FILED

JUN 24 2020

BY _____ DEPUTY
REGISTRAR OF VOTERS

RESOLUTION NO. 2020-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, ORDERING THE SUBMISSION TO THE VOTERS A MEASURE THAT AMENDS TITLES 16 AND 17 OF THE HESPERIA MUNICIPAL CODE AND THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN BY (1) REDUCING THE NUMBER OF NEW HOMES FROM EIGHT TO THREE PER ACRE, (2) REDUCING THE NUMBER OF APARTMENTS AND MULTIFAMILY DWELLINGS FROM 25 TO EIGHT UNITS PER ACRE, (3) MAINTAINING CURRENT HIGH STANDARDS FOR APARTMENT SIZES, WITH (1) THROUGH (3) BECOMING OPERATIVE WHEN STATE LAW ALLOWS; AND (4) LIMITING EXTENSIONS FOR RESIDENTIAL TRACT/PARCEL MAPS TO THE STATE LAW MINIMUM AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, AND CONSOLIDATED WITH THE STATEWIDE ELECTION TO BE HELD ON THAT DATE PURSUANT TO ELECTIONS CODE SECTION 10403, AS PROVIDED IN RESOLUTION NO. 2020-46; AND ADOPTING A NEGATIVE DECLARATION RELATING TO SUCH A MEASURE

WHEREAS, by Resolution No. 2020-46, the City Council of the City of Hesperia ("City") called a General Municipal Election on November 3, 2020, and requested the San Bernardino County Board of Supervisors to consent and agree to the consolidation of the General Municipal Election with the election to be conducted by San Bernardino County and to be held on Tuesday, November 3, 2020; and

WHEREAS, the City Council now desires to submit to the voters for consideration at the General Municipal Election on November 3, 2020, a ballot measure which will (1) reduce the number of new homes from eight to three per acre, (2) reduce the number of apartments and multifamily dwellings from 25 to eight units per acre, (3) maintain current high standards for apartment sizes, with (1) through (3) becoming operative when State law allows; and (4) limit extensions for residential tract/parcel maps to the state law minimum; and

WHEREAS, the City Council is authorized by statute to submit to the voters the foregoing ballot measure, and the City Council therefore wishes to have the voters consider the same at the General Municipal Election to be held on November 3, 2020.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the City Council of the City of Hesperia, pursuant to its right and authority, hereby orders submitted to the City's voters at the General Municipal Election to be held on Tuesday, November 3, 2020, to be consolidated with the Statewide General Election to be held on the same date, as provided further in Resolution No. 2020-46, an ordinance which (1) reduces the number of new homes from eight to three per acre, (2) reduces the number of apartments and multifamily dwellings from 25 to eight units per acre, (3) maintains current high standards for apartment sizes, with (1) through (3) becoming operative when State law allows; and (4) limits extensions for residential tract/parcel maps to the state law minimum. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is specified below in Section 2 of this Resolution. The measure shall be entitled the "**Hesperia Sustaining Affordable Water Supply & Ensuring Responsible Growth Measure**." The City's designated elections official is hereby authorized and directed to make any changes to the text of the proposition or this resolution as required to conform to any requirements of law.

Section 2. That the City Council of the City of Hesperia hereby orders the following measure be submitted to the voters at the aforementioned consolidated General Municipal Election:

To ensure a sustainable and affordable water supply, shall the measure: (1) reducing the number of new homes from eight to three per acre, (2) reducing the number of apartments and multifamily dwellings from 25 to eight units per acre, (3) maintaining current high standards for apartment sizes, with (1) through (3) becoming operative when State law allows; and (4) limiting extensions for residential tract/parcel maps to the state law minimum, be adopted?	YES
	NO

Section 3. That the text of the proposed ordinance as provided above that is to be submitted to the voters is attached as Exhibit "A" to this Resolution ("Ordinance"). The City's designated elections official is hereby authorized and directed to make any changes to the text of the Ordinance as required to conform to any requirements of law.

Section 4. That the vote requirement for the measure to pass is a majority (50% +1) of the votes cast.

Section 5. That the City's designated elections official is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

Section 6. That the ballots to be used at the election shall be in form and content as required by law, and that the election shall be held and conducted in the manner prescribed by law.

