



DATE: March 9, 2023

TO: Planning Commission

FROM: Rachel Molina, Assistant City Manager

BY: Ryan Leonard, Senior Planner
Shaveta Sharma, Contract Planner

SUBJECT: Specific Plan Amendment SPLA23-00001 and General Plan Amendment GPA23-00001; Applicant: Adam Ahmed; Address: 15051 State Highway 173; APNs: 0357-211-22, and 0357-221-34

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2023-09 recommending that the City Council introduce and place on first reading an ordinance approving 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).

BACKGROUND

Proposal: Adam Ahmed submitted an application requesting a Specific Plan Amendment along with a General Plan Amendment to change a 0.93 gross acre site that is within the Tapestry Specific Plan from Open Space (OS) to Rural Residential Rural Residential with a 20,000 square foot minimum lot size (RR-20,000). The parcel is currently developed with a building that was previously used to house fire truck equipment for the Forestry Department. The existing building is a legal non-conforming structure that will be remain and will be allowed to be utilized if SPLA23-00001 and GPA23-00001 are approved.

Location: 15051 State Highway 173 (APNs: 0357-211-22, and 0357-221-34).

General Plan and Land Uses: The project consists of two parcels, one of which is developed with a single accessory structure. The subject parcel is currently zoned Open Space (OS) within the Tapestry Specific Plan. The surrounding land is designated as noted on Attachment 1. The properties on all sides are vacant (Attachment 2).

ISSUES/ANALYSIS

Land Use: The subject parcels are currently zoned Open Space (OS) which is intended to include wilderness areas, a small park, pastures, forested areas, agricultural groves, vineyards, golf courses, flood washes, etc. Residential uses are prohibited within the Open Space (OS) zone. However, this specific site has been previously developed with a legal non-conforming accessory structure. The proposed Specific Plan Amendment and General Plan Amendment will allow for the property owner to maintain and further develop the site. Since the current accessory structure

does not have a primary use, the applicant will be required to develop a primary residence on the site in order to utilize the legal non-conforming structure.

The properties to the north on the opposite side of Highway 173 are within the Tapestry Specific Plan and are designated for Low Density Residential Development with a minimum lot size of 7,200 square feet. The properties are part of the tenth phase of development for the overall Specific Plan (10/10 total phases). The properties to the south are designated as Open Space with a Conservation Easement Overlay and the property to the east is within Open Space zone of the Tapestry Specific Plan. The property to the west is outside of the limits of the Tapestry Specific Plan and is designated General Agriculture (A2) on the City's General Plan Land Use Map (Attachment 3). The 0.93 acre parcel is too small to be appropriate for Agriculture use, as such Rural Residential is the best zoning to allow for the existing legal non-conforming structure to be utilized.

Environmental: 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.

Conclusion: The proposed Rural Residential (RR) zoning designation is appropriate at this location and conforms to the policies of the City's General Plan and standards of the Development Code and Specific Plan with adoption of the Specific Plan Amendment.

FISCAL IMPACT

None.

