

RESOLUTION NO. 2019-193
FIRST CYCLE 2019 GENERAL PLAN LAND USE ELEMENT AMENDMENT

On Tuesday, December 17, 2019, on motion by Supervisor Lovingood, duly seconded by Supervisor Rutherford, and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, Section 65358 of the California Government Code requires that any mandatory element of the General Plan shall be amended no more than four (4) times during any calendar year; and

WHEREAS, the General Plan Amendments contained in this resolution constitute the first amendment to the San Bernardino County General Plan Land Use Element; and

WHEREAS, the San Bernardino County Planning Commission and Board of Supervisors have conducted legally noticed public hearings during which the projects comprising the First Cycle of the Land Use Element were considered and testimony received; and

WHEREAS, the Board of Supervisors has made the findings necessary to adopt the General Plan Amendment;

THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby amends the San Bernardino County General Plan Land Use Element as follows:

SECTION 1.

The General Plan Land Use Zoning District Maps are amended as shown on the attached map marked "LUZD MAP FH27A" from General Commercial (CG) and Single Residential (RS-20M) to Multiple Residential (RM) in conjunction with a Tentative Tract Map (TT 20267) to create two single-family lots and one lot for condominium purposes, and a conditional use permit for the development of 40 condominiums (Multi-Family Development) with a major variance for a reduced front yard setback from 25 feet to 15 feet (Project) on 9.71 acres, located at 5553, 5611, 5639, and 5681 Mission Boulevard, within the Sphere of Influence of the City of Montclair (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 use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan with the approval of the proposed General Plan Amendment and Zone Change. The proposed development is located in a centralized urban setting, near a major arterial and will contain full urban services. Therefore, the proposed development is consistent with Multiple Residential (RM) goals outlined in the General Plan Land Use Element which implements the following goals and policy:

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, but was formerly used as a commercial property. The surrounding land uses to the north, south, east, and west are a mixture of commercial and residential uses. The proposed Project will develop the vacant parcel into 40 two-story detached condominiums and two single-story single-family detached residential units which would be consistent with the proposed GPA. The development of the Project would not divide an established community, conflict with local land use policies or regulations, or conflict with existing zoning. In fact, the Project would lead to the construction of single family homes on an underutilized site that could no longer support commercial related uses. As such, the proposed Project will be a benefit to the community and not compromise existing development in the area.

Goal 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 housing types, in varying floor plans. The varying sizes of homes are appropriate for the area and will lead to a good mixture of housing types at varying prices. The condominium product also allows for home ownership for first time homebuyers.

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 of similar uses that has been developed with single-family homes and light commercial uses. The proposed residential development is designed to strengthen the existing communities, and will lead to improved walkability through the required street and curb improvements. Furthermore, the development will consist of a mixture of housing types and styles that will allow for the appropriate mixture of uses along Mission Boulevard and Bel Air Avenue. In addition, the proposed infill development in the Montclair 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 surrounding land uses to the north, south, east, and west are a mixture of commercial and residential uses. The Project site is adjacent to commercial uses on the north side of Mission Boulevard; to the west and south are single-family residential uses; and to the east is a mobile home park and vacant land. The proposed Project will develop the vacant parcel into 40 two-story detached condominiums and two single-story single-family detached residential units. The single-family homes, although not required, were included in the development to buffer the proposed detached condominiums from the single-family homes, allowing the multi-family development to blend appropriately with the existing single-family homes to the south. The inclusion of the single-family homes also allows for the completion of an unfinished right-of-way (Bel Air Avenue). The amendment will allow a vacant lot that is underutilized to be developed with a condominium project that provides a reasonable extension to the existing single family homes located south of the Project site.

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

Consistency: The proposed Project is an infill project located in an area of similar uses that has been developed with single-family homes and light commercial uses. The proposed residential development is designed to strengthen the existing communities, and will lead to improved walkability through the required street and curb improvements. Furthermore, the development will consist of a mixture of housing types and styles that will allow for the appropriate mixture of uses along Mission Boulevard and Bel Air Avenue. In addition, the proposed infill development in the Montclair Sphere is encouraged by the General Plan.

