

# PLANNING COMMISSION AGENDA

## ***REGULAR MEETING***

**Date: February 13, 2014**

**Time: 6:30 P.M.**

### **COMMISSION MEMBERS**

Chris Elvert, Chair

William A. Muller, Vice Chair

Jim Heywood, Commissioner

Tom Murphy, Commissioner

Tom Steeno, Commissioner

\* - \* - \* - \* - \* - \* - \* - \*

Dave Reno, Principal Planner

Jeff M. Malawy, Assistant City Attorney



**CITY OF HESPERIA**  
9700 Seventh Avenue  
Council Chambers  
Hesperia, CA 92345  
City Offices: (760) 947-1000

The Planning Commission, in its deliberation, may recommend actions other than those described in this agenda.

Any person affected by, or concerned regarding these proposals may submit written comments to the Planning Division before the Planning Commission hearing, or appear and be heard in support of, or in opposition to, these proposals at the time of the hearing. Any person interested in the proposal may contact the Planning Division at 9700 Seventh Avenue (City Hall), Hesperia, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday, and 7:30 a.m. to 4:30 p.m. on Fridays) or call (760) 947-1200. The pertinent documents will be available for public inspection at the above address.

If you challenge these proposals, the related Negative Declaration and/or Resolution in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact Dave Reno, Principal Planner (760) 947-1200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.10235.104 ADA Title 11]

Documents produced by the City and distributed less than 72 hours prior to the meeting regarding any item on the Agenda will be made available in the Planning Division, located at 9700 Seventh Avenue during normal business hours or on the City's website.

FEBRUARY 13, 2014

**AGENDA  
HESPERIA PLANNING COMMISSION**

*Prior to action of the Planning Commission, any member of the audience will have the opportunity to address the legislative body on any item listed on the agenda, including those on the Consent Calendar. PLEASE SUBMIT A COMMENT CARD TO THE COMMISSION SECRETARY WITH THE AGENDA ITEM NUMBER NOTED.*

**CALL TO ORDER**

**6:30 p.m.**

A. Pledge of Allegiance to the Flag

B. Invocation

C. Roll Call:

Chair Chris Elvert  
Vice Chair William Muller  
Commissioner Jim Heywood  
Commissioner Tom Murphy  
Commissioner Tom Steeno

**JOINT PUBLIC COMMENTS**

*Please complete a "Comment Card" and give it to the Commission Secretary. Comments are limited to three (3) minutes per individual. State your name and address for the record before making your presentation. This request is optional, but very helpful for the follow-up process.*

*Under the provisions of the Brown Act, the Commission is prohibited from taking action on oral requests. However, Members may respond briefly or refer the communication to staff. The Commission may also request the Commission Secretary to calendar an item related to your communication at a future meeting.*

**CONSENT CALENDAR**

D. Approval of Minutes: January 23, 2014 Planning Commission Meeting Draft Minutes.

-1-

**PUBLIC HEARINGS**

1. Consideration of Development Code Amendment DCA14-00001 and Specific Plan Amendment SPLA14-00001 to amend the standards for vehicle service and repairs permitting outdoor hoists under limited circumstances (Applicant: City of Hesperia; Affected area: Citywide).

1-1

**PRINCIPAL PLANNER'S REPORT**

*The Principal Planner or staff may make announcements or reports concerning items of interest to the Commission and the public.*

F. DRC Comments

2-1

G. Major Project Update

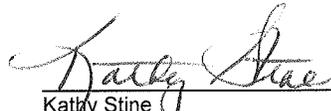
**PLANNING COMMISSION BUSINESS OR REPORTS**

*The Commission Members may make comments of general interest or report on their activities as a representative of the Planning Commission.*

**ADJOURNMENT**

The Chair will close the meeting after all business is conducted.

I, Kathy Stine, Planning Commission Secretary for City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Thursday, February 6, 2014 at 5:30 p.m. pursuant to California Government Code §54954.2.

  
Kathy Stine  
Planning Commission Secretary

HESPERIA PLANNING COMMISSION MEETING  
REGULAR MEETING  
JANUARY 23, 2014  
MINUTES

DRAFT

The Regular Meeting of the Planning Commission was called to order at 6:30 p.m. by Chair Elvert in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

**CALL TO ORDER 6:30 p.m.**

**Pledge of Allegiance to the Flag**

**Invocation**

**Roll Call:**

Present: Chris Elvert  
William Muller  
James Heywood  
Tom Murphy  
Tom Steeno

**JOINT PUBLIC COMMENTS**

**Chair Elvert opened Public Comments at 6:33 p.m.**

No comments from the public were given.