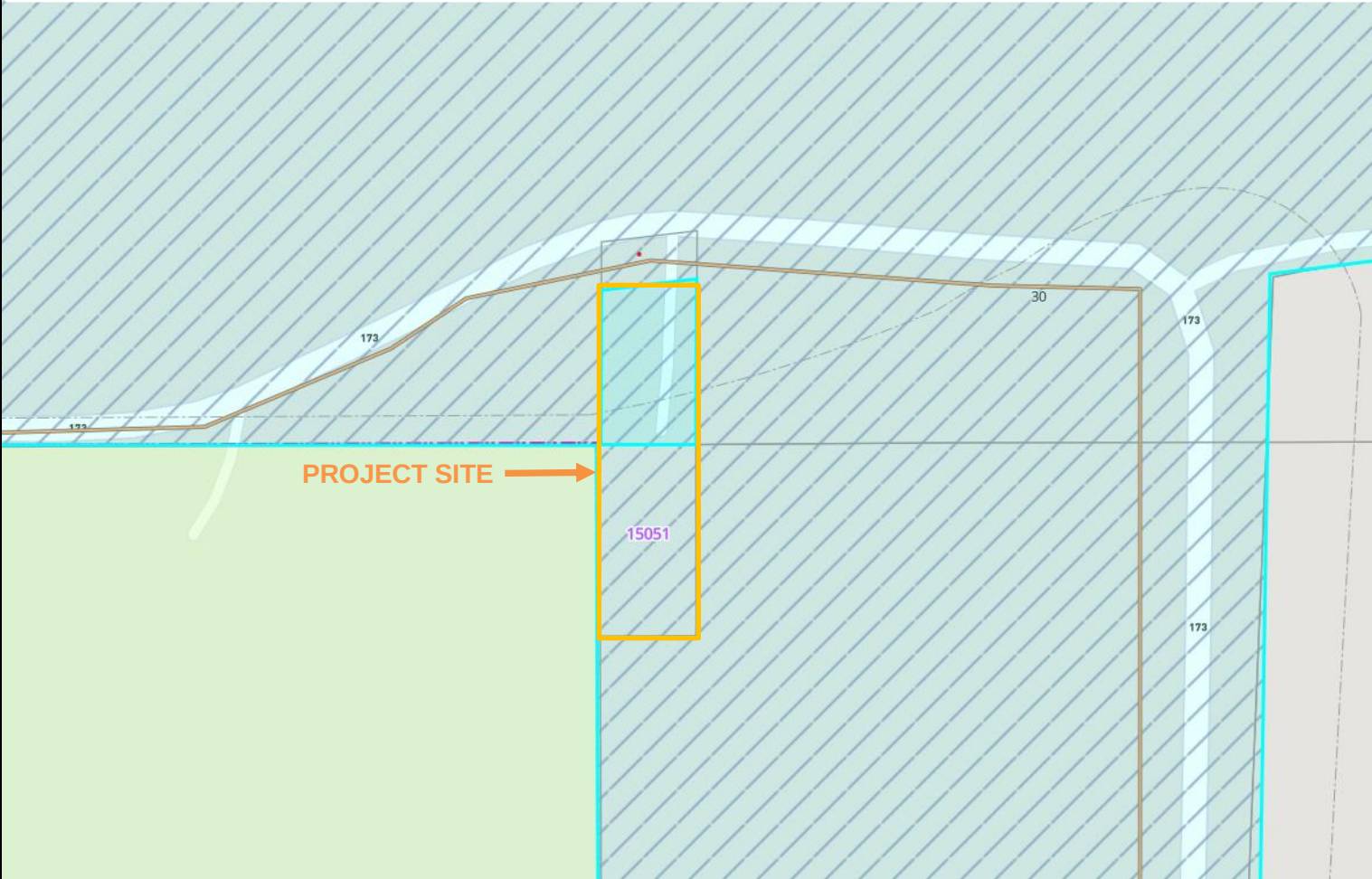
ALTERNATIVE(S)

Provide alternative direction to staff.

ATTACHMENT(S)

