PLANNING COMMISSION AGENDA

REGULAR MEETING

Date: August 14, 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.

August 14, 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: July 10, 2014 Planning Commission Meeting Draft Minutes. -1-

PUBLIC HEARINGS

1. Consideration of a variance VAR14-00004 to construct a pool cover exceeding the accessory building limitation located at 13825 Coolidge Way (Applicant: Pearson, Nels; APN: 3046-221-74) 1-1

2. Consideration of a Conditional Use Permit CPU14-00006 to install a 63-foot wireless communications facility on an existing 93-foot Southern California Edison tower located on the south side of Mesquite Street, west of Primrose Avenue (Applicant: Los Angeles SMSA LP; APN: 0405-371-53) 2-1

3. Consideration of a General Plan Amendment GPA14-00001 from Rural Residential with a minimum lot size of 1 acre (RR-1) to General Commercial (C2), and Site Plan Review SPR14-00001 to construct a parking lot for an existing medical office building on a one acre parcel located to the east of 11959 Mariposa Road (Applicant: Mariposa Road Associates, LLC; APN: 0406-013-22) 3-1

4. Consideration of Tentative Tract TT14-00002 (TT-18941) to create 12 single-family residential lots on 2.5 gross acres zoned R1-4500 located approximately 300 feet south of Hollister Road, on the west side of Afton Avenue. (Applicant: TMS Consortium; APN: 3057-051-43) 4-1

PRINCIPAL PLANNER'S REPORT

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

E. DRC Comments

F. Major Project Update 5-1

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, Erin Baum, Planning Commission Secretary for City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Thursday, August 7, 2014 at 5:30 p.m. pursuant to California Government Code §54954.2.

Erin Baum
Planning Commission Secretary

HESPERIA PLANNING COMMISSION MEETING
REGULAR MEETING
July 10, 2014
MINUTES

DRAFT

The Regular Meeting of the Planning Commission was called to order at 06:30 p.m. by Chair Elvert in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

CALL TO ORDER 6:35 p.m.

Pledge of Allegiance to the Flag

Invocation

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

Present: William Muller
Jim Heywood
Tom Steeno

Absent: Chris Elvert
Tom Murphy

Motion by William Muller to excuse the absence of Chair Elvert and Commissioner Murphy. Seconded by James Heywood and passed with the following roll call vote:

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

JOINT PUBLIC COMMENTS

Vice Chair William Muller opened Public Comments at 6:38 p.m.

No comments

Vice Chair William Muller closed Public Comments at 6:38 p.m.

CONSENT CALENDAR

D. Approval of Minutes: June 12, 2014 Planning Commission Meeting Draft Minutes.

Motion by Tom Steeno to approve the June 12, 2014 Planning Commission Meeting Draft Minutes. Seconded by William Muller and passed with the following roll call vote:

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

PUBLIC HEARING

1. Consideration of Conditional Use Permit CUP14-00005 to construct a wireless communications facility with antennae installed 81 feet high on an existing 142-foot Southern California Edison tower located west of Hesperia Community Park, south of Avenal Street and north of Live Oak Street (Applicant: AT&T Mobility: APN: 0405-072-44)

Senior Planner Daniel Alcayaga gave a Power Point presentation.

Vice Chair Muller opened the Public Hearing at 6:42 p.m.

Alexander Lu, a representative from AT&T spoke in favor of the project and provided business card with information handout to Commissioners.

Vice Chair Muller closed the Public Hearing at 6:45 p.m.

Motion by James Heywood to adopt resolution No. PC-2014-21, approving CUP14-00005. Seconded by William Muller, passed with the following roll call vote:

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

PRINCIPAL PLANNER'S REPORT

E. Discussion item on Retail Outdoor Display

Item continued to August 14, 2014 meeting when all five Commissioners will have an opportunity to provide input.

F. DRC Comments

G. Major Project Update

Principal Planner Dave Reno, AICP gave an update on major projects and DRC projects.

Principal Planner Dave Reno and Commissioners thanked Recording Secretary Kathy Stine for her service to the Commission and wished her well in her retirement.

PLANNING COMMISSION BUSINESS OR REPORTS

No business or reports from the Planning Commission.

ADJOURNMENT

Vice Chair William Muller adjourned the meeting at 6:55 p.m. until August 14, 2014.

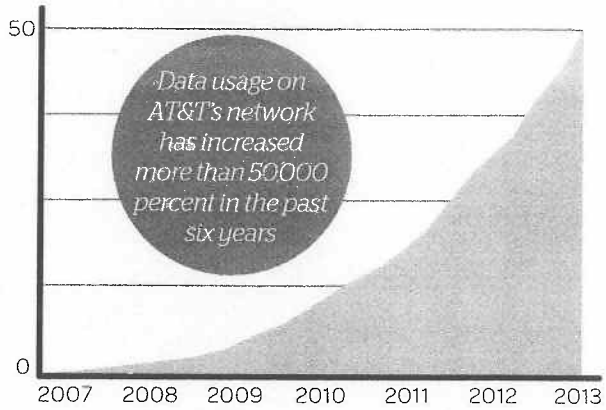
Chris Elvert
Chair

By: Erin Baum,
Commission Secretary

AT&T: Keeping California Connected

The Way Californians Use Wireless Devices Has Changed in Dramatic Ways

- At more than 35 million,[1] California leads the nation with more wireless consumers than any other state. And they depend on wireless products, services and technologies to keep them connected, entertained and informed: from mobile phones, tablets, and netbooks, to e-readers, cameras and even their cars.
  - 91 percent of American adults have a cell phone, 61 percent have a laptop, 26 percent own an e-book reader, and 34 percent have a tablet computer.[2]
  - From 2010 to 2011, U.S. mobile data traffic increased over 271 percent, and has doubled annually for the past four years.[3]
    - Data usage on AT&T's network has increased more than 50,000 percent in the past six years.
- When it comes to voice service, many Americans are adopting newer technologies and services to connect and moving away from traditional, plain old telephone service.
  - Two out of five American homes no longer use a wired connection, instead choosing to be wireless only.[4]
  - 43 percent of residential wireline phone connections in the U.S. are now VoIP-based.[1]



Small Businesses & Entrepreneurs Depend on Wireless Like Never Before

- Nearly all small businesses (98 percent) use wireless technologies in their operations, with almost two-thirds (66 percent) indicating that they could not survive – or it would be a major challenge to survive – without wireless technologies.[5]
- More than four in 10 (41 percent) small businesses report that their employees use wireless devices or technologies to work away from the office, an increase of nearly 80 percent over the past four years.[5]
- More than two-thirds (68 percent) of small businesses indicate that they use tablet computers, a slight increase from last year (66 percent).[5]
- 86 percent of small businesses reported using smartphones for their operations, up from 80 percent last year and more than double the usage five years ago (42 percent).[5]

Wireless Technology is Especially Important During Emergencies

- 70 percent of 911 calls are placed from wireless phones, and that percentage is growing.[6]
- 20 percent of cell owners said they found themselves in an emergency situation in which having their phone with them helped.[6]

AT&T: Providing the Wireless Products, Services and Technologies that Connect California

1 FCC's Local Telephone Competition: Status as of December 31, 2012
2 Pew Research Center's Internet & American Life Project, Device Ownership, May 5, 2013
3 Cisco Visual Networking Index U.S. Mobile Data Traffic Forecast Update, February 6, 2013
4 Wireless Substitution: Early Release of Estimates From the National Health Interview Survey,
5 AT&T Small Business Technology Poll 2013
6 FCC's 911 Wireless Services, January 17, 2013

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AT&T's Velocity IP Plan

Bringing the Future of Communications to Our Customers in California

AT&T invested nearly $7 billion in California between 2010-2012.[1]

AT&T expects to invest in the range of $21 billion nationwide in 2013. This investment includes AT&T's recently announced Velocity IP plan to expand and enhance our wireless and wireline broadband networks over the next three years. This investment is expected to provide better coverage, increased reliability, and expanded access to customers in California and the U.S.

Expected benefits of this planned investment:

- AT&T high-speed 4G LTE wireless network to cover 300 million Americans by year-end 2014. In AT&T's 22-state wireline territory, which includes its California wireline territory, AT&T expects its 4G LTE network to cover 99 percent of its customer locations by year-end 2015.
- Expands and enhances AT&T's wireline IP network to cover about 57 million customer locations, which means that approximately 75 percent of all customer locations in its wireline service area will have either U-Verse (video, high speed Internet and voice) or U-Verse IPDSLAM* (high speed Internet and voice) by year end 2015.

Investment like this encourages economic growth in California:

- Investments in broadband and wireless technologies can have a dramatic effect on job and economic growth in our nation. A $10 billion investment in broadband could produce nearly 500,000 new jobs,[2] and for every dollar invested in wireless, GDP can be increased $7-$10.[3]

Investment in advanced IP infrastructure also helps facilitate new services:

- AT&T Wireless Home Phone provides home phone calling service that uses your existing home phone handset with the AT&T wireless network instead of a landline connection.
- AT&T Digital Life is a recently launched all-IP wireless based home security and automation service that lets you manage your home from virtually any smartphone, tablet or PC.
- ISIS Mobile Wallet will let you use your mobile device to pay for goods and services. Market trials are underway.
- Connected Car is AT&T's plan to expand wireless connections in cars – from vehicle diagnostics and real time traffic updates to consumer-facing applications that tie into retail wireless subscriber data plans.

We are committed to working with state leaders to deliver the future of communications.

* Internet Protocol Digital Subscriber Line Access Multiplexer (IPDSLAM)

1 http://www.att.com/gen/press-room?pid=23935&cdvn=news&newsarticleid=36188
2 Joelle Tessler, "Broadband Funding In Stimulus Plan Sparks Debate," The Information Technology & Innovation Foundation, 2/6/09
3 Larry Summers, Speaking at the New America Foundation, Technology Opportunities, Job Creation, and Economic Growth, 2010

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AT&T in San Bernadino County

AT&T's commitment to innovation and excellence in San Bernadino County began more than 100 years ago. Our employees work hard to ensure our customers enjoy the most advanced communications technology available. Our commitment to the families and businesses of San Bernadino County and people across California will continue into the future.

Today, AT&T's 50-state workforce is 38 percent female and 39 percent people of color. We are active in building a diverse workforce that mirrors the diversity of our customers.

We offer customer service in more than 160 languages, including Spanish, Chinese, Russian, Korean, Italian and French Creole.

People, Places, Payroll

- As of 3Q 2013, there are **more than 34,500** AT&T employees working in the state of California.
- In 2012, our California payroll was **more than $2.8 billion**.

Supporting Our Customers

- As of 2Q 2013, AT&T products and services are available in **103** stores[1] in San Bernadino County.
- As of July 2013, we have **approximately 185** Wi-Fi hotspots in San Bernadino County.
- Since 2010, AT&T has completed **398** capacity upgrades and three new site builds in San Bernadino County.[2]

Getting Down to Business

- In 2012, AT&T spent **more than $16.9 billion** on goods and services in California and spent **over $122 million** with businesses headquartered in San Bernadino County.
- In 2011, AT&T paid **more than $1.3 billion** in state and local taxes in California.[3]

Giving Back to the Community

- AT&T and the AT&T Foundation are committed to advancing education, building communities and improving lives. From 2010 through 2012, AT&T and its employees contributed **more than $56.6 million** through corporate, employee and AT&T Foundation giving programs in California.
- In 2012, AT&T employees contributed **more than 280** hours of their personal time to community outreach activities in San Bernadino County.

1 This figure consists of company owned retail stores, authorized dealerships and national retail stores. It excludes those stores managed via a 3rd-party aggregator that only sell prepaid handsets and airtime
2 Data as of September 25th, 2013
3 Most recent data available

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City of Hesperia
STAFF REPORT

DATE: August 14, 2014

TO: Planning Commission

FROM: Dave Reno, AICP, Principal Planner

BY: Lisette Sánchez-Mendoza, Assistant Planner

SUBJECT: Variance VAR14-00004; Applicant: Nels Pearson; APN: 3046-221-74.

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2014-26, approving Variance VAR14-00004.

BACKGROUND

Proposal: A variance to construct a pool enclosure exceeding the accessory building size limitation.

Location: The property is located at 13825 Coolidge Way (Attachment 1).

Current General Plan, Zoning and Land Uses: The site is within the Residential (R-1) General Plan Land Use designation. The surrounding land is designated as noted on Attachment 2. The parcel and surrounding properties are developed with single family homes (Attachment 3).

ISSUES/ANALYSIS

Land Use: The amount of accessory buildings is determined by the lot size. Most residential properties are allowed a maximim of 1,000 square feet in accessory builidng area or 5% of their lot. Generally, an increase to the accessory building limitation from 5% to 7.5% of the lot size is allowed with a minor exception. The proposed pool enclosure exceeds the maximum accessory building allowance of 1,000 square feet by 222 square feet and the 7.5% limitation, thus requiring a variance.

The proposed pool enclosure is a pre-manufactured building that incorporates telescopic design which allows sections of the building to open by sliding under each other allowing an easy conversion of an indoor space to outdoor space or vice versa. In additon, it provides protection from the elements, reduces maintenace, increases water temperature, and promotes all year long use of the pool.

The pool is proposed at 11.5 feet wide by 28 feet long, for a total of 322 square feet in area (Attachment 4). Pools are an allowed use regardles of size, subject to setback requirements and lot coverage limitations. The enclosure, when fully extended, measures 28 feet wide by 47 feet long for a total of 1,222 square feet in area and would have a maximum height of 10 feet. It allows for walkways ranging from 3.5 to 6 feet along three sides of the pool, which provides

sufficient access along the perimeter of the pool. A 12-foot by 26-foot area along the south side of the pool is proposed in order to accommodate seating. The enclosure is proposed behind the single family residence and complies with setback and height requirements. The enclosure has an area of 1,222 square feet, however 322 of that area would be occupied by the pool, thus not increasing lot coverage of the site.

Staff has concluded that the required findings can be made based on lot size. The subject property has an area of approximately 11,600 square feet, which is significantly larger than the average 8,200 square foot lots surrounding the site, which provides a larger area for accessory uses without causing an increase in visual impacts to the surrounding neighborhood. In addition, the enclosure is 28 feet from the rear property line which provides an additional 13-foot separation from the required 15-foot setback. Also, the structure is 10 feet in height which is well below the City's 16-foot height restriction for accessory buildings. Staff believes that approval of this variance would not be detrimental to the public health, safety, and welfare to properties in the vicinity nor would it grant a special privilege, as other properties in the area would be eligible for this same benefit.

Environmental: Approval of the Variance is exempt from the requirements of the California Environmental Quality Act by Section 15303, New Construction or Conversion of Small Structures.

Conclusion: The project meets the standards of the Development Code with approval of the Variance.

FISCAL IMPACT

None.

ALTERNATIVE(S)

Provide alternative direction to staff.

ATTACHMENTS

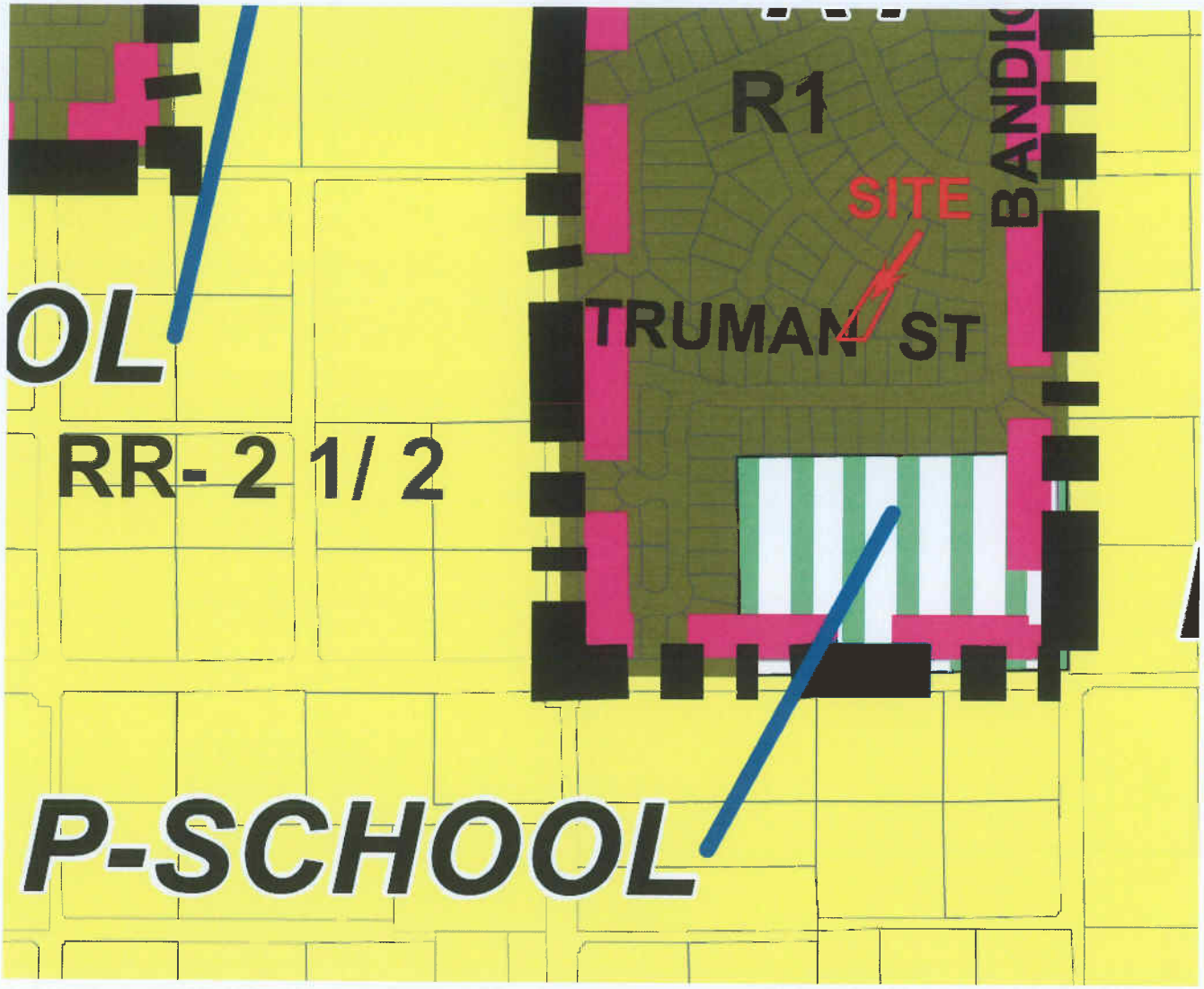
1. Location map
2. General Plan Land use map
3. Aerial photo
4. Site plan
5. Building Photos
6. Resolution No. PC-2014-26

ATTACHMENT 1

APPLICANT(S): PEARSON, NELS	**FILE NO(S):** VAR14-00004
LOCATION: 13825 COOLIDGE WAY	**APN(S):** 3046-221-74
PROPOSAL: CONSIDERATION OF A VARIANCE TO CONTSTRUCT A POOL ENCLOSURE EXCEEDING THE ACCESSORY BUILDING LIMITATION	**N** ↑

