

PLANNING COMMISSION AGENDA

REGULAR MEETING

Date October 13, 2011

Time: 6:30 P.M.

COMMISSION MEMBERS

Chris Elvert, Chair

William A. Muller, Vice Chair

Bill Jensen, Commissioner

Julie Jensen, Commissioner

Paul Russ, Commissioner

* - * - * - * - * - * - * - *

Dave Reno, Principal Planner

Jeff M. Malawy, Assistant City Attorney



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

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

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

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

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

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

October 13, 2011

**AGENDA
HESPERIA PLANNING COMMISSION**

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

CALL TO ORDER

6:30 p.m.

- A. Pledge of Allegiance to the Flag
- B. Invocation
- C. Roll Call:
 - Chair Chris Elvert
 - Vice Chair William Muller
 - Commissioner Bill Jensen
 - Commissioner Julie Jensen
 - Commissioner Paul Russ

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: September 8, 2011 Planning Commission Meeting Draft Minutes. -1-

PUBLIC HEARINGS

- 1. Consideration of Specific Plan Amendment SPL11-10206, to reclassify property from Neighborhood Commercial to the Commercial Industrial Business Park District of the Main Street and Freeway Corridor Specific Plan on 14.8 gross acres and Conditional Use Permit CUP11-10197, to construct an 11,805 square foot travel center including the sale of beer and wine for off-site consumption on 10.6 gross acres located on the southeast corner of Outpost Road and Joshua Street (Applicant: Love's Travel Stops and Country Stores, Inc.; APNs: 3039-361-01 & 3039-371-01) (Staff Person: Stan Liudahl) **Propose to continue item.** 1-1
- 2. Consideration of Conditional Use Permit CUP11-10233 to construct a two-story, 41-bay, 105,094 square foot semi-truck and trailer repair business with driver convenience facilities, a restaurant with on-site sale of alcohol, and long term parking and storage of tractors and trailers on 10 gross acres located on the west side of Caliente Road, 400 feet north of Joshua Street. (Applicant: Eagle Rock Services, LLC - Javier Rodriguez; APN: 3039-321-08) (Staff Person: Daniel Alcayaga) 2-1

- 3. Consideration of Development Code Amendment DCA11-10245, to amend the Commercial, Industrial and Public Land Use District regulations. (Applicant: City of Hesperia; Affected area: Citywide) (Staff Person: Daniel Alcayaga) 3-1

- 4. Consideration of Specific Plan Amendment SPL11-10263 amending the City's Main Street and Freeway Corridor Specific Plan regarding setback and approval procedures (Applicant: City of Hesperia; Area affected: Citywide) (Staff Person: Lisette Sanchez-Mendoza) 4-1

PRINCIPAL PLANNER'S REPORT

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

- E. DRC Comments 5-1

- F. Major Project Update

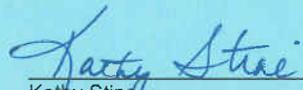
PLANNING COMMISSION BUSINESS OR REPORTS

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, Kathy Stine, Planning Commission Secretary for City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Thursday, October 6, 2011 at 5:30 p.m. pursuant to California Government Code §54954.2.


Kathy Stine
Planning Commission Secretary

DRAFT

HESPERIA PLANNING COMMISSION MEETING
REGULAR MEETING
September 8, 2011
MINUTES

The Regular Meeting of the Planning Commission was called to order at 6:31 p.m. by Chair Elvert in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

CALL TO ORDER 6:31 p.m.

A. Pledge of Allegiance to the Flag

B. Invocation

C. Roll Call:

Chair Chris Elvert

Vice Chair William Muller

Commissioner Bill Jensen

Commissioner Julie Jensen

Commissioner Paul Russ

Present: Chris Elvert
William Muller
Bill Jensen
Julie Jensen
Paul Russ

JOINT PUBLIC COMMENTS

Chair Elvert opened Public Comments at 6:34 p.m.

No comments to consider.

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

CONSENT CALENDAR

D. Approval of Minutes: August 11, 2011 Planning Commission Meeting Draft Minutes.

Motion by Paul Russ to approve August 11, 2011 Planning Commission Meeting Draft Minutes. Seconded by William Muller and passed with the following roll call vote:

AYES: Chris Elvert, William Muller, Bill Jensen, Julie Jensen and Paul Russ
NOES: None

PUBLIC HEARING

1. Consideration of Specific Plan Amendment SPL11-10206, to reclassify property from Neighborhood Commercial to the Commercial Industrial Business Park District of the Main Street and Freeway Corridor Specific Plan on 14.8 gross acres and Conditional Use Permit CUP11-10197, to construct an 11,805 square foot travel center including the sale of beer and wine for off-site consumption on 10.6 gross acres located on the southeast corner of Outpost Road and Joshua Street (Applicant: Love's Travel Stops and Country Stores, Inc.; APNs: 3039-361-01 & 3039-371-01) (Staff Person: Stan Liudahl) Continued to Planning Commission Meeting of October 13, 2011.

Chair Elvert opened Public Hearing at 6:35 p.m.

No comments to consider.

Chair Elvert closed Public Hearing at 6:36 p.m.

Motion by Paul Russ to continue item to the October 13, 2011 Planning Commission Meeting. Seconded by Bill Jensen and passed with the following roll call vote:

AYES: Chris Elvert, William Muller, Bill Jensen, Julie Jensen and Paul Russ
NOES: None

2. Consideration of revised Conditional Use Permit CUP11-10225, to establish a beer microbrewery with a tasting room at 12221 Poplar Street. (Applicant: Jerry Hackbarth; APN: 3064-641-10) (Staff Person: Lisette Sanchez-Mendoza)

Assistant Planner Lisette Sanchez-Mendoza gave a PowerPoint presentation and stated that Staff is recommending approval.

Julie Jensen asked if there was adequate parking and Lisette responded that there was.

Bill Jensen asked if there was any future plan to signalize Poplar Street and Dave Reno responded not that he was aware of.

Lisette stated that she received a phone call in opposition and they were going to fax a letter but she did not receive the fax and the caller did not state why they were in opposition.

Chair Elvert opened Public Hearing at 6:40 p.m.

Jerry Hackbarth, owner and operator of the project, came forward to answer any Commission questions.

Chair Elvert closed Public Comment at 6:41 p.m.

Motion by Paul Russ to approve RESOLUTION NO. PC-2011-33, as presented approving CUP11-10225. Seconded by Julie Jensen and passed with the following roll call vote:

AYES: Chris Elvert, William Muller, Bill Jensen, Julie Jensen and Paul Russ
NOES: None

Chair Elvert stated that he was granting the request of one of the Commissioners to hear item 4 next on the agenda.

4. [Consideration of Development Code Amendment DCA11-10103 regarding medical marijuana dispensaries. \(Applicant: West Coast Patients Group; Area affected: Citywide\) \(Staff Person: Lisette Sanchez-Mendoza\)](#)

Lisette Sanchez-Mendoza gave a PowerPoint presentation and explained the recent Public Hearing history of this item and stated that the Planning Commission recommendation would be forwarded to the City Council. She also stated that there were three letters of opposition to consider as green sheet items.

Julie Jensen asked how many currently banned dispensaries are in the City without regulations and how long they have been here.

Lisette responded that there are 12 illegal dispensaries that Staff is aware of.

Principal Planner Dave Reno, AICP responded that they have been operating since approximately 2010.

Julie Jensen asked what the procedure was for removing a banned dispensary.

Dave Reno explained Code Enforcement's procedure.

Discussion ensued

Paul Russ asked that even though dispensaries were legal if allowed, it was the City's right to approve or disapprove them on a land use basis. Dave Reno responded that was correct.

Chair Elvert asked if the ordinance passed, would all the illegal current dispensaries be required to come back through the Planning Commission for approval. Dave Reno stated yes, depending on how the City Council would choose to adopt the approval procedures in the Ordinance.

Chair Elvert opened Public Hearing at 7:08 p.m.

Kevin Sutman, applicant rep with West Coast Patients Group, stated they were asking for safe access to attain medical marijuana and to be treated as any other business that comes to the City.

Al Vogler spoke in opposition to dispensaries and asked Bill Jensen to recuse himself.

Pastor Randy Ponce spoke in opposition.

Darlene Matteson gave her 3 minutes to Dave Matteson and he spoke in favor of dispensaries.

Floyd Huntley spoke in opposition and stated that he didn't think the owners were ready to dispense marijuana to the City and that anyone can get a card.

Carol Hearn spoke in opposition.

Eugene Van spoke in favor.

John Douglas spoke in favor.

Michael Chandler spoke in opposition.

Jim Reed spoke in opposition.

Travis Godeaux spoke in opposition.

Louie Hernandez spoke in opposition.

Laurie Yovanovich spoke in opposition.

Brain Novak spoke in favor.

Stacie Miller spoke in favor.

Richard Holquin spoke in opposition.

April Worth spoke in favor.

Rudy Escobar spoke in favor

Brian Steele spoke in favor.

Jennifer Stuckles spoke in favor.

Sandi McKay spoke in favor.

Charity Meyer spoke in opposition.

Chair Elvert stated that there was a newspaper article in the Senior News that reported him as Director of Legal and Legislative Analyst for Crusaders for Patients Rights which was a misquote and he wanted it on public record that this was inaccurate information.

Chair Elvert closed the Public Hearing at 8:08 p.m.

Paul Russ asked about the primacy clause and state's rights.

Assistant City Attorney Jeff Malawy sited that medical marijuana and dispensaries were still illegal under Federal law but California law states that medical marijuana collectives or operatives are not illegal.

Discussion ensued.

Bill Jensen stated that he wanted to add transferability of an approved CUP of a dispensary to another individual to the ordinance.

Discussion ensued regarding verbiage for transferability.

Commission discussion ensued regarding changes to the Ordinance to allow dispensaries.

Voice votes were taken for each of the following revised items for the ordinance to approve dispensaries.

Motion by Bill Jensen to approve to limit dispensaries to the G-I, I-1 and I-2 zones. Seconded by Chris Elvert and passed with the following roll call vote:

AYES: Chris Elvert, William Muller, Bill Jensen and Julie Jensen
NOES: Paul Russ

Motion by Chris Elvert to approve to retain the 1000-foot distance from Main Street, Bear Valley Road and I-15. Seconded by Bill Jensen and passed with the following roll call vote:

AYES: Chris Elvert, William Muller and Bill Jensen
NOES: Julie Jensen and Paul Russ

Motion by Bill Jensen to approve to reduce the list of sensitive uses to Hesperia School District schools, Hesperia Recreation and Park District parks and residential zones, and change the 500 feet from sensitive uses to 600 feet. Seconded by Julie Jensen and passed with the following roll call vote:

AYES: Chris Elvert, William Muller, Bill Jensen and Julie Jensen
NOES: Paul Russ

Motion by Bill Jensen to approve to allow physicians on site. Seconded by Julie Jensen and passed with the following roll call vote:

AYES: William Muller, Bill Jensen and Julie Jensen
NOES: Chris Elvert and Paul Russ

Motion by Bill Jensen to approve to allow armed guards. Seconded by Julie Jensen and passed with the following roll call vote:

AYES: Chris Elvert, William Muller, Bill Jensen, Julie Jensen and Paul Russ
NOES: None

Motion by Bill Jensen to approve to allow delivery services. Seconded by Julie Jensen and passed with the following roll call vote:

AYES: William Muller, Bill Jensen, Julie Jensen and Paul Russ
NOES: Chris Elvert

Motion by Bill Jensen to approve to allow delivery services with subsequent conditions. Seconded by Paul Russ and passed with the following roll call vote:

AYES: Chris Elvert, William Muller, Bill Jensen, Julie Jensen and Paul Russ
NOES: None

Motion by Chris Elvert to approve to prohibit cultivation on site. Seconded by Paul Russ and passed with the following roll call vote:

AYES: Chris Elvert, William Muller and Paul Russ
NOES: Bill Jensen and Julie Jensen

Motion by Bill Jensen to approve to allow a transfer of a CUP to new approved owner on same site without a new application. Seconded by Julie Jensen and passed with the following roll call vote:

AYES: Chris Elvert, William Muller, Bill Jensen, Julie Jensen, and Paul Russ
NOES: None

Commission discussion ensued.

Motion by Julie Jensen to approve RESOLUTION NO. PC-2011-27, as amended, recommending that the City Council approve DCA11-10103, regarding medical marijuana dispensaries. Seconded by Bill Jensen.

Motion by Paul Russ to approve a substitute motion RESOLUTION NO. PC-2011-15, recommending that the City Council deny DCA11-10103, regarding medical marijuana dispensaries and keep the ban. Seconded by William Muller and failed with the following roll call vote:

AYES: William Muller and Paul Russ
NOES: Chris Elvert, Bill Jensen and Julie Jensen

Motion by Julie Jensen to approve RESOLUTION NO. PC-2011-27, as amended, recommending that the City Council approve DCA11-10103, regarding medical marijuana dispensaries. Seconded by Bill Jensen and passed with the following roll call vote:

AYES: Chris Elvert, Bill Jensen and Julie Jensen
NOES: William Muller and Paul Russ

Commission discussion ensued regarding the overall number of dispensaries but no action was taken.

Chair Elvert called for a meeting break at 9:14 p.m.

Chair Elvert called the meeting back to order at 9:27 p.m.

3. [Consideration of Development Code Amendment DCA11-10245, to amend the Commercial, Industrial and Public Land Use District regulations. \(Applicant: City of Hesperia; Affected area: Citywide\) \(Staff Person: Daniel Alcayaga\)](#)

Senior Planner Daniel Alcayaga gave a PowerPoint presentation.

Bill Jensen asked if this item was given to the BIA or Board of Realtors. Daniel Alcayaga replied no, it was not.

Discussion ensued.

Chair Elvert opened Public Hearing at 9:51 p.m.

No comments to consider.

Chair Elvert closed Public Hearing at 9:52 p.m.

Motion by Bill Jensen to continue the ordinance to the October 13, 2011 Planning Commission meeting and recommend that staff alert organizations and individuals to seek their input. Seconded by Paul Russ and passed with the following roll call vote:

AYES: Chris Elvert , Bill Jensen and Paul Russ
NOES: Julie Jensen and William Muller

PRINCIPAL PLANNER'S REPORT

- E. [DRC Comments](#)
- F. [Major Project Update](#)

Dave Reno gave update on Rancho Road undercrossing and signal plans at Santa Fe and Rancho Road.

PLANNING COMMISSION BUSINESS OR REPORTS

Julie Jensen commented on the remark that our City was unstable. She stated that she has lived here for 20 years and seeing the improvements that the City is still involved in and the fact that we are running in the black conveys that we are probably one of the best situated Cities in California.

Bill Jensen asked to agendize discussion of areas of Hesperia Road.

ADJOURNMENT

Chair Elvert adjourned the meeting at 10:08 p.m. to October 13, 2001 Planning Commission Meeting.

Chris Elvert,
Commission Chair

By: Kathy Stine,
Commission Secretary

City of Hesperia
STAFF REPORT



DATE: October 13, 2011

TO: Planning Commission

FROM:  Dave Reno, AICP, Principal Planner

BY:  Stan Liudahl, AICP, Senior Planner

SUBJECT: Specific Plan Amendment SPL11-10206; Applicant: Love's Travel Stops and Country Stores, Inc.; APN: 3039-361-01

The applicant's agent met with Caltrans regarding the traffic study September 22, 2011 and was directed to revise the traffic study. Consequently, staff recommends that the public hearing for this project be continued to the Commission's November 8th meeting to allow the applicant's agent time to address Caltrans' comments.



DATE: October 13, 2011
TO: Planning Commission
FROM: Dave Reno, AICP, Principal Planner
BY: Daniel S. Alcayaga, AICP, Senior Planner
SUBJECT: Conditional Use Permit CUP11-10233; Applicant: Eagle Rock Services, LLC - Javier Rodriguez; APN: 3039-321-08

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2011-36, approving CUP11-10233.

BACKGROUND

Proposal: A conditional use permit to construct a two-story, 41-bay, 105,094 square foot semi-truck and trailer repair business with driver convenience facilities, a restaurant with on-site sale of alcohol, and long term parking and storage of tractors and trailers on 10 gross acres (Attachment 1).

Location: The property is located on the west side of Caliente Road, 400 feet north of Joshua Street.

Current General Plan, Zoning and Land Uses: The property is currently undeveloped and within the Commercial/Industrial Business Park (CIBP) District of the Main Street and Freeway Corridor Specific Plan (Specific Plan). The surrounding land is designated as noted on Attachment 2. There are two light industrial buildings located on the adjacent property to the north. The properties are vacant to the south, east, and west (Attachment 3).

ISSUES/ANALYSIS

Land Use: The primary purpose of the facility will be to provide truck repair and related services to commercial truck drivers. The facility will include long term parking and storage of tractors and trailers. As part of the facility, amenities will be provided for customer use, including a small theater, computer room, quiet room, and a sit-down restaurant. The conditional use permit would allow the on-site sale of alcoholic beverages in order to be able to serve and sell alcoholic beverages within the restaurant. The proposed use is allowed by the Specific Plan and is similar to surrounding uses. Existing uses in proximity to the project are truck related. The project will be located near the Joshua Street and Interstate 15 (I-15) ramps and the Highway 395 and I-15 interchange and is located in area designated for light industrial uses.

The project as proposed complies with all development regulations. The development will have a total of 140 parking spaces, including 6 accessible (handicap) parking spaces. Additionally, there will be 181 parking spaces and will be oversized to accommodate tractor trailers of different sizes. Approximately 14% of the site will be landscaped. Fire lanes will be a minimum of 26 feet wide and provided throughout the facility for emergency access.

The building architecture complies with the City’s architectural guidelines (Attachment 4). In front of the building, the entrance will have a prominent roof feature which exhibits wall and roof plane variation. The building will be accented with stone veneer columns on the first floor and window awnings on second floor in front of the building. Consistent with City standards, the bay doors will face the sides and away from the street.

A Type 47 alcohol license is proposed, which would allow the general sale of alcohol in a bona fide public eating place. The subject property is located in Census Tract 100.17 (Attachment 5). The Department of Alcoholic Beverage Control (ABC) has determined that the site is located in an over-concentrated census tract, as this census tract currently exceeds its limitation of four licenses (Table 1).

Table 1: Existing On-Sale Licenses in Census Tract 100.17

| Status | Business Name | Business Address | Type of License |
|--------|-------------------------|-----------------------|---|
| Active | Love Oasis Sushi | 12719 Main St., # 400 | 41- Beer and Wine |
| Active | Summit Valley Inn. | 5950 Mariposa Rd. | 41- Beer and Wine |
| Active | Courtyard by Marriott | 9619 Mariposa Rd. | 47-Beer, Wine, and Liquor |
| Active | Outpost Cafe | 8685 HWY 395 | 47-Beer, Wine, and Liquor |
| Active | Spring Hill by Marriott | 9625 Mariposa Rd. | 70-Beer, Wine, and Liquor
(Restricted) |

Staff believes that the findings of necessity and convenience required to obtain additional licenses in an over-concentrated tract can be made. Census Tract 100.17 extends along the I-15 for six miles from the Cajon Pass to Main Street and the majority of properties fronting the freeway are designated commercial. It is the City’s intent to continue to attract commercial developments, including sit-down restaurants, along the freeway necessitating the need to exceed ABC’s standards for on-sale licenses. In terms of convenience, the area is a destination for truckers and where drivers can obtain their commercial services due to its location. Currently, the immediate area has one restaurant holding on-sale alcohol license. Three outlets listed in Table 1 are located 1 ½ miles to the north and Summit Valley Inn is located 4 miles to the south of the project. The recently approved microbrewery holds a Type 23 license and is not counted in ABC’s over-concentration figures.

Drainage: The development is required to handle the increase in storm water runoff as a result of construction of this project. As a result, a retention basin will be situated on the northeast corner of the site.

Water and Sewer: The site is served by a 16-inch water line within the project frontage of Caliente Road. Based on the size of the property and the number of plumbing fixtures provided on the floor plan, staff has determined that a septic tank system can be used for sewage disposal. The development is required to construct a dry-lateral from the building to the street. In the future, the building would need to connect to sewer if the septic system fails and sewer becomes available within 200 feet of the property.

Traffic/Street Improvements: According to the Institute of Transportation Engineer’s Trip Generation Manual, a total of 512 daily vehicle trip, 62 AM peak hour trips and 88 PM peak hour trips would be generated by the project. The project itself would not create a deficient level of service for any street segment or intersection in proximity to the project, provided the developer

pays the required development impact fees and constructs street improvements along the project frontage. As a condition of approval, the developer will be required to construct street improvements and pay development impact fees.

Environmental: Approval of this project requires adoption of a mitigated negative declaration pursuant to the California Environmental Quality Act (CEQA). The mitigated negative declaration and initial study (Attachment 6) prepared for this project concludes that there are no significant adverse impacts resulting from development of the project with the mitigation measures provided.

Conclusion: The project conforms to the policies of the City's General Plan as well as the Specific Plan.

FISCAL IMPACT

None.

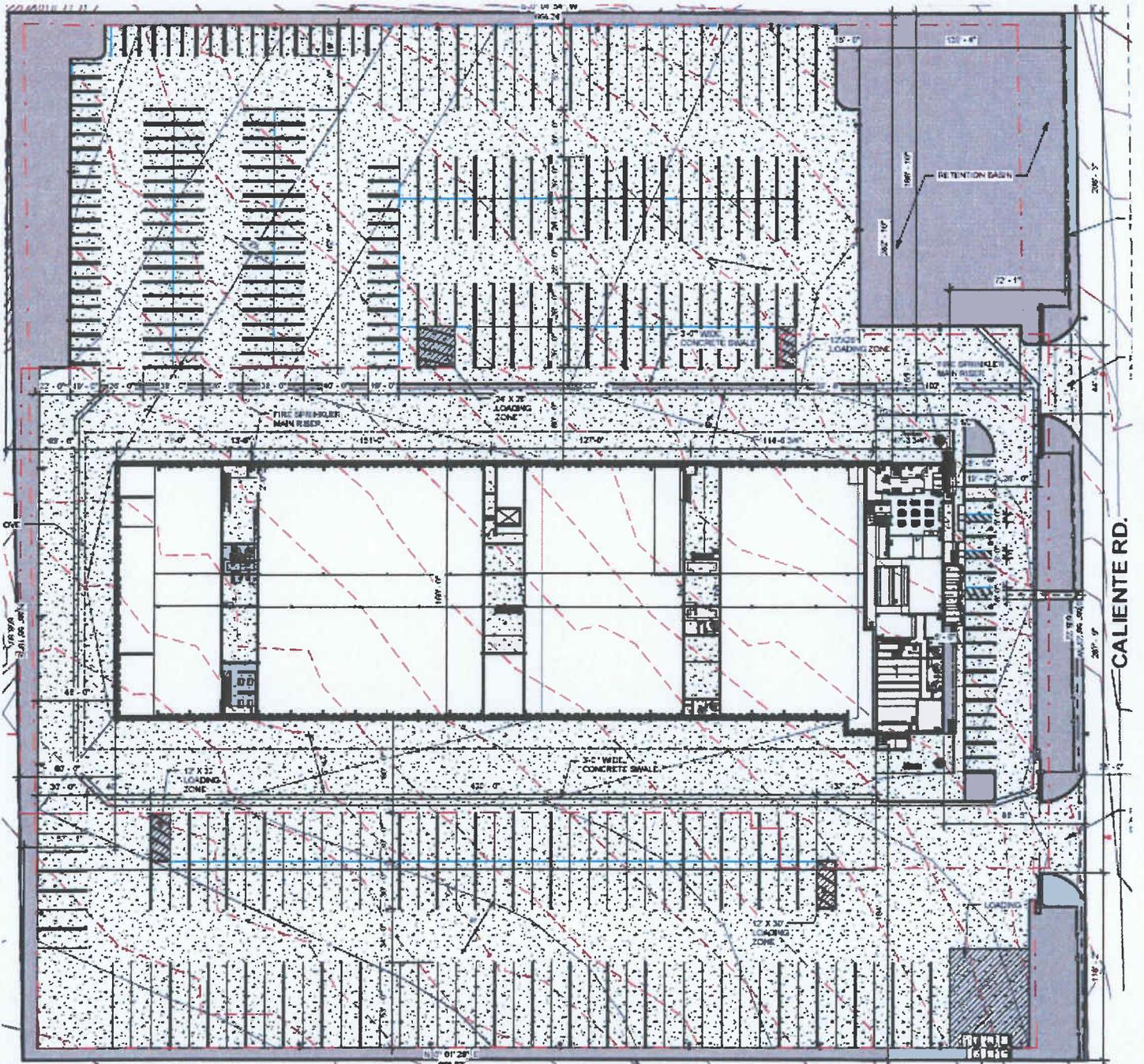
ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENTS

1. Site plan
2. Main Street and Freeway Corridor Specific Plan land use map
3. Aerial photo
4. Architectural Perspective
5. Census tract
6. Mitigated Negative Declaration ND-2011-07 and its initial study
7. Resolution No. PC-2011-36, with list of conditions

ATTACHMENT 1



APPLICANT(S):
EAGLE ROCK SERVICES, LLC - JAVIER RODRIGUEZ

FILE NO(S):
CUP11-10233

LOCATION:
ON THE WEST SIDE OF CALIENTE ROAD, 400 FEET NORTH OF JOSHUA STREET

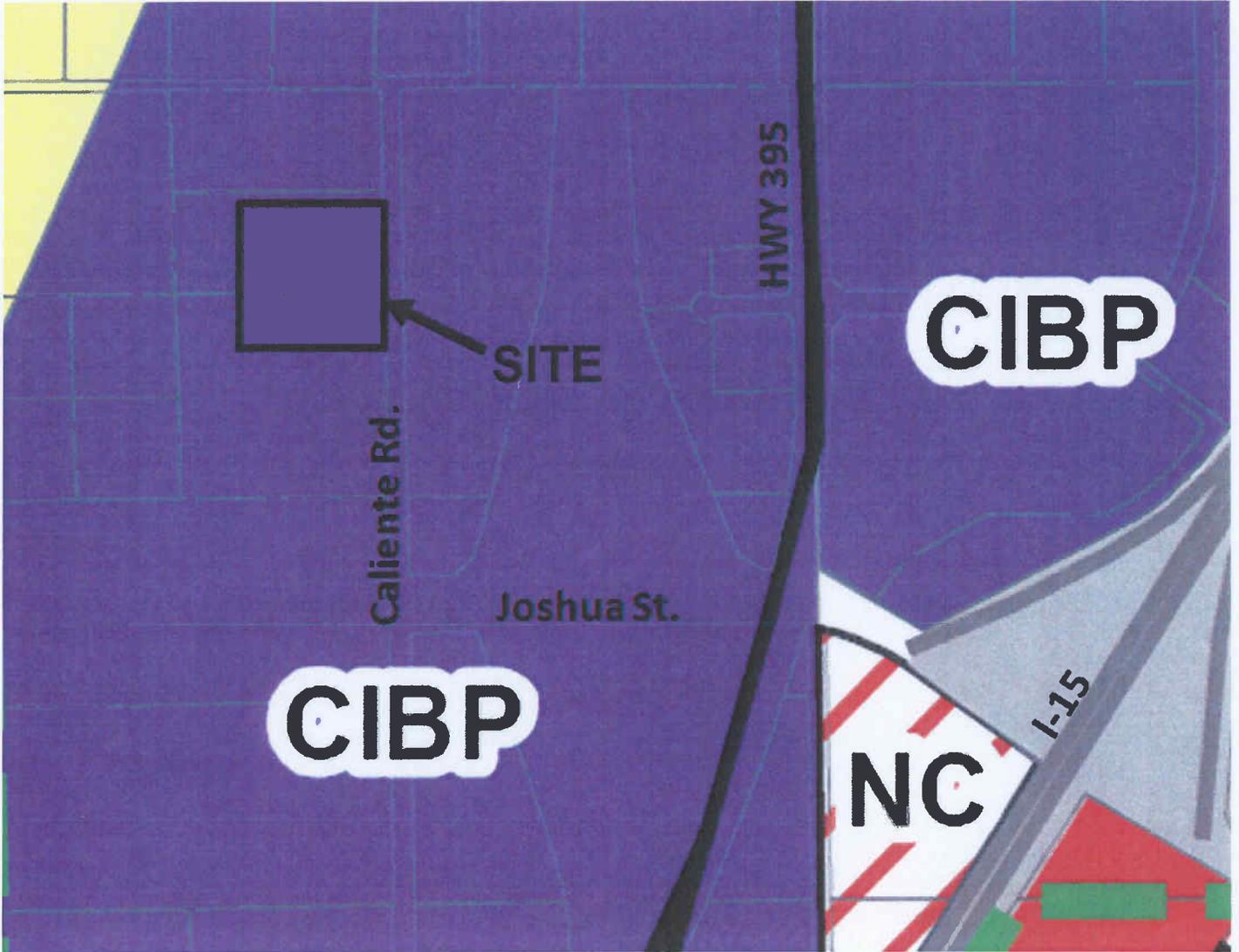
APN(S):
3039-321-08

PROPOSAL:
A CONDITIONAL USE PERMIT TO CONSTRUCT A TWO-STORY, 41-BAY, 105,094 SQUARE FOOT SEMI-TRUCK AND TRAILER REPAIR BUSINESS ON 10 ACRES DESIGNATED CIBP



SITE PLAN

ATTACHMENT 2



APPLICANT(S):
EAGLE ROCK SERVICES, LLC - JAVIER RODRIGUEZ

FILE NO(S):
CUP11-10233

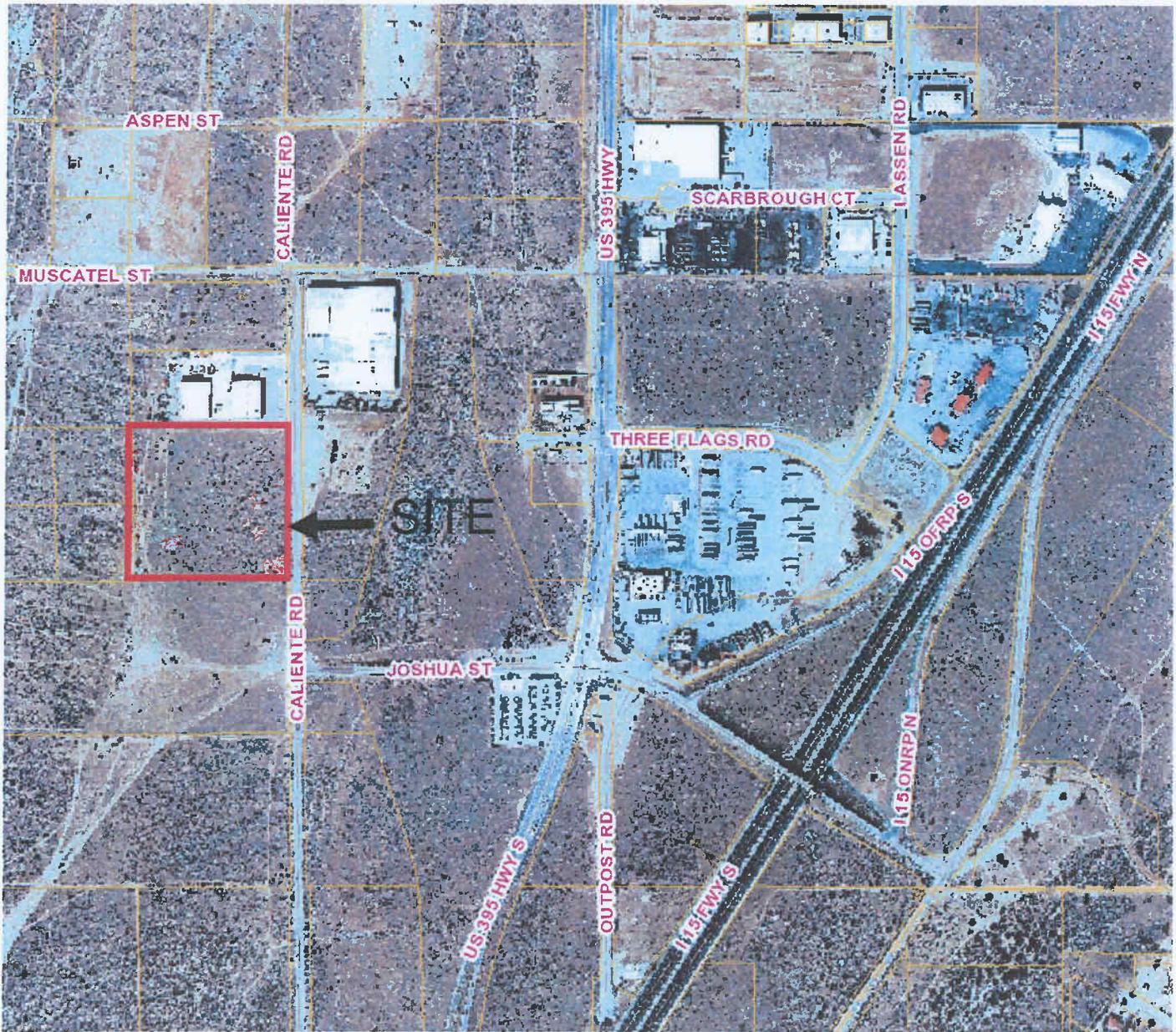
LOCATION:
ON THE WEST SIDE OF CALIENTE ROAD, 400 FEET NORTH OF JOSHUA STREET

APN(S):
3039-321-08

PROPOSAL:
A CONDITIONAL USE PERMIT TO CONSTRUCT A TWO-STORY, 41-BAY, 105,094 SQUARE FOOT SEMI-TRUCK AND TRAILER REPAIR BUSINESS ON 10 ACRES DESIGNATED CIBP



ATTACHMENT 3



APPLICANT(S):
EAGLE ROCK SERVICES, LLC - JAVIER RODRIGUEZ

FILE NO(S):
CUP11-10233

LOCATION:
ON THE WEST SIDE OF CALIENTE ROAD, 400 FEET NORTH OF JOSHUA STREET

APN(S):
3039-321-08

PROPOSAL:
A CONDITIONAL USE PERMIT TO CONSTRUCT A TWO-STORY, 41-BAY, 105,094 SQUARE FOOT SEMI-TRUCK AND TRAILER REPAIR BUSINESS ON 10 ACRES DESIGNATED CIBP



AERIAL PHOTO

PLANNING COMMISSION

ATTACHMENT 4



APPLICANT(S):
EAGLE ROCK SERVICES, LLC - JAVIER RODRIGUEZ

FILE NO(S):
CUP11-10233

LOCATION:
ON THE WEST SIDE OF CALIENTE ROAD, 400 FEET NORTH OF JOSHUA STREET

APN(S):
3039-321-08

PROPOSAL:
A CONDITIONAL USE PERMIT TO CONSTRUCT A TWO-STORY, 41-BAY, 105,094 SQUARE FOOT SEMI-TRUCK AND TRAILER REPAIR BUSINESS ON 10 ACRES DESIGNATED CIBP

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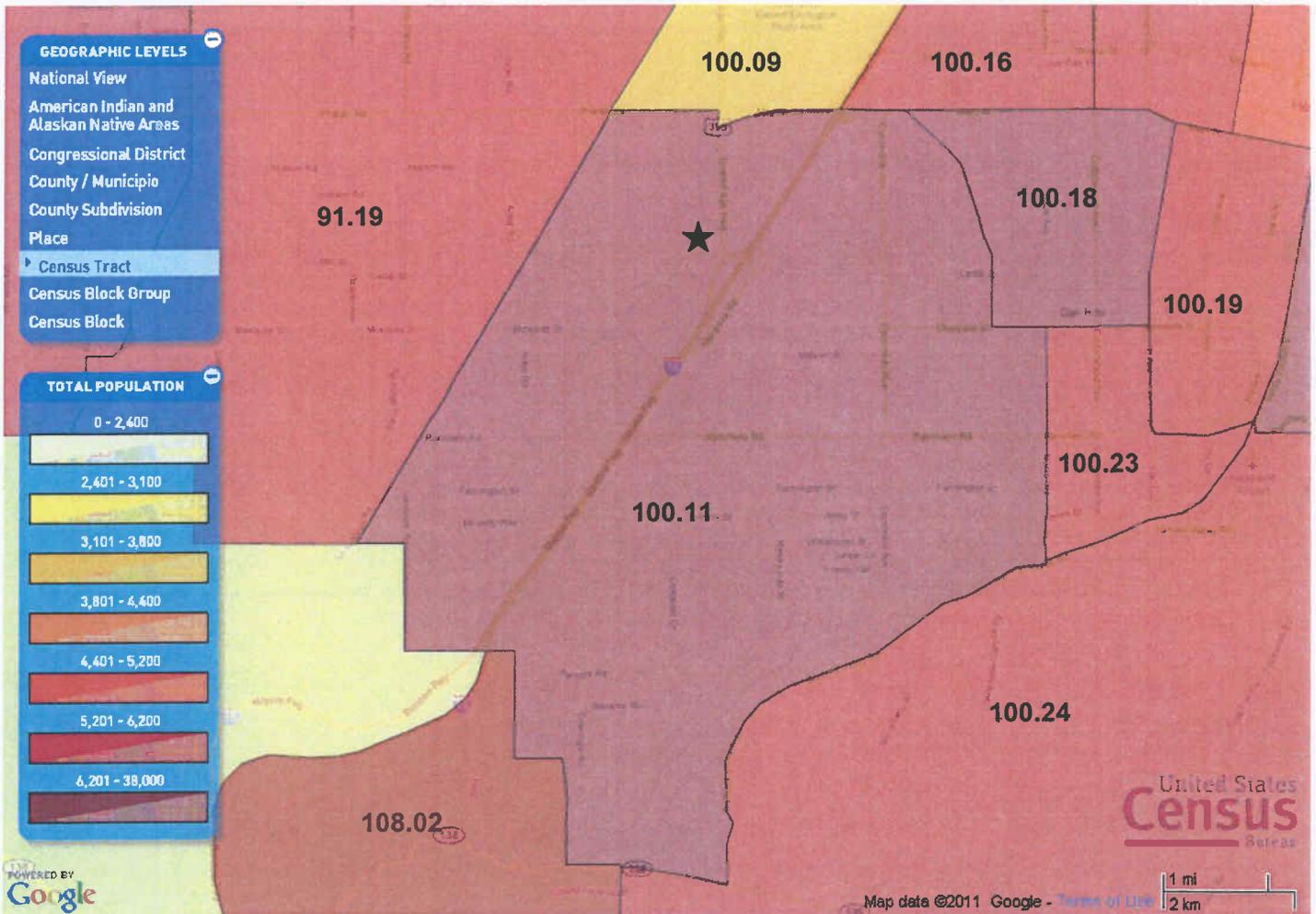


2-7

ARCHITECTURAL PERSPECTIVE

PLANNING COMMISSION

ATTACHMENT 5



Source: 2010 US Census - <http://2010.census.gov/2010census/popmap/>

★ Project Site

APPLICANT(S):
EAGLE ROCK SERVICES, LLC - JAVIER RODRIGUEZ

FILE NO(S):
CUP11-10233

LOCATION:
ON THE WEST SIDE OF CALIENTE ROAD, 400 FEET NORTH OF JOSHUA STREET

APN(S):
3039-321-08

PROPOSAL:
A CONDITIONAL USE PERMIT TO CONSTRUCT A TWO-STORY, 41-BAY, 105,094 SQUARE FOOT SEMI-TRUCK AND TRAILER REPAIR BUSINESS ON 10 ACRES DESIGNATED CIBP



CENSUS TRACTS

ATTACHMENT 6

PLANNING DIVISION
9700 Seventh Avenue, Hesperia, California 92345
(760) 947-1224 FAX (760) 947-1304

MITIGATED NEGATIVE DECLARATION ND-2011-07
Preparation Date: September 19, 2011

Name or Title of Project: Conditional Use Permit (CUP11-10233)

Location: On the west side of Caliente Road, 400 feet north of Joshua Street (APN: 3039-321-08)

Entity or Person Undertaking Project: Eagle Rock Services, LLC - Javier Rodriguez

Description of Project: The project includes a conditional use permit to construct a two-story, 41-bay, 105,094 square foot semi-truck and trailer repair business with driver convenience facilities and a restaurant with on-site sale of alcohol on 10 gross acres. The facility will include long term parking and storage of tractors and trailers.

Statement of Findings: The Planning Commission 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 with inclusion of the following mitigation measure and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

Mitigation Measure:

1. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.
2. A pre-construction survey for the burrowing owl shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.

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: September 21, 2011 thru October 11, 2011

Public Hearing Date: October 13, 2011

Adopted by the City Council: n/a

Attest:

DAVE RENO, AICP, PRINCIPAL PLANNER

**CITY OF HESPERIA INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM**

PROJECT DESCRIPTION

1. **Project Title:** Conditional Use Permit CUP11-10233
2. **Lead Agency Name:** City of Hesperia Planning Division
Address: 9700 Seventh Avenue, Hesperia, CA 92345.
3. **Contact Person:** Daniel S. Alcayaga, AICP, Senior Planner
Phone number: (760) 947-1330.
4. **Project Location:** On the west side of Caliente Road, 400 feet north of Joshua Street (APN: 3039-321-08).
5. **Project Sponsor:** Eagle Rock Services, LLC – Javier Rodriguez
Address: 18244 Valley Boulevard
Bloomington, CA 92316
6. **General Plan & zoning:** Commercial/Industrial Business Park (CIBP) District of the Main Street and Freeway Corridor Specific Plan.

7. Description of project:

A conditional use permit to construct a two-story, 41-bay, 105,094 square foot semi-truck and trailer repair business as shown on Exhibit A. The project size is 10 gross acres. The building will provide amenities for customers, including a small theater, computer room, quiet room, and restaurant. The conditional use permit will permit on-site sale of alcoholic beverages. The facility will include long term parking and storage of tractors and trailers. The development will have a total of 140 parking spaces, including 6 accessible (handicap) parking spaces. Additionally, there will be 181 parking spaces provided and will be oversized to accommodate tractor trailers of different sizes. Approximately 14% of the site will be landscaped. As a condition of approval, the project will be required to construct street improvements, including curb, gutter, and sidewalk, along the street frontage. There will be a drainage basin located on the northeast corner of the property.

8. Surrounding land uses and setting: (Briefly describe the project's surroundings.)

The site is within the Commercial/Industrial Business Park (CIBP) District of the Main Street and Freeway Corridor Specific Plan. The property is currently undeveloped as shown on Attachment "C." There are two light industrial buildings located on the adjacent property to the north. The properties are vacant to the south, west, and east.

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

Review and approval is required from the City.