1. General Plan Map
2. Aerial Photo
3. Tapestry Specific Plan Land Uses
4. Resolution No. PC-2023-09 with Exhibit "A"

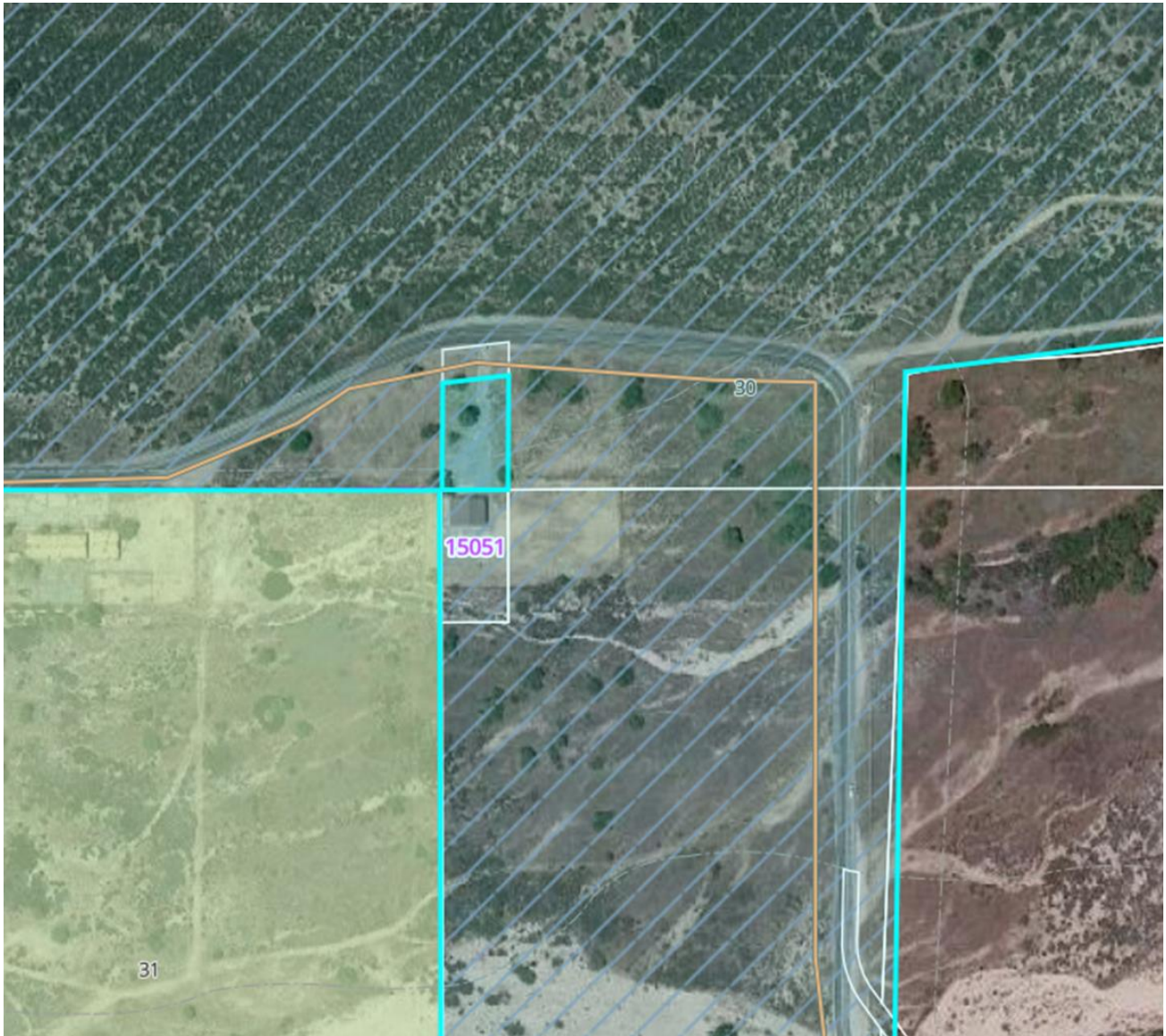
ATTACHMENT 1



APPLICANT: ADAM AHMED	FILE NO: SPLA23-00001 and GPA23-00001
LOCATION: 15051 STATE HIGHWAY 173	APNs: 0357-211-22, and 0357-221-34
PROPOSAL: CHANGE APPROXIMATELY 0.93 GROSS ACRE WITHIN THE TAPESTRY SPECIFIC PLAN FROM OPEN SPACE (OS) TO RURAL RESIDENTIAL (RR)	
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GENERAL PLAN MAP

