

## **ORDINANCE 2023-06**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, ADOPTING A SPECIFIC PLAN AMENDMENT AND GENERAL PLAN AMENDMENT TO CHANGE AN APPROXIMATELY 0.93 GROSS ACRE SITE WITHIN THE TAPESTRY SPECIFIC PLAN DESIGNATED AS OPEN SPACE (OS) TO RURAL RESIDENTIAL WITH A 20,000 ACRE MINIMUM LOT SIZE (RR-20,000) (SPLA23-00001 AND GPA23-00001)**

**WHEREAS**, on September 7, 2010, the City Council of the City of Hesperia adopted the City's General Plan Update, currently applicable in regards to development within the City; and

**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 January 26, 2016, the City Council of the City of Hesperia adopted Ordinance No., thereby adopting the Tapestry Specific Plan; and

**WHEREAS**, Adam Ahmed has initiated an application for SPLA23-00001 and GPA23-00001 described herein (hereinafter referred to as the "Application") for assessor's parcels 0357-211-22, and 0357-221-34; and

**WHEREAS**, the application proposes to change approximately 0.93 gross acre within the Tapestry Specific Plan from Open Space (OS) to Rural Residential with a 20,000 square foot minimum lot size (RR-20,000); and

**WHEREAS**, the site is currently zoned Open Space (OS) which does not allow for residential uses; and

**WHEREAS**, the properties to the north, south, and east are within the Tapestry Specific Plan (OS) zone and the properties to the west are within the General Agriculture (A2) zoning district; 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.

**WHEREAS**, on March 9, 2023, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed amendment and forwarded this item to the City council with a recommendation for approval; and

**WHEREAS**, on April 18, 2023 the City Council 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 Ordinance have occurred.

**WHEREAS**, all legal prerequisites to the adoption of this Resolution 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 Resolution are true and correct.

Section 2. The subject parcels of the proposed Amendments are suitable for the land

uses allowed in the Rural Residential (RR) zoning classification, and adequate space exists which 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 project is bounded by land that within the Tapestry Specific Plan (OS) zone to the north, south, and east. The properties to the west are within the General Agriculture (A2) zone and developed with residential uses.

Section 4. Based upon substantial evidence presented to the City 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. The subject parcels are 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 Council hereby recommends adoption of Specific Plan Amendment SPLA23-00001 and General Plan Amendment GPA23-00001 to change an approximately 0.93 gross acre site from Open Space (OS) to Rural Residential with a 20,000 square foot minimum lot size (RR-20,000).

Section 6. This Ordinance shall take effect thirty (30) days from the date of adoption.

Section 7. 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 2<sup>nd</sup> day of May 2023.

  
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Brigit Bennington, Mayor

ATTEST:

  
\_\_\_\_\_  
Erin Baum, Assistant City Clerk



**STATE OF CALIFORNIA**  
**COUNTY OF SAN BERNARDINO**  
**CITY OF HESPERIA**

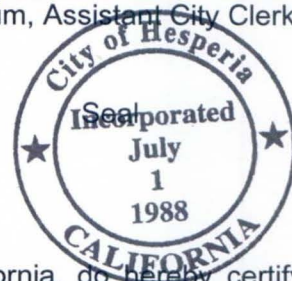
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I, Erin Baum, Assistant City Clerk of the City of Hesperia, California, do hereby certify that Ordinance No. 2023-06 was introduced at a Regular Meeting of the City of Hesperia City Council held on the 18<sup>th</sup> day of April, 2023 by the following vote to wit:

AYES: Bird, Bennington, Gregg, Lee, Swanson  
NOES: None  
ABSTAIN: None  
ABSENT: None



Erin Baum, Assistant City Clerk



I, Erin Baum, Assistant City Clerk of the City of Hesperia, California, do hereby certify that Ordinance No. 2023-06 was duly and regularly adopted at a Special Meeting of the City of Hesperia City Council held on the 2<sup>nd</sup> day of May, 2023 by the following vote to wit:

AYES: Bird, Bennington, Gregg, Lee, Swanson  
NOES: None  
ABSTAIN: None  
ABSENT: None



Erin Baum, Assistant City Clerk



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I, Erin Baum, Assistant City Clerk of the City of Hesperia, California, do hereby certify that the foregoing Ordinance No. 2023-06 is a full, true and correct copy of that now in file in this office.

**IN WITNESS WHEREOF**, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE SEAL OF THE City of Hesperia, California, this 2 day of May, 2023



Erin Baum, Assistant City Clerk



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