

## **ORDINANCE NO. 2019-03**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, ADOPTING A DEVELOPMENT CODE AMENDMENT PERTAINING TO PERSONAL STORAGE IN TITLE 16(DCA18-00002)**

**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**, the City proposes to amend Article III (Additional Uses), Article IX (Commercial and Industrial Land Use Designations) and Article X (Commercial and Industrial Development Standards) of Chapter 16.16 of the Development Code pertaining to personal storage;

**WHEREAS**, the City finds that it is necessary to amend the regulations, as the amendment would open up areas that would permit personal storage facilities, while at the same time making the process by which to approve personal storage a discretionary decision. Through the conditional use permit (CUP) process, the City will have the opportunity to determine if the use is appropriate for the neighborhood and if sufficient access is provided to the property; and

**WHEREAS**, the proposed Development Code amendment is 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; and

**WHEREAS**, on November 8, 2018, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Development Code Amendment and concluded said hearing on that date; and

**WHEREAS**, on January 22, 2019, the City Council of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Development Code Amendment and concluded said hearing on that date; and

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

**NOW THEREFORE**, THE CITY COUNCIL OF THE CITY OF HESPERIA DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby specifically finds that all of the facts set forth in this Ordinance are true and correct.

Section 2. Based upon substantial evidence presented to the Council, including written and oral staff reports, the Council 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 Ordinance, this Council hereby adopts Development Code Amendment DCA18-00002, amending the personal storage regulations in Title 16 as shown on Exhibit "A."

Section 4. This Ordinance shall take effect thirty (30) days from the date of adoption.

Section 5. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Resolution No. 2007-101.

**ADOPTED AND APPROVED** on this 22<sup>nd</sup> day of January 2019.

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Larry Bird, Mayor

ATTEST:

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Melinda Sayre  
City Clerk