

ATTACHMENT 6

RESOLUTION NO. PC-2018-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT A 18,200 SQUARE FOOT INDOOR SHOOTING RANGE ON AN APPROXIMATELY 1.7 GROSS ACRE PARCEL LOCATED ON THE EAST SIDE OF HESPERIA ROAD, APPROXIMATELY 1,080 FEET SOUTH OF EUCALYPTUS STREET (CUP18-00008)

WHEREAS, Got Range, LLC has filed an application requesting approval of CUP18-00008 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to approximately 1.7 gross acres located on the east side of Hesperia Road, approximately 1,080 feet south of Eucalyptus Street and consists of Assessor's Parcel Number 0415-132-04; and

WHEREAS, the Application, as contemplated, proposes to construct a 18,200 square foot indoor shooting range and retail gun store; and

WHEREAS, the 1.7 gross acre site is currently vacant. The site to the south is built with a church. The properties to the east are built with single family residences. The property to the north and the properties to the west on the opposite side of Hesperia Road are vacant; and

WHEREAS, the subject property as well as the properties to the north, south and west are within the General Commercial (C2) zoning designation and the properties to the east are designated Rural Residential with a minimum lot size of 1 acre (RR-1); and

WHEREAS, this project is exempt from the California Environmental Quality Act (CEQA), per Public Resources Code Section 15332, Infill Development Projects; and

WHEREAS, on July 12, 2018, the Planning Commission of the City of Hesperia conducted a public hearing pertaining to the proposed Application, 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 Planning Commission during the above-referenced July 12, 2018 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The site for the proposed use is adequate in size and shape to accommodate the proposed use because the site can accommodate all proposed improvements in conformance with the Development Code.
- (b) The proposed indoor shooting range and retail gun store are consistent with the objectives, policies, general land uses and programs of the General Plan and Development Code and is

consistent with the allowable uses within the General Commercial (C2) zone with approval of a Conditional Use Permit.

- (c) The proposed use will not have a substantial adverse effect on abutting properties or the permitted use thereof because the proposed project is consistent with the General Commercial (C2) zone with approval of this conditional use permit. The proposed use would not create significant noise or traffic or cause other conditions or situations that may be objectionable or detrimental to other uses allowed in the vicinity or be adverse to the public convenience, health, safety or general welfare. Further, prior to the issuance of a building permit the applicant is required to submit an acoustical analysis demonstrating that the proposed project complies with the City's Noise Ordinance and it will not have a detrimental impact on adjacent properties.
- (d) The proposed project is consistent with the goals, policies, standards and maps of the adopted zoning and Development Code and all applicable codes and ordinances adopted by the City of Hesperia because the project is consistent with the regulations allowing nonresidential uses within the General Commercial (C2) zone of the Development Code. The development complies with the standards for landscaping, driveway aisles, parking stall dimensions, building heights, trash enclosure, loading areas, and all other applicable development standards. The project also complies with the Americans with Disabilities Act (ADA), as the required accessible parking spaces and paths of travel meet the standards within the ADA as well as state and federal handicapped accessible regulations. The development will be constructed pursuant to the California Building and Fire Codes and subsequent adopted amendments.
- (e) The site for the proposed use will have adequate access based upon its frontage along Hesperia Road. There are also general services for sanitation, water and public utilities to ensure the public convenience, health, safety and general welfare. Additionally, the building will have adequate infrastructure to operate without a major extension of infrastructure.
- (f) The proposed project is consistent with the adopted General Plan of the City of Hesperia. An indoor shooting range and retail gun store is an allowable use within the General Commercial (C2) zone with approval of a Conditional Use Permit.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Conditional Use Permit CUP18-00008, subject to the conditions of approval as shown in Attachment "A".

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

ADOPTED AND APPROVED on this 12th day of July 2018.

Tom Murphy, Chair, Planning Commission

ATTEST:

Secretary, Planning Commission