LOCATION MAP

ATTACHMENT 2



APPLICANT(S): PEARSON, NELS	**FILE NO(S):** VAR14-00004
LOCATION: 13825 COOLIDGE WAY	**APN(S):** 3046-221-74
PROPOSAL: CONSIDERATION OF A VARIANCE TO CONTSTRUCT A POOL ENCLOSURE EXCEEDING THE ACCESSORY BUILDING LIMITATION	**N** ↑

GENERAL PLAN LAND USE MAP

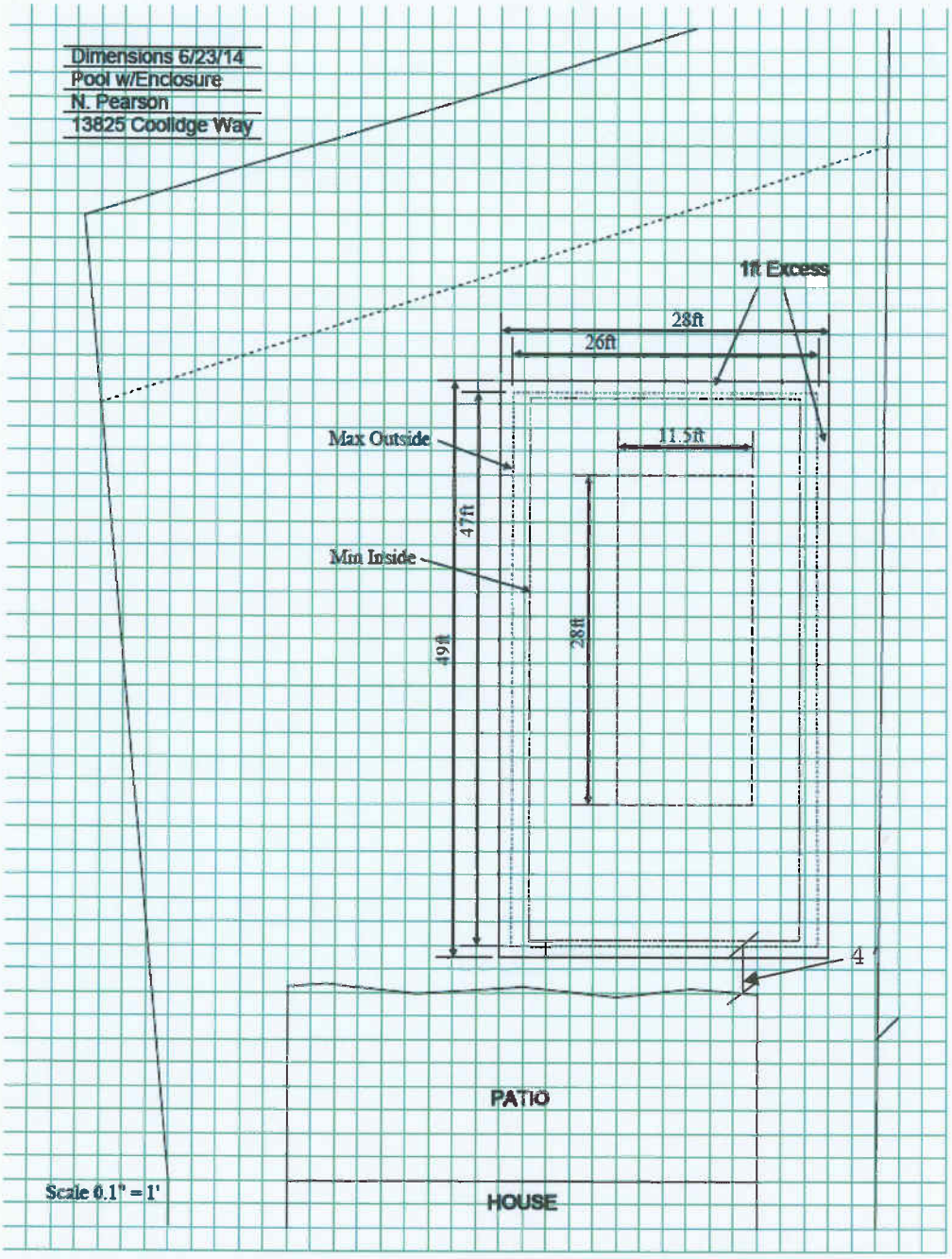
ATTACHMENT 3

APPLICANT(S): PEARSON, NELS	**FILE NO(S):** VAR14-00004
LOCATION: 13825 COOLIDGE WAY	**APN(S):** 3046-221-74
PROPOSAL: CONSIDERATION OF A VARIANCE TO CONTSTRUCT A POOL ENCLOSURE EXCEEDING THE ACCESSORY BUILDING LIMITATION	**N** ↑

AERIAL PHOTO

VAR14-00004 Graphic.DOC

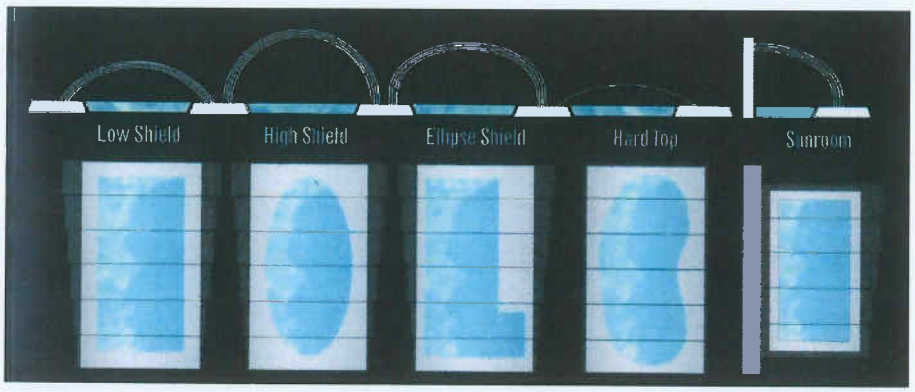
ATTACHMENT 4



APPLICANT(S): PEARSON, NELS	**FILE NO(S):** VAR14-00004
LOCATION: 13825 COOLIDGE WAY	**APN(S):** 3046-221-74
PROPOSAL: CONSIDERATION OF A VARIANCE TO CONTSTRUCT A POOL ENCLOSURE EXCEEDING THE ACCESSORY BUILDING LIMITATION	**N** ↑

SITE PLAN

ATTACHMENT 5



APPLICANT(S): PEARSON, NELS	**FILE NO(S):** VAR14-00004
LOCATION: 13825 COOLIDGE WAY	**APN(S):** 3046-221-74
PROPOSAL: CONSIDERATION OF A VARIANCE TO CONTSTRUCT A POOL ENCLOSURE EXCEEDING THE ACCESSORY BUILDING LIMITATION	**N** ↑

POOL ENCLOSURE PHOTOS

ATTACHMENT 6

RESOLUTION NO. PC-2013-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A VARIANCE TO CONSTRUCT A POOL ENCLOSURE EXCEEDING THE ACCESORY BUILDING LIMITATION LOCATED AT 13825 COOLIDGE WAY (VAR14-00004)

WHEREAS, Nels Pearson has filed an application requesting approval of Variance VAR14-00004 described herein (hereinafter referred to as "Application"); and

WHEREAS, The Application applies to a Variance to allow an accessory building which exceeds the 7.5% accessory building area limitation; and consists of Assessor's Parcel Number 3046-221-74; and

WHEREAS, The project is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b), Review for Exemption. The activity is not subject to CEQA as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environmental; and

WHEREAS, On August 14, 2014, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed 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 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 this Commission during the above-referenced August 14, 2014, hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

(a) The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development code because the enclosure does not create more than 1,000 square feet in usable accessory area, as the pool takes up 322 square feet of the 1,222 square feet proposed by the enclosure;

(b) There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties in the same land use designation, specifically lot size, because the site is significantly larger than the surrounding lots and the scale of the proposed enclosure will not create a significant visual impact as the

structure maintains a 10-foot height, which is lower than the maximum height allowance for these types of buildings and the building maintains a 28-foot separation from the rear property line and is 30 feet east and 5 feet west from the property lines;

(c) The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same designation because other properties in the surrounding area would be allowed to construct a 1000 square foot accessory building separate from the 322 square-foot pool, which would create a larger foot print on any site.

(d) The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same designation because the enclosure is not providing more than 1000 square feet of useable accessory building, as the pool takes up 322 square feet of the proposed 1,222 square-foot building.

(e) The granting of the Variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity because the location of the enclosure is 28 feet from the rear, 30 feet from the east, and 5 feet from the west property lines, which is an adequate distance from the neighboring properties.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Variance VAR14-00004, subject to the Conditions of Approval as set forth in ATTACHMENT "A."

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

ADOPTED AND APPROVED on this 14th day of August 2014.

_____
Chris Elvert, Chair, Planning Commission

ATTEST:

_____
Erin Baum, Secretary, Planning Commission

ATTACHMENT 'A'

List of Conditions for Variance VAR14-00004:

Approval Date: August 14, 2014
Effective Date: August 26, 2014
Expiration Date: August 26, 2017

This list of conditions apply to a Variance to construct a pool enclosure exceeding the 7.5% accessory building area limitation at 13528 Coolidge Way. Any change of use or expansion of area may require approval of another Variance application (Applicant: Nels Pearson; APN: 3046-221-74).

The use shall not be established until all conditions of this Variance application have been met. This approved Variance shall become null and void if all conditions have not been completed within three (3) years of the effective date. Extensions of time of up to twelve (12) months may be granted upon submittal of the required application and fee prior to the expiration date.

(Note: The "Init" and "Date" spaces are for internal city use only).
Init Date

PRIOR TO BUILDING PERMITS

___ _____ 1. **Building Construction Plans.** Five complete sets of construction plans, prepared and wet stamped by a California licensed Civil or Structural Engineer or Architect, shall be submitted to the Building Division with the required application fees for review. (B)

___ _____ 2. **On-Site Improvements**. The addition shall comply with all applicable Title 16 requirements, as described. The new building shall be consistent with the architecture and colors of the primary building and designed consistent with the design shown upon the graphic identified as Exhibit "A." Any exceptions shall be approved by the Director of Development Services. (P)

___ _____ 3. **Indemnification**. As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration, mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether by the Development Advisory Board, the Planning Commission, City Council, or otherwise), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on Applicant's project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City

with counsel reasonably acceptable to the City. The City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

IF YOU NEED INFORMATION OR ASSISTANCE REGARDING THESE CONDITIONS, PLEASE CALL THE APPROPRIATE DIVISION LISTED BELOW:

(P)	**Planning Division**	**947-1200**
(B)	**Building Division**	**947-1300**
(E)	**Engineering Division**	**947-1474**
(F)	**Fire Prevention Division**	**947-1623**
(RPD)	**Hesperia Recreation and Park District**	**244-5488**

City of Hesperia
STAFF REPORT

DATE: August 14, 2014

TO: Planning Commission

FROM: Dave Reno, AICP, Principal Planner

BY: Lisette Sánchez-Mendoza, Assistant Planner

SUBJECT: Conditional Use Permit CUP14-00006; Applicant: Los Angeles SMSA LP Verizon Wireless; APN: 0405-371-53.

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2014-23, approving Conditional Use Permit CUP14-00006.

BACKGROUND

Proposal: A Conditional Use Permit to construct a wireless communications facility with antennas installed 63 feet high on an existing 139-foot Southern California Edison tower.

Location: The property is located south of Mesquite Street, approximately 300 feet west of Primrose Avenue (Attachment 1).

Current General Plan, Zoning and Land Uses: The site is within the Utility Corridor (UC) General Plan Land Use designation. The surrounding land is designated as noted on Attachment 2. The wireless communications facility will be placed on a transmission tower, which sits on a major utility corridor with transmission lines running northwest and southeast. The width of the corridor spans approximately 400 feet in this area. The utility corridor is otherwise vacant. Single-family homes exist directly to the west and to the east as well as northeast and southwest.

ISSUES/ANALYSIS

Land Use: Verizon Wireless, the service provider, has demonstrated on a service plan that there is a service gap which necessitates installation of an additional wireless communications facility in the area (Attachment 4). The proposed facility will provide the necessary coverage to improve the network in this residential area without construction of a new tower. The facility includes nine panel antennas, one parabolic antenna, and three remote radio units installed at a height of 60 feet. All antennas will be painted to match the electric transmission tower (Attachment 6). The total leasable area, which houses the facility's ground equipment, will be 608 square feet and will be surrounded by an eight-foot high block wall (Attachment 5). Staff has included Condition 7 (Attachment 7), which will require the wall to be made of split face. The proposed wireless communications facility is consistent with the General Plan land use and zoning standards.

Drainage: The proposed project will not interfere with the current drainage flows of the site.

Street Improvements: Public street improvements are not required. Recordation of an irrevocable access easement will be required from the site to Mesquite Street in accordance with Condition 6 (Attachment 7).

Environmental: Approval of the Conditional Use Permit is exempt from the requirements of the California Environmental Quality Act by Section 15303, New Construction or Conversion of Small Structures.

Conclusion: The project is consistent with the City's intent to locate new wireless facilities on existing buildings and structures, or to conceal their appearance through other means (i.e. use of monopines and other stealth technologies). The project meets the standards of the Development Code and staff recommends approval.

FISCAL IMPACT

None.

ALTERNATIVE(S)

Provide alternative direction to staff.

ATTACHMENTS

1. Location map
2. General Plan land use map
3. Aerial photo
4. Service plan
5. Site plan
6. Tower elevations
7. Resolution No. PC-2014-23, with list of conditions

ATTACHMENT 1

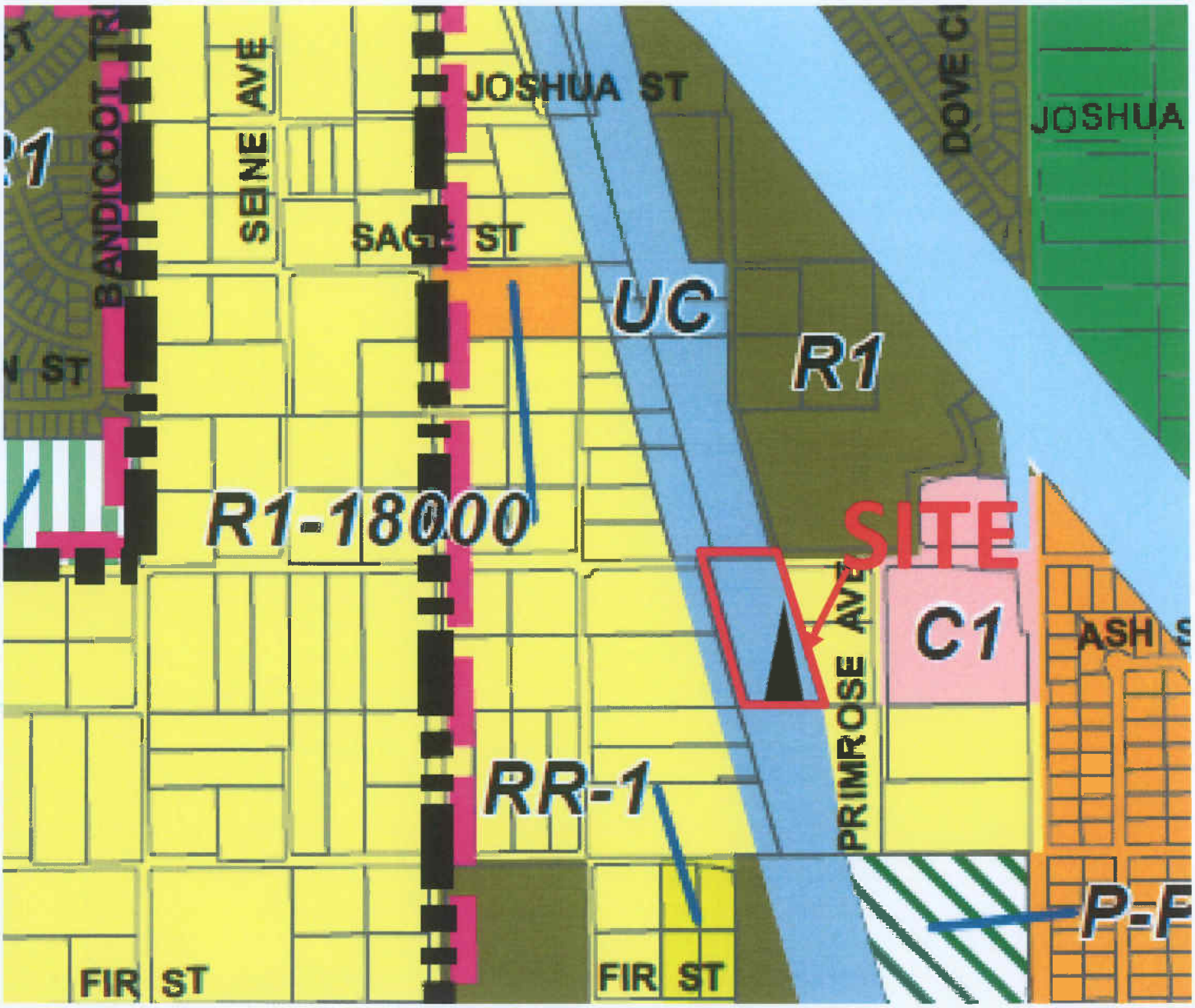
LOCATION OF TRANSMISSION TOWER

APPLICANT(S): VERIZON WIRELESS	**FILE NO(S):** CUP14-00006
LOCATION: SOUTH OF MESQUITE STREE, APPROXIMATELY 300 FEET WEST OF PRIMROSE AVENUE	**APN(S):** 0405-371-53
PROPOSAL: CONSIDERATION OF A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY ON AN EXISTING 139-FOOT HIGH SOUTHERN CALIFORNIA EDISON ELECTRIC TRANSMISSION TOWER	**N** ↑