**Chair Elvert closed Public Comments at 6:34 p.m.**

**CONSENT CALENDAR**

D. Approval of Minutes: December 12, 2013 Planning Commission Meeting Draft Minutes.

**Motion by Tom Murphy to approve the December 12, 2013 Planning Commission Meeting Draft Minutes. Seconded by Chris Elvert and passed with the following roll call vote:**

**AYES: Chris Elvert, William Muller, James Heywood, Tom Murphy, and Tom Steeno  
NOES: None**

**PUBLIC HEARING**

1. Consideration of Specific Plan Amendment SPLA13-00001 and General Plan Amendment GPA12-00002, to change the zoning of the site from the Automobile Sales Commercial to the Regional Commercial Zone and allow a golf course; Conditional Use Permit CUP12-00021, to construct a 4-story, 84-room Embassy Suites Hotel and a 4-story, 128-room Residence Inn Hotel, three restaurants totaling 11,600 square feet, and an executive golf course with a 7,500 square foot clubhouse, including the sale of beer, wine, and liquor for all uses on approximately 64 gross acres located north of Rancho Road, south of Rodeo Road, east of Verbena Road and west of Bellflower Street. The project also includes Tentative Parcel Map PMN13-00001, which will create 6 parcels and a remainder (Applicant: Primaco, Inc.; APNs: 3039-281-14 & 36).

Commissioner Tom Steeno recused himself due to personal interest in the project.

Principal Planner Dave Reno, AICP gave a PowerPoint presentation.

Chair Chris Elvert inquired whether the residential area would remain as 2.5 acre lots.

Dave Reno responded that they would remain as 2.5 gross acre lots.

**Chair Elvert opened Public Hearing at 6:51 p.m.**

Applicant Joseph Nguyen from Primaco, Inc., thanked the Commission and City Staff for their hard work on this project and also thanked the residents for their concerns.

Joseph Nguyen stated that he was in the process of negotiations with the two hotels, Extended Stay and Embassy Suites, and that it wasn't certain that these would be the actual hotels built.

Al Vogler, Hesperia resident, had questions regarding the water main and who would bear the costs. He also had questions regarding sewer and how their own plant would work.

Terry Kostak, President of Oak Hills Assoc., stated they had concerns regarding the project location and the impacts on the area.

Katherine Arch, a resident of Oak Hills stated they are not opposed to the project but are concerned about the impacts and the onsite sewer plant.

Michael Schwab lived close to the area and was concerned with Oak Hills' improvements.

Wayne Etnyre of Oak Hills had concerns regarding the lights at night from the project.

Chris Elvert responded that there are already codes in place during the building process to address those concerns.

City Engineer John Leveillee responded to the water and sewer questions and stated that all development will be paid by the developer. He said the feasibility study is being done with Zone J and not by the City. He stated that the sewer condition of approval was left vague on purpose and that the sewer study required by the developer will need to be approved by the City.

**Chair Elvert closed Public Hearing at 7:13 p.m.**

**Motion by Chris Elvert to adopt Resolution Nos. PC-2014-01, PC-2014-02, PC-2014-03, and PC-2014-04, recommending that the City Council introduce and place on first reading an ordinance approving SPLA13-00001 and approve GPA12-00002, CUP12-00021, and PMN13-00001. Seconded by James Heywood and passed with the following roll call vote:**

**AYES: Chris Elvert, William Muller, James Heywood, and Tom Murphy**  
**NOES: None**  
**RECUSED: Tom Steeno**

### **PRINCIPAL PLANNER'S REPORT**

E. Continued Discussion on Open Space Policy

Dave Reno gave a PowerPoint presentation regarding the required State law for the Open Space Element and a plan to carry it out.

Tom Steeno stated the Transfer of Development Rights (TDR) issue should be omitted.

Tom Steeno stated that he liked the idea of modifying the Wash Overlay.

Chris Elvert stated that this Commission wanted TDR taken out and have the Council vote to omit it.

All Commissioners agreed that they wanted TDR taken out of the Open Space Element.

