

ORDINANCE NO. 2020-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, AMENDING TITLE 16, CHAPTER 16.20 OF THE HESPERIA MUNICIPAL CODE MODIFYING THE RESIDENTIAL AND NON-RESIDENTIAL PARKING STANDARDS RELATED TO COMMERCIAL VEHICLE PARKING, AND AMENDING TITLE 10, CHAPTER 10.25 OF THE HESPERIA MUNICIPAL CODE RELATED TO A TRUCK ROUTE PROGRAM.

WHEREAS, the City of Hesperia has the authority and responsibility to protect the public health, safety, and welfare; and

WHEREAS, Title 16, Chapter 16.20 of the Hesperia Municipal Code contains residential and non-residential parking standards, specific to commercial vehicles; and

WHEREAS, Title 10, Chapter 10.25 of the Hesperia Municipal Code contains provisions for a truck route program, specific to commercial vehicles, and;

WHEREAS, the City currently allows commercial vehicle owners and operators to park commercial vehicles on properties greater than 18,000 square feet, with increasing numbers of vehicles allowed as lot sizes increase; and

WHEREAS, the allowance of an excess of commercial vehicles has caused some properties to be used in a manner that resembles a small scale trucking operation, or enables the subletting of commercial parking spaces in residential neighborhoods; and

WHEREAS, commercial vehicles traveling on residential streets causes aging and dilapidation of the roadway in excess of what would be expected; and

WHEREAS, modifying the residential and non-residential parking standards for commercial vehicles will allow owner-operators to continue to park their vehicle at their residence; reduce trip traffic by commercial vehicles on residential roadways and prohibit the use of residences as truck yards, maintaining the residential nature of neighborhoods; and

WHEREAS, a residential truck parking permit can ensure that owner-operators continue to enjoy the privilege of parking at their residence, while preserving the City roadways and residential neighborhoods from excessive commercial vehicle traffic, and;

WHEREAS, the City of Hesperia, due to the proximity to the Interstate-15 Freeway, and the current truck route regulations, which provide for unlimited access to all roadways in the City, has become a preferred through-way for commercial vehicles traveling to other places; and

WHEREAS, the City Council desires to limit the roadways that are available for commercial vehicles to use within the City limits, reducing trip traffic, and preserving the roadways from advanced aging and dilapidation; and

WHEREAS, a Truck Route Program is necessary to identify the streets where commercial vehicles may travel within the City; and

WHEREAS, the City Council is authorized under California Vehicle Code Section 35701(a) to prohibit the use of a street by any commercial vehicle or by any vehicle exceeding a maximum gross weight limit, by ordinance; and

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

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

Section 1. All of the facts set forth in the forgoing recitals are true, correct and are adopted as findings.

Section 2. Title 16, Chapter 16.20 of the Hesperia Municipal Code is hereby amended as set forth in Exhibit "A", attached hereto.

Section 3. Title 16, Chapter 16.20, Section 16.20.095 of the Hesperia Municipal Code is hereby amended as set forth in Exhibit "B", attached hereto

Section 4. Title 10 Chapter 10.25 of the Hesperia Municipal Code is hereby amended as set forth in Exhibit "C", attached hereto.

Section 5. The Truck Route Program is hereby established as described in Exhibit "B".

Section 6. The Plan of Truck Routes may be established or amended by Resolution.

Section 7. This Ordinance shall take effect on February 5, 2021.

Section 8. The City Council of the City of Hesperia hereby declares that should any provision, section, paragraph, sentence, or word of this Ordinance hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words shall remain in full force and effect.

Section 9. The City Clerk shall certify to the adoption of the 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 93-78.

ADOPTED AND APPROVED this 19th Day of January, 2021

Cameron Gregg, Mayor

ATTEST

Melinda Sayre, City Clerk