

**HESPERIA CITY COUNCIL  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY  
HOUSING AUTHORITY  
COMMUNITY DEVELOPMENT COMMISSION  
FIRE PROTECTION DISTRICT  
WATER DISTRICT  
AGENDA**

*Regular Joint Meetings*  
*1<sup>st</sup> and 3<sup>rd</sup> Tuesday*

**Date: October 17, 2017**  
**REGULAR MEETING**

**Time: 5:30 P.M.** (*Closed Session*)  
**6:30 P.M.** (*Regular Meeting*)

**CITY COUNCIL MEMBERS**

Paul Russ, Mayor

Russell Blewett, Mayor Pro Tem

Larry Bird, Council Member

Bill Holland, Council Member

Rebekah Swanson, Council Member

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Nils Bentsen, City Manager

Eric L. Dunn, City Attorney



*City of Hesperia*

Council Chambers  
9700 Seventh Avenue  
Hesperia, CA 92345

City Clerk's Office: (760) 947-1007

**Agendas and Staff Reports are  
available on the City Website**  
[www.cityofhesperia.us](http://www.cityofhesperia.us)

Documents produced by the City and distributed less than 72 hours prior to the meeting, regarding items on the agendas, will be made available in the City Clerk's Office located at 9700 Seventh Avenue during normal business hours.



**NOTE:** In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (760) 947-1007 or (760) 947-1056. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

**REGULAR MEETING AGENDA  
HESPERIA CITY COUNCIL  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY  
HESPERIA HOUSING AUTHORITY  
HESPERIA COMMUNITY DEVELOPMENT COMMISSION  
HESPERIA FIRE PROTECTION DISTRICT  
HESPERIA WATER DISTRICT**

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

*Prior to action of the Council, 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.*

*Individuals wishing to speak during General Public Comments or on a particular numbered item must submit a speaker slip to the City Clerk with the agenda item noted. Speaker slips should be turned in prior to the public comment portion of the agenda or before an agenda item is discussed. Comments will be limited to three minutes for General Public Comments, Consent Calendar items and New Business items. Comments are limited to five minutes for Public Hearing items.*

*In compliance with the Brown Act, the City Council may not discuss or take action on non-agenda items or engage in question and answer sessions with the public. The City Council may ask brief questions for clarification; provide a reference to staff or other resources for factual information and direct staff to add an item to a subsequent meeting.*

**CLOSED SESSION - 5:30 PM**

**Roll Call**

*Mayor Paul Russ  
Mayor Pro Tem Russell Blewett  
Council Member Larry Bird  
Council Member Bill Holland  
Council Member Rebekah Swanson*

Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(d)1

1. Greencoast SFV Central, LLC v. City of Hesperia; Case No. CIVDS1716460

Conference with Labor Negotiator  
Government Code Section 54957.6

1. Negotiations between the City of Hesperia and the Teamster Local 1932 with the City's Negotiator. (Staff person: Brian D. Johnson, Assistant City Manager/ Management Services)

**CALL TO ORDER - 6:30 PM**

- A. Invocation
- B. Pledge of Allegiance to the Flag

**C. Roll Call**

Mayor Paul Russ  
Mayor Pro Tem Russell Blewett  
Council Member Larry Bird  
Council Member Bill Holland  
Council Member Rebekah Swanson

**D. Agenda Revisions and Announcements by City Clerk****E. Closed Session Reports by City Attorney****ANNOUNCEMENTS/PRESENTATIONS**

1. Presentation to Louisa Miller, Business Consultant for Inland Empire Small Business Development Center by Mayor Pro Tem Blewett
2. Community Events Calendar by Mayor Paul Russ

**GENERAL PUBLIC COMMENTS (For items and matters not listed on the agenda)**

*Individuals wishing to speak during General Public Comments or on a particular numbered item must submit a speaker slip to the City Clerk with the agenda item noted. Speaker slips should be turned in prior to the public comment portion of the agenda or before an agenda item is discussed. Comments will be limited to three minutes for General Public Comments, Consent Calendar items and New Business items. Comments are limited to five minutes for Public Hearing items.*

*In compliance with the Brown Act, the City Council may not discuss or take action on non-agenda items or engage in question and answer sessions with the public. The City Council may ask brief questions for clarification; provide a reference to staff or other resources for factual information and direct staff to add an item to a subsequent meeting.*

- 1) City Council
- 2) Fire District
- 3) Water District

**JOINT CONSENT CALENDAR**

1. Page 9 Consideration of the Draft Minutes from the Regular Meeting held October 3, 2017

**Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held October 3, 2017.

**Staff Person:** City Clerk Melinda Sayre

**Attachments:** [Draft CC Min 2017-10-03](#)

2. Page 15 Warrant Run Report (City - Successor Agency - Housing Authority - Community Development Commission - Fire - Water)

**Recommended Action:**

It is recommended that the Council/Board ratify the warrant run and payroll report for the City, Successor Agency to the Hesperia Community Redevelopment Agency, Hesperia Housing Authority, Community Development Commission, Fire District, and Water District.

**Staff Person:** Assistant City Manager/Management Services Brian Johnson

**Attachments:** [SR Warrant Run 10-17-2017](#)  
[Attachment 1 - Warrant Run](#)

3. Page 19 Treasurer's Cash Report for the unaudited period ended August 31, 2017

**Recommended Action:**

It is recommended that the Council/Board accept the Treasurer's Cash Report for the City, Successor Agency to the Hesperia Community Redevelopment Agency, Hesperia Housing Authority, Community Development Commission, Fire District, and Water District.

**Staff Person:** Assistant City Manager/Management Services Brian Johnson

**Attachments:** [SR Treasurer's Report 10-17-2017](#)  
[Attachment 1 - Investment Reports](#)

4. Page 29 Cal OES Hazard Mitigation Grant Program

**Recommended Action:**

It is recommended that the City Council adopt Resolution No. 2017-049 approving and authorizing (1) the submittal of a grant application requesting \$3 million in funding from the California Office of Emergency Services Hazard Mitigation Grant Program for the construction of the Escondido Avenue Detention Basin; (2) authorize the City Manager to submit grant application; and (3) authorize the City Manager to execute all matters pertaining to assurances and agreements as required by the California Governor's Office of Emergency Services.

**Staff Person:** Management Analyst Julie Ryan

**Attachments:** [SR Cal OES Hazard Mitigation Grant 10-17-2017](#)  
[Resolution 2017-049](#)  
[Attachment 2 - Designation of Applicant Agent Resolution](#)

5. Page 35 Award Contract for Recycled Water System - Phase 1A, C.O. No. 8087

**Recommended Action:**

It is recommended that the Board of Directors of the Hesperia Water District award a contract for Recycled Water System - Phase 1A (C.O. No. 8087) to the lowest responsive and responsible bidder, Christensen Brothers General Engineering, Inc. in the amount of \$5,734,596; approve an additional 10% contingency in the amount of \$573,460 for a total construction budget of \$6,308,056; approve the design of the project represented by the plans and specifications; and authorize the City Manager to execute the contract.

**Staff Person:** Director of Development Services Michael Blay

**Attachments:** [SR Award Contract Recycled Water 10-17-2017](#)

6. Page 39 Resolution Amending the City-Wide Administrative Bail Schedule

**Recommended Action:**

It is recommended that the Council adopt Resolution No. 2017-50, amending the City-wide administrative bail schedule.

**Staff Person:** Director of Development Services Michael Blay and Administrative Analyst Tina Bulgarelli

**Attachments:** [SR City Administrative Bail Schedule 10-17-2017](#)

[Resolution 2017-050](#)

[Attachment 2 - Recommended Bail Schedule Changes](#)

[Attachment 3 - Exhibit A - Administrative Bail Schedule](#)

7. Page 51 Amendment to Contract with Data Ticket, Inc. for Collection Services

**Recommended Action:**

It is recommended that the City Council approve an amendment in the amount of \$25,000 to the contract with Data Ticket, Inc. (PSA 2012-13-049) for a total contract amount of \$538,000, extend the contract through June 30, 2018, and authorize the City Manager to execute the amended contract with Data Ticket, Inc for the management and collection of citations, cost recovery, appeals, and hearing officer services.

**Staff Person:** Director of Development Services Michael Blay and Administrative Analyst Tina Bulgarelli

**Attachments:** [SR Data Ticket Contract Amendment 10-17-2017](#)

## **CONSENT ORDINANCES**

### **WAIVE READING OF ORDINANCES**

*Approve the reading by title of all ordinances and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.*

8. Page 53 Consideration of Specific Plan Amendment SPLA17-00002; Applicant: City of Hesperia; APNs: 3057-131-36 through 57

**Recommended Action:**

Place on second reading and adopt by title waiving the text of Ordinance No. 2017-17 approving Specific Plan Amendment SPLA17-00002 from the Very Low Density Residential (VLR) to Medium Density Residential (MDR) on approximately 49.5 gross acres generally bounded by Maple Avenue to the east, Tamarisk Avenue to the west, and Yucca Street to the north.

**Staff Person:** Senior Planner Daniel Alcayaga

**Attachments:** [SR SPLA17-00002 10-3-2017](#)  
[Attachment 1 - Specific Paln Zone Map](#)  
[Attachment 2 - Aerial photo](#)  
[Attachment 3 - Planning Commission Draft Minutes](#)  
[Attachment 4 - Site Plan 28 Unit Condo](#)  
[Attachment 5 - Site Plan 21 Unit Condo](#)  
[Attachment 6 - Negative Declaration and Initial Study](#)  
[Ordinance 2017-17](#)  
[Attachment 8 - Exhibit "A"](#)

9. Page 93 Consideration of Development Code Amendment DCA17-00007 reorganizing the animal regulations for ease of use by the public; Applicant: City of Hesperia; Area affected: City-wide

**Recommended Action:**

Place on second reading and adopt by title waiving the text of Ordinance No. 2017-18 approving Development Code Amendment DCA17-00007, reorganizing the animal regulations for ease of use by the public.

**Staff Person:** Senior Planner Daniel Alcayaga  
**Attachments:** [SR Reorganizing Animal Regulations 10-3-2017](#)  
[Ordinance 2017-18](#)  
[Attachment 2 - Exhibit "A"](#)

10. Page 113 Development Code Amendment DCA17-00008 to amend Chapters 6.12 and 16.16 of the Municipal Code as it pertains to apiaries.; Applicant: City of Hesperia; Area affected: City-wide

**Recommended Action:**

Place on second reading and adopt by title waiving the text of Ordinance No. 2017-19 approving Development Code Amendment DCA17-00008, amending Chapters 6.12 and 16.16 of the Municipal Code as it pertains to apiaries.

**Staff Person:** Senior Planner Daniel Alcayaga  
**Attachments:** [SR Apiary Regulations 10-3-2017](#)  
[Ordinance 2017-19](#)  
[Attachment 2 - Exhibit "A"](#)

**PUBLIC HEARINGS**

*Individuals wishing to comment on public hearing items must submit a speaker slip to the City Clerk with the numbered agenda item noted. Speaker slips should be turned in prior to an agenda item being taken up. Comments will be limited to five minutes for Public Hearing items.*

**WAIVE READING OF ORDINANCES**

*Approve the reading by title of all ordinances and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.*

**PUBLIC HEARING****11. Page 119 Joint Resolution Amending the City-Wide Fee Schedule****Recommended Action:**

It is recommended that the Council and respective Boards adopt Joint Resolution No. 2017-043, Resolution No. HWD 2017-15, Resolution No. HFPD 2017-14, Resolution No. HHA 2017-07, and Resolution No. HCDC 2017-08 rescinding Joint Resolution No. 2016-48, Resolution No. HWD 2016-18, Resolution No. HFPD 2016-18, Resolution No. HHA 2016-12, and Resolution No. HCDC 2016-09, Joint Resolution No. 2016-61, Resolution No. HWD 2016-23, Resolution No. HFPD 2016-21, Resolution No. HHA 2016-14, and Resolution No. HCDC 2016-10, amending the City-wide fee schedule.

**Staff Person:** Director of Development Services Michael Blay and Administrative Analyst Tina Bulgarelli

**Attachments:** [SR Amend City Fee Schedule 10-17-2017](#)

[Joint Resolutions](#)

[Attachment 2 - Exhibit A Revised City Fee Schedule](#)

[Attachment 3 - Appendix A Development Impact Fees](#)

[Attachment 4 - Appendix B Fire Service Fees](#)

[Attachment 5 - Appendix C-Hourly Rates](#)

[Attachment 6 - Attachment A Sewer Connection Fee Summary](#)

[Attachment 7 - Attachment B Sewer Connection Fee Summary with Credit](#)

[Attachment 8 - Engineers Cost Estimate City Fee Comparison](#)

[Attachment 9 - Fee Change Summary Page](#)

**COUNCIL COMMITTEE REPORTS AND COMMENTS**

*The Council may report on their activities as appointed representatives of the City on various Boards and Committees and/or may make comments of general interest or report on their activities as a representative of the City.*

**CITY MANAGER/CITY ATTORNEY/STAFF REPORTS**

*The City Manager, City Attorney or staff may make announcements or reports concerning items of interest to the Council and the public.*

**ADJOURNMENT**

*I, Melinda Sayre, City Clerk of the City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Wednesday, October 11, 2017 at 5:30 p.m. pursuant to California Government Code §54954.2.*

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*Melinda Sayre,  
City Clerk*

*Documents produced by the City and distributed less than 72 hours prior to the meeting regarding items on the agenda will be made available in the City Clerk's Office during normal business hours.*

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# City of Hesperia Meeting Minutes - Draft City Council

City Council Chambers  
9700 Seventh Ave.  
Hesperia CA, 92345

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Tuesday, October 3, 2017

6:30 PM

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REGULAR MEETING AGENDA  
HESPERIA CITY COUNCIL  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY  
HESPERIA HOUSING AUTHORITY  
HESPERIA COMMUNITY DEVELOPMENT COMMISSION  
HESPERIA FIRE PROTECTION DISTRICT  
HESPERIA WATER DISTRICT

## **CLOSED SESSION - 5:30 PM**

### **Roll Call**

**Present:** 5 - Mayor Russ, Mayor Pro Tem Blewett, Council Member Bird, Council Member Holland and Council Member Swanson

Conference with Legal Counsel - Potential Litigation:  
Government Code Section 54956.9(d)2

1. One (1) case

Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(d)1

1. Victor Valley Family Resource Center, et al. v. City of Hesperia et al.

Conference with Real Property Negotiators – Property Negotiations  
Government Code Section – 54956.8

1. Negotiating Parties: Hesperia Housing Authority and Derek Fitch  
Location: APN 0405-062-72 and 73  
Under Negotiation: Price and Terms

Conference with Labor Negotiator  
Government Code Section 54957.6

1. Negotiations between the City of Hesperia and the Teamster Local 1932 with the City's Negotiator.  
(Staff person: Brian D. Johnson, Assistant City Manager/ Management Services)

## **CALL TO ORDER - 6:30 PM**

**A. Invocation by David Kirby of Church of Jesus Christ of Latter-day Saints**

**B. Pledge of Allegiance to the Flag**

**C. Roll Call**

**Present:** 5 - Mayor Russ, Mayor Pro Tem Blewett, Council Member Bird, Council Member Holland and Council Member Swanson

**D. Agenda Revisions and Announcements by City Clerk - None**

**E. Closed Session Reports by City Attorney – No reportable action taken**

**ANNOUNCEMENTS/PRESENTATIONS**

1. Presentation of Employee of the Month for September to Stephanie McClure, Assistant City Clerk by Melinda Sayre, City Clerk
2. Community Events Calendar by Mayor Paul Russ - *Community shred 10/7 at Eagle Plaza from 9-12, e-waste event 10/7, kittens available for adoption for \$15 at the animal shelter, Classic Car show 10/28, Community Clean-up Day 10/26.*

**GENERAL PUBLIC COMMENTS (For items and matters not listed on the agenda)**

*Bob Nelson commented on free speech, Daniel Krist commented on community issues*

*The following individuals commented on Green Coast Hydroponic store:  
Fatima DeLeon, John Ryan Mackey, Katie Stone, Jessica Weis, Joe Secard, Eddie Secard*

*The following individuals commented on traffic safety at aqueduct crossings:  
Crystal Corona, Carlotta Estrada, Coco Linares, Tony Linares, Patty Linares*

*Mayor Russ gave a clarifying statement regarding aqueduct traffic safety mitigation efforts.*

*The following individuals commented on teamster support:  
Gabriel Hernandez, Edwin McCarty, Kelly Matthews, Steve Matthews, Tom Kermin*

*Al Vogler commented on the water rate study workshops*

**JOINT CONSENT CALENDAR**

**A motion was made by Holland, seconded by Swanson, that the Consent Calendar be approved. The motion carried by the following vote:**

**Aye:** 5 - Russ, Blewett, Bird, Holland and Swanson

**Nay:** 0

**An amended motion was made by Holland, seconded by Swanson, that Consent Calendar items 1-5 and 7 be approved. The motion carried by the following vote:**

**Aye:** 5 - Russ, Blewett, Bird, Holland and Swanson

**Nay:** 0

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, September 19, 2017

**Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, September 19, 2017.

**Sponsors:** City Clerk Melinda Sayre

2. Warrant Run Report (City - Successor Agency - Housing Authority - Community Development Commission - Fire - Water)

**Recommended Action:**

It is recommended that the Council/Board ratify the warrant run and payroll report for the City, Successor Agency to the Hesperia Community Redevelopment Agency, Hesperia Housing Authority, Community Development Commission, Fire District, and Water District.

**Sponsors:** Assistant City Manager/Management Services Brian Johnson

3. Purchase Piping and Material

**Recommended Action:**

It is recommended that the Board of Directors of the Hesperia Water District authorize the City Manager to approve a one-time purchase from Inland Water Works Supply Co. for piping and materials needed for the Pipeline Water Line Replacement program Construction Order #3406 in the not-to-exceed amount of \$102,897.

**Sponsors:** Public Works Manager Mark Faherty and Public Works Supervisor/Water Jeremy McDonald

4. Amend the FY 2017-18 Capital Improvement Program Budget

**Recommended Action:**

It is recommended that the City Council adopt Resolution No. 2017-047 amending the FY 2017-18 Capital Improvement Program Budget to incorporate a list of projects funded by Senate Bill 1: The Road Repair and Accountability Act and to appropriate funds to potential projects.

**Sponsors:** Director of Development Services Michael Blay

5. Award Contract for City Hall Minor Tenant Improvements, C.O. No. 3110-1701

**Recommended Action:**

It is recommended that the City Council award a contract to the lowest responsive and responsible bidder, Song N Sons General Construction, Inc. in the amount of \$67,884; approve an additional 10% contingency in the amount of \$6,800 for a total construction budget of \$74,684; approve the design of the project represented by the plans and specifications; and authorize the City Manager to execute the contract.

**Sponsors:** Director of Development Services Michael Blay

6. ~~Vacant Land Purchase Agreement – APN 0406-111-29~~

~~**Recommended Action:**~~

~~It is recommended that the Commissioners of the Hesperia Housing Authority (HHA) adopt Resolution No. HHA 2017-08 approving the Vacant Land Purchase Agreement and Joint Escrow Instructions (Agreement) by and between the HHA (Seller) and Frank Chavez and Sheri Chavez (Buyers) and authorize the Executive Director and Economic Development Manager to execute all documents necessary to finalize the transaction.~~

**Sponsors:** Economic Development Manager Rod Yahnke

*Item no. 6 was pulled by City Manager Nils Bentsen.*

7. United States Department of Transportation TIGER (Transportation Investment Generating Economic Recovery) Discretionary Grant Program

**Recommended Action:**

It is recommended that the City Council adopt Resolution No. 2017-048 approving and authorizing (1) the submittal of a grant application requesting \$9.7 million in funding from the United States Department of Transportation TIGER (Transportation Investment Generating Economic Recovery) Discretionary Grant Program for the construction of the Ranchero Road Widening Project; (2) authorize the City Manager to submit this grant application; and (3) direct the City Manager to negotiate cost sharing agreements with San Bernardino County and private partnerships.

**Sponsors:** City Engineer Mike Thornton and Management Analyst Julie Ryan

## **CONSENT ORDINANCES**

**A motion was made by Blewett, seconded by Bird, that this item be approved. The motion carried by the following vote:**

**Aye:** 4 - Russ, Blewett, Bird, Holland

**Nay:** 1 - Swanson

8. Approval of Off-Sale Alcohol Establishments (Type 20 & 21 ABC Licenses)

**Recommended Action:**

Place on second reading and adopt by title waiving the text of Ordinance 2017-08 denying Development Code Amendment DCA17-00006 to require all off-sale alcohol establishments to be forwarded to the City Council for final approval.

**Sponsors:** Principal Planner Dave Reno

## **PUBLIC HEARING**

9. Consideration of Specific Plan Amendment SPLA17-00002; Applicant: City of Hesperia; APNs: 3057-131-36 through 57

**Recommended Action:**

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2017-17 approving Specific Plan Amendment SPLA17-00002 from the Very Low Density Residential (VLR) to Medium Density Residential (MDR) on approximately 49.5 gross acres generally bounded by Maple Avenue to the east, Tamarisk Avenue to the west, and Yucca Street to the north.

**Sponsors:** Senior Planner Daniel Alcayaga

*The public hearing was opened. The following individuals commented on item 9: Rhonda Goodwin, Sharon Lundgren, David Chamberlin and Sam Akbarpour.*

*There being no further public testimony, the public hearing was closed.*

**A motion was made by Russ, seconded by Holland, that this item be approved. The motion carried by**

**the following vote:**

**Aye:** 4 - Russ, Blewett, Bird and Holland

**Abstain:** 1 - Swanson

10. Consideration of Development Code Amendment DCA17-00007 reorganizing the animal regulations for ease of use by the public; Applicant: City of Hesperia; Area affected: City-wide

**Recommended Action:**

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2017-18 approving Development Code Amendment DCA17-00007, reorganizing the animal regulations for ease of use by the public.

**Sponsors:** Senior Planner Daniel Alcayaga

*The public hearing was opened, there being no public comment, and the public hearing was closed.*

**A motion was made by Blewett, seconded by Russ, that this item be approved. The motion carried by the following vote:**

**Aye:** 5 - Russ, Blewett, Bird, Holland and Swanson

**Nay:** 0

11. Development Code Amendment DCA17-00008 to amend Chapters 6.12 and 16.16 of the Municipal Code as it pertains to apiaries; Applicant: City of Hesperia; Area affected: City-wide

**Recommended Action:**

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2017-19 approving Development Code Amendment DCA17-00008, amending Chapters 6.12 and 16.16 of the Municipal Code as it pertains to apiaries.

**Sponsors:** Senior Planner Daniel Alcayaga

*The public hearing was opened, there being no public comment, and the public hearing was closed.*

**A motion was made by Blewett, seconded by Holland, that this item be approved. The motion carried by the following vote:**

**Aye:** 5 - Russ, Blewett, Bird, Holland and Swanson

**Nay:** 0

## **COUNCIL COMMITTEE REPORTS AND COMMENTS**

*Council Member Holland commented on aqueduct traffic safety public comments, water & sewer rate study increase notices, property rights issues, extended his thoughts and prayers to those impacted by the mass shooting in Las Vegas and VVWRA article in the Daily Press.*

*Council Member Bird commented on aqueduct traffic safety public comments, the mass shooting in Las Vegas and offered prayers, thanked Assemblyman Obernottle for honoring Sultana High School's teacher of the month, Sultana band activities, and thanks received from a resident for a stop sign near Juniper Elementary School.*

*Council Member Swanson commented on the mass shooting in Las Vegas, prayers for the Mayors health issues, upcoming Unplugged event and the City's Clean-up Day event to be held 10/28.*

*Mayor Pro Tem Blewett commented on aqueduct traffic safety public comments and VVWRA fee issues.*

*Mayor Russ offered condolences to those impacted by the mass shooting in Las Vegas, commented on VVWRA*

*article in the newspaper and aqueduct crossing traffic safety.*

**CITY MANAGER/CITY ATTORNEY/STAFF REPORTS**

*Nils Bentsen commented on engineering standards regarding safety mitigation applications at the aqueduct crossing.*

**ADJOURNMENT**

*8:33 p.m.*

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*Melinda Sayre,  
City Clerk*

# City of Hesperia STAFF REPORT



**DATE:** October 17, 2017

**TO:** Mayor and Council Members  
City Council, as Successor Agency to the Hesperia Community Redevelopment Agency  
Chair and Commissioners, Hesperia Housing Authority  
Chair and Commissioners, Community Development Commission  
Chair and Board Members, Hesperia Fire Protection District  
Chair and Board Members, Hesperia Water District

**FROM:** Nils Bentsen, City Manager

**BY:** Brian D. Johnson, Assistant City Manager/Management Services  
Anne Duke, Deputy Finance Director  
Virginia Villasenor, Senior Accountant

**SUBJECT:** Warrant Run Report (City – Successor Agency – Housing Authority – Community Development Commission – Fire – Water)

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## RECOMMENDED ACTION

It is recommended that the Council/Board ratify the warrant run and payroll report for the City, Successor Agency to the Hesperia Community Redevelopment Agency, Hesperia Housing Authority, Community Development Commission, Fire District, and Water District.

## BACKGROUND

The Warrant Run totals represented below are for the period September 16, 2017 through September 29, 2017.

<u>Agency/District</u>	<u>Accounts Payable*</u>	<u>Payroll</u>	<u>Wires</u>	<u>Totals</u>
City of Hesperia	\$4,635,117.99	\$228,878.37	\$0.00	\$4,863,996.36
Successor Agency	2,833.00	0.00	0.00	2,833.00
Housing Authority	6.00	3,786.91	0.00	3,792.91
Community Development Commission	4,660.00	6,170.48	0.00	10,830.48
Fire	4,013.00	0.00	0.00	4,013.00
Water	99,864.63	99,935.16	687,100.00	886,899.79
<b>Totals</b>	<b>\$4,746,494.62</b>	<b>\$338,770.92</b>	<b>\$687,100.00</b>	<b>\$5,772,365.54</b>

\* Includes debt service payments made via Automated Clearing House (ACH) electronic deposit of funds.

The wire amount for the City of Hesperia is as follows:

- \$687,100.00 to Bank of New York for Eagle Plaza Escrow Deposit for COP 1992 B.

## ATTACHMENT(S)

1. Warrant Runs

**City of Hesperia**  
**WARRANT RUNS**  
**09/16/2017 - 09/29/2017**

FUND #	FUND NAME	W/E 9/22/2017	W/E 9/29/2017	WARRANT TOTALS	Wires	YEAR-TO DATE TOTALS *	PRIOR FY YTD DATE TOTALS
<b>Accounts Payable</b>							
100	GENERAL	\$ 1,319,117.62	\$ 74,894.08	\$ 1,394,011.70	\$ -	\$ 6,545,945.96	\$ 6,172,171.28
204	MEASURE I - RENEWAL	\$ 319,328.56	\$ 72,365.61	\$ 391,694.17	\$ -	\$ 456,222.14	\$ 58,625.00
205	GAS TAX	\$ -	\$ -	\$ -	\$ -	\$ 18,540.11	\$ 26.06
207	LOCAL TRANSPORT-SB 325	\$ -	\$ -	\$ -	\$ -	\$ 20,732.44	\$ 270,746.98
251	CDBG	\$ 332.75	\$ -	\$ 332.75	\$ -	\$ 88,806.67	\$ 308,487.49
254	AB2766 - TRANSIT	\$ -	\$ 30,000.00	\$ 30,000.00	\$ -	\$ 30,000.00	\$ 30,000.00
256	ENVIRONMENTAL PROGRAMS GRANT	\$ 933.19	\$ 168.79	\$ 1,101.98	\$ -	\$ 6,412.96	\$ 4,192.92
257	NEIGHBORHOOD STABILIZATION PROG	\$ 12.45	\$ 95.69	\$ 108.14	\$ -	\$ 4,562.08	\$ 3,766.93
260	DISASTER PREPARED GRANT	\$ 600.54	\$ 606.16	\$ 1,206.70	\$ -	\$ 2,333.52	\$ 1,440.05
263	STREETS MAINTENANCE	\$ 10,968.80	\$ 16,517.19	\$ 27,485.99	\$ -	\$ 614,264.71	\$ 443,673.02
300	DEV. IMPACT FEES - STREET	\$ -	\$ 263,400.00	\$ 263,400.00	\$ -	\$ 304,077.27	\$ 13,723.90
301	DEV. IMPACT FEES - STORM DRAIN	\$ -	\$ -	\$ -	\$ -	\$ 6,000.00	\$ 2,253.10
402	WATER RIGHTS ACQUISITION	\$ -	\$ 1,022,136.10	\$ 1,022,136.10	\$ -	\$ 1,022,136.10	\$ 1,012,324.43
403	2013 REFUNDING LEASE REV BONDS	\$ -	\$ 1,030.00	\$ 1,030.00	\$ -	\$ 535,368.63	\$ 517,211.69
504	CITY WIDE STREETS - CIP	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,617.25
800	EMPLOYEE BENEFITS	\$ 34,038.49	\$ 290,000.63	\$ 324,039.12	\$ -	\$ 1,839,699.73	\$ 1,804,513.90
801	TRUST/AGENCY	\$ 1,176,146.34	\$ 2,425.00	\$ 1,178,571.34	\$ -	\$ 1,355,555.44	\$ 192,158.98
802	AD 91-1 AGENCY	\$ -	\$ -	\$ -	\$ -	\$ 951.50	\$ 278.46
804	TRUST-INTEREST BEARING	\$ -	\$ -	\$ -	\$ -	\$ 16,432.92	\$ 20,814.09
807	CFD 2005-1	\$ -	\$ -	\$ -	\$ -	\$ 781,367.66	\$ 753,248.62
	<b>CITY</b>	\$ 2,861,478.74	\$ 1,773,639.25	\$ 4,635,117.99	\$ -	\$ 13,649,409.84	\$ 11,620,274.15
200	HESPERIA FIRE DISTRICT	\$ 208.00	\$ 3,805.00	\$ 4,013.00	\$ -	\$ 2,431,325.13	\$ 2,937,618.63
502	FIRE STATION BUILDING	\$ -	\$ -	\$ -	\$ -	\$ 39,964.40	\$ 206.53
	<b>FIRE</b>	\$ 208.00	\$ 3,805.00	\$ 4,013.00	\$ -	\$ 2,471,289.53	\$ 2,937,825.16
160	REDEVELOP OBLIG RETIREMENT - PA1	\$ -	\$ 2,085.00	\$ 2,085.00	\$ -	\$ 5,251,501.73	\$ 5,205,394.50
161	REDEVELOP OBLIG RETIREMENT - PA2	\$ -	\$ 196.00	\$ 196.00	\$ -	\$ 424,981.13	\$ 397,694.81
162	REDEVELOP OBLIG RETIREMENT-HOUSING	\$ -	\$ 552.00	\$ 552.00	\$ -	\$ 2,456,288.53	\$ 2,422,502.50
173	SUCCESSOR AGENCY ADMINISTRATION	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,226.42
	<b>SUCCESSOR AGENCY</b>	\$ -	\$ 2,833.00	\$ 2,833.00	\$ -	\$ 8,132,771.39	\$ 8,026,818.23
370	HOUSING AUTHORITY	\$ -	\$ 6.00	\$ 6.00	\$ -	\$ 34,870.17	\$ 3,884,424.59
	<b>HOUSING AUTHORITY</b>	\$ -	\$ 6.00	\$ 6.00	\$ -	\$ 34,870.17	\$ 3,884,424.59
170	COMMUNITY DEVELOPMENT COMMISSION	\$ 370.00	\$ 4,290.00	\$ 4,660.00	\$ -	\$ 146,486.96	\$ 112,581.74
	<b>COMMUNITY DEVELOPMENT COMMISSION</b>	\$ 370.00	\$ 4,290.00	\$ 4,660.00	\$ -	\$ 146,486.96	\$ 112,581.74
700	WATER OPERATING	\$ 39,345.77	\$ 60,186.40	\$ 99,532.17	\$ 687,100.00	\$ 3,106,275.44	\$ 1,912,738.71
701	WATER CAPITAL	\$ -	\$ -	\$ -	\$ -	\$ 84,812.94	\$ 10,025.54
710	SEWER OPERATING	\$ 326.46	\$ 6.00	\$ 332.46	\$ -	\$ 118,372.83	\$ 706,187.21
	<b>WATER</b>	\$ 39,672.23	\$ 60,192.40	\$ 99,864.63	\$ 687,100.00	\$ 3,309,461.21	\$ 2,628,951.46
	<b>ACCOUNTS PAYABLE TOTAL</b>	\$ 2,901,728.97	\$ 1,844,765.65	\$ 4,746,494.62	\$ 687,100.00	\$ 27,744,289.10	\$ 29,210,875.33
<b>REG. PAYROLL</b>							
	City	\$ 228,878.37	\$ -	\$ 228,878.37	\$ -	\$ 1,324,477.13	\$ 1,236,017.57
	Housing Authority	\$ 3,786.91	\$ -	\$ 3,786.91	\$ -	\$ 24,357.02	\$ 24,806.02
	Community Development Commission	\$ 6,170.48	\$ -	\$ 6,170.48	\$ -	\$ 40,540.58	\$ 35,111.38
	Water	\$ 99,935.16	\$ -	\$ 99,935.16	\$ -	\$ 574,522.43	\$ 544,468.13
	<b>PAYROLL TOTAL</b>	\$ 338,770.92	\$ -	\$ 338,770.92	\$ -	\$ 1,963,897.16	\$ 1,840,403.10

\* The year to date totals for this Warrant Report are for the 2017-18 fiscal year starting July 1, 2017.

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# City of Hesperia STAFF REPORT



**DATE:** October 17, 2017

**TO:** Mayor and Council Members  
City Council, as Successor Agency to the Hesperia Community Redevelopment Agency  
Chair and Commissioners, Hesperia Housing Authority  
Chair and Commissioners, Community Development Commission  
Chair and Board Members, Hesperia Fire Protection District  
Chair and Board Members, Hesperia Water District

**FROM:** Nils Bentsen, City Manager

**BY:** Brian D. Johnson, Assistant City Manager/Management Services  
Anne Duke, Deputy Finance Director  
Virginia Villasenor, Senior Accountant

**SUBJECT:** Treasurer's Cash Report for the unaudited period ended August 31, 2017

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## RECOMMENDED ACTION

It is recommended that the Council/Board accept the Treasurer's Cash Report for the City, Successor Agency to the Hesperia Community Redevelopment Agency, Hesperia Housing Authority, Community Development Commission, Fire District, and Water District.

## BACKGROUND

This report is presented to the City Council pursuant to Government Code Section 53646 (b) setting forth the City's investment portfolio.

## ISSUES/ANALYSIS

The Treasurer's Cash Reports are presented on the following pages for each agency.

## FISCAL IMPACT

These reports reflect unaudited cash balances as of August 31, 2017.

## ALTERNATIVE(S)

Provide alternative direction to staff.

## ATTACHMENT(S)

1. City of Hesperia Investment Report
2. Successor Agency to the Hesperia Community Redevelopment Agency Investment Report
3. Hesperia Housing Authority Investment Report
4. Community Development Commission Investment Report
5. Hesperia Fire Protection District Investment Report

6. Hesperia Water District Investment Report

**CITY OF HESPERIA**

<u>FUND</u>	<u>VALUE</u>
General Fund (100 & 800)	\$ 2,886,984.01
AB27666 - Transit (254)	94,147.69
AB3229 Supplemental Law (255)	72,218.76
AD No. 91-1 (802)	351,632.75
Beverage Recycling Grant (256)	57,105.49
CFD 2005-1 (807)	1,258,006.64
City Wide-Capital Projects (504)	(8,204.33)
Community Dev Block Grant (251, 252, & 253)	541,855.18
Development Impact Fund (300-304)	7,396,589.01
Disaster (260)	81,061.74
Gas Tax Fund (205)	147,473.06
Gas Tax Swap (206)	184,826.69
Local Transportation SB325 (207)	(494,094.63)
Measure I - Renewal (204)	2,882,816.24
Neighborhood Stabilization Prog (257)	2,022,148.02
Public Works Street Maint (263)	370,240.82
Trust Fund (801, 803-806, & 815)	2,924,284.04
2012 Water Rights Acquisition (402)	5,901.43
2013 Refunding Lease Rev Bonds (403)	234,080.41
<b>TOTAL CITY FUNDS</b>	<b>\$ 21,009,073.02</b>

**SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY**

<u>FUND</u>	<u>VALUE</u>
Successor Agency Administration (173)	\$ (2,242.58)
Redevelop Oblig Retirement - PA1 (160)	5,671,319.41
Redevelop Oblig Retirement - PA2 (161)	427,037.27
Redevelop Oblig Retirement-Housing (162)	2,458,601.00
<b>TOTAL SUCCESSOR AGENCY FUNDS</b>	<b>\$ 8,554,715.10</b>

**HESPERIA HOUSING AUTHORITY**

<u>FUND</u>	<u>VALUE</u>
Hesperia Housing Authority Fund (370)	\$ 3,032,909.47
VVEDA Housing Authority (371)	1,715,082.86
<b>TOTAL HOUSING AUTHORITY FUNDS</b>	<b>\$ 4,747,992.33</b>

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**COMMUNITY DEVELOPMENT COMMISSION**

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<u>FUND</u>	<u>VALUE</u>
Community Development Commission Fund (170)	\$ <u>(560,112.11)</u>

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**FIRE**

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<u>FUND</u>	<u>VALUE</u>
Fire District Fund (200)	\$ (662,279.99)
Fire Station Building (502)	5,801,090.67
<b>TOTAL WATER FUNDS</b>	<b>\$ <u>5,138,810.68</u></b>

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**WATER**

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<u>FUND</u>	<u>VALUE</u>
Water Operating (700)	\$ 4,855,276.95
Water Capital (701)	(11,875,829.58)
Sewer Operating (710)	11,601,393.37
Sewer Capital (711)	3,773,749.70
<b>TOTAL WATER FUNDS</b>	<b>\$ <u>8,354,590.44</u></b>

*City of Hesperia*  
**Investment Report**  
**Unaudited**  
August 31, 2017

ATTACHMENT 1

<u>Type of Investment</u>	<u>Institution/ Fiscal Agent</u>	<u>Interest Rate</u>	<u>Date of Purchase</u>	<u>Date of Maturity</u>	<u>Par Value at Maturity</u>	<u>Book Value</u>	<u>Market Value</u>	<u>Account Description</u>
<b>Investments under the direction of the City:</b>								
Local Agency Investment Funds	State of Calif.	1.084%	31-Aug-17	Demand	\$ 12,498,824.16	12,498,824.16	12,498,824.16	
Money Market	Bank of the West	0.300%	31-Aug-17	Demand	3,367,192.55	3,367,192.55	3,367,192.55	
Citizens Business Bank Checking	Citizens Bus Bank	n/a	31-Aug-17	Demand	5,143,056.31	5,143,056.31	5,143,056.31	
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ 21,009,073.02</b>	<b>\$ 21,009,073.02</b>	<b>\$ 21,009,073.02</b>	

**Investments under the direction of fiscal agents:**

2012 Lease Revenue Bonds	Union	0.890%	31-Aug-17	Demand	67.74	67.74	67.74	2012 - Water Rights Revenue Fund
2012 Lease Revenue Bonds	Union	0.890%	31-Aug-17	Demand	1,456,294.94	1,456,294.94	1,456,294.94	2012 - Water Rights Reserve Fund
2013 Refunding Lease Revenue Bonds	Union	0.880%	31-Aug-17	Demand	79.20	79.20	79.20	2005 Civic Plaza - Revenue Fund
2013 Refunding Lease Revenue Bonds	Union	0.890%	31-Aug-17	Demand	1,153,046.78	1,153,046.78	1,153,046.78	2005 Civic Plaza - Reserve Fund
2014 CFD 2005-1 Refunding	Union	0.000%	18-Dec-14	Demand	-	-	-	2014 CFD 05-1 - Special Tax Fund
2014 CFD 2005-1 Refunding	Union	0.890%	18-Dec-14	Demand	785,543.75	785,543.75	785,543.75	2014 CFD 05-1 - Bond Fund
2014 CFD 2005-1 Refunding	Union	0.890%	18-Dec-14	Demand	1,428,212.50	1,428,212.50	1,428,212.50	2014 CFD 05-1 - Reserve Fund
2014 CFD 2005-1 Refunding	Union	0.890%	18-Dec-14	Demand	22,829.22	22,829.22	22,829.22	2014 CFD 05-1 Administrative Expense Bonds
Deposits W/Other Agencies	Various	n/a	31-Aug-17	n/a	-	-	-	GL 1350
Deposits - Workers' Comp	PERMA	n/a	31-Aug-17	n/a	905,516.93	905,516.93	905,516.93	GL 1352
<b>Total Unaudited Investments under the direction of fiscal agents</b>					<b>\$ 5,751,591.06</b>	<b>5,751,591.06</b>	<b>5,751,591.06</b>	

Please Note: All market value data is provided courtesy of the City's fiscal agents,  
Union Bank of California & Bank of New York (BNY) Trust Company.