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 south side of Mission Boulevard between Vernon and Benson Avenues. Mission Boulevard and Bel Air Avenue will serve as access roads for the proposed Project (refer to Figure 3, Site Plan). Adequate public services and facilities will be provided in accordance with provisions of the CUP, Mitigated Negative Declaration, and through conditions of approval/mitigation measures to serve the proposed development. Approval of the proposed Project will not result in a reduction of

such public services to properties in the vicinity, to the detriment of public health, safety and welfare. In fact, the proposed changes will improve the appearance of the neighborhood by removing unsightly billboards and improving a vacant lot with a modern residential condominium development. Water service for the Project will be provided by Monte Vista Water District and sewer service provided by the City of Montclair.

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 District designation of the northern portion of the Project site as well as three parcels adjacent to the east of the Project site from Single Residential – 20,000 sq. ft. Minimum (RS-20M) and General Commercial (CG) to Multiple Residential (RM). The proposed Project will develop the vacant parcel into 40 two-story detached condominiums and two single-story single-family detached residential units. 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 single family homes on an underutilized site that could no longer support commercial related 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 was formerly used as a commercial property. The surrounding land uses to the north, south, east, and west are a mixture of commercial and residential uses. Approval of the GPA would change the Land Use District designation of the northern portion of the Project site as well as three parcels adjacent to the east of the Project site from Single Residential (RS-20M) and General Commercial (GM) to Multiple Residential (RM). The proposed Project will develop the vacant parcel into 40 two-story detached condominiums and two single-story single-family detached residential units which would be consistent with the proposed GPA.

The Multiple Residential (RM) Zoning District allows for the development of attached, detached, and/or mixed residential development with a wide range of densities and housing types. The Single Residential – 20,000 sq. ft. Minimum (RS-20M) Land Use Zoning District allows for the development of single family homes and requires a minimum lot size of 20,000 square feet; however, the parcel size is exempt from the required minimum lot size, as the proposed Project is a Multifamily Subdivision in accordance with Section 83.02.050(d)(3) of the San Bernardino County Development Code (Development Code). 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 single family homes on an underutilized site that could no longer support commercial related uses. 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 (4.7 acres) and three adjacent parcels total 9.71 acres, which when rounded to 10 acres would comply with the 10-acre minimum required in the Multiple Residential (RM) Land Use District. The proposed Project also includes the development of two single-family homes along the south end of the Project at Bel Air Avenue. The two single-family homes will allow for the conclusion of Bel Air Avenue by means of a cul-de-sac, along with improvements to the grade, drainage and the completion of curb, gutter and landscaping within the Public Right-of-Way. The proposed Land Use District will meet the minimum size requirements enumerated in the Development Code and will allow for the extension of a single-family tract with two single-family homes and 40

condominium units. The change will allow a vacant lot that is underutilized to be developed with a condominium project that provides a reasonable extension to the existing single family homes located south of the project site.

5. The proposed land use zoning district change does not conflict with provisions of the Development Code, because the change in the Land Use District from General Commercial (CG) and Single Residential (RS-20M) to Multiple Residential (RM) will not conflict with the Development Code. The General Plan allows Multiple Residential Land Use Districts to be located in centralized urban locations, on slopes generally less than 16 percent, and on sites that are programmed to receive full urban services and near a major arterial route. Since the Project is located in an urbanized area on a slope less than 16 percent, and fronts a major street, the change in zone will not conflict with the provisions of the Development Code and is in full compliance.
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 Conditional Use Permit, Mitigated Negative Declaration, and through conditions of approval/mitigation measures to serve the proposed development. Approval of the proposed Project will not result in a reduction of such public services to properties in the vicinity, to the detriment of public health, safety and welfare. In fact, the proposed changes will improve the appearance of the neighborhood by removing unsightly billboards and improving a vacant lot with a modern residential condominium development.
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. The proposed development of 40 detached two-story condominiums and two detached single-story single-family residences on approximately 4.7 acres of land is physically suitable for development. The affected site (proposed RM zone) allows for the development of attached, detached, and/or mixed residential development with a wide range of densities and housing types. The Single Residential (RS-20M) Land Use Zoning District that will remain on the southern end of the affect site allows for the development of single-family homes on a 20,000 square foot lot. The proposed Project and the three adjacent parcels would comply with the minimum 10-acre requirement for the GPA; the single family lots proposed will not meet the minimum requirements in the RS-20M zone. However, as part of a multi-family development the lot size is exempt from the required minimum lot size requirements as allowed in Development Code Section 83.02.050 (d)(3). The Project site was reviewed by the City of Montclair Fire Department and determined to provide adequate access for emergency vehicles.

