

# PLANNING COMMISSION AGENDA

## REGULAR MEETING

**Date: March 8, 2012**

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

### COMMISSION MEMBERS

Chris Elvert, Chair

William A. Muller, Vice Chair

Bill Jensen, Commissioner

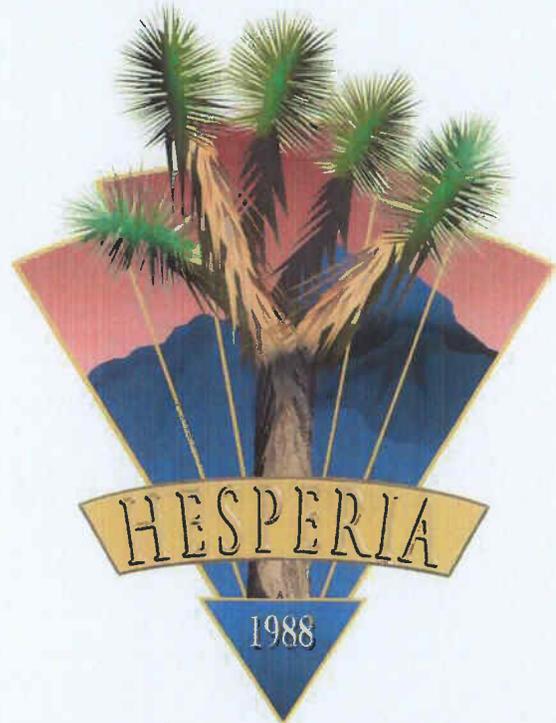
Julie Jensen, Commissioner

Eric Schmidt, 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.

MARCH 8, 2012

**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 Eric Schmidt

**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: February 9, 2012 Planning Commission Meeting Draft Minutes.

-1-

**PUBLIC HEARINGS**

- 1. Consideration of Development Code Amendment DCA12-10107 pertaining to the Additional Uses Ordinance and the Alternative Energy Technology Ordinance. (Applicant: City of Hesperia; Affected area: Citywide) (Staff Person: Daniel Alcayaga, Stan Liudahl)

1-1

**PRINCIPAL PLANNER'S REPORT**

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

- E. General Plan Annual Report 2-1
- F. DRC Comments 3-1
- G. Major Project Update

**PLANNING COMMISSION BUSINESS OR REPORTS**

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

**ADJOURNMENT**

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

I, Kathy Stine, Planning Commission Secretary for City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Thursday, March 1, 2012 at 5:30 p.m. pursuant to California Government Code §54954.2.

  
Kathy Stine  
Planning Commission Secretary

**HESPERIA PLANNING COMMISSION MEETING  
REGULAR MEETING  
February 9, 2012  
MINUTES**

**DRAFT**

The Regular Meeting of the Planning Commission was called to order at 6:34 p.m. by Chair Elvert in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

**CALL TO ORDER** **6:34 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 Eric Schmidt**

Present: Chris Elvert  
William Muller  
Eric Schmidt

Absent: Bill Jensen  
Julie Jensen

**Motion by Chris Elvert to excuse the absence of Bill Jensen and Julie Jensen. Seconded by William Muller and passed with the following roll call vote:**

**AYES: Chris Elvert, William Muller, and Eric Schmidt**  
**NOES: None**  
**ABSENT: Bill Jensen and Julie Jensen**

**JOINT PUBLIC COMMENTS**

**Chair Elvert opened Public Comments at 6:36 p.m.**

No comments to consider.

**Chair Elvert closed Public Comments at 6:37 p.m.**

**CONSENT CALENDAR**

**D. Approval of Minutes: January 12, 2011 Planning Commission Meeting Draft Minutes.**

**Motion by Eric Schmidt to approve the January 12, 2011 Planning Commission Meeting Draft Minutes. Seconded by Chris Elvert and passed with the following roll call vote:**

**AYES: Chris Elvert, William Muller, and Eric Schmidt**  
**NOES: None**  
**ABSENT: Bill Jensen and Julie Jensen**

**PUBLIC HEARING**

1. Consideration of Conditional Use Permit CUP12-10103 to allow the sale of beer and wine for on-site consumption as part of a restaurant at 14135 Main Street, Unit 401. (Applicant: Leemar Investments, Inc.; APN: 3057-121- 19). (Staff Person: Daniel Alcayaga)

Senior Planner **Daniel Alcayaga** gave a PowerPoint presentation and stated staff recommended approval.

**Chair Elvert** opened the public hearing at 6:42 p.m.

Applicant **Lee Alvarez, Jr.** offered to answer questions from the Commission.

**Chair Elvert** closed the public hearing at 6:43 p.m.

Motion by **Eric Schmidt** to approve RESOLUTION NO. PC-2012-04 as presented, approving CUP12-10103. Seconded by **William Muller** and passed with the following roll call vote:

**AYES:** Chris Elvert, William Muller, and Eric Schmidt  
**NOES:** None  
**ABSENT:** Bill Jensen and Julie Jensen

**PRINCIPAL PLANNER'S REPORT**

- E. DRC Comments

Principal Planner **Dave Reno**, AICP gave an update on DRC items.

- F. Major Project Update

**Dave Reno** gave a progress report on the **Ranchero Road** interchange regarding funding. **Dave** also stated that plan check was completed on the **Cinema** and the groundbreaking was planned for **February 23rd**.

**Dave Reno** stated that in response to a request from the last meeting that Engineering went out and looked at the road condition at "E" Ave. and Alston and he will update the Commission at the next meeting after he receives the report from Engineering.

- G. Discussion item regarding Development Code Section 16.16.060, 16.16.063 and 16.16.064; Uses provided for in any zone or land use district (Additional Uses) and Alternative Energy Technology Standards.

Senior Planners **Daniel Alcayaga** and **Stan Liudahl** gave a PowerPoint presentation based on the comments from last meeting.

**Chris Elvert** asked if a CUP was proposed for a project on one acre or more, if that would "handcuff" business or cause a hindrance to staff?

**Daniel Alcayaga** responded that the cost was considerably more and the process was longer for a CUP.

Discussion ensued.

Dave Reno stated that it was staff's opinion that smaller churches should stay with DRC approval.

Chris Elvert asked staff about the limitations on solar and wind farms and the availability of other locations.

Dave Reno responded that it would limit developers a bit but the criteria would keep them away from residential and agricultural land.

Discussion ensued regarding the 660 foot limitation standard.

Eric Schmidt had questions regarding Attachment 1 Article 3 Additional Uses and requested that launch and test facilities be prohibited like an airport.

Eric Schmidt stated churches should be considered regarding square footage of building not lot size and should require a CUP depending on the impact.

Daniel Alcayaga suggested that a CUP be required if a church was proposed in a residential or agricultural zone and require a SPR if the location was in a commercial or industrial area.

Commission agreed.

**Chair Elvert opened public comment at 7:26 p.m.**

Sadie Barajas wanted an explanation regarding the solar farm issue and Chris Elvert explained that the Council overturned the Planning Commission decision.

**Chair Elvert closed public comment at 7:28 p.m.**

### PLANNING COMMISSION BUSINESS OR REPORTS

Eric Schmidt stated that parents of students at Mesquite Trails School may come next month to speak regarding the lack of pedestrian crossing access to the school.

### ADJOURNMENT

Chair Elvert adjourned the meeting at 7:31 p.m. until March 8, 2012 Planning Commission.

Chris Elvert  
Commission Chair

By: Kathy Stine,  
Commission Secretary



**DATE:** March 8, 2012  
**TO:** Planning Commission  
**FROM:** Dave Reno, AICP, Principal Planner  
**BY:** Daniel Alcayaga, AICP, Senior Planner  
Stan Liudahl, AICP, Senior Planner

**SUBJECT:** Consideration of Development Code Amendment DCA12-10107 pertaining to the Additional Uses Ordinance and related Ordinances; Applicant: City of Hesperia; Area affected: Citywide

---

### RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2012-05, approving DCA12-10107 amending the Additional Use Ordinance and the Alternative Energy Technology Ordinance.

### BACKGROUND

On January 17, 2012, the City Council overturned the approval of two solar farm projects that were approved by the Development Review Committee (DRC) and those approvals were affirmed by the Planning Commission. These projects were processed pursuant to Section 16.16.060 (Attachment 1), which allows many uses including government, institutional, utility, and other uses with quasi-public functions within any land use designation with approval of a site plan review. The Council and Commission were concerned regarding the compatibility of solar farms, generally seen as commercial/industrial uses, within residential areas; and the appropriateness of a site plan review for such uses requiring only DRC approval.

The Commission discussed the proposed Ordinance at its January 12, 2012 and February 9, 2012 meetings. The Commission suggested a minimum lot size requirement; not allowing solar or wind farms in residential areas; requiring fencing or walls; and providing a better definition for electrical generating stations. The Commission also voiced concern that the area of solar energy systems on rooftops would be subject to the 15 percent coverage limitation. Although the table within Section 16.16.064 does not restrict area, staff has included clarifying language in this Ordinance allowing roof-mounted solar panels to be unlimited, except for the limitations providing acceptable fire department roof access.

Commissioners expressed concerns associated with large institutional uses such as churches in residential areas. Accordingly, churches in residential and agricultural designations would be required to obtain approval of a Conditional Use Permit (CUP); and churches in nonresidential and nonagricultural designations would continue to be required to obtain approval of a Site Plan Review (SPR). The Commission also asked that the Ordinance address launching/testing facilities and other aerospace-type uses.

