



Interoffice Memo

DATE: March 23, 2023

PHONE: 387-4002

FROM: **AZHAR KHAN**, Senior Planner *AK*
Land Use Services Department

TO: **HONORABLE PLANNING COMMISSION**

SUBJECT: **APPLICANT: WONDER INN LLC, JASON LANDVER; PROJECT NUMBER: PROJ-2021-00163 (AGENDA ITEM #4)**

Since the distribution of the staff report, Staff has received additional comments for the above-referenced Project. These additional comments are attached for your consideration.

AK/HD/lb

From: [Stop The Wonder Inn Project](#)
To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Saturday, March 18, 2023 1:17:00 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

How to make this comment:

The Wonder Inn Proposal goes before the County Planning Commission on March 23, and the Commissioners need to hear from all of us. This webform will go directly to the Commission and also to Planner Azhar Khan, Supervisor Dawn Rowe, and Field Representative Steven Reyes.

You can modify the text if you choose, and you can also add Additional Comments of your own in the comment box below the webform.

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Name

James Copp

Email

jcrobocop@aol.com

Address

8157 steeg rd
29 palms, CA
92277
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

There was a reason for the original zoning of properties in wonder valley. The fragile nature or what resources were available were understood and have preserve what has become home to residents of the valley. This proposed project does not have one positive improvement to wonder valley and or benefit to wonder valley residents

Sent from [Stop The Wonder Inn Project](#)

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To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Saturday, March 18, 2023 5:14:17 PM

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Name

Theresa Walsh

Email

teewalsh933@gmail.com

Address

66222 Foothill Dr.
Joshua Tree, CA
92252
US

I am a:

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

I have many friends who live out in Wonder Valley for the quiet, dark night skies and the nature. Many of them older who can afford the low income housing out there. The roads are already challenging to drive and with all that traffic that this venue would create, it would have the potential generate many more automobile crashes in which our emergency support would not be able to handle. This is not a place for resorts, it is a place for quite living, along side nature.

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To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Sunday, March 19, 2023 5:41:26 AM

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Name

Maya Michel

Email

tacossouth@hotmail.com

Address

tacossouth@hotmail.com
639 Upper Orara Road
Upper Orara, NC
19803
US

I am a:

Visitor

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

Writing from Australia. I take my family to Joshua Tree for the lack of human extravagance. I take my family to Joshua Tree for the desert's magnificence - to unload the stress and grasping and greed that is felt in every magical spot that has been 'discovered' by developers. Everything changes when they are allowed to desecrate the beauty that nature brings. More people, more money, more greed - costs of everything rise and soon the native people are being forced out. Please, please don't allow this to happen here. Go out, take a hike, sit for hours and watch as life goes on without the human fingerprint to destroy. Please do not approve this

project. There will never be another place like JT. It cannot be replicated.
We will have nowhere to go that fills our thirsty souls.

Thank you

Maya Michel

Upper Orara, Australia 2450

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: [Khan, Azhar](#)
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Friday, March 17, 2023 3:52:03 PM

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Name

Kathleen Seeley

Email

seeleyakat@gmail.com

Address

1269 Balsa Ave
Yucca Valley, CA
92284
US

I am a:

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Do not approve the Wonder Inn Project. These developers read greedsters have already lied to the county, as they plan to use all 163 acres, building in addition to the inn 24 luxury villas!!!

Additional Comments

So, another outside greedster seeks to make millions by destroying our unique and fragile desert area. I live on the Mesa, and see that this monstrous project bears much resemblance to the ABOMINATION known as Flamingo 640. Greenfield and Landver, like Botthof, have lied about many aspects of their dreadful projects. Their bulldozers, like the greedsters, do not "love" the desert and have absolutely no concern for the local residents or wildlife, which would be decimated in both of these monstrous projects.

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Name

Kathleen Seeley

Email

seeleyakat@gmail.com

Address

1269 Balsa Ave
Yucca Valley, CA
92284
US

I am a:

Comment

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To: [Khan, Azhar](#)
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Monday, March 20, 2023 7:54:36 PM

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Name

Patrick Crosgrove

Email

prcarch@mac.com

Address

Angeles Road
twentynine Palms, CA
92277
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

Additionally concerned of the semi-newly information that there is also planned 24 private villa homes each on a 5 acre parcel (at \$150,000 each- for the land) with swimming pools and hot tubs at an average rent of \$1000 a day...so contrary to what wonder valley is about and represents...

Deeply concerning

Sent from [Stop The Wonder Inn Project](#)

From: [Tracey T](#)
To: [Khan, Azhar](#); [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: RE: PROJ-2021-00163
Date: Tuesday, March 21, 2023 8:58:54 AM

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To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services

RE: PROJ-2021-00163

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I am extremely concerned about the future of air quality and water supply in the region, as well as, preserving the natural landscape.

Please do not approve the Wonder Inn Project.

Thank you for listening to my concerns.

Sincerely,
Tracey Taylor

From: [Stop The Wonder Inn Project](#)
To: [Khan, Azhar](#)
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Monday, March 20, 2023 8:56:08 PM

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Name

Madison Bass

Email

madison.n.basstaylor@gmail.com

Address

3597 quiet side st
Palm springs, CA
92262
US

I am a:

Resident
Visitor

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

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Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 7:59:16 AM

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Name

Chris Fortuna

Email

mail@chrisfortuna.com

Address

58558 Songbird Lane
Yucca Valley, CA
92284
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

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Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 2:24:12 PM

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Name

Sienna Kanis

Email

siennakanis@gmail.com

Address

69474 Sunny Sands dr
Twentynine Palms, CA
92277
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163)

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Name

Patrick Crosgrove

Email

prcarch@mac.com

Address

Angeles Road
twentynine Palms, CA
92277
US

I am a:

Resident

Comment

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If you'd rather write your own letter, find the address for the Commissioners and the other County officials on our [Resources](#) page.

Name

Miguel Molina

Email

notime4mm@yahoo.com

Address

3812 Avocado Blvd.
La Mesa, CA
91941
US

I am a:

Visitor

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: [Khan, Azhar](#)
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 12:59:33 PM

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Name

Marty Stevens

Email

kozmo@baymoon.com

Address

354 Harbor Dr
Santa Cruz, CA
95062
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

Those seeking such amenities can shelter in Palm Springs. Leave Joshua Tree alone.

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Monday, March 20, 2023 8:56:04 PM

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Name

Madison Bass

Email

madison.n.basstaylor@gmail.com

Address

3597 quiet side st
Palm springs, CA
92262
US

I am a:

Resident
Visitor

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 7:59:17 AM

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Name

Chris Fortuna

Email

mail@chrisfortuna.com

Address

58558 Songbird Lane
Yucca Valley, CA
92284
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

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From: [Stop The Wonder Inn Project](#)
To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 10:27:37 AM

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Name

Alexandra Dorough

Email

alexandradorough@gmail.com

Address

979 Springfield St. Apt. D
Upland, CA
91786
US

I am a:

Visitor

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Sent from [Stop The Wonder Inn Project](#)

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To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 12:41:20 PM

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Name

Miguel Molina

Email

notime4mm@yahoo.com

Address

3812 Avocado Blvd.
La Mesa, CA
91941
US

I am a:

Visitor

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 12:59:31 PM

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Name

Marty Stevens

Email

kozmo@baymoon.com

Address

354 Harbor Dr
Santa Cruz, CA
95062
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

Those seeking such amenities can shelter in Palm Springs. Leave Joshua Tree alone.

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 2:24:12 PM

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Name

Sienna Kanis

Email

siennakanis@gmail.com

Address

69474 Sunny Sands dr
Twentynine Palms, CA
92277
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163)

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Thank you for listening to my concerns.

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: [Khan, Azhar](#)
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 10:27:38 AM

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Name

Alexandra Dorough

Email

alexandradorough@gmail.com

Address

979 Springfield St. Apt. D
Upland, CA
91786
US

I am a:

Visitor

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: [Khan, Azhar](#)
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 4:33:37 PM

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Name

Sarah Habershon

Email

sjhabershon@gmail.com

Address

6472 Shelton Road
Wonder valley
29 palms, CA
92277
US

I am a:

Visitor

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

I'm a part time resident since 2007, twice a year and visiting since 2000 for the peace, wild desert landscape, lack of light pollution, wildness of the area. Appreciate the attraction to visitors and I am one - but this kind of large scale development is at odds with all that makes Wonder Valley what it is. There are plenty of individual places to stay already for visitors looking for the true desert. It's incomprehensible to me why this type of resort is considered appropriate here. And for the people who live here full time - this goes double. The increase in traffic and massive disturbance to wildlife and other concerns are outlined in the statement above. Please

please do not pass permission for the Wonder Inn Resort.