Exhibit "A" - Site Plan

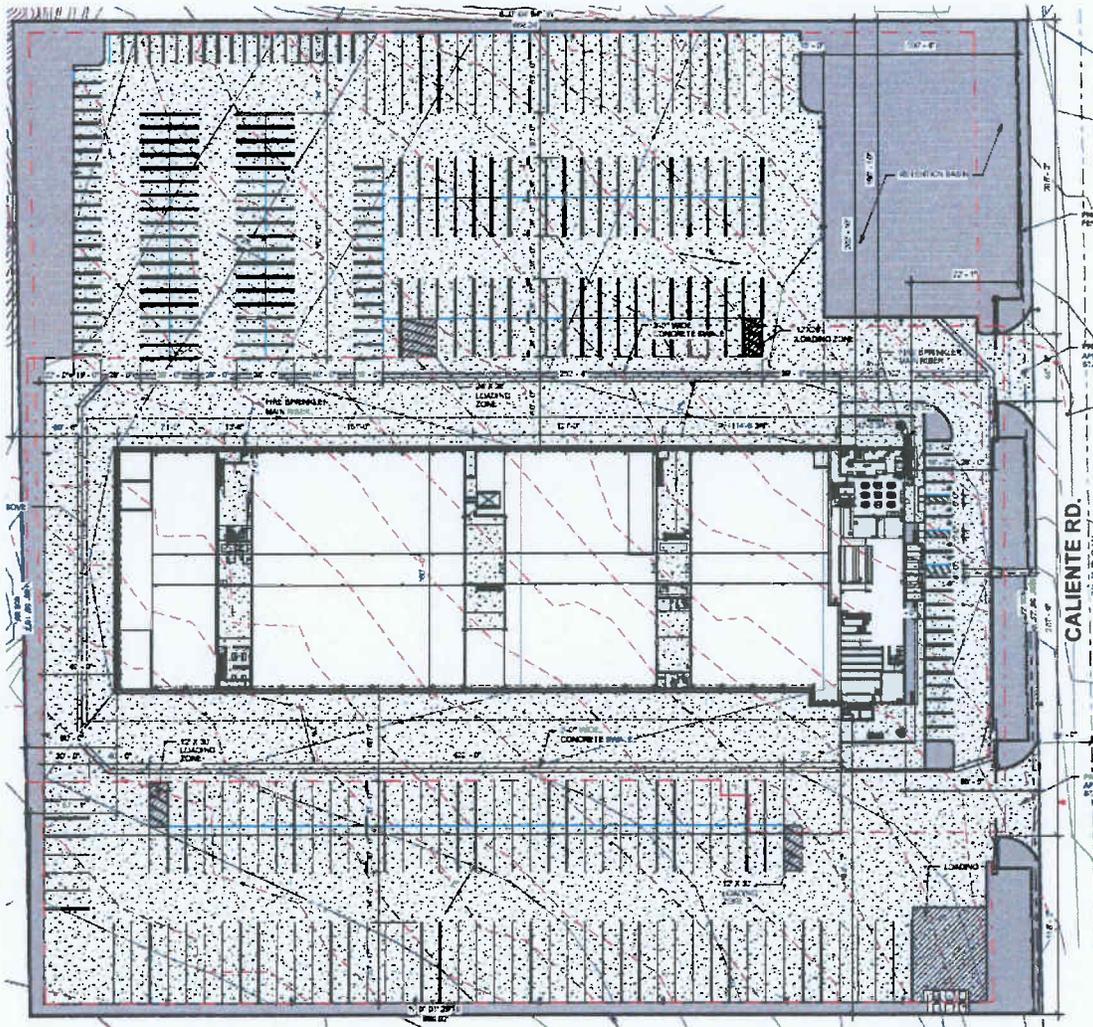


Exhibit "B" - Architectural Perspective



Exhibit "C" - Aerial Photo



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

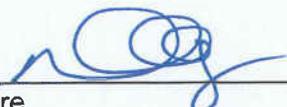
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION: (Completed by the Lead Agency)

On the basis of this initial evaluation:

| | | |
|--------------------------|--|--------------|
| <input type="checkbox"/> | I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. | "De minimis" |
| X | 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. | |
| <input type="checkbox"/> | I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. | |
| <input type="checkbox"/> | 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. | |
| <input type="checkbox"/> | 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
Daniel S. Alcayaga, AICP, Senior Planner, Hesperia Planning Division

9-19-11

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)? | | | | 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 (6)? | | | X | |

Comments.

The General Plan identifies the property as being within the Main Street and Freeway Corridor Specific Plan. The Specific Plan designates the property as Commercial/Industrial Business Park (CIBP). The project is supported by the General Plan and Specific Plan.

Properties in proximity to the project are developed and surrounding land is disrupted with existing roads and highways. The properties to the north, as well as to the northeast, are developed with light industrial type uses. Interstate 15 is located 2,250 feet to the east. Approximately 1,330 feet to the east is the intersection of Highway 395 and Joshua Street. On the northwest corner of this intersection, there is an existing travel center and an existing park-and-ride facility. Consequently, only a slight change in the visual character of the area would occur.

The City contains many scenic views of the Mojave Desert, the Mojave River, the San Bernardino and San Gabriel mountains, as well as of the Summit Valley area. The General Plan Update Environmental Impact Report (GPUEIR) addressed the scenic vistas and focuses on preservation of natural open space to protect sensitive environments and specific amenities like washes, bluffs, Joshua tree forests and juniper woodlands (3). The proposed development is not located in a sensitive environment. Given the existing land uses nearby and the site’s proximity to Interstate 15, Joshua Street and Outpost Road, its development will not substantially degrade the existing visual character or quality of the site and its surroundings. The project is not considered a scenic vista or resources, nor is any local roadways or highways considered a scenic road way. A state scenic highway does not traverse the City (2). State Highways 138 and 173 are eligible for being designated scenic highways within the southern portion of the City. The project site is not in proximity to this area. The City does not contain any registered historic buildings.

The project is subject to development standards of the Specific Plan (5), which limit the building height and provide for minimum yard, maximum floor area ratio and architectural standards as well as outdoor storage screening as implemented through the conditional use permit review process. This project is consistent with the General Plan and is not adjacent to sensitive land uses. The Development Code requires that any light created by the development not exceed 0.5 foot-candle illumination at the site boundary abutting a street (6). Further, all lights shall be hooded and directed downward to reduce the impact upon the nighttime sky in accordance with the General Plan Update, which identifies the impact of development in accordance with the General Plan as less than significant (8). Based upon these regulations, the use will not adversely affect day or nighttime views in the area. Therefore, approval of the proposed conditional use permit will not have a significant negative 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 (9) ? | | | | X |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract (10 & 11) ? | | | | 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)) (12) ? | | | | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use (12) ? | | | | 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 (11 & 12) ? | | | | X |

Comments.

The site is currently within the CIBP District of the Main Street and Freeway Corridor Specific Plan **(10)**. The General Plan and the United States Soil Conservation Service Soil Survey of San Bernardino County do not designate the property as prime farmland, unique farmland, or farmland of statewide importance. There is no record of past agricultural activities on the site. The City contains only few sites with agricultural uses and only two properties within a Williamson Act contract. The project site is not one of these properties. The proximity of commercial and industrial uses does not make this site viable for agriculture.

The soil at this location is identified as Hesperia loamy fine sand, two to five percent slopes **(13)**. These soils are limited by high soil blowing hazard, high water intake rate, low available water capacity, and low fertility. The U.S. Department of Agriculture, Soil Conservation Service (SCS) Soil Survey of San Bernardino County California Mojave River Area states that “Urban and built-up land and water areas cannot be considered prime farmland...” Therefore, this project will 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 **(14)**. 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 **(15)**. The project site is primarily located in the western portion of the City within the Interstate 15 corridor in the urban area and is surrounded by urban development. 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 **(12)**. Local timber production has not occurred since that time. 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 (16, 17 & 18)? | | | | X |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation (16, 17 & 18)? | | | 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) (16, 17 & 18)? | | | X | |
| d) Expose sensitive receptors to substandard pollutant concentrations (7, 16 & 17)? | | | X | |
| e) Create objectionable odors affecting a substantial number of people (1, 7, 16 & 17)? | | | X | |

Comments.

The General Plan Update and its Environmental Impact Report (EIR) addresses the impact of build-out in accordance with the Land Use Plan, with emphasis upon the impact upon sensitive receptors **(16 & 17)**. Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. These population groups are generally more sensitive to poor air quality. The closest sensitive receptors are the occupants of the single-family residential area located approximately 1,300 feet to the west, across the Oro Grande Wash. However, this distance is sufficient to separate these residences from the project.

The Mojave Desert Air Quality Management District (MDAQMD) has published a number of studies that demonstrate that the Mojave Desert Air Basin (MDAB) can be brought into attainment for particulate matter and ozone, if the South Coast Air Basin (SCAB) achieves attainment under its adopted Air Quality Management Plan. The High Desert and most of the remainder of the desert has been in compliance with the federal particulate standards for the past 15 years **(16)**. The ability of MDAQMD to comply with ozone ambient air quality standards will depend upon the ability of SCAQMD to bring the ozone concentrations and precursor emissions into compliance with ambient air quality standards **(16 & 17)**.

All uses identified within the Hesperia General Plan are classified as area sources by the MDAQMD **(18)**. Programs have been established in the Air Quality Attainment Plan which address emissions caused by area sources. Both short-term (construction) emissions and the long-term (operational) emissions associated with the development were considered. Short-term airborne emissions will occur during the construction phase related to demolition, site preparation, land clearance, grading, excavation, and building construction; which will result in fugitive dust emissions. Also, equipment emissions, associated with the use of construction equipment during site preparation and construction activities, will generate emissions. Construction activities generally do not have the potential to generate a substantial amount of odors. The primary source of odors associated with construction activities are generated from the combustion petroleum products by equipment. However, such odors are part of the ambient odor environment of urban areas. In addition, the contractor will be required to obtain all pertinent operating permits from the Mojave Desert Air Quality Management District (MDAQMD) for any equipment requiring AQMD permits.

The General Plan Update identifies large areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact to air quality upon build-out of the General Plan. Based upon this analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with air quality impacts (19). As part of the GPUEIR, the impact of industrial development to the maximum allowable intensity permitted by the Land Use Plan was analyzed. Further, the impact of the project does not meet any threshold which requires air quality analysis or mitigation under the Air Quality Attainment Plan (18).

| 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 (20 & 24)? | | | | 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 & 20)? | | | | 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 & 20)? | | | | 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, 20 & 24)? | | X | | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (20 & 21)? | | 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 (22)? | | | | X |

Comments.

The site 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 (23). The desert tortoise is also not expected to inhabit the site, given its proximity to Interstate 15 and U. S. Highway 395 (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 (24).

Since the site contains native plant species, a Survey Report for Sensitive Wildlife Species (2011) was conducted by RCA Associates, LLC to determine the presence of the desert tortoise, Mohave ground squirrel, burrowing owl, loggerhead shrike, and sharp-skinned hawk (20). The biological report states that none of these, nor any other threatened or endangered species inhabit the site. Since the burrowing owl is not sensitive to development and may occupy the site at any time, a mitigation measure requiring another biological survey to determine their presence shall be submitted no more than 30 days prior commencement of grading activities. The mitigation measure is listed on page 26.

A protected plant plan was prepared as part of the biological report. This protected plant plan will ensure that 37 of the site's 85 Joshua Trees, which are protected under the City's Native Plant Protection Ordinance, will be relocated or protected in place (20). The 48 which will not be protected are unsuitable for transplanting, unhealthy or dead. The grading plan for the project shall stipulate that all protected plants identified within the report will be relocated or protected in place. The mitigation measure is listed on page 26.

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 vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest communities, exist within the Rancho Las Flores Specific Plan and vicinity (25). The project site is located approximately six miles to the northwest within a developed portion of the City. Consequently, approval of the conditional use permit will not have an impact upon biological resources, subject to the enclosed mitigation measures.

| 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 (26)? | | | | X |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 (26)? | | | | X |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature (27)? | | | X | |
| d) Disturb any human remains, including those interred outside of formal cemeteries (28)? | | | X | |

Comments.

Based upon a site visit and review of the aerial photos, there is no evidence that historic resources exist within the project site. In addition, the site is not on the list of previously recorded cultural resources (26). 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.

Past records of paleontological resources were also evaluated as part of the General Plan. This research was compiled from records at the Archaeological Information Center located at the San Bernardino County Museum. Based upon this review, paleontological resources are not expected to exist on the project site. Further, the Cultural Resources Sensitivity Map indicates that the site has a low and high sensitivity potential for containing cultural resources (27). This is likely due to the proximity of the property to the Oro Grande wash. However, a Historical and Archaeological Survey prepared by Hatheway & Associates (2005) determined that there are no cultural resources on the property. Consequently, approval of the conditional use permit is not expected to have an impact upon cultural resources (4).

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 Sphere of Influence does not contain any sacred lands (29).

| 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 (31, 32 & 33). | | | | X |
| ii) Strong seismic ground shaking (30 & 34)? | | | X | |
| iii) Seismic-related ground failure, including liquefaction (13 & 30)? | | | | X |
| iv) Landslides (30)? | | | | X |
| b) Result in substantial soil erosion or the loss of topsoil (13)? | | | 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 (13 & 30)? | | | | 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 (13)? | | | | 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 (13)? | | | | X |

Comments.

The project site contains generally flat topography with slopes of between two and five percent. The project is adjacent to the Oro Grande Wash, but is not developing within the wash (1). No large hills or mountains are located within the project site. According to Exhibit SF-1 of the General Plan Safety Element, no active faults are known or suspected to occur near or within the project site and the site is not within an Alquist-Priolo Special Studies Zone or Earthquake Fault Zone (31). 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 (31 & 32). The nearest fault to the site is the North Frontal fault, located approximately five miles to the east of the City.

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 (33). The project site is not located in an Alquist-Priolo Earthquake Fault Zone or within 500 feet of a fault (31 & 32). 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 (13). 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. During construction, soil erosion will be limited through compliance with an approved erosion control plan in accordance with National Pollution Discharge Elimination System (NPDES) and Storm

Water Prevention Plan (SWPP) regulations. Although disturbance of the soil will result in significant soil loss due to wind erosion, the site will be fully developed with a building, paved parking, and landscaping (7). These improvements will ensure that soil disturbance will not result in significant soil erosion. As a function of obtaining a building final, the proposed development will be built in compliance with the Hesperia Municipal Code and the Building Code (35), which ensures that the buildings 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. Consequently, the impact upon geology and soils associated with the proposed conditional use permit is considered less than significant.

| 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 (39). 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 proposed project will not increase the greenhouse gas (GHG) emissions beyond that analyzed within the (GPUEIR). In addition, the site is situated in proximity to Interstate 15 and U. S. Highway 395. The proposed use is consistent with nearby semi-truck facilities that currently exist in the area. The site is in proximity to a truck stop in an area which is frequented by trucking and an existing Park-and-Ride, which will also encourage carpooling. This location will draw customer base from an existing exit from both the freeway and the highway, resulting in only a minor increase in traffic, if any to the area. The facility does create new traffic patterns; instead services the existing population of trucks already traveling along the I-15. While trucks are repaired, the facility provides amenities for customer

use, not necessitating the need for customers to travel outside the facility for additional commercial and personal services (1 & 7), which will reduce vehicle trips needed to obtain these services at separate establishments. The additional job creation from this development will also reduce the number of residents commuting to other communities for work, reducing vehicle miles traveled and resulting in additional GHG reductions.

The main building will be equipped with energy efficient mechanical systems for heating and cooling. That, in combination with use of dual pane glass and insulation meeting current Building Code regulations (35) will cause a reduction in GHG emissions from use of less efficient systems, resulting in additional community emission reduction credits. The building size will be 20% below the allowable floor area ratio.

Since the project complies with the Commercial/Industrial Business Park (CIBP) District of the Specific Plan, the impacts have already been as analyzed by the GPUEIR. Additionally, the use will provide additional jobs to the area, creating a small reduction in the number of commuters into the Inland Empire. The development's proximity to the established Park-and-Ride to the west will likely be another incentive for carpooling as well. Consequently, the impact upon GHG emissions associated with the proposed conditional use permit is less than significant.

| 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 (4 & 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 (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? | | | | 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? | | | | 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 (10)? | | | | 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 (1 & 7)? | | | | X |

Comments.

The repair of trucks does involve the handling and storage of motor oil, antifreeze, and gasoline. Prior to storing hazardous materials on-site, a Hazardous Materials Business Plan (HMBP) shall be approved (42), which shall be subject to review and approval by the San Bernardino County Fire Department. These materials shall be stored and transported/disposed of in accordance with the HMBP

and shall be included as a mitigation measure for the project. Although these issues pose a potential health risk, compliance with the HMBP will reduce the possibility of an accidental release to an acceptable level.

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 just over one-mile from the nearest school (Summit Leadership Academy and Elementary School) at 12850 Muscatel Street (1). Any use which includes hazardous waste as part of its operations is prohibited within 500 feet of a school (43). The proposed use is approximately 6,200 feet southwest of the school. Consequently, HMBP compliance will provide sufficient safeguards to prevent health effects. Since the facility is limited in size to about 10 acres and the acreage would be used primarily for vehicle parking, the impact of a limited amount of hazardous materials will not pose a significant health threat.

The proposed project will not conflict with air traffic nor emergency evacuation plans. The site is approximately five miles from the Hesperia Airport to the southeast, and is therefore, not within a restricted use zone associated with air operations (44). Consequently, implementation of the project will not cause safety hazards to air operations. The site is also not along an emergency evacuation route or near a potential emergency shelter (41) and will not interfere with emergency evacuation plans.

The project’s potential for exposing people and property to fire and other hazards was also examined. The site is located within an urbanized area and is not in an area susceptible to wildland fires. The southernmost and westernmost portions of the City are at risk, due primarily to proximity to the San Bernardino National Forest (45 & 46). All new structures associated with this project will be constructed to the latest building standards including applicable fire codes. In addition, all hazardous materials will be stored and transported in accordance with an approved Hazardous Materials Business Plan (HMBP) (42). Consequently, approval of the conditional use permit will not have any impact upon or be affected by hazards and hazardous materials with compliance with an approved HMBP.

| 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 (47 & 48)? | | | | 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) (49 & 50)? | | | 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 (45)? | | | | 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 (7 & 45)? | | | 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 (52)? | | | X | |
| f) Otherwise substantially degrade water quality (52)? | | | 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 (7, 53 & 61)? | | | | X |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows (7, 45 & 61)? | | | | 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 (10 & 45)? | | | | X |
| j) Inundation by seiche, tsunami, or mudflow (31)? | | | | X |

Comments.

Development of the site will disturb more than one-acre of land area. Consequently, the project 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 (54). 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 (54). 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 project construction.

The development may change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff (7). Therefore, the project shall retain the drainage created on-site beyond that which has occurred historically within an approved drainage system in accordance with City of Hesperia Resolution 89-16 (51). The project is adjacent to the Oro Grande Wash, but is not developing within the wash. A blue line stream is located 800 feet from the closest project boundary and on a different property to the west. The site is also not within a Flood Zone, based upon the latest Flood Insurance Rate Maps (61). The retention facility required by the City will ensure that no additional storm water runoff impacts the area and that any contaminants will be filtered from storm water runoff prior to any release into a street.

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 (10). 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. As such, the City is not under threat of a tsunami, otherwise known as a seismic sea wave (30). Similarly, the potential for a seiche to occur is remote, given the limited number of large water bodies within the City and its sphere. A seiche would potentially occur only in proximity to Silverwood Lake, Hesperia Lake and at recharge basins (30). 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 (55). Therefore, the mechanisms necessary to create a mudflow; a steep hillside with groundwater near the surface, does 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 (49).

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 (50). The HWD has maintained a water surplus through purchase of water transfers, allocations carried over from previous years, and recharge efforts. Therefore, the impact upon hydrology and water quality associated with the conditional use permit is considered less than significant.

| 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)? | | | | 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 (10)? | | | X | |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan (25)? | | | | X |

Comments.

The site is currently vacant and within an existing area with truck related uses consistent with the proposed Commercial/Industrial Business Park (CIBP) land use designation (1). The project complies with all development standards in the Development Code and Specific Plan. The project complies with the maximum Floor Area Ratio (FAR) of 0.35 by proposing a FAR of 0.24 below the required area (7). The project will not physically divide an established community. The project is consistent with the adjacent land uses, but requires approval of a conditional use permit (7). 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 vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest community, exist within the Rancho Las Flores Specific Plan and vicinity (25). The project site is located approximately five miles northwest of this specific plan within the developed portion of the City. Therefore, the conditional use permit would have a less than 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 (57)? | | | | 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 (57)? | | | | 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 (57). 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. Consequently, the proposed conditional use permit 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, 7 & 58)? | | | X | |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels (58 & 59)? | | | X | |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project (60)? | | | X | |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project (60)? | | | 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 (10 & 44)? | | | | 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 (44)? | | | | X |

Comments.

Approval of the proposed conditional use permit will 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 (58). Freeways, major arterials, railroads, airports, industrial, commercial, and other human activities contribute to noise levels. Noises associated with this type of project will be mostly from traffic caused by arriving and departing vehicles, especially semi-trucks (employees, customers, and vehicle service).

Construction noise levels associated with any future construction activities will be slightly higher than the existing ambient noise levels in the vicinity of the project site. Noise generated by construction equipment, including trucks, graders, backhoes, equipment, bull-dozers, concrete mixers and portable generators can reach high levels and is typically one of the sources for the highest potential noise impact of a project. However, the construction noise would subside once construction is completed. The proposed project must adhere to the requirements of the City of Hesperia Noise Ordinance (58). The Noise Ordinance contains an exemption from the noise level regulations during grading and construction activities occurring between 7:00 A.M. and 7:00 P.M., Monday through Saturday, except federal holidays.

The project site will be subjected to higher levels of noise, due to its proximity to Interstate 15. However, industrial uses are not sensitive to noise and may be subjected to up to 70 dB (A) all day and night (58 & 59). The project site currently receives 59 dB (A) from Interstate 15. A noise level of 70 dB (A) is expected upon build-out in accordance with the General Plan, based upon a 50-foot distance from Interstate 15 (60). Since industrial activities are not sensitive to excessive noise and vibration and the freeway exempt from noise and vibration standards, the impact of noise and vibration upon the proposed use is not significant.

Certain activities particularly sensitive to noise include sleeping, studying, reading, leisure, and other activities requiring relaxation or concentration, which will not be impacted. Hospitals and convalescent homes, churches, libraries, and childcare facilities are also considered noise-sensitive uses as are

residential and school uses. The nearest sensitive uses to the site are the single-family residences located 1,300 to the west. At this distance, the residents will not be exposed to any noise from the project (1). Additionally, the development will have a 6-foot solid block wall along its perimeter ensuring residents are not exposed to any noise generated by the project.

Operation of the truck and trailer repair and storage facility will create additional noise associated with truck and passenger vehicle traffic. The GPUEIR accounts for the usual truck traffic in this area caused by commercial and industrial activities. Caliente Street is a Collector roadway, which is designed to link with Arterials and Major Arterials (67). Although the use will generate an increase in vehicular traffic, the site’s location in proximity to both the freeway and U. S. Highway 395 will reduce the impact of noise upon sensitive uses due to this unique location. Therefore, noise mitigation is unnecessary.

The project site is approximately five miles north of the Hesperia Airport. At this distance, the project is not impacted by any safety zones associated with this private airport (44). The project site is even 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 intensity 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 (19). Inasmuch as this project is consistent with the adjacent land uses, the noise impact generated by the project is not significant.

| 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) (7)? | | | X | |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere (1)? | | | | X |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere (1)? | | | | X |

Comments.

The proposed project is consistent with the General Plan Land Use designation of the adjacent properties, with approval of a conditional use permit (10). Establishment of the proposed project will not create a direct increase in the demand for housing. Since it is designed to be a truck repair and short/long term storage facility for trucks and trailer, its indirect impact upon population growth is very small. Further, the site is in close proximity to water and other utility systems (63). As a result, development of the project would not require significant extension of major improvements to existing public facilities. The site is vacant and is identified for development of commercial and light industrial land uses (1 & 10) and does not allow residential land uses. Therefore, the project will not displace any existing housing, necessitating the construction of replacement housing elsewhere.

The population in Hesperia has increased mainly because of the availability of affordable housing in the high desert and its proximity to the job-rich areas of the Inland Empire. There is currently more demand for commercial services and jobs than there are services and jobs available in Hesperia. As a result,

the proposed development will not induce substantial population growth as the development will provide much needed services and jobs for the current population in the High Desert. Based upon the limited size and specialization of the use proposed, development of the conditional use permit would have a less than significant 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 (64): | | | X | |
| Fire protection? (64) | | | X | |
| Police protection? (64) | | | X | |
| Schools? (64) | | | X | |
| Parks? (64) | | | X | |
| Other public facilities? (64) | | | X | |

Comments.

Although the proposed project will create an increase in demand for public services (7), that increase is consistent with that anticipated as part of the GPUEIR. The site also served by both sewer and water lines adequate to serve the development (63). Full street improvements comprised of curb, gutter, and sidewalk will be constructed along the project frontage as part of development of the use (65). Additionally, development impact fees will be assessed at the time that building permits are issued for construction of the site (66). These fees are designed to ensure that appropriate levels of capital resources will be available to serve any future development. Therefore, the impact of the conditional use permit upon public services is less than significant.

| 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 (7)? | | | | 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 (7)? | | | | X |

Comments.

Approval of the conditional use permit will not induce population growth, as the facility provides services for trucks and trailers (7). Therefore, the proposed conditional use permit will not have an impact upon recreation.

| 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 (68)? | | | 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 (69 & 70)? | | | 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 & 65)? | | | X | |
| e) Result in inadequate emergency access (7)? | | | | 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 (71)? | | | | X |

Comments.

The City’s Circulation Plan is consistent with the Congestion Management Program (CMP) for San Bernardino County (73). The CMP requires a minimum Level Of Service (LOS) standard of “E.” When a jurisdiction requires mitigation to a higher LOS, then the jurisdiction’s standard takes precedence. The following implementation policies from the General Plan Circulation Element establish the LOS standard in the City.

Implementation Policy CI-2.1: Strive to achieve and maintain a LOS D or better on all roadways and intersections: LOS E during peak hours shall be considered acceptable through freeway interchanges and major corridors (Bear Valley Road, Main Street/Phelan Road, Highway 395).

Implementation Policy CI-2.2: Work with regional agencies which have authority over roadways within the City to ensure a minimum Level of Service D for roadways and a minimum Level of Service E for intersections.

Therefore, any roadway segments and intersections operating a LOS of E to F is considered deficient unless located on freeway interchanges and major corridors. Roadway segments and intersections located within freeway interchanges and major corridors operating at Level LOS of F are considered deficient. The information below provides the existing and future Average Daily Traffic (ADT) and LOS from the GPUEIR analysis:

Summary of Roadway Operation LOS, Existing Conditions

| Street Segments | LOS is D or better | (ADT) | Capacity |
|---|--------------------|-------|----------|
| Caliente, south of Joshua | Yes | 1,956 | 14,500 |
| Joshua, between Caliente and US 395 | Yes | 3,097 | 14,500 |
| Joshua, between US 395 and I-15 SB Ramp | Yes | 6,171 | 14,500 |

Future Daily Traffic Volumes, General Plan Build-out

| Street Segments | LOS is D or better | (ADT) | Capacity |
|---|--------------------|--------|----------|
| Caliente, south of Joshua Street | No | 31,000 | 30,600 |
| Joshua, between Caliente and US 395 | No | 38,700 | 30,600 |
| Joshua, between US 395 and I-15 SB Ramp | No | 43,400 | 30,600 |

Summary of Intersection Operations, Existing Conditions

| Intersection | AM Peak Hour (Daily) | PM Peak Hour (Daily) |
|-------------------------|----------------------|----------------------|
| Caliente and Joshua | A | A |
| Joshua and US 395 | B | B |
| Joshua and I-15 SB Ramp | B | B |
| Joshua and I-15 NB Ramp | A | A |

Summary of Intersection Operations, General Plan Build-out

| Intersection | AM Peak Hour (Daily) | PM Peak Hour (Daily) |
|------------------------------------|----------------------|----------------------|
| Caliente and Joshua | B | D |
| Joshua and US 395 | F | F |
| Muscatel and I-15 SB Ramp (Future) | C | C |
| Muscatel and I-15 NB Ramp (Future) | B | D |

At build-out of the Hesperia General Plan, the GPUEIR considered that Caliente and Joshua segments in proximity to the project would not have a desired LOS of D or better; and Joshua and US Highway 395 intersection would not have a desired LOS of E or better. The GPUEIR acknowledged that at build-out of the General Plan, traffic throughout the City and along I-15 and US Highway 395 would substantially increase. In order to improve the LOS along these transportation corridors, the GPUEIR recommended a Transportation Plan, which includes widening the I-15 and a new highway alignment for US 395. These improvements, however, would require the planning, coordination and financing with CALTRANS and other regional agencies. The GPUEIR further acknowledged that the City has no control over the timing and construction of these facilities and deemed impacts to be significant and avoidable. Since the project is consistent with the General Plan and impacts to streets and intersections in proximity to the project have previously been studied, the impacts do not need to be further analyzed.

The GPUEIR recommends annual adoption of a Capital Improvement Program (CIP) and establishment of Development Impact Fees (DIF). Accordingly, the City adopts a CIP every year and has an established Traffic Impact Mitigation Fee Program as part of the Development Impact Fee to fund the construction of traffic improvements to maintain adequate levels of service. The Development Impact Fees are imposed on new development and collected as part of the building permit process. The developer is required to pay all applicable City Development Impact Fees and fees will be used to fund the City's CIP.

Based on 41 service stalls, approximately 62 weekday AM peak hour trips and 88 weekday PM peak hour trips would be created by the project. This estimate is based upon the Institute of Transportation Engineer's Trip Generation Manual, which attributes an average daily vehicle trip demand of 1.52 (AM) and 2.17 (PM) per service stall for an Automotive Care (942) land use (73). Approximately 512 daily vehicle trips would be generated based upon 12.48 (Saturday) trips per service stall trip generator. The project itself would not create a deficient LOS for any street segment or intersection in proximity to the project, provided that the developer pays the required DIF and constructs street improvements along the project frontage. Therefore, the project impacts to street segments or intersections in proximity to the project are not significant.

The project is consistent with *General Plan Implementation Policy CI-1.4*, as Caliente Road will be constructed consistent with the adopted Transportation Plan. Caliente Road fronts the property and currently provides paved access to the property. The project will not conflict with City's General Plan Circulation Element or the Hesperia Municipal Code. Caliente Road is considered an arterial road south of Joshua Street and is considered a collector road north of Joshua Street where the property is located (67). As conditions of approval, Caliente Road will be required to be constructed as a 70-foot Industrial Collector Roadway, including curb, gutter, and sidewalk across the project frontage and pavement tapers beyond the frontage (65). These improvements will not conflict with the Transportation Plan and are consistent with City ordinances or policies establishing measures of effectiveness for the performance of the circulation system.

Since Caliente Road is currently 66 feet wide, the project will be required to dedicate an additional 2 feet prior to any ground disturbance. When the remaining properties along Caliente Road develop, they will be responsible for dedicating and constructing the rest of the street. The City's General Plan includes a non-motorized transportation network and the project is consistent with this plan (72). The project provides two driveways accessing Caliente Road. Access to and within the site has been evaluated by both the City and the San Bernardino County Fire Department.

The project site is located approximately five miles from the Hesperia Airport and is not within an airport safety zone (44). Consequently, the project 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.

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 intensity permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with transportation and circulation impacts (19).

| 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 (74)? | | | | 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 (75)? | | | | 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 (65)? | | | X | |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed (49 & 50)? | | | 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 (75)? | | | | X |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs (56 & 62)? | | | X | |
| g) Comply with federal, state, and local statutes and regulations related to solid waste (76)? | | | X | |

Comments.

The proposed project will increase the amount of wastewater, but the additional amount was considered as part of the GPUEIR. The development will be connected to the existing 16-inch line within the City's water system (63). Based on the size of the property and number of plumbing fixture units provided on the floor plan, the Building & Safety Department determined that a septic tank system may be used for sewage disposal. Therefore, water and sewage capacity will be sufficient for the use.

As part of construction of the project, the City requires installation of an on-site retention facility which will retain any additional storm water created by the impervious surfaces developed as part of the project (65). The applicant proposes to use a drainage basin on the northeast corner of the property. Consequently, based upon a 100-year storm event, development of this project will not increase the amount of drainage impacting downstream properties beyond that which would occur prior to its development. Additionally, the retention facility will contain a filtration system preventing contamination of the environment.

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 (49).

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 (50). The HWD has maintained a surplus water supply through purchase of water transfers, allocations carried over from previous years, and recharge efforts.

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 69 percent of the solid waste within the City is being recycled (56 & 62). 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 conditional use permit 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.

Based upon the analysis in this initial study, a Mitigated Negative Declaration may be adopted. Development of this project will have a minor effect upon the environment. These impacts are only significant to the degree that mitigation measures are necessary.

| XIV. EARLIER ANALYSES. |
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| 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.

The following mitigation measures are recommended as a function of this project.

1. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavaceae family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.
2. A pre-construction survey for the burrowing owl shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.

Authority: Public Resources Code Sections 21103 and 21107.

REFERENCES

- (1) Aerial photos of the City of Hesperia taken February, 2010.
- (2) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-7.
- (3) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-8.
- (4) Historical and Archaeological Survey of the Caliente Industrial Park Property, Hatheway & Associates dated August 29, 2005.
- (5) Section H of Chapter 9 of the Main Street and Freeway Corridor Specific Plan, pages 203 thru 207.
- (6) Section 16.20.085 of the Hesperia Municipal Code.
- (7) Conditional Use Permit CUP11-10233 application and related materials.
- (8) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-9.
- (9) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-1
- (10) Official Maps showing the General Plan Land Use and zoning of the City of Hesperia and its sphere of influence.
- (11) Williamson Act map within Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-2
- (12) Conservation Element of the 2010 City of Hesperia General Plan Update, Page CN-34.
- (13) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area Map 30 and Page 44.
- (14) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.5.

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- (15) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.1.4.
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- (16) Air Quality Section of the 2010 City of Hesperia General Plan Update, pages CN-47 thru CN-50.
-
- (17) Section 3.3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.3-1 thru 3.3-30.
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- (18) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.
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- (19) Statement of overriding considerations for the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR).
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- (20) Sensitive Wildlife Survey & Protected Plant Plan for the site prepared by RCA Associates, LLC, August 10, 2011.
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- (21) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.
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- (22) Section 3.4 of the 2010 City of Hesperia General Plan Update Biological Resources Element background technical report, page 30.
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- (23) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-5.
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- (24) Section 3.3.2 of the 2010 City of Hesperia General Plan Update Conservation Element background technical report, pages 14 thru 25.
-
- (25) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-3.
-
- (26) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, C-1 thru C-34.
-
- (27) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, Exhibit 5d.
-
- (28) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.
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- (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, pages SF-5 thru SF-11.
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- (31) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, Exhibit SF-1.
-
- (32) Section 1.2.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, Figure 1-2.
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- (33) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-12.
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- (34) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-23 thru 1-36.
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- (35) 2010 California Building Code.
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- (36) Section 1 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 1.
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- (37) Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 18.
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- (38) Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, pages 20 and 21.
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- (39) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-31 thru SF-33.
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- (40) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-60 and LU-61.
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- (41) Potential Emergency Shelters and Evacuation Routes shown within the 2010 Hesperia General Plan Safety Element, Exhibit SF-4.
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- (42) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-32 and SF-33.
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- (43) California Health and Safety Code Section 25232 (b) (1) (A-E).
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- (44) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, Exhibit LU-3.
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- (45) 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.
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- (46) Fire Hazard Section of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.7-9.
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- (47) Section 3.8.2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-13.
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- (48) Section 3.8.5 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-20 thru 3.8-22.
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- (49) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.
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- (50) Mojave Water Agency letter dated March 27, 1996.
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- (51) Flooding Hazards Section of the 2010 City of Hesperia General Plan Update Safety Element, pages SF-16 thru SF-18.
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- (52) Section 4.3.8 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 4-9.
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- (53) 1992 Victorville Master Plan of Drainage Volume I, identifying future drainage improvements for the area.
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- (54) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-15.
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- (55) Table 3.6-2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.6-24.
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- (56) Quarterly data of the San Bernardino County Disposal Reporting System for the 2nd quarter 2010.
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- (57) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, page CN-20.
-
- (58) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-4 thru NS-12.
-
- (59) Section 16.20.125 of the Hesperia Municipal Code, pages 464 thru 467.
-
- (60) Table 3.11-10 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-45.
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- (61) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.
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- (62) 2009 California Department of Resources, Recycling and Recovery Annual AB939 Report.
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- (63) Current Hesperia water and sewer line atlas, page M5.
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- (64) Section 4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-13 thru 4-18.
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- (65) Conditions of approval for CUP11-10233.
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- (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.
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- (67) Traffic Circulation Plan within Section 3.0 of the 2010 City of Hesperia General Plan Update Circulation Element, page CI-17.
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- (68) Table 4-4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, page 40.
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- (69) Section 2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 2-19.
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- (70) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.
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- (71) Sections 6.3 and 6.4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 74 thru 76.
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- (72) Exhibit CI-22 showing the Urban Design Framework within the 2010 City of Hesperia General Plan Update Circulation Element, page CI-55.
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- (73) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.
-
- (74) Section 3.8 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-8 thru 3.8-14.
-
- (75) 2010 California Plumbing Code.
-
- (76) California Integrated Waste Management Act (AB 939).
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- (77) 2004 Trip Generation Manual, Volume III, 7th Edition, Institute of Transportation Engineers, pages 1782 – 1786.
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ATTACHMENT 7

RESOLUTION NO. PC-2011-36

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT A TWO-STORY, 41-BAY, 105,094 SQUARE FOOT SEMI-TRUCK AND TRAILER REPAIR BUSINESS WITH DRIVER CONVENIENCE FACILITIES, A RESTAURANT WITH ON-SITE SALE OF ALCOHOL, AND LONG TERM PARKING AND STORAGE OF TRACTORS AND TRAILERS ON 10 GROSS ACRES LOCATED ON THE WEST SIDE OF CALIENTE ROAD, 400 FEET NORTH OF JOSHUA STREET (CUP11-10233)

WHEREAS, Eagle Rock Services, LLC - Javier Rodriguez has filed an application requesting approval of Conditional Use Permit CUP11-10233 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to 10 gross acres within the Commercial/Industrial Business Park (CIBP) District of the Main Street and Freeway Corridor Specific Plan, located on the west side of Caliente Road, 400 feet north of Joshua Street and consists of Assessor's Parcel Numbers 3039-321-08; and

WHEREAS, the Application, as contemplated, proposes to construct a two-story, 41-bay, 105,094 square foot semi-truck and trailer repair business with driver convenience facilities, a restaurant with general on-sale of alcohol (beer, wine, and liquor), and long term parking and storage of tractors and trailers on 10 gross acres; and

WHEREAS, the site is currently undeveloped and there are two light industrial buildings located on the adjacent property to the north. The properties are vacant to the south, east, and west; and

WHEREAS, the subject property and surrounding properties are currently designated Commercial/Industrial Business Park (CIBP) District by the Main Street and Freeway Corridor Specific Plan; and

WHEREAS, an environmental Initial Study for the proposed conditional use permit was completed on September 19, 2011, and no significant adverse impacts were identified. Mitigated Negative Declaration ND-2011-07 was subsequently prepared; and

WHEREAS, on October 13, 2011, 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 October 13, 2011 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The site for the proposed use is adequate in size and shape to accommodate the proposed use because the site can accommodate all proposed improvements in conformance with the development code.
- (b) The proposed use will not have a substantial adverse effect on abutting properties or the permitted use thereof because the proposed project is consistent with the City's Commercial/Industrial Business Park (CIBP) District of the Main Street and Freeway Corridor Specific Plan. All properties surrounding this project are also within the CIBP designation.
- (c) The proposed project is consistent with the goals, policies, standards and maps of the adopted Zoning, Specific Plan, Development Code and all applicable codes and ordinances adopted by the City of Hesperia because the project is consistent with the regulations of the CIBP District of the Main Street and Freeway Corridor Specific Plan. In addition, the development complies with standards for landscaping, driveway aisles, parking stall dimensions, building heights, fire lanes and turn-around, trash enclosures, and loading areas. The development complies with the Americans with Disabilities Act (ADA) by providing the required accessible parking spaces and path of travel. The development will also be constructed pursuant to the California Building and Fire Codes and adopted amendments.
- (d) The site for the proposed use will have adequate access based upon the site's access from Caliente Road, which will be constructed to City standards.
- (e) The proposed project is consistent with the adopted General Plan of the City of Hesperia. The project site is within the CIBP District of the Main Street and Freeway Corridor Specific Plan. A truck repair and alcohol sales are allowable uses with approval of a conditional use permit.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Conditional Use Permit CUP11-10233 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 13th day of October 2011.

Chris Elvert, Chair, Planning Commission

ATTEST:

Kathy Stine, Secretary, Planning Commission

ATTACHMENT 'A'

List of Conditions for Conditional Use Permit CUP11-10233

Approval Date: October 13, 2011
Effective Date: October 25, 2011
Expiration Date: October 25, 2014

This list of conditions apply to a conditional use permit to construct a two-story, 41-bay, 105,094 square foot semi-truck and trailer repair business with driver convenience facilities, and a restaurant with the on-site sale of beer, wine, and liquor on 10 gross acres within the Commercial Industrial Business Park District of the Main Street and Freeway Corridor Specific Plan located on the west side of Caliente Road, approximately 400 feet north of Joshua Street. The facility will include long term parking and storage of tractors and trailers. (Applicant: Eagle Rock Services, LLC; APN: 3039-321-08).

