

# ATTACHMENT 1

## RESOLUTION NO. PC-2017-15

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A DEVELOPMENT CODE AMENDMENT MODIFYING DEVELOPMENT STANDARDS ASSOCIATED WITH ACCESSORY DWELLING UNITS (ADUS) (DCA17-00003)**

**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 proposes to amend Article X of Chapter 16.12 of the City of Hesperia Development Code regulations, which pertain to second dwelling units; and

**WHEREAS**, the City finds that it is necessary to amend the City's existing Second Dwelling Unit Ordinance in order to comply with Assembly Bill 2299 and Senate Bill 1069, which were signed into law on September 27, 2016, both of which became effective January 1, 2017. The changes will allow the City to continue to enforce the majority of the City's existing Ordinance; and

**WHEREAS**, the proposed Development Code Amendment are 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 Amendments are also exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as the Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan; and

**WHEREAS**, on May 11, 2017, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Amendments and concluded said hearing on that date; and

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

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

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

Section 2. Based upon substantial evidence presented to the 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.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends adoption of Development Code Amendment DCA17-00003, amending the second dwelling unit regulations as shown on Exhibit "A."

Section 4. That the Secretary shall certify to the adoption of this Resolution.

**ADOPTED AND APPROVED** on this 11<sup>th</sup> day of May 2017.

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Tom Murphy, Chair, Planning Commission

ATTEST:

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Denise Bossard, Secretary, Planning Commission