***I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.***

\* Note: 2005 Certificates of Participation began in May 2005 for the financing of the Civic Plaza.

  
Virginia Villasenor, Senior Accountant

## Investment Report

Unaudited

August 31, 2017

Type of Investment	Issuer/ Institution	Interest Rate	Date of Purchase	Date of Maturity	Par Value at Maturity	Book Value	Market Value	Account Description
<b>Investments under the direction of the City:</b>								
Local Agency Investment Funds	State of Calif.	1.084%	31-Aug-17	Demand	\$ 5,089,414.45	\$ 5,089,414.45	5,089,414.45	
Money Market	Bank of the West	0.300%	31-Aug-17	Demand	1,371,092.05	1,371,092.05	1,371,092.05	
Citizens Business Bank Checking	Citizens Bus Bank	n/a	31-Aug-17	Demand	2,094,208.60	2,094,208.60	2,094,208.60	
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ 8,554,715.10</b>	<b>\$ 8,554,715.10</b>	<b>\$ 8,554,715.10</b>	


## Investments under the direction of fiscal agents:

2005 Tax Allocation Bonds	Union	0.890%	31-Aug-17	Demand	742,962.48	742,962.48	742,962.48	2005A - Interest Account
2005 Tax Allocation Bonds	Union	0.890%	31-Aug-17	Demand	1,000,000.00	1,000,000.00	1,000,000.00	2005A - Principal Account
2005 Tax Allocation Bonds	Union	0.890%	31-Aug-17	Demand	2,290,163.95	2,290,163.95	2,290,163.95	2005A - Reserve Account
2005 Tax Allocation Bonds	Union	0.890%	31-Aug-17	Demand	254,464.57	254,464.57	254,464.57	2005A - Reserve Account
2007 Revenue Bonds	Union	0.000%	31-Aug-17	Demand	1.00	1.00	1.00	2007A - Revenue Account
2007 Revenue Bonds	Union	0.890%	31-Aug-17	Demand	2,676,638.00	2,676,638.00	2,676,638.00	2007A - Interest Account
2007 Revenue Bonds	Union	0.890%	31-Aug-17	Demand	2,090,000.00	2,090,000.00	2,090,000.00	2007A - Principal Account
2007 Revenue Bonds	Union	0.890%	31-Aug-17	Demand	6,035,236.00	6,035,236.00	6,035,236.00	2007A - Proj. 1 - Reserve Account
2007 Revenue Bonds	Union	0.890%	31-Aug-17	Demand	488,000.00	488,000.00	488,000.00	2007A - Proj. 2 - Reserve Account
2007 Revenue Bonds	Union	0.890%	31-Aug-17	Demand	3,214,678.10	3,214,678.10	3,214,678.10	2007A - Housing - Reserve Account
2007 Revenue Bonds	Union	0.000%	31-Aug-17	Demand	1.00	1.00	1.00	2007B - Revenue Account
2007 Revenue Bonds	Union	0.890%	31-Aug-17	Demand	214,769.00	214,769.00	214,769.00	2007B - Interest Account
2007 Revenue Bonds	Union	0.890%	31-Aug-17	Demand	1,440,000.00	1,440,000.00	1,440,000.00	2007B - Principal Account
2007 Revenue Bonds	Union	0.980%	31-Aug-17	Demand	3.07	3.07	3.07	2007B - Proj. 1 - Reserve Account
2007 Revenue Bonds	Union	0.800%	31-Aug-17	Demand	3.76	3.76	3.76	2007B - Proj. 2 - Reserve Account
2007 Revenue Bonds	Union	0.890%	31-Aug-17	Demand	732,500.00	732,500.00	732,500.00	2007B - Housing - Reserve Account
Deposits w/Other Agencies	Various	n/a	31-Aug-17	Demand	-	-	-	GL 1350
<b>Total Unaudited Investments under the direction of fiscal agents</b>					<b>\$ 21,179,420.93</b>	<b>\$ 21,179,420.93</b>	<b>\$ 21,179,420.93</b>	

Please Note: All market value data is provided courtesy of the City's fiscal agent  
Union Bank of California.

*I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.*

\* Note: The 1994 A, B & C Notes were refinanced to 2005 Series Bonds in May 2005.

  
Virginia Villasenor, Senior Accountant

*Hesperia Housing Authority*

ATTACHMENT 3

**Investment Report**

**Unaudited**

August 31, 2017

<u>Type of Investment</u>	<u>Issuer/ Institution</u>	<u>Interest Rate</u>	<u>Date of Purchase</u>	<u>Date of Maturity</u>	<u>Par Value at Maturity</u>	<u>Book Value</u>	<u>Market Value</u>
<b>Investments under the direction of the City:</b>							
Local Agency Investment Funds	State of California	1.084%	31-Aug-17	Demand	\$ 2,824,699.65	2,824,699.65	2,824,699.65
Money Market	Bank of the West	0.300%	31-Aug-17	Demand	760,976.19	760,976.19	760,976.19
Citizens Business Bank Checking	Citizens Business Bank	n/a	31-Aug-17	Demand	1,162,316.49	1,162,316.49	1,162,316.49
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ 4,747,992.33</b>	<b>\$ 4,747,992.33</b>	<b>\$ 4,747,992.33</b>

*I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.*

  
Virginia Villasenor, Senior Accountant

**Investment Report****Unaudited****August 31, 2017**

<u>Type of Investment</u>	<u>Issuer/ Institution</u>	<u>Interest Rate</u>	<u>Date of Purchase</u>	<u>Date of Maturity</u>	<u>Par Value at Maturity</u>	<u>Book Value</u>	<u>Market Value</u>
<b>Investments under the direction of the City:</b>							
Local Agency Investment Funds	State of California	1.084%	31-Aug-17	Demand	\$ (333,224.73)	(333,224.73)	(333,224.73)
Money Market	Bank of the West	0.300%	31-Aug-17	Demand	(89,770.99)	(89,770.99)	(89,770.99)
Citizens Business Bank Checking	Citizens Business Bank	n/a	31-Aug-17	Demand	(137,116.39)	(137,116.39)	(137,116.39)
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ (560,112.11)</b>	<b>\$ (560,112.11)</b>	<b>\$ (560,112.11)</b>

*I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.*

  
Virginia Villasenor, Senior Accountant

*Hesperia Fire District*  
**Investment Report**  
**Unaudited**  
August 31, 2017

ATTACHMENT 5

<u>Type of Investment</u>	<u>Issuer/ Institution</u>	<u>Interest Rate</u>	<u>Date of Purchase</u>	<u>Date of Maturity</u>	<u>Par Value at Maturity</u>	<u>Book Value</u>	<u>Market Value</u>
<b>Investments under the direction of the City:</b>							
Local Agency Investment Funds	State of California	1.084%	31-Aug-17	Demand	\$ 3,057,207.28	3,057,207.28	3,057,207.28
Money Market	Bank of the West	0.300%	31-Aug-17	Demand	823,613.92	823,613.92	823,613.92
Citizens Business Bank Checking	Citizens Business Bank	n/a	31-Aug-17	Demand	1,257,989.48	1,257,989.48	1,257,989.48
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ 5,138,810.68</b>	<b>\$ 5,138,810.68</b>	<b>\$ 5,138,810.68</b>

*I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.*

  
 Virginia Villasenor, Senior Accountant

*Hesperia Water District*  
**Investment Report**  
**Unaudited**  
August 31, 2017

ATTACHMENT 6

<u>Type of Investment</u>	<u>Issuer/ Institution</u>	<u>Interest Rate</u>	<u>Date of Purchase</u>	<u>Date of Maturity</u>	<u>Par Value at Maturity</u>	<u>Book Value</u>	<u>Market Value</u>	<u>Account Description</u>
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**Investments under the direction of the City:**

Local Agency Investment Funds	State of California	1.084%	31-Aug-17	Demand	\$ 4,970,355.27	4,970,355.27	4,970,355.27	
Money Market	Bank of the West	0.300%	31-Aug-17	Demand	1,339,017.42	1,339,017.42	1,339,017.42	
Citizens Business Bank Checking	Citizens Business Bank	n/a	31-Aug-17	Demand	2,045,217.75	2,045,217.75	2,045,217.75	
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ 8,354,590.44</b>	<b>\$ 8,354,590.44</b>	<b>\$ 8,354,590.44</b>	

**Investments under the direction of fiscal agents:**

1992 Certificates of Participation	BNY	0.000%	31-Aug-17	Demand	10.38	10.38	10.38	1992B - 421053
1992 Certificates of Participation	BNY	0.000%	31-Aug-17	Demand	-	-	-	1992B - 421056
1992 Certificates of Participation	BNY	0.000%	31-Aug-17	Demand	1.00	1.00	1.00	1992B - 421059
First American Treas - Money Market	US Bank	0.000%	31-Aug-17	Demand	8,864.31	8,864.31	8,864.31	98 A&B - 95453340
First American Treas - Money Market	US Bank	0.000%	31-Aug-17	Demand	31.10	32.10	31.10	98 A&B - 95453341
98 A & B Dep w/Trustee - Collateral	Bank of America	n/a	31-Aug-17	Demand	1,880,000.00	1,880,000.00	1,880,000.00	GL 1319
Deposits - Workers' Comp	PERMA	n/a	31-Aug-17	n/a	503,561.67	503,561.67	503,561.67	GL 1352
Deposits w/SB Co Central Store	SB Co.	n/a	31-Aug-17	n/a	0.00	0.00	0.00	GL 1351
Deposits w/Other Agencies	Various	n/a	31-Aug-17	n/a	0.00	0.00	0.00	GL 1350
<b>Total Unaudited Investments under the direction of fiscal agents</b>					<b>\$ 2,392,468.46</b>	<b>\$ 2,392,469.46</b>	<b>\$ 2,392,468.46</b>	

**Please Note: All market value data is provided courtesy of the City's fiscal agents  
Bank of New York (BNY) Trust Company and US Bank.**

***I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.***

  
**Virginia Villasenor, Senior Accountant**

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# City of Hesperia STAFF REPORT



**DATE:** October 17, 2017

**TO:** Mayor and Council Members

**FROM:** Nils Bentsen, City Manager

**BY:** Rachel Molina, Assistant to the City Manager  
Mike Thornton, City Engineer  
Julie Ryan, Management Analyst

**SUBJECT:** Cal OES Hazard Mitigation Grant Program

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## RECOMMENDED ACTION

It is recommended that the City Council adopt Resolution No. 2017-049 approving and authorizing (1) the submittal of a grant application requesting \$3 million in funding from the California Office of Emergency Services Hazard Mitigation Grant Program for the construction of the Escondido Avenue Detention Basin; (2) authorize the City Manager to submit grant application; and (3) authorize the City Manager to execute all matters pertaining to assurances and agreements as required by the California Governor's Office of Emergency Services.

## BACKGROUND

On May 17, 2017, the City received notification that the California Governor's Office of Emergency Services (Cal OES) was accepting Notice of Interest (NOI) grant applications for Hazard Mitigation projects that reduce or eliminate the losses from future damages. Funding is provided under the Robert T. Stafford Emergency Assistance and Disaster Relief Act (Stafford Act) through the Federal Emergency Management Agency (FEMA) and Cal OES. NOI applications must have been submitted by June 15, 2017, and applicants can request up to \$3 million in Federal funds share for eligible projects. Applicants must provide a minimum of 25 percent of the total activity cost.

Cal OES will review each NOI to determine if the activity described is eligible under the Hazard Mitigation Grant Program (HMGP). If the project is eligible, Cal OES will invite the applicant to submit a complete HMGP application by November 1, 2017.

On June 14, 2017, the City submitted a NOI for the Escondido Avenue Detention Basin.

## ISSUES/ANALYSIS

On August 2, 2017, the City received the formal invitation to develop a full application for consideration of HMGP funding.

The Escondido Avenue Detention Basin ("Basin") project will enhance flood protection, reduce sediment transport, improve local water supplies and quality, reduce the region's dependence on imported water supplies and stimulate economic development. This project is located along Escondido Avenue approximately 0.5 miles south of Main Street along the City's Master Plan of Drainage Line A-04 regional system.

During moderate and larger storm events, flooding and sediment accumulation occurs along the entire drainage corridor downstream of the proposed project; in particular, on Main Street, one of the highest volume East-West transportation corridors in the City. Flooding along Main Street leads to traffic congestion, traffic accidents, and loss of economic activities, which severely impact the residents and businesses in the surrounding communities and beyond. The proposed detention basin will attenuate peak storm flow, reduce sediment transport, and allow a controlled amount of storm water downstream.

The project will enhance flood protection for nearly 10 miles of developed and to be developed areas in the Cities of Hesperia and Victorville. These areas are or will be developed with commercial and residential land uses. In addition, the flooding area includes a number of major arterials. The project will also improve water supply management to the High Desert reducing the region's dependence on imported water.

The total cost of the project components is estimated at \$6.2 million, with the non-Federal match totaling \$3.2 million. The amount requested in HMGP funds is \$3 million.

### **FISCAL IMPACT**

The total proposed project cost estimate is \$6.2 million as follows:

- HMGP = \$3 million
- City of Hesperia - \$3.2 million

The City of Hesperia match fund requirement will be satisfied by use of Drainage Development Impact fees.

### **ALTERNATIVES**

1. Provide alternative direction to staff

### **ATTACHMENT**

1. Resolution No. 2017-049
2. Attachment 2 – Designation of Applicant Agent Resolution

**RESOLUTION NO. 2017-049**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA,  
CALIFORNIA, APPROVING THE APPLICATION FOR FUNDING FROM THE  
CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES HAZARD  
MITIGATION GRANT PROGRAM FOR THE ESCONIDO AVENUE  
DETENTION BASIN**

**WHEREAS**, the State of California is eligible for Hazard Mitigation Grant Program funding; and

**WHEREAS**, the State has established priorities to accept project subapplications from sub-applicants Statewide; and

**WHEREAS**, Federal funding is provided under the authority of the Robert T. Stafford Emergency Assistance and Disaster Relief Act (Stafford Act) through the Federal Emergency Management Agency (FEMA) and the California Governor's Office of Emergency Services (Cal OES); and

**WHEREAS**, Cal OES is responsible for identifying program priorities, reviewing subapplications and forwarding recommendations for funding to FEMA; and

**WHEREAS**, hazard mitigation activities are aimed at reducing or eliminating future damages; and

**WHEREAS**, only activities approved through the Notice of Interest (NOI) process can be submitted as subapplications for funding consideration under HMGP; and

**WHEREAS**, the City of Hesperia submitted a NOI for a project entitled, "Escondido Avenue Detention Basin"; and

**WHEREAS**, on August 2, 2017, the City received the formal invitation to develop a full application for consideration of HMGP funding; and

**WHEREAS**, Cal OES grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of Disaster/Grants.

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

- Section 1. Approves the filing of an application for the Escondido Avenue Detention Basin; and
- Section 2. That the City Manager of the City of Hesperia or his/her designee is hereby authorized and empowered to execute in the name of the City of Hesperia all grant documents, including but not limited to, applications, agreements, contracts, amendments, and payment requests, necessary to secure federal funds to implement the approved grant project; and
- Section 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**ADOPTED AND APPROVED** this 17<sup>th</sup> day of October 2017.

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Paul Russ, Mayor

ATTEST:

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Melinda Sayre  
City Clerk

# Attachment 2

## DESIGNATION OF APPLICANT'S AGENT RESOLUTION Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program

BE IT RESOLVED BY THE \_\_\_\_\_ OF THE \_\_\_\_\_  
(Governing Body) (Name of Applicant)

THAT \_\_\_\_\_, OR  
(Title of Authorized Agent)

\_\_\_\_\_, OR  
(Title of Authorized Agent)

\_\_\_\_\_  
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the \_\_\_\_\_, a public entity  
(Name of Applicant)

established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Service, for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the \_\_\_\_\_, a public entity established under the laws of the State of California,  
(Name of Applicant)

hereby authorizes its agent(s) to provide to the California Governor's Office of Emergency Service for all matters pertaining to such state disaster assistance the assurances and agreements required.

### Please check the appropriate box below:

☐ This is a universal resolution and is effective for all open and futures Disasters/Grants up to three (3) years following the date of approval below.

☐ This is a Disaster/Grant specific resolution and is effective for only Disaster/Grant name/number(s) \_\_\_\_\_

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Name and Title of Governing Body Representative)

\_\_\_\_\_  
(Name and Title of Governing Body Representative)

\_\_\_\_\_  
(Name and Title of Governing Body Representative)

### CERTIFICATION

I, \_\_\_\_\_, duly appointed and \_\_\_\_\_ of  
(Name) (Title)

\_\_\_\_\_, do hereby certify that the above is a true and correct copy of a  
(Name of Applicant)

Resolution passed and approved by the \_\_\_\_\_ of the \_\_\_\_\_  
(Governing Body) (Name of Applicant)

on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

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# City of Hesperia STAFF REPORT



**DATE:** October 17, 2017

**TO:** Chair and Board Members, Hesperia Water District

**FROM:** Nils Bentsen, City Manager

**BY:** Michael Blay, Director of Development Services  
David R. Burkett, Project Construction Manager

**SUBJECT:** Award Contract for Recycled Water System – Phase 1A, C.O. No. 8087

---

## RECOMMENDED ACTION

It is recommended that the Board of Directors of the Hesperia Water District award a contract for Recycled Water System – Phase 1A (C.O. No. 8087) to the lowest responsive and responsible bidder, Christensen Brothers General Engineering, Inc. in the amount of \$5,734,596; approve an additional 10% contingency in the amount of \$573,460 for a total construction budget of \$6,308,056; approve the design of the project represented by the plans and specifications; and authorize the City Manager to execute the contract.

## BACKGROUND

The Victor Valley Wastewater Reclamation Authority (VWVRA) has completed construction on the Hesperia Sub-regional Water Reclamation Plant and is currently proceeding with testing and start-up procedures. The Sub-regional Plant will be capable of supplying up to one million gallons (MG) per day of reclaimed water, which can be used for irrigation purposes. In order to utilize this resource, the District must build a distribution system to convey the reclaimed water to potential users. Using the District's Recycled Water Master Plan as a guide, staff has defined an alignment for the first phase of the distribution system. The primary user under this first phase will be the Hesperia Golf Course, but many other users can be served as well, including parks, schools, and the Hesperia Civic Center Complex.

The first phase of the recycled water system will include approximately 10 miles of "purple" distribution pipe, a storage reservoir, and a booster station necessary to provide the required pressures to operate large irrigation systems. This phase was separated into two sub-phases as the distribution system (Phase 1A) was designed in-house by City engineering staff while the 2.5 MG water tank and pump station (Phase 1B) is being designed by an engineering consultant.

On June 20, 2017, the City Council and Board of Directors of the Hesperia Water District adopted the Fiscal Year 2017-18 Capital Improvement Program (CIP) Budget that included funding for the Recycled Water System Project (C.O. No. 8087).

## ISSUES/ANALYSIS

The project was advertised for bids beginning on July 27, 2017 and was placed on the City's new online bidding platform (PUBLIC|PURCHASE) where more than 9,000 contractors were

notified about the project. Bids were received, opened online, and publicly read on September 21, 2017 from the following bidders:

Christensen Brothers General Eng., Inc.	Apple Valley, CA	\$5,734,596
Apple Valley Construction	Apple Valley, CA	5,983,333
Borden Excavating, Inc.	Calimesa, CA	6,222,555
Downing Construction, Inc.	Redlands, CA	6,365,353
USS Cal Builders, Inc.	Stanton, CA	6,652,185
Mamco, Inc.	Perris, CA	6,888,888
Kerns, Inc.	Hesperia, CA	6,956,980
Weka, Inc.	Highland, CA	7,134,465
Ferreira Coastal Construction Company	Chino, CA	7,236,970
H&H General Contractors, Inc.	Highland, CA	7,597,069
Sully-Miller Contracting Company	Brea, CA	7,772,000
Norstar Plumbing & Engineering	Alta Loma, CA	8,094,473
Vido Artukovich & Sons, Inc.	South El Monte, CA	8,148,496
Boudreau Pipeline Corp.	Corona, CA	8,392,752
TBU, Inc.	Beaumont, CA	8,627,845
High Desert Underground, Inc.	Apple Valley, CA	10,263,945
JPI Development Group, Inc.	Murrieta, CA	10,351,950
Colich & Sons, L.P.	Gardena, CA	10,919,880

Staff has determined that Christensen Brothers General Engineering, Inc. (CBGE) is the lowest responsive/responsible bidder and recommends the award of this contract to CBGE. The bids were thoroughly reviewed and staff conducted due diligence, including reference checks. CBGE has successfully completed several capital improvement projects in the past of a similar nature for the City of Hesperia and has been able to do so at very competitive prices.

The project's estimated costs are as follows:

Construction Contract	\$5,734,596
Construction Contingency	573,460
Contract Inspection Services	300,000
Geotechnical Engineering Services	289,782
Environmental Monitoring Services	125,000
Labor Compliance Services	65,784
Engineering Support Services	75,000
Administrative Costs*	36,378

**Total Estimated Costs for Ph. 1A = \$7,200,000**

\*Administrative costs include the costs for legal advertising, printing of plans and specifications, postage costs, permit fees to regulatory agencies, etc.

The design for Phase 1B of the project is expected to be complete in December 2017 and will be released for bids at that time. The estimated construction costs for Phase 1B are estimated to be \$5.0 to \$6.0 million.

## **FISCAL IMPACT**

The funds for this project are available in the adopted FY 2017-18 Capital Improvement Program (CIP) Budget. As the Council may recall, this project is being funded by two state grants and a State Revolving Fund loan, as well as from Hesperia's Fund 701 – Water Capital. Funding amounts are as follows:

Funding Source	Account Number	Amount
Water Capital – Local Share	701-29-800-8087-7500	\$ 843,402
Proposition 84 Grant	701-29-800-8087-8000	2,000,000
Proposition 1 Grant	701-29-800-8087-8026	4,727,337
State Revolving Fund Loan	701-29-800-8087-8560	9,946,413
Total Funding Amount =		<u>\$17,517,152</u>

## **ALTERNATIVE(S)**

1. Do not award a contract
2. Provide alternative direction to staff

## **ATTACHMENT(S)**

1. None

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# City of Hesperia STAFF REPORT



**DATE:** October 17, 2017  
**TO:** Mayor and Council Members  
**FROM:** Nils Bentsen, City Manager  
**BY:** Mike Blay, Director of Development Services  
Tina Bulgarelli, Administrative Analyst  
**SUBJECT:** Resolution Amending the City-Wide Administrative Bail Schedule

---

## RECOMMENDED ACTION

It is recommended that the Council adopt Resolution No. 2017-50, amending the City-wide administrative bail schedule.

## BACKGROUND

In 2002, the City Council adopted Resolution 2002-42, adopting a schedule of bail amounts for violations of the Hesperia Municipal Code.

Resolution 2002-42 was amended in 2010, to add fines related to obtaining permits and compliance with the Fats, Oils, and Grease (FOG) program, in 2014, amending fines related to spaying and neutering animals, and in 2014 related to water conservation measures.

On September 19, 2017, the City Council heard testimony on, and recommended action on Ordinance No. 2017-15, amending Title 16 of the Hesperia Municipal Code to allow for regulated indoor growth for personal use of cannabis, as allowed by State law.

Council directed staff to create a procedure for the registration of property addresses where cannabis for personal use will be cultivated. Council also directed staff to create a fee related to the registration to recover the costs of administering the program.

Staff received direction to include fines in the administrative bail schedule related to the failure to register an address where cannabis for personal use is cultivated.

## ISSUES/ANALYSIS

The fee for registration related to personal cultivation is included in the fee schedule amendment presented to Council as a separate item on the October 17, 2017 agenda.

Staff is proposing a set fine of \$1,000 per occurrence for failure to register a property where cannabis for personal use is cultivated.

Staff believes that the fine proposed would motivate citizens to register their property to remain in compliance with the program.

### **FISCAL IMPACT**

Adoption of this resolution will allow the City to fine individuals who do not comply with the cannabis cultivation regulations.

### **ALTERNATIVE(S)**

1. Provide alternative direction to staff.

### **ATTACHMENT(S)**

1. Resolution No. 2017-050
2. Recommended Bail Schedule Changes
3. Exhibit "A" – Administrative Bail Schedule

## **RESOLUTION NO. 2017-50**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, ADOPTING RESOLUTION NO. 2017-50, AMENDING THE CITY-WIDE ADMINISTRATIVE BAIL SCHEDULE**

**WHEREAS**, the administrative bail schedule was adopted via Resolution No. 2002-42; and

**WHEREAS**, the administrative bail schedule was amended on March 2, 2010, incorporating fines related to the administration of the Fats, Oils, and Grease (FOG) Program, on August 19, 2014, amending fines related to the mandatory spay and neuter of animals, and on August 5, 2014, incorporating fines related to mandatory water conservation efforts; and

**WHEREAS**, Fines are levied as an incident of the voluntary act of an individual or business and not the result of property ownership; and

**WHEREAS**, on September 19, 2017, the City Council heard and took action on Resolution No. 2017-15, which amends Title 16 of the Hesperia Municipal Code related to the personal cultivation of cannabis on private property; and

**WHEREAS**, the State allows local jurisdictions to regulate the indoor personal cultivation of cannabis; and

**WHEREAS**, the Council directed staff to prepare fees and a program to require registration of an address where personal cultivation of cannabis is occurring; and

**WHEREAS**, the failure to register a property is a violation of the Hesperia Municipal Code, and as such should be subject to fines/penalties to promote Municipal Code Enforcement; and

**WHEREAS**, the City of Hesperia is responsible for enforcement of the Hesperia Municipal Code in its entirety; and

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

Section 1. In all respects, the facts as set forth in this resolution are true and correct.

Section 2. The following resolutions are hereby amended: Resolution No. 2002-42.

Section 3. The schedule of fines set forth in Exhibit "A" are hereby adopted and shall be applied to the specified violations. The effective date of this resolution shall be November 17, 2017.

Section 4. Interpretation of this resolution may be made by the City Manager or designee.

Section 6. If any section, sub-section, sentence, clause, or word in the resolution is held to be invalid by decision of any court of competent jurisdiction or action of State legislation, such decision or legislation shall not affect the validity of the remaining portions of this resolution.

Section 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**ADOPTED AND APPROVED** this 17<sup>th</sup> day of October, 2017.

---

Paul Russ, Mayor

ATTEST:

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Melinda Sayre  
City Clerk

October 17, 2017

Amendment to City-Wide Administrative Bail Schedule

ATTACHMENT 2

Recommended Bail Schedule related to Failure to Register Personal Cultivation of Cannabis Address

SECTION	DESCRIPTION	1st	2nd	3rd
16.16.445	Registration Required – Personal Cannabis Cultivation	\$1,000.00	\$1,000.00	\$1,000.00

## EXHIBIT A

### City of Hesperia Administrative Fine Schedule

SECTION	DESCRIPTION	1st	2nd	3rd
1.12.1308 14 C	Potentially Dangerous Designation	\$100.00	\$200.00	\$500.00
1.12.1308 14 C	Vicious Designation	\$250.00	\$1,000.00	\$2,500.00
1.12.1308 14 C1	Unlicensed	\$100.00	\$200.00	\$500.00
1.12.1308 14 C2	Indoors. or Fenced	\$250.00	\$1,000.00	\$2,500.00
1.12.1308 14 C3	Not Kenneled	\$250.00	\$1,000.00	\$2,500.00
1.12.1308 14 C4	Off Property/Unrestrained	\$500.00	\$1,000.00	\$2,500.00
1.12.1308 14 C5	Solei/transferred without notice	\$50.00	NIA	N/A
1.12.1308 14 C8	Failure. to Provide Insurance	\$250.00	\$1,000.00	\$2,500.00
1.12.1308 14 C9	Non-Compliance with Conditions	\$100.00	\$200.00	\$1,000.00
1.12.130E	Seizure and Impound	\$500.00	\$1,000.00	\$2,500.00
1.12.130G	Not Properly Confined	\$100.00	\$200.00	\$1,000.00
1.12.130H	Non-Notification	\$100.00	\$1,000.00	\$2,500.00
1.12.130I	Refusing Inspection	\$250.00	\$1,000.00	\$2,500.00
1.12.130J	Keeping Illegal Animal	\$500.00	\$1,000.00	\$2,500.00
3.10.100	Occupancy Tax Violations	\$100.00	\$200.00	\$500.00
5.04.030	License Required	\$100.00	\$200.00	\$500.00
5.04.220	Operating without Business License	\$100.00	\$200.00	\$500.00
5.12.010	Dance Hall without License	\$100.00	\$200.00	\$500.00
5.12.030	License Not Posted	\$100.00	\$200.00	\$500.00
5.12.050	Operating after Hours	\$100.00	\$200.00	\$500.00
5.12.060	Employing Dancers	\$100.00	\$200.00	\$500.00
5.12.070	Disturbing the. peace/nuisance	\$100.00	\$200.00	\$500.00
5.16.020	Inspection of Property	\$100.00	\$200.00	\$500.00
5.16.030	Hold Three Days	\$100.00	\$200.00	\$500.00
5.16.040	Daily Reports	\$100.00	\$200.00	\$500.00
5.20.070	Operating after Hours	\$100.00	\$200.00	\$500.00
5.20.080	Prohibited Conduct	\$200.00	\$500.00	\$1,000.00
5.20.090	Public Nuisance	\$100.00	\$200.00	\$500.00
5.20.100	Refusing Premises Inspection	\$200.00	\$500.00	\$1,000.00
5.24.030	Operating after Hours	\$100.00	\$200.00	\$500.00
5.24.040	Hawking	\$100.00	\$200.00	\$500.00
5.24.060	Mobile. Food Vending	\$100.00	\$200.00	\$500.00
5.28.020	Prohibited Activities	\$100.00	\$200.00	\$500.00
5.28.020A	Gambling	\$200.00	\$500.00	\$1,000.00
5.28.020B	Operating after Hours	\$100.00	\$200.00	\$500.00
5.28.020C	Allowing Underage Persons	\$200.00	\$500.00	\$1,000.00
5.28.020D	Visual. Access	\$100.00	\$200.00	\$500.00
5.32.010	Non-Registered Persons	\$100.00	\$200.00	\$500.00
5.32.020	No Proof of Registration	\$100.00	\$200.00	\$500.00
5.36.020	License. Required	\$100.00	\$200.00	\$500.00
5.40.020	Viewing Area Not Maintained	\$200.00	\$500.00	\$1,000.00
5.40.030	Alcoholic Beverage in Theater	\$200.00	\$500.00	\$1,000.00
5.44.030A	Incidental and Subordinate	\$200.00	\$500.00	\$1,000.00
5.44.030B	Employees Prohibited	\$200.00	\$500.00	\$1,000.00
5.44.030C	Evidence of Activity	\$200.00	\$500.00	\$1,000.00

SECTION	DESCRIPTION	1st	2nd	3rd
5.44.030D	On-Site. Sales	\$200.00	\$500.00	\$1,000.00
5.44.030E	Customers. Prohibited On-Site	\$200.00	\$500.00	\$1,000.00
5.44.030F	Equipment and Processes	\$200.00	\$500.00	\$1,000.00
5.44.030G	Use of Equipment	\$200.00	\$500.00	\$1,000.00
5.44.030H	Area Utilized for Use	\$200.00	\$500.00	\$1,000.00
5.44.030I	Storage of Materials	\$200.00	\$500.00	\$1,000.00
5.44.030K	Signage and Advertising	\$200.00	\$500.00	\$1,000.00
5.44.030L	Commercial Vehicles	\$200.00	\$500.00	\$1,000.00
5.44.030M	Authorization from Homeowner	\$200.00	\$500.00	\$1,000.00
5.48.040	Operation without License	\$200.00	\$500.00	\$1,000.00
5.48.070	Refusing to Allow Inspection	\$200.00	\$500.00	\$1,000.00
5.48.130	Modeling Studios/Escort Agencies	\$200.00	\$500.00	\$1,000.00
5.48.140	Adult Theaters	\$200.00	\$500.00	\$1,000.00
5.48.150	Adult Motels	\$200.00	\$500.00	\$1,000.00
5.48.160	Explicit Films	\$200.00	\$500.00	\$1,000.00
5.52	Blinder Racks	\$200.00	\$1,000.00	\$2,500.00
5.56	Garage Sales	\$50.00	\$100.00	\$200.00
5.60	Non-Profit Car Washes	\$50.00	\$100.00	\$200.00
5.64	Telecommunications Services	\$100.00	\$200.00	\$500.00
6.00.0401	Off Property (twice)	\$100.00	\$200.00	\$500.00
6.00.040 2	Damages Property	\$100.00	\$200.00	\$500.00
6.00.040 3	Intimidation (Off Property)	\$100.00	\$200.00	\$500.00
6.00.040 4	Chases Vehicles	\$250.00	\$1,000.00	\$2,500.00
6.00.040 5	Noise. Interference	\$100.00	\$200.00	\$500.00
6.00.040 6	Odors	\$100.00	\$200.00	\$500.00
6.00.0407	Unsanitary Conditions	\$100.00	\$200.00	\$500.00
6.00.040 8	Too Many Animals	\$100.00	\$200.00	\$500.00
6.00.040 9	Unfenced female in estrus	\$100.00	\$200.00	\$500.00
6.00.040	Illegal Butchering of Animals	\$100.00	\$200.00	\$500.00
6.00.050	Zoning Violation (each)	\$100.00	\$200.00	\$500.00
6.04.010	Non-Licensing	\$50.00	\$100.00	\$500.00
6.04.020F	Tagging Different Animal	\$100.00	\$200.00	\$500.00
6.04.020G	Not Wearing Tag	\$50.00	\$100.00	\$500.00
6.04.050	Tag	\$50.00	\$100.00	\$500.00
6.04.060	Misuse of Tag	\$100.00	\$200.00	\$500.00
6.04.070	Transfer License. Required	\$50.00	\$100.00	\$250.00
6.04.080	Non-Vaccination	\$50.00	\$100.00	\$500.00
6.04.090	Non-Reporting Animal Bites	\$100.00	\$200.00	\$1,000.00
6.04.100	Removal of Quarantined Animal	\$100.00	\$200.00	\$500.00
6.04.110	Not Reporting Suspected Rabid Animal	\$100.00	\$500.00	\$1,000.00
6.04.130	Non-Posting Quarantine Sign	\$100.00	\$500.00	\$1,000.00
6.08.010A	Unsanitary Conditions	\$100.00	\$200.00	\$500.00
6.08.010B	Inadequate Food and Water	\$100.00	\$200.00	\$1,000.00
6.08.010C	Adequate Enclosures	\$100.00	\$200.00	\$500.00
6.08.010D	Medical Attention	\$100.00	\$200.00	\$1,000.00
6.08.010E	Non-Contained in Vehicle	\$100.00	\$200.00	\$500.00
6.08.010F	Inadequate Ventilation in Vehicles	\$100.00	\$200.00	\$1,000.00
6.08.020A	Animal Running Loose	\$100.00	\$200.00	\$500.00
6.08.020B	Not Notifying Animal Control of Loose. Animals	\$50.00	\$100.00	\$250.00
6.08.020E	Dog Running Loose. - tagged/altered	\$0.00	\$75.00	\$175.00

SECTION	DESCRIPTION	1st	2nd	3rd
6.08.020E	tagged/unaltered	\$50.00	\$100.00	\$200.00
6.08.020E	untagged altered	\$100.00	\$200.00	\$300.00
6.08.020E	untagged/unaltered	\$175.00	N/A	N/A
6.08.030	Animal Waste. Removal	\$100.00	\$200.00	\$500.00
6.08.040	Unconfined Female	\$100.00	\$200.00	\$500.00
6.08.050	Unpermitted Wild Animals	\$100.00	\$200.00	\$500.00
6.08.060	Illegal Animal Disposal	\$50.00	\$100.00	\$250.00
6.08.070(A)	Illegal Taking from Shelter	\$500.00	\$1,000.00	\$2,500.00
6.08.070(C)	Adopting to avoid fees	\$250.00	\$500.00	\$1,000.00
6.08.080	Fight Training	\$500.00	\$1,000.00	\$2,500.00
6.08.090	Illegal Transfer	\$100.00	\$200.00	\$500.00
6.08.100	Mandatory Spay/Neuter	\$100.00	\$250.00	\$500.00
6.12.030	License Expired	\$100.00	\$500.00	\$1,000.00
6.12.040(A)	Housing inadequate	\$100.00	\$200.00	\$1,000.00
6.12.040(B)	Not Sanitary	\$100.00	\$500.00	\$1,000.00
6.12.040 C	Not Adequate. Food/Water	\$100.00	\$500.00	\$1,000.00
6.12.040 D	Runs. Inadequate	\$100.00	\$200.00	\$1,000.00
6.12.040 E	Separation from Public	\$100.00	\$200.00	\$1,000.00
6.12.040 F	Heating, Cooling, and Ventilation	\$100.00	\$200.00	\$1,000.00
6.12.040 G	Rooms of Sufficient Size	\$100.00	\$200.00	\$1,000.00
6.12.040 H	Veterinary Care	\$100.00	\$200.00	\$1,000.00
6.12.040 I)	Hazards. ro Public Health	\$100.00	\$200.00	\$1,000.00
6.12.040(J)	Failure to Correct Violations	\$100.00	\$200.00	\$1,000.00
6.12.040(K)	Failure to Comply with License	\$100.00	\$200.00	\$1,000.00
6.12.050	Commercial Animal Facility License	\$100.00	\$200.00	\$500.00
6.12.060 A	Dogs Not tagged/certified	\$100.00	\$200.00	\$500.00
6.12.060 B	Dog Not Vaccinated	\$100.00	\$200.00	\$500.00
6.12.060 C	Kennels Not Disinfected	\$100.00	\$200.00	\$500.00
6.12.060 D	Improper Waste. Disposal	\$100.00	\$200.00	\$500.00
6.12.060 E	Selling Diseased Animals	\$100.00	\$200.00	\$500.00
6.12.060 F	Disposal of Dead Animals	\$100.00	\$200.00	\$500.00
6.12.060 G	Certificate of Vaccination	\$100.00	\$200.00	\$500.00
6.12.070	Inadequate Cages	\$100.00	\$200.00	\$500.00
6.12.080	Illegal Apiary	\$100.00	\$200.00	\$500.00
8.04.050	Unlawful Collection. of Refuse	\$100.00	\$200.00	\$500.00
8.04.090A2	Refuse Receptacles (Cornrn/Ind)	\$100.00	\$200.00	\$500.00
8.04.090B1	Refuse Receptacles_(Res)	\$100.00	\$200.00	\$500.00
8.04.100A1	Placement of Receptacles/Comm	\$100.00	\$200.00	\$500.00
8.04.100B1	Placement of Receptacles/Res	\$100.00	\$200.00	\$500.00
8.04.10084	Tampering with Refuse Receptacle	\$100.00	\$200.00	\$500.00
8.04.110	Refuse. Removal	\$100.00	\$200.00	\$500.00
8.04.120	Refuse. Disposal	\$100.00	\$200.00	\$500.00
8.04.140	Hazardous. Waste	\$100.00	\$200.00	\$500.00
8.04.150	Burning, Burial,. or Dumping	\$100.00	\$200.00	\$500.00
8.04.160A	Duration. of Storage (Refuse)	\$100.00	\$200.00	\$500.00
8.04.160B	Duration of Storage (Rubbish)	\$100.00	\$200.00	\$500.00
8.12.030	Smoking In City Building	\$100.00	\$200.00	\$500.00
8.12.040	Smoking in Enclosed Places	\$100.00	\$200.00	\$500.00
8.12.050	Smoking in Health Facilities	\$100.00	\$200.00	\$500.00
8.12.060	Smoking in Eating Establishment	\$100.00	\$200.00	\$500.00

