

**RESOLUTION NO. 2009-049  
RESOLUTION NO. HCRA 2009-21**

**A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HESPERIA AND THE HESPERIA COMMUNITY REDEVELOPMENT  
AGENCY OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING AN  
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE  
HESPERIA RECYCLING MARKET DEVELOPMENT ZONE (2009-09)**

**WHEREAS**, the intent of the Recycling Market Development Zone (RMDZ) program combines recycling with economic development to fuel new businesses, expand existing ones, create jobs, and divert waste from landfills. The program provides attractive loans, technical assistance, and free product marketing to businesses that use waste material to manufacture their products. Businesses in the Recycling Market Development Zone are eligible for potential assistance provided by the Planning Division and the California Integrated Waste Management Board (the "Project"); and

**WHEREAS**, the Hesperia Recycling Market Development Zone consists of the entire City. The projected growth within the industrial area is anticipated to create one industrial manufacturer on land up to 5 acres per year through the ten years of the zone's lifespan. No new development is expected in residential areas and all new development would occur primarily within approximately 3,085 acres of industrially zoned property; and

**WHEREAS**, pursuant to the California Environmental Quality Act ("CEQA") (Public Res. Code, § 21000 et seq.) and the State CEQA Guidelines (14 CCR § 15000 et seq.), the City Council of the City of Hesperia ("City Council" or "Council") and the Hesperia Community Redevelopment Agency of the City of Hesperia ("Community Redevelopment Agency" and "Agency") is the lead agency for the Project, as the public agency with general governmental powers; and

**WHEREAS**, the City of Hesperia, as lead agency, determined that a Mitigated Negative Declaration should be prepared pursuant to CEQA; and

**WHEREAS**, the Initial Study and Mitigated Negative Declaration were distributed for a 30-day public review period on September 4, 2009, with the comment period expiring on October 3, 2009; and

**WHEREAS**, the City Council and the Community Redevelopment Agency held a joint public hearing to consider the Project, Initial Study and Mitigated Negative Declaration, and staff recommendations, on October 6, 2009. Notice of this City Council and the Community Redevelopment Agency joint hearing was provided through publication the week of September 21, 2009; and

**WHEREAS**, the City has endeavored in good faith to set forth the basis for its decision on the Project; and

**WHEREAS**, all of the findings and conclusions made by the City pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA CITY COUNCIL AND THE HESPERIA COMMUNITY REDEVELOPMENT AGENCY AS FOLLOWS:**

Section 1. The City Council and Community Redevelopment Agency hereby specifically find that all of the facts set forth in this Resolution are true and correct.

Section 2. Formation of the Hesperia Recycling Market Development Zone will not authorize or entitle any specific development at this time. All future developments within the proposed Hesperia RMDZ will comply with, and compliment the City's General Plan and all zoning, development and permitting regulations.

Section 3. Since new development as a result of implementation of the Hesperia RMDZ must be consistent with the City's General Plan and must comply with the Hesperia Municipal Code and Main Street and Freeway Corridor Specific Plan, the impact of development upon the environment have been previously analyzed. Consequently, the impacts upon the environment were previously considered by the Environmental Impact Reports (EIR) for the General Plan and Main Street and Freeway Corridor Specific Plan. Therefore, the project's initial study determined that the impacts of the Hesperia Recycling Market Development Zone on the physical environment are less than significant with mitigation.

Section 4. All mitigation measures discussed in the initial study for the project are included in the Mitigation Monitoring and Reporting Plans and Program Environmental Impact Reports for the General Plan and Main Street and Freeway Corridor Specific Plan.

Section 5. Based upon Negative Declaration ND-2009-09 and the Initial Study which supports the Mitigation Negative Declaration, City Council and Community Redevelopment Agency find that there is no substantial evidence that the Hesperia Recycling Market Development Zone will have a significant effect on the environment.

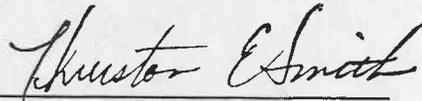
Section 6. The documents and material that constitute the final record of proceedings on which these findings have been based are located at the City of Hesperia City Hall. The custodian for these records is the City Clerk of the City of Hesperia.

Section 7. Based on the findings and conclusions set forth in this Resolution, this Council and Agency hereby approve the Initial Study and Mitigation Negative Declaration ND-2009-09.

Section 8. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

**ADOPTED AND APPROVED** on this 6<sup>th</sup> day of October 2009.

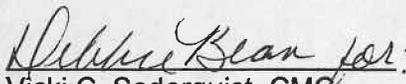
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Recycling Market Development Zone

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Thurston Smith, Mayor

ATTEST:

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Vicki C. Soderquist, CMG  
City Clerk

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

I, Vicki C. Soderquist, City Clerk of the City of Hesperia, California, do hereby certify that Resolution No. 2009-049 was duly adopted by the City Council of the City of Hesperia, California at a Regular Meeting thereof held on the 6<sup>th</sup> day of October 2009 by the following vote to wit:

AYES: Council Members Bosacki, Leonard, Pack, Mayor Pro Tem Vogler and Mayor Smith  
NOES: None  
ABSTAIN: None  
ABSENT: None

*Vicki C. Soderquist*  
\_\_\_\_\_  
Vicki C. Soderquist, MMC  
City Clerk



I, \_\_\_\_\_, City Clerk of the City of Hesperia, California, do hereby certify that the foregoing Resolution No. 2009-049 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\_\_.

\_\_\_\_\_  
Vicki C. Soderquist, MMC  
City Clerk

Seal