LOCATION MAP

CUP14-00006 Graphic.DOC

ATTACHMENT 2

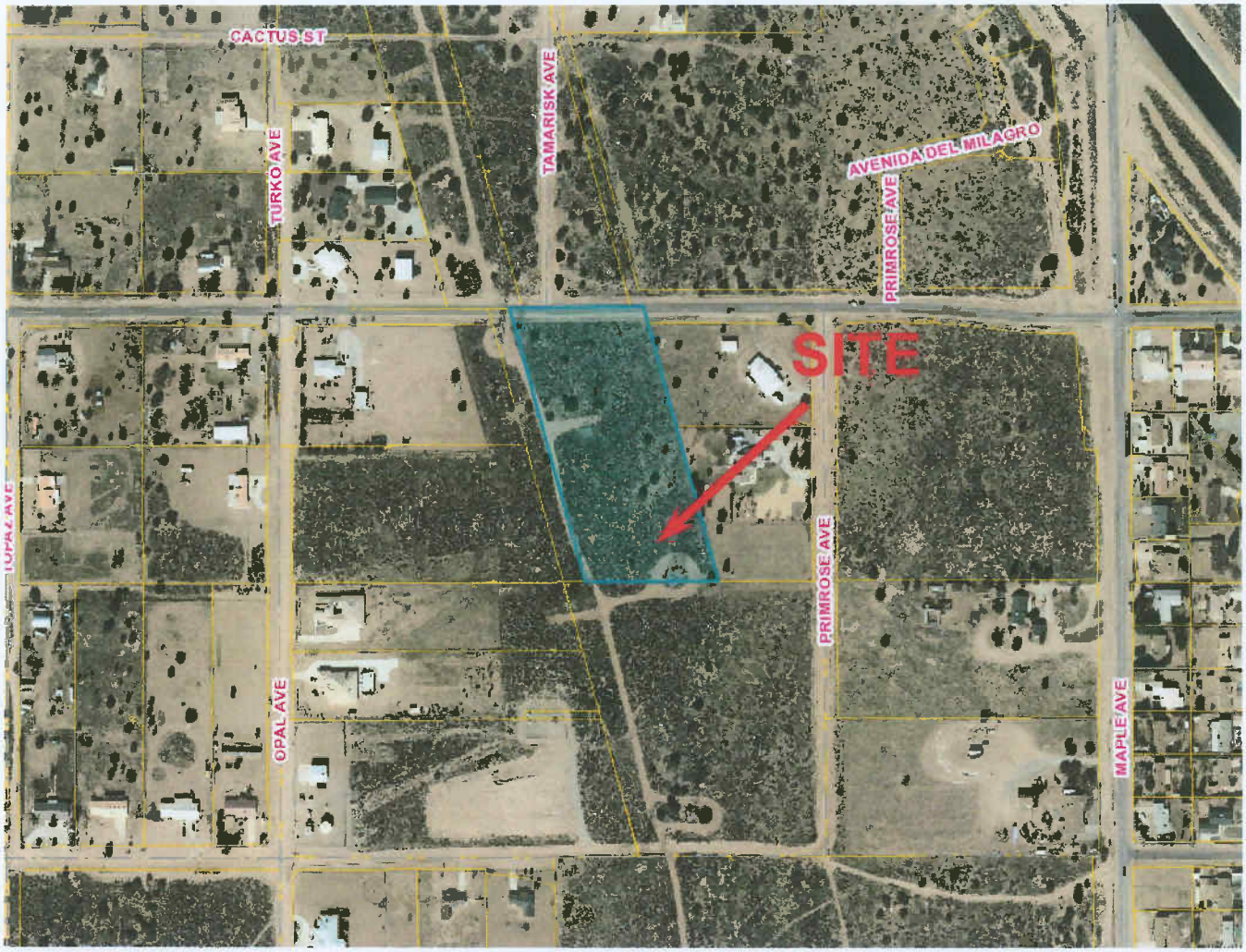


APPLICANT(S): VERIZON WIRELESS	**FILE NO(S):** CUP14-00006
LOCATION: SOUTH OF MESQUITE STREET, APPROXIMATELY 300 FEET WEST OF PRIMROSE AVENUE	**APN(S):** 0405-371-53
PROPOSAL: CONSIDERATION OF A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY ON AN EXISTING 139-FOOT HIGH SOUTHERN CALIFORNIA EDISON ELECTRIC TRANSMISSION TOWER	**N** ↑

GENERAL PLAN LAND USE MAP

CUP14-00006 Graphic.DOC

ATTACHMENT 3



APPLICANT(S): VERIZON WIRELESS	**FILE NO(S):** CUP14-00006
LOCATION: SOUTH OF MESQUITE STREET, APPROXIMATELY 300 FEET WEST OF PRIMROSE AVENUE	**APN(S):** 0405-371-53
PROPOSAL: CONSIDERATION OF A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY ON AN EXISTING 139-FOOT HIGH SOUTHERN CALIFORNIA EDISON ELECTRIC TRANSMISSION TOWER	**N** ↑

AERIAL PHOTO

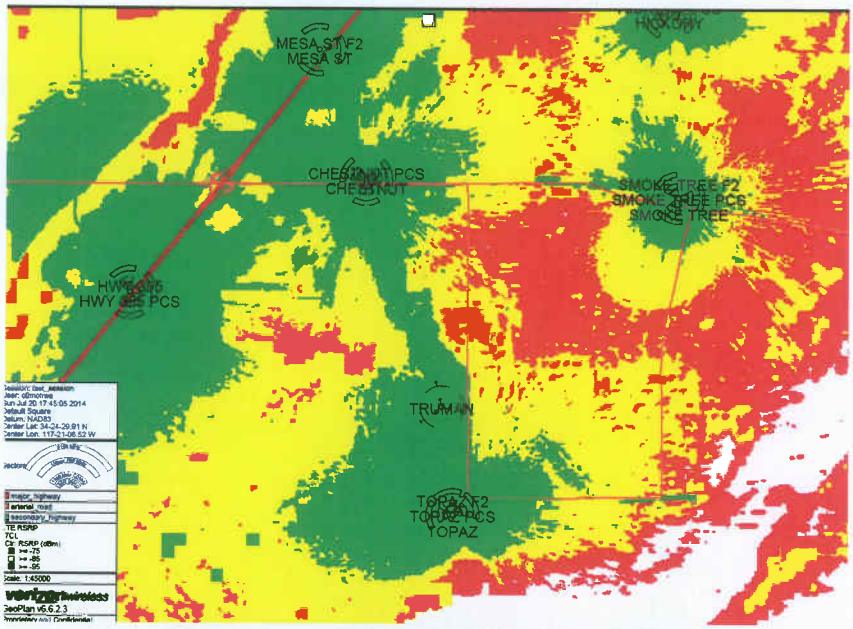
CUP14-00006 Graphic.DOC

ATTACHMENT 4

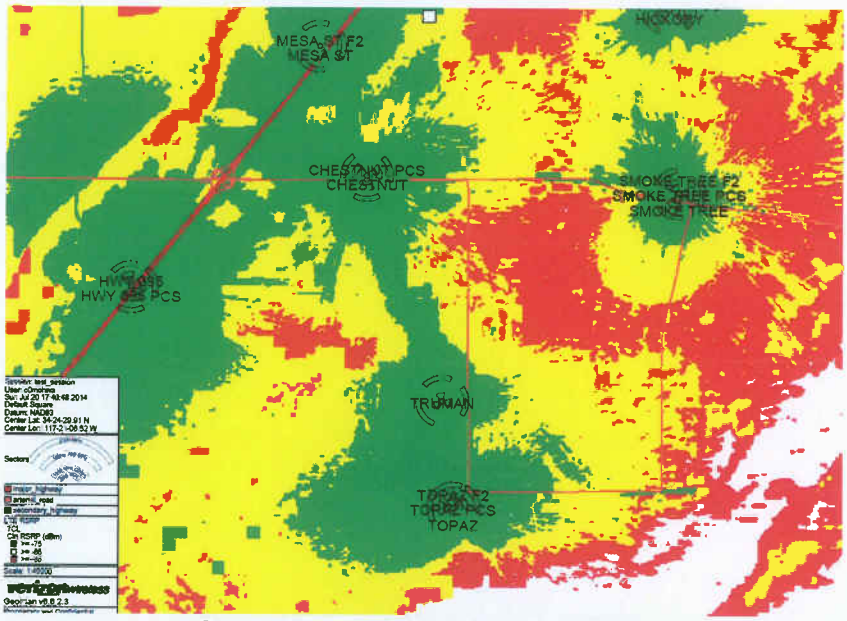
Indoor signal

In-transit signal

Outdoor signal



Service without the facility

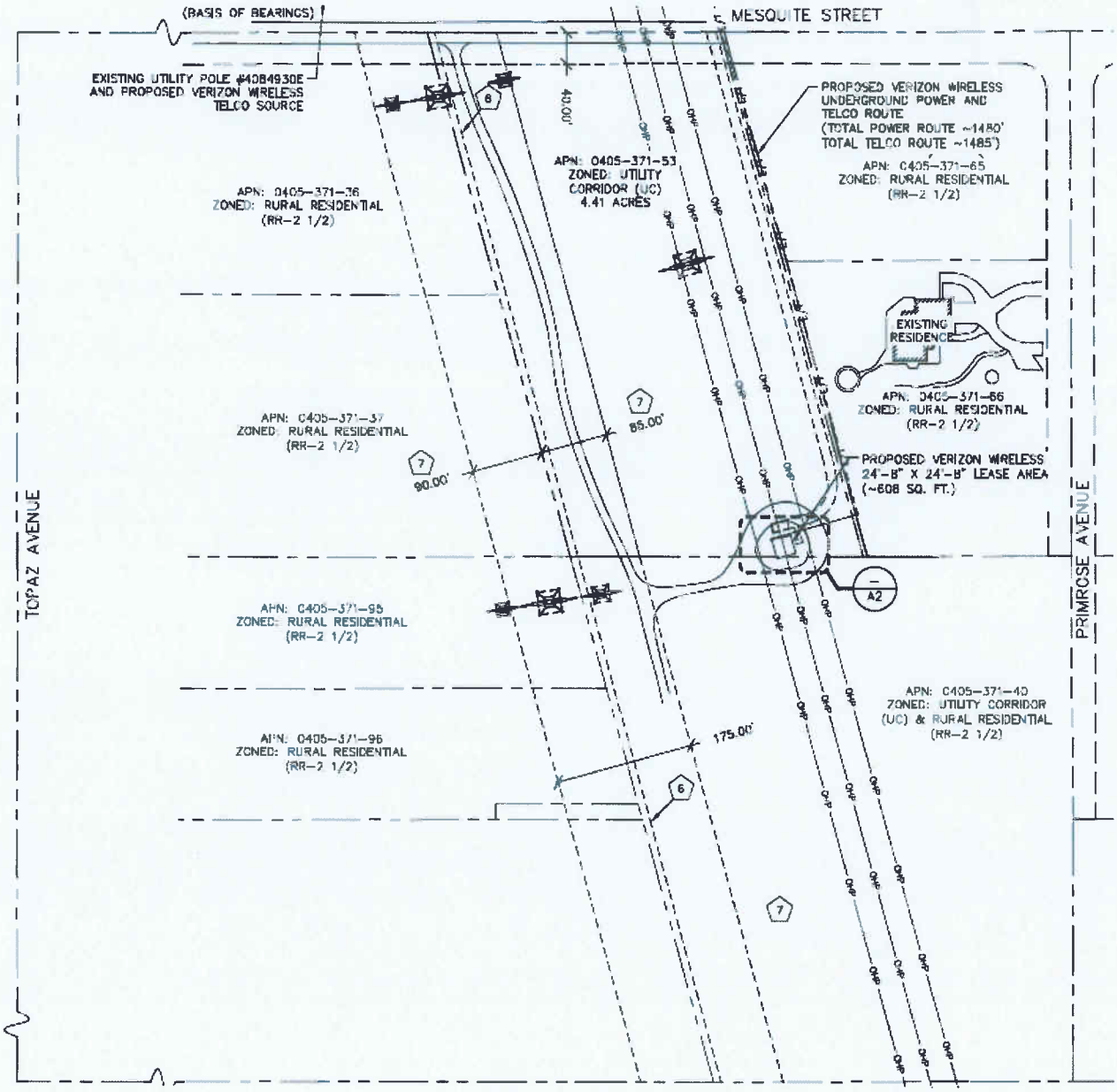


Service with the facility

APPLICANT(S): VERIZON WIRELESS	**FILE NO(S):** CUP14-00006
LOCATION: SOUTH OF MESQUITE STREET, APPROXIMATELY 300 FEET WEST OF PRIMROSE AVENUE	**APN(S):** 0405-371-53
PROPOSAL: CONSIDERATION OF A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY ON AN EXISTING 139-FOOT HIGH SOUTHERN CALIFORNIA EDISON ELECTRIC TRANSMISSION TOWER	**N** ↑

SERVICE PLAN

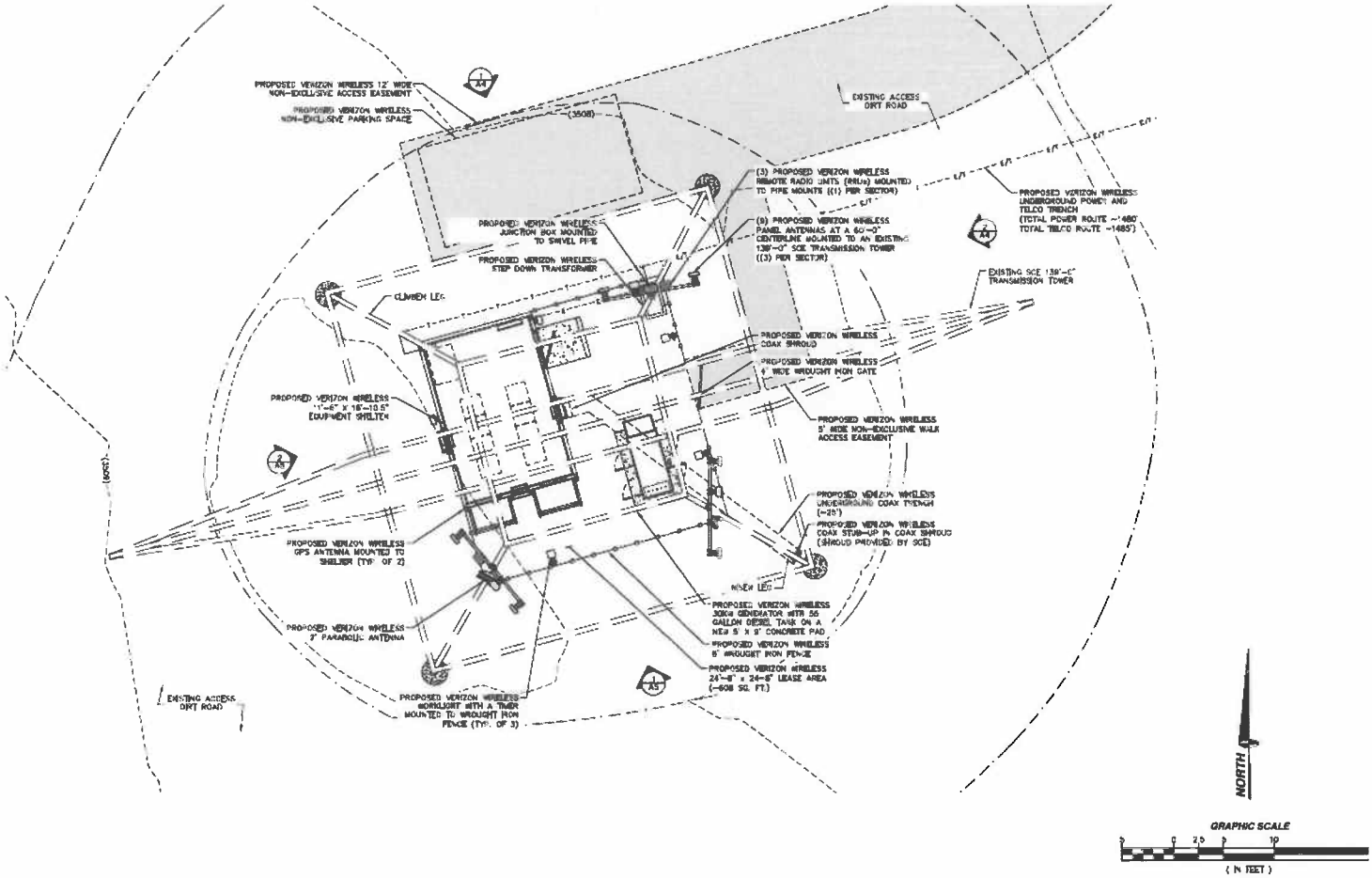
ATTACHMENT 5.1



APPLICANT(S): VERIZON WIRELESS	**FILE NO(S):** CUP14-00006
LOCATION: SOUTH OF MESQUITE STREET, APPROXIMATELY 300 FEET WEST OF PRIMROSE AVENUE	**APN(S):** 0405-371-53
PROPOSAL: CONSIDERATION OF A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY ON AN EXISTING 139-FOOT HIGH SOUTHERN CALIFORNIA EDISON ELECTRIC TRANSMISSION TOWER	**N** ↑

SITE PLAN (EXPANDED)

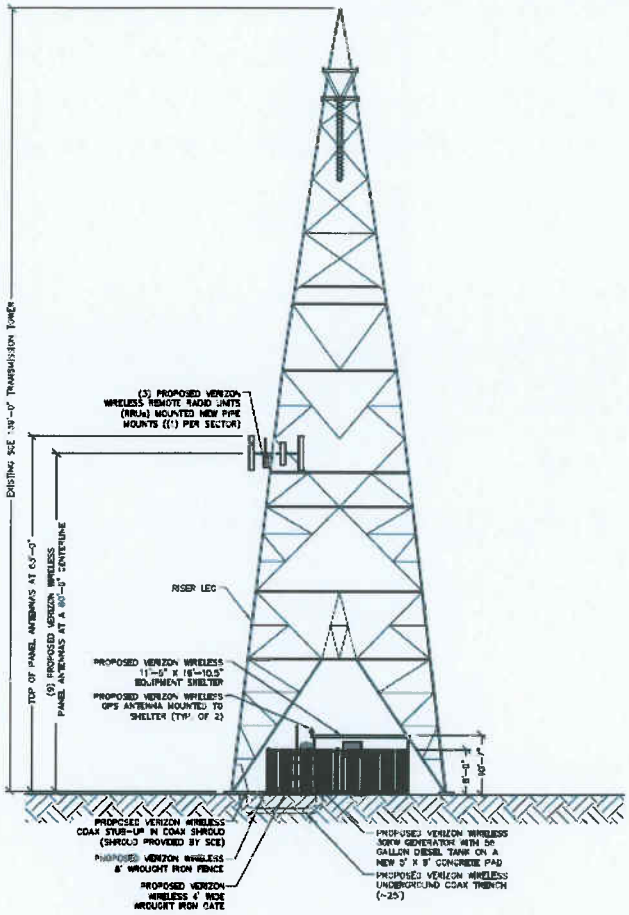
ATTACHMENT 5.2



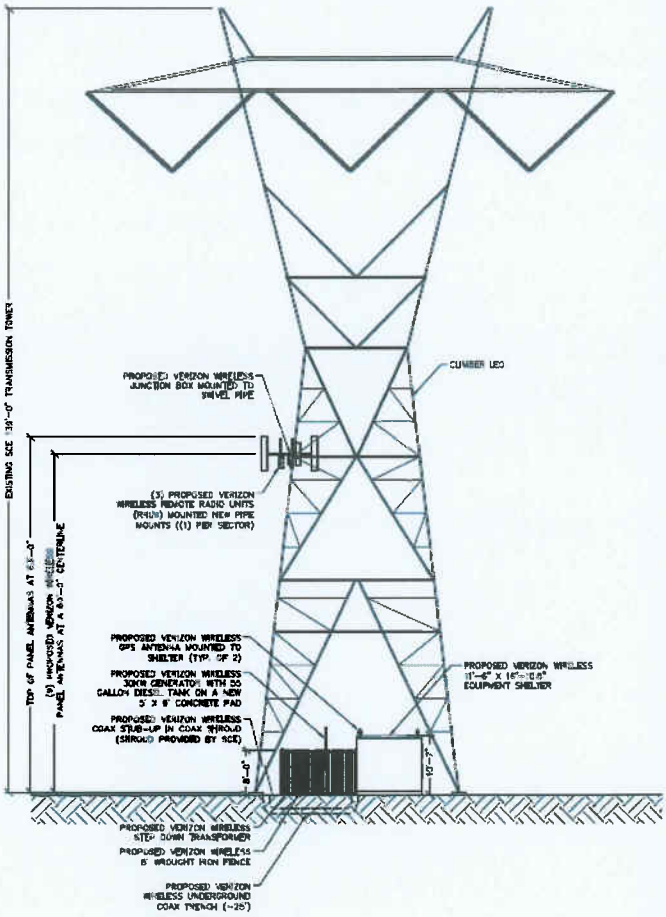
APPLICANT(S): VERIZON	**FILE NO(S):** CUP14-00006
LOCATION: SOUTH OF MESQUITE STREET, APPROXIMATELY 300 FEET WEST OF PRIMROSE AVENUE	**APN(S):** 0405-371-53
PROPOSAL: CONSIDERATION OF A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY ON AN EXISTING 139-FOOT HIGH SOUTHERN CALIFORNIA EDISON ELECTRIC TRANSMISSION TOWER	**N** ↑