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: [Khan, Azhar](#)
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 11:04:30 PM

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Name

Elsye Walker

Email

elsyew7@gmail.com

Address

57556 Twentynine Palms Highway
#72
Pmb, CA
92284
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

-

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 4:33:37 PM

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Name

Sarah Habershon

Email

sjhabershon@gmail.com

Address

6472 Shelton Road
Wonder valley
29 palms, CA
92277
US

I am a:

Visitor

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

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please do not pass permission for the Wonder Inn Resort.

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Tuesday, March 21, 2023 11:04:28 PM

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How to make this comment:

The Wonder Inn Proposal goes before the County Planning Commission on March 23, and the Commissioners need to hear from all of us. This webform will go directly to the Commission and also to Planner Azhar Khan, Supervisor Dawn Rowe, and Field Representative Steven Reyes.

You can modify the text if you choose, and you can also add Additional Comments of your own in the comment box below the webform.

If you'd rather write your own letter, find the address for the Commissioners and the other County officials on our [Resources](#) page.

Name

Elsye Walker

Email

elsyew7@gmail.com

Address

57556 Twentynine Palms Highway
#72
Pmb, CA
92284
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

-

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: [Khan, Azhar](#)
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Wednesday, March 22, 2023 1:14:27 PM

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Name

Timothy Timothy Hearsum Hearsum

Email

timothyhearsum@att.net

Address

5455 Grand Avenue
Yucca Valley, CA
92284
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

In addition, just because we've had a LOT of rain this winter, you know the drought WILL BE BACK. The high desert simply cannot support the water usage for this kind of project.

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Wednesday, March 22, 2023 5:23:39 PM

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How to make this comment:

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You can modify the text if you choose, and you can also add Additional Comments of your own in the comment box below the webform.

If you'd rather write your own letter, find the address for the Commissioners and the other County officials on our [Resources](#) page.

Name

Tracy Wagley

Email

tracyinexit@yahoo.com

Address

10 Trailside Circle
Salida, CO
81201
US

I am a:

Visitor

Comment

Dear Planning Commissioners,

I have been a frequent visitor to Wonder Valley over the last 30 years. It is an amazing unique place that could never be replaced if it were developed.

When I first visited Joshua Tree, the Mojave desert, Wonder Valley and the surrounding areas, I could not believe how crazy beautiful and utterly unique it was and I am not exaggerating. As a lifelong lover of nature and the deserts, I had never scene anything like a Joshua tree or the other plants and animals in the Mojave. I also loved the quiet and serene surroundings. The night sky, the friendly locals and the beauty everywhere. I felt so lucky and felt immediately,even back then, that it should be protected.

Please do not build the Wonder Inn and please truly consider not allowing any other development that only benefits developers and the rich. Every inch of California or the USA for that matter does not need to be developed. There are more important things in life than another resort for the rich. Nature. Just pure, unique nature. Let's protect this beautiful area, please consider the true importance of this statement. There are ways to visit the area and benefit the residents, animals who live there and the nature itself without having a huge negative impact. This includes overbuilding in a dry desert area that already has to consider what the future could look like without enough water.

Also, there are already enough Glamping, VRBOS's etc. that effect the area. Please consider the importance of this beautiful, unique space and not turn it into more of a Sunset magazine cover than it already has been. That kind of development only allows certain people to use the space and it should be open to all and also be conserved.

I cannot begin to write a better letter than this form letter so I am going to attach my letter to this one. Thank you for your consideration, it's very important.

Sincerely,
Tracy Wagley

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) I urge you to deny approval of the Wonder Inn Project, a proposed 106-room

luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Additional Comments

Please keep in my mind the desert tortoise who also deserves to be protected. Thank you

Sent from [Stop The Wonder Inn Project](#)

From: [Stop The Wonder Inn Project](#)
To: info@stopwonderinn.org
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: Comments on Wonder Inn IS/MND
Date: Wednesday, March 22, 2023 7:59:10 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

How to make this comment:

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You can modify the text if you choose, and you can also add Additional Comments of your own in the comment box below the webform.

If you'd rather write your own letter, find the address for the Commissioners and the other County officials on our [Resources](#) page.

Name

Karin Messaros

Email

kfb755@hotmail.com

Address

58116 El Dorado Drive
Yucca Valley, CA
92284
US

I am a:

Resident

Comment

To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services (via email). (RE: PROJ-2021-00163) This project in the current location is absolutely ludicrous. If this "should" go anywhere in the Morongo Basin, let them buy land and build it along highway 62, maybe next to the Glamping site (Airstream trailers) that is currently on the corner of highway 62 and Sunburst, or give them 29 Palms City land - if they happen to currently own any, and that might help support the casino. I urge you to deny approval of the Wonder Inn Project, since it is completely out of scale and character with anything in rural, rustic Wonder Valley. Morongo Basin residents treasure their wild, wide-open, peaceful desert basin. We need to maintain natural desert beauty while recognizing that some growth will continue to occur, but it has to be smart growth. This project has nothing "smart" about it. It will decrease the current irreplaceable water supply, increase traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Please do not approve the Wonder Inn Project. Thank you for listening to my concerns.

Sent from [Stop The Wonder Inn Project](#)

From: [Eric Hamburg](#)
To: [Khan, Azhar](#)
Cc: [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#); [Duron, Heidi - LUS](#)
Subject: Wonder Inn Hotel/Resort (Twentynine Palms), PROJ-2021-00163 - Graphic for public record
Date: Thursday, March 16, 2023 9:06:01 AM
Attachments: [Wonder Valley Google Earth & JTNP Final.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

We submit this map/graphic to show the impact of the size of the proposed project's "footprint" in Wonder Valley to emphasize how it conflicts with a number of the Land Use Elements of the Countywide Plan and values in the Wonder Valley Community Action guide.

Regards,

Eric Hamburg
For the Stop The Wonder Inn Project





COUNTYWIDE PLAN

Policy LU-4.5 Community identity

We require that new development be consistent with and reinforce the physical and historical character and identity of our unincorporated communities, as described in Table LU-3 and in the values section of Community Action Guides. In addition, we consider the aspirations section of Community Action Guides in our review of new development.

Wonder Inn Resort "Footprint" As Proposed

29 Palms

Wonder Valley

Joshua Tree National Park

From: [Lori Bloom](#)
To: [Planning Commission Comments](#)
Cc: [Lori Bloom](#)
Subject: Item #4 , Wonder Inn LLC
Date: Wednesday, March 22, 2023 4:25:35 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

SBC Planning Commission:

I am writing this email in opposition to the proposed Wonder Valley project. Please take the following into consideration:

- Increased traffic along Amboy Road
- Noise pollution from this large project; sound carries far in the open desert air
- Light pollution; light from this project will ruin the dark sky that is so meaningful to the locals
- This project would create an additional burden on the under funded fire department, as well as on local law enforcement
- The local water supply is already limited, and this would create a significant draw on the already limited water supply. The groundwater has been identified as not potable and the project does not propose to improve the quality of the groundwater
- Impacts to the utility grid. SCR may not be able to supply power to the project in this location where the summers, springs, and falls can be VERY hot.
- This project would disrupt vital wildlife linkage corridors of the threatened desert tortoise and other desert wildlife species
- This project would involve removal of many native Joshua trees. Joshua trees are what this whole area is about!
- This project would worsen the local housing crisis and open the door to other commercial development in the area.

Please take these concerns into consideration before approving the Wonder Valley project. At the very least, properly evaluate the site with an environmental impact report.

I would like to remind the planning commission that you are appointed by the supervisors to represent RESIDENTS of San Bernardino County. Planning commissioners should strive to provide input and guidance that will positively affect the area in question. The developers are not local to San Bernardino county, and are seeing this development as only a financial opportunity. Your constituents live in this area because they love the rural living, the quiet, and the dark skies. By approving this project, you are ignoring and changing the lifestyles of your constituents, those individuals you represent.

