

PLANNING COMMISSION REGULAR MEETING



Meeting Agenda

Thursday, June 12, 2025

6:30 PM

**City Council Chambers
9700 Seventh Ave.,
Hesperia, CA, 92345**

Planning Department: (760) 947-1224

Planning Commission Members

Roger Abreo, Chair

Sophie Steeno, Vice Chair

Dale Burke, Commissioner

Earl Hodson V, Commissioner

Timothy Auman, Commissioner

Nathan Freeman, Director of Development Services

Ryan Leonard, Principal Planner

Robert Hensley, Assistant City Attorney



NOTE: In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (760) 947-1224. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

To leave a Public Comment by phone, call and leave a recorded message at (760) 947-1224 up to 5:30 pm on the day of the scheduled meeting. City Council meetings may be viewed live or after the event on the City's website at www.hesperia.ca.gov

AGENDA
HESPERIA PLANNING COMMISSION
9700 Seventh Ave., Council Chambers, Hesperia, CA 92345

As a courtesy, please silence your cell phones, pagers, and other electronic devices while the meeting is in session. Thank you.

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 PM

- A. Pledge of Allegiance to the Flag
- B. Invocation
- C. Roll Call
- D. Reorganization of Planning Commission
 - 1. Election of Chair
 - 2. Election of Vice Chair
- E. Agenda Revisions and Announcements by Planning Secretary

PRESENTATION

- A. Capital Improvement Program (CIP) Presentation by Cassandra Sanchez, Director of Public Works.

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 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

1. Page 1

Consideration of the May 8, 2025, Planning Commission Meeting Minutes.

Recommended Action:

It is recommended that the Planning Commission approve the Draft Minutes from the regular scheduled meeting on May 8, 2025.

Staff Person: Planning Specialist Maricruz Montes

Attachments: [Draft Meeting Minutes](#)

PUBLIC HEARINGS**2. Page 5**

Development Code Amendment DCA24-00003 and Specific Plan Amendment SPLA24-00005; Applicant: City of Hesperia; Area affected: City-wide.

Recommended Action:

That the Planning Commission adopt Resolution No. PC-2025-07 recommending that the City Council introduce and place on first reading an ordinance approving 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.

Staff Person: Senior Planner Edgar Gonzalez

Attachments: [Staff Report](#)

[Attachment 1 - Ordinance 2024-10 \(45 days\)](#)

[Attachment 2 - Ordinance 2024-11 \(Ext. 10 months & 15 days\)](#)

[Attachment 3 - Exhibit A](#)

[Attachment 4 - Resolution No. PC-2025-07](#)

3. Page 23

2025 General Plan Update

Recommended Action:

It is recommended that the Planning Commission adopt Resolution Nos. PC-2025-08 and PC-2025-09 recommending that the City Council: 1) Certify the Addendum as being complete in compliance with the California Environmental Quality Act (CEQA); and 2) Adopt the updated Land Use Element, Circulation Element, and Health and Safety Element.

Staff Person: Principal Planner Ryan Leonard

Attachments: [Staff Report](#)

[Resolution No. PC-2025-08](#)

[Resolution No. PC-2025-09](#)

PLANNING DIVISION REPORT

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

A. DRC Comments

B. Major Project Update

ASSISTANT CITY ATTORNEY REPORT

The Assistant Attorney may make comments of general interest to the City.

DIRECTOR REPORT

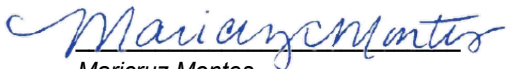
The Director may make announcements or reports concerning items of interest to the Commission or the public.

PLANNING COMMISSION COMMENTS

The Commission Members may make comments of general interest to the City.

ADJOURNMENT

I, Maricruz Montes, Planning Commission Secretary of the City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Friday, June 6, 2025 at 5:30 p.m. pursuant to California Government Code §54954.2.



Maricruz Montes,
Planning Commission Secretary

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City of Hesperia
Meeting Minutes - Draft
PLANNING COMMISSION
REGULAR MEETING

Council Chambers,
9700 Seventh Ave.,
Hesperia, CA 92345

Thursday, May 8, 2025

CALL TO ORDER - 6:34 PM

A. Pledge of Allegiance to the Flag

Pledge led by Commissioner Dale Burke.

B. Invocation

Invocation led by Chair Abreo.

C. Roll Call

Present 4 - Commissioner Burke, Chair Roger Abreo, Commissioner Auman, and Vice Chair Steeno

Absent: 1 - Commissioner Hodson V

D. Reorganization of Planning Commission

**A motion was made by Vice Chair Steeno, seconded by Commissioner Auman, that this item be continued.
The motion carried by the following vote:**

Aye: 4 - Commissioner Burke, Chair Abreo, Commissioner Auman and Vice Chair Steeno

Nay: 0

Absent: 1 - Commissioner Hodson V

E. Agenda Revisions and Announcements by Planning Secretary

None

JOINT PUBLIC COMMENTS

Public Comments opened at 6:37 PM.

No Public Comments.

Public Comments closed at 6:37 PM.

CONSENT CALENDAR

1. Consideration of the April 10, 2025, Planning Commission Meeting Minutes.

Recommended Action:

It is recommended that the Planning Commission approve the Draft Minutes from the regular scheduled meeting on April 10, 2025.

Sponsors: Planning Specialist Maricruz Montes

A motion was made by Commissioner Burke, seconded by Commissioner Auman, that this item be approved. The motion carried by the following vote:

Aye: 3 - Commissioner Burke, Chair Abreo and Commissioner Auman

Nay: 0

Absent: 1 - Commissioner Hodson V

Abstain: 1 - Vice Chair Steeno

PUBLIC HEARINGS

Items on the agenda were reviewed out of their listed order.

3. Consideration of Site Plan Review SPR22-00010 to construct an 84-unit apartment complex on a 4.3 gross acre site within the High-Density Residential (HDR) zone of the Main Street and Freeway Corridor Specific Plan located south of Smoke Tree Street, approximately 220 feet east of Eleventh Avenue (Applicant: Hossein Mazi; APN: 0407-251-12)

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2025-06 approving Site Plan Review SPR22-00010.

Sponsors: Principal Planner Ryan Leonard

Multiple residents spoke during the public comment period to express opposition to the proposal. Mayor Allison Lee also shared concerns, aligning with the residents' objections.

A motion was made by Chair Abreo, seconded by Commissioner Burke, that this item be approved. The motion carried by the following vote:

Aye: 3 - Commissioner Burke, Chair Abreo and Commissioner Auman

Nay: 1- Vice Chair Steeno

Absent: 1 - Commissioner Hodson V

2. Consideration of Conditional Use Permit (CUP23-00010) to establish an outdoor semi-truck parking and maintenance facility on the former 84 Lumber Site that contains three buildings and four metal canopies on 8.6 acres along with a Variance (VAR25-00002) to modify the required materials for screen walls and to waive the requirement to fully screen semi-trucks along Hercules Street within the General Industrial (GI) zone of the Main Street and Freeway Corridor Specific Plan located at the southeast corner of Hercules Street and "C" Avenue in conjunction with the adoption of a mitigated negative declaration pursuant to the provisions of CEQA (APN: 0410-082-04; Applicant: United Holding Group, LLC)

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2025-03, approving Conditional Use Permit (CUP23-00010) and make a determination between two of the variances presented to Planning Commission. Resolution No. PC-2025-04 for approval of Variance VAR25-00002) or Resolution No. PC-2025-05 for denial of Variance (VAR25-00002).

Sponsors: Senior Planner Edgar Gonzalez

A motion was made by Vice Chair Steeno, seconded by Commissioner Auman, that CUP23-00010 be approved.

