



SAN BERNARDINO COUNTY PLANNING COMMISSION MEETING MINUTES

County Government Center
Covington Chambers
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415

Thursday, June 3, 2021

COMMISSIONERS PRESENT

Jonathan Weldy, Chair, First District
Ray Allard, Vice Chair, Second District
Michael Stoffel, Commissioner, Third District
Tom Haughey, Commissioner, Fourth District
Kareem Gongora, Commissioner, Fifth District

STAFF PRESENT

Heidi Duron, Planning Director, LUSD
Jason Searles, Deputy County Counsel
Reuben J. Arceo, Contract Planner, LUSD
Lupe Biggs, Administrative Assistant, LUSD

The Planning Commission meeting of June 3, 2021, was called to order at 9:00 a.m. by Chair Weldy. Commissioner Gongora led the Invocation and Planning Director Heidi Duron led the Pledge of Allegiance.

Due to the guidance from the California Department of Public Health and the Governor's Executive Order to stay home, a limited number of staff was present at the meeting.

Present at the meeting was Planning Director Heidi Duron, Deputy County Counsel Jason Searles, Contract Planner Reuben J. Arceo, Administrative Assistant Lupe Biggs, Representative Bryant Bergeson and Applicants April Dufour, David Dufour and Tricia Dufour.

The meeting was conducted pursuant to the provisions of the Governor's Executive Order N-29-20 dated March 17, 2020, which suspends certain requirements of the Ralph M. Brown Act.

ROLL CALL

Chair Weldy and Commissioner Gongora were present at the meeting. Vice Chair Allard, Commissioner Stoffel and Commissioner Haughey participated remotely.

1. a. APPROVAL OF MINUTES-APRIL 8, 2021

Commissioner Gongora made a motion to approve the minutes for April 8, 2021. Vice Chair Allard seconded the motion. The motion passed with a 5-0 vote.

b. ADVANCE SCHEDULE

The advanced schedule was presented by Lupe Biggs, Administrative Assistant.

c. DIRECTOR'S REPORT

Heidi Duron, Planning Director, provided clarification regarding the Workshop on June 17, 2021. She stated staff will be opening remote offices for resident to view and provide public comment. Ms. Duron also stated the meeting on July 8, 2021 may have additional items added to the schedule, and to expect the meeting for July 22, 2021 to be a full day with the workshop in the afternoon. She confirmed the remote office will be available for that meeting as well.

d. COMMISSIONER COMMENTS

There were no comments.

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2. PUBLIC HEARING

APPLICANT: Dave Dufour
COMMUNITY: Twin Peaks / 2nd Supervisorial District
PROJECT NO: PROJ-2020-00156
LOCATION: 25994 Highway 189
STAFF: Reuben J. Arceo, Contract Planner
PROPOSAL: A) Policy Plan Amendment to change the Land Use Category from Low Density Residential (LDR) to Commercial (C) for APNs: 0334-391-03, -04, and 0334-393-06,
B) Zoning Amendment from Single Residential, Minimum Lot Size 14,000 Square-Feet (RS-14M) and Multiple Residential (RM) to Neighborhood Commercial (CN) for nine parcels and,
C) Conditional Use Permit (CUP) to permit the operation of an existing 5-acre cabin/lodging resort consisting of 19 cabin units, 2 areas for wedding events, receptions and similar functions for up to 292 persons.
CEQA RECOMMENDATION: Mitigated Negative Declaration
EST. TIME: 90 minutes

STAFF PRESENTATION:

Reuben J. Arceo, Contract Planner, presented the staff report and memo to the Planning Commission, which is on file with the Land Use Services Department.

RECOMMENDATION:

That the Planning Commission RECOMMEND that the Board of Supervisors take the following actions:

- A. **ADOPT** the Mitigated Negative Declaration (Exhibit D);
- B. **ADOPT** the recommended findings (Exhibit E);
- C. **ADOPT** a Policy Plan Amendment to change the Land Use Category from Low Density Residential (LDR) to Commercial (C) for three of nine of the subject parcels (APNs 0334-391-03, -04, and 0334-393-06);
- D. **ADOPT** a Zoning Amendment from Single Residential, Minimum Lot Size 14,000 Square Feet (RS-14M) and Multiple Residential (RM) to Neighborhood Commercial (CN) for nine parcels consisting of 5-acres;
- E. **APPROVE** the Conditional Use Permit to permit the operation of an existing 5-acre cabin/lodging resort consisting of 19 cabins, including two event areas, referenced as Hidden Creek and Cedar Creek, to include receptions and similar functions for up to 292 persons, subject to the Conditions of Approval (Exhibit F); and
- F. **DIRECT** the Clerk of the Board to file the Notice of Determination.

