

ORDINANCE NO. 4391  
SECOND CYCLE 2020  
GENERAL PLAN LAND USE ELEMENT AMENDMENT

**AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AMENDING THE SAN BERNARDINO COUNTY GENERAL PLAN LAND USE ZONING DISTRICT MAPS.**

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

**SECTION 1.** Public hearings have been held before the Planning Commission and Board of Supervisors of the County of San Bernardino, State of California, pursuant to the Planning and Zoning Law of the State of California and the County Code of the County of San Bernardino.

MOON CAMP/3<sup>rd</sup> SUPERVISORIAL DISTRICT

## LUZD MAP FI09

**SECTION 2.**

The General Plan Land Use Zoning District Maps are amended as shown on the attached map marked "LUZD MAP FI09" from Bear Valley/Rural Living, 40-acre minimum lot size (BV/RL-40) to Bear Valley/Single Family Residential – 20,000-square foot minimum lot size (BV/RS-20m) in conjunction with a Tentative Tract Map (TT 16136) to create 50 residential lots with a minimum lot area of 20,000 square feet and 8 lettered lots for open space conservation (Project) on 62.43 acres, located along North Shore Drive (State Route 38) approximately 180 feet east of Canyon Road (Project site).

**FINDINGS FOR THE GENERAL PLAN AMENDMENT (GPA):**

1. The proposed amendment is internally consistent with all other provisions of the General Plan because the proposed amendment is consistent with and will further the objectives, goals and policies of the General Plan and Bear Valley Community Plan. This amendment is consistent specifically with the following General Plan and Bear Valley Community Plan goals and policies:

**GENERAL PLAN**

**Goal M/CO 1.** Preserve the unique environmental features of the Mountain Region including native wildlife, vegetation and scenic vistas.

*Consistency: On-site and off-site conservation areas are proposed which preserve unique environmental features affecting native wildlife and vegetation. The scenic vistas of Big Bear Lake are preserved by the removal of all originally proposed lakefront residential development*

**Goal M/CO 1.2.** Protect scenic vistas by minimizing ridgeline development that would substantially detract from the scenic quality of major ridgeline viewsheds.

*Consistency: The proposed project site is at a lower elevation than the existing residential development and National Forest land to the north. No major ridgelines will be affected by the proposed development.*

**Goal M/CO 2.** Maintain the health and vigor of the forest environment.

*Consistency: The proposed Project sets aside approximately 6.2 acres of the site for Open Space, Neighborhood Lake Access and Conservation Easements in three lettered lots, plus another lettered lot designated for the marina parking lot. In addition, a 10-acre off-site pebble plain habitat currently owned by the Moon Camp (Applicant) property owner would be dedicated as a Conservation Easement. With no residential development along the lakeshore, the scenic beauty of the lakeshore is conserved. In addition, the use of the property's shoreline as Open Space/Conservation to preserve willow flycatcher habitat, and to minimize the number of trees that would be removed, would continue to provide habitat for a number of bird and mammal species that currently use the site.*

**Goal M/CO 3.** Conserve and protect surface and groundwater resources to meet the needs of a growing mountain population, to support the mountain environment and forest watershed and to preserve the quality of life for mountain residents and visitors.

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LUZD MAP F109

*Consistency: The County has prepared a number of studies to determine the level of service and infrastructure required of the Project, including Water and Sewer Feasibility Studies and a Traffic Impact Analysis (TIA), as well as an updated Focused Traffic Impact Analysis (2016). These studies show that the Project can provide water service for future residential development of the 50 lots via two on-site domestic wells (the third on-site well is a monitoring well) and also shows that there is capacity within the existing sewer and wastewater treatment system to accommodate 50 new residential lots. Domestic potable water services will be provided by the City of Big Bear Lake, Department of Water and Power. The TIA also shows that with implementation of design improvements and the payment of the Applicant's fair share of road/signal infrastructure, impacts on Traffic and Circulation would be less than significant*

**Goal M/CO 5.** Preserve the dark night sky as a natural resource of the Mountain Region.

*Consistency: The Project will comply with development code regulations pertaining to dark night sky protection and safety standards*

**BEAR VALLEY COMMUNITY PLAN**

**Goal BV/LU 1.** Retain the existing mountain character of the community.

*Consistency: The proposed residential development, with a minimum lot size of 20,000 square feet, and average lot size of 39,000 square feet has significantly larger lots than the existing residential development of 7,200-square foot lots in the area and will not detract from the community character. Areas with highly sensitive visual resources are not developed for residential uses, conservation areas are established to protect the most valuable biological resources within the Project area and the waterfront will become accessible to the public.*

**Policy BV/LU 1.1.** Require strict adherence to the Land Use Policy Map unless proposed changes are clearly demonstrated to be consistent with the community character.

*Consistency: The proposed residential development, with a minimum lot size of 20,000 square feet, and average lot size of 39,000 square feet has significantly larger lots than the existing residential development of 7,200-square foot lots in the area and will not detract from the community character. Areas with highly sensitive visual resources are not developed for residential uses, conservation areas are established to protect the most valuable biological resources within the Project area and the waterfront will become accessible to the public.*

**Policy BV/LU 1.2.** In recognition of the community's desire to preserve the alpine character and protect the area's natural resources, projects that propose to increase the density of residential land uses ... should only be considered if the following findings can be made:

- A. That the change will be consistent with the community character. In determining consistency, the entire General Plan and all elements of the community plan shall be reviewed.

