

Project Description: General Plan Amendment to change the Land Use Designation from Oak Hills Community Plan Area, Resource Conservation (OH/RC) and Oak Hills Community Plan Area, Floodway (OH/FW) to Oak Hills Community Plan Area, Rural Living (OH/RL) and a Countywide Plan Policy Plan Amendment from Resource Land Management (RLM) and Public Facility (PF) to Rural Living (RL) in conjunction with a Planned Developed Permit (PDP) and Tentative Tract Map (TTM) 18533 to subdivide approximately 155 acres into fifty-four (54) residential lots, one (1) open space lot, and two (2) lettered detention basin lots (Project) on approximately 155 acres located at the southwest corner of Whitehaven Street and Braceo Street (Project site)

FINDINGS: GENERAL PLAN/POLICY PLAN AMENDMENT:

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.12.060, and supporting facts for General Plan Land Use District Amendments:

1. **The proposed amendment is internally consistent with all other provisions of the General Plan/Countywide Plan, Policy Plan and will further the objectives, goals and policies of the respective plans. This amendment is consistent specifically with the following 2007 General Plan, Oak Hills Community Plan and 2020 Countywide Plan, Policy Plan goals and policies:**

2007 General Plan Consistency Analysis:

Goal D/CO 1. Preserve the unique environmental features and natural resources of the Desert Region including native wildlife, vegetation and scenic vistas.

Consistency: On-site open space/conservation lot in the southern portion of the Project site is proposed which will preserve unique environmental features affecting native wildlife and vegetation.

Policy D/CO 1.1. Encourage the greater retention of existing native vegetation for new development projects to help conserve water, retain soil in place and reduce air pollutants.

Consistency: The Project proposes a 39-acre open space lot which will retain native vegetation, conserve water, retain soil in place and reduce air pollutants. Additionally, the Project will not employ a mass grading approach but will grade only building pads and driveways for each residential lot.

Policy OH/LU 1.2 In recognition of the community's desire to preserve the rural character and protect the area's natural resources, projects that propose to increase the density of residential land uses or provide additional commercial land use districts or zones within the plan area 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 1.75 acres, and average lot size of 2.15 acres will be compatible with the existing surrounding land uses in the area, 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 development, with a minimum lot size of 1.75 acres, and average lot size of 2.15 acres will not detract from the community character. The planned development concept is proposed for this Project in order to provide a mechanism to preserve Oro Grande Wash as an open space feature while reducing the minimum lot size from 2.5 acres to 1.75 acres.

- 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.

2020 Countywide Plan, Policy Plan Consistency Analysis:

Policy LU-2.3. Compatibility with natural environment. We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.

Consistency: The Project proposes to establish a 39-acre open space lot that will conserve the natural environment in Oro Grande Wash. Additionally, the project will minimize land alteration by employing a grading concept whereby only building pads and driveways will be graded. Mass grading approach will not be utilized.

Policy LU-2.8. Rural lifestyle in the Mountain/Desert regions. We intend that new residential development in the unincorporated Mountain and Desert regions offer a lower intensity lifestyle that complements the suburban and urban densities in incorporated cities and towns to provide a range of lifestyle options. Master planned communities in unincorporated Mountain/Desert regions may provide a broader range of lifestyles and densities.

Consistency: With the proposed minimum lot size of 1.75 acres and an average of 2.15 acres, the Project maintains the lower intensity lifestyle of the immediate surrounding community and complements the suburban and urban densities in incorporated cities and towns, providing a range of lifestyle options.

Policy NR-3.2. Residential clustering. We allow residential development to cluster housing units in order to reduce the consumption of undeveloped land, maximize the amount of open space, preserve natural resources, conform to natural topography/grade, and/or reduce exposure of structures to natural hazards.

Consistency: The Project is processing a Planned Development Permit to allow the "clustering" of residential lots with a minimum size of 1.75 acres and an average of 2.15 acres, while creating a 39-acre open space lot in the Oro Grande Wash area.

