

## **RESOLUTION NO. 2019-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A TENTATIVE TRACT MAP TO CREATE 16 SINGLE-FAMILY RESIDENTIAL LOTS ON 11.1 ACRES OF A 20.2 GROSS ACRE SITE LOCATED ON THE WEST SIDE OF ARROWHEAD LAKE ROAD, APPROXIMATELY 900 FEET SOUTH OF CALPELLA AVENUE (TT17-00002/TT-17339)**

**WHEREAS**, Yogesh Goradia has filed an application requesting approval of Tentative Tract Map No. TT-17339, Case Number TT17-00002 described herein (hereinafter referred to as "Application"); and

**WHEREAS**, the Application applies to the east 11.1 acres of a 20.2 gross acre site within the Rural Residential-Special Development (RR-SD) designation located on the west side of Arrowhead Lake Road, approximately 900 feet south of Calpella Avenue and consists of Assessor's Parcel Numbers 0398-031-41 & 42; and

**WHEREAS**, the Application, as contemplated, proposes to create 16 single-family residential lots and a retention basin; and

**WHEREAS**, Yogesh Goradia has also filed an application requesting approval to change the General Plan Land Use designation of the subject property from Rural Residential-Special Development (RR-SD) to Single-Family Residence with a minimum lot size of 18,000 square feet (R1-18000); and

**WHEREAS**, the subject site is currently vacant. The properties to the north are vacant and include a single-family residence. The land is vacant to the south and west. Hesperia Lake Park exists to the east; and

**WHEREAS**, the subject property is currently within the Rural Residential-Special Development (RR-SD) designation, which is proposed to be changed to R1-18000. The properties to the north and west are within the RR-20000 zone. The land to the south is within the Rural Residential-Special Development (RR-SD) zone. The land to the east is zoned Public (P-Park/Rec); and

**WHEREAS**, an environmental Initial Study for the proposed project was completed on January 28, 2019, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND19-01 was subsequently prepared; and

**WHEREAS**, on February 14, 2019, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

**WHEREAS**, on March 19, 2019, the City Council of the City of Hesperia conducted a duly noticed 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 CITY COUNCIL AS FOLLOWS:**

Section 1. The City Council 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 City Council during the above-referenced March 19, 2019 hearing, including public testimony and written and oral staff reports, this Council specifically finds as follows:

- (a) Based upon Negative Declaration ND19-01 and the initial study which supports the Mitigated Negative Declaration, the City Council finds that there is no substantial evidence that the proposed Tentative Tract will have a significant effect on the environment;
- (b) The City Council has independently reviewed and analyzed the Negative Declaration, and finds that it reflects the independent judgement of the Commission, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.
- (c) The site is physically suitable for the type of development because there are no known physical constraints to residential development and the site has adequate area to accommodate the proposed lots. The project site is currently undisturbed by physical development and the development is not required to demolish or build around existing improvements. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision; and
- (d) The site is physically suitable for the proposed density of development because the lots are adequate in size and shape and all Development Code regulations for the permitted uses can be met.
- (e) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat because the project site is surrounded by existing development and not known to have fish, wildlife or related habitat; and
- (f) The design of the subdivision or type of improvements are not likely to cause serious public health problems because all construction will require necessary permits and will conform to the City's adopted building and fire codes. Prior to any ground disturbance, improvement plans for drainage, erosion, sewer, water, and circulation are required to be submitted to ensure on-site and off-site improvements are constructed to the latest standards. The project will connect to a reliable potable water source and will use private

septic systems ensuring sanitary disposal of wastewater. Upon development of the residences, each home will be required to have trash pickup service from the City's franchised waste hauler; and

- (g) The design or improvement of the proposed subdivision is consistent with the General Plan of Hesperia as the project supports the existing land use and circulation pattern in the area; and
- (h) The design of the subdivision provides to the extent feasible, passive or natural heating and cooling opportunities to each of the proposed lots. All single-family residences must meet the minimum energy efficiency standards in Title 24, which mandates building insulation, whole house fans, and light/ventilation systems to make the homes energy efficient.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Council hereby approves Tentative Tract TT17-00002 (TT-17339), subject to the Conditions of Approval as set forth in ATTACHMENT "A" and the Mitigated Negative Declaration ND-2019-01 which is attached to the staff report for this item.

Section 4. That City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**ADOPTED AND APPROVED** this 19<sup>h</sup> day of March 2019.

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Larry Bird, Mayor

ATTEST:

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Melinda Sayre  
City Clerk