

City of Hesperia

STAFF REPORT



DATE: January 27, 2022

TO: Planning Commission

FROM: Mike Hearn, Deputy Director of Community Development

BY: Ryan Leonard, Senior Planner

SUBJECT: Development Code Amendment DCA21-00002; Applicant: City of Hesperia;
Area affected: City-wide

RECOMMENDED ACTION

It is recommended that the Planning Commission provide input and direction on the proposed accessory building code amendments and adopt Resolution No. PC-2021-18 recommending that the City Council introduce and place on first reading an ordinance approving DCA21-00002, modifying development standards associated with Accessory Buildings & Structures.

BACKGROUND

At the request of Council Member Holland, staff presented an item for discussion at the October 5, 2021, City Council meeting (Attachment 1). The City Council believes that metal accessory buildings should be allowed on lot sizes as low as 18,000 square feet, whereas the current requirement is 30,000 square feet. In the discussion, the City Council was also open to lowering the setbacks from 30 feet, and any other standard that staff and the Commission felt were impeding people from being able to have a metal building. Lastly, the City Council requested we review the regulations for storage/cargo containers.

ISSUES/ANALYSIS

Accessory buildings are regulated under Article X. Development Standards for Residential and Agricultural Accessory Structures. The regulations pertain to the size, height, setbacks and whether it is metal or conventional construction. Analysis of the issue is as follows:

Size

Currently, every residential property is allowed a 1,000 square foot accessory building or up to 5% of their lot size. A Minor Exception can be requested for an increase in size up to 7.5% of lot size. Larger than 7.5% would need to apply for a Variance. Staff is proposing to make 7.5% the new standard, remove the requirement for a minor exception, and anything over that would require a variance.

Setbacks and Height

The minimum setbacks are discussed in 16.20.075 - Table of projections into yards and courts, and the only requirement is 5 feet from the rear property line. However, when an accessory building exceeds 16 feet in height, or if it is metal, the setbacks go up to 30 feet. Staff is proposing to lower these to the minimum 5-foot requirement. For height, currently an accessory building can go up to 35 feet in height, similar to the main house. However,

when it exceeds 16 feet, it has to be 30 feet from the side and rear property lines. We are proposing to increase the 16 feet to 20 feet, before the building would need to meet the 30-foot setback requirements. This will help to ensure that a variety of roof designs and styles are accommodated.

Staff is open to discussing the height of 35 feet for an accessory building and structure as well. Many rear yard standards are to try and provide an area of recreation and possibly privacy, but the ability to build multiple stories as an accessory building up to 35 feet in height would change that.

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 a Development Code Amendment is exempt if it does not propose to increase the density or intensity allowed in the General Plan. The proposed changes do not result in additional square footage from what could currently be built, they make the process easier. An 18,000 square foot lot can accommodate an accessory building currently, it just cannot be made of metal.

The Ordinance is consistent with the goals, policies and objectives of the General Plan and will allow more residents the ability to have metal buildings and also enjoy the expanded use of their property.

FISCAL IMPACT

None

ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENT(S)

1. Resolution No. PC-2021-18, with Exhibit "A"
2. City Council discussion report from October 5, 2021