The Commission wanted to delete the "rim to rim" verbiage and replace it with a statement from John Leveillee: "Accommodate development by maintaining drainage facilities and also protecting natural areas and all portions of the wash."

**Chair Elvert invited Public Comments at 7:57 p.m.**

Paul Russ thanked the Commission for working through the TDR issues and stated that he didn't know why we had the Overlay at all. He said it seemed like policy on policy. He stated that Area B within the Overlay was the most valuable property in the High Desert and the owner was compensated nothing and that it was devalued to zero and requested the Commission to eliminate the overlay.

Michael Gallagher, owner of Area B property on the Wash Overlay, spoke and confirmed Paul Russ' comments and stated that there was no blue line on Area

B. He indicated that he would like the opportunity to develop on that property and stated he had no knowledge that this overlay took place and the fact that the City needed this area of prime real estate for open space was a shock.

Chair Chris Elvert stated he would like the overlay omitted so that property rights are not taken away from property owners and that it gives the impression that the land is not viable for loans or projects.

**Chair Elvert closed comments at 8:22 p.m.**

Dave Reno stated he would evaluate changes in the policy according to the discussion and bring it back to the Commission for adoption at an undetermined date.

F. [DRC Comments](#)

G. [Major Project Update](#)

Dave Reno updated the Commission on Fire Station 301 and stated the only thing holding it up was an Edison meter.

Dave Reno stated that although the Commission could vote in a new Chair and Vice Chair, it wasn't a requirement and asked the Commission if they would like to reorganize next month. All Commissioners stated they would like the Commission to remain as it was currently.

## COMMISSION BUSINESS OR REPORTS

No business or reports were given.

## ADJOURNMENT

Chair Elvert adjourned the meeting at 8:29 p.m. until February 13, 2014 at 6:00 p.m.

Chris Elvert  
Chair

By: Kathy Stine,  
Commission Secretary

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**DATE:** February 13, 2014  
**TO:** Planning Commission  
**FROM:**  Dave Reno, AICP, Principal Planner  
**BY:**  Daniel S. Alcayaga, AICP, Senior Planner  
**SUBJECT:** Development Code Amendment DCA14-00001 and Specific Plan Amendment SPLA14-00001 to amend vehicle service and repairs standards to include outdoor hoists; Applicant: City of Hesperia; Affected area: Citywide

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### **RECOMMENDED ACTION**

It is recommended that the Planning Commission adopt Resolution Nos. PC-2014-05 & PC-2014-06, recommending that the City Council introduce and place on first reading an ordinance approving DCA14-00001 and SPLA14-00001, amending the standards for vehicle service and repairs involving outdoor hoists.

### **BACKGROUND**

Staff has been requested to create regulations to permit outdoor hoists in business areas, but under limited circumstances, principally for large vehicles such as recreational vehicles (motorhomes). Staff has drafted regulations to allow outdoor hoists in commercial areas. A hoist can be defined as a steel or metal lift that is used to mechanically raise a vehicle, in order to conduct service or repairs underneath the vehicle.

Currently, outdoor vehicle service and repairs are not permitted in commercial areas with a few exceptions, such as when repairs customarily occur within 20 feet of a bay door. In addition, the commercial design guidelines discourage outdoor vehicle service and repairs because they have the potential to create noises, odors, and vibrations that can negatively affect surrounding properties, especially residential uses. Keeping outdoor activities clean and organized, and preventing an accumulation of trash, debris, and vehicle parts (i.e. body parts and engines) is also a challenge with outdoor operations.

In the Pedestrian Commercial designation, the code permits outdoor dining and display of merchandise (i.e. clothes racks). In many cases, the size of the property or limited space prevents businesses from having outdoor dining and display of merchandise on a daily basis. Such activities or display may not interfere with parking, drive aisles, fire lanes, and accessible (handicap) path of travel. Staff believes that some properties wishing to have outdoor hoists may encounter similar issues. The only other instances where outdoor display would be permitted is for vehicle sales and through a temporary special event permit.

### **ISSUES/ANALYSIS**

The amendments apply to commercial areas outside of the Main Street and Freeway Corridor Specific Plan (Specific Plan) and areas within the Specific Plan. In areas outside of the Specific Plan, the amendments would permit outdoor hoists with approval of a site plan review. In the

areas within the Specific Plan, the amendments would permit outdoor hoists with approval of a conditional use permit. The reason for the difference is because the Development Code requires a site plan review for vehicle repairs in areas outside of the Specific Plan; and in areas within the Specific Plan, a conditional use permit is required for vehicle repair. The amendments match the land use entitlement already required for vehicle repair under their respective ordinances.

