

ATTACHMENT 7

RESOLUTION PC NO. 2026-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 20637 (TT23-00004) TO CREATE 22 SINGLE-FAMILY RESIDENTIAL LOTS AND 2 COMMON LETTERED LOTS ON 4.1 GROSS ACRES LOCATED AT THE SOUTHWEST CORNER OF OAK VALLEY STREET AND FUENTE AVENUE AND ADOPT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM (TT-20637/TT23-00004)

WHEREAS, Hesperia Canyon, LLC has filed an application requesting approval of Tentative Tract Map No. 20637, Case Number TT23-00004 described herein (hereinafter referred to as "Application") and to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and

WHEREAS, the Application applies to a 4.1 gross acre site within the Single Family Residential (R1-4500) zone, located at the southwest corner of Oak Valley Street and Fuente Avenue and consists of Assessor's Parcel Numbers 3057-051-25 and -26; and

WHEREAS, the Application, as contemplated, proposes to create 22 single-family residential lots and 2 common lettered lots within two existing parcels totaling 4.1 gross acres of land; and

WHEREAS, the subject site as well as all surrounding properties are within the Single Family Residential (R1-4500) zone; and

WHEREAS, the subject property is currently vacant. The properties to the north and east consist of an existing tract of single-family homes. The property to the south is vacant. The property to the west consists of a subdivided residential tract that has not been developed and remains vacant; and

WHEREAS, the proposed tract is in compliance with the maximum density, minimum square footage, and minimum width and depth requirements of the Single Family Residential (R1-4500) zone of the municipal code; and

WHEREAS, the Initial Study was circulated for public review from February 11, 2026, through March 12, 2026. During the public review period, four (4) comment letters were received. The comments raised did not identify any new significant environmental impacts nor did the comments substantially increase the severity of previously identified impacts. The comment letters, along with responses to those comments, are included as attachments to the staff report. Based on the analysis in the Initial Study and the incorporation of mitigation measures, all potential impacts have been reduced to a less-than-significant level. Accordingly, a Mitigated Negative Declaration has been prepared; and

WHEREAS, on May 14, 2026, 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 HESPERIA 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 May 14, 2026 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The site is physically suitable for the type of development, as the site could accommodate the proposed lots within the subdivision. The project site is currently undisturbed by physical development. 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 the property within the proposed subdivision; and
- (b) The site is physically suitable for the proposed density of development as the lots are adequate in size and shape and all Development Code regulations for the permitted uses can be met. The site is within the Single Family Residential (R1-4500) zone with a minimum lot size of 4,500 square feet, which allows a maximum density of 8 dwelling units per acre. The tentative tract would create 22 single-family residential lots on 4.1 gross acres, resulting in a density of 5.4 dwelling units per acre. The proposed density is far below the allowable density required by the General Plan; and
- (c) The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat. An Initial Study was prepared for the project, which concluded that, with the incorporation of mitigation measures, all potential impacts would be reduced to a less-than-significant level. Mitigation measures require that, prior to the issuance of any grading permit or initiation of ground disturbing activities, a pre-construction survey be conducted for burrowing owls, desert tortoise and nesting birds, as well as a habitat assessment for Crotch's bumble bee. These measures are intended to ensure compliance with applicable state and federal wildlife protection regulations. In addition, the removal of existing Western Joshua trees on-site will require compliance with the Western Joshua Tree Conservation Act (WJTCA), including obtaining an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife prior to removal as well as the submittal of a Protected Plant Preservation Plan to the City for review and approval; and
- (d) 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 codes and San Bernardino County fire codes. Prior to any ground disturbance, improvement plans for drainage, erosion, sewer,

water, and circulation are required to be submitted to ensure on-site and off-site improvements are constructed to the latest standards. The project will connect to a reliable potable water source and connect to sewer ensuring sanitary disposal of wastewater. Upon development of the residences, each home will be required to have trash pickup service from the City's franchised waste hauler; and

- (e) The proposed subdivision is consistent with the goals, policies, standards and all applicable regulations of the City of Hesperia. The design or improvement of the proposed subdivision is consistent with the General Plan and the Hesperia Municipal Code, as the project supports the existing surrounding land use. Furthermore, the project will comply with all conditions of approval for the project. These conditions ensure that the development is constructed and operated in accordance with applicable City standards and regulations; and
- (f) The proposed subdivision, including its design, density, and type of development, conforms to the applicable standards and requirements of the Development Code. The project has been reviewed for consistency with zoning regulations, subdivision standards, and applicable design criteria, and has been found to comply with all relevant provisions. In addition, the proposed improvements will be subject to review and approval by all applicable public agencies and will be required to meet all local, state, and federal regulations. Therefore, the subdivision is consistent with the governing regulatory framework and applicable agency requirements; and
- (g) The design of the subdivision provides to the extent feasible, passive or natural heating and cooling opportunities to each of the proposed lots. All single-family residences must meet the minimum energy efficiency standards in Title 24, which mandates among other things, building insulation, solar panels, and light/ventilation systems to make the homes energy efficient.

Section 3. Pursuant to Public Resources Code Section 21081.6, the Planning Commission hereby approves the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program. The Planning Commission finds that the mitigation measures are fully enforceable on the Project and shall be binding upon the City and affected parties.

Section 4. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Tentative Tract Map No. 20637 (TT23-00004), subject to the Conditions of Approval as set forth in Attachment "A".

Section 5. That the Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED on this 14th day of May 2026.

Roger Abreo, Chair, Planning Commission

ATTEST:

Leovi Wolsieffer, Secretary, Planning Commission