

City Attorney's Impartial Analysis of Measure N: Hesperia Sustaining Affordable Water Supply & Ensuring Responsible Growth Measure

The City of Hesperia ("City") regulates land uses under the City's General Plan, the Main Street & Freeway Corridor Specific Plan, and the Hesperia Municipal Code. Land use regulations include limitations on residential density, minimum sizes for apartment floor space, and time limits for tentative parcel and tract maps.

To ensure the City's existing and future water supplies are sustainable and affordable, the City Council placed Measure N on the ballot for the November 3, 2020 general municipal election. If passed by a majority of the voters who vote in the election, Measure N will make changes to the land use regulations in the General Plan, Specific Plan, and Municipal Code. The changes will establish new regulations for residential density, apartment floor space, and the length of time for tract and parcel maps.

State law currently limits the City's ability to make land use changes that would reduce density for residential development. Under Government Code Section 65589.5 (Senate Bill 330), some of the changes would not take effect until allowed by State law, currently January 1, 2025. Other changes would take effect immediately.

Residential Density Changes (effective when allowed by State law):

The Measure would reduce the maximum density for new single family homes from eight to three per acre. The new minimum lot size would be one-third acre.

The Measure would reduce the maximum density for new multi-family dwellings from 25 to eight units per acre.

The Measure would not affect any lots that are contained within an existing final map, development agreement, or a tentative map that has not yet expired.

Apartment Floor Space (effective when allowed by State law):

The Measure would require voter approval to reduce the current required square footage for apartment floor space

Time limits for tentative parcel and tract maps (effective immediately):

Under current law, tentative tract and parcel maps for residential projects are valid for 36 months after approval, subject to any extensions. The Measure would reduce the maximum time limit from 36 to 24 months, and would prohibit the City from authorizing any discretionary extensions. If the Measure is approved, a developer would have 24 months to complete any conditions of approval and record a final map, or the tentative map will expire.

Text Changes in the Ordinance:

This Analysis discusses the main elements of the Measure. The actual detailed changes would be implemented by the ordinance attached to the Measure and printed in full in the voter guide. The ordinance would make a number of text changes to the General Plan, Specific Plan, and Municipal Code.

A “YES” vote is a vote for Measure N. A “NO” vote is a vote against Measure N. Measure N will take effect if a majority of voters who vote in the election vote “YES” at the November 3, 2020, election.

The above statement is an impartial analysis of Measure N prepared by the City Attorney. If you desire a copy of the ordinance or measure, please call the City Clerk’s office at 760-947-1007 and a copy will be mailed at no cost to you.

Dated: July 20, 2020



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City of Hesperia