Thank you,
Lori Bloom

[illegible]

This e-mail was sent from a contact form on Land Use Services (<https://ps02.safelinks.protection.outlook.com/?url=https://slas2f.hia.shouyou.gov.tw/&data=05%3C%3CPlanningCommissionComment%40slas.shouyou.gov.tw&id=6468164508d2a834126%3C1196c536e9740adacac299649e93c7c30c7c6381503340883366645%3C%3Csdmnet%3CTWtpGzabMdyJWjIwJmCk4eLjAwMDALCRQjvNzhAMdLCBTtHhKhaWwLJCXYC3Bda6g3DPS%3C3009%7c%7c%3CAdat-TGiS2FghANN8j7duTzCQSQ0umMC3XAWaMN3SaP4SDkrecrved-0>)

As the result we got the following of Wonder Inc. There have 12 Twentyfour Police for summer years and in the last five years have had major negative environmental impacts on my home, land and community. EXHIBT Pollution, TOXIC air, undesirable NOISE POLLUTION from cars, have had cars, MOTORCYCLES, Speeding and TRASH, the loss of NATURAL plants that grow here. THE LACK OF SECURITY. In my 50 years I have called the police maybe 3 or 4 times in my life mostly due to building of homes and land and some in the last 3 years, I have had to call them about everything, sometimes more than once a week.

From- Kerrie Aley

March 20 2023

Attention-

SBC Planning Commission

Dawn Rowe 3rd District SBC BOS Chairman

SBC Board of Supervisors

SBC Land Use Services

Azhar.khan@lus.sbcounty.gov

Jim.Morrissey@lus.sbcounty.gov

Heidi.Duron@lus.sbcounty.gov

Supervisor.Rowe@bos.sbcounty.gov

Subject- *SBC General Plan Update & Amendments, STR Ordinance and Conditional Use Permits, Consistency and CEQA Considerations*

Letter to be added to the following Project Files-

PROJ-2021-00163 Wonder Valley Inn

PROJ-2020-00191 Flamingo 640 Resort Camping

PROJ-2020-00203 Bubble Campground

PROJ-2020-00077 Pioneertown Motel Expansion

PROJ-2020-00158 Pioneertown Hotel (Trailer)

SBC Short Term Rental Ordinance

SBC Updated Zoning

Reference-

Resolution 2020-197 "A resolution of the San Bernardino County Board Amending the General Plan by approving the Countywide Plan, Policy Plan Text, Land Use Designation Map, and various Policy Maps, and approving the Countywide Plan Business Plan Text" **October 27 2020**

<https://sanbernardino.legistar.com/View.ashx?M=F&ID=9691608&GUID=A188B550-2B93-4025-A5D6-37B3312D1C4D>

County Business Plan Implementation Plan October 2020

Purpose Implementation consists of actions taken to carry out the Countywide Plan policies and continue progress toward achieving the Countywide Plan goals- Time Frame Immediate Action

https://countywideplan.com/wp-content/uploads/sites/68/2020/12/CWP_BP_ImplementationPlan_HardCopy_2020_October.pdf

Attention All SBC Decision Makers,

I am writing to you today about the proposed Wonder Valley Inn General Plan Amendment And Conditional Use Permit.

Additionally, I want to discuss the overriding fact that SBC has failed to take “**Immediate Action**” on numerous Development Code updates and other relevant actions which were included in the Countywide Plan-Business Implementation plan.(Approved October 27 2020) Because these actions were not completed there are inconsistencies between SBC’s Municipal Code and the General Plan.

CA State law requires that *when a general plan amendment makes the zoning inconsistent, the zoning must be changed to re-establish consistency “within a reasonable time” (Gov. Code § 65860(c)). According to the California Supreme Court, “[t]he Planning and Zoning Law does not contemplate that general plans will be amended to conform to zoning ordinances. The tail does not wag the dog.” (Leshar Communications v. City of Walnut Creek, supra, at p. 541).*

When there are extensive amendments to the general plan the CA OPR suggests that when possible, general plan amendments and necessary related zoning changes be heard concurrently (Gov. Code § 65862). When concurrent hearings are not feasible, the CA OPR recommends that such revision that result in inconsistency of large areas be completed within **two years**.

The failure of SBC to take “Immediate Action” on the following Development Code updates leaves any approval of General Plan Amendments, Conditional Use, and the STR Ordinance in legal limbo which could be legitimately challenged in court.

Countywide Business Plan Implementation Plan Development Code Immediate Actions

IMP-2021-DC-1 **Land use compatibility**. Update development standards and guidelines regarding scale, buffering, and other site design criteria to ensure greater land use compatibility of new development with existing uses, planned uses, and the natural environment. Special attention should be given to the interface with industrial uses. Do not permit new hazardous waste facilities to be developed in unincorporated EJFAs (EJFAs). Evaluate other limitations or restrictions that may need to be applied to uses or facilities that manage and/or transport hazardous materials but are not designated as hazardous waste facilities.

IMP-2021-DC-2 **Context-based standards and design**. Update building/site design and improvement standards for future development, varied as necessary by region/community so that it reflects the physical and historical character of the local area.

IMP-2021-DC-7 **Commercial amendment**. Create an application form and process that determines varying levels of evaluation required as part of a comprehensive Land Use Plan amendment for new commercial uses.

IMP-2021-DC-8 **Application requirements.** Amend the entitlement process for a Planning Project Application to incorporate required documentation and public outreach activities for projects that are within or adjacent to unincorporated EJFAs. Identify how the community's input will be communicated and factored into the County's evaluation and determination.

IMP-2021-DC-9 **Short term rentals.** Assess the need for changes to Short Term Rentals Ordinance No. 4371.

IMP-2021-DC-13 **Scenic resources.** Update the scenic overlay for County Scenic Routes.

IMP-2021-DC-17 **Native plant protection.** Address appropriate development standards regarding the disturbance and clearance of native soils and vegetation, with a focus to control/minimize fugitive dust, windblown sand, and soil erosion. Encourage the use of native plants that will continue to be viable in the area under a prolonged and severe drought when outside of high/very high fire hazard severity zones.

IMP-2021-DC-27 **Noise standards.** Update requirements, standards, and provisions to limit/restrict new noise sensitive land uses and sound control at the source.

IMP-2021-DC-29 **Policy references.** Update all policy references to reflect adopted Policy Plan. Lead: Land Use Services - Planning

SBC has made changes to the Development Code such as the STR Ordinance that has significantly increased Tourism VMT which was unaccounted for in the Countywide Plan EIR in violation of CEQA. (See Feb 18 correspondence attached) SBC's decision to encourage new jobs and economic development without considering the loss of housing due to the addition of 3100 Short Term Rentals creates a clear inconsistency in the General Plan.

It is apparent that Tourism projects like the Wonder Inn and Flamingo 630 have issues which require the consideration of the above actions- Land Use Compatibility, Context Based Standards and Design, Commercial Amendment, Application Requirements, Short Term Rentals, Scenic Resources, Native Plant Protection, Noise Standards and, Policy References. How can SBC approve discretionary actions like Conditional Use or General Plan Amendments when there is a clear inconsistency between the General Plan and the current development code?

The Land Use Plan was just updated in 2020. Why is SBC staff recommending a General Plan Land Use Amendment from Rural Living to Commercial and a Conditional Use Permit for the Wonder Valley Inn when the Development Code has not even been updated?

Invalid Legal Actions- General Plan Amendment, Conditional Use, STR Ordinance

Since the new Development Code standards do not exist and SBC has failed to take “Immediate Action” to update the Development Code within the CA OPR 2 year limit it seems to me that any recent General Plan Amendments, Conditional Use Permits and the STR Ordinance are legally invalid.

For San Bernardino County the consistency requirement applies and every zoning action, such as the adoption of new zoning ordinance text or the amendment of a zoning ordinance map, must be consistent with the general plan.

A zoning ordinance that conflicts with the general plan at the time it is enacted is “invalid at the time it is passed” (Leshar Communications v. City of Walnut Creek (1990) 52 Cal.3d 531; accord, Sierra Club v. Board of Supervisors (1981) 126 Cal.App.3d 698).

Over two years ago SBC Land Use Services produced a timeline for immediate action to update the development code which included the zoning tables. A draft copy of the development code was soon released to the public with the expectation that there would be a public process and a hearing to approve the changes within the next year. Now 29 months later there has been no effort made or any schedule I know of as to when the Development Code will be changed to reflect the Countywide Plan.

