control and street trees shall be installed to the satisfaction of the City Engineer. (E)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH ISSUANCE OF BUILDING PERMITS:

- 16 The applicant shall pay all fees at the time fees are determined payable and comply with all requirements of the applicable Federal, State, and local agencies including, but not limited to, the following:

Antelope Valley Air Quality Management District
Antelope Valley Union High School District
Los Angeles County Consolidated Fire District
Los Angeles County Sanitation District
Palmdale School District
Palmdale Water District

The duty of inquiry as to such requirements shall be upon the applicant. Receipt and proof of payment shall be provided to the Building and Safety Division prior to issuance of any building permits. (P)(E)(F)(B&S)

- 17 The applicant shall submit detailed plans for all building construction and obtain plan approval from all agencies/departments as required. (B&S)(F)(P)
- 18 All agency approvals for permit issuance shall be on file with the Building and Safety Division. (B&S)(F)
- 19 The applicant shall comply with all applicable development regulations and requirements prior to the issuance of any building permits on the subject property. (P)(E)(B&S)
- 20 The project shall comply with all requirements of PMC Chapter 13.05 (Sewer Collection Service Charges). (E)

Impact Fees

- 21 In accordance with PMC Section 15.01.020 (Public Art in Private and Municipal Development Project Contribution Requirements) for projects with a building permit valuation of \$500,000 or more, the applicant shall devote an amount not less than one-half percent for the acquisition and installation of public art on the

development site. This amount shall be the program allocation with a cap of \$250,000 allocated for single construction projects. This contribution requirement shall apply to mixed-use and residential projects that create five or more units. All nonprofit and affordable housing developments and structures shall be exempt from this requirement. In lieu of public art on the development site, the applicant may place a public art in-lieu contribution in an amount equal to the program allocation prior to the issuance of a building permit for the project on the development site. (PA)

- 22 The public art that may be used to satisfy the requirements shall comply with applicable standards contained in PMC Section 15.01.040 (Public Art in Private and Municipal Development Project Compliance Standards). (PA)
- 23 The applicant has the option of proposing public art incorporating on-site artwork into the development or may elect to deposit the full amount in the public art fund as required under PMC Section 15.01.020 (Public Art in Private and Municipal Development Project Contribution Requirements). In any event, ten percent of the amount required under PMC Section 15.01.20 (Public Art in Private and Municipal Development Project Contribution Requirements) shall be deposited into the public art fund. (PA)
- 24 In conjunction with an application for a building permit, the applicant shall submit to the City a conceptual public art project plan for on-site artwork, and follow the specifications of PMC Section 15.01.080 (Application and Approval Procedures for Public Art). The City's Public Art Guidelines for Developers will be furnished upon request. (PA)
- 25 The applicant shall comply with the provisions of PMC Chapter 3.45 (Public Facility Development Impact Fee Requirements). The applicant shall pay the applicable public facility impact fees to the Building and Safety Division in the amount that is in effect at the time such fees are to be collected. (B&S)

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

- 26 Adequate sanitary disposal facilities shall be required on-site during all phases of construction. (E)(B&S)
- 27 The applicant shall provide solid waste disposal containers on-site during all phases of construction. The accumulation of refuse and debris which may

constitute an unsightly/unsafe public nuisance to surrounding properties is not permitted. (P)

- 28 All existing utilities interfering with the new construction shall be relocated at the developer's expense. (E)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO OCCUPANCY OF THIS PROJECT:

- 29 The applicant shall contact the Planning Division a minimum of two weeks prior to final inspection by the Building and Safety Division to make arrangements for a final walk-through inspection by the Planning Division. (P)
- 30 All public improvements shall be completed and accepted by the City. (E)
- 31 Any broken, damaged or non-compliance curb, gutter, sidewalk, and pavement on streets within or along the frontage of the development shall be repaired. Any existing driveways that are not to be used shall be replaced with standard curb, gutter, and sidewalk. (E)
- 32 The project shall be constructed in accordance with all the approved plans, including but not limited to site plans, grading plans, wall plans, landscape/irrigation plans, lighting plans, and elevations. (P)(E)
- 33 Payment of the public art in-lieu contribution or installation of the public art in accordance with the final public art project plan shall be demonstrated by the applicant in compliance with the PMC Section 15.01.090 (Public Art in Private Development). (PA)

THE FOLLOWING CONDITIONS SHALL BE MET AS AN ON-GOING ELEMENT OF THE PROJECT:

- 34 A valid business license obtained from HdL Business Support Center shall be maintained while the use is in operation. (P)
- 35 The operation of the business shall comply fully with all the rules and regulations of the PMC. Failure to comply with the PMC shall be subject to PMC Section 1.12.010 (Misdemeanors – Infractions – Administrative Citations), which specifies the violation is a misdemeanor, and subject to penalties specified in PMC Section 1.12.020 (Punishment). (P)

- 36 If problems arise as a result of business practices or operations that are detrimental to public health, safety, or welfare, the Review Authority may review the CUP and, if after review, the Review Authority deems that there is sufficient evidence that the business practices or operations are detrimental to public health, safety, or welfare then the Review Authority, subsequent to a public hearing, may revoke the CUP pursuant to PMC Section 17.22.070 (Post Decision Procedures). (P)
- 37 Pursuant to PMC Section 17.22.050 (Approval Requirements and Conditions), the CUP approval shall apply only to the property for which the application was made and shall apply to that property as long as the use for which approval was granted is in effect, regardless of changes in ownership. (P)
- 38 A major revision or modification to an approved CUP such as, but not limited to, expansions or intensification of the use, may be requested by the applicant. Such request shall be processed through the application of a major modification or new CUP, as determined by the Planning Manager. (P)
- 39 All parking facilities shall be maintained in good condition in accordance with the provisions of PMC Chapter 17.87 (Off-Street Parking and Loading). The maintenance thereof may include, but shall not be limited to, the repaving, oiling, and striping of a parking area and the repair, restoration and/or replacement of any parking area design features when deemed necessary by the Planning Manager to insure the health, safety, and welfare of the general public. (P)(E)
- 40 The applicant shall be responsible for establishment, maintenance, and upkeep of the landscape area and all landscape vegetation. All landscape vegetation shall be maintained in a manner to ensure proper growth. Trees and other landscape vegetation shall be pruned as needed to ensure proper growth and give a maintained appearance. Trees shall not be “topped” or pruned excessively. (P)
- 41 All owners, future owners, heirs, or assigns of the property shall be required to maintain all private drainage facilities in good working condition, as determined by the City Engineer, and shall be responsible for any damages associated with the private drainage facilities and for any costs incurred by the City for emergency maintenance, repairs, and any other efforts to keep the private drainage facilities in good working condition and/or to insure the health, safety, and welfare of the general public. The developer shall record a covenant upon the property regarding said maintenance. (E)

- 42 The applicant shall fully cooperate with any adjacent property development to provide improved site access in the future including, but not limited to, the closure, removal, sharing, or relocation of project parking, landscaping, driveways, and drive-aisles. (TE)
- 43 The installation of speed bumps or humps as a means to control speed on the site shall be prohibited as required by PMC Section 10.04.100 (Regulation of Speed Bumps on Private Streets, Easements and Fire Lanes). If any of these devices are installed while this ordinance is in effect, the owner shall be required to remove these devices at their own expense. (TE)
- 44 The premises, while open or closed for business after dark, shall be sufficiently lighted by use of interior night-lights. (PS)
- 45 The premises shall always be properly maintained and kept in a neat and orderly condition. This includes, but is not limited to, building and parking lot lighting and trash and debris removal. (PS)
- 46 Graffiti shall be removed by the owner within 72 hours of discovery as specified within PMC Section 9.30.080 (Graffiti Removal from Private Property by Owner). Consider graffiti mitigation measures such as vining/climbing and barrier plants along block walls. (PS)
- 47 Trash enclosures shall be kept locked when not in use to discourage illegal dumping and other improper uses. (PS)
- 48 Outside electrical outlets and water spigots/hose bibs shall be secured to prevent unauthorized use. (PS)
- 49 Outside hinges on all exterior doors shall be provided with non-removable pins when pin-type hinges are used or shall be provided with hinge studs, to prevent removal of door. (PS)
- 50 Roll-up doors and individual storage space doors shall be equipped with locking hardware including metal flanges on the lock bolts to protect the padlock shackle from being cut. (PS)
- 51 All exterior doors shall be provided with their own light source and shall be adequately illuminated at all hours to make clearly visible premises and provide adequate illumination for persons exiting the building. (PS)

- 52 Each individual unit within the development shall display a prominent identification number not less than six inches in height. (PS)
- 53 All entrances to the parking area shall be posted with appropriate signs per California Vehicle Code Section 22658(a) to assist in removing vehicles at the property. PS)

Key to Departmental Conditions:

- (B&S) Building and Safety Division (661-267-5353)
- (E) Engineering Division (661-267-5272)
- (F) Los Angeles County Fire Department (661-949-6319)
- (Pk) Parks and Recreation Department (661-267-5611)
- (P) Planning Division (661-267-5200)
- (PA) Public Art (661-267-5686)
- (PS) Public Safety Division (661-267-5170)
- (SCE) Southern California Edison (661-726-5617)
- (TE) Traffic Engineering (661-267-5300)



Planning Commission Staff Report

DATE: SEPTEMBER 12, 2024
TO: HONORABLE CHAIR AND PLANNING COMMISSIONERS
FROM: ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICANT: CITY OF PALMDALE
DISTRICT: 2
SUBJECT: ADOPT RESOLUTION NO. PC-2024-021, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE APPROVING CONDITIONAL USE PERMIT 03-05 MAJOR MODIFICATION NO. 1, TO CONSTRUCT A PARK-AND-RIDE FACILITY ON APPROXIMATELY 15 ACRES LOCATED ON THE NORTHWEST CORNER OF RANCHO VISTA BOULEVARD AND 25th STREET WEST (APN'S 3001-026-918, -919, -920, -921, -922, -923, -924, and -925) AND ADOPT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR THE PROJECT

RECOMMENDATION

Staff recommends that the Planning Commission:

Adopt Resolution No. PC-2024-021 approving Conditional Use Permit (CUP) 03-05 Major Modification (MOD) No. 1, an application by the City of Palmdale to construct a park-and-ride facility on approximately 15 acres adjacent to the east of the existing Marie Kerr Park located at the northwest corner of Rancho Vista Boulevard and 25th Street West and adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) prepared for the project.

BACKGROUND

Construction of a 17.19-acre portion of Marie Kerr Park was approved by the City of Palmdale through Site Plan Review 7-92-1 on September 18, 1992. The original park was modified in 1997 through CUP 97-3, which was for the construction of an 8,500-square-foot skateboarding facility.

On June 19, 2003, the Planning Commission approved Conditional Use Permit (CUP) 03-05, for the expansion of Marie Kerr Park to the east by an additional 40.37 acres, totaling 58 acres. The park expansion included construction of the Best of the West softball complex, an outdoor amphitheater, a community center, pool, ancillary restrooms, parking areas, and landscaping.

The application for CUP 03-05 MOD No.1 was submitted on February 1, 2021, reviewed by staff, and deemed incomplete on March 11, 2021. The plans were resubmitted on March 21, 2024, and the remaining environmental documents and application materials were resubmitted on July 30, 2024. After resolution of completeness items, the application was deemed complete on August 13, 2024, and scheduled for the September 12, 2024, Planning Commission meeting.

The request is for the construction of a new park-and-ride facility located at the northwest corner of Rancho Vista Boulevard and 25th Street West. The park-and-ride facility will expand the 58-acre project site by 15 acres and will replace the existing compacted crushed recycled asphalt that has been historically used as overflow parking for the park. The proposed park-and-ride facility includes installation of asphalt paving, ADA upgrades, lighting, parking lot landscaping, landscaping along 25th Street West, and adjacent off-site improvements such as street paving, sidewalk, and curb and gutters. The project will also continue to provide overflow parking for the park events, provide the location for the future installation of a digital government advertising sign, remove and replace the existing government sign for the Marie Kerr Park entrance, construct an infiltration basin, provide the location for a future pump station, and accommodate the use of the parking lot for a seasonal outdoor movie theater. The park-and-ride facility will typically operate Monday through Friday from the early morning until early evening. Whereas the community events proposed by the City of Palmdale will occur during the early evenings and weekends when the park-and-ride facility demand is substantially reduced. While the parking area is intended for joint use, there is more than enough parking to accommodate all uses.

The proposed project will provide improved safety for users (lighting, standardized parking space size, and access aisles). In addition, the proposed improvements would attract commuters to use the parking lot for commuting to the Los Angeles and Santa Clarita areas, as it is located less than two miles from the primary regional commuter route (State Route 14). Although not its primary purpose, the City plans to occasionally use the proposed parking lot as an outdoor movie theater with the movie screen located to the east of the elevated mound that encircles the Amphitheater.

FIGURE 1 - AERIAL MAP



Noticing/Agency Comments

TABLE 1 - AFFECTED AGENCIES

| | Agency | Comments |
|----------------------------|--|---|
| Water Service: | Los Angeles County Waterworks District No. 40 | No comments received |
| School District(s): | Westside Union School District | No comments received |
| Other: | AT&T | No conflict |
| | Antelope Valley Air Quality Management District (AVAQMD) | The project must comply with all applicable AVAQMD requirements, including District Rule 403 for Fugitive Dust and Air Resources Board In-Use Off-Road Diesel Vehicle Regulation for construction equipment. |
| | Gabrieleño Band of Mission Indians | No comments received |
| | Fernandeño Tatavium Band of Mission Indians | Comments received and they have been added as conditions of approval to Exhibit E of Resolution No. PC-2024-021 |
| | California Department of Fish and Wildlife | The Project shall fully avoid impacts to nesting birds and raptors. To the extent feasible, no construction or ground-disturbing activities (e.g., mobilizing, staging, and excavating) shall occur during the avian breeding season which generally runs from February 15 through September 15 (as early as January 1 for some raptors) to avoid take of birds, raptors, or their eggs. If Project activities occur during breeding season, a qualified biologist shall conduct nesting bird and raptor surveys to identify nests no more than 14 days prior to ground-disturbing activities. The qualified biologist shall establish no-disturbance buffers to minimize impacts on those nests. A minimum 100-foot no disturbance buffer shall be placed around active passerine nests. For raptors, the no disturbance buffer shall be expanded to 500 feet. |

ANALYSIS

TABLE 2 - EXISTING LAND USE / ZONING / GENERAL PLAN

| | Land Use | Zoning | General Plan |
|---------------------|---|--|--|
| Subject Site | Existing unpaved parking area for Marie Kerr Park overflow | Public Facility - Park | Public Facility Park |
| North | Existing single-family residences, across Avenue O-12 (unincorporated area) | Prezone Equestrian Residential | Prezone Equestrian Residential |
| South | Existing single-family residences, across Rancho Vista Boulevard | Single Family Residential 3 | Single Family Residential 3 |
| East | Vacant parcels, across 25 th Street West | Mixed Use 2 and Residential Neighborhood 3 | Mixed Use 2 and Residential Neighborhood 3 |
| West | Marie Kerr Park | Public Facility Park | Public Facility Park |

TABLE 3 - GENERAL PLAN CONSISTENCY

| Element | Goal, Objective, or Policy | Standard Met? | Justification* |
|--|--|----------------------|--|
| Land Use and Community Design | LUD-1.5 Multimodal Connectivity. Promote walking to services, biking and transit use by requiring a high level of connectivity for pedestrians, bicycles, and vehicles in major developments (except where existing development or natural features prohibit connectivity). Seek to improve walk, bike, and transit travel within existing complete neighborhoods. | Yes | The proposed park-and-ride facility will provide parking spaces for ridesharing commuters, large vehicle parking spaces, and shuttle and rideshare loading spaces. In addition, the AVTA provides existing bus routes along both Rancho Vista Boulevard and 30 th Street West and 36 bicycle parking spaces are proposed, which will encourage and promote multimodal connectivity. |
| Parks, Recreation, and Open Space | PR-1.6 Expand park amenities. Encourage expansion of amenities at existing public parks. | Yes | Although currently used for overflow parking, this will formalize the construction, striping, ADA upgrades, lighting, off-site street improvements and sidewalks, and will install an outdoor movie theater. All of these improvements will make the area safer, provide much-needed lighting and accessibility, provide a space for community events, and promote ridesharing. |

*Justification is based on a review by the case planner of the plans date stamped 'Received March 21, 2024'.

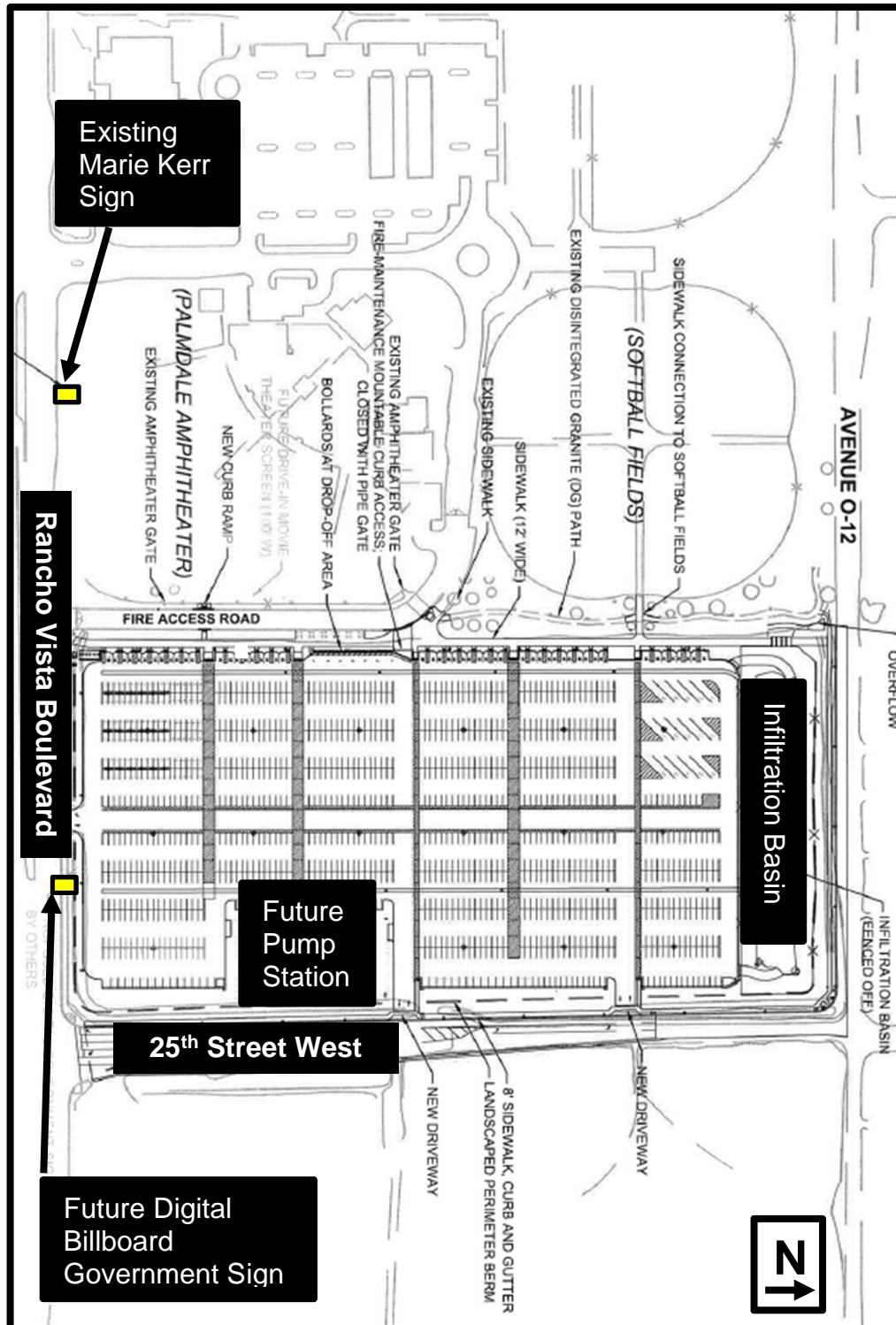
TABLE 4 - PMC STANDARDS

| | Standard | Standard Met? | Justification* |
|-----------------|---|----------------------|---|
| Setbacks | <p>Primary Structures Front: 10 feet</p> <p>Street Side: 10 Feet (PMC Table 17.76.010-1)</p> <p>Interior Side and Rear: 10 feet, 25 feet when abutting a residential zone. (PMC Table 17.76.010-1)</p> <p>Distance between Structures (sf): Minimum required by building and fire code. (PMC Table 17.76.010-1)</p> | Yes | The proposed project does not consist of the construction of any primary buildings. The future pump station is an accessory building that will need to comply with the setback requirements of the PMC, but construction will be analyzed under a future application and permits. In addition, the proposed signs will be submitted for the appropriate sign permits. |
| Lighting | Lighting shall comply with PMC Section 17.86.030 (Outdoor Lighting). | Yes | The proposed photometric plan, light standards, and operational characteristics comply with the lighting requirements of PMC Section 17.86.030. |

*Justification is based on a review by the case planner of the plans date stamped 'Received March 21, 2024'.

Site Layout

FIGURE 2 - SITE PLAN



Conditional Use Permit

The project site currently consists of compacted crushed recycled asphalt and has been used historically as an overflow parking lot for the adjacent park. The proposed project will formally establish the lot as a park-and-ride facility with new paving, striping, lighting, parking spaces of various sizes for large vehicles such as buses and recreational vehicles, electric vehicle charging parking spaces, and bicycle parking. There will be an infiltration basis for stormwater and a future pump station, which is not proposed at this time. The project includes removal of the existing Marie Kerr government sign to the west of the site and specifies the location for a new government digital that will be permitted and installed at a later date. In addition, the City will host outdoor movie nights via an outdoor movie theater. The ancillary use of Commercial Entertainment, per PMC Section 17.75.020, requires a Minor Use Permit (MUP) for the operation. The City of Palmdale will be required to submit for a MUP prior to commencing events that meet the required definition of Commercial Entertainment.

Access/Circulation

The site is currently accessible from one existing driveway on 25th Street West, one existing driveway on Rancho Vista Boulevard, and one Emergency Services driveway on Rancho Vista Boulevard. The project includes the relocation of the existing access driveway on 25th Street West and the installation of a second access drive on 25th Street West and will reconfigure the access drive on Rancho Vista Boulevard.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study was prepared, to determine whether the project would have a significant effect on the environment. The Initial Study analyzed the potential for environmental impacts and all topics were found to have no significant impact with mitigation measures. As such, a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) was prepared and circulated in accordance with the CEQA Guidelines.

| | |
|----------------------|--------------------------------------|
| Prepared by: | Ivan Galeazzi, Associate Planner |
| Approved by: | Brenda Magaña, Planning Manager |
| Approved as to form: | William P. Curley III, City Attorney |

ATTACHMENTS

Resolution No. PC-2024-021

PLANNING COMMISSION
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. PC-2024-021

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE APPROVING CONDITIONAL USE PERMIT 03-05 MAJOR MODIFICATION NO. 1, TO CONSTRUCT A PARK-AND-RIDE FACILITY ON APPROXIMATELY 15 ACRES LOCATED ON THE NORTHWEST CORNER OF RANCHO VISTA BOULEVARD AND 25th STREET WEST AND ADOPT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR THE PROJECT (APN'S: 3001-026-918, -919, -920, -921, -922, -923, -924, AND -925)

WHEREAS, The City of Palmdale has filed an application requesting the approval of Conditional Use Permit (CUP) 03-05 Major Modification (MOD) No. 1, described herein (hereinafter referred to as "Application"); and

WHEREAS, The Application applies to eight parcels located at the northwest corner of Rancho Vista Boulevard and 25th Street West as indicated on the Los Angeles County Assessor roll as Assessor Parcel Numbers 3001-026-918, -919, -920, -921, -922, -923, -924, and -925, legally described in Exhibit A hereto and shown on the map attached hereto as Exhibit B; and

WHEREAS, On September 12, 2024, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date; and

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

NOW THEREFORE, BE IT RESOLVED, THE PLANNING COMMISSION OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

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

SECTION 2. The Planning Commission hereby finds as follows with respect to the environmental document.

- A Pursuant to the California Environmental Quality Act (CEQA), an Initial Study was prepared, to determine whether the project would have a significant effect on the environment. The Initial Study analyzed the potential for environmental impacts and all topics were found to have no

significant impact with the inclusion of mitigation measures. As such, a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) was prepared as provided within Exhibit C and circulated in accordance with the CEQA Guidelines.

- B The custodian of records for all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

SECTION 3. Based upon substantial evidence presented to this Commission during the above-referenced September 12, 2024, public hearing, including public testimony, and written and oral staff report, this Commission specifically finds as follows:

- A The proposed use is consistent with the goals, policies, and objectives of the General Plan.

The project is consistent with the policies and objectives of the General Plan, as shown in Exhibit D. The project will replace the existing compacted crushed recycled asphalt that has been historically used as overflow parking for the park. The proposed park-and-ride facility will install asphalt paving, ADA upgrades, lighting, off-site improvements such as sidewalk, street paving, and curb and gutters, and accommodate future upgrades to signage and future installation of a pump station. The application will provide parking spaces for transit users, large vehicle parking spaces, and shuttle and rideshare loading spaces. In addition, the Antelope Valley Transit Authority (AVTA) provides existing bus routes along both Rancho Vista Boulevard and 30th Street West, and 36 bicycle parking spaces are proposed, which will encourage ridesharing and alternative modes of transit. In addition, the Application will provide improved safety for users (lighting, standardized parking space size, and access aisles). The proposed improvements will make the area safer, provide much-needed lighting and accessibility, provide a space for community events, and promote multi-modal transportation. The request for the proposed use is permitted under Palmdale Municipal Code (PMC) Section 17.75.020, subject to the approval of a CUP application. Additionally, the project will comply with the standards of development as described in Exhibit E.