ATTACHMENT 2



APPLICANT:
ADAM AHMED

FILE NO:
SPLA23-00001 and GPA23-00001

LOCATION:
15051 STATE HIGHWAY 173

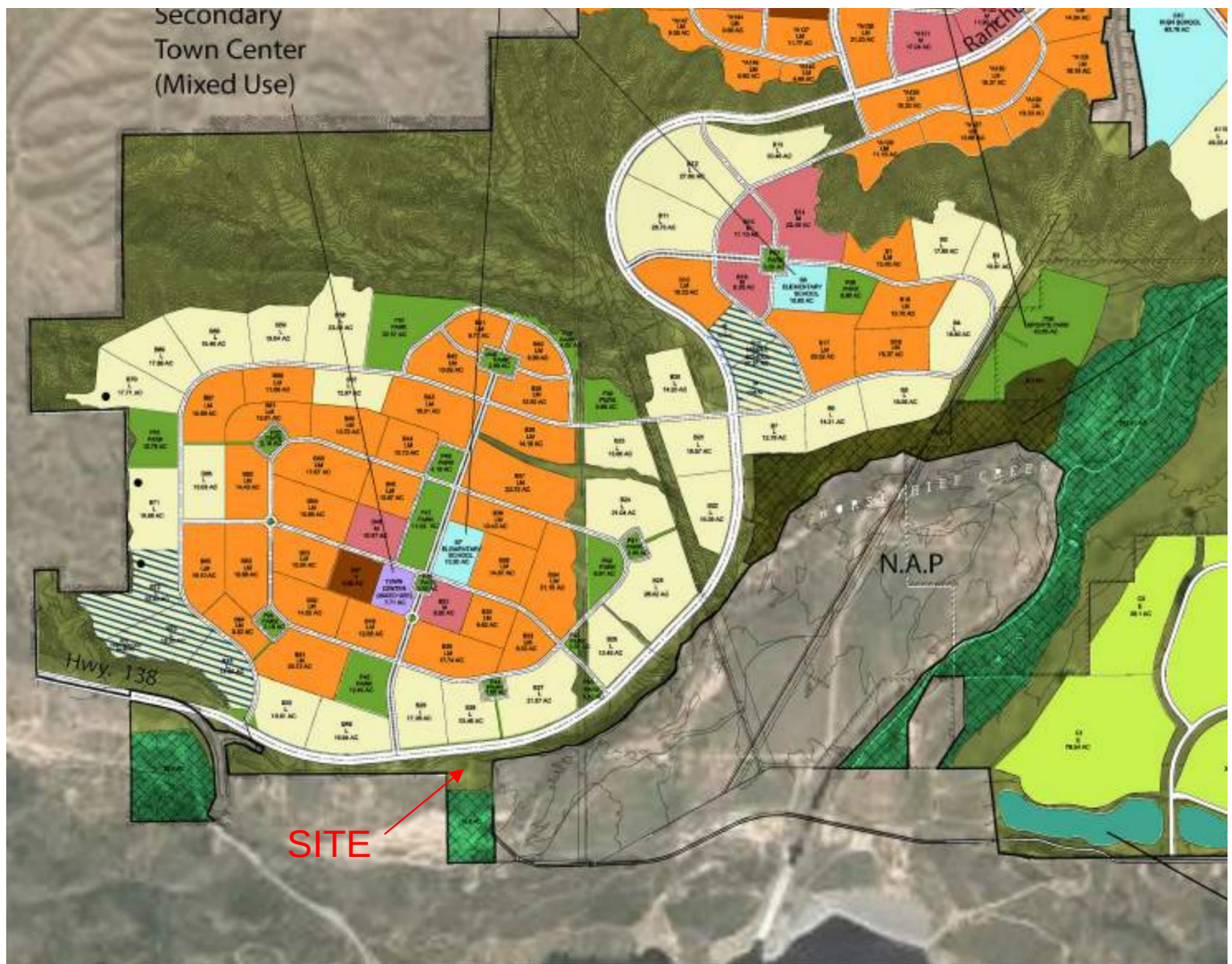
APNs: 0357-211-22, and
0357-221-34

PROPOSAL:
CHANGE APPROXIMATELY 0.93 GROSS ACRE WITHIN THE TAPESTRY SPECIFIC PLAN
FROM OPEN SPACE (OS) TO RURAL RESIDENTIAL (RR)



AERIAL PHOTO

ATTACHMENT 3



APPLICANT:
ADAM AHMED

FILE NO:
SPLA23-00001 and GPA23-00001

LOCATION:
15051 STATE HIGHWAY 173

APNs: 0357-211-22, and
0357-221-34

PROPOSAL:
CHANGE APPROXIMATELY 0.93 GROSS ACRE WITHIN THE TAPESTRY SPECIFIC PLAN FROM OPEN SPACE (OS) TO RURAL RESIDENTIAL (RR)



TAPESTRY SPECIFIC PLAN LAND USES

ATTACHMENT 4

RESOLUTION NO. PC-2023-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A SPECIFIC PLAN AMENDMENT AND GENERAL PLAN AMENDMENT TO CHANGE AN APPROXIMATELY 0.93 GROSS ACRE SITE FROM OPEN SPACE TO RURAL RESIDENTIAL (SPLA23-00001 AND GPA23-00001)

WHEREAS, on May 15, 1991, the City Council of the City of Hesperia adopted the City's General Plan, 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 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. 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 Commission, including written and oral staff reports, the Commission 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 Commission 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 to Rural Residential as shown on Exhibit "A."

Section 6. That the Secretary shall certify to the adoption of this Resolution.