## **ISSUES/ANALYSIS**

This Development Code Amendment (DCA) is being considered primarily due to the Commission's request, but staff is taking this opportunity to reevaluate the Additional Uses Ordinance in its entirety. This DCA will also revise portions of the recently amended Alternative Energy Technology Ordinance. The proposed amendments include (Attachment 3):

### **Alternative Energy Technology Ordinance:**

- Restricting solar farms to non-residential and non-agricultural areas with approval of a Conditional Use Permit (CUP) as well as reconsider the areas that wind farms may be authorized.
- Installation of solar energy systems upon existing developed non-residential and non-agricultural properties will be allowed without approval of a land use application as long as the solar energy system is ancillary to a permitted primary use and complies with the current Alternative Energy Ordinance.
- Installation of windmills on existing developed non-residential and non-agricultural properties will be permitted in accordance with the existing Alternative Energy Ordinance as long as it is ancillary to an allowed primary use.
- Ground-mounted solar energy systems in residential and agricultural areas which exceed 15 percent of the lot area shall not be considered an accessory use and shall be defined as a solar farm.
- Requiring a 660-foot separation for solar or wind farms from a railway spur, any Interstate, any Arterial roadway; or any agricultural or residentially designated property.
- Providing screening of the solar collectors and related equipment within solar farms in the form of a decorative fence or wall along the project perimeter.
- Requiring a service plan justifying the location; and requiring evidence of approval from Southern California Edison prior to issuance of a building permit.
- Requiring the filing of a bond for removal of the solar farm if abandoned, ensuring that the solar panels will be removed if the facility is not in operation for 180 days or more.
- New definitions for "electrical generating stations," "electrical substations," and "solar or wind farms" are provided.

### **Additional Uses:**

- Land uses from the Additional Uses provisions have been listed in a table so that the information is located in one place and easy to use.
- A CUP is proposed to be required for radio/television stations and towers, solid waste disposal sites, sewer treatment/disposal sites, racetracks/stadiums, natural resources, train/bus stations, airports and landing strips, hospitals, rehab centers, organization centers and shooting ranges.
- A CUP is proposed to be required for churches, schools/universities, conference centers and electrical generating stations/substations within agricultural and residential designations; and a Site Plan Review required if located in nonresidential and nonagricultural designations. Regulating religious uses in this manner would not be inconsistent with the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), as churches would still be allowed in all zone districts.

- Similar to residential areas, airports and landing strips are proposed not to be permitted in agricultural areas. Approval of a CUP will be required to allow launching/testing facilities and other aerospace-type uses within nonresidential designations.

The Commission previously discussed establishing a minimum lot size for solar farms. However, during consideration of the appeals the Council stated that solar farms belong in commercial or industrial zones. As proposed, solar farms would only be allowed in commercial, institutional and industrial designations. The 660-foot separation provision from major transportation corridors also ensures that solar farms are not located on prime commercial and industrial land. Similarly, staff recommends that wind farms be restricted in the same manner. The Alternative Energy Technology Ordinance currently allows wind farms in rural residential, agricultural, institutional, and industrial designations with approval of a conditional use permit. Staff recommends that wind farms not be allowed in rural residential and agricultural designations.

**Environmental:** Approval of the Development Code Amendment is exempt from the requirements of the California Environmental Quality Act by Section 15061(b)(3) of the CEQA Guidelines. The proposed Ordinance does not expand the allowable uses or grant entitlements not already permitted by the Development Code.

## **CONCLUSION**

The Development Code Amendment will be consistent with the intent of the Climate Action Plan, the General Plan and the Main Street and Freeway Corridor Specific Plan to promote alternative energy but preserve prime land for commercial and industrial uses.

## **FISCAL IMPACT**

None.

## **ALTERNATIVES**

1. The Planning Commission may choose to further restrict the draft definition for electrical generating stations. The proposed definition will no longer allow solar farms within all land use designations, but will allow secondary electrical distribution substations and other types of utilities, which require flexibility in site location anywhere with approval of a site plan review application. As such, staff does not support this alternative.
2. The Planning Commission may not support inclusion of a 660-foot limitation for solar farms from a railway spur, any Interstate, Highway, or Major Arterial, Arterial, or Secondary Arterial roadway; or any agricultural or residentially designated property. This distance restriction will ensure that solar farms located on the fringe of commercial and industrial areas will not pose a significant negative impact on residential areas. As such, staff does not recommend this alternative.
3. Provide alternative direction to staff.

## **ATTACHMENTS**

1. Section 16.16.060(A)
2. Resolution PC-2012-05, recommending adoption of DCA12-10107, with Exhibit "A"

# ATTACHMENT 1

## ARTICLE III. ADDITIONAL USES

### 16.16.060 Uses provided for in any zone or land use district.

A. Land uses listed in Section 16.16.060(A)(2) may be permitted in any zone or land use district subject to a site approval in accordance with the provisions of Section 16.12.080 et seq. when one or more of the conditions cited in Section 16.16.060(A)(1) have been met.

1. Condition of Uses.

- a. The location of land use is determined by other land uses which are directly supposed by the proposed use; or
- b. The land use is part of the community or regional infrastructure; or
- c. The location of the proposed use is determined by the location of raw materials in their natural state such as mineral deposits, natural vegetation and energy sources; or
- d. The character of the proposed use is such that it requires a remote location away from other land uses; or
- e. The land use is deemed essential or desirable to the public convenience or welfare.

2. Land Uses Permitted Subject to Site Approval.

- a. Temporary and permanent governmental facilities and enterprises (federal, state and local) where buildings and/or property are publicly owned or leased;
- b. Temporary support facilities associated with the construction of highways and other public facilities including, but not limited to, batch plants and equipment storage yards;
- c. Transportation facilities principally involved in the movement of people together with the necessary buildings, apparatus or appurtenances incidental thereto, including, but not limited to, airports, train stations, bus stations and carpool facilities;
- d. Institutional uses including, but not limited to, schools and universities, conference centers, hospitals, churches, rehabilitation centers and organizational camps;
- e. Cemeteries, including pet cemeteries;
- f. Solid waste disposal sites, rubbish incinerators and recycling centers;
- g. Sewer plants and sewage disposal sites;
- h. Electrical generating stations;
- i. Public utilities and public service uses of structures including, but not limited to, reservoirs, pumping plants, electrical substations, central communication office, microwave and repeater huts and towers and satellite receiving stations;
- j. Radio and television stations or towers;
- k. Development of natural resources including, but not limited to, mineral deposits, natural vegetation and energy sources, together with the necessary buildings, apparatus or appurtenances incidental thereto;
- l. Racetracks or stadiums;
- m. Campgrounds not exceeding a density of four sites per acre;
- n. Sport oriented recreational uses requiring remote locations including, but not limited to, rifle and archery ranges, sky diving jump sites, off-road vehicle parks, marinas, golf courses, hunting and fishing clubs, ski resorts and recreational camps.

# ATTACHMENT 2

## RESOLUTION NO. PC-2012-05

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A DEVELOPMENT CODE AMENDMENT PERTAINING TO THE ADDITIONAL USES ORDINANCE AND RELATED ORDINANCES (DCA12-10107)**

**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 has initiated DCA12-10107, amending Title 16 of the Hesperia Municipal Code to revise the Additional Uses, the Definitions, and the Alternative Energy Technology Ordinances; 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 of development 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 March 8, 2012, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Development Code Amendment and concluded said hearing on that date; and

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

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

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

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

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends adoption of Development Code Amendment DCA12-10107, as shown on Exhibit "A".

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

**ADOPTED AND APPROVED** on this 8<sup>th</sup> day of March 2012.

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

ATTEST:

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

## Exhibit "A"

~~Strike through~~ indicates text that has been eliminated and red text indicates text has been added.

### The following definitions shall be added to Chapter 16.08 Definitions:

#### 16.08.208 Electrical generating stations

"Electrical generating stations" means a facility that is operated by a power producer and whose primary function is the provision of electricity to the electrical distribution system or transmission grid. Electrical generating station does not include solar or wind farms.

#### 16.08.209 Electrical substations

"Electrical substations" means a facility that is operated by a public utility where electric energy is received at a sub-transmission voltage and transformed to a lower voltage for distribution for general consumer use. Electrical substations does not include solar or wind farms.

#### 16.08.771 Solar or Wind Farms

"Solar or Wind Farms" means a facility that is operated by a power producer and whose primary function is the provision of electricity to the electrical distribution system or transmission grid and produces electricity using windmills or solar energy systems. The number or area of the solar panels and windmills are in excess of the accessory use limitations allowed in Section 16.16.063.

### Chapter 16.16, Article III shall be amended as follows:

#### Chapter 16.16, Article III. Additional Uses

16.16.060 - Uses provided for in any zone or land use district.

A. Land uses listed in Section 16.16.060(A)(2) may be permitted or conditionally permitted in any zone or land use designation district subject to a site the land use entitlement established in Table 1 and approval in accordance with the provisions of Section 16.12.080 et seq. when one or more of the conditions cited in Section 16.16.060(A)(1) have been met. Land uses approved with a Site Plan Review (SPR) shall be in accordance with the provisions in Chapter 16.12, Article II; and land uses approved with a Conditional Use Permit (CUP) shall be in accordance with the provisions in Chapter 16.12, Article III.

#### 1. Condition of Uses.

- a. The location of land use is determined by other land uses which are directly supported by the proposed use; or
- b. The land use is part of the community or regional infrastructure; or

c. The location of the proposed use is determined by the location of raw materials in their natural state such as mineral deposits, natural vegetation and energy sources; or

d. The character of the proposed use is such that it requires a remote location away from other land uses; or

e. The land use is deemed essential or desirable to the public convenience or welfare.

2. Land Uses Permitted Subject to ~~Site~~ Land Use Approval. The additional uses in this Section are provided in a table format and apply to all land use designations or districts in the City, including Specific Plan areas. Land uses are listed in the first (vertical) column of the table and required land use entitlements in the top (horizontal) row. An "X" in the corresponding column represents the required entitlement process. Footnotes are also provided and considered part of this Development Code.