- B The proposed use is beneficial and desirous to the community and is consistent with the purpose, intent, and standards of this Title and other applicable ordinances and codes adopted by the City.

The proposed park-and-ride facility includes installation of asphalt paving, ADA upgrades, lighting, parking lot landscaping, landscaping along 25th Street West, and adjacent off-site improvements such as street paving, sidewalk, and curb and gutter. The project will also continue to provide overflow parking for park events, provide the location for the future installation of a digital government sign, remove and replace the existing government sign for the Marie Kerr Park entrance, construct an infiltration basin, a future pump station, and accommodate the use of the parking lot for a seasonal outdoor movie theater. The park-and-ride facility will typically operate Monday through Friday from the early morning until early evening. Whereas the community events proposed by the City of Palmdale will occur during the early evenings and weekends when the park-and-ride facility demand is substantially reduced. While the parking area is intended for joint use, there is more than enough parking to accommodate all uses.

- C The proposed use and the ongoing operation of the use will not have a substantial adverse effect on abutting property or the allowed use thereof, and will not generate excessive noise, vibration, traffic, or other disturbances, nuisances, or hazards.

- D The site for the proposed use has adequate pedestrian and vehicular access.

The proposed park-and-ride facility includes installation of asphalt paving, ADA upgrades, lighting, parking lot landscaping, landscaping along 25th Street West, and adjacent off-site improvements such as street paving, sidewalk, and curb and gutter. Staff believes that the construction of a park-and-ride facility, on-site improvements, and off-site street improvements will not substantially affect abutting property or the allowed use thereof and will not generate excessive noise, vibration, traffic, or other disturbances, nuisances, or hazards. Conditions of Approval have been included within the resolution to mitigate any potential impacts associated with noise, lights, traffic, and rideshare activities. In addition, the project currently provides a sidewalk along Rancho Vista Boulevard, the proposal would provide new street paving, curb, gutters, and sidewalk along 25th Street West and Avenue O-12. The site is currently accessible from one existing driveway on 25th Street West, one existing driveway on Rancho Vista Boulevard, and one Emergency Services driveway on Rancho Vista Boulevard. The project

includes the relocation of the existing access driveway on 25th Street West and the installation of a second access drive on 25th Street West and will reconfigure the access drive on Rancho Vista Boulevard. Therefore, the proposed project is not expected to adversely affect nearby properties and will provide adequate pedestrian and vehicular access to the new park-and-ride lot.

SECTION 4. Based on the findings and conclusions set forth in Sections 1, 2, and 3 above, this Commission hereby approves Conditional Use Permit 03-05 MOD No. 1.

SECTION 5. The Deputized Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 12th day of September 2024.

Dean Henderson
Chair, Planning Commission

ATTEST:

Sylvia Magallanes, Deputized Clerk

I, Sylvia Magallanes, Deputized Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly approved, and adopted by the Planning Commission of the City of Palmdale at a regular meeting of said Commission held on the 12th day of September 2024, by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

Date: _____
Sylvia Magallanes, Deputized Clerk

EXHIBIT A

LEGAL DESCRIPTION FOR CUP 03-05 MOD NO.1

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

PARCELS 17, 18, 19, 20, 21, 22, 23 AND 24 IN THE CITY OF PALMDALE, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON RECORD OF SURVEY, FILED IN BOOK 78 PAGES 17 TO 19, INCLUSIVE OF RECORD OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM 40% OF ALL OIL, GAS, AND MINERALS, AND ALL OIL, GAS, AND MINERAL RIGHTS THEREUNDER BELOW 500 FEET, BUT WITHOUT ANY SURFACE RIGHTS OF RIGHTS OF ENTRY, AS RESERVED IN DEED FROM H.C. LAND CORPORATION, A CORPORATION, RECORDED AUGUST 23, 1956, IN BOOK 52101 PAGE(S)112, OF OFFICIAL RECORDS, AS INSTRUMENT NO. 265, OF OFFICIAL RECORDS.

PARCEL 2:

EASEMENTS FOR PRIVATE STREET PURPOSES, INCLUDING IN SUCH PURPOSES, BUT WITHOUT LIMITATION THEREOF, THE USE THEREOF FOR PEDESTRIAN AND VEHICULAR INGRESS, EGRESS, TRAVEL AND RIGHT-OF-WAY FREE OF ALL BARRIERS, GATES OR OBLIGATIONS, AND ALSO FOR THE PURPOSE OF INSTALLATION OF ALL UTILITIES INCLUDING WATER, POWER, ELECTRICITY, GAS, TELEPHONE, DRAINAGE AND SEWER, FOR THE UTILITIES INCLUDING WATER, POWER, ELECTRICITY GAS, TELEPHONE, DRAINAGE AND SEWER, FOR THE BENEFIT OF EACH AND ALL OF THE OWNER OF PARCELS INCLUDED WITHIN SAID RECORD OF SURVEY AND PROPERTY CONTIGUOUS THERETO, OVER ALL THOSE PORTIONS OF LAND SHOWN AS PRIVATE STREET, PRIVATE AND FUTURE STREETS, AND FUTURE STREETS (ALL HEREINAFTER REFERRED TO AS "PRIVATE STREET" OR "PRIVATE STREETS") ON SAID RECORD OF SURVEY, INCLUDING BUT WITHOUT LIMITATION THEREOF, AVENUE 0-12, A PRIVATE STREET BOUNDING SAID PROPERTY ON THE NORTH THEREOF; AVENUE PAGE(S), A PRIVATE STREET BOUNDING SAID PROPERTY ON THE SOUTH THEREOF, 20TH STREET WEST, A PRIVATE STREET BOUNDING SAID PROPERTY ON THE EAST THEREOF, AND 28TH STREET WEST, A PRIVATE STREET BOUNDING SAID PROPERTY ON THE WEST THEREOF, AS WELL OVER 30 FEET STRIPS OF LAND LYING EASTERLY OF THE WESTERLY BOUNDARY LINE OF ALL PARCELS INCLUDING WITHIN SAID RECORD OF SURVEY HAVING A PRIVATE STREET AS SHOWN ON SAID RECORD OF SURVEY

Exhibit A

Page 2

ALONG THEIR EASTERLY BOUNDARY LINE, AND OVER 30 FEET STRIPS OF LAND LYING WESTERLY OF THE EASTERLY BOUNDARY LINE OF ALL SUCH PARCELS HAVING A PRIVATE STREET AS SHOWN ON SAID RECORD OF SURVEY ALONG THEIR WESTERLY BOUNDARY LINE, BY DOCUMENT RECORDED FEBRUARY 8, 1963 AS INSTRUMENT NO. 71, OF OFFICIAL RECORDS

(APN'S: 3001-026-918, -919, -920, -921, -922, -923, -924, AND -925)

EXHIBIT B

AERIAL MAP CUP 03-05 MOD NO. 1



EXHIBIT C

FINAL MITIGATED NEGATIVE DECLARATION

MARIE KERR PARK PARK-N-RIDE LOT PROJECT

MAJOR MODIFICATION TO CONDITIONAL USE PERMIT 03-05

SCH NO. 2023100690



Lead Agency:

City of Palmdale, Public Works Department

38250 Sierra Highway

Palmdale, California, 93550

Contact: Harriet Howell (661/267-5304)

Prepared by:

Padre Associates, Inc.

1861 Knoll Drive

Ventura, CA 93003

December 2023

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1.0 INTRODUCTION

1.1 PURPOSE AND LEGAL AUTHORITY

This Initial Study has been prepared for Conditional Use Permit (CUP) 03-05 Major Modification (MM) to allow for the construction of the Marie Kerr Park Park-n-Ride Lot and Outdoor Movie Theater (Project), proposed by the City of Palmdale (City) to provide local and commuter parking and entertainment for the community. Section 2.0 of this document provides a description of the Project. The City is also the “lead agency” for the Project. As defined by Section 15367 of the California Environmental Quality Act (CEQA) Guidelines, the lead agency is “the public agency which has the principal responsibility for carrying out or approving a project which may have a significant impact on the environment.” Based on the findings of the Impact Analysis (Section 3.0 of this Initial Study), it has been determined that the Project with mitigation would not have a significant impact on the environment. As such, a Mitigated Negative Declaration (MND) has been prepared for the Project in accordance with CEQA.

1.2 PROJECT PROPONENT AND LEAD AGENCY

City of Palmdale, Public Works Department/CIP Division
38250 Sierra Highway
Palmdale, California 93550

Contact: Harriet Howell (661/267-5304)

1.3 PROJECT BACKGROUND AND SETTING

The Project site was addressed in the Final Program Environmental Impact Report No. 01-01 (Program EIR) prepared in February 2002 for the Palmdale Recreational Facilities Development Program. This Program EIR addressed two facility sites; the Westside Softball and Event Complex located north of Rancho Vista Boulevard and west of 25th Street West (assessor parcel nos. 3001-026-901 through -911 and 3001-026-913 through -925) and the Eastside Recreation Complex (assessor’s parcel no. 3052-009-905) located south of Avenue S and west of 40th Street East. As originally proposed and analyzed in the Program EIR, the Westside Softball and Event Complex was an expansion of the existing Marie Kerr Park to include a sports complex with 12 softball fields, concession areas, picnic areas, playground areas, four beach volleyball courts, recreation center, outdoor amphitheater, and 700 additional parking spaces.

The Westside Softball and Event Complex includes the original Marie Kerr Park and is currently known as Marie Kerr Park and includes softball fields, tennis courts, volleyball courts, basketball courts, soccer fields, skate park, three picnic areas, two playgrounds, a public pool and the Palmdale Amphitheater. Operation of Marie Kerr Park is authorized under Conditional Use Permit No. 03-05 issued by the City Planning Commission.

As part of the Program EIR, the Project site was proposed to support softball fields. However, the fields were not constructed, and the site has been used for overflow parking for regional softball tournaments at Marie Kerr Park and concerts at the Palmdale Amphitheater. The Project site is currently surfaced with compacted crushed recycled asphalt. The site is occasionally informally painted to accommodate approximately 1,500 parking spaces.

1.4 PROJECT PURPOSE AND NEED

The purpose of the proposed Project is to serve the existing parking demand associated with Marie Kerr Park and the Palmdale Amphitheater, while providing improved safety for users (lighting, standardized parking space size and access aisles). In addition, proposed improvements would attract commuters to use the proposed parking lot for commuting to the Los Angeles and Santa Clarita areas as it is located only 1.8 miles from the primary regional commuter route (State Route 14). Although not its primary purpose, the City plans to occasionally use the proposed parking lot as an outdoor movie theater with the movie screen located at the Palmdale Amphitheater site.

1.5 PROJECT APPROVALS AND PERMITS

The City of Palmdale is the lead agency and has discretionary authority over the Project. To implement the proposed Project, the following agreements, permits and approvals are anticipated to be required:

- City Planning Department: approval of Major Modification to CUP 03-05.
- Antelope Valley Air Quality Management District: approval of a dust control plan for construction.
- State Water Resources Control Board: approval of coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Water Quality Order 2012-0006-DWQ).

1.6 MITIGATION MONITORING PLAN

Pursuant to California Resources Code Section 21081.6, a Mitigation Monitoring and Reporting Plan (MMRP) will be developed to ensure the implementation of mitigation measures necessary to reduce or eliminate identified significant impacts. The MMRP will be reviewed and adopted by the City in conjunction with the findings required under CEQA.

1.7 ADOPTION OF THE FINAL MITIGATED NEGATIVE DECLARATION

The Draft MND was circulated for review by responsible agencies and interested members of the public from October 24 through November 27, 2023. Comments were received from three parties:

- California Department of Transportation
- California Department of Fish and Wildlife
- San Manuel Band of Mission Indians

This Final MND incorporates appropriate changes to the text (underlined) of the Draft MND requested in the comments. However, these changes do not affect the significance findings of the Draft MND or include any new or modified impacts. At the time the Project is approved, the mandated CEQA Findings and a MMRP will be adopted. The City is the lead agency and has the responsibility of determining the adequacy of the MND pursuant to CEQA.

1.8 PREPARERS OF THE INITIAL STUDY

This document was prepared for the City by Matt Ingamells, Rachael Letter and Lucas Bannan of Padre Associates, Inc.

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The Project is located in the City of Palmdale immediately west of 25th Street West, between Avenue O-12 and Rancho Vista Boulevard. Unincorporated Los Angeles County is located immediately north of the site. The proposed parking lot and outdoor movie theater is comprised of a 17.6-acre undeveloped portion of the 67.33 acre Marie Kerr Park (Figure 1), including eight parcels:

- Assessor Parcel Number (APN) 3001-026-918: 1.78 acres;
- APN 3001-026-919: 2.09 acres;
- APN 3001-026-920: 2.30 acres;
- APN 3001-026-921: 2.30 acres;
- APN 3001-026-922: 1.66 acres;
- APN 3001-026-923: 1.40 acres;
- APN 3001-026-924: 1.95 acres; and,
- APN 3001-026-925: 1.96 acres.

The movie screen (Section 2.3) to serve the outdoor movie theater use would be located at the Palmdale Amphitheater site (APN 3001-026-903) immediately west of the proposed parking lot. The Project site (including the proposed movie screen) is within the Public Facility-Park land use designation and zone. The Project also includes minor improvements to 25th Street West adjacent to the parking lot site to facilitate access.

2.2 ADJACENT LAND USES

| Relative Location | Existing Land Use | Zoning Designation | Land Use Designation |
|-------------------------------|---------------------------------|---|---|
| North (Los Angeles County) | Single-family residential | A-2-2 (County) | RL-2 |
| West | Recreation (Marie Kerr Park) | Public Facility-Park | Open Space |
| East | Vacant | MU3 (Mixed Use 3); RN3 (Residential Neighborhood 3) | MU3 (Mixed Use 3); RN3 (Residential Neighborhood 3) |
| South | Single-family residential | SFR-3 (Single - Family Residential 3) | SFR-3 |

2.3 PROJECT ELEMENTS

The proposed Project would provide 1,252 motor vehicle parking spaces (Figure 2), including:

- 1,040 standard spaces;
- 36 clean air vehicle spaces;
- 72 clean air/electric vehicle spaces;
- 38 van-pool spaces;
- 43 handicapped accessible spaces;
- Eight handicapped accessible clean air/electric vehicle spaces;
- 15 recreational vehicle spaces;
- 36 bicycle parking spaces; and,
- Six passenger loading/drop-off spaces.

The proposed parking lot would be occasionally used as a drive-in movie theater, with a permanent 56-foot-tall by 100-foot-long solid movie screen to be constructed on the adjacent Palmdale Amphitheater site immediately west of the parking lot (Figure 2).

2.3.1 Vehicle Access

25th Street West would be improved along the eastern side of the proposed parking lot, including widening and paving the northern portion to provide two 20-foot-wide traffic lanes and two new driveways into the proposed parking lot. An existing driveway from Rancho Vista Boulevard would be improved to serve the proposed parking lot.

2.3.2 Sidewalks and Landscaping

Sidewalks with curb and gutter would be provided between the proposed parking lot and 25th Street West. In addition, space would be provided for a future sidewalk along Avenue O-12 to the north. Landscaped berms approximately two to three feet high and 20 to 55 feet wide would be provided along the south, east and north perimeter of the proposed parking lot. Landscaping would comply with the City's Zoning Ordinance, including selecting plants on the City's approved list, providing automatic irrigation systems and ensuring proper maintenance.

2.3.3 Security Lighting

Approximately 29 light standards and five lighted bollards would be provided within the Project site as a safety measure and would comply with the Palmdale Municipal Code (PMC). Light standards would be a maximum of 15 feet in height and be provided with LED fixtures focused downward to avoid direct illumination of residential properties located to the north and south. Based on the photo-metric plan prepared for the Project, the average illumination at the site would be 2.1 foot-candles, with a minimum of 0.5 foot-candles in compliance with the PMC.

2.3.4 Utilities

Electrical conduits, wiring and associated components would be provided to serve the proposed security lighting, as well as future installation of a movie projector. Section 2.3.2 describes the future use of the proposed parking lot as a drive-in movie theater.

2.3.5 Drainage

The parking lot would be designed with an approximate 0.9 percent slope down to the north, and provided with buried storm drains, perimeter gutters and two internal gutters that would drain into an on-site storm water infiltration system to be constructed immediately north of the parking lot (see Figure 2). This system would be comprised of a forebay to receive storm water and an infiltration basin. Storm water collected in the infiltration basin would remain on-site; however, stormwater volumes from storm events greater than a 25-year recurrence interval would be discharged to a storm drain along Avenue O-12.

2.3.6 Future Pump Station

The Project has been designed to accommodate a future potable water pump station to be constructed and operated by Los Angeles County Waterworks District No. 40 (see bottom of Figure 2).

2.4 CONSTRUCTION

Construction of proposed improvements is anticipated to require up to nine months but is unlikely to be continuous. Work would be primarily conducted between the hours of 7 a.m. and 4:30 p.m., Monday through Friday. Construction work would be scheduled to avoid peak parking demand periods for the Project site to the extent feasible, including major softball tournaments and amphitheater concerts. Staging of construction materials and equipment would occur on the Project site. Earthwork would be balanced on-site (approximately 33,407 cubic yards), with no export of earth material. The total area of disturbance would be approximately 20.35 acres.

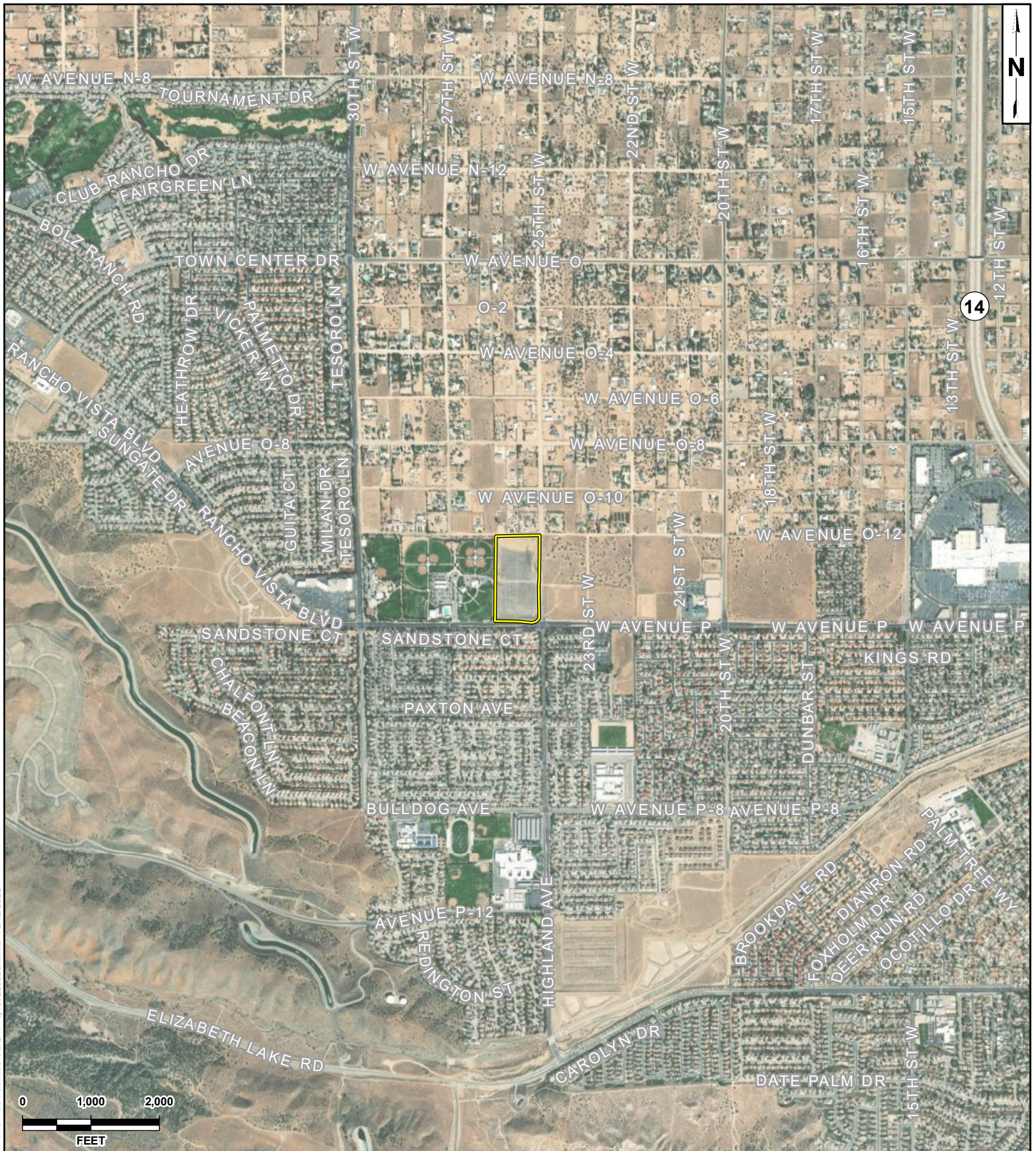
2.5 OPERATION

2.5.1 Parking

The Project site would be open from 6 a.m. to 10 p.m. to serve commuter parking demand as well as the parking needs of Marie Kerr Park and the Palmdale Amphitheater. Lighting would be controlled by an astronomical time clock with a photo-cell connection to ensure daytime lighting is avoided. Landscaping would be maintained (irrigation, weeding and mowing) as needed to ensure survival and vigor of plant materials.

2.5.2 Movie Theater

The proposed parking lot would be occasionally used as a drive-in movie theater. Movies would be shown by the City periodically, with an estimated peak day attendance of 500 vehicles. The movie soundtrack would be broadcast on short-range FM radio to the vehicles attending the movie. Movies would end by 10 p.m. to be consistent with the existing operating hours of the Palmdale Amphitheater. For the purposes of estimating impacts, it is assumed the proposed parking lot would function as an outdoor movie theater an average of 12 days per year.



LEGEND:

Project Location

Source: Esri Online Imagery Basemap, County of Los Angeles
 Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet
 Notes: This map was created for informational and display purposes only.

MAP EXTENT:



padre
 associates, inc.
 ENGINEERS, GEOLOGISTS &
 ENVIRONMENTAL SCIENTISTS

PROJECT NAME: MARIE-KERR PARK
 PARK-N-RIDE LOT, PALMDALE
 LOS ANGELES COUNTY, CA

PROJECT NUMBER:
 2202-1831

DATE:
 October 2023

PROJECT LOCATION

FIGURE

1



LEGEND:

| | | | | | |
|---------------------|--------------------------|-----------------------------|----------|---------------------------|--------------------------|
| Project Location | Parking Spot Type | Accessible / Clean Air / EV | RV | Standard / Clean Air | Vanpool / Clean Air / EV |
| Future Movie Screen | Accessible | Pick-up / Drop-off | Standard | Standard / Clean Air / EV | |

MAP EXTENT:

0 50 100
FEET

Source: Google Earth Imagery 4/16/23, MNS Engineers, Inc., County of Los Angeles
Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet
Notes: This map was created for informational and display purposes only.

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associates, inc.
ENGINEERS, GEOLOGISTS &
ENVIRONMENTAL SCIENTISTS

| | |
|--|-----------------------|
| PROJECT NAME: MARIE-KERR PARK PARK-N-RIDE LOT, PALMDALE LOS ANGELES COUNTY, CA | |
| PROJECT NUMBER: 2202-1831 | DATE: October 2023 |

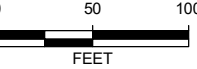
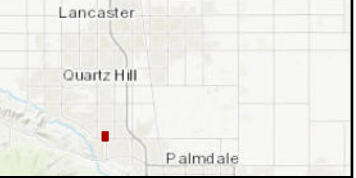
SITE PLAN

FIGURE
2



LEGEND:
Project Location

MAP EXTENT:



Source: Google Earth Imagery 4/16/23, MNS Engineers, Inc., County of Los Angeles
Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet
Notes: This map was created for informational and display purposes only.

padre
associates, inc.
ENGINEERS, GEOLOGISTS &
ENVIRONMENTAL SCIENTISTS

PROJECT NAME: MARIE-KERR PARK
PARK-N-RIDE LOT, PALMDALE
LOS ANGELES COUNTY, CA

PROJECT NUMBER:
2202-1831

DATE:
October 2023

**CONCEPTUAL
GRADING PLAN**

**FIGURE
3**



a. View of Project site (existing parking lot) from Rancho Vista Blvd



b. View of Project site from near Avenue O-12, facing southeast



c. View of Project site with amphitheater in background, facing west



d. View of portion of 25th Street West to be improved, facing north

3.0 ENVIRONMENTAL IMPACT ANALYSIS

This section provides an analysis of the potential environmental impacts associated with the Project. The analysis is organized by environmental issue area (e.g., aesthetics, agricultural resources, air quality). Each issue area begins with a checklist, which identifies criteria that have been used to assess the significance or insignificance of each potential impact. The checklists used in this Initial Study were taken from the 2023 update to the State CEQA Guidelines prepared by the Association of Environmental Professionals. The checklists also indicate the conclusions made regarding the potential significance of each impact. Explanations of each conclusion are provided after the checklists. If appropriate, setting descriptions and recommended mitigation measures are also provided. Finally, residual impacts (i.e., with the implementation of recommended mitigation measures) are assessed.