*Consistency: The proposed development, with a minimum lot size of 20,000 square feet, and average lot size of 39,000 square feet has significantly larger lots than the existing*

*residential development of 7,200-square foot lots in the area and will not detract from the community character and is compliant with all other aspects of the Community Plan.*

- B. That the change is compatible with surrounding uses and will provide for a logical transition in the plan area's development. One way to accomplish this is to incorporate planned development concepts in the design of projects proposed in the area.

*Consistency: The proposed residential development, with a minimum lot size of 20,000 square feet, and average lot size of 39,000 square feet has significantly larger lots than the existing residential development of 7,200-square foot lots in the area and will be compatible with the existing surrounding land uses in the area.*

- C. That the change shall not degrade the level of services provided in the area, and that there is adequate infrastructure to serve the additional development that could occur as a result of the change. Densities should not be increased unless there are existing or assured services and infrastructure, including but not limited to water, wastewater, circulation, police and fire, to accommodate the increased densities.

*Consistency: All infrastructure, public facilities and services are available to serve the Project.*

**Policy BV/LU 1.3.** Regulate the density of development in sloping hillside areas in order to reduce fire hazards, prevent erosion, and to preserve existing vegetation and the visual qualities of the plan area. One method this can be accomplished is by requiring adherence to the following hillside development standards required by the Fire Safety Overlay:

- A. Residential density: The density of a development for any tentative parcel map or tentative tract map in sloping hillside area shall be in accordance with the following criteria:
- i. One to four (1-4) dwelling units per gross acre on slopes of zero to less than 15% (0 - <15%);
  - ii. Two (2) dwelling units per gross acre on slopes of fifteen to less than thirty percent (15 - <30%);
  - iii. One (1) dwelling unit per three (3) gross acres on slopes of greater than thirty percent (>30%) gradient.

*Consistency: The Slope Analysis indicates that the Project could yield 142 dwelling units pursuant to the slope/density criteria established in the Project studies. The Project is only proposing 50 units.*

**Goal BV/CI 1.** Ensure a safe and effective transportation system that provides adequate traffic movement while preserving the mountain character of the community.

*Consistency: Traffic and Circulation are discussed in detail in Section 4.8 of the 2010 RRDEIR and confirmed in the 2016 Focused Traffic Impact Assessment (TIA). Mitigation measures incorporated into the Project design will ensure a safe and effective transportation system that provides adequate traffic movement while still preserving the mountain character of the community.*

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**Policy BV/CI 1.4.** Preservation and protection of sensitive habitats shall have priority over road location, relocation or realignment, when other practical alternatives are available.

*Consistency: Designated road locations have avoided sensitive habitats to the greatest extent practical.*

**Policy BV/CI 1.6.** Minimize the traffic load on mountain major highways and mountain secondary highways by requiring projects to minimize direct access to these main circulation roads, and encourage shared driveways for industrial and commercial uses on adjacent properties to promote use of the main circulation roads as throughways.

*Consistency: No residential lots front on or gain access from State Route 38.*

**Goal BV/CI 5.** Ensure adequate water sources and associated infrastructure to serve the needs of existing and future water users in the Bear Valley Community Plan area.

*Consistency: The County has prepared a number of studies to determine the level of service and infrastructure required of the Project, including Water and Sewer Feasibility Studies and a TIA, as well as an updated Focused TIA (2016). These studies show that the Project can provide water service for future residential development of the 50 lots via two on-site domestic wells (the third on-site well is a monitoring well) and that there is capacity within the existing sewer and wastewater treatment system to accommodate 50 new residential lots. Domestic potable water services will be provided by the City of Big Bear Lake, Department of Water and Power.*

**Policy BV/CI 5.1.** Through the development review process, permit new development only when adequate water supply exists or can be assured.

*Consistency: Water supply and service has been confirmed by the City of Big Bear Lake, Department of Water and Power.*

**Policy BV/CO 1.6.** Allow no more than 2 dwelling units per gross acre in "Known Day Use Area" eagle habitat and up to 4 dwelling units per gross acre in "Potential Day Use Areas" eagle habitat.

*Consistency: The Project proposes less than 1 dwelling unit per gross acre.*

**Policy BV/OS 4.3.** Protect access to Big Bear Lake from the north shore.

*Consistency: No lakefront residential development is proposed. Public access to the lake is provided.*

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, because the amendment facilitates a Project that has incorporated appropriate conditions of approval and mitigation measures to protect and enhance public health, safety and welfare. The public interest will be served in that the Project will generate increased revenue to the community as a result of increased property taxes and development impact fees, resulting in enhanced local public services; the Project will promote significant economic development within the local community, including construction jobs, increased recreation and increased tourism, all of which support local businesses such as recreation/retail establishments, building supplies and materials establishments, as well as eating and