SITE PLAN

ATTACHMENT 6



NORTHEAST ELEVATION



NORTHWEST ELEVATION

APPLICANT(S): VERIZON WIRELESS	**FILE NO(S):** CUP14-00006
LOCATION: SOUTH OF MESQUITE STREET, APPROXIMATELY 300 FEET WEST OF PRIMROSE AVENUE	**APN(S):** 0405-371-53
PROPOSAL: CONSIDERATION OF A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY ON AN EXISTING 139-FOOT HIGH SOUTHERN CALIFORNIA EDISON ELECTRIC TRANSMISSION TOWER	

TOWER ELEVATIONS

ATTACHMENT 7

RESOLUTION NO. PC-2014-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO INSTALL AN 63-FOOT HIGH WIRELESS COMMUNICATIONS FACILITY ON AN EXISTING 139-FOOT HIGH SOUTHERN CALIFORNIA EDISON ELECTRIC TRANSMISSION TOWER LOCATED SOUTH OF MESQUITE STREET, APPROXIMATELY 300 FEET WEST OF PRIMROSE AVENUE (CUP14-00006)

WHEREAS, Los Angeles SMSA LP Verizon Wireless, has filed an application requesting approval of Conditional Use Permit CUP14-00006 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to land within the Southern California Edison Transmission Lines located south of Mesquite Street, approximately 300 feet west of Primrose Avenue and includes Assessor's Parcel Number 0405-371-53; and

WHEREAS, the Application, as contemplated, proposes to install a wireless communications facility upon the existing Southern California Edison electric transmission tower on the subject property; and

WHEREAS, the subject site is within the Southern California Edison electric transmission corridor, which runs northwest to southeast, and is developed with existing transmission towers and associated equipment. Single-family homes exist directly to the west and to the east as well as northeast and southwest; and

WHEREAS, the subject site is within the Utility Corridor (UC) General Plan land use designation. The properties to the north and south are also within the UC designation. The properties to the east and west are within the Rural Residential 2 ½ (RR-2 ½) zone; and

WHEREAS, the project is categorically exempt from the requirements of the California Environmental Quality Act by Section 15303, New Construction or Conversion of Small Structures; and

WHEREAS, on August 14, 2014, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed 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 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 this Commission during the above-referenced August 14, 2014, hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

(a) The site for the proposed use is adequate in size and shape to accommodate the proposed use, because the site can accommodate all proposed improvements, without infringing on required setbacks or easements.

(b) The proposed use will not have a substantial adverse effect on abutting property, or the permitted use thereof.

(c) The proposed project is consistent with the goals, policies, standards and maps of the adopted Land Use Plan, Development Code and all applicable codes and ordinances adopted by the City of Hesperia.

(d) The site for the proposed use will have adequate access based upon the required access easement from Mesquite Street to the south.

(e) The proposed project is consistent with the adopted General Plan of the City of Hesperia.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Conditional Use Permit CUP14-00006, subject to the conditions of approval as shown in Attachment "A."

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

ADOPTED AND APPROVED this 14th day of August 2014.

_____
Chris Elvert, Chair, Planning Commission

ATTEST:

_____
Erin Baum, Secretary, Planning Commission

ATTACHMENT 'A'

List of Conditions for Conditional Use Permit CUP14-00006

Approval Date: August 14, 2014
Effective Date: August 26, 2014
Expiration Date: August 26, 2017

This list of conditions apply to a conditional use permit to construct a wireless communications facility with antennas installed 63 feet high on an existing 139-foot Southern California Edison tower located south of Mesquite Street, approximately 300 feet west of Primrose Avenue. Any change of use or expansion of area may require approval of a revised conditional use permit application (Applicant: Los Angeles SMSA LP Verizon Wireless; APN: 0405-371-53).

The use shall not be established until all conditions of this conditional use permit application have been met. This approved conditional use permit shall become null and void if all conditions have not been completed within three (3) years of the effective date. Extensions of time of up to twelve (12) months may be granted upon submittal of the required application and fee prior to the expiration date.

(Note: The "Init" and "Date" spaces are for internal city use only).
Init Date

SUBMITTAL OF PUBLIC IMPROVEMENT PLANS SHALL INCLUDE THE FOLLOWING:

___ _____ 1. **Building Construction Plans.** Five complete sets of construction plans, prepared and wet stamped by a California licensed Civil or Structural Engineer or Architect, shall be submitted to the Building Division with the required application fees for review. (B)

___ _____ 2. **Jurisdiction.** Prior to any construction occurring on any parcel, the applicant shall contact the San Bernardino County Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department. **[F-1]**

___ _____ 3. **Indemnification.** As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration, mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether by the City Council, the Planning Commission, or other City reviewing authority), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on Applicant's project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City with counsel reasonably acceptable to the

City. The City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

CONDITIONS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE:

___ _____ 4. **Facility Requirements**. The antennas and all other equipment installed upon the electric transmission tower shall match the color of the tower. The antennas, any proposed perimeter wall, and all related equipment shall be maintained in good condition during the life of the wireless communications facility. (P)

___ _____ 5. **Consistency with Approved Graphics.** Improvement plans for off-site and on-site improvements shall be consistent with the graphics approved as part of this conditional use permit application and shall also comply with all applicable Title 16 requirements. (E, P)

___ _____ 6. **Access Easement.** An access easement shall be recorded, allowing access from a public right-of-way to the wireless communications facility for construction and maintenance of the wireless communications facilities during the operating life of the facility. As an alternative, the access easement requirement may be satisfied by an easement established as part of a recorded lease agreement. The easement, the required application and fees shall be submitted to the Planning Division prior to review and approval by the City. (P)

___ _____ 7. **Wall Requirements.** An eight-foot high split face wall shall be used to screen the mechanical equipment and other appurtenant elements of the wireless communications facility. The use of barbed wire or other types of fencing is not permitted. (P)

CONDITIONS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY:

___ _____ 8. **Utility Clearances.** The Building Division will provide utility clearances after completion of required permits and inspections for the facility. Utility meters shall be permanently labeled. (B)

___ _____ 9. **Fire Extinguishers.** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. **[F88]**

___ _____ 10. **On-Site Improvements.** All on-site improvements as recorded in these conditions, and as shown on the approved plans, shall be completed in accordance with all applicable Title 16 requirements. The wireless communications tower, equipment shelter, and wall shall also be designed consistent with the approved site plan and elevations. Any exceptions shall be approved by the Deputy Director of Development Services. (P)

THE FOLLOWING ARE CONTINUING CONDITIONS. FAILURE TO COMPLY WITH THESE CONDITIONS MAY RESULT IN REVOCATION OF THE CONDITIONAL USE PERMIT:

___ _____ 11. **Maintenance of the Facility**. The wireless communications facility, perimeter wall, and all related equipment shall be maintained in good condition during the life of the wireless communications facility. (P)

___ _____ 12. **Use of Generator(s).** A generator will only be allowed for backup emergency power to the facility and shall be located within the approved enclosed area. Use of a generator to provide power for any other purpose is prohibited unless specifically approved by the Director of Development Services or his/her designee. (P)

___ _____ 13. **Abandonment of the Facility.** Should the facility fail to be used as approved for more than 180 consecutive days or should its 25-year effective life expire, then the applicant shall cause the removal of the wireless communications facility, wall and all related equipment at its sole cost and expense. The wireless communication facility and related equipment shall be removed no later than 30 days after the facility has been abandoned. Failure to remove the facility in accordance with this condition shall result in forfeiture of the bond and/or letter of credit posted with the City so that the City will have the funds to cause its removal. The bond shall not be released until the facility's removal is verified by the Planning Division. (P)

IF YOU NEED ADDITIONAL INFORMATION OR ASSISTANCE REGARDING THESE CONDITIONS, PLEASE CALL THE APPROPRIATE DIVISION LISTED BELOW:

(P)	**Planning Division**	**947-1200**
(B)	**Building Division**	**947-1300**
(E)	**Engineering Division**	**947-1414**
(F)	**Fire Prevention Division**	**947-1012**
(RPD)	**Hesperia Recreation and Park District**	**244-5488**

City of Hesperia
STAFF REPORT

DATE: August 14, 2014

TO: Planning Commission

FROM: Dave Reno, AICP, Principal Planner

BY: Daniel S. Alcayaga, AICP, Senior Planner

SUBJECT: General Plan Amendment GPA14-00001 & Site Plan Review SPR14-00001; Applicant: Mariposa Road Associates, LLC; APN: 0406-013-22

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution Nos. PC-2014-24 and PC-2014-25, recommending that the City Council introduce and place on first reading an ordinance approving GPA14-00001, and approve SPR14-00001.

BACKGROUND

Proposal: A General Plan Amendment from Rural Residential with a minimum lot size of 1 acre (RR-1) to General Commercial (C2), and a Site Plan Review to construct a parking lot for an existing medical office building (Attachment 1).

Location: East of 11959 Mariposa Road (11942 Hemlock Avenue)

Current General Plan, Zoning and Land Uses: The property is currently undeveloped and within the Rural Residential with a minimum lot size of 1 acre (RR-1) General Plan designation. The surrounding land is designated as noted on Attachment 2. An existing medical office building, which is associated with the project, exists to the west. A commercial building sits on land to the north, and single-family residences exist to the south and east (Attachment 3).

Pacific Eye Institute recently purchased two parcels in the City with the intent to locate here. One of the parcels at 11959 Mariposa Road includes an existing 4,650 square foot building. In May 2014, the applicant pulled permits for tenant improvements to occupy the existing building. The applicant has also purchased the adjacent parcel to the east of 11959 Mariposa Road. This is in anticipation of adding parking to serve the existing building and to construct a second building in which to expand their services.

ISSUES/ANALYSIS

Land Use: The applicant proposes to construct a new parking lot adjacent to 11959 Mariposa Road for overflow parking, which is currently designated RR-1. The application includes a General Plan Amendment requesting that the land use designation be changed from RR-1 to C2 to accommodate the parking lot. The C2 zone allows parking lots when associated with commercial or medical office uses. At this time, the applicant proposes a fully landscaped parking lot with all required on-site and off-site improvements. In a later phase, the applicant intends to construct a 5,333 square foot medical office building. The site plan shows the site can support a future building, which will be submitted as part of a separate application, and would ultimately trigger additional parking.

The applicant will provide 59 parking spaces, including six accessible (handicap) parking spaces, on the newly obtained property. There are currently 22 parking spaces on the existing site. Therefore, the proposal will result in a combined total of 81 parking spaces between the proposed and existing properties. The future 5,333 square foot medical building requires 27 parking spaces. The existing building requires 23 parking spaces. At build-out, the two buildings together will require 50 parking spaces. Therefore, 31 surplus parking spaces will be available. The conditions of approval require a reciprocal parking and access easement between the existing and proposed property for shared use.

The six accessible parking spaces are designed to accommodate the future medical office building. An accessible path of travel will connect the future building and associated accessible parking to Hemlock Avenue. About 13% of site will be landscaped, which exceeds the minimum 5% landscape standard. A 26-foot drive aisle will serve the parking lot and will loop around the future building. The Fire Prevention Department determined that the proposal has sufficient emergency access with sufficient turn radius for large emergency vehicles. Fire hydrants and other fire department connections (i.e. FDC/PIV) are also being constructed in anticipation of the future building. Upon construction, the building architecture will need to comply with the City's architectural guidelines.

The property in question will be required to maintain a 20-foot building setback along the southern boundary because the site abuts a residential zone. A 25-foot front yard setback is also required. In addition, the development code requires a 6-foot high block wall when a commercial development abuts a residential zone. As required, a six-foot high decorative block wall will be constructed along the southern boundary. A six-foot high fence will be constructed along the street frontage to shield existing residences from on-site headlight glare. This fence will include a three-foot high block wall with three feet of wrought iron atop. Prior to development, a condition of approval requires a photometric study to be submitted demonstrating that parking lot lighting will not exceed 0.5 foot candle at property lines.

Drainage: The development is required to handle the increase in storm water runoff as a result of construction of this project. The site plan proposes an underground drainage system to handle storm water runoff.

Water and Sewer: The site is served by 8-inch water and sewer lines in Hemlock Avenue.

Traffic/Street Improvements: As part of developing the site, the developer is required to construct street improvements, including curb, gutter, and sidewalk along the project frontage. Upon development of the building, payment of development impact fees will be required.

Environmental: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) by Section 15332, In-fill Development Projects. This exemption applies to developments on sites no larger than five acres, which are consistent with the General Plan and the applicable zoning district and are substantially surrounded by urban uses. Prior to issuance of a grading permit, a pre-construction survey conducted by an approved biologist shall be performed to determine whether the site contains burrowing owls.

Conclusion: Upon approval of the General Plan Amendment, the project conforms to the policies of the City's General Plan.

FISCAL IMPACT

None.

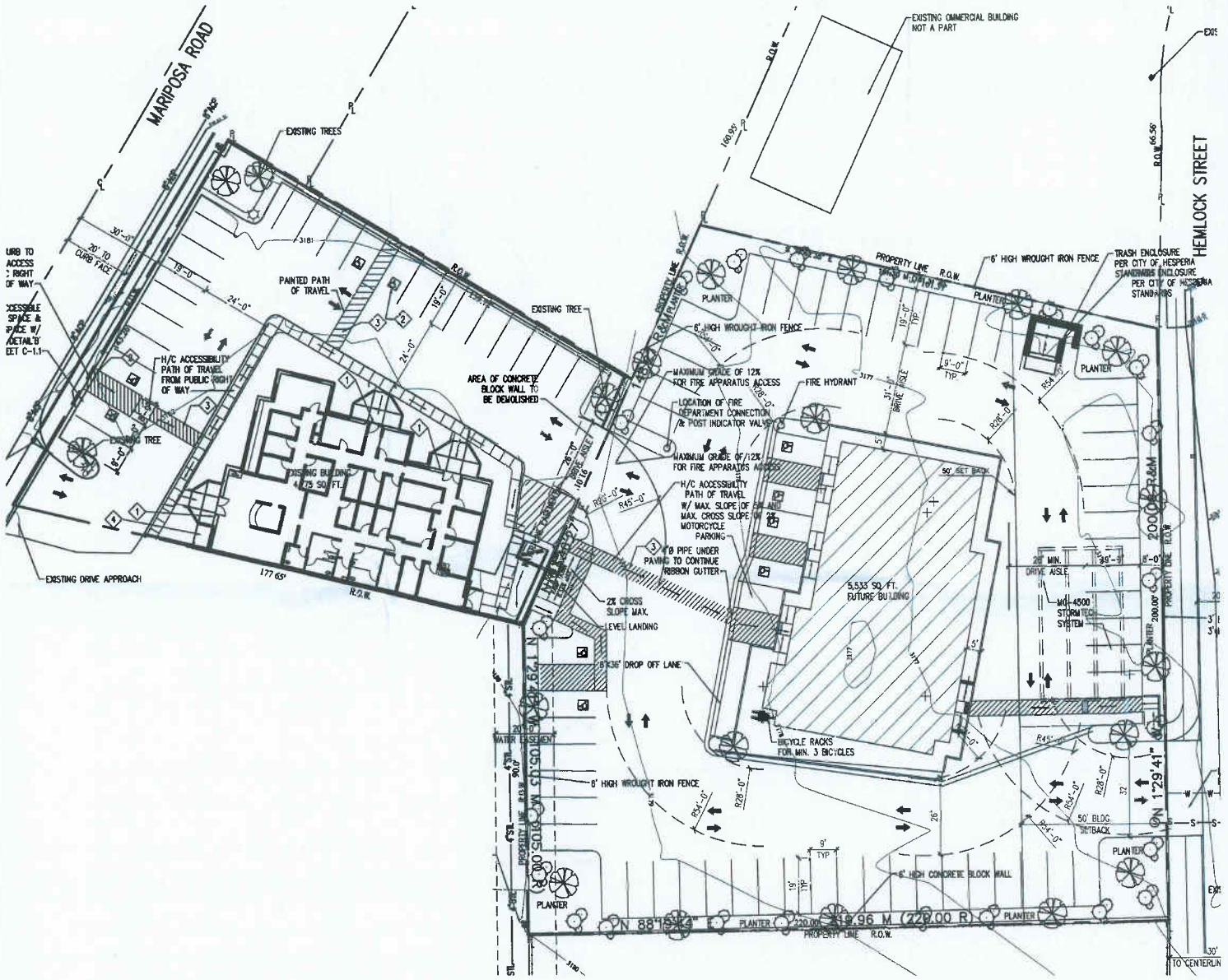
ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENTS

1. Site plan
2. General Plan land use map
3. Aerial photo
4. Resolution No. PC-2014-24 (GPA14-00001), with Exhibit "A"
5. Resolution No. PC-2014-25 (SPR14-00001), with list of conditions

