



## ATTACHMENT 3

**DATE:** March 14, 2019  
**TO:** Planning Commission  
**FROM:** Chris Borchert, Acting Principal Planner  
**BY:** Ryan Leonard, Senior Planner  
**SUBJECT:** Specific Plan Amendment SPLA19-00001; Guillermo Calixto; APNs: 0357-303-04 & 05

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### RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2019-08 recommending that the City Council introduce and place on first reading an ordinance approving SPLA19-00001.

### BACKGROUND

**Proposal:** A Specific Plan Amendment to change approximately 4.1 gross acres, of a 4.9 gross acre site within the Main Street and Freeway Corridor Specific Plan from Regional Commercial (RC) to Rural Estate Residential (RER) (Attachment 1). The Rural Estate Residential (RER) would permit single-family residences on lot sizes of 18,000 square feet or more, and would be permitted to have accessory or animal uses similar to those permitted in Rural Residential areas of the City.

**Location:** At the southeast corner of Blue Jay Way and Finch Court (APNs: 0357-303-04 & 05)

**General Plan and Land Uses:** The subject property consists of two parcels totaling approximately 4.9 gross acres. Approximately 4.1 gross acres of the site is zoned Regional Commercial (RC) within the Main Street and Freeway Corridor Specific Plan (Specific Plan) and approximately 0.8 gross acres is zoned Rural Estate Residential within the Specific Plan. The surrounding land is designated as noted on Attachment 1. Single-family residences are located to the south and east of the site. The properties to the north and west are vacant (Attachment 2). The eastern portion of APN 0357-303-05 is affected by the Oro Grande Wash and approximately 35,000 square feet is within the Wash Protection Overlay of the Specific Plan.

### ISSUES/ANALYSIS

**Land Use:** In 2015 the applicant purchased the subject property with the intention of building a family home. After the applicant purchased the property they were informed that the parcels were zoned Regional Commercial (RC) and single family homes were not a permitted use. The applicant is now proposing a Specific Plan Amendment to change approximately 4.1 acres, of a 4.9 acre site within the Main Street and Freeway Corridor Specific Plan from Regional Commercial (RC) to Rural Estate Residential (RER).

The subject parcels are bordered by other single family homes to the south and east. Furthermore, the properties to the west and south of the site are zoned Rural Estate Residential within the

Specific Plan. The properties to the east are unincorporated but are also zoned Rural Residential. Therefore, the proposed Specific Plan Amendment is consistent with the properties to the east, west and south of the site.

In addition, the subject parcels are located approximately 700 feet east of Mariposa Road. The subject parcels are served by residential streets and are located near residential properties. Therefore, the site is not suitable for commercial development and is unlikely to be developed as a commercial use in the future. For these reasons staff supports the proposed Specific Plan Amendment.

**Drainage:** The development is required to handle the increase in storm water runoff as a result of construction of this project. The applicant will be required to submit a drainage study when they apply for building permits.

**Water and Sewer:** The applicant shall obtain approval of an Out-Of-Area Service Agreement and Will Serve letter from County Service Area 70, Zone J. The subject parcels will be served by an approved septic system.

**Environmental:** The project 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. The proposed Specific Plan Amendment is 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 Specific Plan Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan.

**Conclusion:** The proposed Specific Plan Amendment will allow the applicant to build a single family home. The subject parcels are located adjacent to other single family homes and residentially zoned properties. The proposed Rural Estate Residential zoning is appropriate at this location and conforms to the policies of the City's General Plan and standards of the Development Code and Specific Plan with adoption of the Specific Plan Amendment.

## **FISCAL IMPACT**

None.