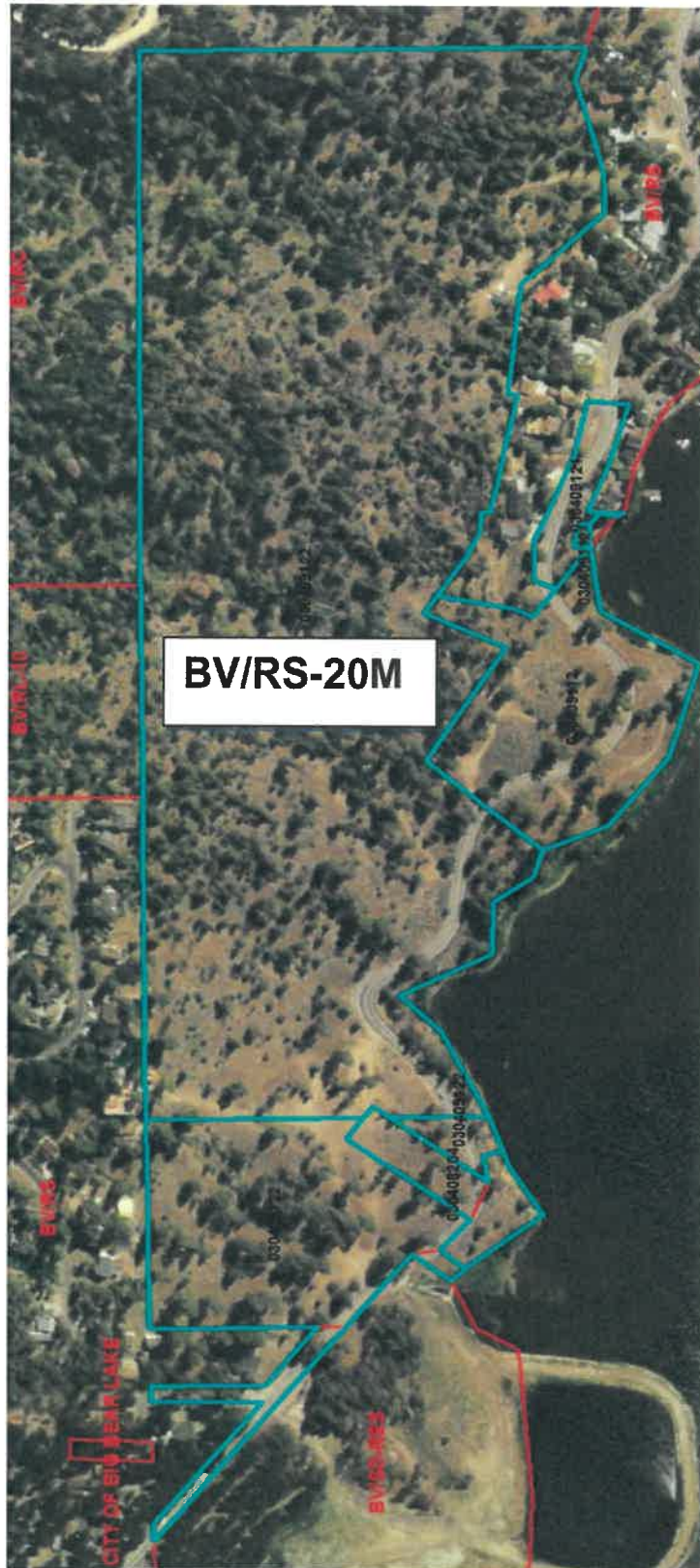
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lodging establishments; the Project, in providing lower density development than the existing residential development in the immediate area, will diversify the housing types, lot sizes and residential densities available within the community; the Project formally sets aside valuable habitat for the protection of the most sensitive biological resources by means of the establishment of conservation easements on both on-site and off-site lands; the Project formally establishes public access to the north shore of Big Bear Lake and conserves the scenic beauty of the lakeshore viewshed.

3. The proposed land use zoning district change is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised. The Project will provide housing opportunities on 50 residential lots while maintaining the goals and policies of the County General Plan and the Bear Valley Community Plan. Existing and allowed uses in the area will not be compromised by the development of the Project site as proposed. The proposed Project retains and protects the existing mountain character of the community, an identified goal of the Bear Valley Community Plan, by preserving viewsheds of the lake and leaving harmonious open spaces and conservation areas. In addition, the Project designates nearly an acre to neighborhood lake access, does not include any residential development along the lakeshore, conserving the scenic beauty of the lakeshore, and has a lower density than other existing residential uses in the immediate area. The Project will also promote significant economic development within the community, including construction jobs, increased recreation and increased tourism.
4. The proposed land use district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area. The Project site is located adjacent to existing residential development to the north, northwest and southeast. Existing SR-38 will provide vehicular access to the Project site and all necessary public services and infrastructure are available.
5. The proposed land use zoning district change does not conflict with provisions of the Development Code because the change in the Land Use Zoning District from Rural Living, 40-acre minimum lot size (RL-40) to Single Residential, 20,000-square foot minimum lot size (RS-20M) will not conflict with the Development Code. The Project site conforms to the size and location criteria specified for the Single Residential (SR) Land Use Zoning District and all other applicable Development Code requirements.
6. The proposed land use zoning district change will not have a substantial adverse effect on surrounding property, which means adequate public services and facilities will be provided in accordance with provisions of the conditions of approval/mitigation measures to serve the proposed development. Approval of the proposed Project includes appropriate mitigation measures and conditions of approval to ensure County performance standards are met and that the Project will not have an adverse effect on the surrounding property.
7. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access (e.g., fire and medical) 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 or anticipated uses 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. The site has been conditioned to ensure adequate water and wastewater needs of the Project have been met. Fire protection will also be provided by the San Bernardino County Fire Protection District, which has reviewed the Project and provided appropriate conditions of approval. The Project will have access to sufficient permitted off-site solid waste storage and landfill capacity to accommodate the Project's solid waste disposal needs. The County has evaluated drainage associated with the Project and determined that impacts will be less than significant with the implementation of specified conditions of approval.

8. The Environmental Impact Report (EIR) adequately describes the environmental impacts that will result from the proposed Project and reflects the County's independent judgment. The EIR determined that all impacts will be less than significant with mitigation measures, with the exception of impacts to the Bald Eagle. A Statement of Overriding Consideration is offered to address this impact. Appropriate mitigation measures have been incorporated for all other impacts into the Conditions of Approval and into the Mitigation Monitoring and Reporting Program. This will ensure that all other impacts are reduced to a level of non-significance.