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 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, which support local businesses such as recreation/retail establishments, building supplies and materials establishments, as well as eating establishments; the Project formally sets aside valuable habitat for the protection of the most sensitive biological resources.
3. **The proposed land use zoning district change is in the public interest, therefore will be a community benefit, and other existing and allowed uses will not be compromised.** The Project will provide housing opportunities on 54 residential lots while maintaining the goals and policies of the 2007 General Plan, the Oak Hills Community Plan and the 2020 Countywide Plan, Policy 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 community, an identified goal of the 2007 General Plan, Oak Hills Community Plan and 2020 Countywide Plan, Policy Plan, by preserving open spaces and conservation areas. The Project will also promote significant economic development within the community, including construction jobs.
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 Project site is located with existing residential development to the north and east. Existing circulation improvements 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.** Concurrent with the proposed general plan amendment, the applicant is processing a Planned Development Permit which will allow a minimum lot size of 1.75 acres, a reduction from the 2.5-acre minimum in the Rural Living (OH/RL) land use zoning designation requested, while conserving Oro Grande Wash as a 39-acre open space/conservation lot. The Project conforms to all other applicable Development Code requirements.
6. **The proposed land use zoning district change will not have a substantial adverse effect on surrounding property** because the Project is compatible with surrounding land uses and 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 (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 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 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 Initial Study (IS) adequately describes the environmental impacts that will result from the proposed Project and reflects the County's independent judgment.** 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 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.

FINDINGS: PLANNED DEVELOPMENT PERMIT [SBCC Section 85.10.050]

1. **The proposed development is consistent with the General Plan/Policy Plan and any applicable plan.**

2007 General Plan Consistency Analysis:

Goal D/CO 1. Preserve the unique environmental features and natural resources of the Desert Region including native wildlife, vegetation and scenic vistas.

Consistency: On-site open space/conservation lot in the southern portion of the Project site is proposed which will preserve unique environmental features affecting native wildlife and vegetation.

Policy D/CO 1.1. Encourage the greater retention of existing native vegetation for new development projects to help conserve water, retain soil in place and reduce air pollutants.

Consistency: The Project proposes a 39-acre open space lot which will retain native vegetation, conserve water, retain soil in place and reduce air pollutants. Additionally, the Project will not employ a mass grading approach but will grade only building pads and driveways for each residential lot.

Policy OH/LU 1.2 In recognition of the community's desire to preserve the rural character and protect the area's natural resources, projects that propose to increase the density of residential land uses or provide additional commercial land use districts or zones within the plan area 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 1.75 acres, and average lot size of 2.15 acres will be compatible with the existing surrounding land uses in the area, 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 development, with a minimum lot size of 1.75 acres, and average lot size of 2.15 acres will not detract from the community character. The planned development concept is proposed for this Project in order to provide a mechanism to preserve Oro Grande Wash as an open space feature while reducing the minimum lot size from 2.5 acres to 1.75 acres.

- 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.

2020 Countywide Plan, Policy Plan Consistency Analysis:

Policy LU-2.3. Compatibility with natural environment. We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.

Consistency: The Project proposes to establish a 39-acre open space lot that will conserve the natural environment in Oro Grande Wash. Additionally, the project will minimize land alteration by employing a grading concept whereby only building pads and driveways will be graded. Mass grading approach will not be utilized.

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Consistency: With the proposed minimum lot size of 1.75 acres and an average of 2.15 acres, the Project maintains the lower intensity lifestyle of the immediate surrounding community and complements the suburban and urban densities in incorporated cities and towns, providing a range of lifestyle options.

Policy NR-3.2. Residential clustering. We allow residential development to cluster housing units in order to reduce the consumption of undeveloped land, maximize the amount of open space, preserve natural resources, conform to natural topography/grade, and/or reduce exposure of structures to natural hazards.

Consistency: The Project is processing a Planned Development Permit to allow the "clustering" of residential lots with a minimum size of 1.75 acres and an average of 2.15 acres, while creating a 39-acre open space lot in the Oro Grande Wash area.

2. **The physical characteristics of the site have been adequately assessed and the site for the proposed development is adequate in terms of shape and size to accommodate the use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features.** The physical characteristics of the Project site have been adequately assessed and the site for the proposed development is adequate in terms of shape and size to accommodate the use and all landscaping, open spaces, setbacks, walls and fences, yards, and other required features.

