PLANNING COMMISSION AGENDA

REGULAR MEETING

Date: May 12, 2016

Time: 6:30 P.M.

COMMISSION MEMBERS

Tom Murphy, Chair

William A. Muller, Vice Chair

Jim Heywood, Commissioner

Joline Bell- Hahn, Commissioner

Cody Leis, Commissioner

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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.

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May 12, 2016

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 Tom Murphy
   Vice Chair William Muller
   Commissioner James Heywood
   Commissioner Joline Bell-Hahn
   Commissioner Cody Leis

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: April 14, 2016, Planning Commission Meeting Draft Minutes. -1-

PUBLIC HEARINGS

1. Consideration of Conditional Use Permit CUP16-00003, to allow the sale of beer and wine for on-site consumption within a restaurant (Pancho's Mexican Restaurant) located at 16082 Main Street (Applicant: Delmy Hernandez; APN: 0413-043-26) 1-1

2. Consideration of Specific Plan Amendment SPLA16-00001 amending the Main Street and Freeway Corridor Specific Plan from Auto Sales Commercial (ASC) to Regional Commercial (RC) on 63 gross acres located on the southwest corner of Caliente and El Centro Roads (APN: 3039-441-20), and Specific Plan Amendment SPLA16-00002 from Neighborhood Commercial (NC) to Regional Commercial (RC) on 65 gross acres located on the south side of Ranchero Road east of Interstate 15 (Applicant: City of Hesperia; APNs: 0357-561-63, 65 & 66) 2-1

3. Consideration of Development Code Amendment DCA16–00002, amending the City's minimum floor area requirements for multiple-family units. (Applicant: City of Hesperia; APN's: Citywide) 3-1

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 4-1

F. Major Project Update

PLANNING COMMISSION BUSINESS OR REPORTS

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

ADJOURNMENT

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

I, Denise Bossard, Planning Commission Secretary for City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Monday, May 2, 2016 at 5:30 p.m. pursuant to California Government Code §54954.2.

Denise Bossard
Planning Commission Secretary

HESPERIA PLANNING COMMISSION MEETING
REGULAR MEETING
April 14, 2016
MINUTES

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

CALL TO ORDER 6:30 p.m.

Pledge of Allegiance to the Flag

Invocation

Roll Call:

Present: **Chair, Tom Murphy**
Vice Chair, William Muller
Commissioner, Joline Bell-Hahn
Commissioner, James Heywood
Commissioner, Cody Leis

JOINT PUBLIC COMMENTS

Chair Murphy opened Public Comments at 6:35 pm.
Chair Murphy closed Public Comments at 6:36 pm.

CONSENT CALENDAR

Approval of Minutes: March 24, 2016, Planning Commission Meeting Draft Minutes.

Motion by Joline Bell-Hahn to approve March 24, 2016, Planning Commission Meeting Draft Minutes as amended, Seconded by Cody Leis, passed with the following roll call vote:

AYES: **Tom Murphy, William Muller, Joline Bell-Hahn, James Heywood, and Cody Leis**
NOES: **None**

PUBLIC HEARING

1. **Consideration of Site Plan Review SPR16-00003 to construct a 96 unit senior apartment complex and Development Agreement DA16-00001 to provide a density bonus of 25 units on the west 4.7 gross acres of a 10 gross acre property, Site Plan Review SPR16-00004 to construct a 96 unit senior apartment complex and Development Agreement DA16-00002 to provide a density bonus of 16 units on the east 5.3 gross acres of a 10 gross acre property, and Tentative Parcel Map TPM16-00002 (TPM-19710) to create two parcels from an existing 10 gross acre parcel within the Medium Density Residential (MDR) zone of the Main Street and Freeway Corridor Specific Plan located on the north side of Avenal Street, approximately 900 feet east of Mariposa Road (Applicant: Eagle Hesperia 55, LLC; APN: 0405-072-42)**

Senior Planner, Daniel Alcayaga presented Item #1.
The Commission asked questions of staff with discussions ensuing.
Chair Murphy opened Public Hearing at 7:09 pm.
David Mlynarski of Transtech spoke.
Gary Miller of Miller Architectural Corporation spoke.
David Mlynarski of Transtech spoke further with discussions ensuing.
Chair Murphy closed the Public Hearing at 7:21 pm.
The Commission asked additional questions of staff with discussions ensuing.

Motion by Cody Leis to adopt Resolution Nos. PC-2016-06 as amended, approving Site Plan Review SPR16-00003, and Development Agreement DA16-00001, Resolution Nos. PC-2016-07 as amended, approving Site Plan Review SPR16-00004, and Development Agreement DA16-00002, and Resolution Nos. PC-2016-08, approving Tentative Parcel Map TPM16-00002. Seconded by Joline Bell-Hahn, passed with the following roll call vote:

AYES: Tom Murphy, William Muller, Joline Bell-Hahn, James Heywood, and Cody Leis
NOES: None

2. **Consideration of Conditional Use Permit CUP16-00002, to construct a 3,645 square foot mini-mart including the sale of alcoholic beverages (beer, wine and liquor) with 12 fuel dispensers and an automated 968 square foot carwash or a drive-thru restaurant and two 2,546 square foot drive-thru restaurants and Tentative Parcel Map TPMN16-00001 (PM-19723), to create three parcels on approximately 3.8 gross acres located on the southeast corner of Interstate 15 and Ranchero Road. (Applicant: Michael Gallagher; APN: 0357-561-65 & 66)**

Senior Planner, Stan Liudahl presented Item #2.
The Commission asked questions of staff with discussions ensuing.
Chair Murphy opened Public Hearing at 7:41 pm.
Developer, Mike Gallagher spoke on the project.
The Commission asked questions of Developer, Mike Gallagher with discussions ensuing.
James Hanna spoke on the project.
Keith Thompson spoke on the project.
Cherie Range spoke on the project.
Ray Rodriguez spoke on the project.
Pam Evins spoke on the project.
Chair Murphy closed the Public Hearing at 8:03 pm.
The Commission asked additional questions of staff and Developer, Mike Gallagher with discussions ensuing.

Motion by James Heywood to adopt Resolution Nos. PC-2016-09, and PC-2016-10, approving Conditional Use Permit CUP16-00002, and Tentative Parcel Map TPM16-00001, Seconded by Cody Leis, passed with the following roll call vote:

AYES: Tom Murphy, William Muller, Joline Bell-Hahn, James Heywood, and Cody Leis
NOES: None

PRINCIPAL PLANNER'S REPORT

Capital Improvement Program Report.

Principal Planner, Dave Reno presented the Capital Improvement Program.
The Commission asked questions of Principal Planner, Dave Reno with discussions ensuing.

Motion by James Heywood to adopt Resolution No. PC-2016-11, Capital Improvement Program, Seconded by Tom Murphy, passed with the following roll call vote:

AYES: Tom Murphy, William Muller, Joline Bell-Hahn, James Heywood, and Cody Leis
NOES: None

DRC Comments

Principal Planner, Dave Reno commented on upcoming DRC Projects.

Major Project Updates

No update provided.

PLANNING COMMISSION BUSINESS OR REPORTS

Chair Murphy thanked the audience for coming.

ADJOURNMENT

The meeting adjourned at 8:40 pm until May 12, 2016.

Tom Murphy,
Chair

By: Denise Bossard,
Commission Secretary

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City of Hesperia
STAFF REPORT

DATE: May 12, 2016

TO: Planning Commission

FROM: Dave Reno, AICP, Principal Planner

BY: RL Ryan Leonard, AICP, Associate Planner

SUBJECT: Conditional Use Permit CUP16-00003; Applicant: Delmy Hernandez; APN: 0413-043-26

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2016-15, approving CUP16-00003.

BACKGROUND

Proposal: A Conditional Use Permit to allow the sale of beer and wine for on-site consumption within a restaurant (Pancho's Mexican Restaurant).

Location: 16082 Main Street

Current General, Plan, Zoning and Land Uses:

The site is within the Pedestrian Commercial (PC) zone of the Main Street and Freeway Corridor Specific Plan (Attachment 1). The surrounding land is designated as noted on Attachment 2. The restaurant will occupy an existing 2,091 square foot stand-alone building that has historically been used as a restaurant space. Adjacent properties to the north, east and west are vacant. Surrounding properties to the south, on the opposite side of Main Street, are developed with a mix of retail buildings.

ISSUES/ANALYSIS:

Land Use: Pancho's Mexican Restaurant will be opening a new restaurant at 16082 Main Street and would like to sell beer and wine as part of its dining service. The owner of the restaurant has an existing location in Victorville that also serves beer and wine. The Main Street and Freeway Corridor Specific Plan requires approval of a Conditional Use Permit (CUP) for the sale of alcohol. The applicant has applied for a Type 41 license with the California Department of Alcoholic Beverage Control (ABC), which allows for on-site (on-sale) sales of beer and wine.

The proposal is situated within Census Tract 100.14, which is bounded by Mesa Street to the north, Main Street to the south, Seventh Street to the west, and the BNSF Railroad to the east (Attachment 3).

ABC allows a maximum of three on-sale licenses within Census Tract 100.14. However as shown in Table 1 below, there are currently three active on-sale licenses within this census tract. Therefore approval of CUP16-00003 will exceed the limitation of three licenses and ABC will require that the City make a finding of public convenience and necessity (Attachment 4). Two of the three existing uses serving alcoholic beverages onsite are also restaurants.

Table 1: Existing On-Sale Licenses in Census Tract 100.14

Status	Business Name	Business Address	Type of License
Active	The Italian Kitchen.	16409 Yucca St.	47-Beer, Wine, & Liquor (Eating place)
Active	Casa Delicious	9436 Hesperia Rd	41-Beer & Wine
Active	VFW Joshua Palms Post 2924	10184 Hesperia Rd	52-Veterns Club

The closest establishments similar in nature to the proposed site are Los Domingo's Mexican Restaurant which is located approximately 0.5 miles to the west, and Las Islas Marias Restaurant, which is located approximately 0.25 miles to the east. An on-sale license that permits the sale of beer and wine is necessary in order to allow the restaurant to be competitive with existing restaurants and meet customer demand.

Staff believes that a finding of public convenience and necessity can be made to obtain an additional license in an over-concentrated tract. Specifically, Main Street is a major commercial corridor that provides convenient shopping and dining services. The restaurant will be located within the PC zone of the Main Street and Freeway Corridor Specific Plan which is intended to be a center of activity in the downtown portion of Hesperia. This zone in particular is intended to encourage a mix of uses that generate activity during daytime, evening and weekend hours and that create a vibrant atmosphere and convenient location for residents. It is the City's intent to continue to attract commercial developments, including sit-down restaurants in this area, which will necessitate exceedence of ABC's standards for on-sale licenses.

Schools and Parks: Mesa Grande Elementary School is located approximately 0.4 miles south of this restaurant. The restaurant is less than 0.5 miles from Civic Plaza Park.

Environmental: This project is exempt from the California Environmental Quality Act (CEQA) per Section 15301, Existing Facilities.

Conclusion: The over-concentration of alcohol sales along Main Street is based on ABC's criteria. However, when determining over-concentration within the City, staff's recommendation is based on the City's concentration of commercial land uses primarly along Main Street, Bear Valley Road, and Hesperia Road. It is a public convenience and necessity to have a mix of different restaurants within the PC zone, serving City residents within the downtown area. Approval of alcoholic beverage licenses is supportive of the land uses intended within the PC zone.

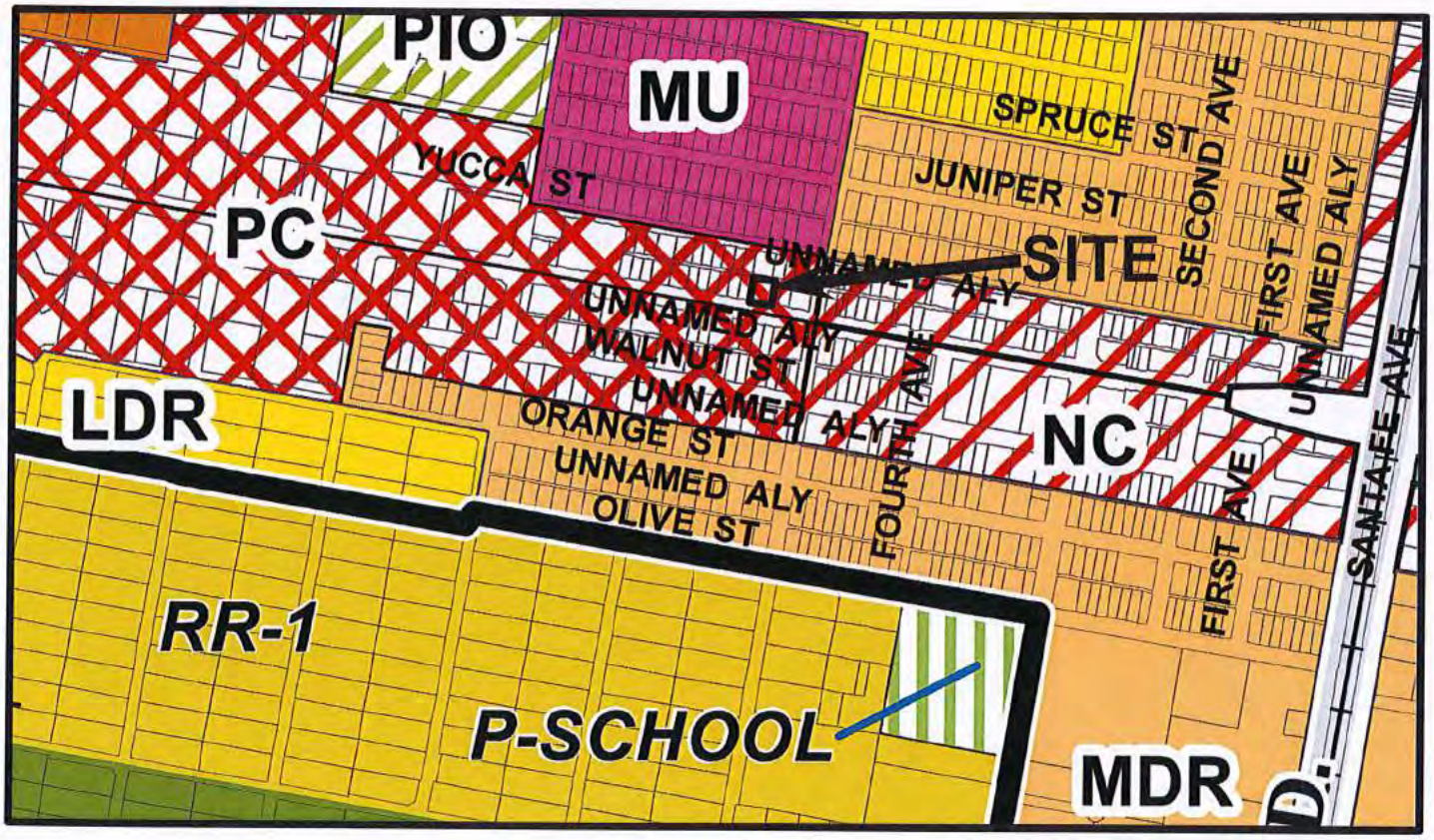
ALTERNATIVE

1. Provide alternative direction to staff.

ATTACHMENTS

1. General Plan
2. Aerial photo
3. Census Tract Map
4. Resolution No. PC-2016-15, with list of conditions

ATTACHMENT 1



APPLICANT(S): DELMY HERNANDEZ	**FILE NO(S):** CUP16-00003
LOCATION: 16082 MAIN STREET	**APNs:** 0413-043-26
PROPOSAL: CONSIDERATION OF CONDITIONAL USE PERMIT CUP16-00003, TO ALLOW THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION WITHIN A RESTAURANT (PANCHO'S MEXICAN RESTAURANT).	N ↑