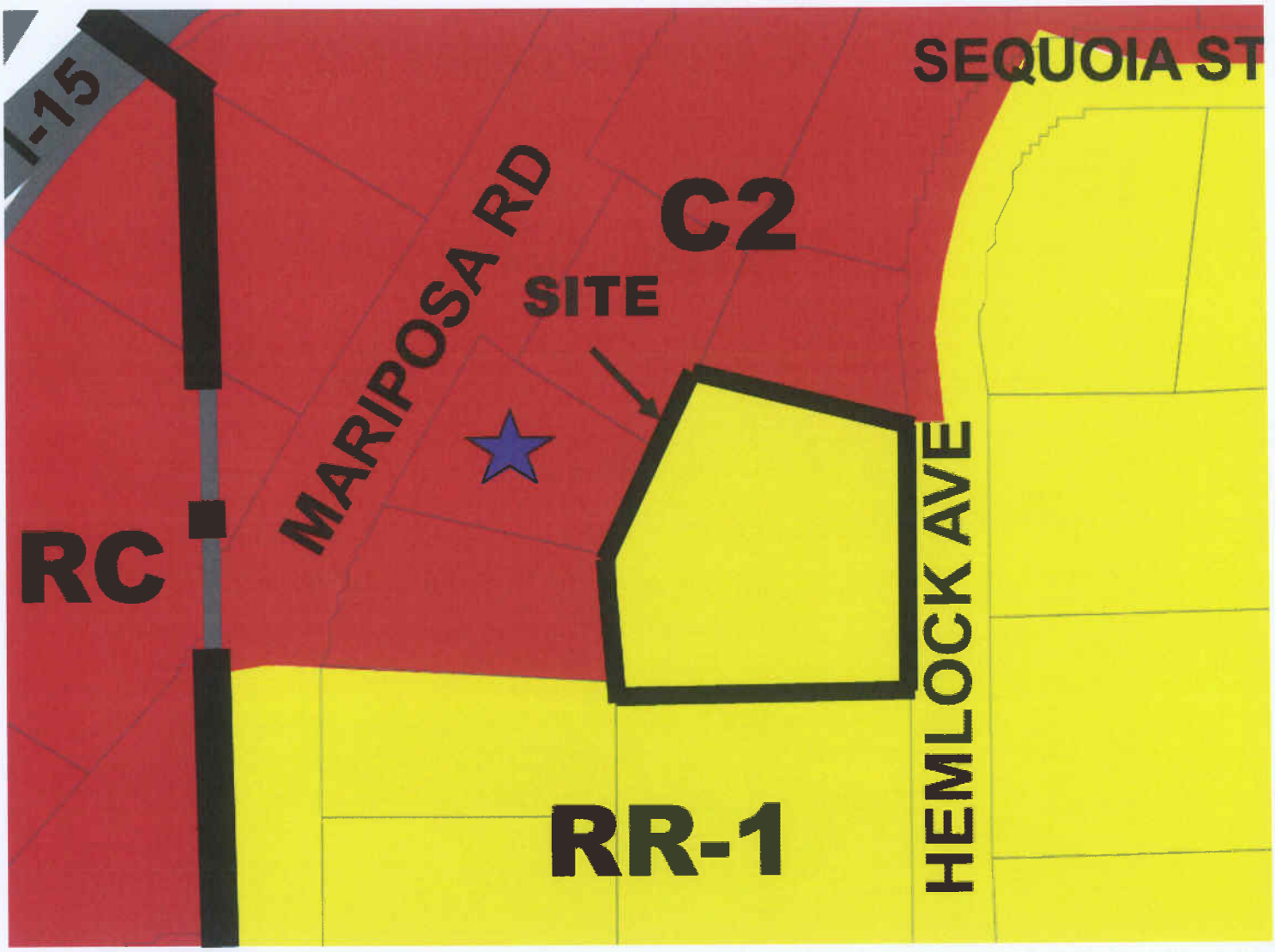
ATTACHMENT 1



APPLICANT (S): MARIPOSA ROAD ASSOCIATES, LLC	**FILE NO (S):** GPA14-00001 & SPR14-00001
LOCATION: THE PARCEL TO THE EAST OF 11959 MARIPOSA ROAD	**APN (S):** 0406-013-22
PROPOSAL: CONSIDERATION OF A GENERAL PLAN AMENDMENT FROM RR-1 TO C2 ON 1 ACRE, AND A SITE PLAN REVIEW TO CONSTRUCT A PARKING LOT FOR AN EXISTING MEDICAL OFFICE BUILDING	**N** ↑

SITE PLAN

ATTACHMENT 2

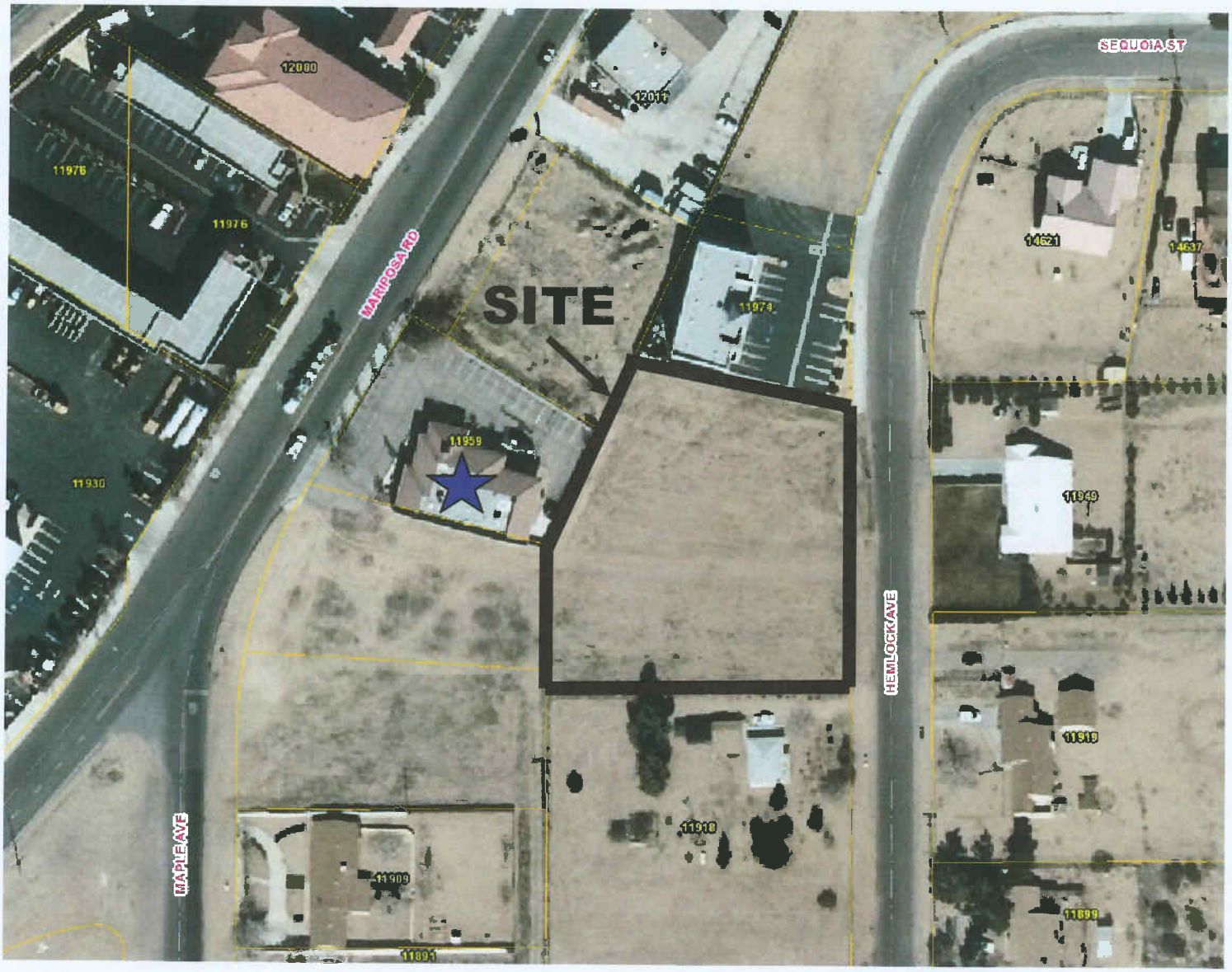


ASSOCIATED PROPERTY (11959 MARIPOSA RD.)

APPLICANT (S): MARIPOSA ROAD ASSOCIATES, LLC	**FILE NO (S):** GPA14-00001 & SPR14-00001
LOCATION: THE PARCEL TO THE EAST OF 11959 MARIPOSA ROAD	**APN (S):** 0406-013-22
PROPOSAL: CONSIDERATION OF A GENERAL PLAN AMENDMENT FROM RR-1 TO C2 ON 1 ACRE, AND A SITE PLAN REVIEW TO CONSTRUCT A PARKING LOT FOR AN EXISTING MEDICAL OFFICE BUILDING	**N** ↑

GENERAL PLAN LAND USE MAP

ATTACHMENT 3



ASSOCIATED PROPERTY (11959 MARIPOSA RD.)

APPLICANT (S): MARIPOSA ROAD ASSOCIATES, LLC	**FILE NO (S):** GPA14-00001 & SPR14-00001
LOCATION: THE PARCEL TO THE EAST OF 11959 MARIPOSA ROAD	**APN (S):** 0406-013-22
PROPOSAL: CONSIDERATION OF A GENERAL PLAN AMENDMENT FROM RR-1 TO C2 ON 1 ACRE, AND A SITE PLAN REVIEW TO CONSTRUCT A PARKING LOT FOR AN EXISTING MEDICAL OFFICE BUILDING	**N** ↑

AERIAL PHOTO

ATTACHMENT 4

RESOLUTION NO. PC-2014-24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, AMENDING THE OFFICIAL GENERAL PLAN LAND USE MAP BY RECLASSIFYING CERTAIN REAL PROPERTY FROM RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF 1 ACRE (RR-1) TO GENERAL COMMERCIAL (C2) ON A ONE ACRE PARCEL LOCATED TO THE EAST OF 11959 MARIPOSA ROAD (GPA14-00001)

WHEREAS, on May 15, 1991, the City Council of the City of Hesperia adopted the City's General Plan, currently applicable in regards to development within the City; and

WHEREAS, Mariposa Road Associates, LLC has filed an application requesting approval of GPA14-00001 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to approximately a one gross acre parcel within the Rural Residential with a minimum lot size of 1 acre (RR-1) located to the east of 11959 Mariposa Road and consists of Assessor's Parcel Number 0406-013-22; and

WHEREAS, the Application, as contemplated, proposes to change the General Plan Land Use designation of the subject property from RR-1 to General Commercial (C-2); and

WHEREAS, the Application, as contemplated, proposes to construct a parking lot for an existing medical office building on a one gross acre parcel located to the east of 11959 Mariposa Road; and

WHEREAS, the subject site is vacant. An existing medical office building exists to the west, and a commercial building sits on land to the north. Single-family residences exist to the south and east; and

WHEREAS, the subject property is currently within the RR-1 General Plan designation, which is proposed to be changed to C2. The properties to the south and east are within the RR-1 zone. The properties to the north and west are within the C2 zone; and

WHEREAS, the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) by Section 15332, In-fill Development Projects. This applies to developments on sites no larger than five acres, which are consistent with the General Plan and the applicable zoning district and are substantially surrounded by urban uses; and

WHEREAS, on August 14, 2014, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed 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 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 Planning Commission during the above-referenced August 14, 2014 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

(a) The proposed General Plan Amendment enhances the suitability of the land uses permitted in the General Commercial (C-2) zone, allowing for greater flexibility in land use patterns, which is also consistent with General Plan Land Use goals.

(b) The proposed General Plan Amendment is consistent with the goals, policies, and standards of the adopted Zoning, Development Code and all applicable codes and ordinances adopted by the City of Hesperia.

(c) The proposed General Plan Amendment is consistent with City policy, which will allow nonresidential uses capable of utilizing existing supporting infrastructure and municipal services, as directed by the City's adopted General Plan.

(d) The proposed General Plan Amendment is consistent with the goals and policies of the General Plan, specifically to promote policies that will provide for a mix of residential, commercial, and industrial land uses which will generate sufficient tax revenues to pay the costs of maintaining desired levels of services and adequate infrastructure facilities.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends approval of General Plan Amendment GPA14-00001, amending the General Plan map of the City of Hesperia as shown on Exhibit "A."

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

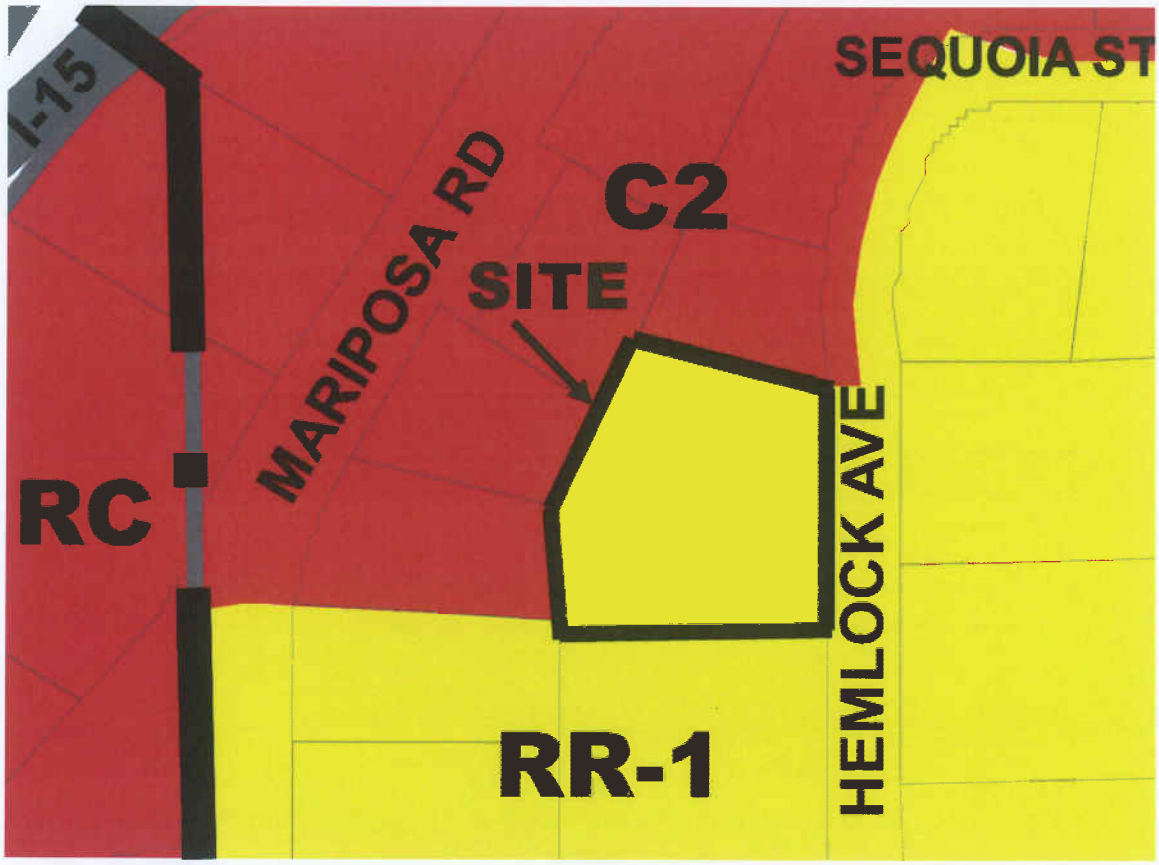
ADOPTED AND APPROVED on this 14th day of August 2014

_____
Chris Elvert, Chair, Planning Commission

ATTEST:

_____
Secretary, Planning Commission

Exhibit "A"



GPA14-00001
FROM RURAL RESIDENTIAL WITH A MINIMUM LOT SIZE OF 1 ACRE (RR-1) TO GENERAL COMMERCIAL (C2) ON APPROXIMATELY ONE GROSS ACRE

ATTACHMENT 5

RESOLUTION NO. PC-2014-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE A SITE PLAN REVIEW TO CONSTRUCT A PARKING LOT FOR AN EXISTING MEDICAL OFFICE BUILDING ON A ONE GROSS ACRE PARCEL LOCATED EAST OF 11959 MARIPOSA ROAD (SPR14-00001)

WHEREAS, Mariposa Road Associates, LLC has filed an application requesting approval of SPR14-00001 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to approximately a one gross acre parcel located to the east of 11959 Mariposa Road and consists of Assessor's Parcel Number 0406-013-22; and

WHEREAS, the Application, as contemplated, proposes to construct a parking lot for an existing medical office building on a one gross acre parcel located to the east of 11959 Mariposa Road; and

WHEREAS, Mariposa Road Associates, LLC has also filed an application requesting approval of General Plan Amendment GPA14-00001; and

WHEREAS, the subject site is vacant. An existing medical office building exists to the west, and a commercial building sits on land to the north. Single-family residences exist to the south and east; and

WHEREAS, the subject property is currently within the Rural Residential with a minimum lot size of 1 acre (RR-1) General Plan designation, which is proposed to be changed to General Commercial (C2). The properties to the south and east are within the RR-1 zone. The properties to the north and west are within the C2 zone; and

WHEREAS, the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) by Section 15332, In-fill Development Projects. This applies to developments on sites no larger than five acres, which are consistent with the General Plan and the applicable zoning district and are substantially surrounded by urban uses; and

WHEREAS, on August 14, 2014, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed 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 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 Planning Commission during the above-referenced August 14, 2014 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

(a) The site for the proposed use is adequate in size and shape to accommodate the proposed use. The site is approximately one gross acre and can accommodate 59 parking spaces, including six accessible (handicap) parking spaces. On-site improvements required by the Hesperia Development Code can be constructed on the property including, minimum 26-foot wide drive aisles, landscaping, trash enclosures, and loading areas. The parking lot also meets all of the San Bernardino County Fire Prevention Department standards including fire lanes, two-points of access, fire truck turn-around, fire department connections/post indicator valves (FDC/PIV) and fire hydrants. The proposed development also complies with all state and federal regulations, including the Americans with Disabilities Act (ADA). The project is designed with an on-site underground retention/detention to accommodate the required capacity of a 100-year storm.

(b) The proposed use will not have a substantial adverse effect on abutting property, or the permitted use thereof because the proposed project is consistent with the City's General Commercial (C2) General Plan Land Use designation. The proposed parking lot, which is associated with an existing medical office use, and a future medical office building, as contemplated by the applicant are permitted in the C2 zone. Enforcement of building setbacks and wall standards will help reduce visual and noise impacts on abutting properties. The development code requires a 20-foot building setback along the southern boundary of the property to serve as a separation buffer. A 25-foot street yard setback is also required along Hemlock Avenue. As a condition of approval, a photometric study is required to ensure that lighting from the parking lot does not exceed 0.5-foot candle at property line. In addition, a six-foot high solid block wall will be constructed along the southern boundary, which will serve as a physical buffer between the commercial and residential uses. In addition, a three-foot high wall will be constructed along the eastern boundary, which will help shield residences to the east from vehicular headlight glare. The project is designed with an on-site underground retention/detention to accommodate the required capacity of a 100-year storm.

(c) The proposed project is consistent with the goals, policies, standards and maps of the adopted Zoning, Development Code and all applicable codes and ordinances adopted by the City of Hesperia because each of the uses envisioned under the proposed project are permitted in the C2 zone. The development complies with standards for landscaping, driveway aisles, parking stall dimensions, fire lanes and turn-arounds, trash enclosures, and loading areas. The development complies with ADA by providing six handicap parking spaces with loading areas and a four-foot-wide path of travel to the street, parking spaces, and any future building. The development will be constructed pursuant to the California Building and Fire Codes and adopted amendments. The development must comply with the project's condition of approval for off-site and on-site improvements required prior to grading.

(d) The site for the proposed use will have adequate access based upon the site's access from Hemlock Avenue, which will be constructed to City standards. The applicant controls the parcel to the west; therefore, vehicles will have access to Mariposa Road through the adjacent parcel. The conditions of approval require a reciprocal access easement to permit shared use.

(e) The proposed project is consistent with the adopted General Plan of the City of Hesperia. The project site is within the C2 General Plan Land Use designation. The proposed parking lot, which is associated with an existing medical office use, and a future medical office building, as contemplated by the applicant are permitted in the C2 zone.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends approval of Site Plan Review SPR14-00001 subject to the conditions of approval as shown in Attachment "A".

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

ADOPTED AND APPROVED on this 14th day of August 2014

_____
Chris Elvert, Chair, Planning Commission

ATTEST:

_____
Secretary, Planning Commission

ATTACHMENT 'A'

List of Conditions for Site Plan Review SPR14-00001

Approval Date: August 14, 2014
Effective Date: August 26, 2014
Expiration Date: August 26, 2017

This list of conditions applies to a Site Plan Review to construct a parking lot for an existing medical office building on a one gross acre parcel zoned C2 located to the east of 11959 Mariposa Road. Any change of use or expansion of area may require approval of a revised site plan review application (Applicant: Mariposa Road Associates, LLC; APN: 0406-013-22).