Impact classifications used in the checklists are the following:

- **Potentially Significant Impact.** An impact that could be significant, and requires further study in an Environmental Impact Report (EIR).
- **Less than Significant Impact with Mitigation.** An impact that is potentially significant, but can feasibly be mitigated to a less than significant level with measures identified in the Initial Study.
- **Less than Significant Impact.** An impact that would not be significantly adverse.
- **No Impact.** Applied when the Project would not result in any impact to a specific issue area.

3.1 AESTHETICS

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. In non-urban areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

3.1.1 Setting

The Project site is located adjacent to single-family residential areas, with medium density (City zoning and land use designation SFR-3) to the south, and low-density residential (County zoned A-2-2, about two acre lots) to the north. An undeveloped area (City zoning and land use designation mixed use [MU3] and residential neighborhood [RN3]) is located to the east of the Project site. The existing Marie Kerr Park is located immediately west of the Project site, including the Palmdale Amphitheater and softball fields. These areas support turfgrass and landscaping trees which provides a park-like visual character. Street lighting is provided along Rancho Vista Boulevard immediately south of the Project site, and security lighting is provided for existing softball fields and the Palmdale Amphitheater.

3.1.2 Impact Analysis

- a. *Have a substantial adverse effect on a scenic vista?*

Less than Significant Impact. The City's former General Plan identified scenic "backdrops" including the San Gabriel Mountains, Sierra Pelona, Ritter Ridge and Portal Ridge, which are all located south of the Project site. The only designated scenic resource in the area is Ritter Ridge, located approximately one mile to the southwest. The proposed 56-foot-tall movie screen would be oriented north-south, such that public views to the south (towards Ritter Ridge) would not be substantially affected. The nearest east-west public views are from 25th Street West, which is located approximately 750 feet east of the proposed movie screen location. Based on this distance and the proposed height of the movie screen, public views of scenic backdrops from 25th Street West would not be blocked or substantially affected.

- b. *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

No Impact. There are no eligible or designated State scenic highways in the Project area. Elizabeth Lake Road (1.1 miles to the south) was identified in the City's former General Plan as a scenic roadway. Views of the Project site from Elizabeth Lake Road are mostly obscured by intervening structures. The proposed Project does not involve the removal of vegetation, structures or rock outcroppings. The proposed parking lot would not degrade views from Elizabeth Lake Road.

- c. *In non-urban areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

No Impact. The scenic character of the City of Palmdale is a consequence of its location in the southern portion of the Antelope Valley adjacent to the Sierra Pelona Mountains. Views to the north and east of the Project site are of the Antelope Valley, an expansive nearly level valley floor characterized by low density development and open space dominated by scattered scrub vegetation. Views to the south are of the Sierra Pelona Mountains, with the San Gabriel Mountains beyond, supporting chaparral and conifer forest vegetation.

The proposed Project would not degrade the visual character of the site, Marie Kerr Park or surrounding areas. The proposed landscaped berms would improve the visual quality of views of the Project site from adjacent roadways. The Project would be consistent with the General Plan land use designation and zone Public Facility-Park and comply with PMC regulations affecting parking lots. Overall, the Project would not degrade the visual character or quality of the site or area.

- d. *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Less than Significant Impact. The Project includes security lighting which would be a new source of night lighting in the Project area. However, the site is located adjacent to street lighting and security lighting provided for existing recreational land uses (softball fields, swimming pool, amphitheater). Proposed lighting may adversely affect nighttime views of nearby residential areas. The Project would comply with the City's landscaping, lighting, screening and walls requirements, including 15-foot maximum height for light standards within 150 feet of residential areas and cut-off light fixtures to prevent illumination of off-site properties. The photometric analysis prepared for the Project indicates security lighting would not extend beyond the site boundaries.

The Project would provide parking for commuters, such that the site would be used in the early morning, when headlights would be required during much of the year. The impact of headlights on residences to the south (Sandstone Court) would be minimized by the proposed three-foot-high berm along the southern parking lot boundary and existing four to five-foot-high masonry block wall south of Rancho Vista Boulevard.

A photometric analysis was conducted by TJW Engineering to determine areas affected by light generated by the movie projector when the proposed parking lot is used as a drive-in movie theater. This analysis indicates a maximum of 30.9 foot-candles of light would be generated in front of the projector, but this light would not extend outside the parking lot or the Palmdale Amphitheater site. Overall, lighting impacts are considered less than significant.

3.1.3 Mitigation Measures and Residual Impacts

As the Project would not result in significant impacts related to aesthetics, no mitigation measures are necessary.

3.2 AGRICULTURAL AND FORESTRY RESOURCES

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| 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, timberland or timberland zoned Timberland Production? | <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 forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3.2.1 Setting

Important Farmlands. The Farmland Mapping and Monitoring Program operated by the California Department of Conservation has classified farmland as "Prime," "Statewide Importance," "Unique" and "Local Importance". The Project site has been designated as "Other Land" (non-farmland).

"Prime" farmlands are defined as farmland with the best combination of physical and chemical features able to sustain long-term production of agricultural crops. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for production of irrigated crops at some time during the four years prior to the most recent mapping date (2020). The nearest Prime farmland (orchards along Elizabeth Lake Road) is located approximately four miles west of the Project site. Statewide Importance, Unique or Local Importance farmlands do not occur in the Project area.

California Land Conservation Act Contracts (LCA). A primary tool to preserve farmlands is the LCA or Williamson Act contract program. Under the Act, landowners may voluntarily enter into a long-term contract to maintain their property in agriculture or open space in exchange for reduced property tax assessments. Contract terms are either 10 or 20 years and are annually self-renewing unless a Notice of Non-Renewal is filed. Since 1962, the program has been the backbone of agricultural preservation efforts statewide. No lands enrolled in LCA contracts are located in the Project area.

Forest Land. The nearest forest land (as defined in Public Resources Code Section 12220) or timberland is located within the Angeles National Forest, at least six point five (6.5) miles west-southwest of the Project site.

Zoning. All proposed improvements would be located within the City in areas zoned as "Public Facility-Park".

3.2.2 Impact Analysis

- 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?*

No Impact. The Project would not result in the conversion of farmland to non-agricultural use and no loss of farmland soils would occur.

- b. *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

No Impact. The Project would not conflict with any agriculturally zoned areas, or any Williamson Act contracts.

- c. *Conflict with existing zoning for, or cause rezoning of forest land, timberland or timberland zoned Timberland Production?*

No Impact. The Project is consistent with existing zoning and would not cause any forest land or timberlands to be rezoned.

- d. *Result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact. The Project would not result in the loss or conversion of forest land to non-forest uses.

- e. *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

No Impact. The Project does not involve a change in land use, extension of public infrastructure (e.g., roads, power, water, sewer) or other features that could induce population growth and the potential for conversion of agricultural lands or forest lands.

3.2.3 Mitigation Measures and Residual Impacts

The Project would not result in significant impacts to agricultural or forestry resources. Therefore, mitigation is not required.

3.3 AIR QUALITY

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| d. Result in other emissions (such as those leading to odors) affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

3.3.1 Setting

Regional Issues. The Antelope Valley is downwind of the Los Angeles basin, and to a lesser extent, is downwind of the San Joaquin Valley. Prevailing winds transport ozone and ozone precursors from both regions into and through the Antelope Valley during the summer ozone season. Local Antelope Valley emissions contribute to exceedances of both the national and state ambient air quality standards for ozone. However, photochemical ozone modeling conducted by the South Coast Air Quality Management District and California Air Resources Board (CARB) indicates that the Antelope Valley would be in attainment of both standards without the influence of this transported air pollution from upwind regions.

Ambient Air Quality. CARB has divided the State into 15 air basins to better manage air pollution. Air basin boundaries were determined by grouping together areas with similar geographical and meteorological features. Political boundaries were also considered in determining the air basin boundaries. The Project site is located within the Mojave Desert Air Basin (MDAB). The MDAB encompasses portions of the counties of Los Angeles, Riverside, San Bernardino and Kern.

The U.S. Environmental Protection Agency (USEPA) and CARB classify an area as attainment, unclassified, or nonattainment depending on whether the monitored ambient air quality data shows compliance, insufficient data available, or non-compliance with the ambient air quality standards, respectively. The National and California Ambient Air Quality Standards (NAAQS and CAAQS) relevant to the Project are provided in Table 1.

Table 1. Ambient Air Quality Standards

| Pollutant | Averaging Time | California Standards | Federal Standards (NAAQS) | |
|---|----------------|--------------------------------------|--|-----------------|
| | | | Primary | Secondary |
| Ozone (O ₃) | one-hour | 0.09 ppm (180 µg/m ³) | -- | -- |
| | eight-hour | 0.07 ppm (137 µg/m ³) | 0.070 ppm* (137 µg/m ³) | Same as primary |
| Respirable Particulate Matter (PM ₁₀) | 24-hour | 50 µg/m ³ | 150 µg/m ³ | Same as primary |
| | Annual | 20 µg/m ³ | -- | -- |
| Fine Particulate Matter (PM _{2.5}) | 24-hour | -- | 35 µg/m ³ | Same as primary |
| | Annual | 12 µg/m ³ | 12 µg/m ³ | Same as primary |
| Carbon Monoxide (CO) | one-hour | 20 ppm (23 µg/m ³) | 35 ppm (40 mg/m ³) | -- |
| | eight-hour | 9.0 ppm (10 mg/m ³) | 9 ppm (10 mg/m ³) | -- |

| Pollutant | Averaging Time | California Standards | Federal Standards (NAAQS) | |
|-------------------------------------|------------------------|--------------------------------------|---------------------------------------|---------------------------------------|
| | | | Primary | Secondary |
| Nitrogen dioxide (NO ₂) | one-hour | 0.18 ppm (339 µg/m ³) | 0.10 ppm (188 µg/m ³) | Same as primary |
| | Annual | 0.030 ppm (57 µg/m ³) | 0.053 ppm (100 µg/m ³) | Same as primary |
| Sulfur dioxide (SO ₂) | one-hour | 0.25 ppm (655 µg/m ³) | 0.075 ppm (196 µg/m ³) | -- |
| | three-hour | -- | -- | 0.50 ppm (1300 µg/m ³) |
| | 24-hour | 0.04 ppm (105 µg/m ³) | 0.14 ppm (for certain areas) | -- |
| | Annual Arithmetic Mean | -- | 0.030 ppm (for certain areas) | -- |

*The 2008 (0.075 ppm) Federal eight-hour ozone standard was revised to 0.070 ppm in 2015

-- No applicable standard

Ambient Air Quality Standard Attainment Status. The CARB and USEPA have designated the MDAB as unclassified or in attainment of all criteria ambient air pollutant standards with the exception of:

- Federal 2015 eight-hour ozone standard: non-attainment, classified as “severe”.
- California one-hour ozone standard: non-attainment.

Air Quality Monitoring. The ambient air quality of the MDAB is monitored by a network of 16 stations. The nearest air quality monitoring station is the Lancaster station (43301 Division Street), located approximately 5.1 miles northeast of the Project site. Table 2 lists the monitored maximum concentrations and number of exceedances of air quality standards at the Lancaster monitoring station for the years 2020 through 2022. As shown in Table 2, the eight-hour ozone standards are regularly exceeded at the Lancaster station. Monitored concentrations of PM₁₀ at the Lancaster station exceeded the Federal 24-hour standard on two days from 2020 through 2022. Monitored concentrations of PM_{2.5} at the Lancaster station exceeded the Federal 24-hour standard on 10 days from 2020 through 2022.

Planning for Attainment of Ambient Air Quality Standards. On March 21, 2017, the Antelope Valley Air Quality Management District (AVAQMD) completed an Attainment Plan demonstrating Antelope Valley will attain the Federal eight-hour ozone standard by July 2027.

**Table 2. Summary of Ambient Air Pollutant Data Collected
at the Lancaster Monitoring Station**

| Parameter | Standard | Year | | |
|--|----------|-------|-------|-------|
| | | 2020 | 2021 | 2022 |
| Ozone – parts per million (ppm) | | | | |
| Maximum one-hour concentration monitored | | 0.099 | 0.086 | 0.098 |
| Number of days exceeding CAAQS | 0.09 | 4 | 0 | 3 |
| Maximum eight-hour concentration monitored | | 0.084 | 0.080 | 0.083 |
| Number of days exceeding eight-hour ozone NAAQS or CAAQS | 0.070 | 8 | 4 | 36 |
| PM ₁₀ – micrograms per cubic meter (µg/m³) | | | | |
| Maximum 24-hour average sample (California sampler) | | 192.3 | 411.2 | 76.2 |
| Number of days exceeding CAAQS | 50 | * | * | * |
| Number of days exceeding NAAQS | 150 | 1 | 1 | 0 |
| PM _{2.5} – micrograms per cubic meter (µg/m³) | | | | |
| Maximum 24-hour sample | | 74.7 | 35.7 | 15.1 |
| Number of days exceeding NAAQS | 35 | 9 | 1 | 0 |

*Insufficient data provided by CARB

Local Authority. The AVAQMD is the local agency that has primary responsibility for regulating stationary sources of air pollution located within the Project region (Antelope Valley). To this end, the AVAQMD implements air quality programs required by State and federal mandates, develops and enforces local rules and regulations based on air pollution laws, and educates businesses and residents about their role in protecting air quality. The AVAQMD is also responsible for managing and permitting existing, new, and modified sources of air emissions within the region. Applicable AVAQMD rules and regulations for proposed Project are limited to:

- Rule 402 (Nuisance): this Rule states that a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. This rule would apply to fugitive dust generated during Project-related construction.
- Rule 403 (Fugitive Dust): this Rule regulates dust generated by demolition, construction, bulk material handling, and vehicle/equipment operation on unpaved roads. This Rule applies to dust generated by Project-related construction.

Significance Thresholds. The AVAQMD has developed California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, which indicate that a Project may have a significant impact on the environment if it would:

1. Generate total emissions (direct and indirect) in excess of the thresholds given in Table 3 below
2. Generate a violation of any ambient air quality standard when added to the local background
3. Does not conform with the applicable attainment or maintenance plan (a project is deemed to not exceed this threshold, and hence not be significant, if it is consistent with the existing land use plan. Zoning changes, specific plans, general plan amendments and similar land use plan changes which do not increase dwelling unit density, do not increase vehicle trips, and do not increase vehicle miles traveled are also deemed to not exceed this threshold)
4. Exposes sensitive receptors to substantial pollutant concentrations, including those resulting in a cancer risk greater than or equal to 10 in a million and/or a Hazard Index (non-cancerous) greater than or equal to 1

Table 3. AVAQMD Air Pollutant Emissions Significance Thresholds

| Pollutant | Annual Threshold (tons) | Daily Threshold (pounds) |
|---|------------------------------------|-------------------------------------|
| Carbon monoxide (CO) | 100 | 548 |
| Oxides of nitrogen (NO _x) | 25 | 137 |
| Volatile organic compounds (VOC) | 25 | 137 |
| Fine particulate matter (PM ₁₀) | 15 | 82 |

Residences, schools, daycare centers, playgrounds and medical facilities are considered sensitive receptor land uses. The following project types proposed for sites within the specified distance to an existing or planned sensitive receptor land use must be evaluated using significance threshold criteria number four (see above):

- Any industrial project within 1000 feet;
- A distribution center (40 or more trucks per day) within 1000 feet;
- A major transportation project (50,000 or more vehicles per day) within 1000 feet;
- A dry cleaner using perchloroethylene within 500 feet; and,
- A gasoline dispensing facility within 300 feet.

3.3.2 Impact Analysis

a. *Conflict with or obstruct implementation of the applicable air quality plan?*

No Impact. Projects that cause local populations to exceed population forecasts in the AVAQMD Ozone Attainment Plan are considered inconsistent with this Plan, as exceeding population forecasts can result in the generation of emissions beyond those which have been projected. The proposed parking lot would only serve existing parking demand and would not support new land uses which could induce population growth. The occasional use of the parking lot as a drive-in movie theater would not provide any new housing or employment opportunities that may attract persons to the City. Overall, the Project would have no effect on implementation of the AVAQMD Ozone Attainment Plan and progress towards attainment of the Federal eight-hour ozone standard.

b. *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?*

Less than Significant Impact. Short-Term Construction Emissions. The Project would generate air pollutant emissions as a result of construction activities, primarily exhaust emissions from heavy-duty trucks, worker vehicles and heavy equipment. Heavy equipment emissions were estimated for a peak day using the OFFROAD 2021 model developed by the CARB, focusing on earthwork. Model inputs consisted of year 2023 emissions within the Antelope Valley.

Emissions of on-road vehicles were estimated using the CARB's EMFAC2021 model, assuming five heavy-duty truck trips (10 one-way trips) and nine worker trips (18 one-way trips) would occur on a peak work day. Estimated Project construction peak day and total (annual) emissions are listed in Table 4.

Table 4. Construction Air Pollutant Emissions

| Source | VOC | | NO _x | | CO | | PM ₁₀ | |
|-------------------------------|----------------|---------------|-----------------|---------------|----------------|---------------|------------------|---------------|
| | Pounds per Day | Tons per Year | Pounds per Day | Tons per Year | Pounds per Day | Tons per Year | Pounds per Day | Tons per Year |
| Equipment exhaust | 1.91 | 0.05 | 17.51 | 0.53 | 18.16 | 0.48 | 0.86 | 0.02 |
| On-road vehicles | 0.04 | <0.01 | 1.07 | 0.01 | 1.06 | 0.03 | 0.10 | <0.01 |
| Fugitive dust | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 79.62 | 0.84 |
| Total | 1.95 | 0.05 | 18.58 | 0.54 | 19.22 | 0.51 | 80.58 | 0.86 |
| Significance Threshold | 137 | 25 | 137 | 25 | 548 | 100 | 82 | 15 |

Construction peak day and annual air pollutant emissions would not exceed the AVAQMD significance thresholds and are considered a less than significant impact on air quality.

Long-Term Operational Emissions. The proposed Project would provide safety and functional improvements and formalize the use of the Project site for vehicle parking. It would serve existing land uses and related parking demand and would not generate any new parking-related vehicle trips or emissions. The proposed use of the Project site by commuters has the potential to encourage ridesharing and may reduce vehicle trips. However, the occasional use of the parking lot as a drive-in movie theater would attract up to 500 vehicles and generate new vehicle trips. Peak day and annual emissions of these vehicles were estimated using the CARB's EMFAC2021 model, assuming up to 1,000 one-way vehicle trips (500 vehicles attending a movie) and 12 movie nights per year. Estimated movie theater-related peak day and annual air pollutant emissions are listed in Table 5. Operational air pollutant emissions would be less than the AVAQM thresholds and considered a less than significant impact to air quality.

Table 5. Movie Theater Generated Motor Vehicle Emissions

| Source | VOC | | NO _x | | CO | | PM ₁₀ | |
|-------------------------------|----------------|---------------|-----------------|---------------|----------------|---------------|------------------|---------------|
| | Pounds per Day | Tons per Year | Pounds per Day | Tons per Year | Pounds per Day | Tons per Year | Pounds per Day | Tons per Year |
| Motor Vehicle Emissions | 1.3 | <0.01 | 2.1 | 0.01 | 25.5 | 0.15 | 0.36 | <0.01 |
| Significance Threshold | 137 | 25 | 137 | 25 | 548 | 100 | 82 | 15 |

c. *Expose sensitive receptors to substantial pollutant concentrations?*

Less than Significant Impact. The Project construction area would be located adjacent to sensitive receptor land uses; approximately 150 feet north of residential structures and approximately 80 feet east of softball fields. Construction activities would generate air pollutant emissions. However, the Project does not involve land uses that may generate substantial pollutant concentrations such as industrial facilities, distribution center, dry cleaner or gasoline dispensing station. Therefore, impacts to sensitive receptors are considered less than significant.

d. *Result in other emissions (such as those leading to odors) affecting a substantial number of people?*

Less than Significant Impact. The proposed Project would not generate objectionable odors that would adversely affect substantial numbers of people. During construction, emissions from construction equipment, such as diesel exhaust, and volatile organic compounds from paving activities may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people and would disperse rapidly. Therefore, impacts related to odors associated with construction-related activities would be less than significant.

3.3.3 Mitigation Measures and Residual Impacts

The Project would not result in significant impacts to air quality. Therefore, mitigation is not required. In any case, standard dust control measures required by AVAQMD Rule 403 would be implemented during construction.

3.4 BIOLOGICAL RESOURCES

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Have a substantial adverse effect on state or federally protected wetlands (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 type="checkbox"/> | <input checked="" 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 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3.4.1 Setting

Vegetation. Most of the Project site is currently surfaced with compacted recycled (crushed) asphalt, with the northern portion unsurfaced (exposed soil). Vegetation is limited to scattered areas within the existing informal parking lot and along the perimeter berms, with a total cover of less than two percent of the Project site. Surrounding areas are mostly developed, with softball fields and other recreational facilities, and amphitheater to the west, and residential areas to the north and south. The parcel to the east of the Project site is undeveloped and supports California juniper woodland dominated by California juniper (*Juniperus californica*) and Joshua trees (*Yucca brevifolia*), including a few dozen Joshua trees as close as 200 feet from the Project site.

Botanical Resources. A Project-specific botanical/biological survey was conducted by Matt Ingamells (a Los Angeles County-approved biologist with extensive experience in the Antelope Valley) on May 25, 2022. The Project site including a 50-foot buffer was systemically walked to ensure all plants were encountered and identified. A total of 23 plant species were identified including seven native species (30 percent). Of the 16 non-native species identified, seven are considered invasive by the California Invasive Plant Council, including one species rated as highly invasive, two species rated as moderately invasive, and four species rated as limited invasiveness. Appendix A provides a list of all plants observed during the botanical survey including their invasive status.

Special-Status Plant Species. Special-status plant species are those that are either listed as endangered or threatened under the Federal or California Endangered Species Acts, or rare under the California Native Plant Protection Act, or considered to be rare or of scientific interest (but not formally listed) by resource agencies, professional organizations (e.g., Audubon Society, California Native Plant Society [CNPS], The Wildlife Society) and the scientific community. Based on a review of the California Natural Diversity Data Base, only one special-status plant species (short-joint beavertail cactus) has been reported within two miles of the Project site. This species is considered rare or endangered in California by CNPS but is not formally listed as endangered or threatened under the Federal or State endangered species acts. Short-joint beavertail cactus has been reported from Ritter Ridge, approximately one mile southwest of the Project site.

The western Joshua tree and California juniper were formerly protected under PMC Section 14.04, and were observed on the parcel to the east, approximately 200 feet east of the Project site. The western Joshua tree was listed as a candidate species under the California Endangered Species Act in 2020. The western Joshua tree, California juniper or other special-status plant species were not found on the Project site during the botanical survey conducted on May 25, 2022.

Wildlife. The wildlife habitat value of the Project site is very low due to the lack of vegetation and surrounding development. Vertebrate animals observed within or adjacent to the Project site during the May 25, 2022 wildlife survey were limited to included Great Basin whiptail lizard, house sparrow, house finch, black phoebe, common raven, mourning dove, California quail (tracks), domestic chicken (calls), coyote (tracks), mule deer (tracks), dog (tracks) and domestic horse (tracks). Appendix B provides a list of all wildlife species observed during the biological survey.

Wildlife Corridors. Wildlife migration corridors are generally defined as connections between habitat areas that allow for physical and genetic exchange between otherwise isolated animal populations. Migration corridors may be local such as between foraging and nesting or denning areas, or they may be regional in nature. Migration corridors are not unidirectional access routes; however, reference is usually made to source and receiver areas in discussions of wildlife movement networks. "Habitat linkages" are migration corridors that contain contiguous strips of native vegetation between source and receiver areas. Habitat linkages provide cover and forage sufficient for temporary inhabitation by a variety of ground-dwelling animal species.

Wildlife migration corridors are essential to the regional ecology of an area as they provide avenues of genetic exchange and allow animals to access alternative territories as fluctuating dispersal pressures dictate.

Wildlife movement in the Project area is likely focused along Ritter Ridge due to the lack development, presence of habitat and the connection between the Antelope Valley and the Sierra Pelona Mountains.

Special-Status Wildlife Species. Based on a review of the California Natural Diversity Data Base, only two special-status wildlife species have been reported within two miles of the Project site:

- Ferruginous hawk (*Buteo regalis*): placed on a watch list by the California Department of Fish and Wildlife (CDFW); reported from Ritter Ridge, approximately 2.0 miles southwest of the Project site.
- Northern California legless lizard (*Anniella pulchra*): designated as a species of special concern by the CDFW; reported from an undeveloped parcel, approximately 700 feet east of the Project site.

Suitable habitat for these species does not occur on the Project site and they were not observed during a wildlife field survey conducted on May 25, 2022.

3.4.2 Impact Analysis

- 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 Wildlife or U.S. Fish and Wildlife Service?*

No Impact. The Project site contains only tiny, scattered areas of mostly weedy herbaceous vegetation. Native vegetation and wildlife habitat is lacking. No special-status plant or wildlife species were observed during the botanical and wildlife survey, and none are expected due to the lack of suitable habitat. Therefore, construction and operation of the proposed parking lot and drive-in movie theater would not impact special-status species.