Section 7. That the City Council authorizes its designated elections official to administer the election and is authorized, instructed, and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

Section 8. Pursuant to California Election Code Section 10242, the polls for the General Municipal Election shall open at seven o'clock a.m. on the day of the election, and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as otherwise provided in California Election Code Section 14401.

Section 9. That in all particulars not recited in this Resolution, the General Municipal Election shall be held and conducted in accordance with the provisions of law regulating municipal and statewide elections, including, but not limited to, Elections Code Section 10418.

Section 10. That notice of the time and place of holding the consolidated General Municipal Election is hereby given and the City's designated elections official is authorized, instructed and directed to give further or additional notice of the election, in the time, form and manner required by law.

Section 11. That pursuant to Sections 10402 and 10403 of the Elections Code, pursuant to its Resolution No. 2020-46, the City Council called a General Municipal Election to be held on November 3, 2020, and requested that such General Municipal Election be consolidated

with the Statewide General Election to be conducted by San Bernardino County and to be held on the same date, and, accordingly, the City Council hereby further requests that the consolidated election of November 3, 2020, include the submission of the aforementioned measure entitled, "Hesperia Sustaining Affordable Water Supply & Ensuring Responsible Growth Measure" to the voters of the City of Hesperia.

Section 12. That the San Bernardino County Registrar of Voters is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

Section 13. That the San Bernardino County Board of Supervisors is requested to issue instructions to the San Bernardino County Registrar of Voters to take any and all necessary steps for the holding of this consolidated election.

Section 14. That the City of Hesperia recognizes that additional costs will be incurred by San Bernardino County by reason of this consolidation and agrees to reimburse San Bernardino County for any costs.

Section 15. That the designated elections official is hereby directed to file a certified copy of this resolution with the San Bernardino County Board of Supervisors and the San Bernardino County Registrar of Voters.

Section 16. **CEQA.** An Initial Study/Negative Declaration was prepared and completed for the Ordinance on May 5, 2020, which is incorporated herein by this reference ("Negative Declaration"). The Negative Declaration analyzed the environmental impacts of the Ordinance pursuant to the California Environmental Quality Act (CEQA) and found no substantial evidence that this Ordinance would have a significant effect on the environment pursuant to CEQA. At a public hearing on June 11, 2020, the Planning Commission adopted and approved the Negative Declaration based upon its independent judgment and on the basis of the whole record before the Planning Commission, including, but not limited to, the Negative Declaration and all oral and written presentation made by members of the public and City staff. The Planning Commission's findings and determinations as to the Negative Declaration are hereby incorporated herein by this reference. Therefore, the City Council hereby adopts and approves the Negative Declaration based upon its independent judgment and on the basis of the whole record before the City Council, including, but not limited to, the Negative Declaration, all oral and written presentation made by members of the public and City staff, and the Planning Commission's findings and determinations.

Section 17. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon passage and adoption.

APPROVED AND ADOPTED this 16th day of June, 2020.

Larry Bird, Mayor

ATTEST:

Stephanie McClure, Assistant City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) SS:
CITY OF HESPERIA)

I, Stephanie McClure, Assistant City Clerk of the City of Hesperia, do hereby certify that the foregoing Resolution, being Resolution No. 2020-46 was passed and approved by the City Council of the City of Hesperia, at a regular meeting of said Council held on June 16, 2020 and that said Resolution was adopted by the following vote:

AYES: Bird, Gregg, Holland and Bennington
NOES: Swanson
ABSENT:
ABSTAIN:

Stephanie McClure, Assistant City Clerk

Exhibit A

ORDINANCE NO. 2020-10

AN ORDINANCE OF THE PEOPLE OF THE CITY OF HESPERIA, CALIFORNIA APPROVING A REDUCTION IN THE SINGLE FAMILY RESIDENTIAL DENSITIES TO A MAXIMUM OF THREE UNITS PER ACRE, DECREASING THE MAXIMUM DENSITY IN MULTI-FAMILY RESIDENTIAL ZONES TO 8 UNITS PER ACRE, REQUIRING VOTER APPROVAL FOR REDUCTIONS IN THE CURRENT MINIMUM APARTMENT SQUARE FOOTAGES, AND REDUCING THE LENGTH OF TIME ENTITLEMENTS ARE APPROVED FOR BY MODIFYING TITLE 16 & 17 OF THE HESPERIA MUNICIPAL CODE AND THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN

WHEREAS, the City has experienced an increase in residential development, in particular small lot tract home developments and apartment construction, which substantially increases the City's need for water, fire, and police services; and

WHEREAS, the City of Hesperia ("City") has experienced a 5% ramp down in water allotments from the Mojave River Valley water purveyors; and

WHEREAS, the consistent construction of small tract home developments within the City has impacted and increased the City's need for fire and police services; and

WHEREAS, this Ordinance is intended to address the sudden increase in residential development so as to ensure that current and new residents have adequate water, fire, and police services; and

WHEREAS, State law, such as the Housing Crisis Act of 2019 (adopted pursuant to Senate Bill No. 330) currently prohibits the City from imposing the density restrictions contemplated by this Ordinance; and

WHEREAS, certain prohibitions contemplated by the Housing Crisis Act of 2019 (adopted pursuant to Senate Bill No. 330) will automatically expire on January 1, 2025; and

WHEREAS, this Ordinance is intended to be interpreted in compliance with and consistently with State law, including the Housing Crisis Act of 2019 (adopted pursuant to Senate Bill No. 330); and

WHEREAS, this Ordinance is intended to not affect existing development agreements, vesting tentative tract maps, or other similar approvals; and

WHEREAS, Title 16, Development Code, of the Hesperia Municipal Code provides regulations and development standards regarding the processing and approval of various single family and multi-family residential uses affected by the initiative; and

WHEREAS, Title 17, Subdivisions, of the Hesperia Municipal Code provides regulations regarding the tentative map approval process affected by the initiative; and

WHEREAS, the Main Street & Freeway Corridor Specific Plan has single family and multi-family zones, as well as the Regional Commercial zone, which are affected by the initiative.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF HESPERIA, CALIFORNIA DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1. RECITALS. The foregoing recitals are true and correct, and are incorporated herein by reference.

SECTION 2. MODIFICATIONS TO THE HESPERIA MUNICIPAL CODE AND THE MAIN STREET & FREEWAY CORRIDOR SPECIFIC PLAN. The following modifications, shown in strikethrough for deletions and underline for additions, with only enough language shown to provide clarity of the modifications, are proposed to the Hesperia Municipal Code and the Main Street & Freeway Corridor Specific Plan to read as follows:

HESPERIA MUNICIPAL CODE
TITLE 16 – DEVELOPMENT CODE
CHAPTER 16.12 - PERMITS AND PROCEDURES
ARTICLE 1. - GENERAL PROCEDURES
16.12.060 - Approval period for land use decisions.

C. For non-residential projects, where circumstances warrant, the development review committee may grant extensions of time for a period of time not to exceed twelve (12) months each. The development review committee shall consider each extension of time on its own merits and may amend the conditions as necessary to bring the project into compliance with the development standards in effect at the time of review of the extension. The development review committee may refer such request for extension to the planning commission for action.

ARTICLE II. - SITE PLANS AND REVISED SITE PLANS
16.12.095 - Approval requirements.

B. Site plan approval shall be granted for a period not to exceed thirty-six (36) months from the effective date of the decision; extensions of time to complete compliance with

conditions of approval may be granted where warranted, pursuant to Section 16.12.060. Site plans for residential projects are not eligible for extensions of time.

ARTICLE III. - CONDITIONAL USE PERMITS
16.12.120 - Approval requirements.

B. A conditional use permit shall be granted for a period to be specified by the planning commission, not to exceed thirty-six (36) months from the effective date of the decision; extensions of time to complete compliance with conditions of approval may be granted where warranted, pursuant to Section 16.12.060 . Conditional use permits for residential projects are not eligible for extensions of time.

CHAPTER 16.16 - LAND USE DESIGNATIONS
ARTICLE I. - GENERAL PROVISIONS
16.16.010 - Establishment of land use designations.

Any zone or land use designations previously existing under county standards prior to any annexation shall be determined under the standards most applicable to the existing general plan land use designation.