The proposed Project would generate approximately 202 residents (4.82 people per household). 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, since no significant adverse impacts to law enforcement are identified or anticipated, 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 represents the independent judgment of the County acting as lead agency for

the Project. The Initial Study / Mitigated Negative Declaration 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. Therefore, adoption of a Mitigated Negative Declaration is recommended.



SAMRA TRUCK SERVICE CENTER/1ST SUPERVISORIAL DISTRICT

LUZD MAP EI12A

SECTION 2.

The General Plan Land Use Zoning District Maps are amended as shown on the attached map marked "LUZD MAP EI12A" from General Commercial (CG) to Service Commercial (CS) in conjunction with a Conditional Use Permit to construct and operate a 12,252 square-foot truck service center and a 92,353 square-foot impound/towing facility (Project) on 4.90 acres, located at 48243 Memorial Drive in the Newberry Springs area (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 amendment is consistent with 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:

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 proposed Project is located in an area where it will serve the social and economic needs of its residents, as there is no similar commercial development in the area.

Goal 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 Project's location is already surrounded by a well-integrated mix of different land uses including Multiple Residential to the north, Rural Living to the east, General Commercial to the west, and Neighborhood Commercial farther south.

Goal LU 1.3. Promote a mix of land uses that are fiscally self-sufficient.

Consistency: The proposed Project is fiscally viable as its located in area already trafficked by commercial vehicles. As such, this Project will meet the needs of potential customers that travel through that area.

Goal 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.

Consistency: The Project proposes to change from one commercial zoning to another thus remaining consistent with the intent of this policy. Because of its location the proposed Project is best suited for the type of permitted uses within the proposed new zoning, Service Commercial (CS).

Conservation Element (Desert Region):

Goal D/CO 3. Preserve the dark night sky as a natural resource of the Desert Region.

Consistency: The proposed Project will comply with Development Code regulations pertaining to dark night sky protection and safety standards.

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 will contribute to a thriving local economy by providing services beneficial to the community.