Table 1

GENERAL USES:	SPR	CUP
Cemeteries, including pet cemeteries <sup>1</sup>	X	
Solid waste disposal sites, rubbish incinerators and recycling centers		X
Sewer treatment plants and sewage disposal sites		X
Electrical generating stations, as defined in Section 16.08.208 <sup>2</sup>	X	X
Solar or Wind Farms, as defined in Section 16.08.771 <sup>3 &amp; 4</sup>		X
Radio and television stations or towers providing broadcast services		X
Racetracks or stadiums		X
Campgrounds, not exceeding a density of four sites per acre	X	
Natural resources (i.e. mineral deposits and natural vegetation <del>and energy sources</del> together with the necessary buildings, apparatus or appurtenances incidental thereto)		X
Transportation facilities principally involved in the movement of people together with the necessary buildings, apparatus or appurtenances incidental thereto, including, but not limited to, <del>airports, train stations and bus stations and carpool facilities;</del> <sup>5</sup>		X
Carpool facilities	X	

	SPR	CUP
Testing ranges, airports, landing strips, launching/testing facilities and other aerospace-type uses <sup>4</sup>		X
<b>INSTITUTIONAL USES:</b>		
Schools and universities <sup>2&amp;6</sup>	X	X
Conference centers <sup>2</sup>	X	X
Hospitals		X
Churches <sup>2</sup>	X	X
Rehabilitation centers <sup>7</sup>		X
Organizational camps <sup>7</sup>		X
<b>PUBLIC UTILITIES AND PUBLIC SERVICE USES:</b>		
Temporary and permanent governmental facilities and enterprises (federal, state and local) where buildings and/or property are publicly owned or leased		X
Reservoirs, pumping plants	X	
Temporary support facilities associated with the construction of highways and other public facilities including, but not limited to, batch plants and equipment storage yards	X	
Electrical substations, as defined in Section 16.08.209 <sup>2</sup>	X	X
Central communication office	X	
Microwave and repeater huts	X	
Towers and satellite receiving stations		X
<b>SPORT ORIENTED RECREATIONAL USES:</b>		
Sky diving jump sites, and recreational camps	X	
Rifle and archery ranges (Indoor/Outdoor)		X
Off-road vehicle parks		X
Golf courses, country clubs		X

Hunting and fishing clubs		X
---------------------------	--	---

Notes:

1. Cemeteries shall not be allowed in the R3 land use designation.
2. Projects in nonresidential designations shall require approval of a SPR. Projects in residential and agricultural designations shall require approval of a CUP.
3. Solar or Wind farms shall be subject to Section 16.16.036, Alternative Energy Technology Standards.
4. These uses shall not be allowed in residential and agricultural land use designations or districts.
5. Bus stations shall not be allowed in the PC District of the Main Street and Freeway Corridor Specific Plan.
6. A CUP shall be required in areas specified by the Main Street and Freeway Corridor Specific Plan.
7. These uses shall be subject to Section 16.16.072, Residential care facilities, group homes, and sex offender residency.

~~a. Temporary and permanent governmental facilities and enterprises (federal, state and local) where buildings and/or property are publicly owned or leased;~~  
~~b. Temporary support facilities associated with the construction of highways and other public facilities including, but not limited to, batch plants and equipment storage yards~~

~~c. Transportation facilities principally involved in the movement of people together with the necessary buildings, apparatus or appurtenances incidental thereto, including, but not limited to, airports, train stations, bus stations and carpool facilities;~~

~~d. Institutional uses including, but not limited to, schools and universities, conference centers, hospitals, churches, rehabilitation centers and organizational camps;~~

~~e. Cemeteries, including pet cemeteries;~~

~~f. Solid waste disposal sites, rubbish incinerators and recycling centers;~~

~~g. Sewer plants and sewage disposal sites;~~

~~h. Electrical generating stations;~~

~~i. Public utilities and public service uses of structures including, but not limited to, reservoirs, pumping plants, electrical substations, central communication office, microwave and repeater huts and towers and satellite receiving stations;~~

~~j. Radio and television stations or towers;~~

~~k. Development of natural resources including, but not limited to, mineral deposits, natural vegetation and energy sources, together with the necessary buildings, apparatus or appurtenances incidental thereto;~~

~~l. Racetracks or stadiums;~~

~~m. Campgrounds not exceeding a density of four sites per acre;~~

~~n. Sport-oriented recreational uses requiring remote locations including, but not limited to, rifle and archery ranges, sky diving jump sites, off-road vehicle parks, marinas, golf courses, hunting and fishing clubs, ski resorts and recreational camps.~~

B. Unless preempted by state or federal law, the specific land uses listed in Section 16.16.060(B)(2) shall be permitted or conditionally permitted in any zone or land use district designation when, in the opinion of the ~~planning officer~~ reviewing authority, the conditions cited in Section 16.16.060(B)(1) have been met.

1. Condition of Permitted Uses.

a. The land use has been approved at public hearing by a state or federally appointed body or commission empowered to approve or license the land use;

b. Notice has been given so as to provide an opportunity for those interested or affected by the proposed use to take part in local public hearings conducted by the state or federal body or commission approving the land use;

c. The review process used by the approving agency has substantially addressed the same issues and concerns that would be addressed in applicable city review and approval process;

d. The approving state or federal body or commission has made a reasonable effort to respond to concerns expressed by the city of Hesperia.

e. The approval of the land use would not have a substantial detrimental effect on the public health, safety and welfare;

f. Approval of the land use has complied with applicable provisions of the California Environmental Quality Act;

g. The land use is consistent with the city's general plan.

2. Permitted Uses.

a. Projects approved by the State Energy Commission;

b. Projects approved by the U.S. Forest Service;

c. Projects approved by the Bureau of Land Management;

d. Projects approved by the State Lands Commission;

e. State or federal water projects.

**Chapter 16.16.063(A)(14) shall be amended as follows:**

14. Wind farms shall be allowed in ~~rural residential, agricultural, institutional and industrial zone districts~~ designations or districts with approval of a conditional use permit.

a. Wind farms shall not be permitted within six hundred sixty (660) feet of a railway spur, any Interstate, Highway, or Major Arterial, Arterial, or Secondary Arterial roadway; or any agricultural or residentially designated property.

A. In addition to those items required to be submitted with an application for a conditional use permit as provided in the code, the applicant shall submit the following with its application:

1. A proposed service plan for the city and sphere area to justify the location, design and height of any proposed facility;
2. Prior to issuance of a building permit, the applicant shall obtain all necessary approvals for the facility from Southern California Edison, the California Public Utilities Commission, or other governmental agency having jurisdiction over the facility and that the proposal is consistent with such approvals;
3. A statement of the term during which the facility will be put to use and a bond or irrevocable letter of credit in an amount to cover the reasonable cost of removing the facility in the event of abandonment. Such bond or irrevocable letter of credit shall be made payable to the city upon demand in the event of abandonment and shall not expire before the end of the term during which the facility is to be used.

B. In the event a facility is abandoned, the holder of the conditional use permit for the facility shall remove the facility at its sole cost and expense. A facility shall be considered abandoned if it ceases to be used as allowed in the conditional use permit for more than one hundred eighty (180) consecutive days.

**Chapter 16.16.063(B) shall be amended as follows:**

A. Solar systems which exceed 15 percent of the lot area shall not be considered an accessory use and shall be defined as a solar farm. ~~Roof-mounted solar systems may cover the entire roof of the primary dwelling unit, excluding the area of the roof needed for fire accessibility.~~ Solar farms shall only be allowed on nonresidential and nonagricultural designated properties with approval of a conditional use permit by the planning commission. Solar farms shall not be permitted within six hundred sixty (660) feet of a railway spur, any Interstate, Highway, or Major Arterial, Arterial, or Secondary Arterial roadway; or any agricultural or residentially designated property.

1. In addition to those items required to be submitted with an application for a conditional use permit as provided in the code, the applicant shall submit the following with its application:

- a. A proposed service plan for the city and sphere area to justify the location, design and height of any proposed facility;
- b. Prior to issuance of a building permit, the applicant shall obtain all necessary approvals for the facility from Southern California Edison, the

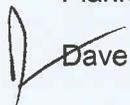
California Public Utilities Commission, or other governmental agency having jurisdiction over the facility and that the proposal is consistent with such approvals;

- c. A statement of the term during which the facility will be put to use and a bond or irrevocable letter of credit in an amount to cover the reasonable cost of removing the facility in the event of abandonment. Such bond or irrevocable letter of credit shall be made payable to the city upon demand in the event of abandonment and shall not expire before the end of the term during which the facility is to be used.
  - d. A decorative screening fence or wall shall be installed along the perimeter of the solar farm. The type and height of the fencing shall be subject to review and approval.
2. In the event a facility is abandoned, the holder of the conditional use permit for the facility shall remove the facility at its sole cost and expense. A facility shall be considered abandoned if it ceases to be used as allowed in the conditional use permit for more than one hundred eighty (180) consecutive days.

**Chapter 16.16.090(P) shall be amended as follows:**

Public, Institutional, and Resource Uses	R1	R3	RR	A1	A2	See Section(s)
P. Airport, helicopters, aircraft landing field	NP	NP	NP	NP S	NP S	



**DATE:** March 8, 2012  
**TO:** Planning Commission  
**FROM:**  Dave Reno, AICP, Principal Planner

**SUBJECT: ANNUAL REPORT ON STATUS AND IMPLEMENTATION OF THE GENERAL PLAN**

---

### **RECOMMENDED ACTION**

Staff recommends that the Planning Commission review this annual report, and forward it to the City Council with the intent to direct staff to transmit copies to the Governor's Office of Planning and Research, and the Department of Housing and Community Development as required by law.

### **BACKGROUND**

State law requires the Planning Department and Planning Commission to provide an annual report to the City Council on the status of the General Plan and progress in its implementation. Specifically, Government Code Section 65400 states in part,

“After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development...the status of the plan and its implementation...the progress in meeting its share of regional housing needs...and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing...”

The report also includes forms required by the Department of Housing and Community Development to report progress towards completion of the goals in the Housing Element. As noted, this report will be transmitted to the Office of Planning and Research, and the Department of Housing and Community Development. This annual report will cover the 2011 calendar year.