The use shall not be established until all conditions of this Site Plan Review application have been met. This approved Site Plan Review shall become null and void if all conditions have not been completed within three (3) years of the effective date. Extensions of time of up to twelve (12) months may be granted upon submittal of the required application and fee prior to the expiration date.

(Note: The "Init" and "Date" spaces are for internal city use only).
Init Date

SUBMITTAL OF PUBLIC IMPROVEMENT PLANS SHALL INCLUDE THE FOLLOWING:

___ _____ 1. **General Plan Amendment.** These conditions are concurrent with General Plan Amendment GPA14-00001 becoming effective. (P)

___ _____ 2. **Drainage Study.** The Developer shall submit a Final Hydrology/Hydraulic study identifying the method of collection and conveyance of tributary flows from off-site as well as the method of control for increased run-off generated on-site. (E)

___ _____ 3. **Geotechnical Report.** The Developer shall provide two copies of the soils report with the grading plan. The soils report shall substantiate with all grading, building, and public improvement plans. In addition, a percolation report shall be performed to substantiate the percolation of the on-site drainage retention areas. Include "R" value testing and pavement recommendations for public streets (E, B)

___ _____ 4. **Title Report.** The Developer shall provide a complete title report 90-days or newer from the date of submittal. (E)

___ _____ 5. **NPDES.** The Developer shall apply for the required NPDES (National Pollutant Discharge Elimination System) permit with the Regional Water Quality Control Board and pay applicable fees. (E)

___ _____ 6. **Storm Water Pollution Prevention Plan.** The Developer shall provide a Storm Water Pollution Prevention Plan (SWPPP), which addresses the method of storm water run-off control during construction. (E)

___ _____ 7. **Plan Check Fees.** Along with improvement plan submittal, the Developer shall pay applicable plan-checking fees. **Improvement Plans and requested studies shall be submitted as a package. (E)**

___ _____ 8. **Irrevocable Offer Of Dedication.** The Developer shall submit an "Offer of Dedication" to the City's Engineering Department for review and approval. At time of submittal the developer shall complete the City's "application for document review" and pay all applicable fees. (E)

___ _____ 9. **Indemnification.** As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration, mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether by the City Council, the Planning Commission, or other City reviewing authority), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on Applicant's project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City with counsel reasonably acceptable to the City. The City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY:

___ _____ 10. **Approval of Improvement Plans.** All required improvement plans shall be prepared by a registered Civil Engineer per City standards and per the City's improvement plan checklist to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review with the required plan checking fees. All Public Works plans shall be submitted as a complete set. (E)

___ _____ 11. **Dedication(s).** The Developer shall grant to the City an Irrevocable Offer of Dedication for any part of the path of travel located behind any commercial drive approaches that encroach onto private property. (E)

___ _____ 12. **Grant of Easement for Double Detector Check Valve.** The Developer shall grant to the City an easement for *any* part of a required double-detector check valve that encroaches on to private property. (E)

___ _____ 13. **NPDES.** The Developer shall provide a copy of the approved original NPDES (National Pollutant Discharge Elimination System) permit from the Regional Water Quality Control Board and provide a copy of fees paid. The copies shall be provided to the City's Engineering Department. (E)

___ _____ 14. **Storm Water Pollution Prevention Plan.** All of the requirements of the Storm Water Pollution Prevention Plan shall be incorporated and be in place prior to issuance of a grading permit. (E)

___ _____ 15. **Grading Plan.** The Developer shall design a Grading Plan with existing contours tied to an acceptable City of Hesperia benchmark. The grading plan shall indicate building "footprints" and proposed development of the retention basins, as a minimum. The site grading and building pad preparation shall include the recommendations provided by the Preliminary Soils Investigation. All proposed walls shall be indicated on the grading plans showing top of wall (tw), top of footing (tf), and the finish grade (fg) elevations. (E)

___ _____ 16. **On-site Retention.** The Developer shall design/construct on-site retention facilities, which have minimum impact to ground water quality. This shall include maximizing the use of horizontal retention systems and minimizing the application of dry wells/injection wells. All dry wells/injection wells shall be 2-phase systems with debris shields and filter elements. All dry wells/injection wells shall have a minimum depth of 30' with a max depth to be determined by soils engineer at time of boring test. Per Resolution 89-16 the Developer shall provide on-site retention at a rate of 13.5 cu. ft per every 100 Sq. Ft. of impervious materials. **Any proposed facilities, other than a City approved facility that is designed for underground storage for on-site retention will need to be reviewed by the City Engineer. The proposed design shall meet City Standards and design criteria established by the City Engineer. A soils percolation test will be required for alternate underground storage retention systems.** (E)

___ _____ 17. **Street Improvement Plan.** The Developer shall design street improvements in accordance with City standards and as indicated below. (E)

___ _____ 18. **Hemlock Avenue.** Saw-cut (2-foot min.) and match-up asphalt pavement on Hemlock Avenue across the project frontage, based on City's sixty (60') foot Local Roadway Standard. The curb face is to be located at 20' from the approved centerline. The design shall be based upon an acceptable centerline profile extending a minimum of three hundred (300) feet beyond the project boundaries where applicable. These improvements shall consist of:

A. 8" Curb and Gutter per City standards.
B. Sidewalk (width = 6 feet) per City standards.
C. Roadway drainage device(s).
D. Commercial driveway approaches per City standards.
E. Pavement transitions per City Standards.
F. Design roadway sections per existing, approved street sections and per "R" value testing with a traffic index of 6 and per the soils report.
G. Cross sections every 50-feet per City standards.

H. Traffic control signs and devices as required by the traffic study and/or the City Engineer.
I. It is the Developer's responsibility to obtain any off-site dedications for transition tapers including acceleration/deceleration tapers per City standards at no cost to the City.
J. Relocate existing utilities as required. The Developer shall coordinate with affected utility companies.

___ _____ 19. **Utility Plan.** The Developer shall design a Utility Plan for service connections and/or private hydrant and sewer connections. **Any existing water, sewer, or storm drain infrastructures that are affected by the proposed development shall be removed/replaced or relocated and shall be constructed per City standards at the Developer's expense.** (E)

A. A remote read automatic meter reader shall be added on all meter connections as approved by the City Engineer.
B. The Developer shall design a Utility Plan for service connections and/or private water and sewer connections. Domestic and fire connections shall be made from the existing 8" PVC water line in Hemlock Avenue per City Standards.
C. It is the Developer's responsibility to connect to sewer and pay the appropriate fees. The Developer will be required to connect to the proposed 8" PVC sewer main in Hemlock Avenue per City standards.
D. Complete V.V.W.R.A.'s "Wastewater Questionnaire for Commercial/Industrial Establishments" and submit to the Engineering Department. Complete the "Certification Statement for Photographic and X-ray Processing Facilities" as required.

___ _____ 20. **Sewer Improvement Plan.** The Developer shall design sewer improvements in accordance with City standards, and as indicated below. (E)

___ _____ 21. **Sewer Improvement Plan.** The Developer shall design and construct an 8" minimum PVC SDR 35 sewer main in Hemlock Avenue from the southern project boundary, across the project frontage and tie into existing 8" PVC at approximately the northern property line. Design shall consist of plan and profile per City standards. (E)

___ _____ 22. **Electronic Copies.** The Developer shall provide electronic copies of the approved project in AutoCAD format Version 2007 to the City's Engineering Department. (E)

___ _____ 23. **Pre-construction Survey.** A pre-construction survey for the burrowing owl shall be conducted by a City approved and licensed biologist, no more than 30 days prior to ground disturbance. (P)

___ _____ 24. **Photometric Study.** A photometric study shall be submitted demonstrating that permanent lighting from the proposed parking lot will not exceed 0.5-foot candle at property line. (P)

___ _____ 25. **Pre-construction Meetings.** Pre-construction meetings shall be held between the City, the Developer, grading contractors, and special inspectors to discuss permit requirements, monitoring and other applicable environmental mitigation measures required prior to ground disturbance and prior to development of improvements within the public right-of-way. (B, P)

___ _____ 26. **Design for Required Improvements.** Improvement plans for off-site and on-site improvements shall be consistent with the plans approved as part of this site plan review application. (P)

___ _____ 27. **Driveway/Parking Easement.** An access easement shall be recorded which allows for the perpetual use of the driveway and/or off-street parking spaces for the benefit of the adjacent property. The easement and the required application and fees shall be submitted to the Planning Division prior to review and approval by the City for recordation. As an alternative, a lot merger will satisfy this condition. (P)

___ _____ 28. **Survey.** The Developer shall provide a legal survey of the property. All property corners shall be staked and the property address posted. (B)

___ _____ 29. **Construction Waste.** The developer or builder shall contract with the City's franchised solid waste hauler to provide bins and haul waste from the proposed development. At any time during construction, should services be discontinued, the franchise will notify the City and all building permits will be suspended until service is reestablished. The construction site shall be maintained and all trash and debris contained in a method consistent with the requirements specified in Hesperia Municipal Code Chapter 15.12. All construction debris, including green waste, shall be recycled at Advance Disposal and receipts for solid waste disposal shall be provided prior to final approval of any permit. (B)

___ _____ 30. **Landscape Plans.** The Developer shall submit three sets of landscape and irrigation plans including water budget calculations, required application fees, and completed landscape packet to the Building Division. Plans shall utilize xeriscape landscaping techniques in conformance with the Landscaping Ordinance. The number, size, type and configuration of plants approved by the City shall be maintained in accordance with the Development Code. (P)

___ _____ 31. **Solid Masonry Wall/Fencing.** The Developer shall submit four sets of masonry wall/wrought iron fencing plans to the Building Division with the required application fees for all proposed walls. A six-foot high decorative block wall shall be constructed along the southern boundary of the parking lot. In addition, a six-foot high fence will be constructed along the street frontage. A combination solid three-foot high split-face masonry wall or other approved decorative wall with a three-foot high wrought iron fence shall be provided along the street property line where headlight glare from vehicles on-site would negatively affect residentially designated properties to the east. (P)

___ _____ 32. **AQMD Approval.** The Developer shall provide evidence of acceptance by the Mojave Desert Air Quality Management District. (B)

___ _____ 33. **Light and Landscape District Annexation.** Developer shall annex property into the lighting and landscape district administered by the Hesperia Recreation and Parks District. The required forms are available from the Building Division and once completed, shall be submitted to the Building Division. (RPD)

CONDITIONS REQUIRED PRIOR TO FINAL:

___ _____ 34. **As-Built Plans.** The Developer shall provide as-built plans. (E)

___ _____ 35. **Public Improvements.** All public improvements shall be completed by the Developer and approved by the Engineering Department. Existing public improvements determined to be unsuitable by the City Engineer shall be removed and replaced. (E)

___ _____ 36. **Utility Clearance(s)/Certificate of Occupancy.** The Building Division will provide utility clearances on individual buildings after required permits and inspections and after the issuance of a Certificate of Occupancy on each building. Utility meters shall be permanently labeled. Uses in existing buildings currently served by utilities shall require issuance of a Certificate of Occupancy prior to establishment of the use. (B)

___ _____ 37. **On-Site Improvements.** All on-site improvements as recorded in these conditions, and as shown on the approved site plan shall be completed in accordance with all applicable Title 16 requirements. Any exceptions shall be approved by the Director of Development Services. (P)

IF YOU NEED ADDITIONAL INFORMATION OR ASSISTANCE REGARDING THESE CONDITIONS, PLEASE CALL THE APPROPRIATE DIVISION LISTED BELOW:

(P)	**Planning Division**	**947-1200**
(B)	**Building Division**	**947-1300**
(E)	**Engineering Division**	**947-1414**
(F)	**Fire Prevention Division**	**947-1012**
(RPD)	**Hesperia Recreation and Park District**	**244-5488**

City of Hesperia
STAFF REPORT

DATE: August 14, 2014

TO: Planning Commission

FROM: Dave Reno, AICP, Principal Planner

BY: Daniel S. Alcayaga, AICP, Senior Planner

SUBJECT: Tentative Tract TT14-00002 (TT-18941); TMS Consortium; APN: 3057-051-43

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2014-22, approving TT14-00002 (TT-18941).

BACKGROUND

Proposal: A tentative tract map to create 12 single-family residential lots on 2.5 gross acres (Attachment 1). The proposed zoning, as implemented through the Small Lot Subdivision Ordinance requires a minimum lot size of 4,500 square feet for projects less than 10 acres. The smallest lot within the subdivision is 4,908 square feet, the average lot size is 6,518 square feet, and the largest lot is 8,358 square feet in area. Only three lots are over 7,200 square feet.

Location: Approximately 300 feet south of Hollister Road, on the west side of Afton Avenue

Current General Plan and Land Uses: The site is within the Single-family Residence with a minimum lot size of 4,500 square feet (R1-4500) General Plan designation. The surrounding land is designated as noted on Attachment 2. The land to the north and east are vacant. An already developed small lot subdivision exists to the west and south (Attachment 3).

ISSUES/ANALYSIS:

Land Use: The site is within the R1-4500 General Plan designation which allows densities between 4.6 and 8.0 dwelling units per acre. The tentative tract would create 12 single-family residential lots on 2.5 gross acres, resulting in a density of 4.8 dwelling units per acre. The subdivision includes a 5,440 square foot lettered lot to be used as a retention basin. The tract will be developed in a single phase. All single-family residences within this subdivision will contain a minimum livable area of 1,400 square feet. The lots comply with the 4,500 square foot minimum lot size, as well as the 50-foot minimum lot width and the 75-foot minimum lot depth requirements.

The property in question and the two lots to the east are the only remaining properties in the immediate area without a land use entitlement. All other lots have already been developed, or approved for subdivision. The proposal is similar to what has already been developed and approved in this area. Tract No. 17441 exists to the west and south, and was approved with 46 lots, having lot sizes as small as 5,804 square feet and a density of 3.7 du/ac. Tentative Tract No. 17679 was approved to the north with 9 lots, having lot sizes as small as 6,111 square feet in area and a density of 3.6 du/ac. These tentative tracts were also approved under the City's small lot subdivision standards.

Drainage: All drainage created on-site beyond that which has occurred historically would be detained within a detention/retention basin (Lot A) within the tract. The Hesperia Recreation and Park District and the City will maintain this lettered lot upon improvement completion and dedication to the City of Hesperia. The retention basin will be enclosed with a six-foot high decorative fence and wall. A four-foot high wrought iron fence will sit atop of a two-foot high decorative masonry wall along the street side, and by a six-foot high decorative wall along the sides bounded by private property.

Water and Sewer: The single-family residential development will connect to the City's water and sewer system. The tract will connect to an existing 8-inch PVC water line in Afton Avenue, which is currently serving the tract to the south. Such water line will be extended across the project frontage and within the subdivision. The tract will also connect to an existing 8-inch sewer line that extends across the project frontage along Afton Avenue, and the developer will extend the sewer system throughout the proposed tract.

Street Improvements: Paved access to the site currently exists from Afton Avenue and Muscatel Street to the south. Afton Avenue will be constructed with full half-width street improvements along the project frontage. Full street improvements, including curb, gutter, and sidewalk will be constructed along the interior cul-de-sac.

Traffic: The project impacts on traffic are consistent with daily vehicle trips allowed by the current R1-4500 General Plan designation. According to standard vehicle generation numbers published by the Institute of Traffic Engineers, approval of the proposed 12 lot subdivision would create an estimated 115 daily vehicle trips (9.57 daily trips per dwelling unit). For comparison, Escondido Avenue, south of Main Street, experiences an average daily traffic of 10,833 vehicles.

Due to its size, the project alone will not result in changes to traffic patterns in the area. Per the 2010 General Plan Circulation Element, intersections at Main/Escondido and Ranchero/Escondido operate at a level of service B (Very Good Operation) in the AM peak hour. In the PM peak hour, the same intersections operate at a level of service C (Good Operation). It is expected that completion of the I-15/Ranchero Interchange will further improve overall circulation in the City. The existing roadway system, which will serve the tract, can support growth and development in this area.

In the long term, the City will have to construct capital improvements consistent with the Circulation Element, including widening arterials and collectors to ultimate capacity, redesigning intersections to operate more efficient, and synchronize signals along major roadways. New developments in the City will continue to construct street improvements necessary to make their projects work, as well as pay traffic impact fees. Traffic impact fees will be collected as development occurs, which will help fund the Capital Improvement Program.

Schools and Parks: The development is about ½ mile east from Mission Crest Elementary School, 1 mile north of Cedar Middle School, and 2 ½ miles south of Hesperia High School. The project is under a ½ mile from Malibu Park and the Rick Novak Community Center.

Other issues: The City Council determined during its January 17, 2007 workshop, that a minimum 1,400 square foot house size was appropriate. As a result, staff has included a condition requiring that a minimum 1,400 square foot livable house size be provided. In 2011, the City adopted architectural guidelines for new residential subdivisions. These guidelines match what was adopted in the Main Street and Freeway Corridor Specific Plan, and are designed to improve the overall appearance of homes and neighborhoods in new developments.

Environmental: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) by Section 15332, In-fill Development Projects. This exemption applies to developments on sites no larger than five acres, which are consistent with the General Plan and the applicable zoning district and are substantially surrounded by urban uses. Prior to issuance of a grading permit, a pre-construction survey conducted by an approved biologist shall be performed to determine whether the site contains burrowing owls.

Conclusion: The project conforms to the policies of the City's General Plan and meets the standards of the Development Code.

FISCAL IMPACT

Development will be subject to payment of development impact fees.

