

ATTACHMENT 5

RESOLUTION NO. PC-2019-24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE A TENTATIVE PARCEL MAP TPM19-00004 (PM-20019), TO CREATE TWO SINGLE-FAMILY RESIDENTIAL LOTS ON 4.8 GROSS ACRES LOCATED 300 FEET SOUTH OF MESQUITE STREET, ON THE EAST SIDE OF OPAL AVENUE (TPM19-00004)

WHEREAS, Mas Tierra, Inc. has filed an application requesting approval of TPM19-00004 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to approximately 4.8 gross acres located within the Rural Residential with a minimum lot size of 2½ acres (RR-2½) designation located 300 feet south of Mesquite Street, on the east side of Opal Avenue and consists of Assessor's Parcel Number 0405-371-37; and

WHEREAS, the Application, as contemplated, proposes to create two parcels on approximately 4.8 gross acres; and

WHEREAS, Mas Tierra, Inc. has also filed an application requesting approval of General Plan Amendment GPA19-00001, which will change the General Plan Land Use designation of the subject property from RR-2½ to Rural Residential with a minimum lot size of one-acre (RR-1); and

WHEREAS, the subject site is vacant. The properties to the north, south and west contain single-family residences. A Southern California Edison Transmission Tower Corridor extends along the east side of the property; and

WHEREAS, the subject property is currently within the RR-2½ designation, which is proposed to be changed to RR-1. A small portion of the property to the east is designated Utility Corridor (UC), as a portion of the property is part of the Southern California Edison Transmission Tower Corridor. The properties to the north, south, and west are within the RR-2 ½ designation. The property to the east is within the Utility Corridor (UC) designation; and

WHEREAS, the project is exempt from the requirements of the California Environmental Quality Act by 15061(b)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

WHEREAS, on September 12, 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, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESERIA 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 September 12, 2019 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The proposed map is consistent with the City's General Plan of the City of Hesperia, with approval of General Plan Amendment GPA19-00001.
- (b) 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.
- (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 parcels.
- (d) The site is physically suitable for the proposed density of residential development because the parcels are adequate in size and shape and all regulations applicable to the development can be met with approval of GPA19-00001.
- (e) 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.
- (f) That 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, property within the proposed subdivision.

Section 3. Based on the findings and conclusions set forth in this Resolution, the Planning Commission hereby recommends that the City Council approve TPM19-00004 (PM-20019) 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 September 2019.

Cody Leis, Chair, Planning Commission

ATTEST:

Amanda Malone, Secretary, Planning Commission