- 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 Wildlife or U.S. Fish and Wildlife Service?*

No Impact. The Project site does not contain riparian vegetation or a sensitive natural community, therefore, construction and operation of the proposed parking lot and drive-in movie theater would not impact these resources.

- c. *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. The Project site and vicinity does not contain any wetlands; therefore, construction and operation of the proposed parking lot and drive-in movie theater would not impact these resources.

- 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?*

No Impact. There are no recognized fish or wildlife migration corridors in the Project vicinity. The Project site does not support habitat or cover that may facilitate wildlife movement. Therefore, adverse impacts to fish and wildlife movement are not anticipated.

- e. *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

No Impact. The Project site does not support biological resources protected under any local policies or ordinances.

- 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?*

No Impact. The Project area is not subject to a habitat conservation plan or other conservation plan. Therefore, no adverse impacts related to compliance with habitat conservation plans are anticipated.

3.4.3 Mitigation Measures and Residual Impacts

The Project would not result in significant impacts to biological resources. Therefore, mitigation is not required. However, the following measure will be implemented as requested by CDFW:

Nesting Bird Measure: The Project shall fully avoid impacts to nesting birds and raptors. To the extent feasible, no construction or ground-disturbing activities (e.g., mobilizing, staging, and excavating) shall occur during the avian breeding season which generally runs from February 15 through September 15 (as early as January 1 for some raptors) to avoid take of birds, raptors, or their eggs. If Project activities occur during breeding season, a qualified biologist shall conduct nesting bird and raptor surveys to identify nests no more than 14 days prior to ground-disturbing activities. The qualified biologist shall establish no-disturbance buffers to minimize impacts on those nests. A minimum 100-foot no disturbance buffer shall be placed around active passerine nests. For raptors, the no disturbance buffer shall be expanded to 500 feet. Reductions in the nest buffer may occur in consideration of site-specific features such as ambient levels of human activity, screening vegetation, or other factors. A buffer shall remain in place until the qualified biologist has determined that the young have fledged, and the nest is inactive.

3.5 CULTURAL RESOURCES

| Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines? | <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 Section 15064.5 of the CEQA Guidelines? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

3.5.1 Setting

Archaeological Context. The prehistoric occupation of southern California by various hunter-gatherer groups dates to at least 12,000 years before present (B.P.) (Moratto, 1984). Specifically, the Antelope Valley foothill region has been identified as an axis between coastal and desert populations, as well as northern populations of the Eastern Sierra and northern California (Loftus and Turner, 2008). Prehistoric human subsistence is believed to have involved the seasonal exploitation of natural resources by small groups, a strategy that was successfully employed until approximately 2,000 B.P. Specific changes that have been identified include a shift toward a more sedentary settlement pattern with the appearance of semi-permanent villages and an increase in small campsites associated with these larger villages (Loftus and Turner, 2008).

Archaeologists have identified a generally accepted chronology for dating the various cultural phases of the prehistoric populations that occupied the Mojave Desert and the Great Basin area, which can likewise be applied to the Antelope Valley (PlaceWorks, 2014). This chronology proposes six specific cultural phases: Paleo-Indian Period (ca. 10,000 B.C.–8,000 B.C.), Lake Mojave Period (8,000 B.C.–5,000 B.C.), Pinto Period (5,000 B.C.–2,000 B.C.), Gypsum Period (2,000 B.C.–A.D. 500), Rose Spring Period (A.D. 500–1,000), and the Late Prehistoric Period (A.D. 1,000 to contact).

The Paleo-Indian Period is the period associated with big game hunting traditions that utilized fluted points for hunting late Pleistocene megafauna. A few of these Paleo-Indian fluted points have been found in the Mojave Desert. Examples of Paleo-Indian fluted projectile points include the Clovis and Dalton point types (Moratto, 1984).

During the Lake Mojave Period, a diversification of artifact and ecofact assemblages occurs, suggesting the adoption of broader adaptation strategies by prehistoric populations. Artifacts associated with this period include the long-stemmed Lake Mojave and shorter-stemmed Silver Lake projectile points, finds which are often associated with terminal Pleistocene lake shore locations. Relatively few milling stone artifacts have been found in Lake Mojave Period contexts, suggesting a subsistence pattern that emphasized hunting (Loftus and Turner, 2008).

The following Pinto Period is characterized by generalized hunter-gatherer populations that occupied seasonal camps in small numbers. Artifacts of this period are exemplified by the Pinto projectile point type, probable evidence of atlatl use, and the appearance of settlement sites near to ephemeral lakes and now-dry springs or creeks. There is a noticeable lack of groundstone or milling stone artifacts at Pinto Period archaeological sites (Loftus and Turner, 2008).

Cultural adaptations occurred during the Gypsum Period to more arid desert conditions, adaptations that resulted in an increased emphasis on socioeconomic ties through trade, the development of new technologies, and more complex ritual activities. Artifacts commonly associated with the Pinto Period include a wide variety of projectile point types, including but not limited to, the Humboldt Concave base, Gypsum cave, and Elko Eared or Elko Corner-notched, as well as the first appearance of trade artifacts made of shell (PlaceWorks, 2014).

A continuation of these artifacts extends into the Rose Spring Period, as does an increased social complexity due to larger populations and extensive, long-distance trade contacts. Specific projectile point types associated with this period are the Rose Spring and Eastgate; research attests to the existence of several semi-permanent villages that made use of multiple ecological zones, as well as the establishment of extensive trade routes throughout Southern California (Loftus and Turner, 2008).

Key indicators associated with the Late Prehistoric Period include a broad diffusion of pottery west from the Colorado River area, an abundance of coastal shell beads, and two particular projectile points (Desert Side-notched and the Cottonwood). With the presence of well-established trade, complex socioeconomic and sociopolitical organization developed, and by approximately 1,000 to 500 years before the present, social complexity had likely reached the chiefdom level. An increase in population resulted in the gradual intensification of much broader environments and food resources (PlaceWorks, 2014). By the mid-17th century, occupation levels decreased in the Antelope Valley, effectively marginalizing the area as one of limited socio-cultural complexity. Most researchers consider the Late Prehistoric Period an extension of the ethnographic present, a claim that is supported by both recorded oral traditions as well as the archaeological record (Loftus and Turner, 2008).

Ethnographic Context. The Project site is located within the ethnographic territory of the Tataviam or Alliklik, hunter-gatherers that subsisted upon the seasonal gathering of yucca, acorns, sage seeds, and juniper berries and hunting rabbit, rodents, deer, and antelope (LACDRP, 2007). They spoke a variant of the indigenous Takic language, and are believed to have migrated into southern California from the Great Basin between 1,000 and 3,000 years ago (King and Blackburn, 1976). Most of what is known about the Tataviam comes from raw field notes taken by anthropologists John P. Harrington and Alfred L. Kroeber, records from Mission San Fernando, and diaries of early Spanish explorers.

Culturally speaking, the Tataviam had a social and political organization similar to their Fernandean neighbors to the south and Chumash neighbors to the west (King and Blackburn, 1976). Based on this comparison, it can be suggested that the Tataviam were organized into a series of tribelets (Kroeber, 1925), which represented an autonomous land-holding unit, minimally controlled by a head-chief or big-man. They usually included one large village sometimes occupied year-round and a series of smaller, seasonally inhabited hamlets. It is unknown if the Tataviam had exogamous clans and moieties, like the Cahuilla and Serrano to the east (W&S Consultants, 2010). A number of Tataviam villages have been identified through historic registers at Mission San Fernando, including tsawayung at the original Newhall Ranch site near Castaic Junction (approximately 20 miles southwest of the Project site) (LACDRP, 2007).

The protohistoric culture of the Tataviam, defined as the time when intermittent trade and contact was experienced between indigenous populations and Spanish trading vessels, was disrupted by the arrival of the Spanish expedition led by Gaspar de Portolá in 1769. The establishment of the Mission San Fernando (located approximately 28 miles southwest of the Project site) further disrupted Tataviam culture in Los Angeles County (W&S Consultants, 2010). Archaeological evidence verifies not only that the native population was rapidly decimated by missionization, but also the culture itself was absorbed into other groups through intermarriage (Chartkoff and Chartkoff, 1984).

Historical Context. The Spanish were the first known Europeans to explore and colonize the land area of what is known today as California. The first documented Europeans in the Antelope Valley were the Spanish explorers Captain Pedro Fages in 1772 and Father Francisco Garcés in the late 1770s. The founding of the San Fernando Mission in 1797 instituted a direct impact on the region's native inhabitants. Within a few generations, most of the knowledge regarding the language and culture of these local groups had vanished (PlaceWorks, 2014).

The Mexican Period is marked as beginning in 1821 and is synonymous with Mexico's independence from Spain. Mexico became California's new ruling government and at first, little changed. The Franciscan missions continued to enjoy the free unpaid labor the natives provided, despite the Mexican Republic's 1824 Constitution that declared the natives to be Mexican citizens. This led to an uprising of the Indian population against the Mexican government and the eventual secularization and collapse of the mission system by 1834. After the fall of the missions, return of the land to the California Indians was mandated by the government, though little land was (PlaceWorks, 2014).

In 1846, armed conflict erupted between Mexican and American forces, resulting in the increased presence of American military forces within California. Rapidly, Mexican resistance deteriorated, and the United States occupied Mexico City in 1848, marking the beginning of the American Period. California became a U.S. holding with the signing of the Treaty of Guadalupe Hidalgo in February 1848, thereby ending the Mexican American War, and ceding much of the southwest territories to the United States. Just prior to the signing of the treaty, gold was discovered along the American River near Sacramento, sparking the major influx of American adventurers into California. In 1850, California was formally admitted into the Union as the 31st state (Loftus and Turner, 2008).

At the beginning of the American Period, little notice was paid to colonizing the Antelope Valley. In fact, most of the late 19th century can be described as a time when people were mostly passing through to other destinations. However, sparsely dispersed ranches were established in the Antelope Valley during the 1860s. The Homestead Act of 1862 and the Desert Land Act of 1877 greatly contributed to the settlement of the Antelope Valley. The Homestead Act opened up public lands to citizens for settlement, based on very minimal requirements. The Desert Land Act was intended to encourage and promote the economic development of arid and semi-arid public lands of the western United States (PlaceWorks, 2014).

Agriculture, natural gas production, and mining contributed to the increased population of the Antelope Valley during the later stages of the 1800s. It was also during the late 1800s that established transportation routes were formed between the City of Los Angeles and the Antelope Valley, including the Butterfield Stage Overland Mail route (1858), the Los Angeles & Independence Railroad, Southern Pacific Railroad (1876), Antelope Valley Line, Union Pacific Lone Pine Branch, the Santa Fe Railroad Branch, among many others. The early 1900s was a period of innovation, which included mechanical irrigation and electricity (PlaceWorks, 2014).

Palmdale was founded by a group of Swiss and German settlers in 1886 as “Palmenthal”. In 1899, and the name was officially changed to “Palmdale” in 1899, and the new community was founded along the railroad right-of-way. The City remained a small cluster of commercial buildings until the Los Angeles Aqueduct was completed in 1914. The reliable water source allowed communities in the Antelope Valley to expand their agricultural base to pears, almonds, and alfalfa during the 1920s (URS, 1995).

The Great Depression caused agricultural prices to drop, and many people left the city; however, conditions quickly improved when World War II increased the demand for produce. World War II also saw the establishment of Muroc Dry Lake (now Edwards Air Force Base) and War Eagle Field (now Mira Loma) for military training activities. The aircraft industry continued to boost the economy until the end of the 1950s. In 1962, Palmdale was the first incorporated city in the Antelope Valley. The construction of the California Aqueduct and the Antelope Valley Freeway in the 1970s brought additional water and accessibility to the region, making it a desirable place to locate industrial development and homes for commuters from Los Angeles (URS, 1995).

Cultural Resources Records Search. On May 4, 2022, Padre Senior Archaeologist Rachael J. Letter ordered an archaeological records search from the South Central Coast Information Center (SCCIC) located at California State University, Fullerton. The center is an affiliate of the State of California Office of Historic Preservation and the official state repository of archaeological and historic records and reports for Ventura, Los Angeles, San Bernardino, and Orange counties. Padre received the results on July 6, 2022. The records search included a review of all recorded historic-era and prehistoric archaeological sites within a quarter-mile radius of the Project site as well as a review of known cultural resource surveys and technical reports.

Additionally, Padre emailed a request for a Sacred Lands File search to the Native American Heritage Commission (NAHC) on May 5, 2022 to request information about sacred or traditional cultural properties that may be located within or adjacent to the Project site. A Memorandum was prepared by Ms. Letter summarizing the results of the record search and is provided as Appendix C.

The records search included a review of all recorded historic-era and prehistoric archaeological sites within a quarter-mile radius of the Project site as well as a review of known cultural resource surveys and technical reports. The State Historic Property Data Files, National Register of Historic Places, National Register of Determined Eligible Properties, California Points of Historic Interest, and the California Office of Historic Preservation Archaeological Determinations of Eligibility also were analyzed.

The records search did not identify any cultural resources within the Project site; or within the quarter-mile search radius. Additionally, no previous cultural resource studies have been completed within the Project Site; however, three previous studies have been completed within the quarter-mile search radius. Two of these studies (Campbell, 1992; Romani and Schmidt, 2010) were completed on parcels adjacent to the Project site and both were negative for cultural resources.

A search of the Sacred Lands file housed at the NAHC did not indicate the presence of Native American cultural resources within the Project site. On June 7, 2022, the NAHC provided a list of local groups and individuals to contact for further information regarding local knowledge of sacred lands.

Tribal Notification and Resources. This issue is addressed in Section 3.18 of this Initial Study.

Significance Thresholds. Significance criteria for cultural resources are taken from the 2022 State CEQA Guidelines (Appendix G). A project would be considered to have a significant impact if it would:

- Cause a substantial adverse change in the significance of an historical resource pursuant to Section 15064.5 of the California Public Resources Code.
- Cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5 of the California Public Resources Code.
- Disturb human remains, including those interred outside formal cemeteries.

Substantial adverse change in the significance of a cultural resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the resource would be materially impaired.

The significance of an historical resource is materially impaired when a project:

- a) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or

- b) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- c) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

3.5.2 Impact Analysis

- a. *Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines?*

No Impact. The National Register of Historic Places listing does not include any properties within or adjacent to the proposed facilities. No California Historical Landmarks or California Points of Historical Interest are located within or adjacent to the proposed facility sites. The California State Historic Resources Inventory lists no properties within or adjacent to the Project site. No City or Los Angeles County landmarks are located within or adjacent to the Project site. Therefore, no impacts to historic resources are anticipated.

- b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?*

Less than Significant with Mitigation. The cultural resources record search did not identify any archaeological sites in proximity to the Project site. Project-related ground disturbance would be limited to previously disturbed areas associated with clearing of the Project site in 2005 as part of construction of adjacent improvements to Marie Kerr Park. Therefore, the potential for discovery of unreported archaeological resources is considered low. However, standard cultural resource avoidance measures are included as mitigation.

- c. *Disturb any human remains, including those interred outside of formal cemeteries?*

Less than Significant with Mitigation. No prehistoric village site or burial sites have been reported in the Project area. Therefore, disturbance of human remains is not anticipated. However, standard measures to address any found human remains are included as mitigation.

3.5.3 Mitigation Measures and Residual Impacts

The following mitigation measures are provided to prevent significant impacts, should archaeological resources be found during Project construction.

- Should any buried archaeological materials be uncovered during Project activities, such activities shall cease within 100 feet of the find. Prehistoric archaeological indicators include obsidian and chert flakes, chipped stone tools, bedrock outcrops and boulders with mortar cups, ground stone implements, locally darkened midden soils containing previously listed items plus fragments of bone and fire affected stones. Historic period site indicators may include fragments of glass, ceramic and metal objects, milled and split timber, building foundations, privy pits, wells and dumps, and old trails. All earth disturbing work within the vicinity of the find shall be temporarily suspended or redirected until the City has been notified and an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume.
- If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and deposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission.

Implementation of the above measures would reduce impacts to archaeological resources to a level of less than significant.

3.6 ENERGY

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3.6.1 Setting

The Project area is served by Southern California Edison and the Southern California Gas Company. However, the Project site is undeveloped and is not currently served by these utilities.

3.6.2 Impact Analysis

- a. *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?*

No Impact. The Project would utilize non-renewable energy in the form of fuels for vehicles and equipment used to construct the proposed parking lot and movie screen. The Project would also consume electricity used for required parking lot security lighting. This energy use would not be wasteful, inefficient or unnecessary.

b. *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

No Impact. The proposed Project would not conflict with any State or local plan for renewable energy or energy efficiency.

3.6.3 Mitigation Measures and Residual Impacts

No significant energy impacts were identified; therefore, mitigation measures are not required.

3.7 GEOLOGY AND SOILS

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/> |
| 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3.7.1 Setting

Local Geology and Faulting. The Project site lies within the City of Palmdale (Antelope Valley) and is underlain by younger alluvial fan deposits of Holocene to late Pleistocene age (Hernandez, 2013). No known active or potentially active faults traverse or trend towards the Project site. The nearest active fault is the San Andreas Fault Zone, located approximately 1.5 miles southwest of the Project site.

Ground-shaking Hazard. Ground-shaking is the cause of most damage during earthquakes. The Project area has a 10 percent chance of exceeding a peak ground acceleration of 0.56 g (alluvium conditions) in 50 years (California Department of Conservation 2003).

Liquefaction Hazard. Liquefaction occurs when strong, cyclic motions during an earthquake cause water-saturated soils to lose their cohesion and take on a liquid state. Liquefied soils are unstable and can subject overlying structures to substantial damage. The occurrence of liquefaction is highly dependent on local soil properties, depth to groundwater, and the strength and duration of a given ground-shaking event. The nearest hazard zone is located approximately 0.9 miles to the south of the Project site (California Department of Conservation 2003).

Landslide Hazard. Areas of high landslide or mudflow potential are typically hillside areas with slopes of greater than 10 percent. The nearest seismically-induced landslide hazard area is located approximately 1.2 miles to the south of the Project site (California Department of Conservation 2003).

Expansive Soil Hazard. Expansive soils are primarily clay-rich soils subject to changes in volume with changes in moisture content. The Project site supports Greenfield sandy loam (0-2 percent slopes) which is not susceptible to excessive expansion.

Subsidence Hazard. Subsidence is generally related to over-pumping of groundwater or petroleum reserves from deep underground reservoirs. Groundwater pumping in the Palmdale area occurs in the Antelope Valley Groundwater Basin, which has resulted in past land subsidence of more than 6 feet in some areas (near Edwards Air Force Base). However, groundwater pumping has declined over the past 20 years and monitoring indicates that subsidence has been eliminated.

Paleontological Resources. A record search was conducted of the on-line collections data base of the University of California Museum of Paleontology. The nearest reported fossils are Miocene aged plant species from the Anaverde area, approximately three miles to the southwest of the Project site. The Project site is not underlain by geologic formations that are likely to contain paleontological resources.

3.7.2 Impact Analysis

- a. *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction or landslides?*

No Impact. Due to the absence of any slopes or earthquake faults in close proximity and minimal proposed ground disturbance, the proposed Project would not directly or indirectly cause landslides, earthquake fault rupture or seismic ground shaking and associated adverse effects on nearby land uses. The Project would not increase the number of persons exposed to existing seismic hazards.

b. *Result in substantial soil erosion or the loss of topsoil?*

Less than Significant Impact. The Project site is level and not subject to excessive soil erosion. Topsoil has been removed or substantially disturbed by past grading activities at the site associated with construction of the adjacent Palmdale Amphitheater and softball fields. The Project would require coverage under the National Pollutant Discharge Elimination System Construction Stormwater General Permit Order 2022-0057-DWQ (adopted September 8, 2022). As required by the conditions of the General Permit, a Stormwater Pollution Prevention Plan would be prepared, which would include best management practices to minimize soil erosion. Overall, the potential for soil erosion is considered low and a less than significant 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?*

No Impact. The Project site is not located in a subsidence zone. As such, the Project is not expected to generate impacts associated with land subsidence. See response a. for discussion of issues related to liquefaction and landslides.

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?*

No Impact. The Project site may support moderately expansive soils. However, engineering of Project improvements would consider the soil environment and would be designed and installed to be resistant to expansion-related damage. Impacts to life and property are not anticipated.

e. *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

No Impact. Septic waste disposal systems are not proposed as part of the Project; therefore, no impacts would result.

f. *Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?*

No Impact. Paleontological resources are not anticipated to be present and Project-related excavation would be limited to younger alluvium and not affect geologic formations that may support fossils. Therefore, impacts to paleontological resources are not anticipated. No unique geologic features have been identified in the Project area, and none would be adversely affected by Project implementation.

3.7.3 Mitigation Measures and Residual Impacts

No significant geologic hazards were identified; therefore, mitigation measures are not required.

3.8 GREENHOUSE GAS EMISSIONS

| Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

3.8.1 Setting

Greenhouse Gases and Global Climate Change. Greenhouse gases (GHGs) are defined as any gas that absorbs infrared radiation in the atmosphere. Climate change, often referred to as “global warming” is a global environmental issue that refers to any significant change in measures of climate, including temperature, precipitation, or wind. Climate change refers to variations from baseline conditions that extend for a period (decades or longer) of time and is a result of both natural factors, such as volcanic eruptions, and anthropogenic, or man-made, factors including changes in land-use and burning of fossil fuels. Anthropogenic activities such as deforestation and fossil fuel combustion emit heat-trapping GHGs, defined as any gas that absorbs infrared radiation within the atmosphere.

Carbon dioxide (CO₂) also used as a reference gas for climate change. To account for different GHG global warming potentials, emissions are often quantified and reported as CO₂ equivalents (CO₂E). Currently, the CO₂ global warming potential is set at a reference value of 1, methane (CH₄) has a global warming potential of 27.9 (i.e., 1 ton of methane has the same warming potential as 27.9 tons of CO₂), while nitrous oxide has a warming potential of 273.

Each of the last four decades has been successively warmer than any decade that preceded it since 1850. Global surface temperature in the first two decades of the 21st century (2001-2020) was 1.8°F higher than 1850-1900. Global surface temperature was 2.0°F higher in 2011–2020 than 1850–1900, with larger increases over land (2.9°F) than over the ocean (1.6°F). The current estimated increase in global surface temperature is greater than previous estimates principally due to further warming since 2003–2012.

In 2021, the average contiguous U.S. temperature was 54.5°F, 2.5°F above the 20th-century average and ranked as the fourth-warmest year in the 127-year period of record. The six warmest years on record have all occurred since 2012. The December 2021 contiguous U.S. temperature was 39.3°F, 6.7°F above average and exceeded the previous record set in December 2015.

Global mean sea level increased by 0.66 feet between 1901 and 2018. The average rate of sea level rise was 0.051 inches per year between 1901 and 1971, increasing to 0.075 inches per year between 1971 and 2006, and further increasing to 0.15 inches per year between 2006 and 2018. Human influence was very likely the main driver of these increases since at least 1971.

Climate change is having and will continue to have widespread impacts on California's environment, water supply, energy consumption, public health and economy. Many impacts already occur, including increased fires, floods, severe storms, and heat waves. Documented effects of climate change in California include increased average, maximum, and minimum temperatures; decreased spring runoff to the Sacramento River; shrinking glaciers in the Sierra Nevada; sea-level rise at the Golden Gate Bridge and San Francisco Bay; warmer temperatures in Lake Tahoe, Mono Lake, and other major lakes; and plant and animal species found at changed elevations (California Governor's Office of Planning and Research 2018).

GHG emissions are a global issue, as climate change is not a localized phenomenon. Eight recognized GHGs are described below. The first six are commonly analyzed for projects, while the last two are often excluded for reasons described below.

- Carbon Dioxide (CO₂): natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic degassing; anthropogenic sources of CO₂ include burning fuels such as coal, oil, natural gas, and wood.
- Methane (CH₄): natural sources include wetlands, permafrost, oceans and wildfires; anthropogenic sources include fossil fuel production, rice cultivation, biomass burning, animal husbandry (fermentation during manure management), and landfills.
- Nitrous Oxide (N₂O): natural sources include microbial processes in soil and water, including those reactions which occur in nitrogen-rich fertilizers; anthropogenic sources include industrial processes, fuel combustion, aerosol spray propellant, and use of racing fuels.
- Chlorofluorocarbons (CFCs): no natural sources, synthesized for use as refrigerants, aerosol propellants, and cleaning solvents.
- Hydrofluorocarbons (HFCs): no natural sources, synthesized for use in refrigeration, air conditioning, foam blowing, aerosols, and fire extinguishing.
- Sulfur Hexafluoride (SF₆): no natural sources, synthesized for use as an electrical insulator in high voltage equipment that transmits and distributes electricity. SF₆ has a long lifespan and high global warming potency.
- Ozone: unlike the other GHGs, ozone in the troposphere is relatively short-lived and, therefore, is not global in nature. Due to the nature of ozone, and because this Project is not anticipated to contribute a significant level of ozone, it is excluded from consideration in this analysis.

- Water Vapor: the most abundant and variable GHG in the atmosphere. It is not considered a pollutant and maintains a climate necessary for life. Because this Project is not anticipated to contribute significant levels of water vapor to the environment, it is excluded from consideration in this analysis.

The primary GHGs that would be emitted during construction of the proposed Project are CO₂, methane and nitrous oxide. The Project is not expected to have any associated use or release of hydrofluorocarbons, chlorofluorocarbons or sulfur hexafluoride.

