

ATTACHMENT 3

RESOLUTION NO. PC-2022-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A SPECIFIC PLAN AMENDMENT TO CHANGE APPROXIMATELY 55.5 GROSS ACRES WITHIN THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN FROM REGIONAL COMMERCIAL (RC) TO COMMERCIAL INDUSTRIAL BUSINESS PARK (CIBP) AND TO CHANGE APPROXIMATELY 3.5 ACRES FROM REGIONAL COMMERCIAL (RC) TO PUBLIC/INSTITUTIONAL OVERLAY (PIO) (SPLA21-00002)

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, RSC Hesperia, LLC has submitted an application for SPLA21-00002 described herein (hereinafter referred to as the "Application") for assessor's parcels 3064-461-04, 06, 0405-072-37, 52 thru 55; and

WHEREAS, the City of Hesperia joined in the application in order to rezone some additional property to the west that would have remained Regional Commercial even though it is farther from access to Mariposa Road; and

WHEREAS, the project consists of seven parcels that total approximately 59 gross acres; five (5) of the parcels are vacant, and two (2) of the parcels are developed with water facilities owned by the Victorville Water District; and

WHEREAS, the application proposes to change approximately 55.5 gross acres (APNs 3064-461-04, 0405-072-37, 52, 53 and 55) within the Main Street and Freeway Corridor Specific Plan from Regional Commercial (RC) to Commercial Industrial Business Park (CIBP) and approximately 3.5 gross acres (APNs 3064-461-06 and 0405-072-54) from Regional Commercial (RC) to Public/Institutional Overlay (PIO); and

WHEREAS, there has been very little interest from developers to develop the property with commercial uses due to: 1) a shift in the retail industry as traditional brick and mortar retail uses face stiffening competition from online-only stores, and 2) the subject parcels are not located in close proximity to a freeway interchange; and

WHEREAS, it is unlikely the subject parcels would ever be developed with regional-serving commercial uses and are more likely to be developed with a mix of manufacturing, warehousing and light industrial uses that would otherwise be allowed in the Commercial Industrial Business Park (CIBP) zone; and

WHEREAS, the Public/Institutional Overlay (PIO) zoning is also appropriate as it is intended for public facilities such as water facilities and it will not conflict with the proposed surrounding zoning; and

WHEREAS, the project 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 Specific Plan Amendment is exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as Specific Plan Amendments are exempt if they do not propose to increase the density or intensity allowed by the General Plan, Regional Commercial uses are more intensive than Commercial Industrial type uses; and

WHEREAS, on January 13, 2022, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed amendment and concluded said hearing on that date; and

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

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

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

Section 2. The five parcels (APNs 3064-461-04, 0405-072-37, 52, 53 and 55) that are proposed to be changed from Regional Commercial (RC) to Commercial Industrial Business Park (CIBP) are suitable for the land uses allowed in the Commercial Industrial Business Park (CIBP) zoning classification, and adequate space exists which can meet the standards for setbacks, height, lot coverage, parking and circulation within the proposed Specific Plan designation.

Section 3. The two parcels (APNs 3064-461-06 and 0405-072-54) proposed to be changed from Regional Commercial (RC) to Public/Institutional Overlay (PIO) are appropriate in that the parcels are currently developed with a water tank and a water treatment plant and the zoning designation is intended for public facilities such as water facilities.

Section 4. The proposed change in zone will not have a significant adverse impact on surrounding properties or the community in general, because the property is north of and adjacent to CIBP to the south, has Amargosa Road as an eastern border, the wash as a western border and Avenal Street and the City boundary to the north.

Section 4. Based upon substantial evidence presented to the Commission, including written and oral staff reports, the Commission specifically finds that the proposed Ordinance is consistent with the goals and objectives of the adopted General Plan. The subject parcels are capable of utilizing existing supporting infrastructure and municipal services, as directed by the City's adopted General Plan.

Section 5. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends adoption of Specific Plan Amendment SPLA21-00002, to change approximately 55.5 gross acres within the Main Street and Freeway Corridor Specific Plan from Regional Commercial (RC) to Commercial Industrial Business Park (CIBP) and approximately 3.5 acres from Regional Commercial (RC) to Public Institutional Overlay (PIO) as shown on Attachment 1.

Section 6. That the Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED on this 27th day of January 2022.

Cody Leis, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission