

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

July 26, 2022

FROM

DAVID DOUBLET, Director, Land Use Services Department

SUBJECT

Action to Set Aside and Vacate Project Approvals for the Church of the Woods Project

RECOMMENDATION(S)

Adopt **Resolution No. 2022-164** in compliance with an order of the court to set aside and vacate project approvals for the Church of the Woods project (Project No. P201700270). (Presenter: David Doublet, Director, 387-4431)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

FINANCIAL IMPACT

Approval of this item will not result in additional use of Discretionary General Funding (Net County Cost) as there are no financial impacts associated with this item.

BACKGROUND INFORMATION

The purpose of this action is to comply with an order of the court to set aside and vacate the approvals related to a project known as the Church of the Woods development (Project No. P201700270), a religious facility that includes a 27,364-square foot, two-story Youth Center/Gymnasium, recreational facilities, 41,037-square foot, two-story assembly building with a maximum seating capacity of 600, and a 1,500-square foot, two-story maintenance/caretaker unit on a 13.6-acre portion of a 27.12-acre site (Assessor Parcel Number: 0336-101-15) (Project).

On January 23, 2020 (Item No. 2), the Planning Commission approved the Project and took the following actions: (1) Certify the Environmental Impact Report (EIR) (SCH No. 2004031114); (2) Adopt the California Environmental Quality Act (CEQA) Findings of Fact and Statement of Overriding Considerations; (3) Adopt the Mitigation Monitoring and Reporting Program (MMRP); (4) Adopt the recommended findings for approval of the Conditional Use Permit (CUP) for the Project; (5) Approve the CUP for the Project, subject to Conditions of Approval; and (6) Direct staff to file a Notice of Determination (collectively, the Approvals).

Save Our Forest Association, Inc., Sierra Club, and San Bernardino Valley Audubon Society (collectively, the Appellants) filed an appeal challenging the validity of the Planning Commission's Project Approvals. On October 20, 2020 (Item No. 3), the Board of Supervisors (Board) conducted a public hearing to consider Appellants' appeal. At that hearing, the Board denied Appellants' appeal and approved the Project Approvals.

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On November 20, 2020, Save Our Forest Association, Inc., Sierra Club, and San Bernardino Valley Audubon Society (collectively, the Petitioners) filed a petition for writ of mandate and complaint for injunctive relief (Petition and Complaint) against San Bernardino County and the Board challenging the Project Approvals in Superior Court Case No. CIVSB 2025038, entitled *Save Our Forest Association, Inc., et al. v. County of San Bernardino, et al.* (the Action). On March 9, 2022, the Judge of the Superior Court in the Action granted the Petition and Complaint on the limited grounds specified and explained in the Court's ruling. Thereafter, on June 6, 2022, the Judge of the Superior Court in the Action issued a writ of mandate ordering the County and Board to set aside and vacate the Project Approvals. This action includes adoption of a resolution taking the necessary action to comply with the court order.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Jason Searles, Deputy County Counsel, 387-5455) on June 23, 2022; Finance (Erika Rodarte, Administrative Analyst III, 387-4919) on July 5, 2022; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on July 5, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Janice Rutherford
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: July 26, 2022



cc: File - Land Use Services Department w/ Resolution
jm 07/28/2022