COMMISSION COMMENTS:

There were no comments.

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APPLICANT COMMENTS:

Applicant April Dufour, Operations Manager for Pine Rose, presented a slide presentation to the Planning Commission, which is on file with the Land Use Services Department. Engineer Bryant Bergeson, and Owners David and Tricia Dufour were also present.

Vice Chair Allard stated it was a great presentation by staff and the applicant. He asked if the sound barriers are actually straw bales and for details of the structure being constructed. Mr. Bergeson replied that bales of hay are temporary, and they are waiting for the permit to be finalized. Vice Chair Allard wanted to confirm that parking is close to the onsite structures. Ms. Dufour replied parking is about a yard to two feet near the onsite cabins and event area. Mrs. Dufour added more details about the site layout. Ms. Dufour also stated they have signs and parking attendants to help guide visitors.

Commissioner Haughey inquired about the in-house DJ. He asked what happens in the instance the DJ cannot make to it in. Ms. Dufour explained there is a fill-in DJ and additional hired staff to assist in those situations. Commissioner Haughey also asked what the largest wedding they have hosted. Ms. Dufour replied about 175 people, plus the smaller venue on Cedar Creek will be a 60-person capacity.

Chair Weldy and Ms. Dufour discussed the number of guests listed in the Staff Report. Mr. Dufour stated the reason the high number is to represent a worst-case scenario.

Commissioner Haughey then asked if the parking spaces are on dirt and how are they marked. Mrs. Dufour explained surveyors paint is used on the ground and the parking attendants assist with parking vehicles. She addressed the number of expected guests and provided additional clarification.

Commissioner Gongora inquired about the past Code Enforcement violations and asked how they address the complaints. Ms. Dufour explained there is main office phoneline people can call any time of the day and there is on-call innkeeper onsite. She further explained various procedures to assess the complaints and each situation. Ms. Duron described Code Enforcement's role and working with Planning regarding the Project. Commissioner Gongora stated there are some violations from 2015 and asked if they had all been addressed. Ms. Duron replied Planning and Code Enforcement staff are working together to ensure all the violations will be addressed. Mr. Bergeson mentioned some of the violations will be addressed when the building permits are issued. Commissioner Gongora also asked if there was any spillover traffic into the highway that effect the area. Ms. Dufour explained that each cabin has designated parking and the means they take to manage guest traffic. She continued to use the site plan to explain the flow of traffic during events. Commissioner Gongora asked if there was curfew. Ms. Dufour replied that they comply with stated event curfew regulations. Mr. Arceo then provided additional information to explain parking and traffic for the Project site. Ms. Dufour explained guests are provided the lobby address so they can be directed to the proper parking areas. Commissioner Gongora, Ms. Dufour and Mr. Bergeson discussed the onsite parking locations.

Vice Chair Allard asked for the Applicant to clarify where on the site plan the two wedding venues are located. Ms. Dufour and Mrs. Dufour explained the site layout to the Planning Commission.

PUBLIC COMMENTS:

Juan Alvarado, resident of Twin Peaks, spoke in favor of the Project, stated he has been a resident of the area for about 20 years and got married at Pine Rose. He stated that he and the neighbors do not have a problem entering and exiting the area. He also stated he is grateful for the DuFour's. Mr. Alvarado described his experience and relationship with Pine Rose.

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Roy Houghton, resident of Agoura Hills, spoke in opposition of the Project, stated he lives nearby and described his experience with previous events at Pine Rose. He stated the venue should not exist because the area is residential. Mr. Houghton described his experience with noise issues in the past. He stated visitors believe Pine Rose owns all the cabins in the area. Chair Weldy asked how the owners addressed his complaints. Mr. Houghton replied that he was provided the main office number and has contacted the police.