## RAVINDER GREWAL TRUCK STOP CENTER/1ST SUPERVISORIAL DISTRICT

## LUZD MAP CIDI

**SECTION 3.**

The General Plan Land Use Zoning District Maps are amended as shown on the attached map marked "LUZD MAP CIDI" from Resource Conservation (RC) to Rural Commercial (CR) in conjunction with a Conditional Use Permit and a Tentative Parcel Map (TPM 19938) to develop a Truck Stop Center consisting of a 7,300-square foot retail market and fast food restaurant, and a 3,570-square foot automotive repair shop, impound yard, and vehicle and truck fueling stations (Project) on seven (7) acres, located at 45101 Afton Canyon Road (Project site).

**FINDINGS FOR THE GENERAL PLAN AMENDMENT (GPA):**

1. The proposed amendment is internally consistent with all other provisions of the General Plan and will further the objectives, goals and policies of the General Plan and will not obstruct their attainment. This amendment is consistent specifically with the following General Plan goals and policies:

**Land Use Element:**

**Goal LU 1.** The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents.

*Consistency: The amendment will allow commercial opportunities, employment and services that will also generate local jobs and interest in the adjacent community area and ultimately serve as a commercial, retail and services center. The addition of the Rural Commercial (CR) designation provides for commercial and services uses that cannot be provided with the current Resource Conservation (RC) zoning designation.*

**Policy LU 1.1.** Develop a well-integrated mix of residential, commercial, industrial, and public uses that meet the social and economic needs of the residents in the three geographic regions of the County: Valley, Mountain, and Desert.

*Consistency: The Project will not be developed in phases and will consist of a well-integrated retail and services mix center that is intended to function and develop as rest stop, retail and services center for commuters traveling on Interstate Highway 15 (I-15).*

**Goal LU 3.** The unincorporated communities within the County will be sufficiently served by commercial land uses through a combination of commercial development within cities and unincorporated communities.

*Consistency: The Project will operate as a truck stop center, containing an automotive repair operation, impound lot, and vehicle and truck fueling stations located within approximately seven acres. Moreover, the Project will operate within a retail market and 75-seat restaurant and 7,300-square foot one-story building facility. A separate 3,570-square foot building will contain the two-bay auto service use with towing office and drive through. Two fueling stations will service both autos and trucks. The truck fueling station contains one pump and two nozzles, whereas the auto fueling station contains 16 pump stations and 32 fueling nozzles.*

**Policy LU 3.1.** Protect areas best suited for commercial uses by virtue of their location, access to major arterials, and availability of infrastructure and other utilities, from other incompatible uses.

## RAVINDER GREWAL TRUCK STOP CENTER/1ST SUPERVISORIAL DISTRICT

LUZD MAP CIDI

*Consistency: The Project site is currently vacant with no commercial centers located within five miles of the proposed truck stop and retail center. With implementation of the Project, the site will function as a retail and services hub.*

**Economic Development Element:**

**Goal ED 1.** The County will have a vibrant and thriving local economy that spans a variety of industries, services and other sectors.

*Consistency: The Project is located along the I-15 Highway, south of Afton Canyon Road interchange exit No. 221. Afton Canyon Road and Dunn Road provide direct access to the Project site. Both roads are currently unimproved. There are currently no existing commercially zoned centers along the I-15 Highway within approximately five miles of the Project site, except a previously existing commercial store formerly known as Jimbo's Bar and Grill located north of Dunn Road. The Project, will operate as a truck stop center, containing a 7,300-square foot building with retail market and a fast food restaurant, a 3,570-square foot automotive repair operation, impound lot, and vehicle and truck fueling stations located within approximately seven acres. The truck stop will also provide permanent employment opportunities for County residents.*

**Goal ED 4.** The County will assist development of small businesses and encourage new businesses of all sizes.

*Consistency: The Project site is currently vacant and there are no commercially developed centers within 5 miles of the site, which will be located along the I-15 Highway. The Project applicant intends to construct the Project in one phase. In conjunction with the site and public improvement upgrades the Project proposes establishing a truck stop center, containing a 7,300-square foot building with retail market and, a fast food restaurant, a 3,750-square foot automotive repair operation, impound lot, and vehicle and truck fueling stations located within approximately seven acres.*

**Policy ED 4.1.** Promote commercial development that enhances the County's economic base, particularly for small businesses, and provides jobs for its residents.

*Consistency: The new truck stop and services center which will help to initiate the promotion of future commercial retail services in the general area and help to create a strong and diversified economic base in the area.*

**Goal ED 15.** Major economic development activity will be within urbanized or urbanizing areas in proximity to existing transportation facilities and other infrastructure.

*Consistency: The 7-acre Project site provides diversified retail, commercial and services uses within a central hub adjacent to the I-15 Highway and will provide services and employment currently not available in the adjacent nearby communities.*

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, because the amendment facilitates a Project that has incorporated appropriate conditions of approval and mitigation measures to protect and enhance public health and safety.

## RAVINDER GREWAL TRUCK STOP CENTER/1ST SUPERVISORIAL DISTRICT

## LUZD MAP CIDI

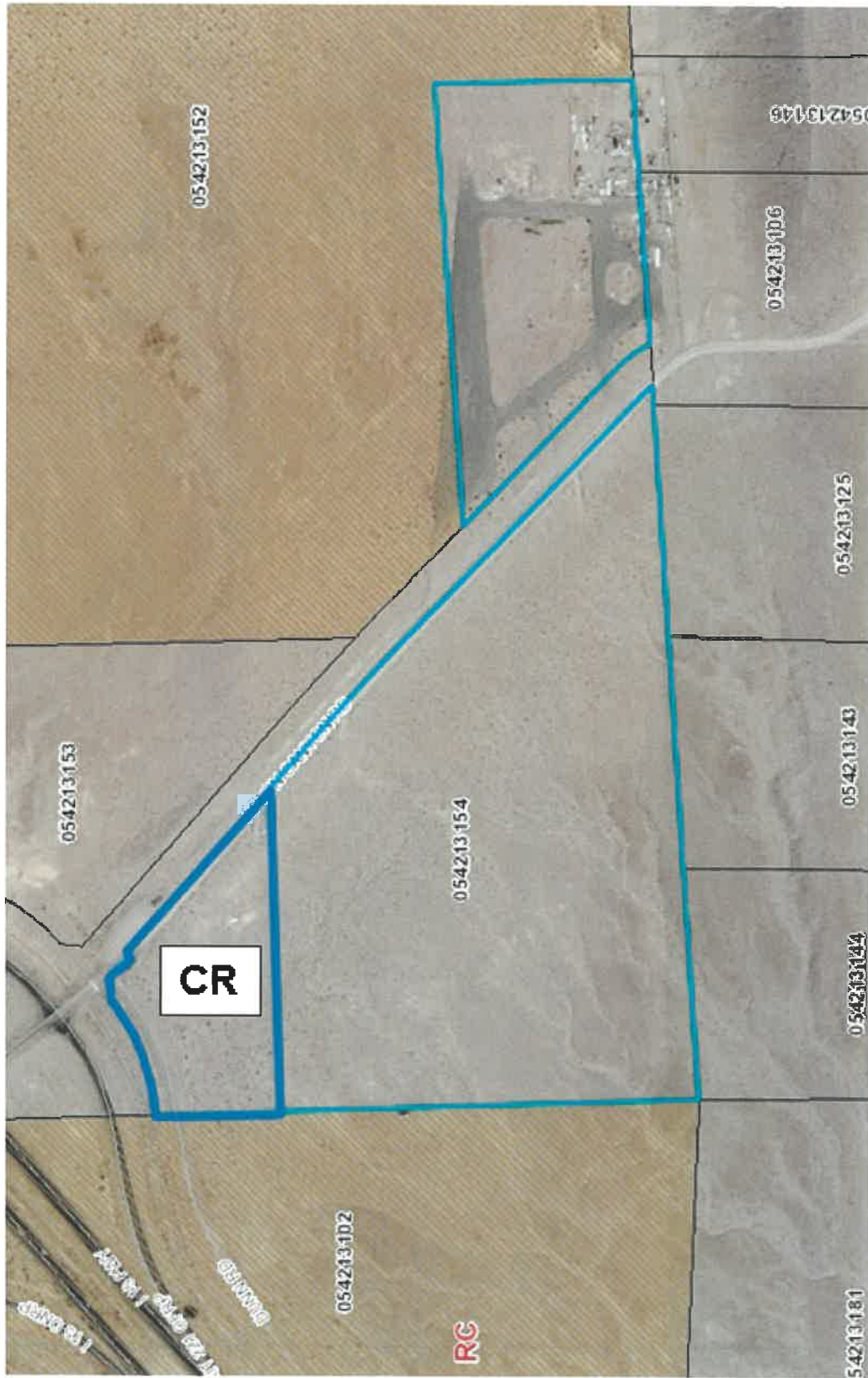
Additionally, the geotechnical study conducted by RGS Engineering dated January 30, 2019, concludes that the site is considered feasible for development from an engineering-geologic standpoint. The RGS report findings and conditions are included in the Project's Conditions of Approval.

3. The proposed land use zoning district change is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised. The Project will provide the opportunity for economic stability and growth in the surrounding desert communities, and provides a retail and services hub to the surrounding community. The amendment does not compromise existing or other planned uses, because the Project includes appropriate mitigation measures and conditions of approval to ensure performance standards are met.
4. The proposed land use district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area. The proposed rezoning from Resource Conservation (RC) to Rural Commercial (CR) is a reasonable and logical change in the zoning designation given the Project's proximity to the I-15 Freeway and the high incidence of commuters and travelers using the highway that will benefit from the rest stop and retail services center.
5. The proposed land use zoning district change does not conflict with provisions of the Development Code. The applicant is proposing a GPA to rezone the site to Rural Commercial (CR) from Resource Conservation (RC) to insure zoning compatibility for the proposed use. The proposed Rural Commercial (CR) zoning district is consistent with the proposed truck stop and retail center because the intent of the Rural Commercial (CR) District is to provide suitable locations for retail and service commercial establishments intended to meet the daily convenience needs of the traveling public. Furthermore, the Project meets the locational criteria of the Rural Commercial (CR) zone in that the Project site is intended to be occupied by a relatively contiguous grouping of businesses that provide transient services to travelers on a major highway; and the Project is designed to preserve a block of land for the use of small somewhat isolated transient commercial uses along major highways.
6. The proposed land use zoning district change will not have a substantial adverse effect on surrounding property, because the Project includes appropriate mitigation measures and conditions of approval to ensure performance standards are met. The Project meets the goals and policies of the County General Plan and will not conflict with surrounding land uses. The Project is encompassed by vacant properties. Noise levels will be measured to demonstrate the operation's compliance with the Development Code ambient noise standards, which will ensure noise levels are maintained and do not exceed the County's noise standards. Moreover, the proposed Rural Commercial (CR) Land Use Zoning District is consistent with the proposed truck stop and commercial facility because the intent of the Rural Commercial (CR) District is to provide suitable locations for retail and service commercial establishments intended to meet the daily convenience needs of the traveling public.
7. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access (e.g., fire and medical) 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 or anticipated uses 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. In accordance with the conditions of approval and mitigation measures, the site has been conditioned to ensure adequate water and wastewater needs of the Project have been met. Fire protection will also be provided by the San Bernardino County Fire Protection District which has reviewed the Project and provided appropriate conditions of approval. The Project will have access to sufficient permitted off-site solid waste storage and landfill capacity to accommodate the Project's solid waste disposal needs. The

**RAVINDER GREWAL TRUCK STOP CENTER/1ST SUPERVISORIAL DISTRICT****LUZD MAP CIDI**

County has evaluated drainage associated with the Project and determined that impacts will be less than significant with the implementation of specified conditions of approval.