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

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

SUBMITTAL OF PUBLIC IMPROVEMENT PLANS SHALL INCLUDE THE FOLLOWING:

- 1. Drainage Study. The Developer shall submit a Final Hydrology / Hydraulic study identifying the method of collection and conveyance of tributary flows from off-site as well as the method of control for increased run-off generated on-site. (E)
2. Geotechnical Report. The Developer shall provide two copies of the soils report with the grading plan. The soils report shall substantiate with all grading, building, and public improvement plans. In addition, a percolation report shall be performed to substantiate the percolation of the on-site drainage retention areas. Include "R" value testing and pavement recommendations for public streets (E, B)
3. Title Report. The Developer shall provide a complete title report 90-days or newer from the date of submittal. (E)
4. NPDES. The Developer shall apply for the required NPDES (National Pollutant Discharge Elimination System) permit with the Regional Water Quality Control Board and pay applicable fees. (E)
5. Storm Water Pollution Prevention Plan. The Developer shall provide a Storm Water Pollution Prevention Plan (SWPPP), which addresses the method of storm water run-off control during construction. (E)

- _____ 6. **Utility Non-interference / Quitclaim Document(s)**. The Developer shall provide non-interference and or quitclaim letter(s) from *any* applicable utility agencies for *any* utility easements that affect the proposed project. All documents shall be subject to review and approval by the Engineering Department and the affected utility agencies. **The improvement plans will not be accepted without the required documents and approval from the affected agencies.** (E)
- _____ 7. **Plan Check Fees**. Along with improvement plan submittal, the Developer shall pay applicable plan-checking fees. **Improvement Plans and requested studies shall be submitted as a package.** (E)
- _____ 8. **Irrevocable Offer Of Dedication**. The Developer shall submit an “Offer of Dedication” to the City’s Engineering Department for review and approval. At time of submittal the developer shall complete the City’s “application for document review” and pay all applicable fees. (E)
- _____ 9. **Easement, (Water, Path of Travel)**. The Developer shall submit a “Grant of Easement” to the City’s Engineering Department for review and approval if needed. At time of submittal the developer shall complete the City’s “application for document review” and pay all applicable fees. (E)
- _____ 10. **Specialty Plans**. The following additional plans/reports shall be required for businesses with special environmental concerns: (B)
- A. Restaurants and food handling facilities shall submit plans to the San Bernardino County Department of Environmental Health Services. One set of the approved plans shall be submitted to the Building Division with the required application fees.
 - B. Three sets of plans for underground fuel storage tanks shall be submitted to the Building Division with required application fees.
- _____ 11. **Building Construction Plans**. Five complete sets of construction plans, prepared and wet stamped by a California licensed Civil or Structural Engineer or Architect, shall be submitted to the Building Division with the required application fees for review. (B)

- _____ 12. **Indemnification.** As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration, mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether by the City Council, the Planning Commission, or other City reviewing authority), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on Applicant's project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City with counsel reasonably acceptable to the City. The City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY:

- _____ 13. **Fire Protection.** Plans for fire protection requirements shall be submitted to the Building Division as follows: (F)
- A. Applicant shall annex the site into Community Facilities District CFD 94-01 and insure the reapportionment of all existing obligations affecting the property.
- _____ 14. **Fish & Game Fee.** The applicant shall submit a check to the City in the amount of \$2,060.25 (\$2,094.00 effective January 1, 2011) payable to the Clerk of the Board of Supervisors of San Bernardino County to enable the filing of a Notice of Determination. (P)
- _____ 15. **Cultural Resources.** If cultural resources are found during grading, then grading activities shall cease and the applicant shall contract with a City approved archaeologist or paleontologist to monitor grading prior to resuming grading. All cultural resources discovered shall be handled in accordance with state and federal law. A report of all resources discovered as well as the actions taken shall be provided to the City prior to issuance of a Certificate of Occupancy. (P)
- _____ 16. **Pre-construction Survey.** A pre-construction survey for the burrowing owl shall be conducted by a City approved and licensed biologist, no more than 30 days prior to ground disturbance. (P)
- _____ 17. **Protected Plants.** Three copies of a protected plant plan shall be submitted to the Planning Division showing the present location and proposed treatment of species in the Dalea and Spinosa (smoketree); Agavaceae (century plants, nolinias, and yuccas, including Joshua Trees); Prosopis (mesquites); Larrea (Creosote rings ten feet or greater in

diameter); and all plants protected by the State Desert Native Plants Act, which shall be handled in accordance with the provisions of the Development Code and State law. The grading plan shall be consistent with the approved protected plant plan. Ground disturbing activities shall not commence until the protected plant plan is approved and the site is inspected and approved for clearing. (P)

- _____ 18. **Pre-construction Meetings.** Pre-construction meetings shall be held between the City, the Developer, grading contractors, and special inspectors to discuss permit requirements, monitoring and other applicable environmental mitigation measures required prior to ground disturbance and prior to development of improvements within the public right-of-way. (B, P)
- _____ 19. **Design for Required Improvements.** Improvement plans for off-site and on-site improvements shall be consistent with the plans approved as part of this site plan review application. (E, P)
- _____ 20. **Survey.** The Developer shall provide a legal survey of the property. All property corners shall be staked and the property address posted. (B)
- _____ 21. **Fuel Modification Zone.** A Fuel Modification Zone (FMZ) plan designed specifically for the subject project is required and shall be designed by a consultant approved by the Fire Department. The FMZ plan shall be submitted to the Fire Department for review and approval in compliance with County standards. (F)
- _____ 22. **Approval of Improvement Plans.** All required improvement plans shall be prepared by a registered Civil Engineer per City standards and per the City's improvement plan checklist to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review with the required plan checking fees. All Public Works plans shall be submitted as a complete set. (E)
- _____ 23. **Dedication(s).** The Developer shall grant to the City an Irrevocable Offer of Dedication for Caliente Road. The right-of-way full-width for Caliente Road Street shall be seventy (70') feet. The Developer shall also grant to the City an Irrevocable Offer of Dedication for any part of the Path of Travel located behind any commercial drive approaches that encroach onto private property. It is the Developer's responsibility to obtain any additional Right-of-Way dedication needed to satisfy the 26' minimum paving requirement at no cost to the City. **Corner cut-off right of way dedication per City standards is required at all intersections, including interior roadways.** (E)
- _____ 24. **Grant of Easement for Double Detector Check Valve.** The Developer shall grant to the City an easement for *any* part of a required double-detector check valve that encroaches onto private property. (E)

- _____ 25. **Utility Non-interference / Quitclaim Document(s).** The Developer shall provide non-interference and or quitclaim letter(s) from *any* applicable utility agencies for *any* utility easements that affect the proposed project. All documents shall be subject to review and approval by the Engineering Department and the affected utility agencies. **Grading permits will not be issued until the required documents are reviewed and approved by all applicable agencies. Any fees associated with the required documents are the Developer's responsibility.** (E)
- _____ 26. **NPDES.** The Developer shall provide a copy of the approved original NPDES (National Pollutant Discharge Elimination System) permit from the Regional Water Quality Control Board and provide a copy of fees paid. The copies shall be provided to the City's Engineering Department. (E)
- _____ 27. **Storm Water Pollution Prevention Plan.** All of the requirements of the Storm Water Pollution Prevention Plan shall be incorporated and be in place prior to issuance of a grading permit. (E)
- _____ 28. **Grading Plan.** The Developer shall design a Grading Plan with existing contours tied to an acceptable City of Hesperia benchmark. The grading plan shall indicate building "footprints" and proposed development of the retention basins, as a minimum. The site grading and building pad preparation shall include the recommendations provided by the Preliminary Soils Investigation. All proposed walls shall be indicated on the grading plans showing top of wall (tw), top of footing (tf), and the finish grade (fg) elevations. (E)
- _____ 29. **Off-Site Grading Letter(s).** It is the Developer's responsibility to obtain signed Off-Site Grading Letters from *any* adjacent property owner(s) who are affected by any Off-Site Grading that is needed to make site work. The Off-Site Grading letter, along with the latest grant deed, must be submitted to the City's Engineering Department for plan check approval. (E)
- _____ 30. **Drainage Acceptance Letter(s).** It is the Developer's responsibility to obtain signed Drainage Acceptance Letters from *any* adjacent property owner's who are affected by concentrated off-site storm water discharge from any on-site retention basins and storm water runoff. The Acceptance letter, along with the latest grant deed, must be submitted to the City's Engineering Department for plan check approval. (E)
- _____ 31. **On-site Retention.** The Developer shall design / construct on-site retention facilities, which have minimum impact to ground water quality. This shall include maximizing the use of horizontal retention systems and minimizing the application of dry wells / injection wells. All dry wells / injection wells shall be 2-phase systems with debris shields and filter elements. All dry wells / injection wells shall have a minimum depth of 30' with a max depth to be determined by soils engineer at time of boring test. Per Resolution 89-16 the Developer shall provide on-site retention at a rate of 13.5 Cu. Ft per every 100 Sq. Ft. of impervious materials. It is the Developer's responsibility to remove existing on-site storm drain

facilities per the City Inspector. **Any proposed facilities, other than a City approved facility that is designed for underground storage for on-site retention will need to be reviewed by the City Engineer. The proposed design shall meet City Standards and design criteria established by the City Engineer. A soils percolation test will be required for alternate underground storage retention systems. The Developer shall provide an E.P.A. approved oil and gasoline stop valve for the proposed on-site retention system. The documentation shall be provided to the City for their review. (E)**

- _____ 32. **Street Improvement Plan.** The Developer shall design street improvements in accordance with City standards and as indicated below. (E)
- _____ 33. **Caliente Road.** Saw-cut (2-foot min.) and match-up asphalt pavement on Caliente Road across the project frontage, based on City's 70-foot Industrial Collector Roadway Standard. The curb face is to be located at 23' from the approved centerline. The design shall be based upon an acceptable centerline profile extending a minimum of three hundred (300) feet beyond the project boundaries where applicable. These improvements shall consist of:
- A. 8" Curb and Gutter per City standards.
 - B. Sidewalk (width = 6 feet) per City standards.
 - C. Roadway drainage device(s).
 - D. Streetlights per City standards.
 - E. Commercial driveway approaches per City standards.
 - F. Pavement transitions per City Standards.
 - G. Design roadway sections per existing, approved street sections and per "R" value testing with a traffic index of 10 and per the soils report.
 - H. Cross sections every 50-feet per City standards.
 - I. Traffic control signs and devices as required by the traffic study and/or the City Engineer.
 - J. Provide a signage and striping plan per City standards.
 - K. It is the Developer's responsibility to obtain any off-site dedications for transition tapers including acceleration / deceleration tapers per City standards. It is also the Developer's responsibility to obtain any additional Right-of-Way dedication needed to satisfy the 26' minimum paving requirement at no cost to the City.
 - L. Relocate existing utilities as required. The Developer shall coordinate with affected utility companies.
- _____ 34. **Utility Plan.** The Developer shall design a Utility Plan for service connections and / or private hydrant and sewer connections. **Any existing water, sewer, or storm drain infrastructures that are affected by the proposed development shall be removed / replaced or relocated and shall be constructed per City standards at the Developer's expense. (E)**
- A. A remote read automatic meter reader shall be added on all meter connections as approved by the City Engineer.

B. The Developer shall design a Utility Plan for service connections and / or private water and sewer connections. Domestic and fire connections shall be made from the existing 16" PVC water line in Caliente Road per City Standards.

C. The Developer is not required to install sewer lines unless the proposed septic system cannot meet the LaHonton Regional Water Quality Board's requirements or the City of Hesperia's EDU requirements, however the developer will dual-plumb the site in the event sewer becomes available.

D. A dry sewer lateral shall be installed from the building to the property line. If the septic system fails and sewer becomes available within 200 feet of the property, the facility shall be required to connect to sewer. Connection fees shall apply. (E)

_____ 35. **Jurisdiction.** Prior to any construction occurring on any parcel, the applicant shall contact the San Bernardino County Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department. (F)

_____ 36. **Fire Flow Test.** Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to either produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied or you must install an approved fire sprinkler system. This requirement shall be completed prior to combination inspection by Building and Safety. (F)

_____ 37. **Access.** The development shall have a minimum of **TWO (2)** points of vehicular access. These are for fire/emergency equipment access and for evacuation routes.

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

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

_____ 38. **Combustible Protection.** Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy. (F)

- _____ 39. **Water System Commercial.** A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. The applicant is required to provide a minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet. All fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than one hundred fifty (150) feet from any portion of a structure. (F)

CONDITIONS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE:

- _____ 40. **Construction Waste.** The developer or builder shall contract with the City's franchised solid waste hauler to provide bins and haul waste from the proposed development. At any time during construction, should services be discontinued, the franchise will notify the City and all building permits will be suspended until service is reestablished. The construction site shall be maintained and all trash and debris contained in a method consistent with the requirements specified in Hesperia Municipal Code Chapter 15.12. All construction debris, including green waste, shall be recycled at Advance Disposal and receipts for solid waste disposal shall be provided prior to final approval of any permit. (B)

- _____ 41. **Landscape Plans.** The Developer shall submit three sets of landscape and irrigation plans including water budget calculations, required application fees, and completed landscape packet to the Building Division. Plans shall utilize xeriscape landscaping techniques in conformance with the Landscaping Ordinance. The retention basin shall be fully landscaped. The number, size, type and configuration of plants approved by the City shall be maintained in accordance with the Development Code. (P)

- _____ 42. **Solid Masonry Wall/Fencing.** The Developer shall submit four sets of masonry wall/wrought iron fencing plans to the Building Division with the required application fees for all proposed walls. (P)

- _____ 43. **Development Fees.** The Developer shall pay required development fees as follows:

A. School Fees (B)

- _____ 44. **AQMD Approval.** The Developer shall provide evidence of acceptance by the Mojave Desert Air Quality Management District. (B)

- _____ 45. **Light and Landscape District Annexation.** Developer shall annex property into the lighting and landscape district administered by the Hesperia Recreation and Parks District. The required forms are available from the Building Division and once completed, shall be submitted to the Building Division. (RPD)

- _____ 46. **Hood And Duct Suppression.** An automatic hood and duct fire extinguishing system is required. A Fire Department approved 2-49
PLANNING COMMISSION

designer/installer shall submit three (3) sets of detailed plans (minimum 1/8" scale) with manufactures' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. (F)

_____ 47. **Fire Sprinkler-NFPA #13.** An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit three (3) sets of detailed plans to the Building and Safety Department for review and approval. The plans (minimum 1/8" scale) shall include hydraulic calculations and manufacturer's specification sheets. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. (F)

_____ 48. **Fire Alarm.** A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. (F)

_____ 49. **Class I standpipe system.** A Class I standpipe system is required. A Fire Department approved fire sprinkler contractor shall submit three (3) sets of hydraulic calculations and detailed plans to the Fire Department for review and approval, showing type of storage and use with the applicable protection system. Commercial and industrial buildings in excess of two hundred thousand (200,000) square feet with an interior area less than four hundred (400) feet in width, shall be equipped with a Class I standpipe system, located at every other access door maximum of three hundred (300) feet spacing. Buildings with an interior area greater than four hundred (400) feet in width shall be equipped with a Class I standpipe system located at every access door maximum of one hundred (100) foot spacing. Standpipe connections shall be configured to reach any portion of interior space within two hundred (200) feet in any direction of travel. This system shall be calculated to provide two hundred and fifty (250) gpm @ 100 psi per hose outlet from an adjacent fire sprinkler riser with two hand lines flowing. The two most hydraulically remote outlets are to be included in the design for a total flow of 500 gpm minimum per system. A Fire Department approved fire sprinkler contractor shall submit hydraulic four (4) sets of hydraulic calculations and detailed plans, showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. (F)

_____ 50. **Haz-Mat Approval.** The applicant shall contact the San Bernardino County Fire Department/Hazardous Materials Division (909) 386-8401 for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials. (F)

CONDITIONS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY:

- _____ 51. **As-Built Plans.** The Developer shall provide as-built plans in AutoCAD 2010 Format. (E)

- _____ 52. **Public Improvements.** All public improvements shall be completed by the Developer and approved by the Engineering Department. Existing public improvements determined to be unsuitable by the City Engineer shall be removed and replaced. (E)

- _____ 53. **Development Fees.** The Developer shall pay required development fees as follows:
 - A. Development Impact Fees (B)
 - B. Utility Fees (P)

- _____ 54. **Utility Clearance(s)/Certificate of Occupancy.** The Building Division will provide utility clearances on individual buildings after required permits and inspections and after the issuance of a Certificate of Occupancy on each building. Utility meters shall be permanently labeled. Uses in existing buildings currently served by utilities shall require issuance of a Certificate of Occupancy prior to establishment of the use. (B)

- _____ 55. **On-Site Improvements.** All on-site improvements as recorded in these conditions, and as shown on the approved site plan shall be completed in accordance with all applicable Title 16 requirements. The building shall be designed consistent with the design shown upon the approved materials board and color exterior building elevations identified as Exhibit "A." Any exceptions shall be approved by the Director of Development Services. (P)

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

- _____ 57. **KNOX Box[®].** An approved Fire Department key box is required. The KNOX Box[®] shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. (F)

- _____ 58. **Fire Extinguishers.** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. (F)

**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 |



DATE: October 13, 2011
TO: Planning Commission
FROM: Dave Reno, AICP, Principal Planner
BY: Daniel S. Alcayaga, AICP, Senior Planner
SUBJECT: Development Code Amendment DCA11-10245 to amend the Commercial, Industrial and Public Land Use District regulations; Applicant: City of Hesperia; Affected area: Citywide

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2011-34, approving DCA11-10245, amending the Commercial, Industrial and Public Land Use District regulations.

BACKGROUND

The Development Code (Hesperia Municipal Code, Title 16) regulates land uses throughout the City, including commercial and industrial uses of varying intensities. This Development Code Amendment (DCA) pertains to development standards in three commercial and two industrial land use designations that are not part of the Main Street and Freeway Corridor Specific Plan. The three commercial designations include: Convenience Commercial (C1), General Commercial (C2), and Service Commercial (C3). The two industrial designations include: Limited Industrial (I1) and General Industrial (I2). The amendments include the Public (P) Land Use designation.

ISSUES/ANALYSIS

The Development Code Amendment was continued from the Planning Commission meeting of September 8, 2011 in order to obtain input from the Building Industry Association (BIA), Victor Valley Association of Realtors (VVAR), Tom Steeno (Steen Design Studio), and Mike Wauhob (Omega Design Group). All individuals and/or groups were contacted and were provided a web link to the staff report and proposed ordinance. Additionally, the DCA was published in the BIA Mt. Baldy View newsletter dated September 26, 2011. All individuals and groups were requested to provide comments to the City prior to the October 13, 2011 meeting.

As of the preparation date of this report, staff has only received one comment. One local architect questioned why the format of permitting and regulating land uses was changing. The format of allowing and permitting uses is already in place in areas that are within the Specific Plan, which became effective in October 2008. The amendments would apply to areas outside the Specific Plan. The change is being proposed so that the City has a consistent format throughout the City. Additionally, new types of businesses are constantly being created and the proposed format allows the City to be able to consider these new uses without the necessity of amending the code.

The primary purpose of the DCA is to make the Development Code consistent with the General Plan and to update Chapter 16.16: Land Use Designations. The proposed Development Code Amendment creates five articles. They include:

- Article IX: Commercial and Industrial Land Use Designations
- Article X: Commercial and Industrial Development Standards
- Article XI: Commercial Design Guidelines
- Article XII: Industrial Design Guidelines
- Article XIII: Public Land Use Designation

Article IX: Commercial and Industrial Land Use Designations. Article IX establishes which land uses are permitted in a commercial and industrial designation and identifies if a land use requires a site plan review, conditional use permit, or is not permitted. Under the proposed Ordinance, land uses would continue to be listed in a table; and there would be fewer land uses because they have been consolidated using land use categories from the Specific Plan. The format change would make the method of allowing uses and permitting uses the same as the Specific Plan. The change would only apply to areas not in Specific Plan and is currently the format in Specific Plan areas.

Although there would be fewer land uses listed, the new format of allowing and permitting uses is more inclusive of the variety of businesses that may be proposed to be established. Similar to the Specific Plan, a land use is allowed or permitted if it is similar to a listed land use; and if it meets the intent of the land use designation. Additionally, an inventory of land use determinations would be kept on file in the Development Services Department. Therefore, the land uses permitted and permit requirements would not change from the current to the proposed code. The Administrative and Professional Office (AP) District is proposed to be deleted, as the General Plan map no longer has properties that are designated AP.

The proposed Ordinance changes one commercial designation from Neighborhood Commercial (C1) to Convenience Commercial (C1). This change would apply to areas outside the Specific Plan, as there is already a Neighborhood Commercial district in the Specific Plan. The C1 designation is intended to be less-intensive and conveniently located in proximity to residential areas. If the Ordinance is adopted, staff will automatically amend the General Plan map with this change.

Article X: Commercial and Industrial Development Standards. The basic development standards (i.e. setback, height, lot size, etc.) would not change and are shown in a table so that the information is located in one place and easy to use. Other changes in Article X include:

- The amendments propose to adopt development standards for outdoor dining from the Specific Plan. The Development Code currently provides front yard setback reductions, if certain development amenities are provided. One of these amenities includes outside dining. The amendments provide standards for outdoor dining that are needed to comply with the reduced setback criteria.
- Additional standards for vehicle service uses, including car sales, car washes, and car repairs from the Specific Plan are being proposed. The intent of the standards is to minimize the negative visual effect of car repair, car storage and maintenance work conducted outdoors and/or facing the street.

- The floor area ratios (FAR) for new commercial and industrial developments are proposed to be added in the Development Code. The FAR standard is currently required by the General Plan. The FAR in the C2, I1, and I2 designations is 1.0; and the FAR in the C1 and C3 designations is 0.5. A FAR of 1.0 means a building can occupy 100% of the property and a FAR of 0.5 means a building can occupy 50% of the property, provided that the other development standards are met.

Article XI & Article XII: Commercial/Industrial Design Guidelines. The DCA proposes to adopt the architectural guidelines from the Main Street and Freeway Corridor Specific Plan. The guidelines would apply to new commercial and industrial developments outside the Specific Plan. The architectural standards are already required, except that the standards would be more specific, by including pictures, detailed descriptions, and illustrations. The proposed changes are intended to improve the quality of new developments in the City.

Article XIII: Public Land Use Designation. The General Plan identifies public facilities as Public School (P-School), Park & Recreation (P-Park/REC), or Government (P-GOVT). The amendments would tie these designations to the Development Code. The General Plan requires a FAR of 2.0 for P-GOV and the amendments would include the FAR standard.

Environmental: Approval of the Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) by Section 16.12.415(B)(10) of the City's CEQA Guidelines. The proposed Ordinance does not expand the allowable uses, change intensities, or grant entitlements not already permitted by the Development Code or General Plan.

Conclusion: The proposed Development Code Amendment makes the code consistent with the General Plan and reformats the Commercial/Industrial Land Use Designation regulations making it easy to use. The proposed Ordinance is intended to improve the overall quality of new developments in the City.

FISCAL IMPACT

None.

ALTERNATIVE

1. Provide alternative direction to staff.

ATTACHMENT

1. Current Commercial and Industrial District regulations
2. Resolution No. PC-2011-34, adopting DCA11-10245, with Exhibit "A"

ARTICLE X. RESERVED*

ARTICLE XI. COMMERCIAL DISTRICTS

16.16.460 Purpose and intent.

A. Purpose. The primary purpose of the commercial districts is to provide areas in which business may be conducted, goods sold and distributed, services rendered, public activities offered and such other activities as are related to the function of the commercial development. The several commercial zones are intended to fulfill the need for shopping areas which range in size and composition from a neighborhood shopping facility to a regional shopping center. The standards of development are designed to make the various commercial areas compatible with any adjacent development.

In addition to the above, it is the further purpose of the commercial districts:

1. To provide appropriate commercial areas for retail and service establishments, neighborhood convenience and office uses required by residents of the city in a manner consistent with the general plan;
2. To protect commercial areas from excessive noise, illumination, unsightliness, odor, smoke and other objectionable influences;
3. To provide employment opportunities for existing and future residents of the city and those of adjacent communities; and
4. To provide for land uses which meet the needs of local residents, in addition to attracting regional populations.

B. Intent. The intent of the individual commercial zone districts are as follows:

1. C-1, Neighborhood Commercial District. This district is intended to provide areas for immediate day-to-day convenience shopping and services for the residents of the immediate neighborhood. Site development regulations and performance standards are intended to make such uses compatible to and harmonious with the character of surrounding residential or less intense land use area.
2. C-2, General Commercial District. This district is intended to provide opportunities for the full range of retail and service businesses accessible from all areas of the city and surrounding communities for the purchase of primary shopper's goods. The regulations and development standards set forth in this code are those deemed necessary and desirable in order to provide an environment which is conducive to the maintenance of an efficient and economically sound business district.
3. C-3, Service Commercial District. This district is intended to be primarily supportive to the commercially oriented consumer, business-to-business retail and wholesale sales and services, and to provide convenient services for people employed within the industrial area. In no case shall any use or operation detrimentally effect adjacent land uses of the community environment as a whole. Operations are conducted in enclosed buildings and no outdoor storage is permitted.
4. C-4, Regional Commercial District. This district is intended for regional commercial activities and services of a more intensive nature. These uses would be located primarily along major transportation routes and would include major shopping facilities, major service oriented uses and major financial and corporate headquarters which are designed to serve the region as a whole. (Ord. 193 Exh. A (§ 85.01.010), 1994)

*Editor's note—Ord. No. 2009-02, § 1, adopted Aug. 4, 2009, deleted Article X, which pertained to the Commercial Resort (CR) District and derived from SBCC, § 86.0255(a)—86.0255(n); and Ord. 250 (part), 1997.

16.16.465 Permitted uses.

The list below represents those uses in the commercial/industrial zone districts which are subject to a site plan review (R) or conditional use permit (C) as specified in Chapter 16.12 (Permits and Procedures). Uses not specifically listed below are prohibited, unless found similar to, and no more objectionable than other permitted uses in the applicable zone district pursuant to planning director approval:

**Table 1
COMMERCIAL AND INDUSTRIAL DISTRICTS LIST OF PERMITTED USES**

| | C-1 | C-2 | C-3 | C-4 | I-1 | I-2 |
|---|-----|-----|-----|-----|-----|-----|
| Ammunition (manufacturing) | | | | | | C |
| Ammunition | | R | R | R | R | |
| Amusement enterprises and video arcades | | R | | R | | |
| Apparel, clothing, garments and accessories | | R | R | R | | |
| Appliances and repair | | R | R | R | R | |
| Aquatic supplies and apparatus-business service | | R | R | R | | |
| Asphalt felts and coatings (manufacturing) | | | | | | C |
| Auction services, exchange or barter | | | R | | R | R |
| Auto glass shops | | R | R | R | R | |
| Auto and motorcycle repair and tune-up, conducted within an enclosed building | | R | R | R | R | |
| Auto and motorcycle repair and tune-up, conducted within an enclosed building - wholesale | | | R | R | R | R |
| Auto wash | | R | R | R | R | |
| Auto related goods-no outdoor installation or service permitted | | R | R | R | | |
| Auto mall | | R | | R | | |
| Auto body and paint shops | | R | R | R | R | |
| Automobile rental | | R | | R | R | |
| Automobile parking lot | C | C | | | | |
| Automobile and recreational vehicle sales | | R | | R | | |
| Automotive machine shop | | R | R | R | R | R |
| Automotive smog or lube center, exclusive of auto repair or tune-up | | R | R | R | | |
| Bakery | R | R | | R | | |
| Bank | R | R | | R | | |

Table 1 (Continued)

| | C-1 | C-2 | C-3 | C-4 | I-1 | I-2 |
|--|-----|-----|-----|-----|-----|-----|
| Bar and cocktail lounge including dancing and entertainment | | R | | R | | |
| Barber | R | R | R | R | | |
| Beauty school | | R | R | R | | |
| Bicycles and parts | R | R | R | R | | |
| Biological products (manufacturing) | | | | | | R |
| Boat repair | | | | | R | R |
| Boat sales and service | R | R | R | R | | |
| Boat manufacturing | | | | | R | R |
| Book or stationery store | R | R | | R | | |
| Bottling and canning soft drinks and carbonated waters (manufacturing) | | | | | R | R |
| Building and loan office, savings and loan bank | R | R | | R | | |
| Bus garaging and equipment maintenance | | | | | C | C |
| Bus passenger terminals | | C | | C | | |
| Business and stenographic schools | | C | C | R | | |
| Cable and subscription TV facilities | | R | R | | | |
| Candles and wax (manufacturing) | | | | | | R |
| Candy and confectioneries | R | R | R | R | | |
| Candy and other confectionery products (manufacturing) | | | | | R | R |
| Canning fruits, vegetables, preserves, jams, jellies and other foods (manufacturing) | | | | | | R |
| Carpentry, wood flooring, cabinets and doors | | R | R | | R | R |
| Cemetery | R | R | R | R | R | R |
| Chemical fertilizer (manufacturing) | | | | | | C |
| Churches, synagogues, mosques or other houses of worship | R | R | R | R | R | R |

Table 1 (Continued)

| | C-1 | C-2 | C-3 | C-4 | I-1 | I-2 |
|--|-----|-----|-----|-----|-----|-----|
| Cigars, cigarettes and other tobacco products (wholesale) | | | R | | R | R |
| Clinic; medical, dental, chiropractic or chiropodist | R | R | | R | | |
| Clothing apparel (manufacturing) | | | | | R | R |
| Club or lodge (non-profit), fraternal or religious association | C | C | | | | |
| Coating, engraving and allied services | | | | | R | R |
| Colleges and universities | R | R | R | R | | |
| Commercial lighting | | R | R | | R | |
| Communication equipment (manufacturing) | | | | | | R |
| Composting plants | | | | | | R |
| Contractor and building trade offices | R | R | R | R | R | |
| Convention facilities | | R | | R | | |
| Correspondence schools | | C | C | R | | |
| Cotton (manufacturing) | | | | | | R |
| Cut stone and stone products (manufacturing) | | | | | | R |
| Cutlery and hand tools (manufacturing) | | | | | R | R |
| Cutlery | | R | R | R | | |
| Dairy products (manufacturing) | | | | | | R |
| Delicatessen | R | R | R | R | | |
| Dishes, earthenware (whiteware) table and kitchen articles, etc. | | R | R | R | | |
| Draperies, curtains and upholstery | | R | R | R | | |
| Dressmaker or millinery shop | R | R | | R | | |
| Driving instruction and or traffic school | | R | R | R | | |
| Drug proprietaries and sundries | R | R | R | R | | |
| Dry cleaners | R | R | R | | | |

Table 1 (Continued)

| | C-1 | C-2 | C-3 | C-4 | I-1 | I-2 |
|---|-----|-----|-----|-----|-----|-----|
| Educational supplies | R | R | R | R | | |
| Electrical apparatus, appliances, machinery, equipment and supplies (manufacturing) | | | | | R | R |
| Electrical apparatus, machinery, equipment and supplies | | R | R | R | R | |
| Electrical equipment repair | | R | | R | R | |
| Electrical, gas, water and sewage transmission facilities | C | C | C | C | C | C |
| Equipment rental and leasing - outdoor | | | | | R | |
| Equipment rental and leasing - indoor | | R | R | R | | |
| Equipment and supplies for service establishments | | R | R | R | R | |
| Extermination | | R | R | | R | |
| Farm products warehousing and storage (except stockyards) | | R | | | R | R |
| Florist or gift shop | R | R | R | R | | |
| Food lockers (with or without food preparation facilities) | | R | R | | R | |
| Footwear (manufacturing) | | | | | | R |
| Freight yard | | | | | C | C |
| Frozen fruits, fruit juices, vegetables and specialties (manufacturing) | | | | | R | R |
| Fruits and vegetables | | R | R | R | | |
| Fuel storage | | | | | R | R |
| Fuel and fuel oil distributor | | | | | R | R |
| Furniture | | R | R | R | | |
| Garden supply tools and seed stores | R | R | R | R | | |
| Gas station, exclusive of automotive repair | R | R | R | R | | |

Table 1 (Continued)

| | C-1 | C-2 | C-3 | C-4 | I-1 | I-2 |
|---|-----|-----|-----|-----|-----|-----|
| General warehousing and storage | | | | | R | R |
| Glass, plates and windows, etc. (manufacturing) | | | | | | R |
| Glass, plate and window | | R | R | R | | |
| Government facilities | R | R | R | R | R | R |
| Groceries and related products | R | R | R | R | | |
| Gym | | R | R | R | | |
| Hardware and electrical supplies | R | R | R | R | | |
| Hazardous chemical and material storage | | | | | | C |
| Heating and cooling apparatus, equipment and plumbing fixtures and supplies (manufacturing) | | | | | R | R |
| Heating and cooling apparatus, equipment, plumbing fixtures and supplies | | R | R | R | R | |
| Heavy equipment repair | | | | | R | R |
| Heavy equipment storage and services | | | | | R | R |
| Helicopter landing and take-off pads | | C | | C | C | C |
| Historical and monument sites | R | R | R | R | R | R |
| Home improvement centers | | R | R | R | | |
| Hotel | | R | | R | | |
| Ice | | R | R | R | R | R |
| Impound yard | | | | | C | C |
| Janitorial | | R | R | | R | |
| Jewelry, precious metals and related materials | | R | R | R | | |
| Landscaping services | | R | R | | R | |
| Large equipment repair-mobile | | | R | | R | |
| Laundering and dry cleaning plants | | | | | R | R |
| Laundromat | R | R | | | | |
| Leather goods (manufacturing) | | | | | | R |
| Locksmith | R | R | R | R | R | |

Table 1 (Continued)

| | C-1 | C-2 | C-3 | C-4 | I-1 | I-2 |
|--|-----|-----|-----|-----|-----|-----|
| Lumber yards | | | | | R | R |
| Machine shop and welding | | | | | R | R |
| Mail order houses | | R | R | R | R | |
| Manufactured housing | | | | | R | R |
| Medical and dental laboratories, and other health and medical services not providing direct patient care | R | R | R | | R | |
| Merchandise vending machine operators | | R | R | R | R | R |
| Metal cans (manufacturing) | | | | | | R |
| Microwave and radio communication towers and facilities | | | R | | R | R |
| Millwork | | | R | | R | R |
| Mini-marts | R | R | R | R | | |
| Mini-storage | | R | C | | C | C |
| Miscellaneous plastic products (manufacturing) | | | | | | R |
| Mortuary | | R | | | | |
| Motel | | C | | R | | |
| Motion picture services | | R | R | R | R | |
| Museums, art galleries, library and reading room | R | R | | R | | |
| Musical instruments parts and supplies | | R | R | R | | |
| Newspaper and magazines | R | R | R | R | | |
| Newspapers, publishing and printing | | R | | R | R | R |
| Nonalcoholic beverages (wholesale) | | | R | R | R | |
| Nursery | | R | R | R | | |
| Office furniture and accessories | | R | R | R | | |
| Offices (general), including direct patient care | R | R | R | R | | |

Table 1 (Continued)

| | C-1 | C-2 | C-3 | C-4 | I-1 | I-2 |
|---|-----|-----|-----|-----|-----|-----|
| Parks, playgrounds and athletic fields | C | C | C | C | C | |
| Permanent asphalt batch plants | | | | | | C |
| Pet shop or taxidermist | | R | | R | | |
| Pet supplies (wholesale) | | | R | R | R | |
| Pharmaceutical (manufacturing) | | | | | C | R |
| Pharmacies | R | R | R | R | | |
| Photocopying | R | R | R | R | | |
| Photographic studios and processing | R | R | R | R | | |
| Planetariums, aquariums, botanical gardens and zoos | | R | | R | | |
| Portable storage shed display, sales and/or assembly | | R | | R | R | |
| Printing, publishing, lithographing or reproducing | | R | | R | R | |
| Radio and television broadcasting studios | | R | | R | R | R |
| Railroad passenger terminals | | C | C | C | C | C |
| Recreational vehicle storage | | R | R | | R | |
| Recycling centers | | | | | C | C |
| Research, development and testing services and labs | | C | | C | R | R |
| Restaurant supplies | | R | R | R | | |
| Restaurants | R | R | R | R | | |
| Retail (general) | | R | | R | | |
| Retail malls | | R | | R | | |
| Rug cleaning and repair | | R | R | | R | |
| Salvage and wrecking yards | | | | | | C |
| Schools - elementary, intermediate and senior high, public or private | C | C | C | C | | |

Table 1 (Continued)

| | C-1 | C-2 | C-3 | C-4 | I-1 | I-2 |
|---|-----|-----|-----|-----|-----|-----|
| Signs (manufacturing) | | | R | | R | R |
| Silk screening | R | R | R | R | | |
| Small arms | | R | R | R | R | |
| Specialty cleaning, polishing and sanitation preparations | | | | | R | R |
| Specialty fabrication, manufacturing and rebuilding | | | R | R | R | R |
| Stationery supplies | R | R | R | R | | |
| Studio for professional work in or the teaching of any form of fine arts | R | R | R | R | | |
| Surface active agents, finishing agents, sulfonated oils and assistants (manufacturing) | | | | | | R |
| Swap meets | | C | | | R | |
| Tailor | R | R | | | | |
| Textiles (manufacturing) | | | | | R | R |
| Theater | | R | | R | | |
| Thrift shop | | R | | | | |
| Tire shop | | R | R | R | R | |
| Toys, amusement, sporting and athletic goods | | R | R | R | | |
| Truck rental | | | | R | R | |
| Truck terminal, storage parking and repair | | | | R | C | C |
| Truss yards | | | | | R | R |
| Uniform rental | | R | R | R | | |
| Upholstery and furniture repair | | R | R | | R | |
| Urgent care facilities | R | R | R | R | | |
| Veneer and plywood (manufacturing) | | | | | | C |
| Veterinary clinic, exclusive of outdoor operations | R | R | | R | | |

Table 1 (Continued)

| | C-1 | C-2 | C-3 | C-4 | I-1 | I-2 |
|---|-----|-----|-----|-----|-----|-----|
| Video | R | R | | R | | |
| Vitreous china plumbing fixtures, earthenware fittings and bathroom accessories (manufacturing) | | | | | | R |
| Vocational, trade and special training schools | | R | R | | C | |
| Water well drilling | | | | | C | C |
| Wedding chapel | | R | | R | | |
| Welding and metal repair | | | | | R | R |

(Ord. 2004-05 § 4 (part), 2004; Ord. 193 Exh. A (§ 85.01.020), 1994)

16.16.470 Development standards generally.

The development standards set forth in this code are intended to provide minimum standards for the development and use of land within the commercial districts. These development standards should be used in conjunction with the design guidelines which are set forth in Sections 16.16.485 through 16.16.535. Use of the design guidelines in conjunction with these criteria will assist the designer in determining the best design for any given development project.

A. Site Dimensions and Height Limitations. The following table sets forth the minimum lot dimensions and height limitations. The creation of new lots within these zones shall conform to these minimum dimensions, except in the case when a site plan review, conditional use permit or planned development is submitted, in which case, no minimums are established. This exception is only applicable when the sites in question are being developed as one integrated development and appropriate measures are taken to insure reciprocal access, parking and maintenance.

Table 2
SITE DIMENSIONS AND HEIGHT LIMITATIONS

| | C-1 | C-2 | C-3 | C-4 |
|-------------------------------|--------------------|--------------------|--------------------|--------------------|
| Gross lot area ^(a) | 2 ½ acres | 5 acres | 2 ½ acres | 10 acres |
| Lot width | 300' | 300' | 300' | 400' |
| Lot depth | 300' | 300' | 300' | 400' |
| Height limitations | 35' ^(b) | 35' ^(b) | 35' ^(b) | 65' ^(b) |

Notes:

(a) This standard is only required for new commercial subdivisions.

(b) Proposals for development exceeding this height shall require the approval of a variance.

B. **Setbacks.** The following table sets forth the minimum setbacks for buildings and the amount of setback to be landscaped. These provisions apply equally to all of the commercial districts.

**Table 3
SETBACKS**

| | Building | Minimum Landscaping
Adjacent to Property Lines |
|--|-----------------|---|
| STREET YARD SETBACK
(measured from the ultimate right-of-way): | | |
| Front yard | 25' | 8' |
| Side yard | 15' | 8' |
| REAR PROPERTY LINE SETBACKS: | | |
| Adjacent to residential zoning | 20' | 5' |
| Adjacent to commercial or industrial zoning | 0' | 0' |
| INTERIOR SIDE PROPERTY LINE SETBACK: | | |
| Adjacent to residential zoning | 20' | 5' |
| Adjacent to commercial or industrial zoning | 0' | 0' |

The following table lists the reduced setback distances permitted in the commercial and industrial zones (providing all required street improvements are incorporated into the developed area) and provides the minimum building and landscaping features required when granting the reductions.

**Table 4
VARIABLE SETBACKS**

| Required Street
Setback | Building Features | Landscaping Features |
|------------------------------------|---|---|
| 15 feet | Pedestrian oriented store fronts with window merchandise display. Outside sit-down dining or waiting areas permitted. Design articulation required e.g. pop-outs, change in plane, change in materials. | 7% of site in approved landscaping to include features within the parking area. Shade trees required in parking lot. Landscaping along public street frontages shall be xeriscape with drip irrigation. |
| 10 feet | Same as above plus 70% glass along street frontages. Varied roof line. Recessed entrances, plazas and courtyards required to offset any building frontage over 50 lineal feet. | Same as above but 10% landscaping with parking lot planters separating parking aisle areas. Varied composition, density and height of landscaping along street frontages and around buildings. |

The application reviewing authority is responsible for the granting of variable building setbacks. The reviewing authority may require submittal of renderings and landscape design (including plant species photography) and/or an architectural palate prior to approval of variable setbacks. (Ord. 278 Exh. A (§ 2), 1999; Ord. 193 Exh. A (§ 85.01.030(A)), 1994)

16.16.475 Commercial land use district standards.

The following standards shall apply to development in all commercial districts, except as otherwise provided for in this code:

- A. Any site plan review, conditional use permit or planned development accompanied by a map or merger combining two or more lots shall have the map or merger fees waived;
- B. A commercial development adjacent to any residential zone district shall have a six foot high decorative masonry wall or wood crete along property lines adjacent to such districts;
- C. All uses shall be conducted within a completely enclosed structure; except those specific uses approved by a site plan review, conditional use permit or special event permit;
- D. There shall be no visible storage of motor vehicles (except display areas for sale or rent of motor vehicles), trailers, airplanes, boats, recreational vehicles, or their composite parts; loose rubbish, garbage, junk, or their receptacles; tents, equipment or building materials in any portion of a lot. No storage shall occur on any vacant parcel. Building materials for use on the same premises may be stored on the parcel during the time that a valid building permit is in effect for construction;

E. Every parcel with a structure shall have a trash receptacle on the premises. The trash receptacle shall comply with building and safety department standards and be of sufficient size to accommodate the trash generated. The gate shall be maintained in working order and shall remain closed except when in use;

F. All roof-mounted equipment, including air conditioning or heating equipment, vents or ducts shall, whenever possible, not be visible from any adjacent public street or right-of-way. This shall be accomplished through the extension of the main structure or roof or screened in a manner which is architecturally integrated with the main structure(s); and

G. All on-site lighting shall be energy efficient, stationary and directed away from adjoining properties and public rights-of-way. (Ord. 193 Exh. A (§ 85.01.030(B)), 1994)

16.16.480 Specific land use standards.

In addition to the general development requirements contained in Chapter 16.20 (General Regulations), the following standards shall apply to specific commercial land uses.