SECTION	DESCRIPTION	1st	2nd	3rd
8.12.090	Vending Machine Sales	\$100.00	\$200.00	\$500.00
8.16.060	Abandoned Vehicles	\$100.00	\$200.00	\$500.00
8.28.030C	Non-Permitted Modifications to Floodway	\$100.00	\$200.00	\$500.00
8.32.020	Inoperative Vehicles	\$100.00	\$200.00	\$500.00
8.32.030A	Open Wells, Pools, Pits, etc.	\$100.00	\$200.00	\$500.00
8.32.030B	Accumulated Manure. or Rubbish	\$100.00	\$200.00	\$500.00
8.32.030C	Animal Carcasses	\$100.00	\$200.00	\$500.00
8.32.0300	Hazardous/Infectious Material	\$100.00	\$200.00	\$500.00
8.32.030E	Excessive Watering	\$100.00	\$200.00	\$500.00
8.32.030F	Vector Harborage	\$100.00	\$200.00	\$500.00
8.32.030G	Other Public Health Concerns	\$100.00	\$200.00	\$500.00
8.32.030H	Outside Storage of Freezers/etc.	\$100.00	\$200.00	\$500.00
8.32.040A	Storm Water Flow Changes	\$100.00	\$200.00	\$500.00
8.32.040B	Ditches and Trenches	\$100.00	\$200.00	\$500.00
8.32.040C	Attractive. Nuisances	\$100.00	\$200.00	\$500.00
8.32.0400	Landscape Maintenance	\$100.00	\$200.00	\$500.00
8.32.040E	Setback Encroachments	\$100.00	\$200.00	\$500.00
8.32.050A	Exits	\$100.00	\$200.00	\$500.00
8.32.050B	Walkways	\$100.00	\$200.00	\$500.00
8.32.050C	Structural Load Increases	\$100.00	\$200.00	\$500.00
8.32.050D	Fire or Other Damage	\$100.00	\$200.00	\$500.00
8.32.050E	Possible. Structure Collapse	\$100.00	\$200.00	\$500.00
8.32.050F	Structural Strength	\$100.00	\$200.00	\$500.00
8.32.050G	Warped or Skewed Structures	\$100.00	\$200.00	\$500.00
8.32.050H	Dilapidated/Faulty Construction	\$100.00	\$200.00	\$500.00
8.32.050I	Unsafe Buildings	\$100.00	\$200.00	\$500.00
8.32.050J	Walls/Post that are not Plumb	\$100.00	\$200.00	\$500.00
8.32.050K	Damage or Deterioration	\$100.00	\$200.00	\$500.00
8.32.050L	Attractive Nuisances	\$100.00	\$200.00	\$500.00
8.32.050M	Code. Violations	\$100.00	\$200.00	\$500.00
8.32.050N	Illegal Buildings	\$100.00	\$200.00	\$500.00
8.32.0500	Unsanitary Human Habitation	\$100.00	\$200.00	\$500.00
8.32.050P	Fire Hazards	\$100.00	\$200.00	\$500.00
8.32.0500	Public Nuisance	\$100.00	\$200.00	\$500.00
8.32.050R	Structural Remains on Site	\$100.00	\$200.00	\$500.00
8.32.050S	Illegal Substances	\$100.00	\$200.00	\$500.00
8.32.050T	Gang Use	\$100.00	\$200.00	\$500.00
8.32.060A	Inadequate. Sanitation	\$100.00	\$200.00	\$500.00
8.32.060B	Structural Hazards	\$100.00	\$200.00	\$500.00
8.32.060C1-7	Occupancy Requirements	\$100.00	\$200.00	\$500.00
8.32.060C8	Heating and Ventilation	\$100.00	\$200.00	\$500.00
8.32.060C9	Exits	\$100.00	\$200.00	\$500.00
8.32.0600	Hazardous. Electrical Wiring	\$100.00	\$200.00	\$500.00
8.32.060E	Hazardous Plumbing	\$100.00	\$200.00	\$500.00
8.32.060F	Hazardous Mechanical Equipment	\$100.00	\$200.00	\$500.00
8.32.060G	Faulty Weather Protection	\$100.00	\$200.00	\$500.00
8.32.060H	Fire. Hazard	\$100.00	\$200.00	\$500.00
8.32.060I	improper Occupancy	\$100.00	\$200.00	\$500.00
8.32.070A	Signage. Offering Defunct Services	\$100.00	\$200.00	\$500.00
8.32.070B	Signs for Unlicensed Businesses	\$100.00	\$200.00	\$500.00

SECTION	DESCRIPTION	1st	2nd	3rd
8.32.070C	Prohibited/Unpermitted Signs	\$100.00	\$200.00	\$500.00
8.32.070D	Deteriorated Signs	\$100.00	\$200.00	\$500.00
8.32.080	Development Code Violations	\$100.00	\$200.00	\$500.00
9.04.010	Curfew Hours	\$100.00	\$200.00	\$500.00
9.04.020	Responsibility, of Parents	\$200.00	\$500.00	\$1,000.00
9.08.030	Unlawful to Apply Graffiti	\$200.00	\$500.00	\$1,000.00
9.08.040	Graffiti Implements/Minor	\$200.00	\$500.00	\$1,000.00
9.08.050	Graffiti Implements/Public Place	\$200.00	\$500.00	\$1,000.00
9.08.060	Accessibility to Graffiti Implements	\$200.00	\$500.00	\$1,000.00
9.12.010A	Discharge of Firearms	\$100.00	\$200.00	\$500.00
9.12.010B	Discharge of Firearms	\$500.00	\$1,000.00	\$2,000.00
9.14.010	Skateboards. Prohibited	\$100.00	\$200.00	\$500.00
10.04.140	Traffic Survey Devices	\$100.00	\$200.00	\$500.00
10.08.020	Standing Between Roadways	\$50.00	\$100.00	\$200.00
10.08.030	Parking Parallelwith Curb	\$100.00	\$200.00	\$500.00
10.08.040	Narrow Streets	\$50.00	\$100.00	\$200.00
10.08.050	Parking Adjacent to Schools	\$50.00	\$100.00	\$200.00
10.08.060	Parking	\$100.00	\$200.00	\$500.00
10.08.080	Vehicle Storage on Streets	\$100.00	\$200.00	\$500.00
10.08.090	Prohibited Parking	\$50.00	\$100.00	\$200.00
10.08.100	Parking in Loading Zones	\$100.00	\$200.00	\$500.00
10.08.110	Angle Parking	\$100.00	\$200.00	\$500.00
10.08.120	Parallel Parking	\$100.00	\$200.00	\$500.00
10.08.130	Commercial Vehicles	\$50.00	\$100.00	\$200.00
10.12.020	Noise	\$100.00	\$200.00	\$500.00
10.12.030	Spark Arrestor and Muffler	\$100.00	\$200.00	\$500.00
10.12.050	Riding on Bicycles and Motorcycles	\$100.00	\$200.00	\$500.00
10.12.060	Clinging to. Moving Vehicles	\$100.00	\$200.00	\$500.00
12.04.05	Building Numbering	\$100.00	\$200.00	\$500.00
12.12.060	Work Without a Permit	\$100.00	\$200.00	\$500.00
12.16.030	Work Without a Permit	\$100.00	\$200.00	\$500.00
12.16.040	Inadequate Warning	\$100.00	\$200.00	\$500.00
12.16.060	Failure to Remove Debris	\$100.00	\$200.00	\$500.00
12.16.070	Failure to Protect Public Street	\$100.00	\$200.00	\$500.00
12.20.010	Failure. to. Secure. Moving Permit	\$100.00	\$200.00	\$500.00
12.20.020	Not Heeding Permit Conditions	\$100.00	\$200.00	\$500.00
12.20.030	Over Length	\$100.00	\$200.00	\$500.00
12.20.040	Over Width	\$100.00	\$200.00	\$500.00
12.20.050	Over Height	\$100.00	\$200.00	\$500.00
12.20.060	Over Weight	\$100.00	\$200.00	\$500.00
12.20.070	Not Signed	\$100.00	\$200.00	\$500.00
12.24.010	Excavations without Permits	\$100.00	\$200.00	\$500.00
12.28.170	Violations	\$100.00	\$200.00	\$500.00
12.32.160	Moving Permits. Required	\$100.00	\$200.00	\$500.00
12.36.020	Unpermitted Blinker Lights	\$100.00	\$200.00	\$500.00
13.04.040	Underground Utility District	\$100.00	\$200.00	\$500.00
14.04.170	Mandatory Conservation	\$100.00	\$200.00	\$500.00
14.53.030	Permit Required	\$100.00	\$200.00	\$500.00
14.53.040	Permit Application/Information	\$100.00	\$200.00	\$500.00
14.53.050	Term of Permit	\$100.00	\$200.00	\$500.00
14.53.060	Transfer	\$100.00	\$200.00	\$500.00
14.53.070	Revocation	\$100.00	\$200.00	\$500.00
14.53.090	Maintenance Reports	\$100.00	\$200.00	\$500.00
14.53.100	Enforcement/Penalty for Violation	\$100.00	\$200.00	\$500.00
15.04.060	Violation of UAC	\$100.00	\$200.00	\$500.00
15.04.420	Violation UBC,UPC,UMC,NEC	\$100.00	\$200.00	\$500.00
15.04.440	Violation Hesperia Fire. Code	\$100.00	\$200.00	\$500.00
15.08.030	Pool without Approved Fence	\$100.00	\$200.00	\$500.00

SECTION	DESCRIPTION	1st	2nd	3rd
15.12.020	Contain Construction Trash	\$100.00	\$200.00	\$500.00
15.12.050	Remove Construction Trash	\$100.00	\$200.00	\$500.00
15.16.010	Construction Site Job Toilet	\$100.00	\$200.00	\$500.00
15.20.070	Mobile. Home. Park without Permits	\$100.00	\$200.00	\$500.00
16.08.005	Unpermitted Accessory Building	\$100.00	\$200.00	\$500.00
16.08.010	Unpermitted Accessory Use	\$100.00	\$200.00	\$500.00
16.12.085	Site Plan Review Required	\$100.00	\$200.00	\$500.00
16.12.110	CUP Required	\$100.00	\$200.00	\$500.00
16.12.325	Alter Non-Conforming Use	\$100.00	\$200.00	\$500.00
16.12.335	New Non-Conforming Use	\$100.00	\$200.00	\$500.00
16.12.360	Substandard 2nd Dwelling/TDH	\$100.00	\$200.00	\$500.00
16.12.375	Unpermitted Temporary Use	\$100.00	\$200.00	\$500.00
16.12.400B	Unpermitted Subdivision	\$100.00	\$200.00	\$500.00
16.16.040	Illegal Land Use	\$100.00	\$200.00	\$500.00
16.16.445	Registration Req. – Personal Cannabis Cultivation	\$1,000.00	\$1,000.00	\$1,000.00
16.20.085	Parking Standards Vehicles for Sale	\$100.00	\$200.00	\$500.00
16.20.090	Residential Parking Standards	\$100.00	\$200.00	\$500.00
16.20.105	Commercial Vehicle Parking	\$100.00	\$200.00	\$500.00
16.20.110	Truck Operating Conditions	\$100.00	\$200.00	\$500.00
16.20.115	Truck Parking Without Permit	\$100.00	\$200.00	\$500.00
16.20.125	Noise Limitations	\$100.00	\$200.00	\$500.00
16.20.130	Vibration Limitations	\$100.00	\$200.00	\$500.00
16.20.135	Glare Limitation	\$100.00	\$200.00	\$500.00
16.20.140	Electrical Disturbances	\$100.00	\$200.00	\$500.00
16.20.150	Fugitive Dust	\$100.00	\$200.00	\$500.00
16.20.160	Minimum Residential Standards	\$100.00	\$200.00	\$500.00
16.20.305	Alteration of Registered Landmark	\$100.00	\$200.00	\$500.00
16.20.315	Adult Entertainment Business	\$200.00	\$500.00	\$1,000.00
16.20.325	Zoning	\$200.00	\$500.00	\$1,000.00
16.20.330	Proximity	\$200.00	\$500.00	\$1,000.00
16.20.340	Closed Viewing Areas	\$200.00	\$500.00	\$1,000.00
16.20.345	Permit Required	\$200.00	\$500.00	\$1,000.00
16.20.365	Sale or Transfer	\$200.00	\$500.00	\$1,000.00
16.20.370	Changed Conditions	\$200.00	\$500.00	\$1,000.00
16.20.375	Permit Not Displayed	\$200.00	\$500.00	\$1,000.00
16.24.040	Removed Protected Plants	\$100.00	\$200.00	\$500.00
16.24.070	Construction Around Protected Plants	\$100.00	\$200.00	\$500.00
16.24.130	Commercial Harvesting	\$100.00	\$200.00	\$500.00
16.24.210	Riparian Areas	\$100.00	\$200.00	\$500.00
16.28.010	Conditions/Mobile Home Park	\$100.00	\$200.00	\$500.00
16.36.020	Illegal Unpermitted Signs	\$100.00	\$200.00	\$500.00
16.44.140	Mining Operations	\$100.00	\$200.00	\$500.00
17.04.080	Transfer of Land	\$100.00	\$200.00	\$500.00

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# City of Hesperia

## STAFF REPORT



**DATE:** October 17, 2017

**TO:** Mayor and Council Members

**FROM:** Nils Bentsen, City Manager

**BY:** Mike Blay, Director of Development Services  
Tina Bulgarelli, Administrative Analyst

**SUBJECT:** Amendment to Contract with Data Ticket, Inc. for Collection Services

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### RECOMMENDED ACTION

It is recommended that the City Council approve an amendment in the amount of \$25,000 to the contract with Data Ticket, Inc. (PSA 2012-13-049) for a total contract amount of \$538,000, extend the contract through June 30, 2018, and authorize the City Manager to execute the amended contract with Data Ticket, Inc for the management and collection of citations, cost recovery, appeals, and hearing officer services.

### BACKGROUND

In 2012, the City contracted with Data Ticket, Inc. to provide for the management and collection of citations, cost recovery, appeals and hearing officer services. The City also collects via the County of San Bernardino Tax Collectors office using Special Assessments. Staff continues to use Data Ticket for parking citations, hearing officer services, and collection of certain types of citations.

### ISSUES/ANALYSIS

The current contract with Data Ticket expires on December 31, 2017. Staff is requesting a contract extension through June 30, 2018. Expenditures from December 1, 2012 through July 2017 total \$469,432. An additional \$25,000 is required to continue services through June 30, 2018. The Data Ticket contract is unique in that the City and Data Ticket have a joint escrow account through which revenue and payments are passed through. Data Ticket collects fines on behalf of the City and each month reconciles the amount due to the City after payment of their fees. As such, there are budgeted funds each year to pay the Data Ticket invoices.

Staff intends to continue using Data Ticket, Inc. to provide hearing officer services, and parking citation processing. Parking citation processing must be adjudicated and serviced by an agency able to make inquiries with the Department of Motor Vehicles; Data Ticket has that authority. Further, unpaid parking citations are recovered through the DMV registration process, which typically occurs on an annual basis. There are available funds approved in the Fiscal Year 2017-18 Budget to accommodate the continued reconciliation of Data Ticket expenditures. Staff is requesting a contract amendment in the amount of \$25,000, for a total contract amendment of \$538,000.

### FISCAL IMPACT

The City will continue to have access to the services provided by Data Ticket, which results in parking and citation revenue during the collection process.

**ALTERNATIVE(S)**

1. Provide alternate direction to staff.

**ATTACHMENT(S)**

None



**DATE:** October 3, 2017

**TO:** Mayor and Council Members

**FROM:** Nils Bentsen, City Manager **SECOND READING AND ADOPTION**

**BY:** Mike Blay, Director of Development Services  
Dave Reno, Principal Planner  
Daniel S. Alcayaga, Senior Planner

**SUBJECT:** Specific Plan Amendment SPLA17-00002; Applicant: City of Hesperia; APNs: 3057-131-36 through 57

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## RECOMMENDED ACTION

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2017-17 approving Specific Plan Amendment SPLA17-00002 from the Very Low Density Residential (VLR) to Medium Density Residential (MDR) on approximately 49.5 gross acres generally bounded by Maple Avenue to the east, Tamarisk Avenue to the west, and Yucca Street to the north.

## BACKGROUND

**Proposal:** A Specific Plan Amendment from the Very Low Density Residential (VLR) to Medium Density Residential (MDR) on approximately 49.5 gross acres.

**Location:** Generally bounded by Maple Avenue to the east, Tamarisk Avenue to the west, and Yucca Street to the north.

**Current General Plan, Zoning and Land Uses:** The affected area is within the Very Low Density Residential (VLR) Zone as part of the Main Street and Freeway Corridor Specific Plan. The surrounding land is designated as noted on Attachment 1. The affected area includes vacant land, as well as single-family residences on one and two-and-one-half acre parcels. The land to the north includes vacant land and an existing apartment complex. A church exists to the south. A neighborhood of single-family residences exist on half-acre, one acre, and two-and-one-half acre lots on the opposite side of Maple Avenue to the east. A mobile home park and single-family subdivisions with lot sizes below 7,200 square feet exist to the west (Attachment 2).

On August 10, 2017, the Planning Commission forwarded this item to the City Council with a recommendation for approval by a 3-1 vote (Attachment 3). Commissioner Heywood questioned how long the Medium High (MH) designation was in place prior to 2006. Staff stated that for many years the City had two land use maps – a Zone Map and a General Plan Map. The Limited Agricultural (A1) Zone was in place since prior to incorporation and continued until 2008. The General Plan MH designation was adopted in 1991. The 2010 General Plan Update eliminated the two map system. Commissioner Caldwell questioned if the City had been approached by anyone about changing the zone. Staff indicated that different land owners have asked for the changes throughout the years.

Three persons spoke in favor of the Specific Plan Amendment stating that the projects would bring value to the area; merchants on Main Street would benefit from the growth; and projects would make improvements to local roads that would make roads safer. Three local residents spoke against the Specific Plan Amendment citing that higher density developments would affect quality of life and generate more traffic. Residents expressed an appreciation for their privacy, peace and quiet, and large lots.

In 2006, the City Council denied a Zone Change for two condominium projects in the area in question (Attachments 4 and 5). One project was 28 units and another was 21 units, both of which were two-story developments. These projects were consistent with the General Plan at the time, which designated the properties Medium High (MH) supporting densities between 5 and 10 dwelling units per acre. The developers applied for a Zone Change from Limited Agricultural with a minimum lot size of 2 ½ acres (A1-2 1/2) to Multi-family Residence (R-3) and was intended to bring the Zoning Map in compliance with the General Plan Land Use Map. The study area was expanded to encompass 61 acres, in order to determine the zoning that best fit this area and to avoid spot zoning. The study area included 22 lots, 13 (59%) of which were developed and 9 (41%) were vacant.

In 2006, the Council believed the zone change was not appropriate at that time and not in keeping with the land use patterns in the area. The Council's decision was based on the fact that the majority of the lots were developed with single-family residences, and several residents cited concerns with noise, traffic, and crime if the condominium developments were constructed. It was assumed that the area would continue to develop with single-family homes and this reflected the desired land use pattern of the neighborhood.

The Council's 2006 decision rezoned the area in question to Limited Agricultural with a minimum lot size of one acre (A1), and the General Plan was rezoned to Very Low (VL). Table 1 provides a chronology of the various zones and designations the affected area has undergone. During the 2006 discussions, the Planning Commission adopted a recommendation to change the General Plan to Low (L) and the zoning to R1-20000, but this option was turned down by the Council. The Council kept four lots along Yucca designated MH and zoned R3. The four lots are currently zoned Medium Density Residential (MDR) and are not part of this Specific Plan Amendment.

In 2008, the Main Street and Freeway Corridor Specific Plan (MSFCSP) was adopted, making the area Very Low Density Residential (VLR), which allowed lot sizes between half acre and one acre. Today, a subdivision of 18,000 square foot lots could be approved. The proposed Specific Plan Amendment would allow multi-family developments to be permitted within the affected area.

**Table 1**  
**Chronology of Zoning/General Plan Land Use Designations**

	<b>Zone Map</b>	<b>General Plan Map</b>	<b>Density</b>
<b>Prior to 2006 decision</b>	A1 2 ½	MH	5-10 du/ac
<b>After 2006 decision</b>	A1	VL	0.25-1 du/ac
<b>MSFCSP (2008)</b>		VLR	0.5-2 du/ac
<b>Proposed SPLA17-00002</b>		MDR	8-15 du/ac

## ISSUES/ANALYSIS

The property owners of lots within the affected area have requested that the City reconsider a zone change. Staff would like to revisit the zoning issue, as the decision to deny the zone changes for condominium projects in 2006 was largely based on inconsistencies in the General Plan and Zoning, and the projects may have not been appropriate at that time. Since then, the City weathered the Great Recession in which the local economy experienced almost no residential development. Recently, the City has approved zone changes in other areas to construct multiple developments to spur development of apartment and duplex projects.

In the last decade, the nine properties in the proposed area have remained vacant with little interest in building additional single-family residences or half acre lot subdivisions. The area to the west has developed with residential subdivisions with densities approximately 5 du/ac. In 2015, a 40 unit apartment project was approved on the southwest corner of Primrose Avenue and Yucca Street. Due to higher densities approved in the surrounding area, approval of this Specific Plan Amendment is consistent with the land use patterns generally located west of Maple Avenue.

**Traffic/Street Improvements:** The project is located within the VLR Zone, which allows a density of 0.5 – 2 units per gross acre. A total of 45% of the lots are already developed, as 13 of 22 lots are developed with single-family residences. Based upon 20.25 undeveloped gross acres, the maximum allowable number of units possible under the VLR zone is 41. The Institute of Transportation Engineers' (ITE) Trip Generation Manual estimates that 41 new single family residences would generate approximately 386 daily vehicle trips. This is based upon 9.52 vehicle trips per day for each unit.

In comparison, the MDR Zone allows a density of 8 – 15 units per gross acre. Based upon development of multi-family developments to the maximum allowable density on the 20.25 gross acres zoned MDR, a maximum of 304 units are allowed. The ITE Trip Generation Manual estimates that 304 new multi-family residences would generate approximately 2,020 daily vehicle trips. This is based upon 6.64 vehicle trips per day for each unit. The Amendment would result in 1,634 new daily vehicle trips.

At build-out, Maple Avenue will be constructed as an arterial. A traffic analysis will be completed at the time of the land use application process to evaluate the specific impacts of a project associated with the affected area. The project would be conditioned to provide on-/off-site improvements to mitigate any traffic impacts generated by the project. Upon development of the parcels fronting Maple Avenue, such developments will be constructed with full half width street improvements. The existing Average Daily Traffic (ADT) along Maple Avenue is 5,599 and currently has a roadway capacity of 24,480 before being considered deficient. At build out, Maple Avenue will have an ADT capacity of 30,600. The future ADT of Maple Avenue is expected to be 28,600 and has the capacity to accommodate additional traffic as a result of this Specific Plan Amendment.

The GPUEIR acknowledged that at build-out of the General Plan, traffic throughout the City would substantially increase. In the long term, the City will have to construct capital improvements consistent with the Circulation Element, including widening arterials and collectors to ultimate capacity, redesigning intersections to operate more efficiently, and synchronize signals along major roadways. New developments in the City will continue to construct street improvements necessary to make their projects work, as well as pay traffic impact fees. Traffic impact fees will be collected as development occurs, which will help fund the Capital Improvement Program.

**Environmental:** Approval of this development requires adoption of a negative declaration pursuant to the California Environmental Quality Act (CEQA). The negative declaration and initial study (Attachment 6) prepared for the development conclude that there are no significant adverse impacts resulting from the project.

**Conclusion:** The project conforms to the goals and policies of the City's General Plan.

#### **FISCAL IMPACT**

Development will be subject to payment of all development impact fees adopted by the City.

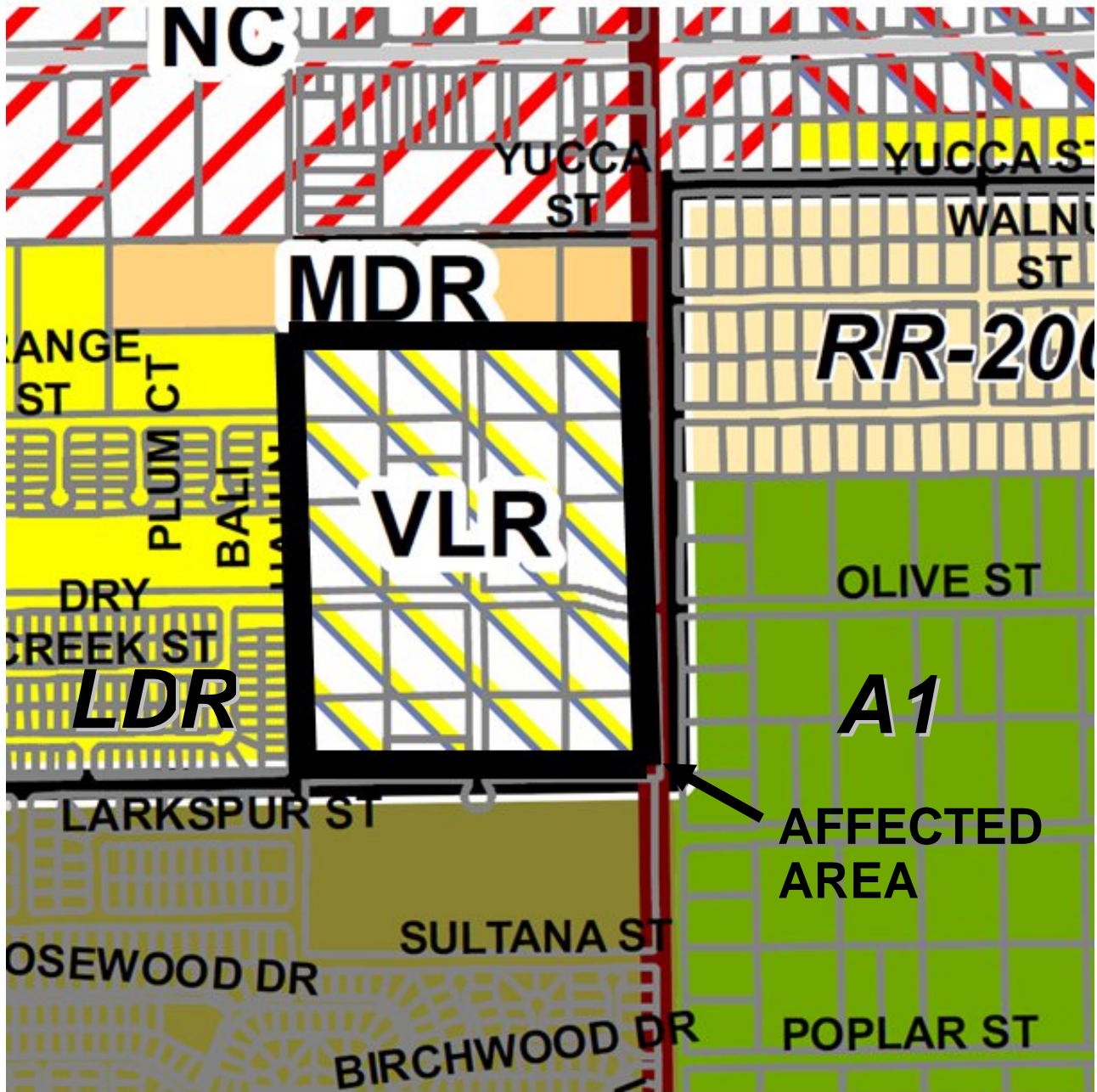
#### **ALTERNATIVE(S)**

1. Provide alternative direction to staff.

#### **ATTACHMENTS**

1. Main Street and Freeway Corridor Specific Plan Zone Map
2. Aerial Photo
3. Draft minutes from the August 10, 2017 Planning Commission meeting
4. Site Plan (28 condo units)
5. Site Plan (21 condo units)
6. Negative Declaration ND-2017-03 with Initial Study
7. Ordinance No. 2017-17
8. Exhibit "A"

# ATTACHMENT 1



**APPLICANT(S):**  
CITY OF HESPERIA

**FILE NO(S):** SPLA17-00002

**LOCATION:**  
GENERALLY BOUNDED BY MAPLE AVENUE TO THE EAST, TAMARISK AVENUE TO THE WEST, AND YUCCA STREET TO THE NORTH

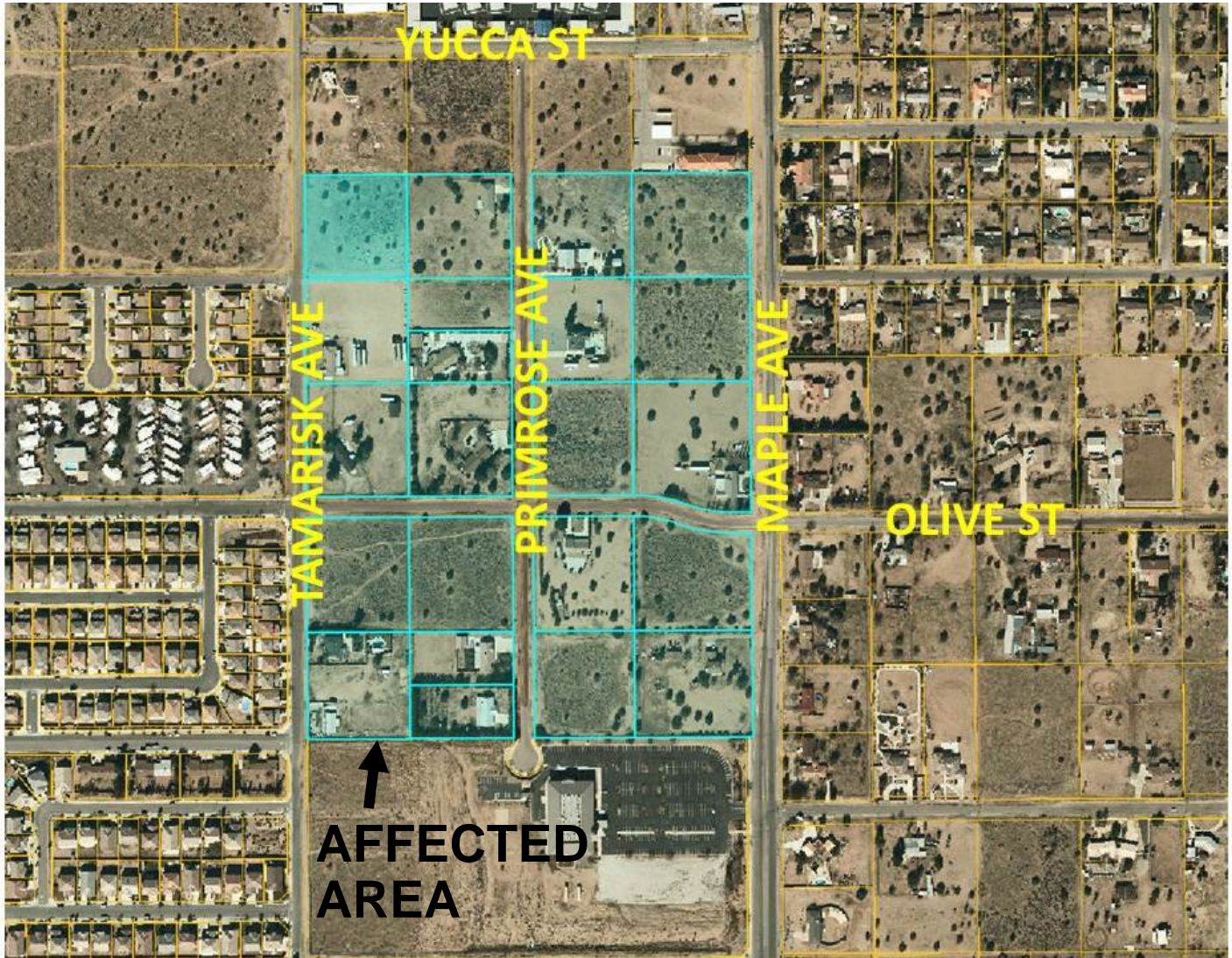
**APN(S):**  
3057-131-36  
THROUGH 57

**PROPOSAL:**  
A SPECIFIC PLAN AMENDMENT FROM THE VERY LOW DENSITY RESIDENTIAL (VLR) TO MEDIUM DENSITY RESIDENTIAL (MDR) ON 49.5 GROSS ACRES



## MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN

# ATTACHMENT 2



**APPLICANT(S):**  
CITY OF HESPERIA

**FILE NO(S):** SPLA17-00002

**LOCATION:**  
GENERALLY BOUNDED BY MAPLE AVENUE TO THE EAST, TAMARISK AVENUE  
TO THE WEST, AND YUCCA STREET TO THE NORTH

**APN(S):**  
3057-131-36  
THROUGH 57

**PROPOSAL:**  
A SPECIFIC PLAN AMENDMENT FROM THE VERY LOW DENSITY RESIDENTIAL (VLR) TO  
MEDIUM DENSITY RESIDENTIAL (MDR) ON 49.5 GROSS ACRES



## AERIAL PHOTO

# ATTACHMENT 3

## HESPERIA PLANNING COMMISSION MEETING REGULAR MEETING AUGUST 10, 2017 MINUTES EXCERPTS

5. **Consideration of Specific Plan Amendment SPLA17-00002 from the Very Low Density Residential (VLR) to Medium Density Residential (MDR) on approximately 49.5 gross acres generally bounded by Maple Avenue to the east, Tamarisk Avenue to the west, and Yucca Street to the north (Applicant: City of Hesperia; APNs: 3057-131-36 through 57)**

### **Recommended Action:**

**It is recommended that the Planning Commission adopt Resolution No. PC-2017-23 recommending that the City Council introduce and place on first reading an ordinance approving Specific Plan Amendment SPLA17-00002.**

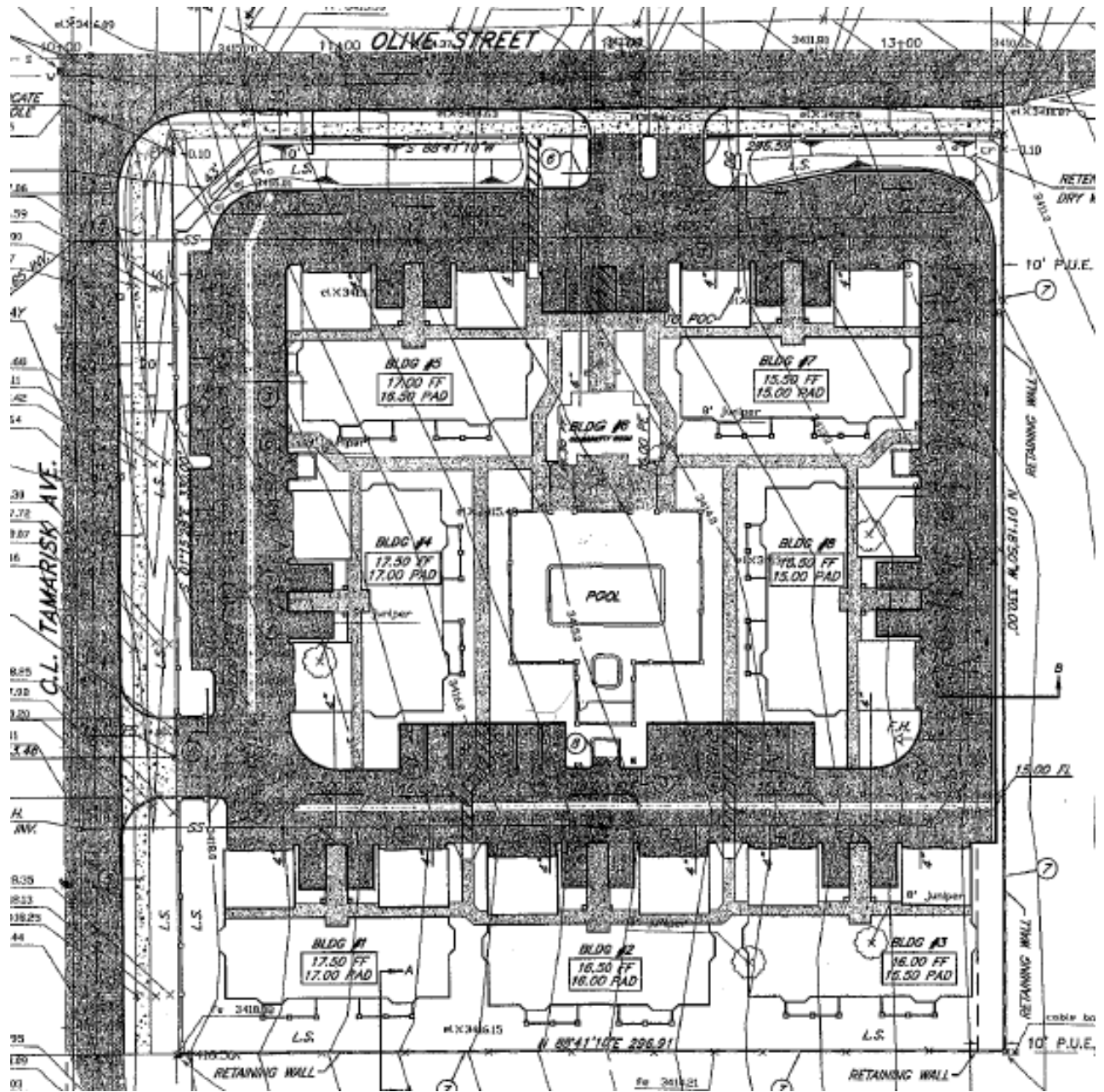
**Sponsor:** Senior Planner Daniel Alcayaga

Senior Planner Daniel Alcayaga presented SPLA17-00002.  
The Commission asked questions of staff with discussions ensuing.  
Vice Chair Cody Leis opened the Public Hearing at 7:14 pm.  
Developer Dino DeFazio spoke on the project.  
Resident Robert Woolcock spoke in opposition of the project.  
Resident Rhonda Goodwin spoke in opposition of the project.  
Resident Donna Paul spoke in opposition of the project.  
Resident Sami Merhi spoke in favor of the project.  
Applicant Agnes Yen Sinclair spoke on the project.  
Vice Chair Cody Leis closed the Public Hearing at 7:28 pm.  
The Commission asked questions of staff with discussions ensuing.

**Motion by Commissioner Jim Heywood to adopt Resolution No. PC-2017-23 recommending that the City Council introduce and place on first reading an ordinance approving Specific Plan Amendment SPLA17-00002, Seconded by Commissioner Joline Hahn, passed with the following roll call vote:**

AYES:	Vice Chair Cody Leis Commissioner Joline Hahn Commissioner Jim Heywood
NOES	Commissioner Rusty Caldwell
ABSENT:	Chair Tom Murphy

# ATTACHMENT 4



**APPLICANT(S):**  
CITY OF HESPERIA

**FILE NO(S):** SPLA17-00002

**LOCATION:**  
GENERALLY BOUNDED BY MAPLE AVENUE TO THE EAST, TAMARISK AVENUE TO THE WEST, AND YUCCA STREET TO THE NORTH

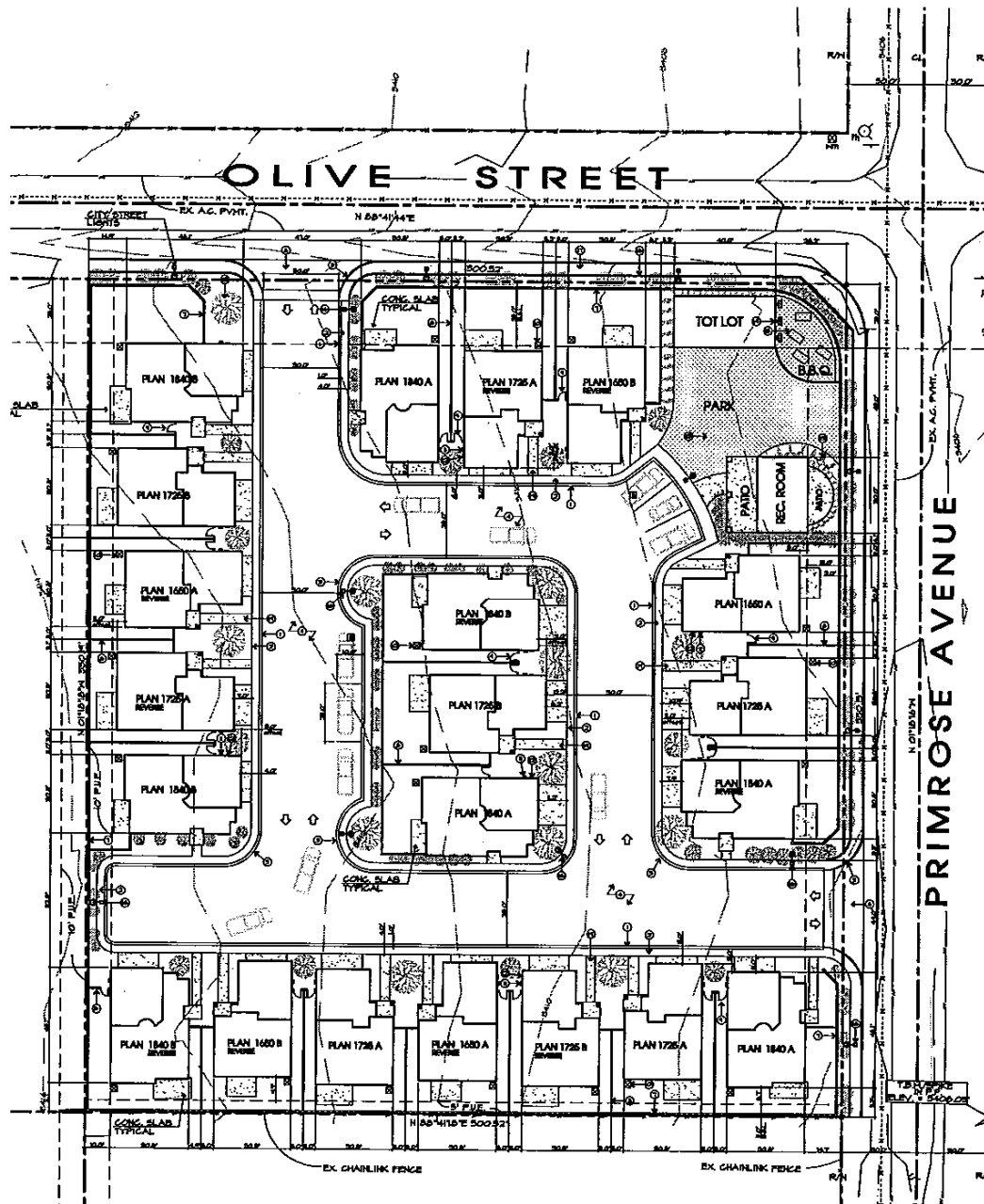
**APN(S):**  
3057-131-36  
THROUGH 57

**PROPOSAL:**  
A SPECIFIC PLAN AMENDMENT FROM THE VERY LOW DENSITY RESIDENTIAL (VLR) TO MEDIUM DENSITY RESIDENTIAL (MDR) ON 49.5 GROSS ACRES



## SITE PLAN (28 CONDO UNITS)

# ATTACHMENT 5



**APPLICANT(S):**  
CITY OF HESPERIA

**FILE NO(S):** SPLA17-00002

**LOCATION:**  
GENERALLY BOUNDED BY MAPLE AVENUE TO THE EAST, TAMARISK AVENUE TO THE WEST, AND YUCCA STREET TO THE NORTH

**APN(S):**  
3057-131-36  
THROUGH 57

**PROPOSAL:**  
A SPECIFIC PLAN AMENDMENT FROM THE VERY LOW DENSITY RESIDENTIAL (VLR) TO MEDIUM DENSITY RESIDENTIAL (MDR) ON 49.5 GROSS ACRES



## SITE PLAN (21 CONDO UNITS)

# ATTACHMENT 6

PLANNING DIVISION  
9700 Seventh Avenue, Hesperia, California 92345  
(760) 947-1224 FAX (760) 947-1304

NEGATIVE DECLARATION ND-2017-03  
Preparation Date: July 11, 2017

Name or Title of Project: Specific Plan Amendment SPLA17-00002

Location: Generally bounded by Maple Avenue to the east, Tamarisk Avenue to the east, and Yucca Street to the north (APNs: 3057-131-36 through 57)

Entity or Person Undertaking Project: City of Hesperia

Description of Project: Consideration of a Specific Plan Amendment from Very Low Density Residential (VLR) to Medium Density Residential (MDR) on 49.5 gross acres.

Statement of Findings: The Planning Commission has reviewed the Initial Study for this proposed project and has found that there are no significant adverse environmental impacts to either the man-made or physical environmental setting with inclusion of the following mitigation measure and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

Mitigation Measure:

A copy of the Initial Study and other applicable documents used to support the proposed Mitigated Negative Declaration is available for review at the City of Hesperia Planning Department.

Public Review Period: July 17, 2017 through August 7, 2017

Public Hearing Date: August 10, 2017

Adopted by the City Council: September 19, 2017

Attest:

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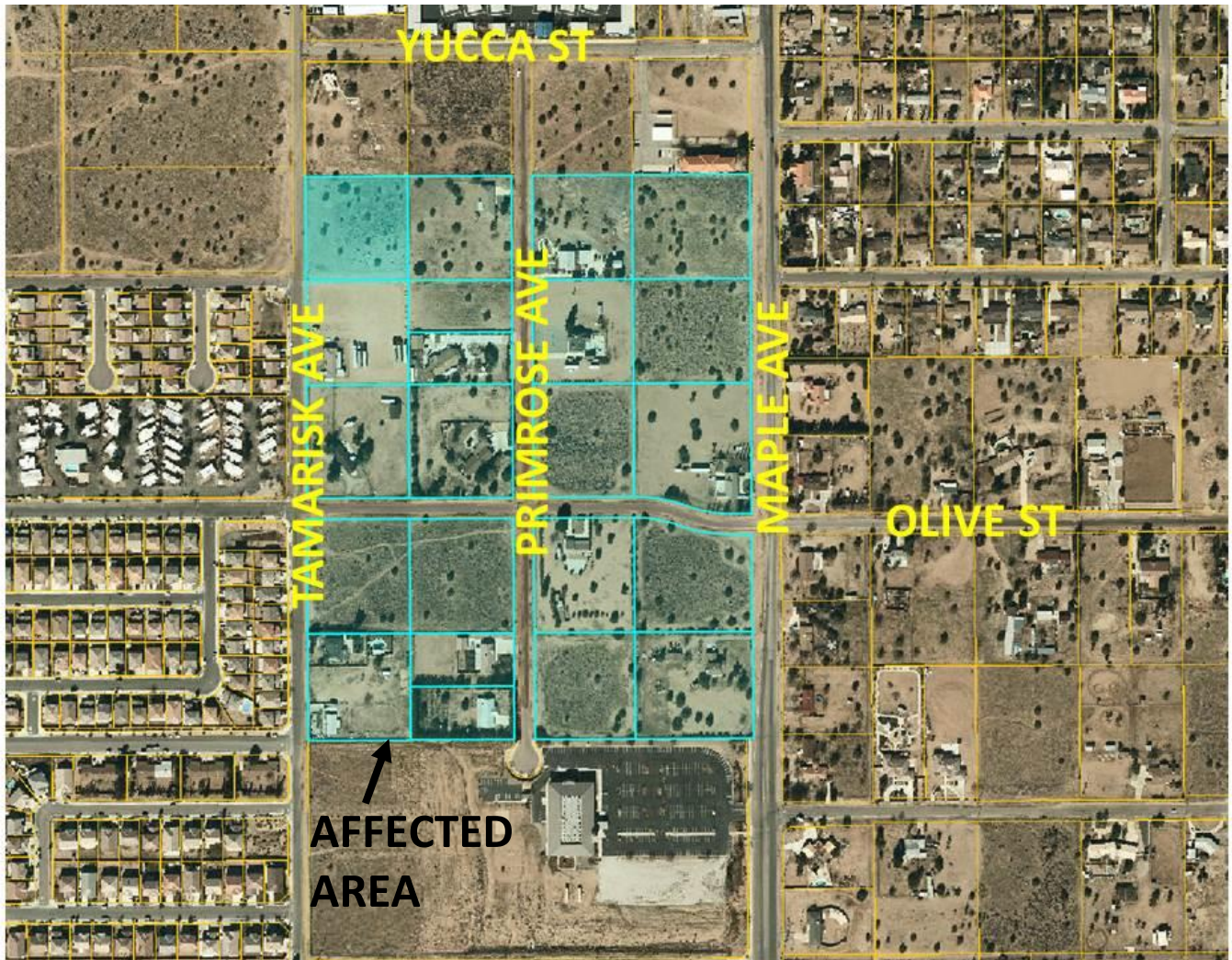
DAVE RENO, AICP, PRINCIPAL PLANNER

**CITY OF HESPERIA INITIAL STUDY  
ENVIRONMENTAL CHECKLIST FORM**

**PROJECT DESCRIPTION**

1. **Project Title:** Specific Plan Amendment SPLA17-00002
2. **Lead Agency Name:** City of Hesperia Planning Division  
**Address:** 9700 Seventh Avenue, Hesperia, CA 92345.
3. **Contact Person:** Daniel S. Alcayaga, AICP, Senior Planner  
**Phone number:** (760) 947-1330.  
  
**Project Location:** Generally bounded by Maple Avenue to the east, Tamarisk Avenue to the east, and Yucca Street to the north (APNs: 3057-131-36 through 57)
4. **Project Sponsor:** City of Hesperia  
**Address:** 9700 Seventh Avenue  
Hesperia, CA
5. **General Plan & zoning:** Very Low Density Residential (VLR) zone of the Main Street and Freeway Corridor Specific Plan.
6. **Description of project:**  
A Specific Plan Amendment from VLR to Medium Density Residential (MDR)
7. **Surrounding land uses and setting:** (Briefly describe the project's surroundings.)  
  
The properties to the north are within the Medium Density Residential (MDR) Zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan). The land to the south is zoned Single-Family Residence (R1). The land to the east is zoned Limited Agricultural (A1). The properties to the west are within the Low Density Residential (LDR) Zone of the Specific Plan. The land to the north includes vacant land and an apartment complex. A church exists to the south. To the east, on the opposite side of Maple Avenue, a neighborhood of single-family residences exist on half-acre, one acre, as well as 2 ½ acre lots. A mobile home park and single-family subdivisions with lot sizes below 7,200 square feet exist to the west.
8. **Other public agency whose approval is required** (e.g., permits, financing approval, or participation agreement.)  
  
Review and approval is required from the City.

Exhibit 'A' - Aerial Photo



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

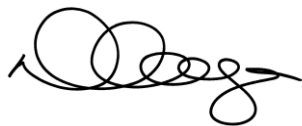
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture & Forestry Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology / Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials	<input type="checkbox"/>	Hydrology / Water Quality
<input type="checkbox"/>	Land Use / Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population / Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation / Traffic	<input type="checkbox"/>	Utilities / Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

**DETERMINATION:** (Completed by the Lead Agency)

On the basis of this initial evaluation:

<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	"De minimis"
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.	



7-11-17

Signature

Date

Daniel S. Alcayaga, AICP, Senior Planner, Hesperia Planning Division

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

1. A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting information sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

<b>I. AESTHETICS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista <b>(1)</b> ?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway <b>(1 &amp; 2)</b> ?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings <b>(1, 2 &amp; 3)</b> ?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area <b>(6)</b> ?			X	

**Comments.**

The City contains many scenic views of the Mojave Desert, the Mojave River, the San Bernardino and San Gabriel mountains, as well as of the Summit Valley area. The General Plan Update Environmental Impact Report (GPUEIR) addressed the scenic vistas and focuses on preservation of natural open space to protect sensitive environments and specific amenities like washes, bluffs, Joshua tree forests and juniper woodlands **(3)**. The properties associated with the proposed specific plan amendment are not located in a sensitive environment. Given the existing land uses nearby, its development will not substantially degrade the existing visual character or quality of the site and its surroundings. The project is not considered a scenic vista or resources, nor is any local roadways or highways considered a scenic road way. A state scenic highway does not traverse the City **(2)**. State Highways 138 and 173 are eligible for being designated scenic highways within the southern portion of the City. The project site is not in proximity to this area. The City does not contain any registered historic buildings.

Any future development will be subject to development standards of the Specific Plan **(5)**, which limit the building height and provide for minimum yard, maximum floor area ratio and architectural standards as implemented through the development process. The Development Code requires that any light created by any development not exceed 0.5 foot-candle illumination at the site boundary abutting a street **(6)**. Further, all lights shall be hooded and directed downward to reduce the impact upon the nighttime sky in accordance with the General Plan Update, which identifies the impact of development in accordance with the General Plan as less than significant **(8)**. Based upon these regulations, any development will not adversely affect day or nighttime views in the area. Therefore, approval of the proposed specific plan amendment will not have a significant negative impact upon aesthetics.

<b>II. AGRICULTURE AND FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and State Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use <b>(9)</b> ?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract <b>(10 &amp; 11)</b> ?				X
c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) <b>(12)</b> ?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use <b>(12)</b> ?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use <b>(11 &amp; 12)</b> ?				X

**Comments.**

The General Plan and the United States Soil Conservation Service Soil Survey of San Bernardino County do not designate the properties as prime farmland, unique farmland, or farmland of statewide importance. There is no record of past agricultural activities on the site. The City contains only few sites with agricultural uses and only two properties within a Williamson Act contract. The project site is not one of these properties. The proximity of existing developments does not make this site viable for agriculture.

The soil at this location is identified as Hesperia loamy fine sand, zero to five percent slopes **(13)**. These soils are limited by high soil blowing hazard, high water intake rate, low available water capacity, and low fertility. The U.S. Department of Agriculture, Soil Conservation Service (SCS) Soil Survey of San Bernardino County California Mojave River Area states that "Urban and built-up land and water areas cannot be considered prime farmland..." Therefore, this specific plan amendment will not have an impact upon agricultural resources.

The City and its Sphere of Influence (SOI) is located within the Mojave bioregion, primarily within the urban and desert land use classes **(14)**. The southernmost portions of the City and SOI contain a narrow distribution of land within the shrub and conifer woodland bioregions. These bioregions do not contain sufficient forest land for viable timber production and are ranked as low priority landscapes **(15)**. The project site is primarily located in the western portion of the City in an urban area and is surrounded by urban development. During the nineteenth century, juniper wood from Hesperia was harvested for use in fueling bakery kilns. Use of juniper wood was discontinued when oil replaced wood in the early twentieth century **(12)**. Local timber production has not occurred since that time. Therefore, this specific plan amendment will not have an impact upon forest land or timberland.

<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan <b>(16, 17 &amp; 18)</b> ?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation <b>(16, 17 &amp; 18)</b> ?				X

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors) <b>(16, 17 &amp; 18)?</b>				X
d) Expose sensitive receptors to substandard pollutant concentrations <b>(7, 16 &amp; 17)?</b>				X
e) Create objectionable odors affecting a substantial number of people <b>(1, 7, 16 &amp; 17)?</b>				X

**Comments.**

Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. These population groups are generally more sensitive to poor air quality. The closest sensitive receptors are the occupants of the single-family residences abutting the properties; however, no development is being proposed at this time. Any future development and its impacts on to sensitive receptors would need to be further evaluated during the development review process. This specific plan amendment will not violate any air quality standards or expose residences to substandard pollutant concentrations.

The Mojave Desert Air Quality Management District (MDAQMD) has published a number of studies that demonstrate that the Mojave Desert Air Basin (MDAB) can be brought into attainment for particulate matter and ozone, if the South Coast Air Basin (SCAB) achieves attainment under its adopted Air Quality Management Plan. The High Desert and most of the remainder of the desert has been in compliance with the federal particulate standards for the past 15 years **(16)**. The ability of MDAQMD to comply with ozone ambient air quality standards will depend upon the ability of SCAQMD to bring the ozone concentrations and precursor emissions into compliance with ambient air quality standards **(16 & 17)**.

The General Plan Update identifies large areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact to air quality upon build-out of the General Plan. Based upon this analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with air quality impacts **(19)**. As part of the GPUEIR, the impact of residential development to the maximum allowable intensity permitted by the Land Use Plan was analyzed. Further, the specific plan amendment does not meet any threshold which requires air quality analysis or mitigation under the Air Quality Attainment Plan **(18)**.

<b>IV. BIOLOGICAL RESOURCES.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service <b>(20 &amp; 24)?</b>				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service <b>(1 &amp; 20)?</b>				X

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means <b>(1 &amp; 20)</b> ?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites <b>(1, 20 &amp; 24)</b> ?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance <b>(20 &amp; 21)</b> ?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan <b>(22)</b> ?				X

**Comments.**

The site is not expected to support the Mohave ground squirrel, given the very low population levels of the species in the region and proximity to existing development. Further, the project site is outside the area considered suitable habitat for the species **(23)**. The desert tortoise is also not expected to inhabit the site, given its proximity to development **(1)**. The site is also outside the range of the arroyo toad, which has been documented to inhabit a portion of the Rancho Las Flores Specific Plan and adjacent areas **(24)**.

The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest communities, exist within the Rancho Las Flores Specific Plan and vicinity **(25)**. The project site is located within a developed portion of the City. Consequently, approval of the specific plan amendment will not have an impact upon biological resources.

<b>V. CULTURAL RESOURCES.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 <b>(26)</b> ?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 <b>(26)</b> ?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature <b>(27)</b> ?				X
d) Disturb any human remains, including those interred outside of formal cemeteries <b>(28)</b> ?				X

**Comments.**

The site is not on the list of previously recorded cultural resources **(26)**. This list, which was compiled as part of the 2010 General Plan Update, was compiled from the inventory of the National Register of Historic Properties, the California Historic Landmarks list, the California Points of Historic Interest list, and the California State Resources Inventory for San Bernardino County. Past records of paleontological resources were also evaluated as part of the General Plan. This research was compiled from records found at the Archaeological Information Center located at the San Bernardino County Museum. Based upon this review, paleontological resources are not expected to exist on the project

site. The Cultural Resources Sensitivity Map indicates that the site has a low sensitivity potential for containing cultural resources **(27)**. Consequently, approval of the specific plan amendment is not expected to have an impact upon cultural resources.

In the event that human remains are discovered during future grading activities, grading shall cease until the County Coroner has made the necessary findings in accordance with the California Environmental Quality Act (CEQA) **(28)**. Should the Coroner determine that the remains are Native American, the Native American Heritage Commission (NAHC) shall be contacted and the remains shall be handled in accordance with Public Resources Code Section 5097.98. The NAHC has indicated that the City and Sphere of Influence does not contain any sacred lands **(29)**.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42 <b>(31, 32 &amp; 33)</b> .				X
ii) Strong seismic ground shaking <b>(30 &amp; 34)</b> ?				X
iii) Seismic-related ground failure, including liquefaction <b>(13 &amp; 30)</b> ?				X
iv) Landslides <b>(30)</b> ?				X
b) Result in substantial soil erosion or the loss of topsoil <b>(13)</b> ?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse <b>(13 &amp; 30)</b> ?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property <b>(13)</b> ?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater <b>(13)</b> ?				X

#### Comments.

No large hills or mountains are located within the project site. According to Exhibit SF-1 of the General Plan Safety Element, no active faults are known or suspected to occur near or within the project site and the site is not within an Alquist-Priolo Special Studies Zone or Earthquake Fault Zone **(31)**. The City and Sphere of Influence (SOI) is near several major faults, including the San Andreas, North Frontal, Cleghorn, Cucamonga, Helendale, and San Jacinto faults **(31 & 32)**. The nearest fault to the site is the North Frontal fault, located approximately five miles to the east of the City.

The Alquist-Priolo Earthquake Fault Zoning Act prohibits structures designed for human occupancy within 500 feet of a major active fault and 200 to 300 feet from minor active faults **(33)**. The project site is not located in an Alquist-Priolo Earthquake Fault Zone or within 500 feet of a fault **(31 & 32)**. Further, the soil at this site does not have the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse **(13)**.

Any new development must be built in compliance with the Hesperia Municipal Code and the Building Code **(35)**, which ensures that the buildings will adequately resist the forces of an earthquake. In addition, prior to issuance of a grading permit, a soil study is required, which shall be used to determine the load bearing capacity of the native soil. Should the load bearing capacity be determined to be inadequate, compaction or other means of improving the load bearing capacity shall be performed in accordance with all development codes to assure that all structures will not be negatively affected by the soil. Consequently, there will be no impact upon geology and soils associated with the proposed specific plan amendment.

<b>VII. GREENHOUSE GAS EMISSIONS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment <b>(36)</b> ?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases <b>(36, 37 &amp; 38)</b> ?			X	

#### Comments.

Assembly Bill 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California's greenhouse gas emissions to 1990 levels by 2020. In addition, Senate Bill 97 requires that all local agencies analyze the impact of greenhouse gases under CEQA and task the Office of Planning and Research (OPR) to develop CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions..."

On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). The Natural Resources Agency forwarded the adopted amendments and the entire rulemaking file to the Office of Administrative Law (OAL) on December 31, 2009. On February 16, 2010, OAL approved the Amendments, which became effective on March 18, 2010 **(39)**. This initial study has incorporated these March 18, 2010 Amendments.

Lead agencies may use the environmental documentation of a previously adopted Plan to determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements of the Plan or mitigation program under specified circumstances. As part of the General Plan Update, the City adopted a Climate Action Plan (CAP)**(36)**. The CAP provides policies along with implementation and monitoring which will enable the City of Hesperia to reduce greenhouse emissions 28 percent below business as usual by 2020, consistent with AB 32 **(37)**. Any new development will need to be consistent with the City's CAP. Consequently, the impact upon GHG emissions associated with the proposed specific plan amendment is less than significant.

<b>VIII. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials <b>(39)</b> ?				X

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment <b>(39)</b> ?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area <b>(10)</b> ?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area <b>(40)</b> ?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan <b>(41)</b> ?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands <b>(1 &amp; 7)</b> ?				X

#### Comments.

The project site is not listed in any of the following hazardous sites database systems, so it is unlikely that hazardous materials exist on-site:

- National Priorities List [www.epa.gov/superfund/sites/query/basic.htm](http://www.epa.gov/superfund/sites/query/basic.htm). List of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. There are no known National Priorities List sites in the City of Hesperia.
- Site Mitigation and Brownfields Reuse Program Database [www.dtsc.ca.gov/database/Calsites/Index.cfm](http://www.dtsc.ca.gov/database/Calsites/Index.cfm). This database (also known as CalSites) identifies sites that have known contamination or sites that may have reason for further investigation. There are no known Site Mitigation and Brownfields Reuse Program sites in the City of Hesperia.
- Resource Conservation and Recovery Information System [www.epa.gov/enviro/html/rcris/rcris\\_query\\_java.html](http://www.epa.gov/enviro/html/rcris/rcris_query_java.html). Resource Conservation and Recovery Information System is a national program management and inventory system of hazardous waste handlers. There are 53 Resource Conservation and Recovery Act facilities in the City of Hesperia, however, the project site is not a listed site.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) (<http://cfpub.epa.gov/supercpad/cursites/srchsites.cfm>). This database contains information on hazardous waste sites, potentially hazardous waste sites, and remedial activities across the nation. There is one Superfund site in the City of Hesperia, however, the project site is not located within or adjacent to the Superfund site.
- Solid Waste Information System (SWIS) (<http://www.ciwmb.ca.gov/SWIS/Search.asp>). The SWIS database contains information on solid waste facilities, operations, and disposal sites throughout the State of California. There are three solid waste facilities in the City of Hesperia, however the project site is not listed.
- Leaking Underground Fuel Tanks (LUFT)/ Spills, Leaks, Investigations and Cleanups (SLIC) (<http://geotracker.waterboards.ca.gov/search/>). This site tracks regulatory data about underground fuel tanks, fuel pipelines, and public drinking water supplies. There are fourteen

LUFT sites in the City of Hesperia, six of which are closed cases. The project site is not listed as a LUFT site and there are no SLIC sites in the City of Hesperia.

- There are no known Formerly Used Defense Sites within the limits of the City of Hesperia.  
Formerly Used Defense Sites

<http://hq.environmental.usace.army.mil/programs/fuds/fudsinv/fudsinv.html>.

No development is proposed at this time; however, any use which includes hazardous waste as part of its operations will be prohibited within 500 feet of a school **(43)**. Consequently, HMBP compliance will provide sufficient safeguards to prevent health effects. The specific plan amendment will not pose a significant health threat to any existing or proposed schools.

Approval of the specific plan amendment will not conflict with air traffic nor emergency evacuation plans. The site is not near Hesperia Airport, and is therefore, not within a restricted use zone associated with air operations **(44)**. Consequently, implementation of the amendment will not cause safety hazards to air operations. The site is also not along an emergency evacuation route or near a potential emergency shelter **(41)** and will not interfere with emergency evacuation plans.

The site is located within an urbanized area and is not in an area susceptible to wildland fires. The southernmost and westernmost portions of the City are at risk, due primarily to proximity to the San Bernardino National Forest **(45 & 46)**. Consequently, approval of the specific plan amendment will not have any impact upon or be affected by hazards and hazardous materials.

IX. HYDROLOGY AND WATER QUALITY. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements <b>(47 &amp; 48)</b> ?					X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted) <b>(49 &amp; 50)</b> ?					X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site <b>(45)</b> ?					X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site <b>(7 &amp; 45)</b> ?					X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff <b>(52)</b> ?					X
f) Otherwise substantially degrade water quality <b>(52)</b> ?					X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map <b>(7, 53 &amp; 61)</b> ?					X

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows <b>(7, 45 &amp; 61)</b> ?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam <b>(10 &amp; 45)</b> ?				X
j) Inundation by seiche, tsunami, or mudflow <b>(31)</b> ?				X

**Comments.**

If future development disturbs more than one-acre of land area, the project will be required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge Elimination System (NPDES) permit prior to land disturbance **(54)**. Issuance of a Storm Water Pollution Prevention Plan (SWPPP) will also be required, which specifies the Best Management Practices (BMP) that will be implemented to prevent construction pollutants from contacting storm water **(54)**. Obtaining the NPDES and implementing the SWPPP is required by the State Water Resources Control Board (WRCB) and the California Regional Water Quality Control Board (RWQCB). These are mandatory and NPDES and SWPPP have been deemed adequate by these agencies to mitigate potential impacts to water quality during project construction.

Any future development at this site may change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff **(7)**. These developments are required to retain the drainage created on-site beyond that which has occurred historically within an approved drainage system in accordance with City of Hesperia Resolution 89-16 **(51)**. The site is also not within a Flood Zone, based upon the latest Flood Insurance Rate Maps **(61)**. The retention facility required by the City will ensure that no additional storm water runoff impacts the area and that any contaminants will be filtered from storm water runoff prior to any release into a street.

The City is downstream of three dams. These are the Mojave Forks, Cedar Springs, and Lake Arrowhead Dams. In the event of a catastrophic failure of one or more of the dams, the project site would not be inundated by floodwater **(10)**. The areas most affected by a dam failure are located in the low lying areas of southern Rancho Las Flores, most of the Antelope Valley Wash, and properties near the Mojave River. The City of Hesperia is located just north of the Cajon Pass at an elevation of over 2,500 feet above sea level, which is over 60 miles from the Pacific Ocean. As such, the City is not under threat of a tsunami, otherwise known as a seismic sea wave **(30)**. Similarly, the potential for a seiche to occur is remote, given the limited number of large water bodies within the City and its sphere. A seiche would potentially occur only in proximity to Silverwood Lake, Hesperia Lake and at recharge basins **(30)**. In addition, the water table is significantly more than 50 feet from the surface. The area north of Summit Valley contains steep slopes which have the potential to become unstable during storm events **(55)**. However, the mechanisms necessary to create a mudflow; a steep hillside with groundwater near the surface, does not exist at this location.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(49)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere of Influence (SOI). The UWMP indicates that the City is currently using available water supply, which is projected to match demand beyond the year 2030 **(50)**. The HWD has maintained a water surplus through purchase of water transfers, allocations carried over from previous years, and recharge efforts. Therefore, the impact upon hydrology and water quality associated with the specific plan amendment is considered less than significant.

<b>X. LAND USE AND PLANNING.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community <b>(1)</b> ?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect <b>(10)</b> ?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan <b>(25)</b> ?				X

#### Comments.

This specific plan amendment will change the zoning of the property from Very Low Density Residential (VLR) to Medium Density Residential (MDR). No development proposal is associated with this specific plan amendment. Any new development will be evaluated as part of the City's development process and will be subject to CEQA. Such development must be consistent with the Main Street and Freeway Corridor Specific Plan and the City's General Plan. The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest community, exist within the Tapestry Specific Plan and vicinity **(25)**. The project site is located approximately six miles north of this specific plan within the developed portion of the City. Although portions of this area are occupied with single-family residences, a significant part of the affected area may be developed at higher density consistent with existing zoning to the north and west. Therefore, the specific plan amendment would have a less than significant impact upon land use and planning.

<b>XI. MINERAL RESOURCES.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state <b>(57)</b> ?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan <b>(57)</b> ?				X

**Comments.**

According to data in the Conservation Element of the City's General Plan, no naturally occurring important mineral resources occur within the project site **(57)**. Known mineral resources within the City and sphere include sand and gravel, which are prevalent within wash areas and active stream channels. Sand and gravel is common within the Victor Valley. Consequently, the proposed specific plan amendment would not have an impact upon mineral resources.

<b>XII. NOISE.</b> Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies <b>(1, 7 &amp; 58)</b> ?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels <b>(58 &amp; 59)</b> ?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project <b>(60)</b> ?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project <b>(60)</b> ?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels <b>(10 &amp; 44)</b> ?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels <b>(44)</b> ?				X

**Comments.**

According to the General Plan, the majority of noise sources within the City are mobile sources, which include motor vehicles and aircraft **(58)**. Freeways, major arterials, railroads, airports, industrial, commercial, and other human activities contribute to noise levels. Noises associated with any new residential development will be from traffic caused by arriving and departing vehicles (employees, customers, and vehicle service), especially semi-trucks; however, no development is proposed at this time.

Construction noise levels associated with any future construction activities will be slightly higher than the existing ambient noise levels in the vicinity of the project site. Noise generated by construction equipment, including trucks, graders, backhoes, equipment, bull-dozers, concrete mixers and portable generators can reach high levels and is typically one of the sources for the highest potential noise impact of a project. However, the construction noise would subside once construction is completed. Any future development must adhere to the requirements of the City of Hesperia Noise Ordinance **(58)**. The Noise Ordinance contains an exemption from the noise level regulations during grading and construction activities occurring between 7:00 A.M. and 7:00 P.M., Monday through Saturday, except federal holidays.

Certain activities particularly sensitive to noise include sleeping, studying, reading, leisure, and other activities requiring relaxation or concentration, which will not be impacted. Hospitals and convalescent homes, churches, libraries, and childcare facilities are also considered noise-sensitive uses as are residential and school uses. The nearest sensitive uses are single-family residences adjacent to the site; however, no development is proposed at this time.

The project site is not in proximity to the Hesperia Airport. The project is not impacted by any safety zones associated with this private airport **(44)**. The project site is even farther from the Southern California Logistics Airport (SCLA) and the Apple Valley Airport and will not be affected by any safety zones for these airports.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the noise impact upon build-out of the General Plan to the maximum allowable intensity permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with noise impacts **(19)**. The noise impact generated by this specific plan amendment is not significant.

<b>XIII. POPULATION AND HOUSING.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) <b>(7)</b> ?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere <b>(1)</b> ?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere <b>(1)</b> ?				X

#### Comments.

Establishment of the specific plan amendment will not create a direct increase in the demand for housing. The site is in close proximity to water and other utility systems **(63)**. As a result, future development of the site would not require significant extension of major improvements to existing public facilities. The affected area has vacant parcels, as well as parcels developed with single-family residences. The project will not displace any existing housing, necessitating the construction of replacement housing elsewhere. The specific plan amendment would have no impact upon population and housing.

<b>XIV. PUBLIC SERVICES.</b>	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services <b>(64)</b> :			X	
Fire protection? <b>(64)</b>			X	
Police protection? <b>(64)</b>			X	
Schools? <b>(64)</b>			X	
Parks? <b>(64)</b>				X
Other public facilities? <b>(64)</b>			X	

**Comments.**

The affected area is served by water lines **(63)**, and sewer is available along Tamarisk and Maple Avenues. Any development must construct full street improvements comprised of curb, gutter, and sidewalk along the project frontage as part of development of the use. Additionally, development impact fees will be assessed at the time that building permits are issued for construction of the site **(66)**. These fees are designed to ensure that appropriate levels of capital resources will be available to serve any future development. Therefore, the impact of the specific plan amendment upon public services is less than significant.

<b>XV. RECREATION.</b>	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated <b>(7)</b> ?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment <b>(7)</b> ?				X

**Comments.**

Approval of the specific plan amendment will not induce population growth, as the site is intended for commercial uses **(7)**. Therefore, the proposed amendment will not have an impact upon recreation.

<b>XVI. TRANSPORTATION / TRAFFIC.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit <b>(68)</b> ?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways <b>(69 &amp; 70)</b> ?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks <b>(40)</b> ?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) <b>(1)</b> ?			X	
e) Result in inadequate emergency access <b>(7)</b> ?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities <b>(71)</b> ?			X	

**Comments.**

The City's Circulation Plan is consistent with the Congestion Management Program (CMP) for San Bernardino County (73). The CMP requires a minimum Level of Service (LOS) standard of "E." When a jurisdiction requires mitigation to a higher LOS, then the jurisdiction's standard takes precedence. The following implementation policies from the General Plan Circulation Element establish the LOS standard in the City.

**Implementation Policy CI-2.1:** Strive to achieve and maintain a LOS D or better on all roadways and intersections: LOS E during peak hours shall be considered acceptable through freeway interchanges and major corridors (Bear Valley Road, Main Street/Phelan Road, Highway 395).

The project is located within the VLR Zone, which allows a density of 0.5 – 2 units per gross acre. A total of 45% of the lots are already developed, as 13 of 22 lots are developed with single-family residences. Based upon 20.25 undeveloped gross acres, the maximum allowable number of units possible under the VLR Zone is 41. The Institute of Transportation Engineers' (ITE) Trip Generation Manual estimates that 41 new single family residences would generate approximately 386 daily vehicle trips. This is based upon 9.52 vehicle trips per day for each unit.

In comparison, the MDR Zone allows a density of 8 – 15 units per gross acre. Based upon development of multi-family developments to the maximum allowable density on the 20.25 gross acres zoned MDR, a maximum of 304 units are allowed. The ITE Trip Generation Manual estimates that 304 new multi-family residences would generate approximately 2,020 daily vehicle trips. This is based upon 6.64 vehicle trips per day for each unit. The Amendment would result in 1,634 new daily vehicle trips.

Land Use	Trips per day
VLR (45 Units)	386
MDR (338 Units)	2,020
New Trips	1,634

At build-out, Maple Avenue will be constructed as an arterial. A traffic analysis will be required during the land use application process to evaluate the specific impacts of a project associated with this Amendment. The project would be conditioned to provide on-/off-site improvements to mitigate any traffic impacts generated by the project. Upon development of the parcels fronting Maple Avenue, such developments will be constructed with full half width street improvements. The existing Average Daily Traffic (ADT) along Maple Avenue is 5,599 and currently has a roadway capacity of 24,480 before being considered deficient. At build out, Maple Avenue will have an ADT capacity of 30,600. The future ADT of Maple Avenue is expected to be 28,600 and has the capacity to accommodate additional traffic as a result of this Specific Plan Amendment.

The GPUEIR acknowledged that at build-out of the General Plan, traffic throughout the City would substantially increase. In the long term, the City will have to construct capital improvements consistent with the Circulation Element, including widening arterials and collectors to ultimate capacity, redesigning intersections to operate more efficiently, and synchronize signals along major roadways. New developments in the City will continue to construct street improvements necessary to make their projects work, as well as pay traffic impact fees. Traffic impact fees will be collected as development occurs, which will help fund the Capital Improvement Program.

The GPUEIR recommends annual adoption of a Capital Improvement Program (CIP) and establishment of Development Impact Fees (DIF). Accordingly, the City adopts a CIP every year and has an established Traffic Impact Mitigation Fee Program as part of the Development Impact Fee to fund the construction

of traffic improvements to maintain adequate levels of service. The Development Impact Fees are imposed on new development and collected as part of the building permit process. Any future developer will be required to pay all applicable City Development Impact Fees and fees will be used to fund the City's CIP.

The project site is under four miles from the Hesperia Airport and is not within an airport safety zone **(44)**. Consequently, the project will not cause a change in air traffic patterns, nor an increase in traffic levels or location. The project site will also not impact the air traffic patterns for the Southern California Logistics Airport, nor the Apple Valley Airport.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact upon transportation at build-out of the General Plan to the maximum allowable intensity permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with transportation and circulation impacts **(19)**.

<b>XVII. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board <b>(74)</b> ?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects <b>(75)</b> ?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed <b>(49 &amp; 50)</b> ?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments <b>(75)</b> ?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs <b>(56 &amp; 62)</b> ?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste <b>(76)</b> ?			X	

#### Comments.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, in a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution

stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(49)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere of Influence (SOI). The UWMP evidences that the City is currently using its available water supply and that supply is projected to match demand beyond the year 2030 **(50)**. The HWD has maintained a surplus water supply through purchase of water transfers, allocations carried over from previous years, and recharge efforts.