GENERAL PLAN MAP

ATTACHMENT 2

APPLICANT(S): DELMY HERNANDEZ	**FILE NO(S):** CUP16-00003
LOCATION: 16082 MAIN STREET	**APNs:** 0413-043-26
PROPOSAL: CONSIDERATION OF CONDITIONAL USE PERMIT CUP16-00003, TO ALLOW THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION WITHIN A RESTAURANT (PANCHO'S MEXICAN RESTAURANT).	N ↑

AERIAL PHOTO

ATTACHMENT 3

APPLICANT(S): DELMY HERNANDEZ	**FILE NO(S):** CUP16-00003
LOCATION: 16082 MAIN STREET	**APNs:** 0413-043-26
PROPOSAL: CONSIDERATION OF CONDITIONAL USE PERMIT CUP16-00003, TO ALLOW THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION WITHIN A RESTAURANT (PANCHO'S MEXICAN RESTAURANT).	N ↑

CENSUS TRACT MAP

ATTACHMENT 4

RESOLUTION NO. PC-2016-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, TO ALLOW THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION WITHIN A RESTAURANT AT 16082 MAIN STREET (CUP16-00003)

WHEREAS, Delmy Hernandez has filed an application requesting approval of Conditional Use Permit CUP16-00003 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to a restaurant at 16082 Main Street and consists of Assessor's Parcel Number 0413-043-26; and

WHEREAS, the Application, as contemplated, proposes to establish the sale of beer and wine as part of a restaurant; and

WHEREAS, the subject site is presently developed as a 2,091 square foot stand-alone building. The surrounding properties to the north, east and west are vacant. Commercial development exists on the opposite side of Main Street to the south; and

WHEREAS, the subject property as well as the surrounding properties are within the Pedestrian Commercial (PC) Zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan); and

WHEREAS, the project is categorically exempt from the requirements of the California Environmental Quality Act by Section 15301, Existing Facilities; and

WHEREAS, on May 12, 2016, the Planning Commission of the City of Hesperia conducted a hearing on the Application and concluded said hearing on that date; and

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

NOW THEREFORE, BE IT RESOLVED 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 May 12, 2016 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

(a) The proposed on-sale sales of alcohol in conjunction with a restaurant is a conditionally allowed use within the PC Zone District of the Specific Plan and complies with all applicable provisions of the Specific Plan and Development Code. The proposed use would not impair the integrity and character of the surrounding neighborhood. The site is suitable for the type and intensity of the use that is proposed. The expansion of the restaurant is restricted to the sale of alcoholic beverages (beer and wine only).

(b) The proposed use would not create significant noise, traffic or other conditions or situations that may be objectionable or detrimental to other allowed uses in the vicinity or be adverse to the public convenience, health,

safety or general welfare. The proposed serving of beer and wine as part of the dining experience will not have a detrimental impact on adjacent properties.

(c) The proposed use is consistent with the objectives, policies, land uses and programs of the Specific Plan, General Plan, and Development Code. The proposed use will take place within an existing stand-alone restaurant. The sale of alcohol (beer and wine only) is consistent with the allowable uses within the PC Zone of the Specific Plan with approval of a conditional use permit.

(d) There are adequate provisions for sanitation, public utilities and general services to ensure the public convenience, health, safety and general welfare. The proposed use will occur within an existing building with adequate infrastructure. The existing transportation infrastructure is adequate to support the type and quantity of traffic that will be generated by the proposed use.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Conditional Use Permit CUP16-00003, 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 12th day of May 2016.

_____
Tom Murphy, Chair, Planning Commission

ATTEST:

_____
Denise Bossard, Secretary, Planning Commission

ATTACHMENT 'A'

List of Conditions for Conditional Use Permit CUP16-00003

Approval Date: May 12, 2016
Effective Date: May 24, 2016
Expiration Date: May 24, 2019

This list of conditions apply to a Conditional Use Permit to allow the sale of beer and wine for on-site consumption within a restaurant (Pancho's Mexican Restaurant) at 16082 Main Street. Any change of use or expansion of area may require approval of a revised conditional use permit application (Applicant: Delmy Hernandez; APN: 0413-043-26).

The sale of beer and wine shall not occur 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

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

___ _____ 1. **Valid License.** At all times during the conduct of the use allowed by this permit, the use shall obey all laws and shall maintain and keep in effect valid licensing from appropriate local, state and/or federal agencies as required by law. Should such required licensing be denied, expire or lapse at any time in the future, this permit shall become null and void. (P)

___ _____ 2. **Permit Revocation.** In the event the use hereby permitted under this permit is: (a) found to be in violation of the terms and conditions of this permit; (b) found to have been obtained by fraud or perjured testimony; or (c) found to be detrimental to the public health, safety or general welfare, or a public nuisance; this permit shall become null and void. (P)

___ _____ 3. **Employee Age.** All employees selling alcohol must be at least 21 years of age. (P)

___ _____ 4. **ABC Requirements.** The use must comply with the permit process and requirements set forth by the State of California, Alcoholic Beverage Control. (P)

___ _____ 5. **Alcohol Consumption.** Alcoholic beverages shall not be consumed outside the restaurant nor on any property adjacent to the licensed premises under the control of the licensee. This includes all sidewalks and the parking lot. (P)

___ _____ 6. **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)

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**

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City of Hesperia
STAFF REPORT

DATE: May 12, 2016

TO: Planning Commission

FROM: Dave Reno, AICP, Principal Planner

BY: Daniel Alcayaga, AICP, Senior Planner

SUBJECT: Regional Commercial Specific Plan Amendment at the Ranchero Interchange

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RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution Nos. PC-2016-13 and PC-2016-14, recommending that the City Council introduce and place on first reading an ordinance to amend the Main Street and Freeway Corridor Specific Plan from the Auto Sales Commercial (ASC), and Neighborhood Commercial (NC) zone districts to the Regional Commercial (RC) zone district.

BACKGROUND

The City of Hesperia has filed Specific Plan Amendment SPLA16-00001 to amend the Main Street and Freeway Corridor Specific Plan from Auto Sales Commercial (ASC) to Regional Commercial (RC) on 63 gross acres located on the southwest corner of Caliente and El Centro Roads (APN: 3039-441-20), and Specific Plan Amendment SPLA16-00002 from Neighborhood Commercial (NC) to Regional Commercial (RC) on 65 gross acres located on the south side of Ranchero Road east of Interstate 15 (APNs: 0357-561-63, 65 & 66).

The City began land-use planning along freeway corridor during development of its first General Plan after incorporation in 1988. Since that time, three land-use planning efforts occurred. First, the interim plan was completed in 1989. The interim plan was included with the City's original General Plan, adopted in 1991. Secondly, the Oak Hills Community Plan was adopted in 2002, and finally, the Main Street and Freeway Corridor Specific Plan was adopted in 2008. The Freeway Corridor Plan established regional commercial and commercial industrial business park zoning along the majority of the freeway corridor. This land-use pattern was established with the intent to create local jobs and sales tax producing businesses. These land uses were recognized when the City completed a comprehensive revision to its General Plan in 2010.

Aside from the Main Street interchange, the most important location along the freeway corridor is the Ranchero interchange. As part of the freeway corridor plan, the City established auto sales commercial zoning on three of the four quadrants surrounding the interchange. These locations were identified where new car dealers could possibly locate within Hesperia and not conflict with market areas established by most of the existing car dealers within the City of Victorville. The fourth quadrant on the southeast is intended for neighborhood commercial uses, assuming that homebound traffic would stop to shop before heading for residential areas to the east.

Ranchero Road is classified as an east-west arterial roadway, extending from the freeway to Arrowhead Lake Road. Its main purpose is to carry commuters from the freeway into Hesperia and further east into Apple Valley. After many years, this purpose became realized with the completion of the Ranchero underpass in 2013. Finally, in 2015, the Ranchero interchange was completed.

ISSUES/ANALYSIS

Although the City planned for automotive related uses at the Ranchero interchange, very little interest has been expressed from car dealers, as well as property owners. As a result, the City commissioned a retail leakage surplus analysis. This analysis examined 11 different major store types and determined whether the Victor Valley was adequately served by each type of business. Since the survey area included a 60-minute drive time from the Ranchero interchange, it included all the car dealerships in the Victor Valley. The study concluded that the Victor Valley was adequately served by motor vehicle parts stores and car dealers. This explains why little interest has been shown to locate new car dealers in Hesperia. As a result, the City, as well as property owners are interested in marketing this location for other kinds of businesses. Revising the zoning to regional commercial would provide for the widest possible range of new businesses that could be located at this interchange.

State law actually provides for a 10 mile market area for existing dealerships to challenge a new dealership offering the same line of vehicles. This is to protect the substantial investment of existing dealers (particularly new car dealers) from attempts by manufacturers using other franchisees to cut into their market share. Among the criteria for a challenge, is the amount of business transacted by the franchisee as compared to the business available to the franchisee. As mentioned above, the Victor Valley is well served by car dealers and most existing franchisees can make a convincing case that new dealers offering duplicate lines of products would not be supported.

Environmental Analysis

The primary issue associated with this Specific Plan amendment is traffic. Staff prepared a comparison of the existing and proposed land uses and expected trip generation. This is because the Floor Area Ratio (FAR) permitted in the regional commercial zone is .23 versus .15 FAR are permitted in the ASC zone. This would permit approximately 630,000 SF of building area, versus only 411,000 SF in the ASC zone. As discussed in the initial study and shown in the table below, daily trips under the proposed regional commercial zone in the northwest quadrant will be more than double what is currently anticipated under the auto sales commercial zone.

Land Use	Trips ratio per day	Total Trips/Difference
Shopping centers (631,184 SF)	42.70 per 1000 floor area	26,951
Auto Sales (411,642 SF)	32.30 per 1000 floor area	13,296
		13,655

However, Caliente Road is designated as an arterial roadway and sufficient roadway capacity is exists along Caliente Road and the I-15/Ranchero freeway interchange to handle the traffic as a result of the Specific Plan amendment.

Further, the the southbound ramps at Ranchero Road and I-15 will continue to operate at LOS B both during the AM and PM peak hour at buildout. The southbound offramp's I-15 Ranchero Road will operate at LOS B both during AM and PM peak hour as well. It is not expected that the Specific Plan amendment will cause these offramp's to become deficient.

Traffic impacts from the proposed Specific Plan amendment from Neighborhood Commercial to Regional Commercial on the southeast quadrant are expected to be very similar because in the uses permitted in the Regional Commercial zone are already permitted in the Neighborhood Ccommercial zone. The new uses are primarily hospitals, hotels and mixed-use development that includes multi-family residential. In all of these cases, the expected traffic impacts from these new uses are far less than the traffic impacts anticipated from retail uses.

Land Use	Trips ratio per day	Total Trips
Shopping centers (651,222 SF)	42.70 per 1000 floor area	27,807
Hospitals (100 beds,120,000 SF)	6.95 per 1000 floor area	834
Hotels (100 rooms)	8.92 per room	892
Multi-family Res. (100 DU's)	6.65 dwelling unit	665

The remaining environmental impacts can all be addressed upon examination of actual development projects. The properties within the Main Street and Freeway Corridor Specific Plan provides for design standards and performance requirements for all new development. Mitigation will be applied to each project as appropriate in the form of payment of development impact fees, design requirements, architectural improvements and landscaping. Future development of the area will conform to the City's General Plan and Development Code.

ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENT(S)

1. Initial Study, ND16-00003
2. Resolution No. PC-2016-13
3. Resolution No. PC-2016-14

ATTACHMENT 1

PLANNING DIVISION
9700 Seventh Avenue, Hesperia, California 92345
(760) 947-1224 FAX (760) 947-1221

NEGATIVE DECLARATION ND16-00003
Preparation Date: April 20, 2016

Name or Title of Project: Specific Plan Amendments SPLA16-00001 and SPLA16-00002.

Location: On 63 gross acres located on the southwest corner of Caliente and El Centro Roads (APN: 3039-441-20) and on 65 gross acres located on the south side of Ranchero Road east of Interstate 15 (APNs: 0357-561-63, 65 & 66).

Entity or Person Undertaking Project: City of Hesperia.

Description of Project: Consideration of Specific Plan Amendment SPLA16-00001 amending the Main Street and Freeway Corridor Specific Plan from Auto Sales Commercial (ASC) to Regional Commercial (RC) on 63 gross acres located on the southwest corner of Caliente and El Centro Roads (APN: 3039-441-20), and Specific Plan Amendment SPLA16-00002 from Neighborhood Commercial (NC) to Regional Commercial (RC) on 65 gross acres located on the south side of Ranchero Road east of Interstate 15 (APNs: 0357-561-63, 65 & 66).

Statement of Findings: The City Council has reviewed the Initial Study for this proposed project and has found that there are no significant adverse environmental impacts to either the man-made or physical environmental setting and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

Mitigation Measures:
1. None

A copy of the Initial Study and other applicable documents used to support the proposed Mitigated Negative Declaration is available for review at the City of Hesperia Planning Department.

Public Review Period: April 22, 2016 through May 17, 2016.

Adopted the City Council: _____.

Attest:

_____
DAVE RENO, AICP, PRINCIPAL PLANNER

CITY OF HESPERIA INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM

PROJECT DESCRIPTION

1. **Project Title:** Specific Plan Amendments SPLA16-00001 and SPLA16-00002

2. **Lead Agency Name:** City of Hesperia Planning Division
   Address: 9700 Seventh Avenue, Hesperia, CA 92345.