8. The Mitigated Negative Declaration (MND) adequately describes the environmental impacts that will result from the Project and reflects the County's independent judgment. The completed MND has determined that all Project impacts will be less than significant with the incorporation of identified mitigation measures. The mitigation measures have been included in the Conditions of Approval to ensure that all impacts are reduced to a level of less than significant.



**SECTION 4.**

The General Plan Land Use Zoning District Maps are amended as shown on the attached map marked "LUZD MAP FH28" from Single Residential (RS) to Community Industrial (IC) in conjunction with a Conditional Use Permit to develop a 12,000-square foot office building and a 4,980-square foot warehouse building (Project) on 2.38 acres (total project area is 4.77 acres), located on the west side of Cottonwood Avenue, between approximately 320 feet and 650 feet north of Arrow Route, Fontana (Project site).

1. **FINDINGS FOR THE GENERAL PLAN AMENDMENT (GPA):** The proposed amendment is internally consistent with all other provisions of the General Plan and will further the objectives, goals and policies of the General Plan. This amendment is consistent specifically with the following General Plan goals and policies:

**Land Use Element**

**Policy LU 1.1.** Develop a well-integrated mix of residential, commercial, industrial, and public uses that meet the social and economic needs of the residents in the three geographic regions of the County: Valley, Mountain, and Desert.

*Consistency: The proposed amendment from RS to IC affects the northerly 2.4-acre parcel of the Project site. At present, the delineation line between the IC Land Use Zoning District and the RS Land Use Zoning District is a uniform distance of approximately 470 feet north of Arrow Route, between Cottonwood Avenue and Ilex Street. The proposed amendment would move the IC Land Use Zoning District approximately 165 feet north along the Cottonwood Avenue frontage and would align with the IC Land Use Zoning District across Cottonwood Avenue to the east. The amendment would not displace existing people or housing units since the residences on the parcels have been removed and the site has been prepared for the development of the proposed use. The existing residential areas to the north and east, that include both single and multiple family residential, would remain. As such, the proposed amendment would not change the number of residences in the area and will instead provide additional business opportunities in close proximity to residential areas, thereby potentially reducing the length and number of vehicle trips. The proposed amendment is consistent with the General Plan Housing Element. The subject site was not needed to accommodate the County's share of the Regional Housing Needs Assessment, which has been fulfilled in the current planning period.*

**Policy LU 2.3.** Ensure that all commercial and industrial development that is adjacent to residential uses is adequately buffered by utilizing transitional land uses and/or design features such as enhanced setbacks and landscaping and/or other screening materials.

*Consistency: The proposed Project provides six-foot high block walls and adjoining landscaping wider than 10 feet along the perimeter of the property adjoining residential land uses in order to reduce potential noise and obscure Project operations.*

**Goal LU 5.** Reduce traffic congestion and air pollution and improve the quality of life for County residents by providing employment and housing opportunities in close proximity to each other.

*Consistency: The proposed Project site is located in an area with industrial-related use to the south and west and residential uses to the north and east. As such, the development of the subject property for industrial uses would locate potential employment opportunities in close proximity to single and multiple family properties.*

**Goal LU 9.** Development will be in a contiguous manner as much as possible to minimize environmental impacts, minimize public infrastructure and service costs, and further countywide economic development goals.

*Consistency: The Project site represents a transitional land use change and infill development in which several single family residences were removed within an existing development area. Existing services and utilities are located in the area and development would minimize potential environmental impacts due to the prior use of the property.*

**Safety Element:**

**Goal S 4.** The County will minimize damage due to wind and water erosion where possible.

*Consistency: The Project's approved drainage study and water quality management plan and their associated improvement designs will ensure future construction will not adversely affect drainage patterns, the use of adjacent properties, or result in the discharge of erosive drainage flows or pollutants from the property. Although the rear portion of the property will not be paved, it will be covered by crushed rock to reduce the potential to generate dust.*

**Economic Development Element:**

**Policy ED 1.1.** Support commercial and industrial development that is compatible with surrounding development and does not disrupt the land use patterns and environment of the Valley Region.

*Consistency: The proposed expansion of the industrial district will provide additional employment opportunities in close proximity to residential areas and not adversely affect those surrounding residential land uses due to the type of use proposed, the design of the proposed Project site, including the limited building height, extensive building setbacks, and buffering features that include a block wall and landscaping along the property line in order to reduce noise and potential aesthetic conflicts.*

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County because the amendment facilitates a project that has incorporated appropriate requirements of the County Development Code, Conditions of Approval, and mitigation measures to protect and enhance public health and safety.
3. The proposed land use zoning district change is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised. The proposed Project will provide the opportunity for new employment in the area. The surrounding residential properties to the north and northwest will be at least 65 feet from the new buildings and further buffered through the use of masonry walls and adjoining landscaping along adjoining property lines. The amendment does not compromise

existing or other planned uses, because the Project includes appropriate mitigation measures and Conditions of Approval to ensure performance standards are met.