The City is in compliance with the California Integrated Waste Management Act of 1989, which requires that 50 percent of the solid waste within the City be recycled **(76)**. Currently, approximately 75 percent of the solid waste within the City is being recycled **(56 & 62)**. The waste disposal hauler for the City has increased the capacity of its Materials Recovery Facility (MRF) to 1,500 tons per day in order to accommodate future development. Therefore, the specific plan amendment will not cause a significant negative impact upon utilities and service systems.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)				X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	

#### Comments.

Based upon the analysis in this initial study, a Negative Declaration may be adopted. The specific plan amendment will have a minor effect upon the environment. These impacts are only significant to the degree that mitigation measures are necessary.

#### XIV. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case a discussion identifies the following:

The Certified General Plan Environmental Impact Report.

a) **Earlier analyses used.** Earlier analyses are identified and stated where they are available for review.

- b) **Impacts adequately addressed.** Effects from the above checklist that were identified to be within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards are noted with a statement whether such effects were addressed by mitigation measures based on the earlier analysis.
- a) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project are described.

**The following mitigation measures are recommended as a function of this project. None**

**Authority:** Public Resources Code Sections 21103 and 21107.

## REFERENCES

- (1) Aerial photos of the City of Hesperia taken May 2016.
- (2) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-7.
- (3) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-8.
- (4) Not used
- (5) Section G of Chapter 9 of the Main Street and Freeway Corridor Specific Plan, pages 204 thru 209.
- (6) Section 16.20.085 of the Hesperia Municipal Code.
- (7) Specific Plan Amendment SPLA17-00002 application and related materials.
- (8) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-9.
- (9) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-1
- (10) Official Maps showing the General Plan Land Use and zoning of the City of Hesperia and its sphere of influence.
- (11) Williamson Act map within Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-2
- (12) Conservation Element of the 2010 City of Hesperia General Plan Update, Page CN-34.
- (13) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area Map 30 and Page 44.
- (14) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.5.
- (15) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.1.4.
- (16) Air Quality Section of the 2010 City of Hesperia General Plan Update, pages CN-47 thru CN-50.
- (17) Section 3.3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.3-1 thru 3.3-30.
- (18) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.

- 
- (19) Statement of overriding considerations for the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR).
- 
- (20) Intentionally left blank
- 
- (21) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.
- 
- (22) Section 3.4 of the 2010 City of Hesperia General Plan Update Biological Resources Element background technical report, page 30.
- 
- (23) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-5.
- 
- (24) Section 3.3.2 of the 2010 City of Hesperia General Plan Update Conservation Element background technical report, pages 14 thru 25.
- 
- (25) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-3.
- 
- (26) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, C-1 thru C-34.
- 
- (27) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, Exhibit 5d.
- 
- (28) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.
- 
- (29) Section 8 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, page 64.
- 
- (30) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.
- 
- (31) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, Exhibit SF-1.
- 
- (32) Section 1.2.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, Figure 1-2.
- 
- (33) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-12.
- 
- (34) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-23 thru 1-36.
- 
- (35) 2016 California Building Code.
- 
- (36) Section 1 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 1.
- 
- (37) Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 18.
- 
- (38) Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, pages 20 and 21.
- 
- (39) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-31 thru SF-33.
- 
- (40) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-60 and LU-61.
- 
- (41) Potential Emergency Shelters and Evacuation Routes shown within the 2010 Hesperia General Plan Safety Element, Exhibit SF-4.
- 
- (42) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-32 and SF-33.
- 
- (43) California Health and Safety Code Section 25232 (b) (1) (A-E).
-

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- (44) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, Exhibit LU-3.
- 
- (45) Map showing very high fire hazard areas, flood zones, and significant hazardous materials sites of the 2010 City of Hesperia General Plan Update Safety Element, Exhibit SF-2.
- 
- (46) Fire Hazard Section of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.7-9.
- 
- (47) Section 3.8.2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-13.
- 
- (48) Section 3.8.5 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-20 thru 3.8-22.
- 
- (49) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.
- 
- (50) Mojave Water Agency letter dated March 27, 1996.
- 
- (51) Flooding Hazards Section of the 2010 City of Hesperia General Plan Update Safety Element, pages SF-16 thru SF-18.
- 
- (52) Section 4.3.8 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 4-9.
- 
- (53) 1992 Victorville Master Plan of Drainage Volume I, identifying future drainage improvements for the area.
- 
- (54) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-15.
- 
- (55) Table 3.6-2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.6-24.
- 
- (56) Quarterly data of the San Bernardino County Disposal Reporting System for 2014.
- 
- (57) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, page CN-20.
- 
- (58) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-4 thru NS-12.
- 
- (59) Section 16.20.125 of the Hesperia Municipal Code, pages 464 thru 467.
- 
- (60) Table 3.11-10 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-45.
- 
- (61) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.
- 
- (62) 2009 California Department of Resources, Recycling and Recovery Annual AB939 Report.
- 
- (63) Current Hesperia water and sewer line maps
- 
- (64) Section 4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-13 thru 4-18.
- 
- (65) Intentionally left blank
- 
- (66) 1991 City of Hesperia Ordinance 180 entitled "An Ordinance of the City Council of the City of Hesperia, California, Establishing a Development Impact Fee for all New Residential, Commercial, and Industrial Structures" and Resolution No. 2013-47 on January 1, 2014.
- 
- (67) Traffic Circulation Plan within Section 3.0 of the 2010 City of Hesperia General Plan Update Circulation Element, page CI-17.
- 
- (68) Table 4-4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, page 40.
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- (69) Section 2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 2-19.
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- (70) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.
- 
- (71) Sections 6.3 and 6.4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 74 thru 76.
- 
- (72) Exhibit CI-22 showing the Urban Design Framework within the 2010 City of Hesperia General Plan Update Circulation Element, page CI-55.
- 
- (73) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.
- 
- (74) Section 3.8 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-8 thru 3.8-14.
- 
- (75) 2016 California Plumbing Code.
- 
- (76) California Integrated Waste Management Act (AB 939).
- 
- (77) 2012 Trip Generation Manual, Volume II, 9<sup>th</sup> Edition, Institute of Transportation Engineers.
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## **ORDINANCE NO. NO. 2017-17**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, AMENDING THE OFFICIAL GENERAL PLAN AND ZONING MAP BY RECLASSIFYING CERTAIN REAL PROPERTY HEREIN DESCRIBED WITHIN THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN FROM VERY LOW DENSITY RESIDENTIAL (VLR) TO MEDIUM DENSITY RESIDENTIAL (MDR) ON APPROXIMATELY 49.5 GROSS ACRES GENERALLY BOUNDED BY MAPLE AVENUE, TAMARISK AVENUE, AND YUCCA STREET (SPLA17-00002)**

**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**, the City of Hesperia has filed an application requesting approval of SPLA17-00002 described herein (hereinafter referred to as "Application"); and

**WHEREAS**, the Application applies to approximately 49.5 gross acres within the Very Low Density Residential (VLR) Zone of the Main Street and Freeway Corridor Specific Plan generally bounded by Maple Avenue to the east, Tamarisk Avenue to the west, and Yucca Street to the north and consists of Assessor's Parcel Numbers 3057-131-36 through 57; and

**WHEREAS**, the Application, as contemplated, proposes to change the zoning of the subject property within the Main Street and Freeway Corridor Specific Plan (Specific Plan) from the Very Low Density Residential (VLR) Zone to the Medium Density Residential (MDR) Zone; and

**WHEREAS**, the affected area includes vacant land, and single-family residences on one and two-and-a-half acre parcels. The land to the north includes vacant land and an apartment complex. A church exists to the south. To the east, on the opposite side of Maple Avenue, a neighborhood of single-family residences exist on half-acre, one acre, and two and half acre lots. A mobile home park and single-family subdivisions with lot sizes below 7,200 square feet exist to the west; and

**WHEREAS**, the properties to the north are within the Medium Density Residential (MDR) Zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan). The land to the south is zoned Single-Family Residence (R1). The land to the east is zoned Limited Agricultural (A1). The properties to the west are within the Low Density Residential (LDR) Zone of the Specific Plan; and

**WHEREAS**, an environmental Initial Study for the proposed project was completed on July 11, 2017, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND-2017-03 was subsequently prepared; and

**WHEREAS**, on August 10, 2017, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

**WHEREAS**, on October 3, 2017, the City Council of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the City Council during the above-referenced October 3, 2017 hearing, including public testimony and written and oral staff reports, this Council specifically finds as follows:

- (a) Based upon Negative Declaration ND-2017-03 and the initial study which supports the Negative Declaration, the City Council finds that there is no substantial evidence that the proposed Specific Plan Amendment will have a significant effect on the environment;
- (b) The City Council had independently reviewed and analyzed the Negative Declaration, and finds that it reflects the independent judgement of the City Council, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.
- (c) The site of the proposed amendment to the Specific Plan is suitable for any of the land uses permitted within the proposed Zone District, because the land uses can meet the standards for setbacks, parking, circulation, and access within the proposed Zone District.
- (d) The proposed Specific Plan Amendment is reasonable and beneficial at this time, because it will facilitate the planning and development of this area that is needed to support the well-planned growth of Hesperia.
- (e) The proposed Specific Plan Amendment will not have a significant adverse impact on surrounding properties or the community in general, because the project will be subject to the City's policies governing design.
- (f) The proposed project is consistent with the adopted General Plan of the City of Hesperia, with approval of this Specific Plan Amendment.

Section 3. Based on the findings and conclusions set forth in this Ordinance, this Council hereby adopts Specific Plan Amendment SPLA17-00002, amending the Official General Plan and Zoning Map of the City of Hesperia as shown on Exhibit "A," and Negative Declaration ND-2017-03 which is attached to the staff report for this item.

Section 4. This Ordinance shall take effect thirty (30) days from the date of adoption.

Section 5. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Resolution No. 2007-101.

**ADOPTED AND APPROVED** on this 3<sup>rd</sup> day of October 2017.

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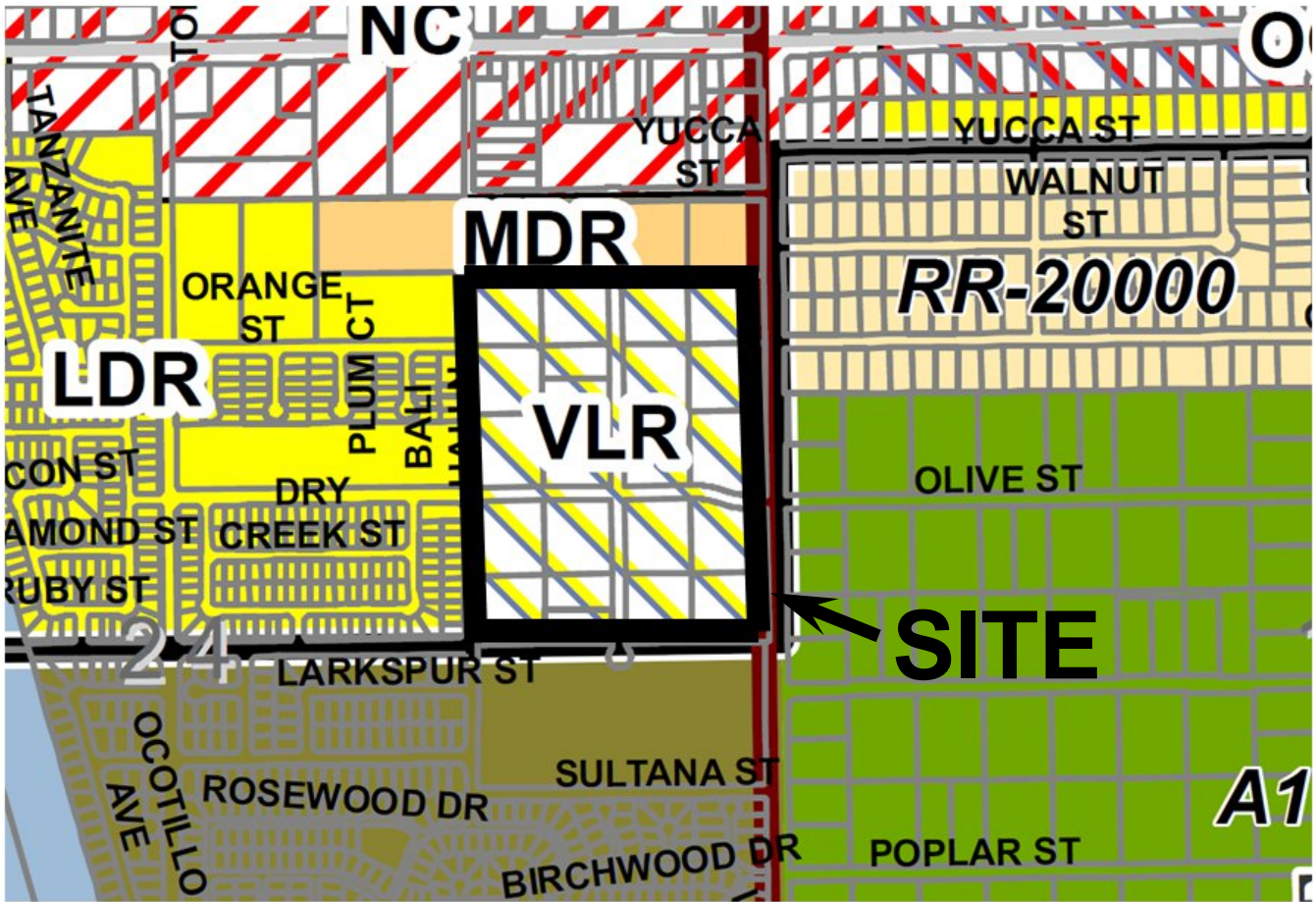
Paul Russ, Mayor

ATTEST:

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Melinda Sayre  
City Clerk

# Exhibit "A"



SPLA17-00002

A SPECIFIC PLAN AMENDMENT FROM VERY LOW DENSITY RESIDENTIAL (VLR) TO MEDIUM DENSITY RESIDENTIAL (MDR) ON APPROXIMATELY 49.5 GROSS ACRES

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# City of Hesperia STAFF REPORT



**DATE:** October 3, 2017

**TO:** Mayor and Council Members

**FROM:** Nils Bentsen, City Manager **SECOND READING AND ADOPTION**

**BY:** Mike Blay, Director of Development Services  
Dave Reno, Principal Planner  
Daniel Alcayaga, Senior Planner  
Liz Delvin, Animal Control Officer

**SUBJECT:** Development Code Amendment DCA17-00007 reorganizing the animal regulations for ease of use by the public; Applicant: City of Hesperia; Area affected: City-wide

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## RECOMMENDED ACTION

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2017-18 approving Development Code Amendment DCA17-00007, reorganizing the animal regulations for ease of use by the public.

## BACKGROUND

The City adopted the animal regulations in 1994 which almost entirely mirrored regulations from San Bernardino County that were effective at the time and prior to City incorporation. In 2011, the City animal regulations underwent significant reorganization. Staff attempted to consolidate the animal regulations of five different zones and six newly created Specific Plan zones into two tables. The two tables have proven to be unsuccessful in that the information is difficult to interpret and explain to staff, enforcement personnel and the public.

In addition, consolidating the various zones into the two tables has created confusion as to which types of animals are permitted as a function of the lot's area (horses, cattle) and which animals may be combined with other types (fowl, small animals) and permitted in proportion to the lot's area.

## ISSUES/ANALYSIS

On September 14, 2017, the Planning Commission forwarded this item to the City Council with a recommendation for approval by a 5-0 vote. The Planning Commission agreed that breaking down of the animal allowances by zone in a table format is the best approach to simplify the regulations. Careful attention was placed to ensure the tables reflect the intent of the past and current Ordinances to maintain the right of property owners to keep their animals as currently allowed. The majority of the changes are reorganizing tables for ease of use by the public. The following changes are also necessary to further strengthen the ability of the City to enforce the code and clarify inconsistencies:

- With respect to fowl, small animals, and small livestock, the proposed Ordinance will eliminate different criteria which were created by the 2011 code changes. The criteria

created in 2011 were found to be inconsistent with standard practice. The proposed ordinance reverts back to what was originally permitted.

- The Ordinance adds a provision that gives the director of development services or designee interpretation authority in case the City should discover future inconsistencies with past practices or enforcement actions.

Historically, the concept behind combining animals has been quite difficult to explain. Therefore a definition was added to help clarify what is meant by combining animals. The code does allow animals to be combined provided that the property's allotment is not exceeded. In order to determine if the property's allotment is not exceeded, one must first determine the area of property required by each animal (see Table 1). The area required for every animal on the property is added up to determine if the total amount exceeds the property's lot size. Refer to Figure 1 for an example of the lot area required for each animal.

**Table 1 - Combined Animals**

(Any combination, adding each animal's required area until you reach the square footage (sq ft) limit)

Type of Animal	Area Required
1 Fowl	667 sq ft
1 Small Animal	667 sq ft
1 Small Livestock	5,000 sq ft

**Figure 1 – Example of Area Required When Combining Animals**

15 Fowl	20 small animals (rabbits)	4 goats
10,005 sq ft	13,340 sq ft	20,000 sq ft

43,560 square foot lot

There is language in the current regulations which states that you "cannot combine animals". At its strictest interpretation, this means animals cannot be combined simultaneously. This is not the intent of the code. The Amendments clarify this provision by adding a definition for what is meant by "total allowed is combined with..." [See Section 16.20.690 (A)]. All tables identify when the total allowed is combined with other animals.

These changes, in addition to reorganizing the regulations into tables, will resolve the majority of the confusion in interpreting the code and will provide the City the ability to enforce the provisions in consistent manner.

**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 Development Code Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan.

**Conclusion:** Staff supports the Development Code Amendment, as it will simplify the regulations for ease of use by the public. The tables can be added to the City's new Public Viewer so that residents can view the regulations pertaining to an individual property, rather than the current two tables, which show the regulations for all zones.

#### **ALTERNATIVE(S)**

1. Provide alternative direction to staff.

#### **ATTACHMENT(S)**

1. Ordinance No. 2017-18
2. Exhibit "A"

**ORDINANCE NO. NO. 2017-18**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, ADOPTING A DEVELOPMENT CODE AMENDMENT REORGANIZING THE ANIMAL REGULATIONS FOR EASE OF USE BY THE PUBLIC (DCA17-00007)**

**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**, the City proposes to amend Article XIII of Chapter 16.20 of the City of Hesperia Development Code regulations which pertain to animal regulations; and

**WHEREAS**, the City finds that it is necessary to reorganize the animal regulations for ease of use by the public; and

**WHEREAS**, the proposed Development Code amendment is exempt from the California Environmental Quality Act (CEQA) 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 Development Code Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan; and

**WHEREAS**, on September 14, 2017, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Development Code Amendment and concluded said hearing on that date; and

**WHEREAS**, on October 3, 2017, the City Council of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Development Code Amendment and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the Council, including written and oral staff reports, the Council specifically finds that the proposed Ordinance is consistent with the goals and objectives of the adopted General Plan.

Section 3. Based on the findings and conclusions set forth in this Ordinance, this Council hereby adopts Development Code Amendment DCA17-00007, reorganizing the animal regulations as shown on Exhibit "A."

Section 4. This Ordinance shall take effect thirty (30) days from the date of adoption.

Section 5. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Ordinance No. 2007-101.

**ADOPTED AND APPROVED** on this 3<sup>rd</sup> day of October 2017.

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Paul Russ, Mayor

ATTEST:

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Melinda Sayre  
City Clerk

# EXHIBIT “A”

The following amendments shall be made to Chapter 16.20 (additions are in underlined red text and deletions are shown with a ~~strikethrough~~):

## ARTICLE XIII. - ANIMAL REGULATIONS

### 16.20.660 - Purpose.

These provisions define the type, number, and regulations regarding the keeping of animals in residential and agricultural designations and zones in order to ensure land use compatibility. These provisions balance the desire for animal keeping with the rights of neighboring property owners. This article also includes regulations which provide minimum distances between areas for the keeping of animals and habitable structures in furtherance of maintaining land use compatibility.

### 16.20.670 - Requirements and ~~Key to permit requirements~~

Table 16.20.680 (A) through Table 16.20.680 (F) provide the regulatory requirements to allow private animal keeping in the City. These regulations additionally apply to zones within the Main Street and Freeway Corridor Specific Plan. In interpreting and applying the provisions of this article, such provisions shall be held to the minimum requirements for the promotion of public health, safety, comfort, convenience and general welfare. Whenever there is any question regarding the interpretation of the provisions of this article or their application to any specific case or situation, the development services director or designee shall interpret the intent of this article. ~~The permitted uses and permit requirements in this article are provided in table format. The type of animals is provided in the first (vertical) column of the table and land use designations are in the second column. In order to determine which permit process is applicable, the use must be matched up with the corresponding land use designation. Once the animal use and land use designation are matched, the symbol in the box represents the applicable process. The following key legend demonstrates which symbol corresponds with the applicable permit process. Footnotes are also provided and are considered part of the Development Code.~~

<u>Permit</u> Symbol	Applicable Process
A	Accessory Use
P	Permitted Use
<del>C</del>	<del>Requires a Conditional Use Permit</del>
E	Requires an Exotic Animal Permit
<del>S</del>	<del>Requires a Site Plan Review</del>
NP	Not Permitted

## Section 16.20.680 – Animal Allowances

The quantity and type of animals shall be regulated as follows:

Table 16.20.680 (A) – Animal allowances in the Limited Agricultural (A1) and General Agricultural (A2) designations

<u>Type of Animal</u>	<u>Permit Symbol</u>	<u>Lot size criteria</u>	<u>Quantities</u>	<u>Additional Regulations</u>
<u>Dogs and Cats</u>	<u>A</u>	<u>Below 1.5 acres</u>	<u>6 of each</u>	<u>Female or neutered male potbellied pigs may be substituted for allowable quantities of dogs.</u>
		<u>1.5 acres or more</u>	<u>8 of each</u>	
<u>Small Livestock</u>	<u>P</u>	<u>1 acre or more</u>	<u>12 per acre</u>	<u>Each lot limited to one buck. Total allowed is combined with cattle, horses and hogs</u>
<u>Horses, mules, donkeys, and llamas</u>	<u>P</u>		<u>4 per acre</u>	<u>Total allowed is combined with livestock, hogs, and cattle</u>
<u>Small animals</u>	<u>P</u>		<u>150 per acre</u>	
<u>Hogs and large pigs</u>	<u>P</u>		<u>2 per acre, but not more than 5</u>	<u>Total allowed is combined with small livestock, cattle, and horses. Cannot be garbage feed</u>
<u>Fowl</u>	<u>P</u>		<u>150 per acre</u>	
<u>Cattle</u>	<u>P</u>		<u>4 per acre</u>	<u>Total allowed is combined with small, livestock, hogs, and horses</u>
<u>Columbi, caged</u>	<u>P</u>		<u>150 maximum</u>	

Table 16.20.680 (B) - Animal allowances in the Rural Residential (RR) designation and the Rural Estate Residential (RER) zone

<u>Type of Animal</u>	<u>Permit Symbol</u>	<u>Lot size criteria</u>	<u>Quantities</u>	<u>Additional Regulations</u>
<u>Dogs and Cats</u>	<u>A</u>	<u>Under 19,500 square feet (sq. ft.)</u>	<u>4 of each</u>	<u>Female or neutered male potbellied pigs may be substituted for allowable quantities of dogs.</u>
		<u>Between 19,500 sq. ft. – 1.49 acre</u>	<u>6 of each</u>	
		<u>1.5 acres or more</u>	<u>8 of each</u>	
<u>Small Livestock</u>	<u>A</u>	<u>All sizes</u>	<u>1 per 5,000</u>	<u>Each lot limited to one buck. Total allowed is combined with cattle and horses</u>
<u>Horses, mules, donkeys, and llamas</u>	<u>A</u>	<u>All sizes</u>	<u>1 per 10,000 sq. ft.</u>	<u>Total allowed is combined with small, livestock, and cattle</u>
<u>Small animals</u>	<u>A</u>	<u>All sizes</u>	<u>15 per 10,000 sq. ft.</u>	<u>Cannot be kept for meat or pelts. Total allowed is combined with fowl.</u>
<u>Hogs and large pigs</u>	<u>NP</u>		<u>0</u>	
<u>Fowl</u>	<u>A</u>	<u>All sizes</u>	<u>15 per 10,000 sq. ft.</u>	<u>Total allowed is combined with small animals.</u>
<u>Cattle</u>	<u>A</u>	<u>1 acre or more</u>	<u>4 per acre</u>	<u>Total allowed is combined with small, livestock, and horses</u>
<u>Columbi, caged</u>	<u>A</u>	<u>All sizes</u>	<u>65 maximum</u>	

Table 16.20.680 (C) - Animal allowances in the Single-Family Residence (R1) designation

<u>Type of Animal</u>	<u>Permit Symbol</u>	<u>Lot size criteria</u>	<u>Quantities</u>	<u>Additional Regulations</u>
<u>Dogs and Cats</u>	<u>A</u>	<u>Under 18,000 sq. ft.</u>	<u>2 of each</u>	<u>Female or neutered male potbellied pigs may be substituted for allowable quantities of dogs. One acre and up, one additional per ½ acre (maximum 8).</u>
		<u>Between 18,000 sq. ft. – 19,499 sq. ft.</u>	<u>4 of each</u>	
		<u>Between 19,500 sq. ft.- 1 acre</u>	<u>6 of each</u>	
<u>Small Livestock</u>	<u>NP</u>	<u>Any size</u>	<u>Educational Animal Permit Only</u>	<u>Not permitted unless authorized by an educational animal project or prior to residential use on five acres or more.</u>
<u>Horses, mules, donkeys, and llamas</u>	<u>A</u>	<u>Over 20,000 sq. ft.</u>	<u>1 per 10,000 sq. ft., not to exceed a total of 6</u>	<u>Lots 19,000 sq. ft. and larger may be allowed one horse with written approval from all contiguous property owners. Lots with a minimum net lot area of 10,000 sq. ft. previously within the RR designation shall be allowed one horse.</u>
<u>Small animals</u>	<u>A</u>	<u>All sizes</u>	<u>2 for 3,500 sq. ft., not to exceed 25 per acre</u>	<u>Cannot be kept for meat or pelts. Total allowed is combined with fowl.</u>
<u>Hogs and large pigs</u>	<u>NP</u>		<u>0</u>	
<u>Fowl</u>	<u>A</u>	<u>All sizes</u>	<u>2 for 3,500 sq. ft., not to exceed 25 per acre.</u>	<u>Any male fowl limited to 1 per 14,000 sq. ft. Lots over 18,000 sq. ft., 10% of allowed may be male. Total allowed is combined with small animals.</u>
<u>Cattle</u>	<u>NP</u>		<u>0</u>	
<u>Columbi, caged</u>	<u>A</u>		<u>40 maximum</u>	

Table 16.20.680 (D) - Animal allowances in the Low Density Residential (LDR) zone

<u>Type of Animal</u>	<u>Permit Symbol</u>	<u>Lot size criteria</u>	<u>Quantities</u>	<u>Additional Regulations</u>
<u>Dogs and Cats</u>	<u>A</u>	<u>Under 18,000 sq. ft.</u>	<u>2 of each</u>	<u>Female or neutered male potbellied pigs may be substituted for allowable quantities of dogs. One acre and up, one additional per ½ acre (maximum 8).</u>
		<u>Between 18,000 sq. ft. – 19,499 sq. ft.</u>	<u>4 of each</u>	
		<u>Between 19,500 sq. ft.- 1 acre</u>	<u>6 of each</u>	
<u>Small Livestock</u>	<u>NP</u>	<u>Under 1 acre</u>	<u>Educational Animal Permit Only</u>	<u>Not permitted unless authorized by an educational animal project or prior to residential use on five acres or more.</u>
	<u>A</u>	<u>1 acre or more</u>	<u>1 per 5,000</u>	<u>Each lot limited to one buck. Total allowed is combined with small animals and fowl</u>
<u>Horses, mules, donkeys, and llamas</u>	<u>A</u>	<u>Over 20,000 sq. ft.</u>	<u>1 per 10,000 sq. ft., not to exceed a total of 6</u>	<u>Lots 19,000 sq. ft. and larger may be allowed one horse with written approval from all contiguous property owners. Lots with a minimum net lot area of 10,000 sq. ft. previously within the RR designation shall be allowed one horse.</u>
<u>Small animals</u>	<u>A</u>	<u>Under 1 acre</u>	<u>2 for 3,500 sq. ft., not to exceed 25 per acre</u>	<u>Cannot be kept for meat or pelts. Total allowed is combined with fowl</u>
	<u>A</u>	<u>1 acre or more</u>	<u>15 per 10,000 sq. ft.</u>	<u>Cannot be kept for meat or pelts. Total allowed is combined with fowl and small livestock</u>
<u>Hogs and large pigs</u>	<u>NP</u>		<u>0</u>	
<u>Fowl</u>	<u>NP</u>	<u>Under 7,200 sq. ft.</u>	<u>0</u>	

	<u>A</u>	<u>Between 7,200 sq. ft. – 43,559 sq. ft.</u>	<u>2 for 3,500 sq. ft., not to exceed 25 per acre</u>	<u>Total allowed is combined with small animals</u>
	<u>A</u>	<u>1 acre or more</u>	<u>15 per 10,000 sq. ft.</u>	<u>Total allowed is combined with small animals and small livestock</u>
<u>Cattle</u>	<u>NP</u>		<u>0</u>	
<u>Columbi, caged</u>		<u>Under 1 acre</u>	<u>40 maximum</u>	
	<u>A</u>	<u>1 acre or more</u>	<u>65 maximum</u>	

Table 16.20.680 (E) - Animal allowances in the Very Low Density Residential (VLR) zone

<u>Type of Animal</u>	<u>Permit Symbol</u>	<u>Lot size criteria</u>	<u>Quantities</u>	<u>Additional Regulations</u>
<u>Dogs and Cats</u>	<u>A</u>	<u>Under 18,000 sq. ft.</u>	<u>2 of each</u>	<u>Female or neutered male potbellied pigs may be substituted for allowable quantities of dogs. One acre and up, one additional per ½ acre (maximum 8).</u>
		<u>Between 18,000 sq. ft. – 19,499 sq. ft.</u>	<u>4 of each</u>	
		<u>Between 19,500 sq. ft.- 1 acre</u>	<u>6 of each</u>	
<u>Small Livestock</u>	<u>A</u>	<u>Under 1 acre</u>	<u>1 per 5,000</u>	<u>Each lot limited to one buck. Total allowed is combined small animals, and fowl</u>
	<u>P</u>	<u>1 acre or more</u>	<u>12 per acre</u>	<u>Total allowed is combined horses, cattle and hogs</u>
<u>Horses, mules, donkeys, and llamas</u>	<u>A</u>	<u>All sizes</u>	<u>1 per 10,000 sq. ft.</u>	<u>Total allowed is combined with small livestock, cattle and hogs</u>
<u>Small animals</u>	<u>A</u>	<u>Under 1 acre</u>	<u>15 per 10,000 sq. ft.</u>	<u>Cannot be kept for meat or pelts. Total allowed is combined with small livestock and fowl</u>
	<u>P</u>	<u>1 acre or more</u>	<u>150 per acre</u>	

<u>Hogs and large pigs</u>	<u>NP</u>	<u>Under 1 acre</u>	<u>0</u>	<u>Total allowed is combined with horses, cattle and small livestock. Cannot be garbage feed</u>
	<u>P</u>	<u>1 acre or more</u>	<u>2 per acre, but not more than 5</u>	
<u>Fowl</u>	<u>A</u>	<u>Under 1 acre</u>	<u>15 per 10,000 sq. ft.</u>	<u>Total allowed is combined with small animals and small livestock</u>
	<u>P</u>	<u>1 acre or more</u>	<u>150 per acre</u>	
<u>Cattle</u>	<u>NP</u>	<u>Under 1 acre</u>	<u>0</u>	<u>Total allowed is combined with horses, hogs and small livestock</u>
	<u>P</u>	<u>1 acre or more</u>	<u>4 per acre</u>	
<u>Columbi, caged</u>	<u>A</u>	<u>Under 1 acre</u>	<u>65 maximum</u>	
	<u>P</u>	<u>1 acre or more</u>	<u>150 maximum</u>	

Table 16.20.680 (F) - Animal allowances in the Multiple-Family Residence (R3) designation, and the Medium Density Residential (MDR), the High Density Residential (HDR), and the Mixed Use (MU) zones

<u>Type of Animal</u>	<u>Permit Symbol</u>	<u>Lot size criteria</u>	<u>Quantities</u>	<u>Additional Regulations</u>
<u>Dogs and Cats</u>	<u>A</u>	<u>Any size</u>	<u>One dog and one cat, 2 dogs, or 2 cats</u>	<u>Female or neutered male potbellied pigs may be substituted for allowable quantities of dogs.</u>
<u>Small animals</u>	<u>A</u>	<u>Any size</u>	<u>1 per unit</u>	<u>Cannot be kept for meat or pelts.</u>
<u>Columbi, caged</u>	<u>A</u>	<u>Any size</u>	<u>10 per unit</u>	
<u>Small Livestock, Hogs, Fowl, and Cattle</u>	<u>NP</u>	<u>Any size</u>	<u>0</u>	
<u>Horses, mules, and donkeys,</u>	<u>NP</u>	<u>Any size</u>	<u>0</u>	

16.20.690 —Additional animal regulations applicable to residential or agricultural designations/zones:

“Total allowed is combined with...” means that combinations of specific animal types are allowed, provided the total allotment on any parcel shall not be exceeded. When combining animals, it is not the intent here to allow each animal at its maximum density. Instead these animals shall be allowed as a proportion of the property’s allotment. In order to determine if the property’s allotment is not exceeded, one must first determine the area of property required by each animal (see Table 1). The area required for each animal on the property is added up to determine if the total amount exceeds the property’s lot size. The total amount shall not exceed the property’s lot size. On a one acre property, a combination of animals consistent with this provision would be equivalent to 15 fowl, 20 small animals, and 4 goats (see Figure 1).

Table 1 – Example of area required for each animal in the RR zone

<u>Type of Animal</u>	<u>Area required</u>
<u>1 Fowl</u>	<u>667 sq ft</u>
<u>1 Small Animal</u>	<u>667 sq ft</u>
<u>1 Small Livestock</u>	<u>5,000 sq ft</u>

Figure 1 - Example of Area Required When Combining Animals

15 Fowl	20 small animals (rabbits)	4 goats
10,005 sq ft	13,340 sq ft	20,000 sq ft

43,560 square foot lot

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B. Exotic animals (not normally domesticated), as defined within Section 16.08.215 and Title 14, Section 671 of the California Fish and Game Only, shall be allowed if approved as part of an exotic animal permit. Foxes and Minks are only permitted in the A2 zone with an exotic animal permit.

C. Fishbowls and aquariums are allowed as accessory uses. This is applicable only to small private fish, amphibian, and reptile collections and does not allow large tanks and/or buildings in which fish and other animals are kept and shown to the public.

D. Ostriches and emus are only permitted in the A2 zone.

E. Commercial raising of rabbits or other small animals and cattle is permitted in the A1, RER, and VLR zones on lots at least one gross acre in size and 150 feet of street frontage.

F. In the A2 zone, noncommercial animal keeping shall not exceed the number allowed in the A1 designation. Large scale animal keeping shall be limited to local and industry standards.

G. Apiaries shall be regulated by Section 6.12.080 of the Municipal Code.

H. Prior to being weaned, the offspring of an allowed animal type shall be permitted.

I. Lots with a minimum net lot area of 10,000 square feet previously within the RR designation shall be allowed one horse. This applies to properties zoned R1, LDR, VLR. This is consistent with the Development Code prior to adoption of Resolution No. 2010-058, which established the General Plan Update.

~~16.20.680– Permit requirements for animals by land use designation.~~

Type of animal	Land Use Designation					
	R3 MDR HDR MU	LDR <sup>4</sup>	R1 LDR <sup>2</sup>	RR <sup>3</sup> LDR <sup>3</sup> VLR <sup>4</sup>	A1 VLR <sup>3</sup> RER	A2
Bees	NP	NP	NP	A	P	P
Cattle	NP	NP	NP <sup>40</sup>	A	P	P
Columbiformes/caged birds	A	A	A	A	P	P
Domestic cats	A	A	A	A	A	P
Domestic dogs	A	A	A	A	A	P

Exotic animals <sup>5</sup> (not normally domesticated)	E	E	E	E	E	E
Fishbowls and aquariums <sup>6</sup>	A	A	A	A	A	A
Fowl and poultry	NP	NP	A	A	P	P
Foxes <sup>5</sup>	NP	NP	NP	NP	NP	E
Hogs and large pigs	NP	NP	NP	NP	P	P
Horses, mules, donkeys and llamas	NP	NP	A <sup>7</sup>	A <sup>7</sup>	P	P
Mink <sup>5</sup>	NP	NP	NP	NP	NP	E
Ostriches and emus	NP	NP	NP	NP	NP	P
Pot bellied pigs (female or neutered male) <sup>8</sup>	A	A	A	A	A	P
Rabbits and other small animals	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	P <sup>10</sup>	P
Small livestock/goats and sheep	NP	NP	NP <sup>11</sup>	A	P	P

<sup>1</sup>—Applicable to lots smaller than 7,200 square feet in area within this designation.

<sup>2</sup>—Applicable to lots 7,200 square feet and larger within this designation.

<sup>3</sup>—Applicable to lots of one gross acre or larger within this designation.

<sup>4</sup>—Applicable to lots less than one acre in within this designation.

<sup>5</sup>—As defined within Section 16.08.215 and Title 14, Section 671 of the California Fish and Game Code.

<sup>6</sup>—Applicable only to small private fish, amphibian, and reptile collections and does not allow large tanks and/or buildings in which fish and other animals are kept and shown to the public.

<sup>7</sup>—Horses or llamas are allowed only on a lot at least 20,000 square feet in area. Approval of one horse or llama on a lot less than 20,000 square feet but at least 19,000 square feet in area may be granted if written approval is obtained from all contiguous property owners. Lots with a minimum net lot area of 10,000 square feet previously within the RR designation shall be allowed one horse. This is consistent with the Development Code prior to adoption of Resolution No. 2010-058, which established the General Plan Update.

<sup>8</sup>—Female or neutered pot-bellied pigs can be substituted for numbers of dogs allowed.

<sup>9</sup>—~~These animals shall not be kept for meat or pelts.~~

<sup>10</sup>—~~Commercial raising of these animals is permitted on lots at least one gross acre in size and 150 feet of street frontage.~~

<sup>11</sup>—~~Not permitted unless authorized by an educational animal project or prior to residential use on five acres or more.~~

~~16.20.690 – Number of animals allowed by land use designation.~~

Type of animal	Land Use Designation						
	R3 MDR HDR MU	R-1 ——— VLR LDR ——— A1 RR ——— RER					A2
	Lot area (sf = net square feet)						
	Any size	Less than 7,200 sf	7,200 sf to 17,999 sf	18,000 to 19,499 sf	19,500 sf to 1.4 acres	1.5 acres and larger	Any size
Ostriches, mink, fox	0	0	0	0	0	0	Noncommercial animal keeping shall not exceed the number allowed in the A1 designation. Large scale animal keeping shall be limited to local and industry standards
Cattle	0	0	0	0	0 <sup>12</sup>	6 <sup>12</sup>	
Columbiformes/caged birds	10	20	40	65	65 <sup>13</sup>	150	
Domestic cats <sup>14</sup>	2 <sup>15</sup>	2	2	4	6	8	
Domestic dogs <sup>14</sup>	2 <sup>15</sup>	2	2	4	6	8	
Exotic animals <sup>16</sup>	0	0	0	0	0	0	
Fowl and poultry	0	0	4 <sup>17</sup>	27 <sup>17</sup>	29 <sup>18</sup>	225 <sup>18</sup>	
Hogs and pigs	0	0	0	0	0 <sup>19</sup>	3 <sup>19</sup>	
Horses and llamas <sup>20</sup>	0	0	0	0	0	6	

Pot bellied pigs <sup>24</sup>	2	2	2	4	6	8
Rabbits and other small animals	4	2 <sup>22</sup>	2 <sup>17</sup>	27 <sup>17</sup>	29 <sup>18</sup>	225 <sup>18</sup>
Small livestock/goats & sheep	0	0 <sup>23</sup>	0 <sup>23</sup>	0 <sup>23</sup>	5 <sup>24</sup>	18 <sup>24</sup>

<sup>12</sup>—A minimum one gross acre lot is required to keep even one animal. Four animals are allowed per gross acre. The number of cows shall not be combined with the allowable number of horses and small livestock.