3. **Contact Person:** Dave Reno, AICP, Principal Planner
   Phone number: (760) 947-1253

4. **Project Location:** The SPLA from Auto Sales Commercial (ASC) to Regional Commercial (RC) on 63 gross acres is located on the southwest corner of Caliente and El Centro Roads (APN: 3039-441-20), and the SPLA from Neighborhood Commercial (NC) to Regional Commercial (RC) on 65 gross acres is located on the south side of Ranchero Road east of Interstate 15 (APNs: 0357-561-63, 65 & 66).

5. **Project Sponsor:** City of Hesperia
   Address: 9700 Seventh Avenue, Hesperia, CA 92345

6. **General Plan & zoning:** The site is currently within the auto sales commercial (ASC) and Neighborhood Commercial (NC) Zone Districts of the Main Street and Freeway Corridor Specific Plan (Specific Plan)

7. **Description of project:**

   The project consists of two specific plan amendments. The first proposes to go from Auto Sales Commercial (ASC) to Regional Commercial (RC) on 63 gross acres located on the southwest corner of Caliente and El Centro Roads (APN: 3039-441-20), and the second from Neighborhood Commercial (NC) to Regional Commercial (RC) on 65 gross acres located on the south side of Ranchero Road east of Interstate 15 (APNs: 0357-561-63, 65 & 66). The sites are within the Main Street and Freeway Corridor Specific Plan (Specific Plan), which allows a variety of nonresidential development at the interchange. The site is currently vacant and is accessed by Ranchero Road and Mariposa Road. The proposed land uses are consistent with the realignment of Caliente Road and Mariposa Road which occurred with the construction of the Ranchero Road Interchange.

8. **Surrounding land uses and setting:** (Briefly describe the project's surroundings.) The properties to the north are within the Auto Sales Commercial (ASC), the properties to the south and east are within the Rural Residential with a minimum lot size of 2½ acre (RR-2½) zone, and the properties to the west are within the Regional Commercial (RC) General Plan Land Use designation. The properties to the south and west are unincorporated, but are within the City's sphere of influence. The site is currently vacant. Single-family residences exist to the south and east. The properties to the north and west are also vacant as shown on Attachment "A."

9. **Other public agency whose approval is required** (e.g., permits, financing approval, or participation agreement.) None.

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

	Aesthetics		Agriculture & Forestry Resources		Air Quality
	Biological Resources		Cultural Resources		Geology / Soils
	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology / Water Quality
	Land Use / Planning		Mineral Resources		Noise
	Population / Housing		Public Services		Recreation
	Transportation / Traffic		Utilities / Service Systems		Mandatory Findings of Significance

DETERMINATION: (Completed by the Lead Agency)
On the basis of this initial evaluation:

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

Signature
Dave Reno, AICP, Principal Planner, Hesperia Planning Division

9-20-16
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
    a. Earlier Analysis Used. Identify and state where they are available for review.
    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting information sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
    a. The significance criteria or threshold, if any, used to evaluate each question; and
    b. The mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista **(1 & 2)**?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway **(1 & 2)**?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings **(1, 2, 3 & 4)?**				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area **(5)**?				X

Comments.
The subject property is currently vacant and is adjacent to Interstate 15, Ranchero Road, and existing single-family residences to the south and east **(1 & 2)**. Consequently, the site is not considered a scenic resource. The site contains frontage on Ranchero Road, Caliente Road and Mariposa Road. Neither roadway is a scenic highway nor is the site in close proximity to any scenic resources or historic buildings. Approval of the proposed specific plan amendments will allow development of a wider variety of regional commercial uses at this interchange.

The proposed specific plan amendments will not have any adverse impact to the aesthetics of the area, as the development is subject to the Main Street and Freeway Corridor Specific Plan (Specific Plan) development standards **(6)**, which limit the building height and provide for minimum yard and floor area limitations as implemented through the site plan review process. Although commercial development will produce additional light and glare, any light or glare produced would be similar to that already being produced by the nearby residences **(1 & 5)**. Consequently, nonresidential development of the site will not degrade the existing visual character or quality of the site and its surroundings.

The proposal is consistent with the nonresidential development intent of the current General Plan Land Use plan. The proposed Regional Commercial (RC) Zone District of the Specific Plan allows nonresidential development with a maximum Floor Area Ratio of 0.23. This, as well as the building setbacks, building height, landscaping, and architectural standards ensure that future development of the site will be aesthetically pleasing.

The Land Use plan within the General Plan identifies large areas where future residential, commercial, and industrial development will occur. The Hesperia General Plan's PEIR analyzed the impact of development upon aesthetics with build-out of the Land Use Element. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with the cumulative impacts **(7)**. Approval of any project consistent with the General Plan will create no additional development impact beyond that identified within the General Plan PEIR. Approval of the proposed specific plan amendments will not allow development of the site. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Therefore, approval of this project will not have any impact upon aesthetics.

II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and State Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use **(2 & 8)**?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract **(6, 8 & 9)**?				X
c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) **(8 & 10)**?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use **(1, 8 & 11)**?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use **(1, 2 & 8)**?				X

Comments.

The project site is not presently, nor does it have the appearance of containing previous agricultural uses. The soil at this location is classified by the U.S. Soil Conservation Service as *Hesperia loamy fine sand, two to five percent slopes*. This soil is limited by high soil blowing hazard, high water intake rate, low available water capacity, and low fertility **(11)**. Further, the limited size of the property (approximately 128 gross acres), as well as the proximity of commercial and residential uses, do not make this site viable for agriculture. Consequently, the property's value for crop production is marginal.

According to the City of Hesperia General Plan and the Main Street and Freeway Corridor Specific Plan (Specific Plan), no agriculture-specific land use exists within the project site. The land is not within a Williamson Act contract and is currently within the auto sales commercial (ASC) and Neighborhood Commercial (NC) Zone Districts **(8 & 10)**. Furthermore, approval of the proposed project will not allow development of the site. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Therefore, approval of the specific plan amendments would not have an impact upon agricultural resources.

The City and its Sphere Of Influence (SOI) is located within the Mojave bioregion, primarily within the urban and desert land use classes **(12)**. The southernmost portions of the City and SOI contain a narrow distribution of land within the shrub and conifer woodland bioregions. These bioregions do not contain sufficient forest land for viable timber production and are ranked as low priority landscapes **(13)**. The project site is located in the western portion of the City within an urban area and is substantially surrounded by urban development **(1)**. During the nineteenth century, juniper wood from Hesperia was harvested for use in fueling bakery kilns. Use of juniper wood was discontinued when oil replaced wood

in the early twentieth century **(10)**. Local timber production has not occurred since that time. As previously mentioned, approval of the proposed specific plan amendments will not allow development of the site. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Therefore, this project will not have an impact upon forest land or timberland.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan **(14, 15 & 16)**?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation **(14, 15 & 16)**?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors) **(14, 15 & 16)**?				X
d) Expose sensitive receptors to substandard pollutant concentrations **(2, 14 & 15)**?				X
e) Create objectionable odors affecting a substantial number of people **(1, 2, 14 & 15)**?				X

Comments.
All uses identified within the Hesperia General Plan are classified as area sources by the Mojave Desert Air Quality Management District (MDAQMD). Programs have been established in the MDAQMD Air Quality Attainment Plan which address emissions caused by area sources **(15)**. The Land Use plan within the General Plan identifies large areas where future residential, commercial, and industrial development will occur. The proposed specific plan amendments are consistent with the overall intent of the Land Use plan as well as the Main Street and Freeway Corridor Specific Plan (Specific Plan).

The Hesperia General Plan's Program Environmental Impact Report (PEIR) analyzed the impacts upon air quality. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with the cumulative impacts **(7)**. Inasmuch as this project is consistent with the overall intent of the adopted Land Use plan, development of the approximately 128 gross acre site will cause no additional environmental impact beyond that identified within the General Plan PEIR. Furthermore, the proposed specific plan amendments will not allow development of the site. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Therefore, approval of the proposed project will not create any emissions and will therefore have no impact upon air quality.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service **(8 & 17)**?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service **(1, 8, 17 & 18)**?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means **(1, 8, 17 & 18)**?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites **(1, 8 & 18)**?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance **(10, 19 & 20)**?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan **(10, 21 & 18)**?				X

Comments.

The site is not expected to contain any state or federally listed endangered, threatened or any other special-status species, given its urban location. Specifically, it is not expected to support the Mohave ground squirrel, given the very low population levels of the species in the region and proximity to existing development. Further, the project site is outside the area considered suitable habitat for the species **(21)**. The desert tortoise is also not expected to inhabit the site, given the site's proximity to Interstate 15, Mariposa Road and Ranchero Road **(1)**. The site is also outside the range of the arroyo toad, which has been documented to inhabit a portion of the Rancho Las Flores Specific Plan and adjacent areas approximately seven miles to the southeast **(22)**.

RCA Associates, Inc. prepared a Biological Report for approximately 50 of the 65 acres of SPLA16-00002, as part of the review of the previously approved commercial parcel map. The study concluded that no sensitive species or special habitats were observed on the site including desert tortoise, Mojave ground squirrel, burrowing owls, or any other special-status species **(17)**. The biological report states that none of these nor any other threatened or endangered species inhabit the site. However, due to the unpredictability of the burrowing owl, a pre-construction survey shall be conducted by a City approved, licensed biologist, as part of review any new entitlement, as well as no more than 30 days prior to commencement of grading.

A protected plant plan was also prepared. This plan concluded that the approximately 50 gross acre site contains 19 Joshua Trees, of which only 2 are healthy and capable of being transplanted. This protected plant plan will ensure that the 2 Joshua Trees will be relocated or protected in place **(20)**. The other 17 Joshua Trees will not be protected are unsuitable for transplanting and/or are unhealthy. The two transplantable Joshua Trees will be relocated or protected in place prior to development.

The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These two vegetation communities; the Southern Sycamore Alder Woodland and the Mojave Riparian Forest communities; exist within the Rancho Las Flores Specific Plan and vicinity **(23)**. The project site is located over six miles to the northwest, within a developed portion of the City. Approval of the Tentative Parcel Map will not result in construction. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Consequently, approval of the proposed specific plan amendments will not have an impact upon biological resources.

V. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 **(24)**?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 **(24)**?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature **(25)**?				X
d) Disturb any human remains, including those interred outside of formal cemeteries **(26)**?				X

Comments.

Based upon a site visit and review of the aerial photos, there is no evidence that historic resources exist within the approximately 128 gross acre project site. In addition, the site is not on the list of previously recorded cultural resources **(24)**. This list, which was compiled as part of the 2010 General Plan Update; was compiled from the inventory of the National Register of Historic Properties, the California Historic Landmarks list, the California Points of Historic Interest list, and the California State Resources Inventory for San Bernardino County. In addition, the South Central Coastal Information Center determined that prior to land disturbance a cultural resource study will be required **(27)**. Based upon this report, paleontological resources may exist on the project site. Further, the Cultural Resources Sensitivity Map indicates that the site has a high sensitivity potential for containing cultural resources **(25)**. Consequently, a cultural resource survey shall be required prior to development of the site.

In the event that human remains are discovered during grading activities, grading shall cease until the County Coroner has made the necessary findings in accordance with the California Environmental Quality Act (CEQA) **(28)**. Should the Coroner determine that the remains are Native American, the Native American Heritage Commission (NAHC) shall be contacted and the remains shall be handled in accordance with Public Resources Code Section 5097.98. The NAHC has indicated that the City and its Sphere of Influence do not contain any sacred lands **(29)**. Approval of the specific plan amendments will not result in construction. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Consequently, approval of the specific plan amendments will not have any impact upon cultural resources.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42 **(30, 31 & 32)**.				X
ii) Strong seismic ground shaking **(33 & 34)**?				X
iii) Seismic-related ground failure, including liquefaction **(11 & 33)**?				X
iv) Landslides **(33)**?				X
b) Result in substantial soil erosion or the loss of topsoil **(11)**?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse **(11 & 33)**?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property **(11)**?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater **(11)**?				X

Comments.

The project site contains generally flat topography with slopes of between two and five percent. No large hills or mountains are located within the project site. The state geologist has identified (zoned) several faults in California for which additional geologic studies are required. According to Exhibit SF-1 of the General Plan Safety Element, no active faults are known or suspected to occur adjacent to or within the project site or its vicinity and the site is not within an Alquist-Priolo Special Studies Zone or Earthquake Fault Zone **(30)**. The City and Sphere of Influence (SOI) is near several major faults, including the San Andreas, North Frontal, Cleghorn, Cucamonga, Helendale, and San Jacinto faults **(30)**. The nearest fault to the site is the Cleghorn fault, located approximately seven miles to the south.

The Alquist-Priolo Earthquake Fault Zoning Act prohibits structures designed for human occupancy within 500 feet of a major active fault and 200 to 300 feet from minor active faults **(34)**. The project site is not located in an Alquist-Priolo Earthquake Fault Zone or within 500 feet of a fault **(30)**. Further, the soil at this site does not have the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse **(13)**.

The soil at this location is identified as Hesperia loamy fine sand, two to five percent slopes **(11)**. This soil is limited by high soil blowing hazard, high water intake rate, and moderate to high available water capacity. The site's shallow slope and moderately rapid permeability negates the potential for soil instability.

As a function of obtaining a building final, future nonresidential buildings will be built in compliance with the Main Street and Freeway Corridor Specific Plan and Hesperia Municipal Code **(6)** and the 2013 Building Code, which ensures that the structures will adequately resist the forces of an earthquake. In

addition, prior to issuance of a grading permit, a soil study is required, which shall be used to determine the load bearing capacity of the native soil. Should the load bearing capacity be determined to be inadequate, compaction or other means of improving the load bearing capacity shall be performed in accordance with all development codes to assure that all structures will not be negatively affected by the soil. Approval of the specific plan amendments will not result in construction. Prior to grading or construction, approval of a land use application will be required. Consequently, the proposed specific plan amendments will have no impact upon geology and soils.

VII. GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment **(36)**?				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases **(36, 37 & 38)**?				X

Comments.
Assembly Bill 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California's greenhouse gas emissions to 1990 levels by 2020. In addition, Senate Bill 97 requires that all local agencies analyze the impact of greenhouse gases under CEQA and task the Office of Planning and Research (OPR) to develop CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions..."

On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). The Natural Resources Agency forwarded the adopted amendments and the entire rulemaking file to the Office of Administrative Law (OAL) on December 31, 2009. On February 16, 2010, OAL approved the Amendments, which became effective on March 18, 2010 **(38)**. This initial study has incorporated these March 18, 2010 Amendments.