4. The proposed land use zoning district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area because the proposed rezoning from RS to IC is a reasonable and logical expansion in the zoning designation boundary given the adjacent IC Land Use Zoning District and the various combined residential/industrial uses located on nearby properties in the RS Land Use Zoning District.
5. The proposed land use zoning district change does not conflict with the provisions of the Development Code. The design of the Project will be compatible with the County Development Code, including but not limited to adequate ingress/egress and circulation throughout the property, landscaping, parking for vehicles and loading areas, street improvements, water and sewage disposal, and solid waste facilities.
6. The proposed land use zoning district change will not have a substantial adverse effect on surrounding property because the Project includes appropriate mitigation measures and Conditions of Approval to ensure required performance standards are met.
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 or anticipated uses 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. In accordance with the Conditions of Approval and mitigation measures, the site has been conditioned to ensure adequate water and wastewater needs of the Project have been met. Fire protection will also be provided by the San Bernardino County Fire Protection District which has reviewed the Project and provided appropriate Conditions of Approval. The Project will have access to sufficient permitted off-site solid waste storage and landfill capacity to accommodate the Project's solid waste disposal needs. The County has evaluated drainage associated with the Project and determined that impacts will be less than significant with the implementation of specified design criteria.
8. The Mitigated Negative Declaration (MND) adequately describes the environmental impacts that will result from the Project and reflects the County's independent judgment. The completed MND has determined that all Project impacts will be less than significant with the incorporation of identified mitigation measures. The mitigation measures have been included in the Conditions of Approval to ensure that all impacts are reduced to a level of less than significant.





SUMMERLAND SENIOR CARE FACILITY/4<sup>TH</sup> SUPERVISORIAL DISTRICT

LUZD MAP FH27

**SECTION 5.**

The General Plan Land Use Zoning District Maps are amended as shown on the attached map marked "LUZD MAP FH27" from Single Residential, 1-acre minimum lot size (RS-1) to General Commercial (CG) in conjunction with a Conditional Use Permit to develop a three-story, 109-unit residential care facility for seniors (Project) on 3.16 acres, located at 13225 Serenity Trail (Project site).

**FINDINGS FOR THE GENERAL PLAN AMENDMENT (GPA):**

1. The proposed amendment is internally consistent with all other provisions of the General Plan and will further the objectives, goals and policies of the General Plan and will not obstruct their attainment. This amendment is consistent specifically with the following General Plan goals and policies:

**Land Use Element:**

**Goal LU 1.** The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents.

*Consistency: The Project site is currently vacant. The proposed Project will develop the vacant parcel into a residential care facility for seniors, which is consistent with the proposed GPA. The development of the Project would not divide an established community, conflict with local land use policies, regulations, or conflict with existing zoning. The Project site is 3.16 acres in size and is located in a developed area. The site is bordered by single-family residential development to the north and east, commercial and residential uses to the south, and State Route 71 (SR-71) to the west. The Project site is at a lower elevation from the adjacent homes and is not part of existing neighborhoods to the north and east. In addition, the Project will have separate entrances and exits that are not accessible from the existing roadway system in the neighborhood to the north and east. As such, the Project will not divide an established community and there are no similar impacts. The proposed Project will be a benefit to the community and not compromise existing development in the area.*

**Policy LU 2.** Residential land uses will be provided in a range of styles, densities, and affordability and in a variety of areas to live, ranging from traditional urban neighborhoods to more "rural" neighborhoods.

*Consistency: The proposed Project provides for a mixture of senior housing types, in varying floor plans. The residential care facility will provide much needed housing for seniors in the area.*

**Goal LU 6.** Promote, where applicable, compact land use development by mixing land uses, creating walkable communities, and strengthening and directing development towards existing communities.

*Consistency: The proposed Project is an infill project located in an area that has been developed with single-family homes. The proposed residential care facility will be separated from the existing development by landscaping and ample screening, and will rest at a lower elevation than existing homes in the community. The facility will lead to much needed improvements to the area, which will improve walkability through the*

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*incorporation of sidewalk and curb improvements. Furthermore, the development will consist of a mixture of housing types for seniors that require assistance. In addition, the proposed infill development in the Chino Sphere is encouraged by the General Plan.*

**Goal LU 9.** Development will be in a contiguous manner as much as possible to minimize environmental impacts, minimize public infrastructure and service costs, and further county-wide economic development goals.

*Consistency: The Project site is near a commercial use on the south side of Chino Avenue; to the east and north are single-family residential uses; and to the west is SR-71. The proposed Project will develop the vacant parcel into a senior assisted living facility with 109 units. The GPA will allow a vacant lot that is underutilized to be developed with a senior assisted living facility that is separated and buffered from the existing single-family neighborhood to the north and east, Highway to the west, and Chino Avenue to the south. The project is appropriately sited at the proposed location given the limited areas available for the proposed type of use.*

**Goal LU 9.1.** Encourage infill development in unincorporated areas and sphere of influence (SOI) areas.

*Consistency: The proposed Project is a sphere of influence infill project located on a lot that has been underutilized and in need of improvement. The proposed residential assisted living facility will lead to improved walkability through required street and curb improvements. Furthermore, the development will consist of a mixture of housing types for seniors in need of assistance.*

**Circulation and Infrastructure Element:**

**Goal CI 9.** The County will ensure the quality of life by pacing future growth with the availability of public infrastructures.