More concerning is that SBC committed to a time frame to CA HCD for the completion of a study on the impacts of STR on housing and recommendations for changes to the Short Term Rental STR Ordinance to mitigate the loss of housing by February 2023. Recently we learned that this CA HCD study/recommendation on the STR Ordinance will not be completed until after September 2023.

The requirement for Immediate Action on IMP-2021-DC-9 Short term rentals- “Assessing the need for changes to Short Term Rentals Ordinance No. 4371” will now take 34 months to provide the information to the CA HCD and the implementation plan (Ordinance Revision) is scheduled for sometime in 2024.

The “Interim Plan” described in the Resolution 2020-197 which provides a process to approve projects while inconsistency exists between the Development Code and the General Plan is now invalid because SBC has clearly not taken “Immediate Action” in a “reasonable amount of time”.

In addition, subsequent changes to the development code such as the STR Ordinance increased VMT, and created a development boom in vacation homes negatively impacting our fragile desert environment in violation of CEQA.

SBC failed to act in a timely manner and enact a cap on the number of STRs, failed to prevent contiguous STRs acting as hotels, failed to consider the impact of development on well water, on wildlife and protected species and has created a tremendous loss of community and a huge public nuisance.

SBC's Indemnification Conditions of Approval Wonder Valley Inn

4 Conditions of Approval Wonder Valley Inn

Indemnification -

In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval. Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses. This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

5 Additional Permits -

The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but are not limited to: a. FEDERAL: b. STATE: c. COUNTY: d. LOCAL:

Case law has determined that "The city or county is responsible for determining whether an activity is consistent with the general plan. A city council's finding of a project's consistency with the plan would be reversed by a court if, based on the evidence before the council, a reasonable person could not have reached the same conclusion (No Oil, Inc. v. City of Los Angeles (1987) 196 Cal.App.3d 223)."

It seems to me there is a serious conflict of interest with the San Bernardino County collecting tens of millions of dollars of Transient Occupancy Tax TOT each year from visitor lodging (STRs, the Wonder Valley Inn, Flamingo 640) while at the same time then indemnifying themselves from any damages and legal fees.

The decision makers of San Bernardino County (Planning Staff, the Planning Commission and the Board of Supervisors) have the sole responsibility to make decisions based on consistency with the Development Code and Zoning and the General Plan.

I object strongly to this blanket *Indemnification* “get out of jail” ordinance SBCC §81.01.070 and the statement that “The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but are not limited to: a. FEDERAL: b. STATE: c. COUNTY: d. LOCAL.

San Bernardino County is wholly responsible for making a determination of Finding of Facts on a proposed development project not the developer. If SBC ignores its own guidance documents and the public’s comments that prove otherwise then these “decision makers” should pay the consequences for their actions.

Tourist Hazard and Public Nuisance

The introduction of tourism into remote areas like Pipes Canyon, Rimrock and Pioneertown has created a nightmare for residents who now are inundated with trespassing (both hiking and illegal OHV traffic) on their private property. In Pipes Canyon 30-40% of homes were bought up by investors who now manage their properties remotely using maids as local contacts. Because of the saturation of STRs investor’s occupancy and rental rates are down significantly so they are now reluctant to use full service hosting companies who charge a fee of 20-30% of the rental rate. The majority of STR investors near me have no ties to the community and no interest in our neighborhood.

SBC created the STR public nuisance and placed the responsibility for code enforcement onto residents. The trash day is on Tuesday so the cans are regularly left for days...knocked over and the weekend trash is flying everywhere-it's now our job to pick up tourist trash. Loud music our problem-before 10 pm there is no limit, too bad as everyday is a party for tourists . Fireworks -Too Bad! Enforcement cannot prove who shot them off. Too many guests and cars parked all over the front area- that's your problem get over it!. SBC simply does not have enough Sheriff Deputies to handle the number of STRs.

SBC’s STR Code Enforcement Program is a complete failure. If you look at the STR Complaint Reports I’d say 90%+ of the complaints (for trash, trespassing, illegal events, noise, over permitted occupancy, illegally unpermitted remodels, rented structures/trailers and vehicles) have been determined to be “unfounded” or “unconfirmed”. The number of complaints underestimate the true damage to our neighborhoods. The most common comment by my neighbors is “Why bother complaining about AirBnbs to SBC when NOTHING IS DONE!”.

The investors have remodeled homes into fancy hotel rooms yet there are no public hiking trails, restaurants or attractions near my home. I now have bored wealthy entitled tourists regularly hiking on my property even after I spent over \$5,000 on No Trespassing signs, gates and cameras.

The lack of tourist amenities has created a huge market in unpermitted commercial events, parties, and weddings. These activities damage our rural neighborhood and disrupt our right to enjoy our property in peace.

Last weekend I had a tourist trespass onto my property to take pictures of me, the view and my house. I told one woman to leave my property and was yelled at for asking. Another tourist decided to hike around on vacant private property in Pipes Wash, tromp through native habitat on my land in Antelope Wash then climb over a burrowing tortoise to the street while wearing a 3 ft diameter \$700 sun hat and her newly purchased outfit for the weekend. Since there is nothing to do they are driving 20+ miles to Joshua Tree ...or as I have seen frequently-bored tourists driving up and down our county's unmaintained desert dirt roads into environmentally sensitive areas and turning onto private property to climb boulders or take pictures of themselves.

I had problems with tourists parking in front of my gate then unloading coolers to take down into the wash to party and drink alcohol. I have even had to contact Google Maps to remove the trespasser's pins/photos which direct more visitors onto my private land. The trespassing problems this spring are the worst I have seen in 4 years.

Three days ago a deranged visitor drove onto a neighbor's property and decided to go off roading onto more properties off of Pipes Canyon Road where his car landed down a hillside onto another neighbor's property. When this owner contacted the SBC Sheriff's office they were told that Deputies were too busy to come out.

Currently there are at least two abandoned cars in Pipes Wash. One vehicle has been stuck in the wash for two years. In the last three years my neighbor has pulled out at least four cars out of Antelope Wash. The introduction of bored tourists into remote rural areas has invited all sorts of mayhem and hazards.

Tourists have started a bonfire in Pipes Wash, a huge vehicular fire where the wheels melted (while trespassing -off roading) which burned one acre adjacent to homes near me.

One woman and her friend recently drove her truck into Pipes Wash and tore up my land in the Antelope Wash while driving pointlessly around with nothing better to do (I can say she was ready for action- dressed in some form of "Desert Chic" boho costume from "Free People" while destroying the desert and taking pictures of herself.) This tourist drove around no trespassing signs, took out multiple Joshua Trees and killed ancient black brush. Tourists also like to take drugs and pretend they are having some sort of spiritual moment while trespassing on private property scaring both the residents and the wildlife. One weekend morning I was in Gamma Gulch and I could hear a party with a live band going on that was at least a ½ mile away. (STR Enforcement will do nothing about noise during the day.)

I know that The Wildlands Conservancy Ranger is extremely busy protecting their property in Ploneertown, Rimrock, and Pipes Canyon. One holiday weekend he was calling residents trying to figure out where the automatic weapon was being fired. The Ranger also spends a considerable time trying to reduce the damage from illegal OHV trespassing. The impact of illegal off roading has gotten much worse because SBC blanketed our area with STRs with no consideration of the impact of city visitors on our rural, fragile and beautiful area.

I pay about \$8,000 for home insurance in a high fire hazard area and have had to spend thousands just trying to keep the tourists off of my property.

The STRs owners scrape their lots clean of vegetation so the tourists are attracted to my property.

It is springtime and there are 5 coveys-over 75 quail under Acacia and Desert Willow trees, large flocks of Ladder Back Woodpeckers, Cactus Wrens, Le Conte Thrashers, two types of orioles Scott and Hooded, and hundreds of other birds nesting on my property. The antelope and other squirrels spread the seeds of the Joshua Tree. The Bobcat and Coyotes keep the number of cottontail rabbits, jackrabbits and pack rats in check. The animals have moved to safety on the few properties like mine that are not STRs. The wild flowers are budding up and I am worried this will attract even more trespassing tourists who will trample the ground.

STRs in my neighborhood provide NO benefit to those who live here. I have seen none of the tens of millions of dollars (collected from the STR Transient Occupancy Tax each year) benefit my community or the rest of the Morongo Basin.