Lead agencies may use the environmental documentation of a previously adopted Plan to determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements of the Plan or mitigation program under specified circumstances. As part of the General Plan Update, the City adopted a Climate Action Plan (CAP)**(36)**. The CAP provides policies along with implementation and monitoring which will enable the City of Hesperia to reduce greenhouse emissions 28 percent below business as usual by 2020, consistent with AB 32 **(37)**.

Development of the subject property will not increase greenhouse gas (GHG) emissions beyond that analyzed within the General Plan Update Environmental Impact Report (GPUEIR). Further, approval of the specific plan amendments will not result in construction. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Consequently, the proposed specific plan amendments will have no impact upon GHG emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials **(2 & 39)**?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment **(2 & 39)**?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school **(2)**?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment **(2)**?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area **(40)**?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area **(40)**?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan **(41)**?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands **(42)**?				X

Comments.
The proposed project does not involve the transport, use, or disposal of hazardous materials **(2)** and is consistent with the Hesperia Emergency Evacuation Plan **(41)**. However, the transport, storage and use of hazardous materials and wastes are controlled by state and local regulations and laws that have been deemed adequate to reduce the potential for risk of hazardous conditions associated with these materials to a less than significant level.

The following is a list of the facilities identified on the County's list of hazardous sites:

- 14651 Cedar, 92345 - Lake Silverwood SRA
- 18525 Bear Valley Road, 92345 - Mojave Rock and Sand
- 13105 W. Main Street, 92345 - Shell Service Station
- 15787 W. Main Street, 92345 - Goodyear Tire & Rubber
- 15853 Main Street, 92345 – Gas Station with Convenience Store
- 11612 Mariposa, 92345 - US Rentals
- 9531 E. Santa Fe Street, 92345 - Hesperia Towing

The project site is not listed in any of the following hazardous sites database systems, so it is unlikely that hazardous materials exist on-site:

- National Priorities List www.epa.gov/superfund/sites/query/basic.htm. List of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or

contaminants throughout the United States. There are no known National Priorities List sites in the City of Hesperia.

- Site Mitigation and Brownfields Reuse Program Database www.dtsc.ca.gov/database/Calsites/Index.cfm. This database (also known as CalSites) identifies sites that have known contamination or sites that may have reason for further investigation. There are no known Site Mitigation and Brownfields Reuse Program sites in the City of Hesperia.
- Resource Conservation and Recovery Information System www.epa.gov/enviro/html/rcris/rcris_query_java.html. Resource Conservation and Recovery Information System is a national program management and inventory system of hazardous waste handlers. There are 53 Resource Conservation and Recovery Act facilities in the City of Hesperia, however, the project site is not a listed site.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) (http://cfpub.epa.gov/supercpad/cursites/srchsites.cfm). This database contains information on hazardous waste sites, potentially hazardous waste sites, and remedial activities across the nation. There is one Superfund site in the City of Hesperia, however, the project site is not located within or adjacent to the Superfund site.
- Solid Waste Information System (SWIS) (http://www.ciwmb.ca.gov/SWIS/Search.asp). The SWIS database contains information on solid waste facilities, operations, and disposal sites throughout the State of California. There are three solid waste facilities in the City of Hesperia, however the project site is not listed.
- Leaking Underground Fuel Tanks (LUFT)/ Spills, Leaks, Investigations and Cleanups (SLIC) (http://geotracker.waterboards.ca.gov/search/). This site tracks regulatory data about underground fuel tanks, fuel pipelines, and public drinking water supplies. There are fourteen LUFT sites in the City of Hesperia, six of which are closed cases. The project site is not listed as a LUFT site and there are no SLIC sites in the City of Hesperia.
- There are no known Formerly Used Defense Sites within the limits of the City of Hesperia. Formerly Used Defense Sites http://hq.environmental.usace.army.mil/programs/fuds/fudsinv/fudsinv.html.

The site is not expected to contain any hazardous wastes, as the area has no history of commercial development, let alone a previous hazardous waste site **(1 & 42)**. Consequently, future development of the properties within the proposed project area would not likely pose a health hazard. The site is also over five miles west of the Hesperia Airport and is not within a restricted use zone associated with air operations. No safety hazards to people or air operations associated with implementation of the project can be identified **(40)**.

The project is located within an urbanized area and is not in an area susceptible to wildland fires **(42 & 43)**. Approval of the specific plan amendments will not result in construction. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Consequently, the proposed specific plan amendments will have no impact upon or be impacted by hazards and hazardous materials.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements **(44 & 45)**?				X

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted) **(46 & 47)**?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site **(48)**?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site **(2 & 48)**?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff **(49)**?				X
f) Otherwise substantially degrade water quality **(49)**?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map **(2, 42, 50 & 51)**?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows **(2, 42 & 51)**?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam **(2, 42 & 52)**?				X
j) Inundation by seiche, tsunami, or mudflow **(42)**?				X

Comments.
Development of the parcels proposed as part of the specific plan amendments will disturb more than one-acre of land area and may change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff. Although the site is west of a planned major drainage facility, it is at a higher elevation and will not be impacted. Further, the site is also not within a Flood Zone, based upon the latest Flood Insurance Rate Maps **(54)**.

Since greater than one-acre of land will be disturbed when this site is developed, the developer will be required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge Elimination System (NPDES) permit prior to land disturbance **(53)**. Issuance of a Storm Water Pollution Prevention Plan (SWPPP) will also be required, which specifies the Best Management Practices (BMP) that will be implemented to prevent construction pollutants from contacting storm water **(53)**. Obtaining the NPDES and implementing the SWPPP is required by the State Water Resources Control Board (WRCB) and the California Regional Water Quality Control Board (RWQCB). These are mandatory and NPDES and SWPPP have been deemed adequate by these agencies to mitigate potential impacts to water quality during construction. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Consequently, approval of the specific plan amendments will not cause any impact upon water supply or water quality.

The City is downstream of three dams. These are the Mojave Forks, Cedar Springs, and Lake Arrowhead Dams. In the event of a catastrophic failure of one or more of the dams, the project site would not be inundated by floodwater **(53)**. The areas most affected by a dam failure are located in the low lying areas of southern Rancho Las Flores, most of the Antelope Valley Wash, and properties near the Mojave River.

The City of Hesperia is located just north of the Cajon Pass at an elevation of over 2,500 feet above sea level, which is over 60 miles from the Pacific Ocean **(55)**. The subject property exhibits between a two and five percent slope. In addition, the water table is significantly more than 50 feet from the surface. The area north of Summit Valley contains steep slopes which have the potential to become unstable during storm events **(56)**. Therefore, the mechanisms necessary to create a mudflow; a steep hillside with groundwater near the surface, do not exist at this location.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(57)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere Of Influence (SOI). The UWMP indicates that the City is currently using less than half of its available water supply and that supply is projected to exceed demand beyond the year 2030 **(47)**. The HWD has maintained a water surplus through purchase of water transfers, allocations carried over from previous years, and recharge efforts. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Consequently, approval of the proposed specific plan amendments will have no impact upon or be impacted by hydrology or water quality.

X. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community **(1 & 2)**?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect **(8 & 9)**?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan **(23)**?				X

Comments.
The site is currently vacant and is within the Neighborhood Commercial Zone District of the Main Street and Freeway Corridor Specific Plan **(1 & 8)**. The proposed specific plan amendments are also consistent with the development intent for nonresidential land uses land uses in proximity to the freeway interchange and will not physically divide an established community. The General Plan Land Use plan identifies large areas where future residential, commercial, and industrial development will occur. The zone districts under consideration for this project include:

Neighborhood Commercial (NC). This zone provides areas for day-to-day shopping and services to the residents of nearby neighborhoods. Examples of uses allowed in the NC zone include banks,

grocery stores, gyms, personal services, and restaurants. Hotels and motels are not permitted within the NC zone. The zone allows home improvement stores and shopping centers, except requires a CUP for improvement stores exceeding 10,000 square feet in floor area and shopping center on more than 5 acres. Office and veterinary services are uses that are allowed in the NC zone.

Auto Sales Commercial (ASC). The ASC is intended for auto malls or auto sales related uses including automobiles, trucks, RVs, boats, trailer dealerships to be located prominently along the Interstate-15 corridor. The intended use is for outdoor and vehicle sales and display of vehicles. Restaurant, vehicle repair and car washes are considered primary uses. Retail sales less than 10,000 square feet are allowed provided such uses are related to vehicle sales and leasing. Vehicle service stations are permitted with approval of a CUP. Additional uses are allowed in the ACS zone when located 660 feet way from the I-15. These uses include warehouse, manufacturing (indoors), offices, equipment sales and retail, and retail sales ancillary to manufacturing.

Regional Commercial (RC). In both Specific Plan Amendments, the intended zone is RC. The RC zone is intended for commercial services that serve the region as a whole, such as "big box" shopping centers, hospitality and entertainment uses. Similar to the NC zone, allowable uses in the RC include banks, grocery stores, gyms, personal services, and restaurants. Unlike the NC zone, home improvement stores are permitted by right and shopping centers over 10 acres require a CUP. Assemblies of people (i.e. live performances, auditoriums, banquet halls, nightclubs), as well as hotels and motels are permitted by right in the RC zone. Both the NC and RC zones permit vehicle service stations, vehicle repair shops, vehicle sales, and car washes with approval of a CUP. Hospitals are allowed with approval of a CUP. Multi-family residential project as part of a mixed use development are also permitted with approval of a CUP.

The Hesperia General Plan's PEIR analyzed the land use impact upon build-out of the Land Use Element. Based upon the analysis, the City Council adopted a Statement of Overriding Considerations dealing with the cumulative impacts **(7)**. The primary issue associated with this Specific Plan amendment is traffic. Staff prepared a comparison of the existing and proposed land uses and expected trip generation. This is because the floor area ratio (FAR) permitted in the regional commercial zone is .23 versus .15 FAR permitted in the ASC zone. This would permit approximately 630,000 SF of building area, versus only 411,000 SF in the ASC zone. As discussed in the traffic section, daily trips under the proposed regional commercial zone in the northwest quadrant, will be more than double what is currently anticipated under the auto sales commercial zone.

Traffic impacts from the proposed specific plan amendment from Neighborhood commercial to regional commercial on the southeast quadrant are expected to be very similar. Because in the uses permitted in the regional commercial zone are already permitted in the neighborhood commercial zone. The new uses are primarily hospitals, hotels and mixed-use development that includes multi-family residential. In all of these cases, the expected traffic impacts from these new uses this far less than the traffic impacts are ready anticipated retail uses.

Land Use	Trips ratio per day	Total Trips
Shopping centers (651,222 SF)	42.70 per 1000 floor area	27,807
Hospitals (100 beds,120,000 SF)	6.95 per 1000 floor area	834
Hotels (100 rooms)	8.92 per room	892
Multi-family Res. (100 DU's)	6.65 dwelling unit	665

Inasmuch as the project will result in an increase in land use intensity beyond that currently allowed by the adopted Land Use plan, impact of development beyond that identified within the General Plan PEIR

can be addressed by the application of design standards, architectural requirements and performance standards to be applied when individual uses are reviewed and approved.

The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest community, exist within the Rancho Las Flores Specific Plan and vicinity. The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan **(22)**. The project site is located approximately five miles northwest of these sensitive vegetation communities, in a developed portion of the City. Therefore, the proposed specific plan amendments will not have a significant impact upon land use and planning.

XI. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state **(58)**?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan **(58)**?				X

Comments.
According to data in the Conservation Element of the City's General Plan, no naturally occurring important mineral resources occur within the project site **(58)**. Known mineral resources within the City and sphere include sand and gravel, which are prevalent within wash areas and active stream channels. Sand and gravel is common within the Victor Valley. Although the project contains a wash, which contains sand and gravel, the mineral resources within the property are not unique locally or regionally and need not be preserved. Consequently, the proposed specific plan amendments would not have an impact upon mineral resources.

XII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies **(1, 2 & 59)**?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels **(59 & 60)**?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project **(61)**?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project **(61)**?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels **(8 & 62)**?				X

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels **(8 & 62)**?				X

Comments.
Development of the property will ultimately result in both construction noise and operational noise, mostly associated with trucks and vehicular traffic to and from the site. According to the General Plan, the majority of noise sources within the City are mobile sources, which include motor vehicles and aircraft **(59)**. Freeways, major arterials, railroads, airports, industrial, commercial, and other human activities contribute to noise levels. Noises associated with the project area, after nonresidential development is completed, will be mostly from traffic caused by workers and customers arriving and departing in passenger vehicles. Other vehicles, such as mail delivery, truck delivery and other services will also occur. Based upon the General Plan Land Use Element, noise associated with Interstate 15 will exceed the noise level of the future nonresidential uses allowed by the Specific Plan. Therefore, the noise impact of the site will not pose a significant impact upon the area **(63)**.

The project site is over two miles northwest of the Hesperia Airport. At this distance, the site is not impacted by any safety zones associated with this private airport **(62)**. The project site is much farther from the Southern California Logistics Airport (SCLA) and the Apple Valley Airport and will not be affected by any safety zones for these airports.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the noise impact upon build-out of the General Plan to the maximum allowable density permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with noise impacts **(7)**. Inasmuch as the proposed specific plan amendments are consistent with the intent of the adopted Land Use plan, no additional impact beyond that identified within the General Plan PEIR would occur. Besides, no development will occur due to approval of the specific plan amendments. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Consequently, the impact of the proposed project will not result in an additional noise impact or be impacted negatively by noise.

XIII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) **(1, 2 & 8)**?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere **(1, 2 & 8)**?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere **(1 & 2)**?				X

Comments.
The proposed specific plan amendments are consistent with the general intent of the General Plan Land Use designation and zoning, which, which encourages a variety of nonresidential development **(1, 2 & 8)**. The properties to the north and west are within the Auto Sales Commercial (ASC) and Regional Commercial (RC) Zones of the Main Street and Freeway Corridor Specific Plan, respectively and the properties to the south and east are designated Rural Residential with a minimum lot size of 2 ½ acres (RR-2½).

The General Plan Land Use plan identifies large areas where future residential, commercial, and industrial development will occur. The Hesperia General Plan's PEIR analyzed the impact of development to the maximum allowable density/intensity upon build-out of the Land Use Element. Based upon the analysis, the City Council adopted a Statement of Overriding Considerations dealing with the cumulative impacts **(7)**. Inasmuch as approval of the proposed specific plan amendments will not result in development, the project will not increase the population in the area. Consequently, no additional impact of development beyond that identified within the General Plan PEIR would occur.

