

# ATTACHMENT 4

## RESOLUTION PC NO. 2025-02

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A TENTATIVE TRACT MAP TO CREATE 17 SINGLE-FAMILY RESIDENTIAL LOTS AND 1 COMMON LETTERED LOT ON 4.9 GROSS ACRES LOCATED ON THE NORTHWEST CORNER OF HOLLISTER STREET AND JOSHUA TREE AVENUE (TT-20673/TT23-00006)**

**WHEREAS**, Nighthawk Holdings, LLC has filed an application requesting approval of Tentative Tract Map No. 20673, Case Number TT23-00006, as described herein (hereinafter referred to as "Application"); and

**WHEREAS**, the Application applies to a 4.9 gross acre site within the Single Family Residential (R1-4500) zone, requiring a minimum lot size of 4,000 square feet, located on the northwest corner of Hollister Street and Joshua Tree Avenue, consisting of Assessor's Parcel Number 3057-051-19; and

**WHEREAS**, the Application, as proposed, seeks to create 17 single-family residential lots and 1 common lettered lot within one existing parcel totaling 4.9 gross acres of land; and

**WHEREAS**, the subject site, as well as all surrounding properties, is located within the Single Family Residential (R1-4500) zone; and

**WHEREAS**, the subject property is currently vacant. The properties to the north consist of an existing tract of single-family homes, which the proposed tract will expand upon. The property to the east is vacant. The property to the west consists of a subdivided residential tract that remains undeveloped and vacant. The properties to the south consist of an existing single-family home tract, adjacent to a subdivided residential tract that remains undeveloped and vacant; and

**WHEREAS**, the proposed tract complies with the maximum density, minimum square footage, and minimum width and depth requirements of the Single Family Residential (R1-4500) zone of the Municipal Code; and

**WHEREAS**, the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) by Section 15332, In-fill Development Projects. This exemption applies to developments on sites no larger than five acres, with no endangered or threatened species on site, which are consistent with the General Plan and are substantially surrounded by urban use; and

**WHEREAS**, on April 10, 2025, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing regarding the proposed Application, 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 Planning Commission during the above-referenced April 10, 2025 hearing, including public testimony and written and oral staff reports, the Commission specifically finds as follows:

- (a) The site is physically suitable for the type of development, as the site can accommodate the proposed lots within the subdivision. The project site is currently undisturbed by physical development. The design of the subdivision and the type of improvements will not conflict with easements acquired by the public for access or use of the property within the proposed subdivision; and
- (b) The site is physically suitable for the proposed density of development because the lots are adequate in size and shape, and all Development Code regulations for the permitted uses can be met. The site is within the Single Family Residential (R1-4500) zone, which has a minimum lot size of 4,000 square feet and allows a maximum density of 8 dwelling units per acre. The tentative tract will create 17 single-family residential lots on 4.9 gross acres, resulting in a density of 3.4 dwelling units per acre, which is far below the allowable density required by the General Plan; and
- (c) The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project site is surrounded by existing development and is not known to contain fish, wildlife, or related habitat. Conditions of approval require a pre-construction survey, conducted by an approved biologist, to determine if the site contains burrowing owls. The project must also comply with the City's Desert Native Plant Protection Ordinance, requiring a protected plant plan before issuing grading permits; and
- (d) The design of the subdivision and the type of improvements are not likely to cause serious public health problems because all construction will require necessary permits and will conform to the City's adopted building and fire codes. Prior to any ground disturbance, improvement plans for drainage, erosion, sewer, water, and circulation must be submitted to ensure that on-site and off-site improvements are constructed to the latest standards. The project will connect to a reliable potable water source and sewer system, ensuring sanitary disposal of wastewater. Upon development of the residences, each home will be required to have trash pickup service from the City's franchised waste hauler; and
- (e) The proposed subdivision is consistent with the goals, policies, standards, and all applicable regulations of the City of Hesperia Municipal Code. The design and improvement of the proposed subdivision are consistent with the General Plan and the Hesperia Municipal Code, as the project supports the existing surrounding land use; and

- (f) The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities for each proposed lot. All single-family residences must meet the minimum energy efficiency standards in Title 24, which mandates insulation, solar panels, and light/ventilation systems to make the homes energy efficient.

Section 3. Based on the findings and conclusions set forth in this Resolution, the Commission hereby approves Tentative Tract Map No. 20673 (TT23-00006), subject to the Conditions of Approval as set forth in Attachment "A."

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

**ADOPTED AND APPROVED** on this 10<sup>th</sup> day of April 2025.

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Roger Abreo, Chair, Planning Commission

ATTEST:

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Maricruz Montes, Secretary, Planning Commission