

ORDINANCE NO. 2014-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, ADOPTING A SPECIFIC PLAN AMENDMENT TO AMEND THE VEHICLE SERVICE AND REPAIRS STANDARDS TO INCLUDE OUTDOOR HOISTS (SPLA14-00001)

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, The Main Street and Freeway Corridor Specific Plan regulations pertain to vehicle service and repairs in Neighborhood Commercial (NC), Regional Commercial (RC), Commercial/Industrial Business Park (CIBP), and Auto Sales Commercial (ASC) land use designations; and

WHEREAS, The City finds that it is necessary to amend the Vehicle Service and Repairs standards to include outdoor hoists; and

WHEREAS, The proposed Specific Plan Amendment 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; and

WHEREAS, On February 13, 2014, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Specific Plan Amendment and concluded said hearing on that date; and

WHEREAS, On March 18, 2014, the City Council of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Specific Plan Amendment and concluded said hearing on that date; and

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

NOW THEREFORE, BE IT RESOLVED THAT THE HESPERIA CITY COUNCIL DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby specifically finds that all of the facts set forth in this Ordinance are true and correct.

Section 2. Based upon substantial evidence presented to the Council, including written and oral staff reports, this Council specifically finds that the proposed Ordinance is consistent with the goals and objectives of the adopted General Plan.

Section 3. Based on the findings and conclusions set forth in this Ordinance, this Council hereby approves adoption of Specific Plan Amendment SPLA14-00001, amending the Specific Plan regulations to permit outdoor hoists as shown on Exhibit "A."

Section 4. This Ordinance shall take effect thirty (30) days from the date of adoption.

Section 5. 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 Ordinance No. 2007-101.

ADOPTED AND APPROVED this 1st day of April 2014.



Thurston Smith, Mayor

ATTEST:



Melinda Sayre-Castro
City Clerk

EXHIBIT "A"

The following text shall be added to Chapter 9(B) Regional Commercial Zone, subsection 4.10. Outdoor Displays, Storage, Equipment, and Work Areas:

(3) Outdoor hoists are subject to the conditions and standards listed in Chapter 9(C)(4.18).

The following text shall be added to Chapter 9(C) Auto Sales Commercial Zone, subsection 4.17. Vehicle Sales, Leasing or Rental:

(12). Recreational Vehicle Camper sales, leasing or rental are permitted to have outdoor hoists subject to the conditions and standards listed in Chapter 9(C)(4.18).

The following text shall be added to Chapter 9(C) Auto Sales Commercial Zone, subsection 4.18. Additional Standards for Vehicle Service and Repairs (Major or Minor):

1. Limited Exception for Outdoor Hoists: Facilities that are intended for the repair or sale of Recreational Vehicle (RVs) (i.e. motorhomes) shall be permitted to have outdoor hoists as an ancillary use in areas designated in Neighborhood Commercial (NC), Regional Commercial (RC), Commercial/Industrial Business Park (CIBP), and Auto Sales Commercial (ASC) land use designations with approval of a conditional use permit. Under limited circumstances as outlined herein, the reviewing authority may permit outdoor hoists if proposed on an existing facility with at least one building from which RVs repairs and sales exist or are proposed; and the site is limited by building space and existing improvements. Facilities that satisfy such conditions shall be subject to the following standards:
 - a. Hoists shall not be placed within any setback, required parking, drive aisle, landscaping or accessible path of travel.
 - b. Outdoor hoists and associated repair activities shall not be visible from any right-of-way (i.e. street or highway) and shall be adequately screened.
 - c. The area on which hoists are stationed should be completely paved.
 - d. The outdoor hoists shall be operated with a limited accumulation of parts, equipment, and debris in and around the hoist.
 - e. Outdoor hoists shall be installed a minimum distance of 300 feet from any residence or residential zone. An acoustical study shall be required if outdoor hoists are requested to be placed less than 300 feet from any residence or residential zone.
 - f. Activities associated with outdoor hoists shall be operated between the hours of seven am to seven pm if hoists are located within 500 feet from any residence or residential zone.
 - g. Outdoor hoists shall be an accessory use to a RV repair business. Outdoor hoists themselves shall not be the sole form of repairing RVs.
 - h. Newly developed RV repair businesses are required to keep all hoists indoors. Hoists may be permitted outdoors subject to these regulations, if the proposal demonstrates that the site is constrained by size or any other physical constraint on the property.

The following text shall be added to Chapter 9(H) Commercial/Industrial Business Park Zone, subsection 4.10. Outdoor Displays, Storage, Equipment, and Work Areas:

- (3) Outdoor hoists are subject to the conditions and standards listed in Chapter 9(C)(4.18).

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO
CITY OF HESPERIA

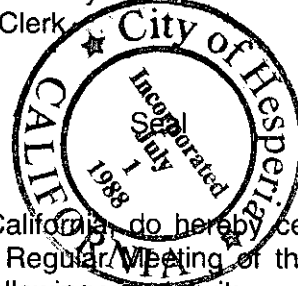
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I, Melinda Sayre-Castro, City Clerk of the City of Hesperia, California, do hereby certify that Ordinance No. 2014-06 was introduced at a Regular Meeting of the City of Hesperia City Council held on the 18th day of March, 2014 by the following vote to wit:

AYES: Smith, Holland, Leonard, and Blewett
NOES: None
ABSTAIN: None
ABSENT: Schmidt



Melinda Sayre-Castro
City Clerk

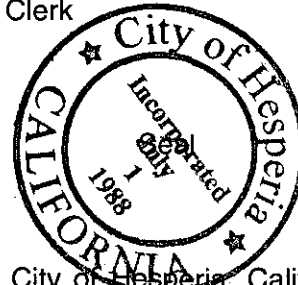


I, Melinda Sayre-Castro, City Clerk of the City of Hesperia, California, do hereby certify that Ordinance No. 2014-06 was duly and regularly adopted at a Regular Meeting of the City of Hesperia City Council held on the 1st day of April, 2014 by the following vote to wit:

AYES: Blewett, Holland, Schmidt, and Smith
NOES: None
ABSTAIN: None
ABSENT: Leonard



Melinda Sayre-Castro
City Clerk



I, _____, City Clerk of the City of Hesperia, California, do hereby certify that the foregoing Ordinance No. 2014-06 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 _____ day of _____.

Melinda Sayre-Castro
City Clerk

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