The site is in close proximity to existing water and other utility systems **(64)**. Although they are not connected, sewer lines were installed within Mariposa Road and Ranchero Road as part of the Ranchero Road Interchange project. As a result, development of the site would not require significant extension of major improvements to existing public facilities. The site is vacant and is identified for development of nonresidential land uses **(1 & 8)**. Therefore, the project will not displace any existing housing, necessitating the construction of replacement housing elsewhere. Inasmuch as this project is consistent with the commercial development intent for the freeway corridor, no additional impact beyond that identified within the General Plan PEIR would occur. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. As such, the proposed specific plan amendments will have no impact upon population and housing.

XIV. PUBLIC SERVICES.	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services **(65)**:				X
Fire protection? **(65)**				X
Police protection? **(65)**				X
Schools? **(65)**				X
Parks? **(65)**				X
Other public facilities? **(65)**				X

Comments.
Ultimate development of the site will create an increase in demand for public services **(2)**. However, that increase is consistent with the anticipated increase in services as part of the General Plan Update Environmental Impact Report (GPUEIR). The site will be served by water lines adequate to serve the

development and street improvements will be required to be constructed in accordance with the General Plan **(64)**. Additionally, development impact fees will be assessed at the time that building permits are issued for construction of each parcel **(66)**. These fees are designed to ensure that appropriate levels of capital resources will be available to serve any future development. Prior to issuance of a building permit for development of any portion of the site, approval of a site plan review, conditional use permit, or other land use application is required. Therefore, the approval of the proposed specific plan amendments will have no impact upon public services.

XV. RECREATION.	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated **(2)**?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment **(2)**?				X

Comments.
The specific plan amendments will not cause any change in the need for recreational facilities **(2)**, as its approval will not result in any development. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Development impact fees will be assessed at the time that building permits are issued for construction of buildings. The City collects impact fees for the Recreation and Park District. Portions of these impact fees are to be used for construction of additional park facilities and/or to provide for increased recreational services. Inasmuch as recordation of the subdivision will not allow for any construction, approval of the project will have no impact upon recreational facilities.

XVI. TRANSPORTATION / TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit **(67)**?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways **(68 & 69)**?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks **(40)**?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) **(1 & 2)**?				X

e) Result in inadequate emergency access **(1 & 2)**?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities **(70)**?				X

Comments.
The project parcels front upon Ranchero Road, Caliente Road and Mariposa Road. All these roads are designated on the General Plan Traffic Circulation Plan, which identifies the arterial road network **(71)**. The project site is located approximately five miles from the Hesperia Airport and is not within an airport safety zone **(62)**. Consequently, development of the site will not cause a change in air traffic patterns nor an increase in traffic levels or location. The project site will also not impact the air traffic patterns for the Southern California Logistics Airport nor the Apple Valley Airport.

SPLA from ASC to RC (63 acres)

This portion of the project is located within the ASC Zone, which allows a maximum Floor Area Ratio (FAR) of 0.15. Based upon development of an auto mall to the maximum allowable FAR on the 63 gross acres zoned ASC, a maximum of 411,642 square feet of gross building floor area is allowed. The Institute of Transportation Engineers' (ITE) Trip Generation Manual estimates that 411,642 square feet (SF) of new car dealerships would generate approximately 13,296 daily vehicle trips. This is based upon 32.3 vehicle trips per day for every 1,000 square feet (SF) of gross building floor area.

The RC Zone allows a maximum Floor Area Ratio (FAR) of 0.23. Based upon development of a shopping center to the maximum allowable FAR on the 63 gross acres zoned RC, a maximum of 631,184 square feet of gross building floor area is allowed. The ITE Trip Generation Manual estimates that 631,184 square feet (SF) of shopping center area would generate approximately 26,951 daily vehicle trips. This is based upon 42.7 vehicle trips per day for every 1,000 square feet (SF) of gross building floor area.

Land Use	Trips ratio per day	Total Trips/Difference
Shopping centers (631,184 SF)	42.70 per 1000 floor area	26,951
Auto Sales (411,642 SF)	32.30 per 1000 floor area	13,296
		13,655

Based upon the average daily vehicle trip ends from the ITE Trip Generation Manual, the Specific Plan Amendment will result in an increase in 13,655 more trip ends than the number of trip ends currently allowed by the ASC Zone. At build-out, Caliente Road will be constructed as a major arterial. A traffic study will be required to be submitted as part of the land use application process to evaluate the specific impacts of a project associated with this Amendment. The project would be conditioned to provide on/off-site improvements to mitigate any traffic impacts generated by the project. Upon development of the parcel, Caliente Road will be constructed with full half width street improvements. As part of construction of the 1-15 freeway and Ranchero Road interchange project, Caliente Road just south of the parcel was dedicated to its ultimate capacity. The City therefore has the right-of-way to widen Caliente Road to its ultimate capacity.

Further, the existing Average Daily Traffic (ADT) along Caliente Road is 1,956 and currently has a roadway capacity of 14,500 before being considered deficient. At build out, Caliente Road will have an ADT capacity of 31,000. The future ADT of Caliente Road is expected to be 16,800. Sufficient capacity exists along Caliente Road and the I-15/Ranchero Road freeway interchange to handle the increased traffic as a result of the Specific Plan Amendment.

In 2018, the southbound ramps at Ranchero Road and I-15 will operate at a LOS B both during the AM and PM peak hour. The north bound lanes will operate at LOS B during the AM peak hour and LOS C during the PM peak hour. At build out, the southbound ramps at I-15 and Ranchero Road will operate at LOS B both during the AM and PM peak hour. The north bound lanes will operate at LOS C during the AM peak hour and LOS D during the PM peak hour. It is not expected that the Specific Plan Amendment will cause these ramps to become deficient.

SPLA from NC to RC (65 acres)

Businesses that service residents on a day-to-day basis belong in the NC zone and are found along major commercial corridors in proximity to residential uses (i.e. Main St. and Hesperia Rd.). Examples of shopping centers in the NC zone are the Vallarta's, Cardenas, and the Stater Bros/Kmart centers. Big box shopping centers characterize uses that belong in the RC zone situated in proximity to the freeway. Examples of shopping centers found in the RC zone are those occupied by Walmart and Target. The volume of traffic generated by regional commercial uses is expected to be higher because these uses attract a regional population. However, the 65 gross acres, under the existing and proposed zones, would have similar impacts to the traffic and the environment because the land sits adjacent to the freeway.

In reviewing land uses permitted in the RC and NC zones, staff found that similar uses are permitted in both zones with minor variations. The majority of the differences are administrative, only affecting the type of land use application that must be approved. For example, home improvement stores and shopping centers can be permitted in both zones. In the NC zone, a conditional use permit (CUP) must be filed for home improvement stores exceeding 10,000 square feet in floor area and shopping centers require a CUP when development occurs on property more than 5 acres. In the RC zone, home improvement stores are permitted with a site plan review and shopping centers require a CUP when located on 10 acres or more. These changes are administrative and will not affect the environment. Moreover, the Floor Area Ratio (FAR) of 0.23 in both the RC and NC zones allow the same floor area; therefore, the same level of physical development is permitted.

Furthermore, the RC zone permits hotels/motels, which are not permitted in the NC zone. This is not a significant change because shopping centers generate more traffic than hotels. The RC zone also permits hospitals and multi-family residential as part of mixed-use development. However, shopping centers, which are permitted in the NC zone, generate more vehicular trips than hospitals and mixed-use residential developments. Should development of hotels, multifamily uses or hospitals occur, they would occupy the land otherwise available for commercial development. Therefore these changes will not affect the environment.

Land Use	Trips ratio per day	Total Trips
Shopping centers (651,222 SF)	42.70 per 1000 floor area	27,807
Hospitals (100 beds,120,000 SF)	6.95 per 1000 floor area	834
Hotels (100 rooms)	8.92 per room	892
Multi-family Res. (100 DU's)	6.65 dwelling unit	665

Both the NC and RC Zones allow a maximum Floor Area Ratio (FAR) of 0.23. Based upon development of a shopping center to the maximum allowable FAR on the 65 gross acres zoned NC or RC, a maximum of 651,222 square feet of gross building floor area is allowed. The ITE Trip Generation Manual estimates that 651,222 square feet (SF) shopping center would generate approximately 27,807 daily vehicle trips. This is based upon 42.7 vehicle trips per day for every 1,000 square feet (SF) of gross building floor area.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact upon transportation at build-out of the General Plan to the maximum allowable density permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a Statement of Overriding Considerations dealing with transportation impacts **(7)**.

The site is currently within the Neighborhood Commercial (NC) Zone District, which allows nonresidential development up to the land use intensity of that zone district. Therefore, future development of the site under the regional commercial (RC) zone district is not anticipated to exceed the number of trips which were analyzed by the GPEIR. The proposed project will not allow development of the property. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. Inasmuch as the Tentative Parcel Map will not allow development of the property, approval of the specific plan amendments will not cause any impact upon traffic or transportation.

XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board **(72)**?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects **(73)**?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects **(48)**?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed **(46, 47 & 73)**?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments **(73)**?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs **(74 & 75)**?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste **(76)**?				X

Comments.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, in a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(46)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere Of Influence (SOI). The UWMP evidences that the City is currently using less than half of its available water supply and that supply is projected to exceed demand beyond the year 2030 **(47 & 73)**. The HWD has maintained a surplus water supply through purchase of water transfers, allocations carried over from previous years, and recharge efforts. Approval of the proposed specific plan amendments will not cause any development. Therefore, the project will not increase the amount of wastewater. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. At that time, development on the subject property will be connected to the existing Hesperia Water District water system **(64)**.

The City is in compliance with the California Integrated Waste Management Act of 1989, which requires that 50 percent of the solid waste within the City be recycled **(76)**. Currently, approximately 63 percent of the solid waste within the City is being recycled **(74 & 75)**. About 168 tons of solid waste is disposed at the landfill and 243 tons are recycled of the total solid waste produced by the City per day. The waste disposal hauler for the City has increased the capacity of its Materials Recovery Facility (MRF) to 600 tons per day in order to accommodate future development. Therefore, the Specific Plan Amendments will not cause a significant negative impact upon utilities and service systems.

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

Comments.
Approval of proposed specific plan amendments will not, in and of itself, result in establishment of any land uses. Prior to development of the property, approval of a site plan review, conditional use permit, or other land use application is required. All applicable mitigation measures will be imposed upon approval of the land use application. Therefore, approval of the project will not cause a significant negative impact upon the environment and no mitigation measures are necessary at this time.

XIV. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case a discussion identifies the following: The Certified General Plan Environmental Impact Report.
a) **Earlier analyses used.** Earlier analyses are identified and stated where they are available for review.
b) **Impacts adequately addressed.** Effects from the above checklist that were identified to be within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards are noted with a statement whether such effects were addressed by mitigation measures based on the earlier analysis.
a) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project are described.

Authority: Public Resources Code Sections 21103 and 21107.

REFERENCES

(1) Aerial photos of the City of Hesperia taken February, 2014.

(2) Tentative Parcel Map TPM15-00003 (PM-19574) application and related materials.

(3) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-7.

(4) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-8.

(5) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-9.

(6) Section G (4) of Chapter 9 of the Main Street and Freeway Corridor Specific Plan.

(7) Resolution No. 2010-057, making the environmental findings pursuant to the California Environmental Quality Act, adopting a statement of overriding considerations, certifying the final environmental impact report, and adopting a mitigation monitoring and reporting plan adopting the 2010 Hesperia General Plan Update (GPA10-10185).

(8) Official Maps showing the General Plan Land Use and zoning of the City of Hesperia and its sphere of influence.

(9) Williamson Act map within Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-2.

(10) Conservation Element of the 2010 City of Hesperia General Plan Update, Page CN-34.

(11) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area Map 30 and Page 44.

(12) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.5.

(13) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.1.4.

(14) Air Quality Section of the 2010 City of Hesperia General Plan Update, pages CN-47 thru CN-50.

(15) Section 3.3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.3-1 thru 3.3-30.

(16) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.

(17) General Biological Resources Assessment for Tentative Parcel Map 19574 prepared May 14, 2015 by RCA Associates, LLC.

(18) Section 3.0 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-3.

(19) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.

(20) Desert Native Plant Preservation Plan for Tentative Parcel Map 19574 prepared May 13, 2015 by RCA Associates, LLC.

(21) Section 3.0 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-5.

(22) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, Exhibit CN-7.

(23) Section 3.0 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-3.

(24) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report.

(25) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, C-1 thru C-34.

(26) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, Exhibit 5g.

(27) California Historical Resources Information System report dated June 8, 2015.

(28) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.

(29) Section 8 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, page 64.

(30) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, Exhibit SF-1.

(31) Section 1.2.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-4 thru 1-79.

(32) Section 1.3 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-12 thru 1-13.

(33) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.

(34) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-23 thru 1-36.

(35) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-12.

(36) Section 1 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 1.

(37) Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 18.

(38) Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, pages 20 and 21.

(39) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-31 thru SF-33.

(40) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-60 and LU-61.

(41) Potential Emergency Shelters and Evacuation Routes shown within the 2010 Hesperia General Plan Safety Element, Exhibit SF-4.

(42) Map showing very high fire hazard areas, flood zones, and significant hazardous materials sites of the 2010 City of Hesperia General Plan Update Safety Element, Exhibit SF-2.

(43) Fire Hazard Section of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.7-9.

(44) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-13.

(45) Section 3.8.5 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-20 thru 3.8-22.

(46) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.

(47) Mojave Water Agency letter dated March 27, 1996.

(48) Preliminary Drainage Study for Tentative Parcel Map 19574 dated May 18, 2015 prepared by Cubit Engineering, Inc.

(49) Section 4.3.8 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-8 thru 4-9.

(50) 1992 Victorville Master Plan of Drainage Volume I, identifying future drainage improvements for the area.

(51) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.

(52) Section 3.8.2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-1 thru 3.8-7.

(53) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-15.

(54) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.

(55) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.

(56) Table 3.6-2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.6-24.

(57) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.

(58) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, page CN-20.

(59) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, pages NS-4 thru NS-12.

(60) Section 16.20.125 of the Hesperia Municipal Code, pages 467 thru 468.

(61) Section 3.11 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.11-25 thru 3.11-51.

(62) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, Exhibit LU-3.

(63) Table 3.11-9 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.11-33 thru 3.11-38.

(64) Current Hesperia water and sewer line atlas, pages Q3 and Q4.

(65) Section 4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-13 thru 4-18.

(66) 1991 City of Hesperia Ordinance 180 entitled "An Ordinance of the City Council of the City of Hesperia, California, Establishing a Development Impact Fee for all New Residential, Commercial, and Industrial Structures" and Resolution No. 2007-110 on November 20, 2007, updated November 16, 2014.

(67) Table 4-4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, page 40.

(68) Section 2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 2-19.

(69) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.

(70) Sections 6.3 and 6.4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 74 thru 76.