A. Motor Vehicle Sales. A site plan review shall be required, and all dealerships must be constructed in the following manner:

1. All parts, accessories, etc., shall be stored within a fully enclosed structure;
2. Service and associated car storage areas shall be completely screened from public view;
3. All loading and unloading of vehicles shall occur on-site and not in adjoining streets or alleys;
4. All vehicles associated with the business shall be parked or stored on-site and not in adjoining streets and alleys;

5. An adequate on-site queuing area for service customers shall be provided. Required parking spaces may not be counted as queuing spaces; and

6. No vehicle service or repair work shall occur except within a fully enclosed structure. Service bays with individual access from the exterior of the structure shall not directly face or front on a public right-of-way.

B. Salvage and Wrecking Yards. Automobile salvage and wrecking yards establishments are subject to conditional use permit review and shall be constructed in the following manner:

1. The site shall be entirely paved, except for structures and landscaping, so that vehicles are not parked in a dirt or otherwise not fully improved area;

2. Service access shall be located at the rear or side of structure(s) and as far as possible from adjoining residential uses;

3. Repair activities and vehicle loading and unloading shall be prohibited on adjoining public rights-of-way;

4. Service bays with individual access from the exterior of the structure shall not face adjacent public rights-of-way;

5. All repair activities shall be conducted entirely within an enclosed structure. Outdoor hoists shall be prohibited;

6. Exterior noise shall not exceed sixty-five (65) dBA at the property line;

7. The premises shall be kept in a neat and orderly condition at all times;

8. All used or discarded automotive parts or equipment or permanently disabled, junked or dismantled vehicles shall be permanently screened from public view; and

9. All hazardous materials resulting from the repair or dismantling operation shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution, and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable federal, state and local regulations.

C. Convenience Stores. The retail sale of groceries, staples, sundry items and/or alcoholic beverages where the gross floor area is less than five thousand (5,000) square feet is subject to site plan review, and shall be constructed and operated in the following manner:

1. One access drive may be permitted for each street frontage with approval of city engineer. The design and location of the access drive(s) shall be subject to the approval of the development review committee;
2. The premises shall be kept in a neat and orderly condition at all times;
3. If on-site dispensing of automotive fuels is provided, the design, location and operation of these facilities shall be consistent with the provisions of Section 16.16.480(G) (Service Station Standards). Additionally, the cashier location shall provide direct visual access to the pump islands and the vehicles parked adjacent to the islands;
4. A bicycle rack shall be installed in a convenient location visible from the inside of the store;
5. Each convenience store shall provide a public restroom located within the store;
6. Public pay telephones provided on-site shall not be set up for incoming calls. Public telephones shall be featured with call out service only.

D. Drive-thru Restaurants. This section contains standards for drive-thru restaurants. Drive-thru restaurants are subject to site plan review.

1. Pedestrian walkways should not intersect the drive-thru drive aisles, but where they do, they shall have clear visibility, and they must be emphasized by enriched paving or striping;
2. Drive-thru aisles shall have a minimum thirteen (13) foot width on curves and a minimum twelve (12) foot width on straight sections;
3. Drive-thru aisles shall provide sufficient stacking area behind menu board and pick-up window to accommodate a minimum of four cars each;
4. All service areas, restrooms and ground mounted and roof mounted mechanical equipment shall be screened from view;
5. Landscaping shall screen drive-thru or drive-in aisles from the public right-of-way and shall be used to minimize the visual impact of readerboard signs and directional signs;
6. Drive-thru aisles and structures shall be setback from the ultimate curb face a minimum of ten feet;
7. Menu boards shall be a maximum of thirty (30) square feet, with a maximum height of seven feet, and shall not face the street;
8. Drive-thru restaurants within an integrated shopping center shall have an architectural style consistent with the theme established in the center. The architecture of any drive-thru restaurant must provide compatibility with surrounding uses in form, materials, colors, scale, etc. Structure plans shall have variation in depth and angle to create variety and interest in its basic form and silhouette. Articulation of structure surface shall be encouraged through the use of openings and recesses which create texture and shadow patterns. Structure entrances shall be well articulated and project a formal entrance through variation of architectural plane, pavement surface treatment, and landscape plaza; and
9. Drive-thru aisles should not exit directly onto a public right-of-way.

E. Mini-malls. Mini-malls (small scale, up to fifty thousand (50,000) square feet, multi-tenant shopping centers) are subject to a site plan review and shall comply with the following standards.

1. All development and operational standards outlined in Section 16.16.480(C) (Convenience Stores), shall apply;
2. The development shall provide internal continuity, uniformity and compatibility relating to architectural design, vehicular and pedestrian access, and on-site provisions for landscaping, loading, parking and signage;
3. To the extent feasible, the on-site vehicular circulation system shall provide continuity with adjacent commercial developments; and

4. No outdoor displays or sale of merchandise shall be permitted. However, limited outdoor sales may be allowed subject to the issuance of a special event permit.

F. Mini-storage. Mini-storage facilities are subject to a site plan review and shall be constructed in the following manner:

1. The site shall be entirely paved, except for structures, drainage facilities and landscaping;
2. The site shall be completely enclosed with a six foot high solid decorative masonry wall, except for points of ingress and egress (including emergency fire access) which shall be properly gated. The gate(s) shall be maintained in good working order and shall remain closed except when in use;
3. No business activity shall be conducted other than the rental of storage spaces for inactive storage use or the sale of unclaimed articles by the landlord;
4. All storage shall be located within a fully enclosed structure(s);
5. No flammable or otherwise hazardous materials shall be stored on-site;
6. Residential quarters for a manager or caretaker may be provided in the development;
7. The development shall provide for two parking spaces for the manager or caretaker, and a minimum of five spaces located adjacent or in a close proximity to the manager's quarters for customer parking;
8. Boats, recreational vehicles, campers, trailers, etc., may be stored on-site if located behind buildings and not visible from the public right-of-way;
9. Storage facilities located adjacent to residential districts shall have their hours of operation restricted to seven a.m. to nine p.m., Monday through Saturday, and nine a.m. to nine p.m. on Sundays;
10. Mini-storage facilities shall not be permitted within six hundred sixty (660) feet of Interstate-15, Highway-395, Bear Valley Road, Main Street or a railway; and
11. Storage facilities may be developed in conjunction with a residential development, provided that the facility is for the sole use of the residents, is designed as an integrated part of the project and may not contain garages or parking spaces that exceed the dwelling units within the associated residential development.

G. Service Station (Gasoline) Standards. Service stations are subject to a site plan review and shall comply with the following standards:

1. New service stations shall not adjoin a residential zone district;
2. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
 - a. The dispensing of petroleum products, water and air from pump islands,
 - b. The provision of emergency service of a minor nature, and
 - c. The sale of items via vending machines which shall be placed next to the main structure in a designated area;
3. Pump islands shall be located a minimum of twenty (20) feet from a street property line; however, a canopy or roof structure over a pump island may encroach up to ten feet within this distance. Additionally, the cashier location shall provide direct visual access to the pump islands and the vehicles parked adjacent to the islands;
4. The maximum number of points of ingress/egress to any one street shall be two;
5. The width of a driveway may not exceed forty (40) feet at the sidewalk;
6. Outside storage of motor vehicles is prohibited. Temporary storage, up to seventy-two (72) hours, is permitted if adequately screened from the public right-of-way;
7. No vehicles may be parked on sidewalks, parkways, driveways or alleys;
8. No vehicle may be parked on the premises for the purpose of offering same for sale;
9. Openings of service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion onto adjoining properties;

10. No used or discarded automotive parts or equipment, or disabled, junked or wrecked vehicles may be located in any open area outside the main structure;

11. All light sources, including canopy, perimeter, and flood shall be energy efficient, stationary and shielded or recessed within the roof canopy so that the service station shall be indirectly visible and light is deflected away from adjacent properties and public rights-of-way. Lighting shall not be of such a high intensity as to cause a traffic hazard or adversely affect adjoining properties;

12. Where an existing service station adjoins property in a residential land use district, a six foot high decorative masonry wall shall be constructed at the time the station requires a permit for the on-site improvement/modification. Materials, textures, colors and design of the wall shall be compatible with on-site development and adjoining properties. When the wall reaches the established front-yard setback line of a residentially designated lot abutting or directly across an alley from the service station, it shall decrease to a height of thirty (30) inches;

13. Restroom entrances viewable from adjacent properties or public rights-of-way shall be concealed from view by planters or decorative screening;

14. Delivery areas for fuel or merchandise shall be located in a fashion so as not to significantly interfere with normal business operations.

H. Service Station Conversions. A structure originally constructed as a service station and which is proposed for conversion to another allowable use shall require upgrading and remodeling for such items as, but not limited to, removal of all gasoline appurtenances, removal of canopies, removal of pump islands, removal of gas tanks, removal of overhead doors, additional street improvements or modification of existing improvements to conform to access regulations, exterior remodeling and any additional standards as required by this code. (Ord. 2004-05 § 4 (part), 2004; Ord. 193 Exh. A (§ 85.01.030(C)), 1994)

16.16.485 Design guidelines generally.

A. The following design guidelines are intended as a reference framework to assist the designer in understanding the city's goals and objectives for quality development within the commercial districts. The guidelines complement the mandatory site development regulations contained in this code by providing design interpretations of the various mandatory regulations.

B. The guidelines will be utilized during the city's development review process to encourage quality design while at the same time providing the flexibility necessary to encourage creativity on the part of project designers. (Ord. 193 Exh. A (§ 85.01.040(A)), 1994)

16.16.490 General design principles.

A. Desirable Elements of Project Design. The qualities and design elements for commercial structures that are most desirable include:

1. Richness of surface and texture;
2. Significant wall articulation (insets, canopies, wing walls, trellises);
3. Multi-planed, pitched roofs;
4. Roof overhangs, arcades;
5. Regular or traditional window rhythm;
6. Articulated mass and bulk;
7. Significant landscape and hardscape elements;
8. Prominent access driveways; and
9. Landscaped and screened parking.

B. Design Elements to be Discouraged. The elements to avoid or minimize include:

1. Large blank, unarticulated wall surfaces;
2. Unpainted concrete precision block walls;
3. Highly reflective surfaces;
4. Plastic siding;
5. Square "boxlike" structures;
6. Mix of unrelated styles (i.e., rustic wood shingles and polished chrome);
7. Visible outdoor storage, loading and equipment areas; and
8. Disjointed parking areas and confusing circulation patterns.

(Ord. 193 Exh. A (§ 85.01.040(B)), 1994)

16.16.495 Site planning.

Placement of structures should consider the existing built context of the commercial area, the location of incompatible land uses, the location of major traffic generators as well as an analysis of a site's characteristics and particular influences.

A. Structures should be sited in a manner that will complement the adjacent structures. Sites should be developed in a coordinated manner to provide order and diversity and avoid a jumbled, confused development.

B. Whenever possible, new structures should be clustered. This creates plazas or pedestrian malls and prevents long "barracks-like" rows of structures. When clustering is impractical, a visual link between separate structures should be established. This link can be accomplished through the use of an arcade system, trellis, or other open structure.

C. Locate structures and on-site circulation systems to minimize pedestrian/vehicle conflicts where possible. Link structures to the public sidewalk where possible with textured paving, landscaping and trellises.

D. Recognize the importance of spaces between structures as "outdoor rooms" on the site. Outdoor spaces should have clear recognizable shapes that reflect careful planning and are not simply "left over" areas between structures. Such spaces should provide pedestrian amenities such as shade, benches, fountains, etc.

E. Freestanding, singular commercial structures should be oriented with their major entry toward the street where access is provided, as well as having their facade parallel to the street.

F. Loading facilities should not be located at the front of structures where it is difficult to adequately screen them from view. Such facilities are more appropriate at the rear of the site where special screening may not be required.

G. Open space areas should be clustered into larger, predominant landscape areas rather than equally distributing them into areas of low impact such as at building peripheries, behind a structure or areas of little impact to the public view, where they are not required as a land use buffer or as a required yard setback. (Ord. 193 Exh. A (§ 85.01.040(C)), 1994)

16.16.500 Parking and circulation.

Parking lot design can be a critical factor in the success or failure of a commercial use. In considering the possibilities for developing a new parking area, a developer should analyze the following factors: ingress and egress with consideration to possible conflicts with street traffic; pedestrian and vehicular conflicts; on-site circulation and service vehicle zones and the overall configuration and appearance of the parking area.

A. Separate vehicular and pedestrian circulation systems should be provided. Pedestrian linkages between uses in commercial developments should be emphasized, including distinct pedestrian access from parking areas in large commercial developments, such as shopping centers.

B. Parking aisles should be separated from vehicle circulation routes whenever possible.

C. Common driveways which provide vehicular access to more than one site are encouraged.

- D. Parking areas shall be landscaped, receiving interior as well as perimeter treatment.
- E. Parking areas should be separated from structures by either a raised concrete walkway or landscaped strip, preferably both. Situations where parking spaces directly abut the structures should be avoided.
- F. Shared parking between adjacent businesses and/or developments is highly encouraged whenever practical.
- G. Where parking areas are connected, interior circulation should allow for a similar direction of travel and parking bays in all areas to reduce conflict at points of connection.
- H. Whenever possible, locate site entries on side streets in order to minimize pedestrian/vehicular conflicts. When this is not possible, design the front site entry with appropriately patterned concrete or pavers to differentiate it from the sidewalks.
- I. Parking access points, whether located on front or side streets should be located as far as possible from street intersections so that adequate stacking room is provided. The number of access points should be limited to the minimum amount necessary to provide adequate circulation.
- J. Design parking areas so that pedestrians walk parallel to moving cars. Minimize the need for the pedestrian to cross parking aisles and landscape areas.
- K. Parking areas and pedestrian walkways should be visible from structures to the greatest degree possible.
- L. The parking area should be designed in a manner which links the structures to the street sidewalk system as an extension of the pedestrian environment. This can be accomplished by using design features such as walkways with enhanced paving, trellis structures, or a special landscaping treatment.
- M. Parking areas which accommodate a significant number of vehicles should be divided into a series of connected smaller lots. Landscaping and offsetting portions of the lot are effective in reducing the visual impact of large parking areas.
- N. Parking areas shall be designed so as to prevent vehicles from maneuvering within the first twenty (20) feet of a vehicular entrance as measured from the property line. (Ord. 193 Exh. A (§ 85.01.040(D)), 1994)

16.16.510 Walls and fences.

A. If not required for a specific screening or security purpose, walls should not be utilized within commercial areas. The intent is to keep the walls as low as possible while performing their screening and security functions.

B. Where walls are used at property frontages, or screen walls are used to conceal storage and equipment areas, they should be designed to blend with the site's architecture. Both sides of all perimeter walls or fences should be architecturally treated. Landscaping should be used in combination with such walls whenever possible.

C. When security fencing is required, it should be a combination of solid walls with pillars and decorative view ports, or short solid wall segments and wrought iron grill work.

D. Long expanses of fence or wall surfaces should be offset and architecturally designed to prevent monotony. Landscape pockets should be provided. (Ord. 193 Exh. A (§ 85.01.040(F)), 1994)

16.16.515 Screening.

A. Screening for outdoor storage should be a maximum of six feet high. Chain link fencing with metal slatting is an acceptable screening material for areas of any lot not visible from the street. Exterior storage should be confined to portions of the site least visible to public view.

B. Where screening is required, a combination of elements should be used including solid masonry walls, berms and landscaping. Chainlink fencing with wood or metal slatting is not permitted when visible from the public right-of-way.

C. Any outdoor equipment, whether on a roof, side of a structure, or on the ground, shall be appropriately screened from view. The method of screening shall be architecturally integrated with the adjacent structure in terms of materials, color, shape and size. Where individual equipment is provided, a continuous screen is desirable. (Ord. 193 Exh. A (§ 85.01.040(G)), 1994)

16.16.520 Architectural design guidelines.

A. Heights of structures should relate to adjacent open spaces to allow maximum sun and ventilation, protection from prevailing winds, enhance public views of surrounding mountains and minimize obstruction of view from adjoining structures.

B. There are several ways to enhance the appearance of large structures.

1. Vary the planes of the exterior walls in depth and/or direction;
2. Vary the height of the buildings so that it appears to be divided into distinct massing elements;
3. Articulate the different parts of a building's facade by use of color, arrangement of facade elements, or a change in materials;
4. Use landscaping and architectural detailing at the ground level to lessen the impact of an otherwise bulky building;
5. Avoid blank walls at the ground floor levels. Utilize windows, trellises, wall articulation, arcades, change in materials, or other features; and
6. All structure elevations should be architecturally treated.

C. Scale, for purposes here, is the relationship between the size of the new structure and the size of adjoining permanent structures. It is also how the proposed building's size relates to the size of a human being. Large scale building elements will appear imposing if they are situated in a visual environment which is predominantly smaller in scale.

1. Building scale can be reduced through the proper use of window patterns, structural bays, roof overhangs, siding, awnings, moldings, fixtures and other details;

2. The scale of buildings should be carefully related to adjacent pedestrian areas (i.e. plazas, courtyards) and other structures; and

3. Large dominating structures should be broken up by: (a) creating horizontal emphasis through the use of trim; (b) adding awnings, eaves, windows or other architectural ornamentation; (c) use of combinations of complementary colors; and (d) landscape materials.

D. The use of standardized "corporate" architectural styles when designed in concert with city architectural guidelines are strongly encouraged.

E. Much of the existing color in the city is derived from the primary building's finish materials such as brick, wood, stucco and terra cotta tile. Also dominant are earth tones that match these natural materials.

1. Large areas of intense white color should be avoided. Subdued colors usually work best as a dominant overall color, a bright trim color may be appropriate;

2. The color palette chosen for new structures should be compatible with the colors of adjacent structures. An exception is where the colors of adjacent structures strongly diverge from these design guidelines;

3. Wherever possible, minimize the number of colors appearing on the structure's exterior;

4. Primary colors should only be used to accent elements, such as door and window frames and architectural details; and

5. Architectural detailing should be painted to complement the facade and tie in with adjacent structures. (Ord. 193 Exh. A (§ 85.01.040(H)), 1994)

16.16.525 Roofs.

A. All rooftop equipment should be screened from public view by screening materials of the same nature as the structure's basic materials. Mechanical equipment should be located below the highest vertical element of the building.

B. The following roof materials should not be used:

1. Corrugated metal (standing rib metal roofs are permitted);

2. Highly reflective surfaces (copper roofs may be considered); and

3. Illuminated roofing. (Ord. 193 Exh. A (§ 85.01.040(I)), 1994)

16.16.530 Awnings.

A. The use of awnings along a row of contiguous structures should be restricted to awnings of the same form and location. Color of the awnings should be consistent and a minimum eight foot vertical clearance should be maintained.

B. Plexiglas, metal and glossy vinyl illuminated awnings are strongly discouraged. Canvas, treated canvas, matte finish vinyl and fabric awnings are encouraged.

C. Internally lit awnings should not be used. (Ord. 193 Exh. A (§ 85.01.040(J)), 1994)

16.16.535 Lighting.

A. Lighting should be used to provide illumination for the security and safety of on-site areas such as parking, loading, shipping and receiving, pathways and working areas.

B. The design of light fixtures and their structural support should be architecturally compatible with the main structures on-site. Illuminators should be integrated within the architectural design of the structures.

C. As a security device, lighting should be adequate but not overly bright. All building entrances should be well lighted.

D. All lighting fixtures must be shielded to confine light spread downward and within the site boundaries. (Ord. 193 Exh. A (§ 85.01.040(K)), 1994)

ARTICLE XII. INDUSTRIAL DISTRICTS

16.16.540 Purpose and intent.

A. Purpose. The primary purpose of the industrial districts is to provide a mix of industrial uses that provide the city with a sound, diversified industrial and economic base and provide a range of employment activities. It is the further intent of this code to accomplish this through establishing high standards of site planning and landscape design for industrial developments within the city, while protecting the industrial area from excessive noise, illumination, unsightliness, odor, smoke, toxic wastes and other objectionable influences.

In addition to the above, it is the further purpose of the industrial districts:

1. To ensure consistency with the industrial and industrial/commercial land use designations on the general plan land use map;
2. To establish an appropriate industrial area to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise or equipment;
3. To minimize traffic congestion; and
4. To protect those land areas best suited for industrial activity by virtue of their location, parcel size, accessibility, infrastructure and other criteria, from encroachment by residential and other incompatible uses.

B. Intent. The intent of the individual industrial zone districts are as follows:

1. I-1, Limited Manufacturing District. This zone is intended to provide for light industrial, light manufacturing and industrial support uses mainly conducted within enclosed buildings, which will produce only a small environmental impact, such as noise, vibration, air pollution, glare or waste disposal. These uses may be located on sites close to businesses and manufacturing activities evidencing similar characteristics.
2. I-2, General Manufacturing District. This zone is intended to provide for the full range of manufacturing, fabrication, assembly, warehousing and distribution use types associated with heavy industrial land uses, including outside manufacturing, warehousing and storage. Uses associated with this district may produce a moderate environmental impact, such as noise, vibration, air pollution, glare or waste disposal.

These uses should not be located close to residences or general retail businesses serving the general public; in addition, special control measures may be required to assure compatibility with other manufacturing activities and that the environmental impact does not appreciably extend beyond the zoning district. (Ord. 193 Exh. A (§ 85.02.010), 1994)

16.16.545 Permitted uses.

The list which represents those uses in the industrial zone districts which are subject to a site plan review (R), or a conditional use permit (C) is presented in Section 16.16.465 and Table 1. (Ord. 193 Exh. A (§ 85.02.020), 1994)

16.16.550 Development standards generally.

The development standards set forth in this code are intended to provide minimum standards for the development and use of land within the industrial districts. These development standards should be used in conjunction with the design guidelines which are set forth in Sections 16.16.560 through 16.16.605. Use of the design guidelines in conjunction with these criteria will assist the designer in determining the best design for any given development project.

A. Site Dimensions and Height Limitations. The following table sets forth the minimum lot dimensions and height limitations. The creation of new lots within these zones shall conform to these minimum dimensions, except in the case when a site plan review, conditional use permit or planned development is submitted, in which case, no minimums are established. This exception is only applicable when the sites in question are being developed as one integrated development and appropriate measures are taken to insure reciprocal access, parking and maintenance.

**Table 1
SITE DIMENSIONS AND
HEIGHT LIMITATIONS**

| | I-1 | I-2 |
|-------------------------------|--------------------|--------------------|
| Gross lot area ^(a) | 1 acre | 2 1/2 acres |
| Lot width | 150' | 300' |
| Lot depth | 200' | 300' |
| Height limitations | 50' ^(b) | 50' ^(b) |

Notes:

(a) This standard is only required for new industrial subdivisions.

(b) Proposals for development exceeding this height shall require the approval of a variance.

B. Setbacks. The following table sets forth the minimum setbacks for buildings and parking facilities, as well as the amount of the setback to be landscaped. These provisions apply equally to each of the two industrial districts.

**Table 2
SETBACKS**

| | Building | Minimum Landscaping
Adjacent to Property Lines |
|--|-----------------|---|
| STREET YARD SETBACK
(measured from the ultimate right-of-way): | | |
| Front yard | 25' | 8' |
| Side yard | 15' | 5' |
| REAR PROPERTY LINE SETBACKS: | | |
| Adjacent to residential zoning | 50' | 10' |
| Adjacent to commercial or industrial zoning | 0' | 0' |
| INTERIOR SIDE PROPERTY LINE SETBACK: | | |
| Adjacent to residential zoning | 50' | 10' |
| Adjacent to commercial or industrial zoning | 0' | 0' |

**Table 3
VARIABLE SETBACKS**

| Required Street Setback | Building Features | Landscaping Features |
|--------------------------------|--|--|
| 15 feet | Outside break or waiting areas permitted. Design articulation required e.g. pop-outs, change in plane, change in materials. | 7% of street/parking lot area in approved landscaping to include features within the parking area. Shade trees required in parking lot. Landscaping along public street frontages shall be xeriscape with drip irrigation. |
| 10 feet | Same as above plus 70% glass along street frontages. Varied roof line. Recessed entrances, plazas and courtyards required to offset any building frontage over 50 lineal feet. | Same as above but 10% landscaping with parking lot planters separating parking aisle areas. Varied composition, density and height of landscaping along street frontages and around buildings. |

The application reviewing authority is responsible for the granting of variable building setbacks. The reviewing authority may require submittal of renderings and landscape design (including plant species photography) and/or an architectural palate prior to approval of variable setbacks. (Ord. 278 Exh. A (§ 4), 1999; Ord. 193 Exh. A (§ 85.02.030(A)), 1994)

16.16.555 Industrial land use district standards.

The following standards shall apply to development in all industrial districts, except as otherwise provided for in this code:

A. All uses shall be subject to the approval of a site plan review or a conditional use permit, pursuant to Chapter 16.12;

B. Any I-1 sites which after lot consolidation have a gross area of ten acres or more may be permitted to establish a general manufacturing use permitted in the I-2 zone district, subject to the conditional use permit processes;

C. Any site plan review, conditional use permit or planned development accompanied by a map or merger combining two or more lots shall have the map or merger fees waived;

D. All on-site lighting shall be energy efficient, stationary and directed away from adjoining properties and public rights-of-way;

E. An industrial development adjacent to any residential zone district shall have a six foot high decorative masonry wall along property lines adjacent to such districts;

F. Retail sales and service incidental to a principally permitted use are allowable provided that the following standards are met:

1. The operations are contained within the main structure which houses the primary use,
2. Retail sales occupy no more than twenty-five (25) percent of the total building square footage,
3. No retail sales or display of merchandise occur(s) outside the structure(s), and
4. All products offered for retail sales on the site are manufactured, warehoused or assembled on the premises;

G. Outside storage shall be confined to the rear of the principal structure(s) or the rear two-thirds of the site, whichever is the more restrictive, and screened from public view from any adjoining properties and public rights-of-way by appropriate walls, fencing and landscaping;

H. All uses shall be subject to the applicable regulations of this code, including, but not limited to, Chapter 16.12, (Permits and Procedures);

I. In addition to the general development requirements contained in Chapter 16.20 (General Regulations), the standards referred to in Sections 16.16.470 through 16.16.480 and Table 2 shall apply to specific industrial land use districts; and

J. Whenever possible, uses should incorporate air quality mitigation measures, including employee rideshare and transit programs, alternate schedules, delivery management programs, telecommunication programs and other modes of transportation. (Ord. 193 Ex. A (§ 85.02.030(B)), 1994)

16.16.560 Design guidelines, generally.

A. The following design guidelines are intended as a reference framework to assist the designer in understanding the city's goals and objectives for quality development within the industrial districts. The guidelines complement the mandatory site development regulations contained in this code by providing design interpretations of the various mandatory regulations.

B. The guidelines will be utilized during the city's development review process to encourage quality design while at the same time providing the flexibility necessary to encourage creativity on the part of project designers. (Ord. 193 Ex. A (§ 85.02.040(A)), 1994)

16.16.565 Site planning principles.

A. The main elements of industrial site design shall include the following:

1. Controlled site access;
2. Service areas located at the sides and rear of buildings;
3. Convenient access and on-site circulation;
4. Screening of outdoor storage, work areas and equipment; and
5. Emphasis on the main building entry and landscaping.

B. Building setbacks should be provided proportionate to the scale of the structure and in consideration of existing development adjacent to it. Larger structures require more setback area for a balance of scale and so as not to impose on neighboring uses.

C. Where industrial uses are adjacent to nonindustrial uses, appropriate buffering techniques such as setbacks, screening and landscaping need to be provided to mitigate any negative effects of industrial operations. (Ord. 193 Exh. A (§ 85.02.040(B)), 1994)

16.16.570 Parking and circulation.

A. The parking lot and cars should not be the dominant visual elements of the site. Large expansive paved areas located between the street and the building are to be avoided in favor of smaller multiple lots separated by landscaping and buildings.

B. Site access and internal circulation should be designed in a straight forward manner which emphasizes safety and efficiency. The circulation system should be designed to reduce conflicts between vehicular and pedestrian traffic, combine circulation and access areas where possible, provide adequate maneuvering and stacking areas and consideration for emergency vehicle access. Circulation routes and parking areas should be separated.

C. Entrances and exits to and from parking and loading facilities should be clearly marked with appropriate directional signage where multiple access points are provided.

D. Vehicles should not be required to enter the street in order to move from one area to another on the same site.

E. The industrial site should be a self-contained development capable of accommodating its own parking needs. The use of the public street for parking and staging of trucks is not allowed.

F. Pedestrian linkages between uses in industrial developments should be emphasized, including distinct pedestrian access from parking areas in large industrial developments, such as industrial parks.

G. Parking areas shall be designed so as to prevent vehicles from maneuvering within the first twenty (20) feet of a vehicular entrance as measured from the property line. (Ord. 193 Exh. A (§ 85.02.040(C)), 1994)

16.16.575 Loading facilities.

A. To alleviate the unsightly appearance of loading facilities for industrial uses, these areas should not be located at the front of buildings where it is difficult to adequately screen them from view. Such facilities are more appropriate at the rear of the site where special screening may not be required.

B. When it is not possible to locate loading facilities at the rear of the building, loading docks and doors should not dominate the frontage and must be screened from the street. Loading facilities should be offset from driveway openings.

C. Backing from the public street onto the site for loading into front end docks causes unsafe truck maneuvering and should not be utilized except at the ends of industrial cul-de-sacs where each circumstance will be studied individually at the time of design review. (Ord. 193 Exh. A (§ 85.02.040(D)), 1994)

16.16.585 Walls and fences.

A. Walls will serve a major function in the industrial landscape and will be used to screen loading and storage areas and utility structures. However, if not required for a specific screening or security purpose they should not be utilized. The intent is to keep the walls as low as possible while performing their screening and security functions.

B. Where walls are used at property frontages, or screenwalls are used to conceal storage and equipment areas, they should be designed to blend with the site's architecture. Both sides of all perimeter walls should be architecturally treated. Landscaping should be used in combination with such walls whenever possible.

C. Long expanses of fence or wall surfaces should be offset and architecturally designed to prevent monotony. Landscape pockets should be provided. (Ord. 193 Exh. A (§ 85.02.040(F)), 1994)

16.16.590 Screening.

A. Screening for outdoor storage should be a minimum of six feet and a maximum of twelve (12) feet high. The height should be determined by the height of the material being screened. Chain link fencing with metal slatting is an acceptable screening material. Exterior storage should be confined to portions of the site least visible to public view.

B. Where screening is required, a combination of elements should be used including solid masonry walls, wrought iron, pre-cast concrete, chain link fencing with metal slatting and landscaping.

C. Any equipment, whether on the roof, side of building or ground, shall be screened. The method of screening shall be architecturally integrated in terms of materials, color, shape and size. The screening design shall blend with the building design. Where individual equipment is provided, a continuous screen is desirable.

D. The need to screen rooftop equipment should be taken into consideration during the initial design phase for the structure. (Ord. 193 Exh. A (§ 85.02.040(G)), 1994)

16.16.595 Architectural design.

A. As a category of structure types, industrial structures often present unattractive and monotonous facades. There are, however, a variety of design techniques which can be utilized to help overcome this situation and to direct development into a cohesive design statement.

1. Employ variety in structure forms, to create visual character and interest;
2. Avoid long, "unarticulated" facades. Facades with varied front setbacks are strongly encouraged;
3. Avoid blank front and side wall elevations on street frontages;
4. All structure elevations should be architecturally treated; and
5. Windows and doors are key elements of any structure's form, and should relate to the scale of the elevation on which they appear. Windows and doors can establish character by their rhythm and variety. Recessed openings help to provide depth and contrast on elevation planes.

B. Design elements which are undesirable and should be avoided include:

1. Highly reflective surfaces at the ground story;
2. Large blank, unarticulated wall surfaces;
3. Exposed, untreated precision block walls;
4. Chain link fence, barbed wire;
5. False fronts;
6. Mansard roofs covering only a small portion of the roofline;
7. Unarticulated building facades; and
8. Materials with high maintenance such as stained wood and wood shingles.

- C. Wall materials that will withstand abuse by vandals or accidental damage from machinery are preferred.
- D. All buildings should be architecturally designed providing variety and visual interest to the streetscape.
- E. Rolling shutter doors located on the inside of the building are the preferred method for providing large loading doors while keeping a clean, uncluttered appearance from the exterior. (Ord. 193 Exh. A (§ 85.02.040(H)), 1994)

16.16.600 Roofs.

- A. All roof top equipment must be screened from public view by screening materials of the same nature as the building's basic materials. Mechanical equipment should be located below the highest vertical element of the building.
- B. The following roof materials should not be used:
 - 1. Corrugated metal (standing rib metal roofs are permitted);
 - 2. Highly reflective surfaces; and
 - 3. Illuminated roofing.
- C. The roof design should be considered as a component of the overall architectural design theme. (Ord. 193 Exh. A (§ 85.02.040(I)), 1994)

16.16.605 Lighting.

- A. Lighting should be used to provide illumination for the security and safety of on-site areas such as parking, loading, shipping and receiving, pathways and working areas.
- B. The design of light fixtures and their structural support shall be architecturally compatible with main buildings on-site. Illuminators should be integrated within the architectural design for the buildings.
- C. As a security device, lighting should be adequate but not overly bright. All building entrances should be well lighted.
- D. One footcandle evenly distributed across a parking lot is the required minimum. At entrances and loading areas, up to two footcandles may be appropriate.

E. All lighting fixtures must be shielded to confine light spread downward and within the site boundaries. (Ord. 193 Exh. A (§ 85.02.040(J)), 1994)

16.16.610 Public/institutional (P-I) district.

A. Purpose and Intent. This zone is intended to preserve and protect public facilities and those privately owned facilities which provide a service to the general public, including schools, churches, post offices, fire stations, hospitals, civic centers, and publicly owned land. Due to the broad service function of this zone and the difficulty of planning all public uses in advance, the Public Institutional zone may be designated throughout the plan area, provided the uses do not conflict with other established uses.

B. Locational Standards.

1. The area is occupied or will be occupied by public or closely related private facilities providing services or functions for the general public.
2. The uses are not detrimental to adjacent land uses.
3. The area has adequate public services and access to accommodate the needs of the proposed use on a given site.
4. The location shall be consistent with the general plan text and maps.

C. Review Procedures. In order to ensure compliance with the general plan, and development code, permitted uses within this zone may be subject to a conditional use permit, site approval or tenant improvement review, in accordance with Chapter 16.12.

D. Permitted uses.

1. Electrical, gas, water and sewage transmission facilities.
2. Radio and television stations and towers.
3. Microwave communication towers and facilities.
4. Government protective functions and postal services.
5. Public works maintenance and storage yards.
6. Vocational, trade and special training schools.
7. Museums and art galleries.
8. Planetariums, aquariums, botanical gardens and zoos.
9. Historical and monument sites.
10. Convention facilities.
11. Parks, playgrounds and athletic fields.
12. Recreation and community centers.
13. Churches, synagogues, mosques or other houses of worship.
14. Elementary, intermediate and senior high schools, public or private.
15. Colleges and universities. (Ord. 126 § 6, 1991)

ATTACHMENT 2

RESOLUTION NO. PC-2011-34

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A DEVELOPMENT CODE AMENDMENT TO AMEND THE COMMERCIAL, INDUSTRIAL AND PUBLIC LAND USE DESIGNATION REGULATIONS (DCA11-10245)

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

WHEREAS, The City of Hesperia Development Code regulations pertain to Commercial, Industrial and Public Land Use Designations; and

WHEREAS, The City finds that it is necessary to amend the Commercial, Industrial, and Public Land Use Designation regulations to be consistent with the City's recently adopted General Plan Land Use designations; and

WHEREAS, The proposed Development Code amendment is exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as Development Code Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan. The proposed Ordinance does not expand the allowable uses, change densities, or grant entitlements not already permitted by the Development Code and General Plan; and

WHEREAS, On September 8, 2011 and October 13, 2011, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Development Code Amendment and concluded said hearing on October 13, 2011; and

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

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

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

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

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends adoption of Development Code Amendment DCA11-10245, amending the Commercial, Industrial and Public Land Use Designation regulations as shown on Exhibit "A."

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

ADOPTED AND APPROVED on this 13th day of October 2011.

Chris Elvert, Chair, Planning Commission

ATTEST:

Kathy Stine, Secretary, Planning Commission

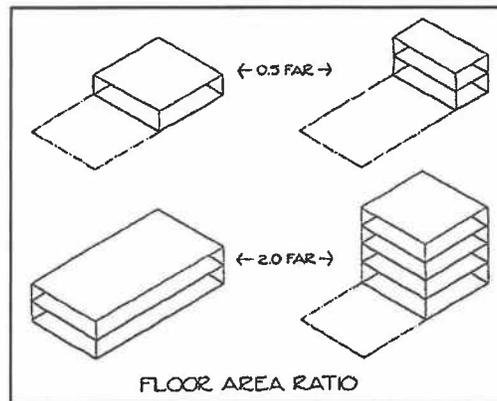
EXHIBIT "A"

The following definition shall be added to Chapter 16.08, as follows:

16.08.237 Floor-area ratio.

The "Floor-area ratio" or "FAR" means the ratio of the total gross floor area of all buildings on a lot to the total gross area of the lot or parcel. Exhibit "A" provides examples of the calculation of the FAR on a specific piece of property.

Exhibit "A"



Article IX. Administrative and Professional Office (AP) District shall be deleted in its entirety and replaced with the following:

ARTICLE IX. COMMERCIAL & INDUSTRIAL LAND USE DESIGNATIONS

16.16.310 Commercial and Industrial Land Use Designations.

A. Purpose: This Article lists the land uses that may be allowed within the commercial and industrial land use designations established by the General Plan and determines the permit process required for each use. All commercial and industrial land use designation regulations in this Article are intended to be used concurrently with the General Plan and other chapters in this Development Code, including Articles X and XI, or XII in this Chapter. The Commercial and Industrial Land Use Designations are as follows:

1. **Convenience Commercial (C1):** The Convenience Commercial (C1) designation is intended to meet the needs of local neighborhood residents. Businesses within the C1 designation should be smaller in floor area than the other commercial designations and should be less-intense in impacts such as traffic and noise due to the proximity of residentially designated properties. Uses within convenience commercial areas should include convenience-type goods and services intended to provide for the daily (short-term) needs of surrounding residential neighborhoods.

2. **General Commercial (C2):** The General Commercial (C2) designation is intended for goods and services of a general nature as well as professional offices that will meet both the short and long-term needs of the City's population.



Examples of commercial uses

3. **Service Commercial (C3):** The Service Commercial (C3) designation is intended for utilization as a buffer between residential or commercial uses and industrial uses. Service commercial uses include business-to-business retail and wholesale sales and services. All business operations shall be conducted within an enclosed building, and no outdoor storage shall be permitted.

4. **Limited Industrial (I1):** The Limited Industrial (I1) designation is intended to include lighter industrial uses and supportive service commercial uses. Wholesale or retail sale of industrial supplies, transportation equipment, building equipment and materials, indoor manufacturing uses, and similar uses may be permitted in this designation. In addition, supportive commercial uses such as restaurants or convenience markets that serve consumers within the industrial area may be allowed.

5. **General Industrial (I2):** The General Industrial (I2) designation is intended to permit the establishment of manufacturing and related uses within the City in areas which are protected from encroachment by incompatible residential uses. This designation permits the heaviest types of manufacturing and industrial uses with approval of a site plan or conditional use permit. Manufacturing, warehousing, and fabrication uses are all appropriate for this designation.



Examples of appropriately designed industrial uses

16.16.315 Permitted Uses and Permit Requirements.

The permitted uses and permit requirements in this Article are provided in a table format. Land uses are provided in the first (vertical) column of the table and commercial/industrial land use designation in the top (horizontal) row. In order to determine which permit process is applicable or if the land use is allowed, the use must be matched up with the corresponding land use designation. Once the land use and land use designation are matched, the symbol in the box represents the applicable process. The following key legend demonstrates which symbol corresponds with the applicable permit process. Footnotes are also provided and considered part of this Development Code.

Key to Permit Requirements

| Symbol | Applicable Process |
|--------|-----------------------------------|
| A | Accessory Use |
| CUP | Requires a Conditional Use Permit |
| NP | Not Permitted |
| P | Permitted Use |
| R | Requires a Site Plan Review |

16.16.320 Commercial and Industrial Uses.

| Land Uses | Land Use Designations | | | | |
|---|-----------------------|-----|----|----|-----|
| | C1 | C2 | C3 | I1 | I2 |
| A. Art studio/gallery (including photo) | R | R | R | R | |
| B. Assemblies of people- entertainment (e.g., theater - live performance, auditorium, banquet hall, nightclub, etc.) ¹ | | R | R | R | R |
| C. Auction service, exchange or barter | | | R | R | R |
| D. Automotive parking | R | R | | | |
| E. Bank and financial institution/service | R | R | | | |
| F. Bar, saloon, cocktail lounge and tavern | | CUP | | | |
| G. Business support services and facilities (including graphic reproduction, computer-service, uniform store, etc.) | | R | R | R | R |
| H. Catering establishment | | R | R | R | R |
| I. Cemetery | R | R | R | R | R |
| J. Club or lodge (non-profit), fraternal or religious association | CUP | R | | | |
| K. Composting plant | NP | NP | NP | NP | CUP |
| L. Contractors and building trades | R | R | R | R | R |
| M. Equipment sales and rental - indoors | | R | R | R | |
| N. Grocery store | R | R | R | NP | NP |
| O. Health and fitness club | R | R | R | R | R |
| P. Heavy equipment sales and rental | | | | R | R |

| | | | | | |
|---|----|-----|-----|----------------|----------------|
| Q. Helicopter landing and take-off pad | | CUP | | CUP | CUP |
| R. Historical and monument site | R | R | R | R | R |
| S. Home improvement sales and service, retail (e.g, hardware, lumber and building materials stores) | R | R | R | | |
| T. Hospital | | CUP | CUP | CUP | CUP |
| U. Hotel/motel | | R | | | |
| V. Impound/towing ² | NP | NP | NP | CUP | CUP |
| W. Industrial uses (includes outdoor storage ³) | NP | NP | NP | P | P |
| X. Institutional uses | R | R | R | R | R |
| Y. Kennel - boarding of domestic animals | | CUP | CUP | R | R |
| Z. Laboratory - research | | CUP | | R | R |
| AA. Machine shop/repair | | | | R | R |
| BB. Manufactured housing (sales) | | | | R | R |
| CC. Manufacturing/warehouse (includes outdoor storage ³) | | | | R | R |
| DD. Medical services (not including hospitals) | | R | R | NP | NP |
| EE. Microwave and radio communication towers and facilities | | | R | R | R |
| FF. Mini-storage ² | NP | NP | R | R | R |
| GG. Mortuary, not include crematory | | R | | | |
| HH. Museum, library and reading room | R | R | R | | |
| II. Office/professional buildings | R | R | R | R ⁵ | R ⁵ |
| JJ. Parking/storage of recreational vehicles | | | R | R | R |
| KK. Personal services (e.g, spas, salons, and massage facilities) | R | R | R | | |
| LL. Planetarium, aquarium, botanical garden and zoo | | R | | | |
| MM. Publishing and printing | | R | R | R | |
| NN. Processing (recycling) facility ⁴ | NP | NP | NP | CUP | CUP |
| OO. Recreational facility - commercial | | R | R | R | |
| PP. Recycling center - large collection facility ⁴ | NP | NP | NP | NP | CUP |
| QQ. Repair shop - small items | R | R | R | R | R |
| RR. Restaurant (sit down and takeout), including outdoor dining ² | R | R | R | | |
| SS. Retail sales | R | R | R | R ⁶ | R ⁶ |
| TT. School - trade, community college, university | | R | R | R | R |
| UU. School - specialty non-degree (e.g., dance and martial arts) | R | R | R | R | R |
| VV. Semi-truck repair and storage | | | | CUP | CUP |
| WW. Shopping center | R | R | R | | |
| XX. Terminal (bus and truck) | | CUP | | CUP | CUP |

| | | | | | |
|--|----|----|----|----|-----|
| YY. Theater | NP | NP | NP | NP | NP |
| ZZ. Upholstery and furniture repair/refinishing | | R | R | R | R |
| AAA. Vehicle fuel station ² | R | R | R | | |
| BBB. Vehicle parts and accessories sales | | R | R | | |
| CCC. Vehicle repair facility- major | | R | R | R | R |
| DDD. Vehicle repair facility- minor | | R | R | R | R |
| EEE. Vehicle sales/rentals and leasing - new and used ² | | R | | | |
| FFF. Vehicle wash facility ² | | R | R | R | |
| GGG. Veterinary services - clinics and small animals hospitals (short term boarding) | R | R | R | | |
| HHH. Warehousing and wholesale distribution center | | | | R | R |
| III. Wrecking yard ² | NP | NP | NP | NP | CUP |

Notes:

1. Shall not include a motion picture theater.
2. Shall correspond with standards in Section 16.16.365 (Specific land use standards).
3. Shall be subject to Section 16.16.360(4).
4. Shall be subject to Section 16.16.070 (Recycling facilities).
5. Shall be supportive to a manufacturing/industrial use.
6. May sell products manufactured or distributed on-site pursuant to Section 16.16.360 (3)(A).