Outdoor hoists would not be permitted in land use designations from which vehicle repair is altogether prohibited in the Specific Plan or the Development Code. As such, vehicle repairs are not permitted within the Pedestrian Commercial, Office Commercial, and Office Professional designations, which are part of the Specific Plan, and not within the Convenience Commercial (C1) designation, which is a land use designation in the Development Code (outside of the Specific Plan). Staff believes amending the regulations in the industrial areas is not necessary because outdoor activities are presently permitted in industrial areas, and in such areas, outdoor activities are permitted provided activities occur to the rear of the property and are adequately screened.

As proposed, Table 1 lists all commercial designations from which outdoor hoists would be permitted. In all cases, outdoor hoists would be permitted as a secondary use and must be associated with a primary use that is either recreational vehicle (RV) repair or RV sales. Under limited circumstances, staff recommends that hoists be permitted in places where they would not be visible from any highway or street. This is in keeping with the current regulations that discourage outdoor vehicle repair from occurring in areas that are highly visible.

**Table 1- Commercial Land Use Designations affected by the Amendment**

Ordinance	Land Use Designation
Development Code (Outside of the Specific Plan)	<ul style="list-style-type: none"> <li>• General Commercial (C2)</li> <li>• Service Commercial (C3)</li> </ul>
Main Street & Freeway Corridor Specific Plan	<ul style="list-style-type: none"> <li>• Neighborhood Commercial (NC)</li> <li>• Regional Commercial (RC)</li> <li>• Commercial/Industrial Business Park (CIBP)</li> <li>• Auto Sales Commercial (ASC)</li> </ul>

The purpose of allowing outdoor hoists is to augment existing or proposed RVs repair and sales facilities which are limited by building space (i.e. ceiling heights) or existing improvements on already developed sites. It is recommended that outdoor hoists themselves should not be the sole form of repairing RVs and the area on which hoists are stationed should be completely paved. Hoists are intended to be a secondary use, and not the primary form of conducting a business. As such, hoists have to be associated with a primary use that has a building used for RVs repair or sales. By requiring a primary use with a building, it ensures that the site has adequate facilities, including accessibility (handicap) requirements, restrooms, and offices areas. This regulation also helps ensure adjacent uses on a property are compatible with each other to prevent, for example, outdoor hoists to be placed to the rear of an unrelated use (i.e. office/medical building, restaurant, or school).

**Distance Limitations from Residential Uses:** The code limits noises, odors, and vibrations when such activities are near residential properties. As it pertains to a hoist, noises can be produced by a hoist when vehicles are being lifted and machinery/tools are being used to repair vehicles. The following regulations are similar to the regulations in the recycling ordinance that can be used to mitigate noise impacts upon residential uses in the present issue:

- Outdoor hoists shall be installed a minimum distance of 300 feet from any residence or residential zone.
- Activities associated with outdoor hoists shall be operated between the hours of seven am to seven pm if hoists are located within 500 feet from any residence or residential zone.

As proposed, hoists would not be permitted to be placed within 300 feet of any residence or residential zone. This distance limitation will provide adequate spacing between a residential use and any outdoor hoist, as noise tends to dissipate over distance and becomes absorbed with the ambient background noise. In addition, hoists placed within 300 feet to 500 feet of a residential use would be able to operate only between the hours of seven am to seven pm, and not permitted during night hours. The latter requirement is intended to reduce the hours of operation at night, thereby reducing noise levels when hoists are in proximity to residential uses during such hours. During night time hours, noise can be heard at a greater distance because there is less ambient background noise. On the other hand, hoists placed beyond 500 feet of any residence or residential zone would not be subject to the operating hour limitation. The time limitation, together with the distance limitation, should ensure that noise produced by hoists do not disrupt resting and sleeping activities of nearby residents.

**Organization of the regulations:** The new regulations have been included within the standards for "Vehicle Service and Repairs" in both the Development Code and Specific Plan. Under the Development Code, such standards are listed in Section 16.16.365, which are standards that are applicable to all commercial designations in areas outside of the Specific Plan. Under the Specific Plan, Vehicle Service and Repairs are listed within Chapter 9 (C)(4.18) and all references to Chapter 9(C)(4.18) are made from other land use designations. The NC designation already provides this reference, but to ensure other land use designations in the Specific Plan correctly reference Chapter 9(C)(4.18), additional references have been included within the RC and CIBP designations.