The provisions of the development code are applied to the following land use designations:

R1, R1-4500, R1-14520 or R1-18000	Single-family residence

ARTICLE IV. - RESIDENTIAL LAND USE DESIGNATIONS
16.16.075 - Residential land use designations.

1. Single-Family Residence (R1): The R1 designation is intended for single-family residences characterized by a more suburban setting. This designation is intended to generally limit equestrian uses and other animals, unless they are permitted through the lot size requirements identified in the development code. R1 designation regulations in this development code shall apply to R1-4500, R1-14520 and R1-18000 designations, unless specifically stated.

ARTICLE V. - RESIDENTIAL DEVELOPMENT STANDARDS
16.16.120 - Development standards.

The development standards in this table shall be required within each land use designation: *Due to formatting and size, the table could not be included, however, the R1 section of this table will be modified in the following areas:*

C.	**Minimum lot width dimension**	**~~60'~~ 100' (at setback)**
D.	**Minimum lot depth dimension**	**~~100'~~ 120'**
E.	**Minimum lot width dimension corner lot**	**~~70'~~ 110' (at setback)**
I.	**Interior Setback**	**~~5' and 10'~~ 15'**
K.	**Rear Setback**	**~~15'~~ 25'**

16.16.130 - Additional development standards for the multiple-family residence (R3) designation.

A. Multiple-family Residence (R3) Designation. The multiple-family residence designation is established to provide areas for multi-family housing in a garden setting such as courtyard apartments, condominiums and walk-up townhomes.

B. Development Standards. All property in the R3 designation shall be developed according to the following standards:

1. Residential Density. The ~~gross~~ maximum residential density ~~range~~ permitted in this zone is eight ~~to fifteen (15)~~ units/acre.

2. Minimum Living Area. The minimum living area for residential units shall be as follows:

Minimum Floor Area Requirements for Multiple-family Units					
	Studio	1 BDR	2 BDR/1 bathroom*	3 BDR	4 BDR+
Market rate units:	675	875	1,075	1,275	1,475

Section B.2 may only be amended if approved by a majority of the voters of the City of Hesperia voting at any regular or special election.

TITLE 17 - SUBDIVISIONS
Chapter 17.08 - TENTATIVE AND FINAL MAPS
17.08.040 - Tentative maps.

The following provisions shall govern the review of tentative and vesting tentative maps.

E. Expiration of Approval. The initial approval period of an approved or conditionally approved tentative map and any associated development application shall expire ~~thirty-six (36)~~ twenty-four (24) months after its approval or conditional approval ~~unless an extension is granted as hereinafter provided or as otherwise provided by the development code~~. The expiration of the approved or conditionally approved tentative map shall terminate all proceedings and no final or parcel map of all or any portion of the real property included within such tentative map shall be filed without first processing a new tentative map. No extensions of time are allowed for residential subdivisions.

MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN

Chapter 7: Residential Zones
B. LOW DENSITY RESIDENTIAL ZONE

The Low Density Residential zone is the most prevalent of the single family residential zones and falls within five of the eight land use districts as described in Chapter 5 (Land Use Districts) of this Plan. The purpose of this Specific Plan zone is to provide areas for single family residences with ~~a variety of lot sizes and housing choices~~ a one-third acre minimum lot size and larger. ~~While the most prevalent housing type in this zone is~~

~~envisioned to be single-family homes on generous-sized lots, this zone also permits small lot subdivisions as well as attached ownership products such as condominiums and townhomes, at the higher end of the permitted density range.~~

1. Permitted Uses

The following uses are permitted in the Low Density Residential zone:

a) Day care home - small family, incidental to the primary use, pursuant to the Hesperia Municipal Code (HMC).
b) Home occupations, incidental to the primary use, pursuant to the HMC.
c) Manufactured dwellings
d) Second dwelling unit, incidental to the primary use, on parcels with a minimum size of 10,000 square feet
e) Single family dwelling unit
f) Small residential care facilities, community care facilities, senior housing, intermediate care of six or less and licensed by the state, handicapped residential care facilities, pursuant to the HMC
g) Accessory structures and uses customarily incidental to any permitted uses when located on the same site with the main building and use
h) Other similar uses, as interpreted by the Development Services Director or his/her designee

4. Development Standards

All property in the Low Density Residential zone shall be developed according to the following standards:

4.1 Residential Density

The gross residential density range permitted in this zone is 2 – ~~8~~ 3 units/acre.