State Authority. In efforts to reduce and mitigate climate change impacts, state and local governments are implementing policies and initiatives aimed at reducing GHG emissions. California, one of the largest state contributors to the national GHG emission inventory, has adopted significant reduction targets and strategies. The primary legislation affecting GHG emissions in California is the California Global Warming Solutions Act (Assembly Bill 32 [AB 32]). AB 32 focuses on reducing GHG emissions in California and requires the CARB to adopt rules and regulations that would achieve GHG emissions equivalent to statewide levels in 1990 by 2020. In addition, two State-level Executive Orders have been enacted by the Governor (Executive Order S-3-05, signed June 1, 2005, and Executive Order S-01-07, signed January 18, 2007) that mandate reductions in GHG emissions.

In June 2008, CARB developed a Draft Scoping Plan for Climate Change, pursuant to AB 32. The Scoping Plan was approved at the Board hearing on December 12, 2008. The Scoping Plan proposes a comprehensive set of actions designed to reduce overall carbon emissions in California, improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, and enhance public health while creating new jobs and enhancing the growth in California's economy. Key elements of the Scoping Plan for reducing California's GHG emissions to 1990 levels by 2020 include:

- Expansion and strengthening of existing energy efficiency programs and building and appliance standards.
- Expansion of the Renewables Portfolio Standard to 33 percent.
- Development of a California cap-and-trade program that links with other Western Climate Initiative Partner programs to create a regional market system.
- Implementation of existing State laws and policies, including California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard.
- Targeted fees to fund the State's long-term commitment to AB 32 administration.

The Climate Change Scoping Plan was updated in May 2014, and again in November 2017. In 2016, the State Legislature passed Senate Bill 32 (SB 32), which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation Assembly Bill 197, which provides additional direction for developing the Scoping Plan. The 2017 update to the Scoping Plan indicates the State is on track to reduce GHG emissions to 1990 levels by the 2020 target and focuses on strategies to achieve the 2030 target set by Executive Order B-30-15 and codified by SB 32.

Significance Thresholds. The AVAQMD has established the following significance thresholds for GHG emissions:

- Annual: 100,000 tons CO₂E (equivalent to 90,720 metric tons)
- Daily: 548,000 pounds (274 tons, equivalent to 249 metric tons) CO₂E

3.8.2 Impact Analysis

- a. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Less than Significant Impact. Construction GHG Emissions. Construction of the parking lot, movie screen and associated features would result in GHG emissions, primarily in the form of CO₂ exhaust emissions from the use of off-road construction equipment and on-road vehicles. Emissions of GHG from construction-related sources were estimated using CARB's EMFAC2021 Model and OFFROAD 2021 Model and emission factors provided in the California Climate Action Registry General Reporting Protocol. Estimated emissions of GHG associated with Project construction are 99.6 metric tons of CO₂ equivalent (MTCO₂E) and the calculations are summarized in Table 6. Project GHG construction emissions would be less than the AVAQMD daily and annual significance thresholds; therefore, construction-related GHG emissions are considered a less than significant impact on global climate change.

Table 6. Construction-Related Greenhouse Gas Emissions

| Parameter | Heavy Equipment CO ₂ E Emissions (metric tons) | On-road Vehicles CO ₂ E Emissions (metric tons) | Total CO ₂ E Emissions (metric tons) | AVAQMD Threshold (metric tons) |
|------------------------------|---|--|---|--------------------------------|
| Peak Day GHG Emissions | 1.6 | 0.5 | 2.1 | 249 |
| Total (Annual) GHG Emissions | 86.8 | 12.8 | 99.6 | 90,720 |

Long-Term Operational GHG Emissions. The proposed Project would provide safety and functional improvements and formalize the use of the Project site for vehicle parking. It would serve existing land uses and related parking demand and would not generate any new parking-related vehicle trips or GHG emissions. The proposed use of the Project site by commuters has the potential to encourage ridesharing and may reduce vehicle trips. However, the occasional use of the parking lot as a drive-in movie theater would attract up to 500 vehicles and generate new vehicle trips. Peak day and annual GHG emissions of these vehicles were estimated using the CARB's EMFAC2021 model, assuming up to 1,000 one-way vehicle trips (500 vehicles attending a movie) and 12 movie nights per year. Estimated movie theater-related peak day and annual GHG emissions are 4,651 pounds per day and 25.3 metric tons per year. Operational GHG emissions would be less than the AVAQMD thresholds and considered a less than significant impact to global climate change.

- b. *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

No Impact. The Project would not involve any sources of GHG emissions that are regulated under the State cap and trade program, or other plans or policies regulating these emissions.

3.8.3 Mitigation Measures and Residual Impacts

No significant impacts to global climate change related to GHG emissions were identified; therefore, mitigation measures are not required.

3.9 HAZARDS AND HAZARDOUS MATERIALS/RISK OF UPSET

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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"/> |
| 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 or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. 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"/> |
| g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3.9.1 Setting

A "hazardous material" is any material that, because of its quantity, concentration, physical or chemical characteristics poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or environment. Appendix G of the CEQA Guidelines indicates that a project would have a significant impact if it would create a public health hazard, expose people to a potential health hazard, or pose a threat to the environment.

Hazardous materials sites within two miles of the Project site are limited to:

- A leaking underground gasoline storage tank case (former Kaufman & Board of Southern California) located 1.6 miles to the southeast that was closed in 1990.
- A leaking underground storage tank case (former Los Angeles County Fire Station #24) located 1.7 miles to the east that was closed in 1997.

3.9.2 Impact Analysis

- a. *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less than Significant Impact. Operation of the Project site as a parking lot and movie theater would not result in the use, transportation or disposal of hazardous materials. However, diesel fuel would be brought on-site using a maintenance truck to fuel on-site construction equipment. No storage of diesel fuel would occur on-site. Therefore, significant hazards to the public or environment related to hazardous materials would not occur.

- 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?*

Less than Significant Impact. Fueling of on-site construction equipment could result in inadvertent spillage of diesel fuel into storm drains and potentially into surface waters. However, fueling would be conducted in areas removed from storm drains. Therefore, significant hazards to the public or environment related to fuel spillage would not occur.

- c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact. The nearest schools are Highland High School and The IDEA Academy located approximately 0.6 miles south of the Project site. Therefore, the Project would not involve the use of hazardous materials, hazardous waste or result in hazardous emissions within one-quarter mile of a school.

- 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?*

No Impact. No hazardous materials sites compiled pursuant to Government Code Section 65962.5 are located in the Project area. The Project would not affect any of these sites or result in a related hazard to the public or the environment.

- 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 or excessive noise for people residing or working in the project area?*

No Impact. The Project site is located approximately 3.0 miles west of the Palmdale Regional Airport. The Project site is not subject to an Airport Land Use Plan, nor is it located within two miles of a public use airport. No safety or noise hazards resulting from airport proximity are expected.

- f. *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

No Impact. Project implementation would include improvements to 25th Street West which improve local access. The Project would not adversely affect public access, emergency response or emergency evacuation.

- g. *Expose people or structures to a significant risk of loss, injury or death involving wildland fires?*

No Impact. The Project site is not located within Very High Fire Hazard Severity Zone designated by the California Department of Forestry and Fire Protection. The Project (parking lot and movie screen) would be constructed of non-flammable materials (asphalt, concrete, steel, rock), and would not involve any habitable structures or increase the risk of loss, injury or death from wildland fires.

3.9.3 Mitigation Measures and Residual Impacts

No significant impacts related to hazards or hazardous materials were identified; therefore, mitigation measures are not necessary.

3.10 HYDROLOGY AND WATER QUALITY

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality? | <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 the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would: | | | | |
| 1. Result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Substantially increase the rate or amount of surface run-off in a manner that would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

3.10.1 Setting

Regulatory and Public Policy Framework. Federal Clean Water Act (CWA). The Federal Water Pollution Control Act Amendments of 1972 and 1987, collectively known as the Clean Water Act (33 United States Code [USC] §§1251 et seq.), establish the principal Federal statutes for water quality protection. The Clean Water Act (CWA)'s intent is "to restore and maintain the chemical, physical, and biological integrity of the nation's water, to achieve a level of water quality which provides for recreation in and on the water, and for the propagation of fish and wildlife."

CWA Section 303(d) requires States, territories, and tribes to develop lists of impaired waters within their jurisdictions every two years. Impaired waters are those that do not meet water quality standards. States, territories, and tribes are also required to establish priority rankings for waters on their respective lists. Water bodies in a given State or territory are prioritized by comparing their existing degrees of pollution, and the sensitivity and importance of beneficial uses that are being threatened. The water bodies that are deemed most important are designated as "high priority".

Section 303(d) also requires States, territories, and tribes to develop Total Maximum Daily Loads (TMDLs) for all water bodies on their respective lists of impaired waters. In essence, TMDLs are plans by which impaired water bodies would be restored such that they consistently meet the established water quality standard(s) that are currently being violated. TMDLs specify the maximum amount of pollutants that a water body can receive and still meet water quality standards, and allocates pollutant loads among point and non-point sources in the subject watershed. The intent of CWA is for the TMDL program to work hand in hand with the impaired waters lists; impaired waters are identified, and then restored to meet water quality standards.

The nearest water body to the Project site is Amargosa Creek, which has not been designated as impaired under Section 303(d).

California Porter-Cologne Act. The Porter-Cologne Act (California Water Code Section 13000) is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and groundwater, and to both point and non-point sources of pollution. Pursuant to the Porter-Cologne Act, it is the policy of the State:

- The quality of all the waters of the State shall be protected.
- All activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason.
- The State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.
- The State shall undertake all possible steps to encourage development of water recycling facilities to help meet the growing water requirements of the State.

Pursuant to the Porter-Cologne Act, the responsibility for protection of water quality in California rests with the State Water Resources Control Board (SWRCB). The SWRCB administers Federal and State water quality regulations for California's ocean waters, and also oversees and funds the State's nine Regional Water Quality Control Boards (RWQCBs). The RWQCBs prepare water quality control plans, establish water quality objectives, and carry out Federal and State water quality regulations and permitting duties for inland water bodies, enclosed bays, and estuaries within their respective regions. The Porter-Cologne Act gives the SWRCB and RWQCBs broad powers to protect water quality by regulating waste dischargers to water and land, and requiring cleanup of hazardous wastes.

Water Quality Protection. Per the requirements of the CWA and the California Porter-Cologne Act, the Lahontan RWQCB has prepared a Water Quality Control Plan for the watersheds under its jurisdiction. The Water Quality Control Plans from all nine of the RWQCBs and the California Ocean Plan (prepared and implemented by SWRCB) collectively constitute the State Water Quality Control Plan. Water Quality Control Plan for the Lahontan Region has been designed to support the intentions of the CWA and the Porter-Cologne Act by: (1) characterizing watersheds within the Region; (2) identifying beneficial uses that exist or have the potential to exist in each water body; (3) establishing water quality objectives for each water body to protect beneficial uses or allow their restoration, and; (4) providing an implementation program that achieves water quality objectives. Implementation program measures include monitoring, permitting, and enforcement activities. Per the requirements of CWA Section 303(c), the Water Quality Control Plan is reviewed every three years and revised as necessary to address problems with the plan, and meet new legislative requirements.

Beneficial uses designated by Lahontan RWQCB in the Water Quality Control Plan for Amargosa Creek are municipal water supply, agricultural water supply, groundwater recharge, freshwater replenishment, water-contact recreation, non-water contact recreation, commercial and sport fishing, warm freshwater habitat, cold freshwater habitat and wildlife habitat.

Surface Water Characteristics. The Project site is located approximately 1.0 miles northwest of Amargosa Creek. Amargosa Creek originates at Elizabeth Lake at about 3,300 feet elevation and extends a total of about 21 miles through the Leona Valley and Anaverde Valley to the southeast, then turns north and terminates in the Antelope Valley at an elevation of about 2,500 feet.

Groundwater Environment. The Project site is located within the Antelope Valley Groundwater Basin which covers a surface area of 1,580 square miles, and underlies an extensive alluvial valley. Primary water-bearing materials are Pleistocene and Holocene-aged unconsolidated alluvial and lacustrine deposits of gravel, sand, silt and clay. Current groundwater production from the Basin is approximately 164,720 acre-feet per year.

The 2014 Sustainable Groundwater Management Act requires the formation of groundwater sustainability agencies (GSAs) in high- and medium-priority groundwater basins and sub-basins by June 30, 2017 to meet California Water Code requirements. The Antelope Valley Groundwater Basin is a very low priority basin and formation of a GSA is not required to manage groundwater in this basin.

Potable Water Supply. The Palmdale Water District serves the City and areas adjacent to the Project site. The Palmdale Water District has three sources of potable water: the California Aqueduct (State Water Project), Littlerock Dam Reservoir (natural run-off) and local groundwater. The District supplied approximately 20,511 acre-feet of water to its customers in 2020, with about 35 percent provided by groundwater pumping (Kennedy/Jenks, 2021).

Based on the Palmdale Water District's 2020 Urban Water Management Plan, the District has adequate supplies during normal rainfall years to meet its demands through 2045. However, during a consecutive five-year drought, additional supplies or a reduction in demand would be required. The District is currently developing the Palmdale Regional Water Augmentation Project which is anticipated to provide 5,325 acre-feet per year of recycled water from the Palmdale Water Reclamation Plant which would be used for irrigation purposes and offset potable water use.

Floodplain and Flooding. The Project site is not located with a floodplain. The nearest managed floodplain is Amargosa Creek (Zone AE, 1 percent annual chance flood, Flood Insurance Rate Map 06037C0658F), located approximately 1.2 miles to the south.

3.10.2 Impact Analysis

- a. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality?*

Less than Significant Impact. Construction. Stormwater run-off from the Project site during parking lot construction may degrade surface water quality. The Project would require coverage under the National Pollutant Discharge Elimination System Construction Stormwater General Permit Order 2022-0057-DWQ (adopted September 8, 2022). As required by the conditions of the General Permit, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared, which would include best management practices to be implemented and a monitoring program. The intent of the SWPPP would be to prevent project-related pollutants from contacting surface water and prevent products of erosion from moving off site into receiving waters. Implementation of the SWPPP and monitoring required under the General Permit would prevent significant impacts to surface water quality.

Operation. Stormwater would be detained on-site except following major rainfall events greater than a 25-year recurrence interval. Therefore, any pollutants leaked by vehicles using the parking lot (such as oil, fuel, coolant, brake fluid) would mostly be retained on-site. Any pollutants discharged off-site by large rainfall events would be greatly diluted and would not result in violations of any water quality standards. Therefore, water quality impacts are considered less than significant.

- b. *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

No Impact. The Project would use small amounts of potable water (or recycled water when available) for irrigation of landscaping (about one acre). Additional water would be used during construction for soil compaction, dust control and concrete. This water would be provided by the Palmdale Water District, from mostly non-groundwater sources. The amount of water used would be relatively small (up to a few thousand gallons a day during construction) and a few hundred gallons per day during operation. Water use for landscape irrigation would be about 0.1 acre-feet per year which would not adversely affect groundwater supplies.

- c. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:*

1. *Result in substantial erosion or siltation on- or off-site?* **No Impact**
2. *Substantially increase the rate or amount of surface run-off in a manner that would result in flooding on- or off-site?* **No Impact**
3. *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?* **Less than Significant Impact**
4. *Impede or redirect flood flows?* **No Impact**

The Project would result in an increase of approximately 16.3 acres of impervious surfaces associated with the proposed paved parking lot. However, the Project includes a stormwater infiltration basin which would avoid discharge or substantially reduce the flow rate of stormwater discharges, such that it would not alter existing drainage patterns, alter the course of a stream or river, result in erosion or siltation, flooding, discharge substantially polluted run-off or impede or redirect flood flows.

- d. *In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?*

No Impact. The Project site is not located in a flood hazard zone, tsunami inundation hazard zone or seiche hazard area. No Project-related increase in public exposure to flood, tsunami, seiche or water pollutant hazards would occur.

- e. *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Less than Significant Impact. The Project would not result in violations of any water quality standards or conflict with the Water Quality Control Plan. The Antelope Valley Groundwater Basin is not subject to a sustainable groundwater management plan.

3.10.3 Mitigation Measures and Residual Impacts

No significant impacts related to hydrology or water quality would result from the Project. Therefore, mitigation is not required.

3.11 LAND USE AND PLANNING

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | 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. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| 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"/> |

3.11.1 Setting

The Project site is currently used as an overflow parking lot for softball tournaments, and has an Open Space General Plan land use designation and zoned as Open Space and Recreation. Surrounding land uses are:

- Single family residences to the south, zoned SFR 2.
- Softball fields, public pool and amphitheater (part of Marie Kerr Park) to the west, zoned Public Facility-Park.
- Vacant land to the east but zoned for mixed use (MU 3) and single-family residences (RN 3).
- Single family residences to the north (unincorporated Los Angeles County).

3.11.2 Impact Analysis

a. *Physically divide an established community?*

No Impact. All proposed improvements would be located within the existing Marie Kerr Park, primarily serve the parking needs of the park, and would not divide an established community.

b. *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

No Impact. The Project would be consistent with the policies of the City of Palmdale General Plan (Palmdale 2045).

c. *Conflict with any applicable habitat conservation plan or natural community conservation plan?*

No Impact. The Project site is not subject to a habitat conservation plan or natural community conservation plan and would not conflict with any such plan.

3.11.3 Mitigation Measures and Residual Impacts

No significant impacts related to land use and planning were identified. Therefore, mitigation is not required.

3.12 MINERAL RESOURCES

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a. Result in the loss or 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"/> |
| 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"/> |

3.12.1 Setting

Aggregate is the only locally important mineral resource and is defined as construction grade sand and gravel. The Project site is located in an area mapped as MRZ-3 (cannot evaluate mineral resource significance from available data) by the California Department of Conservation (1994). The nearest aggregate production site is Best Sand in Littlerock, located approximately 11.2 miles southeast of the Project site.

3.12.2 Impact Analysis

- a. *Result in the loss or availability of a known mineral resource that would be of value to the region and the residents of the state?*

No Impact. The Project site is not located in a mineral resource area and would not hamper the extraction of such resources in the region. Therefore, no impacts to such resources would occur as result of Project implementation.

- 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?*

No Impact. The Project would not adversely affect the Best Sand facility or other mineral resource production sites, or the availability of these mineral resources.

3.12.3 Mitigation Measures and Residual Impacts

No impacts to mineral resources would result from the Project. Therefore, mitigation is not required.

3.13 NOISE

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a. Generation of a substantial temporary or permanent increase in ambient noise 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"/> |

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| b. Generation of excessive ground-borne vibration or ground-borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3.13.1 Setting

Noise Characteristics. Noise levels are measured on a logarithmic scale due to physical characteristics associated with noise transmission and reception. A doubling of noise energy normally results in a three decibel (dB) increase in noise levels. The threshold of human hearing is between zero and 10 dBA. Because of the structure of the human auditory system, a 10-dB increase in noise is perceived as a doubling of noise. A one to two dB change in ambient noise levels is generally not perceptible to sensitive receptors.

Noise levels diminish (or attenuate) as distance from the source increases based upon an inverse square rule, but the rate of attenuation varies with the type of sound source. Sound attenuates from point sources, such as an industrial facility, at a rate of six dB per doubling of distance. Roads typically have an attenuation rate of 4.5 dB per doubling of distance. However, heavily traveled roads with few gaps in traffic are typically characterized as a line source with an attenuation rate of three dB per doubling of distance.

The duration of noise and the time period at which it occurs are important factors in determining the impact of noise on sensitive receptors. Noise is more disturbing at night than during the day and noise indices have been developed to account for the varying duration of noise events over time as well as community response to them. The Community Noise Level Equivalent (CNEL) and the Day-Night Average Level (DNL or Ldn) are such indices. These indices use time-weighted average values based on the equivalent sound level (Leq).

The CNEL 24-hour noise index weights (increases) noise levels during the night (10 p.m. to 7 a.m.) by 10 dB to account for the increased sensitivity of people to noise during the hours when most people are expected to be resting or sleeping. Evening noise levels (7 p.m. to 10 p.m.) are increased by five dB when calculating CNEL values. Appropriately weighted hourly Leqs are then combined over a 24-hour period to result in a CNEL. The Ldn also penalizes nighttime noise levels but does not penalize evening levels.

People are subject to a multitude of sounds in the urban environment. Excessive noise may not only be undesirable but may also cause physical and/or psychological damage. The amount of annoyance or damage to sensitive receptors is dependent primarily upon three factors: 1) the amount and nature of the noise; 2) the amount of ambient noise present before the intruding noise; and 3) the activity of the person working or living in the noise source area.

The difficulty in relating noise exposure to public health and welfare is one of the major obstacles in determining appropriate maximum noise levels. Although there has been some dispute in the scientific community regarding the detrimental effects of noise, a number of general conclusions have been reached, including the following:

- Noise of sufficient intensity can cause irreversible hearing damage.
- Noise can produce physiological changes in humans and animals.
- Noise can interfere with speech and other communication.
- Noise can be a major source of annoyance by disturbing sleep, rest, and relaxation.

Local Sound Environment. The sound environment of areas potentially affected by the proposed Project is dominated by traffic noise generated by arterial roadways and highways, including SR 14 and Rancho Vista Boulevard. In addition, noise generated by softball tournaments and amphitheater concerts at Marie Kerr Park may dominate the sound environment for short periods. Project impacts (parking lot noise and movie theater-related noise) to the local sound environment are addressed below in Section 3.13.2.

Noise sensitive land uses in close proximity to the Project site are residential land uses to the north and south, with the nearest residences located approximately 170 feet south of proposed southern parking aisle (Sandstone Court). Noise measurement was conducted near these residences using a type one precision sound integrating meter (Larson-Davis LXT) during periods when the Project would generate noise to characterize the local sound environment. Noise data collected is presented in Table 7.

Significance Thresholds. The Project would generate both construction noise and operational noise affecting residences located in both the City of Palmdale and unincorporated Los Angeles County (immediately north of the Project site).

City of Palmdale. The City has adopted the following standards which are used as thresholds of significance:

- Construction noise (within 500 feet of residence): construction-related noise is prohibited on Sundays or any other day before 6:30 a.m. or after 8 p.m. (City Municipal Code).
- Operational noise (stationary noise sources): exterior residential standard of 65 dBA CNEL (Palmdale 2045 General Plan Policy N-3.2).

Table 7. Noise Measurement Data

| Measurement Location | Measurement Period | Primary Noise Source | Measured Noise Level (dBA Leq) |
|--|--------------------|-----------------------------------|--------------------------------|
| General Baseline: May 25, 2022 | | | |
| South of Rancho Vista Boulevard, 70 feet from the roadway centerline | 7:51 to 8:11 a.m. | Traffic on Rancho Vista Boulevard | 74.0 |
| South of Avenue O-12, 40 feet from the roadway centerline | 8:17 to 8:37 a.m. | Traffic on Rancho Vista Boulevard | 47.0 |
| Early Commute Baseline: November 18, 2022 | | | |
| South of Rancho Vista Boulevard, 70 feet from the roadway centerline | 6:18 to 6:38 a.m. | Traffic on Rancho Vista Boulevard | 70.9 |
| South of Avenue O-12, 40 feet from the roadway centerline | 6:41 to 7:01 a.m. | Traffic on Rancho Vista Boulevard | 55.8 |
| Evening Baseline: November 21, 2022 | | | |
| South of Rancho Vista Boulevard, 70 feet from the roadway centerline | 7:59 to 8:19 p.m. | Traffic on Rancho Vista Boulevard | 69.6 |
| South of Avenue O-12, 40 feet from the roadway centerline | 8:25 to 8:45 p.m. | Traffic on Rancho Vista Boulevard | 50.8 |

Los Angeles County. The County has adopted the following standards which are used as thresholds of significance:

- Construction noise (mobile equipment at single-family residential structures): construction-related noise exceeding 75 dBA Leq (except Sundays and legal holidays) from 7 a.m. to 8 p.m. and 60 dBA Leq from 8 p.m. to 7 a.m. including Sundays and legal holidays (Los Angeles County Code Section 12.08.440).
- Construction noise (stationary equipment at single-family residential structures): construction-related noise exceeding 60 dBA Leq (except Sundays and legal holidays) from 7 a.m. to 8 p.m. and 50 dBA Leq from 8 p.m. to 7 a.m. including Sundays and legal holidays (Los Angeles County Code Section 12.08.440).
- Operational noise: exterior residential standard of 50 dBA Leq from 7 a.m. to 10 p.m. and 45 dBA Leq from 10 p.m. to 7 a.m. (Los Angeles County Code Section 12.08.390).

3.13.2 Impact Analysis

- Generation of a substantial temporary or permanent increase in ambient noise in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less than Significant Impact. Construction. Noise would be generated by heavy equipment and heavy-duty trucks associated with parking lot construction. Noise levels at the nearest residences (City of Palmdale to the south and Los Angeles County to the north) were estimated using the Roadway Construction Noise Model developed by the Federal Highway Administration. The estimated peak noise level at the nearest residences is presented in Table 8. Note that construction work on Sundays, or before 6:30 a.m. or after 8 p.m. is not proposed. Overall, Project-related construction noise would not violate noise standards and is considered a less than significant impact.