The motion carried by the following vote:

Aye: 4 - Commissioner Burke, Chair Abreo, Commissioner Auman and Vice Chair Steeno

Nay: 0

Absent: 1 - Commissioner Hodson V

The applicant withdrew the request for Variance VAR25-00002. A motion was made by Commissioner Burke, seconded by Vice Chair Steeno, that this item be denied. The motion carried by the following vote:

e 4- Commissioner Burke, Chair Abreo, Commissioner Auman and Vice Chair Steeno

Nay: 0

Absent: 1 - Commissioner Hodson V

ASSISTANT CITY ATTORNEY REPORT

Assistant City Attorney had nothing to report.

PLANNING DIVISION REPORT

Principal Planner Ryan Leonard reported that upcoming Planning Commission meetings will include items related to a General Plan and Development Code Amendment concerning pallet yards. Additionally, staff is considering the scheduling of future workshops to support these efforts and provide further guidance.

DIRECTOR REPORT

Director Nathan Freeman expressed his appreciation to staff and the Planning Commissioners for their continued efforts in providing the public with clear and accurate information to support informed decision-making. He also announced that staff will be attending the International Council of Shopping Centers (ICSC) event in Las Vegas. The purpose of this trip is to engage with potential retailers and promote development opportunities within the City of Hesperia. The team's schedule is fully booked, with meetings planned throughout the weekend to maximize outreach and recruitment efforts.

PLANNING COMMISSION COMMENTS

Commissioner Dale expressed gratitude for being in attendance and noted that he enjoyed the evening's discussions, particularly the diverse perspectives shared throughout the meeting.

Commissioner Auman thanked staff and Mr. Jensen for their expertise and contributions. Commissioner Auman also expressed a desire to see the construction of Dutch Bros Coffee expedited.

Vice Chair Steeno described the meeting as engaging and exciting, highlighting her interest in the ongoing development discussions. Vice Chair Steeno offered input for the upcoming General Plan update and distributed a document to fellow Commissioners containing suggestions related to the Title 16 Landscape Ordinance.

Chair Abreo expressed his pride in serving on the Planning Commission and in the City of Hesperia. He commended the professionalism demonstrated during the meeting and praised staff for being well-prepared and responsive, particularly when providing on-the-spot information and reports during the discussion.

ADJOURNMENT

Meeting is adjourned at 10:31 PM until the next regular meeting on June 12, 2025 at 6:30 PM.

Maricruz Montes,
Planning Commission Secretary

Roger, Abreo
Planning Commission, Chair

City of Hesperia

STAFF REPORT



DATE: June 12, 2025

TO: Planning Commission

FROM: Nathan R. Freeman, Director of Development Services

BY: Ryan Leonard, Principal Planner
Edgar Gonzalez, Senior Planner

SUBJECT: Development Code Amendment DCA24-00003 and Specific Plan Amendment SPLA24-00005; Applicant: City of Hesperia; Area Affected: City-wide

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2025-07, recommending that the City Council introduce and place on first reading an ordinance approving 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.

BACKGROUND

On August 20, 2024, the City Council recognized the need for regulations on pallet yard facilities due to their potential negative impacts. Consequently, the Council adopted Urgency Ordinance No. 2024-10, implementing a 45-day moratorium on the establishment or expansion of pallet yard facilities within the City (Attachment 1).

On September 17, 2024, the City Council extended the moratorium for ten months and fifteen days, bringing the total duration to one year (Attachment 2).

The purpose of the moratorium was to allow staff time to analyze the potential issues associated with pallet yard facilities and propose regulations to mitigate their impact on the community. The primary concerns related to pallet yards include:

- **Fire Risk:** Outdoor pallet storage yards pose a significant fire hazard due to the accumulation of large quantities of highly combustible wood. In recent years, multiple fires at outdoor pallet yards in nearby cities have resulted in millions of dollars in damages.
- **Stacking Hazards:** Pallet yards often stack wooden pallets at considerable heights. Without adequate regulation of stacking height, spacing, and volume, improperly stored pallets can pose a falling hazard, endangering employees, visitors, and nearby properties. Improper stacking may also increase fire risk.

ISSUES/ANALYSIS

Existing Regulations: Under the Hesperia Municipal Code (Section 16.16.320), outdoor pallet yards and indoor pallet manufacturing facilities are currently permitted in the Limited Manufacturing (I1) and General Manufacturing (I2) zones. These facilities are classified as general manufacturing uses and are subject to development standards regulating outdoor storage

(for outdoor pallet yards only). However, there are no specific regulations tailored to outdoor or indoor pallet facilities.

Similarly, the Main Street and Freeway Corridor Specific Plan permits these uses in the Commercial Industrial Business Park (CIBP) and General Industrial (GI) zones. While they are classified as general manufacturing uses, the Specific Plan also lacks explicit regulations for pallet facilities.

Proposed Regulations: As noted, there are no specific development standards directly regulating outdoor pallet yards or indoor pallet manufacturing facilities. The proposed Development Code Amendment seeks to prohibit the establishment, expansion, and operation of these facilities in all industrial zoning designations within the City.

These uses present significant fire hazards due to the high combustibility of stacked wooden pallets. The excessive vertical stacking of pallets also creates safety risks and can hinder emergency access. In addition to fire and safety concerns, pallet facilities often generate excessive noise, attract rodents, create visual blight, and contribute to environmental issues, including improper material storage and potential stormwater runoff contamination.

Pallet facilities have a well-documented history of contributing to severe fires, many of which have resulted in extensive property damage, environmental degradation, and public safety risks. Numerous incidents, both locally and nationally, have involved fires burning for hours or days, demonstrating how quickly stacked pallets can ignite and how intensely they burn. Their high combustibility, coupled with inadequate emergency access, often results in uncontrollable fires that threaten surrounding businesses, residential neighborhoods, and critical infrastructure.

Facilities lacking proper oversight or maintenance often contribute to urban decline by facilitating illegal dumping and exposing surrounding communities to airborne health hazards. These negative impacts frequently lead to increased costs for cities, which must allocate resources to code enforcement, fire response, and environmental cleanup. Additionally, pallet facilities typically provide minimal economic return, representing an inefficient use of industrial space, especially in communities focused on sustainable growth, workforce development, and long-term economic resilience.

The proposed prohibition aims to preserve the quality of life in residential, commercial, and industrial zones, reduce fire risk to adjacent properties, and promote more compatible and sustainable land uses.

Environmental: Approval of the Development Code Amendment and Specific Plan Amendment is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3), as it can be seen with certainty that there is no significant effect on the environment. The proposed Development Code Amendment and Specific Plan Amendment are also exempt under Section 16.12.415(B)(10) of the City's CEQA Guidelines, as they do not propose to increase the density or intensity allowed by the General Plan.

Conclusion: The proposed ordinance prohibits new and expanded outdoor pallet yards and indoor pallet manufacturing facilities. This action is intended to enhance public safety and promote responsible development that balances economic activity with community well-being.

CITY GOAL SUPPORTED BY THIS ITEM

Future Development: Facilitate balanced growth to ensure cohesive community development and pursue economic development.

FISCAL IMPACT

There are no identified fiscal impacts associated with this action.

ALTERNATIVE(S)

1. The Planning Commission may provide alternative direction to staff.

ATTACHMENT(S)

1. Ordinance 2024-10 (45-day Moratorium)
2. Ordinance 2024-11 (10 months & 15-day Extension to Moratorium)
3. Exhibit A – Amended language for DCA & SPLA
4. Resolution No. PC-2025-07

ORDINANCE NO. 2024-10

AN INTERIM URGENCY ORDINANCE OF THE CITY OF HESPERIA, CALIFORNIA, ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 ESTABLISHING A 45-DAY MORATORIUM ON THE ESTABLISHMENT OR EXPANSION OF WOODEN PALLET STORAGE YARDS WITHIN CITY LIMITS DURING THE PENDENCY OF THE CITY'S REVIEW AND ADOPTION OF PERMANENT ZONING REGULATIONS FOR SUCH USES

WHEREAS, the City of Hesperia has the authority and responsibility to protect the public health, safety, and welfare of the City, and is responsible for adopting and implementing land use regulations within its boundaries; and

WHEREAS, the Hesperia Municipal Code lacks specific regulatory and zoning standards to assure that wooden pallet storage yards do not adversely affect the health, safety, and welfare of the public; and

WHEREAS, the issuance of permits for wooden pallet storage yards without having zoning and regulatory standards in place, threatens the public health, safety, and welfare for the following reasons:

Fire Risk: Wooden pallet storage yards present an obvious fire hazard due to the storage of large quantities of wood, a combustible material, at a single site. Within the past few years there have been multiple fires associated with pallet yards in nearby cities that have caused millions of dollars in losses.

