

# City of Hesperia

## STAFF REPORT



**DATE:** May 11, 2017

**TO:** Planning Commission

**FROM:** Dave Reno, Principal Planner

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**SUBJECT:** Development Code Amendment DCA17-00004 and Specific Plan Amendment SPLA17-00001; Applicant: City of Hesperia; Area affected: City-wide

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### RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2017-13 recommending that the City Council introduce and place on first reading an ordinance approving DCA17-00004 and SPLA17-00001.

### BACKGROUND

**Proposal:** The Amendments propose to change two development regulations and one procedural standard pertaining to multiple-family zones. Multiple-family developments including apartments, townhomes, and condominiums are permitted in the Multiple-Family Residence (R3) Zone, and the Medium Density Residential (MDR) and High Density Residential (HDR) Zones of the Main Street and Freeway Corridor Specific Plan (Specific Plan). The R3 development regulations, as well as procedural standards are found in the Development Code. The MDR and HDR development regulations are found in the Specific Plan. The Amendments include:

- Reducing the interior or side yard setback from 10 feet to 8 feet. This interior setback can be reduced to 5 feet for single-family residences constructed on substandard lots in the MDR zone.
- Reducing the required distance between multiple-family buildings. The distances between single-story buildings can be 6 feet or 8 feet, as well as 10 feet or 15 feet for multiple-story buildings.
- Clarifying that a two-unit multiple-family development is not subject to the site plan review (SPR) process.

### ISSUES/ANALYSIS

**Interior Setback Reduction** - The City has recently seen a number of new multiple-family developments requesting Minor Exceptions to reduce the interior or side yard setback from 10 feet to 8 feet. This has been a result of developing on substandard lots in the Township area situated east of City Hall where lot widths are typically 50 feet. The current requirement of a 10-foot side yard setback on both sides makes it challenging to develop on these lots. Typically units are side facing with a 12-foot drive aisle across the lot on one side, and patios commonly placed on the other side. It is therefore unnecessary to lower the interior setbacks below 8 feet, as no side of the required patio can be less than 8 feet. The two-foot reduction has made projects work. Even though the Amendment resolves development issues on substandard lots,

it is proposed to apply to all multiple-family developments in the City to have a uniform standard that is easy to implement. The Ordinance will also allow single-family residences constructed on substandard lots in the MDR zone to have a five-foot interior setback on both sides. Single-family residences are almost always facing the street with garage access directly from the street. This design necessitates the houses to be wider with smaller setbacks.

***Distance between buildings*** - The Development Code requires a distance of 10 feet between multiple-family unit buildings. In 2008, the Main Street and Freeway Corridor Specific Plan was adopted, which included a provision that increased the required distance between multiple-family residential buildings to 15 feet. Many developers find this standard restrictive, and have requested the standard to be reduced. The Amendments will allow single-story buildings to have a distance of 8 feet between buildings. An 8-foot distance can accommodate private patios between buildings, although a direct line of sight into the patio will not be allowed from the adjacent unit. The distance can be reduced to 6 feet, if the buildings do not have openings (i.e. windows or doors) on the sides that face each other. Six feet is also the minimum distance that the building code will allow. Two-story buildings will be required to provide a 15-foot distance between buildings, except the distance can be reduced to 10 feet if windows, balconies or similar openings are oriented so as not to have a direct line of sight into adjacent units.

***Two-unit multiple-family development exemption*** - This amendment clarifies that a two-unit multiple-family development on existing lots does not require site plan review approval. A site plan review necessitates the development to be subject to street, drainage, and water quality management control improvements. It has been standard practice not to require these improvements on a two-unit multiple-family development because such improvements will make the project not cost effective.

**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 and Specific Plan Amendment 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.

**Conclusion:** Staff supports the Development Code Amendment and Specific Plan Amendment, as the amended development regulations will resolve challenges in approving multiple-family developments on existing lots and said regulations are more feasible in that they consider the building design and orientation of design features. The Amendments clarify that two multiple-family dwelling units are not subject to site plan review process consistent with current policies.

## **FISCAL IMPACT**

None.

## **ALTERNATIVE(S)**

1. Provide alternative direction to staff.

## **ATTACHMENT(S)**

1. Resolution No. PC-2017-13, with Exhibit "A"