### **ISSUES/ANALYSIS**

Staff has prepared the attached document to serve three purposes. First, this report serves as the Annual Report on the status of the General Plan and progress towards implementation in accordance with Government Code Section 65400; second, this report is the Implementation

Plan for the City's General Plan, providing a comprehensive picture of the steps taken by the City in realizing the major policies established in the General Plan. Finally, since many of the General Plan policies are environmental mitigation measures from the Final Environmental Impact Report (FEIR) adopted for the General Plan, this report is the method through which the City of Hesperia complies with the requirements of Section 21081.6 of the California Public Resources Code (the "California Environmental Quality Act") which mandates monitoring of the mitigation measures.

**FISCAL IMPACT**

None

**ALTERNATIVE(S)**

1. Provide alternative direction to staff.

**ATTACHMENT(S)**

1. Hesperia General Plan Annual Report - 2011

# HESPERIA GENERAL PLAN ANNUAL REPORT

2011



## **ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN**

### **INTRODUCTION**

Government Code Section 65400(b) requires each City and County with an adopted General Plan to provide an annual report to the legislative body on: 1) The status of the plan and progress of its implementation, including the progress in meeting its share of regional housing needs, and; 2) Local efforts to remove governmental constraints to the maintenance, improvement and development of housing. This annual report is a working document that provides information on the specific direction of the City of Hesperia and it is a tool to alert the City of potential revisions that may be required in the future.

This document serves three purposes for the City of Hesperia. First, this report serves as the required annual report for the 2011 calendar year. Second, this report is the Implementation Plan for the General Plan, providing a comprehensive picture of the steps taken by the City in realizing the major policies established in the General Plan. Finally, since many of the General Plan policies are environmental mitigation measures from the Final Environmental Impact Report (FEIR) adopted for the General Plan, this report is the method through which the City of Hesperia complies with the requirements of Section 21081.6 of the California Public Resources Code (the "California Environmental Quality Act") which mandates monitoring of the mitigation measures.

### **ACTIONS COMPLETED, ONGOING OR INITIATED IN 2011**

The following activities have been completed, initiated, implemented or processed by the City of Hesperia in 2011, which relate to General Plan goals and/or mitigation measures. These activities are categorized by the General Plan element they relate to and assist in implementation. Many of the policies, actions and mitigation measures contained within the General Plan are on-going in nature and are not listed below.

The General Plan Update was adopted on September 7, 2010. This is the first comprehensive update since the original General Plan was adopted in 1991. The update covers the entire City and all seven elements of the General Plan. Of particular importance is the goal to convert the plan to a one-map system where all land uses will be designated on the General Plan map, eliminating the zoning map and any remaining inconsistencies. This enables the public to easily determine the appropriate land uses for any parcel in the City and sphere of influence.

The General Plan is the City's "Constitution" and guide for development, outlining what the City is and how it will develop in the future. All decisions made by the City, from the annual budget and capital improvement program, to the issuance of building permits, must be consistent with the General Plan.

The City's population, size and composition have changed considerably in the last 20 years. The City has grown from about 50,000 residents to over 90,000 and is now 75 square miles compared to 50 square miles at incorporation. Another 36 square miles of unincorporated land is in the City's Sphere of influence. As this is an area that bears

direct relationship to the City's planning, the State requires that Hesperia's General Plan include this area as well. The update addresses new laws, regulations and circumstances that did not exist when the original plan was adopted. For example, the State has enacted several laws addressing climate change that will require cities to take actions that reduce carbon emissions. There are also new mandates regarding endangered species, housing and sustainable communities. Finally, the updated General Plan includes the Main Street and Freeway Corridor Specific Plan, as adopted in 2008.

**General Plan Goals:**

In addition to addressing the current circumstances of the City as described above, the overall goals of the General Plan Update are as follows:

- Preserve existing neighborhoods;
- Enhance the quality of residential areas in a variety of densities, with landscaping and architectural standards;
- Reinforce efforts to build a local job base and establish sales tax-producing businesses along Bear Valley Road, Main Street and the Freeway Corridor;
- Preserve lot sizes and prevent premature subdivision of land;
- Enhance the quality of life in higher residential density developments with paseos, parks and other amenities;
- Establish a circulation system of arterial and connector streets to carry traffic efficiently within and across the City;
- Support the urban design framework, which has two new greenways to link the freeway corridor with the downtown area;
- Dedicate housing units for senior citizens as well as for all income levels;
- Permit mixed-use developments in the downtown area and along the freeway corridor.

In addition, the General Plan Update addresses climate change issues as mandated by Assembly Bill 32 and Senate Bill 375. The General Plan text identifies each implementation measure that specifically mitigates impacts to the production of greenhouse gasses. The Climate Action Plan was adopted separately as a special program to be implemented that outlines requirements for new development, as well as feasible measures the City will take to address global climate change.

### **General Plan Elements:**

The General Plan consists of seven chapters, or elements. These elements address the seven subjects required by state law. A summary of each element and the associated issues are as follows:

**Land Use:** The most frequently referenced part of the General Plan is the Land Use Map. This map shows the location of residential, commercial, industrial uses, as well as schools and parks. The map also shows other features such as railroads, the airport and the California Aqueduct. Residential uses are classified by density in dwelling units per acre. The proposed land use map will supersede and ultimately replace both the current land use plan as well as the zoning map. Therefore, the City will have a one-map system. This will eliminate any inconsistencies between the two current maps.

Staff completed a comparison of all of the parcels where the General Plan designation was inconsistent with the Zoning map. In every case, staff revised either the General Plan or zoning designation to support the preservation of residential lot sizes and the predominant land use in the neighborhood. The proposed Land Use map also incorporates the Main Street and Freeway Corridor Specific Plan, adopted in 2008. Therefore, the differences between the current land use plan and the proposed map are limited.

The new map also consolidates and reduces the six residential General Plan designations and six zoning districts to a total of 11 designations based principally on lot size. Adoption of the General Plan Update does not repeal or revise any part of the Development Code. The Development Code will now be revised to directly address the new General Plan designations.

The text of the Land Use Element includes a description of the City's existing land uses, infrastructure and public services. Residential, commercial and industrial uses are described as well as the City's three specific plans. All of the proposed land use designations are listed and described. The implementation measures to address these issues include:

- Improving the quality of life in residential areas;
- Promoting balanced, efficient commercial development to generate sales taxes;
- Providing for industrial development to increase opportunities for local employment;
- Designate and protect land for public and open space uses;
- Sustainable development measures, including water conservation, energy efficient design and Leadership in Energy Efficient Design (LEED) building certification.

**Circulation:** The Circulation Element classifies and defines the City's system of arterial roadways. The Transportation Plan maps their locations and shows the right-of way

width as well as the curb-to-curb width. The plan also shows where special street-sections will be used, such as within the Township area. As the Circulation Element also addresses other transportation modes, the Non-Motorized Transportation Plan shows the City's system of bike paths. Most of the City's streets include room for bike paths to encourage their use. Finally, the Urban Design Framework map shows how the City's bike paths, bus routes, equestrian trails and greenways link the City's parks and schools. This supports the goal of providing alternatives to the automobile.

The text addresses the challenges the City faces, including the current need for more freeway interchanges and more crossings at the railroad and the Mojave River. Intersections operating below acceptable levels are identified. Each street cross-section is illustrated and described. Implementation measures include:

- Require road dedications in accordance with the Transportation Plan;
- Increasing the number of railroad grade separations;
- Expand park-and-ride facilities, rail spurs and bus routes;
- Construct the bike path system;
- Collect Development Impact Fees to fund construction of the transportation system;

**Housing:** The Housing Element addresses the requirement for the City to assure that housing is provided for all economic segments of the community. The Element satisfies the State's goals and includes the current Regional Housing Needs Assessment (RHNA). The Housing Element is the only element that requires approval by the State's Department of Housing and Community Development (HCD) as part of its adoption. The Housing Element is scheduled to be amended upon adoption of a sustainable Communities Strategy by Southern California Associated Governments (SCAG) in late 2012. This is mandated by SB 375 and will initiate a new RHNA cycle (2013-2021).

The Housing Element contains a complete demographic profile of the City, including income, ethnicity, employment and age. The type and age of the City's housing stock is described. An inventory of land available for multi-family housing is included. This shows that the City has an abundant amount of land to meet its RHNA without zoning any additional land for multi-family units. The Element reviews the City's past accomplishments and discusses affordable projects completed or in the planning process. The progress towards the RHNA's required number of units for each income category is shown. Finally, the City is required to report to the State the annual progress made towards meeting these goals.

The Element describes the City's program to support construction of new housing and outlines the City's Housing Plan. The Plan consists of 5 goals and 20 programs to achieve the City's objectives. These include:

- Density bonuses and/or design concessions to encourage the development of affordable projects;

- The Main Street and Freeway Corridor Specific Plan includes two zones where development may occur at above 15-units per acre. The high density residential zone allows up to 20 units per acre and the Regional Commercial zone allows up to 25 units per acre;
- Other programs include down-payment assistance, or other financial assistance for financing or infrastructure, including the township program;
- The Hesperia Community Redevelopment Agency was required to set-aside 20 percent of its tax increment to assist in the development of affordable housing. These funds were used to provide direct assistance to qualified projects or to build roads, water or sewer lines that benefit an affordable project. However, since this agency ceased operation in February 2012, alternative sources of financing will have to be developed;
- Community Development Block Grant (CDBG) funds are used to rehabilitate lower-income households.

**Open Space:** The Open Space Element details the City's plans to preserve natural areas and resources and to provide parks, recreational facilities and trails for its residents. Natural resources include habitat for endangered or threatened species. The City is in the historical range of the Desert Tortoise and the Mojave Ground Squirrel. Arroyo Toads have been found in portions of the West Fork of the Mojave River. The City is also required to survey for the Burrowing Owl before any ground-disturbing activity. Finally, Joshua Trees and other native plants are protected by City ordinance. As part of the development review process, surveys are required for these species and plants. Should any occur on the site, appropriate action is taken, depending on the species found and the associated regulations applicable to that animal or plant.