Stacking Hazards: Wooden pallet storage yards often store wooden pallets in high stacks. Without adequate regulation of the location, height and volume of these stacks, or the separation between these stacks, the health, safety, and welfare of the public may be endangered. The improper or unsafe stacking of wooden pallets may be a falling risk, endangering employees, and visitors to these sites, or may become a fire hazard, endangering the public and neighboring properties.

WHEREAS, the City desires to adopt an interim urgency moratorium ordinance prohibiting the establishment or expansion of wooden pallet storage yards, pending study and adoption of zoning and regulatory standards to protect the public health, safety, and welfare; and

WHEREAS, the City intends to study the issues associated with wooden pallet yards including new development standards that may be imposed on their operation to mitigate any potential impacts. This could include evaluating all land use districts in which wooden pallet yards are permitted for suitability and evaluating development standards and best practices from other jurisdictions to determine if they would be appropriate City wide; and

WHEREAS, Government Code Sections 36934, 36937, and 65858 expressly authorize the City Council to adopt an urgency ordinance for the immediate preservation of the public peace, health, or safety and to prohibit a use that is in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission, or the planning department is considering or studying or intends to study within a reasonable time; and

WHEREAS, after undertaking this study, the City intends to enact regulations specific to wooden pallet storage yards. The City intends to undertake the required study within a reasonable time. In the interim, the City Council finds it necessary to establish a moratorium on the development of new wooden pallet storage yards or the expansion of existing wooden pallet yards in order to prevent a conflict with the contemplated new policies or regulations; and

WHEREAS, continued approval of entitlements, building permits, or other approvals for new or expanded wooden pallet storage yards poses a current and immediate threat to public health, safety, or general welfare. There is therefore an urgent necessity for the City to establish a moratorium on the establishment or expansion of wooden pallet storage yards to take effect immediately;

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

SECTION 1. FINDINGS

The City Council finds the facts set forth in the recitals in this Urgency Ordinance are true and correct, and are hereby incorporated by reference. Additionally, based on the foregoing, both verbal and written testimony at the public hearing, including the staff report, exhibits, and any materials provided by members of the public, the City Council finds as follows:

- A. This Ordinance is being adopted in order to allow the City time to thoroughly study and develop the City's laws, rules, procedures, and fees related to the operation and establishment of wooden pallet storage yards, to adequately and appropriately balance the rights of existing operators and future applicants who wish to establish or expand wooden pallet storage yards in the City, and to adequately and appropriately preserve the health, safety, and welfare of the community in the City of Hesperia.
- B. The City finds that in the absence of a regulatory framework to govern pallet storage yards, the adverse impacts frequently associated with pallet storage yards likely will occur, resulting in unregulated and significant negative impacts upon the public health, safety, and welfare of the community.
- C. The City finds that the adverse impacts from pallet storage yards include the following:
 - (1) Fire Risk: Wooden pallet storage yards present an obvious fire hazard due to the storage of large quantities of wood, a combustible material, at a single site. Within the past few years there have been multiple fires associated with pallet yards in nearby cities that have caused millions of dollars in losses.
 - (2) Stacking Hazards: Wooden pallet storage yards often store wooden pallets in high stacks. Without adequate regulation of the location, height and volume of these stacks, or the separation between these stacks, the health, safety, and welfare of the public may be endangered. The improper or unsafe stacking of wooden pallets may be a falling risk, endangering employees and visitors to these sites, or may become a fire hazard, endangering the general public and neighboring properties.

- D. The City needs time to draft a proposed text amendment to the Zoning Code to preserve the health, safety, and welfare of the community in the City of Hesperia with respect to the operation of wooden pallet storage yards.

SECTION 2. AUTHORITY AND EFFECT

The State Planning and Zoning Law (Cal. Gov't Code Sections 65000, *et seq.*) broadly empowers the City to plan for and regulate the use of land in order to provide for orderly development, the public health, safety, and welfare, and a balancing of property rights and the desires of the community and how its citizens envision their city.

SECTION 3. MORATORIUM

A. During the Effective Period of this Ordinance as specified below, no permit shall be issued for any development of any wooden pallet storage yard, nor may a permit be issued for the expansion of wooden pallet storage yard within the City. The foregoing shall explicitly prohibit the issuance of any zoning, land use, discretionary permit, building permit, environmental approval, business license, or any other entitlement involving businesses defined as a wooden pallet storage yard, during the Effective Period.

B. Notwithstanding the foregoing, any existing wooden pallet storage yard shall be allowed to obtain their annual City of Hesperia business license. Additionally, permits may be issued for minor construction, rehabilitation and landscaping or other purposes not involving an expansion of building area. Any wooden pallet storage yard under construction with a valid building permit or any wooden pallet storage yard approved by the Development Review Committee or Planning Commission on the effective date of this Urgency Ordinance shall be exempt from this Urgency Ordinance.

SECTION 4. STUDY AND DEVELOPMENT

During the period of this Ordinance, the City shall study and develop as necessary City laws, rules, procedures, and fees related to wooden pallet storage yards, to enable the City to preserve the health, safety, and welfare of the community adequately and appropriately in the City of Hesperia. Pursuant to Government Code Section 65858 the Development Services Director will issue a report for the legislative body on what has been accomplished during the moratorium before it expires or is extended.

SECTION 5. URGENCY MEASURE

It is hereby declared that this Ordinance is necessary as an urgency measure for the preservation of the public health, safety, and welfare. The City Council finds that current zoning regulations and land use plans do not adequately regulate the establishment and operation of wooden pallet storage yards and therefore do not adequately protect the peace, health, safety, and general welfare of the residents of the City or in communities around the City. The City Council finds the urgency measure is necessary, to ensure adequate regulation of the operation of wooden pallet storage yards. The facts constituting the urgency are:

- The City's Municipal Code currently lacks regulatory and zoning standards to assure that wooden pallet yards do not adversely affect the health, safety, and welfare of the public.

- The negative impacts frequently associated with operation of wooden pallet storage yards will likely increase as wooden pallet yards continue to proliferate throughout the City, resulting in an unregulated and significant negative impact upon public health, safety, and welfare of the community.
- Wooden pallet storage yards are likely to seek locations in the City based on the lack of explicit regulations, which will further exacerbate the impacts of such businesses.
- As a result of the negative and harmful effects associated with improperly regulated or unregulated operation of wooden pallet storage yards, the current and immediate threat such effects pose to the public health, safety, and welfare, it is necessary to adopt a temporary, forty-five (45) day moratorium on the establishment of new, or the expansion of existing wooden pallet storage yards in the City.
- A moratorium is immediately required to preserve the public health, safety, and welfare and should be adopted immediately as an urgency ordinance, to make certain that the establishment and expansion of wooden pallet storage yards are prohibited for the period of this Ordinance. Imposition of a moratorium will allow the City sufficient time to conclude the preparation of a comprehensive ordinance for the regulation of such activities.

SECTION 6. SEVERABILITY

The City Council hereby declares, if any provision, section, subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this Ordinance and as such they shall remain in full force and effect.

SECTION 7. CEQA COMPLIANCE

Pursuant to the California Environmental Quality Act Guidelines ("CEQA," California Code of Regulations Title 14, §§ 15000 *et seq.*), this Interim Urgency Ordinance is exempt from CEQA based on the following: (i) this Ordinance is not a project within the meaning of CEQA Section 15378 because it has no potential for resulting in physical change to the environment, either directly or indirectly and (ii) this Ordinance is also exempt pursuant to CEQA Section 15061(b)(3) since the proposed ordinance involves an Interim Urgency Ordinance establishing a 45-day temporary moratorium on the establishment of wooden pallet storage yards and thus there is no possibility that the proposed ordinance may have a significant effect on the environment.