**Environmental:** The project is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3), where it can be seen with certainty that there is no significant effect on the environment. The proposed Development Code Amendment and Specific Plan Amendment is also exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as Development Code Amendments and Specific Plan Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan. The amendments do not propose to increase the density or intensity beyond what is permitted in the General Plan. Hoists will be permitted as an ancillary use on infill commercial properties and there will be limited opportunities to establish outdoor hoists. Hoists would not be permitted within 300 feet of any residential use or residence; they cannot interfere with required parking, drive aisles, and paths of travel; and should not be visible from any right-of-way.

**Conclusion:** Staff recommends allowing outdoor hoists under limited circumstances, but not to a point where permitting outdoor hoists becomes detrimental to nearby residents, or unsightly to surrounding properties resulting in lowering of property values. The proposed ordinance will protect residential uses and the overall quality of developments in the City by imposing distance limitations from residential uses and screening outdoor activities from roadways. As such, the proposed Development Code Amendment and Specific Plan Amendment are consistent with the General Plan.

#### **FISCAL IMPACT**

None.

#### **ALTERNATIVE**

1. Provide alternative direction to staff.

#### **ATTACHMENT**

1. Relevant City regulations
2. Resolution No. PC-2014-05, adopting DCA14-00001, with Exhibit "A"
3. Resolution No. PC-2014-06, adopting SPLA14-00001, with Exhibit "A"

# ATTACHMENT 1

## RELEVANT CITY REGULATIONS

**Limitations on Outdoor Vehicle Activities:** Below are Sections in the Development Code (DC) and Main Street and Freeway Corridor Specific Plan (MSFCSP) that limit outdoor activities in commercial areas. They include:

- Vehicle service and repairs: Installation and services activities shall be performed within an approved structure or adjacent to and no more than 20 feet from the service bay area (Section 16.16.365 (B) of the DC & Chapter 9 (B)(4)(18)(1) of the MSFCSP).
- Outdoor Storage and Service Areas: Storage and service areas are required to be located to the rear of the property and not within view of the freeway or street (Chapter 10 (B)(9)(b) of the MSFCSP).
- No merchandise or work areas shall be displayed outdoors, except with a Site Plan Review (SPR), Conditional Use Permit (CUP) and Temporary Special Event (TSE) permit (Section 16.16.360 (4)(a) of the DC & Chapter 9 (B)(4.10)/(C)(4.7) of the MSFCSP).
- There shall be no storage of vehicles (except display areas for sale or rent of motor vehicles), trailers, airplanes, boats, recreational vehicles, or their composite parts, loose rubbish, garbage, junk, or their receptacles; tents, equipment or building materials in any portion of the lots (Section 16.16.360 (4)(a) of the DC & Chapter 9 (B)(4.10)/(C)(4.7) of the MSFCSP).

**Other Outdoor Activities (Not Related to Vehicle Repair):** In commercial areas, there are instances where outdoor display or services are permitted. These include:

- Outdoor dining and display of retail merchandise (i.e. clothes racks) in commercial areas are permitted with a land use entitlement (Section 16.16.360(10) of the DC & Chapter 9 (B)(F)(5) of the MSFCSP).
- Outdoor activities permitted with a Temporary Special Event Permit (TSE), for a duration of four times a year, in any 90 day period, for either four weekends or 21 consecutive days (Section 16.12.380 of the DC).

# ATTACHMENT 2

## RESOLUTION NO. PC-2014-05

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A DEVELOPMENT CODE AMENDMENT TO AMEND THE VEHICLE SERVICE AND REPAIRS STANDARDS TO INCLUDE OUTDOOR HOISTS (DCA14-00001)**

**WHEREAS**, On January 5, 1998, the City Council of the City of Hesperia adopted Ordinance No. 250, thereby adopting the Hesperia Municipal Code; and

**WHEREAS**, The City of Hesperia Development Code regulations pertain to vehicle service and repairs in General Commercial (C2) and Service Commercial (C3) land use designations; and

**WHEREAS**, The City finds that it is necessary to amend the Vehicle Service and Repairs standards to include outdoor hoists; and

**WHEREAS**, The proposed Development Code amendment is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3), where it can be seen with certainty that there is no significant effect on the environment. The proposed Development Code Amendment is also exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as Development Code Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan; and

**WHEREAS**, On February 13, 2014, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Development Code Amendment and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the Commission, including written and oral staff reports, the Commission specifically finds that the proposed Ordinance is consistent with the goals and objectives of the adopted General Plan.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends adoption of Development Code Amendment DCA14-00001, amending the regulations to permit outdoor hoists as shown on Exhibit "A."