16.16.325 Interpretation of Land Uses.

1. Land Use Not Listed or No Key Provided. All uses not specifically listed or where there is no key provided for a particular use in Section 16.16.320 are prohibited. However, the Development Services Director or his/her designee may determine that:

- a) Any use not listed is comparable to a listed use; or
- b) A listed use without a key is comparable to a listed use with a key, in which the applicable permit process may be used for the listed use without a key; and
- c) Meets the intent of the land use designation as described in Section 16.16.310; and
- d) Such use shall be reviewed and conditioned in a similar manner to a permitted or conditionally permitted use.

Such determination is appealable to the Planning Commission. A list of comparable use determinations shall be kept on file in the Development Services Department.

2. Other Similar Uses. The Development Services Director or his/her designee shall permit other similar uses or uses customarily incidental to land uses outlined in Section 16.16.320. In interpreting and applying the provisions of this Article, such provisions shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Whenever there is any question regarding the interpretation of the provisions of this Article or their application to any specific case or situation, the Development Services Director or his/her designee shall interpret the intent of this Article.

Chapter 16.16, Article X (Reserved) shall be amended to include the following:

ARTICLE X. COMMERCIAL & INDUSTRIAL DEVELOPMENT STANDARDS

16.16.350 Commercial and Industrial Development Standards.

1. New and existing developments in commercial and industrial land use designations shall be subject to the development standards in this Article, unless otherwise specified.
2. The development standards in this table shall be required within each land use designation:

| | C1 | C2 | C3 | I1 | I2 |
|--|-------------------------------------|----------------------|------------------------|---------------------|------------------------|
| A. Maximum floor area ratio (FAR) | 0.5 | 1.0 | 0.5 | 1.0 | |
| B. Height | 35' ¹ | | | 50' ¹ | |
| C. Minimum lot area (gross) | 2 ½ acres ² | 5 acres ² | 2 ½ acres ² | 1 acre ² | 2 ½ acres ² |
| D. Minimum lot dimension - Width, includes corner lots | 300' | | | 150' | 300' |
| E. Minimum lot dimension – Depth, includes corner lots | 300' | | | 200' | 300' |
| F. Front Yard Setback | 25' ³ | | | | |
| G. Side Street Yard Setback -Corner Lot | 15' ³ | | | 15' ⁴ | |
| H. Side Yard Setback | 0' | | | | |
| I. Side Yard Setback, when adjacent to residential | 20' ⁴ | | | 50' ⁴ | |
| J. Rear Yard Setback | 0' | | | | |
| K. Rear Yard Setback, when adjacent to residential | 20' ⁴ | | | 50' ⁵ | |
| L. Landscaping | Chapter 16.20, Article XII | | | | |
| M. Signs | Section 16.16.095 | | | | |
| N. Parking | Section 16.20.080 through 16.20.120 | | | | |

Notes:

1. Proposals for development exceeding this height shall be subject to Chapter 16.16, Article VI (Variances and Minor Exceptions) of this Development Code.
2. The minimum site size and dimensions for new lots in this designation are as listed here, except in the case when a site plan review, conditional use permit or planned development is submitted, in which case, no minimum is established. This exception is only applicable when the site is being developed as one integrated development and appropriate measures are taken to ensure reciprocal access, parking and maintenance.
3. Minimum landscaping of 8 feet is required adjacent to the property lines, pursuant to Chapter 16.20, Article XII (Landscaping Regulations) of this Development Code.
4. Minimum landscaping of 5 feet is required adjacent to the property lines, pursuant to Chapter 16.20, Article XII (Landscaping Regulations) of this Development Code.

5. Minimum landscaping of 10 feet is required adjacent to the property lines, pursuant to Chapter 16.20, Article XII (Landscaping Regulations) of this Development Code.

16.16.355. Street Setback Reduction.

A. The following table lists the reduced setback distances permitted in the commercial and industrial designations (providing all required street improvements are incorporated into the developed area) and provides the minimum building and landscaping features required when granting the reductions.

B. When approving a minor exception consistent with Section 16.12.220 for commercial and industrial developments, the reviewing authority may require pedestrian oriented features in Section 16.16.360(C)(7) and/or Chapter 16.16, Article XI (Design Guidelines) to be integrated into the development.

C. The reviewing authority is responsible for the granting these variable building setbacks. The reviewing authority may require submittal of renderings and landscape design (including plant species photography) and/or an architectural palate prior to approval of variable setbacks.

D. In industrial developments, the outdoor dining feature may be substituted for outdoor seating, public art, and/or other similar feature deemed appropriate by the reviewing authority. If location and physical limitations exist, the reviewing authority may only require the architectural and landscaping features.

| Required Street Setback | Building Features | Landscaping Features |
|-------------------------|---|---|
| 15 feet | Provides pedestrian oriented features in Chapter 16.16, Article XI (Design Guidelines). | Provides 7% on-site landscaping. Shade trees required in parking lot. |
| 10 feet | Provides pedestrian oriented features in Section 16.16.360(C)(7) and Chapter 16.16, Article XI (Design Guidelines). Recessed entrances, plazas and courtyards required to offset any building frontage over 50 lineal feet. | Same as above but provides 10% on-site landscaping with parking lot planters separating parking aisles. |

16.16.360 Additional Development Standards.

A. The following standards shall apply to development in all commercial and industrial designations, except as otherwise specified:

1. Any site plan review, conditional use permit or planned development accompanied by a map or merger combining two or more lots shall have the map or merger fees waived;
2. All uses shall be subject to the approval of a site plan review or a conditional use permit, pursuant to Chapter 16.12.

3. The following standards shall apply to development in all industrial designations, except as otherwise specified:

- a) Any I1 sites which after lot consolidation have a gross area of ten acres or more may be permitted to establish a general manufacturing use permitted in the I2 designation, subject to the conditional use permit processes;
- b) Retail sales and service incidental to a principally permitted use are allowable provided that the following standards are met:

- i. The operations are contained within the main structure which houses the primary use,
 - ii. Retail sales occupy no more than twenty-five (25) percent of the total building square footage,
 - iii. No retail sales or display of merchandise occur(s) outside the structure(s), and
 - iv. All products offered for retail sales on the site are manufactured, warehoused or assembled on the premises;
- c) Whenever possible, uses should incorporate air quality mitigation measures, including employee rideshare and transit programs, alternate schedules, delivery management programs, telecommunication programs and other modes of transportation.

4. Outdoor Displays, Storage, Equipment, and Work Areas.

- a) No retail sales, merchandise displays or work areas shall occur outside building(s), except as approved by a site plan review, conditional use permit, or special event permit.
- b) There shall be no visible storage of motor vehicles (except display areas for sale or rent of motor vehicles), trailers, airplanes, boats, recreational vehicles, or their composite parts; loose rubbish, garbage, junk, or their receptacles; tents, equipment or building materials in any portion of a lot. No storage shall occur on any vacant parcel. Building materials for use on the same premises may be stored on the parcel during the time that a valid building permit is in effect for construction;
- c) In the I1 and I2 designations, outside storage and equipment shall be confined to the rear half of the property or the rear of the principal structure on site, whichever is more restrictive, and screened from public view from any adjoining properties and public rights-of-way by appropriate walls, fencing and landscaping.

5. Parking and Loading.

In addition to the off-street parking requirements and standards set forth in Chapter 16.20, Article IV (Parking and Loading Standards) of this Development Code, the following shall apply:

- a) Parking areas shall be landscaped along the perimeter as well as in the interior of the parking lot, pursuant to the requirements set forth in Chapter 16.20, Article XII (Landscape Regulations) of this Development Code.
- b) Shared parking between adjacent businesses and/or developments is highly encouraged where feasible.
- c) Loading facilities shall not be located at the front of buildings or in public areas of the development. Such facilities are more suitably located at the rear of the site where they can be screened appropriately.
- d) When it is not possible to locate loading facilities at the rear of the building, loading docks and doors may be located along the sides of the buildings, but should not dominate the facades and must be screened from the public areas of the development.
- e) Loading facilities should be offset from driveway openings.
- f) Backing from the public street onto the site for loading into front-end docks causes unsafe truck maneuvering and should not be utilized except at the ends of cul-de-sacs where each circumstance will be studied individually at the time of design review.

6. Open Space and Landscaping.

- a) The design standards and guidelines included in the provisions of Chapter 16.20, Article XII (Landscape Regulations) and Chapter 16.24 (Protected Plants) of this Development Code shall apply.
- b) Open space areas shall be clustered into larger landscape areas rather than equally distributing them into areas of low impact such as at site and building peripheries, behind a structure or areas of little impact to public view, or where they are not required as a land use buffer or required yard setback.

7. Walls and Fences.

- a) A commercial or industrial development adjacent to any residential designation shall have a six-foot high decorative masonry wall along property lines adjacent to such designations. In the I1 and I2 designations, the wall height shall not exceed twelve feet, depending on the height of the material being screened.
- b) In commercial designations, the maximum permitted height of any perimeter walls fronting a street shall be three feet.
- c) Both sides of all perimeter walls shall be architecturally treated. In commercial designations, appropriate materials include decorative masonry, concrete, stone and brick.

8. Trash Collection Areas.

- a) At least one trash enclosure area shall be provided for commercial and industrial developments. The reviewing authority may require additional enclosures as deemed necessary. All such required areas shall be enclosed and screened pursuant to the requirements of this section and in accordance with City standards.
- b) All trash/recyclable materials collection enclosure areas shall be easily accessible to retail and office tenants, including easy pedestrian access for the disposal of materials and collection by refuse vehicles.
- c) The collection area(s) shall be enclosed on three sides by a minimum 6-foot tall decorative masonry wall. The wall materials used shall be complementary in color and style to architectural components of the development they serve. The fourth side of the enclosure shall be enclosed with an opaque, self-latching gate.

9. Mechanical Equipment Screening.

- a) All exterior mechanical equipment, except solar collectors, whether on a roof, side of a structure, or on the ground, shall be appropriately screened from public view. The method of screening shall be architecturally integrated with the primary structure in terms of materials, color, shape and size. Where individual equipment is provided, a continuous screen is desirable.
- b) For rooftop equipment, the screening materials shall be at least as high as the equipment being screened. Equipment requiring screening includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork, and transformers. Mechanical equipment shall not be permitted on any exposed portion of a pitched roof, except as may be approved through the Site Plan Review process.
- c) Ground-mounted utility equipment such as, but not limited to, cable television boxes, electric power transformers and distribution facilities, water pumps, and telecommunications facilities (not including pole-mounted equipment) shall be screened

from view on all sides with solid masonry walls or similar permanent structures. Such masonry wall or structure shall be of a neutral color. Screening with wood, chain-link, or similar fencing materials shall not be permitted. Electric and other metering equipment and panels shall be painted to match adjacent building and wall surfaces.

- d) Ladders for roof access shall be hidden and integrated into the building design.

10. Standards for Outdoor Dining. Outdoor dining may be provided either in private patios or within the public sidewalk right-of-way. The following standards and guidelines shall be followed relative to Outdoor (Sidewalk and Patio) Dining Spaces:

- a) These two kinds of outdoor dining areas including “Patio Dining Space” and “Sidewalk Dining Space”.
 - i. “Patio Dining Space” is an area adjacent to a street (or alley) level eating or drinking establishment, located within private property line and is used exclusively for dining, drinking and circulation therein. This space may be open or covered with temporary structures such as trellises, umbrellas or permanent structures such as overhangs and upper floors of the building.
 - ii. “Sidewalk Dining Space” is an area adjacent to a street level eating or drinking establishment located within the sidewalk area of the public right-of-way and is used exclusively for dining, drinking and circulation therein. A barrier that separates the dining area from the remainder of the sidewalk and is in place during hours of operation defines the area. Sidewalk dining may be provided with either self-service or waiter/waitress service.
- b) Sidewalk Dining Locations. Sidewalk Dining shall be permitted within the public sidewalk right-of-way only when the clear widths are available. (See 2(f) below)
- c) Patio Dining Locations. Patio Dining shall be permitted within private property adjacent to the streets or public alley walkways. Outdoor patio dining is allowed within the street yard setback.
- d) Adjacency to Buildings. Sidewalk Dining within the public sidewalk right-of-way shall be located immediately adjacent to the buildings with the pedestrian path immediately along the curb.
- e) Maintenance of Clear Passage.
 - i. Sidewalk Dining within the public sidewalk right-of-way shall maintain a clear pathway, free from all obstructions, for pedestrians not less than seven feet depending on the exact sidewalk width and extent of pedestrian activity in the streetscape segment. A clear passage of 10 feet in width is preferred.
 - ii. For purposes of calculating the clear pathway dimension, trees, traffic signs, meters, and all similar obstacles shall count as obstructions. The reviewing authority shall define exact clear pathway requirement within this range, on a case-by-case basis. The reviewing authority, based on the particular site conditions, may grant exemption to the minimum requirements.
- f) Demarcation of Sidewalk Dining Areas.
 - i. The sidewalk dining area adjacent to the building shall be demarcated by barriers such as railings, fencing, or a combination of railings or fencing, and landscaping in planter boxes, or movable bollards. No solid walls shall be allowed.

- ii. All the outdoor barriers shall be movable and removed from the sidewalk at the close of the business establishment daily. Some discretion in terms of pots and planters placed directly adjacent to the building façade shall be allowed.
- g) Demarcation of Patio Dining Spaces. The patio dining spaces adjacent to streets or alley walkways shall be demarcated by either temporary or permanent boundary definers such as railings, fencing, or a combination of railings or fencing, and landscaping in planter boxes, or movable bollards.
- h) Outdoor Dining within arcades along sidewalk rights-of-way or alley walkways. The provision of a dining space in a covered arcade that is open to the sidewalk is permitted as long as the architectural integrity of the façade is maintained in conformance with the requirements in Chapter 16.16, Article XI (Commercial Design Guidelines) of this Development Code.
- i) Windows or Doors to Outdoor Dining along sidewalk rights-of-way or alley walkways. The provision of windows and doors from indoor dining areas that open to the sidewalk or alley walkway is permitted and encouraged as long as the architectural integrity of the façade is maintained in conformance with the other sections of this chapter and the requirements in Section 16.16, Article XI (Commercial Design Guidelines) of this Development Code, and the open doors and windows do not obstruct the pedestrian right-of-way.
- j) Parking Requirements. The area used for Sidewalk Dining shall not be included in the eating or drinking establishment's area for the purposes of calculating the establishment's parking requirement. The area used for Patio Dining shall be included in the eating or drinking establishment's area for the purposes of calculating the establishment's parking requirement.
- k) Materials. The style and materials of the barriers that demarcate the outdoor dining space should be compatible in color and finish with the adjacent structure and approved by the reviewing authority.
- l) Hours of Operation. The outdoor dining space hours of operation shall be limited to the hours of operation of the associated dining establishment.
- m) Display of Outdoor Menu Display. A single-sided framed menu attached to a moveable barrier that defines the Sidewalk or Patio Dining Space is permitted within the Sidewalk and Patio Dining Spaces. The size of the frame shall not exceed three square feet. Freestanding pedestal menus or A-frame displays are prohibited.
- n) Maintenance of Outdoor Dining Furniture. Outdoor dining furniture shall be maintained to be safe, sanitary and attractive at all times.
- o) Conformance to Title 24 requirements. All outdoor dining areas shall conform to accessibility requirements as per the California Title 24 Accessibility Guidelines. All other requirements per the City Engineering and Building Departments shall also be addressed.
- p) Permit Requirements. An Encroachment Permit is required for all sidewalk dining areas. The City may also require additional liability insurance.



Removable bollards demarcate the dining space. Potted plants and temporary sun-umbrellas are used to create a pleasant ambience.



Removable metal fencing is used to demarcate the dining space. Planters and temporary sun umbrellas create an attractive environment.



Removable bollards demarcate the dining space. Shade is provided by the retractable canopy overhead.

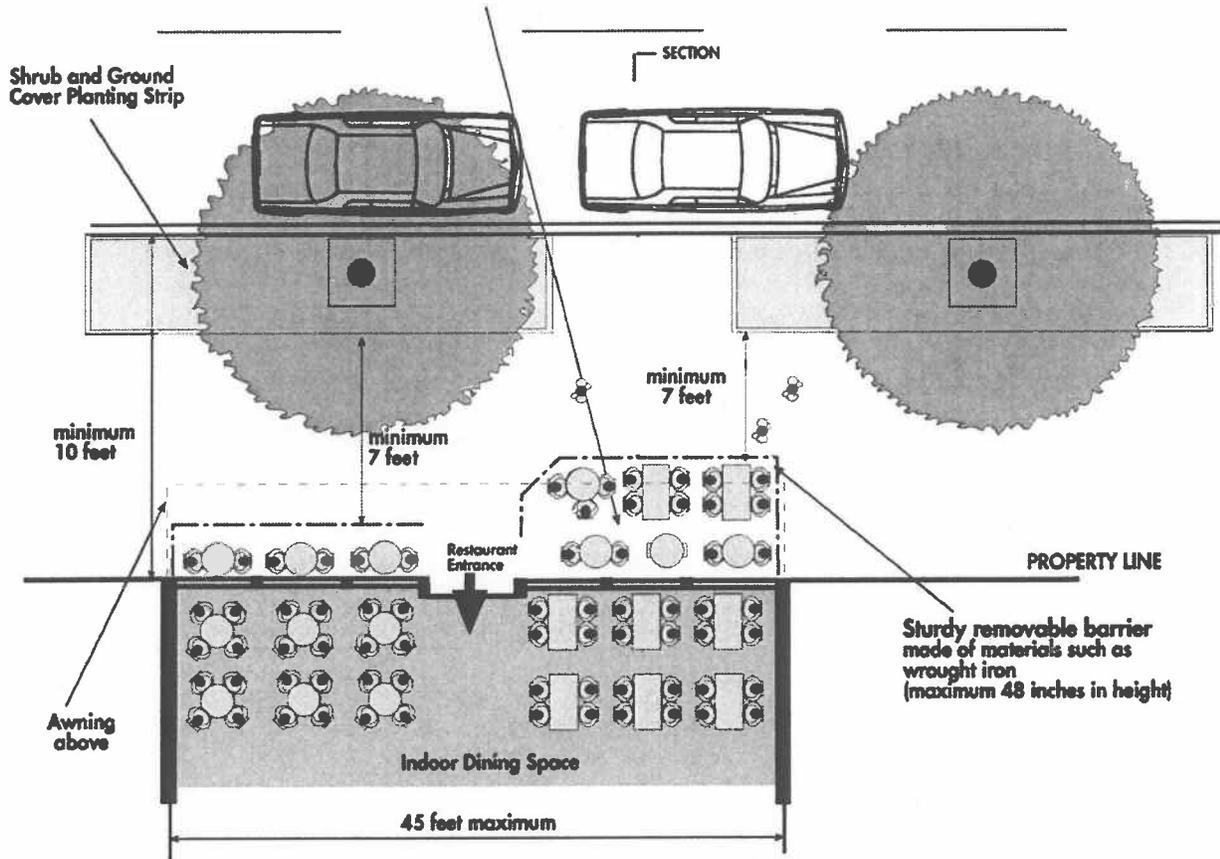


A dining patio on private property adjacent to the sidewalk is demarcated with metal fencing. Plantings and temporary sun umbrellas are used.

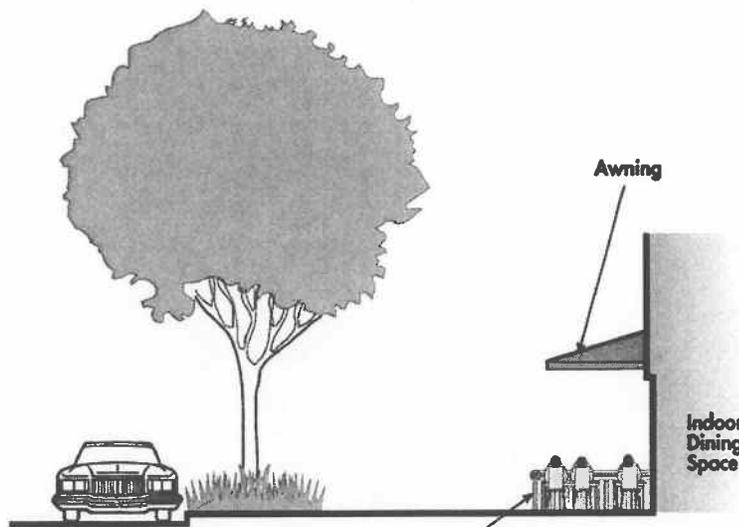


A private outdoor dining patio is created facing the alley. Trees, planters and temporary sun umbrellas are used to create a pleasant ambience.

Outdoor Dining Space: The limits of the outdoor dining are restricted to the restaurant frontage and there is a clear path (minimum 7'0") without obstructions on the sidewalk.



PLAN
(not to scale)



SECTIONAL VIEW

B. Additional Standards and Guidelines. Refer to Chapter 16.16, Articles X and XI Chapter in this Development Code for site and architectural design standards and guidelines.

C. Review Process. All new development in this designation shall be subject to the approval of a Site Plan Review pursuant to Chapter 16.12, Article II (Site Plans and Revised Site Plans) of this Development Code. All new development in this designation that is conditionally permitted shall be subject to the approval of a Conditional Use Permit pursuant to the procedures set forth in Chapter 16.12, Article III (Conditional Use Permits) of this Development Code, unless otherwise specified.

Section 16.16.480 is being relocated from Chapter 16.16, Article XI and shall be modified as follows:

(Deleted text is shown with a ~~strikeout~~ (i.e. ~~strikeout~~), and additions are shown with an underline.)

16.16.365 ~~16.16.480~~ Specific Land Use Standards.

In addition to the general development requirements contained in Chapter 16.20 (General Regulations), the following standards shall apply to specific commercial land uses.

A. Vehicle Sales, Leasing or Rental. ~~Motor Vehicle Sales. A site plan review shall be required, and all dealerships must be constructed in the following manner:~~ Automobile, truck, motor home, motorcycle, and recreation vehicle, sales, leasing, or rental, new or used, shall be developed in compliance with the following additional standards:

1. No vehicles shall be parked, displayed or stored in the first 15 feet of the street side setbacks. All parts, accessories, etc., shall be stored within a fully enclosed structure; Service and associated car storage areas shall be completely screened from public view. All vehicles offered for sale shall be kept clean, on a daily basis.
2. The price of the vehicles offered for sale shall not be hand-lettered.
3. All loading and unloading of vehicles shall occur on-site and not in adjoining streets or alleys;
4. All vehicles associated with the business shall be parked or stored on-site and not in adjoining streets and alleys;
5. An adequate on-site queuing area for service customers shall be provided. Required parking spaces may not be counted as queuing spaces; and
6. ~~No vehicle service or repair work shall occur except within a fully enclosed structure. Service bays with individual access from the exterior of the structure shall not directly face or front on a public right-of-way.~~ Service, repair or maintenance facilities shall be operated only as an incidental use in conjunction with the primary use. Such areas shall be visually screened from the street by walls of a building, or a variation as approved by the reviewing authority. Service bays from the exterior of the structure shall not directly face or front on a public right-of-way.
7. If the use involves automotive repair, installation of parts or service, a designated area must be provided in addition to the parking requirements for the temporary storage of vehicles or equipment awaiting repair, installation or service.
8. All lights shall be reflected away from adjacent uses.
9. The décor, treatment and architectural style of the improvements, including sales office, repair and maintenance facilities, landscaping, fencing and signing shall be reviewed for

aesthetic qualities that will enhance and complement the surrounding developments, and shall also be subject to the design standards and guidelines established in Section 16.16, Article XI (Commercial Design Guidelines).

B. Vehicle Service and Repairs (Major Or Minor). Automotive service stations, parts and accessories installation and major or minor service shall be developed in compliance with the following additional standards:

1. All installation and service activities shall be performed within an approved structure.
2. All installation and service facilities shall be visually screened from the street by walls of a building or a variation as approved by the reviewing authority.
3. All lights shall be reflected away from adjacent uses.
4. No used or discarded parts or equipment shall be located outside of the installation and service facilities.
5. In addition to the parking requirements of Chapter 16.20, Article IV (Parking and Loading Standards) of this Development Code, a designated area, screened from view, must be provided for the temporary storage of vehicles or equipment awaiting installation or service.
6. No vehicles, equipment, boats, trucks or motorcycles shall be stored for impound or for any other purpose other than installation or service under a work order.
7. No major automotive repair work shall be permitted.
8. Premises shall be maintained in a neat, orderly and environmentally safe manner, and all improvements shall be continuously maintained.

C. Vehicle Wash Facilities.

1. Vehicle wash facilities shall be developed in compliance with the following additional standards:
 - a) All lights shall be reflected away from adjacent uses.
 - b) Premises shall be maintained in a neat, orderly and environmentally safe manner, and all improvements shall be continuously maintained.
 - c) Noise from vehicle wash activities shall not exceed levels established in Chapter 16.20, Article V (General Performance Standards).

D. B. Salvage and Wrecking Yards. Automobile salvage and wrecking yards establishments are subject to conditional use permit review and shall be constructed in the following manner:

1. The site shall be entirely paved, except for structures and landscaping, so that vehicles are not parked in a dirt or otherwise not fully improved area;
2. Service access shall be located at the rear or side of structure(s) and as far as possible from adjoining residential uses;
3. Repair activities and vehicle loading and unloading shall be prohibited on adjoining public rights-of-way;
4. Service bays with individual access from the exterior of the structure shall not face adjacent public rights-of-way;
5. All repair activities shall be conducted entirely within an enclosed structure. Outdoor hoists shall be prohibited;

6. Exterior noise shall not exceed sixty-five (65) dBA at the property line;
7. The premises shall be kept in a neat and orderly condition at all times;
8. All used or discarded automotive parts or equipment or permanently disabled, junked or dismantled vehicles shall be permanently screened from public view; and
9. All hazardous materials resulting from the repair or dismantling operation shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution, and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable federal, state and local regulations.

E. C. Convenience Stores. The retail sale of groceries, staples, sundry items and/or alcoholic beverages where the gross floor area is less than five thousand (5,000) square feet is subject to site plan review, and shall be constructed and operated in the following manner:

1. One access drive may be permitted for each street frontage with approval of city engineer. The design and location of the access drive(s) shall be subject to the approval of the reviewing authority development review committee;
2. The premises shall be kept in a neat and orderly condition at all times;
3. If on-site dispensing of automotive fuels is provided, the design, location and operation of these facilities shall be consistent with the provisions of Section 16.16.480(G) (Service Station Standards). Additionally, the cashier location shall provide direct visual access to the pump islands and the vehicles parked adjacent to the islands;
4. A bicycle rack shall be installed in a convenient location visible from the inside of the store;
5. Each convenience store shall provide a public restroom located within the store;
6. Public pay telephones provided on-site shall not be set up for incoming calls. Public telephones shall be featured with call out service only.

F. D. Drive-thru Restaurants. This section contains standards for drive-thru restaurants. Drive-thru restaurants are subject to site plan review.

1. Pedestrian walkways should not intersect the drive-thru drive aisles, but where they do, they shall have clear visibility, and they must be emphasized by enriched paving or striping;
2. Drive-thru aisles shall have a minimum thirteen (13) foot width on curves and a minimum twelve (12) foot width on straight sections;
3. Drive-thru aisles shall provide sufficient stacking area behind menu board and pick-up window to accommodate a minimum of four cars each;
4. All service areas, restrooms and ground mounted and roof mounted mechanical equipment shall be screened from view;
5. Landscaping shall screen drive-thru or drive-in aisles from the public right-of-way and shall be used to minimize the visual impact of reader board signs and directional signs;
6. Drive-thru aisles and structures shall be setback from the ultimate curb face a minimum of ten feet;
7. Menu boards shall be a maximum of thirty (30) square feet, with a maximum height of seven feet, and shall not face the street;
8. Drive-thru restaurants within an integrated shopping center shall have an architectural style consistent with the theme established in the center. The architecture of any drive-thru restaurant must provide compatibility with surrounding uses in form, materials, colors, scale, etc. Structure plans shall have variation in depth and angle to create variety and interest in its basic form and silhouette. Articulation of structure surface shall be encouraged through the use of openings and recesses which create texture and shadow patterns. Structure entrances shall be well articulated and project a formal entrance through variation of architectural plane, pavement surface treatment, and landscape plaza; and

9. Drive-thru aisles should not exit directly onto a public right-of-way.

G. E. Mini-malls. Mini-malls (small scale, up to fifty thousand (50,000) square feet, multi-tenant shopping centers) are subject to a site plan review and shall comply with the following standards.

1. All development and operational standards outlined in Section 16.16.480(C) (Convenience Stores), shall apply;
2. The development shall provide internal continuity, uniformity and compatibility relating to architectural design, vehicular and pedestrian access, and on-site provisions for landscaping, loading, parking and signage;
3. To the extent feasible, the on-site vehicular circulation system shall provide continuity with adjacent commercial developments; and
4. No outdoor displays or sale of merchandise shall be permitted. However, limited outdoor sales may be allowed subject to the issuance of a special event permit.

H. F. Mini-storage. Mini-storage facilities are subject to a site plan review and shall be constructed in the following manner:

1. The site shall be entirely paved, except for structures, drainage facilities and landscaping;
2. The site shall be completely enclosed with a six foot high solid decorative masonry wall, except for points of ingress and egress (including emergency fire access) which shall be properly gated. The gate(s) shall be maintained in good working order and shall remain closed except when in use;
3. No business activity shall be conducted other than the rental of storage spaces for inactive storage use or the sale of unclaimed articles by the landlord;
4. All storage shall be located within a fully enclosed structure(s);
5. No flammable or otherwise hazardous materials shall be stored on-site;
6. Residential quarters for a manager or caretaker may be provided in the development;
7. The development shall provide for two parking spaces for the manager or caretaker, and a minimum of five spaces located adjacent or in a close proximity to the manager's quarters for customer parking;
8. Boats, recreational vehicles, campers, trailers, etc., may be stored on-site if located behind buildings and not visible from the public right-of-way;
9. Storage facilities located adjacent to residential ~~designations~~-districts shall have their hours of operation restricted to seven a.m. to nine p.m., Monday through Saturday, and nine a.m. to nine p.m. on Sundays;
10. Mini-storage facilities shall not be permitted within six hundred sixty (660) feet of Interstate-15, Highway-395, Bear Valley Road, Main Street or a railway; and
11. Storage facilities may be developed in conjunction with a residential development, provided that the facility is for the sole use of the residents, is designed as an integrated part of the project and may not contain garages or parking spaces that exceed the dwelling units within the associated residential development.

I. G. Service Station (Gasoline) Standards. Service stations are subject to a site plan review and shall comply with the following standards:

1. New service stations shall not adjoin a residential ~~designation~~-zone-district;
2. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
 - a) The dispensing of petroleum products, water and air from pump islands,

- b) The provision of emergency service of a minor nature, and
 - c) The sale of items via vending machines, including ice machines, shall be placed next to the main structure ~~in a designated area~~ as approved by the reviewing authority;
 - d) Above ground tanks shall be horizontal, except that the reviewing authority may consider vertical tanks if the tanks are located away and/or adequately buffered and/or screened, from the street. The location and color shall be approved by the reviewing authority.
3. Pump islands shall be located a minimum of twenty (20) feet from a street property line; however, a canopy or roof structure over a pump island may encroach up to ten feet within this distance. Additionally, the cashier location shall provide direct visual access to the pump islands and the vehicles parked adjacent to the islands;
 4. The maximum number of points of ingress/egress to any one street shall be two;
 5. The width of a driveway may not exceed forty (40) feet at the sidewalk;
 6. Outside storage of motor vehicles is prohibited. Temporary storage, up to seventy-two (72) hours, is permitted if adequately screened from the public right-of-way;
 7. No vehicles may be parked on sidewalks, parkways, driveways or alleys;
 8. No vehicle may be parked on the premises for the purpose of offering same for sale;
 9. Openings of service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion onto adjoining properties;
 10. No used or discarded automotive parts or equipment, or disabled, junked or wrecked vehicles may be located in any open area outside the main structure;
 11. All light sources, including canopy, perimeter, and flood shall be energy efficient, stationary and shielded or recessed within the roof canopy so that the service station shall be indirectly visible and light is deflected away from adjacent properties and public rights-of-way. Lighting shall not be of such a high intensity as to cause a traffic hazard or adversely affect adjoining properties;
 12. Where an existing service station adjoins property in a residential land use designation district, a six foot high decorative masonry wall shall be constructed at the time the station requires a permit for the on-site improvement/modification. Materials, textures, colors and design of the wall shall be compatible with on-site development and adjoining properties. When the wall reaches the established front-yard setback line of a residentially designated lot abutting or directly across an alley from the service station, it shall decrease to a height of thirty (30) inches;
 13. Restroom entrances viewable from adjacent properties or public rights-of-way shall be concealed from view by planters or decorative screening;
 14. Delivery areas for fuel or merchandise shall be located in a fashion so as not to significantly interfere with normal business operations.

J. H. Service Station Conversions. A structure originally constructed as a service station and which is proposed for conversion to another allowable use shall require upgrading and remodeling for such items as, but not limited to, removal of all gasoline appurtenances, removal of canopies, removal of pump islands, removal of gas tanks, removal of overhead doors, additional street improvements or modification of existing improvements to conform to access regulations, exterior remodeling and any additional standards as required by this code.

Article XI (Commercial Districts) shall be deleted in its entirety, except that Section 16.16.480 (Specific Land Use Standards) shall be moved to Chapter 16.16. Article X. Article XI shall include the following:

ARTICLE XI. Commercial Design Guidelines

Section 16.16.400 Commercial Design Standards and Guidelines.

A. General

1. Purpose. This Article provides standards and guidelines for designing new commercial projects in the City, as well as exterior alterations and additions to existing commercial developments. Commercial developments are often located at prominent locations in a city and convey a strong visual image. The attention paid to their design reflects a city's economic vitality as well as its pride in itself. These standards and guidelines encourage the highest level of design quality and creativity and recognize the importance of quality design to the success or failure of commercial enterprises.

Property owners, developers, architects, building designers, and contractors seeking to construct new commercial developments, or alterations or additions to existing developments, should use these standards and guidelines in the early design stages of their projects. These standards and guidelines are not intended to limit creative site planning and architecture that are consistent with the stated goals and within the context of surrounding neighborhood patterns. Innovative design solutions are strongly encouraged.

2. Applicability. These standards and guidelines apply to all new commercial development, including exterior alterations and additions to existing developments. They apply to smaller infill projects as well as larger master planned sites.

3. Design Goals. The design standards and guidelines have been established in order to accomplish the following goals:

- a) Promote design creativity and variation while ensuring consistency in building scale, proportion and pedestrian orientation.
- b) Improve the quality of design for commercial developments, thereby improving the image, character, and appearance of the commercial areas.
- c) Contribute to the character of neighborhoods by respecting the scale, proportion and architectural style of the surrounding area.
- d) Create visual interest in commercial buildings, while maintaining a sense of harmony within the project.
- e) Eliminate random development patterns and establish site planning and design relationships between new development and neighboring properties.
- f) Encourage environmental sensitivity in development.
- g) Create attractive and functional site arrangements of buildings, service and loading areas, open spaces, and parking areas; and develop a high quality architectural and landscape design.
- h) Improve pedestrian circulation and connections on commercial sites and within commercial areas.
- i) Minimize incompatible impacts of noise, light, traffic and visual character.

B. ARCHITECTURAL DESIGN STANDARDS AND GUIDELINES

Commercial buildings should display unique, visually attractive qualities while having a unified composition. New buildings or building additions and renovations should not only harmonize with the prevailing characteristics of the surrounding area, but should be designed in response to individual site conditions, and to enhance the overall image of the City by virtue of the quality of design and construction.

Additions and renovation should be compatible with the existing building in scale, materials, and design. New projects should meet or exceed the standards of quality that have been set by surrounding development and contribute to the improvement of the area. All new construction should be designed to improve the reality and perception of pedestrian safety and security with elements such as easily identifiable entrances, retail windows, pedestrian-scaled building massing and unique architectural features.

Pedestrian-oriented development is generally low- to medium-scale, low-intensity, neighborhood serving commercial (retail and office) uses, within or adjacent to residential neighborhoods. It is strongly pedestrian-oriented with a storefront emphasis on the street, but also is geared towards accommodating the automobile. At the other end of the spectrum are "big box" retail and larger-scale commercial (retail and office) centers. These are much larger in scale and intensity, and typically geared towards the automobile, both in location (often near a freeway), and in site layout (large surface or structured parking). These larger "big box" retail centers and office complexes should also provide for the pedestrian.

Both of these types of commercial development can be found in the City. Therefore, while the following guidelines are applicable to all commercial developments, in some instances, additional standards and guidelines are provided for:

- Pedestrian-oriented commercial development, and
- "Big Box" retail and larger scale commercial development.

1. Architectural Style

- a) There is no mandated architectural style required for commercial structures in the City, however, each project should possess an identifiable architectural theme and be of high quality design and materials. Innovative and imaginative architecture is encouraged. New buildings or building complexes should be stylistically consistent. Architectural style, materials, colors and forms should all work together to express a single theme. For remodels or additions, the theme should be true to the original intent and style of the building.
- b) Each new building, addition or remodel should be stylistically consistent. For example, "Spanish" details are consistent with stucco buildings and Mission tile roofs and should not be used on a contemporary building. Historic detailing on otherwise contemporary style buildings is strongly discouraged, such as using oversized (too large or out of scale) crown moldings or cornices to make a 1950's building appear "Mission" Style.

2. Scale, Mass and Form

- a) The size and mass of new structures, including additions, should be in relation to surrounding structures. Special care should be taken to achieve compatibility next to

small-scale buildings; techniques should include limited size, building articulation and shadow patterns.

- b) Building design should employ clean simple geometric forms and coordinated massing that produce an overall sense of unity, scale, and interest. Use simple, strong massing with broken and varied elements.
- c) To create visual interest, where appropriate, varied roof or parapet heights and/or recessed or extended building walls should be used.
- d) Building corners may be emphasized by use of elements such as towers, domes, or entries.
- e) Where new buildings or additions are built immediately between existing buildings, the design of the new construction should acknowledge the existing buildings through the use of architectural elements such as matching cornice lines, continuation of a colonnade, use of similar materials, and similar building proportions.



Emphasize building entrances and corners.



- f) Variable building facades along linear street frontages are encouraged. Variable facades create an interesting street scene. Nearly vertical or mansard roofs should be avoided.
- g) The appearance of building mass may be reduced through the use of arcades, courtyards, pergolas, and stepping stories back above the ground level.
- h) Color and material changes should be used to add interest and reduce a building's apparent scale.

Pedestrian-Oriented Commercial Development.

- i) Buildings should have a “human scale” (i.e. relate to the pedestrian user).

“Big Box” and Large-Scale Commercial Development.

- j) The scale and mass of a new “big box” and large scale commercial development should be consistent with neighboring developments and not overwhelm them with disproportionate size or a design that is out of character.
- k) A single, dominant building mass should be avoided by clustering several smaller structures and using variations in building form.
- l) As appropriate to the function of a building, a combination of major and minor changes in building form should be incorporated to create visual interest and establish a transition to neighboring developments.
- m) Primary building entries should be highlighted through the massing of the building. Greater height can be used to highlight and accentuate entries in the form of corner tower elements, tall voids, or a central mass sited within an entry plaza. Conversely, smaller building masses can also communicate the location of entries.

3. Building Modulation, Articulation and Detailing

- a) Building design shall avoid large monotonous façades, long straight-line building fronts, plain box shapes, and barren exterior treatment. Where consistent with the design theme and function of the building, incorporate a variety of massing elements and a combination of major and minor changes in building form to establish visual transition and unity among neighboring developments and create visual interest.



Use building modulation, facade articulation, and detailing to create an interesting and individual design for commercial centers.

- b) Use building modulation, facade articulation, and detailing to create an interesting and individual design for commercial centers.



Use building form to emphasize public entrances and reduce the overall mass of non-retail commercial projects.

- c) Use building form to emphasize individual units within a building, larger units and/or anchor stores within retail projects, and foyers, lobbies, and reception areas within non-retail commercial projects. Use building form and articulation to emphasize public

entrances and de-emphasize service areas, and to define and shelter (i.e. give a sense of invitation and enclosure) pedestrian walks and exterior spaces.

- d) Building articulation and detailing should be used to create an interesting and individual design, diminish the massing of large structures, and be compatible with the scale of surrounding development. Building design shall avoid large monotonous façades, long straight-line building fronts, plain box shapes, and barren exterior treatment. All building elevations visible from a public way including freeways shall be fully articulated, and incorporate the chosen design theme in a consistent manner.