4.2 Minimum Lot Size and Dimensions

The minimum site size and dimensions for new lots in this zone are as listed below ~~with the exception for Small Lot Subdivisions as outlined in the following section~~:

(1) The minimum width of an interior lot shall be ~~60~~ 100 feet, a minimum depth of ~~100~~ 120 feet and a minimum net area of ~~7,200~~ 14,520 square feet.

(2) The minimum width of a corner lot shall be ~~70~~ 110 feet, a minimum depth of ~~100~~ 120 feet and a minimum net area of ~~7,200~~ 14,520 square feet.

4.6 Rear Yard Setbacks

(1) The minimum rear yard setback shall be ~~15~~ 25 feet, as measured from the property line.

4.7 Interior Side Yard Setbacks

(1) The minimum interior side yard setback ~~on at least one of the interior sides~~ shall be ~~10~~ 15 feet, as measured from the property line. ~~The minimum interior side yard setback on the other side shall be 5 feet, as measured from the property line.~~

E. MEDIUM DENSITY RESIDENTIAL ZONE

The Medium Density Residential zone falls in four of the land use districts as described in Chapter 5 (Land Use Districts) of this Plan. This Specific Plan zone is established to provide areas for medium density multi-family housing in a garden setting such as courtyard apartments, condominiums and walk- up townhomes. This zone also permits single family residences in small lot subdivisions.

This section describes the permitted, conditionally permitted and prohibited uses, as well as development standards for the Medium Density Residential zone. Development standards for small lot subdivisions are included in Section B.5 earlier in this chapter.

4. Development Standards

All property in the Medium Density Residential zone shall be developed according to the following standards:

4.1 Residential Density

The ~~gross~~ residential density ~~range~~ permitted in this zone is 8 ~~–~~ ~~15~~ units/acre maximum.

4.5 Minimum Living Area

The minimum living area for residential units shall be as follows:

Minimum Floor Area Requirements for Multiple-family Units

	Studio	1 BDR	2 BDR/1 bathroom	3 BDR	4 BDR+
Market Rate units:	**675**	**875**	**1075**	**1275**	**1475**

Section 4.5 may only be amended if approved by a majority of the voters of the City of Hesperia voting at any regular or special municipal election.

5. Development Standards for Small Lot Subdivisions (Move entire section (5-5.18) from Low Density Residential with modifications to the following sections)

Small Lot Subdivisions are permitted in the ~~Low Density Residential and~~ Medium Density Residential zones. These subdivisions are primarily developed and constructed by a single development entity as for-sale housing and provide an important housing type for first-time home buyers, empty nesters, and small families. Variation in building form and massing will play a significant role in making such developments attractive and positive contributors to the residential neighborhoods in Hesperia.

The following are development standards for Small Lot Subdivisions:

5.1 Minimum Development Project Size

The project size of a Small Lot Subdivision shall be a minimum of ~~10~~ 4 acres.

5.2 Residential Density

The ~~gross~~ maximum residential density range ~~permitted for a Small Lot Subdivision in the Low Density Residential zone~~ is ~~5 –~~ 8 units/acre ~~and in the Medium Density Residential zone is 8 – 12 units/acre~~.

5.3 Minimum Lot Size and Dimensions

~~In the Low Density Residential zone, the minimum site size and dimensions for new Small Lot Subdivisions are as listed below:~~

~~1) The minimum width of an interior lot shall be 50 feet, a minimum depth of 75 feet and a minimum net area of 4,500 square feet.~~

2) ~~The minimum width of a corner lot shall be 60 feet, a minimum depth of 75 feet and a minimum net area of 4,500 square feet.~~

F. HIGH DENSITY RESIDENTIAL ZONE

4. Development Standards

All property in the High Density Residential zone shall be developed according to the following standards:

4.1 Residential Density

The ~~gross~~ maximum residential density ~~range permitted in this zone~~ is 8 ~~–~~ ~~15~~ units/acre.