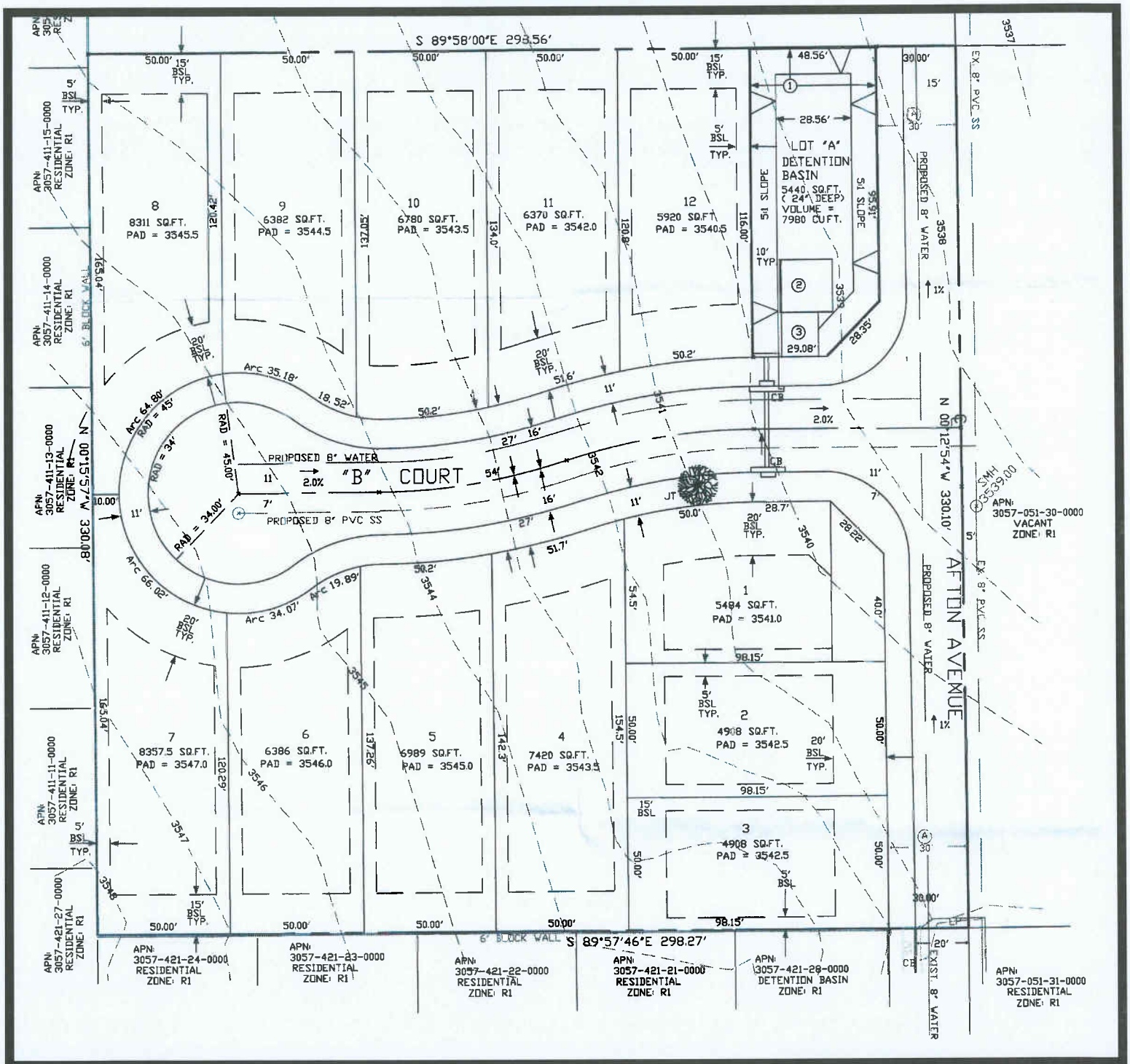
ALTERNATIVE

Provide alternative direction to staff.

ATTACHMENTS

1. Tentative Tract Map TT14-00002 (TT-18941)
2. General Plan Land Use Map
3. Aerial Photo
4. Resolution No. PC-2014-22, with Conditions of Approval

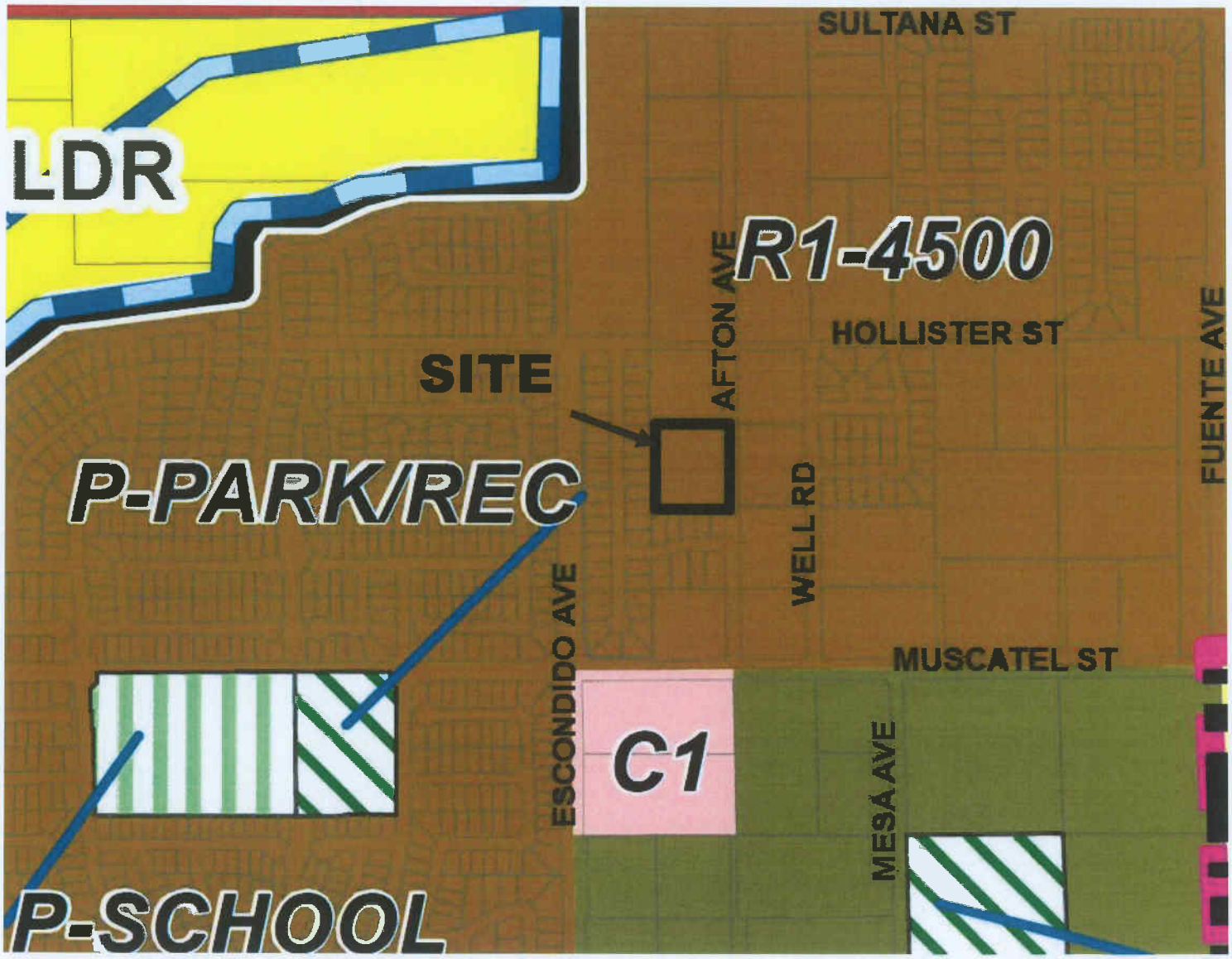
ATTACHMENT 1



APPLICANT (S): TMS CONSORTIUM	**FILE NO (S):** TT14-00002 (TT-18941)
LOCATION: APPROXIMATELY 300 FEET SOUTH OF HOLLISTER ROAD, ON THE WEST SIDE OF AFTON AVENUE	**APN (S):** 3057-051-43
PROPOSAL: CONSIDERATION OF A TENTATIVE TRACT MAP TO CREATE 12 SINGLE-FAMILY RESIDENTIAL LOTS ON 2.5 GROSS ACRES	**N** ↑

TENTATIVE TRACT MAP

ATTACHMENT 2



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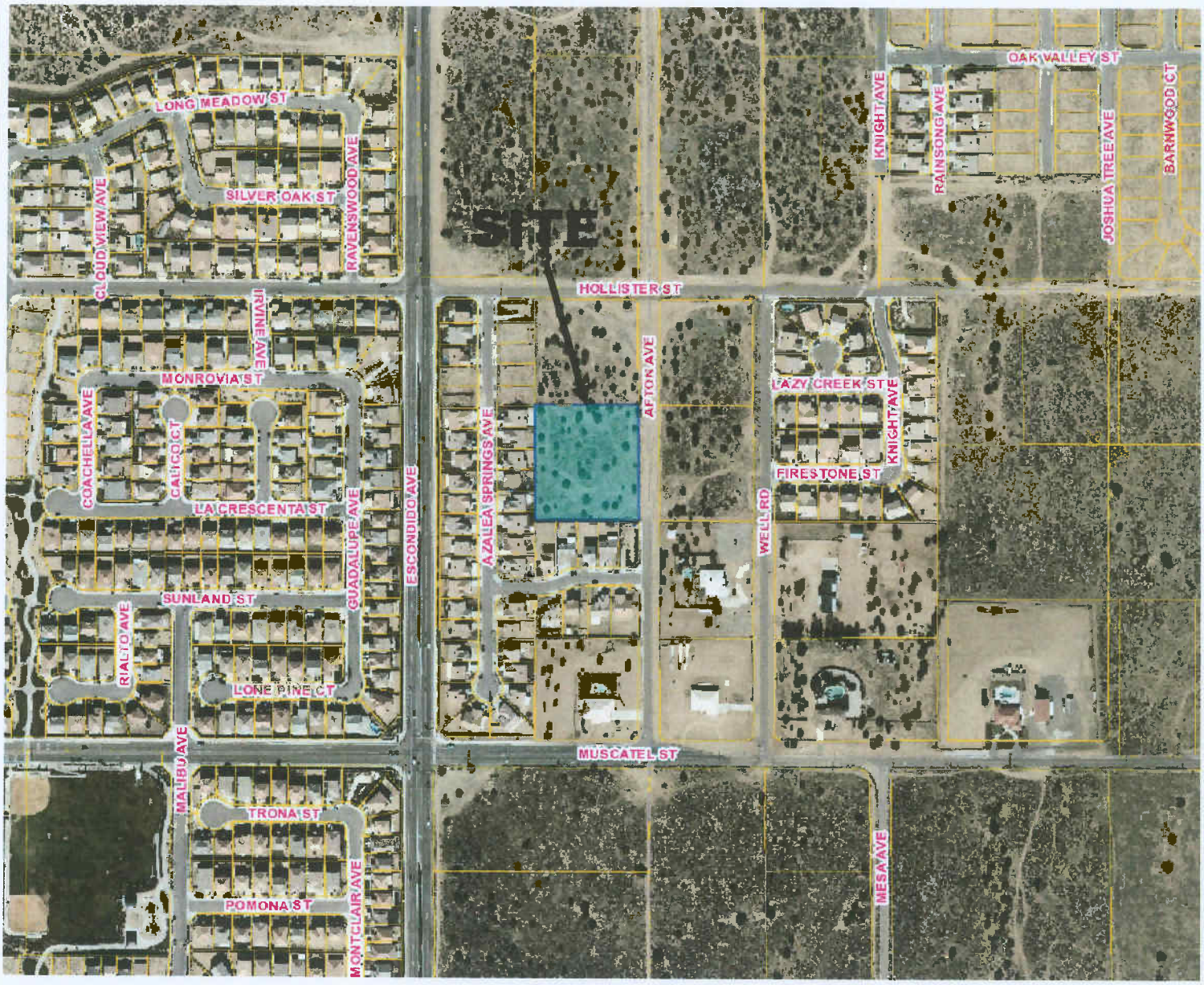
PROPOSAL: CONSIDERATION OF A TENTATIVE TRACT MAP TO CREATE 12 SINGLE-FAMILY RESIDENTIAL LOTS ON 2.5 GROSS ACRES	**N** ↑

GENERAL PLAN LAND USE MAP

ATTACHMENT 3



APPLICANT (S): TMS CONSORTIUM	**FILE NO (S):** TT14-00002 (TT-18941)
LOCATION: APPROXIMATELY 300 FEET SOUTH OF HOLLISTER ROAD, ON THE WEST SIDE OF AFTON AVENUE	**APN (S):** 3057-051-43
PROPOSAL: CONSIDERATION OF A TENTATIVE TRACT MAP TO CREATE 12 SINGLE-FAMILY RESIDENTIAL LOTS ON 2.5 GROSS ACRES	**N** ↑

AERIAL PHOTO

ATTACHMENT 4

RESOLUTION NO. PC-2014-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A TENTATIVE TRACT MAP TO CREATE 12 SINGLE-FAMILY RESIDENTIAL LOTS ON 2.5 GROSS ACRES ZONED R1-4500 LOCATED APPROXIMATELY 300 FEET SOUTH OF HOLLISTER ROAD, ON THE WEST SIDE OF AFTON AVENUE. TT14-00002 (TT-18941)

WHEREAS, TMS Consortium has filed an application requesting approval of Tentative Tract Map TT14-00002 (TT-18941) described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to 2.5 gross acres within the Single-family Residence with a minimum lot size of 4,500 square feet (R1-4500) designation located approximately 300 feet south of Hollister Road, on the west side of Afton Avenue and consists of Assessor's Parcel Number 3057-051-43; and

WHEREAS, the Application, as contemplated, proposes to create 12 single-family residential lots from 2.5 gross acres; and

WHEREAS, the subject site, as well as the land to the north and east are vacant. Single-family residences exist to the west and south; and

WHEREAS, the subject property as well as surrounding properties are designated R1-4500 on the City's Land Use map; and

WHEREAS, the project is categorically exempt from the requirements of the California Environmental Quality Act by Section 15332, In-fill Development Projects. This exemption applies to developments on sites no larger than five acres, which are consistent with the General Plan and the applicable zoning district and are substantially surrounded by urban uses; and

WHEREAS, on August 14, 2014, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed 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 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 this Commission during the above-referenced August 14, 2014, hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

(a) The site is physically suitable for the type of development because there are no known physical constraints to residential development and the site has adequate area to accommodate the proposed lots. The project site is currently undisturbed by physical development and the development is not required to demolish or build around existing improvements. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. There are no existing drainage courses or improvements that would prevent development on the site; and

(b) The site is physically suitable for the proposed density of development because the lots are adequate in size and shape and all Development Code regulations for the permitted uses can be met. The site is within the R1-4500 General Plan designation which allows densities between 4.6 and 8.0 dwelling units per acre. The tentative tract would create 12 single-family residential lots on 2.5 gross acres, resulting in a density of 4.8 dwelling units per acre. The proposed density is within the allowable density range required by the General Plan; and

(c) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat because the project site is surrounded by existing development and not known to have fish, wildlife or related habitat. The project is categorically exempt from the requirements of the California Environmental Quality Act by Section 15332, In-fill Development Projects. This exemption applies to developments on sites no larger than five acres, which are consistent with the General Plan and the applicable zoning district and are substantially surrounded by urban uses. Prior to issuance of a grading permit, a pre-construction survey conducted by an approved biologist will be performed to determine whether the site contains burrowing owls; and

(d) The design of the subdivision or type of improvements are not likely to cause serious public health problems because all construction will require necessary permits and will conform to the City's adopted building and fire codes. Prior to any ground disturbance, improvement plans for drainage, erosion, sewer, water, and circulation are required to be submitted to ensure on-site and off-site improvements are constructed to the latest standards. The project will connect to a reliable potable water source and connect to sewer ensuring sanitary disposal of wastewater. Upon development of the residences, each home will be required to have trash pickup service from the City's franchised waste hauler; and

(e) The design or improvement of the proposed subdivision is consistent with the General Plan of Hesperia as the project supports the existing land use and circulation pattern in the area; and

(f) The design of the subdivision provides to the extent feasible, passive or natural heating and cooling opportunities to each of the proposed lots. All single-family residences must meet the minimum energy efficiency standards in Title 24, which mandates building insulation, whole house fans, and light/ventilation systems to make the homes energy efficient. The tract was designed with "B" Court in an east-west fashion, which will position most of the homes to face north or south, making good use of natural light and creating opportunities for roof top solar systems. The City's solar energy ordinance allows residential properties to have solar energy systems.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Tentative Tract Map TT14-00002 (TT-18941), subject to the Conditions of Approval as set forth in ATTACHMENT "A."

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

ADOPTED AND APPROVED on this 14th day of August 2014.

_____
Chris Elvert, Chair, Planning Commission

ATTEST:

_____
Secretary, Planning Commission

ATTACHMENT 'A'

List of Conditions for Tentative Tract TT14-00002 (TT-18941):

Approval Date: August 14, 2014
Effective Date: August 26, 2014
Expiration Date: August 26, 2017

This list of conditions apply to a Tentative Tract to create 12 single-family residential lots on 2.5 gross acres zoned R1-4500 located approximately 300 feet south of Hollister Road, on the west side of Afton Avenue (APN: 3057-051-43).

This approval shall become null and void if a Final Map is not recorded within three (3) years of the effective date. Extensions of time may be granted upon submittal of the required application and fee prior to the expiration date.

(Note: The "Init" and "Date" spaces are for internal city use only).
Init Date

SUBMITTAL OF PUBLIC IMPROVEMENT PLANS SHALL INCLUDE THE FOLLOWING:

___ _____ 1. **Final Map.** A Final Map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor, based upon a survey, and shall conform to all provisions as outlined in Article 66433 of the Subdivision Map Act as well as the San Bernardino County Surveyor's Office Final Map Standards. (E)

___ _____ 2. **Plans.** All required plans shall be prepared by a registered Civil Engineer per City standards and to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review along with required checking fees. The Final Map, CDP, Improvement Plans, requested studies, and CFD annexation must be submitted as a package. (E)

___ _____ 3. **Drainage Study.** The Developer shall submit a Final Hydrology/Hydraulic study identifying the method of collection and conveyance of any tributary flows from off-site as well as the method of control for increased run-off generated on-site. (E)

___ _____ 4. **Title Report.** The Developer shall provide a complete title report 90-days or newer from the date of submittal. (E)

___ _____ 5. **Geotechnical Report.** The Developer shall provide two copies of the soils report to substantiate all grading, building and public improvement plans. Include "R" value testing and pavement recommendations for public streets. (E, B)

___ _____ 6. **N.P.D.E.S.** The Developer shall apply for the required NPDES (National Pollutant Discharge Elimination System) permit with the Regional Water Quality Control Board and pay applicable fees. (E)

___ _____ 7. **Storm Water Pollution Prevention Plan.** The Developer shall provide a Storm Water Pollution Prevention Plan (S.W.P.P.P.), which addresses the method of storm water run-off control during construction. (E)

___ _____ 8. **Plan Check Fees.** Plan checking fees must be paid in conjunction with the improvement plan submittal. The Final Map, CDP, improvement plans, requested studies, and CFD annexation must be submitted as a package. The Developer shall coordinate with the City's Engineering Department for any additional fees. Any outstanding fees must be paid before final inspection and the release of bonds. (E)

___ _____ 9. **Street Name Approval**. The Developer shall submit a request for street names for all of the interior streets for review and approval by the Building Division. (B)

___ _____ 10. **Indemnification.** As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration, mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether by the City Council, the Planning Commission, or other City reviewing authority), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on Applicant's project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City with counsel reasonably acceptable to the City. The City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

PRIOR TO RECORDATION OF ANY PHASE OF THE FINAL MAP:

___ _____ 11. **Lettered Lots.** Lettered lots shall be dedicated to the City of Hesperia ***IN FEE TITLE AND BY SEPARATE DOCUMENT*** for drainage, storm drain, retention basin, slope maintenance, and open space purposes. (E)

___ _____ 12. **Improvement Agreement/Surety.** The Developer shall execute Improvement and Grading Agreements and post surety for all public improvements. The amounts will be approved by the City Engineer. (E)

___ _____ 13. **Non-Vehicular Access.** Vehicular access rights shall be dedicated to the City of Hesperia, and labeled as N.V.A. on the Final map. (E)

___ _____ 14. **Off-Site Offer of Dedication and Easements.** Should off-site offers of dedication or easements be required for off-site improvements, it shall be the responsibility of the Developer to obtain such dedications or easements at no cost to the City, pursuant to Section 66462.5 of the Subdivision Map Act. (E)

___ _____ 15. **Dedications.** The Developer shall grant to the City of Hesperia an Irrevocable Offer of Dedication for roadways and Grant of Easement(s) for storm drain and utility purposes as shown on the approved tentative map and as described below: (E)

a. **Cul-De-Sac ("B" Court).** The Developer shall grant to the City an Irrevocable Offer of Dedication for "B" Court. Cul-De-Sac shall be a minimum of fifty-four (54') feet wide per City standards for a Suburban Cul-De-Sac 54' ROW Standard. **Corner cut-off right of way dedication per City standards is required at all intersections**. (E)

b. **Perimeter Street (Afton Avenue).** The Developer shall grant to the City an Irrevocable Offer of Dedication for Afton Avenue. The dedication shall be sixty (60') feet wide per the City standards for a Local Roadway Standard. It is the Developer's responsibility to obtain any additional Right-of-Way dedication needed to satisfy the 26' minimum paving requirement at no cost to the City. **Corner cut-off right of way dedication per City standards is required at all intersections**. (E)

___ _____ 16. **Cost Estimate and Materials List.** The Developer shall submit a cost estimate and materials list to the City's Engineering Department for all on-site and off-site public improvements per City standards.