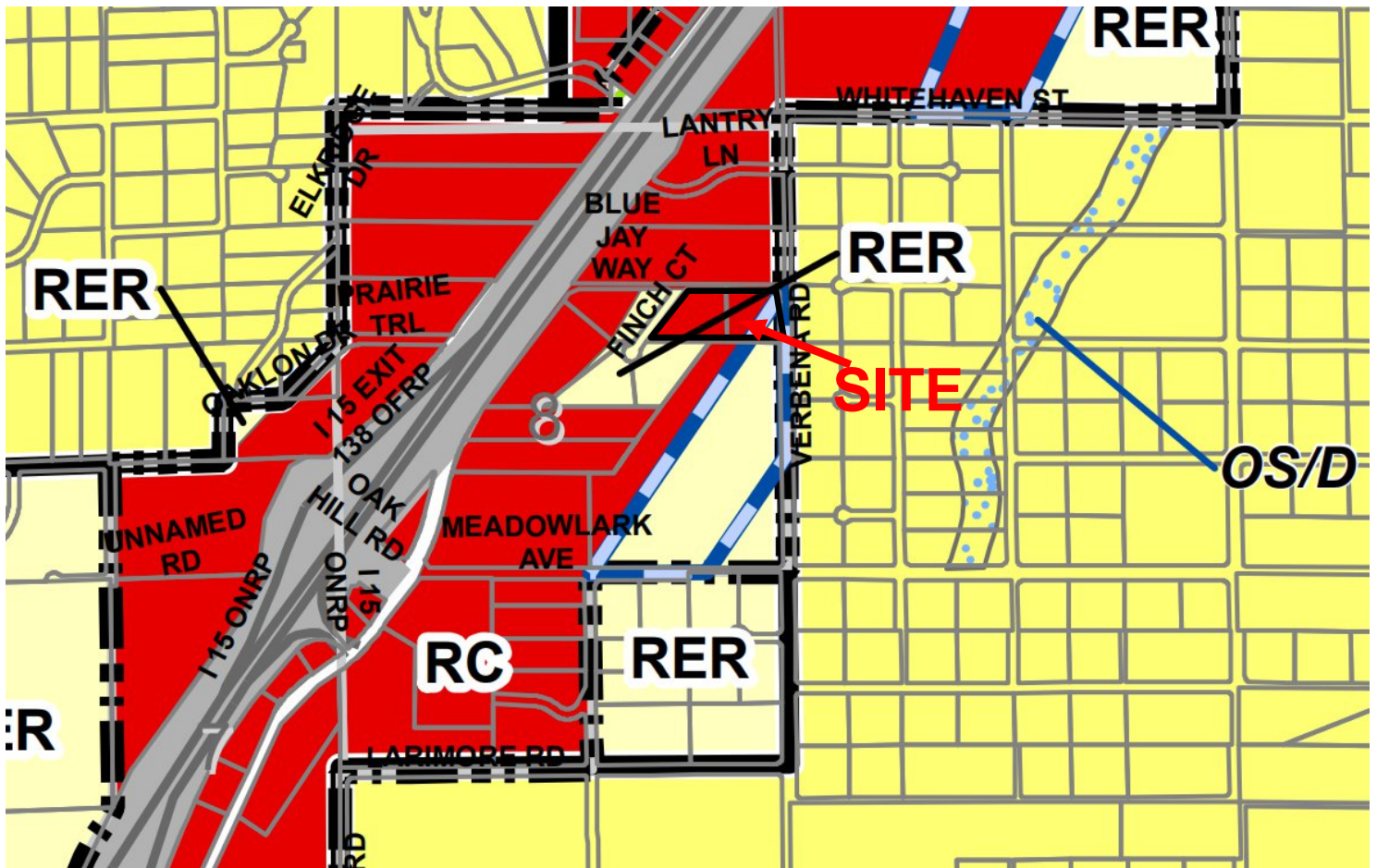
## **ALTERNATIVE(S)**

Provide alternative direction to staff.