Open space also includes scenic areas, such as the Mojave River or the mountains to the south of the City. The Oro Grande Wash also provides visual separation from the freeway corridor and Oak Hills. Other wash areas include the unnamed wash on the west side of the freeway, the Antelope Valley Wash, and the area known as Honda Valley. Three limited open space areas are identified for preservation due to their relatively undisturbed condition. To the extent possible, they are to remain in their natural state. The remaining areas are to be developed over time with recreational trails. One new approach to implementing the proposed Open Space is a Transfer of Development Rights (TDR) program. This program will be implemented to enable compensation for areas affected by slopes and/or drainage. The ultimate goals for these areas are to retain the natural desert environment with minimal intrusion in the form of unpaved trails and parking areas. The properties will be purchased, either directly by the City, or by a program transferring development. The TDR property remains undeveloped while the density permitted is transferred to an adjacent or nearby property. This compensates the property owner for the loss of the land. Transferred development rights can be sold or purchased and utilized on similar or nearby properties.

The Open Space element also addresses agricultural land, water and mineral resources. These resources are discussed in conjunction with the Conservation Element.

The City's park and recreation areas are described. The Hesperia Recreation and Park District's 2006 Master Plan includes regional, community and local parks. These include Hesperia Lake Park and Hesperia Community Park. The District also recently assumed operation of the Hesperia Golf and Country Club, which is owned by the City. The City or Water District also owns several other parcels managed by the District, including Civic Plaza Park, located west of City Hall.

The Element discusses the City's requirements to acquire and develop new park land. The City requires dedication of three acres of land for every 1,000 persons. In addition to this, the City requires 2 acres of open space for 1,000 persons. Based on this standard, at projected build out within both the City and Park District (which is larger than the City) there will be an abundance of open space for current and future use. Finally, the Element describes the City's system of bike paths and equestrian trails, consistent with the Circulation Element. Implementation measures are consistent with the Circulation Element to support development of this trail system.

**Noise:** The Noise Element is a comprehensive program to include noise control in the planning and development process. Noise at excessive levels can affect our environment and quality of life.

The Element discusses sources of noise, including roads, railroads and industrial areas. Land uses sensitive to noise, such as residential areas, schools, libraries and parks are mentioned. The Element includes compatibility standards based on state and federal standards as well as accepted methodologies. The City's noise ordinance is also discussed and is not proposed to be modified.

Implementation measures to control noise include:

- Requiring acoustical analysis for all residential structures near noise sources such as the railroad, airport or major roads;
- Requiring enhanced construction methods to limit interior noise within residences adjacent to noise sources;
- Locating or screening loading docks and other site features to protect sensitive areas or uses;
- Limiting delivery hours to commercial or industrial uses near residential areas.

**Conservation:** The Conservation Element establishes the City's priorities as they relate to natural, historical and paleontological resources and outlines the means for their preservation. This element is most closely tied to Open Space and Safety, as many of these areas identified for their value as visual amenities or drainage courses are also ideal for conservation.

Implementation measures include:

- Require use of water conserving plants and native vegetation in landscaped areas and use low-water consumption fixtures in homes and businesses;
- Coordinate activities with the VVWRA to develop sub-regional treatment facilities and encourage and provide for use of reclaimed water for irrigation;
- Preserve pristine areas for habitat and open space uses;
- Coordinate with the County Museum to research records, perform additional research and preserve any artifacts that may be found;
- Contact Native American representatives to comply with all requirements concerning monitoring and preservation of Native American artifacts and places;
- Implement the green building program and encourage LEED, or similar certification of buildings;
- Coordinate with other San Bernardino County cities to develop a greenhouse gas inventory;
- Promote the use of alternative, renewable energy sources;

**Safety:** The Safety Element describes the City's hazards, including:

- Seismic Hazards from ground shaking, including potential for liquefaction and slope failure;
- Geologic hazards not related to earthquakes, including slope instability and subsidence;
- Flood hazards;
- Fire hazards, including structure and wildland fires;
- Hazardous materials including waste sites.

The Element also discusses emergency plans, evacuation routes and emergency shelters. Maps showing these areas and routes are included.

Implementation measures to address these issues include:

- Require geo-technical and soil reports to assure proper grading and compaction of soils;
- New construction to adhere to current building codes, including provisions for lateral forces;

- Encourage assessment of for older structures and conduct seismic retrofits as necessary;
- Require that new development retain addition runoff from rooftops parking lots and driveways;
- Restrict development in floodways and FEMA defined flood areas;
- Support recycling and disposal of hazardous materials;
- Maintain mutual aid agreements with neighboring cities and the County.

Additional actions taken by the City that address implementation of General Plan goals are discussed below:

**Land Use Element:**

The City is implementing the Main Street and Freeway Corridor Specific Plan, which was adopted on September 16, 2008. As mentioned above this plan was incorporated into the General Plan Update. This plan addresses land use and design standards, as well as motorized, bicycle and pedestrian circulation in a 10,000 acre area encompassing the City's two most important thoroughfares. The plan includes new zone districts, which take advantage of the City's existing and planned land use patterns to create a vibrant and attractive downtown area. The plan also anticipates regional commercial, auto sales and industrial uses to establish sales tax producing businesses and locally based jobs along the freeway corridor. The Specific plan also includes architectural and design standards. The City reviews all new development for compliance with these standards. This assures compatibility with adjacent uses and high quality architecture.

The Hesperia Gateway Shopping Center, featuring a Target Supercenter, opened in October 2008. This center is consistent with the land use goal to establish regional commercial uses along the freeway. The design and architecture meets the requirements of the Specific Plan to create a visually interesting and attractive place to shop or dine. Marshall's, Ross and Rue 21 opened in 2010. Two more retail chains (Joann's and Famous Footwear) have been constructed and will open in early 2012.

Since 2006, the City completed construction of the Hesperia Branch Library, City Hall, Civic Plaza Park, the Police Station and County High Desert Government Center, on 30 acres the City had acquired. All of these buildings exhibit common architecture, which unifies the Civic Plaza around the park. The City approved a conditional use permit for a 12-screen theatre on land west of the park. Construction began in February 2012.

The City has completed the first phase (Spruce and Smoke Tree streets) of the Downtown Revitalization Program. This consists of installing new curb, gutter, sidewalks, landscaping and front yard fencing in a one-square mile area immediately east of the Civic Plaza. Water lines were replaced and new sewer lines were installed. Street trees have been added to complete the thematic improvements in harmony with the City's plans for the Civic Plaza. The intent is to increase the property values in this area to encourage construction or remodeling of the existing homes and apartments in this area,

many of which are in dilapidated or sub-standard condition. Each of the aforementioned projects involved Redevelopment Tax Increment expenditures.

The City adopted several ordinances following completion of the General Plan Update in 2010. Ordinances completed in 2011 include; alternative energy standards for wind and solar power, parking of commercial vehicles, amendments to setbacks and procedures in the Specific Plan, and animal keeping. Revised CEQA Guidelines were adopted, incorporating requirements to address climate change. The City also completed comprehensive revisions to the residential, commercial, industrial and public use zoning to align the development code to the General Plan land use designations. This will make possible the one-map system long envisioned by the City.

### **Circulation Element:**

As part of the General Plan Update, the City identified new land use districts that better suited the locations along two major corridors. A traffic model was created to address impacts over a 20-year period.

#### **Capital Improvement Program**

Projects underway in 2011 which implement the Transportation Plan goals are as follows:

- Rancho Road Underpass - Environmental documents were completed in August 2008, with property acquisition certification signed by Caltrans in December 2010. Construction began in August 2011 and is planned to be completed by the middle of 2013.
- Rancho Road Interchange - Preliminary design completed, environmental document completed in April 2010. Most of the property has been acquired and construction is planned for 2013 or later, pending availability of funding.
- Rancho Corridor – widening of the road to 4 lanes between the Underpass and the Interchange. This has been planned and design is underway in conjunction with San Bernardino County, as one-half of the five-mile length of this project is within their jurisdiction.
- Downtown Revitalization Project - The first two of nine streets (Spruce Street and Smoke Tree Street) has been completed, including sewer line installation and waterline replacement. Curb, gutter, sidewalks, landscaping and front yard fencing is also included. Additional streets will be designed and constructed in a similar manner if funds become available.
- The City also completed six projects in the 2010-11 Fiscal Year totaling \$ 16.4 million. These included widening Bear Valley Road east of Mariposa Road, Reconstruction of Rock Springs Road, the Annual Street Improvement project, Police Station and the High Desert Government Center.

The City adopted the Main Street and Freeway Corridor Specific Plan, which became effective on October 16, 2008. This plan addresses land uses along the City's important thoroughfares. Land uses are located to take maximum advantage of planned transportation facilities. For example, auto sales uses are planned along the freeway, adjacent to the Rancho Road freeway interchange. This will provide exposure for the

auto dealerships and convenient access from the freeway. In addition, this interchange will facilitate commuter access from Ranchero Road, which extends east to the southern portion of the City.

The Specific Plan also specifies areas of higher residential density in the Freeway corridor as well as along the western portion of Main Street. This will place more housing in commuter-friendly locations near the freeway.

The City has also planned for housing and office uses to be located within the Civic Plaza area, so that the employees and residents may access commercial uses along Main Street and Eighth Avenue. The last 68 units of the KDF apartments, which are reserved for low income households were completed in January 2010. As mentioned above the police station and County Government center have been completed. These new employees and residents will enhance the prospects for businesses in this area.

The General Plan Update also includes the non-motorized Transportation Plan. This includes class 1, 2 and 3 trails for bikes as well as equestrian trails these are located within power line transmission corridors as well as in open space areas. In addition, the Main Street and Freeway Corridor Specific Plan includes the Urban Design Framework. This plan established two new east-west corridors to link the City's system of parks and open space areas.