SECTION 8. EFFECTIVENESS OF ORDINANCE.

This Ordinance shall take effect immediately upon its adoption by a 4/5 vote, pursuant to the authority conferred upon the City Council by Government Code Sections 36934, 36937, and 65858. This Ordinance shall be effective during the Effective Period which shall be from its adoption and shall be of no further force and effect forty-five (45) days following the date of its adoption unless extended in accordance with the provisions set forth in Government Code Section 65858(b).

SECTION 9. PUBLICATION

The City Clerk shall certify as to the passage and adoption of this Interim Urgency Ordinance and shall cause the same to be published in a manner prescribed by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Hesperia, California, at a regular meeting held on this 20th day of August 2024.

Larry Bird, Mayor

ATTEST:

Erin Baum, Assistant City Clerk

ORDINANCE NO. 2024-11

AN INTERIM URGENCY ORDINANCE OF THE CITY OF HESPERIA, CALIFORNIA, ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OR EXPANSION OF WOODEN PALLET STORAGE YARDS WITHIN CITY LIMITS DURING THE PENDENCY OF THE CITY'S REVIEW AND ADOPTION OF PERMANENT ZONING REGULATIONS FOR SUCH USES

WHEREAS, the City of Hesperia has the authority and responsibility to protect the public health, safety, and welfare of the City, and is responsible for adopting and implementing land use regulations within its boundaries; and

WHEREAS, the Hesperia Municipal Code lacks specific regulatory and zoning standards to assure that wooden pallet storage yards do not adversely affect the health, welfare, and safety of the public; and

WHEREAS, the issuance of permits for wooden pallet storage yards without having zoning and regulatory standards in place, threatens the public, health, safety, and welfare of the public for the following reasons:

Fire Risk: Wooden pallet storage yards present an obvious fire hazard due to the storage of large quantities of wood, a combustible material, at a single site. Within the past few years there have been multiple fires associated with pallet yards in nearby cities that have caused millions of dollars in losses.

Stacking Hazards: Pallet storage yards often store wooden pallets in high stacks. Without adequate regulation of the location, height and volume of these stacks, or the separation between these stacks, the health, safety, and welfare of the public may be endangered. The improper or unsafe stacking of wood pallets may be a falling risk, endangering employees and visitors to these sites, or may become a fire hazard, endangering the general public and neighboring properties.

WHEREAS, Government Code Sections 36934, 36937 and 65858 expressly authorize the City Council to adopt an urgency ordinance for the immediate preservation of the public peace, health, or safety and to prohibit a use that is in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission, or the planning department is considering or studying or intends to study within a reasonable time; and

WHEREAS, on August 20, 2024, the City Council adopted Interim Urgency Ordinance No. 2024-10 establishing a 45-day moratorium on the establishment or expansion of wooden pallet yards within the City pending study and adoption of zoning and regulatory standards to protect the public health, safety, and welfare; and

WHEREAS, the City intends to study the issues associated with pallet yards including new development standards that may be imposed on their operation to mitigate any potential impacts. This could include evaluating all land use districts in which pallet yards are permitted for suitability

and evaluating development standards and best practices from other jurisdictions to determine if they would be appropriate City wide; and

WHEREAS, after undertaking this study, the City intends to enact regulations specific to pallet storage yards. The City intends to undertake the required study within a reasonable time. In the interim, the City Council finds it necessary to establish a moratorium on the development of new wooden pallet storage yards or the expansion of existing pallet yards in order to prevent a conflict with the contemplated new policies or regulations; and

WHEREAS, because the Interim Urgency Ordinance No. 2024-10 expires on October 4, 2024, the City desires to extend the moratorium for ten months (10) and fifteen (15) days from the date of expiration to prohibit the development of new wooden pallet yards or the expansion of existing wooden pallet yards within the City limits in order to complete a proposed development code amendment that will create new development regulations and development standards for pallet yards; and

WHEREAS, continued approval of entitlements, building permits, or other approvals for new or expanded wooden pallet storage yards poses a current and immediate threat to the public health, safety, or general welfare. There is therefore an urgent necessity for the City to establish a moratorium on the establishment or expansion of wooden pallet storage yards to take effect immediately;

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

SECTION 1. FINDINGS

The City Council finds the facts set forth in the recitals in this Urgency Ordinance are true and correct and are hereby incorporated by reference. Additionally, based on the foregoing, both verbal and written testimony at the public hearing, including the staff report, exhibits, and any materials provided by members of the public, the City Council finds as follows:

- A. This Ordinance is being adopted in order to allow the City time to thoroughly study and develop the City's laws, rules, procedures, and fees related to the operation and establishment of pallet storage yards, to adequately and appropriately balance the rights of existing operators and future applicants who wish to establish or expand pallet storage yards in the City, and to adequately and appropriately preserve the health, safety, and welfare of the community in the City of Hesperia.
- B. The City finds that in the absence of a regulatory framework to govern pallet storage yards, the adverse impacts frequently associated with pallet storage yards likely will occur, resulting in unregulated and significant negative impacts upon the public health, safety, and welfare of the community.
- C. The City finds that the adverse impacts from pallet storage yards include the following:
 - (1) Fire Risk: Wooden pallet storage yards present an obvious fire hazard due to the storage of large quantities of wood, a combustible material, at a single site. Within the past few years there have been multiple fires associated with pallet yards in nearby cities that have caused millions of dollars in losses.

(2) Stacking Hazards: Pallet storage yards often store wooden pallets in high stacks. Without adequate regulation of the location, height and volume of these stacks, or the separation between these stacks, the health, safety, and welfare of the public may be endangered. The improper or unsafe stacking of wood pallets may be a falling risk, endangering employees and visitors to these sites, or may become a fire hazard, endangering the general public and neighboring properties.

- D. The City needs time to draft a proposed development amendment to the Zoning Code to preserve the health, safety, and welfare of the community in the City of Hesperia with respect to the operation of pallet storage yards.

SECTION 2. **AUTHORITY AND EFFECT**

The State Planning and Zoning Law (Cal. Gov't Code Sections 65000, *et seq.*) broadly empowers the City to plan for and regulate the use of land in order to provide for orderly development, the public health, safety, and welfare, and a balancing of property rights and the desires of the community and how its citizens envision their city.

SECTION 3. **MORATORIUM**

A. During the Effective Period of this Ordinance, as specified below, no permit shall be issued for any development of any wooden pallet storage yard, nor may a permit be issued for the expansion of wooden pallet storage yard within the City. The foregoing shall explicitly prohibit the issuance of any zoning, land use, discretionary permit, building permit, environmental approval, business license, or any other entitlement involving businesses defined as a wooden pallet storage yard, during the Effective Period.

B. Notwithstanding the foregoing, any existing pallet storage yard shall be allowed to obtain their annual City of Hesperia business license. Additionally, permits may be issued for minor construction, rehabilitation and landscaping or other purposes not involving an expansion of building area. Any pallet storage yard under construction with a valid building permit or any pallet storage yard approved by the Development Review Committee or Planning Commission on the effective date of this Urgency Ordinance shall be exempt from this Urgency Ordinance.

SECTION 4. **STUDY AND DEVELOPMENT**

During the period of this Ordinance, the City shall study and develop as necessary City laws, rules, procedures, and fees related to pallet storage yards, to enable the City to preserve the health, safety, and welfare of the community adequately and appropriately in the City of Hesperia. Pursuant to Government Code Section 65858 the Planning Manager will issue a report for the legislative body on what has been accomplished during the moratorium before it expires or is extended.

