

Project Description: General Plan Amendment to change the Land Use Designation from Phelan-Pinon Hills/Rural Living (PH/RL) to Phelan-Pinon Hills/Rural Commercial (PH/CR) and a Countywide Plan Policy Plan Amendment from Rural Living (RL) to Commercial (C) in conjunction with a Conditional Use Permit for a self-storage facility with a 2,160-square foot office, a 2,388-square foot caretakers dwelling, four self-storage structures totaling 73,401 square feet, and outdoor RV storage (Project) on 8.62 acres, located North of Lindero Street, extending between Arrowhead Road and Baldy Mesa Road (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, Phelan-Pinon Hills Community Plan and 2020 Countywide Plan, Policy Plan goals and policies:**

**2007 General Plan Consistency Analysis:**

**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 provide aid in providing 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 personal and recreational vehicle storage facility that will stimulate the County's economic base and provide jobs for its residents.*

**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.*

**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.*

**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.

## FINDINGS

*Consistency: The proposed Project's location is consistent in that a well-integrated mix of different land uses including residential to the north, south, east and west already surrounds it. Clusters of Neighborhood Commercial to the southeast, and Institutional farther northwest make the proposed Project a well-integrated use.*

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

*Consistency: The proposed Project is fiscally viable as it's located in area already where personal and recreational vehicle storage is limited. As such, the proposed Project will meet the needs of potential customers living in the area.*

**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.

*Consistency: The Project proposes to change the land use designation from rural living to rural commercial and proposes a use suited for the area given the location, access and availability of infrastructure.*

### **2020 Countywide Plan, Policy Plan Consistency Analysis:**

**Policy LU-1.1.** Growth. We support growth and development that is fiscally sustainable for the County. We accommodate growth in the unincorporated county when it benefits existing communities, provides a regional housing option for rural lifestyles, or supports the regional economy.

*Consistency: The Project will provide aid in providing a thriving local economy by providing services beneficial to the community. The Project proposes a personal and recreational vehicle storage facility that will stimulate the County's economic base and provide jobs for its residents.*

**Policy LU-1.3.** Fiscal Sustainability. When determining fiscal impacts, we consider initial capital investments, long-term operations and maintenance, desired levels of service for public facilities and services, capital reserves for replacement, and impacts to existing uses in incorporated and unincorporated areas.

*Consistency: The proposed Project proposes a personal and recreational vehicle storage facility that will stimulate the County's economic base and provide jobs for its residents.*

**Policy LU-4.7.** Dark skies. We minimize light pollution and glare to preserve views of the night sky, particularly in the Mountain and Desert regions where dark skies are fundamentally connected to community identities and local economies. We also promote the preservation of dark skies to assist the military in testing, training, and operations.

*Consistency: The proposed Project will comply with development code regulations pertaining to dark night sky protection and safety standards. Dark skies are of importance to the Phelan community as such the applicant has designed their project with this in mind.*

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

## FINDINGS

*Consistency: The proposed Project is located in an area where it will serve the social and economic needs of its residents, as there is only one similar commercial development in the area. The Project site is bounded to the north, south, east and west by residential dwellings, clusters of Neighborhood Commercial to the southeast, and Institutional zoning further northwest.*

**Policy LU-2.10.** Unincorporated commercial development. We intend that new commercial development in the unincorporated areas serve unincorporated residential areas, tourists, and/or freeway travelers. We encourage new commercial development to be concentrated to enhance pedestrian circulation and reduce vehicular congestion and vehicle miles traveled, with new development directed into existing centralized areas when possible.

*Consistency: The proposed Project's location is consistent in that it will meet the needs of residents and motorists traveling Phelan Road.*

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, all of which support local businesses such as personal and recreational vehicle storage facility.
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 a personal and recreational vehicle storage facility while maintaining the goals and policies of the 2007 General Plan and 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 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 zoning 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 commercial development, a convenience store and gas station located to the south, vacant land to the east and west, and residences to the north. Existing Baldy Mesa Road will provide vehicular access to the Project site and all necessary public services and infrastructure will be available.
5. **The proposed land use zoning district change does not conflict with provisions of the Development Code.** The Project site conforms to the size and location criteria specified for the Rural Commercial (CR) 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.** 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 south 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 San Bernardino County Fire Protection District, 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 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 IS/MND represents the independent judgment and analysis of the County acting as lead agency for the Project.

#### **FINDINGS: CONDITIONAL USE PERMIT**

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040, and supporting facts for CUPs:

1. **The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.** All setbacks meet or exceed the requirements of the Development Code for the proposed land use and the existing zoning. The proposed personal storage (i.e. office, caretakers dwelling, and four storage buildings) and recreational vehicle facility will meet all development code requirements for the proposed Rural Commercial (CR) Land Use Zoning District.
2. **The site for the proposed use has adequate legal and physical access which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use.** The proposed Project provides for adequate site access off Baldy Mesa Road. The Project will be required, as part of its Conditions of Approval, to provide road dedication and improvements, which include curb and gutter, sidewalks and paving on Lindero Road.

## FINDINGS

3. **The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems.** An Initial Study (IS) was prepared for the proposed Project resulting in a proposed Mitigated Negative Declaration (MND). These documents are collectively referred to as the "IS/MND." The IS/MND analyzed potential impacts to surrounding properties, and recommended mitigation measures to address any potentially significant impacts, including biological resources. These mitigation measures, which are incorporated into the Project's proposed Conditions of Approval, ensure that there will be no significant adverse impacts to abutting properties from the Project.

The Project will comply with the noise restrictions established by Development Code Section 83.01.080 during construction and operations. Construction will be temporary and will not involve blasting or produce noise and/or vibration that exceed Development Code requirements. Operation of the Project will generate minimal noise at a level that is within County Development Code standards.

In addition, the use will not substantially interfere with the present or future ability to use solar energy systems. The proposed Project would not shade adjacent parcels and would not limit the future development of solar energy systems or other development on neighboring properties. The Project site is bounded by residential dwellings to the north, a convenience store and gas station to the south, and vacant property to the east and west.

4. **The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan/Countywide Plan, Policy Plan and any applicable community or specific plan. This amendment is consistent specifically with the following 2007 General Plan, Phelan-Pinon Hills Community Plan and 2020 Countywide Plan, Policy Plan goals and policies:**

### **2007 General Plan Consistency Analysis:**

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5. **There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels.** During construction and operation the Project's required use of local infrastructure will not significantly affect existing service levels. As part of the Conditions of Approval, Project vehicles shall not back out into the public roadway, and driveway access will be granted on Baldy Mesa Road. The Project applicant will be responsible for paying for and/or constructing the minimal necessary infrastructure improvements and thus there will be no significant effect on existing service levels.
6. **The lawful conditions stated in the approval are deemed reasonable and necessary to protect the public health, safety and general welfare.** The Project's Conditions of Approval reflect requirements designed to protect the public health, safety, and general welfare. These conditions are based on established legal requirements and are applicable to all similar projects. Consequently, they are considered reasonable and necessary to protect the public health, safety, and general welfare. All conditions listed in the Conditions of Approval are necessary and reasonable to ensure compliance and to carry out the goals, policies and objectives of the County's General Plan.
7. **The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.** The location of the proposed Project was designed in a manner to not interfere with the future ability for the property owner to install a solar energy system. The Project would not impede development of solar energy generation systems on adjacent parcels.

## **FINDINGS**

### **FINDINGS: ENVIRONMENTAL:**

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 IS/MND represents the independent judgment and analysis of the County acting as lead agency for the Project.