4.5 Minimum Living Area

The minimum living area for residential units shall be as follows:

Minimum Floor Area Requirements for Multiple-family Units

	Studio	1 BDR	2 BDR/1 bathroom	3 BDR	4 BDR+
Market Rate units:	**675**	**875**	**1075**	**1275**	**1475**

Section 4.5 may only be amended if approved by a majority of the voters of the City of Hesperia voting at any regular or special municipal election.

Chapter 9: Non-Residential Zones
B. REGIONAL COMMERCIAL ZONE
4.16 Development Standards for Multi-Family Residential Development in the Regional Commercial Zone

Within the Main Street/Interstate-15 District only, multi-family residential development (as a part of a mixed-use development) is allowed in the Regional Commercial zone.

Mixed-use development is defined as an integration of residential uses with compatible commercial uses, vertically or horizontally, within the same building or structure. A mixed-use project may also constitute separate buildings or structures on the same property of land, so long as there is a pedestrian connection between buildings that integrates and unifies the project. Development standards provided for the High Density Residential zone in Chapter 7 (Residential Zones) of this Plan apply with the following exceptions:

(1) The permitted gross residential density ~~range~~ is ~~15—25~~ 8 units/acre maximum.

SECTION 3. MODIFICATIONS TO THE HESPERIA GENERAL PLAN & GENERAL PLAN LAND USE MAP.

The following modifications are proposed to the Hesperia General Plan Land Use map (also shown as LU-3:

R1-4500, R1 and R1-14520: All vacant land within the R1-4500 and R1 districts will be changed to a new zoning designation of R1-14520, except those lots which have been recorded into smaller, tract home style subdivisions. The density range for R1-14520 will be 1-3 dwelling units per acre. The existing zoning designation of R1, will be modified to R1-7200.

R3: The density range will be modified to 4-8 dwelling units per acre.

Exhibit A

The following changes are proposed to Table LU-8:
Add a new line for R1-14520 / Single Family Residence-14520 / 1-3 du/ac;
Modify the R3 designation to 4-8 du/ac.

The following changes are proposed to the Land Use Designations

Land Use Designations
Residential Development
The General Plan Land Use Map establishes adequate areas for residential densities varying from one (1) unit per five (5) acres to ~~fifteen (15)~~ eight (8) units per acre, in order to meet the needs of projected population growth within the community. In addition, ~~densities of up to twenty (20) dwelling units per acre are permitted within the Main Street and Freeway Corridor Specific Plan area. Other~~ Specific Plan areas ~~may~~ also identify alternative densities and a densities identified on the General Plan Land use map.

Provide a new Table LU-13.5 Titled R1-14520 (Single-Family Residence-14,520):

TABLE LU-13.5
RI-14520 (SINGLE- FAMILY RESIDENCE 14,520)

Density	1-3 dwelling units per acre Areas within this designation may be developed at a maximum density of three dwelling units per acre (14,520 minimum square foot lot sizes), with adequate infrastructure and services needed to support this level of development.
Intent	The Single-family Residence with a minimum lot size of 14,520 square feet (R1-14520) is intended for single family residences that do not keep large animals. This designation is intended to generally limit equestrian uses and keeping of other large animals unless they are permitted through the lot size requirements identified in the Municipal Code.
Uses	This designation replaces land previously designated as either R1 or R1-4500 which was vacant when the ordinance took effect. Sewer connection is required, so tract homes are expected, with additional room to accommodate recreational vehicles in the side and rear yards.

Provide new language on Tables LU-14 and LU-15 which states that Ordinance 2020-10 established a new minimum for single-family residential of R1-14520.

TABLE LU-16

Exhibit A

R3 (MULTIPLE-FAMILY RESIDENCE)

Density	~~*8.1-15.0*~~ *4-8 dwelling units per acre* Areas within this designation may be developed at maximum gross densities ranging from ~~8.1 to 15.0~~ 4-8 dwelling units per acre. ~~Maximum permitted density will be determined through the development review process, based upon environmental and infrastructural conditions.~~
Intent	The Multiple Family Residence (R3) designation is intended for multiple family uses in an urban setting. Sewer will be required for all new dwelling units developing within this density.
Uses	Housing types may include townhouses, condominiums, duplexes, triplexes, apartments, or manufactured housing developments. Active recreational facilities such as playground equipment, basketball and tennis courts, clubhouses, and pools, spas and water parks shall be provided as well as passive recreational facilities including benches, barbeques, and water features and other non-recreational features such as entry statements and decorative walls shall be provided within new development. Horses and other large animal uses are not intended within this district.

