

EXHIBIT B

FINDINGS: CONDITIONAL USE PERMIT

A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A 12-SITE DRY CAMPGROUND FACILITY (PROJECT) ON A 7.5-ACRE PARCEL LOCATED AT 62076 MERCURY DRIVE (PROJECT SITE); 3RD SUPERVISORIAL DISTRICT; APN: 0631-201-68; PROJECT NUMBER PROJ-2023-00023

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040, and supporting facts for approval of the Conditional Use Permit:

- 1. THE SITE FOR THE PROPOSED USE IS ADEQUATE IN TERMS OF SHAPE AND SIZE TO ACCOMMODATE THE PROPOSED USE AND ALL LANDSCAPING, LOADING AREAS, OPEN SPACE, PARKING AREAS, SETBACKS, WALLS AND FENCES, YARDS, AND OTHER REQUIRED FEATURES PERTAINING TO THE APPLICATION.**

The Project Site is 7.5 acres in size and is of adequate size and shape to accommodate the proposed 12 dry-camp sites with existing two accessory structures on site. Ingress and egress, internal circulation, parking, landscaping, lot coverage, setbacks, buffering and fences meet the requirements of the Development Code for the land use within the Rural Living (RL) Land Use Zoning District designation. Refer to Table 2 of the Staff Report related to code compliance.

- 2. THE SITE FOR THE PROPOSED USE HAS ADEQUATE ACCESS, WHICH MEANS THAT THE SITE DESIGN INCORPORATES APPROPRIATE STREET AND HIGHWAY CHARACTERISTICS TO SERVE THE PROPOSED USE.**

The site design and Conditions of Approval for the Project ensure adequate legal and physical access to the site from Sunburst Avenue. The proposal is a new campground facility with 12 dry-camp sites within the subject site. The Project has been reviewed by the County's Land Use Services and Public Works departments and is required to provide adequate access to the abutting local street and to maintain the nearest County-maintained road through a maintenance agreement. On-site circulation drive aisles meet San Bernardino County Fire Protection District standards.

- 3. THE PROPOSED USE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ABUTTING PROPERTY OR THE ALLOWED USE OF THE ABUTTING PROPERTY, WHICH MEANS THE USE WILL NOT GENERATE EXCESSIVE NOISE, TRAFFIC, VIBRATION, OR OTHER DISTURBANCE. IN ADDITION, THE USE WILL NOT SUBSTANTIALLY INTERFERE WITH THE PRESENT OR FUTURE ABILITY TO USE SOLAR ENERGY SYSTEMS.**

The Project, as designed and conditioned, is consistent with the land uses and development standards allowed within the Homestead Valley Rural Living (HV/RL) Land Use Zoning District and will not have adverse effects on abutting properties. The Project is adjacent to a rural single family residential neighborhood to the north, west, east, and south. There are two single-family dwellings to the southwest at about 400 feet and east 1,100 feet in distance respectively.

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Project Conditions of Approval address Development Code allowances and thresholds for noise, traffic, vibrations, lighting, glare, or other disturbance, as well as for off-site and onsite driveway and street improvements. In particular, the spacing and layout of the campground facility is designed to be in compliance with Development Code Section 83.01.080 (Noise) and the required parking has been met. The planned tent structures are temporary and removable, and the design with the use of cloth covers do not lend to the installation of solar energy systems. However, the proposed Project also does not interfere with the future ability to use solar energy systems.

4. THE PROPOSED USE AND MANNER OF DEVELOPMENT ARE CONSISTENT WITH THE GOALS, MAPS, POLICIES, AND STANDARDS OF THE GENERAL PLAN AND ANY APPLICABLE COMMUNITY OR SPECIFIC PLAN.

The Conditional Use Permit, together with the provisions for its design and improvement are consistent with the Countywide Plan's Policy Plan (General Plan). The Project as designed specifically is consistent with the goals, policies, standards and maps of the Policy Plan and implements the following goals and policies:

- **Policy LU-2.1** Compatibility with existing uses. We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods.

Consistency: *The Project is appropriate because the use is allowed subject to a land use entitlement of a Conditional Use Permit (CUP) and compatible with the size and scale of the surrounding residential/commercial characteristics. The Project Site is currently vacant and proposed temporary structure tents with canvas materials are appropriate for campground characteristics and designed to be sensitive to surrounding properties and the environment.*

- **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 Project is consistent with the Land Use Map and does not propose a change in the Land Use Category. As designed, the proposed use is compatible and consistent with surrounding land uses and community's identity.*

- **Policy ED-3.6** Countywide tourism. We coordinate with a variety of partners to promote San Bernardino County as a regional, national, and international tourist destination and collaborate with tourism industry businesses to improve visitor experience.
- **Consistency:** *The County reviewed and considered the submitted letters of support submitted from local business owners and concluded that the Project will support local businesses that rely on local tourism activity generated by nearby Joshua Tree National Park and establish a campground which is considered a tourist destination.*

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5. THERE IS SUPPORTING INFRASTRUCTURE, EXISTING OR AVAILABLE, CONSISTENT WITH THE INTENSITY OF THE DEVELOPMENT, TO ACCOMMODATE THE PROPOSED PROJECT WITHOUT SIGNIFICANTLY LOWERING SERVICE LEVELS.

Because the Project is a “dry camp” campground facility, there is no need for supporting infrastructure, therefore the proposed development will not lower service levels. Water service has been waived by the Environmental Health Services (EHS) Department and the Planning Division has conditioned the Project applicant to file for an annual Special Use Permit for the maintenance of the portable bathrooms. Additionally, the Project has been conditioned by the Land Development and Special Districts departments to provide annual maintenance of the dirt road to the nearest county-maintained street/road in lieu of the required pavement with an approved waiver dated January 31, 2025.

6. THE LAWFUL CONDITIONS STATED IN THE APPROVAL ARE DEEMED REASONABLE AND NECESSARY TO PROTECT THE OVERALL PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

The conditions of approval include measures that require the applicant/developer to comply with the performance measures outlined in the Development Code. Therefore, the conditions stated in the approval are deemed necessary to protect the public health, safety and general welfare.

7. THE DESIGN OF THE SITE HAS CONSIDERED THE POTENTIAL FOR THE USE OF SOLAR ENERGY SYSTEMS AND PASSIVE OR NATURAL HEATING AND COOLING OPPORTUNITIES.

The proposed Project was designed in a manner to not interfere with the future ability for the property owner to install a solar energy system. The Project would not impede development of solar energy generation systems on adjacent parcels.

FINDINGS: CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

8. THE PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT.

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

Pursuant to provisions of the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines, the above referenced Project has been determined through the preparation of an Initial Study to not have a significant adverse impact on the environment with the implementation of the required mitigation measures. As a result of the public review process, an Errata to the Initial Study was prepared and edits to Mitigation Measure (MM) BIO-1 (related to Joshua trees) and the addition of MM BIO-3 (related to Desert Kit Fox), BIO-4 (related to Crotch’s Bumble Bee Habitat Assessment) and BIO-5 (related to nesting birds) were made to the Initial Study. The review authority finds that the mitigation

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relates to environmental impacts previously identified and that changes to the mitigation measures have been determined to be equivalent or more effective in mitigating environmental impacts. A Mitigated Negative Declaration (MND) was considered, together with an Errata and all public comments, and was adopted and a Notice of Determination will be filed in accordance with CEQA. The MND represents the independent judgment and analysis of the County acting as lead agency for the Project.