3. **The site for the proposed development has adequate access, in that the site design and development plan conditions consider the limitations of existing streets and highways and provides improvements to accommodate the anticipated requirements of the proposed development.** The site design and development plan have considered the limitations of existing streets and highways and provides improvements to accommodate the anticipated requirements of the proposed development.
4. **Adequate public services and facilities exist, or will be provided, in compliance with the conditions of development plan approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health, safety, and general welfare.** Adequate public services and facilities exist, or will be provided, in compliance with the conditions of development plan approval, to serve the proposed development. The approval of the proposed development will not result in a reduction of public services to properties in the vicinity or be a detriment to public health, safety, and general welfare.
5. **The proposed development, as conditioned, will not have a substantial adverse effect on surrounding property or their allowed use, and will be compatible with the existing and planned land use character of the surrounding area.** The proposed development, as conditioned, will not have a substantial adverse effect on surrounding property or their allowed use. The single-family residential development with minimum lot size of 1.75 acres and average lot size of 2.15 acres, along with the 39-acre open space lot in the southern portion of the Project site will be compatible with the existing and planned land use character of the surrounding area.
6. **The improvements required by the proposed conditions of development plan approval, and the manner of development adequately address all natural and manmade hazards associated with the proposed development and the project site including fire, flood, seismic, and slope hazards.** The improvements required by the proposed conditions of development plan approval, including implementation of Fuel Modification Plan, Water Quality Management Plan (WQMP) and Storm Water Pollution Prevention Plan (SWPPP), and the manner of development adequately address all natural and manmade hazards associated with the proposed development and the Project site including fire, flood, seismic, and slope hazards.
7. **The proposed development carries out the intent of the Planned Development Permit provisions by providing a more efficient use of the land and an excellence of design greater than that which would be achieved through the application of conventional development standards.** The proposed Planned Development Permit results in an excellence of design greater than that which would be achieved through the application of conventional development standards in that a 39-acre open space/conservation lot is provided through the consolidation of the residential lots. Compatibility with surrounding 2.5-acre residential land uses is maintained with a proposed minimum lot size of 1.75 acres and an average lot size of 2.15 acres.

8. If the development proposes to mix residential and commercial uses whether done in a vertical or horizontal manner, the residential use is designed in manner that is buffered from the commercial use and is provided sufficient amenities to create a comfortable and healthy residential environment and to provide quality of life for the residents. The amenities may include landscaping, private open space, private or separated entrances, etc. The Project does not propose to mix residential and commercial uses.

FINDINGS: TENTATIVE TRACT MAP 18533 [SBCC Section 87.02.060]

1. The proposed map, subdivision design, and improvements are consistent with the General Plan/Policy Plan, any applicable community plan, and any applicable specific plan.

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Consistency: The proposed development, with a minimum lot size of 1.75 acres, and average lot size of 2.15 acres will be compatible with the existing surrounding land uses in the area, 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 development, with a minimum lot size of 1.75 acres, and average lot size of 2.15 acres will not detract from the community character. The planned development concept is proposed for this Project in order to provide a mechanism to preserve Oro Grande Wash as an open space feature while reducing the minimum lot size from 2.5 acres to 1.75 acres.

- 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.

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Policy NR-3.2. Residential clustering. We allow residential development to cluster housing units in order to reduce the consumption of undeveloped land, maximize the amount of open space, preserve natural resources, conform to natural topography/grade, and/or reduce exposure of structures to natural hazards.

Consistency: The Project is processing a Planned Development Permit to allow the "clustering" of residential lots with a minimum size of 1.75 acres and an average of 2.15 acres, while creating a 39-acre open space lot in the Oro Grande Wash area.

2. **The site is physically suitable for the type and proposed density of development site.** The tract map includes adequate building pads, setbacks and access roads.
3. **The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** All significant environmental impacts from the implementation of the Project have been mitigated to a less than significant level with the implementation of appropriate mitigation measures.
4. **The design of the subdivision and type of improvements are not likely to cause serious public health problems.** The site location, the subdivision design, and the density proposed are such that hazards from flood, fire, noise and other potential public health hazards are minimal with the implementation of the proposed conditions of approval and mitigation measures.
5. **The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision.** The recorded map will require all necessary public rights of easements to be shown. The development will provide legal and physical access to the site with proper documentation of those access rights. The conditions of approval shall require that any easement conflicts be resolved and that statements of concurrence be provided from utility companies, whose easements may be affected by the proposed development prior to recordation.
6. **The discharge of the sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.** The proposed homes will be served by on-site systems, in compliance with the Regional Water Quality Control Board.
7. **The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities.** The proposed lots will provide adequate building setback guidelines for the land use. In addition, the future residences can add roof top solar as an accessory use.
8. **The proposed subdivision, its design, density and type of development and improvements conforms to the regulations of the Development Code and the regulations of any public agency having jurisdiction by law.** The size and shape of the proposed lots are adequate for the type of residential development proposed, and appropriate agencies (including County Surveyor, County Public Works, County Fire, County Environmental Health Services, County Building and Safety, County Special Districts and LAFCO) have all reviewed and approved the Project design, the proposed conditions and the mitigation measures.

ENVIRONMENTAL FINDINGS:

The environmental findings, in accordance with Chapter 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 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.