___ _____ 17. **Grading Plan.** The Developer shall submit a Grading Plan with existing contours tied to an acceptable City of Hesperia benchmark. The grading plan shall indicate building "footprints" and proposed development of the retention basin(s) as a minimum. Site grading and building pad preparation shall include recommendations provided per the Preliminary Soils Investigation. All proposed walls shall be indicated on the grading plans showing top of wall (tw) and top of footing (tf) elevations along with finish grade (fg) elevations. Wall height from finish grade (fg) to top of wall (tw) shall not exceed 6.0 feet in height. Grading Plans are subject to a full review by the City of Hesperia and the City Engineer upon submittal of the Improvement Plans. (E)

___ _____ 18. **On-site Retention.** The Developer shall construct on-site retention facilities, which have minimum impact to ground water quality. All retention basins shall be designed to effectively handle both nuisance and storm water flows without accumulating standing water for a period longer than 72 hours. All dry wells in retention basins shall be Two Stage Systems per C.O.H Standard SP-1 with a minimum depth of 30' and a maximum depth to be determined by soils engineer at time of boring test. Retention basins over 18" in depth shall be fenced on all sides and shall have a paved 14-foot wide (min.), 12% (max.) access with a 20' x 20' concrete parking apron at bottom of ramp. The maximum depth of any on-site retention basin shall be 6 feet. Side slopes in excess of 3:1 shall provide erosion control per City requirements. (E)

___ _____ 19. **Off-Site Grading Letter(s).** It is the Developer's responsibility to obtain signed Off-Site Grading Letters from *any* adjacent property owner(s) who are affected by *any* off-site grading that is needed to make site work. The off-site grading letter(s), along with the latest grant deed(s), must be submitted and appropriate fees paid to the City's Engineering Department for plan check approval. (E)

___ _____ 20. **Street Improvements.** The Developer shall design street improvements in accordance with City standards, and these conditions. (E)

___ _____ 21. **Cul-De-Sac ("B" Court).** Developer shall construct a fifty-four (54') foot wide cul-de-sac per the City standards for a Suburban Cul-De-Sac, as indicated below. Curb face is to be at 16' from centerline: (E)

A. 6" Curb and Gutter per City standards.
B. Sidewalk (width = 4 feet) per City standards.
C. Handicapped ramps at all intersections per City standards.
D. Concrete residential driveway per City standards.
E. Full paved roadway section per soils report (minimum section 3" A.C. over 4" aggregate base)
F. Roadway drainage device(s).
G. Streetlights per City standards.

___ _____ 22. **Afton Avenue.** Developer shall construct half-width street improvements based on the City's sixty (60') foot wide Local Roadway Standard, as indicated below. Curb face is to be at 20' from centerline. The design shall be based upon an acceptable centerline profile extending a minimum of three hundred (300) feet beyond the project boundaries where applicable. These improvements shall consist of: (E)

A. 8" Curb and Gutter per City standards.
B. Sidewalk (width = 6 feet) per City standards.
C. Roadway drainage device(s).
D. Streetlights per City standards.
E. Intersection improvements including handicapped ramps per City standards.
F. Concrete residential driveway per City standards.
G. Pavement transitions per City Standards.
H. Design roadway sections per existing, approved street sections and per "R" value testing with a traffic index of 6 and per the soils report.
I. It is the Developer's responsibility to obtain any off-site dedications for transition tapers including acceleration/deceleration tapers and to satisfy the 26' minimum paving requirement per City standards.
J. Relocate existing overhead utilities to underground. The Developer shall coordinate with affected utility companies.

___ _____ 23. **Utility Plan.** The Developer shall design a Utility Plan for service connections, private hydrant locations and sewer connections. The Developer shall adjust any existing fire hydrants to grade that are affected by the construction of the proposed project improvements. (E)

___ _____ 24. **Utilities.** Utility plans shall be in accordance with City standards as described below: (E)

A. During construction, the entire tract shall have a "Master Water Meter" per City standards. The "Master Meter" shall remain in place until all lots are occupied, at which time the individual meters shall be set and activated per City standards.
B. "AMR" automatic meter reader to be added on all meter connections.

___ _____ 25. **Water Improvements.** The Developer shall design water improvements in accordance with City standards, and as indicated below. (E)

___ _____ 26. **Cul-De-Sac ("B' Court).** Interior water service shall be a looped system of 8" P.V.C. water lines with hydrants at 660-foot intervals, including loops through the cul-de-sacs utilizing utility easements. Water mains in easements shall be ductile iron pipe. All utility easements shall be 15-feet minimum in width on one lot unless it is shared with another utility, in which case 20 feet is required on one lot per City standards. It is the Developer's responsibility to obtain any dedication(s) or easement(s) needed to construct water line. **The Developer shall provide plan and profile per City standards.** (E)

___ _____ 27. **Perimeter Streets (Afton Avenue).** Install an 8" (min.) P.V.C. water main, across project frontage, from the 8" PVC stub out located at the southern tract boundary per City standards and City approval. Install hydrants at 660-foot intervals and stub-outs for future connections at the northern tract boundary per City standards. It is the Developer's responsibility to obtain any dedication(s) or easement(s) needed to construct water line. **The Developer shall provide plan and profile for connections to existing water mains per City standards.** (E)

___ _____ 28. **Sewer Improvements.** The Developer shall design sewer improvements in accordance with City standards, and as indicated below. (E)

___ _____ 29. **Cul-de-sac ("B" Court).** The Developer shall provide the appropriate on-site and off-site sewer lines necessary to serve the project per the City Engineer. The Developer is required to provide a minimum diameter of 8" S.D.R. 35 P.V.C. sewer lines within the tract. Any sewer easements that are required will be a minimum of 15 feet in width on one lot unless it is shared with another utility, in which case 20 feet on one lot is required. It is the Developer's responsibility to obtain any dedication(s) or easement(s) needed to construct sewer line. **The Developer shall provide plan and profile per City standards.** (E)

___ _____ 30. **Electronic Copies.** The Developer shall provide electronic copies of the approved project in AutoCAD format Version 2007 to the City's Engineering Department. (E)

___ _____ 31. **CFD Annexation.** The applicant shall annex the property into Community Facilities District CFD 94-01 concurrent with recordation of each phase of the final map. (F)

___ _____ 32. **Composite Development Plan**. Four (4) copies of a Composite Development Plan (CDP) shall be submitted to the Building Division for review and approval in accordance with Sections 17.20.010 thru 17.20.020 of the Hesperia Municipal Code. Information to be delineated on the CDP shall include: (E, P)

A. Building Setback Lines shall be provided in accordance with the R1-4500 zone district small lot subdivision regulations (front, street side, interior side and rear yard setbacks).
B. Grading Criteria.
C. All Easements of Record.
D. Incorporation of Special Map Requirements.

i. Each single-family residence within this subdivision shall contain a minimum livable area (excluding the area of the required garage) of not less than 1,400 square feet.

ii. A minimum of three different floor plans shall be provided, each with a minimum of three different elevations. At least one single story plan shall be provided.

iii. The rear and sides of buildings adjacent to streets shall have enhancements, which shall include a combination of color accents and tonal variations, window trim, shutters, architectural banding, pot shelves, rear balconies, varied setbacks, varied roof planes and elements, and breaks in the vertical facades to avoid boxy, plain appearances. Façade treatments on the fronts of all units shall wrap around the sides a minimum of two (2) feet.

E. Other notes required as follows:

a) The plan shall contain a section titled "Composite Development Plan Notes" which lists any conditions or mitigating measures stipulated for the development of the subject property.

b) The following statement shall be prominently displayed on each map sheet:

NOTES ON THIS PLAN ARE FOR INFORMATIONAL PURPOSES, TO INDICATE CONDITIONS AND CRITERIA THAT EXIST ON THIS PROPERTY THAT WERE KNOWN AND IDENTIFIED AS OF THE DATE THIS PLAN WAS FILED. THIS INFORMATION IS DERIVED FROM PUBLIC RECORDS AND IS NOT INTENDED TO AFFECT RECORD TITLE INTERESTS.

c) Any explanatory notes related to criteria delineated on the map shall include the following:
1) Title and date of report;
2) Name and credentials of person or firm preparing report;
3) The location where the reports are on file.

___ _____ 33. **Lighting and Landscaping District Annexation.** Developer shall annex property into the lighting and landscape district administered by the Hesperia Recreation and Parks District (HRPD) for public lighting, landscaping and detention/retention basin maintenance. Provide the District with the number of streetlights and their locations as shown upon the approved improvement plans. (RPD)

___ _____ 34. **Non-Vehicular Access.** Vehicular access rights along the street side yard of corner lots of lots shall be dedicated to the City of Hesperia, and labeled on the Final map. (E, P)

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY:

___ _____ 35. **Storm Water Pollution Prevention Plan.** The Developer shall implement the approved Storm Water Pollution Prevention Plan (S.W.P.P.P.), which addresses the method of storm water run-off control during construction prior to the Grading permit being issued. (E)

___ _____ 36. **Recordation of Final Map.** Final Map shall be approved by City Council and Recorded with the County of San Bernardino. (E)

___ _____ 37. **Approval of Improvement Plans.** All improvement plans shall be prepared by a registered Civil Engineer per City standards and shall be approved and signed by the City Engineer. (E)

___ _____ 38. **Cultural Resources.** If cultural resources are found during grading, then grading activities shall cease and the applicant shall contract with a City approved archaeologist or paleontologist to monitor grading prior to resuming grading. All cultural resources discovered shall be handled in accordance with state and federal law. Further, prior to completion of the project, the applicant shall submit a report describing the handling of all cultural resources. (P)

___ _____ 39. **Pre-construction Survey**. A pre-construction survey for burrowing owls shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading. (P)

___ _____ 40. **Protected Plants.** Three copies of a protected plant plan shall be submitted to the Building Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua Trees, and other plants protected by the State Desert Native Plant Act. The grading plan shall be consistent with the approved protected plant plan. No clearing or grading shall commence until the protected plant plan is approved and the site is inspected and approved for clearing. (B, P)

___ _____ 41. **Pre-construction Meetings.** Pre-construction meetings shall be held between the City, the Developer, grading contractors, and special inspectors to discuss permit requirements, monitoring and other applicable environmental mitigation measures required prior to ground disturbance and prior to development of improvements within the public right-of-way. (B, P)

___ _____ 42. **Landscaping/irrigation Plans.** The Developer shall submit three sets of landscape and irrigation plans including water budget calculations, required application fees, and completed landscape packet to the Building Division with the required application fees. The landscaping plans shall be for the required area along the street side yard and front yards of numbered lots, and within Lot A as required by the Planning Division. Plans shall utilize xeriscape landscaping techniques in conformance with the Landscaping Ordinance. The number, size, type and configuration of plants approved by the City shall be maintained in accordance with the Development Code. (P, RPD)

___ _____ 43. **Jurisdiction.** Prior to any construction occurring on any parcel, the applicant shall contact the San Bernardino County Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department. **[F-1]**

___ _____ 44. **Water System.** The water system shall meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using the California Fire Code.

The Fire Flow for this project shall be: 1,000 GPM for a 2 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 3,499 max. sq. ft. structure. [F-5]

___ _____ 45. **Access.** The development shall have a minimum of 2 points of vehicular access. These are for fire/emergency equipment access and for evacuation routes.

A. **Single Story Road Access Width**. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.

B. **Multi-Story Road Access Width**. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. **[F-41]**

___ _____ 46. **Turnaround.** An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12% grade and have a minimum of forty (40) foot radius for residential turns and forty five (45) foot radius for non-residential turns. **[F-43]**

___ _____ 47. **Combustible Protection**. Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy. [**F-44**]

___ _____ 48. **Water System Residential.** A water system approved by the Fire Department is required. The system shall be operational prior to any combustibles being stored on the site. Detached single family residential developments may increase the spacing between hydrants to be no more than six hundred (600) feet and no more than three hundred (300) feet (as measured along vehicular travel-ways) from the driveway on the address side of the proposed single family structure. **[F-54b]**

PRIOR TO BUILDING PERMIT ISSUANCE:

___ _____ 49. **Dust Control.** Dust control shall be maintained before, during, and after all grading operations. (B)

___ _____ 50. **Construction Waste.** The Developer or builder shall contract with the City's franchised solid waste hauler to provide bins and haul waste from the proposed development. At any time during construction, should services be discontinued, the franchise will notify the City and all building permits will be suspended until service is reestablished. The construction site shall be

maintained and all trash and debris contained in a method consistent with the requirements specified in Hesperia Municipal Code Chapter 15.12. All construction debris, including green waste, shall be recycled at Advance Disposal and receipts for solid waste disposal shall be provided prior to final approval of any permit. (B)

___ _____ 51. **Masonry Wall Plans.** A six-foot high split-face masonry wall with decorative cap shall be constructed on private property along the street side yard of corner lots in accordance with City standards. In addition, a six-foot high split-face masonry wall with decorative cap shall be constructed on private property adjacent to the lettered lot A from the rear property line to the minimum front yard setback. Two complete sets of engineered construction plans for the required walls shall be submitted to the Building and Safety counter for review. (P)

___ _____ 52. **Fencing Plans.** A combination four-foot high wrought iron fence and two-foot high split-face masonry wall shall be constructed on private property along the boundary of the retention basin in accordance with City standards (except along the boundary of the basin abutting private lots, where a six-foot high split-face masonry wall with decorative cap is required). Two complete sets of engineered construction plans for the required fencing shall be submitted to the Building and Safety counter. (P)

___ _____ 53. **Development Fees.** The Developer shall pay required development fees prior to building permit issuance as follows:

A. School Fees (B)

___ _____ 54. **Fire Sprinkler-NFPA #13D.** 4 head calculations An automatic life safety fire sprinkler system complying with NFPA Pamphlet #13D and the Fire Department standards is required for single family residential in excess of 10,000 sq ft. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit three (3) sets of detailed plans (minimum 1/8" scale) with hydraulic calculations and manufacturer's specification sheets to the Fire Department for approval. The required fees shall be paid at the time of plan submittal. Minimum water supply shall be a one (1) inch water meter. **[F-61a]**

___ _____ 55. **Street Sign.** This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. **[F72]**

___ _____ 56. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road. **[F80]**

CONDITIONS REQUIRED PRIOR TO OCCUPANCY OF ANY UNIT:

___ _____ 57. **Utility Relocation/Under grounding.** If Developer is required to install water, sewer, or construct street improvements or when required utilities shall be placed underground, it shall be the Developer's responsibility to relocate/underground any existing utilities at his/her's own expense. Relocation/under grounding of utilities shall be identified upon submittal of construction plans. (P, E, W/S)

___ _____ 58. **As-Built Plans.** The Developer shall provide as-built plans, Notice of Completion, and One-Year Maintenance Bonds to the Engineering/Water-Sewer Departments. (E)

___ _____ 59. **Public Improvements.** All public improvements shall be completed by the Developer and approved by the Engineering Department. Existing public improvements determined to be unsuitable by the City Engineer shall be removed and replaced.

___ _____ 60. **Model Home Complexes.** Model homes and sales trailers require approval of a Temporary Occupancy Permit. Building permits for the garage conversion to an office; signage, etc... shall be submitted and approved prior to their establishment. (P, B)

___ _____ 61. **Development Fees.** The Developer shall pay required development fees as follows:

A. Development Impact Fees (B)
B. Park Fees (B)
C. Utility Fees (E)

___ _____ 62. **Masonry Walls/Fencing.** The required masonry walls and wrought-iron fencing shall be completed in accordance with City standards. (P)

___ _____ 63. **Landscaping/irrigation.** The Developer shall install the landscaping and irrigation as required by the Planning Division. (P)

___ _____ 64. **Retention/Drainage Facilities.** The required retention basin(s) and other drainage facilities shall be completed in accordance with City standards. (E, P)

___ _____ 65. **Spark Arrestor.** An approved spark arrestor is required. Every chimney that is used in conjunction with any fireplace or any heating appliance in which solid or liquid fuel are used, shall have an approved spark arrestor visible from the ground that is maintained in conformance with the Uniform Fire Code. **[F87]**

IF YOU NEED ADDITIONAL INFORMATION OR ASSISTANCE REGARDING THESE CONDITIONS, PLEASE CONTACT THE APPROPRIATE DIVISION LISTED BELOW:

(P)	**Planning Division**	**947-1200**
(B)	**Building Division**	**947-1300**
(E)	**Engineering Division**	**947-1414**
(F)	**Fire Prevention Division**	**947-1012**
(RPD)	**Hesperia Recreation and Park District**	**244-5488**

City of Hesperia

CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE

City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, JULY 16, 2014

A. PROPOSALS:

1. LOS ANGELES SMSA LP (CUP14-00006)

Proposal: Consideration of a Conditional Use Permit to install a 63-foot wireless communications facility on an existing 93-foot Southern California Edison tower.

Location: South side of Mesquite St., west of Primrose Ave. (APN: 0405-371-53)

Planner: Lisette Sanchez-Mendoza

2. VERIZON WIRELESS (CUP14-00007)

Proposal: Consideration of a Conditional Use Permit to install a 33-foot high wireless communications facility on the roof of an existing building.

Location: 16555 Hercules Street (APN: 0407-052-02)

Planner: Stan Liudahl

3. MARIPOSA ROAD ASSOCIATES, LLC (SPR14-00001 & GPA14-00001)

Proposal: Consideration of a site plan review to construct a parking lot for a medical building and a General Plan Amendment to change the zoning from RR-1 to C-2 on a vacant lot.

Location: 11959 Mariposa Road (APN: 0406-013-22)

Planner: Daniel Alcayaga

City of Hesperia

CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE

City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, JULY 30, 2014

A. PROPOSALS:

1. Pearson, Nels (VAR14-00004)

Proposal: Consideration of a variance to construct a pool cover exceeding the accessory building area limitation.

Location: 13825 Coolidge Way (APN: 3046-221-74)

Planner: Lisette Sanchez-Mendoza

2. Juan Manuel Solorio (CUPR14-00007)

Proposal: Consideration of Revised Conditional Use Permit to establish an auto repair facility within an existing 3,660 square foot building.

Location: 16695 Spruce Street (APN: 0410-151-36)

Planner: Stan Liudahl

3. TMS Consortium (TT14-00001)

Proposal: Consideration of Tentative Tract Map TT-18942 to create 8 residential lots and a remainder.

Location: Afton Ave. (APN: 3046-011-14)

Planner: Daniel Alcayaga