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

**ADOPTED AND APPROVED** on this 13<sup>th</sup> day of February 2014.

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Chris Elvert, Chair, Planning Commission

ATTEST:

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Kathy Stine, Secretary, Planning Commission

# EXHIBIT "A"

The following text shall be added to 16.16.365 Specific Land Use Standards, subsection A. Vehicle Sales, Leasing or Rental:

9. Recreational Vehicle Camper sales, leasing or rental are permitted to have outdoor hoists subject to the conditions and standards listed in Section 16.16.365 (B)(8).

The following text shall be added to 16.16.365 Specific Land Use Standards, subsection B. Vehicle Service and Repairs (Major or Minor):

8. Limited Exception for Outdoor Hoists: Facilities that are intended for the repair or sale of Recreational Vehicles (RVs) (i.e. motorhomes) shall be permitted to have outdoor hoists as an ancillary use in areas designated General Commercial (C2) and Service Commercial (C3) with approval of a site plan review. Under limited circumstances as outlined herein, the reviewing authority may permit outdoor hoists if proposed on an existing facility with at least one building from which RVs repairs and sales exist or are proposed; and the site is limited by building space and existing improvements. Facilities that satisfy such conditions shall be subject to the following standards:
  - a. Hoists shall not be placed within any setback, required parking, drive aisle, landscaping or accessible path of travel.
  - b. Outdoor hoists and associated repair activities shall not be visible from any right-of-way (i.e. street or highway) and shall be adequately screened.
  - c. The area on which hoists are stationed should be completely paved.
  - d. The outdoor hoists shall be operated with a limited accumulation of parts, equipment, and debris in and around the hoist.
  - e. Outdoor hoists shall be installed a minimum distance of 300 feet from any residence or residential zone.
  - f. Activities associated with outdoor hoists shall be operated between the hours of seven am to seven pm if hoists are located within 500 feet from any residence or residential zone.
  - g. Outdoor hoists shall be an accessory use to a RV repair business. Outdoor hoists themselves shall not be the sole form of repairing RVs.
  - h. Newly developed RV repair businesses are required to keep all hoists indoors. Hoists may be permitted outdoors subject to these regulations, if the proposal demonstrates that the site is constrained by size or any other physical constraint on the property.

# ATTACHMENT 3

## RESOLUTION NO. PC-2014-06

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A SPECIFIC PLAN AMENDMENT TO AMEND THE VEHICLE SERVICE AND REPAIRS STANDARDS TO INCLUDE OUTDOOR HOISTS (SPLA14-00001)**

**WHEREAS**, On January 5, 1998, the City Council of the City of Hesperia adopted Ordinance No. 250, thereby adopting the Hesperia Municipal Code; and

**WHEREAS**, On September 2, 2008 the City Council of the City of Hesperia adopted Ordinance No. 2008-12, thereby adopting the Main Street and Freeway Corridor Specific Plan; and

**WHEREAS**, The Main Street and Freeway Corridor Specific Plan regulations pertain to vehicle service and repairs in Neighborhood Commercial (NC), Regional Commercial (RC), Commercial/Industrial Business Park (CIBP), and Auto Sales Commercial (ASC) land use designations; and

**WHEREAS**, The City finds that it is necessary to amend the Vehicle Service and Repairs standards to include outdoor hoists; and

**WHEREAS**, The proposed Specific Plan Amendment is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3), where it can be seen with certainty that there is no significant effect on the environment. The proposed Specific Plan Amendment is also exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as Specific Plan Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan; and

**WHEREAS**, On February 13, 2014, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Specific Plan Amendment and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the Commission, including written and oral staff reports, this Commission specifically finds that the proposed Ordinance is consistent with the goals and objectives of the adopted General Plan.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends adoption of Specific Plan Amendment SPLA14-00001, amending the Specific Plan regulations to permit outdoor hoists as shown on Exhibit "A."