TABLE LU-17

RESIDENTIAL DENSITIES

DESIGNATION	LEGEND	DWELLING UNITS PER ACRE (DU/AC)	TYPICAL LOT SIZE[1,2]	POPULATION DENSITY (PERSONS PER ACRE-PPA)[3,4]
Rural Residential-Special Development[3]	RR-SD	• 0.0-0.4 DU/AC • 0.0-3.0 DU/AC (with Specific Plan)	2 ½ acres[1] Dependent upon Specific Plan	0.7 ppa Dependent upon Specific Plan
Rural[3] Residential-2½	RR-2½	0.0-0.4 DU/AC	Minimum 2½ acres[1]	0 to 1.3 ppa
Rural[3] Residential-1	RR-1	0.41-1.0 DU/AC	1 acre to 2½ acres[1]	1.4 to 3.3 ppa
Rural[3] Residential-20000	RR-20000	1.1-2.0 DU/AC	½ acre to 1 acre[2]	3.3 to 6.6 ppa
Single-family[3] Residence- 18000	R1-18000	2.1-2.4 DU/AC	18,000 square feet to 20,000 square feet[2]	6.9 to 7.9 ppa
Single-family Residence- 14520[5]	R1-14520	1-3 DU/AC	14,520 square feet and larger	7.5 to 8.3 ppa

Single-family Residence[3]	R1	2.5-4.5 DU/AC	7,200 square feet to 18,000 square feet[2]	8.3 to 14.9 ppa
Single-family[3] Residence-4500	R1-4500	4.6-8.0 DU/AC	4,000 square feet to 7,200 square feet[2]	15.2 to 26.4 ppa
Multiple family Residence[4]	R3	8.1-15.0 DU/AC	2,900 square feet to 4,000 square feet[2]	20.3 to 49.5 ppa

1. *Gross Lot Size is used for designations one acre or larger in size.*
2. *Net Lot Size is used for designations less than one acre in size.*
3. *Population density per acre based on 3.3 persons per household for single-family residence.*
4. *Population density per acre based on 2.5 persons per household for multiple-family residence.*
5. *Ordinance 2020-10 established a new minimum single family lot size of 14,520 square feet.*

RESIDENTIAL DEVELOPMENT ISSUES

~~Small-Lot Subdivisions~~

~~The City of Hesperia provides a variety of housing types, ranging from large-lot residential uses concentrated at the eastern portion of the City to small-lot subdivisions, generally located west of Maple Avenue. Single-family residential subdivisions with lots less than 7,200 square feet in size are considered small-lot subdivisions. City stakeholders have identified concerns about small-lot subdivisions providing adequate services for the new residents, including:~~

- ~~Parks~~
- ~~Schools~~
- ~~Police~~
- ~~Fire~~

Multi-Family Residential Lot Sizes

The City's multifamily districts are located east of the railroad, south of Main Street, near Bear Valley Road, and between the Civic Plaza and the railroad (the Township Area). The township area includes a multitude of parcels that were subdivided into lots as small as 25 feet by 100 feet. While the majority of these lots have since been combined to widths of 50 or 100 feet, many still require consolidation prior to development in order to meet the City's Development Code minimum setbacks. In addition, sewer does not completely service many of the areas and has limited the amount of development that may occur on these parcels.

The Multi-Family Residence designation permits development at a density of <u>up to</u> 8.0-~~15.0~~ dwelling units per acre, but has developed with single-family residences on one lot instead because the lack of infrastructure and lot size has limited the number of units per acre. Single-family residences are mixed in with duplexes and triplexes through most of this area. Consequently, linear design a pen space or amenities characterize these developments.

SECTION 4. OPERATIVE DATE OF AMENDMENTS.