Appropriate building modulation and articulation creates interesting facades and makes a positive contribution to the street environment.

- e) Building articulation can also be accomplished with the placement of windows and entries, volume changes, variable roof forms and height, significant color and material changes, variable transparency, and the creation of shadow textures with trellises and overhangs.
- f) Appropriate building modulation and articulation creates interesting facades and makes a positive contribution to the street environment.
- g) Use building form to emphasize public entrances and reduce the overall mass of non-retail commercial projects.
- h) The staggering of planes along an exterior wall elevation creates pockets of light and shadow, providing relief from monotonous, uninterrupted expanses of wall. Wall planes should not run in one continuous direction for more than 50 feet without an offset.
- i) Façades should reflect the quality and integrity of the underlying structure in a clear and consistent manner. Architectural elements that define scale and organize space are encouraged; facades should display a sense of order.
- j) Buildings should incorporate architectural details and elements, which will reduce building scale at the street level, especially along pedestrian walkways. Awnings,

canopies, arbors, trellises, etc. are effective in this regard. The appropriate use of other architectural details, including reveals, course lines, decorative cornice, columns, etc., is also encouraged as a means of creating interest, variety, and distinctive design. Details should reflect the structural and material integrity of the building; overly gratuitous ornamentation is discouraged.

- k) Vertical architectural elements such as towers should be used as focal points. Gutters and downspouts should be concealed, unless designed as a decorative architectural feature.

Pedestrian-Oriented Commercial Development.

- l) Retail buildings should incorporate “human scale” design elements that generate interest and diversity, and relate the building to the everyday user. The design of individual storefronts, and their entrances should be emphasized.
- m) A pedestrian-oriented commercial building module shall range from 30 to 45 feet and have a typical three-bay modulation. Buildings wider than two modules (60-90 feet) shall have a different modulation. These buildings shall either repeat the basic three-bay module of 30 to 45 feet or increase the number of bays while keeping the individual bay width from 10 to 15 feet. Buildings wider than 90 feet shall be visually broken into two or more buildings (each with a maximum width of 90 feet) in terms of the façade treatments. The modules should be articulated in a manner consistent with the building style. The use of pilasters is one element commonly used to achieve this articulation.



Smaller building bays can be articulated by color and material changes, as well as variations in the wall plane.

- n) The horizontal should be emphasized to create a low profile and human scale. Vertical elements such as towers are just one of the design tools available to accentuate the predominantly horizontal massing.
- o) Smaller building bays can be articulated by color and material changes, as well as variations in the wall plane.

“Big Box” and Large-Scale Commercial Development.

- p) In large-scale commercial development, while the modulation of a typical storefront may be larger than that in the pedestrian-oriented area, design elements that generate interest and diversity, and relate the building to the everyday user should still be

incorporated. The design of individual storefronts and their entrances should be emphasized.

- q) A typical large-scale commercial building module should range from 45 to 80 feet with the articulation of the building structure at 15 to 20 feet. Buildings wider than two modules (90-160 feet) shall have a different modulation. These buildings shall repeat the basic module of 45 to 80 feet. Buildings wider than 160 feet should be visually broken into two or more buildings (each with a maximum width of 160 feet) in terms of the façade treatments to stay in scale with the rest of the block.



Arcades can provide shaded paths for pedestrians during inhospitable weather conditions.



- r) Anchor buildings for major tenants, generally “big boxes,” should be sited and designed in such a way that the buildings that accommodate the smaller tenants are not overwhelmed or crowded.
- s) Arcades, trellises and other open structures should be utilized to visually and physically link buildings and provide connections to adjacent sidewalks. Stairways should be designed as an integral part of the building architecture. Boldly projecting stairways that complement the architectural massing and form of commercial buildings are encouraged.

4. Site and Building Entrances

- a) Main entries to buildings should be clearly demarcated, visible and accessible from the street and/or pedestrian walkways. Secondary entries may be from parking areas.
- b) Building entries should read as such, and be integrated with the overall building form. Variation in building height, wall plane, roof treatment, window placement, architectural detailing, etc. should define and emphasize public entries. Variation in material, texture, and/ or color is also recommended as a means of identifying building entries.
- c) Arcades can provide shaded paths for pedestrians during inhospitable weather conditions.
- d) Entries should be open, inviting, and highly visible so as not create a sense of fear in someone entering the space. Recessed or deeply shadowed entrances that allow hiding place opportunities should be avoided. Entry doors should be designed to create a sense of welcome, while clearly demarcating the private space.

“Pedestrian-Oriented” Commercial Development.

- e) All entrances should be clearly visible from the street. Secondary entries may be from parking areas. If parking is located behind the stores, provide additional well-lit and signed rear entrances to allow easy access.
- f) Retail entrances should be centrally located within the building façade, not be recessed more than three feet in depth and be located no more than 50 feet apart.
- g) Entrances should comprise no more than a third of the ground floor façade or 15 feet, whichever is less.
- h) Entrances for second floor uses are encouraged from the rear, adjacent to the parking. If separate entrances for the upper floor(s) are provided from the front, the entrance width should be limited to 15 feet to maintain retail continuity.

“Big Box” and Large-Scale Commercial Development.

- i) Entrances should be located prominently within the building façade and be clearly visible from the street. Locate entrances along the street side of the building. If the parking is located to the side or rear of the building, a secondary entrance may be located on the side of the building adjacent to the parking. This entrance should be visible and obvious from the street. Entrances should be located no more than 60 feet apart. If only one entrance is provided, it should be located along the street side of the building.



In large-scale retail developments, locate entrances prominently within the building facade so they are visible from the street.

- j) If the parking is located to the rear of the building and hence not visible from the street, provide a secondary entrance on the street side of the building. If the building frontage is greater than 75 feet, provide additional pedestrian entrances. Avoid long balconies and corridors for access to upper level units.
- k) Entrances should comprise no more than a third of the ground floor façade or 20 feet, whichever is less.
- l) In large-scale retail developments, locate entrances prominently within the building facade so they are visible from the street.

5. Building Façade and Elevation Design

- a) The elements of a building should relate logically to each other, as well as to surrounding buildings to enhance the characteristics of a particular building or area. The buildings should present an “active” building elevation including entrances and windows to the street, not blank walls or parking.

- b) Buildings should contain the traditional three parts of a building: a base, mid-section, and a top. On low-rise buildings, the different parts may be expressed through detailing at the building base or eave or cornice line. On taller structures, different treatment of the first, middle, and top stories should be used to define the three parts.
- c) The base should visually relate to the proportion and scale of the building. Techniques for establishing a base may include richly textured materials (e.g. tile or masonry treatments), darker colored materials, mullion, panels, reveals and/or enriched landscaping. Tops take advantage of the visual prominence of a building's silhouette. Techniques for clearly expressing a top may include cornice treatments, roof overhangs with brackets, richly textured materials (e.g. tile, masonry or fluted concrete), and/or differently colored materials. Colored "stripes" are not acceptable as the only treatment.
- d) When buildings have a direct relationship to both the street and a major pedestrian corridor or parking lot, all facing façades should be designed to assure an attractive appearance. Building walls that are visible from a freeway, street, major pedestrian corridor, or public open space, should include architectural features such as windows, arcades, canopies, pop-outs, and trim to create visual interest, provide "eyes on the street," and avoid a blank wall appearance.
- e) The fenestration (design and pattern of doors, windows, awnings, canopies, etc.) should be proportioned to and integrated with the façade modulation of columns and beams and other similar elements. Clear vertical and/or horizontal hierarchy and patterns in the placement of openings (doors, windows, awnings, canopies, etc.) on the façade should be established.
- f) Details or elements should be integral to the design, not appear added on and reflect the structural or material integrity of the building.

6. Building Elements for Retail Storefronts. A typical retail storefront has the following characteristic elements:

- a) Bulkhead
- b) Entrance door
- c) Display windows
- d) Canopies or awnings
- e) Cornices / Parapets
- f) Security Grilles

Design guidelines for these elements are described below. Appropriate scaled and proportioned elements should be provided in both the rehabilitation of existing storefronts and the construction of new buildings.

- a) **Bulkhead.** A bulkhead, between 15 and 24 inches in height, should be provided at the base of the storefront display window. However, new storefront buildings may use floor to ceiling display windows if the design is compatible with surrounding architecture.
- b) **Entrance Door.** Every building entry should be well lit. The entrance door should be kept simple and located centrally in the building façade. The door should be made of materials compatible with the building architecture and style. All entrances shall meet handicapped accessibility requirements.
- c) **Display Windows.** Retail storefronts should have large display windows oriented toward the street or major pedestrian corridors to establish a visual connection between the interior and exterior of retail building. Display windows shall provide a clear view of store merchandise or a view into the business interior to add to the vitality of a retail environment as well as provide "eyes on the street." To achieve this, at least 50% of

available window area shall remain clear and free from obstructions. This zone should be between four and eight feet from the base of the façade. Ground floor wall sections without windows shall not be more than 5 feet in width.

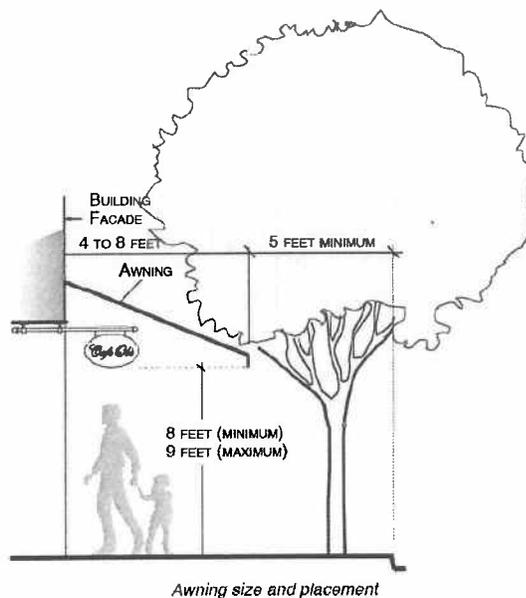
Display windows should consist of a single pane of glass. When required to be divided into smaller sections, clear silicone vertical joints, glazing bars, or muntins should be used. Glazing bars and mullions should be of a minimal size and utilized to enhance the architectural style. The glass should be clear with an exterior daylight reflectance of not more than eight percent. The use of opaque glass is prohibited.

- d) **Canopies or awnings.** The size, scale and color of awning(s) should be compatible with the rest of the building; the awning(s) should not be the predominant element of the façade. Awnings should not cover the storefront piers or pilasters and should be divided into sections to reflect the major vertical divisions of the façade.

The awning should be mounted such that its valance is between eight and nine feet above the sidewalk with a projection of between four and eight feet from the building face, but no closer than five feet to the street curb. An Encroachment Permit is required for all awnings that encroach or overhang on the sidewalk.

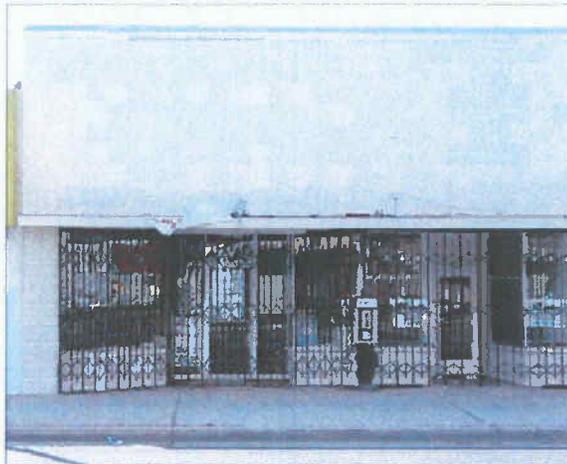
The use of awnings along a row of contiguous structures should be restricted to awnings of the same form, location on the building façade, and material and color.

Awnings shall not start at the parapet edge of the façade. The step (the highest line of contact where the awning touches the façade) of the awning shall be at least 24 inches below the parapet line. Retractable awnings are encouraged, but barrel shaped awnings are discouraged. Where architecturally appropriate, cantilevered or suspended integral horizontal canopy slabs may be used instead of awnings. Internally lit awnings should not be used. Awnings shall be well maintained, cleaned on a regular basis, and replaced when faded or torn.



- f) **Cornices or parapets.** Each building should have a simple cornice. If a parapet is provided, it may be stepped vertically to provide modulation and emphasis on the central module. The cornice should enhance the architectural style of the building. The use of elements such as oversized crown moldings is not permitted. A plaster front building may have a stone sill at the parapet line. A brick-front building may have a corbelled cornice.

- g) **Security Grilles.** Visible security grilles are prohibited on the building facade exterior. Security grilles installed on the interior of the storefront are permitted. This installation must be done in a manner such that the grille is concealed from public view when not in use by retracting into casings that are in proportion and scale with the building's architecture. The color of the interior grilles should blend in with the background color so as to reduce their visibility when used. Exterior grilles on existing structures should be removed and placed on the interior of the storefront per these guidelines. Permanent security bars (defined as those clearly visible and fixed to windows on the façade) and roll-up metal security doors (including opaque shutters) are also strongly discouraged.



Unacceptable security bars.

- h) **Security Bollards.** Decorative bollards for security are permitted. Bollard design should be consistent with the overall project theme and should coordinate with other site furnishings. In locations where emergency access may be necessary, removable bollards should be considered.

7. Building Elements for Non-Retail Buildings

The elements of a building should relate logically to each other as well as to surrounding structures. A typical non-retail building has the following characteristic elements:

- a) Entrance door
- b) Windows
- c) Canopy or awnings
- d) Parapets

Design guidelines for these elements are described below. Appropriate scaled and proportioned elements should be provided in both the rehabilitation of existing storefronts and the construction of new buildings.

- a) **Entrance Door.** Entrance doors should be simple and located prominently in the building façade. The door should be made of materials compatible with the building architecture and style.
- b) **Windows.** Use interior and/or external shading devices to reduce solar heat gain and reduce energy consumption. Windows should be set from the exterior face of wall to create a shadow line. The glazing used for the windows may be clear or partly tinted glass. Highly reflective or dark tinted glass is not permitted.
- c) **Canopies or awnings.** In non-retail buildings, the use of awnings is generally not encouraged. Instead, if architecturally appropriate, cantilevered or suspended integral horizontal canopy slabs may be used instead of awnings. A canopy should be located such that its valance is between eight and nine feet above the sidewalk with a projection of between four and eight feet from the building face, but no closer than five feet from the street curb.
- d) **Parapets.** Parapets should have sufficient articulation of detail such as corner treatments, continuous banding, details, or varying pitch. Parapets should always include a cap and corner detail to enhance the building. Parapets should look integrated with the building.

8. Roof Design

- a) The roof design should be considered as a component of the overall architectural design theme. Roof forms should be simple, avoid a massive appearance, and reflect the internal organization of buildings.
- b) New buildings may have flat or sloping roofs, depending on what is most compatible with the architectural style of the building and others in the area. Parapets should appear integrated with the building and should include a cap and corner detail to create a shadow line to enhance the building. Mansard roofs are discouraged.
- c) As a building feature, sloped roofs help make a visual transition from commercial uses to the surrounding residential neighborhoods. When gabled or pitched roofs are used, careful integration with the primary building and adjacent buildings should be considered in design. Roof slopes should be between 3:12 and 6:12.
- d) Varied roof forms such as tower elements, extended eaves with rafters and corbels may be used to add interest and to create a consistent style. Roof planes may be extended beyond the building volume to create covered walkways and verandas.
- e) Roof form and height should be varied to complement building mass and articulation. Vertical variations to the roof line should incorporate roof projections to avoid a false front/ unfinished appearance.
- f) The roof line at the top of the structure should not run in a continuous plane for more than 60 feet without offsetting or joggling the roof plane. This dimension should correspond with the modulation of the building's wall planes.

9. Doors and Windows

- a) Doors and windows are key elements of any structure's form, and should relate to the scale and proportions of the elevation on which they are located. Windows and doors can establish character by their rhythm and variety and help to provide depth and contrast on elevation planes. Windows and doors should be used to help mitigate

building mass, establish scale, give expression to otherwise blank walls, and create a distinctive building design.

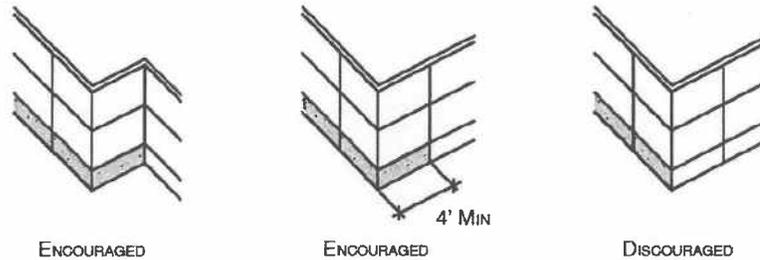
- b) All doors and windows should be related with the chosen architectural style. Windows with widely varying styles are strongly discouraged. All doors and window frames should be made of consistent material. Wherever possible, window sizes should be coordinated vertically and horizontally and window design should be consistent in terms of style and general arrangement on all building sides.
- c) Window exposure should be maximized along pedestrian walkways. The use of opaque glass adjacent to pedestrian walkways is discouraged.
- d) Window frames should appear substantial and should not be flush with the exterior finish. Windows should be designed to enhance building interest and articulation. Recessed windows or inset glazing are possible design considerations.
- e) Windows located on the sides and rear of the project should also be consistent with the look and style on the front of the project.
- f) Use interior and/or external shading devices to reduce solar heat gain and reduce energy consumption. Windows should be set from the exterior face of wall to create a shadow line. The glazing used for the windows may be clear or partly tinted glass. Highly reflective or dark tinted glass is not permitted.

10. Architectural Lighting

- a) Architectural lighting can be used to enhance the perception of a commercial building(s) at night. A façade light style that is sympathetic to the building's architecture should be used. Architectural lighting should "wash" upon the street faces of a building. Façade lighting should vary so that the important elements such as entries, architectural details and public art, are lit more dramatically than the intervening walls and voids.
- b) Visible direct lamp glare from unshielded floodlight fixtures is not allowed. In addition, retailers and other building users are discouraged from allowing a direct view to any bare light source from normal pedestrian or vehicular sight lines. This includes both façade lighting as well as interior lighting within 10 feet of the structures' windows.

11. Materials and Finishes

- a) Materials and finishes should be suitable to the scale, character and design theme of the building and further lend variety and interest to the project.
- b) Textures, colors and materials should unify the building and its elements. Materials should be consistently applied and should be chosen to work harmoniously with adjacent materials. Piecemeal embellishment and frequent changes in materials should be avoided.
- c) Buildings should be treated as a whole and finished appropriately on all sides to provide continuity. Backs of buildings should use similar materials; however, less expensive and more utilitarian substituted materials are acceptable, provided they are compatible with the overall design.



Treatments for material changes at corners.

- d) Materials tend to appear substantial and integral to the structure when material changes occur at changes in plane. Material changes not accompanied by changes in plane appear “tacked-on” and are strongly discouraged. Material changes should not occur at external corners. Material changes may occur at “reverse” or interior corners or as a “return” at least four feet from external corners, with extended returns provided for large buildings.
- e) Exterior materials for all commercial developments should be of high quality, durable and low maintenance. Materials that will withstand abuse by vandals or accidental damage from machinery are strongly encouraged.
- f) Accessory structures should be designed as an integral part of the project architecture and should be similar in material, color, and detail to the primary buildings.
- g) The use of sustainable building materials is strongly encouraged. This includes using quality materials with a long life span, selecting materials that are not energy-intensive to manufacture, using building products made from recycled materials, and repairing and maintaining well-built existing structures to the fullest extent possible. No large expanses of wood features should be used due to maintenance issues in High Desert climate.
- h) Materials that have no relationship to the architectural style shall not be permitted. These include mirrored glass, antiqued or imitation old brick, fake or cultured river rock, exposed concrete block, etc. Translucent plastic is strongly discouraged for use in awnings.

12. Color and Texture

- a) Color and finishes on exteriors of all elevations of a building should be coordinated to provide a total continuity of design. Materials provide texture and color and should influence the choice of other colors on the façade.
- b) The blending of compatible colors in a single facade or composition is a good way to add character and variety, while reducing, or breaking up the mass of a building. Lower wall wainscots and built-up or recessed reveals may be employed to add interest and break up vertical monotony.
- c) The colors chosen should accentuate the architectural details of the building and be consistent with its architectural style. A minimum of three and a maximum of five exterior building colors shall be used. These colors should be used on the base (main body), trim and accent. The base colors should be the lightest and the accents used sparingly. The two additional colors may be used on the base (main body) to distinguish between upper and lower floors or as an additional trim color.
- d) Sign colors and finishes shall relate to those of the building. Signs may use any of the building colors plus up to three additional colors for a maximum of eight colors. Signs must use at least one of the building exterior colors.

- e) Unusual patterns and color schemes should be avoided. Garish, non-harmonious, or out-of character colors should not be used.

13. Corporate Identity Issues. The use of standardized “corporate” architectural styles associated with franchises is discouraged. Make corporate identity secondary in the design of projects, and consistent with the architecture of the surrounding community. Site-specific design solutions are encouraged. The design character should not be a standard franchise prototype and should incorporate dominant characteristics of the neighborhood in which it is located.

Section 16.16.405 SITE DESIGN STANDARDS AND GUIDELINES

A. The scale and site layout of commercial development can vary greatly from project to project.

1. Building Siting, Orientation and Setbacks

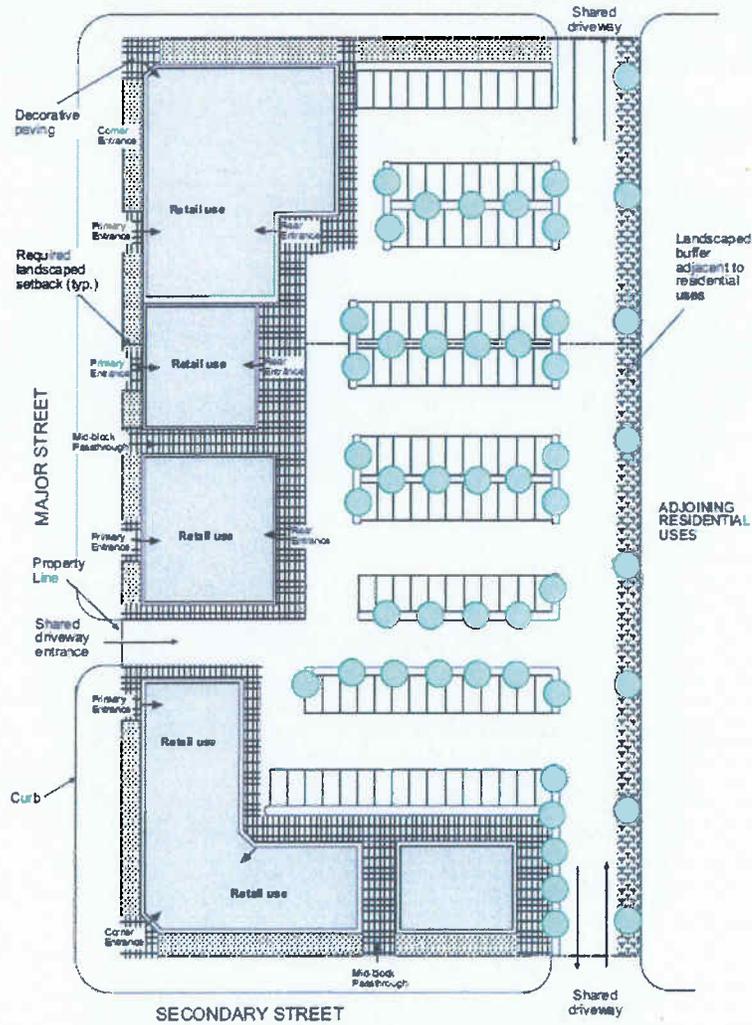
- a) Building siting should take into consideration the context of the commercial area, the location of nearby uses, and the location of major traffic generators as well as the site’s characteristics.
- b) The arrangement of structures, parking and circulation areas and open spaces should relate to the surrounding built environment in pattern, function, scale, character and materials. In developed areas, new projects should meet or exceed the standards of quality that have been set by surrounding development.
- c) Uniform building setbacks and orientation represent an effective means of establishing compatible development patterns among neighboring properties. Contribute to an attractive street scene, and consistently orient buildings and building entrances along the public right-of-way.
- d) As far as is feasible, buildings should be sited to screen parking and unsightly scenes and activities from public view, and from residentially designated properties.
- e) Buildings should not turn a blank wall to neighboring properties; site buildings to avoid visible blank walls along interior side property lines.
- f) Buildings with angled corners or plazas are encouraged at corner locations.



Use angled corners and corner entries for strong corner emphasis.

- g) One of the critical elements of a successful pedestrian-oriented retail area is continuous street frontage. The street side setbacks should be minimized and new structures built at the street side setback line. For the rehabilitation of existing buildings, the existing setback may be maintained.

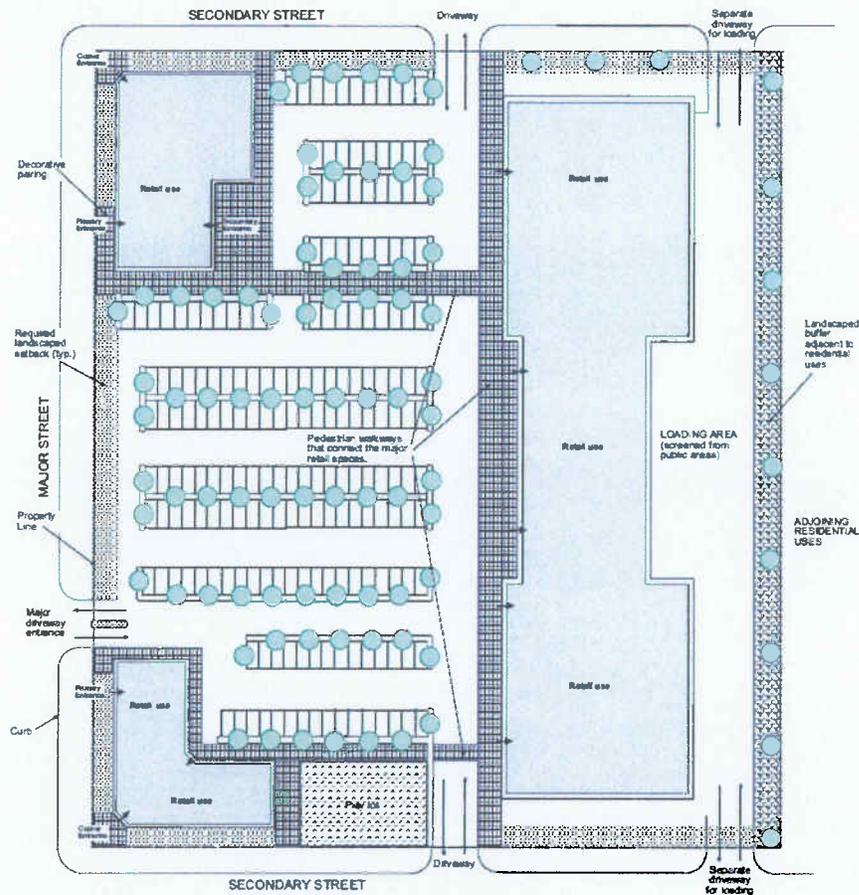
- h) The placement and design of buildings should facilitate and encourage pedestrian activity and convey a visual link to the street and sidewalks. The building(s) and main entrance(s) should be oriented toward the primary street frontage.



Typical Pedestrian-Oriented Commercial Site Layout

“Big Box” Retail and Large-Scale Commercial Development.

- i) Buildings shall be sited to avoid random and irregular building relationships; arrange buildings to create a sense of unity and overall harmony. Whenever possible, new structures should be clustered to create plazas and pedestrian malls and avoid the creation of “barrack-like” rows of structures. When clustering is impractical, a visual link between separate structures should be established. This link can be accomplished through the use of an arcade system, trellis, or other open structure. Orient the main entrance or entrances to the street or major plazas or open space.



Typical Large-Scale Commercial Site Layout

- j) **Typical Large-Scale Commercial Site Layout.** Where the parking area of a commercial project abuts another commercially or industrially designated property, a minimum 5-foot wide perimeter landscape buffer (exclusive of the planter area curb) is required. Where feasible to do so, integrate the landscape buffer with that of the adjacent property. An exception is permitted for areas where shared parking and access has been designed with an adjacent project.

2. Interface between Non-residential and Residential Uses. In several portions of the City, non-residential uses abut residential uses. Residential uses should be buffered from incompatible commercial development to mitigate negative impacts due to noise, vibration, shading, light and glare, and aesthetics. Intensified landscaping, increased setbacks and appropriate building orientation should be utilized as a means of providing adequate separation between such land uses. However, linkages (e.g. walkways, common landscape areas, and building orientation) between compatible commercial and residential uses are encouraged where appropriate. Issues of privacy, safety and noise are addressed in these following standards:

- a) To provide privacy for adjacent residential properties, taller elements of the building shall be set at the front end of the parcels instead of the rear. Building heights should be stepped down to the height of adjacent residential uses, utilizing architectural elements such as gables and hipped roofs to reduce building mass. No portion of the building, including parapets, shall be above an imaginary plane drawn at the rear property line

(where no alley is present) and extended at an angle of 45 degrees towards the center of the property. When an alley is present, the plane shall begin at the centerline of the alley.

- b) In addition, appropriate landscape screening shall be provided at the shared property line to mitigate the negative visual and environmental impacts that are associated with commercial land uses. Excepting trees, this screening shall be eight feet in height.
- c) Eighty percent of the vertical plane at the property line to a height of eight feet shall be opaque.
- d) Screening may consist of one (or more) of the following:
 - i. "Vertical" trees closely spaced
 - ii. "Green" (vine-covered) solid or fenced walls
 - iii. Hedges (minimum height of eight feet)
- e) Non-residential buildings should be sited to avoid significant shading of adjacent residences and compromising residents' privacy.
- f) Windows of non-residential buildings should be oriented to avoid a direct line of sight into adjacent residential buildings or property.
- g) Noise or odor generating activities in general, and loading areas, trash and storage areas, and rooftop equipment in particular, should be located as far as possible from adjacent residential uses and shall not be located next to residential properties without fully mitigating their negative effects.
- h) Whenever adjacent residential and commercial uses can mutually benefit from connection rather than separation, appropriate connective elements such as walkways, common landscaped areas, building orientation, gates and/or unfenced property lines should be employed.
- i) Additional noise standards pursuant to Section 16.20.125 of this Development Code shall also apply.

Pedestrian-Oriented Commercial Development.

- j) Where a project abuts a residentially designated property, a minimum of three feet of the required setbacks adjacent to the residential use shall be devoted entirely to shrubs (at least six feet in height) and trees (exclusive of any planter area curb).

"Big Box" Retail and Large-Scale Commercial Development.

- k) To provide privacy for adjacent residential properties, taller elements of the building should be set away from the residential uses. No portion of the building, including parapets, should be above an imaginary plane drawn at the rear property line (where no alley is present) and extended at an angle of 45 degrees towards the center of the property. When an alley is present, the plane shall begin at the centerline of the alley.
- l) Where a project abuts a residentially designated property, a minimum of six feet of the required setbacks adjacent to the residential use shall be devoted entirely to shrubs (at least six feet in height) and trees (exclusive of any planter area curb). Shrubs shall be planted at a minimum size of five gallons and trees at 24" box.

3. Plazas and Courtyards

- a) Commercial developments should incorporate plazas and courtyards into their design. Buildings should be clustered to create usable pedestrian areas.
- b) Primary access to public plazas and courtyards should be provided from the street. Secondary access may be provided from retail shops, restaurants, offices and other

uses within the development. Entries to the plazas and courtyards should be inviting and well lit.

- c) Landscaping, water features, and public art should be incorporated into plaza and courtyard design. Shade trees or architectural elements that provide shelter and relief from direct sunlight should be provided.
- d) Plazas and courtyards should be buffered from the street, parking areas or drive aisles.
- e) Auxiliary structures and areas such as play areas and outdoor dining areas should be integrated within the overall site design. Play structures associated with commercial uses should be enclosed and integrated within the building design.



Create plazas, courtyards, and pedestrian areas in commercial developments.

4. Environmental Considerations

- a) Buildings should be designed and sited to maximize the use of sunlight and shade for energy savings, and respect the solar access of adjacent buildings.
- b) Grading shall be designed to limit the height of retaining walls and perimeter walls to that permitted by the City's requirements. To the extent possible, site grading should relate to the natural surroundings and be designed to minimize grading by following the natural ground contours and recognizing existing drainage patterns. Graded slopes should be rounded to blend with existing terrain. Grading should emphasize and accentuate scenic vistas and natural landforms.
- c) Large manufactured slopes should be avoided in favor of several smaller slopes integrated throughout the project. Smaller slopes are less obtrusive, more easily vegetated and can be used to add visual interest, preserve views and provide visual buffers where necessary.
- d) Significant existing trees, vegetation and any other natural site attributes should be preserved to the greatest extent possible in the design and development of the commercial project. Site design that requires altering landforms and removing trees is discouraged.
- e) Consideration should be given to the reduction of landscape maintenance and water consumption when selecting landscape materials.

5. Vehicle Circulation and Access

- a) Site access and internal circulation in commercial developments should promote safety, efficiency, and convenience. Vehicular traffic should be adequately separated from pedestrian circulation. Vehicular entrances should be clearly identified and be easily accessible to minimize pedestrian/vehicle conflict.
- b) Adequate areas for maneuvering, stacking and emergency vehicle access should be provided. Internal circulation routes and parking areas should be separated. Continuous circulation should be provided throughout the site to the greatest extent possible to prevent awkward vehicular maneuvers. Dead-end driveways should be minimized. Vehicles should not be required to re-enter the street in order to move from one area to another on the same site.
- c) The number of site access points or driveway aprons shall be minimized, to achieve efficient and productive use of paved access ways, and to eliminate traffic hazards. They should be located as far as possible from street intersections. A minimum distance for driveway aprons shall be required as outlined in Table 1 of Section 12.08.020 of the Hesperia Municipal Code and may be increased based upon safety considerations.
- d) The site access points should be coordinated with existing or planned median openings and driveways on the opposite side of the roadway. Entrances and exits to and from parking and loading facilities should be clearly marked with appropriate directional signage where multiple access points are provided. Shared site access is encouraged and in some cases may be required.
- e) Where possible, driveways should be minimized along arterial streets and access instead provided from side/secondary streets.
- f) Design that allows for present or future reciprocal access with adjacent properties is encouraged. Driveway entry locations should be coordinated with existing or planned median openings and driveways on the opposite side of the roadway.
- g) The main entry driveway should be easily identifiable, incorporating landscaping and possibly accent paving that is related to the building hierarchy and color.
- h) Vehicular access, drives and circulation routes shall be designed so that all movements involved in loading, parking, or turning shall occur on-site and not within the public right-of-way. Exceptions will be considered where a property abuts an alleyway.



Provide enhanced paving, landscaping, and sidewalks at project entries.

6. Pedestrian Circulation

- a) Commercial developments shall incorporate pedestrian walkways into site design to provide pedestrian connections from building entries to public sidewalks, plazas, and

parking areas, and to buffer pedestrians from vehicular movement. Project entries and driveway areas should contain design features, including landscaping and textured paving, to break up the expanse of paving in a project. Paving materials should complement the architectural design. The use of stamped concrete, stone, brick, pavers; exposed aggregate or color concrete is encouraged.

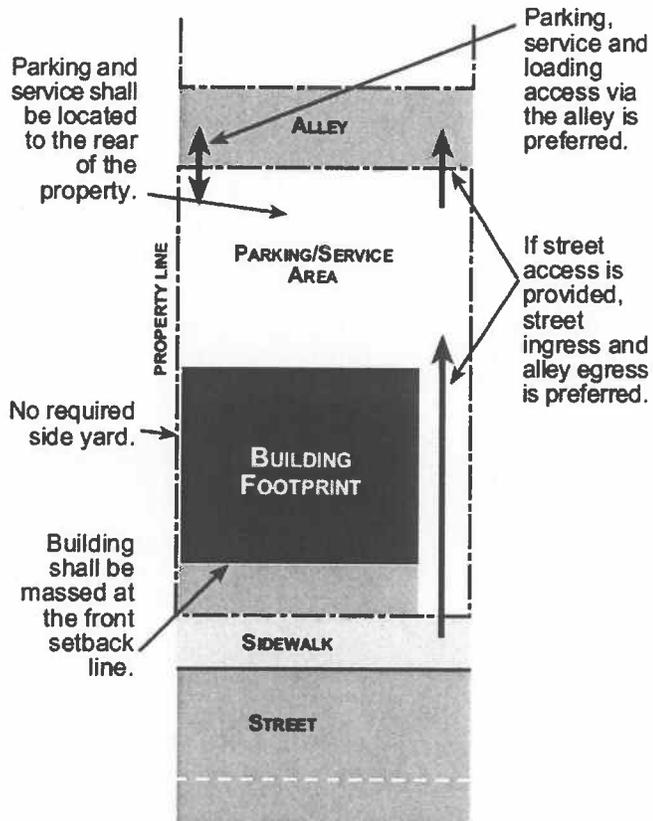
- b) Pedestrian walkways should be a minimum of four feet in width. Pedestrian walkways should be safe and clearly identifiable using varied surfaces, decorative paving, and landscaping. At a minimum, varied surfaces should be used to delineate crossings at circulation drives and parking aisles.
- c) Design parking areas so that pedestrians walk parallel to moving cars. Minimize the need for pedestrians to cross parking aisles and landscape islands to reach building entries.
- d) New structures and parking areas should enhance existing pedestrian connections to existing outdoor pedestrian spaces such as courtyards, plazas and porticos and create new connections where none exist.
- e) Raised pathways, decorative paving, landscaping and bollards should be used to separate pedestrian paths from vehicular circulation areas to the maximum extent possible.
- f) Identify and accentuate pedestrian areas; use special paving, painting, landscaping, etc.

7. Parking

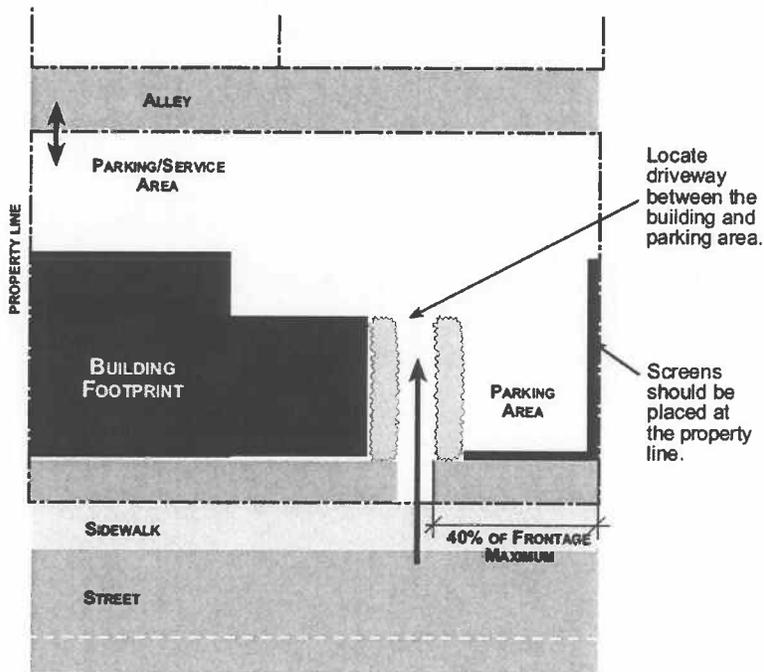
- a) Parking lots should be designed with a clear hierarchy of circulation: major access drives with no direct access to parking spaces; major circulation drives with little or no parking; and parking aisles for direct access to parking spaces. Loading and service areas should be provided with separate access and circulation whenever possible.
- b) On-site parking (lots and structures) shall be located to the rear of the building for parcel widths less than 200 feet and accessed by alleyways wherever they exist.
- c) For parcel widths greater than 200 feet, parking lots may occupy up to 40% of the parcel's street frontage. Such siting in conjunction with substantial landscape treatment, enhances the streetscape, and contributes in the screening of parking areas.
- d) Parking areas shall be designed so that no vehicle has to back into the public street. Provide end-stall turnarounds or a continuous circulation pattern.
- e) Parking lots should be separated from buildings by a raised walkway (minimum four feet wide) and landscape strip (minimum seven feet wide).
- f) Parking areas should be screened by buildings and landscaping.

Pedestrian-Oriented Commercial Development.

- g) In pedestrian-oriented retail areas, vehicular entrances to off-street parking lots should be minimized in order to maintain retail facade and pedestrian continuity. No existing storefronts may be removed to provide vehicular access to parking. Encourage alley access to parking, where present, by implementing area-wide parking information and signage systems.



Site layout including driveway locations for parcels less than 200 feet in width.

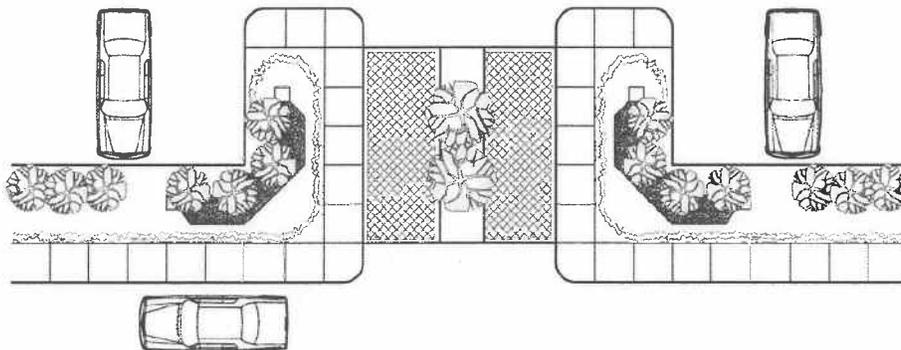


Site layout including driveway locations for parcels more than 200 feet in width.

- h) Shared driveways and parking arrangements between adjacent businesses/developments are strongly encouraged.
- i) In commercial centers, on-site parking should be consolidated in one area rather than wrapping around the entire building.

“Big Box” Retail and Large-Scale Commercial Development.

- j) The visual dominance of parking facilities should be reduced such that parking is visually subordinate to the building it serves. The desirable solution is to provide a majority of the parking at the rear of the site, where it is largely hidden from view by a building that fronts the street. In addition, on-site parking should be consolidated in one area rather than wrapping around the building.
- k) Where feasible and compatible with the design of the building, use subterranean, semi-subterranean, or parking, which is tucked under the building. Parking designed in this manner must effectively reduce the visual impact of parking, and not detract from the building architecture or site views.
- l) Entry areas to commercial development should be enhanced by ornamental landscaping, decorative paving, raised medians, gateway structures, and monument signage.
- m) Main entry drives should extend from the street to the front cross aisle and should include:
 - i. A median with a minimum 10-foot wide clear landscaped area between the street and the first bisecting parking aisle.
 - ii. A minimum 5-foot wide sidewalk on each side of the driveway.
 - iii. A minimum 10-foot wide landscaped parkway on each side of the driveway.
 - iv. A minimum 20-foot wide decorative paving band.
 - v. Use decorative paving and landscaping to facilitate vehicular and pedestrian access at project entries.