In 2009, the City received a \$2,000,000 grant from the federal government to design and build the Hesperia Lead Track Project. This project is under construction and will enable businesses requiring rail access to receive and ship goods by rail from the City's industrial area. This project will serve over 200 acres and will reduce the need for truck traffic to cross the City.

**Safety Element:**

The City has completed interim emergency repairs to the H-01 drainage course where it crosses Third Avenue. Permanent repairs are being planned with assistance by the Federal Emergency Management Agency (FEMA).

The City has completed Fire Station 305 on the west side of the freeway. This 18,000 SF station will protect the West side of Hesperia as well as the commercial and industrial areas along the freeway corridor. The County partially funded the station and County Fire units will serve Hesperia's sphere area. The City approved the Public Safety Operations Center (PSOC) and communication tower. The tower will be located adjacent to the County Government Center. The second floor will now serve as the regional Emergency Operations Center (EOC).

In 2010, The City completed Community Emergency Response Team (CERT) training for all staff. The City is now offering this training to residents and completed four classes and trained 100 people in 2011. Of these, 30 are certified as disaster service workers. The City also implemented a Reverse 911 system to allow residents to receive automatic emergency notifications. The City's new social media websites will also feature these notices. The City activated its Emergency Operations Center at City Hall

and mobilized its management staff as well as other City staff in response to heavy rains in January.

**Open Space Element:**

The City has worked with Hesperia Recreation and Park District to develop and expand the park system in the City. As part of new residential development on the west side of the city, three parks have been developed, totaling 16 acres. In addition, a paseo system was established to link these parks with Hesperia Community Park, located west of Datura Avenue. The first phase of a fourth park, was completed west of Maple Avenue in 2010.

In 2008, the City opened Civic Plaza Park adjacent to City Hall and the Hesperia Branch Library. The City celebrated its 20th anniversary on June 28, 2008. The Hesperia Recreation and Park District shows movies in the park and operates a street fair during the summer. A concert series is planned for 2012.

The General Plan Update includes the Non-Motorized Transportation Plan. This plan established a city-wide system of paths and trails. The plan includes class 1, 2 and 3 bike trails as well as equestrian trails in power line easements and open space areas, such as the Mojave River. The Mojave River Trail connects to the Pacific Crest Trail in Summit Valley.

During the General Plan Update process, the City Council held discussions with the public and staff regarding establishment of Open Space areas. The City has identified preservation areas where the combination of natural vegetation, access and topography create kinds that would be preserved in a natural state, and developed with picnic or park facilities. Other areas will be set aside to provide trails to provide connectivity between the preservation areas or existing parks.

**Conservation Element:**

The City adopted a new landscape ordinance in 2007 to be consistent with the State's Model Ordinance. This requires use of an approved plant list as well as restrictions on the use of turf and spray irrigation. This year, the ordinance was amended to incorporate the mandated water budget standards in AB 1881.

The City's General Plan identifies washes, open spaces and culturally sensitive areas within the City and Sphere of Influence. As part of the review of any development project, the City applies mitigations for drainage facilities, preservation of protected plants and hillsides as well as surveys for cultural and archaeological resources as recommended by the County Museum.

The City continues to implement its Fats, Oils and Grease (FOG) program, adopted in 2010. The FOG program requires restaurants to monitor and maintain grease interceptors and properly dispose of FOG products to reduce potential blockages of the City's sewer system. Lack of maintenance can lead to blocked sewer pipes, poor drainage and spills. Sewer spills can subject the City to fines from the Lahontan Regional Water Quality Control Board.

The City requires that new development, as well as public projects, irrigate their landscaping with provisions to convert to the use of reclaimed water when it becomes available. The City, in conjunction with the regional wastewater authority, is building sub-regional treatment plants that will supply treated water for this purpose. The City also requires best management practices for new construction including watering of graded areas and dirt access ways, Storm Water Pollution Prevention Program (SWPPP) measures and surveys for cultural or biological resources, as applicable to each project.

**Noise Element:**

The City requires walls or other noise attenuation measures as part of construction of any building within the noise contours of any highway, as well as the railroad. This provides for the interior noise levels in homes and businesses to meet the City's standards.

The City's General Plan contains an inventory of noise contours for all noise sources, including highways and railroads. The City also has established notification areas as part of the adopted Airport Land Use Plan. Referral Area "C" permits land owners to be aware of the proximity of the airport and its impacts. Projects within this area must provide avagation easements are part of the approval process.

The City's Noise Ordinance sets limits on noise from stationary sources and construction activity. These limits are consistent with the data and the compatibility matrix within the Noise Element. The City requires that outdoor activities associated with a development project must be curtailed after normal work hours to protect adjacent residential uses. The City also limits the hours and days that construction activity may occur.

**Housing Element:**

The City's original Housing Element was adopted along with the remainder of the General Plan in May 1991. In 2002 the Housing Element was updated as required under state law, based on the schedule for the SCAG region. This update addressed the City's housing needs for the RHNA reporting period ending in 2005.

The City has completed the General Plan Update, including the Housing Element. The new Housing Element addresses the current RHNA reporting period, which is from January 1, 2006 to June 30, 2014.

The following tables contain the necessary information to report progress in meeting the City's housing goals, as well as the State's mandates for compliance with the State Department of Housing and Community Development requirements.

**Table A** is the annual building activity for 2011. The report indicates that 0 very-low income, 0 low income, and 0 moderate **income** units were constructed. **Table A2** shows that 3 single family residences were also constructed in 2009-10.

**Table B** shows the City's progress towards meeting the regional Housing Needs Assessment Needs numbers. 285 very-low income units or 13.5% of the required 2,116

units have been provided during the first four years of the nine-year reporting period. 253 low income units were provided, which is 22.3% of the required 1,456 units. No moderate income units were produced during this period. Overall, 1,825, or 20.2%, of the City's projected 9,015 dwelling units were produced during the current Regional Housing Needs Assessment period. As no units were constructed during 2011 the progress towards meeting the City RHNA remains unchanged. Finally, **Table C** lists the progress the City and Redevelopment Agency made during FY 2010-2011 towards meeting the program goals in the City's Housing Element.

Due to the enactment by the State of Assembly Bill AB 26X, which dissolved redevelopment agencies, funding for affordable housing has been significantly affected. The City will be evaluating the impacts of this action, and may propose a Housing Element amendment in 2012-13 to modify programs previously funded by redevelopment "20% set-aside".

**ANNUAL ELEMENT PROGRESS REPORT**  
*Housing Element Implementation*  
(CCR Title 25 §6202.)

**Jurisdiction** City of Hesperia  
**Reporting Period** 1-Jan-10 - 31-Dec-10

**Table A**

**Annual Building Activity Report**  
**Very Low-, Low-, and Moderate-Income Units and Mixed-Income Multifamily Projects**

1	2	3	4			5	6	7	8
			Housing Development Information						
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes			Total Units per Project	Assistance Programs for Each Development See Instructions	Deed Restricted Units See Instructions	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to Instructions.
			Very Low-Income	Moderate-Income	Above Moderate-Income				
San Remo I 9055 Santa Fe	MFR	R	50	14		65	1)RDA/LMIHF 2) 9% Tax Credits	64	0
San Remo II 9055 Santa Fe	MFR	R	39	19		58	1)RDA/LMIH 2) 9% Tax Credits	58	0

Villas at Hesperia 8810 C Avenue	MFR	R	31	0	123	0	154	31	123
(9) Total of Above Moderate from Table A2									
			120	33	123	0	3		
(10) Total by income units (Field 5) Table A									

Table A2

Annual Building Activity Report Summary for Above Moderate-Income Units  
(not including those units reported on Table A)

	Single Family	2 - 4 Units	5+ Units	Second Unit	Mobile Homes	Total
No. of Units Permitted for Above Moderate	0	0		0	0	0

**Table B**  
**Regional Housing Needs Allocation Progress**  
**Permitted Units Issued by Affordability**

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Total Units to Date (all years)	Total Remaining RHNA by Income Level
		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	38	38	89	120	0					285	1,831
	Non-deed restricted	0	0	0	0	0						
Low	Deed Restricted	142	117	33	33	0					325	1,131
	Non-deed restricted	0	0	0	0	0						
Moderate	Deed Restricted	0	0	0	123	0						1,569
	Non-deed restricted	0	0	0	0	0						
Above Moderate		850	171	68	3	0					1,092	2,659
Total RHNA by COG. Enter allocation number:												
Total Units		1,030	326	190	279	0					1,825	7,190
Remaining Need for RHNA Period												

**Table C**  
**Program Implementation Status**

<b>Program Description (By Housing Element Program Names)</b>	<b>Name of Program</b>	<b>Objective</b>	<b>Deadline in H.E.</b>	<b>Status of Program Implementation The City of Hesperia has continued to implement the goals and objectives of the H.E. The following data represents implementation for the 2010-2011 fiscal year</b>
<b>PROGRAM 1: FIRST-TIME HOMEBUYER DOWNPAYMENT ASSISTANCE PROGRAM (DAP).</b>	Assist twenty (20) low and moderate-income first-time homebuyers.  Implement federal HOME funds (via State HCD) as awarded, and annually apply for additional funding for homeowner assistance programs.  Promote programs that will increase the level of home ownership in Hesperia reducing the number of foreclosed, vacant and HUD owned homes by a minimum of 10%.	Through 2014	During fiscal year 2010-11 the City had an Agency-funded Downpayment Assistance Program (DAP) that offered a 30-year, zero percent interest loan with payments deferred for thirty years. During this fiscal year the City funded one (1) DAP loan.  The City has continued to provide homeownership opportunities in the community by promoting its First-Time Homebuyer Downpayment Assistance Program. The City has focused outreach efforts towards lower income households, particularly to Hispanic households, since they have more difficulty obtaining financing. Specifically the City continued to provide advertisements and workshops to inform residents about this program. The City has Spanish translators available on staff if needed.	
<b>PROGRAM 2: SECTION 8 RENTAL ASSISTANCE PROGRAM.</b>	Provide Section 8 rental assistance through the County of San Bernardino Housing Authority to thirty-six (36) very-low and low-income people.  Provide information at the public counter and the City's website.	Ongoing	This federally funded program provides rental assistance in the form of a Section 8 Housing Choice Voucher to very low income families, senior citizens, disabled, handicapped, and other individuals for the purpose of securing decent, affordable housing. The City is not a direct recipient of Section 8 Housing Choice Vouchers, instead the San Bernardino County Housing Authority (HASB) obtains the vouchers and recipients of the vouchers may choose to use them in the City. As a result, the HASB provided Section 8 rental subsidies to 292 lower-income renters in the City. In addition, the HASB has 20 public housing units in the City and 100 Authority owned housing units.  The City of Hesperia continues to work with the Housing Authority of the County of San Bernardino to maintain its Section 8 Rental Assistance lease-up rate at full utilization of contract authority.	