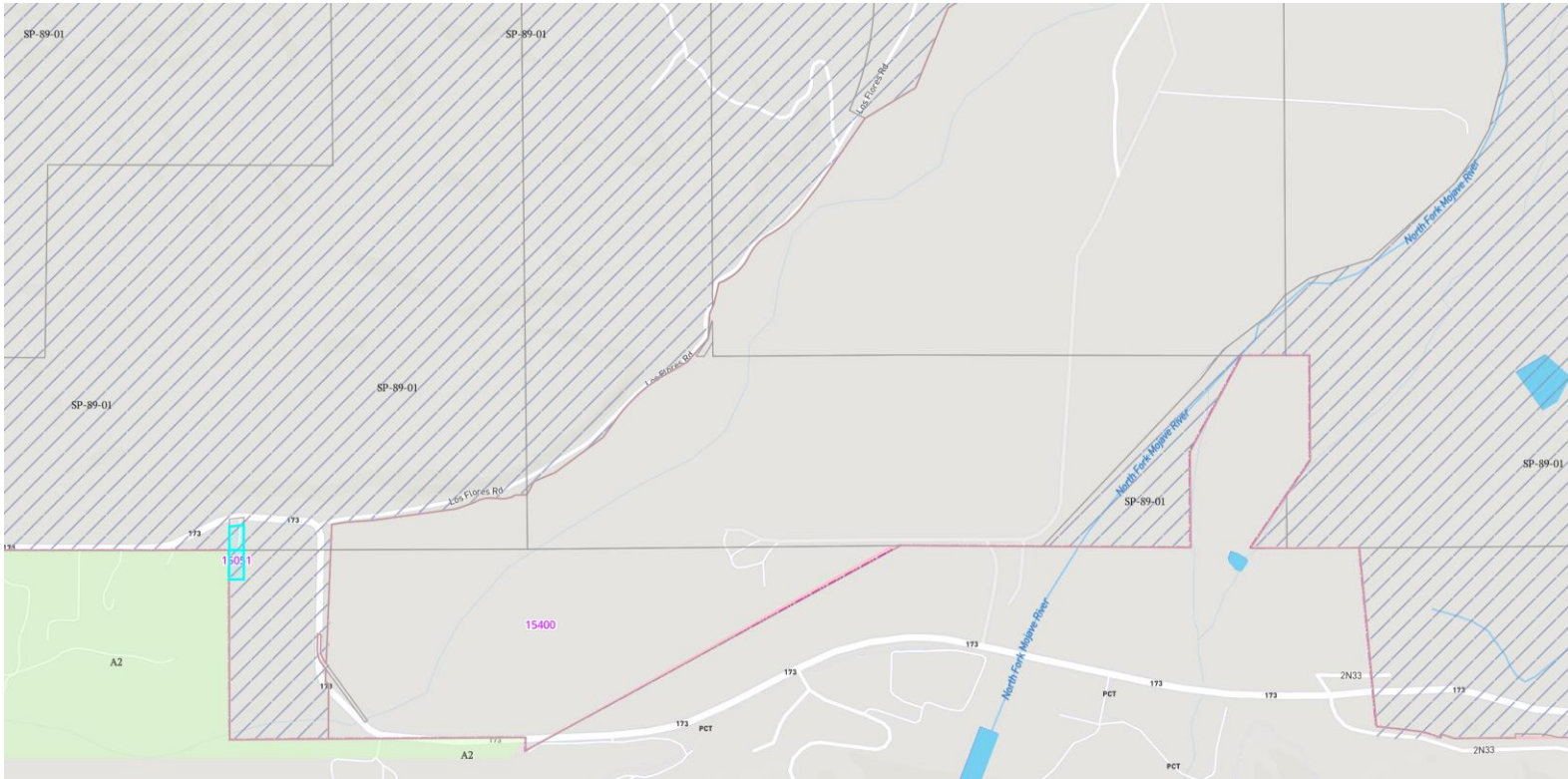
ADOPTED AND APPROVED on this 9th day of March 2023.

Roger Abreo, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission

Exhibit “A”



SPECIFIC PLAN AMENDMENT AND GENERAL PLAN AMENDMENT TO CHANGE A 0.93 GROSS ACRE SITE WITHIN THE TAPESTRY SPECIFIC PLAN FROM OPEN SPACE TO RURAL RESIDENTIAL