(71) Traffic Circulation Plan within Section 3.0 of the 2010 City of Hesperia General Plan Update Circulation Element, page CI-17.

(72) Section 3.8 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-8 thru 3.8-14.

(73) Hesperia Water District's Urban Water Management Plan (UWMP).

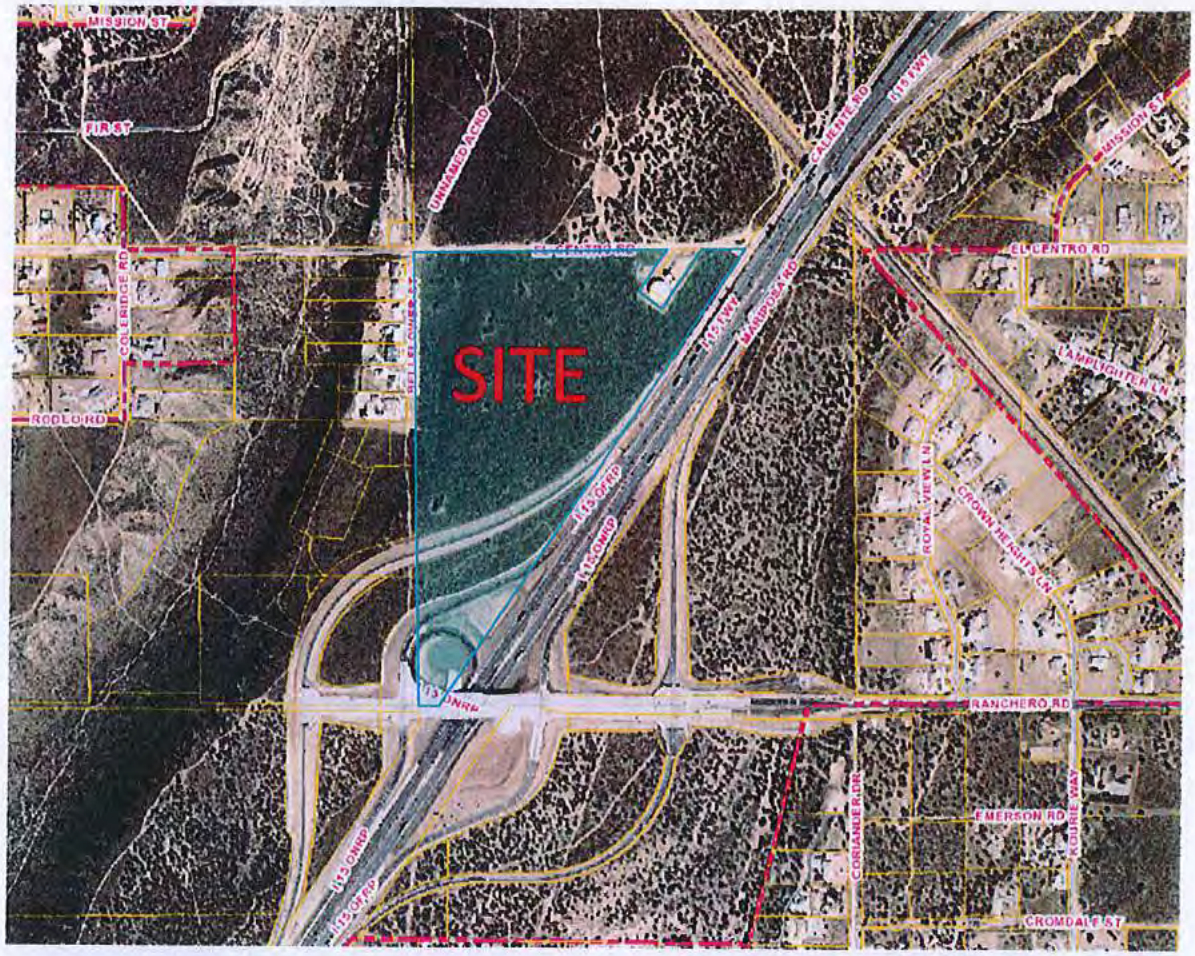
(74) Quarterly data of the San Bernardino County Disposal Reporting System for the 3rd quarter 2014.

(75) 2014 California Department of Resources, Recycling and Recovery Annual AB939 Report.

(76) California Integrated Waste Management Act (AB 939).

ATTACHMENT "A"

Specific Plan Amendment SPLA16-00001



ATTACHMENT "A"

Specific Plan Amendment SPLA16-00002

ATTACHMENT 2

RESOLUTION NO. PC-2016-13

A RESOLUTION OF THE PLANNING COMMISISON OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AMEND THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN FROM THE AUTO SALES COMMERCIAL ZONE DISTRICT TO THE REGIONAL COMMERCIAL ZONE DISTRICT (SPLA16-00001)

WHEREAS, On September 16, 2008, the City Council of the City of Hesperia adopted the Main Street and Freeway Corridor Specific Plan;

WHEREAS, The Specific Plan established Auto Sales Commercial zoning at the Ranchero Road and Interstate -15 interchange. The City has filed Specific Plan amendment SPLA16-00001 to consider revisions to this zoning to better reflect market demands for commercial uses at this freeway interchange;

WHEREAS, An environmental initial study for the proposed Specific Plan amendment was completed and concluded that no significant adverse impacts from the project will occur. Consequently, Negative Declaration No. ND16–00003 was prepared;

WHEREAS, On May 12, 2016, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the Specific Plan amendment and concluded said hearing on that date.

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

NOW THEREFORE, THE PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

1. All of the facts set forth in the Recitals, Part A of this Resolution, are true, correct and are adopted as findings.

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

3. The proposed Specific Plan amendment will not have significant adverse impacts on the environment as identified in Negative Declaration No. ND16-00003.

4. Based upon the conclusions set forth in paragraphs 1, 2 and 3 above, this Commission hereby recommends that the City Council approve and place on first reading an ordinance revising the Main Street and Freeway Corridor Specific Plan from the Auto Sales Commercial zone district to the Regional Commercial zone district as shown on Exhibit "A", attached hereto and incorporated herein by this reference.

5. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 12th day of May 2016.

Tom Murphy, Chair, Planning Commission

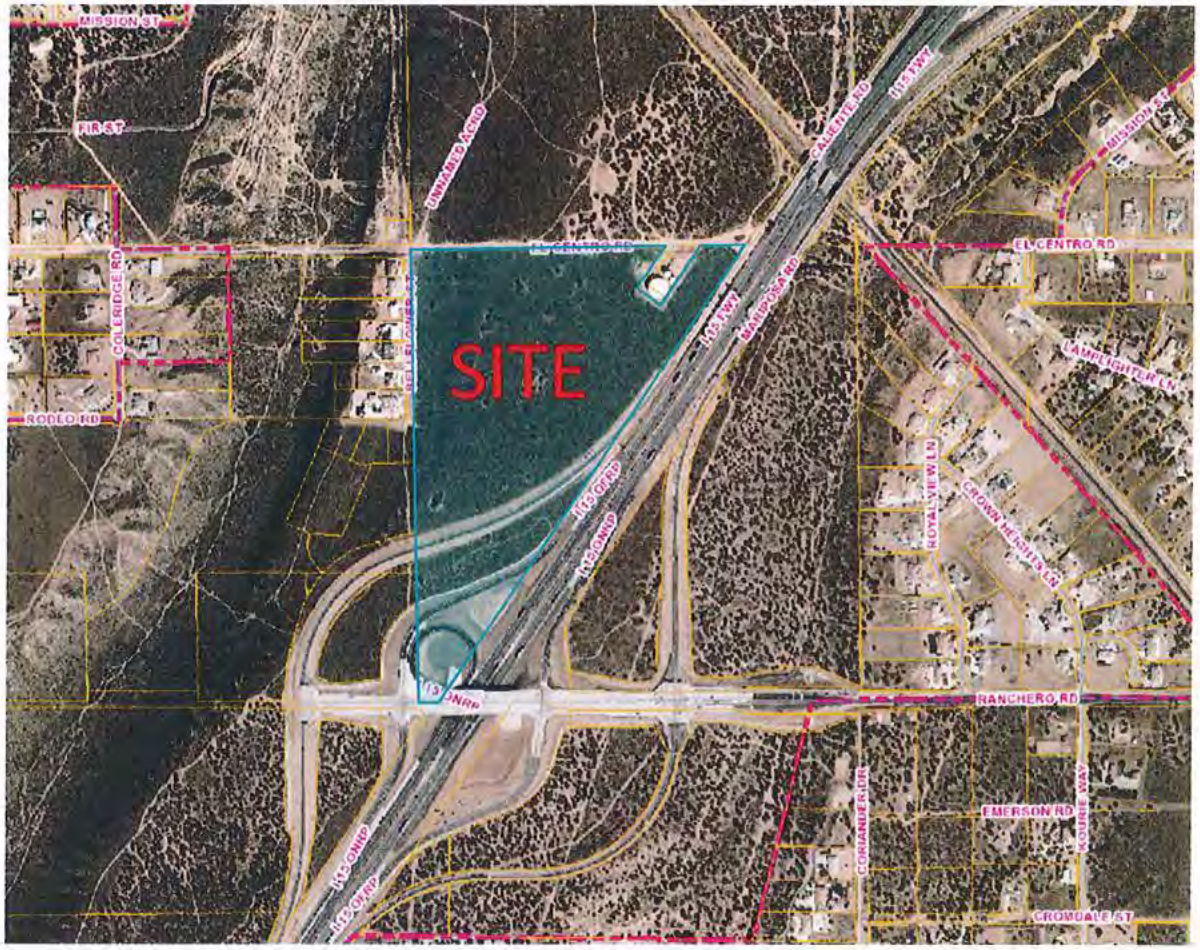
ATTEST:

Denise Bossard, Secretary, Planning Commission

EXHIBIT "A"

Specific Plan Amendment SPLA16-00001

From Auto Sales Commercial (ASC) to Regional Commercial (RC)



ATTACHMENT 3

RESOLUTION NO. PC-2016-14

A RESOLUTION OF THE PLANNING COMMISISON OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AMEND THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN FROM THE NEIGHBORHOOD COMMERCIAL ZONE DISTRICT TO THE REGIONAL COMMERCIAL ZONE DISTRICT (SPLA16-00002)

WHEREAS, On September 16, 2008, the City Council of the City of Hesperia adopted the Main Street and Freeway Corridor Specific Plan;

WHEREAS, The Specific Plan established Neighborhood Commercial zoning at the Ranchero Road and Interstate -15 interchange. The City has filed Specific Plan amendment SPLA16-00002 to consider revisions to this zoning to better reflect market demands for commercial uses at this freeway interchange;

WHEREAS, An environmental initial study for the proposed Specific Plan amendment was completed and concluded that no significant adverse impacts from the project will occur. Consequently, Negative Declaration No. ND16–00003 was prepared;

WHEREAS, On May 12, 2016, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the Specific Plan amendment and concluded said hearing on that date.

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

NOW THEREFORE, THE PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

1. All of the facts set forth in the Recitals, Part A of this Resolution, are true, correct and are adopted as findings.

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

3. The proposed Specific Plan amendment will not have significant adverse impacts on the environment as identified in Negative Declaration No. ND16-00003.

4. Based upon the conclusions set forth in paragraphs 1, 2 and 3 above, this Commission hereby recommends that the City Council approve and place on first reading an ordinance revising the Main Street and Freeway Corridor Specific Plan from the Neighborhood Commercial zone district to the Regional Commercial zone district as shown on Exhibit "A", attached hereto and incorporated herein by this reference.

5. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 12th day of May 2016.

Tom Murphy, Chair, Planning Commission

ATTEST:

Denise Bossard, Secretary, Planning Commission

EXHIBIT "A"

Specific Plan Amendment SPLA16-00002

From Neighborhood Commercial (NC) to Regional Commercial (RC)

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City of Hesperia
STAFF REPORT

DATE: May 12, 2016

TO: Planning Commission

FROM: Dave Reno - Principal Planner

BY: Stan Liudahl, AICP, Senior Planner
Ryan Leonard, AICP, Associate Planner

SUBJECT: Floor Area Requirements for Multiple-family Units

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. 2016-12, recommending that the City Council approve and place on first reading an ordinance revising the minimum floor area requirements for multiple family units.

BACKGROUND

The City's Municipal Code establishes design standards for residential, commercial, industrial and public uses. In 1994, Ordinance No. 149, established minimum floor area requirements for below market rate units (seniors and low income). In 2008, the Main Street and Freeway Corridor Specific Plan established minimum floor area requirements for multifamily units within the Specific Plan area. In 2011, Ordinance No. 2011-03 established the same standards citywide.

At this time, the City's standards for multiple-family units and below-market rate units are shown in the table below:

Table 1: Minimum Floor Area Requirements for Multiple-family Units

	Studio	1 BDR	2 BDR	3 BDR	4 BDR
Market Rate units:	675	875	1075	1275	1475
Senior/Affordable units:	500	600	750	1000	1200

On January 28, 2016, Frontier Communities submitted a request for the City to consider a reduction in the minimum floor area sizes for multiple-family units. Frontier has proposed an 168-unit apartment project consisting of a 754 SF two-bedroom unit and a 910 SF two-bedroom unit. The proposed unit sizes are 16% and 30%, respectively, below the City's standard of 1,075 SF for two-bedroom units.

This project is not intended to be deed restricted for senior or low-income residents. Absent this consideration, staff cannot approve this reduction for a market rate project. Therefore, a code amendment is necessary in order to address the request.

ISSUES/ANALYSIS

Since incorporation, the City has approved 25 apartment projects totaling 1,729 units (Attachment 1). Of these, two are pending review. One of these two pending projects will create 84 condominium units for seniors. Eighteen of these projects totaling 1,110 units have been constructed; only seven projects totaling 619 units are approved but have not been constructed. Two of the approved projects not yet completed allow for senior and/or affordable housing. Table 2 shows that the average floor area of the approved one-bedroom, two-bedroom, and three bedroom units is 690, 993, and 1,323 square feet, respectively.

Table 2: Mean Floor Area for Pending, Approved, and Constructed Multiple-family Units					
Pending Projects					
Project Type	Studio	1 BDR	2 BDR	3 BDR	4 BDR
Apartments	-	-	1,106	1,275	-
Senior Condos	438	638	938	-	-
Average Unit Size	438	638	1,022	1,275	-
Approved Projects					
Project Type	Studio	1 BDR	2 BDR	3 BDR	4 BDR
Affordable Apartments	-	-	825	1,030	-
Apartments	-	-	967	1,174	-
Condos	-	-	1,300	1,764	-
Affordable Senior Apartments	-	690	879	-	-
Average Unit Size	-	690	993	1,323	-
Constructed Projects					
Project Type	Studio	1 BDR	2 BDR	3 BDR	4 BDR
Affordable Apartments	-	671	868	1,032	1,253
Apartments	-	650	915	1,165	-
Affordable Senior Apartments	-	700	900	-	-
Senior Apartments	-	700	912	-	-
Average Unit Size	-	680	899	1,099	1,253

Staff also compared the City's standards with the County and 15 cities (Attachment 2). In general, the City's standard for market-rate units is over 200 feet higher for the one and three-bedroom units and over 300 feet higher for the two-bedroom units.