## **ATTACHMENT(S)**

1. General Plan Map
2. Aerial Photo
3. Resolution No. PC-2019-08 with Exhibit "A"

# ATTACHMENT 1



**APPLICANT:**  
GUILLERMO CALIXTO

**FILE NO:**  
SPLA19-00001

**LOCATION:**  
SOUTHEAST CORNER OF BLUE JAY WAY AND FINCH COURT

**APN (S):** 0357-303-04 & 05)

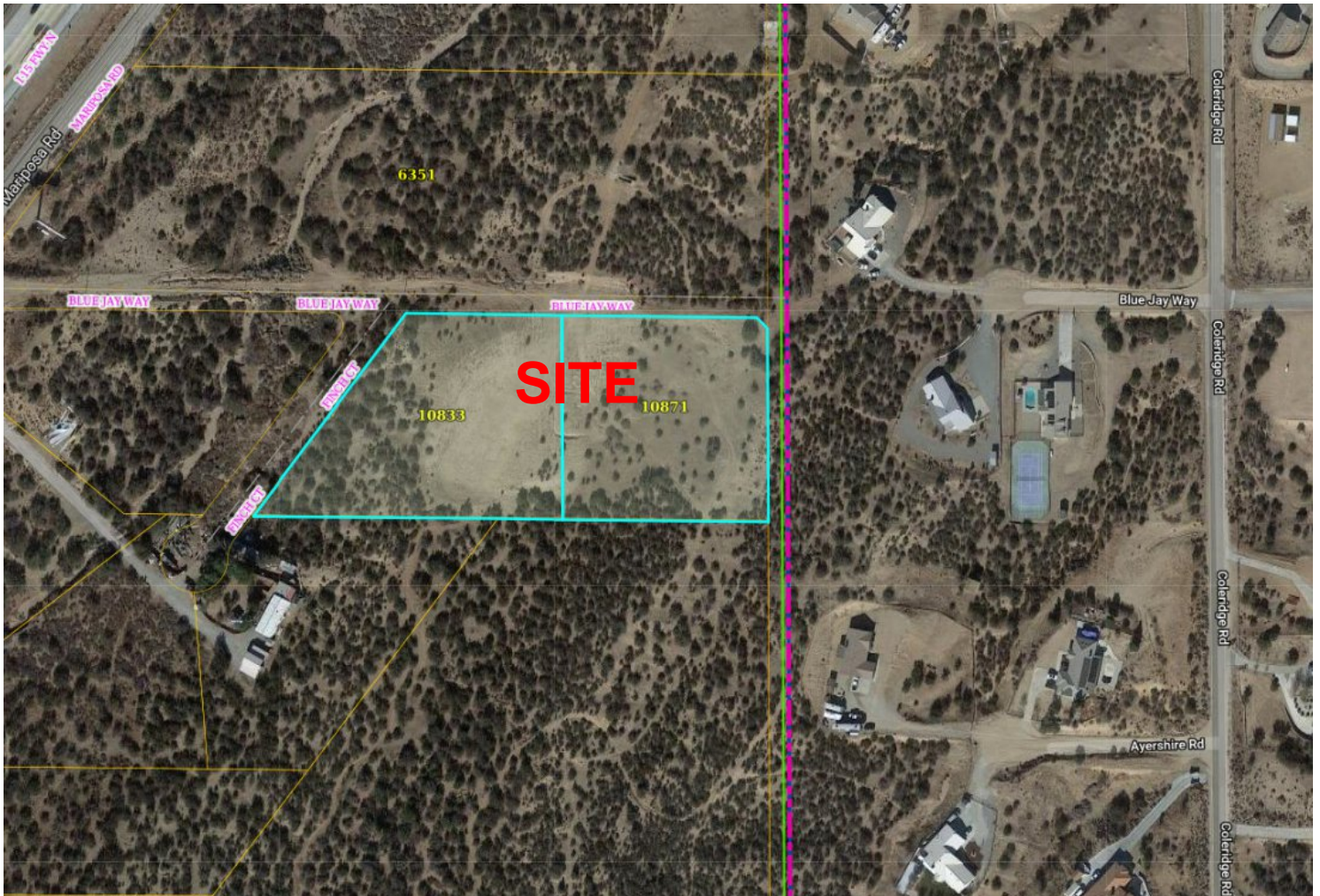
**PROPOSAL:**  
CONSIDERATION OF SPECIFIC PLAN AMENDMENT SPLA19-00001 TO CHANGE APPROXIMATELY 4.1 ACRES, OF A 4.9 GROSS ACRE SITE WITHIN THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN FROM REGIONAL COMMERCIAL (RC) TO RURAL ESTATE RESIDENTIAL (RER)