Bernie Kerkvliet, resident of Crestline, spoke in favor of the Project, stated he is a longtime resident of the mountain area, and he helped the Dufour's with the venue improvements. Mr. Kerkvliet also described how Pine Rose helps the ecosystem and is a water source for the local wildlife. He shared some ecosystem data for the area that he had researched.

Linda Moudy, resident of Crestline, did not register in favor or opposition, stated she is an employee of Pine Rose since 2006. She described how the Dufour's have worked to mitigate the noise from events to accommodate the neighbors. She explained her job duties and provided an example of an event timeline. Ms. Moudy also shared how the weddings are good for the community and it introduces the visitors to the mountain areas.

Richard Langlois, resident of Twin Peaks, spoke in favor of the Project, stated he owns two properties nearby. He described his driveway is used and shared as the Right-of-Way to enter the Pine Rose. He described his experience with Pine Rose and said he cannot imagine the area without Pine Rose.

Chad Hobart, resident of Lake Arrowhead, spoke in favor of the Project, stated he is the inhouse DJ for Pine Rose and the owner of Arrowhead DJ. He described his working relationship to Pine Rose. He explained the speaker system setup for the property to keep sound levels in-check. Mr. Hobart provided an example of a noise complaint that turned out not to be from Pine Rose. He stated Pine Rose is a major financial component to the mountain area.

Denis Petras, resident of Twin Peaks, spoke in favor of the Project, stated he lives across the street from Pine Rose. He stated the Dufour's have improved the property since taking it over. He mentioned that more neighbors are now improving their own properties, which is good for the community. Mr. Petras stated he has never had problems with the guests from Pine Rose.

Deter Heuser, resident of Lake Arrowhead, did not register in favor or opposition, stated he is a real estate broker for the area and has known the Dufour's for quite a long time. He described how the Dufour's are good neighbors and Pine Rose brings revenue to the area.

Trudie Blank, resident of Twin Peaks, spoke in opposition of the Project, stated she is a longtime mountain resident. She described the area changed after the Dufour's took over Pine Rose. She also mentioned that neighbors around Pine Rose have had to put signs on their property to clarify they are not a part of Pine Rose. Ms. Blank described past experiences with guest and noise disturbances. She also described her involvement in the homeowner's association board for the community. She explained the effects of the additional traffic and stated the sound barrier does not work.

Tracy Fischlie, resident of Twin Peaks, spoke in favor of the Project, stated he owns a business nearby Pine Rose. He shared that Pine Rose provides revenue to the businesses in the community. He hopes the area can be rezoned to Residential-Commercial. Mr. Fischlie described an event he held at Pine Rose and his experience working with the staff. He stated the mountain community owes the Dufour's a lot because they kept the businesses alive during the pandemic.

John Ward, resident of Twin Peaks, spoke in favor of the Project, stated his family has lived in the area for years. He described the pool on the property before the Dufour's took over. Mr. Ward described the work that had been done to restore the pool and the measures the Dufour's took to make it safe.

Robin Bowl, resident of Lake Arrowhead, spoke in favor of the Project, stated she is a member of the Lake Arrowhead Communities Chamber of Commerce. She shared that the economy is

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powered by small family businesses. Ms. Bowl also explained what brings revenue to the community and how Pine Rose has contributed to that.

Duane Banner, resident of Blue Jay, spoke in favor of the Project, shared he is a long time mountain resident. He described the past economy and the development of businesses and infrastructure in the community.

David Little, resident of Twin Peaks, registered in favor of the Project, submitted a speaker slip (*left*).

Jolene Little, resident of Twin Peaks, spoke in favor of the Project, stated she is a former wedding coordinator for Pine Rose and shared her work experience there. She explained the area and the general commute to the venue. Ms. Little also stated neighbors have had louder events in their own yards. She stated Pine Rose is essential and brings in so much to the community.

Jeff Moudy resident of Crestline, spoke in favor of the Project, stated he is a caterer that has worked with Pine Rose. He described how the Dufour's have worked diligently to improve the property and area.