Staff also compared average rents for homes or apartments within each ZIP Code in the Victor Valley. The data shows that Hesperia does have the lowest vacancy rate, but with the exception of 92344, the average rent levels are comparable within all the jurisdictions (Attachment 3).

In conclusion, while the City's square footage requirements are higher than other jurisdictions, the high rate of completion for these projects, as well as a low vacancy rate, appears to indicate that market demand is present for larger apartments. Staff recommend that the Planning Commission mak no changes to the mimimum floor area requirements. Requests for reduced floor areas may be addressed during consideration of Senior/affordable projects or as a variance procedure as discussed in the alternatives below.

ALTERNATIVE(S)

1. The Planning Commission may recommend that the City's standards be revised to match that of Apple Valley. This would result in only a 75 SF reduction in each category. This alternative is shown in Exhibit "B" attached to the resolution.
2. The Planning Commission may recommend that a new category of minor exceptions be created in Chapter 16.12 of the Development Code. This would permit staff discretion to reduce apartment sizes by up to 15% for market rate units. Staff could make the findings for such reductions based on the provision of superior architecture, landscaping and amenities. This alternative is shown in Exhibit "C" attached to the resolution.
3. Provide alternative direction to staff.

ATTACHMENT(S)

1. Pending, approved, and constructed multi-family residential project unit sizes
2. Minimum floor area requirements for Hesperia and other jurisdictions
3. Rents and vacancy rates for Victor Valley ZIP Codes

ATTACHMENT 1

PENDING, APPROVED AND CONSTRUCTED APARTMENT / CONDO / TOWNHOME UNIT SIZES

Case Nos.	Developer/Owner	Type	Approval/ Date	Status/ Date	Expiration Date	Location/APNs	No. of Units	Unit Sizes[1]				
								Studio	1 bdrm	2 bdrm	3bdrm	4bdrm
SPR15-00012 VAR16-00001	Investment Concepts, Inc. Olivetree Apartments, LP	Apartments	Pending	Incomplete 02/25/2016	Pending	South side of Olive St between Third Ave and Hesperia Rd. APNs: 0413-162-09, 10, 35 & 36	186	-	-	1,106	1,275	-
CUP15-00003 PPD15-00001 TT15-00003	Apollo Construction, LLC Universal Holdings, LLC	Senior Condos	Pending	Incomplete 12/21/2015	Pending	North side of Main St, approx. 250 feet east of the California Aqueduct APN: 0405-062-56	84	438	638	938	-	-
SPR14-00008 DA15-00001	TMS Consortium Bella Sky, LLC	Senior Affordable	CC 10/06/2015	Approved 10/06/2015	10/06/2018	West side of H Ave, 90 feet north of Sultana St APN: 0410-192-56	23	-	690	879	-	-
SPR14-00006 SPLA14-00005	Joseph Chirco & Bruno Mancinelli	Apartments	CC 08/18/2015	Approved 08/18/2015	10/01/2018	North side of Main St, 430 feet west of Mesa Linda Ave APNs: 3064-441-01 thru 03	200	-	-	1,074	1,330	-
SPR11-10213 SPRR13-00012 DA11-10002	TMS Consortium Joseph Sorota Trust	Affordable Apartments	CC 09/18/2012	Revision 01/29/2014	03/12/2017	South side of Live Oak St, between Eighth and Ninth Ave APN: 0407-142-03 & 04	114	-	-	825	1,030	-
SPR10-10237 SPRE16-00001 TT-18166 TTE16-00001	Granite Springs, LLC	Condos	PC 02/10/2011	02/10/2016 Extension 03/01/2017 Extension	03/01/2017	650 north of Main St between Tamarisk Ave and Topaz Ave APN: 0405-271-32	164	-	-	1,300	1,500	-
SPR-2006-68	Palm Desert Development Co San Remo Hesperia Ltd Prtnp	Apartments	DRC 02/22/2007	Completed 09/25/2009	NA[2]	9055 Santa Fe Ave APN: 0410-201-14 & 15	123	-	-	1,037	1,167	-
SPR-2006-14 SPRE15-00005 TT-18069	Graco Equities, LLC	Condos	PC 07/13/2006	10/07/2015 Extension	11/22/2016	14475 Yucca St APN: 3057-131-35	20	-	-	-	1,971	-
SPR-2006-06 SPRE15-00006 TT-17763	Pierce Johnson Greg Crump	Condos	PC 10/11/2007	11/18/2015 Extension	10/25/2016	17105 Donert St APN: 0415-093-09	14	-	-	-	1,820	-
SPR-2005-26	KDF Communities KDF Hesperia	Affordable Apartments	CC 12/07/2005	Completed 04/10/2008	NA[2]	16599 Muscatel St APN: 0410-241-01	110	-	-	901	998	1,242
SPR-2005-11	Thomas Devranos Carey Family Trust	Apartments	DRC 08/10/2005	Completed 11/10/2008	NA[2]	16348 Sequoia St APN: 0414-041-20	10	-	-	1,054	-	-

[1] Unit sizes are in square feet.
[2] Not Applicable.

PENDING, APPROVED AND CONSTRUCTED APARTMENT / CONDO / TOWNHOME SIZES
April 12, 2016

Case Nos.	Developer/Owner	Type	Approval/ Date	Status/ Date	Expiration Date	Location/APNs	No. of Units	Unit Sizes[1]				
								Studio	1 bdrm	2 bdrm	3 bdrm	4 bdrm
SPR-2004-48	Michael Lampignano Leo Flores	Apartments	DRC 12/29/2004	Completed 09/21/2009	NA[2]	8671 C Ave APN: 0410-242-67	38	-	-	939	-	-
SPR-2004-33	Investment Concepts, Inc. Villas 154, LP	Apartments	DRC 12/28/2005	Completed 12/10/2009	NA[2]	8810 C Ave APN: 0410-211-16	154	-	-	1,090	1,157	-
SPR-2004-23	Mike Zeid Palo Plesnik	Apartments	DRC 06/30/2004	Completed 06/05/2009	NA[2]	16955 Olive St APN: 0410-202-41	24	-	-	-	1,308	-
SPR-2003-25 SPRE15-00007	TMS Consortium Desert Green Villas, LLC	Apartments	DRC 02/11/2004	01/27/2016 Extension	11/21/2016	East side of Santa Fe Ave, 346 feet south of Sultana St APNs: 0410-211-08 & 09	84	-	-	859	1,017	-
SPR-2003-13 SPR-2005-14-R	Investment Concepts, Inc. Crossings at Hesperia, LP	Apartments	PC 01/08/2004	Completed 10/20/2005	NA[2]	8809 C Ave APNs: 0410-212-45 & 51	108	-	-	1,088	1,165	-
SPR-2003-09	Rim Properties	Apartments	DRC 05/21/2003	Completed 04/04/2005	NA[2]	17219 Sequoia St APN: 0415-036-27	56	-	-	856	1,134	-
SPR-2002-35	Verpooten & Hunt Enterprises Hesperia Apartments AF, LLC	Apartments	DRC 12/11/2002	Completed 07/10/2006	NA[2]	15166 Sequoia St APN: 0406-041-06	15	-	-	898	-	-
SPR-2002-08 SPR09-10260	KDF Communities Hesperia at 9th Phase I, LP	Senior Apartments	PC 03/28/2002	Completed 02/22/2008	NA[2]	9901 Ninth Ave APN: 0407-142-05	92	-	700	912	-	-
SPR-2001-31	Rim Properties	Apartments	DRC 11/14/2001	Completed 04/25/2003	NA[2]	17175 Sequoia St APN: 0415-036-09	25	-	-	856	-	-
SPR-98-010	Opportunity Builders Three Palms Apartments, LP	Senior Affordable	CC 10/05/1998	Completed 10/04/2001	NA[2]	9800 Seventh Ave APN: 0407-221-01	112	-	700	900	-	-
SPR-97-015	Opportunity Builders Santa Fe Hesperia AR, LP	Affordable Apartments	CC 02/05/1998	Completed 05/20/1999	NA[2]	16576 Sultana St APN: 0410-201-02	89	-	671	835	1,065	1,264
PPD-90-040	Rim Properties Michael Bryant	Apartments	PC 10/25/1990	Completed 09/02/1992	NA[2]	15434 Sequoia St APN: 0406-051-20	42	-	-	868	-	-
PPD-89-85	Verpooten & Hunt Enterprises Hesperia Apartments AF, LLC	Apartments	PC 10/25/1990	Completed 01/28/1993	NA[2]	15544 Sequoia St APN: 0406-061-07	15	-	-	979	-	-
PPD-89-40	Frank Ovanin II Rim Properties	Apartments	DRC 08/01/1989	Completed 10/08/1990	NA[2]	17132 Donert St APN: 0415-036-01	10	-	-	965	-	-
PPD-89-23	Rim Properties Michael Bryant	Apartments	DRC 04/24/1989	Completed 07/26/1990	NA[2]	8890 G Ave APN: 0410-191-11	29	-	-	842	-	-
PPD-88-7	Stan Mullins Sunset Pointe 58, Ltd	Apartments	PC 12/28/1989	Completed 11/26/1991	NA[2]	16700 Muscatel St APN: 0410-212-44	58	-	650	902	1,058	-

ATTACHMENT 2

City of Hesperia		Difference
Studio	675	_
1 Bedroom	875	_
2 Bedroom	1,075	_
3 Bedroom	1,275	_
San Bernardino County		
Studio	450	(225.00)
1 Bedroom	650	(225.00)
2 Bedroom	850	(225.00)
3 Bedroom	1050	(225.00)
Apple Valley		
Studio	600	(75.00)
1 Bedroom	800	(75.00)
2 Bedroom	1000	(75.00)
3 Bedroom	1200	(75.00)
Victorville		
Studio	500	(175.00)
1 Bedroom	600	(275.00)
2 Bedroom	800	(275.00)
3 Bedroom	N/A	N/A
Fontana		
Studio	550	(125.00)
1 Bedroom	700	(175.00)
2 Bedroom	900	(175.00)
3 Bedroom	1,000	(275.00)
Rancho Cucamonga		
Studio	550	(125.00)
1 Bedroom	650	(225.00)
2 Bedroom	800	(275.00)
3 Bedroom	950	(325.00)
Rialto		
Studio	650	(25.00)
1 Bedroom	750	(125.00)
2 Bedroom	900	(175.00)
3 Bedroom	1,100	(175.00)
Chino Hills		
Studio	750	75.00
1 Bedroom*	750	(125.00)
2 Bedroom*	750	(325.00)
3 Bedroom*	750	(525.00)
Adelanto		
Studio	600	(75.00)
1 Bedroom*	600	(275.00)
2 Bedroom*	600	(475.00)
3 Bedroom*	600	(675.00)

City of San Bernardino		Difference
Studio	500	(175.00)
1 Bedroom*	600	(275.00)
2 Bedroom*	800	(275.00)
3 Bedroom*	1,000	(275.00)
Highland		
Studio	425	(250.00)
1 Bedroom	650	(225.00)
2 Bedroom	800	(275.00)
3 Bedroom	N/A	N/A
Moreno Valley		
Studio	N/A	N/A
1 Bedroom	450	(425.00)
2 Bedroom	800	(275.00)
3 Bedroom	1,000	(275.00)
City of Riverside		
Studio	400	(275.00)
1 Bedroom	500	(375.00)
2 Bedroom	600	(475.00)
3 Bedroom	700	(575.00)
Eastvale		
Studio	400	(275.00)
1 Bedroom	550	(325.00)
2 Bedroom	700	(375.00)
3 Bedroom	N/A	N/A
Corona		
Studio*	600	150.00
1 Bedroom*	600	(50.00)
2 Bedroom*	600	(250.00)
3 Bedroom*	600	(450.00)
Yorba Linda ("Garden Apartments")		
Studio	750	75.00
1 Bedroom	900	25.00
2 Bedroom	1,000	(75.00)
3 Bedroom	1,200	(75.00)
Yorba Linda ("Urban Setting")		
Studio	550	(125.00)
1 Bedroom	675	(200.00)
2 Bedroom	700	(375.00)
3 Bedroom	900	(375.00)

Average		
Studio	*537.5*	*(137.50)*
1 Bedroom	*651.6*	*(223.44)*
*2 Bedroom***	*761*	*(314.29)*
*3 Bedroom***	*1,010*	*(265.00)*

*No criteria for unit size in relation to the number of bedrooms

** Does not include those cities marked with *

CITY	MUNICIPAL CODE SECTION	REQUIREMENT
Hesperia	16.16.130 (b)	**Standard Units** Studio-675 sq. ft One Bedroom- 875 sq. ft Two Bedroom-1,075 sq. ft Three bedrooms- 1,275 sq. ft **Affordable Units** Studio- 500 sq. ft One Bedroom- 600 sq. ft Two Bedroom-750 sq. ft Three bedrooms- 1,000 sq. ft Three + bedrooms- 1,200 sq. ft
San Bernardino County	84.16.040 (c)	Studio- 450 sq. ft One Bedroom- 650 sq. ft Two Bedroom-850 sq. ft Three bedrooms- 1,050 sq. ft Four + bedrooms- 1,200 sq. ft
Apple Valley	9.29.070 (b)(5)	Studio - 600 square feet One Bedroom - 800 square feet Two Bedroom - 1,000 square feet Three Bedroom and larger - 1,200 square feet
Victorville	16-3.08.020	Studio -500 sq. ft One Bedroom -600 sq. ft Two Bedroom -800 sq. ft Single-family dwelling- 1,600 sq. ft
Fontana	Division 4. Section 30-159	**Multiple Family Dwelling Size (Standard):** a. Studio- 550 sq. ft b. One Bedroom- 700 sq. ft c. Two Bedroom-900 sq. ft d. Three or more bedrooms- 1000 sq. ft **Multiple Family Dwelling Size (Senior/Standard)** a. Studio- 550 sq. ft b. One Bedroom- 700 sq. ft c. Two Bedroom-900 sq. ft d. Three or more bedrooms- 1000 sq. ft **Multiple Family Dwelling Size (Affordable)** a. Studio- 550 sq. ft b. One Bedroom- 650 sq. ft c. Two Bedroom-800 sq. ft d. Three or more bedrooms- 950 sq. ft

		Multiple Family Dwelling Size (Senior/Affordable) a. Studio- 550 sq. ft b. One Bedroom- 600 sq. ft c. Two Bedroom-750 sq. ft d. Three or more bedrooms-850 sq. ft
Rancho Cucamonga	17.36.010	Studio -550 sq. ft One Bedroom -650 sq. ft Two Bedroom -800 sq. ft Three or More Bedrooms- 950 sq. ft
Rialto	18.80.070	Studio - 650 One Bedroom -750 sq. ft Two Bedroom -900 sq. ft Three Bedrooms- 1,100 sq. ft Four Bedrooms- 1,300 sq. ft
Chino	Phone	*No criteria for unit size. Confirmed with phone conversation with City.
Chino Hills	16.10.040	"All dwelling units shall have a minimum gross floor area of 750 square feet" *No criteria for unit size in relation to the number of bedrooms.
Adelanto		Dwelling units shall have a minimum gross floor area of 750 square feet. However, if located within the R3-30 zoning designation, minimum gross floor area shall be 600 square feet.
City of San Bernardino	19.04 (H)(2)	Studio -500 sq. ft One Bedroom -600 sq. ft Two Bedroom -800 sq. ft Three Bedrooms- 1,000 sq. ft Three + Bedrooms- 1,200 sq. ft
Highland	16.16.040	Studio - 425 One Bedroom -650 sq. ft Two or more Bedrooms -800 sq. ft
Moreno Valley	9.03.040	One Bedroom - 450 Two Bedroom -800 sq. ft Three Bedrooms -1,000 sq. ft
City of Riverside	19.100.70	400 square feet for each unit; and an additional 100 square feet for each bedroom.
Eastvale	120.04.030	Studio -400 sq. ft One Bedroom -550 sq. ft Two Bedroom -700 sq. ft
Corona	17.24.50	Each dwelling unit shall have a floor area of not less than 600 square feet.

