

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A DEVELOPMENT CODE AMENDMENT AND SPECIFIC PLAN AMENDMENT TO PROHIBIT THE ESTABLISHMENT OF NEW, OR THE EXPANSION OF EXISTING, OUTDOOR PALLET YARDS AND INDOOR PALLET MANUFACTURING FACILITIES (DCA24-00003 AND SPLA24-00005)

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

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

WHEREAS, on August 20, 2024, the City Council adopted Urgency Ordinance No. 2024-10, implementing a 45-day moratorium on establishing or expanding pallet yard facilities within the City; and

WHEREAS, on September 17, 2024, the City Council extended the moratorium for ten months and fifteen days, bringing the total duration to one year, to allow staff to analyze the potential issues associated with pallet yard facilities; and

WHEREAS, there are no specific development standards directly regulating outdoor pallet yards or indoor pallet manufacturing facilities.

WHEREAS, staff analyzed potential issues and determined that to protect the public's health, safety, and welfare, the establishment, expansion and operation of outdoor pallet yards and indoor pallet manufacturing facilities shall be prohibited in all industrial zoning designations within the City. Pallet facilities pose significant fire hazards due to the high combustibility of stacked wooden pallets. The excessive vertical stacking of pallets presents a clear risk of fire, safety hazards, and obstruction of emergency access. Additionally, these uses generate excessive noise, attract rodents, create visual blight, and contribute to environmental impacts through improper storage and stormwater runoff contamination; and

WHEREAS, the City finds that it is necessary to amend the Hesperia Municipal Code and the Main Street and Freeway Corridor Specific Plan to prohibit pallet yard facilities; and

WHEREAS, the City proposes to amend Chapter 16.16.320 – Commercial and Industrial Uses of the Municipal Code to prohibit the establishment of new, or the expansion of existing outdoor pallet yards and indoor pallet manufacturing facilities; and

WHEREAS, the City proposes to amend Chapter 9 – Non-Residential Zones of the Main Street and Freeway Corridor Specific Plan to prohibit the establishment of new, or the expansion of existing outdoor pallet yards and indoor pallet manufacturing facilities; and

WHEREAS, the proposed Development Code Amendment DCA24-00003 and Specific Plan Amendment SPLA24-00005 (DCA24-00003 & SPLA24-00005) are exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3), as it can be seen with certainty that there is no significant effect on the environment. The proposed Amendments are also exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10)

of the City's CEQA Guidelines, as the Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan; and

WHEREAS, on June 12, 2025, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed amendment and concluded said hearing on that date; and

WHEREAS, on July 15, 2025, the City Council of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Amendment and concluded said hearing on that date; and

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

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HESPERIA DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby specifically finds that all of the facts set forth in this Ordinance are true and correct.

Section 2. Based upon substantial evidence presented to the City Council, including written and oral staff reports, the City Council specifically finds that the proposed Ordinance is consistent with the goals and objectives of the adopted General Plan as it will enhance the quality of life by preserving a calm environment and eliminating the risk of future adverse impacts to neighborhoods within the City.

Section 3. The proposed development code amendment is necessary because the existing regulations do not contain any development standards as to the operational characteristics of pallet yard facilities. These facilities pose serious fire and safety risks due to the high flammability of stacked pallets and the obstruction of emergency access due to improper separation of pallets. They also contribute to noise, attract pests, create visual blight, and raise environmental concerns, including stormwater contamination and airborne health hazards. Fires at these sites are well-documented, often burning for extended periods and endangering nearby homes, businesses, and infrastructure. Poorly maintained facilities may also invite illegal dumping and increasing public costs for enforcement and cleanup. The prohibition on pallet yard facilities city wide, is intended to enhance public safety and promote responsible development that balances economic activity with community well-being.

Section 4. Based on the findings and conclusions set forth in this Ordinance, the City Council hereby adopts Development Code Amendment DCA24-00003 and Specific Plan Amendment SPLA24-00005 to prohibit the establishment of new, or the expansion of existing outdoor pallet yards and indoor pallet manufacturing facilities as shown on Exhibit "A."

Section 5. This Ordinance shall take effect thirty (30) days from the date of adoption.

Section 6. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Resolution No. 2007-101.

ADOPTED AND APPROVED on this 5th day of August 2025.

Allison Lee, Mayor

ATTEST:

Jessica Giber, Assistant City Clerk