

City of Hesperia

STAFF REPORT



DATE: June 6, 2023

TO: Mayor and Council Members

FROM: Nils Bentsen, City Manager

BY: Rachel Molina, Assistant City Manager
Ryan Leonard, Senior Planner

SUBJECT: Development Code Amendment DCA23-00001 and Specific Plan Amendment SPLA23-00003; Applicant: City of Hesperia; Area affected: City-wide.

RECOMMENDED ACTION

It is recommended that the City Council introduce and place on first reading Ordinance No. 2023-09 approving Development Code Amendment DCA23-00001 and Specific Plan Amendment SPLA23-00003 modifying development standards associated with the establishment of new vehicle wash facilities.

BACKGROUND

Within the past year the City has seen an increase in the number of new carwash development applications. In response to the recent expansion of carwash developments, the City Council determined that without further regulation of the location and operation of carwash facilities, there is the potential for significant negative impacts from the development of such uses that cannot be mitigated. To that end, on February 7, 2023, the City Council adopted Urgency Ordinance No. 2023-01 establishing a 45-day moratorium on the establishment or expansion of new carwash facilities in the City. On March 21, 2023, the moratorium was extended for an additional period of ten (10) months and fifteen (15) days, for a total period of one year (Attachment 1).

The purpose of the development moratorium was to allow staff time to study the issues associated with carwash facilities and to present recommendations which would regulate the location of future carwash establishments and the types of development standards that should be imposed on their operation to mitigate any potential impacts.

Planning Commission Review: On April 13, 2023, the Planning Commission voted 4-0 (Commissioner Bartz was absent) to forward this item to the City Council with a recommendation for denial. The Planning Commission deliberated and discussed the proposed project and generally concluded that the proposed Development Code Amendment was not necessary. The overall consensus was that a carwash business would do their own market research and would only choose to invest at a specific location if there was enough consumer demand to warrant it. There were no residents who spoke either in favor or opposition to the project.

ISSUES/ANALYSIS

Existing Regulations: Hesperia Municipal Code section 16.16.320 currently allows vehicle wash facilities in the General Commercial (C2), Service Commercial (C3), and the Limited Manufacturing (I1) zones with approval of a Conditional Use Permit (CUP). Vehicle wash facilities

are listed as prohibited uses in the Convenience Commercial (C1) and General Manufacturing (I2) zones. The proposed Development Code Amendment would not make any modifications to the above zoning designations.

Additionally, within the Main Street and Freeway Corridor Specific Plan (Specific Plan), carwash facilities are allowed in the Regional Commercial (RC), Auto Sales Commercial (ASC) Neighborhood Commercial (NC) and Commercial Industrial Business Park (CIBP) zones with approval of a CUP. Carwash facilities are listed as a permitted use in the General Industrial (GI) zone of the Specific Plan. In addition, carwash facilities are listed as a prohibited uses in the Office Park (OP) and Office Commercial (OC) zones of the Specific Plan. Staff is proposing to change the current requirement to require a CUP for vehicle wash facilities within the General Industrial (GI) zone.

Additionally, Section 16.16.365 of the Municipal Code contains specific design and use standards for carwash facilities. This particular section of the Municipal Code is applicable to properties that are located within and outside of the Specific Plan.

Proposed Regulations: There are three common types of carwash facilities: full service, express, and ancillary facilities. Full- service carwash facilities are usually stand-alone facilities where employees either hand wash or detail vehicles. Express carwash facilities are usually fully automated carwash facilities with self- serve vacuum stalls. Ancillary facilities are typically automated facilities that are associated with gas stations, and more commonly called drive- thru carwashes.

Staff is proposing to create specific development standards that would apply to all future carwash facilities. The proposed Development Code Amendment will add new distance and separation requirements that would require that each full service or express carwash facility be separated by a minimum of 2,000 feet from the nearest standalone carwash facility (i.e. full service or express facility). In addition, ancillary carwash facilities which are part of a gas station would have to be located 1,000 feet away from the nearest standalone carwash facility. However, staff is not proposing a separation requirement from an ancillary carwash facility to another ancillary wash facility. Lastly, any new carwash facility application must submit a market research study supporting the viability of the project in the proposed location.

Carwash facilities will continue to require a Conditional Use Permit, allowing the Planning Commission final say in determining whether a proposed project is suitable and appropriate

Environmental: Approval of the Development Code Amendment is exempt from the requirements of the California Environmental Quality Act per Section 15061(b)(3), where it can be seen with certainty that there is no significant effect on the environment. The proposed Development Code Amendment is 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 Development Code Amendment does not propose to increase the density or intensity allowed in the General Plan.

Conclusion: The Development Code Amendment complies with the General Plan. Ensuring that all future vehicle wash facilities are subject to a conditional use permit and adding minimum separation requirements between full service and express carwash facilities will ensure that future sites are developed in an orderly and quality manner.

FISCAL IMPACT

There are no fiscal impacts identified with this action.

ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENT(S)

1. Ordinance 2023-09
2. Exhibit A
3. April 13, 2023, Planning Commission staff report (includes March 21, 2023 City Council staff report as an attachment.)