A. The following amendments to the Hesperia Municipal Code in this Ordinance shall not be operative until applicable State law permits the City to impose such amendments:

(1) Section 16.16.010 of Article I of Chapter 16.16 of Title 16.

(2) Section 16.16.075 of Article IV of Chapter 16.16 of Title 16.

(3) Section 16.16.120 of Article V of Chapter 16.16 of Title 16.

(4) Section 16.16.130 of Article V of Chapter 16.16 of Title 16.

B. The amendments to the General Plan and Main Street and Freeway Corridor Specific Plan in this Ordinance shall not be operative until applicable State law permits the City to impose such amendments.

C. The following amendments to the Hesperia Municipal Code in this Ordinance shall be operative upon this Ordinance's Effective Date as provided in Section 6:

(1) Section 16.12.060 of Article I of Chapter 16.12 of Title 16.

(2) Section 16.12.095 of Article II of Chapter 16.12 of Title 16.

(3) Section 16.12.120 of Article III of Chapter 16.12 of Title 6.

(4) Section 17.08.040 of Chapter 17.08 of Title 17.

SECTION 5. SCOPE OF AMENDMENTS.

Except as amended by this Ordinance, all provisions of the Hesperia Municipal Code, General Plan and the Main Street and Freeway Corridor Specific Plan shall remain unchanged and in full force and effect.

SECTION 6. EFFECTIVE DATE.

If a majority of the voters of the City voting at the General Municipal Election of November 3, 2020 vote in favor of this Ordinance, then this Ordinance shall become a valid and binding ordinance of the City, and shall be considered as adopted upon the date that the

vote is declared by the City Council, and this Ordinance shall go into effect ten (10) days after that date, pursuant to Elections Code Section 9217.

SECTION 7. VOTER APPROVAL REQUIRED TO AMEND

Amendments to this Ordinance shall require approval by a majority of voters of the City of Hesperia at a general or special election.

SECTION 8. CEQA.

An Initial Study/Negative Declaration was prepared and completed for this Ordinance on May 5, 2020 ("Negative Declaration"). The Negative Declaration analyzed the environmental impacts of this Ordinance pursuant to the California Environmental Quality Act (CEQA) and found no substantial evidence that this Ordinance would have a significant effect on the environment pursuant to CEQA.

At a public hearing on June 11, 2020, the Planning Commission approved the adoption of the Negative Declaration based upon its independent judgment and on the basis of the whole record before the Planning Commission, including, but not limited to, the Negative Declaration and all oral and written presentation made by members of the public and City staff.

The City Council also approves the adoption of the Negative Declaration based upon its independent judgment and on the basis of the whole record before the City Council, including, but not limited to, the Negative Declaration, all oral and written presentation made by members of the public and City staff, and the Planning Commission's findings and determinations.

The City Council's and Planning Commission's findings and determinations as to the Negative Declaration are hereby incorporated herein by this reference for the purposes of this Ordinance.

SECTION 9. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The People hereby declare that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

SECTION 10. EXECUTION.

Exhibit A

The Mayor of the City of Hesperia is hereby authorized and ordered to attest to the adoption of the Ordinance by the voters of the City of Hesperia by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED by the People of the City of Hesperia, California voting on the 3rd day of November, 2020.

_____
Larry Bird, Mayor

ATTEST:

_____
Melinda Sayre, City Clerk

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

I, Stephanie McClure, Assistant City Clerk of the City of Hesperia, California, do hereby certify that Resolution No. 2020-46 was duly adopted by the City Council of the City of Hesperia, California at a Regular Meeting thereof held on the 16th day of June, 2020 by the following vote to wit:

AYES: Bird, Gregg, Holland and Bennington

NOES: Swanson

ABSTAIN: None

ABSENT: None

Stephanie McClure, Assistant City Clerk

City of Hesperia Seal Incorporated July 1 1988 CALIFORNIA

I, _____, Assistant City Clerk of the City of Hesperia, California, do hereby certify that the foregoing Resolution No. 2020-46 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 _____, 20____.

Stephanie McClure, Assistant City Clerk

City of Hesperia Seal Incorporated July 1 1988 CALIFORNIA