HESPERIA GENERAL PLAN  
2011 ANNUAL REPORT

<p><b>PROGRAM 3: AFFORDABLE HOUSING DEVELOPMENT. DENSITY BONUSES AND REGULATORY CONCESSIONS. FINANCIAL ASSISTANCE, IDENTIFICATION OF AVAILABLE SITES.</b></p>	<p>Based on available funds, issue a NOFA to solicit housing developers. Purchase vacant and underutilized sites. Achieve 595 affordable housing units, (291 extremely/very low and 304 low income units)</p>	<p>2008 to 2014</p>	<p>Staff completed a first draft of the Notice Of Funding Availability for affordable housing development and will present it to the City Council for review.  The City adopted revised density bonus provisions in its Development Code in 2011. The city offers and promotes density bonuses in conjunction with design concessions for enable developers to construct affordable units within the City.  The City's current inventory for multiple-family properties has been included in the adopted 2010 Housing Element. This list is made available to housing providers and developers.  There are Public Housing projects in the City of Hesperia; however, they are not sponsored by the City. The City is actively involved in the efforts of the Housing Authority of the County of San Bernardino (HASB) and its endeavor to provide public housing for low-income and special needs households. The City reviews HASB's administrative, annual and five-year plans to ensure (1) there is a system in place for public housing residents input; (2) consistency with the City's Consolidated Plan goals; and (3) that public housing priorities reflect the needs of the community. To the extent possible, the City encourages landlords to renew their agreements with the HASB to preserve the affordable housing options for recipients of Section 8 vouchers. The HASB currently maintains 20 public housing units within the City boundary of Hesperia.  The City utilized \$1,313,208 in 2010 and prior year CDBG funds for capital improvement projects in low-income neighborhoods including Housing Rehabilitation Programs, Code Enforcement, and Public Facilities serving targeted populations. In addition, the City's Redevelopment Agency continues to implement housing programs using Redevelopment Set-Aside funds, and other County, State, and Federal funds.</p>
<p><b>PROGRAM 4: LARGE SITES FOR LOWER INCOME HOUSING PROGRAM. (2-10 ACRES)</b></p>	<p>Streamlining approval process. Reduced fees Provide technical assistance Modification of development requirements</p>	<p>2011</p>	<p>The City adopted the Main Street and Freeway Corridor Specific Plan in 2010. This plan includes the majority of the City's land designated for multiple-family housing as well as the CDBG target areas. As a result, densities in these properties have been maintained or increased. This will enable developers to realize the development potential and position the City to implement the available design incentives and concessions necessary to develop affordable housing. In 2011, the City also adopted new density bonus regulations to be consistent with State law and Housing Element requirements.</p>
<p><b>PROGRAM 5: ADEQUATE SITES MONITORING PROGRAM.</b></p>	<p>Monitor development to assure remaining capacity of site is adequate to accommodate city RHNA Annually update land inventory and</p>	<p>2008-2014</p>	<p>The City's current inventory for multiple-family properties has been included in the 2010 adopted Housing Element. Should development occur on any of these parcels, the inventory will be updated to reflect their status. The City has more than enough available property to accommodate its RHNA. The likelihood that</p>

HESPERIA GENERAL PLAN  
2011 ANNUAL REPORT

	provide to interested developers.			any if these properties would be rezoned or developed as anything other than housing is extremely remote.
<b>PROGRAM 6: GREEN BUILDING PROGRAM.</b>	Promote LEED certification Provide incentives for wind and solar power Include green building program in 2010 building code adoption (Completed)	Ongoing		In 2009 and as amended in 2011, the City adopted an ordinance to allow wind and solar power on residential, commercial and industrial uses. The City, through the development review process also enforces the mandatory measures in the Green Building Code related to parking of clean air vehicles.
<b>PROGRAM 7: ASSISTANCE FOR THE HOMELESS. PROVIDE SERVICES AND/OR HOUSING ASSISTANCE FOR HOMELESS PERSONS OR PERSONS AT-RISK OF BECOMING HOMELESS.</b>	Provide homeless assistance services, emergency shelter, transitional shelter, and supportive housing for fifty (50) homeless persons, and persons at-risk of becoming homeless on a annual basis. Participate in regional efforts to develop a continuum of care. Provide handouts for available services at public counters.	Ongoing		In order to effectively address homelessness in a comprehensive manner, HUD asks cities to form Continuums of Care. A Continuum of care refers to an overall plan to coordinate the efforts of all involved parties to meet the needs of homeless persons and persons at risk of homelessness. The components of a continuum include homeless prevention, emergency shelter, transitional shelter, permanent supportive housing, and supportive services. The overall objective is to move homeless persons and families outside the service delivery system into emergency housing, then to transitional housing, and finally to self-sufficiency or permanent supportive housing.  In addition, City CDBG funds were used to implement the High Desert Domestic Violence which provides shelter and support for battered women and their children; High Desert Homeless Services which provides shelter and support services for homeless women with children, families and single adults; Victor Valley Domestic Violence which provides shelter and support services for battered women and their children; Moses House Ministries which provides housing and services for pregnant teens, single mothers and their children. There were (718) supportive services provided to homeless persons.
<b>PROGRAM 8: NEIGHBORHOOD STABILIZATION PROGRAM (NSP).</b>	Acquire and rehabilitate 10 ownership properties Acquire and rehabilitate 7 rental properties. Purchase vacant and underutilized sites for affordable multi-family or mixed-income housing.	2010		Under the Neighborhood Stabilization Program (NSP1) the City received \$4,590,719 of NSP funds for the implementation of the NSP Program activities (i.e. Acquisition, Rehab, Resale; Acquisition, Rehab. Rental; ect.).  The City of Hesperia used NSP1 funds to facilitate the acquisition portion of the Acquisition, Rehabilitation, and Rental Program. The program provides rental housing (single-family properties) for households earning 50% or less of the area median income as an affordable housing project.  Through the NSP Program, the City acquired a total of 23 foreclosed properties.

HESPERIA GENERAL PLAN  
2011 ANNUAL REPORT

<p><b>PROGRAM 9: REDEVELOPMENT FORECLOSURE REMEDICATION IMPLEMENTATION PROGRAM. (RDA FRIP)</b></p>	<p>Acquire and rehabilitate two properties annually. Use streamlined foreclosure process and NSP funds to acquire foreclosed properties.</p>	<p>Ongoing</p>	<p>During the 2010 program year, the City acquired one single-family dwelling and is currently going through the request for bid process for the rehabilitation of the dwelling units. In December 2007, the HCRA created the Foreclosure Remediation Implementation Program and approved the use of \$12.5 million of Housing Set-Aside Funds to purchase and rehabilitate foreclosed homes in Hesperia. The City has acquired one (1) home through the foreclosure remediation implementation program.</p>
<p><b>PROGRAM 10: RENTAL HOUSING CERTIFICATE PROGRAM.</b></p>	<p>Conduct inspections of rental properties. Issue 2,300 rental Housing certificates.</p>	<p>Ongoing</p>	<p>Rental properties are inspected and granted a certificate provided they pass inspection for trash, debris and maintenance items. The City has performed over 5,600 inspections on 1,307 properties since 2008.</p>
<p><b>PROGRAM 11: CITY OF HESPERIA TOWNSHIP PROGRAM.</b></p>	<p>Improve streets in the Township area with curb, gutter, sidewalks landscaping and front-yard fencing. Designate and improve six streets over the next five years. (pending funding) Actively pursue funding for this program.</p>	<p>2009-2014</p>	<p>The City's original township (one square mile) had fallen on challenging times and suffered from significant disinvestment, high crime rates, gang activity and graffiti, failing infrastructure, and abnormally high number of vacant homes. The increasing cost of law enforcement in this area resulted in the City dedicating one full time officer to implement community-based policing. This aggressive stance resulted in a significant drop in crime rates which started a trend towards neighborhood recovery. The City and Agency realized that direct investment in the Township Area was necessary if revitalization efforts were to be successful.</p>
<p><b>PROGRAM 12: CODE ENFORCEMENT.</b></p>	<p>Provide Code Enforcement service to 200 households in the designated low-income enhancement areas. Provide Code Enforcement assistance to 20 low-income households.</p>	<p>Ongoing</p>	<p>The Code Enforcement Program provided services for the elimination and abatement of public nuisances in low income designated target areas. Also, code enforcement increased City efforts to improve existing housing stock and eliminate blighted structures. Approximately 34 households benefited. Neighborhood Police Services has proven to be successful in reducing illegal activities in creating a suitable living environment for the residents in CDBG eligible areas. Approximately 116 hours were spent on call in the eligible areas. The Graffiti Removal Program provided services for the elimination of blight utilizing City general funds.</p>