Table 8. Construction Noise Estimates

| Noise Receptor | Jurisdiction | Noise Standard | Existing Ambient Daytime Noise Level (dBA Leq) | Estimated Construction Noise Level (dBA Leq) |
|-------------------------------------|--------------------|--|--|--|
| Residence on Sandstone Court | City of Palmdale | No work on Sundays, before 6:30 a.m. or after 8 p.m. | 74.0 | 69.3 |
| Residence just north of Avenue O-12 | Los Angeles County | 75 dBA Leq | 47.0 | 69.2 |

Parking Lot Operation. Noise would be generated by use of the parking lot by vehicles. It should be noted that the Project site is currently used periodically as a parking lot, such that much of parking lot noise is existing. For the purposes of 24-hour noise estimates (CNEL), it was assumed the parking lot would operate from 6 a.m. to 10 p.m. to accommodate commuters and to be consistent with the hours of operation of Marie Kerr Park. A reference value of 58 dBA Leq for parking lot operation was obtained from measurements provided by Möhler and Partner (2007). This value was used with ambient noise measurements and parking lot operating hours to estimate the 24-hour noise level at the nearest residence in the City of Palmdale. The 58 dBA Leq value was also used to estimate the noise level at the nearest residence in unincorporated Los Angeles County. The resulting operational noise estimates are presented in Table 9. Overall, Project-related operational noise at the nearest residences would be less than existing ambient noise levels, would not violate noise standards and is considered a less than significant impact.

Table 9. Parking Lot Operation Noise Estimates

| Noise Receptor | Jurisdiction | Noise Standard | Existing Ambient Noise Level | Post-Project Estimated Noise Level |
|-------------------------------------|--------------------|----------------|------------------------------|------------------------------------|
| Residence on Sandstone Court | City of Palmdale | 65 dBA CNEL | 67 dBA CNEL | 67 dBA CNEL** |
| Residence just north of Avenue O-12 | Los Angeles County | 50 dBA Leq | 55.8 dBA Leq* | 42 dBA Leq** |

*Early commute baseline from Table 7.

**Parking lot noise would be less than ambient noise levels, mostly associated with traffic on Rancho Vista Blvd

Drive-In Movie Theater Operation. Noise generated by a drive-in movie theater may include vehicles (arriving and leaving), the movie soundtrack and movie patron voices in and around the parked vehicles. A noise assessment was conducted at an existing drive-in movie theater (Mission Tiki Drive-In in Montclair) while in operation, including four screens showing movies. Attendance was very light with only about 10 vehicles present at the screen monitored. The measured noise level at the fence line surrounding the theater was 56.5 dBA Leq between 8:30 and 8:45 p.m. while a movie was playing. However, this noise was entirely generated by traffic on Mission Boulevard, as the movie soundtrack was not audible, and voices of movie patrons were infrequent and hushed. Similar to the Mission Tiki Drive-In, the noise environment of the proposed drive-in theater is dominated by traffic noise on Rancho Vista Boulevard (see Table 7). Therefore, the use of the proposed parking lot as a drive-in movie theater (ending by 10 p.m., using short-range in-vehicle FM radio for the movie soundtrack) is not anticipated to increase existing ambient noise levels at nearby residences or violate City or County noise standards.

b. Generation of excessive ground-borne vibration or ground-borne noise levels?

Less than Significant Impact. Project construction (primarily earthwork) would generate ground-borne noise and vibration detectable at adjacent residences. Construction-related vibration was estimated using methodology provided by the California Department of Transportation (2020), which indicates construction-related vibration (based on use of a large dozer) at the nearest occupied structure (150 feet away) would generate a peak particle velocity of 0.0087 inches/second, which would not be perceptible to humans (<0.01 inches/second). Therefore, ground-borne noise and vibration impacts would be less than significant.

c. For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The Project is not located in an area addressed in an airport land use plan, nor is it within two miles of any public airport or public use airport. Therefore, no impacts are expected.

3.13.3 Mitigation Measures and Residual Impacts

No significant noise impacts would result from the Project. Therefore, mitigation is not required.

3.14 POPULATION AND HOUSING

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

3.14.1 Setting

The proposed improvements would occur within the City of Palmdale. The current housing inventory in the City is 46,462 units (City of Palmdale, 2021).

3.14.2 Impact Analysis

- 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)?*

No Impact. The proposed parking lot and movie theater would serve the existing population and would not provide any new residential land uses or long-term employment opportunities. Therefore, the Project would have no effect on population growth.

- b. *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

No Impact. The proposed Project would not displace any people or housing such that construction of replacement housing would not be necessary.

3.14.3 Mitigation Measures and Residual Impacts

No significant impacts to population or housing would result from the Project, therefore, no mitigation is required.

3.15 PUBLIC SERVICES

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services? | | | | |
| Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3.15.1 Impact Analysis

- a. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks or other public facilities?*

No Impact. The Project area is served by Station 24 of the Los Angeles County Fire Department located at 1050 W. Rancho Vista Boulevard in Palmdale, 1.4 miles east of the Project site. The proposed Project does not include any new facilities requiring fire protection.

The Los Angeles County Sheriff's Department provides law enforcement services to the City of Palmdale, from an office located at 750 E. Avenue Q, 3.4 miles to the east-southeast. The proposed Project does not include any new facilities requiring police protection.

The Project would not provide housing or increase the local population. Therefore, no impacts to schools, parks and other public facilities or increased demand for such facilities would occur.

3.15.2 Mitigation Measures and Residual Impacts

No impacts to public services would result from the Project. Therefore, no mitigation is necessary.

3.16 RECREATION

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

3.16.1 Setting

Facilities. Recreational facilities in the Project area include:

- Marie Kerr Park (softball fields, tennis courts, volleyball courts, basketball courts, soccer fields, skate park, three picnic areas, two playgrounds, a public pool, amphitheater): located immediately west of the Project site.
- Antelope Valley Country Club (golf, tennis): located 1.8 miles to the east of the Project site.
- Rancho Vista Golf Course (golf): located 1.2 miles to the northwest of the Project site.

Significance Thresholds. Significance thresholds for recreation impacts are taken from the 2023 State CEQA Guidelines, which indicate a project may have a significant impact with respect to recreation if it results in any of the following:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration would occur or be accelerated.
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

In addition, Project-related activities that would substantially modify or restrict public use of a recreational facility is considered a significant impact.

3.16.2 Impact Analysis

- 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?*

No Impact. The Project would not result in population growth and would not increase the use of existing neighborhood or regional parks, or any other recreational facilities. The Project would provide improved parking facilities for Marie Kerr Park, which would occasionally be used as a drive-in movie theater (about 12 days per year on average). These new/modified uses would not result in any additional use of park facilities (including the Palmdale Amphitheater, softball fields and other facilities) that could result in deterioration.

- b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?*

No Impact. The Project would not result in any population growth that could generate demand for new recreational facilities and would not involve the construction or expansion of any recreational facilities. Thus, the Project would not have any impacts on the physical environment associated with the construction or use of recreational facilities.

3.16.3 Mitigation Measures and Residual Impacts

No impacts to recreational facilities would result from the Project. Therefore, mitigation is not necessary.

3.17 TRANSPORTATION

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Would the project conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Substantially increase hazards due to a geometric 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"/> |
| d. Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3.17.1 Setting

The Project site is accessed from Rancho Vista Boulevard, a six-lane arterial roadway. Available traffic data (April 2014) indicates the average daily traffic volume is 24,457.

3.17.2 Impact Analysis

- a. *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?*

No Impact. The Project does not include any land uses that may create demand for transportation facilities and would not conflict with the Southern California Association of Governments 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy.

- b. *Would the project conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?*

Less than Significant Impact. Parking Lot Construction and Operation. The Project would generate construction-related vehicle trips. However, the Project would serve existing land uses and would not generate any new long-term trips. Construction-related vehicle trips would be about 28 on a peak day and would not exceed the screening threshold of 110 trips per day provided in the Technical Advisory for Evaluating Transportation Impacts in CEQA. Therefore, the Project is consistent with Section 15064.3 of the State CEQA Guidelines.

Drive-In Movie Theater Operation. Use of the proposed parking lot as a drive-in movie theater would generate up to 1,000 one-way vehicle trips per day (500 vehicles attending), which exceeds the screening threshold of 110 trips per day provided in the Technical Advisory for Evaluating Transportation Impacts in CEQA. Therefore, a transportation impact analysis was conducted according to the Los Angeles County Public Works Guidelines (dated July 23, 2020). These Guidelines indicate that a potentially significant vehicles miles travelled (VMT) impact would occur if the total VMT per service population of the Project is not at least 16.8 percent below the existing baseline VMT per service population (43.1 for north Los Angeles County). Peak day VMT of the proposed Project is estimated as 7,500, based on 1,000 one-way trips and 7.5 miles per trip (home-other trip length in the CalEEMod model for the AVAQMD jurisdiction). Since the drive-in theater would serve the entire City, the Project's service population would be the entire population of the City of Palmdale (estimated as 167,398 on January 1, 2022 by the California Department of Finance). Therefore, the VMT per service population for the Project is 0.04 (7,500/167,398). Since this value is much less than the baseline VMT (43.1), VMT-related impacts are considered less than significant.

- c. *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

No Impact. Project-related improvements to 25th Street West and proposed new driveways into the parking lot would be designed and constructed consistent with City requirements. Therefore, Project-related increases in traffic hazards are not anticipated.

- d. *Result in inadequate emergency access?*

No Impact. The Project would not require emergency services or create conditions that would impede emergency access for adjacent land uses.

3.17.3 Mitigation Measures and Residual Impacts

No significant impacts associated with transportation would result from the Project; therefore, no mitigation is necessary.

3.18 TRIBAL CULTURAL RESOURCES

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, scared place, or object with cultural value to a California Native American tribe that is: | | | | |
| 1. Listed or eligible for listing in the California Register of Historic Resources, or in the local register of historic resources as defined in Public Resources Code Section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to subdivision c. of Public Resources Code Section 5024.1 In applying the criteria set forth in subdivision c. of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3.18.1 Setting

See Section 3.5.1.

3.18.2 Impact Analysis

- a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, scared place, or object with cultural value to a California Native American tribe that is listed or eligible for listing in the California Register of Historic Resources, or in the local register of historic resources as defined in Public Resources Code Section 5020.1(k), or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to subdivision c. of Public Resources Code Section 5024.1?*

No Impact. The cultural resources record search conducted for the Project (see Section 3.5.1) did not identify any historic, archeological or tribal cultural resources in proximity to the Project site. The City of Palmdale sent requests for tribal consultation on May 10, 2022 to three tribes that have requested to be notified under Public Resources Code Section 21080.3.1:

- Fernandeno Tatavium Band of Mission Indians
- San Gabriel Band of Mission Indians
- San Manuel Band of Mission Indians

The City received an email on June 15, 2022 from Mr. Jairo Avila of the Fernandeno Tatavium Band of Mission Indians requesting additional Project information including a cultural resources report. Padre Associates Senior Archaeologist Rachael Letter prepared a cultural resources memo on July 12, 2022 following receipt of the results of the cultural resources record search. This memo was emailed to Mr. Jairo on July 13, 2022. Since Mr. Jairo's consultation request was not received within 30 days of receipt of the City's May 10, 2022 notification, the City is not obligated to continue consultation. However, the City will continue to provide Project information to tribal contacts as appropriate.

The City of Palmdale sent another request for tribal consultation in early November 2023 to the same three tribes listed above. Alexandra McCleary of the San Manuel Nation (also known as the San Manuel Band of Mission Indians) responded in an email dated December 5, 2023 and requested implementation of the following measures. These measures augment mitigation measures provided in Section 3.5.3 of the Draft IS and will be fully implemented:

- In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
- If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

- If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.
- YSMN shall be contacted of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.
- Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The City shall, in good faith, consult with YSMN throughout the life of the project.

3.18.3 Mitigation Measures and Residual Impacts

No significant impacts associated with tribal cultural resources would result from the Project; therefore, no mitigation is necessary.

3.19 UTILITIES AND SERVICE SYSTEMS

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a. Require or result in the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry and multiple dry years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| e. 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"/> |

3.19.1 Impact Analysis

- a. *Require or result in the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

No Impact. The proposed Project includes required connections to off-site storm drains and would require the extension of electrical lines and water lines by service providers to serve the site (lighting and landscape irrigation). These extensions would be minor (a few hundred feet) and not result in significant environmental effects.

- b. *Have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry and multiple dry years?*

No Impact. Small amounts of potable water would be used during construction, and for landscape irrigation. However, this consumption would not affect the Palmdale Water District's ability to meet the demand for existing and reasonably foreseeable development.

- c. *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?*

No Impact. The Project would not generate wastewater and would not affect the capacity of any wastewater treatment provider.

- d. *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

No Impact. A small amount of solid waste would be generated by Project construction, primarily recycled asphalt surfacing materials. These materials would be recycled to the extent feasible and would not affect the capacity of local landfills or impair attainment of State-mandated solid waste reduction goals.

- e. *Comply with federal, state, and local statutes and regulations related to solid waste?*

No Impact. The City complies with all federal, state and local statutes relating to solid waste, and would continue to do so during the construction and operation of Project improvements. As such, no impacts of this type are expected to result.

3.19.2 Mitigation Measures and Residual Impacts

No significant impacts related to utilities and service systems would result from the Project; therefore, no mitigation is necessary.

3.20 WILDFIRE

| Would the project: | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project? | | | | |
| a. Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Due to slope, prevailing winds, and other factors exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3.20.1 Setting

The Project site is not located within or adjacent to a Very High Fire Hazard Severity Zone designated by the California Department of Forestry and Fire Protection. The Project site is surfaced with compacted crushed asphalt and supports only scattered herbaceous vegetation. Potentially flammable vegetation is located on vacant land east of the Project site.

3.20.2 Impact Analysis

- a. *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

No Impact. The proposed Project would not affect emergency response to other land uses or impair implementation of any emergency response or evacuation plan.

- b. *Due to slope, prevailing winds, and other factors exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

No Impact. The Project would not involve any habitable structures and would not have any occupants. Proposed improvements would be constructed of non-flammable materials (asphalt, concrete, steel, rock) and would not increase the potential for uncontrolled wildfire spread or increase the risk of loss, injury or death from wildland fires.

3.20.3 Mitigation Measures and Residual Impacts

No significant impacts related to wildfire would result from the Project; therefore, no mitigation is necessary.

4.0 CUMULATIVE IMPACTS

Cumulative impacts are defined as two or more individual effects which, when considered together are considerable, or which compound or increase other environmental impacts. Under Section 15064 of the State CEQA Guidelines, the lead agency (City) must identify cumulative impacts, determine their significance and determine if the effects of a project are cumulatively considerable.

4.1 DESCRIPTION OF CUMULATIVE PROJECTS

The following projects that may result in a substantial physical change to the environment are under review or recently approved by the City Planning Department.

1. CUP 15-034: assisted living facility located at the southwest corner of Rancho Vista Boulevard/Avenida Vista Verde intersection.
2. SPR 18-006: residential project consisting of 48 single-family residences, 60 triplex units and 320 apartment units located at the 20th Street West/Rancho Vista Boulevard intersection.
3. SPR 22-009: fast food restaurant located at the 10th Street West/Rancho Vista Boulevard intersection (Antelope Valley Mall).
4. SPR 19-330/PD 19-001/TTM 82636/ZC 19-001: mixed use project consisting of 308 apartment units, 36 townhouse units and 47,000 square feet of retail/commercial located at the northwest corner of the 15th Street West/Rancho Vista Boulevard intersection.

4.2 DISCUSSION OF CUMULATIVE IMPACTS

4.2.1 Aesthetics

The minor degradation of visual quality and lighting associated with the proposed Project may incrementally contribute to aesthetics impacts of the cumulative projects, because the proposed movie screen and SPR 18-006 may be visible from the same public viewing location. However, the proposed movie screen would be a distant minor feature with the Amphitheater in the background and would not dominate public views. In any case, SPR 18-006 would be designed according to City standards for architecture, landscaping and aesthetic treatments. Overall, cumulative aesthetic impacts are considered less than significant.

4.2.2 Air Quality

Construction-related and operational (drive-in movie theater operation) air pollutant emissions associated with the Project would incrementally contribute to air pollutant emissions of the cumulative projects. However, standard dust control measures required by the AVAQMD would be implemented such that the Project's incremental contribution to cumulative air quality impacts would not be considerable.

4.2.3 Biological Resources

The proposed Project does not involve any wildlife habitat loss or impacts to special-status species. Therefore, the Project's incremental contribution to cumulative impacts to biological resources would not be considerable.

4.2.4 Cultural Resources

The cumulative projects identified in Section 4.1 may adversely impact cultural resources, and the Project has the potential to incrementally contribute to cumulative impacts to archeological resources. However, mitigation measures have been provided such that the Project's incremental contribution to cumulative cultural resources impacts would not be considerable.

4.2.5 Geology and Soils

The cumulative projects identified in Section 4.1 may result in significant seismic-related hazards, landslides, soil erosion, loss of topsoil, lateral spreading, expansive soil damage and have significant septic system limitations. However, these other projects would not affect the Project site such that impacts would not be additive. The Project contribution would be minor and limited to the Project site. The Project's incremental contribution to cumulative geology and soils impacts would not be considerable.

4.2.6 Greenhouse Gas Emissions

By their nature and potential global effects, GHG emissions are a cumulative issue. The Project would generate GHG emissions during construction and operation (drive-in movie theater), which would incrementally contribute to cumulative impacts. However, Project emissions would be much less than any threshold and are considered less than significant on a cumulative basis.

4.2.7 Water Resources

Potential construction-related surface water quality degradation associated with the Project may incrementally contribute to water quality impacts of cumulative projects that drain to Amargosa Creek. The Project contribution would be minimized through implementation of a SWPPP such that the incremental contribution to cumulative water quality impacts would not be considerable.

4.2.8 Noise

Construction-related noise associated with the cumulative projects would not be additive, because they would not affect the same noise receptors and unlikely to occur at the same time. Project-related noise would not be perceptible at nearby land uses. Therefore, the incremental contribution to cumulative noise impacts would not be considerable.

4.2.9 Transportation

Vehicle trips and miles travelled generated by construction and operation of the proposed Project would be minor, consistent with local transportation planning and not exceed impact criteria in the Los Angeles County Public Works Transportation Impact Analysis Guidelines. Therefore, the Project's incremental contribution to transportation impacts would not be cumulatively considerable.

5.0 MANDATORY FINDINGS OF SIGNIFICANCE

| MANDATORY FINDINGS OF SIGNIFICANCE -- | Potentially Significant Impact | Less than Significant Impact with Mitigation | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 that 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"/> |

- a. The Project may adversely affect unreported buried archeological resources. However, measures have been incorporated into the Project to prevent significant impacts to these resources.
- b. The incremental cumulative impacts of the Project (as mitigated) would not be cumulatively considerable.
- c. The Project may result in adverse impacts related to aesthetics, air quality, cultural resources, hazardous materials, geology, water quality and noise. However, impacts would be less than significant, or measures have been incorporated into the Project to avoid and/or minimize impacts.

6.0 DETERMINATION OF ENVIRONMENTAL DOCUMENT

On the basis of this evaluation:

- ☐ I find the Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
- ☒ I find that although the Project could have a significant impact on the environment, there will not be a significant effect with the implementation of mitigation measures described in this Initial Study. A MITIGATED NEGATIVE DECLARATION should be prepared.
- ☐ I find the Project, individually and/or cumulatively, MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.

Signature of Person Responsible for Administering the Project

Date

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APPENDIX A

VASCULAR PLANT FLORA OBSERVED AT THE MARIE KERR PARK PARK-N-RIDE SITE PALMDALE, CALIFORNIA

Appendix A: Vascular Plant Flora Observed at the Marie Kerr Park Park-n-Ride Site, Palmdale, California

| Scientific Name | Common Name | Habit | Family | Wetland Status | Invasiveness Rating |
|--|------------------------|-------|-----------------|----------------|---------------------|
| <i>Amaranthus albus</i> * | Tumble-weed | AH | Amaranthaceae | FACU | |
| <i>Ambrosia acanthicarpa</i> | Annual bursage | AH | Asteraceae | * | |
| <i>Bromus rubens</i> * | Red brome | AG | Poaceae | UPL | High |
| <i>Chenopodium album</i> * | Lamb's quarters | AH | Chenopodiaceae | FACU | |
| <i>Emmenanthe penduliflora</i> | Whispering bells | AH | Hydrophyllaceae | * | |
| <i>Ericameria nauseosa</i> var. <i>hololeuca</i> | White rabbit-brush | S | Asteraceae | * | |
| <i>Erigeron bonariensis</i> * | Flax-leaved horse-weed | AH | Asteraceae | FACU | |
| <i>Erodium cicutarium</i> * | Redstem filaree | AH | Geraniaceae | * | Limited |
| <i>Heterotheca grandiflora</i> | Telegraph weed | PH | Asteraceae | * | |
| <i>Hirschfeldia incana</i> * | Summer mustard | BH | Brassicaceae | * | Moderate |
| <i>Hordeum murinum</i> * | Barley | AG | Poaceae | FACU | Moderate |
| <i>Lepidium didymum</i> * | Lesser swine cress | AH | Brassicaceae | * | |
| <i>Matricaria discoidea</i> * | Pineapple weed | AH | Asteraceae | FACU | |
| <i>Mentzelia veatchiana</i> | Veatch's blazing star | AH | Loasaceae | * | |
| <i>Pectocarya linearis</i> ssp. <i>ferocula</i> | Sagebrush combseed | AH | Boraginaceae | * | |
| <i>Phacelia distans</i> | Common wild-heliotrope | AH | Boraginaceae | * | |
| <i>Polygonum aviculare</i> * | Knot-weed | AH | Polygonaceae | FAC | |
| <i>Portulaca oleracea</i> * | Puslane | AH | Portulacaceae | FAC | |
| <i>Salsola tragus</i> * | Russian thistle | AH | Chenopodiaceae | FACU | Limited |
| <i>Schismus barbatus</i> * | Mediterranean grass | AG | Poaceae | * | Limited |
| <i>Sisymbrium altissimum</i> * | Tumble mustard | AH | Brassicaceae | FACU | |
| <i>Sonchus oleraceus</i> * | Common sow thistle | AH | Asteraceae | UPL | |
| <i>Tribulus terrestris</i> * | Puncture vine | AH | Zygophyllaceae | * | Limited |

Notes:

Scientific nomenclature follows The Jepson Manual Second Edition (Baldwin et al., 2012), including supplements (old names in brackets).

An "*" indicates non-native species which have become naturalized or persist without cultivation.

An "***" indicates species which have been planted and may not persist without cultivation.

Habit Definitions:

AF = annual fern or fern ally.
 AG = annual grass.
 AH = annual herb.
 BH = biennial herb.
 PF = perennial fern or fern ally.
 PG = perennial grass.
 PH = perennial herb.
 PV = perennial vine.
 S = shrub.
 T = tree.

Invasiveness Rating from the online database of the California Invasive Plant Council

Wetland Status from Arid West 2020 Regional Wetland Plant List

OBL - Obligate wetland: almost always occurs in wetlands (>99% probability)
 FACW - Facultative-Wetland: usually occurs in wetlands (67-99% probability)
 FAC - Facultative: equally likely to occur in wetlands or non-wetlands (34-66% probability)
 FACU - Facultative-Upland: usually occurs in non-wetlands (1-33% probability)
 UPL - Upland: almost always occurs in non-wetlands (>99% probability)
 *: not addressed in the wetland plant list, non-wetland species

APPENDIX B

VERTEBRATE ANIMAL SPECIES OBSERVED AT THE MARIE KERR PARK PARK-N-RIDE SITE PALMDALE, CALIFORNIA

Appendix B

Vertebrate Animal Species Observed at the Marie Kerr Park Park-n-Ride Site Palmdale, California

| FAMILY | | | Habitat | |
|--------------------------------|-----------------------------------|--|---------------|------------------|
| <u>Common Name</u> | <u>Scientific Name</u> | | <u>Use(1)</u> | <u>Status(2)</u> |
| AMPHIBIANS AND REPTILES | | | | |
| Teiidae | | | | |
| Great Basin whiptail lizard | <i>Aspidoscelis tigris tigris</i> | | B/F | -- |
| BIRDS | | | | |
| Phasianidae | | | | |
| California quail | <i>Callipepla californicus</i> | | F | -- |
| Columbidae | | | | |
| Mourning dove | <i>Zenaida macroura</i> | | F | -- |
| Tyrannidae | | | | |
| Black phoebe | <i>Sayornis nigricans</i> | | F | -- |
| Corvidae | | | | |
| American raven | <i>Corvus corax</i> | | F | -- |
| Fringillidae | | | | |
| House finch | <i>Carpodacus mexicanus</i> | | F | -- |
| Passeridae | | | | |
| House sparrow | <i>Passer domesticus</i> | | F | -- |
| Gallidae | | | | |
| Domestic chicken | <i>Gallus gallus domesticus</i> | | F | -- |
| MAMMALS | | | | |
| Canidae | | | | |
| Coyote | <i>Canis latrans</i> | | F | -- |
| Dog | <i>Canis familiaris</i> | | F | -- |
| Cervidae | | | | |
| Mule deer | <i>Odocoileus hemionus</i> | | F | -- |
| Equidae | | | | |
| Domestic horse | <i>Equus caballus</i> | | F | -- |

(1) Habitat Use
B= Breeding
F= Foraging

(2) Status
CP= Protected under California Fish & Game Code
CSC= CDFW Species of Special Concern
SA= CDFW Special Animal
SE= State Endangered
FE= Federal Endangered
WL= CDFW Watch List
BCC=2021 Birds of Conservation Concern (breeding)

Amphibian and reptile nomenclature based upon Thomson (2016)
Bird nomenclature based upon American Ornithologists Union (2021)
Mammal nomenclature from American Society of Mammalogists (2021)

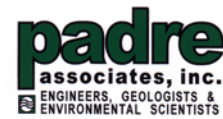
APPENDIX C

CULTURAL RESOURCE CONSTRAINTS ANALYSIS, MARIE KERR PARK PARK-N-RIDE LOT PROJECT CITY OF PALMDALE, LOS ANGELES COUNTY

MEMORANDUM**PADRE ASSOCIATES, INC.**

369 Pacific Street
San Luis Obispo, CA 93401

Tel: 805/786-2650
Fax: 805/786-2651



| | | | |
|----------|--|-------------|---------------|
| To: | Matt Ingamells | Date: | July 12, 2022 |
| From: | Rachael J. Letter, M.S., RPA | Project No: | 2202-1831 |
| Subject: | Cultural Resource Constraints Analysis, Marie-Kerr Park Park-N-Ride Lot Project, City of Palmdale, Los Angeles County | | |

At the request of the MNS Engineers, Inc. (MNS), Padre Associates, Inc. (Padre) completed a cultural resource constraints analysis in support of the Marie-Kerr Park Park-N-Ride Lot Project (Project) located at the intersection of Avenue P and 25th Street in the City of Palmdale, Los Angeles County, California (Project site).