		*No criteria for unit size in relation to the number of bedrooms.
Yorba Linda		**<u>RM Zoning ("Garden Apartments")</u>** Studio -750 sq. ft One Bedroom -900 sq. ft Two Bedroom -1,000 sq. ft Three Bedrooms- 1,200 sq. ft **<u>RM 20 and RM 30 Zoning ("Apartments commonly found in urban setting")</u>** Studio -550 sq. ft One Bedroom -675 sq. ft Two Bedroom -700 sq. ft Three Bedrooms- 900 sq. ft

ATTACHMENT 3

RENTS AND VACANCY RATES FOR VICTOR VALLEY ZIP CODES

Jurisdiction (Zip Code)	Studio	1 BDR	2 BDR	3 BDR	4 BDR	Vacancy Rate
Adelanto (92301)	$650	$750	$950	$1,340	$1,640	16.89%
Apple Valley (92307)	$590	$680	$860	$1,210	$1,480	12.66%
Apple Valley (92308)	$660	$760	$960	$1,360	$1,650	12.57%
Hesperia (92344)	**$1,020**	**$1,170**	**$1,490**	**$2,110**	**$2,570**	**10.98%**
Hesperia (92345)	**$660**	**$760**	**$960**	**$1,360**	**$1,650**	**8.43%**
Victorville (92392)	$820	$950	$1,200	$1,700	$2,070	12.89%
Victorville (92394)	$730	$840	$1,070	$1,510	$1,840	12.75%
Victorville (92395)	$620	$720	$910	$1,290	$1,570	12.08%
Average Rents and Vacancy Rates	**$719**	**$829**	**$1,050**	**$1,485**	**$1,809**	**12.41%**
Average Rents and Vacancy Rates Excluding Hesperia (92344)	**$676**	**$780**	**$987**	**$1,396**	**$1,700**	**12.61%**

RESOLUTION NO. PC-2016-12

A RESOLUTION OF THE PLANNING COMMISISON OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL REVISE REGULATIONS REGARDING MIMIMUM FLOOR AREAS FOR MULTIPLE FAMILY UNITS (DCA16-00002)

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

WHEREAS, Chapter 16.16 of the Hesperia Development Code establishes minimum floor areas for market rate dwelling units within multiple family projects. Similar regulations are established within the Main Street and Freeway Corridor Specific Plan. The City is considering revisions to these standards to better reflect market demands;

WHEREAS, The proposed Development Code amendment is exempt from the provisions of CEQA under Section 15061(b)(3) of the CEQA Guidelines, as there is no possibility that the proposed Development Code revisions regarding minimum floor areas for multiple family units can have significant adverse effects on the environment;

WHEREAS, On May 12, 2016, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to minimum floor areas for multiple family units and concluded said hearing on that date.

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

NOW THEREFORE, THE PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

1. All of the facts set forth in the Recitals, Part A of this Resolution, are true, correct and are adopted as findings.

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

3. The proposed Development Code revisions are exempt from the provisions of CEQA under Section 15061(b)(3) of the CEQA Guidelines, as there is no possibility that the proposed Code revisions regarding minimum floor areas for multiple family units can have significant adverse effects on the environment.

4. Based upon the conclusions set forth in paragraphs 1, 2 and 3 above, this Commission hereby recommends that the City Council approve and place on first reading an ordinance revising the minimum floor area requirements for multiple family units, as shown in EXHIBIT "--")

5. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 12th day of May 2016.

Tom Murphy, Chair, Planning Commission

ATTEST:

Denise Bossard, Secretary, Planning Commission

EXHIBIT A

Section 16.16 .130(B) of the Hesperia Development Code is hereby revised to read as follows:

(Deletions are shown in strikeout and additions are shown in red)

B. Development Standards. All property in the R3 designation shall be developed according to the following standards:

2. Minimum Living Area. ~~The minimum living area for residential units shall be six hundred seventy-five (675) square feet for a studio unit, with two hundred (200) square feet for each additional bedroom.~~ The minimum living area for residential units shall be as follows:

Minimum Floor Area Requirements for Multiple-family Units					
	Studio	**1 BDR**	**2 BDR**	**3BDR**	**4 BDR+**
Market Rate units:	**550**	**650**	**750-900***	**1100**	**1250**

*Units shall be split approximately 50–50% within the project and within each phase.

Chapter 7 (E) and (F), sub-section 4.5 of the Hesperia Main Street and Freeway Corridor Specific Plan is hereby revised to read as follows:

4.5 Minimum Living Area

~~The minimum living area for residential units shall be 675 square feet for studio unit, with 200 square feet for each additional bedroom.~~ The minimum living area for residential units shall be as follows:

Minimum Floor Area Requirements for Multiple-family Units					
	Studio	**1 BDR**	**2 BDR**	**3BDR**	**4 BDR+**
Market Rate units:	**550**	**650**	**750-900***	**1100**	**1250**

*Units shall be split approximately 50–50% within the project and within each phase.

EXHIBIT "B"

Section 16.16 .130(B) of the Hesperia Development Code is hereby revised to read as follows:

(Deletions are shown in strikeout and additions are shown in red)

B. Development Standards. All property in the R3 designation shall be developed according to the following standards:

2. Minimum Living Area. ~~The minimum living area for residential units shall be six hundred seventy-five (675) square feet for a studio unit, with two hundred (200) square feet for each additional bedroom.~~ The minimum living area for residential units shall be as follows:

Minimum Floor Area Requirements for Multiple-family Units					
	Studio	1 BDR	2 BDR	3BDR	4 BDR+
Market Rate units:	600	800	1000	1200	1400

Chapter 7 (E) and (F), sub-section 4.5 of the Hesperia Main Street and Freeway Corridor Specific Plan is hereby revised to read as follows:

4.5 Minimum Living Area

~~The minimum living area for residential units shall be 675 square feet for studio unit, with 200 square feet for each additional bedroom.~~ The minimum living area for residential units shall be as follows:

Minimum Floor Area Requirements for Multiple-family Units					
	Studio	1 BDR	2 BDR	3BDR	4 BDR+
Market Rate units:	600	800	1000	1200	1400

EXHIBIT "C"

Section 16.12.220 (B) is hereby revised to read as follows:

B. Review and approval for the following minor exception requests will be through the administrative review with notice procedure, pursuant to Section 16.12.005(A)(2).

10. Minimum floor area requirements for multiple family units. The minimum floor area for a multifamily unit within the R3 designation and the HDR and MDR zones, may be reduced by up to 15%, provided that:

- Private usable of open space shall be increased to 110 SF per unit;
- Common usable open space shall be increased to 220 SF per unit;
- A pedestrian system be provided throughout the project to link at least <u>four</u> amenities as provided for in section 16.16.130 (B) to be constructed within the development;
- That the project exhibit superior design, architecture and landscaping.

~~10~~11.

Other Exceptions. Exceptions may be considered, where in the opinion of the reviewing authority, such exceptions may not have a cumulative effect greater than those exceptions previously listed.

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CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE

City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, APRIL 6, 2016

A. PROPOSALS:

1. EAGLE HESPERIA 55 LP; (SPR16-00003)

Proposal: Consideration of a Site Plan Review to construct a 96 unit senior apartment complex and Development Agreement DA16-00001, to provide a density bonus of 26 units on the west 4.7 gross acres of a 10 gross acre property.

Location: North side of Avenal Street, approximately 900 feet east of Mariposa Road. (APN: 0405-072-42)

Planner: Daniel Alcayaga

2. EAGLE HESPERIA 55 LLC; (SPR16-00004)

Proposal: Consideration of a Site Plan Review to construct a 96 unit senior apartment complex and Development Agreement DA16-00002, to provide a density bonus of 17 units on the east 5.3 gross acres of a 10 gross acre property.

Location: North side of Avenal Street, approximately 900 feet east of Mariposa Road (APN: 0405-072-42)

Planner: Daniel Alcayaga

3. EAGLE HESPERIA 55 LP; (TPM16-00002)

Proposal: Consideration of a Tentative Parcel Map to create two parcels from an existing 10 gross acre parcel.

Location: North side of Avenal Street, approximately 900 feet east of Mariposa Road (APN: 0405-072-42)

Planner: Daniel Alcayaga

4. **MANCINELLI-CHIRCO; (TPMN15-00003)**

Proposal: Consideration of a Tentative Parcel Map to create three parcels from 78.83 gross acres.

Location: Northwest corner of Main Street and Mesa Linda Avenue (APNs: 3064-441-01 thru 04)

Planner: Ryan Leonard

5. **NATIONAL SIGNS; (SSPR16-00001)**

Proposal: Consideration of a revision to a Site Sign Plan to construct four, six square foot directional signs.

Location: 12791 Main Street (High Desert Gateway Shopping Center) (APN: 3064-611-37)

Planner: Daniel Alcayaga

CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE

City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, APRIL 20, 2016

A. PROPOSALS:

1. A TECH, INC.; (SPRR16-00003)

Proposal: Consideration of an outdoor lift for oversized vehicles in conjunction with an existing automotive transmission repair business.

Location: 10675 Hesperia Road, Unit A (APN: 0415-164-01)

Planner: Daniel Alcayaga

2. JEFFREY RANDALL; (CUPR16-00002)

Proposal: Consideration of a Conditional Use Permit in conjunction with a Minor Exception (ME16-00003), to modify an existing 2,700 square foot retail building to include a 1-bay transmission repair facility.

Location: 16190 Main Street (APN: 0413-044-23)

Planner: Stan Liudahl

3. DELMY C. HERNANDEZ; (CUP16-00003)

Proposal: Consideration of a Conditional Use Permit to allow the sale of beer and wine in conjunction with a restaurant.

Location: 16082 Main Street (APN: 0413-043-26)

Planner: Ryan Leonard

4. PACIFIC COMMUNITIES BUILDER, I; (TTE16-00002)

Proposal: Consideration of an extension of time for Tentative Tract TT-17243 to create 125 single-family residential lots on 20 gross acres.

Location: North side of Mesa Street between Topaz Avenue and Tamarisk Avenue (APN(S): 0405-042-23 & 43)

Planner: Daniel Alcayaga

CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE

City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, May 4, 2016

A. PROPOSALS:

1. DAVIS DEVELOPMENT GROUP; (TTE16-00004)

Proposal: Consideration of an extension of time for Tentative Tract TT-17679 to create nine single-family residential lots on 2.5 gross acres.

Location: Southwest corner of Hollister Street and Afton Avenue (APN: 0405-521-43)

Planner: Daniel Alcayaga

2. DAVIS DEVELOPMENT GROUP; (TTE16-00005)

Proposal: Consideration of an extension of time for Tentative Tract TT-17681 to create 20 single-family residential lots on 5.0 gross acres.

Location: Southwest corner of Hollister Street and Afton Avenue (APN: 405-521-43)

Planner: Ryan Leonard

3. DAVIS DEVELOPMENT GROUP; (TTE16-00006)

Proposal: Consideration of an extension of time for TT-17680 to create 17 single-family residential lots on 5.0 gross acres.

Location: North side of Hollister Street between Well Road and Fuente Avenue (APN: 405-521-21)

Planner: Ryan Leonard

4. INVESTMENT CONCEPTS, INC.; (SPRE16-00002)

Proposal: Consideration of a sixth extension of time to construct a 21,400 square foot retail center on 2.5 gross acres.

Location: North side of Main Street, 350 feet west of Eleventh Avenue (APN: 0408-181-32)

Planner: Daniel Alcayaga

5. **MICHAEL GALLAGHER; (PMNR16-00001)**

Proposal: Consideration of a Revised Tentative Parcel Map to modify TPMN16-00001 (PM-19723) to create a fourth parcel on approximately 3.8 gross acres.

Location: Southeast corner of Interstate 15 and Ranchero Road (APN: 0357-561-77)

Planner: Stan Liudahl

6. **SKY HIGH DESERT, LLC; (CUPR16-00003)**

Proposal: Consideration of a Revised Conditional Use Permit to replace an existing drive-thru with a 1,206 square foot carwash.

Location: 12720 Main Street (APN: 3064-481-14)

Planner: Ryan Leonard

7. **APOLLO CONSTRUCTION, LLC; (CUP15-00003)**

Proposal: Consideration of Planned Development PPD15-00001 and Conditional Use Permit CUP15-00003 in conjunction with Tentative Parcel Map TPMN15-00001 (PM-19638), to create 4 parcels and Tentative Tract TT15-00003 (TT-20004), to construct a 2-story, 84-unit senior condominium development, a 2-story, 131-unit senior assisted living facility, a 2-story, 300-person adult day care center, a spa and wellness center, medical offices and other senior-oriented retail uses including kitchen and dining facilities, and a 4,000 square foot commercial building in three phases on 10.0 gross acres. (APN: 0405-062-56)

Location: North side of Main Street, approximately 250 feet east of the California Aqueduct (APN: 0405-062-56)

Planner: Stan Liudahl

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