SECTION 5. **URGENCY MEASURE**

It is hereby declared that this Ordinance is necessary as an urgency measure for the preservation of the public health, safety, and welfare. The City Council finds that current zoning regulations and land use plans do not adequately regulate the establishment and operation of pallet storage yards and therefore do not adequately protect the peace, health, safety, and general welfare of the residents of the City or in communities around the City. The City Council

finds the urgency measure is necessary, in order, to ensure adequate regulation of the operation of pallet storage yards. The facts constituting the urgency are:

- The City's Municipal Code currently lacks regulatory and zoning standards to assure that wooden pallet yards do not adversely affect the health, safety, and welfare of the public.
- The negative impacts frequently associated with operation of pallet storage yards will likely increase as pallet yards continue to proliferate throughout the City, resulting in an unregulated and significant negative impact upon public health, safety, and welfare of the community.
- Pallet storage yards are likely to seek to be located in the City based on the lack of explicit regulations, which will further exacerbate the impacts of such businesses.
- As a result of the negative and harmful effects associated with improperly regulated or unregulated operation of pallet storage yards, the current and immediate threat such effects pose to the public health, safety, and welfare, it is necessary extend the moratorium on the establishment of new, or the expansion of existing pallet storage yards in the City for an additional ten (10) months and fifteen (15) days from the expiration of the Interim Urgency Ordinance No. 2024-10 on October 4, 2024 to August 19, 2025.
- A moratorium is immediately required to preserve the public health, safety, and welfare and should be adopted immediately as an urgency ordinance, to make certain that the establishment and expansion of pallet storage yards are prohibited for the period of this Ordinance. Imposition of a moratorium will allow the City sufficient time to conclude the preparation of a comprehensive ordinance for the regulation of such activities.

SECTION 6. **SEVERABILITY**

The City Council hereby declares, if any provision, section, subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this Ordinance and as such they shall remain in full force and effect.

SECTION 7. **CEQA COMPLIANCE**

Pursuant to the California Environmental Quality Act Guidelines ("CEQA," California Code of Regulations Title 14, §§ 15000 *et seq.*), this Interim Urgency Ordinance is exempt from CEQA based on the following: (i) this Ordinance is not a project within the meaning of CEQA Section 15378 because it has no potential for resulting in physical change to the environment, either directly or indirectly and (ii) this Ordinance is also exempt pursuant to CEQA Section 15061(b)(3) since the proposed ordinance involves an Interim Urgency Ordinance establishing a ten (10) month and fifteen (15) day temporary moratorium on the establishment of pallet storage yards and thus there is no possibility that the proposed ordinance may have a significant effect on the environment.

SECTION 8. EFFECTIVENESS OF ORDINANCE.

This Ordinance shall take effect immediately upon its adoption by a 4/5 vote, pursuant to the authority conferred upon the City Council by Government Code Sections 36934, 36937, and 65858. This Ordinance shall be effective during the Effective Period which shall be upon the expiration date of Interim Urgency Ordinance No. 2024-10 on October 4, 2024, and shall be of no further force and effect ten (10) months and fifteen (15) days therefrom, on August 19, 2025, unless extended in accordance with the provisions set forth in Government Code Section 65858(b).

SECTION 9. PUBLICATION

The City Clerk shall certify as to the passage and adoption of this Interim Urgency Ordinance and shall cause the same to be published in a manner prescribed by law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Hesperia, California, at a regular meeting held on this 17th day of September 2024.

Larry Bird, Mayor

ATTEST:

Erin Baum, Assistant City Clerk

EXHIBIT “A”

DCA24-00003 and SPLA24-00005

The following are modifications to Chapter 16.16.320 of the City of Hesperia Municipal Code and Chapter 9 of the Main Street and Freeway Corridor Specific Plan (additions are in underlined red text and deletions are shown with ~~red and strikethrough~~):

- 1) The following are modifications to **Chapter 16.16.320- Commercial and industrial uses of the City’s Municipal Code.**

	Land Use Designations				
Land Uses	C1	C2	C3	I1	I2
<u>KK. Pallet manufacturing facilities completely within an enclosed building</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>LL. Pallet yard facilities with outdoor storage</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
MM KK . Parking/storage of recreational vehicles			R	R	R
NN <u>LL</u> . Personal services (e.g., spas, salons, tattoo shops and massage facilities) ⁸	R	R	R		
OO MM . Planetarium, aquarium, botanical garden and zoo		R			
PP NN . Publishing and printing		R	R	R	
QQ OO . Processing (recycling) facility ⁴	NP	NP	NP	CUP	CUP
RR PP . Recreational facility — Commercial		R	R	R	
SS QQ . Recycling center — Large collection facility ⁴	NP	NP	NP	CUP	CUP
II RR . Repair shop — Small items	R	R	R	R	R
UU SS . Restaurant (sit down and takeout), including outdoor dining ²	R	R	R		
VV TT . Retail sales (not including off-sale alcohol ⁷ or single price overstock/discount stores (SPODS)).	R	R	R	R ⁶	R ⁶
WW UU . School — Trade, community college, university		R	R	R	R
XX VV . School — Specialty non-degree (e.g., dance and martial arts)	R	R	R	R	R
YY WW . Semi-truck repair and storage				CUP	CUP
ZZ XX . Shopping center (not including off-sale alcohol ⁷)	R	R	R		

AAA YY . Single price overstock/discount stores (SPODS).	CUP	CUP	CUP		
BBB ZZ . Outdoor storage of shipping containers and semi-truck trailers as a primary use ²	NP	NP	NP	CUP	CUP
CCC AAA . Trucking facilities including truck terminals, bus terminals, and truck storage yards ²				CUP	CUP
DDD BBB . Theater	NP	NP	NP	NP	NP
EEE CCC . Upholstery and furniture repair/refinishing		R	R	R	R
FFF DDD . Vehicle fuel station ²	CUP	CUP	CUP		
GGG EEE . Vehicle parts and accessories sales		R	R		
HHH FFF . Vehicle repair facility — Major (not including semi-truck repair)		CUP	CUP	R	R
III GGG . Vehicle repair facility — Minor		CUP	CUP	R	R
JJJ HHH . Vehicle sales/rentals and leasing — new and used ²		R			
KKK III . Vehicle wash facility ²		CUP	CUP	CUP	
LLL JJJ . Veterinary services — Clinics and small animals hospitals (short term boarding)	R	R	R		
MMM KKK . Warehousing and wholesale distribution center				R	R
NNN LLL . Wrecking yard ²	NP	NP	NP	NP	CUP

2) The following are modifications to Chapter 9- Non-Residential Zones of the Main Street and Freeway Corridor Specific Plan.

Chapter 9, Subsection (G) – Commercial Industrial Business Park Zone shall be amended to read:

3. Prohibited Uses

The following uses are prohibited in the Commercial/Industrial Business Park zone:

- a) Pallet manufacturing facilities completely within an enclosed building.**
- b) Pallet yard facilities with outdoor storage.**

a c) Residential uses.

b d) Other uses not specifically authorized or determined by the Development Services Director or his/her designee to be detrimental to the public welfare by reason of emission of odor, dust, smoke, gas, noise, vibration or other causes.

Chapter 9, Subsection (H) - General Industrial Zone shall be amended to read:

3. Prohibited Uses

The following uses are prohibited in the General Industrial zone:

a) Any residential use.

b) Pallet manufacturing facilities completely within an enclosed building.

c) Pallet yard facilities with outdoor storage.

d) Other uses not specifically authorized or determined by the Development Services Director or his/her designee to be detrimental to the public welfare by reason of emission of odor, dust, smoke, gas, noise, vibration or other causes.

ATTACHMENT 4

RESOLUTION NO. PC-2025-07

A RESOLUTION OF THE PLANNING COMMISSION 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, following that analysis, in order 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 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, 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 DCA24-00003 and SPLA24-00005 are consistent with the goals and objectives of the adopted General Plan.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends adoption of DCA24-00003 and SPLA24-00005 to prohibit the establishment of new, or the expansion of existing outdoor pallet yards and indoor pallet manufacturing facilities as shown in Exhibit "A."

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

ADOPTED AND APPROVED on this 12th day of June 2025.