<sup>13</sup>—65 columbiformes are allowed for lots less than one gross acre. 150 are allowed for lots one gross acre and larger.

<sup>14</sup>—One additional animal is allowed for every ½ acre over one net acre in single-family residential designations. Lots previously within the RR designation shall be allowed a minimum of 4 dogs and 4 cats. This is consistent with the Development Code prior to adoption of Resolution No. 2010-058, which established the general plan update.

<sup>15</sup>—One dog and one cat, 2 dogs, or 2 cats are permitted.

<sup>16</sup>—Only allowed if approved as part of an exotic animal permit.

<sup>17</sup>—Two animals are allowed for every 3,500 sf net lot area, not to exceed 25 per acre. The number of fowl, small animals and small livestock on lots less than one gross acre cannot be combined. Peafowl and any male fowl shall be limited to 1 for every 14,400 sf min. Lots 18,000 sf or larger are allowed 10% to be male.

<sup>18</sup>—15 animals are allowed for every 10,000 sf net lot area for lots less than one gross acre in size. 150 animals per acre are allowed on lots of one gross acre and larger. The number of small animals, small livestock and fowl cannot be combined on lots less than one gross acre.

<sup>19</sup>—A minimum one gross acre lot area is required to keep even one animal. Two animals are allowed per gross acre, up to a maximum of 5. The animals cannot be garbage fed.

<sup>20</sup>—A minimum 20,000 sf lot size is required. Lots 19,000 sf and larger may be allowed one horse with written approval from all contiguous property owners. One horse is allowed for every 10,000 sf net lot area. Lots with a minimum net lot area of 10,000 square feet previously within the RR designation shall be allowed one horse. This is consistent with the Development Code prior to adoption of Resolution No. 2010-058, which established the General Plan Update. The number of horses and llamas cannot be combined with the number of cattle and small livestock.

<sup>21</sup>—Female and/or neutered male pot bellied pigs can be substituted with the number of dogs allowed.

<sup>22</sup>—Two small animals are allowed per dwelling unit.

~~23—Only allowed if approved as part of an educational animal project or on a vacant lot five gross acres or larger.~~

~~24—One animal is allowed per 5,000 sf for net lot area for lots less than one gross acre. Twelve animals are allowed per gross acre for lots one gross acre and larger. In either case, only one male goat is permitted. The number of small livestock shall not be combined with the allowable number of horses and cows.~~

~~All animal quantities are for the lower range of each lot size within the land use designations. Combinations of specific animal types are allowed, provided the total density on any parcel shall not exceed the allowance within the table for any one of the animal types. Prior to being weaned, the offspring of an allowed animal type shall be permitted.~~

#### 16.20.700 - Standards for the keeping of animals.

A. General animal use regulations. The keeping of animals shall be in accordance with Article XIII of Chapter 16.20 and Title 6.

1. All animals shall be allowed as an accessory use to a primary use except on a minimum five gross acre vacant parcel within the R1 designation and as a permitted agricultural use within the RR, RER, A1, and A2 Designations. On a vacant five gross acre property designated R1, one cow or two goats are allowed per acre or four hundred (400) fowl per acre.
2. All buildings and enclosures for animals, except for cats, dogs, and pot-bellied pigs, shall be in accordance with Section 16.16.105 entitled "Animal buildings and structures."
3. The location of corrals, fenced enclosures, barns, stables, stalls and similar enclosures used to confine horses shall conform to the clearances as set forth in this section and Chapter 16.20, street setback regulations. Whenever the words "keeping" or "kept" are used in this section, they shall mean and include maintaining, grazing, riding, leading, exercising, tying, hitching, stabling and allowing to run at large. Riding or leading of horses to or from the premises in order to gain access to a bridle path, alley or street is allowed. Fences shall be a minimum height of five feet and capable of securing horses.

B. Standards of care and licensing of animals.

1. All areas used for the keeping of animals shall be adequately maintained to reduce odors and other negative effects in accordance with Title 6 of the Municipal Code.
2. All animals shall be licensed as required by Title 6.
3. Commercial animal facilities shall comply with Title 6.

C. Educational animal project. An educational animal project may be permitted as a temporary accessory use on a lot and shall require approval of an educational animal project application in accordance with this chapter.

1. The number of animals that may be permitted is shown in Table 16.20.690. Animals born to the project animal pursuant to an approved educational animal project permit under the age of four months may also be kept.
2. Combinations of the listed animals may be kept, provided the maximum number does not exceed the allowable number within Table 16.20.710.

**Table 16.20.710****Allowed Number of Animals For an Educational Animal Project**

The number and type of animals allowed with an approved educational animal project permit as a function of net lot area	Maximum Number
One bovine per 20,000 sq. ft.	3
Two calves per 10,000 sq. ft. (to a maximum age of six (6) months)	9
Two sheep per 10,000 sq. ft.	9
Two goats per 10,000 sq. ft.	9

3. An educational animal project shall be subject to the following. The educational animal project shall be kept only on an improved and occupied lot or parcel.
  - a. Such animals shall be kept at least seventy (70) feet from buildings used for human habitation, public park, school, hospital or church buildings on adjoining lots or parcels. Buildings used for human habitation shall not include cabanas, patios, attached or detached private garages or storage buildings.
  - b. Areas for animal keeping shall be a minimum of five feet from interior side and rear property lines, and fifteen (15) feet from side street rights-of-way, excepting an alley or bridle path. Animals shall not be kept within any front yard.
  - c. The animals shall be confined by a five-foot high chain link fence or a five foot wood fence with horizontal members no more than six inches apart, in accordance with the fencing limitations within the Development Code.
4. An exemption shall be made to allow for the purpose of conducting animal projects by 4-H, FFA or other state accredited program members, specifically and exclusively; provided, the members obtain an educational animal project permit, which shall be subject to the following conditions:
  - a. Educational animal project permits shall be issued for twenty-four (24) months, during which time unscheduled monthly inspections shall be conducted. Permits may be extended on a twelve (12) month basis. Requests for extensions shall be evaluated based on inspections, any complaints on file, and other applicable information. The permit shall become invalid when the permittee reaches nineteen (19) years of age, or in the event the 4-H or FFA project is discontinued;
  - b. Property owners contiguous to the permittee shall be notified prior to the issuance of a permit and shall be renotified in the event an extension is requested;
  - c. In the event of a complaint, or if unsatisfactory conditions are identified through inspection, the 4-H, FFA or other accredited program representative shall

cooperate with city staff to enforce the conditions of the educational animal project permit;

- d. All operation and maintenance regulations established under an approved educational animal project permit shall be met.
- e. Any violation of the permit requirements may result in the revocation of the educational animal project permit. The permittee shall be given written notification prior to consideration for revocation.

# City of Hesperia STAFF REPORT



**DATE:** October 3, 2017

**TO:** Mayor and Council Members

**FROM:** Nils Bentsen, City Manager **SECOND READING AND ADOPTION**

**BY:** Mike Blay, Director of Development Services  
Dave Reno, Principal Planner  
Daniel Alcayaga, Senior Planner  
Liz Delvin, Animal Control Officer

**SUBJECT:** Development Code Amendment DCA17-00008 to amend Chapters 6.12 and 16.16 of the Municipal Code as it pertains to apiaries.; Applicant: City of Hesperia; Area affected: City-wide

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## RECOMMENDED ACTION

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2017-19 approving Development Code Amendment DCA17-00008, amending Chapters 6.12 and 16.16 of the Municipal Code as it pertains to apiaries.

## BACKGROUND

On September 14, 2017, the Planning Commission forwarded this item to the City Council with a recommendation for approval by a 5-0 vote. There are inconsistencies as it pertains to Apiaries Title 16 (Development Code) and Title 6 (Animal Care and Control). Title 6 currently prohibits apiaries, except for three hives or fewer, and must be located 150 feet from a neighboring residence. Title 16 currently allows apiaries in certain zones provided hives are 50 feet from the public right-of-way, a residential property, a residence, schools, and parks.

## ISSUES/ANALYSIS

**Apiaries:** Title 6 and Title 16 are being amended to allow Title 6 to take precedence over the Apiary regulations. In Title 6, three hives or fewer will continue to be permitted, but must be located 300 feet from the right-of-way, a residential property, a residence, schools, and parks. This distance is in line with provisions from surrounding cities. Based on codes from other jurisdictions, a six-foot barrier should be required to be placed around the hives to deter bees from swarming to the ground. A nuisance clause was also added to help enforce these provisions in abatement cases.

**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 Development Code Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan.

**Conclusion:** Staff supports the Development Code Amendment, as it will make Titles 6 and 16 consistent in regulating Apiaries.

**ALTERNATIVE(S)**

1. Provide alternative direction to staff.

**ATTACHMENT(S)**

1. Ordinance No. 2017-19
2. Exhibit "A"

**ORDINANCE NO. NO. 2017-19**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, ADOPTING A DEVELOPMENT CODE AMENDMENT AMENDING OF THE MUNICIPAL CODE AS IT PERTAINS TO APIARIES (DCA17-00008)**

**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**, the City proposes to amend Chapters 6.12 and 16.16 of the City of Hesperia Municipal Code regulations which pertain to animal regulations; and

**WHEREAS**, the City finds that it is necessary to amend the regulations pertaining to Apiaries; and

**WHEREAS**, the proposed Development Code amendment is exempt from the California Environmental Quality Act (CEQA) 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 Development Code Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan; and

**WHEREAS**, on September 14, 2017, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Development Code Amendment and concluded said hearing on that date; and

**WHEREAS**, on October 3, 2017, the City Council of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Development Code Amendment and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the Council, including written and oral staff reports, the Council specifically finds that the proposed Ordinance is consistent with the goals and objectives of the adopted General Plan.

Section 3. Based on the findings and conclusions set forth in this Ordinance, this Council hereby adopts Development Code Amendment DCA17-00008, amending the regulations pertaining to Apiaries as shown on Exhibit "A."

Section 4. This Ordinance shall take effect thirty (30) days from the date of adoption.

Section 5. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Ordinance No. 2007-101.

**ADOPTED AND APPROVED** on this 3<sup>rd</sup> day of October 2017.

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Paul Russ, Mayor

ATTEST:

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Melinda Sayre  
City Clerk

# EXHIBIT "A"

The following amendments shall be made to Chapter 16.16 (additions are in underlined red text and deletions are shown with a ~~strikethrough~~):

16.16.095 - Agricultural uses.

Agricultural Uses	A1	A2
DD. Commercial poultry ranches <sup>5</sup> <u>6</u>	P	P
EE. Commercial rabbit-raising enterprise <sup>6</sup> <u>7</u>	P	P
<u>HH. Apiaries<sup>5</sup></u>	<u>NP, unless exempted</u>	<u>NP, unless exempted</u>

Notes:

5. Apiaries shall not be permitted, except as provided in Section 6.12.080 of the Municipal Code. ~~allowed provided, that all hives or boxes housing bees shall be placed at least fifty (50) feet from any street, road or highway, any public school, park, "R" designation boundary or from any dwelling or place of human habitation other than that occupied by the owner or caretaker of the apiary;~~

6. Commercial poultry ranches. Such ranches shall be subject to the following site improvements:

- Noncommercial poultry raising limited to one hundred fifty (150) chickens, ducks, quail, or similar fowl for each one acre of parcel area; or
- Noncommercial small animal raising limited to one hundred fifty (150) rabbits, chinchillas or similar small animals;
- Poultry cages shall be maintained in open-type houses not to exceed one story in height unless approved by the building and safety department. This limitation shall also apply to all other approved types of poultry enclosures.

7. Commercial Rabbit-raising Enterprises. Such enterprises shall locate on parcels of at least one gross acre, with a minimum frontage of one hundred fifty (150) feet;

The following amendments shall be made to Chapter 6.12 (additions are in underlined red text and deletions are shown with a ~~strikethrough~~):

6.12.080 - Apiaries.

Due to the potential for takeover form "Africanized Honey Bees":

- A. Apiaries shall not be permitted within the city.
- B. Exceptions.
  - 1. A single hive may be allowed when required by a prescription from a licensed medical doctor and used for the treatment of certain diseases.
  - 2. Three or fewer hives may be maintained on agriculturally zoned and owner occupied land when the hives are placed at least three hundred (300) ~~one hundred fifty (150)~~ feet from any ~~residence on other properties.~~ street, road or highway, any public school, park, "R" designation boundary or from any dwelling or place of human habitation other than that occupied by the owner or caretaker of the apiary. The hives must be located and maintained behind barriers (natural or otherwise) of at least six feet in height;
  - 3. A permanent source of fresh water shall be provided within twenty-five (25) feet of any hive.
- C. All other apiaries in existence within the city limits on the effective date of this ordinance may be allowed to stay for a period of one year (three hundred sixty-five (365) days) from that date, then must be removed or destroyed.
- D. Nuisance Bees. Bees shall be considered a public nuisance when they interfere with the normal use of private or public property or have been involved in a multiple stinging incident of five or more stings to an animal or person. Bees known to be Africanized Honey Bees are declared a public nuisance in any situation.

# City of Hesperia STAFF REPORT



**DATE:** October 17, 2017

**TO:** Mayor and Council Members  
Chair and Board Members, Hesperia Water District  
Chair and Board Members, Hesperia Fire Protection District  
Chair and Board Members, Hesperia Housing Authority  
Chair and Board Members, Hesperia Community Development Commission

**FROM:** Nils Bentsen, City Manager

**BY:** Mike Blay, Director of Development Services  
Tina Bulgarelli, Administrative Analyst

**SUBJECT:** Joint Resolution Amending the City-Wide Fee Schedule

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## RECOMMENDED ACTION

It is recommended that the Council and respective Boards adopt Joint Resolution No. 2017-043, Resolution No. HWD 2017-15, Resolution No. HFPD 2017-14, Resolution No. HHA 2017-07, and Resolution No. HCDC 2017-08 rescinding Joint Resolution No. 2016-48, Resolution No. HWD 2016-18, Resolution No. HFPD 2016-18, Resolution No. HHA 2016-12, and Resolution No. HCDC 2016-09, Joint Resolution No. 2016-61, Resolution No. HWD 2016-23, Resolution No. HFPD 2016-21, Resolution No. HHA 2016-14, and Resolution No. HCDC 2016-10, amending the City-wide fee schedule.

## BACKGROUND

On October 4, 2016, the City Council approved amendments to the City-Wide Fee Schedule related to several Senate Bills (SB 1473, SB 1186) and DUI Emergency Cost Recovery.

On December 6, 2016, the City Council approved amendments to the City-Wide Fee Schedule. These amendments included an attachment related to the fees charged for Fire Services, commonly known to the fee schedule as Appendix "B".

The changes adopted codified existing fees into the City Fee Schedule to increase transparency and maintain a single fee schedule for the City.

## ISSUES/ANALYSIS

Staff reviews the City Fee Schedule on an annual basis. During 2017, staff reviewed the fee schedule in its entirety. Below is a summary of the recommended changes:

### Engineering Fees:

The Engineering Fee Schedule has not been updated substantially in nearly 15 years. The model for collection of fees related to the plan review and inspection of civil plans for on-site and off-site improvements has changed since that time. Staff researched surrounding communities and the most common method of fee collection is not the "per sheet" model but a percentage

cost based upon the Engineer's Estimate of the project. Staff also reviewed the cost of a small-scale project and a large-scale project and found that the City's current fees are not recovering the cost of plan review and inspection. Using a cost based method will allow for each project to "pay for their share" of the project's review and inspection time, meaning larger projects that require more review and inspection time will have incrementally higher fees associated, while smaller projects will have lower fees associated to their project, each paying commensurate to the cost of the total project. Staff is recommending a flat percentage of the estimate, rather than a sliding scale based upon cost of project, similar to Victorville's fees; as staff believes the sliding scale method unfairly burdens smaller developers with a larger percentage of costs.

#### **Municipal Separate Storm Sewer System (MS4) Fees:**

The City is required to comply with State law regarding the discharge of drainage and run-off from commercial and residential properties. This regulation, the Municipal Separate Storm Sewer System permit or MS4 Permit requires that staff review each project, categorize it as regulated or non-regulated, and perform inspections related to the best management practices required by the MS4 permit.

The program requires fees for plan review and inspection in order to recover costs related to the administration of the program. Staff has recommended a set of fees that will adequately recover the cost of both plan review and inspection related to the State requirements.

#### **Community Development Fees:**

Many of the changes to the fees related to Planning and Building and Safety are formatting changes to increase the usability of the fee schedule by citizens. Several of Planning's fees are combined into one line item to make the fee schedule easier to navigate for citizens.

#### **Water District Fees:**

The Water District is proposing one new fee, for a Badger Water Meter related to Fire Services.

#### **Medical Cannabis Delivery Dispensary Permit and License Fees; Indoor Cultivation Fees:**

The City Council has requested that staff research and prepare options to allow for delivery only medical marijuana licenses within the City.

Staff researched various cities that allow for medical marijuana businesses, and reviewed the State's proposed regulations. Staff believes the fees proposed will recover all costs for the application processing, inspections, plan review, and administration of the program related to the issuance of Medical Cannabis Delivery Business Licenses.

Staff has prepared a fee for the registration of residential addresses that choose to cultivate marijuana within their residence as allowed by state and city law. Staff analyzed what they believe will be included in the administration of this registration program and formulated a fee equivalent to approximately one hour of staff time.

#### **Hourly Rates:**

The final change to the City Fee Schedule is to the hourly rates related to collecting Costs Reasonably Borne or CRB. In 1991, the City Council adopted Ordinance 107, which, among

other things, defined Costs Reasonably Borne and defined the items that are included in determining the hourly rates of employees in the CRB calculation. This method of calculation is still valid today. The CRB calculation includes direct costs, indirect costs, fixed asset recovery, departmental overhead, general overhead and debt service. These items are calculated at an amortized rate based on length of loan (if debt service), yearly costs, costs of buildings amortized over the expected life of the building, bond or loan, etc. The total costs are calculated into each affected employee's hourly rate, divided by an hours/year calculator, and added to the fully burdened salary of each employee. Many of these costs are nominal, cents or dollars on the hour per employee. The Hourly Rates were last calculated in 2005.

## **FISCAL IMPACT**

Adoption of this resolution will allow the City to continue to collect fees that adequately recover costs based on services provided.

## **ALTERNATIVE(S)**

1. Provide alternative direction to staff.

## **ATTACHMENT(S)**

1. Joint Resolution No. 2017-043, Resolution No. HWD 2017-15, Resolution No. HFPD 2017-14, Resolution No. HHA 2017-07, and Resolution No. HCDC 2017-08
2. Exhibit "A" – City Fee Schedule
3. Appendix "A" - Development Impact Fee Table
4. Appendix "B" – Fire Fees
5. Appendix "C" – Hourly Rates
6. Attachment "A" – Sewer Connection Fee Summary
7. Attachment "B" – Sewer Connection Fee Summary with Credit
8. Engineers Cost Estimate City Fee Comparison
9. Fee Change Summary Page

**JOINT RESOLUTION NO. 2017-043  
RESOLUTION NO. HWD-2017-15  
RESOLUTION NO. HFPD-2017-14  
RESOLUTION NO. HCDC-2017-08  
RESOLUTION NO. HHA-2017-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, THE BOARD OF DIRECTORS OF THE HESPERIA WATER DISTRICT, THE BOARD OF DIRECTORS OF THE HESPERIA FIRE PROTECTION DISTRICT, THE BOARD OF DIRECTORS OF THE HESPERIA HOUSING AUTHORITY, AND THE BOARD OF DIRECTORS OF THE HESPERIA COMMUNITY DEVELOPMENT COMMISSION, RESCINDING JOINT RESOLUTION NO. 2016-48, RESOLUTION NO. HWD 2016-18, RESOLUTION NO. HFPD 2016-18, RESOLUTION NO. HHA 2016-12, AND RESOLUTION NO. HCDC 2016-09, JOINT RESOLUTION NO. 2016-61, RESOLUTION NO. HWD 2016-23, RESOLUTION NO. HFPD 2016-21, RESOLUTION NO. HHA 2016-14, AND RESOLUTION NO. HCDC 2016-10, AMENDING THE CITY-WIDE FEE SCHEDULE**

**WHEREAS**, on December 6, 2016 the City of Hesperia, Hesperia Water District, Hesperia Fire District, Hesperia Housing Authority and Hesperia Community Development Commission adopted a revised City-wide fee schedule inclusive of all City, District, and Commission fees.

**WHEREAS**, Pursuant to Article XIII B (Proposition 4) of the California Constitution, it is the intent of the City Council of the City of Hesperia, the Board of Directors of the Hesperia Water District, the Board of Directors of the Hesperia Fire Protection District, the Board of Directors of the Hesperia Housing Authority, and the Board of Directors of the Hesperia Community Development Commission to recover costs reasonably borne from fees and charges for services rendered; and

**WHEREAS**, Pursuant to Article XIII C and Article XIII D (Proposition 218) of the California Constitution the fees, charges and regulatory fees are levied as an incident of the voluntary act of an individual or business and not the result of property ownership; and

**WHEREAS**, the fees currently charged for Engineering services have not been substantially modified in approximately 15 years, and the industry model for these fees has changed since that time; and

**WHEREAS**, staff reviewed the fee schedule of several neighboring jurisdictions and found that fees based upon a percentage of the Engineer's Cost Estimate is the standard; and

**WHEREAS**, staff also reviewed the fees of Community Development and incorporated changes to increase the usability of the fee schedule by citizens and developers; and

**WHEREAS**, the State mandates local jurisdictions to regulate storm water run-off and discharge through the Municipal Separate Storm Sewer System (MS4) permit; and

**WHEREAS**, the State permit requires plan review of projects, categorization of projects based on threat to storm water, and inspection of projects using best management practices, and as such, fees are required to recover the cost of the administration of the program; and

**WHEREAS**, the Water District distributes to water customers a meter compliant with Fire Services, and requires a fee to collect the cost of this meter; and

**WHEREAS**, on September 19, 2017 the City Council adopted Ordinance No. 2017-16 allowing and regulating Medical Cannabis Delivery businesses within the City; and

**WHEREAS**, the City Council directed staff to prepare fees to recover the cost of administering the business license program related to Medical Cannabis Delivery businesses, and

**WHEREAS**, the City Council directed staff to prepare fees to recover the cost of administering a program requiring the registration of residential addresses where the occupants desire to cultivate cannabis for personal use, as allowed by state law; and

**WHEREAS**, in 1991 the City Council adopted Ordinance 107, defining and authorizing the charge of Costs Reasonably Borne, and establishing a calculation to establish hourly rates for certain employee classifications; and

**WHEREAS**, the current hourly rates have not been modified since 2005, and require an update to ensure that the City is collecting fees that adequately recover costs; and

**WHEREAS**, charging these fees represents the collection of fees for services provided; and

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HESPERIA, THE BOARD OF DIRECTORS OF THE HESPERIA WATER DISTRICT, THE BOARD OF DIRECTORS OF THE HESPERIA HOUSING AUTHORITY, THE BOARD OF DIRECTORS OF THE HESPERIA COMMUNITY DEVELOPMENT COMMISSION, AND THE BOARD OF DIRECTORS OF THE HESPERIA FIRE PROTECTION DISTRICT AS FOLLOWS:

- Section 1. In all respects, the facts as set forth in this resolution are true and correct.
- Section 2. The following resolutions are hereby rescinded: Joint Resolution No. 2016-48, Resolution No. HWD 2016-18, Resolution No. HFPD 2016-18, Resolution No. HHA 2016-12, and Resolution No. HCDC 2016-09, Joint Resolution No. 2016-61, Resolution No. HWD 2016-23, Resolution No. HFPD 2016-21, Resolution No. HHA 2016-14, and Resolution No. HCDC 2016-10.
- Section 3. The schedule of fees and charges set forth in Exhibit "A", Appendix "A", Appendix "B", Appendix "C", Attachment "A" and Attachment "B" are hereby adopted and shall be applied to the specified services. The effective date of this resolution shall be December 17, 2017.
- Section 4. All fees described are for each identified process and additional fees shall be required for each additional process or service required.
- Section 5. Interpretation of this resolution may be made by the City Manager or designee. When there are conflicts between fees, the lower fee shall be applied.
- Section 6. If any section, sub-section, sentence, clause, or word in the resolution is held to be invalid by decision of any court of competent jurisdiction or action of State

legislation, such decision or legislation shall not affect the validity of the remaining portions of this resolution.

Section 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**ADOPTED AND APPROVED** this 17th day of October, 2017.

\_\_\_\_\_  
Paul Russ, Mayor

ATTEST:

\_\_\_\_\_  
Melinda Sayre, City Clerk



E.	Quarantine of animal at Owners Residence (first occurrence, additional occurrence)	\$25, \$50
F.	Rabies Test Head Shipment	\$65
G.	Quarantine at Shelter (per day)	\$10
4)	Owner Turn In Animals (at Shelter)	
A.	Cats (Alive Includes boarding)	\$5
B.	Cats DOA	\$5
C.	Cats PTS Request	\$15
D.	Dogs (Alive includes boarding)	\$10
E.	Dogs DOA	\$10
F.	Dogs PTS request	\$30
G.	Litters of Kittens(4 months and under)	\$20
H.	Litters of puppies (4 months and under)	\$40
I.	Small livestock (under 100 lbs, including pot belly pigs) alive or PTS request	
	0-50 lbs	\$50
	51-100 lbs	\$75
J.	Rabbits, Fowl, and Similar	\$5
K.	Other Dead Animals	
	1. Under 100 lbs.	\$25
	2. 100 lbs and over	Not Accepted
5)	Field Pick Up with Owner Release	
A.	Dog, Cat, Rabbit and Fowl (Live or Dead)	\$25
B.	Litters	\$35
C.	Small Livestock (Under 100 lbs)	\$50
D.	Pot Belly Pig or Swine	\$75 or CRB
E.	After Hours Pickup (except Swine)	CRB
F.	Large Livestock	Owner Responsibility
6)	Field Pick Up (Apprehension)	
A.	Dogs	
	1. Tagged and Altered (First, Second, Third)	\$0, \$75, \$175
	2. Tagged and Unaltered * (First, Second, Third)	\$85, \$150, \$300
	3. Untagged and Altered (First, Second, Third)	\$75, \$100, \$300
	4. Untagged and Unaltered * (Mand. Spay/Neuter at first)	\$135, \$150, \$200
	* Includes State fee of \$35, \$50, \$100	
	5. After hours apprehension add	CRB
B.	Cats	
	1. Altered	\$10
	2. Unaltered, (Mandatory Spay/Neuter)	\$25
C.	Other Animals	CRB
7)	Pet Adoptions	
A.	Dog (includes spay/neuter, microchip, e-collar, vaccines)	\$80
B.	Cat (includes spay/neuter)	\$50
C.	Large Livestock (hogs, cows, etc.)	\$150 + Cost of Auction
D.	Small Livestock (Under 100 lbs)	\$25
E.	Rabbits and Fowl	\$3
F.	Exotic Birds	Market Value less 25%
G.	Horses	CRB
H.	Pot Belly Pigs	\$15

	I.	Adoption Dog or Cat Spay/Neuter deposit	\$40
8)		*Animal Rescue Group Pet Adoptions (Must have valid 501c3 on file)	
	A.	Cat (Unaltered)	\$5
	B.	Cat (already altered upon impound)	\$10
	C.	Litter of Kittens	\$20
	D.	Dog (Unaltered)	\$10
	E.	Dog (already altered upon impound)	\$15
	F.	Litter of Puppies (3 or less)	\$20
	G.	Litter of Puppies (4 or more)	\$40
	H.	Rabies Vaccination	\$5
	I.	Microchip	\$25
		*Basic vaccinations, FVRCP, DHPP, & Bordetella, are included in the above prices.	
9)		Investigations/Other	
	A.	Regular Business Hours	CRB
	B.	Overtime Hours (Two hour minimum)	CRB
	C.	Late Return of Traps (per day)	\$5
	D.	Trap rental deposit	\$50
	E.	Microchip w/ Registration	\$25
	F.	E-Collar	\$5
	G.	Cat carrier box	\$5
	H.	Cat trap rentals	\$10/week
	I.	Leashes/used collars	\$3
10)		Return to Owner (RTO) Fees	
	J.	Mandatory spay/neuter Males/Females (includes E-Collar)	\$65/\$75
	K.	Male cryptorchid, or female (pregnant or in heat)	\$25 add.
	L.	X-Rays needed (full-term pregnancy)	\$50 add.
	M.	Blood work needed (geriatric dog- over 7 years old)	\$50 add.
11)		Vaccination Clinics	
	A.	Shots for rabies, bordetella, DHPP, FVRCP, etc. (per shot)	\$10

### SECTION 30:

### Appeals

#### Appeals

1)	Appeals of Enforcement Fees	\$25
2)	Appeals of Public Nuisance Determinations, Building Code Violations, and other HMC provisions	\$25
3)	Appeals to Planning Commission/Land Use Determinations	\$311
4)	Appeals to City Council or Board of Directors	\$324
5)	Notice of Contest of Administrative Citation (Appeal Hearing Fee)	\$25
	*(Adopted by Ordinance No. 2001-6)	

### SECTION 40:

### Bad Checks

### Moved to Water District Section

#### Bad Checks

### SECTION 50:

### Bond Tender Processing (Per District)

#### Bond Tender Processing (Per District)

1)	Bond Tenders of \$20,000 or Less	1% of bond tender amount plus \$500
2)	Bond Tenders over \$20,000	1% of bond tender amount plus \$1,000

3)	Multiple Parcels, add to above (Over 3 Parcels)	\$100 per parcel over 3
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## SECTION 60: Building Permits

### Building Permits

1)	Grading	
	A. Condition Compliance	
	1. Parcel maps	\$26
	2. Tract maps	\$52
	3. Other (with conditions)	\$52
	<del>B. SWPPP (plan check and inspection on-site)</del>	
	<del>1. Parcel maps</del>	<del>\$184</del>
	<del>2. Tract maps</del>	<del>\$276</del>
	<del>3. Other</del>	<del>\$184</del>
	C. Pre-construction meeting	\$240
	D. Plan Review- Non Residential and Multi-Family Residential (Rough or Precise)	
	1. Up to 10 Acres	\$414
	2. Greater than 10 Acres	<b>\$920 + CRB</b> <del>CRB + \$920 Min</del>
	3. CASp Review - up to one acre	\$96
	4. CASp Review - 1 to 10 acres	\$192
	5. CASp Review - over 10 acres	<b>\$288 + CRB</b> <del>CRB + \$288 Min</del>
	E. Plan Review-Subdivisions for Single Family Residential	
	1. Parcel Maps (1-5 Lots)	\$478
	2. 6-100 Lots	
	A. Rough	\$ 722
	B. Precise	\$ 552
	3. 101-250 Lots	
	A. Rough	\$ 998
	B. Precise	\$ 828
	4. 251 + Lots	
	A. Rough	\$1,366
	B. Precise	\$1,159
	5. Mass Grading	\$1,274
	6. Stock Plan Setup (1 hr. of plan review)	\$88
	7. Stockpile (plan check and permit)	\$407
	8. CASp Review for model home complex	\$192
	F. Inspection -Single Family Residential (includes plan review)	
	1. No drainage	\$225
	2. With drainage	<b>\$409 + Hydrology Study Fee</b>
	3. Precise Grading	\$297 + \$16/lot after 7 lots
	G. Inspection- Non Residential and <del>Tracts</del> <b>Multi-Family</b>	
	1. 0 - 5,000 Cubic Yards	\$297
	2. 5,001 - 50,000 Cubic Yards	\$489
	3. 50,001 - 250,000 Cubic Yards	<b>\$632 + CRB</b> <del>CRB with \$632 Min</del>
	4. 250,000 and above	<b>\$1,132 + CRB</b> <del>CRB with \$1,132 Min</del>

	5.	Native plant plan review <del>(added to above)</del>	<del>CRB with \$81 Min</del> <b>\$257</b>
	6.	<b>Preliminary Site Plan Review (in addition to above)</b>	<del>60 \$81</del>
2)	Other Fees		
	A.	Permit Renewal due to expiration	Within 1 year -1/2 permit fee; after 1 year full permit fee
	B.	Notice of Pendency or Nuisance Abatement Lien placement and removal	Current S.B. County Rate
	C.	Additional plan review or inspection time <del>(two hour min after hours)</del> <b>(After 3 checks or inspections)</b>	CRB
	D.	Annual Permits	\$269
	E.	Cash Deposits/Bonds <del>(grading and paving)</del>	\$104 + CRB
	F.	Demolitions	\$173
	G.	Certificate of Occupancy	
	1.	As part of an existing building permit	N/C
	2.	Change of name/owner/use/new	\$134
	3.	<del>Temporary Certificate of Occupancy</del>	<del>\$111</del>
	H.	Field Investigations (pre-alteration)	<b>\$182 + CRB</b> <del>CRB with \$182 min.</del>
	I.	Fire Sprinklers	
	1.	Non-Residential Plan Review	\$150 + \$.003 over 10,000 SF
	2.	Non-Residential Permit	\$223 + \$.012 over 10,000 SF
	3.	Residential Plan Review	\$104
	4.	Residential Permit	\$138
	J.	Light Standards/Flag Poles – Up to Three (includes electrical)	\$219 + \$16/ pole
	<del>K.</del>	<del>Look Ups (zoning, addresses, drainage, setbacks, etc.)</del>	<del>CRB with \$26 min.</del>
	L.	Manufactured buildings (includes plan review)	
	1.	Setdowns	\$570
	2.	Install permanent foundation	\$241
	3.	State HCD fee per section	\$11
	M.	Microfilm Fee	
	1.	Single-Family residential and minor projects	\$19
	2.	Non-residential, multiple family residential and large projects	\$52
	N.	Patio Covers/Enclosures	
	1.	With standard plan	\$214
	2.	Non-standard plan	\$260
	<del>O.</del>	<del>Professional report review</del>	<del>CRB with \$46 min.</del>
	P.	Re-inspection Fee	\$48
	Q.	Relocated Buildings	
	1.	Relocation fee	<b>\$230 + CRB</b> <del>CRB with \$230 min.</del>
	R.	Signs (includes plan review and inspections)	
	1.	Wall signs and miscellaneous	\$204
	2.	Monument signs (10 ft. or less)	\$257
	3.	Pole signs (more than 10 ft. high)	\$311
	S.	Special Inspector Registration (single job, annual)	\$40, \$100

T.	Storage Sheds (includes plan check and inspection)	\$172
U.	Strong Motion Instrumentation Program (SMIP)	
1.	Category I Construction (based upon valuation)	\$0.50 for first \$3,850 and \$0.13 per \$1,000 above \$3,850
2.	Category II Construction (based upon valuation)	\$0.50 for first \$1,786 and \$0.28 per \$1,000 above \$1,786
V.	Building Standards Commission Revolving Fund	
	Permit Valuation \$1-25,000	\$1
	Permit Valuation \$25,001-50,000	\$2
	Permit Valuation \$50,001-75,000	\$3
	Permit Valuation \$75,001-100,000	\$4
	Every \$25,000 or fraction thereof above \$100,000	Add \$1
W.	Swimming Pools and Spas (includes plan review)	
1.	With standard plans	\$366
2.	Without standard plans	\$450
4.	Above ground pools and/or spas	\$224
X.	Temporary Electrical Services	
1.	Up to 5 additional poles	\$125 + \$8/ pole
Y.	Valuations – Use most recent years' April edition of Building Standards Magazine	
Z.	Voucher Use by Builders	\$77
AA.	Walls (first 200 lineal feet, successive 200 feet, includes plan review)	\$235, \$95
BB.	Wireless Towers	\$435
CC.	Windmills and Photovoltaic Systems (residential)(plan review and inspection)	
1.	Residential	\$242
2.	Residential (with stock plan)	\$198
3.	Non-residential (per structure)	\$242
4.—	<del>Wind farms or solar energy plants</del>	<del>CRB + \$500</del>
		<del>deposit</del>
		CRB
DD.	CASp Consulting	
3) Non-Residential		
A.	Building Permits	\$1,221 + \$0.35 PSF for up to 10,000 SF and \$0.17 above 10,000 SF
B.	Electrical/Plumbing/Mechanical (each)	\$452 + \$0.03 PSF
C.	Plan review	
1.	Building plan review	\$503 + \$.10 PSF
2.	E/P/M (each)	\$261 + \$.05 PSF
D.	Tenant improvements (no area added)	
1.	Building permit	\$211 + \$0.06 PSF
2.	Plan review	\$111 + \$0.04 PSF
E.	CASp Review - Plan Review	
1.	New buildings up to 10,000 square feet	\$144
2.	New buildings 10,001 to 25,000 square feet	\$240
3.	New buildings over 25,000 square feet	<b>\$384 + CRB</b>
		<del>CRB + \$384 Min</del>
4.	Tenant Improvements - same as new buildings	
F.	CASp Review - Inspections	

- Same as plan review
- 4) Residential (includes application or permit)
- A. Plan Review
    - 1. Minimum plan review fee (includes 30 min. plan review) \$104
    - 2. Garage (~~detached~~), **or** additions (less than 1,000 sq. ft.) \$127
    - 3. New residences/ ~~and additions/~~ **garages/accessory uses** (~~includes accessory uses attached~~) \$285 + \$0.21 PSF over 1,000 SF
    - 4. Residences with multiple roof plans Add \$91 each roof style
  - B. Inspection
    - 1. Single Inspections (includes meter reset, **equipment** re-pit, and similar) \$106
    - 2. Two inspection (includes re-roofs, lattice patios, minor alterations, **new meter installation**, and similar) \$138
    - 3. Three inspection (includes patio covers and similar) \$170
    - 4. Room additions without plumbing \$409 + \$0.17 PSF
      - A. Wood floor, second story modifier (add) \$95
    - 5. New residences/ ~~and additions/~~ **accessory uses/garages/garage conversions** with plumbing over 1,000 SF \$824 + \$0.35 PSF
    - 6. Garage, Garage conversion no plumbing ~~< 1,000 sf~~ \$217
- 5) Construction Waste Management Plan Program (Construction and Demolition)
- A. Single Family Residential (including room additions) \$55
  - B. Tenant Improvements (increase in sq. footage only) \$55
  - C. Non-Residential \$165
  - D. Multi-Family Residential \$165
  - E. Projects that receive entitlement (Conditions of Approval) from City No fee, but must comply with 50% diversion to receive C of O
  - F. Waste Management Plan Deposit (may be charged at discretion of Building Official or designee to ensure compliance) \$500 (refundable)
  - G. \*Please see list of exemptions for projects on included in CWMP program (Joint Resolution No. 2014-21)
  - H. **Joshua Tree Bond (Per Tree)** **\$310 per tree + 110%**

## SECTION 70: Business License

- Business License**
- 1) Business License Fee (annual) \$50
  - 2) Renewal License (annual) \$50
  - 3) Late Fee (within 30 days, after 30 days) \$25, \$50
  - 4) Senate Bill 1186 Accessibility Fee \$1 per license
  - 5) Administration Fee
    - A. New License \$33
    - B. Renewal License \$19
    - C. Changes to Business License (address, name, etc.) \$19
    - D. Department of Justice Review/Process \$62
  - 6) Investigation Fee (added to initial license)
    - A. Junk dealer or Pawnbroker \$100