## GENERAL PLAN MAP



# ATTACHMENT 2



**APPLICANT:**  
GUILLERMO CALIXTO

**FILE NO:**  
SPLA19-00001

**LOCATION:**  
SOUTHEAST CORNER OF BLUE JAY WAY AND FINCH COURT

**APN (S):** 0357-303-04 & 05)

**PROPOSAL:**  
CONSIDERATION OF SPECIFIC PLAN AMENDMENT SPLA19-00001 TO CHANGE APPROXIMATELY 4.1 ACRES, OF A 4.9 GROSS ACRE SITE WITHIN THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN FROM REGIONAL COMMERCIAL (RC) TO RURAL ESTATE RESIDENTIAL (RER)

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**AERIAL PHOTO**

# ATTACHMENT 3

## RESOLUTION NO. PC-2019-08

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A SPECIFIC PLAN AMENDMENT TO CHANGE APPROXIMATELY 4.1 GROSS ACRES, OF A 4.9 GROSS ACRE SITE WITHIN THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN FROM REGIONAL COMMERCIAL (RC) TO RURAL ESTATE RESIDENTIAL (RER) (SPLA19-00001)**

**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**, On September 2, 2008, the City Council of the City of Hesperia adopted Ordinance No. 2008-12, thereby adopting the Main Street and Freeway Corridor Specific Plan; and

**WHEREAS**, Guillermo Calixto has filed an application requesting approval of SPLA19-00001 described herein (hereinafter referred to as the "Application"); and

**WHEREAS**, the application proposes to change approximately 4.1 gross acres, of a 4.9 gross acre site within the Main Street and Freeway Corridor Specific Plan from Regional Commercial (RC) to Rural Estate Residential (RER); and

**WHEREAS**, the application consists of two parcels totaling approximately 4.9 gross acres. Approximately 4.1 gross acres of the site is zoned Regional Commercial (RC) within the Main Street and Freeway Corridor Specific Plan (Specific Plan) and approximately 0.8 gross acres is zoned Rural Estate Residential within the Specific Plan; and

**WHEREAS**, single-family residences are located to the south and east of the site. The properties to the north and west are vacant; and

**WHEREAS**, the project 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. The proposed Specific Plan Amendment is exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as Specific Plan Amendments are exempt if they do not propose to increase the density or intensity allowed by the General Plan; and

**WHEREAS**, on March 14, 2019, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed amendment 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. The site of the proposed Amendment is suitable for the land uses allowed in the Rural Estate Residential zoning classification, and a single family residence can meet the standards for setbacks, height, lot coverage, parking and circulation within the proposed Specific Plan designation.

Section 3. The proposed change in zone will not have a significant adverse impact on surrounding properties or the community in general, because the majority of the surrounding properties are already developed with existing single-family residences. Zone J currently serves the residences in the surrounding area and has issued a will-serve letter for the subject site.

Section 4. Based upon substantial evidence presented to the Commission, including written and oral staff reports, the Commission specifically finds that the proposed Ordinance is consistent with the goals and objectives of the adopted General Plan. The subject site is capable of utilizing existing supporting infrastructure and municipal services, as directed by the City's adopted General Plan.

Section 5. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends adoption of Specific Plan Amendment SPLA19-00001, to change approximately 4.1 gross acres, of a 4.9 gross acre site within the Main Street and Freeway Corridor Specific Plan from Regional Commercial (RC) to Rural Estate Residential (RER) as shown on Exhibit "A."

Section 6. That the Secretary shall certify to the adoption of this Resolution.