Roger Abreo, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission



DATE: June 12, 2025
TO: Planning Commission Members
FROM: Nathan R. Freeman, Director of Development Services
BY: Ryan Leonard, Principal Planner
SUBJECT: 2025 General Plan Update

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution Nos. PC-2025-08 and PC-2025-09 recommending that the City Council: 1) Certify the Addendum as being complete and in compliance with the California Environmental Quality Act (CEQA); and 2) Adopt the updated Land Use Element, Circulation Element, and Health and Safety Element.

BACKGROUND

The City Council adopted Hesperia's last General Plan update on September 7, 2010. Since then, state legislation has evolved, requiring specific revisions to maintain legal compliance. In 2024, the City engaged PlaceWorks, Inc. (Placeworks) to update the Land Use, Circulation, and Safety Elements and prepare an Addendum to the 2010 General Plan Environmental Impact Report (EIR). PlaceWorks was also contracted to draft Objective Design Standards in support of the City's recently adopted Housing Element. These standards will be advanced separately at a future date.

To prepare the update, the City and Placeworks hosted several public meetings and workshops. In 2024, four public meetings and two study sessions were held with the Planning Commission and City Council. The Commission and Council reviewed and discussed critical components of each element, as well as the Objective Design Standards. The project team also consulted stakeholder groups and distributed a public survey to gather input, particularly for the Health and Safety Element.

ISSUES/ANALYSIS

The General Plan is the City's "Constitution" and guide for development, outlining the City's vision for itself and how it will develop over time and maintain quality of life. All decisions made by the City, from the adoption of the annual budget and implementation of capital improvements to the issuance of building permits, must be consistent with the General Plan.

Since the last General Plan update in 2010, the City's population has increased from approximately 90,000 to over 100,000, and employment has grown from 11,000 to 17,000. Ongoing development interest has helped sustain this economic growth, which is expected to continue. The updated General Plan must also respond to new laws, regulations, and conditions that have emerged since 2010. For instance, recent state legislation on climate adaptation and resiliency requires cities to take steps to better withstand extreme weather events. Additionally,

new mandates have been enacted by the State legislature to address community health, education, and economic equity.

General Plan Goals

As a focused update, the primary objective of the project team was to integrate new policies and programs that comply with State law while preserving the overall vision and direction established by the 2010 General Plan. Throughout the process, input from community members, stakeholders, and City staff consistently reaffirmed that the goals set forth in the original plan remain relevant today. The focused General Plan Update supports the following goals:

- Preserve existing neighborhoods;
- Enhance the quality of residential areas across 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 includes 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; and
- Permit mixed-use developments in the downtown area and along the freeway corridor.

General Plan Elements

The General Plan Update consists of three chapters, or elements. A summary of each element and the associated issues are as follows:

Land Use: The motivating force behind updates to the Land Use Element stems from programs contained within the City's adopted Housing Element. Crucially, the update process focused on revising development standards for the R-3, C-2, and R-C designations that more clearly and concisely communicate the City's intent for these areas. The changes are summarized as follows:

- *R-3 Multiple Family Residence:* The R3 land use designation is amended to increase the maximum density of residential development from 15 dwelling units per acre to 30 dwelling units per acre and to conditionally permit group homes for seven or more persons.
- *C-2 General Commercial:* The C2 land use designation is amended to allow 100-percent residential development ranging from 20 to 30 dwelling units per acre and to permit group homes for six or fewer persons.
- *R-C Regional Commercial:* The RC zone (part of Main Street and Freeway Corridor Specific Plan) is amended to increase the maximum density of residential development from 25 dwelling units per acre to 30 dwelling units per acre. The zone is also amended to allow 100-percent residential development and to permit group homes for six or fewer persons. The development of residential uses is limited primarily to the east side of Interstate 15.

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 does not propose new changes beyond reflecting all General Plan Amendments processed since the 2010 General Plan was adopted.

The text of the Land Use Element includes a description of the City's existing development pattern, infrastructure, and public services. In addition, the intent for each land use designation is described alongside general density and intensity standards. The goals intended to guide future growth and development include:

- Ensuring compatibility between adjacent uses;
- Preserving and enhancing residential areas;
- Promoting balanced, efficient commercial development to generate sales taxes;
- Providing for industrial development to increase opportunities for local employment;
- Investing in high-quality public facilities;
- Sustainable development measures, including water conservation, energy efficient design and Leadership in Energy Efficient Design (LEED) building certification;
- Improving the quality of life for all community members; and
- Ensuring that future growth is fiscally sustainable.

Circulation: The Circulation Element describes the City's roadway network and identifies operational standards. The Transportation Plan maps the location and classification of streets within the City and illustrates the right-of way widths, as well as the curb-to-curb widths, for each classification, including special street-sections. Roadway performance is measured in terms of Level of Service (LOS), with the City's acceptable thresholds remaining at LOS D for roadway segments and LOS C for intersections.

The Circulation Element also addresses other modes of transportation like walking, biking, and transit. The Non-Motorized Transportation Plan shows the location and classification of bicycle facilities throughout the City. Most streets include space for bike lanes to encourage their use. This supports the goal of providing viable alternatives to the automobile.

The Circulation Element also addresses challenges faced by the City, including the need for additional freeway interchanges, more crossings at the railroad and the Mojave River, and the reclassification of select roadways to better serve vehicular demand. Notable changes to the roadway network are as follows:

- Relocated future I-15 interchange from Muscatel Street to Cedar Street;
- Reclassified Sultana Street from Seventh Avenue to I Avenue as Secondary Arterial (formerly Arterial);
- Reclassified Sultana Street from I Avenue to Main Street as Secondary Arterial (formerly local road);
- Modified the alignment of the Mauna Loa Street extension from Third Avenue to Hesperia Road / Lemon Street; and
- Reclassified Seventh Avenue as a Special Street section from Bear Valley Road to Ranchero Road.

The goals intended to guide the City as it continues to build out its roadway network address the following issues:

- Ensuring a safe and efficient roadway network;
- Facilitating goods movement without negatively impacting sensitive areas;
- Providing opportunities for non-motorized alternatives to vehicular travel; and
- Supporting safe and convenient regional transit.

Health and Safety: The Health and Safety Element includes both safety and environmental equity components pursuant to the California Government Code sections 65302(g) and 65302(h). The safety components focus on natural and human caused hazards, as well as emergency preparedness and response to protect the community from the effects of natural disasters and environmental hazards. The healthy community components focus on strategies to improve health and environmental equity.

Safety Topics

In Hesperia, the key safety issues include seismic and geological hazards, flood and inundation hazards, wildfires, hazardous waste and materials, emergency preparedness and response, and climate change resilience. The Safety Element works in tandem with the City's Local Hazard Mitigation Plan and Emergency Operations Plan to provide a cohesive safety approach for Hesperia.

Since the previous update to the Safety Element in 2010, several new laws have come into effect, requiring updates to the Safety Element:

- AB 2140 (2006): Allows for the incorporation of the Local Hazard Mitigation Plan into the Safety Element;
- SB 1241 (2012): Requires the review and update of the flood and wildfire sections to minimize risk to new buildings and essential facilities and identify responsible agencies and ensure coordination among agencies;
- SB 379 (2015): Requires the preparation of a climate change vulnerability assessment that identifies risks to hazards, and develop goals, policies, and implementation actions to build resilience in the community;
- SB 99 (2019): Requires the identification of residential areas in hazard zones with less than two ingress/egress routes; and
- AB 747 (2019)/1409 (2021): Requires the identification of evacuation route capacity, safety, and viability, and evacuation locations under a range of hazard scenarios.

Following extensive technical analysis, staff updated the Safety Element hazard descriptions, goals, and policies to meet current Government Code requirements. The key changes are summarized as follows:

- Incorporate the Hesperia Local Hazard Mitigation Plan by reference, as supported by AB 2140;
- Update hazard background information and mapping with the most current data from federal, state, and local sources;
- Update policies in the seismic and geologic hazards, flooding hazards, fire hazards, hazardous materials, and emergency preparation and response sections, based on the technical Background Report and California Government Code requirements;

- Address climate change vulnerability and adaptation as directed by SB 379 through a new Climate Change Resilience section, including a goal and policies based on the findings of the Climate Vulnerability Assessment; and
- Provide a matrix of actions for implementing the goals and policies of the Safety Element.