B.	Pool and/or Billiard Halls	\$100
C.	Theaters	\$100
D.	Massage Office	\$200
E.	Mobile Food Service	\$46
F.	Dance Halls	\$100
G.	Adult Entertainment Business	\$200
H.	Home Occupations (includes Admin. Fee)	\$129, \$88

7)	<b>Medical Cannabis Delivery Business Application Fee</b>	<b>\$4,500</b>
8)	<b>Medical Cannabis Delivery Business Application Extension Fee</b>	<b>\$2,000</b>
9)	<b>Medical Cannabis Delivery Business Investigation Fee</b>	<b>\$4,500</b>
10)	<b>Cannabis Indoor Cultivation Registration</b>	<b>\$100</b>

#### **SECTION 80: Code Enforcement**

##### **Code Enforcement**

1)	Administrative Citations – See fine schedule	
2)	Enforcement/Investigative Fees	CRB
3)	Notice of Pendency/Lien (placement and removal)	Current SBC Rate

#### **SECTION 90: Copying**

##### **Copying**

1)	Non-Color (per page)	
	A. Copy	
	1. Letter and Legal Size	\$0.25
	2. Ledger (11x17)	\$0.50
	3. Plan Size (24x36)	\$7
	4. Presentation Size (36x48)	\$20
	B. Plot	
	1. Letter and Legal Size	\$1
	2. Ledger (11x17)	\$2.50
	3. Plan Size (24x36)	\$7
	4. Presentation Size (36x48)	\$20
2)	Color (per page)	
	A. Copy	
	1. Letter and Legal Size	\$1
	2. Ledger (11x17)	\$5
	B. Plot	
	1. Letter and Legal Size	\$2.50
	2. Ledger (11x17)	\$5
	3. Plan Size (24x36)	\$15
	4. Presentation Size (36x48)	\$30
3)	Electronic Media	
	A. Information Placed on Compact Disk or Diskette	\$15
	B. Electronic Transfer	CRB, \$5 min.
	C. Developer Handbook / Standards	\$25

#### **SECTION 100: Development Impact Fees**

##### **Development Impact Fees**

**Refer to Appendix A**

#### **SECTION 110: Driving Under the Influence**

**Driving under the influence**

- |    |                        |           |
|----|------------------------|-----------|
| 1) | DUI Administrative Fee | \$400.00* |
|----|------------------------|-----------|

\* This fee shall be paid prior to release of the vehicle driven by an impaired driver and stored or impounded as a result of the arrest of such driver when conditions exist as defined in Resolution 96-96, or as may be amended

- |    |                                      |                    |
|----|--------------------------------------|--------------------|
| 2) | DUI Emergency Response Cost Recovery | CRB (Reso 2013-43) |
|----|--------------------------------------|--------------------|

**SECTION 120: Fees not Listed****Fees not Listed**

- |    |   |
|----|---|
| 1) | Whenever a service is provided for which a specified fee has not been established, the fee shall be for full recovery of costs reasonably borne and the hourly rates established in "Appendix C" shall be utilized.   |
| 2) | The City Manager may establish fees for services not anticipated or as mandated by State or Federal law upon written recommendation of the department heads establishing the justification for the fee. Said fees shall be presented to the City Council for their approval at a public meeting prior to their effective dates. |

**SECTION 125 Fats, Oils, and Grease (FOG) Program****Fats, Oils, and Grease Program**

- |    |   |          |
|----|---|----------|
| 1) | FOG Discharge Permit                            | \$62.50  |
| 2) | Annual Inspection-Small Producers               | \$81.00  |
| 3) | Annual Inspection-Large Producers               | \$275.00 |
| 4) | Re-inspection Fee (each re-inspection per ½ hr) | \$40.50  |
| 5) | Late application                                | \$50     |
| 6) | Service overdue (greater than 30 days)          | \$200    |

**SECTION 130: Film Permits****Film Permits**

- |    |   |       |
|----|---|-------|
| 1) | Permits Application   | \$300 |
| 2) | Permit Amendment  | \$250 |
| 3) | Personnel Changes (minimum deposit amount determined by all affected departments) | CRB   |
| 4) | Student films are exempt from the application fee.                                |       |

**SECTION 140: Fire Department Fees****Fire Department Fees**

Refer to Appendix B

**SECTION 150 Hesperia Housing Authority and Hesperia Community Development Commission HHA and HCDC Fees**

- |    |   |                     |
|----|---|---------------------|
| 1) | Down-payment Assistance Program, Housing Rehabilitation Program, Seller Mortgage Carryback Program and other housing programs Subordination Fee | \$150               |
| 2) | Owner Participation Agreement and Disposition and Development Agreement Subordination Fee   | \$300               |
| 3) | Application Fee-Notice of Funding Availability (NOFA) for Affordable Housing  | \$150               |
| 4) | Affordable Housing NOFA Underwriting  | 1.5% of loan amount |
| 5) | Credit Processing/Application   | \$40                |
| 6) | Annual Affordable Housing Monitoring Fee (Multi-Tenant exceeding 20 units)  | \$2,500             |

7)	Annual Affordable Housing Monitoring Fee (Multi-Tenant 20 units or less)	\$1,000
8)	Affordability Covenant Monitoring Fee	\$75/unit
9)	Owner Participation Agreement and Disposition and Development Agreement Underwriting Application	1% of assistance provided or \$1,000, whichever is greater, NTE \$2,500. \$1000.000 will be due upon application.
10)	Loan Origination Fee (forgivable or non-forgivable)	1% of loan amount not to exceed \$1,500
11)	SCMP Loan Processing/Underwriting/Origination Fee	2% of carry-back amount not to exceed \$1,000
12)	OPA/DDA/Incentive Compliance Monitoring (Annual)	1% of outstanding loan balance not to exceed \$1,000
13)	Late Payment Fee	5% of monthly payment upon expiration of grace period
14)	Loan Statement Fee/Payoff Statements/Demand Fee	\$35
15)	Loan Reconveyance Fee	\$75
16)	Loan Closing Fees	Actual costs
17)	Administrative Processing Fee for the Sale of Property	\$1,500 per parcel
18)	Processing Fee for Appraisals (residential)	\$400
19)	Processing Fee for Appraisals (commercial)	\$700
20)	Administrative Processing Fee for new telecommunications licenses or leases	Cost negotiated on case by case per request
21)	Administrative Processing Fee for telecommunication license or lease equipment modification reviews	\$1,500 per request
22)	Administrative processing Fee for new revenue generating lease and licenses	\$1,500

**SECTION 160: Liquor Licenses**  
**Liquor Licenses**

1)	Letter of Public Convenience	\$90
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**SECTION 170: Miscellaneous Fees**  
**Miscellaneous Fees**

1)	Correctable Citation Fee (in addition to other fines and fees)	\$25
2)	Automation Surcharge Fee (all development applications and permits)	8% of fee
3)	General Plan update fee (per EDU, or 1.5 multiple dwelling units)	\$47
4)	Invoice Fee – when not making monthly payments	\$25

**SECTION 180: Park Fees**  
**Park Fees**

Refer to Appendix A

**SECTION 190: Planning Fees**  
**Planning Fees**

1)	Adult Entertainment Business Permit	\$293
----	-------------------------------------	-------

2)	Alteration of Non-Conforming Use	\$199
3)	Annexation	<b>\$1,056 + CRB</b> <del>CRB with \$1,056 min.</del>
4)	Certificate of Correction	\$91
5)	Conditional Use Permit	<del>CRB with \$2,128 min.</del> <b>\$3,009</b>
6)	Conditional Use Permit for uses including alcoholic beverages	\$971
7)	Development Agreement (includes density bonus, etc.)	<b>\$906 + CRB</b> <del>CRB with \$906 min.</del>
8)	Document Review (Bio Study, Cultural, Traffic, Noise, etc.)	\$68 each
9)	Initial Study (with negative declaration)	<del>CRB with \$971 min.</del>
10)	Environmental Impact Report (EIR)	<del>CRB with \$2,834 min.</del>
11)	Extension of Time Request	\$257
12)	General Plan Amendments/ <b>Zone Change/Specific Plan Amendments</b>	<del>CRB with \$695 min.</del>
13)	Landscape Plans	
	<b>A. Commercial, Industrial, Multi-Family (Includes LMD)</b>	<b>\$388</b>
	<b>B. Subdivisions, up to 5 plans</b>	<b>\$257</b>
	<b>C. Subdivision, Landscape Maintenance District (includes basins)</b>	<b>\$388</b>
	<b>D. Parks (HRPD or HOA)</b>	<b>\$131</b>
	<b>E. Specific Plans/Planned Developments</b>	<b>CRB or Deposit</b>
14)	Lot Line Adjustment/Lot Merger/Access Easements/Suspension Agreements	\$161
<b>15)</b>	<b>Medicinal Cannabis Delivery Business Permit</b>	<b>\$2,128</b>
16)	Minor Exception	\$91
17)	Revised Site Plan Reviews (SPRRs) and Revised Conditional Use Permits (CUPRs)	<b>\$257 + CRB</b> <del>CRB with \$257 min.</del>
18)	Sign Plans (each)	\$45
	A. Site Sign Plans	\$180
19)	Site Plan Review	<b>\$2,128 + CRB</b> <del>CRB with \$2,128 min.</del>
20)	Special Event/Temporary Use Permit/Temporary Occupancy Permit	\$91
21)	Specific Plan/ <b>EIR/Planned Development</b>	<b>Reimbursement Agreement</b> <del>CRB with \$695 min.</del>
<del>22)</del>	<del>Specific Plan Amendment</del>	
23)	Tentative Parcel Map	
	A. Residential	\$466 + \$2 per lot
	B. Non-Residential	\$648 + \$2 per lot
24)	Tentative Tract Map	<del>CRB with \$1,975 min.</del> , plus \$2 per lot, addressing fee.
25)	Variance	\$971
<del>26)</del>	<del>Zone Change</del>	<del>CRB with \$695 min.</del>
27)	Zoning Letter	\$91
28)	Other Services	
	A. ABC and Public Convenience or Necessity Letters	\$45
	B. Site Review (without application)	\$91
	C. Zoning Letter	\$91
	D. Non-Specified Services	<del>CRB with \$45 min.</del>

<b>E.</b>	<b>Additional plan review or inspection time (After 3 checks/incomplete letters/inspections)</b>	<b>CRB</b>
<b>F.</b>	<b>Plan review</b>	
1.	Grading	
A.	Tract maps (5-100 lots)	\$309
B.	Tract maps (101- 250 lots)	\$412
C.	Tract maps (251 + lots)	\$618
D.	Non-residential and MFR (0-10 acres)	\$412
E.	Non-residential and MFR (10+ acres)	\$618
<b>F.</b>	<b>WQMP consistency review with landscape/civil plans</b>	<b>\$131</b>
2.	Residences in tracts ( per 5 units in model complex) (up to 5 floor plans)	\$154
3.	Multi-family residences (each building elevation)	\$360
4.	Non-residential (each building)	
A.	0-10,000 sq. ft.	\$257
B.	10,001 - 100,000 sq. ft.	\$309
C.	\$100,001 sq. ft. +	\$360
D.	Tenant Improvement Plan Review	\$91
5.	Final Map Review	\$255
<b>F.</b>	<b>Inspections</b>	
1.	Tract architectural review (per 5 units)	\$154 (\$30.80/unit)
2.	Multi-family architectural review	\$360
3.	Non-residential	
A.	0-10,000 sq. ft.	\$206
B.	10,001 - 100,000 sq. ft.	\$309
C.	100,001 + sq. ft.	\$360
4.	Miscellaneous (tenant improvements, additions, landscaping, etc.)	\$91

**SECTION 200: Police- Public Safety**

**Police-Public Safety**

1)	Administrative Fees	
A.	Citation Sign-off	\$10
B.	Excessive False Alarms (Police Multiple Disturbance Response Program)	1 <sup>st</sup> = Warning; 2 <sup>nd</sup> = \$150, 3 <sup>rd</sup> = \$500, 4 <sup>th</sup> = \$1,000, 5 <sup>th</sup> + = \$2,500
C.	Stored Vehicle Release Fee (tow fee)	\$50
D.	VIN Verification	\$10
2)	Emergency Response	
A.	Incidents involving person under the influence	CRB with \$1,000 max.
3)	Incident Reports	\$10
4)	Crime Free Rental Housing	
A.	Failure to initiate eviction process or provide proof	\$500
B.	Failure to complete eviction	\$500
C.	Failure to register property	\$350/SFR \$50/Unit-MFR
D.	Failure to use Crime Free Lease Addendum in rental or lease contracts	\$250/incident
E.	Failure to use criminal and Crime Free tenant screening	\$250/incident

F.	Re-Inspection (per inspection)	\$100
G.	Failure to make corrections after re-inspection	\$400
H.	Providing false information	\$500/incident

## SECTION 201: Engineering

### Engineering

1)	Development Review Committee	
	A. All Applications Except Tentative Tracts	<b>\$172 + CRB</b> <del>CRB with \$172 min.</del>
	B. Tentative Tracts	<b>\$344 + CRB</b> <del>CRB with \$344 min.</del>
2)	Final Map Review	
	A. Final Parcel Map	\$550
	B. Final Tract Map	\$550 + \$20 per lot
3)	<b>Pre-Construction Meeting</b>	<b>\$240</b>
4)	<b>Cash Deposits/Bonds (grading and paving)</b>	<b>\$104 + CRB</b>
5)	<b>Additional plan review or inspection time (After 3 checks or inspections)</b>	<b>CRB</b>
6)	Grading Plan Review	
	A. Commercial/Industrial/Multi-Family Site	\$450 per sheet
	<del>B. Rough Grading</del>	
	1. <del>0 to 5,000 cubic yards</del>	<del>\$397</del>
	2. <del>5,001 to 100,000 cubic yards</del>	<del>\$483</del>
	3. <del>Over 100,000 cubic yards</del>	<del>CRB with \$483 min.</del>
	C. Precise Grading ( <b>Residential Tracts</b> )	\$311 + \$20 per lot
	D. Revisions to Plans (per sheet)	\$192
	E. <b>WQMP Review</b>	
	1. <b>Single Family Residential - Infill</b>	<b>\$225 + CRB after 3 checks <del>and 3 hours</del></b>
	2. <b>MS-4 Non-Regulated Project (2,500-5,000 sq. ft. impervious area</b>	<b>\$300 + CRB after 3 checks <del>and 4 hours</del></b>
	3. <b>MS-4 Regulated Preliminary Review Project/Commercial/Ind/Tracts (≥ 5,000 sq. ft. impervious area</b>	<b>\$225 + CRB after 3 checks</b>
	4. <b>MS-4 Regulated Project/Commercial/Ind/Tracts (≥ 5,000 sq. ft. impervious area</b>	<b>\$225 + CRB after 3 checks <del>and 6 hours</del></b>
	F. <b>SWPPP Review ≥ 1 Acre</b>	<b>\$300 + CRB after 3 checks <del>and 4 hours</del></b>
	G. <b>Erosion/Sediment Control Plan &lt; 1 Acre</b>	<b>\$86.00</b>
	H. <b>Hydrology Review</b>	<b>\$550 + CRB after 2 checks <del>and 6 hours</del></b>
7)	Plan Review for Public Improvements	
	A. <b>Streets, Drainage, Storm Drain Water, Sewer, Utility Plan (Includes fire hydrants, fire services, domestic water connections, sewer connections, misc. utility connections, and new line installation not requiring plan &amp; profile but on same sheet(s)) New Line Installation (Plan and Profile View)</b>	<b>2% of Engineers Cost Estimate</b>
	C. 3 Fire Hydrant (Stand Alone - Not on Utility Plan)	\$129

	E. 4	Fire Service (Stand Alone – Not on Utility Plan)	\$129
	<del>G. 5</del>	<del>Residential Subdivisions</del>	<del>1.5% of Engineers Cost Estimate</del>
	I.	Revisions to Plans (per sheet)	\$192
	<del>K.</del>	<del>Storm drain (per sheet)</del>	<del>\$304</del>
8)		Plan Review for Public Improvements	
	<del>A.</del>	<del>Streets and Drainage</del>	<del>\$1,279 + CRB</del> CRB with \$1,279 min.
	B.	Water and Sewer	
	1.	Commercial/Industrial/Multi-Family Site (Utility Plan) (Includes fire hydrants, fire services, domestic water connections, sewer connections, misc. utility connections, and new line installation not requiring plan & profile but on same sheet(s))	\$350 per sheet
	2.	New Line Installation (Plan and Profile View)	\$350 per sheet
	3.	Fire Hydrant (Stand Alone – Not on Utility Plan)	\$129
	4.	Fire Service (Stand Alone – Not on Utility Plan)	\$129
	5.	Residential Subdivisions	\$350 + \$20 per lot
	C.	Revisions to Plans (per sheet)	\$192
	D.	Storm drain (per sheet)	\$304
	E.	<b>NPDES – on-site retention</b>	
	1.	<b>Commercial/Industrial/Non-residential</b>	<b>\$334</b>
	2.	<b>Residential</b>	<b>\$662</b>
9)		Legal document Review (per document) (Includes Irrevocable Offers of Dedication, Easements, Lot Mergers and Lot Line Adjustments, <b>Title Reports</b> )	\$192
	A.	Request and Processing of Vacations	\$450
10)		<b>Inspections</b>	
	A.	<b>Streets, Drainage, Storm Drain, Water, Sewer. Includes fire hydrants, domestic water connections, sewer connections, misc. utility connections, and new line installation, drive approaches, utility cuts and trenches</b>	<b>1% of Engineers Cost Estimate</b>
	B.	Driveway Approach- <b>Stand Alone (not assoc. to project)</b>	
	1.	Residential (Asphalt or Concrete, Each)	\$86
	2.	Non-Residential	\$172
	C.	Utility Cuts and Trenches- <b>Stand Alone (not assoc. to project)</b>	
	1.	Up to 18 square feet in area	\$48
	2.	0 to 300 ft. in length	\$141
	3.	301 to 500 ft. in length	\$172
	4.	501 to 1,000 ft. in length	\$203
	5.	Over 1,000 ft. in length (per 100 ft. additional)	\$15
		Street and Drainage Improvements	
	1.	Commercial/Industrial/Multi-Family	
	A.	Initial Inspection (up to 10 hours)	\$860
	B.	Additional Inspection (6 hour deposit)	\$516
	2.	Tracts	\$860 + \$43 per lot

	<del>Water and Sewer/ Storm Drain Improvements</del>	
	1. <del>New line installation (per linear foot)</del>	<del>\$1.25</del>
	2. <del>On-Site Fire Hydrant (per hydrant)</del>	<del>\$172</del>
D.	Fire Service (per service – all sizes)	\$172
	4. <del>Sewer connection</del>	<del>\$150</del>
	5. <del>Water connection (lateral) all sizes</del>	<del>\$172</del>
	<del>(when work performed by a contractor)</del>	
E.	SWPPP (off-site)	
	1. Tracts	\$2,322 + CRB
	2. Commercial/Industrial/ Multiple residential	\$1,548 + CRB
	<del>NPDES</del>	
	1. <del>Tracts</del>	<del>\$330 + CRB</del>
	2. <del>Commercial/Industrial/Multiple residential</del>	<del>\$573 + CRB</del>
F.	<b>WQMP</b>	
	1. <b>Commercial/Industrial/ Multi-Family</b>	<b>210 + CRB</b>
11)	Permits	
	A. Construction	\$26
	B. Excavation	\$26
	C. Oversize Load and Heavy Load Vehicles	
	1. Per trip	\$16
	2. Annual	\$86
	D. Tree Removal	\$26
	E. Truck Parking	\$75
12)	Other Services Not Identified	
	A. Automatic Water Meter Reader	\$109 in addition to standard meter fees
13)	<b>Professional Report Review (Title Report, Geotechnical Closure Calculations, Soils Report, Percolation, Traffic, Sewer Analysis)</b>	<b>\$214</b>
	<b>Hydrology Report Review</b>	<b>\$550</b>
14)	Research (per quarter hour)	\$16
<b>SECTION 210: Refunds/Additional Fees</b>		
1.	Added fees and refunds. Pursuant to California Government Code Sections 29373.1 and 29375.1, where additional fees are collected for completed staff work due or when a refund of deposited funds are due, when such charges or refunds are ten dollars (\$10) or less, a charge or refund need not be made.	
2.	The City Manager or designee may authorize a full refund of any fee that was erroneously paid or collected.	
3.	The City Manager or designee may authorize the refunding of up to eighty percent (80%) of any fee paid when a written request for withdrawal is received prior to any action being taken. Up to sixty dollars (\$60) of the initial application fee may be retained.	
4.	The City Manager or designee shall not authorize the refunding of any fee except upon written application filed by the original applicant no later than one hundred eighty (180) days after the application date.	
5.	Cost Reasonably Borne (CRB) shall be charged for all projects exceeding costs for the minimum amount.	
6.	All fees shall be calculated to the nearest one-quarter (1/4) hour.	
7.	Penalty fees shall be assessed wherever required permits or licenses have not been properly obtained.	
	A. First Occurrence	Double Fee

B. Second and Subsequent Occurrences

Triple Fee or \$500,  
whichever is greater

**SECTION 220:**

**Sale of Printed Material**

**Sale of Printed Materials**

- |  |             |
|--|-------------|
| A. Developers Handbook                 | \$90        |
| B. Plans and Specifications            | \$50        |
| C. Master Plan of Drainage (3 Volumes) | Actual Cost |

**SECTION 230**

**WATER DISTRICT FEES**

- |   |  |
|---|--|
| 1. Water Rates  | See HWD Reso No.<br>2008-10  |
| 2. New Account Setup  | \$25   |
| 3. Turn on/off water meter – same day regular hours         | \$38   |
| 4. Turn on/off water meter – same day after hours           | \$125  |
| 5. Clean and Show   | \$20   |
| 6. Bill Suppression   | \$19   |
| 7. Water Service Disconnect<br>Reconnection/Delinquency Fee | A. All unpaid bills<br>B. Reg. Hrs. \$36<br>C. After hrs. \$109  |
| 8. Backflow Testing   | Initial Test \$119<br>Multiple Test \$243<br>Annual Residential \$65<br>Commercial \$111<br>Residential \$44 |
| 9. Fire Flow Test   |  |
| 10. Bad Check/Fraudulent Credit Card                        | 1 <sup>st</sup> Offense \$25<br>2 <sup>nd</sup> Offense \$35   |
| 11. Accounts turned over to Collections                     | Balance + current<br>admin fee   |
| 12. Broken Lock/Tampering with District Property            | Lock \$30<br>Illegal Consumption<br>\$50-\$1,000<br>Consumption 2 times<br>actual usage @ highest<br>tier    |
| 13. Change in termination/start date                        | 1 <sup>st</sup> Request NC<br>2 <sup>nd</sup> and Subsequent<br>Requests \$10                                |
| 14. Cust Side Leak Service Call                             | \$12   |
| 15. Non-Compliance Customer Service Call-Out                | \$12 per Occurrence  |
| 16. Meter Pull/Reset  | 3/4" Meter Pull/Reset<br>\$45 each<br>1" Meter Pull/Reset<br>\$50  |
| 17. Meter Testing   | CRB  |
| 18. Delinquency   | 1% per month of<br>unpaid balance  |
| 19. Construction Meter Monthly Rental Fee                   | \$49/Month   |

20.	Construction Meter Deposit and Set Up Charge	Admin Fee \$33(non-refundable) Deposit \$950 Wrench \$50
21.	Obstruction Fine	\$50 Fee and CRB to remove obstruction
22.	Payment Extension	\$2 per request, maximum 3 per year
23.	Re-calculate Bill	\$25 each occurrence
24.	Residential Water Service Installations (1" or smaller)	\$1,240
25.	<b>M35HRE Badger Meter for Fire Service Compliance</b>	<b>\$126</b>

#### **SECTION 240: Waiver/Credits**

#### **Waiver/Credits**

The Hesperia City Council and Board of Directors for the Hesperia Fire Protection District, Hesperia Redevelopment Agency and Hesperia Water District have adopted the preceding fee schedule to reasonably recover costs necessary to provide various services. As such, fee waivers/credits are not usually anticipated. However, it is understood that exceptions to the regular procedure may arise. The City Council and Board of Directors specifically authorize the City Manager or his/her designee to approve fee waivers and/or issue credits to customers not to exceed \$5,000. Furthermore, the City Manager or designee is authorized to waive fees/issue credits under the following circumstances:

- Failure of the District's water system, which results in an incorrect water meter reading.
- If the water delivery system becomes contaminated, fee/rate waivers are approved for all customers affected by such contamination.
- For the deposit required after the first time turn-off for non-payment as long as the customer signs a statement agreeing that the deposit waiver is only offered one time and, as such, if the customer is turned off again, the customer will pay all fees and charges.
- If a bank error caused a non-sufficient funds (NSF) check to be returned to the District, a waiver of the NSF charge is approved upon submission of proof by the customer from the bank that it was at fault.
- If the customer is able to provide proof that an incorrect billing has been made due to a service reduction at the customer's property.

On April 2, 2013 the City Council approved a Development Impact Fee (DIF) reduction for single family residential permits within existing recorded subdivisions/lots. This reduction was set to occur for 18-months, and must be for a valid permit. The City Council extended this reduction on September 16, 2014 and March 15, 2016, and it is now valid until further notice and approval by the City Council. The amount reduced is \$2,957 in City DIF, and \$2,573 in Water Facilities DIF (for ¾" meters). For larger meters please contact the Engineering division. The Hesperia Recreation and Park District has similarly modified their DIF as noted below.

The City Council and Boards of Directors retain the sole authority to waive fees/issue credits above the City Manger's designated amount and require that waivers must be based on cause. Prior to waiving a fee, the applicant shall specify, in writing, the nature and extent of the fee waiver request and submit it with a deposit of \$50 to the City Clerk. Public entities need not submit the \$50 deposit. The deposit amount will be returned should the fees be waived. The City Clerk shall schedule the item for the next available meeting of the City Council or Board of Directors to which the request applies. Examples for which waivers may be considered would be fees for civic events or programs and fees for facilities providing community wide services. The City Council and/or Board of Directors shall decide based upon the merits of the request and their decision shall be final.

# ATTACHMENT 3

## APPENDIX A – DEVELOPMENT IMPACT FEES

Development Impact Fees (effective April 2, 2013-Pursuant to Council Action)					
Development Impact Fees					
1-Feb-08 Facility	Current Fees: SFR Detached & Attached and existing subdivisions (per unit)	Fees effective March 31, 2017 New Tracts/Subdivisions (per unit)	Multiple Family (per unit)	Hotel/Motel (per unit)	Non- Residential (per sq. ft.)
Street	\$ 9,781.00	\$9,781.00	\$6,259.00	\$ 7,238.00	\$2.12
Drainage	\$ 1,284.00	\$1,284.00	\$ 821.00	\$ 937.00	\$0.28
Fire	\$ 0	\$1,425.00	\$ 912.00	\$ 1,054.00	\$0.31
Police	\$ 0	\$ 423.00	\$ 272.00	\$ 313.00	\$0.09
Public Services	\$ 0	\$1,109.00	\$ 710.00	\$ 810.00	\$0.24
Total	\$11,065.00	\$14,022.00	\$8,974.00	\$10,352.00	\$3.04

Park Fee	
Fees Effective March 31, 2017	
Park Fee- New Tracts/Subdivisions (per unit)	
\$5,486.50	\$5,461.50+ \$25.00 admin fee

School Fee (effective June 2016(exclusive of Admin Fee-pending City Council Approval)	
School Fee	
Residential new construction	\$4.14/sq. ft. + \$25 admin fee
Residential additions (if under 500 sq. ft., exempt)	\$3.48/ sq. ft. + \$25 admin fee
Commercial/Industrial	\$0.56/ sq. ft. + \$25 admin fee
Senior Citizen Housing Project	\$0.56/ sq. ft. + \$25 admin fee

Assessment District 91-1 Buy-In Fees (Per Resolution No. 93-20)	
Development not within Assessment District 91-1 but benefiting from improvements within the District	
Street Improvements (per acre)	\$2,587
Sewer Improvements (per acre)	\$729
Water Improvements (per acre)	\$507
Fire Station Improvements (per acre)	\$730

\*\*For current sewer and water meter rates, please contact the Engineering Division at (760) 947-1449.

\*\* The portion of sewer fees remitted by City to Victor Valley Water Reclamation Agency will include a \$25 administrative fee to the City

## Appendix B FIRE SERVICE FEES

### Section A - Fire safety requirements:

#### (1) Fire Sprinkler Systems:

##### (A) Commercial /Industrial NFPA 13 Fire Sprinkler System– Modifications – (per riser)

(I) 1-10 fire sprinkler head .....	\$ 189.00
(II) 11-20 fire sprinkler heads .....	\$ 252.00
(III) 21-30 fire sprinkler heads .....	\$ 315.00
(IV) 31-40 fire sprinkler heads.....	\$ 408.00

##### (B) Commercial/Industrial NFPA 13 Fire Sprinkler System- New

(I) 0 to 10,000 sq.ft.....	\$ 558.00
(II) 10,001 to 25,000 sq.ft.....	\$ 742.00
(III) 25,001+ sq.ft.....	\$ 928.00
(IV) Each additional riser.....	\$ 285.00

##### (C) Fire Pump Plan Review (per pump) .....

##### (D) Inspection (per hour) .....

##### (E) Single Family Residential - NFPA 13D Fire Sprinkler:

(I) 0 to 3,600 sq.ft. ....	\$ 369.00
(II) 3,601 to 5,000 sq.ft. ....	\$ 428.00
(III) 5,001 to 10,000 sq.ft. ....	\$ 587.00
(IV) 10,001+ sq.ft. ....	\$ 806.00
(V) Tract homes, inspection only; per additional lot ....	\$ 141.00
(VI) Additional Well or Tank Supply, Bucket test/Insulation inspection .....	\$ 170.00
(VII) Modifications to existing system .....	\$ 222.00
(VIII) Manufactured Home – Factory installed sprinkler submittal w/o calculations—Bucket Test.....	\$ 307.00
(IX) Manufactured Home – Factory installed sprinkler submittal with calculations .....	\$ 248.00

##### (F) Multi-Family Residential Fire Sprinkler, NFPA 13R:

(I) 1 to 10,000 sq.ft.....	\$ 432.00
(II) 10,001 to 25,000 sq.ft.....	\$ 609.00
(III) 25,001 + sq.ft.....	\$ 954.00
(IV) Modification to existing system.....	\$ 517.00

##### (G) Private Underground Fire Line, Plan Review & Permit Only

(I) 1 to 10 appliances.....	\$ 321.00
(II) 11 to 20 appliances.....	\$ 355.00
(III) 21 to 30 appliances.....	\$ 389.00
(IV) 31 to 40 appliances .....	\$ 421.00
(V) 41+ appliances .....	\$ 454.00
(VI) Inspection (per appliance) .....	\$ 91.00

#### (2) Pre-Engineered Systems/Equipment

(A) Spray/Dipping/Powder coating booths, per booth .....	\$ 483.00
(B) Industrial ovens, per system .....	\$ 299.00

(C) Vapor recovery, per system .....	\$ 365.00
(D) Refrigeration, per system.....	\$ 550.00
(E) Dust collection, per system .....	\$ 550.00
(F) Hood and duct extinguishing system, per system .....	\$ 454.00
(G) Gas system, per system .....	\$ 484.00
(H) Smoke control system, per system .....	\$ 802.00
(I) Battery system, per system .....	\$ 491.00
(J) Special Extinguishing System, per system .....	\$ 675.00
(3) In-Rack Sprinklers: Plan review/inspection	
(A) Inspection 1-10 fire sprinkler heads .....	\$ 373.00
(B) 11-20 fire sprinkler heads/per riser.....	\$ 501.00
(C) 21-30 fire sprinkler heads/per riser .....	\$ 599.00
(D) 31+ fire sprinkler heads/per riser .....	\$ 699.00
(4) High-Piled Combustible Storage: Plan review/inspection	
(A) 0 to 10,000 sq.ft .....	\$ 440.00
(B) 10,001 to 50,000 sq.ft .....	\$ 532.00
(C) 50,001 to 100,000 sq.ft.....	\$ 624.00
(D) Each additional 100,000 sq.ft .....	\$ 391.00
(E) Commodity Analysis/Opinion Report .....	\$ 331.00
(5) Hose Rack/Standpipe Systems: Plan review/inspection	
(A) 0 to 10,000 sq.ft .....	\$ 373.00
(B) 10,001 to 50,000 sq.ft .....	\$ 495.00
(C) 50,001 to 100,000 sq.ft.....	\$ 587.00
(D) Each additional 100,000 sq.ft.....	\$ 660.00
(6) Fire Alarm – New System: Plan review/inspection	
(A) 0 to 10,000 sq.ft./waterflow monitoring only, per system.....	\$ 399.00
(B) 10,001 to 50,000 sq.ft./waterflow monitoring only, per system.....	\$ 463.00
(C) 50,001 to 100,000 sq.ft./waterflow monitoring only, per system ..	\$ 525.00
(D) Each additional 100,000 sq.ft. ....	\$ 329.00
(E) 0 to 10,000 sq.ft. manual and automatic/per system .....	\$ 555.00
(F) 10,001 to 50,000 sq.ft. manual and automatic/per system .....	\$ 617.00
(G) 50,001 to 100,000 sq.ft. manual and automatic/per system .....	\$ 680.00
(H) Each additional 100,000 sq.ft.....	\$ 481.00
(7) Fire Alarm System Modifications: Plan review/inspection	
(A) Monitoring only modification/upgrade, waterflow, 1-10 devices ...	\$ 340.00
(B) Each additional device .....	\$ 49.00
(C) With notification modification/upgrade, waterflow, 1-10 devices ..	\$ 432.00
(D) Each additional device .....	\$ 44.00
(8) Revision of a previously approved plan.....	\$ 180.00
(9) Plan re-submittal, each subsequent submittal after 2 <sup>nd</sup> .....	\$ 216.00/hour
(10) Failure to keep field inspection appointment without 24 hour notification	
.....	\$ 165.00/hour
(11) Same day (short notice) field inspection .....	\$ 165.00/hour
(12) Design Review/Consultation Conference (except phone consultations) one hour minimum .....	\$ 100.00/hour
(13) Fire flow test.....	\$ 351.00/hour

(14) Additional field inspections .....	\$ 165.00/hour
(15) Commercial/Industrial New Construction/Building Projects:	
(A) 0 to 10,000 sq.ft. ....	\$ 915.00
(B) 10,001 to 50,000 sq.ft. ....	\$1,059.00
(C) 50,001 to 100,000 sq.ft. ....	\$1,203.00
(D) 100,001 to 500,000 sq.ft. ....	\$1,347.00
(E) 500,001 to 1,000,000 sq.ft. ....	\$1,469.00
(F) Each additional 10,000 sq.ft. ....	\$ 915.00
(16) Commercial Modifications:	
(A) 0 to 10,000 sq.ft. ....	\$ 315.00
(B) 10,001 to 50,000 sq.ft. ....	\$ 466.00
(C) 50,001 to 100,000 sq.ft. ....	\$ 584.00
(D) Each additional 10,000 sq.ft. ....	\$ 315.00
(17) Planning Projects:	
(A) Site plan review, single building .....	\$ 567.00
(B) Site plan review, multiple buildings .....	\$ 832.00
(C) Conditional Use Permit (CUP) .....	\$1,997.00
(D) CUP-Cell Site Permit .....	\$ 383.00
(E) Minor Use Permit, Tenant Review.....	\$ 535.00
(F) Fuel Modification Plan .....	\$ 586.00
(G) Specific Plans .....	\$ 881.00
(H) Environmental review or EIR .....	\$ 660.00
(I) Subdivisions/Tract Maps/Mobilehome Parks:	
(I) Minor subdivision – 1 to 4 lots.....	\$ 383.00
(II) Tentative tracts 5 to 300 lots .....	\$ 688.00
(III) Tentative tracts 301+ lots.....	\$1,195.00
(IV) Final inspection (per lot unit) .....	\$ 66.00
(V) Mobilehome parks per lot/space.....	\$ 52.00
(18) Single Family Residential Projects:	
(A) Single family residential occupancy site plan review.....	\$ 244.00
(B) Residential R-1 hotels, R-3 apartments and condominiums plan review—up to 20 units .....	\$ 550.00
(C) Plan review Residential R-1 hotels, R-3 apartments/condominiums – each additional 10 units - after initial 20 units per building.....	\$ 275.00
(19) Water Improvement—Public Water Line Extension:	
(A) 0 to 10 appliances.....	\$ 299.00
(B) 11 to 20 appliances .....	\$ 391.00
(C) 21 to 30 appliances.....	\$ 484.00
(D) 31 to 40 appliances.....	\$ 576.00
(E) 41+ appliances.....	\$ 701.00
(20) Special Event/Temporary Use Permits:	
(A) General (less than 500 people) .....	\$ 174.00
(B) Minor (501 to 1000 people) .....	\$ 366.00
(C) Major (1000+ people).....	\$ 680.00
(D) Aircraft usage – standby, per hour.....	\$ 132.00
(E) Block Party/Street Closure .....	\$ 197.00

(F) Christmas Tree Lot/Pumpkin Patch .....	\$ 197.00
(G) Haunted House .....	\$ 197.00
(H) Outdoor Assembly/Concert (non-contract), per hour .....	\$ 132.00
(I) Racing Event (non-contract) standby, per person per hour	\$ 132.00
(J) Bonfire .....	\$ 207.00
(K) Circus, Carnival and fairs .....	\$ 273.00
(L) Film shoot .....	\$ 132.00+Actual cost
(M) Fireworks booth .....	\$ 385.00
(N) Private fire hydrants .....	\$ 51.00
(O) Production facilities/live audiences (motion pics) .....	\$ 335.00
(P) Exhibits and trade shows .....	\$ 273.00
(Q) Parade .....	\$ 156.00
(R) Tents, canopies and temporary membrane structure .....	\$ 156.00
(S) Each additional tent, canopy and temporary membrane Structure .....	\$ 63.00
(T) Recreational Fire .....	\$ 46.00
(U) Open flames live performance .....	\$ 178.00
(21) State Fire Marshal Regulated Occupancies:	
<u>Pre-license</u>	
(A) Community Care, Residential Care, Child Care Facilities inspection 1-25 (except residential) .....	\$ 50.00
(B) Community Care, Residential Care, Child Care Facilities inspection 26+ .....	\$ 100.00
<u>Annual</u>	
(C) Private school/Public – 4 hours max .....	\$ 494.00
(D) High rise (per story) .....	\$ 310.00
(E) Residential Care Facility (7+ residents) .....	\$ 244.00
(F) Day Care Facility (9+ persons) .....	\$ 303.00
(G) Health Care/Nursing Facility, per building .....	\$ 273.00
(H) Detention Facility, per building .....	\$ 464.00
(I) Apartments, Bed & Breakfasts, Hotels, Motels(1-15 units)	\$ 244.00
(J) Apartments, Bed & Breakfasts, Hotels, Motels(16+ units).	\$ 362.00
(K) Camp sites, per camp .....	\$ 368.00
(22) San Bernardino County Code Regulated Facility inspections	
(Adult-oriented facility, Message Clinic, Theaters) .....	\$ 185.00
(23) Cause and origin reports and related correspondences (each) ..	\$ 28.00
(24) Other:	
(A) Technical consultation .....	\$ 100.00/hour
(B) Technical research .....	\$ 100.00/hour
(C) Codes, ordinances or hazard abatement appeal to the Board of Appeals .....	\$100.00 each item appealed.
(25) Administrative Charges:	
(A) Failure to meet for a scheduled inspection (per occurrence) .....	\$ 165.00
(B) Failure to obtain permit .....	original fee + \$ 268.00
(C) Failure to renew permit .....	original fee + \$ 268.00
(D) Fire extinguisher/demo training propane -1 hr max .....	\$ 167.00