The Project site is comprised of an 18.4-acre lot directly east of Marie Kerr Park. Specifically, the Project is in the E ½ of the SE ¼ of the SW ¼ of Section 17, Township 6 North, Range 12 West as shown on the Ritter Ridge USGS 7.5-minute topographic quadrangle (Figure 1). The approximate elevation is 2,700 feet above mean sea level, and the Amargosa Creek is located approximately 1.2 miles to the south. The Project site is currently a parking lot that was installed around 2008. This constraints analysis examined the Project site and a 0.25-mile search radius.

On May 4, 2022, Padre ordered an archaeological records search from the South Central Coast Information Center (SCCIC) located at California State University, Fullerton. The center is an affiliate of the State of California Office of Historic Preservation and the official state repository of archaeological records and reports for Ventura, Los Angeles, San Bernardino, and Orange counties. Padre received the results on July 6, 2022. Additionally, Padre emailed a request for a Sacred Lands File search to the Native American Heritage Commission (NAHC) on May 5, 2022 to request information about sacred or traditional cultural properties that may be located within the Project site. This memo provides a cultural context for the Project site, summarizes the records search results and Sacred Lands File search, and provides recommendations.

Archaeological Context

The prehistoric occupation of southern California by various hunter-gatherer groups dates to at least 12,000 years before present (B.P.) (Moratto, 1984). Specifically, the Antelope Valley foothill region has been identified as an axis between coastal and desert populations, as well as northern populations of the Eastern Sierra and northern California (Loftus and Turner, 2008). Prehistoric human subsistence is believed to have involved the seasonal exploitation of natural resources by small groups, a strategy that was successfully employed until approximately 2,000 B.P. Specific changes that have been identified include a shift toward a more sedentary settlement pattern with the appearance of semi-permanent villages and an increase in small campsites associated with these larger villages (Loftus and Turner, 2008).

Archaeologists have identified a generally accepted chronology for dating the various cultural phases of the prehistoric populations that occupied the Mojave Desert and the Great Basin area, which can likewise be applied to the Antelope Valley (PlaceWorks, 2014). This

chronology proposes six specific cultural phases: Paleo-Indian Period (ca. 10,000 B.C.–8,000 B.C.), Lake Mojave Period (8,000 B.C.–5,000 B.C.), Pinto Period (5,000 B.C.–2,000 B.C.), Gypsum Period (2,000 B.C.–A.D. 500), Rose Spring Period (A.D. 500–1,000), and the Late Prehistoric Period (A.D. 1,000 to contact).

The Paleo-Indian Period is the period associated with Big Game Hunting Traditions that utilized fluted points for hunting late Pleistocene megafauna. A few of these Paleo-Indian fluted points have been found in the Mojave Desert. Examples of Paleo-Indian fluted projectile points include the Clovis and Dalton point types (Moratto, 1984).

During the Lake Mojave Period, a diversification of artifact and ecofact assemblages occurs, suggesting the adoption of broader adaptation strategies by prehistoric populations. Artifacts associated with this period include the long-stemmed Lake Mojave and shorter-stemmed Silver Lake projectile points, finds which are often associated with terminal Pleistocene lake shore locations. Relatively few milling stone artifacts have been found in Lake Mojave Period contexts, suggesting a subsistence pattern that emphasized hunting (Loftus and Turner, 2008).

The following Pinto Period is characterized by generalized hunter-gatherer populations that occupied seasonal camps in small numbers. Artifacts of this period are exemplified by the Pinto projectile point type, probable evidence of atlatl use, and the appearance of settlement sites near to ephemeral lakes and now-dry springs or creeks. There is a noticeable lack of groundstone or milling stone artifacts at Pinto Period archaeological sites (Loftus and Turner, 2008).

Cultural adaptations occurred during the Gypsum Period to more arid desert conditions, adaptations that resulted in an increased emphasis on socioeconomic ties through trade, the development of new technologies, and more complex ritual activities. Artifacts commonly associated with the Pinto Period include a wide variety of projectile point types, including but not limited to, the Humboldt Concave base, Gypsum cave, and Elko Eared or Elko Corner-notched, as well as the first appearance of trade artifacts made of shell (PlaceWorks, 2014).

A continuation of these artifacts extends into the Rose Spring Period, as does an increased social complexity due to larger populations and extensive, long-distance trade contacts. Specific projectile point types associated with this period are the Rose Spring and Eastgate; research attests to the existence of several semi-permanent villages that made use of multiple ecological zones, as well as the establishment of extensive trade routes throughout Southern California (Loftus and Turner, 2008).

Key indicators associated with the Late Prehistoric Period include a broad diffusion of pottery west from the Colorado River area, an abundance of coastal shell beads, and two particular projectile points (Desert Side-notched and the Cottonwood). With the presence of well-established trade, complex socioeconomic and sociopolitical organization developed, and by approximately 1,000 to 500 years before the present, social complexity had likely reached the chiefdom level. An increase in population resulted in the gradual intensification of much broader environments and food resources (PlaceWorks, 2014). By the mid-17th century, occupation levels decreased in the Antelope Valley, effectively marginalizing the area as one of limited socio-cultural complexity. Most researchers consider the Late Prehistoric Period an extension of the

ethnographic present, a claim that is supported by both recorded oral traditions as well as the archaeological record (Loftus and Turner, 2008).

Ethnographic Context

The Project site is located within the ethnographic territory of the Tataviam or *Alliklik*, hunter-gatherers that subsisted upon the seasonal gathering of yucca, acorns, sage seeds, and juniper berries and hunting rabbit, rodents, deer, and antelope (LACDRP, 2007). They spoke a variant of the indigenous Takic language, and are believed to have migrated into southern California from the Great Basin between 1,000 and 3,000 years ago (King and Blackburn, 1976). Most of what is known about the Tataviam comes from raw field notes taken by anthropologists John P. Harrington and Alfred L. Kroeber, records from Mission San Fernando, and diaries of early Spanish explorers.

Culturally speaking, the Tataviam had a social and political organization similar to their Fernandeano neighbors to the south and Chumash neighbors to the west (King and Blackburn, 1976). Based on this comparison, it can be suggested that the Tataviam were organized into a series of tribelets (Kroeber, 1925), which represented an autonomous land-holding unit, minimally controlled by a head-chief or big-man. They usually included one large village sometimes occupied year-round and a series of smaller, seasonally inhabited hamlets. It is unknown if the Tataviam had exogamous clans and moieties, like the Cahuilla and Serrano to the east (W&S Consultants, 2010). A number of Tataviam villages have been identified through historic registers at Mission San Fernando, including *tsawayung* at the original Newhall Ranch site near Castaic Junction (approximately 20 miles southwest of the Project site) (LACDRP, 2007).

The protohistoric culture of the Tataviam, defined as the time when intermittent trade and contact was experienced between indigenous populations and Spanish trading vessels, was disrupted by the arrival of the Spanish expedition led by Gaspar de Portolá in 1769. The establishment of the Mission San Fernando (located approximately 28 miles southwest of the Project site) further disrupted Tataviam culture in Los Angeles County (W&S Consultants, 2010). Archaeological evidence verifies not only that the native population was rapidly decimated by missionization, but also the culture itself was absorbed into other groups through intermarriage (Chartkoff and Chartkoff, 1984).

Historic Context

The Spanish were the first known Europeans to explore and colonize the land area of what is known today as California. The first documented Europeans in the Antelope Valley were the Spanish explorers Captain Pedro Fages in 1772 and Father Francisco Garcés in the late 1770s. The founding of the San Fernando Mission in 1797 instituted a direct impact on the region's native inhabitants. Within a few generations, most of the knowledge regarding the language and culture of these local groups had vanished (PlaceWorks, 2014).

The Mexican Period is marked as beginning in 1821 and is synonymous with Mexico's independence from Spain. Mexico became California's new ruling government and at first, little changed. The Franciscan missions continued to enjoy the free unpaid labor the natives provided, despite the Mexican Republic's 1824 Constitution that declared the natives to be Mexican citizens.

This led to an uprising of the Indian population against the Mexican government and the eventual secularization and collapse of the mission system by 1834. After the fall of the missions, return of the land to the California Indians was mandated by the government, though little land was (PlaceWorks, 2014).

In 1846, armed conflict erupted between Mexican and American forces, resulting in the increased presence of American military forces within California. Rapidly, Mexican resistance deteriorated, and the United States occupied Mexico City in 1848, marking the beginning of the American Period. California became a U.S. holding with the signing of the Treaty of Guadalupe Hidalgo in February 1848, thereby ending the Mexican American War, and ceding much of the southwest territories to the United States. Just prior to the signing of the treaty, gold was discovered along the American River near Sacramento, sparking the major influx of American adventurers into California. In 1850, California was formally admitted into the Union as the 31st state (Loftus and Turner, 2008).

At the beginning of the American Period, little notice was paid to colonizing the Antelope Valley. In fact, most of the late 19th century can be described as a time when people were mostly passing through to other destinations. However, sparsely dispersed ranches were established in the Antelope Valley during the 1860s. The Homestead Act of 1862 and the Desert Land Act of 1877 greatly contributed to the settlement of the Antelope Valley. The Homestead Act opened up public lands to citizens for settlement, based on very minimal requirements. The Desert Land Act was intended to encourage and promote the economic development of arid and semi-arid public lands of the western United States (PlaceWorks, 2014).

Agriculture, gas, and mining contributed to the increased population of the Antelope Valley during the later stages of the 1800s. It was also during the late 1800s that established transportation routes were formed between the City of Los Angeles and the Antelope Valley, including the Butterfield Stage Overland Mail route (1858), the Los Angeles & Independence Railroad, Southern Pacific Railroad (1876), Antelope Valley Line, Union Pacific Lone Pine Branch, the Santa Fe Railroad Branch, among many others. The early 1900s was a period of innovation, which included mechanical irrigation and electricity (PlaceWorks, 2014).

Palmdale was founded by a group of Swiss and German settlers in 1886 as “Palmenthal”. In 1899, and the name was officially changed to “Palmdale” in 1899, and the new community was founded along the railroad right-of-way. The city remained a small cluster of commercial buildings until the Los Angeles Aqueduct was completed in 1914. The reliable water source allowed communities in the Antelope Valley to expand their agricultural base to pears, almonds, and alfalfa during the 1920s (URS, 1995).

The Great Depression caused agricultural prices to drop, and many people left the city; however, conditions quickly improved when World War II increased the demand for produce. World War II also saw the establishment of Muroc Dry Lake (now Edwards Air Force Base) and War Eagle Field (now Mira Loma) for military training activities. The aircraft industry continued to boost the economy until the end of the 1950s. In 1962, Palmdale was the first incorporated city in the Antelope Valley. The construction of the California Aqueduct and the Antelope Valley Freeway

in the 1970s brought additional water and accessibility to the region, making it a desirable place to locate industrial development and homes for commuters from Los Angeles (URS, 1995).

Records Search Results

The records search included a review of all recorded historic-era and prehistoric archaeological sites within a 0.25-mile radius of the Project site as well as a review of known cultural resource surveys and technical reports. The State Historic Property Data Files, National Register of Historic Places, National Register of Determined Eligible Properties, California Points of Historic Interest, and the California Office of Historic Preservation Archaeological Determinations of Eligibility also were analyzed.

The records search did not identify any cultural resources within the Project site; or within the 0.25-mile search radius. Additionally, no previous cultural resource studies have been completed within the Project Site; however, three previous studies have been completed within the 0.25-mile search radius. Two of these studies (Campbell, 1992; Romani and Schmidt, 2010) were completed on parcels adjacent to the Project site and both were negative for cultural resources.

A review of historic aerial photographs and topographic maps revealed that the Project site was empty or used for agriculture until about 2008 when it was converted into a surface parking lot.

A search of the Sacred Lands file housed at the NAHC did not indicate the presence of Native American cultural resources within the Project site. On June 7, 2022 the NAHC provided a list of local groups and individuals to contact for further information regarding local knowledge of sacred lands. Padre has included this response as an attachment to assist with the City's Native American consultation pursuant to Public Resources Code (PRC) § 21080.3.1.

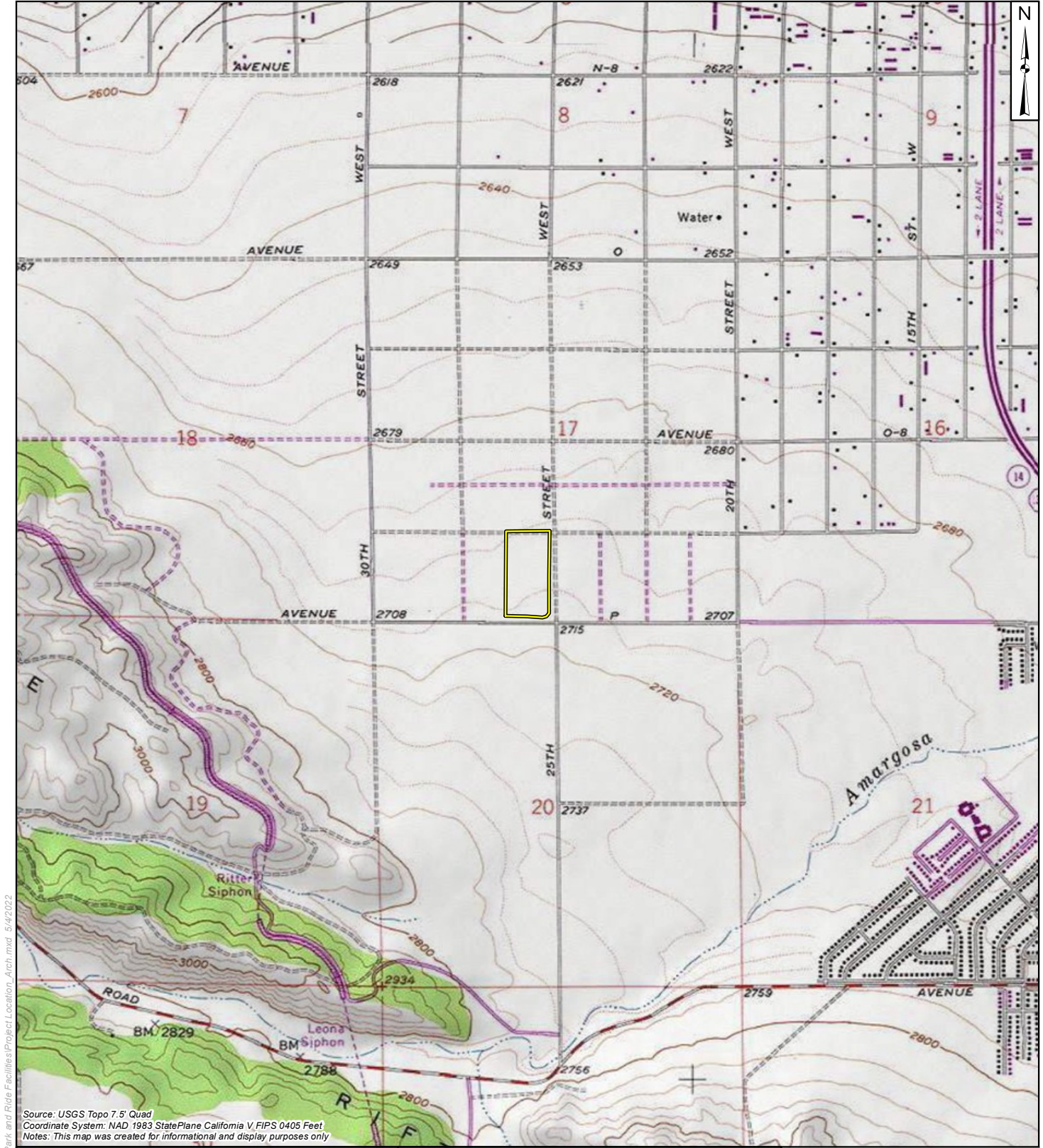
Results and Recommendations

The Project site has been previously disturbed from grading and construction of the existing surface parking lot. Padre does not recommend a pedestrian survey of the Project site because the potential to encounter intact cultural resources is low. A change in scope (i.e., increased area of disturbance), will require additional study and a possible archaeological survey.

The proposed Project will not impact cultural resources and can proceed as planned. In the event cultural resources are encountered during the proposed Project, Padre recommends stopping all activity within a 100-foot radius of the find and contacting a qualified archaeologist. One copy of this report and attachments will be submitted to the SCCIC at California State University, Fullerton.

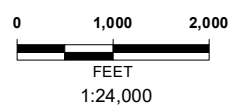
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- URS Consultants, Inc. (URS). 1995. *Environmental Impact Report for the Palmdale Business Park Center Specific Plan, Volume I: Technical Report*. Prepared by URS Consultants, Inc., San Bernardino, California. Prepared for the City of Palmdale Planning Department.
- W&S Consultants. 2010. *Class III Inventory/Phase I Archaeological Survey of the Via Princessa Road Extension, City of Santa Clarita, Los Angeles County, California*. Prepared for Impact Sciences, Inc., Camarillo, California.



Z:\GIS\Projects\GIS Maps\Map Project\Marie Kerr Park and Ride Facilities\Project Location_Arch.mxd 5/4/2022

Source: USGS Topo 7.5' Quad
 Coordinate System: NAD 1983 StatePlane California V. FIPS 0405 Feet
 Notes: This map was created for informational and display purposes only



LEGEND:
 Project Location



USGS 7.5' Quadrangle: Ritter Ridge
 Legal Description: T6N, R12W, Sec. 17

padre
 associates, inc.
 ENGINEERS, GEOLOGISTS &
 ENVIRONMENTAL SCIENTISTS

| | |
|--|-------------------|
| PROJECT NAME: MARIE-KERR PARK PARK-N-RIDE LOT, PALMDALE LOS ANGELES COUNTY, CA | |
| PROJECT NUMBER: 2202-1831 | DATE: May 2022 |

PROJECT LOCATION

FIGURE
1



NATIVE AMERICAN HERITAGE COMMISSION

June 7, 2022

Rachael Letter
Padre Associates, Inc.

Via Email to: rletter@padreinc.com

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NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov

Re: Marie-Kerr Park Park-N-Ride Lot, Palmdale Project, Los Angeles County

Dear Ms. Letter:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes
Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Native American Contact List
Los Angeles County
6/7/2022**

Fernandeno Tataviam Band of Mission Indians

Jairo Avila, Tribal Historic and Cultural Preservation Officer
1019 Second Street, Suite 1 Tataviam
San Fernando, CA, 91340
Phone: (818) 837 - 0794
Fax: (818) 837-0796
jairo.avila@tataviam-nsn.us

Morongo Band of Mission Indians

Robert Martin, Chairperson
12700 Pumarra Road Cahuilla
Banning, CA, 92220 Serrano
Phone: (951) 755 - 5110
Fax: (951) 755-5177
abrierty@morongo-nsn.gov

Morongo Band of Mission Indians

Ann Brierty, THPO
12700 Pumarra Road Cahuilla
Banning, CA, 92220 Serrano
Phone: (951) 755 - 5259
Fax: (951) 572-6004
abrierty@morongo-nsn.gov

Quechan Tribe of the Fort Yuma Reservation

Manfred Scott, Acting Chairman
Kw'ts'an Cultural Committee
P.O. Box 1899 Quechan
Yuma, AZ, 85366
Phone: (928) 750 - 2516
scottmanfred@yahoo.com

Quechan Tribe of the Fort Yuma Reservation

Jill McCormick, Historic Preservation Officer
P.O. Box 1899 Quechan
Yuma, AZ, 85366
Phone: (760) 572 - 2423
historicpreservation@quechantribe.com

San Fernando Band of Mission Indians

Donna Yocum, Chairperson
P.O. Box 221838 Kitanemuk
Newhall, CA, 91322 Vanyume
Phone: (503) 539 - 0933 Tataviam
Fax: (503) 574-3308
ddyocum@comcast.net

San Manuel Band of Mission Indians

Jessica Mauck, Director of Cultural Resources
26569 Community Center Drive Serrano
Highland, CA, 92346
Phone: (909) 864 - 8933
Jessica.Mauck@sanmanuel-nsn.gov

Serrano Nation of Mission Indians

Wayne Walker, Co-Chairperson
P. O. Box 343 Serrano
Patton, CA, 92369
Phone: (253) 370 - 0167
serranonation1@gmail.com

Serrano Nation of Mission Indians

Mark Cochrane, Co-Chairperson
P. O. Box 343 Serrano
Patton, CA, 92369
Phone: (909) 528 - 9032
serranonation1@gmail.com

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Marie-Kerr Park Park-N-Ride Lot, Palmdale Project, Los Angeles County.

**MARIE KERR PARK PARK-N-RIDE LOT PROJECT
MITIGATION MONITORING PROGRAM – IMPLEMENTATION TABLE**

| Mitigation Measure | Implementation Timing | Monitoring Methods | Monitoring Frequency | Party Responsible for Monitoring | Method of Compliance Verification | Verification of Compliance | | |
|---|------------------------------------|---|--|--|--|----------------------------|------|---------|
| | | | | | | Signature | Date | Remarks |
| CULTURAL RESOURCES | | | | | | | | |
| Should any buried archaeological materials be uncovered during project activities, such activities shall cease within 100 feet of the find. Prehistoric archaeological indicators include obsidian and chert flakes, chipped stone tools, bedrock outcrops and boulders with mortar cups, ground stone implements, locally darkened midden soils containing previously listed items plus fragments of bone and fire affected stones. Historic period site indicators may include fragments of glass, ceramic and metal objects, milled and split timber, building foundations, privy pits, wells and dumps, and old trails. All earth disturbing work within the vicinity of the find shall be temporarily suspended or redirected until the City has been notified and an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. | Throughout the construction period | The construction inspector will observe work in progress and ensure work is suspended as appropriate, the project manager will ensure evaluation of the find is completed | Initially and weekly thereafter | City of Palmdale Public Works Department | City of Palmdale Public Works Department staff will prepare an incident report to be included in the project inspection report | | | |
| If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and deposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission. | When human remains are encountered | The construction inspector will observe work in progress and ensure work is suspended as appropriate, the project manager will ensure the County coroner is contacted | Following discovery of the human remains | City of Palmdale Public Works Department | City of Palmdale Public Works Department staff will prepare an incident report to be included in the project inspection report | | | |

EXHIBIT D

GENERAL PLAN CONSISTENCY

| Element | Goal, Objective, or Policy | Standard Met? | Justification* |
|--|--|---------------|--|
| Land Use and Community Design | LUD-1.5 Multimodal Connectivity. Promote walking to services, biking and transit use by requiring a high level of connectivity for pedestrians, bicycles, and vehicles in major developments (except where existing development or natural features prohibit connectivity). Seek to improve walk, bike, and transit travel within existing complete neighborhoods. | Yes | The proposed park-and-ride facility will provide parking spaces for ridesharing commuters, large vehicle parking spaces, and shuttle and rideshare loading spaces. In addition, the AVTA provides existing bus routes along both Rancho Vista Boulevard and 30th Street West and 36 bicycle parking spaces are proposed, which will encourage and promote multimodal connectivity. |
| Parks, Recreation, and Open Space | PR-1.6 Expand park amenities. Encourage expansion of amenities at existing public parks. compliant and flexible. | Yes | Although currently used for overflow parking, this will formalize the construction, striping, ADA upgrades, lighting, off-site street improvements and sidewalks, and will install an outdoor movie theater. All of these improvements will make the area safer, provide much-needed lighting and accessibility, provide a space for community events, and promote ridesharing. |

*Justification is based on a review by the case planner of the plans date stamped 'Received March 21, 2024'.

