

ATTACHMENT 2

RESOLUTION NO. PC-2017-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AMEND REGULATIONS REGARDING APPROVAL OF OFF-SALE ALCOHOL ESTABLISHMENTS (DCA17-00006)

WHEREAS, On January 5, 1998, the City Council of the City of Hesperia adopted its Ordinance No. 250, thereby adopting the Hesperia Municipal Code; and

WHEREAS, Chapter 16.16 of the Hesperia Development Code establishes permitted uses and permit requirements for a variety of land uses, including establishments that sell or serve alcohol. Similar regulations are established within the Main Street and Freeway Corridor Specific Plan; and

WHEREAS, The City of Hesperia Development Code regulations pertaining to approval of alcohol uses requires modification to create uniformity of approval requirements and procedures within the City; and

WHEREAS, The approval of this project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), where it is certain that revisions to approval procedures cannot, by themselves, have an adverse impact on the environment; and

WHEREAS, On August 10, 2017, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to permitted uses and permit requirements and concluded said hearing on that date; and

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

NOW THEREFORE, THE PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

1. All of the facts set forth in the Recitals, Part A of this Resolution, are true, correct and are adopted as findings.
2. Based upon substantial evidence presented to the Commission, including written and oral staff reports, the Commission specifically finds that the proposed Resolution is consistent with the goals and objectives of the adopted General Plan.
3. Based upon substantial evidence presented to this Commission during the above-referenced August 10, 2017 hearing, including public testimony and written and oral staff reports, this Commission has determined that the amendment will establish uniform procedures within the City for approval of establishments selling or serving alcohol.
4. The approval of this project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), where it is certain that revisions to permitted uses and permit requirements cannot, by themselves, have an adverse impact on the environment.

5. Based upon the conclusions set forth in paragraphs 1, 2 and 3 above, this Commission recommends that the City Council hereby adopt Development Code Amendment DCA17-00006), amending Title 16, Chapter 16. (Permitted Uses and Permit Requirements) as shown on Exhibit "A."

6. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 10th day of August 2017.

Tom Murphy, Chair, Planning Commission

ATTEST:

Denise Bossard, Secretary, Planning Commission