Pursuant to California Government Code Section 65302.5(b), the California Department of Forestry and Fire Protection reviewed the draft Safety Element and consulted with the City from December 2024 to January 2025. The State Board of Forestry and Fire Protection's Resource Protection Committee reviewed the Safety Element on March 4, 2025, during its regular meeting and approved the City to move forward with the public hearings and adoption of the Safety Element without revisions.

Healthy Community Topics

With the passage of SB 1000, the Planning for Healthy Communities Act, a City's general plan must incorporate goals, policies, and actions to improve health and environmental equity. In addition to SB 1000, the 2021-2029 City's Housing Element contained commitments to address issues with the built environment as a condition for its certification by the State of California. As a result, the City's General Plan Safety Element contains a Healthy Communities section that addresses both requirements and builds upon the City's Resolution 2010-030, which affirms the commitment to promoting and developing a safe and healthy Hesperia for all residents.

To inform goals, policies and programs in the Health and Safety Element, a Healthy Community Technical Report was prepared, supported by information gathered from community workshops, stakeholder interviews, and a public survey. Based on the findings and as required by Section 653902(h) of the Government Code, the Element provides goals, policies, and programs that address the following topics:

- Reduction of pollution exposure;
- Improvement in air quality;
- Opportunities for physical activity;
- Access to healthy food;
- Affordable, safe, and sanitary homes;
- Access to public facilities and services; and
- Increasing opportunities for civic involvement.

Addendum to the 2010 Environmental Impact Report: PlaceWorks prepared the Addendum to the 2010 Certified Environmental Impact Report (Certified EIR) for Hesperia's General Plan. The Addendum evaluates whether the General Plan Update (proposed project) would modify the existing General Plan in such a way that it would create new environmental impacts or substantially increase the severity of previously identified significant effects, potentially requiring further environmental review. The Addendum, in conjunction with the Certified EIR, serve as the environmental review for the proposed modifications to the existing General Plan, ensuring compliance with CEQA. The Addendum evaluates the potential environmental impacts associated with the existing General Plan as modified by the General Plan Update.

The proposed project will update the Land Use, Circulation, and Health and Safety elements, as well as the environmental equity policies to address state laws and support projected growth over the next 25 years. The proposed project is a focused update of the current General Plan to conform with new State laws related to community health, climate adaptation, resiliency, and mobility, and to bring long-term growth projections into alignment with current economic

conditions and state mandates. Differences in population, jobs, housing units, and non-residential square feet between the existing General Plan and General Plan Update at buildout are shown in the following table.

Comparison of Buildout Conditions for Existing General Plan and General Plan Update

	Existing General Plan ¹ (2050)	General Plan Update (2050)	Difference
Population	144,538	162,835	+18,297
Jobs	48,527	48,502	-25
Housing Units	54,430	61,570	+7,140
Non-Residential Square Feet	67,613,266	66,733,917	-879,349
¹ The 2010 Certified EIR did not include a planning horizon, and therefore, the buildout under the existing General Plan was adjusted to account for a 2050 horizon year. The buildout under the proposed project is within the overall buildout as envisioned in the 2010 Certified EIR			

Addendum Process: Pursuant to the CEQA Guidelines Section 15164, an Addendum to a previously certified EIR may be prepared under specific circumstances. The Addendum process allows for the documentation of minor project changes or technical updates that do not result in new or substantially more severe environmental impacts.

The proposed project qualifies for an Addendum under CEQA Guidelines Section 15164, as the proposed changes are consistent with the scope of the previously Certified EIR and do not meet any of the conditions outlined in Section 15162(a) and Section 15163(a) of the CEQA Guidelines, that would require preparation of a Subsequent or Supplemental EIR. The environmental impacts remain within the range analyzed in the Certified EIR, and no new significant impacts or substantial increases in the severity of impacts have been identified. Therefore, preparation of a full Subsequent EIR is not warranted, and the Addendum process is both appropriate and compliant with CEQA requirements.

Tribal Consultation: In compliance with Senate Bill 18 (Government Code Section 65352.3), the City of Hesperia initiated tribal consultation by contacting California Native American tribes identified by the Native American Heritage Commission. Notification letters were sent on May 21, 2024, to the Desert Cahuilla Indians, the Cabazon Band of Mission Indians, and the Yuhaaviatam of San Manuel. The Yuhaaviatam of the San Manuel tribe responded on May 24, 2024, and requested formal consultation with the City. The City indicated that the proposed project would not allow for any ground-disturbing activities that would preclude a project from going through the standard CEQA requirements, and the Tribe concluded consultation on October 30, 2024. In addition, since the proposed project is being evaluated through a CEQA Addendum and not a new EIR, consultation pursuant to Assembly Bill 52 (Public Resources Code Sections 21073 to 21084.3) do not apply in this instance.

Significant Impacts: CEQA requires that the EIR identify the impacts of a project and propose mitigation measures to reduce those impacts. CEQA also requires disclosure of any impacts that cannot be mitigated to a non-significant level, even if all feasible mitigations are required. The Certified EIR determined that implementation of the existing General Plan would result in significant and unavoidable impacts related to air quality, noise, and transportation. The

Addendum determined that these impacts would continue to be significant and unavoidable as part of the proposed project, as summarized:

- Air Quality
 - Results in construction emissions that would contribute substantially to an existing or projected air quality violation;
 - Results in operational emissions that would contribute substantially to an existing or projected air quality violation; and
 - Results in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors).
- Noise
 - Results in a substantial permanent increase in ambient noise levels in the project vicinity.
- Transportation¹
 - Causes an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system; and
 - Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

No new significant environmental impacts have been identified beyond those already assessed in the Certified EIR. While the proposed project may result in physical impacts due to future improvements, the analysis and mitigation measures from the Certified EIR will still apply. While the project involves physical impacts, it does not result in new significant environmental effects or substantially increase the severity of previously identified impacts. The analysis and mitigation measures from the previously Certified EIR remain applicable to the proposed project.

CITY GOAL SUPPORTED BY THIS ITEM

Future Development: Facilitate balanced growth to ensure cohesive community development and pursue economic development.

CONCLUSION

Adoption of the General Plan Update will bring the City's primary policy document into compliance with new state laws and mandates and ensure continued compliance with CEQA. The update will also address the changes the City has experienced in the previous 15 years since the General Plan was last updated. The update will provide guidance to the City's decision makers and staff to carry out the overall vision for the City of Hesperia. The Addendum substantiates that the proposed changes do not induce new significant environmental impacts beyond those already addressed by the 2010 General Plan EIR.

¹ The 2010 Certified EIR found impacts to Level of Service (LOS) to be significant and unavoidable. However, since CEQA no longer uses LOS as a threshold standard, and has replaced it with Vehicle Miles Traveled (VMT), the LOS significance is no longer applicable to CEQA.

ALTERNATIVE

1. Provide alternative direction to staff.

ATTACHMENT(S)

- 1) Resolution No. PC-2025-08 (Certifying the Addendum in compliance with CEQA)
- 2) Resolution No. PC-2025-09 (Adoption of the 2025 General Plan Update)
- 3) Addendum to the 2010 General Plan EIR*
- 4) Land Use Element*
- 5) Circulation Element*
- 6) Health and Safety Element*

The attachments above noted by an * are available on the City's website at www.cityofhesperia.us and are provided under separate cover.