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

**ADOPTED AND APPROVED** on this 13<sup>th</sup> day of February 2014.

\_\_\_\_\_  
Chris Elvert, Chair, Planning Commission

ATTEST:

\_\_\_\_\_  
Kathy Stine, Secretary, Planning Commission

# EXHIBIT "A"

The following text shall be added to Chapter 9(B) Regional Commercial Zone, subsection 4.10. Outdoor Displays, Storage, Equipment, and Work Areas:

- (3) Outdoor hoists are subject to the conditions and standards listed in Chapter 9(C)(4.18).

The following text shall be added to Chapter 9(C) Auto Sales Commercial Zone, subsection 4.17. Vehicle Sales, Leasing or Rental:

- (12). Recreational Vehicle Camper sales, leasing or rental are permitted to have outdoor hoists subject to the conditions and standards listed in Chapter 9(C)(4.18).

The following text shall be added to Chapter 9(C) Auto Sales Commercial Zone, subsection 4.18. Additional Standards for Vehicle Service and Repairs (Major or Minor):

1. Limited Exception for Outdoor Hoists: Facilities that are intended for the repair or sale of Recreational Vehicle (RVs) (i.e. motorhomes) shall be permitted to have outdoor hoists as an ancillary use in areas designated in Neighborhood Commercial (NC), Regional Commercial (RC), Commercial/Industrial Business Park (CIBP), and Auto Sales Commercial (ASC) land use designations with approval of a conditional use permit. Under limited circumstances as outlined herein, the reviewing authority may permit outdoor hoists if proposed on an existing facility with at least one building from which RVs repairs and sales exist or are proposed; and the site is limited by building space and existing improvements. Facilities that satisfy such conditions shall be subject to the following standards:
  - a. Hoists shall not be placed within any setback, required parking, drive aisle, landscaping or accessible path of travel.
  - b. Outdoor hoists and associated repair activities shall not be visible from any right-of-way (i.e. street or highway) and shall be adequately screened.
  - c. The area on which hoists are stationed should be completely paved.
  - d. The outdoor hoists shall be operated with a limited accumulation of parts, equipment, and debris in and around the hoist.
  - e. Outdoor hoists shall be installed a minimum distance of 300 feet from any residence or residential zone.
  - f. Activities associated with outdoor hoists shall be operated between the hours of seven am to seven pm if hoists are located within 500 feet from any residence or residential zone.
  - g. Outdoor hoists shall be an accessory use to a RV repair business. Outdoor hoists themselves shall not be the sole form of repairing RVs.
  - h. Newly developed RV repair businesses are required to keep all hoists indoors. Hoists may be permitted outdoors subject to these regulations, if the proposal demonstrates that the site is constrained by size or any other physical constraint on the property.

Reso. No. PC-2014-06

Exhibit "A"

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**The following text shall be added to Chapter 9(H) Commercial/Industrial Business Park Zone, subsection 4.10. Outdoor Displays, Storage, Equipment, and Work Areas:**

(3) Outdoor hoists are subject to the conditions and standards listed in Chapter 9(C)(4.18).



**CITY OF HESPERIA  
DEVELOPMENT REVIEW COMMITTEE**

**City Hall Joshua Room  
9700 Seventh Avenue  
Hesperia, CA 92345  
BEGINNING AT 10:00 A.M.  
WEDNESDAY, JANUARY 29, 2014**

**A. PROPOSALS:**

**1. TMS CONSORTIUM (SPRR13-00012)**

**Proposal:** Consideration of a revised site plan review to construct a two-story, 114-unit affordable apartment complex on 5.6 gross acres within the High density residential (HDR) District of the Main Street and Freeway Corridor Specific Plan.

**Location:** South side of Live Oak Street between Eighth and Ninth Avenues (APN: 0407-142-03 & 04)

**Planner:** Lisette Sanchez-Mendoza

**Action:** Administrative Approval

**2. CITY OF HESPERIA (CUPE13-00001)**

**Proposal:** Consideration of a fourth extension of time for CUP-2007-03, to construct the second phase of the Hesperia Civic Plaza Park.

**Location:** 15833 Smoke Tree Street (APN: 0407-262-03)

**Planner:** Stan Liudahl

**Action:** Administrative Approval