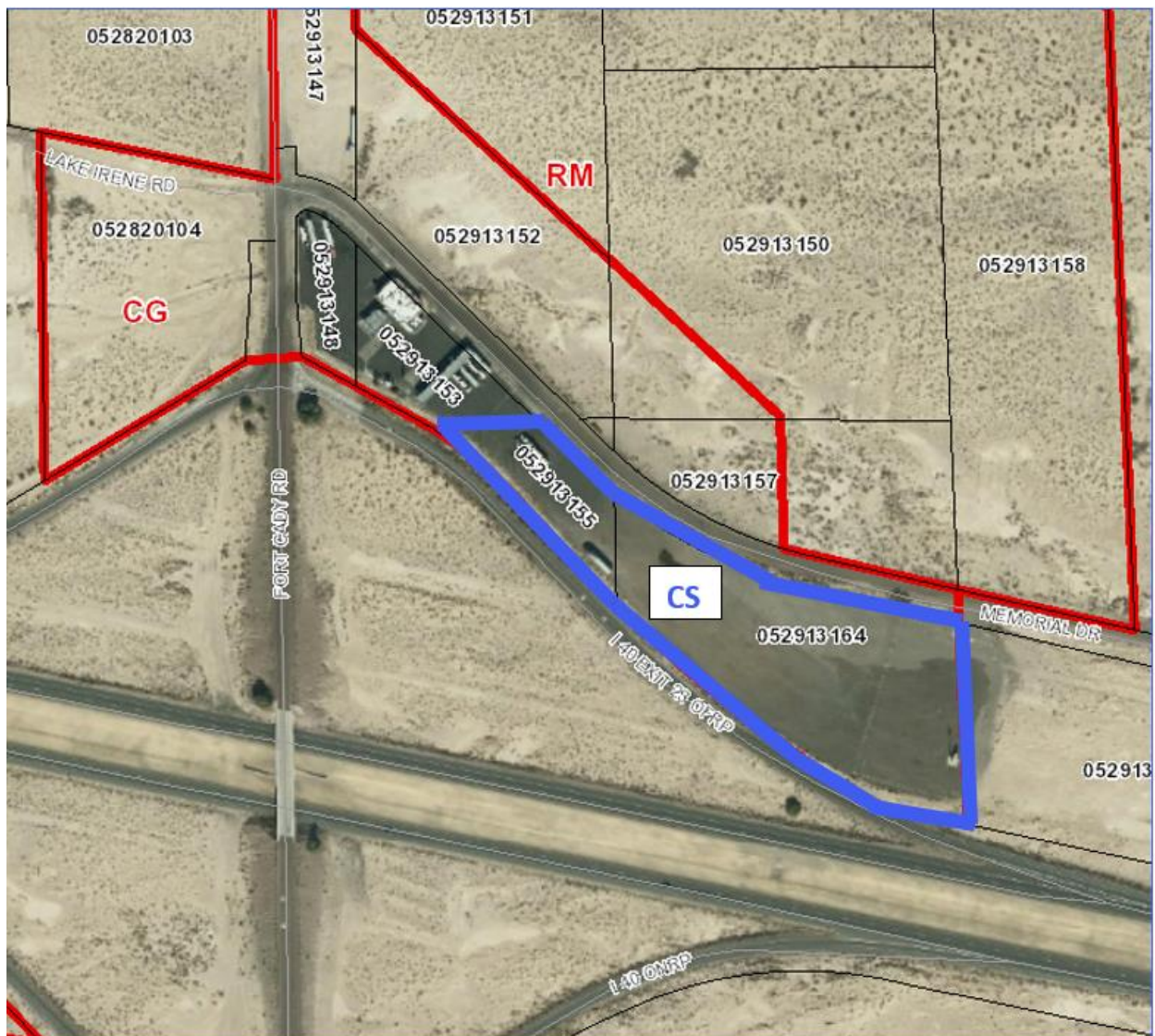
Goal ED 4.1. Promote commercial development that enhances the County's economic base, particularly for small businesses, and provides jobs for its residents.

Consistency: The proposed Project proposes a truck service center and impound/towing facility that will stimulate the County's economic base and provide jobs for its residents.

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, all of which support local businesses such as convenience stores and gas stations.
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, because the Project will provide a truck service center and an impound/towing facility while maintaining the goals and policies of the County General 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 desert character of the area by maintaining the rural setting. The Project will also promote significant economic development within the community, including construction jobs.
4. The proposed land use district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area, in that the Project site is located adjacent to existing commercial development, a convenience store and gas station located to the west, vacant land to the east and north, and Interstate 40 to the south. The proposed use of the Project site is consistent with these existing uses and allowed uses authorized by the surrounding zoning districts. Existing Memorial Drive will also 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 Project site conforms to the size and location criteria specified for the Service Commercial land use district and all other applicable Development Code requirements.

SAMRA TRUCK SERVICE CENTER/1ST SUPERVISORIAL DISTRICT**LUZD MAP EI12A**

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 County performance standards are met and that the Project will not have an adverse effect on the surrounding property. In addition, there is existing commercial development to the west of the Project site.
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. 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 Newberry Springs Fire Department, which has reviewed the Project and provided Conditions of Approval. The Project will have sufficient permitted solid waste storage 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 Initial Study has been prepared in compliance with the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines. The Project has been determined to not have a significant adverse impact on the environment with the implementation of all the required Conditions of Approval and mitigation measures. A Mitigated Negative Declaration (MND) will be adopted and a Notice of Determination (NOD) will be filed as part with the San Bernardino County Clerk's office. The MND represents the independent judgment and analysis of the County acting as lead agency for the Project.



SECTION 3.

The General Plan Land Use Zoning District Map Amendment shall become effective thirty (30) days after the adoption of this resolution. This resolution was passed and adopted by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: SUPERVISORS: Robert A. Lovingood, Janice Rutherford, Dawn Rowe
Curt Hagman, Josie Gonzales

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of December 17, 2019.

LYNNA MONELL
Clerk of the Board of Supervisors

By _____
Deputy

Approved as to Legal Form
MICHELLE D. BLAKEMORE
County Counsel

By: _____
BART BRIZZEE
Principal Assistant County Counsel

Date: _____