ATTACHMENT 1

RESOLUTION NO. PC-2025-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT THE ADDENDUM TO THE CITY'S 2010 GENERAL PLAN FINAL ENVIRONMENTAL IMPACT REPORT (EIR) PURSUANT TO CEQA IN SUPPORT OF THE 2025 GENERAL PLAN UPDATE

WHEREAS, on September 7, 2010, the City Council of the City of Hesperia adopted Resolution No. 2010-057 certifying the Final EIR for the City's 2010 General Plan, which also remains applicable to development within the City; and

WHEREAS, fifteen (15) years have passed since the City of Hesperia adopted the 2010 General Plan and changes to the City's size and population, as well as new laws, regulations, and circumstances that did not exist when the original General Plan was adopted, require an update to the General Plan described herein (hereinafter referred to as "2025 General Plan Update" or "Project"); and

WHEREAS, the 2025 General Plan Update is a focused update to the three mandatory elements required by the State of California, including Land Use, Circulation and Health and Safety Elements; and

WHEREAS, the Addendum has been prepared pursuant to CEQA Guidelines Section 15164 to evaluate whether the proposed 2025 General Plan Update would result in any new significant impacts, substantially more severe impacts, or trigger the need for a subsequent or supplemental EIR under Sections 15162 or 15163; and

WHEREAS, the 2010 General Plan EIR identified significant and unavoidable impacts to air quality, noise, and traffic, but the significant and unavoidable impacts pertaining to traffic no longer apply as Level of Service (LOS) was replaced with Vehicle Miles Traveled (VMT) per Senate Bill 743 (SB 743) and CEQA Guidelines Section 15064.3, and VMT has been determined to be the applicable metric for analyzing transportation impacts under CEQA, thereby rendering LOS-based impacts no longer applicable; and

WHEREAS, the Addendum to the 2010 General Plan EIR reflects this change in CEQA law and confirms that this transition from LOS to VMT does not result in new or more severe environmental effects; and

WHEREAS, the Addendum concludes that all impacts remain within the scope of analysis in the certified 2010 General Plan EIR, and that none of the criteria in CEQA Guidelines Section 15162 or Section 15163 are met; and

WHEREAS, on June 12, 2025, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the Addendum to the 2010 General Plan EIR in connection with the 2025 General Plan Update and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to this Planning Commission during the above-referenced June 12, 2025, hearing, including public testimony and written and oral staff reports, this Planning Commission specifically finds as follows:

- (a) An Addendum to the 2010 General Plan EIR has been prepared for the 2025 General Plan Update. The 2025 General Plan Update qualifies for an Addendum under CEQA Guidelines Section 15164, as the proposed project is consistent with the scope of the 2010 General Plan EIR and does not meet any of the conditions outlined in Section 15162(a) or Section 15163(a) of the CEQA Guidelines, that would require preparation of a Subsequent or Supplemental EIR. The environmental impacts remain within the range analyzed in the 2010 General Plan EIR, and no new significant impacts or substantial increases in the severity of impacts have been identified. Therefore, preparation of a full Subsequent EIR is not warranted, and the Addendum process is both appropriate and compliant with CEQA requirements.
- (b) The Planning Commission has independently reviewed and analyzed the Addendum, and finds that it reflects the independent judgment of the Planning Commission, and that there is no substantial evidence, in light of the whole record, that the project may result in new significant impacts or substantial increases in the severity of impacts that were previously identified.

Section 3. The Planning Commission hereby recommends that the City Council certify the Addendum to the 2010 General Plan EIR as being complete pursuant to Resolution No. PC-2025-08.

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

ADOPTED AND APPROVED on this 12th day of June 2025

Roger Abreo, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission

ATTACHMENT 2

RESOLUTION NO. PC-2025-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT THE 2025 GENERAL PLAN UPDATE.

WHEREAS, on September 7, 2010, the City Council of the City of Hesperia adopted the City's General Plan, currently applicable with regards to development within the City; and

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

WHEREAS, fifteen (15) years have passed since the City of Hesperia adopted its 2010 General Plan and changes to the City's size and population as well as new laws, regulations, and circumstances that did not exist when the original plan was adopted, require an update to the General Plan described herein (hereinafter referred to as "General Plan Update" or "Project"); and

WHEREAS, on May 2, 2023 the City Council adopted the 2021-2029 Housing Element (6th Cycle Housing Element Update) which includes several program actions that require the City to amend the Development Code and update the General Plan to allow for up to 30 dwelling units per acre (du/ac) in the Multi-Family (R3) zone; to allow for 100-percent residential development ranging from 20 to 30 du/ac in the General Commercial (C-2) zone; and to allow for up to 30 du/ac in the Regional Commercial (RC) zone within the Main Street and Freeway Corridor Specific Plan.

WHEREAS, the General Plan Update establishes the City's overall policy development framework to help realize the community's vision to the year 2050 planning horizon; and

WHEREAS, the General Plan Update is a focused update to the Land Use, Safety, and Circulation Elements of the General Plan; and

WHEREAS, the City of Hesperia, as the lead agency, prepared an Addendum to the 2010 General Plan Environmental Impact Report ("EIR") pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, and determined that no new significant environmental impacts would occur beyond those previously analyzed in the 2010 General Plan EIR, and that the existing analysis and mitigation measures remain applicable to the proposed project; and

WHEREAS, the Planning Commission held five workshops on April 11, 2024, May 23, 2024, July 11, 2024, August 8, 2024 and September 26, 2024 to review and discuss critical components of each element; and

WHEREAS, on November 18, 2024, the City Council held a workshop to review and discuss the 2025 General Plan Update; and

WHEREAS, pursuant to California Government Code Section 65302.5(b), the California Department of Forestry and Fire Protection reviewed the draft Safety Element and consulted with the City from December 2024 to January 2025. The State Board of Forestry and Fire Protection's Resource Protection Committee reviewed the Safety Element on March 4, 2025, during its regular meeting and approved the City to proceed with the public hearings and adoption of the Safety Element without revisions; and

WHEREAS, on June 12, 2025, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed 2025 General Plan Update 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 the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to this Planning Commission during the above-referenced June 12, 2025, hearing, including public testimony and written and oral staff reports, this Planning Commission specifically finds as follows:

- (a) An Addendum to the 2010 General Plan EIR has been prepared for the 2025 General Plan Update. The 2025 General Plan Update qualifies for an Addendum under CEQA Guidelines Section 15164, as the proposed project is consistent with the scope of the 2010 General Plan EIR and does not meet any of the conditions outlined in Section 15162(a) or Section 15163(a) of the CEQA Guidelines, that would require preparation of a Subsequent or Supplemental EIR. The environmental impacts remain within the range analyzed in the 2010 General Plan EIR, and no new significant impacts or substantial increases in the severity of impacts have been identified. Therefore, preparation of a full Subsequent EIR is not warranted, and the Addendum process is both appropriate and compliant with CEQA requirements.
- (b) The Planning Commission has independently reviewed and analyzed the Addendum and finds that it reflects the independent judgment of the Commission, and that there is no substantial evidence, in light of the whole record, that the project may result in new significant impacts or substantial increases in the severity of impacts that were previously identified.
- (c) Adoption of the 2025 General Plan Update will achieve the following goals:
 - Ensuring compatibility between adjacent uses;
 - Preserving and enhancing residential areas;
 - Promoting balanced, efficient commercial development to generate sales taxes;
 - Providing for industrial development to increase opportunities for local employment;
 - Investing in high-quality public facilities;
 - Sustainable development measures, including water conservation, energy efficient design and Leadership in Energy Efficient Design (LEED) building certification;
 - Improving the quality of life for all community members;

- Ensuring that future growth is fiscally sustainable.
- Ensuring a safe and efficient roadway network;
- Facilitating goods movement without negatively impacting sensitive areas;
- Providing opportunities for non-motorized alternatives to vehicular travel;
- Supporting safe and convenient regional transit;
- Reducing pollution exposure;
- Improving air quality;
- Opportunities for physical activity;
- Access to healthy food;
- Affordable, safe, and sanitary homes;
- Access to public facilities and services; and
- Increasing opportunities for civic involvement

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends that the City Council approve the 2025 General Plan Update and certify the Addendum to the 2010 General Plan EIR.

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

ADOPTED AND APPROVED on this 12th day of June 2025.

Roger Abreo, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission

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