
FINDINGS: AMENDMENT

A POLICY PLAN AMENDMENT TO AMEND THE LAND USE CATEGORY SPLIT-DESIGNATION OF MEDIUM DENSITY RESIDENTIAL FROM 33 ACRES TO 24 ACRES AND COMMERCIAL FROM 7 ACRES TO 16 ACRES, AND ZONING AMENDMENT TO AMEND THE LAND USE ZONING DISTRICT SPLIT-DESIGNATION OF MULTIPLE RESIDENTIAL FROM 33 ACRES TO 24 ACRES AND GENERAL COMMERCIAL-SIGN PROGRAM FROM 7 ACRES TO 16 ACRES (PROJECT) ON ONE 40-ACRE PARCEL, LOCATED AT 61500 TWENTYNINE PALMS HWY JOSHUA TREE CA 92252 (PROJECT SITE); 3RD SUPERVISORIAL DISTRICT; APN: 0602-371-06; PROJ-2024-00017.

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.12.060, and supporting facts for the Project:

1. THE PROPOSED AMENDMENT IS INTERNALLY CONSISTENT WITH ALL OTHER PROVISIONS OF THE RESPECTIVE PLAN, THE POLICY PLAN OR AN APPLICABLE SPECIFIC PLAN.

Based on the evidence contained in the supporting documents, the Project is consistent with and will further the goals and policies of the Policy Plan and will not obstruct their attainment as further indicated below:

Policy HZ-1.3 Floodplain Mapping We require any new lots or subdivisions partially in, and any new development partially or entirely in 100-year flood zones or 100-year flood awareness areas to provide detail floodplain mapping for 100- and 200-year storm events as part of the development approval process.

Consistency: *The Project will not create new lots and instead is adjusting the Land Use Category and Land Use Zoning District designation for the Project Site. The recent hydrological analysis and associated Letter of Map Revision (LOMR) issued by the Federal Emergency Management Agency (FEMA) on April 4, 2023, corrected a historically mapped creek which has migrated northerly due to channelization to the northeast. The analysis conducted for the LOMR provides detailed mapping of all of the flood zones on the Project Site, allowing for safe development outside mapped flood zones. The proposed Project does not change the land uses on the property, but instead adjusted their respective acreages in alignment with the flood zone realignment on the Project Site. This action is consistent and will ensure compliance with the future development of the Project Site.*

GOAL LU-2 LAND USE MIX AND COMPATIBILITY: An arrangement of land uses that balances the lifestyle of existing residents, the needs of future generations, opportunities for commercial and industrial development, and the value of the natural environment.

Consistency: *The land uses on the parcel provide an effective “step down” in intensity from the commercial nature of Joshua Tree’s downtown area along Highway 62, to the less intense Medium Density Residential, which then buffers the Low Density Residential to the north. The entire frontage on Highway 62 in this part of Joshua Tree is designated Commercial, which is appropriate for a high volume traffic along the State highway. The deepening of the Commercial designation area will also provide for decreasing noise levels and exposure of existing and future residents and residential uses to air pollutants generated by the Highway.*

The increase in size of the commercial parcel is also more consistent with the depth of existing commercial or industrial land uses immediately west and east of the parcel, providing sufficient space to develop a viable long term commercial project which can increase job, entertainment and shopping opportunities for local residents.

Policy LU-2.4 Land Use Map Consistency. We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.

Consistency: *The proposed Project adjusts the distribution of existing Land Use Categories and Zoning Districts to align with the current location of Joshua Tree Creek, creating two distinct and functional areas naturally divided by the creek. This modification ensures that land use boundaries accurately reflect existing physical and environmental conditions while maintaining full consistency with the goals and intent of the General Plan.*

Policy LU-2.7 Countywide Jobs-Housing Balance. We prioritize growth that furthers a countywide balance of jobs and housing to reduce vehicle miles traveled, increase job opportunities and household income, and improve quality of life. We also strive for growth that furthers a balance of jobs and housing in the North Desert region and the Valley region.

Consistency: *The proposed Project will allow for both housing and more realistic commercial development on the Project Site. The housing designation would be located in close proximity to jobs along Highway 62. The commercial development area will be more consistent in size with viable commercial development, and will enable the creation of jobs for local residents who may otherwise commute long distances for work.*

Policy LU-2.10 Unincorporated Commercial Development. We intend that new commercial development in the unincorporated areas serve unincorporated residential areas, tourists, and/or freeway travelers. We encourage new commercial development to be concentrated to enhance pedestrian circulation and reduce vehicular congestion and vehicle miles traveled, with new development directed into existing centralized areas when possible.

Consistency: *The Commercial designation allows for a broad range of development types, ranging from retail opportunities to offices and tourism options. The larger parcel area will lend itself to a more integrated and functional layout for commercial opportunities that may arise in the future.*

Policy HZ-2.8 Proximity to Noise Generating Uses. We limit or restrict new noise sensitive land uses in proximity to existing conforming noise generating uses and planned industrial areas.