SBC is killing Pipes Canyon, Rim Rock and Pioneertown with over tourism.

There should be no surprise why the Homestead Valley and Wonder Valley communities are legitimately against the Flamingo 640 and the Wonder Valley Inn projects.

Recommendation-

- Any consideration of Tourism projects approvals like Flamingo 640 or the Wonder Inn should be delayed until the Development Code has been revised to mesh with the entire General Plan including the Land Use Element and Mobility Transportation Element.
- For myself, my neighbors, the community and the wildlife and habitat- I am demanding that SBC put an immediate moratorium on ALL new or renewed STR permits, Conditional Use permits and General plan amendments related to tourism in the Morongo Basin.
- This moratorium can be pulled when SBC has updated their Development Code to comply with the Countywide Plan, has a CA HCD accepted Housing Element which addresses the loss of housing due to STRs, the General Plan EIR has been revised to reflect the impact of tourism and the STR Ordinance has been revised to cap the number of permits to a level that is acceptable to the people who live in the neighborhood that are impacted by tourism.
- It seems to me that the bulk of tens of millions in STR TOT fees collected in the Morongo Basin should be proportionally allocated to each planning area for community improvements and as compensation for the loss of our peaceful enjoyment of our property, damage to our property and the environmental damage the STR Ordinance has done to the area.

Hope you have a nice day.

Kerrie Aley

Pipes Canyon



March 17 2023 Three days ago....

“This incident happened last night behind XXXX’s property in Pipes Canyon. They confronted the guy who called himself Jesus and seemed very intoxicated before he drove down this embankment and wedged the vehicle in some rocks (also taking out a young Joshua Tree in the process). They believe he accessed the area from the first gate at YYYY’s place. He told them he was collecting rocks and plants. Sheriff was called but they said they were too busy to come out. Vehicle is still there and I’m posting on the off chance it was stolen and someone here might recognize it.”

Attachment (Previously Sent)

February 18 2023

Attention-

**Dawn Rowe 3rd District SBC Supervisor
SBC Land Use Services
SBC Public Works Traffic Engineering**

**Azhar.khan@lus.sbcounty.gov
Jim.Morrissey@lus.sbcounty.gov
Heidi.Duron@lus.sbcounty.gov
Supervisor.Rowe@bos.sbcounty.gov**

Subjects- Morongo Basin Tourism CEQA Impacts

Development Projects- Negative CEQA Negative Declarations

**PROJ-2021-00163 Wonder Valley Inn
PROJ-2020-00191 Flamingo 640 Resort Camping
PROJ-2020-00203 Bubble Campground
PROJ-2020-00077 Pioneertown Motel Expansion
PROJ-2020-00158 Pioneertown Hotel (Trailer)**

SBC Short Term Rental Ordinance

SBC CEQA Thresholds of Significant Impact

SBC Countywide Plan- VMT Reduction & Greenhouse Gas

SBC Transportation and Mobility Element

SBC Special Event Ordinance

SBC Updated Zoning- Conditional Use/ Minor Use

Dear SBC Decision Makers,

I am writing to you today about the proposed Wonder Valley Inn.

More importantly, I want to discuss the cumulative significant environmental impacts of recently approved and proposed tourism projects (lodging and amenities) in the rural areas of the East Desert - Morongo Basin.

Section 15378 of the CEQA Guidelines provides the following definition of a project.

“Project means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment”.

As such please include this letter in your public comment files for the “projects” listed above.

Morongo Basin Tourism Impacts

The approved Countywide Plan states that SBC cannot meet the rural East Desert’s target decreases in Vehicle Miles Traveled VMT needed for greenhouse gas reductions. Yet SBC is considering or has already approved projects (STR Ordinance & Developments) which together will produce significant amounts of unmitigated Vehicles Miles Traveled (VMT) tourism traffic.

The sudden increase in tourism lodging has had a detrimental impact on housing affordability and availability, employment and local services. The conversion of residential housing to tourist lodging has caused a measurable increase in overall VMT. For example, the 29 Palms Marine Base has nearly doubled their off base housing allowances and increased the area allowed to one hour travel time (Palm Springs).

This letter contains a diverse amount of material so I thought it best to start with my recommendations to address these issues and then provide the supporting documentation that supports my proposals..

You will also find comments specific to the Wonder Inn project, but I believe that these ideas will also apply to the development of revised CEQA thresholds of significance, updated zoning tables (conditional/minor use), possible revisions to the SBC Countywide Plan Housing , Transportation Mobility and Land Use Elements and changes to SBC Ordinances.

Recommendations

1. Develop refined levels of CEQA environmental significant impacts that are tailored to the rural high desert of the Morongo Basin. Including Level of Service (LOS), Vehicle Miles Traveled (VMT), Light Pollution, Noise and traffic increases with higher levels of project parking spaces . There should be a measure of significant traffic impact dedicated to dirt desert roads.
2. The SBCTA VTM Model (and screening tool) does not consider tourism VTM. An analysis procedure needs to be defined which evaluates (on a case by case determination) and mitigates the cumulative environmental impacts of proposed tourism related projects in rural desert areas.
3. If case by case determinations are not feasible, SBC should consider modifying the San Bernardino County Transportation Analysis Model SBTAM to account for SBC and regional tourism impacts. The SBCTA VTM Screening Tool should also be modified to consider a development's tourism traffic on area VMT traffic.
4. SBC should complete a study to analyze and mitigate the cumulative VMT tourism impacts of Short Term Rentals.
5. As VMT tourism mitigation, revise the Zoning Ordinance to exempt all Rural Living RL parcels from conditional or minor uses related to tourism- campgrounds, glamping resorts, B & B hotel, resorts and event spaces.
6. Provide measures which prohibit Countywide General Plan Amendments (including parcel subdivisions for STRs that will result in unmitigated higher levels of area VMT due to tourism traffic .
7. Complete the CA HCD Program 4 and implement appropriate caps in the number of STRs with consideration of loss of housing, impacts on community, neighborhood STR density AND local area tourism VMT.
8. Change the SBC STR Ordinance to prohibit the permitting of multi-parcel STR complexes that function as hotels in RL zoning.
9. Establish a plan to encourage a reduction of tourism VMT through centralization of tourism lodging near public transportation, grocery stores, restaurants, services and attractions.

This plan would result in a reduction of work-related VMT by hotel/STR employees , maids, contractors, pool maintenance professionals, restaurant workers and retail clerks.

The concentration of tourism lodging (hotels and STRs) would also reduce the cost of STR maid service and increase the occupancy rate and profitability of both hotels and STRs.

10. Reduce tourism lodging STR impacts by requiring that the average occupancy of a STRs is limited to that of the local median per household (approx. 2.5 people). Reduce tourism VMT by limiting the total parking spaces available to guests to an average of 2 vehicles per STR.

The occupancy and parking of STRs should reflect the historic residential land use so that VMTs are not increased.

11. To reduce tourism VMT, the SBC Special Event Ordinance should be changed so that it does not permit events at STRs and vacant RL lots.
12. In high VMT locations such as Wonder Valley, Homestead Valley, Pioneertown (including Rimrock and Pipes Canyon) require that any proposed development that offers hotel, restaurant, bar or event amenities be evaluated per CEQA using appropriate environmental thresholds of significance which reflect the local area characteristics and account for project cumulative impacts.
13. Create areas of Planned Development Districts (PD) which would provide both local and tourist benefits with the goal of reducing environmental impacts near open space or rural living areas and a reduction in VMT. Areas that should be considered are Joshua Tree, Homestead Valley-Landers/Flamingo Heights, Pioneertown (Including the Mane Street Historic Overlay), Morongo Valley and Wonder Valley.

The size and intensity of use should reflect the local Community Action guides, focus on reducing VMT levels and consider surrounding land use/density, open spaces and environmental sensitivity to development.

14. To comply with California Greenhouse Gas reduction mandates and VMT laws (including SB743) regarding road capacity prompting increasing VMT, SBC should revise the Countywide Plan Transportation and Mobility Plan TM-1(A-E) Roadway Network to reflect current defined usage as described in the SANBAG Morongo Basin Area Transportation Study MBATS and the present day traffic volume of area roads.