**ADOPTED AND APPROVED** on this 14<sup>th</sup> day of March 2019.

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Tom Murphy, Chair, Planning Commission

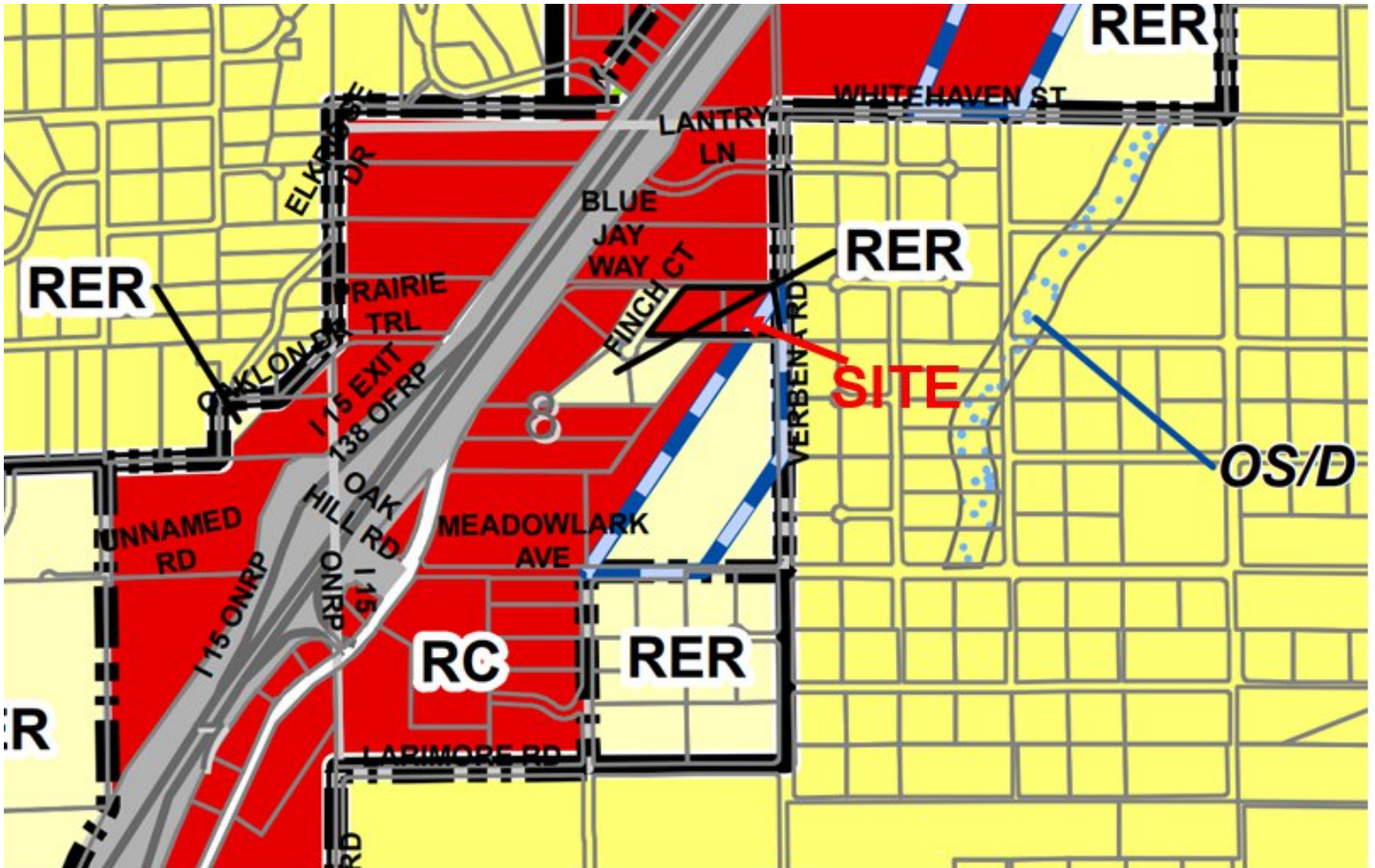
ATTEST:

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Cecilia Alonzo, Secretary, Planning Commission



# Exhibit "A"



SPLA19-00001

A SPECIFIC PLAN AMENDMENT TO CHANGE APPROXIMATELY 4.1 GROSS ACRES, OF A 4.9 GROSS ACRE SITE WITHIN THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN FROM REGIONAL COMMERCIAL (RC) TO RURAL ESTATE RESIDENTIAL (RER)