HESPERIA GENERAL PLAN  
2011 ANNUAL REPORT

<p><b>PROGRAM 13:</b> <b>OWNER-OCCUPIED HOUSING REHABILITATION LOAN PROGRAM (HRLP) AND SEWER CONNECTION PROGRAM (SCP).</b></p>	<p>Offer HRLP loans between \$15-50,000 to properties within the City's projects and township areas. Provide five rehabilitation loans. Provide five sewer connections. Advertise program on website and at the public counter.</p>	<p>Ongoing</p>	<p>The HCRA operates the HRLP utilizing RDA funds providing eligible borrowers with fully deferred, non-interest bearing loans (not grants). The minimum HRLP Loan shall be \$15,000. Typical HRLP Loans may not exceed \$40,000 inclusive of all eligible costs for housing rehabilitation, sewer connection, loan underwriting, processing, set-up, title, and escrow, etc. as defined herein.  The rehabilitation programs incorporate necessary repairs to bring the housing units up to code and to make them accessible to disabled residents. During this fiscal year the City did not fund any Agency HRLP loans.</p>
<p><b>PROGRAM 14:</b> <b>COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING REHABILITATION LOAN PROGRAM (CDBG-HRLP).</b></p>	<p>Assist lower-income home owners with loans up to \$20,000. Provide loans to five lower-income housing units. Advertise program on website and at the front counter.</p>	<p>Ongoing</p>	<p>The CDBG Housing Rehabilitation Loan program (HRLP) was available to provide loans and grants of up to \$20,000 for low-income homeowners for housing repairs including electrical, plumbing, and roofing. During this fiscal year the City funded two (2) CDBG-HRLP loans.  One of the City's primary goals for this Program is to assist in serving to increase, improve, and preserve the supply of low- and moderate-income housing within the Redevelopment Project Areas and the City for qualified low- and moderate-income individuals.</p>
<p><b>PROGRAM 15:</b> <b>LEAD-BASED PAINT EDUCATION AND OUTREACH EFFORTS.</b></p>	<p>Provide lead-based paint education and outreach to 100 low and moderate income households. Provide lead-based paint testing as needed.</p>	<p>Ongoing</p>	<p>As the lead agency for the CDBG programs, the Economic Development Department will continually refine its monitoring procedures to ensure that each monitoring has a meaningfully positive impact on the overall program and that projects have measurable outcomes.  According to the Consolidated Plan, the incidence of lead-poisoning in Hesperia is not extensive. In addition to supporting HUD and EPA efforts in disseminating public information on the health hazards of lead-based paint (LBP), the City addresses LBP issues through its Housing Rehabilitation Loan Program (HRLP) and through its participation in the State's HOME programs.  In addition, all housing units acquired or participants applying for assistance under the Neighborhood Stabilization Program were implemented in compliance with the HUD Lead Based Paint requirements. The Program's housing inspector is required to comply with the federal requirements for lead-based paint hazards and removal.  Lead-based paint education and outreach was completed on thirty (30) households.</p>

HESPERIA GENERAL PLAN  
2011 ANNUAL REPORT

<p><b>PROGRAM 16:</b> <b>AFFORDABLE HOUSING MONITORING.</b></p>	<p>Monitor affordable housing projects annually for compliance with affordability restrictions income eligibilities and housing quality standards.</p>	<p>Ongoing</p>	<p>The City offers a wide range of housing and density bonuses, design concessions and financial assistance to projects that commit units to affordable rents or sales levels as well as to seniors. To date, the City has deed restricted provisions in effect on 6 projects, totaling 619 units. Staff monitors the projects annually for compliance with their Regulatory Agreements. In addition, Compliance Managers at the affordable complexes submit biannual monitoring reports to City staff. The City's 2010 General Plan Update includes within the Housing Element provisions to reinforce mixed use zoning, affordable housing and higher densities within multiple family areas.</p> <p>The City worked with the fair housing service provider or other housing service agency to hold a credit workshop(s) for households entering or re-entering the rental market. Credit history information, the apartment rental process, and fair housing rights and responsibilities are discussed.</p> <p>Provided fair housing education and outreach services to forty seven (47) residents in 2010.</p> <p>Provided three (3) outreach meetings to assist renters with fair housing problems in 2010.</p>
<p><b>PROGRAM 17:</b> <b>MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN.</b></p>	<p>The Specific Plan includes five residential zones with densities up to 25 units per acre.</p> <p>Promote densities and development tools to developers.</p> <p>Implement shared parking, density bonus and other design incentives for affordable projects in the Specific Plan area.</p>	<p>Ongoing</p>	<p>The City adopted the Main Street and Freeway Corridor Specific Plan. This plan incorporates design standards and establishes mixed use and higher density residential zoning in commuter-friendly locations along the City's two principal thoroughfares. The plan also places higher density residential in proximity to the City new Civic Plaza and pedestrian commercial zoning along Main Street to create a walkable downtown area. The City's completed the General Plan Update in 2010 and included provisions to reinforce mixed use zoning, affordable housing and higher densities within multiple family areas.</p>
<p><b>PROGRAM 18:</b> <b>DENSITY BONUS PROGRAM.</b></p>	<p>Amend Development Code to be consistent with current density bonus laws (completed)</p> <p>Market density bonus incentives to developers.</p> <p>Provide financial and non-financial housing development incentives, seek financing for needed on and off site improvement through assessment districts or Community Facilities Districts, assist private developers who propose construction of low or moderately priced housing units, coordinate City efforts with</p>	<p>Ongoing</p>	<p>The City adopted revised density bonus provisions in its Development Code in 2011. The city offers and promotes density bonuses in conjunction with design concessions for enable developers to construct affordable units within the City.</p> <p>The City's Redevelopment Agency provides assistance with its Low to Moderate Income Housing Set-Aside funds by providing low interest and/or deferred loan programs.</p>

HESPERIA GENERAL PLAN  
2011 ANNUAL REPORT

	<p>available County programs, incorporating State and federal funds, as available.</p>		
<p><b>PROGRAM 19:</b> <b>HOUSING FOR THE HOMELESS/EXTREMELY LOW INCOME HOUSEHOLDS.</b></p>	<p>Provide for two zones where emergency/homeless shelters are permitted.</p> <p>Provide for design standards for emergency/homeless shelters.</p>	<p>Completed</p>	<p>CDBG funding provided \$7,500 for the rehabilitation of the High Desert Homeless Shelter facility including bathroom and shower renovation. There are currently no shelters in the City.</p> <p>The Main Street and Freeway Corridor Specific Plan provides for two zones (Mixed-Use and Medium Density Residential) to permit emergency/homeless shelters. The design will be generally held to similar institutional uses, depending on the services offered by the shelter. These zones are in proximity to the City's commercial core as well as the Civic Plaza. This enables the homeless to access services necessary to provide substance and maintain contact with society.</p>
<p><b>PROGRAM 20:</b> <b>FARMWORKER HOUSING.</b></p>	<p>Amend the Development code to permit farmworker housing in agricultural zones</p> <p>Amend the Development Code to permit employee housing on land where agricultural uses are permitted</p>	<p>2011</p>	<p>In 2011 the City revised its residential and agricultural zoning to be consistent with the General Plan update. The agricultural zones permit accessory units, guest houses and farm labor camps to augment the full range of agricultural uses and activities expected in these properties.</p>
<p><b>PROGRAM 21:</b> <b>HOUSING FOR PERSONS WITH DISABILITIES.</b></p>	<p>Develop a reasonable accommodation process to review and approve projects related to housing for people with disabilities.</p>	<p>2013</p>	<p>The City has trained two plan checkers in the latest requirements for construction of accommodations for persons with disabilities.</p> <p>The City enforces applicable California Title 24 disabled access regulations on all new development. This includes the public right-of-way as well as on-site and within the building. Plan check on these plans or improvements is conducted in conjunction with the remainder of the building and public improvement plans and does not pose a constraint. Accommodations are also made for the retrofit of existing buildings to permit their use in special circumstances.</p>
<p><b>PROGRAM 22:</b> <b>FAIR HOUSING SUPPORT AND SERVICES.</b></p>	<p>Provide fair housing services and annual outreach meeting to assist residents, landlords and housing professionals.</p> <p>Place fair housing information and resources in the website and at the front counter.</p>	<p>Ongoing</p>	<p>There were no ADA projects budgeted during this program year due to the limitation on available funds, but the City assisted 34 persons with special needs.</p> <p>The Inland Fair Housing and Mediation Board provided fair housing services, including, landlord/tenant mediation, and discrimination complaint counseling. IFHMB also provided fair housing education and outreach services to residents of Hesperia.</p> <p>The Inland Fair Housing and Mediation Board assisted 212 households.</p>



**CITY OF HESPERIA  
DEVELOPMENT REVIEW COMMITTEE**

**City Hall Joshua Room  
9700 Seventh Avenue  
Hesperia, CA 92345  
BEGINNING AT 10:00 A.M.  
WEDNESDAY, FEBRUARY 15, 2012**

**A. PROPOSALS:**

**1. HESPERIA HOUSING INVESTORS, LP (SPR12-10105)**

**Proposal:** An extension of time for approved Site Plan Review SPR-2006-22, to construct a two-story, 67-unit affordable housing development on 5.2 gross acres within the Medium Density Residential District of the Main Street and Freeway Corridor Specific Plan.

**Location:** Northwest corner of Olive Street and H Avenue (APN: 0410-182-10)

**Planner:** Daniel Alcayaga

**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, FEBRUARY 29, 2012**

**A. PROPOSALS:**

**1. O'REILLY AUTO PARTS (SPR11-10296)**

**Proposal:** Consideration of a Site Plan Review to construct an 8,748 square foot auto parts building on 2.3 acres within the Neighborhood Commercial (NC) of the Main Street and Freeway Corridor Specific Plan.

**Location:** Northwest corner of Main Street and F Avenue (APN: 0410-133-50)

**Planner:** Daniel Alcayaga

**Action:** Administrative Approval