Change Countywide Transportation & Mobility Roadway Classifications:

From “Major Highway” to “Collector”

Amboy, Pioneertown, Pipes Canyon, Skyline Ranch, Reche, Avalon, Winters, Coyote Valley, Sunfair, Anaheim, Lear, Poleline, Warren Vista, Yucca Mesa, Douglas/Bourbon, Quail Springs.

From “Secondary Highway” to “Collector”

Buena Vista, Aberdeen, Landers, Morongo, Sunny Vista/Bartlett Mountain, Two Mile, Rice, Sunever, Alta Loma, Quail Springs, Amboy.

15. SBC LUS should consider future County Plan projects to widen roads including Yucca Mesa and Highway 247 when evaluating the discretionary approval of nearby RL subdivisions or Conditional /Minor Use permits. Was this done when the Bubble Motel project was approved? Flamingo 640?
16. SBC's use of "LOS C" as a criteria for CEQA Significant Impact (when roads are currently operating at Level A) and an overbuilt "highway system" in the Morongo Basin will encourage excessive development and induce even higher area VMTs.

I understand that Federal and State road maintenance funds are tied to their classifications. I suggest lowering the LOS threshold, reclassifying the roads as described above or control the size and impact of development through more restrictive zoning in specific Planning Areas.

Supporting Documentation and Comments

Wonder Valley Inn Project and Negative Declaration

The Wonder Inn Project Application is incomplete and an EIR should be prepared for the following reasons.

Parcel Zoning

Comments- The existing structure is not "commercial". The L-shaped parcel was rezoned to RL and the commercial structure was allowed as a non-conforming use. At some point the structure was remodeled into housing. Per the SBC Code for Nonconforming Use, the structure was remodeled into a use conforming to the new zoning RL and the commercial use was discontinued and per the code *"its status as a legal nonconforming use shall cease and thereafter it shall only be used or occupied in compliance with this Development Code"*.

The property owner has no right "by zoning" to operate the home as a commercial structure. The applicant has asked that the other portions of this RL parcel be rezoned to "Commercial". I looked at the small amount of commercial space in Wonder Valley and most of the "Commercial" parcels are now used as housing which is an allowable use in this zoning.

If SBC County were to grant the rezoning of this parcel, this project's commercial acreage would be much larger than the sum of the individual commercial parcels in all of Wonder Valley.

The "classic" definition of spot zoning is *"the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners."* Spot zoning of this property would set an unacceptable precedent for other General Plan Zoning parcel amendments in Wonder Valley.

Supporting Documentation and Comments

Wonder Valley Inn Project and Negative Declaration Parcel Zoning

Comment- Per SBC's PIMS, the property is classified as residential/agricultural.

§ 84.17.040 Termination of Nonconforming Use.

(a) *Termination by Change of Use.* A part of a structure or parcel occupied by a nonconforming use that is changed to or replaced by a use conforming to this Development Code shall only be used or occupied by a conforming use afterwards.

(b) *Discontinued Structures or Land Use.* If a part of a structure or parcel occupied by a nonconforming use is discontinued for 180 days or more, its status as a legal nonconforming use shall cease and thereafter it shall only be used or occupied in compliance with this Development Code.

Project's PIMS Information-

The screenshot displays the 'Property Information Management System Internet Site' for a property in San Bernardino County. The site is accessed via a web browser showing the URL 'www.sbcounty.gov'. The main navigation bar includes links for 'ASSR Map Book Search', 'Parcel Map Search', 'Tract Map Search', and 'Links'. The 'Property Info' tab is selected, showing a list of zoning codes on the left and a detailed 'Land Characteristics' section on the right. The 'Land Characteristics' section includes a table of property details and a section for 'Other Characteristics'.

Land Characteristics											
Effective Dates: 02/09/1981 - present											
Zoning	CSRAU-5	Lot Width	0.00	Lot Depth	0.00	Footage	1240589	Gross Acre	28.480	Net Acre	0.000
Access	1	Slope Dir	0	Slope Degree	0	View Quality	3	View Type	5	Sewer	2
Water	1	Elec.	2	Gas	1	Offsite	2	Enc/Eas	0	Nuisance1	00
Nuisance2	00	Spc Inft1	0	Spc Inft2	0	Dock Rte	0	Lease Exp			

No SFR Characteristics Found

Other Characteristics											
Effective Dates: 02/09/1981 - present											
Sequence	1	Location	LIVING SPACE SOHO STYLE			Use	0862	Struc Quality	A	Struc Type	C
Net Lease	4226	Const. Year	1962			Eff Year	1962	Nbr Units	1	Adj. SF Units	0
Story Height	14	Elevator	0			Landscape	-	Func. Obs	0	Adj. LB Ratio	0.00
Apt 1 Units	0	Apt 1 Bdrn	0			Apt 1 Bath	0.00	Apt 2 Units	0	Apt 2 Bdrn	0
Apt 3 Units	0	Apt 3 Bdrn	0			Apt 3 Bath	0.00	Apt 4 Units	0	Apt 4 Bdrn	0
Apt 5 Units	0	Apt 5 Bdrn	0			Apt 5 Bath	0.00	Garage	0	Car Port	0
RV Spaces	0	Laundry	-			Rec Bldg	-	Apt Pool	-	Apt Spa	-
Security Gate	-	Office Percent	0			Max SQF	0	Restaurant	-	Hotel Pool	-
Conf. Room	-									Hotel Spa	-

Supporting Documentation and Comments

Wonder Valley Inn Project and Negative Declaration Parcel Zoning Comment

Maximize

[y Supplement History](#)
[Characteristics](#)
[View ASSR Parcel Map](#)
[Reports](#)

San Bernardino County - PIMS

Property Information for Parcel 0625-071-04-0000

Parcel	Parcel Status	Parcel Type	Property ID	Tax Status	Use Code	Land Access	Size	Land Type	District	Resp Group	Resp Unit
0625071040000	A	0		1	MU SFR-AGR	PUB/PV	09	07	JOSHUA TREE	D	COM

Property Address (Main Situs)

Protected per CA. Govt. Code Sect. 6254.21

Protected per CA. Govt. Code Sect. 6254.21

Owner and Mailing Address

GREENBERG, ALAN R

LANDVER, JASON

Protected per CA. Govt. Code Sect. 6254.21

Protected per CA. Govt. Code Sect. 6254.21

Effective Date

03/17/2020

Current Owners

Name	R/I	% Int	Type	Acquisition Date	Document Date	Inactive Date	Document Nbrs
GREENBERG, ALAN R	TC	52.0000000	B	02/10/2020	02/10/2020	NONE	20200047628
LANDVER, JASON	TC	48.0000000	J	02/10/2020	02/10/2020	NONE	20200047628

0837

COMMERCIAL/AGRICULTURAL

0839

COMMERCIAL/RESTRICTED

0845

INSTITUTIONAL/SINGLE FAMILY RESIDENTIAL

0846

INSTITUTIONAL/MULTI FAMILY RESIDENTIAL

0847

INSTITUTIONAL/AGRICULTURAL

0849

INSTITUTIONAL/RESTRICTED

0856

SINGLE FAMILY RESIDENTIAL/MULTI FAMILY RESIDENTIAL

0857

SINGLE FAMILY RESIDENTIAL/AGRICULTURAL

0859

SINGLE FAMILY RESIDENTIAL/RESTRICTED

0867

MULTI FAMILY RESIDENTIAL/AGRICULTURAL

0869

MULTI FAMILY RESIDENTIAL/RESTRICTED

0879

AGRICULTURAL/RESTRICTED

0888

OTHER COMBINATIONS OF USES

The Parcel Number (APN) is a 15-digit number

Supporting Documentation and Comments

Wonder Valley Inn Project and Negative Declaration

Project Description-

Comment- The ND technical reports use differing (and incorrect) claims of zoning for the property. SBC LUS needs to produce an official determination of the actual zoning of the property so that all reports reference the same classifications and permitted uses.

The entire Negative Declaration needs to be revised using one consistent description of not only the hotel but also the square footage of the restaurant, event spaces and health club etc.

CEQA does not allow “piecemealing” of environmental impacts. The applicant is currently advertising the construction of vacation homes on the adjoining properties. The whole project must be evaluated.