(E) Each additional hour Fire extinguisher/demo training propane .....	\$ 67.00
(F) Fire extinguisher/demo training liquid – 1 hr max.....	\$ 310.00
(G) Each additional hour Fire extinguisher/demo training liquid .....	\$ 130.00
(H) Juvenile firesetters intervention – initial session.....	\$ 169.00
(I) Juvenile firesetters intervention – follow-up sessions.....	\$ 103.00/hour
(J) Malicious or negligent false alarms – each occurrence .....	\$ 94.00
(K) Repeat public assistance response (3 <sup>RD</sup> response within 60 days) \$	187.00
(L) Response to false fire alarm signals due to maintenance of testing without notification .....	\$ 187.00
(M) Response to false alarm malfunction in excess of two (2) alarms in six (6) months .....	\$ 187.00
(N) Response to Federal, State or City facilities.....	Actual cost
(O) After hours inspections.....	\$ 187.00/hour
(P) Alternate method and material review .....	\$ 426.00
(Q) Time extension/No Conditions Letters.....	\$ 64.00
(R) Technical research .....	\$ 100.00/hour

## Section B - Fire safety permits:

### (1) High Hazard Permits:

(A) Aerosol products.....	\$ 305.00
(B) Aviation facilities (Aircraft refueling vehicle/repair hangers)\$	240.00
(C) Places of Assembly 300+ occupants.....	\$ 342.00
(D) Commercial Rubbish/Recycle handling.....	\$ 253.00
(E) Compressed gases.....	\$ 306.00
(F) Cryogen fluids .....	\$ 338.00
(G) Dry cleaning plants .....	\$ 282.00
(H) Combustible dust producing operations.....	\$ 240.00
(I) Explosives .....	\$ 305.00
(J) Fireworks public display (aerial) .....	\$ 403.00
(K) Fireworks public display (low-level) .....	\$ 193.00
(L) Flammable or combustible liquids/tanks.....	\$ 371.00
(M) Fumigation or thermal insecticidal fogging .....	\$ 253.00
(N) Hazardous materials.....	\$ 371.00
(O) High-piled combustible storage/HPM facilities.....	\$ 403.00
(P) Hot Works operations.....	\$ 282.00
(Q) Liquefied petroleum gasses.....	\$ 305.00
(R) Liquid or Gas fuel vehicles/equipment in assembly Bldgs.\$	223.00
(S) Magnesium working.....	\$ 273.00
(T) Motor vehicle repair garage fuel dispensing .....	\$ 282.00
(U) Organic coatings.....	\$ 338.00
(V) Ovens, industrial baking or drying .....	\$ 253.00
(W) Pyrotechnics special effects material .....	\$ 371.00
(X) Radioactive material .....	\$ 371.00
(Y) Repair Garage.....	\$ 312.00
(Z) Spraying or dipping.....	\$ 305.00
(AA) Tire storage .....	\$ 338.00

(BB) Pallet Yard .....	\$ 282.00
(CC) Battery systems.....	\$ 306.00
(DD) Hazardous material above ground storage tank fees:	
(I) Per tank fee .....	\$ 317.00/year
(II) Plan check/construction fee applies separately to original construction plan upgrades and plan re-submittals:	
(i) First tank at each site, per submission .....	\$ 309.00
(ii) Each additional tank at same site, per submission.....	\$ 115.00
(2) Medium Hazard Permits:	
(A) Assembly with less than 300 occupants .....	\$ 273.00
(B) Asbestos.....	\$ 185.00
(C) Automobile wrecking yards.....	\$ 215.00
(D) Floor refinishing .....	\$ 185.00
(E) Combustible fiber storage.....	\$ 273.00
(F) Combustible material storage .....	\$ 185.00
(G) Covered mall .....	\$ 244.00
(H) Lumber yards .....	\$ 273.00
(I) Refrigeration equipment .....	\$ 303.00
(J) Wood working plant/products .....	\$ 244.00
(K) Fixed hood & duct extinguishing systems.....	\$ 244.00
(3) Low Hazard Permits:	
(A) Candles and open flame in assembly areas.....	\$ 156.00
(B) Cellulose Nitrate film.....	\$ 215.00
(C) Cellulose Nitrate storage .....	\$ 215.00
(D) Fire hydrant or water control valves.....	\$ 66.00
(E) Fruit and crop ripening.....	\$ 244.00

**Section C - Fire Services Training Fees:**

(1) Instructor .....	\$ 96.00/hour
(2) Training manuals and materials .....	Actual Cost

**Section D - Emergency Services Training:**

(1) Instructor .....	\$ 96.00/hour
(2) Training manuals.....	Actual Cost

**Section E - Administrative Services Fees:**

(1) Duplication fee with certification stamp, per page .....	\$ .24
(2) Duplication fee, per page .....	\$ .27
(3) Release of notice of pendency/release of lien/ special assessment .....	\$ 207.00/each
(4) Delinquency provisions: a thirty-five percent (35%) fee shall be added to each of the annual fees in Section B & F which become delinquent five (5) days after the permit expiration date.	
(5) Hearing fees:	
(A) Permit suspension or revocation.....	\$ 144.00/hearing
(B) Abatement appeal hearings .....	\$ 144.00/hearing

(C) Billing appeal hearings.....	\$ 144.00/hearing
(D) Administrative hearings.....	\$ 144.00/hearing
(6) Court cost:	
(A) Recover administrative expense for staff court appearances ...	Actual cost
(7) Payment Plan.....	\$ 86.00
(8) Enforcement Payment Plan.....	\$ 263.00
(9) Fiscal Administrative Fee .....	\$ 16.5% of Actual
(10) Returned Check Fee .....	\$ 37.00

## **Section F - Hazardous Materials Division Program Fees:**

### **(1) Hazardous waste and hazardous materials storage fees:**

#### **(A) Hazardous waste generator permit:**

##### **(I) Standard generator:**

(i) 0 - 10 employees .....	\$ 691.00/year
(ii) 11 - 25 employees .....	\$1,035.00/year
(iii) 26 - 50 employees .....	\$1,272.00/year
(iv) 51 - 100 employees .....	\$1,663.00/year
(v) 101 - 250 employees .....	\$2,720.00/year
(vi) 251 - 499 employees .....	\$3,175.00/year
(vii) 500 or more employees .....	\$3,643.00/year

(II) Waste incidental to UST operation – fuel filters & absorbent only  
.....\$ 268.00/year

(III) Special generator wastes as defined in County Code 23.0711(a)(3)  
.....\$ 411.00/year

(IV) Limited quantity generator (less than 5 gallons or 50 pounds per month).....\$ 269.00/year

##### **(V) Universal waste**

(i) Conditionally Exempt Small Quantity Universal Waste Handler (CESQUW) only.....No additional fee

(ii) Universal Waste Handler (Small Quantity, Large Quantity, Mercury Receiving, UW Processors, and all other non CESQUW activity) for facility without another generator or handler fee

.....\$ 355.00/year

(iii) Universal Waste Handler (Small Quantity, Large Quantity, Mercury Receiving, UW Processors, and all other non CESQUW activity) for facility with another hazardous waste generator fee

.....\$ 127.00/year

(VI) Exempt fee status .....No fee

(VII) RCRA LQGs: In addition to above generator fees, facilities that meet the definition of a RCRA LQG (greater than 1000 kg/month of RCRA hazardous waste) at any time during the permit year...\$ 380.00/year

#### **(B) Onsite treatment fees (Fees are per fixed treatment unit.)**

##### **(I) Permit-by-Rule**

(i) Annual fee .....\$2,057.00/year

(ii) Notification amendment .....50% of annual fee

- (II) Conditional Authorization
  - (i) Annual fee ..... \$2,057.00/year
  - (ii) Notification amendment ..... 50% of annual fee
- (III) Conditional Exemption
  - (i) Annual fee .....\$ 147.00/year
- (IV) Commercial Laundry
  - (i) Annual fee .....\$ 147.00/year
- (V) Conditional Exemption - Limited
  - (i) Annual fee .....\$ 147.00/year
- (C) Hazardous material underground storage tank fee:
  - (I) Per tank fee .....\$ 568.00
  - (II) Plan check/construction fee, applies separately to original construction, plan upgrades and plan resubmittals:
    - (i) First tank at each site, each submission . \$ 758.00
    - (ii) Each additional tank at same site, each submission .....\$ 233.00
    - (iii) Minor modification to tank systems that requires verification of specific equipment added, removed and/or replaced.....\$ 500.00
    - (iv) First tank lining and multiple tank linings at each site, each submission includes review of Phase I, II, site assessment, cathodic protection system, site safety, construction plans.....\$1,543.00
    - (v) First tank lining and multiple tank lining done at the same site and at the same time require eight field inspections.....\$1,543.00
    - (vi) Each additional tank lining at same site, each submission.....\$ 424.00
    - (vii) First tank lining and multiple tank lining not done at the same time at the same site require a minimum of eight field inspections at .....\$1,543.00
    - (viii) Each additional inspection after the eighth inspection at the rate of .....\$ 130.00
  - (III) Tank abandonment:
    - (i) First tank at site per submission .....\$ 496.00
    - (ii) Each additional tank at same site, each submission .....\$ 186.00
  - (IV) Temporary Closure (1 year) .....\$ 496.00
- (D) Hazardous material above ground storage tank fees:
  - (I) Tank abandonment:
    - (i) First tank at site, per submission .....\$ 202.00
    - (ii) Each additional tank at same site, per submission.....\$ 74.00
- (E) Hazardous material emergency business plan review/hazardous material handler fees:

- (I) Facility with County Fire Department permit as an underground storage tank facility: Underground tank-storage only.....\$ 141.00/year
- (II) Facility with County Fire Department permit as a Standard hazardous waste generator (does not apply to limited quantity and special generators): Handler and Standard generator
  - (i) 0 - 10 employees .....\$ 233.00/year
  - (ii) 11 - 25 employees .....\$ 265.00/year
  - (iii) 26 - 50 employees .....\$ 345.00/year
  - (iv) 51 - 100 employees .....\$ 407.00/year
  - (v) 101 - 250 employees .....\$ 812.00/year
  - (vi) 251 - 499 employees .....\$1,217.00/year
  - (vii) 500 or more employees .....\$1,483.00/year
- (III) Not included in (I) or (II) above, accompanies) Section F(1)(A)(III), Special Generator: Special handler (handles only 55 gallons or more lubricating oils, paint, ethylene glycol (automotive antifreeze), automotive parts cleaning solvents, or dry cleaning solvents, whether waste or material and/or less than 500 cu.ft. of any single compressed gas) .....\$ 233.00/year
- (IV) Not included in (I) or (II) or (III) above, handles 55 gallons, 500 lbs., 200 cubic feet of a hazardous material or waste, or the threshold planning quantity of an extremely hazardous substance. Hazardous materials handler only
  - (i) Un-staffed remote facility .....\$ 408.00/year
  - (ii) 0 - 10 employees .....\$ 408.00/year
  - (iii) 11 - 25 employees .....\$ 608.00/year
  - (iv) 26 - 50 employees .....\$ 980.00/year
  - (v) 51 - 99 employees .....\$1,328.00/year
  - (vi) 100 or more employees .....\$1,628.00/year
  - (vii) Bulk CO2 at retail food establishments...\$ 408.00/year
- (V) Retail facilities which meet the conditions of California Health and Safety Code Section 25503.5(c)(1)
  - (i) Level I .....\$ 375.00
  - (ii) Level II .....\$ 562.00
  - (iii) Level III .....\$ 752.00
  - (iv) Level IV .....\$1,127.00
- (VI) California Accidental Release Program (Cal ARP)/Business Plan:
  - (i) Plan review/Inspection.....\$ 163.00/hour
  - (ii) Screening/Registration .....\$ 558.00
  - (i) Cal ARP Facility Permit .....\$ 305.00/year
  - (ii) Risk Management Plan RMP
    - Level 1 .....\$ 429.00/year/covered process
    - (iii) RMP Level 2 .....\$ 567.00/year/covered process

(iv)	RMP Level 3 .....	\$ 704.00/year/covered process
(v)	Emergency Planning and Community Right to Know Act (EPCRA) .....	\$ 138.00/year
(F) Hazardous waste storage area plan:		
(I)	First submittal .....	\$ 412.00
(II)	Any re-submittal .....	\$ 206.00
(G) Aboveground Petroleum Storage Act:		
(I)	Annual Registration SPCC .....	No Fee
(II)	Exempt tanks .....	No Fee
(III)	1,320 gallons – 10,000 gallons .....	\$ 150.00/year
(IV)	10,001 gallons – 100,000 gallons .....	\$ 300.00/year
(V)	100,001 gallons – 1,000,000 gallons .....	\$ 600.00/year
(VI)	1,000,001 gallons – 10,000,000 gallons .....	\$ 2,400.00/year
(VII)	10,000,001 gallons – 100,000,000 gallons .....	\$12,000.00/year
(VIII)	100,000,001 gallons or greater .....	\$15,000.00/year
(H) Waste minimization plan:		
(I)	Each site initial .....	\$ 382.00
(II)	Each site resubmission .....	\$ 192.00
(I)	Environmental audit, Phase I .....	\$ 130.00/hour
(J)	Certificate of occupancy for hazardous materials facility ...	\$ 159.00
(K) Request for Certified Hazardous Materials Records Search Finding Report .....		
		\$130.00/hour
(L)	Proposed School Site Quarter (1/4) mile search .....	\$130.00/hour
(M)	List of permitted Facilities – Public Service .....	\$ 35.00
(N)	Court Costs .....	Actual Costs
(O) Special Inspection Fees:		
(I)	Special inspection .....	\$130.00/hour
(II)	Failure to keep field appointment .....	\$130.00/appointment
(III)	Same day short notice inspection .....	\$130.00/hour
(IV)	After hours/overtime inspection (per hour with 3 hour minimum) .....	\$ 196.00/hour
(V)	Failed inspection, requiring a follow-up inspection (after initial and re-inspection) .....	\$130.00/hour
(VI)	Non-facility complaint second response .....	\$130.00/hour
(VII)	Facility complaint second complaint .....	\$130.00/hour
(VIII)	Special event .....	Actual cost/hour
(IX)	Working without permit .....	Double fee
(X)	Failure to obtain permit .....	Double fee
(XI)	Failure to renew permit .....	Double fee
(XII)	Consulting .....	\$130.00/hour
(XIII)	CESQG .....	\$130.00/hour
(P) Conditionally Exempt Small Quantity Generator Disposal Fees		
(I)	Used oil .....	\$ 0.73/gallon
(II)	Contaminated waste oil .....	\$ 4.48/gallon
(III)	Waste antifreeze .....	\$ 1.57/gallon
(IV)	Lead acid batteries .....	\$ 0.62/each

(V)	Latex paint.....	\$ 0.73/pound
(VI)	Latex sludge and adhesive.....	\$ 1.00/pound
(VII)	Oil Based Paint.....	\$ 1.00/pound
(VIII)	Photographic fixer/developer.....	\$ 4.31/pound
(IX)	Flammable solids/liquids .....	\$ 1.57/pound
(X)	Corrosive solids/liquids.....	\$ 2.80/pound
(XI)	Poison solids/liquids .....	\$ 2.91/pound
(XII)	Reactive solids/liquids .....	\$ 9.63/pound
(XIII)	Aerosols .....	\$ 1.29/pound
(XIV)	Asbestos Roofing Tar .....	\$ 5.82/pound
(XV)	Contaminated soil.....	\$ 1.57/pound
(XVI)	NiCad/Alkaline batteries .....	\$ 2.13/pound
(XVII)	Lithium batteries .....	\$ 5.94/pound
(XVIII)	PCB ballasts.....	\$ 5.94/pound
(XIX)	Drum return .....	\$ 11.20/trip
(XX)	Steel/HDPE drum disposal .....	\$ 17.47/each
(XXI)	Additional handling .....	\$138.00/hour
(XXII)	Hazard categorization test.....	\$ 33.60/each
(XXIII)	Chlorinated Oil Test .....	\$ 11.65/each
(XXIV)	Used Oil filters .....	\$ 0.56/each
(XXV)	Cathode Ray Tubes.....	\$ 11.20/each
(XXVI)	Drums.....	\$ 25.00/each
(XXVII)	Fluorescent tubes .....	\$ 2.24/each
(XXVIII)	Circular fluorescent lamps .....	\$ 2.80/each
(XXIX)	Sodium pressure lamps.....	\$ 5.04/each
(XXX)	Electronic waste .....	\$ 0.40/pound
(XXXI)	Paint Buckets.....	\$ 6.60/each
(XXXII)	Mercury.....	\$ 10.08/pound
(XXXIII)	Propane Cylinders .....	\$ 15.00/each
(Q)	Investigation charges.....	\$130.00/hour
(I)	Photographic reproduction costs .....	Actual Cost
(II)	Laboratory samples handling costs .....	Actual Cost
(R)	Emergency Response Charges:	
(I)	Equipment costs.....	Actual Cost
(II)	Laboratory samples handling costs .....	Actual Cost
(III)	Emergency Response Personnel Cost.....	\$201.00/hour
(IV)	Emergency Response Vehicle Costs .....	\$ 95.00/hour

### Section G - Fire Incident Cost Recovery

Delinquency provisions: a ten percent (10%) fee shall be added to billing thirty (30) days after the date of invoice with a three percent (3%) fee each subsequent month thereafter.

### **Section H - Waiver/Refund of Fees**

Except as otherwise provided by law, the Board of Supervisors, by Board action, can waive or refund any fee set forth in this chapter or any other fee levied by the County provided one of the following conditions is met:

1. The service for which the fee was levied has not and will not be performed, or
2. The fee was collected in error, or
3. For other good cause shown, provided such waiver/refund would serve a public purpose.

### **Section I - Annual Increase**

All annual fees will be subject to an annual increase based on the percentage change in the Consumer Price Index, All Urban Consumers (All items), for the Los Angeles-Riverside-Orange County, California area, with the Standard Reference Base (1982-84=100) as published by the United States Department of Labor, Bureau of Labor Statistics. The "annual average" percentage published by the Bureau of Labor Statistics will be used to determine the maximum annual increase. This percentage, which is calculated at the end of each calendar year, is available in January following the end of the previous calendar year. However, no adjustment shall decrease any fee and no fee shall exceed the reasonable cost of providing services. If reasonable program costs exceed the maximum annual increase, an additional fee increase may be established by resolution of the Board of Supervisors. Fees will be rounded to the nearest whole dollar.

# ATTACHMENT 5

## **APPENDIX C HOURLY RATES**

1. Cost Recovery – It is the intent of the City Council to recover all costs reasonably borne.
2. Costs Reasonably Borne. Costs reasonably borne are determined in Ordinance 107 and include the following:
  - a. Direct costs – Includes salaries, overtime, benefits, materials and supplies, and contract costs.
  - b. Indirect costs – Includes equipment, printing, vehicles and maintenance costs.
  - c. Fixed asset recovery – Includes buildings, tenant improvements, vehicles, field and office equipment.
  - d. Departmental overhead – Includes management and others involved in departmental administration.
  - e. General overhead – Includes City Council, City Manager, City Attorney, Finance, Administrative Services, City Clerk, Non-Departmental (including insurance and utilities).
  - f. Debt-service – Includes payments less lease receipts for City owned structures.
3. Hourly Rates for Employees

### Community Development

1. Administrative Analyst	\$107.78
2. Animal Control Officer	\$ 95.12
3. Associate Planner	\$131.32
4. Building Inspector	\$102.52
5. Code Enforcement Officer	\$107.81
6. Community Development Technician	\$ 91.58
7. Plans Examiner	\$110.90
8. Senior Animal Control Officer	\$ 98.53
9. Senior Planner	\$140.35

### Engineering

1. Administrative Analyst	\$105.14
2. Assistant Engineer	\$114.79
3. Construction Inspector	\$106.52
4. Engineering Technician	\$ 92.89
5. Management Analyst	\$112.21
6. Office Assistant	\$ 90.43
7. Project Construction Manager	\$132.12
8. Senior Engineer	\$129.49
9. Senior Office Assistant	\$ 93.51

# ATTACHMENT 6



## Hesperia Water District Water / Sewer Connection Fee Summary

Effective July 20 2015

Version CRW 2013

### Water Meters (Charge Inspection Fees on Encroachment Permit only!)

\* All water meter fees are based on Building Plan submittal date. This rate includes District installation of service line.

Size	Meter	Installation	Facilities Fee	Supplemental Water Fee	Inspection	Automation Surcharge Fee	Total
3/4"	162.00	1,240.00	3,513.00	2,662.00	-	-	\$ 7,577.00
1"	182.00	1,240.00	5,270.00	3,993.00	-	-	\$ 10,685.00

Size	Labor	Equipment	Street Repair	Meter and Materials	Facilities Fee	Supplemental Water Fee	Inspection	Automation Surcharge Fee	Total
1-1/2"	727.00	941.00	1,796.00	1,145.00	14,052.00	10,648.00	-	-	\$ 29,309.00
2"	727.00	941.00	1,796.00	1,666.00	22,483.00	17,037.00	-	-	\$ 44,650.00
3"	820.00	1,008.00	1,796.00	3,350.00	44,966.00	34,074.00	-	-	\$ 86,014.00
4"	820.00	1,008.00	1,796.00	3,830.00	70,260.00	53,240.00	-	-	\$ 130,954.00

### Fire Services

\* All fire service fees are based on Building Plan submittal date. District does not make connections.

Size	Facilities Fee	Supplemental Water Fee	Inspection	Automation Surcharge Fee	Total
2"	\$ 702.60	\$ -			\$ 702.60
3"	\$ 1,405.20	\$ -			\$ 1,405.20
4"	\$ 2,810.40	\$ -			\$ 2,810.40
6"	\$ 4,215.60	\$ -			\$ 4,215.60
8"	\$ 9,133.80	\$ -			\$ 9,133.80
10"	\$ 14,052.00	\$ -			\$ 14,052.00

### Sewer Connections

\*Sewer connection fees are based on Building Permit issuance date. District does not make connections.

Victor Valley Waste Water Reclamation Authority		Per Fixture Unit	Equivalent Dwelling Unit	Total Per EDU
Effective Date	July 1, 2009	\$ 187.50	20 Fixture Units	\$ 3,750.00
Effective Date	July 1, 2014	\$ 200.00	20 Fixture Units	\$ 4,000.00

Hesperia Water District		Per Fixture Unit	Equivalent Dwelling Unit	Total Per EDU
Effective Date	February 1, 2008	\$ 70.45	20 Fixture Units	\$ 1,409.00

\*All sewer connections will include \$150 inspection fee and \$12 automation fee.

Fixture units will be calculated by Hesperia Water District based on approved Building Plans.

# ATTACHMENT 7

## Hesperia Water District Water / Sewer Connection Fee Summary

Effective July 20, 2015

Version CRW 2013

### Water Meters

w/credit

\* All water meter fees are based on Building Plan submittal date. This rate includes credit for installation of the service line.

Size	Meter	Installation	Facilities Fee	Supplemental Water Fee	Inspection	Automation Surcharge Fee	Total
3/4"	162.00	(1,240.00)	3,513.00	2,662.00			\$ 6,337.00
1"	182.00	(1,240.00)	5,270.00	3,993.00			\$ 9,445.00

Size	Labor	Equipment	Street Repair	Meter and Materials	Facilities Fee	Supplemental Water Fee	Inspection	Automation Surcharge Fee	Total
1-1/2"	(727.00)	(941.00)	(1,796.00)	1,145.00	14,052.00	10,648.00			\$ 25,277.85
				(567.15)					
2"	(727.00)	(941.00)	(1,796.00)	1,666.00	22,483.00	17,037.00			\$ 40,220.00
				(966.00)					
3"	(820.00)	(1,008.00)	(1,796.00)	3,350.00	44,966.00	34,074.00			\$ 79,855.00
				(2,535.00)					
4"	(820.00)	(1,008.00)	(1,796.00)	3,830.00	70,260.00	53,240.00			\$ 124,555.00
				(2,775.00)					

### Fire Services

\* All fire service fees are based on Building Plan submittal date. District does not make connections.

Size	Facilities Fee	Supplemental Water Fee	Inspection	Automation Surcharge Fee	Total
2"	\$ 702.60				\$ 702.60
3"	\$ 1,405.20				\$ 1,405.20
4"	\$ 2,810.40				\$ 2,810.40
6"	\$ 4,215.60				\$ 4,215.60
8"	\$ 9,133.80				\$ 9,133.80
10"	\$ 14,052.00				\$ 14,052.00

### Sewer Connections

\*Sewer connection fees are based on Building Permit issuance date. District does not do make connections.

Victor Valley Waste Water Reclamation Authority		Per Fixture Unit	Equivalent Dwelling Unit	Total Per EDU
Effective Date	July 1, 2009	\$ 187.50	20 Fixture Units	\$ 3,750.00
Effective Date	July 1, 2014	\$ 200.00	20 Fixture Units	\$ 4,000.00

Hesperia Water District		Per Fixture Unit	Equivalent Dwelling Unit	Total Per EDU
Effective Date	February 1, 2008	\$ 70.45	20 Fixture Units	\$ 1,409.00

\*All sewer connections will include \$150 inspection fee and \$12 automation fee.

Fixture units will be calculated by Hesperia Water District based on approved Building Plans.

ATTACHMENT 8

**Cost Analysis - Proposed Change to Engineering Fees by City**

Agency	Plan Review Fee	Inspection Fee	Additional Fees/CRB
<b>Adelanto</b>	Streets \$805 per sheet; Water and Sewer \$530 per sheet	Streets \$145 per lot; Water and Sewer \$205 per lot (Lot = 60 linear feet or 7,200 SF)	CRB + administration charge after 2 checks
<b>Apple Valley</b>	3.5% of valuation	1% of valuation	50% deposit after 3 checks
<b>Hesperia - Current</b>	CRB with \$1,279 Min. (Streets and Drainage); \$350 per sheet (Water and Sewer)	Streets and Drainage: Commercial-Ind/Multi Family \$860 first 10 hrs, \$516 after for 6 hr deposit; Water and Sewer \$1.25/lineal foot - \$172	
<b>Hesperia - Proposed</b>	2% of Engineers Cost Estimate	1% of Engineers Cost Estimate	CRB after 3 checks
<b>Lancaster</b>	4% of first 50,000 of Engineers Estimate 2.75% of next \$100,000 of Engineers Estimate 2.25% thereafter	5% of first \$100,000 of Engineers Estimate 4.5% of next \$100,000 of Engineers Estimate 3.5% thereafter	
<b>Palmdale</b>	Based on volume of Cubic Yards 1,000 CY 1,113.04 - 100,000 \$16,703.19	Based on volume of Cubic Yards 1,000 \$1,021.76 - 100,000 \$14,720.76	
<b>Victorville</b>	\$0-\$50,000 - 5% \$50,001-\$250,000 - 4% \$250,001 and greater - 3%	\$0-\$25,000 @ 4% \$25,001-\$100,000 @ 3.5% \$100,001 and greater @ 3%	Re-inspections \$100 each

**Sample Cost Estimate Current and Proposed Fees - Plan Review**

Project	Engineer's Estimate	Collected Fee	Proposed Fee (2%)	Difference in Fees
Tentative Tract	\$1,801,634.00	\$7,563.24	\$36,032.68	\$28,469.44
Retail Center	\$438,236.15	\$8,091.36	\$8,764.72	\$673.36

# ATTACHMENT 9

## SECTION 60: Building Permits

## Building Permits

- 1) Grading
  - A. ~~SWPPP (plan check and inspection on-site)~~
    1. ~~Parcel maps~~ \$184
    2. ~~Tract maps~~ \$276
    3. ~~Other~~ \$184
  - B. Plan Review- Non Residential and Multi-Family Residential
    1. Greater than 10 Acres **\$920 + CRB**  
CRB + \$920 Min
    2. CASp Review - over 10 acres **\$288 + CRB**  
CRB + \$288 Min
  - C. Inspection -Single Family Residential (includes plan review)
    1. With drainage \$409 + **Hydrology Study Fee**
  - D. Inspection- Non Residential and ~~Tracts~~ **Multi-Family**
    1. 50,001 - 250,000 Cubic Yards **\$632 + CRB**  
CRB with \$632 Min
    2. 250,000 and above **\$1,132 + CRB**  
CRB with \$1,132 Min
    3. Native plant plan review ~~(added to above)~~ CRB with \$81 Min  
**\$257**
    4. **Preliminary Site Plan Review (in addition to above)** 60-**\$81**
- 2) Other Fees
  - A. Additional plan review or inspection time ~~(two hour min after hours)~~ **(After 3 checks or inspections)** CRB
  - B. Cash Deposits/Bonds ~~(grading and paving)~~ \$104 + CRB
  - C. Certificate of Occupancy
    1. ~~Temporary Certificate of Occupancy~~ \$111
  - D. Field Investigations (pre-alteration) **\$182 + CRB**  
CRB with \$182 min.
  - E. ~~Look Ups (zoning, addresses, drainage, setbacks, etc.)~~ CRB with \$26 min.
  - F. ~~Professional report review~~ CRB with \$46 min.
  - G. Relocated Buildings
    1. Relocation fee **\$230 + CRB**  
CRB with \$230 min.
  - H. Windmills and Photovoltaic Systems (residential)(plan review and inspection)
    1. ~~Wind farms or solar energy plants~~ **CRB + \$500 deposit**
  - A. CASp Review - Plan Review
    1. New buildings over 25,000 square feet **\$384 + CRB**  
CRB + \$384 Min
- 3) Residential (includes application or permit)
  - A. Plan Review
    1. Garage ~~(detached)~~, **or** additions (less than 1,000 sq. ft.) \$127
    2. New residences/ and additions/**garages/accessory uses** (includes ~~accessory uses attached~~) \$285 + \$0.21 PSF over 1,000 SF

B. Inspection		
1.	Single Inspections (includes meter reset, <del>equipment</del> re-pit, and similar)	\$106
2.	Two inspection (includes re-roofs, lattice patios, minor alterations, <b>new meter installation</b> , and similar)	\$138
3.	New residences/ <del>and</del> <b>additions/accessory uses/garages/garage conversions</b> with plumbing	\$824 + \$0.35 PSF over 1,000 SF
4.	Garage, Garage conversion no plumbing <del>← 1,000 sf</del>	\$217
A. Joshua Tree Bond (Per Tree)		<b>\$310 per tree + 110%</b>

**SECTION 70: Business License**  
**Business License**

1)	Medical Cannabis Delivery Business Application Fee	\$4,500
2)	Medical Cannabis Delivery Business Application Extension Fee	\$2,000
3)	Medical Cannabis Delivery Business Investigation Fee	\$4,500
4)	Cannabis Indoor Cultivation Registration	\$100

**SECTION 190:  
Planning Fees**

**Planning Fees**

1) Annexation	<b>\$1,056 + CRB</b> <del>CRB with \$1,056 min.</del>
2) Conditional Use Permit	<del>CRB with \$2,128 min.</del> <b>\$3,009</b>
3) Development Agreement (includes density bonus, etc.)	<b>\$906 + CRB</b> <del>CRB with \$906 min.</del>
4) Initial Study (with negative declaration)	<del>CRB with \$971 min.</del>
5) Environmental Impact Report (EIR)	<del>CRB with \$2,831 min.</del>
6) General Plan Amendments/ <b>Zone Change/Specific Plan Amendments</b>	<del>CRB with \$695 min.</del>
7) Landscape Plans	
A. Commercial, Industrial, Multi-Family (Includes LMD)	<b>\$388</b>
B. Subdivisions, up to 5 plans	<b>\$257</b>
C. Subdivision, Landscape Maintenance District (includes basins)	<b>\$388</b>
D. Parks (HRPD or HOA)	<b>\$131</b>
E. Specific Plans/Planned Developments	<b>CRB or Deposit</b>
8) Medicinal Cannabis Delivery Business Permit	<b>\$2,128</b>
9) Revised Site Plan Reviews (SPRRs) and Revised Conditional Use Permits (CUPRs)	<b>\$257 + CRB</b> <del>CRB with \$257 min.</del>
10) Site Plan Review	<b>\$2,128 + CRB</b> <del>CRB with \$2,128 min.</del>
11) Specific Plan/ <b>EIR/Planned Development</b>	<b>Reimbursement Agreement</b>
12) Specific Plan Amendment	<del>CRB with \$695 min.</del>
13) Tentative Tract Map	<del>CRB with \$1,975 min., plus \$2 per lot, addressing fee.</del>
14) <del>Zone Change</del>	<del>CRB with \$695 min.</del>
15) Zoning Letter	<b>\$91</b>
16) Other Services	
A. Non-Specified Services	<del>CRB with \$45 min.</del>
B. <b>Additional plan review or inspection time (After 3 checks/incomplete letters/inspections)</b>	<b>CRB</b>
C. Plan review	
A. <b>WQMP consistency review with landscape/civil plans</b>	<b>\$131</b>

**SECTION 201:  
Engineering**

**Engineering**

- |    |   |   |
|----|---|---|
| 1) | Development Review Committee  |   |
|    | A. All Applications Except Tentative Tracts   | <b>\$172 + CRB</b><br><del>CRB with \$172 min.</del>                |
|    | B. Tentative Tracts   | <b>\$344 + CRB</b><br><del>CRB with \$344 min.</del>                |
| 2) | <b>Pre-Construction Meeting</b>   | <b>\$240</b>  |
| 3) | <b>Cash Deposits/Bonds (grading and paving)</b>   | <b>\$104 + CRB</b>  |
| 4) | <b>Additional plan review or inspection time (After 3 checks or inspections)</b>  | <b>CRB</b>  |
| 5) | Grading Plan Review   |   |
|    | A. <del>Rough Grading</del>   |   |
|    | 1. <del>0 to 5,000 cubic yards</del>  | <del>\$397</del>  |
|    | 2. <del>5,001 to 100,000 cubic yards</del>  | <del>\$483</del>  |
|    | 3. <del>Over 100,000 cubic yards</del>  | <del>CRB with \$483 min.</del>                                      |
|    | B. Precise Grading (Residential Tracts)   | \$311 + \$20 per lot  |
|    | C. <b>WQMP Review</b>   |   |
|    | 1. Single Family Residential - <i>Infill</i>  | <b>\$225 + CRB after 3 checks <del>and 3 hours</del></b>            |
|    | 2. <i>MS-4 Non-Regulated Project (2,500-5,000 sq. ft. impervious area</i>   | <b>\$300 + CRB after 3 checks <del>and 4 hours</del></b>            |
|    | 3. <i>MS-4 Regulated Preliminary Review Project/Commercial/Ind/Tracts (≥ 5,000 sq. ft. impervious area</i>  | <b>\$225 + CRB after 3 checks</b>                                   |
|    | 4. <i>MS-4 Regulated Project/Commercial/Ind/Tracts (≥ 5,000 sq. ft. impervious area</i>   | <b>\$225 + CRB after 3 checks <del>and 6 hours</del></b>            |
|    | D. SWPPP Review ≥ 1 Acre  | <b>\$300 + CRB after 3 checks <del>and 4 hours</del></b>            |
|    | E. Erosion/Sediment Control Plan < 1 Acre   | <b>\$86.00</b>  |
|    | F. Hydrology Review   | <b>\$550 + CRB after 2 checks <del>and 6 hours</del></b>            |
| 6) | Plan Review for Public Improvements   |   |
|    | A. Streets, Drainage, Storm Drain Water, Sewer, Utility Plan (Includes fire hydrants, fire services, domestic water connections, sewer connections, misc. utility connections, and new line installation not requiring plan & profile but on same sheet(s)) New Line Installation (Plan and Profile View) | B. 2% of Engineers Cost Estimate                                    |
|    | C. <del>5. Residential Subdivisions</del>   | <b>D. 1.5% of Engineers Cost Estimate</b>                           |
|    | E. <del>Storm drain (per sheet)</del>   | <b>F. \$304</b>   |
| 7) | Plan Review for Public Improvements   |   |
|    | A. <del>Streets and Drainage</del>  | <del><b>\$1,279 + CRB</b></del><br><del>CRB with \$1,279 min.</del> |
|    | B. <del>Water and Sewer</del>   |   |
|    | 1. <del>Commercial/Industrial/Multi-Family Site (Utility Plan)</del>  | <b>\$350 per sheet</b>  |

	(Includes fire hydrants, fire services, domestic water connections, sewer connections, misc. utility connections, and new line installation not requiring plan & profile but on same sheet(s))	
	2. New Line Installation (Plan and Profile View)	\$350 per sheet
	3. Fire Hydrant (Stand Alone – Not on Utility Plan)	\$129
	4. Fire Service (Stand Alone – Not on Utility Plan)	\$129
	5. Residential Subdivisions	\$350 + \$20 per lot
C.—	Revisions to Plans (per sheet)	\$192
D.—	Storm drain (per sheet)	\$304
E.—	<b>NPDES – on-site retention</b>	
—	<b>Commercial/Industrial/Non-residential</b>	<b>\$334</b>
—	<b>Residential</b>	<b>\$662</b>
8)	Legal document Review (per document) (Includes Irrevocable Offers of Dedication, Easements, Lot Mergers and Lot Line Adjustments, <b>Title Reports</b> )	\$192
9)	<b>Inspections</b>	
A.	<b>Streets, Drainage, Storm Drain, Water, Sewer. Includes fire hydrants, domestic water connections, sewer connections, misc. utility connections, and new line installation, drive approaches, utility cuts and trenches</b>	<b>1% of Engineers Cost Estimate</b>
B.	<b>Driveway Approach-Stand Alone (not assoc. to project)</b>	
	1. Residential (Asphalt or Concrete, Each)	\$86
	2. Non-Residential	\$172
C.	<b>Utility Cuts and Trenches-Stand Alone (not assoc. to project)</b>	
	1. Up to 18 square feet in area	\$48
	2. 0 to 300 ft. in length	\$141
	3. 301 to 500 ft. in length	\$172
	4. 501 to 1,000 ft. in length	\$203
	5. Over 1,000 ft. in length (per 100 ft. additional)	\$15
	<b>Street and Drainage Improvements</b>	
	1. <b>Commercial/Industrial/Multi-Family</b>	
	Initial Inspection (up to 10 hours)	\$860
	Additional Inspection (6 hour deposit)	\$516
	2. Tracts	\$860 + \$43 per lot
	<b>Water and Sewer/ Storm Drain Improvements</b>	
	1. New line installation (per linear foot)	\$1.25
	2. On-Site Fire Hydrant (per hydrant)	\$172
D.	Fire Service (per service – all sizes)	\$172
	4. Sewer connection	<b>\$150</b>

	5.	<del>Water connection (lateral) all sizes (when work performed by a contractor)</del>	<del>\$172</del>
		<del>NPDES</del>	
	—	<del>Tracts</del>	<del>\$330 + CRB</del>
	—	<del>Commercial/Industrial/Multiple residential</del>	<del>\$573 + CRB</del>
	<b>E.</b>	<b>WQMP</b>	
		<b>1. Commercial/Industrial/ Multi- Family</b>	<b>210 + CRB</b>
10)		<b>Professional Report Review (Title Report, Geotechnical Closure Calculations, Soils Report, Percolation, Traffic, Sewer Analysis Hydrology Report Review</b>	<b>\$214</b>  <b>\$550</b>

**SECTION 230**

**WATER DISTRICT FEES**

1.	<b>M35HRE Badger Meter for Fire Service Compliance</b>	<b>\$126</b>
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