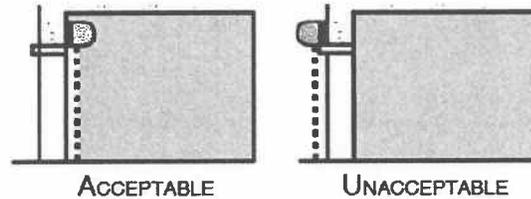
Use decorative paving and landscaping to facilitate vehicular and pedestrian access at project entries.

8. Loading Areas

- a) Loading areas shall be designed to prevent interference with vehicular circulation and parking, and to provide an unobstructed area for trucks to maneuver when accessing loading spaces.
- b) Loading areas shall be located away from main customer entrances and the street, preferably toward the rear of the property.
- c) Overhead (roll-up) doors shall not be directly open to public view, and shall be substantially screened from the street, the freeway, and residential designated

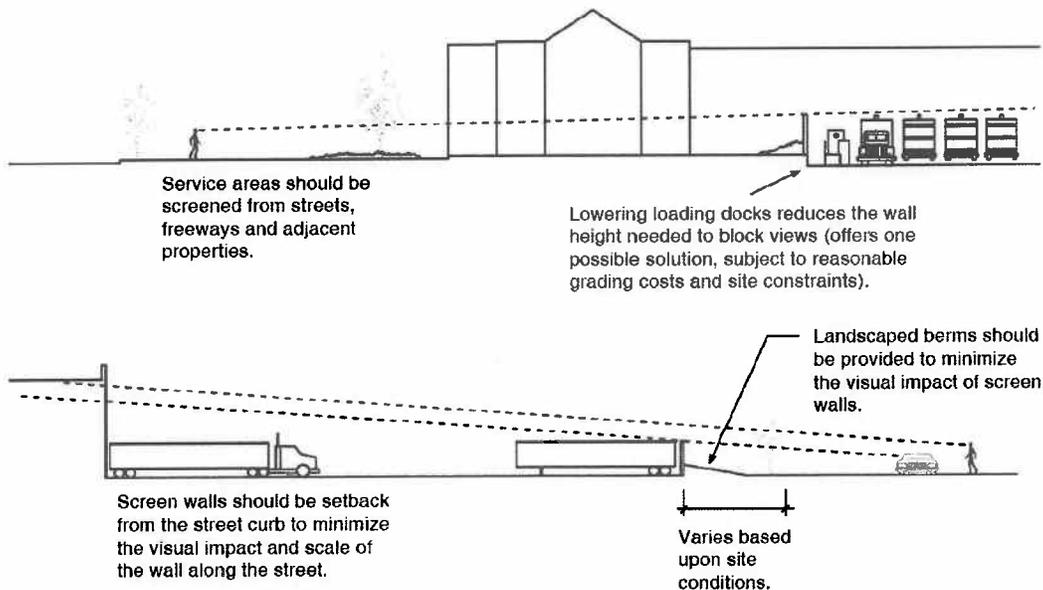
properties. Screening may be accomplished in a variety of ways, including the use of wing walls, the recessing of overhead doors (building articulation), landscaping, or a combination of these techniques. Fixed hardware for roll up doors shall be located on the inside of buildings to minimize visual clutter.

- d) If located adjacent to residential areas, the design of overhead doors should minimize noise through devices such as rubber seals and/or other dampening features.



Roll-up Doors

- e) The grade of loading docks should be as low as feasible to minimize views from the street and the need for tall walls or fencing. Building segments above loading docks visible from the street and surrounding properties should conform with other guidelines pertaining to building features, materials and finishes.
- f) Service areas should be screened from streets, freeways and adjacent properties. Lowering loading docks reduces the wall height needed to block views (offers one possible solution, subject to reasonable grading costs and site constraints). Screen walls should be setback from the street curb to minimize the visual impact and scale of the wall along the street. Varies based upon site conditions. Landscaped berms should be provided to minimize the visual impact of screen walls.



Outdoor Storage, Service, and Loading

9. Outdoor Storage and Service Areas

- a) Outdoor storage and service areas (including, but not limited to, service entrances, loading docks and bays, outdoor storage of commercial vehicles) should be clearly

defined and designated for convenient access. They shall not conflict with vehicular access, on-site parking facilities, pedestrian walkways, and customer entrances.

- b) Outdoor storage and service areas should be located to the rear of a property so as not to face a public street. They shall not be open to view from the street or freeway. In addition, outdoor storage and service areas shall be located so as to minimize negative impacts (visual, noise, dust, vibration, etc.) upon any neighboring residential properties.
- c) Service access should be located in a manner such that an unsightly condition is not created and the flow of pedestrians or user circulation when in use is not obstructed.
- d) Outdoor storage and service areas shall be screened from on-site and off-site public view with a combination of building features, decorative walls, and landscaping consistent with the architectural style and design of the building.

10. Refuse Collection Facilities

- a) Trash storage must be enclosed within or adjacent to the main structure or located within separate freestanding enclosures.
- b) The location of refuse collection facilities should be coordinated with the location of loading/ service areas, and not readily visible to public view.
- c) Refuse collection facilities should be unobtrusive and conveniently accessible for trash collection but should not impede circulation during loading operations. Where multiple trash bins are provided for a given project, disperse the location of trash facilities for more convenient waste disposal by individual trash generators.
- d) Refuse collection facilities should be located to the rear of site and, where possible, screened from view from public streets and walkways and removed from pedestrian oriented areas. These areas should be screened with portions of the building, architectural wing walls, freestanding walls and landscape planting. Other acceptable screening materials include fences, landscaping, and/or berming, and the use of natural terrain where possible. Decorative treatment shall be used to minimize the adverse visual impact of these areas.
- e) Refuse collection facilities shall be located so that there will be minimal intrusion (i.e. impacts associated with site views and odors) upon neighboring residentially designated properties.
- f) Refuse collection facilities should be architecturally compatible with the project design. Colors and materials used to enclose these elements should be compatible with all other buildings on site. Landscaping shall be incorporated into the design of trash enclosures to screen them and deter graffiti.

11. Utility and Mechanical Equipment

- a) All utility and mechanical equipment (wall-mounted meters, air conditioners, transformers, etc.) shall be screened from public view. This includes all ground, wall, and roof mounted equipment. Screening elements shall be an integral part of the building; no screening method shall give the appearance of being "tacked on."
- b) Where possible, integrate rooftop equipment into the overall mass of a building. At a minimum, roof mounted equipment shall be screened through the use of parapets, screening walls, equipment wells, mechanical room enclosures and similar design features. Screening devices other than parapet walls shall be designed as an integral element of the building massing. Picket fencing, chain-link fencing and metal boxes are not permitted. The top of screens should be at least as high as the top of the equipment, with additional height provided where larger equipment units could be used in the future.



Exposed roof-mounted equipment is prohibited.

- c) Ladders for roof access shall be hidden and integrated into the building design.
- d) Typical ground-mounted equipment (such as transformers and heating units) shall be adequately screened with walls and/or landscaping. The building from view of adjacent streets and properties should screen large structures and/or equipment.
- e) Utility equipment such as electric and gas meters, electrical panels, and junction boxes shall be located in a utility room within the building.
- f) All utility lines from the service drop to the site should be underground.
- g) Transformers should not be located in the front landscaped setback area. Where transformers are unavoidable in the front setback, they shall be completely screened and camouflaged by landscaping, and should not obstruct views of tenant spaces, monument signs, and/or driveways.
- h) All vents, gutters and downspouts, louvers, exposed flashing, etc. should be treated as design elements and be compatible with the rest of the building, or hidden from public view.
- i) Exposed roof-mounted equipment is prohibited.

12. Fences, Walls and Hedges

- a) Walls and fences serve a major function in the streetscape and are used to screen vehicles, loading and storage areas, and utility structures. However, if not required for a specific screening or security purpose, they should not be utilized. The intent is to keep the walls as low as possible while performing their screening and security functions. The height of walls and fences on commercial properties is set forth in Section 16.20.070.
- b) Walls and fences should be planned and designed as integral parts of the development, and should be consistent with the landscaping and building design.
- c) If street fencing is necessary, decorative types of view fencing, such as wrought iron, are encouraged. Solid fencing, such as stucco or masonry, is strongly discouraged when they will block the view of the buildings or provide hiding places. The use of chain-link, barbed wire or razor wire for fencing is prohibited.
- d) Perimeter walls or fencing that do not front a public street should be of decorative masonry (split-face block, plaster/stucco finish), decorative metal (wrought iron), hedges, or a combination of materials. They should be designed in a style, material and color to complement the development. Both sides of walls should be architecturally treated.
- e) Tiered planting should be provided adjacent to project perimeter walls along street frontages to soften their appearance.

- f) Walls should be eliminated or sited to provide additional setback areas at project entries accommodate landscaping, signage, or street furniture.
- g) Wall sections greater than 50 feet in length fronting a street shall incorporate at least two of the following design features, in proportion to the length of the wall:
 - i. A minimum 2-foot change in horizontal plane for at least 10 feet.
 - ii. A minimum 18-inch change in height for at least 10 feet.
 - iii. A minimum 18-inch high raised planter for at least half the length of the wall.
 - iv. Use of pilasters at 25-foot maximum intervals and at changes in wall planes.
- h) Gates or comparable design solutions should be provided in perimeter walls or fences to allow emergency access and facilitate convenient pedestrian access.
- i) Walls should be curved or angled at corner locations along street frontages to allow sight line views around the corner.
- j) Hedges and other landscape screening materials should consist of evergreen plant materials.

Pedestrian-Oriented Commercial Development.

- k) Freestanding walls, fences or hedges between any street frontage and retail building on site are not permitted.

13. Site Amenities

- a) Site amenities within a commercial setting should be coordinated in terms of color, materials and design in order to convey a cohesive project appearance and distinctive character.
- b) Seating should be included in plaza and courtyard design. Where possible, seating should be provided in active and passive areas.
- c) Tree grates should be provided along street edges and plazas where a continuous walking surface is needed. Grates should be a minimum of four feet in diameter. Knockouts must be provided to enlarge the inside diameter to support a larger tree trunk as the tree grows.
- d) Tree guards should be provided to protect trees in high activity areas. Tree guard design should be compatible with other site furnishings. Tree guards should be attached to the tree grate; welds should not be visible.
- e) Planters and pots should not obstruct pedestrian traffic flow. Consider placing pots in building recesses, at locations where access is discouraged and adjacent to blank walls to provide visual interest and color accents. Group similar sized planters in clusters to enrich streetscapes and plazas. Planter materials should complement the project architecture. Use of cast stone and masonry is encouraged.
- f) Bollard design should be consistent with the overall project theme and should coordinate with other site furnishings. In locations where emergency access may be necessary, removable bollards should be considered.
- g) Trash receptacle design should coordinate with other streetscape furnishings.
- h) Bicycle rack design should be consistent with other streetscape furnishings. Use of “loop racks” and “ribbon bars” are encouraged.
- i) Newspaper racks should be consolidated. Newspaper rack locations should not inhibit pedestrian flow. Newspaper rack design should incorporate masonry and/or metal elements that compliment other streetscape furnishings.
- j) Site directories should be provided near vehicular and pedestrian entrances to multi-tenant commercial developments. Directory siting should maximize their visibility while minimizing the potential for creating a traffic hazard.



Provide decorative pedestrian-oriented site amenities, such as seating, planters and pots, fountains or water features, and tree grates and tree guards in commercial settings.

14. Exterior Lighting

- a) Exterior lighting shall be used to provide illumination for the security and safety of on-site areas such as building entrances, parking, loading, shipping and receiving, walkways, and working areas. The design of light fixtures and their structural support shall be architecturally compatible with main buildings on-site.
- b) Provide decorative pedestrian-oriented site amenities, such as seating, planters and pots, fountains or water features, and tree grates and tree guards in commercial settings.
- c) Exterior lighting should be adequate, but not overly bright. It shall be located and designed to avoid direct glare onto adjacent properties and public rights-of-way. All lighting fixtures must be hooded and directed downward to minimize light and glare impacts on neighboring properties and public rights-of-way. In addition, the lighting shall have cut-off luminaires that limit the amount of light pollution on nighttime skies.

- d) Buildings and landscaping can be illuminated indirectly to create a strong positive image. Concealing light features within buildings and landscaping can highlight attractive features and avoid intrusion into neighboring properties and public rights-of-way.
- e) Lighting should be designed to satisfy both functional and decorative needs. Storefront lighting should complement the architectural style of the building.
- f) Lighting designs for parking areas should take into account color rendition and glare minimization. Color rendition allows a person to distinguish between colors. In a parking area with appropriate color rendition, a person will be able to identify the color of their car. Color rendition will vary according to the lamp type selected and should be considered as a factor in lamp style selection. During the design process, glare levels should be considered and efforts should be made to minimize glare.
- g) All building entrances shall be well lit. If the entrance is recessed, a light from the ceiling of the entry vestibule is strongly encouraged to prevent any dark pockets or hiding places.
- h) Transit stops, ATMs, and convenience stores shall be illuminated to facilitate their safe use at nighttime. In addition, the areas around these uses shall be well lit so that any hiding places are eliminated.
- i) The height of light fixtures shall be reduced to a recommended height of eight feet, especially when adjacent to the residential areas. Floodlights are not permitted in areas adjacent to the residential areas.
- j) Lighting fixtures should be compatible with the architectural character of the project and surrounding area. While some nondescript fixtures may be appropriate, significant use should be made of fixtures that have architectural value and accent the building and site.
- k) Both building-mounted and freestanding fixtures may be used.
- l) All portions of parking areas shall be illuminated at minimum 0.1 foot-candle intensity. A maximum illumination of 0.5 foot-candles at the property lines abutting a street or residentially designated property is allowed.

Article XII (Industrial Districts) shall be deleted in its entirety, except for revisions made to Section 16.16.610 shall be relocated to, and renumbered in Article X, and the following shall be added:

ARTICLE XII. Industrial Design Guidelines

Section 16.16.410 Industrial Design Standards and Guidelines.

A. General

1. Purpose. This Article provides standards and guidelines for designing new industrial developments and for exterior alterations and additions to existing developments. Because of the size and scale of industrial buildings, it is especially important to consider design to ensure compatibility with other parts of the community.

As a category of structure types, industrial buildings often present unattractive and monotonous facades with large blank wall surfaces, untreated or false fronts, or highly reflective and glaring surfaces. In addition, the site development is often not pedestrian-friendly, not properly buffered from surrounding uses, insufficiently landscaped, and surrounded by unsightly fencing.

There is, however, a variety of design techniques that can be utilized to help overcome these situations and to direct development into a cohesive design statement that is both functional and aesthetically appealing. Property owners, developers, architects, building designers, and contractors seeking to construct new industrial developments, or alterations or additions to existing developments, should use these standards and guidelines in the early design stages of their projects. These standards and guidelines are not intended to limit creative site planning and architecture that are consistent with the stated goals and within the context of surrounding neighborhood patterns. Innovative design solutions are strongly encouraged. Refer to Chapter 16.16, Article X of this Development Code for specific development standards pertaining to industrial uses.

2. Applicability

These design standards and guidelines apply to all new industrial development and business parks, including exterior alterations and additions to existing developments within the City. The standards and guidelines apply to smaller infill projects as well as larger master planned sites, and are in addition to the development standards set forth in Chapter 16.16, Article X of this Development Code.

3. Design Goals

The design standards and guidelines have been established in order to accomplish the following goals:

- a) Improve the quality of design for industrial developments, thereby improving the image and appearance of the City's industrial areas.

- b) Create attractive and functional site arrangements of buildings, service and loading areas, open spaces, and parking areas; and develop a high quality architectural and landscape design.
- c) Contribute to the character of the neighborhood by respecting the scale, proportion and architectural style of the surrounding area.
- d) Create visual interest in industrial buildings, while maintaining a sense of harmony within the project.
- e) Mitigate the negative impacts and views associated with industrial uses through effective site placement, screening, and buffering techniques.
- f) Eliminate random development patterns and establish site planning and design relationships between new development and neighboring properties.
- g) Encourage environmental sensitivity in development.
- h) Improve pedestrian circulation and connections on industrial sites and within industrial areas.
- i) Improve the appearance and character of the City.

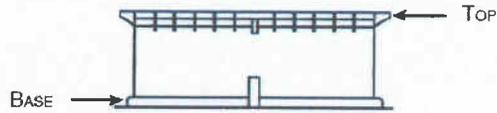
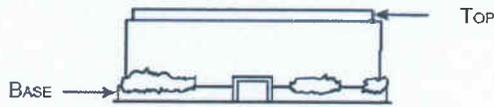
B. ARCHITECTURAL DESIGN STANDARDS AND GUIDELINES

While there is no mandated architectural style required for industrial structures in the City, each project should possess an identifiable architectural theme and be of high quality design and materials. Industrial buildings should display unique, visually attractive qualities while having a unified composition. Multi-building projects should also use a consistent architectural style.

Industrial projects should give neighboring development a sense of unity through consistent building scale and massing. Yet, visual interest should be created with the use of a variety of architectural styles and individual building details to avoid monotonous industrial neighborhoods and enliven the public's experience of the building. New projects should meet or exceed the standards of quality that have been set by surrounding development and contribute to the improvement of the area.

1. Building Articulation and Detailing

- a) Building articulation and detailing should be used to create an interesting and individual design, diminish the massing of large structures, and be compatible with the scale of surrounding development. Building design shall avoid large monotonous facades, long straight-line building fronts, plain box shapes, and barren exterior treatment.
- b) All elevations should be architecturally treated, however, facades visible from major street corridors should be especially attractive and shall be fully articulated, and incorporate the chosen architectural theme in a consistent manner.
- c) Articulation should include change of wall plane, door and window treatment, facade details, and other appropriate architectural treatment. A combination of compatible treatments should be used to create interest and variety, with attention given to treating particular architectural features in a balanced, yet uniquely detailed and decorative manner.
- d) The staggering of planes along an exterior wall elevation creates pockets of light and shadow, providing relief from monotonous, uninterrupted expanses of wall. Wall planes should not run in one continuous direction for more than 60 feet without an offset.



A "top" and "base" should be established within the top-most and bottom-most one-eighth of a building.

- e) Facades having a recognizable "base" and "top" are encouraged. The base should visually relate to the proportion and scale of the building. Techniques for establishing a base may include richly textured materials (e.g. tile or masonry treatments), darker colored materials, mullion, panels, reveals and/or enriched landscaping. Tops take advantage of the visual prominence of a building's silhouette. Techniques for clearly expressing a top may include cornice treatments, roof overhangs with brackets, richly textured materials (e.g. tile, masonry or fluted concrete), and/or differently colored materials. Colored "stripes" are not acceptable as the only treatment.



Avoid blank facades and barren exterior treatment.

- f) Buildings should incorporate architectural details and elements, which will reduce building scale at the street level, especially along pedestrian walkways. Awnings, canopies, arbors, trellises, etc. are effective in this regard. The appropriate use of other architectural details, including reveals, course lines, decorative cornice, columns, etc., is also encouraged as a means of creating interest, variety, and distinctive design. Details should reflect the structural and material integrity of the building; overly gratuitous ornamentation is discouraged.



Use building articulation, change of wall planes, door and window treatments, and other appropriate architectural detailing to create an interesting and individual design and diminish the mass of large industrial structures.

2. Height and Roof Lines

- a) The roof design should be considered as a component of the overall architectural design theme.
- b) Roof forms should be simple, avoid a massive appearance, and reflect the internal organization of buildings.
- c) Roof form and height should be varied to complement building mass and articulation. Vertical variations to the roof line should incorporate roof projections to avoid a false front/unfinished appearance.



Varied roof forms that complement the building mass and articulation are encouraged.

- d) The roof line at the top of the structure should not run in a continuous plane for more than 60 feet without offsetting or jogging the roof plane.

3. Doors and Windows

- a) Doors and windows are key elements of any structure's form, and should relate to the scale of the elevation on which they appear. Windows and doors can establish character by their rhythm and variety and help to provide depth and contrast on elevation planes. Windows and doors should be used to help mitigate building mass, establish scale, give expression to otherwise blank walls, and create a distinctive building design.
- b) All doors and windows should be related with the chosen architectural style. Windows with widely varying styles are strongly discouraged. All doors and window frames should be composed of consistent material. Wherever possible, window sizes should be coordinated vertically and horizontally and window design should be consistent in terms of style and general arrangement on all building sides.
- c) Window exposure should be maximized along pedestrian walkways. The use of opaque glass adjacent to pedestrian walkways is discouraged.
- d) Window frames should appear substantial and should not be flush with the exterior finish. Windows should be designed to enhance building interest and articulation. Recessed windows or inset glazing are possible design considerations.
- e) Windows located on the sides and rear of the project should also be consistent with the look and style on the front of the project.

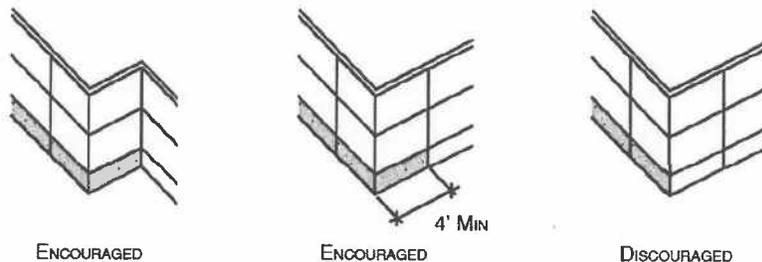
4. Materials and Finishes

- a) Materials and finishes should be suitable to the scale, character and design theme of the building and further lend variety and interest to the project.
- b) The building and its elements should be unified by textures, colors and materials. Materials should be consistently applied and should be chosen to work harmoniously with adjacent materials. Piecemeal embellishment and frequent changes in materials should be avoided.
- c) Buildings should be treated as a whole and finished appropriately on all sides to provide continuity. Materials tend to appear substantial and integral to the structure when material changes occur at changes in plane. Material changes not accompanied by changes in plane appear "tacked-on" and are strongly discouraged. Material changes should not occur at external corners. Material changes may occur at "reverse" or interior corners or as a "return" at least 4 feet from external corners, with extended returns provided for large buildings.
- d) Exterior materials for industrial developments should be of high quality and low maintenance. Recommended materials include masonry, concrete, sandblasted concrete, textured block, brick, granite, marble, glass, painted metal elements and similar materials. Materials and detailing should have a substantial and long-lasting appearance. Metal siding should be avoided as the primary material, but may be used as an accent material if it is high quality and properly applied. Concrete blocks should also be avoided unless mitigated through careful and decorative design, texture and reveals.
- e) Roofing materials should be durable. Where visible from the street, acceptable roofing materials include metal standing seam and concrete tile. Corrugated metal (standing rib metal roofs are permitted), highly reflective surfaces, and illuminated roofing and not permitted.

- f) Materials that will withstand abuse by vandals or accidental damage from machinery are strongly encouraged, while high maintenance materials such as stained wood or shingles are not encouraged.
- g) Accessory structures should be designed as an integral part of the project architecture and should be similar in material, color, and detail to the primary buildings.
- h) The use of sustainable building materials is strongly encouraged. This includes using quality materials with a long life span, selecting materials that are not energy-intensive to manufacture, using building products made from recycled materials, and repairing and maintaining well-built existing structures to the fullest extent possible.

5. Color and Texture

- a) For most architectural styles, the number of colors on the exterior should be limited to a maximum of three, with an additional contrasting color for accent. In general, the lighter colors should be used for the main body, with darker shades for trim and accent. The larger and simpler the building design, the subtler the color should be to reduce the massiveness of large wall planes.



Treatments for material changes at corners.

- b) Off-whites, light grays, and muted earth tones are best suited and are appropriate for industrial developments. The use of strong or bright, unnatural colors, including the bright “white-on-white” color schemes. However, a greater variety of brighter, more intense colors are permitted to highlight architectural features such as awnings, canopies, doorways, window framing and trim, reveals, etc.
- c) Color and finishes on exteriors of all elevations of a building should be coordinated to provide a total continuity of design. Unusual patterns and color schemes should be avoided. Garish, non-harmonious, or out-of-character colors should not be used.
- d) The blending of compatible colors in a single facade or composition is a good way to add character and variety, while reducing, or breaking up the mass of a building. Lower wall wainscots and built-up or recessed reveals may be employed to add interest and break up vertical monotony.

16.16.415. Site Design Standards and Guidelines

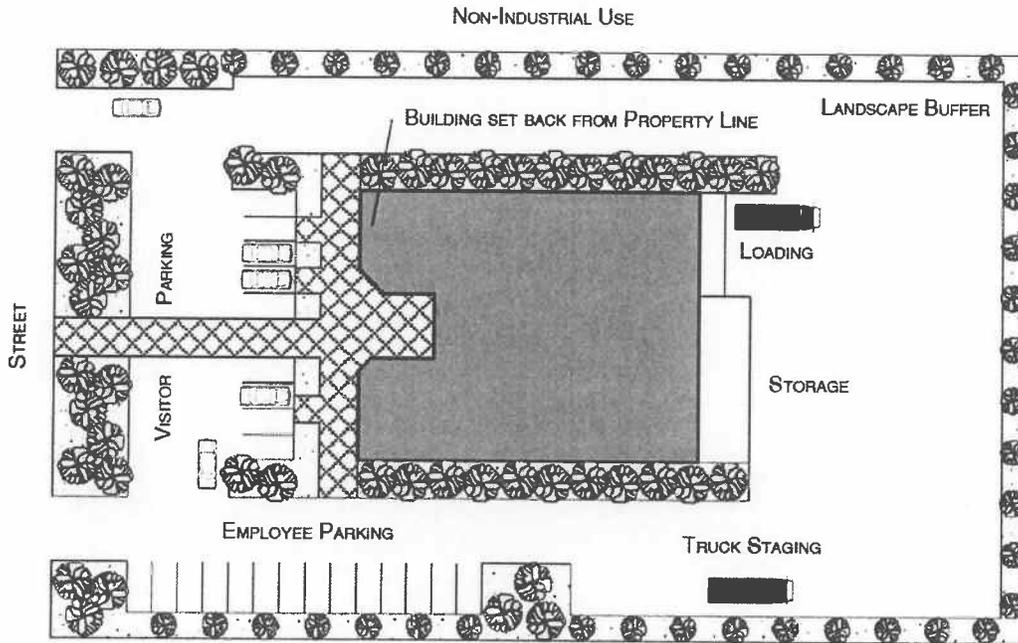
A. Industrial site design must be functional and efficient, as well as compatible with adjacent land uses and aesthetically appealing. Elements of sound industrial site design include emphasis on the main building entry and landscaping; provision of pedestrian walkways and connections; plazas and landscaped open space areas for employees; convenient and controlled access, visitor parking and on-site circulation; screening of outdoor storage and loading areas; and appropriate buffering between incompatible land uses. It is also important to consider a project’s relationship to adjacent industrial properties in creating a unified development pattern for the surrounding area.

1. Setbacks

- a) While respecting the minimum setbacks established in Chapter 16.16, Article X (Commercial and Industrial Development Standards) of this Development Code, the front and street side setbacks of new industrial development should generally approximate that of adjacent properties to establish a consistent image along the street. Some variation, however, should be provided in building and parking setbacks to avoid long monotonous building facades and provide visual interest.
- b) Building setbacks should be proportionate to the scale of the structure. Larger structures require more setback area for a balance of scale and so as not to impose on neighboring uses.
- c) Front and street side side setback areas shall be landscaped.
- d) Building setbacks shall be increased when adjacent to residentially designated properties to mitigate negative impacts due to noise, vibration, light and glare, and aesthetics. Where an industrial project abuts a residentially designated property, a minimum of 10 feet of the required setback shall be devoted entirely to shrubs and trees, at least 6 feet in height (exclusive of any planter area curb).
- e) Where the parking area of an industrial project abuts another industrially or commercially designated property, a minimum 3-foot wide perimeter landscape buffer (exclusive of the planter area curb) is required. Where feasible to do so, integrate the landscape buffer with that of the adjacent property.

2. Building Orientation, Siting and Entrances

- a) Buildings in an industrial development should be arranged to create a sense of unity and overall harmony. Avoid random and irregular building relationships.
- b) Site development, including location of building, parking, and landscape areas, should consider compatible development patterns among neighboring properties. In addition, consideration should be given to how future neighboring developments, based on existing lot patterns, could relate to the project. As far as is feasible, a project should be designed to functionally integrate with adjacent properties by providing for reciprocal access easements, common drives, and common perimeter landscape planters.



Typical Industrial Site Layout

- c) Lot assembly is encouraged as it provides greater opportunity to create efficient master planned projects in conformance with the intent of the design guidelines.
- d) Industrial buildings should have a positive street presence and contribute to an attractive street scene by orienting buildings toward the primary street frontage. Public entrances and administrative/office areas should front the street. Primary entries should be clearly distinguished from secondary and service entries. Projects with few employees should attempt to place entries and the most active areas near the street to avoid long, "unguarded" walkways.
- e) Entry and edge design features such as landscaping, architectural signage and monumentation, and enhanced paving should be incorporated in the project. Special materials, color, detailing, or equivalent architectural treatment should be incorporated into the building design at major entries.
- f) Buildings shall be sited so as to screen loading and storage areas from public view. Where industrial uses are adjacent to non-industrial uses, appropriate buffering techniques such as increased setbacks, screening, and landscaping shall be provided to mitigate any negative effects of industrial operations.
- g) Building entries should read as such, and be integrated with the overall building form. Doors should be designed at human scale. Variation in building height, wall plane, roof treatment, window placement, architectural detailing, etc. will define and emphasize public entries. Variation in material, texture, and/or color is also recommended as a means of identifying, building entries.

3. Scale and Mass

- a) The scale and mass of a new industrial development should be consistent with neighboring developments and not overwhelm them with disproportionate size or a design that is out of character.
- b) A single, dominant building mass should be avoided by using variations in massing and building form.



The scale of industrial buildings can be reduced with windows that face the street, variation in massing at the primary entrance, and landscaping to soften the appearance.



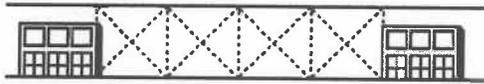
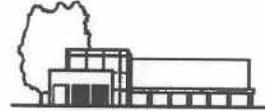
Avoid a single dominant building mass.

- c) As appropriate to the function of a building, a combination of major and minor changes in building form should be incorporated to create visual interest and establish a transition to neighboring developments. Changes in building form should be used to emphasize office space and reception areas within industrial projects, emphasize public entrances and deemphasize service areas, and define and shelter pedestrian walks and exterior spaces.
- d) Primary building entries should be highlighted through the massing of the building. Greater height can be used to highlight and accentuate entries in the form of corner tower elements, tall voids, or a central mass meeting an entry plaza. Conversely, smaller building masses can also communicate the location of entries.



Corner entry is highlighted by varied materials and articulation.

- e) Typically, horizontal masses for building elevations less than 700 lineal feet shall not exceed a height to width ratio of 1:4 without a substantial architectural element that projects up or away from the building, such as towers, bays, lattices, or other architectural features. Buildings greater than 700 lineal feet shall not exceed a height to width ratio of 1:5 without massing variations. The extent of massing breaks and building projections should relate visually to the overall scale of the building.



1:4 RATIO FOR BUILDINGS LESS THAN 700 LINEAL FEET

Provide a substantial architectural element, such as a tower, bay, lattice, planter box, or other feature, when the horizontal mass exceeds a height to width ratio of 1:4.



1:5 RATIO FOR BUILDINGS GREATER THAN 700 LINEAL FEET

Buildings greater than 700 lineal feet shall not exceed a height to width ratio of 1:5 without massing variations.

Highlight the primary entries through building massing and landscape treatments.

4. Plazas and Open Space

- a) Plazas and similar open space features are strongly encouraged as a site amenity and design detail. Buildings should be arranged to include opportunities for plazas, patios, open space areas, and employee gathering spaces with amenities such as outdoor seating, landscaping, water elements, pergolas, special lighting and other “place-making” features. These outdoor spaces should be functional and pleasant and should not appear as “left-over” spaces.
- b) Plazas are encouraged where high levels of pedestrian activity are expected, such as adjacent to major entrances and food services, or between building clusters in an industrial/business park development.
- c) Building entries and windows should look onto plazas and open space areas to enhance activity and security.
- d) Outdoor employee break areas and lunch areas should be located away from loading areas or other high-traffic areas.

5. Environmental Considerations

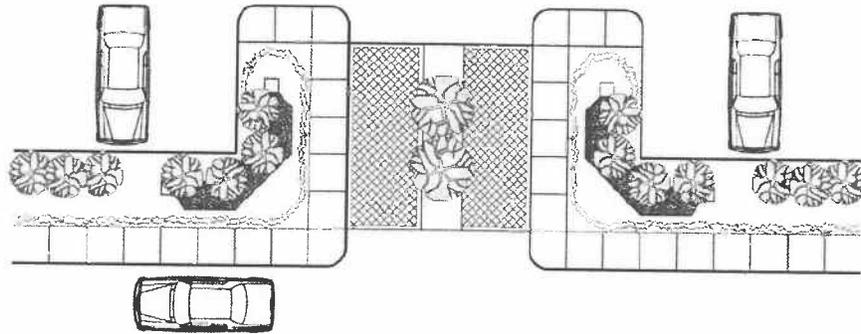
- a) To the extent possible, site grading should relate to the natural surroundings and be designed to minimize grading by following the natural ground contours and recognizing existing drainage patterns. Graded slopes should be rounded to blend with existing terrain.
- b) Significant existing trees, vegetation and any other natural site attributes should be preserved to the greatest extent possible in the design and development of the industrial project. Site design that requires altering landforms and removing trees is discouraged.
- c) Buildings should be designed and sited to maximize the use of sunlight and shade for energy savings, and respect the solar access of adjacent buildings.
- d) Consideration should be given to the reduction of landscape maintenance and water consumption when selecting landscape materials.

6. Vehicle Circulation and Access

- a) Site access and internal circulation in industrial developments should promote safety, efficiency, and convenience. Vehicular traffic should be adequately separated from pedestrian circulation. Vehicular entrances should be clearly identified and easily accessible to minimize pedestrian/vehicle conflict.
- b) Adequate areas for maneuvering, stacking and emergency vehicle access should be provided. Internal circulation routes and parking areas should be separated. Continuous circulation should be provided throughout the site to the greatest extent possible to prevent awkward vehicular maneuvers. Dead-end driveways should be minimized. Vehicles should not be required to enter the street in order to move from one area to another on the same site.
- c) The number of site access points or driveway aprons shall be minimized for aesthetic purposes, to achieve efficient and productive use of paved access ways, and to eliminate traffic hazards. A minimum distance for driveway aprons shall be required as outlined in Table 1 of Section 12.08.020 of the Hesperia Municipal Code and may be increased based upon safety considerations. They should be coordinated with existing or planned median openings and driveways on the opposite side of the roadway. Entrances and exits to and from parking and loading facilities should be clearly marked with appropriate directional signage where multiple access points are provided.
- d) Vehicular access, drives and circulation routes shall be designed so that all movements involved in loading, parking, or turning shall occur on-site, and not within the public right-of-way.
- e) Where a property abuts an alleyway, service and vehicular access should be taken off of the alleyway. This is most strongly encouraged for development on narrow lots (less than 100' in width). Where these properties exclusively use the alleyway for service and vehicular access, a consistent and uninterrupted building frontage can be established for the entire length of the street. Alley improvements should coincide with site planning to minimize alleyway deterioration and address problems such as debris, safety, and any nuisance odors or hazards.
- f) Design provisions, which allow for present or future reciprocal access with adjacent properties, are encouraged.

7. Pedestrian Circulation

- a) Industrial developments shall incorporate pedestrian walkways into site design to provide pedestrian connections from building entries to public sidewalks, plazas, parking areas, and adjacent developments, and to buffer pedestrians from vehicular movement. Project entries and driveway areas should contain design features, including landscaping and textured paving, to break up the expanse of paving in a project. Paving materials should complement the architectural design. The use of stamped concrete, stone, brick, pavers, exposed aggregate or color concrete is encouraged.



Use decorative paving and landscaping to facilitate vehicular and pedestrian access at project entries.

- b) Pedestrian walkways should be a minimum of 4 feet in width. Pedestrian walkways should be safe and clearly identifiable using varied surfaces, decorative paving, and landscaping to minimize pedestrian/vehicle conflict. At a minimum, varied surfaces should be used to delineate crossings at circulation drives and parking aisles.

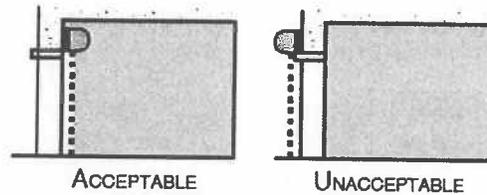
8. Parking

- a) The industrial site should be a self-contained development capable of accommodating its own parking needs. The use of the public street for parking and staging of trucks is not allowed.
- b) Parking areas should be accessed from the street so that circulation to parking areas does not interfere with other site activities. Visitor parking should be located at the front and sides of buildings to be near primary building entrances.
- c) Parking areas shall be designed to avoid awkward turning maneuvers and the backing of vehicles into public streets.
- d) Parking areas should not visually dominate the site. Large expansive paved areas located between the street and the building should be avoided in favor of smaller multiple lots separated by landscaping and buildings.
- e) The visual impact of parking lots and structures shall be mitigated with landscaping. Parking lots adjacent to and visible from public streets must be adequately screened from view through the use of rolling earth berms, low screen walls, changes in elevation, landscaping or combinations thereof whenever possible. Landscaping materials should have adequate room to grow and be protected from abuse by cars. Continuous concrete curbs shall be provided as wheel stops where parking adjoins landscaping.
- f) Parking areas, driveways and pedestrian areas shall contain automatically controlled lighting.

9. Loading Areas

- a) Loading areas shall be designed to prevent interference with vehicular circulation and parking, and to provide an unobstructed area for trucks to maneuver when accessing loading spaces.
- b) Loading areas shall be located away from main customer entrances and the street, preferably toward the rear of the property, as per the development standards in Chapter 16.16, Article X (Commercial and Industrial Development Standards) of this Development Code.
- c) Overhead (roll-up) doors shall not be directly open to public view, and shall be substantially screened from the street, the freeway, and residentially designated

properties. Screening may be accomplished in a variety of ways, including the use of wing walls, the recessing of overhead doors (building articulation), landscaping, or a combination of these techniques. Fixed hardware for roll up doors shall be located on the inside of buildings to minimize visual clutter.



Roll-up Doors

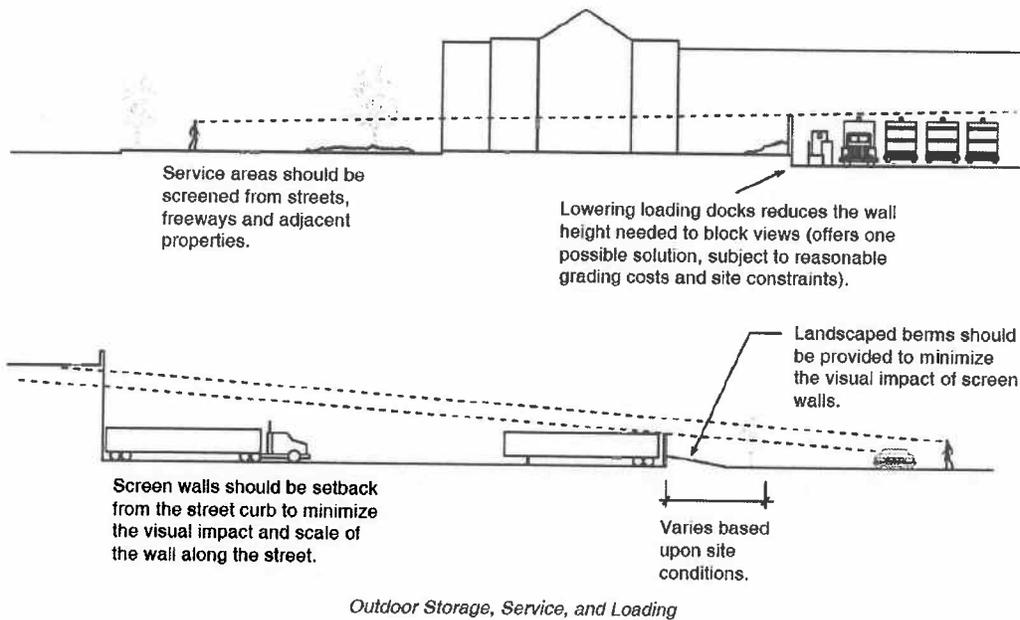
- d) If located adjacent to residential areas, the design of overhead doors should minimize noise through devices such as rubber seals and/or other dampening features.
- e) The grade of loading docks should be as low as feasible to minimize views from the street and the need for tall walls or fencing. Building segments above loading doors visible from the street and surrounding properties should conform with other guidelines pertaining to building features, materials and finishes.

10. Outdoor Storage and Service Areas

- a) Outdoor storage and service areas (including, but not limited to, service entrances, loading docks and bays, outdoor storage of commercial vehicles) should be clearly defined and designated for convenient access. They shall not conflict with vehicular access, on-site parking facilities, pedestrian walkways, and customer entrances.
- b) Outdoor storage and service areas should be located to the rear of a property so as not to face a public street. They shall not be open to view from the street, freeway, or residentially designated properties.
- c) Outdoor storage and service areas shall be screened from on-site and off-site public view with a combination of building features, decorative walls, and landscaping consistent with the architectural style and design of the building.

11. Refuse Collection Facilities

- a) Refuse collection facilities shall be located so that there will be minimal intrusion (i.e. impacts associated with site views and odors) upon neighboring residentially designated properties.
- b) Refuse collection facilities should be located for convenient access. Where the Hesperia Municipal Code requires a number of trash bins for a given project, disperse the location of trash facilities for more convenient waste disposal by individual trash generators.
- c) The location of refuse collection facilities should be coordinated with the location of loading/service areas, and not readily visible to public view.
- d) Decorative treatment of trash and storage enclosures shall be used to minimize the adverse visual impact of these areas. Trash disposal areas, including dumpsters, shall be screened from view by a 6-foot high enclosure with gates. Trash and storage enclosures shall be architecturally compatible with the project design, and landscaping shall be incorporated into their design to screen them and deter graffiti. Screening materials shall consist of fences, landscaping, and/or berming, and the use of natural terrain where possible.