Traffic Analysis

“The proposed project involves the redevelopment of the site into a unique retreat-style hotel. The proposed project involves remodeling of the existing commercial building into a lobby, construction of four new buildings to provide a total of 106 guest rooms, and construction of a variety of amenities, including a swimming pool, on-site restaurant, picnic area, event space, spa, volleyball and yoga areas, and an astronomy observation amphitheater. New building area will consist of a total of approximately 34,450 square feet.

Comment- The above project description used for the traffic analysis is incomplete. The project description should be revised to indicate which of the accessory uses (restaurant, swimming pool, picnic area, event space, spa, volleyball, yoga areas and astronomy observation amphitheater) will be used by non-hotel guests.

If the applicant intends on renting out the facility or holding special events to non-resort guests then the trip generation rates numbers should be revised accordingly. Under CEQA, Special Events impacts should be evaluated for environmental impact.

The quoted number of employees is 20-30 plus some part time needs to be justified with an analysis. The project application should also include the justification for the total number of employees (by function) and a calculation for parking space demand by hour.

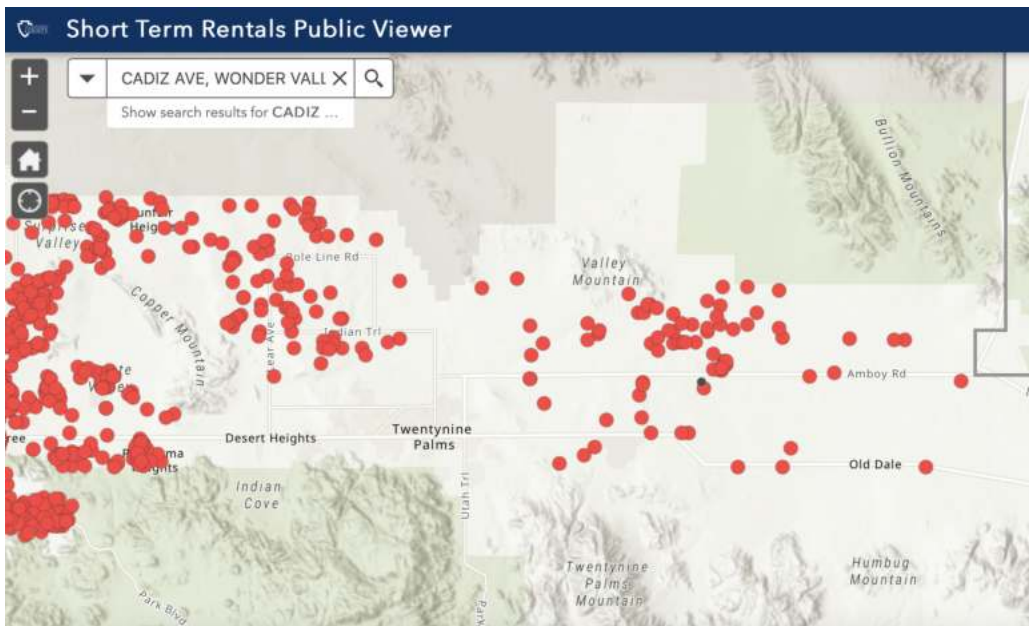
The cumulative traffic impact of Wonder Valley STRs on Amboy Road should be added to the project traffic impact. The increase in occupancy of the STRs and parking above the median residential housing occupancy rate should be accounted for. Since check-in times of STRs will be at the same time as the Wonder Valley Inn, the traffic analysis on Amboy should be revised.

Supporting Documentation and Comment

Wonder Valley Inn Project and Negative Declaration Continued

Traffic Analysis

Comment- Amboy is a low volume “Major Highway” with measured traffic between 790 and 1200 vehicles per day. Given the project impacts, high speeds, low volume of traffic and lack of traffic control devices on Amboy, a more complete TIS is merited.



Comment- The project VMT calculations should be revised to add the number of STR employees (maids, pool service, handyman) to update the projected cumulative *Project VMT/Employee*.

Negative Declaration- Evaluation of Visitor VMT

***“The SBTAM model does not model visitor travel activity. Therefore, an off-model evaluation of visitor trips was prepared to determine if visitor trips would result in a significant VMT impact. The County’s guidelines do not define a significant impact for visitor trips.*”**

“For purposes of this analysis, a significant impact would occur if the project causes additional visitors to the area resulting in an overall increase in VMT.”

Comment- The project causes additional visitors to the area resulting in an overall increase in VMT.

Supporting Documentation and Comment

Wonder Valley Inn Project and Negative Declaration Continued

Traffic Analysis

“Most visits to the Twentynine Palms area are to visit Joshua Tree National Park. Annual visitation to Joshua Tree National Park was approximately 2.9 million visitors in 2017, 2018 and 2019.”

Comment- Claim is not based on facts. There are a number of other attractions which bring visitors to Twentynine Palms other than JTNP. There are other attractions including music festivals, events at The Palms in Wonder Valley, attractions in Joshua Tree, Pioneertown and vacation stays at STRs.

“When evaluating VMT of visitor serving uses, it should be determined whether the proposed project would serve an existing attraction or area or would create its own attraction that would result in an increase of visitors to the area. “

As noted above, visitors currently visit the Twentynine Palms area to Visit Joshua Tree National Park and are served by existing hotels in the area. According to the Retail Market Study, the average occupancy of hotels in the Twentynine Palms Area peaks at approximately 78 percent during March and has a low of approximately 50 percent during December and January. The average occupancy was 59.9 percent in 2016. Therefore, there are available rooms for visitors who wish to stay overnight in a hotel, even during peak season. Because there is hotel availability during both peak and typical times, there is not a latent demand for travel to the Twentynine Palms/Joshua Tree National Park area which cannot be accommodated by existing lodging.”

Comment- Claim is not based on facts- The Wonder Inn proposes to be a “destination, unique resort” not a roadside hotel. The amenities that the Wonder Inn Resort is providing do not compare to the existing lodging and will increase the number of visitors to the area.

“Therefore, the increase in lodging availability would not increase trips to the area. The hotel would provide on-site amenities such as dining, a swimming pool, yoga, etc. There are other resorts and retreat centers in the area that provide dining, swimming and yoga/meditation retreats, therefore these amenities would not be an attraction by themselves. Rather, it is the combination of the on-site amenities and proximity to Joshua Tree National Park that will attract visitors to the project. For these reasons, the on-site amenities are not likely to attract visitors who were not previously planning a trip to the area.”

Comment- Claim is not based on fact. Many visitors who frequent the high desert never enter JTNP. The increase in lodging availability WOULD increase trips to the area.

Supporting Documentation and Comment

Wonder Valley Inn Project and Negative Declaration Continued Traffic

“Because of the existing hotel capacity and resort amenities in the Twentynine Palms area, construction of the project would not result in a significant number of new visitors to the Twentynine Palms/Joshua Tree National Park area but would instead divert existing visitors from other lodging choices. Overall VMT would not increase as a result of the project and therefore VMT impacts due to visitors would be less than significant.”

Comment- Claim is not based on fact. An analysis should be provided to account for the cumulative impact of both the Wonder Inn Resort, Wonder Valley STRs and 29 Palms STRs.

Water-

“The Project Site has two existing wells, one of which will serve as the source of domestic, irrigation, and fire suppression water for the Proposed Project. Because the well will be providing water for human consumption to at least 15 service connections or to at least 25 people for at least 60 days per year, the water system proposed for the Project meets the classification as a public water system, more specifically, a transient non-community water system (TNC), which limits the number of employees to less than 25 and limiting guest stays to less than 60 days.”

“The well water testing indicated that it meets the nitrate/nitrite and bacteria standards for a transient non-community water system (Appendix F-2). The well would be treated to reduce iron and manganese to improve aesthetics. As part of the iron and manganese system, the well water will be chlorinated. The well would also be treated to reduce hardness to increase the lifespan of the Inn’s fixtures. As the water has high total dissolved solids (TDS), a reverse osmosis system may also be installed in the future. The TNC designation was approved by the County of San Bernardino Environmental Health Services on August 20, 2021 (Appendix F-2).”

Comment- The developer is promoting his project as a health resort.

It was determined early on that the water quality was unacceptable for long term residential use. He first tried to pipe in the water 3.4 miles away but was denied a service letter by the water agency and balked at the cost. I do not believe that SBC should be approving visitor “health resort” lodging at this site given the very poor quality of the well water.