Consistency: *The expansion of the Commercial land use on the property allows for greater distance between the noise-generating traffic on Highway 62 to residential development which would be built in the future. Because noise levels decrease rapidly with distance, this increase will allow for greater compatibility for noise-sensitive residents in the future.*

2. THE PROPOSED AMENDMENT WOULD NOT BE DETRIMENTAL TO THE PUBLIC INTEREST, HEALTH, SAFETY, CONVENIENCE, OR WELFARE OF THE COUNTY.

An Initial Study and Negative Declaration (IS/ND) was prepared for the Project and determined that the Project would not result in significant impacts which would be detrimental to the public interest, health, safety, convenience and welfare of the County. The ND is incorporated herein by reference as evidence in support of this finding. As discussed in the Project's Staff Report, the adjustment to the Land Use Category and Land Use Zoning District designations is consistent with recent action by FEMA.

3. THE PROPOSED AMENDMENT IS IN THE PUBLIC INTEREST, THEREFORE WILL BE A COMMUNITY BENEFIT, AND OTHER EXISTING AND ALLOWED USES WILL NOT BE COMPROMISED.

The proposed amendment is in the public interest, will provide a community benefit, and will not compromise other existing and allowed uses. The Project proposes a realignment of the existing land uses on the Project Site to correspond with the creek alignment resulting from the LOMR, enhancing public safety by aligning future uses more safely with physical constraints on site. The proposed amendment would provide a public benefit by enhancing the downtown area of Joshua Tree and providing additional centralized commercial services for the community.

The proposed amendment will not compromise other existing and allowed uses. The higher intensity residential and commercial designations on this parcel are buffered from the residential development to the east by Sunset Road. Lands to the north of the parcel are designated for lower intensity residential uses and will benefit from the buffer created by the Medium Density Residential designation. Lands to the west and south, which abut Highway 62, are designated with the same Commercial designation as the Project Site and enhance the downtown area of Joshua Tree by providing centralized commercial services for the community.

4. THE PROPOSED AMENDMENT WILL PROVIDE A REASONABLE AND LOGICAL EXTENSION OF THE EXISTING LAND USE PATTERN IN THE SURROUNDING AREAS.

The proposed amendment will provide a reasonable and logical extension of the existing land use pattern in the surrounding area. The higher intensity residential and commercial designations on this parcel are buffered from the residential development to the east by Sunset Road. Lands to the north of the parcel are designated for lower intensity residential uses and will benefit from the buffer created by the Medium Density Residential designation. Lands to the west and south, which abut Highway 62, are designated with the same Commercial designation as the Project Site and enhance the downtown area of Joshua Tree by providing centralized commercial services for the community.

5. THE PROPOSED ZONING AMENDMENT DOES NOT CONFLICT WITH PROVISIONS OF THE DEVELOPMENT CODE

The proposed amendment has been reviewed and determined to be compliant with the provisions of the Development Code. The proposed Project meets the minimum acreage required for a Zoning Amendment in the Multiple Residential and General Commercial zoning districts.

6. THE PROPOSED AMENDMENT WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON SURROUNDING PROPERTY.

An IS/ND was prepared for the Project and concluded that no substantial impact will occur by the amendment. The Project will not alter the uses already permitted on the site, and will continue to remain permitted and there will be no adverse effect on surrounding properties.

7. THE AFFECTED SITE IS PHYSICALLY SUITABLE IN TERMS OF DESIGN, LOCATION, SHAPE, SIZE, OPERATING CHARACTERISTICS, AND THE PROVISION OF PUBLIC AND EMERGENCY VEHICLE (E.G. FIRE AND MEDICAL) ACCESS AND PUBLIC SERVICES AND UTILITIES (E.G. FIRE PROTECTION, POLICE PROTECTION, POTABLE WATER, SCHOOLS, SOLID WASTE COLLECTION AND DISPOSAL, STORM DRAINAGE, WASTEWATER COLLECTION, TREATMENT, AND DISPOSAL, ETC.), TO ENSURE THAT THE PROPOSED AND/OR DEVELOPMENT WILL NOT ENDANGER, JEOPARDIZE, OR

OTHERWISE CONSTITUTE A HAZARD TO THE PROPERTY OR IMPROVEMENTS IN THE VICINITY IN WHICH THE PROPERTY IS LOCATED.

All components of the Project were analyzed by the appropriate County departments and determined to be physically suitable in terms of design, location, shape, size, characteristics, as well as provide public and emergency vehicle access, and public services and utilities to the Project site, to ensure that the project would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

The environmental findings, in accordance with Section 85.03.040 of the San Bernardino County Development Code (Development Code), are as follows:

Pursuant to provisions of the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines, the County finds that there is no substantial evidence in light of the whole record that the above-referenced Project may have a significant adverse impact on the environment. As a result, a Negative Declaration is adopted. The Negative Declaration represents the independent judgment and analysis of the County acting as lead agency for the Project.