Kimberly Smith, resident of Cedar Glen, spoke in favor of the Project, stated she is an assistant manager at Pine Rose. She shared her work experience. Ms. Smith mentioned that guests have stated their rules are too strict and decide not to book with them. She shared that she is excited for the new changes that could come with the rezoning.

Collin Connor, resident of Crestline, registered in favor of the Project, submitted a speaker slip (*left*).

Tyler Moudy, resident of Crestline, spoke in favor of the Project, stated Pine Rose has strict guidelines and described the venue surroundings. He stated the community is a quiet area and can understand it can become louder since the venue started having weddings. Mr. Moudy shared that the staff works diligently to appease the neighbors.

Sheri Houghton, resident of Twin Peaks, spoke in opposition of the Project, stated the Dufour's have done a wonderful job with the property. She shared her concerns along Cedar Creek. She described the area as being noisy and catering carts being hauled around. Ms. Houghton described that guests do stay in the cabins, but they continue to party after the event.

Sandra Hughes, resident of Lake Arrowhead, registered in favor of the Project, submitted a speaker slip to be included for the record.

ADDITIONAL COMMENTS:

Ms. Dufour provided comments as a resident of Twin Peaks, she shared her concerns for events that take place at AirB&B's. She described how those types of events are not regulated, not like Pine Rose.

Mrs. Dufour responded to some of the public comments. She described the developments to the site that have addressed some of the complaints and invited all Commissioners to visit the venue.

Commissioner Gongora asked for confirmation that this Project will be a Conditional Use Permit (CUP). Ms. Duron replied yes. Commissioner Gongora stated the County has the option to rescind the CUP, if the Applicant is not compliant. Ms. Duron further mentioned noncompliance regulations are in the Development Code.

Vice Chair Allard asked for clarification on the motion and a zoning designation term. Ms. Duron stated Residential commercial is a term used by the Applicant not staff. She further clarified the Land Use Category and Zoning Amendment for the Project. Vice Chair Allard asked for an explanation of a Policy Plan. Ms. Duron summarized how the Countywide Plan (CWP) went from one map to a two-map system and described some of the designation changes. Vice Chair Allard then asked if the current zoning does not allow for Commercial building. Ms. Duron briefly explained the Zoning Amendments in the CWP. Vice Chair Allard discussed documenting the noise readings and asked if the decibel reading for the mountain area is the same as the valley.

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Ms. Duron responded in the affirmative and stated that it is not regionally distinguished. Mrs. Dufour explained how they do have a log for the noise readings.

Commissioner Haughey asked if the violations have all been cleaned up, or will they be ongoing. Ms. Duron explained the resolutions will be forthcoming. Mr. Bergeson explained the permits and violations will be crossed checked.

Chair Weldy and Mrs. Dufour discussed the flow of traffic along Sunset Loop.

Commissioner Gongora inquired about adding a condition for signage and clarified some of his previous comments. Mr. Bergeson referenced the status of the permit application.

Mr. Arceo addressed comments regarding noise and listed the recommendations from the noise engineer for the Project.

COMMISSION ACTION:

Commissioner Haughey made a motion to approve staff's recommendation. Commissioner Stoffel seconded the motion. The motion passed with a 5-0 vote.

COMMISSION VOTE

MOTION: Haughey

SECOND: Stoffel

AYES: Weldy, Allard, Stoffel, Haughey and Gongora

NOES: None

RECUSED: None

ABSENT: None

ABSTAIN: None

3. PUBLIC COMMENTS:

Chair Weldy opened the Public Comments at 11:48 a.m. Having one request to speak, Chair Weldy closed the Public Comments at 11:52 a.m.

April Dufour, resident of Twin Peaks, shared her concerns regarding AirB&B's in the mountain area.

4. ADJOURNMENT:

There being no further business, Commissioner Gongora made a motion to adjourn the meeting. Commissioner Stoffel seconded the motion. The meeting was adjourned at 11:52 a.m.

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Chair Weldy 7/8/21 *(Signature)* 7/8/2021
Chair Weldy **Date** **Heidi Duron** **Date**
 Chair Weldy, Planning Commission Planning Director, Land Use Services Department

Lupe Biggs 7/8/21
Lupe Biggs **Date**
 Administrative Assistant, Land Use Services Department