*Consistency: The Project site is located on the north side of Serenity Trail, just north of Chino Avenue and east of SR-71. Serenity Trail will serve as access roads for the proposed Project. Adequate public services and facilities will be provided in accordance with provisions of the CUP, Mitigated Negative Declaration (MND), and through Conditions of Approval/mitigation measures to serve the proposed development. Approval of the proposed Project will not result in a reduction of public services to properties in the vicinity that would be detrimental to the public health, safety, and welfare. In fact, the proposed development will improve the appearance of the neighborhood by improving a vacant lot with a modern residential care facility. Water service for the Project will be provided by Monte Vista Water District and an advance septic system will be used for wastewater treatment.*

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, because approval of the GPA would change the Land Use Zoning District designation of the Project site from Single Residential (RS-1) to General Commercial (CG). The proposed Project will develop the vacant parcel into a 109-unit senior assisted living facility. The development of the Project would not divide an established community, conflict with local land use policies, regulations, or conflict with existing zoning. In fact, the Project would lead to the construction of

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an underutilized site that could no longer support residentially zoned uses. The Project has incorporated appropriate Conditions of Approval and mitigation measures to protect and enhance public health, safety and welfare. As such, the proposed Project will be a benefit to the community and not compromise existing development in the area.

3. The proposed land use zoning district change is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised. The Project site is currently vacant, but has been previously disturbed by past human activities. The surrounding land uses to the north and east are residential uses. Approval of the GPA would change the Land Use Zoning District designation of the Project site from Single Residential (RS-1) to General Commercial (CG). The proposed Project will develop the vacant parcel into a 109-unit, three-story, residential care facility which would be consistent with the proposed GPA with the approval of the associated CUP. The General Commercial (CG) Land Use Zoning District allows for the development of a residential care facility in compliance with Licensed Residential Care Facility standards and with the approval of a CUP. The General Commercial (CG) Land Use Zoning District allows for the development of a licensed residential care facility and generally requires a minimum lot size of five acres. Although the Project site is less than five acres in size, the parcel is measured based on gross area. The Project site was previously reduced in size by government action to accommodate flood control measures and a County roadway as a result of the expansion of SR-71. The Project site (3.2 acres) and the County flood control easement abutting the Project site together comply with the five acre minimum required in the General Commercial (CG) Land Use Zoning district. Additionally, the CUP associated with the Project may be utilized as an exception for meeting Development Code requirements for minimum lot size. Therefore, the development of the Project would not divide an established community, conflict with local land use policies, regulations, or conflict with existing zoning. In fact, the Project would lead to the construction of residential care facility on an underutilized site that could no longer support single family residential homes. The proposed development will lead to much needed improvements to the area, which will improve walkability through the incorporation of sidewalk and curb improvements. Furthermore, the development will consist of a mixture of housing types for seniors that require assistance. As such, the proposed Project will be a benefit to the community and not compromise existing development in the area.
4. The proposed land use district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area. The Project site (3.2 acres) and County flood control easement abutting the Project site comply with the five acre minimum required in the General Commercial (CG) Land Use Zoning District. The proposed Land Use Zoning District will meet the minimum size requirements enumerated in the Development Code and will allow for the creation of a residential care facility within a commercial zoning district. The residential use, although only allowed within a commercial land use district, is considered an appropriate extension of the single-family tract given that commercial land uses are located to the south and west of the Project site.
5. The proposed land use zoning district change does not conflict with provisions of the Development Code. The change in the Land Use Zoning District from Single Residential, 1-acre minimum (RS-1) to General Commercial (CG) will not conflict with the Development Code. The General Plan allows General Commercial (CG) Land Use Zoning Districts to be located in areas adjacent to a major arterial street, Highway, or at the intersection of two major arterial streets. Since the Project is located in an urbanized sphere, adjacent to a Highway, the change in zone will not conflict with the provisions of the Development Code.
6. The proposed land use zoning district change will not have a substantial adverse effect on surrounding property. Adequate public services and facilities will be provided in accordance with provisions of the CUP, Mitigated Negative Declaration (MND), and through Conditions of Approval/mitigation measures to

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serve the proposed development. Approval of the proposed Project will not result in a reduction of public services to properties in the vicinity that would be detrimental to the public health, safety and welfare. In fact, the proposed changes will improve the appearance of the area by improving a vacant lot with a modern residential care facility.

7. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access (e.g., fire and medical) 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 or anticipated uses 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. The proposed development of a three-story, 109-unit, senior assisted living facility on approximately 3.2 acres of land is physically suitable for development. The affected site (proposed CG zone) allows for the development of a residential care facility with the approval of a CUP. The proposed Project will comply with the minimum 5-acre requirement for the GPA. As noted above, the lot size is exempt from the required minimum lot size requirements as allowed in Development Code Section 83.02.050. The Project site was reviewed by the Chino Valley Fire Authority and determined to provide adequate access for emergency vehicles. The proposed Project would generate approximately 109 residents. To determine a crime rate directly associated with a development proposal would be speculative; the County reviews its needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection throughout the County. Therefore, no significant adverse impacts to law enforcement are identified or anticipated, and no mitigation measures are required. The proposed Project, as conditioned, will not have a substantial adverse effect on surrounding property or the permitted use thereof, and will be compatible with the existing and planned land use character of the surrounding area.
8. The Environmental Initial Study has been prepared in compliance with the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines. The potential environmental effects of the proposed Project have been analyzed in an Initial Study (IS). The IS / Mitigated Negative Declaration (MND) analysis found no substantial evidence that the Project will have a significant effect on the environment. The Project will not have a significant adverse impact on the environment with the implementation of all the conditions of approval and environmental mitigation measures. The proposed MND for this Project reflects the County's independent judgment in making this decision.