- e) Outdoor storage and service areas shall be located so as to minimize negative impacts (visual, noise, dust, vibration, etc.) upon any neighboring residentially designated properties.

12. Utility and Mechanical Equipment

- a) All utility and mechanical equipment (wall-mounted meters, air conditioners, etc.) shall be screened from public view. This includes all ground, wall, and roof mounted equipment. Screening elements shall be an integral part of the building; no screening method shall give the appearance of being “tacked on.”
- b) Where possible, integrate rooftop equipment into the overall mass of a building. At a minimum, roof mounted equipment shall be screened through the use of parapets, screening walls, equipment wells, mechanical room enclosures and similar design features. Screening devices other than parapet walls shall be designed as an integral element of the building massing. Picket fencing, chain-link fencing and metal boxes shall be avoided. The top of screens should be at least as high as the top of the equipment, with additional height provided where larger equipment units could be used in the future.
- c) Typical ground-mounted equipment (such as transformers and heating units) shall be adequately screened with walls and/or landscaping. Large structures and/or equipment should be screened by the building from view of adjacent streets and properties.
- d) All vents, gutters and downspouts, louvers, exposed flashing, etc. should be treated as design elements and be compatible with the rest of the building, or hidden from public view.

13. Fences and Walls

- a) Walls and fences serve a major function in the industrial landscape and are used to screen vehicles, loading and storage areas, and utility structures. However, if not required for a specific screening or security purpose, they should not be utilized. The intent is to keep the walls as low as possible while performing their screening and

security functions. The height of walls and fences on industrial properties is set forth in Section 16.20.070 of this Development Code.

- b) Walls and fences should be planned and designed as integral parts of industrial development, and should be consistent with the landscaping and building design.
- c) If street fencing is necessary, decorative types of view fencing, such as wrought iron, are encouraged. Solid fencing, such as stucco or masonry, is strongly discouraged when they will block the view of the buildings or provide hiding places. Chain link and barbed wire fencing is prohibited.



Exposed roof-mounted equipment is prohibited.

- d) Perimeter walls or fencing that do not front a public street should be of decorative masonry (split-face block, plaster/stucco finish), decorative metal (wrought iron), wood, hedges, or a combination of materials. They should be designed in a style, material and color to complement the development. Both sides of walls should be architecturally treated.
- e) Tiered planting should be provided adjacent to project perimeter walls along street frontages to soften their appearance.
- f) Walls should be eliminated or sited to provide additional setback areas at project entries to accommodate landscaping, signage, or street furniture.
- g) Wall sections greater than 80 feet in length fronting a street shall incorporate at least two of the following design features, in proportion to the length of the wall:
 - h) A minimum 2-foot change in horizontal plane for at least 10 feet.
 - i) A minimum 18-inch change in height for at least 10 feet.
 - j) A minimum 18-inch high raised planter for at least half the length of the wall.
 - k) Use of pilasters at 25-foot maximum intervals and at changes in wall planes.
 - l) Gates or comparable design solutions should be provided in perimeter walls or fences to allow emergency access and facilitate convenient pedestrian access.
- m) Walls should be curved or angled at corner locations along street frontages to allow sight line views around the corner.

14. Exterior Lighting

- a) Exterior lighting shall be used to provide illumination for the security and safety of on-site areas such as building entrances, parking, loading, shipping and receiving, walkways, and working areas. The design of light fixtures and their structural support shall be architecturally compatible with main buildings on-site.
- b) Exterior lighting should be adequate but not overly bright. It shall be located and designed to avoid direct glare onto adjacent properties and public rights-of-way. In

Article XIII shall be added to Chapter 16.16 and including the following:

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Article XIII Public Land Use Designation.

16.16.330 ~~16.16.610~~ Public/institutional (P)-I designation district.

A. Purpose and Intent. This designation zone is intended to preserve and protect public facilities and those privately owned facilities which provide a service to the general public, including schools, churches, post offices, fire stations, hospitals, civic centers, and publicly owned land. Due to the broad service function of this designation zone and the difficulty of planning all public uses in advance, the Public Institutional designation zone may be designated throughout the plan area, provided the uses do not conflict with other established uses. The P-GOVT, P-SCHOOL, and P-PARK/REC General Plan designations shall be considered Public in this Development Code, and are subject to this Article.

B. Locational Standards.

1. The area is occupied or will be occupied by public or closely related private facilities providing services or functions for the general public.
2. The uses are compatible with and not detrimental to adjacent land uses.
3. The area has adequate public services and access to accommodate the needs of the proposed use on a given site.
4. The location shall be consistent with the general plan text and maps.

C. Review Procedures. In order to ensure compliance with the general plan, and Development Code, permitted uses within this designation zone may be subject to a conditional use permit, site approval or tenant improvement review, in accordance with Chapter 16.12.

D. Permitted uses.

1. Electrical, gas, water and sewage transmission facilities.
2. Radio and television stations and towers.
3. Microwave communication towers and facilities.
4. Government protective functions and postal services.
5. Public works maintenance and storage yards.
6. Vocational, trade and special training schools.
7. Museums and art galleries.
8. Planetariums, aquariums, botanical gardens and zoos.
9. Historical and monument sites.
10. Convention facilities.
11. Parks, playgrounds and athletic fields.
12. Recreation and community centers.
13. Churches, synagogues, mosques or other houses of worship.
14. Elementary, intermediate and senior high schools, public or private.
15. Colleges and universities.

E. Intensity: The maximum Floor Area Ratio for P-GOV shall be 2.0.

F. After approval, the Public designation is automatically applied to the General Plan Land Use map, without the necessity of any additional land use or zone change applications.



DATE: October 13, 2011
TO: Planning Commission
FROM: Dave Reno, AICP, Principal Planner
BY: Lisette Sánchez-Mendoza, Assistant Planner
SUBJECT: Specific Plan Amendment SPL11-10263, amending the Main Street and Freeway Corridor Specific Plan regarding setback and approval procedures; Applicant: City of Hesperia; Affected area: Citywide

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2011-35, approving SPL11-10263, amending the Main Street and Freeway Corridor Specific Plan regarding setback and approval procedures.

BACKGROUND

The Main Street and Freeway Corridor Specific Plan (MSFCSP) was adopted October 16, 2008. This plan affects the Main Street commercial corridor and the freeway commercial corridor (Attachment 1). After three years of experience with the Plan, staff has identified some areas within the plan that require revisions, primarily within the setback and approval procedures.

ISSUES/ANALYSIS

The primary purpose of this Specific Plan Amendment is to make it consistent with both the Development Code and the General Plan. The proposed Specific Plan Amendment includes:

- Revisions to setbacks within the commercial, industrial, and residential zone districts.
- Revisions to the approval procedures for various uses, primarily regarding Conditional Use Permits.

Commercial/Industrial Setbacks

The setbacks for the commercial and industrial zones within the MSFCSP need to be reduced in order to be consistent with the Development Code, specifically the rear and interior setbacks. The interior and rear setbacks will be reduced to zero feet for commercial, except when properties are adjacent to residential zones. In this case a setback of 20 feet and 50 feet for industrial will apply. In addition, the commercial landscape will be reduced in some zone districts from 10 feet to 8 feet adjacent to property lines.

Residential Setbacks

All residential zones within the MSFCSP, with the exception of the Very Low Residential (VLR) zone districts, have a 15-foot rear yard setback. The VLR currently requires a 25-foot rear yard setback. It is recommended that it be changed to 15 feet, consistent with all other residential

zones within the Specific Plan and the Development Code. The interior yard setback will decrease in all zones to have a 5-foot and 10-foot setback, with the exception of the Small Lot Subdivisions and Mixed Use Districts. The Small Lot Subdivision regulations will not change as it consistent with the Development Coded regarding interior and side yard setbacks. The same requirement is recommended for the MU zone, as the parcels within this zone district are also less than 7,200 square feet in area.

Land Uses Requiring Conditional Use Permits (CUP)

Currently, the MSFCSP requires that medical offices and drive-thrus be approved with a CUP. In most cases this is unnecessary, as operational conditions are unnecessary. Therefore a CUP will not be required for approval of these uses. In addition, second dwelling units will no longer need a CUP. Mobile home parks will be added to the permitted uses for LDR, with a minimum five-acre lot size requirement.

Auto Zone Commercial

The prohibition of “self-serve” carwashes has been removed from the standards for vehicle wash facilities. This amendment will allow both full-service automated car washes and “self-serve” carwashes to be established in all districts that allow vehicle wash facilities.

Emergency Shelters

Emergency shelters have been added to the list of permitted uses in the Mixed Use and Medium Density Residential Districts, consistent with the General Plan Housing Element. Development standards will be consistent with similar institutional uses, depending on the services offered by the shelter.

Environmental: This Specific Plan Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) by Section 16.12.415(B)(10) of the City’s CEQA Guidelines. The proposed Ordinance does not expand the allowable uses, change intensities, or grant entitlements not already permitted.

Conclusion: This Specific Plan Amendment eliminates inconsistencies between the Specific Plan and the General Plan and Development Code.

FISCAL IMPACT

None.

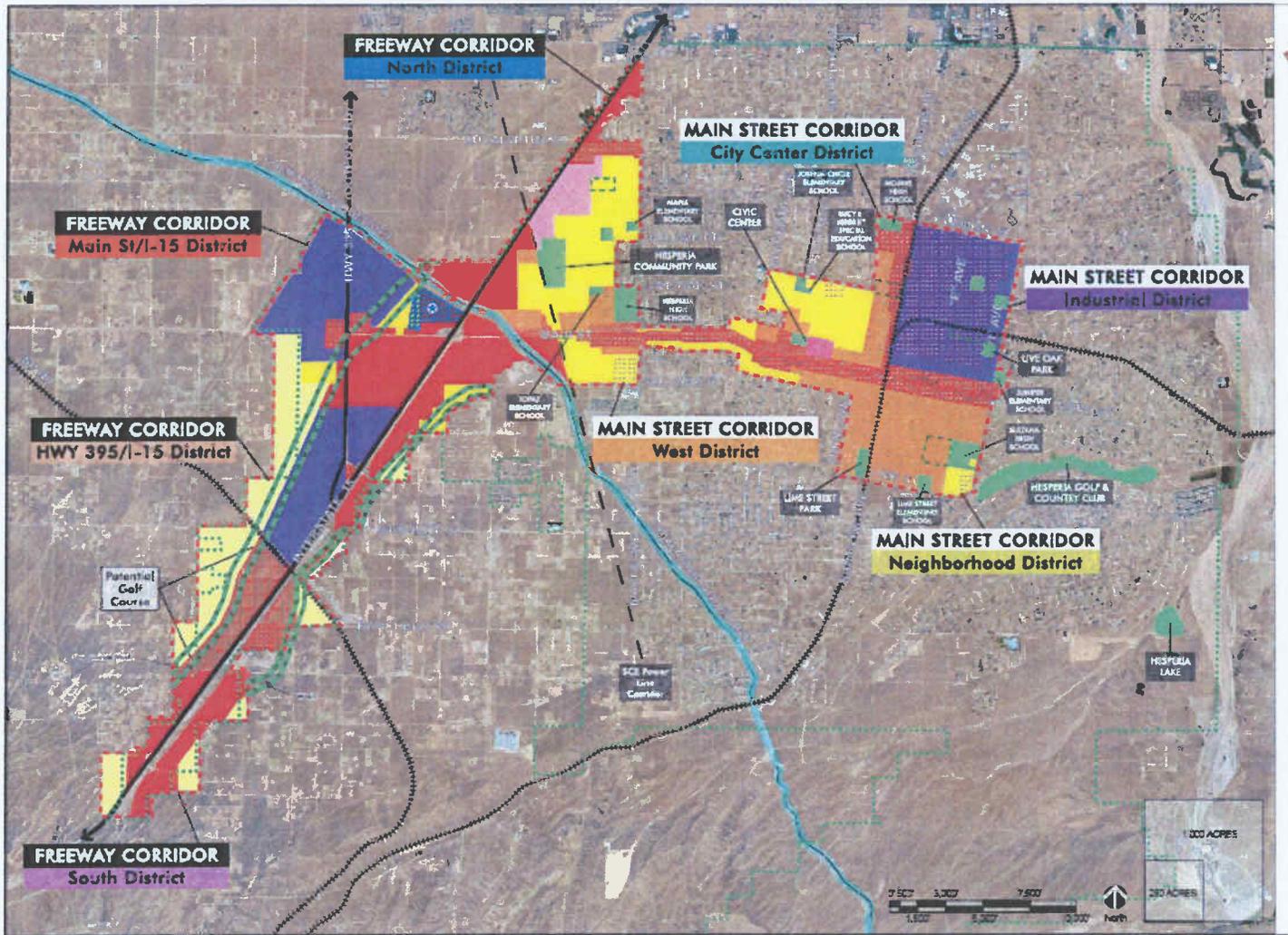
ALTERNATIVE

1. Provide alternative direction to staff.

ATTACHMENT

1. Aerial Photo
2. Resolution No. PC-2011-35, recommending adoption of SPL11-10263, with Exhibit “A”

ATTACHMENT 1



| | | | |
|--|--|-----------------------------------|--|
| APPLICANT(S):
CITY OF HESPERIA | | FILE NO(S):
SPL11-10263 | |
| LOCATION:
CITY WIDE | | APN(s):
VARIOUS | |
| PROPOSAL:
AMENDMENT TO THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN REGARDING SETBACKS AND APPROVAL PROCEDURES | | | |

AERIAL PHOTO

PLANNING COMMISSION

ATTACHMENT 2

RESOLUTION NO. PC-2011-35

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A SPECIFIC PLAN AMENDMENT TO AMEND THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN REGARDING SETBACKS AND APPROVAL PROCEDURES (SPL11-10263)

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

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

WHEREAS, The Main Street and Freeway Corridor Specific Plan regulations pertain to Residential, Commercial and Industrial regulations; and

WHEREAS, The City finds that it is necessary to amend the setback, approval procedures and other regulations to be consistent with the City's Development Code and recently adopted General Plan; and

WHEREAS, The proposed Specific Plan Amendment is exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as Specific Plan Amendments are exempt provided the amendment does not increase the density or intensity of the development. The proposed Ordinance does not expand the allowable uses, change densities, or grant entitlements not already permitted by the Specific Plan; and

WHEREAS, On October 13, 2011, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Specific Plan Amendment and concluded said hearing on October 13, 2011; and

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

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

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

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

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends adoption of Specific Plan Amendment SPL11-10263, amending the Specific Plan regulations as shown on Exhibit "A."

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

ADOPTED AND APPROVED on this 13th day of October 2011.

Chris Elvert, Chair, Planning Commission

ATTEST:

Kathy Stine, Secretary, Planning Commission

Exhibit 'A'

~~Strikethrough~~ indicates text that has been eliminated and red text indicates text has been added.

B. REGIONAL COMMERCIAL ZONE

1. Permitted Uses

- v) ~~Veterinary services with no outdoor runs.~~
- w) Drive thru lanes incidental to the primary use, pursuant to the HMC.
- xv) Other similar uses, as interpreted by the Development Services Director or his/her designee.

2. Conditionally Permitted Uses

- g) ~~Drive thru lanes, incidental to the primary use, pursuant to the HMC.~~
- gh) Equipment (small) sales and rental.
- hi) Home improvement sales and service, retail (hardware, lumber and building material stores) - 10,000 square feet or more.
- ij) Medical services - clinic, medical/dental offices, laboratory, urgent/express care, and optometrist (not including hospital).
- jk) Recreational facilities – commercial (e.g., billiard parlors and pool halls, bowling alleys, etc.).
- kl) Schools – vocational and technical.
- lm) Shopping center – more than 5 acres in size.
- mn) Vehicle fuel stations (i.e., gasoline stations).
- no) Vehicle rental.
- op) Vehicle repair facilities – minor.
- pq) Vehicle wash facilities.
- r) ~~Veterinary services.~~

4.4 Street Yard Setbacks

- (1) The minimum street yard setback shall be 25 feet. For corner lots, **front yard setback shall be 25 and street side yards shall be 15 feet.** ~~all street-facing sides shall meet this requirement.~~
- (2) **Refer to section 16.20 Article VII of the HMC for mMinimum landscaping requirements of 10 feet is required adjacent to the property lines,** pursuant to Chapter 10 (Commercial Design Standards and Guidelines) of this Plan.

4.5 Rear Yard Setbacks

The following are the minimum requirements for rear yard setbacks:

- (1) Where the rear property line abuts a residential zone, or residential development as a part of this zone, the minimum rear yard setback shall be **2030** feet. ~~if there is an alley (distance from building to rear property line or alley easement), and 40 feet where there is no alley.~~

(2) Where the rear property line abuts any non-residential (commercial, industrial, institutional or public facilities) zone, the minimum rear yard setback shall be 20 feet if there is an alley (distance from building to rear property line or alley easement), and 30 feet where there is no alley.

(3) Refer to section 16.20 Article VII of the HMC for Mminimum landscaping requirements of 10 feet is required adjacent to the property lines, pursuant to Section 4.8 below.

4.6 Interior Side Yard Setbacks

The following are the minimum requirements for interior side yard setbacks:

(1) Where the interior property line abuts a residential zone, or residential development as a part of this zone, the minimum interior yard setback shall be 320 feet if there is an alley (distance from building to rear property line or alley easement), and 40 feet where there is no alley.

(2) Where the interior side property line abuts any non-residential (commercial, industrial, institutional or public facilities) zone, the minimum interior side yard setback shall be 20 feet if there is an alley (distance from building to interior property line or alley easement), and 30 feet where there is no alley.

(3) Refer to section 16.20 Article VII of the HMC for Mminimum landscaping requirements of 10 feet is required adjacent to the property lines, pursuant to Section 4.8 below.

C. AUTO SALES COMMERCIAL ZONE

1. Permitted Uses

k) Drive thru lanes, incidental to the primary use, pursuant to the HMC. Other similar uses, as interpreted by the Development Services Director or his/her designee

l) Other similar uses, as interpreted by the Development Services Director or his/her designee.

2. Conditionally Permitted Uses

b) Drive thru lanes, incidental to the primary use, pursuant to the HMC.

be) Vehicle fuel stations (i.e., gasoline stations), pursuant to the HMC.

The following uses are conditionally permitted in the Auto Sales Commercial zone, except within six hundred and sixty (660) feet of the property line fronting Interstate-15:

cd) Business support services and facilities (including graphic reproduction, computer services, etc.).

de) Catering establishments.

ef) Commercial storage facilities (mini-warehouse) – excluding mini-storage.

fg) Equipment (large) sales and rental.

gh) Equipment (small) sales and rental.

hi) Laboratories – research.

ij) Manufacturing (indoors).

- jk) Offices (administrative, business, executive and professional, but not including medical or dental).
- kl) Publishing and printing.
- lm) Repair shop – small items (computers, small appliances, watches, etc), with incidental sales.
- mn) Retail sales ancillary to a manufacturing use on-site (floor area not to exceed 25% of gross floor area up to a maximum of 10,000 square feet).
- ne) Retail sales up to a maximum of 5,000 square feet.
- op) Schools - vocational and technical.
- pq) Warehousing and wholesale distribution centers
- qr) Vehicle repair – major.
- rs) Vehicle repair – minor.
- st) Vehicle wash facilities.

4.4 Street Yard Setbacks

- (1) The minimum street yard setback shall be 25 feet, **front yard setback shall be 25 and street side yards shall be 15 feet** ~~For corner lots, all street-facing sides shall meet this requirement.~~
- (2) **Refer to section 16.20 Article VII of the HMC for M**minimum landscaping requirements of 10 feet is required adjacent to the property lines, pursuant to Chapter 10 (Commercial Design Standards and Guidelines) of this Plan.

4.5 Rear Yard Setbacks

The following are the minimum requirements for rear yard setbacks:

- (1) Where the rear property line abuts a residential zone, the minimum rear yard setback shall be 20 feet ~~if there is an alley (distance from building to rear property line or alley easement), and 30 feet where there is no alley.~~
- (2) Where the rear property line abuts any non-residential (commercial, industrial, institutional or public facilities) zone, the minimum rear yard setback shall be 40 feet ~~if there is an alley (distance from building to rear property line or alley easement), and 20 feet where there is no alley.~~
- (3) **Refer to section 16.20 Article VII of the HMC for M**minimum landscaping requirements of 10 feet is required adjacent to the property lines, pursuant to Section 4.10 below.

4.6 Interior Side Yard Setbacks

The following are the minimum requirements for interior side yard setbacks:

- (1) Where the interior property line abuts a residential zone, the minimum interior yard setback shall be 20 feet ~~if there is an alley (distance from building to rear property line or alley easement), and 30 feet where there is no alley.~~

(2) Where the interior side property line abuts any non-residential (commercial, industrial, institutional or public facilities) zone, the minimum interior side yard setback shall be 40 feet if there is an alley (distance from building to interior property line or alley easement), and 20 feet where there is no alley.

(3) If an interior side yard setback is required, refer to section 16.20 Article VII of the HMC for minimum landscaping requirements of 10 feet is required adjacent to the property lines, pursuant to Section 4.10 below.

4.19 Additional Standards for Vehicle Wash Facilities

Vehicle wash facilities shall be developed in compliance with the following additional standards:

~~(1) Only enclosed, full service, automated car washes are permitted. "Do-it-yourself" car washes are prohibited.~~

(12) All lights shall be reflected away from adjacent uses.

(23) Premises shall be maintained in a neat, orderly and environmentally safe manner, and all improvements shall be continuously maintained.

(3) Noise from vehicle wash activities shall not exceed the levels established in Chapter 16.20 Article V (General Performance Standards) of the HMC.

C. Office Park Zone

1. Permitted Uses

d) Offices (administrative, business, executive and professional, ~~but not including medical or~~ ~~and dental, laboratory, urgent/express care, and optometrist, not including hospital~~).

h) ~~Veterinary services with no outdoor runs. Other similar uses, as interpreted by the Development Services Director or his/her designee.~~

i) Drive thru lanes, incidental to the primary use, pursuant to the HMC.

j) Other similar uses, as interpreted by the Development Services Director or his/her designee.

2. Conditionally Permitted Uses

~~d) Drive thru lanes, incidental to the primary use, pursuant to the HMC.~~

de) Health and fitness clubs – more than 4,000 square feet.

ef) Hospital.

fg) Hotel.

gh) Laboratories – research.

~~i) Medical services – clinic, medical/dental offices, laboratory, urgent/express care, and optometrist (not including hospital).~~

hj) Retail sales – under 10,000 square feet in size.

ik) Schools – college, community college, university (public or private).

jl) Schools – vocational and technical.

~~km) Vehicle fuel stations (i.e., gasoline stations).~~

ln) Vehicle sales – new, and rental.

4.4 Street Yard Setbacks

(1) The minimum street yard setback shall be 25 feet, **front yard setback shall be 25 and street side yards shall be 15 feet.** ~~For corner lots, all street-facing sides shall meet this requirement.~~

(2) **Refer to section 16.20 Article VII of the HMC for Mminimum landscaping requirements** of 10 feet is required adjacent to the property lines, pursuant to Chapter 10 (Commercial Design Standards and Guidelines) of this Plan.

4.5 Rear Yard Setbacks

The following are the minimum requirements for rear yard setbacks:

(1) Where the rear property line abuts a residential zone, minimum rear yard setback shall be ~~3~~**20** feet if ~~there is an alley (distance from building to rear property line or alley easement), and 40 feet where there is no alley.~~

(2) Where the rear property line abuts any non-residential (commercial, industrial, institutional or public facilities) zone, the minimum rear yard setback shall be 20 feet if ~~there is an alley (distance from building to rear property line or alley easement), and 30 feet where there is no alley.~~

(3) **Refer to section 16.20 Article VII of the HMC for Mminimum landscaping requirements** of 10 feet is required adjacent to the property lines, pursuant to Section 4.9 below.

4.6 Interior Side Yard Setbacks

The following are the minimum requirements for interior side yard setbacks:

(1) Where the interior property line abuts a residential zone, the minimum interior yard setback shall be ~~3~~**20** feet if ~~there is an alley (distance from building to rear property line or alley easement), and 40 feet where there is no alley.~~

(2) Where the interior side property line abuts any non-residential (commercial, industrial, institutional or public facilities) zone, the minimum interior side yard setback shall be 20 feet if ~~there is an alley (distance from building to interior property line or alley easement), and 30 feet where there is no alley.~~

(3) **Refer to section 16.20 Article VII of the HMC for Mminimum landscaping requirements** of 10 feet is required adjacent to the property lines, pursuant to Section 4.9 below.

E. OFFICE COMMERCIAL ZONE

1. Permitted Uses

g) Offices (administrative, business, executive and professional, ~~but not including medical or~~ **and dental**).

n) **Veterinary services.** ~~Other similar uses, as interpreted by the Development Services Director or his/her designee.~~

o) Drive thru lanes, incidental to the primary use, pursuant to the HMC.

p) Other similar uses, as interpreted by the Development Services Director or his/her designee.

2. Conditionally Permitted Uses

~~f) Drive thru lanes, incidental to the primary use, pursuant to the HMC.~~

~~h) Medical services – clinic, medical/dental offices, laboratory, urgent/express care, and optometrist (not including hospital).~~

g) Recreational facilities – commercial (e.g., billiard parlors and pool halls, bowling alleys, etc.).

h) Repair shop – small items (computers, small appliances, watches, etc), with incidental sales.

i) Retail sales – over 10,000 square feet.

~~l) Schools – specialty non-degree (e.g., dance and martial arts).~~

m) Schools – vocational and technical.

n) Shopping center – more than 5 acres in size – limited to a corner lot location

o) Vehicle fuel stations

~~p) Veterinary services.~~

4.4 Street Yard Setbacks

(1) The minimum street yard setback shall be ~~250~~ feet **front yard setback shall be 25 and street side yards shall be 15 feet.** For corner lots, all street-facing sides shall meet ~~this requirement.~~

(2) **Refer to section 16.20 Article VII of the HMC for Mminimum landscaping requirements** of 10 feet is required adjacent to the property lines, pursuant to Chapter 10 (Commercial Design Standards and Guidelines) of this Plan.

4.5 Rear Yard Setbacks

The following are the minimum requirements for rear yard setbacks:

(1) Where the rear property line abuts a residential zone, the minimum rear yard setback shall be ~~3~~20 feet.

(2) **Refer to section 16.20 Article VII of the HMC for Mminimum landscaping requirements** of 8 feet is required adjacent to the property lines, pursuant to Section 4.8 below.

4.6 Interior Side Yard Setbacks

The following are the minimum requirements for interior side yard setbacks:

(1) Where the interior property line abuts a residential zone, the minimum interior yard setback shall be ~~3~~20 feet.

(2) Where the interior side property line abuts any commercial zone, the minimum interior side yard setback shall be 20 feet.

(3) **Refer to section 16.20 Article VII of the HMC for Mminimum landscaping requirements** of 8 feet is required adjacent to the property lines, pursuant to Section 4.8 below.

F. PEDESTRIAN COMMERCIAL ZONE

4.4 Street Yard Setbacks

There shall be no street yard setback. Buildings shall be contiguous with the front property line (0-foot setback). The street yard setback shall apply to all yards adjacent to a public street. The following exceptions apply to street yard setbacks:

~~(1) For properties that have frontage on Main Street, the minimum street yard setback shall be 15 feet. The setback should incorporate a combination of "soft" features (landscaping, water, etc.) and "hard" features (pavers, patios, steps, porches, etc.).~~

(12) A portion of the front building elevation, not to exceed fifty percent of the length of the building frontage or 30 feet, whichever is less, may be setback up to 15 feet to allow for outdoor use, such as outdoor patio dining, display, public art, entry forecourts, or other amenity appropriate to an urban setback.

(3) No parking is permitted in the front yard setback.

4.5 Rear Yard Setbacks

No minimum rear yard setbacks are required, except for the following:

(1) Where the rear property line abuts a residential zone, the minimum rear yard setback shall be ~~15~~ 20 feet if there is an alley (distance from building to rear property line or alley easement), and ~~25~~ feet where there is no alley.

(2) If a rear yard setback is required, refer to section 16.20 Article VII of the HMC for ~~M~~minimum landscaping requirements of 8 feet is required adjacent to the property lines, pursuant to Section 4.8 below.

4.6 Interior Side Yard Setbacks

No minimum interior side yard setbacks are required, except for the following:

(1) Where the interior property line abuts a residential zone, the minimum interior yard setback shall be ~~15~~ 20 feet if there is an alley (distance from building to rear property line or alley easement), and ~~25~~ feet where there is no alley.

(2) If an interior side yard setback is required, refer to section 16.20 Article VII of the HMC for ~~M~~minimum landscaping requirements of 8 feet is required adjacent to the property lines, pursuant to Section 4.8 below.

G. NEIGHBORHOOD COMMERCIAL ZONE

1. Permitted Uses

h) Offices (administrative, business, executive and professional, but not including medical or and dental).

~~r) Veterinary Services. Other similar uses, as interpreted by the Development Services Director or his/her designee.~~

s) Drive thru lanes, incidental to the primary use, pursuant to the HMC

t) Other similar uses, as interpreted by the Development Services Director or his/her designee.

2. Conditionally Permitted Uses

- ~~g) Drive thru lanes, incidental to the primary use, pursuant to the HMC.~~
- gh) Equipment (small) sales and rental.
- hi) Home improvement sales and service, retail (hardware, lumber and building material stores) - 10,000 square feet or more.
- ~~j) Medical services – clinic, medical/dental offices, laboratory, urgent/express care, and optometrist (not including hospital).~~
- ik) Recreational facilities – commercial (e.g., billiard parlors and pool halls, bowling alleys, etc.).
- j) Schools – vocational and technical.
- km) Shopping center – more than 5 acres in size.
- ln) Vehicle fuel stations (i.e., gasoline stations).
- me) Vehicle rental.
- np) Vehicle repair facilities – minor.
- oq) Vehicle wash facilities.
- ~~r) Veterinary services.~~

4.4 Street Yard Setbacks

- (1) The minimum street yard setback shall be 250 feet, **front yard setback shall be 25 and street side yards shall be 15 feet** ~~For corner lots, all street-facing sides shall meet this requirement.~~
- (2) **Refer to section 16.20 Article VII of the HMC for M**minimum landscaping requirements of 8 feet is required adjacent to the property lines, pursuant to Chapter 10 (Commercial Design Standards and Guidelines) of this Plan.

4.5 Rear Yard Setbacks

The following are the minimum requirements for rear yard setbacks:

- (1) Where the rear property line abuts a residential zone, the minimum rear yard setback shall be 20 feet ~~if there is an alley (distance from building to rear property line or alley easement), and 30 feet where there is no alley.~~
- (2) Where the rear property line abuts any non-residential (commercial, industrial, institutional or public facilities) zone, the minimum rear yard setback shall be 40 feet ~~if there is an alley (distance from building to rear property line or alley easement), and 20 feet where there is no alley.~~
- (3) **Refer to section 16.20 Article VII of the HMC for M**minimum landscaping requirements of 8 feet is required adjacent to the property lines, pursuant to Section 4.8 below.

4.6 Interior Side Yard Setbacks

The following are the minimum requirements for interior side yard setbacks:

- (1) Where the interior property line abuts a residential zone, the minimum interior yard setback shall be 20 feet ~~if there is an alley (distance from building to rear property line or alley easement), and 30 feet where there is no alley.~~

(2) Where the interior side property line abuts any non-residential (commercial, industrial, institutional or public facilities) zone, the minimum interior side yard setback shall be 10 feet if there is an alley (distance from building to interior property line or alley easement), and 20 feet where there is no alley.

(3) Refer to section 16.20 Article VII of the HMC for Minimum landscaping requirements of 8 feet is required adjacent to the property lines, pursuant to Section 4.8 below.

H. COMMERCIAL/INDUSTRIAL BUSINESS PARK ZONE

1. Permitted Uses

g) Offices (administrative, business, executive and professional, but not including medical or dental).

o) ~~Veterinary services. Other similar uses, as interpreted by the Development Services Director or his/her designee.~~

pb) Drive thru lanes, incidental to the primary use, pursuant to the HMC.

q) Schools-specialty non-degree (e.g. dance and martial arts)

re) Other similar uses, as interpreted by the Development Services Director or his/her designee.

2. Conditionally Permitted Uses

a) Alcohol sales – on-site, incidental to the primary use.

b) ~~Drive thru lanes, incidental to the primary use, pursuant to the Hesperia Municipal Code.~~

be) Equipment (large) sales and rental.

cd) Equipment (small) sales and rental.

de) Health and fitness clubs – more than 4,000 square feet.

f) ~~Medical services – clinic, medical/dental offices, laboratory, urgent/express care, and optometrist.~~

eg) Schools – college, community college, university (public or private).

fh) Schools - vocational and technical.

gi) Vehicle fuel stations (i.e., gasoline stations).

hj) Vehicle rental and sales.

ik) Vehicle repair – major.

jl) Vehicle repair – minor.

km) Vehicle wash facilities.

ln) Warehousing and wholesale distribution centers – greater than 200,000 square feet in size.

me) Other similar uses, as interpreted by the Development Services Director or his/her designee.

4.4 Street Yard Setbacks

(1) The minimum street yard setback shall be 30 25 feet, front yard setback shall be 25 feet and street side yards shall be 15 feet For corner lots, all street-facing sides shall meet this requirement.

(2) Refer to section 16.20 Article VII of the HMC for Minimum landscaping requirements, pursuant to Chapter 10 (Commercial Design Standards and Guidelines) and Chapter 11 (Industrial Design Standards and Guidelines) of this Plan.

4.5 Rear Yard Setbacks

No minimum rear yard setback is required, except for the following:

(1) Where the rear property line abuts a residential zone, or residential development as a part of a Regional Commercial zone, the minimum rear yard setback shall be 450 feet if there is an alley (distance from building to rear property line or alley easement), and 50 feet where there is no alley.

(2) Where the rear property line abuts a commercial, institutional or public facilities zone, the minimum rear yard setback shall be 20 feet if there is an alley (distance from building to rear property line or alley easement), and 30 feet where there is no alley.

(23) If a rear yard setback is required, refer to section 16.20 Article VII of the HMC for Minimum landscaping requirements of 10 feet is required adjacent to the property lines, pursuant to Section 4.9 below.

4.6 Interior Side Yard Setbacks

No minimum interior side yard setback is required, except for the following:

(1) Where the interior property line abuts a residential district, or residential development as a part of a Regional Commercial zone, the minimum interior yard setback shall be 420 feet if there is an alley (distance from building to rear property line or alley easement), and 50 feet where there is no alley.

(2) Where the interior side property line abuts a commercial, institutional or public facilities zone, the minimum rear yard setback shall be 20 feet if there is an alley (distance from building to rear property line or alley easement), and 30 feet where there is no alley.

(3) If an interior side yard setback is required, refer to section 16.20 Article VII of the HMC for Minimum landscaping requirements of 10 feet is required adjacent to the property lines, pursuant to Section 4.9 below.

I. GENERAL INDUSTRIAL ZONE

1. Permitted Uses

q) Veterinary services - clinics and small animal hospitals (short term boarding).

r) Other similar uses, as interpreted by the Development Services Director or his/her designee.

2. Conditionally Permitted Uses

d) Veterinary services - clinics and small animal hospitals (short term boarding).

d e) Warehousing and wholesale distribution centers – 200,000 square feet or more.

4.4 Street Yard Setbacks

(1) The minimum street yard setback shall be 25 feet, ~~front yard setback shall be 25 feet and street side yards shall be 15 feet~~ For corner lots, ~~all street-facing sides shall meet this requirement.~~

(2) ~~Refer to section 16.20 Article VII of the HMC for M~~minimum landscaping requirements ~~of 10 feet is required adjacent to the property lines, pursuant to Chapter 11 (Industrial Design Standards and Guidelines) of this Plan.~~

4.5 Rear Yard Setbacks

No minimum rear yard setback is required, except for the following:

(1) Where the rear property line abuts a residential zone, the minimum rear yard setback shall be ~~4~~50 feet ~~if there is a street or alley (distance from building to rear property line or alley easement), and 50 feet where there is no street or alley.~~

(2) ~~Where the rear property line abuts a commercial, institutional or public facilities zone, the minimum rear yard setback shall be 15 feet if there is a street or alley (distance from building to rear property line or alley easement), and 25 feet where there is no street or alley.~~

(3) If a rear yard setback is required, ~~refer to section 16.20 Article VII of the HMC for M~~minimum landscaping requirements ~~of 8 feet is required adjacent to the property lines, pursuant to Section 4.8 below.~~

4.6 Interior Side Yard Setbacks

No minimum interior side yard setback is required, except for the following:

(1) Where the interior property line abuts a residential zone, the minimum interior yard setback shall be ~~4~~50 feet ~~if there is an alley (distance from building to rear property line or alley easement), and 50 feet where there is no alley.~~

(2) ~~Where the interior side property line abuts a commercial, institutional or public facilities zone, the minimum rear yard setback shall be 15 feet if there is an alley (distance from building to rear property line or alley easement), and 20 feet where there is no alley.~~

(3) If an interior side yard setback is required, ~~refer to section 16.20 Article VII of the HMC for M~~minimum landscaping requirements ~~of 8 feet is required adjacent to the property lines, pursuant to Section 4.8 below.~~

B. LOW DENSITY RESIDENTIAL ZONE

1. Permitted Uses

c) Manufactured dwellings.

d) Mobile home park, ~~with a minimum 5-acre site size~~

e) Second Dwelling unit, incidental to the primary use, ~~on parcels with a minimum size of 10 square feet.~~ and subject to section 16.12.360 of the Development Code.

2. Conditionally Permitted Uses

e) ~~Second dwelling unit, incidental to the primary use.~~

4.5 Street Yard Setbacks

(1) The minimum street yard setback shall be ~~250~~ feet, as measured from the property line. ~~Front yard setback shall be 25 feet and street side yards shall be 15 feet~~ For corner lots, ~~all street-facing sides shall meet this requirement.~~

4.6 Rear Yard Setbacks

(1) The minimum rear yard setback shall be 15 feet, as measured from the property line, ~~with the following exception—in computing depth of a rear yard where such yard opens into an alley, one-half of the width of such alley may be assumed to be a portion of the required rear yard.~~

4.7 Interior Side Yard Setbacks

(1) ~~The minimum interior side yard setback on both sides shall be 10 feet, as measured from the property line.~~ The minimum interior side yard setback on at least one of the interior sides shall be 10 feet, as measured from the property line. The minimum interior side yard setback on the other side shall be 5 feet, as measured from the property line.

4.8 Garages and Driveways

(2) ~~The following exception to the above—mentioned standards shall apply: No overnight parking (during the hours of 10 PM and 7 AM) is allowed within the street yard setback(s).~~

5. Development Standards for Small Lot Subdivisions

5.5 Maximum Building Height

The maximum building height shall be ~~350~~-feet, except for the following:

5.7 Rear Yard Setbacks

(1) The minimum rear yard setback shall be 15 feet, as measured from the property line, ~~with the following exception—in computing depth of a rear yard where such yard opens into an alley, one-half of the width of such alley may be assumed to be a portion of the required rear yard.~~

C. VERY LOW DENSITY RESIDENTIAL ZONE

1. Permitted Uses

c) Manufactured dwellings.

4.5 Street Yard Setbacks

(1) The minimum street yard setback shall be ~~30~~ 25 feet, as measured from the property line. For corner lots, all street-facing sides shall meet this requirement.

4.6 Rear Yard Setbacks

(1) The minimum rear yard setback shall be ~~2~~15 feet, as measured from the property line, with the following exception — in computing depth of a rear yard where such yard opens into an alley, one-half of the width of such alley may be assumed to be a portion of the required rear yard.

4.7 Interior Side Yard Setbacks

(1) The minimum interior side yard setback on at least one of the interior sides shall be ~~10~~5 feet, as measured from the property line. The minimum interior side yard setback on the other side shall be ~~5~~ 40 feet, as measured from the property line.

E. MEDIUM DENSITY RESIDENTIAL ZONE

1. Permitted Uses

g) ~~Emergency shelters- shall conform to all standards for institutional uses based on services provided. Other similar uses, as interpreted by the Development Services Director or his/her designee.~~

h) Other similar uses, as interpreted by the Development Services Director or his/her designee.

4.8 Rear Yard Setbacks

(1) The minimum rear yard setback(s) shall be 15 feet, as measured from the property line, with the following exception — in computing depth of a rear yard where such yard opens into an alley, one-half of the width of such alley may be assumed to be a portion of the required rear yard.

G. MIXED-USE ZONE

1. Permitted Uses

k) ~~Second dwelling unit. Other similar uses, as interpreted by the Development Services Director or his/her designee.~~

l) ~~Emergency Shelters- shall conform to all standards for institutional uses based on services provided.~~

m) Other similar uses, as interpreted by the Development Services Director or his/her designee.

2. Conditionally Permitted Uses

~~c) Second dwelling unit, incidental to the primary use.~~

cd) Group homes not licensed by the state with two or more residents, pursuant to the HMC.

de) Large residential care facilities, community care facilities, senior housing, intermediate care of seven or more and licensed by the state, pursuant to the HMC.

4.5 Street Yard Setbacks

Standards provided in Chapter 7, Section B.4.5 5.6 of this chapter shall apply.

4.6 Rear Yard Setbacks

Standards provided in Chapter 7, Section B.4.6 5.7 of this chapter shall apply.

4.7 Interior Side Yard Setbacks

Standards provided in Chapter 7, Section B.4.7 5.8 of this chapter shall apply.



**CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE**

**City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345**

**BEGINNING AT 10:00 A.M.
WEDNESDAY, SEPTEMBER 14, 2011**

A. PROPOSALS:

1. VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY (SPR11-10120)

Proposal: A Public Facility Review to construct a wastewater reclamation plant on approximately 10.9 gross acres located on the northwest corner of Mojave Street and Tamarisk Avenue and a lift station on approximately 0.3 acres located on the northwest corner of Fresno Street and Primrose Avenue.

Location: APN: 0405-313-26 thru 30 & 45 and 0405-711-70 & 71

Planner: Stan Liudahl

Action: Administrative Approval

2. MR. AND MRS. SUBLETT (ME11-10246)

Proposal: A minor exception to allow a 576 square foot wood shed, which in combination with an existing 600 square foot garage, exceeds the accessory building area limitation.

Location: 16575 Joshua Street (APN: 0412-256-12)

Planner: Paul Rull

Action: Administrative Approval

3. APOSTOLIC ASSEMBLY (SPR11-10240)

Proposal: A revised site plan review to construct a 1,064 square foot addition for a church.

Location: 11022 Eleventh Avenue (APN: 0406-082-21)

Planner: Lisette Sanchez-Mendoza

Action: Administrative Approval



**CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE**

**City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, SEPTEMBER 28, 2011**

A. PROPOSALS:

There are no items scheduled for this meeting; however, the meeting will be open for any walk-on items.