EXHIBIT E

PMC DEVELOPMENT STANDARD TABLE

| | Standard | Standard Met? | Justification* |
|-----------------|---|----------------------|---|
| Parking | Primary Structures Front: 10 feet Street Side: 10 Feet (PMC Table 17.76.010-1) Interior Side and Rear: 10 feet, 25 feet when abutting a residential zone. (PMC Table 17.76.010-1) Distance between Structures (sf): Minimum required by building and fire code. (PMC Table 17.76.010-1) | Yes | The proposed project does not consist of the construction of any primary buildings. The future pump station is an accessory building that will need to comply with the setback requirements of the PMC, but construction will be analyzed under a future application and permits. In addition, the proposed signs will be submitted for the appropriate sign permits. |
| Lighting | Lighting shall comply with PMC Section 17.86.030 (Outdoor Lighting). | Yes | The proposed photometric plan, light standards, and operational characteristics comply with the lighting requirements of Section 17.86.030. |

*Justification is based on a review by the case planner of the plans date stamped 'Received March 21, 2024'

EXHIBIT F

DRAFT

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 03-05 MAJOR MODIFICATION NO. 1

APPROVAL DATE: SEPTEMBER 12, 2024
EFFECTIVE DATE: SEPTEMBER 24, 2024
USE INAUGURATION DATE: SEPTEMBER 24, 2027

These Conditions of Approval apply to Conditional Use Permit 03-05 Major Modification No. 1, to construct a park-and-ride facility on approximately 15 acres located on the northwest corner of Rancho Vista Boulevard and 25th Street West (APN's 3001-026-918, -919, -920, -921, -922, -923, -924, and -925) and adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project. Any proposed change of use or expansion of the area, or modifications to the site plan or structures shall be submitted to the Planning Division, along with the required application and fee, for review. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS:

- 1 Conditional Use Permit (CUP) 03-05 Major Modification (MOD) No. 1, shall be inaugurated within three years, or it shall automatically expire on September 24, 2027. This approval is based on the plans date stamped, 'Received March 21, 2024'. The CUP shall be considered inaugurated if all requirements of Condition No. 2 are met. (P)
- 2 Should this project not be inaugurated during the initial approval period, an extension of time not to exceed an additional two years may be granted by the Review Authority. Applications for time extensions must be filed a minimum of 90 days prior to the expiration date. Requests for time extensions must be accompanied by a formal application, all required exhibits and plans, and required application fees. (P)
- 3 Immediately upon approval of this project by the Review Authority, the applicant shall submit to the City a cashier's check or check, payable to Los Angeles County Clerk in the amount of \$2,991.75 for the environmental filing fee in compliance with the California Environmental Quality Act (CEQA) Guidelines. Furthermore, if the California Department of Fish and Wildlife (CDFW) determines that this project is not exempt from a filing fee imposed pursuant to Fish and Wildlife Code Section

- 711.4 because the project has more than a de minimis impact on fish and wildlife, then the applicant shall also pay to CDFW any fee and any fine which the Department determines to be owed. (P)
- 4 The applicant shall defend, indemnify, and hold harmless the City its elected and appointed officials, officers, employees, and agents from and against any claim, action, or proceeding against the City, its elected and appointed officials, officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City concerning this project, including but not limited to any approval or condition of approval of the Review Authority. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its elected and appointed officials, officers, employees, and agents in the defense of the matter. (P)
 - 5 Pursuant to Government Code Section 66020(a), any party may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this development project. Required fees must be paid in full or arrangements must be made to pay the fee when due. Written notice of payment under protest must be filed with the City at the time of approval or conditional approval of this project or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions imposed on this project. (P)
 - 6 The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements in the Palmdale Municipal Code (PMC), including the requirement that a business license be obtained by all entities doing business in the City. (P)
 - 7 The use shall meet the standards and shall be developed within the limits established by the PMC as related to emissions of noise, odor, dust, vibration, wastes, fumes, or any public nuisances arising or occurring incidental to the establishment or operation. (P)
 - 8 When exhibits and written Conditions of Approval are inconsistent, the written conditions shall prevail. (P)(E)
 - 9 Off-site public improvements (streets, drainage, sewers, etc.) may be necessary to adequately serve this development. If off-site public improvements are required, said improvements shall be located within public easements. (E)

- 10 The applicant shall participate in such on-site and off-site water service improvements or wells as may be required by the serving water purveyor/master. (E)
- 11 Coordination with utility companies by the applicant's engineer during design shall be required to ensure that required public improvements are not in conflict with existing or proposed utilities. (E)
- 12 Transmission or distribution lines less than 50kV and all other utility lines, existing and proposed, shall be installed underground in accordance with the PMC Chapter 12.04 (Undergrounding Utilities). (E)
- 13 All plans, specifications, studies, reports, calculations, maps, notes, legal documents, and designs, shall be prepared, signed, and stamped (when required) only by those individuals legally authorized to do so. Development plans must be prepared, signed, and stamped by a California Registered Civil Engineer. (E)
- 14 Left-turn ingress and/or egress at all access locations shall be subject to approval of the City Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered. (TE)
- 15 Access at the following locations(s) shall be limited to right-turn in and right-turn out movements for Rancho Vista Boulevard. The right-turn only sign for driveway exiting vehicles shall be installed and maintained by the property owner and comply with State standards. (TE)
- 16 Intersection sight distance and stopping sight distance shall be shown to meet the required standards both horizontally and vertically at all vehicular ingress/egress locations including consideration for walls, landscaping, grading, vegetation, and any other items that would block the required sight for safe travel. (TE)
- 17 The applicant shall provide a complete set of street improvement plans for review and comment to utility providers including but not limited to the following: (E)
 - 17.1 Los Angeles County Waterworks
 - 17.2 Southern California Edison
 - 17.3 Southern California Gas Company
 - 17.4 AT&T
 - 17.5 Cable TV

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

- 18 The applicant shall provide standard street improvements for Regional/Crosstown roadway classification streets, along the west half of 25th Street West across the project frontage. The design shall be based on 104 foot right-of-way on an acceptable centerline profile extending a minimum of 300 feet beyond the project where applicable. Improvements listed below shall be constructed and operational prior to occupancy release. These improvements shall consist of (E)
 - 18.1 Curb and gutter,
 - 18.2 Sidewalk (width = eight feet),
 - 18.3 Roadway grading and base paving, overlay and/or match-up, as directed by City Engineer,
 - 18.4 Traffic control signs and devices as required by the City Engineer,
 - 18.5 Pavement transition from the project boundaries to driveway approaches, shall be to the satisfaction of the City Engineer,
 - 18.6 Wheelchair ramp(s) at all walk returns,
 - 18.7 Roadway drainage device(s),
 - 18.8 Streetlights,
 - 18.9 Striped Median,
 - 18.10 Dedicate sufficient right-of-way for corner cut-off in accordance with the City's Engineering Design Standards,
 - 18.11 Provide a minimum four-foot sidewalk clearance around any object,
 - 18.12 The applicant shall transition from asphalt street pavement improvement to aggregate base paving, north of the northernmost driveway approach to West Avenue O-12, and
 - 18.13 The applicant shall process a set-aside easement, for street widening and public right-of-way improvements along the project frontage of 25th Street West.

- 19 The applicant shall provide standard street improvements for the south half of West Avenue O-12 across the project frontage. The design shall be based on an acceptable centerline profile extending a minimum of 300 feet beyond the project where applicable, according to the General Plan designation for that street. These improvements shall consist of: (E)
- 19.1 Curb and gutter,
 - 19.2 Sidewalk (width = five feet),
 - 19.3 Roadway grading and base paving, overlay and or match-up, as directed by City Engineer,
 - 19.4 Traffic control signs and devices as required by the City Engineer,
 - 19.5 Pavement transition from the project boundaries to driveway approaches, shall be to the satisfaction of the City Engineer,
 - 19.6 Wheelchair ramp(s) at all walk returns, and
 - 19.7 Roadway drainage device(s).
- 20 The applicant shall submit the final site plan and photometric lighting plans to the Planning Division for review and approval along with required fee(s) for plan check review through the Accela Citizen Access portal. Such plans shall be fully dimensioned and in substantial conformance with those approved by the Review Authority. Plans shall address the following: (P)(TE)(BS)(PS)

Screening

- 20.1 Utility and transformer boxes, backflow devices, and other similar equipment facilities shall be placed underground, unless otherwise specified and approved. Screening shall be compatible with main structures and include landscaping where appropriate. All electrical switchgear shall be located within an electrical or utility room within the building which may be accessible from an exterior door or doors. Exterior surface mounted switchgear shall be prohibited.
- 20.2 The location of all devices required by the water district shall be shown on the site plan. All such devices shall be screened with a low-profile wall to match the building, or other method as approved by the Planning Manager.

- 20.3 Any proposed bollards shall include a decorative cover consistent with the architectural style of the associated building. Safety Yellow colored pipe style bollards shall only be permitted in areas hidden from the public right-of-way.

Lighting

- 20.4 The photometric lighting plan for parking areas shall comply with applicable standards contained in the PMC Section 17.86.030 (Outdoor Lighting).
- 20.5 Parking lot lighting shall comply with applicable height and design standards contained in the PMC and shall not be obstructed by trees or other landscaping.
- 20.6 Pedestrian walkways shall have sufficient decorative pathway lighting.
- 20.7 Parking area lights shall be controlled by photocell and shall be left on during hours of darkness or diminished lighting.
- 20.8 All parking lots, aisles, and grounds contiguous to walkways shall be provided with sufficient lighting to provide adequate illumination for the safety and security of vehicles and pedestrians using the site during the hours of darkness or diminished lighting. Such lighting shall be equipped with vandal and weather resistant covers/lenses and comply with specifications of the PMC.

Circulation/Parking Safety and Loading Areas

- 20.9 The site plan shall identify the interior traffic flow pattern.
- 20.10 Driveways shall have a minimum radius of 15 feet.
- 20.11 The site plan shall identify all pedestrian access ways and traffic crossings. Crossings shall be clearly marked, lighted, and identified throughout the interior of the project. Design of these areas shall be reviewed and approved by the applicable City departments and shall comply with Title 24 Accessibility Standards and current City Building Codes.
- 20.12 The site plan shall indicate the alignment of all adjacent streets, turn lanes, medians, bus turnouts, the location of project entrance(s), drive aisles, traffic control devices, sidewalks, landscape setbacks, and the location of other infrastructure.

20.13 All striped walkways perpendicular to parking stalls shall be a minimum of seven feet in width.

20.14 The site plan shall clearly indicate no parking areas and fire lanes and indicate how such areas will be designated.

Landscaping Requirements

21 The landscape plans shall comply with all provisions of PMC Chapter 14.05 (Water Efficient Landscape and City Landscaping Standards). (E)

22 The applicant shall submit landscape and irrigation plans for all project landscaping improvements to the Engineering Division for review and approval, through the Accela Citizen Access Portal. The applicant is responsible to pay all plan review fees for the improvements reflected on the landscape plans prior to the plans being reviewed. All landscape permit and inspection fees shall be paid prior to the issuance of a landscape permit. These plans shall include, but not be limited to, the following items: (P)(E)(PS)

22.1 Trees in the parkways shall not exceed a spacing approved by the City Engineer for the species proposed.

22.2 Where trees are incorporated into the landscape design of common or open areas, all trees shall be a minimum one-inch caliper in a 15-gallon or larger container size. Fifty percent of the trees shall be a minimum two-inch caliper in a 24-inch box size or larger container. Twenty percent of the trees shall be a minimum two-and-a-half-inch caliper in a 36-inch box size or larger container. The trunk caliper shall be measured four and a half feet above the root crown. Any Washingtonia spp. or similar palm trees proposed shall have a minimum of 12 feet of brown trunk height.

22.3 All shrubs shall be a minimum five-gallon size. If one-gallon plants are proposed to be used as a ground cover (i.e., with drip irrigation), such planting shall be supplemented with additional five-gallon plant material to provide variation in texture and height.

22.4 All plant material shall be indicated on the landscape plans with symbols that are 75 percent of a diameter of the mature size of the plant. When determining mature plant size, the lower end of the size range shall be used (for example, if a plant is indicated to have a mature size of six to - ten feet, a six-foot diameter shall be used when graphically indicating the plant material on the plan).

- 22.5 All landscape areas shall be enclosed by a six-inch raised concrete curb. Differences in planting areas or landscaping ground cover materials shall be separated by approved landscape edging or concrete mow strips.
 - 22.6 All slopes steeper than 3:1 shall be landscaped for erosion control per the Engineering Design Standards.
 - 22.7 Backflow devices shall be screened with a solid Le Meur cover or equivalent and landscaping.
 - 22.8 All plant material sizes and calipers shall conform to the American Standard for Nursery Stock, ANSI (Z60.1) 2014.
 - 22.9 Parking areas located adjacent to Rancho Vista Boulevard, 25th Street West, and Avenue O-12 shall contain a low-profile wall, berm, or lowered parking area, at least three feet in height, designed to screen vehicles from the adjacent street.
 - 22.10 Landscaping located within the vehicle sight distance triangle shall be designed and maintained in a manner that does not block the view at driveways and adjacent intersections. Landscaping shall not exceed three feet in height within the sight distance triangle.
 - 22.11 Trees that will not block area surveillance or light distribution shall be utilized. Tree canopies shall be no lower than six feet.
- 23 Slope erosion control and street trees shall be installed to the satisfaction of the City Engineer. (E)

Project Grading/Wall/Fences Requirements

- 24 The applicant shall submit a current Title Report for the subject property, dated within six months of the date for civil plan submittal. This submittal shall include a declaration of all easement of record and copies of all easements/declaration instruments referenced within the report. (E)
- 25 Grading and wall plans shall be submitted for review and approval to the Engineering Division, through the Accela Citizen Access Portal. Approval by both the City Engineer and Planning Manager shall be obtained prior to the issuance of a Grading Permit. Final grading and wall concepts shall be in substantial conformance with those shown on the approved site plan, conceptual grading plan, and in accordance with the following: (P)(E)(B&S)

- 25.1 Proposed retaining walls or engineered free-standing walls shall be submitted to Building and Safety Division for review and approval. Said wall types shall require a building permit prior to construction.
- 26 In all cases where a required wall is to be located adjacent to the top of a two to one or greater slope, the wall shall be set back a minimum of two and one-half feet from the crest of that slope on the level side. All slope and wall configurations shall meet the setback requirements of the City Building Code. (P)(E)(B&S)
- 27 The exterior face and footings of all project perimeter walls shall be located no more than two inches from the property line on the subject property. (P)(E)
- 28 Double boundary walls between developments shall be prohibited except as approved by the Planning Manager and City Engineer. (P)(E)
- 29 The applicant shall incorporate into the project design all existing easements within the project boundaries or obtain abandonment of said easements from the affected easement holder(s). If this requirement cannot be accomplished, the project shall be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Review Authority. (P)(E)
- 30 All manufactured slopes on or adjacent to project boundaries shall meet the setback requirements of the current City Building Code. A recorded off-site Slope Acceptance Letter from all affected property owners shall be submitted to the City Engineer prior to approval of grading plans for any off-site slope not meeting these requirements. In addition, all slopes are required to meet City Standards with respect to erosion control. (E)
- 31 The applicant shall submit a temporary erosion control and sedimentation plan for approval by the City Engineer prior to grading plan approval and grading permit issuance when grading activity will occur between October 1st and April 15th. Said erosion control plan shall provide appropriate dust control measures per City and Antelope Valley Air Quality Management District (AVAQMD) Standards to minimize nuisance from dust at all times. (E)
- 31.1 The applicant shall submit a dust control plan to AVAQMD for review and shall obtain clearance from said agency prior to issuance of a City grading permit. The applicant shall provide proof of compliance with all AVAQMD requirements and applicable fees. (E)
- 32 From the beginning of the first ground disturbing activity until the use has been released for occupancy, the following are required of the applicant: 1) have erosion control measures, per an approved Erosion Control and Sedimentation

- Plan, in place during the rainy season (October 15 - April 15); 2) provide appropriate dust control measures, per City and AVAQMD Standards, to minimize nuisance from dust at all times. (E)(B&S)
- 33 This project shall be designed and constructed in accordance with the stormwater pollution control requirements of the Lahontan Region of the California Regional Water Quality Control Board. Prior to the issuance of a grading permit, the applicant shall file a Notice of Intent with the Lahontan Region of the California Regional Water Quality Control Board to comply with the applicable National Pollution Discharge Elimination System (NPDES) requirements. The applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the City Engineer. (E)
- 34 A final hydrology study and hydraulics report shall be prepared for this project and approved by the City Engineer. The hydrology study and hydraulics report shall address on-site and off-site conditions and impacts, based on the City of Palmdale adopted Storm Water Management Policy. (E)
- 35 Based on the findings of the final hydrology and hydraulics report, the applicant shall be responsible, at their own expense, for any and all improvements imposed on the project by the Engineering Department to the satisfaction of the City Engineer. (E)
- 36 All nuisance water generated from this development shall be mitigated on-site in accordance with City's Design Standards requirements. (E)
- 37 An on-site storm drainage basin (detention) shall be required for this development. Such basin(s) shall be granted in easement to the City (for emergency maintenance only), but regular maintenance shall be the responsibility of the applicant, or their City approved designee. (E)
- 38 This subdivision/development shall be designed in accordance with the City's Floodplain Management Ordinance, Master Plan of Drainage, and related criteria within the Engineering Design Standards. (E)
- 38.1 All drainage facilities shall be designed to be compatible with Master Plan of Drainage facilities. Applicant shall provide system piping to allow for the future elimination of the drainage basin. (E)
- 39 The applicant shall submit geotechnical reports, prepared in accordance with the City's Engineering Design Standards, to the City Engineer for review and approval prior to the approval of a grading permit. (E)

- 40 Grading shall be designated "Engineering Grading" per City Building Code and shall be done in accordance with an approved grading plan. All grading work shall be performed in one continuous operation, or in phases as approved by the Planning Manager and the City Engineer. (E)
- 41 *Should any buried archaeological materials be uncovered during project activities, such activities shall cease within 100 feet of the find. Prehistoric archaeological indicators include obsidian and chert flakes, chipped stone tools, bedrock outcrops and boulders with mortar cups, ground stone implements, locally darkened midden soils containing previously listed items plus fragments of bone and fire affected stones. Historic period site indicators may include fragments of glass, ceramic and metal objects, milled and split timber, building foundations, privy pits, wells and dumps, and old trails. All earth disturbing work within the vicinity of the find shall be temporarily suspended or redirected until the City has been notified and an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. (P)
- 42 *If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and deposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission. (P)
- 43 *Prior to issuance of grading permits, the project applicant shall retain a professional Tribal Monitor procured by the Fernandeño Tataviam Band of Mission Indians (FTBMI) to observe all ground-disturbing activities including, but not limited to, clearing, grubbing, grading, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, leveling, driving posts, auguring, blasting, stripping topsoil or similar activity. Tribal Monitoring Services will continue until confirmation is received from the project applicant, in writing, that all scheduled activities pertaining to Tribal Monitoring are complete. If the Project's scheduled activities require the Tribal Monitor to leave the Project for a period of time and return, confirmation shall be submitted to the Tribe by Client, in writing, upon completion of each set of scheduled activities and 5 days' notice (if possible) shall be submitted to the Tribe by project applicant, in writing, prior to the start of each set of scheduled activities. If cultural resources are encountered, the Tribal Monitor will have the authority to request that ground-disturbing activities cease within 60 feet of discovery and a qualified archaeologist meeting Secretary of Interior standards retained by the project applicant as well as the Tribal Monitor shall assess the find. (P)

- 44 *The Lead Agency and/or applicant shall, in good faith, consult with the FTBML on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities. (P)
- 45 *If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the Project. (P)
- 45.1 Inadvertent discoveries of human remains and/or funerary object(s) are subject to California State Health and Safety Code Section 7050.5, and the subsequent disposition of those discoveries shall be decided by the Most Likely Descendant (MLD), as determined by the Native American Heritage Commission (NAHC), should those findings be determined as Native American in origin.

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH ISSUANCE OF BUILDING PERMITS:

- 46 The applicant shall pay all fees at the time fees are determined payable and comply with all requirements of the applicable Federal, State, and local agencies including, but not limited to, the following:
- Antelope Valley Air Quality Management District
Antelope Valley Union High School District
Los Angeles County Consolidated Fire District
Los Angeles County Department of Health Services
Los Angeles County Sanitation District
Los Angeles County Waterworks
Westside Union School District
Regional Water Resources Control Board
- 47 The duty of inquiry as to such requirements shall be upon the applicant. Receipt and proof of payment shall be provided to the Building and Safety Division prior to issuance of any building permits. (P)(E)(F)(B&S)
- 48 The applicant shall provide a striping and signing plan for all roadway improvements, subject to the approval of the City Engineer as part of the approval of the street improvement plans. (TE)

- 49 The applicant shall comply with all applicable development regulations and requirements prior to the issuance of any building permits on the subject property. (P)(E)(B&S)
- 50 Water mains shall be designed to meet or exceed the total flow requirements determined from domestic flow and fire flow for this development. Required domestic flow shall be calculated by the applicant's engineer. Fire flow shall be determined by the Los Angeles County Fire Department. (E)
- 51 Street lighting plans shall be reviewed and approved separate of the approval of the street improvement plans. Street lighting plans and electrical plans shall be submitted to the City Engineer for review and approval and to Southern California Edison (SCE) for reference. Electrical plans shall be prepared by a Registered California Electrical Engineer. (E)
- 52 Easements for all on-site utilities, public and private, shall be granted and recorded for maintenance and upkeep. Such easements may include, but are not limited to, sewer, water, electric, gas, telephone, storm drains, detention basins, and landscaping. (E)
- 53 At completion of rough grading, the applicant shall submit appropriate reports to the City Engineer, for review and approval, prior to release of rough grading. The City of Palmdale Building Code requires these reports from the field or supervising grading engineer, the soils engineer, the geologist, and the grading contractor. (E)(B&S)
- 54 The applicant shall dedicate the right to restrict vehicle access along all lots abutting the following streets Rancho Vista Boulevard and 25th Street West. (TE)

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

- 55 Adequate sanitary disposal facilities shall be required on-site during all phases of construction. (E)(B&S)
- 56 Grading shall be done in accordance with a grading plan prepared by the applicant's Registered Civil Engineer. All grading work shall be performed in one continuous operation or in phases as approved by the Planning Manager and the City Engineer. (P)(E)
- 57 The City Engineering Division shall be notified a minimum of 60 days prior to the anticipated opening of any street to public travel. (TE)(E)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO OCCUPANCY OF THIS PROJECT:

- 58 The applicant shall contact the Planning Division a minimum of two weeks prior to final inspection by the Building and Safety Division to make arrangements for a final walk-through inspection by the Planning Division. (P)
- 59 All public improvements must be completed and accepted by the City. (E)
- 60 Any broken, damaged or non-compliance curb, gutter, sidewalk, and pavement on streets within or along the frontage of the development shall be repaired. Any existing driveways that are not to be used shall be replaced with standard curb, gutter, and sidewalk. (E)
- 61 The project shall be constructed in accordance with all the approved plans, including but not limited to site plans, grading plans, wall plans, landscape/irrigation plans, lighting plans, and elevations. (P)(E)
- 62 The applicant shall develop, maintain, and implement a transportation demand management plan to reduce vehicle travel and minimize negative impacts on air quality. (TE)
- 63 Street name signs shall be purchased and installed in accordance with City of Palmdale standards. The number and location of signs will be as directed by the City Engineer. (TE)(E)

THE FOLLOWING CONDITIONS SHALL BE MET AS AN ON-GOING ELEMENT OF THE PROJECT:

- 64 All parking facilities shall be maintained in good condition in accordance with the provisions of PMC Chapter 17.87 (Off-Street Parking and Loading). The maintenance thereof may include, but shall not be limited to, the repaving, oiling, and striping of a parking area and the repair, restoration and/or replacement of any parking area design features when deemed necessary by the Planning Manager to insure the health, safety, and welfare of the general public. (P)(E)
- 65 All owners, future owners, heirs, or assigns of the property shall be required to maintain all private drainage facilities in good working condition, as determined by the City Engineer, and shall be responsible for any damages associated with the private drainage facilities and for any costs incurred by the City for emergency maintenance, repairs, and any other efforts to keep the private drainage facilities in good working condition and/or to insure the health, safety, and welfare of the general public. The developer shall record a covenant upon the property regarding said maintenance. (E)

- 66 The installation of speed bumps or humps as a means to control speed on the site shall be prohibited as required by PMC Section 10.04.100 (Regulation of Speed Bumps on Private Streets, Easements and Fire Lanes). If any of these devices are installed while this ordinance is in effect, the owner shall be required to remove these devices at their own expense. (TE)
- 67 Signage shall be posted with the following wording: (PS)
- NO LOITERING – P.M.C. 9.44.050 and P.C 602.1
NO DRINKING IN PUBLIC – P.M.C. 9.12.020
Palmdale Sheriff's Station (661) 272-2400
- 68 Landscaping shall be maintained in a manner that limits hiding places. (PS)
- 69 Surrounding landscaping shall be limited to low-growth plants no more than two feet high. (PS)
- 70 Vining and barrier plants shall be utilized along perimeter walls as applicable to mitigate graffiti. (PS)

Key to Departmental Conditions:

(B&S) Building and Safety Division (661-267-5353)

(E) Engineering Division (661-267-5272)

(F) Los Angeles County Fire Department (661-949-6319)

(P) Planning Division (661-267-5200)

(PA) Public Art (661-267-5686)

(PK) Parks and Recreation Department (661-267-5611)

(PS) Public Safety Division (661-267-5170)

(SCE) Southern California Edison (661-945-9317)

(SD) Los Angeles County Sanitation District (562-908-4288)

(TE) Traffic Division (661-267-5300)