The developer was able to obtain an approved application only for a “transient non-community water system (TNC) which limits the number of employees to less than 25 and limiting guest stays to less than 60 days.” Looking at ITE and resort planning guidelines for the number of employees needed, I do not believe that a resort of this size, function and with the proposed amenities can operate with only 25 employees.

Note- Ministerial actions such as well permits are subject to CEQA and no objective technical evaluation on aquifer impacts has been provided.

Supporting Documentation and Comment

Wonder Valley Inn Project and Negative Declaration Continued

Sound-

Comment- The ND analysis uses urban area sound thresholds for a remote rural area.

Noise data claims that the ambient noise level average was 63.3 dBA CNEL at the project site. The majority of sound is generated by wind and traffic.

The “average” misrepresents the ambient noise level as Amboy is a low volume road where there are periods of very low ambient noise below 63.3 dbA. I live in a low ambient area and in the mornings I can hear a car one mile away. The noise from the Wonder Valley Inn Resort and the resultant traffic would be perceptible to the sensitive receptors near the project site.

I have no confidence in the noise analysis at all given the fact that the consultant has used a traffic volume of 7,000 cars per day in their analysis when the actual number varies between 790-1200 per day. (Reference Countywide Plan Transportation & Mobility EIR and Morongo Basin traffic studies).

Table 4: Roadway Parameters and Vehicle Distribution

Roadway	Segment	Existing ADT ¹	Existing Plus Project ADT ²	Speed (MPH)	Site Conditions
Amboy Road	Pinto Mountain Rd to Gammel Rd	7,000	7,886	55	Soft
Vehicle Distribution (Truck Mix)					
Motor-Vehicle Type		Daytime % (7AM to 7 PM)	Evening % (7 PM to 10 PM)	Night % (10 PM to 7 AM)	Total % of Traffic Flow
Automobiles		75.5	14.0	10.5	97.42
Medium Trucks		48.9	2.2	48.9	1.84
Heavy Trucks		47.3	5.4	47.3	0.74
Notes:					
¹ Traffic count from San Bernardino County General Plan, Final Environmental Report, Chapter IV Table IV-O-8.					
² Trip generation rate based on CalEEMod run.					

The following outlines key adjustments to the REMEL for project site parameter inputs:

Supporting Documentation and Comment

Wonder Valley Inn Project and Negative Declaration Continued

Sound-

Comment- Noise Input Data Uses 7,000 Average Daily Traffic ADT. This is approximately 10X the actual volume.



PROJECT: Wonder Inn Project ROADWAY: Amboy Road SEGMENT: Pinto Mountain Rd and Gammel Rd LOCATION: County of San Bernardino SCENARIO: Existing		JOB #: 0739-2021-01 DATE: 2-May-22 ENGINEER: F. Irazazabal	
NOISE INPUT DATA			
ROADWAY CONDITIONS		RECEIVER INPUT DATA	
ADT =	7,000	RECEIVER DISTANCE =	220
SPEED =	55	DIST C/L TO WALL =	0
PK HR % =	10	RECEIVER HEIGHT =	5
NEAR LANE/FAR LANE DIST =	24	WALL DISTANCE FROM RECEIVER =	220
ROAD ELEVATION =	0	PAD ELEVATION =	0
GRADE =	0	ROADWAY VIEW: LF ANGLE	-90
PK HR VOL =	700	RT ANGLE	90
		DF ANGLE	180
SITE CONDITIONS		WALL INFORMATION	
AUTOMOBILES	15	HTH WALL =	0 FT
MED TRUCKS	15	AMBIENT =	0
HVY TRUCKS	15	BARRIER =	0 (0=WALL,1=BERM)

Light Impact-

Comment- The Negative Declaration quotes SBC's Dark Sky Ordinance as evidence that the project will not significantly add environmental impacts of light pollution to this rural low development density area.

SBC has no defined threshold of significant impact for this area. The analysis must be revised to define the total umbrella levels of light and its effect on the parcel and surrounding areas.

Supporting Documentation and Comment

Tourist Vehicle Miles Traveled VMT

VMT measures the amount and distance of vehicle travel attributed to a project or use. Specifically, VMT focuses on determining the origin and destination of travel patterns. VMT assesses the effects of the project on regional traffic. VMT reductions are needed in SBC to meet CA GreenHouse Gas Emission targets.

Per the SBC's TIS Guidelines, a project can be screened out from a VMT analysis if it lies in a low VMT generating area based on VMT per person.

The San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool was reviewed to determine whether the proposed Project falls under a low-VMT per person zone and can be screened out.

Per the County's TIS Guidelines, the proposed Project can be considered to have a less than significant impact if the Project VMT per person is less than 4 percent below the existing VMT per person for the unincorporated County.

I used the SBCTA VMT Screening Tool to evaluate 4 projects-

Bloomington Condos 181 Condos (Urban Infill)

Flamingo 640 Glamp Resort (Vacant land Flamingo Heights near Highway 247)

Wonder Inn Resort (106 room resort on vacant land in Wonder Valley)

Pioneertown Motel Expansion (Expansion of existing Motel Curtis/Pioneertown Rd)

In all of the above projects (both urban and rural), the Negative Declarations used 100 vehicles/peak hour (Per SBC Transportation Impact Study Guidelines) as a threshold of significant impact.

In the Pioneertown Motel Expansion traffic analysis the 100 vehicle/peak hour threshold was used for both a half desert road (Curtis) and paved Pioneertown Road.

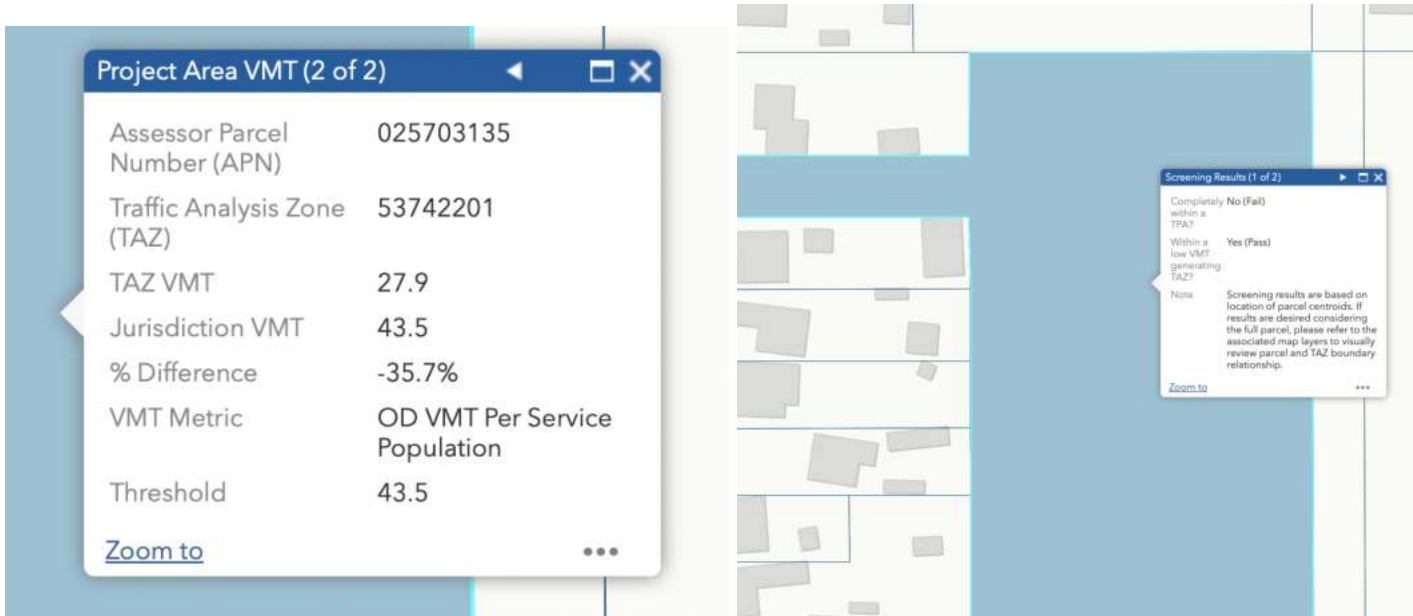
It seems to me that the threshold for significant traffic impact should vary given the size, paving and volume of the project's roadway access points.

The Bloomington Condo Project is located in a low -VMT per person zone.



Figure 4 Project Aerial View

Bloomington Condo Project

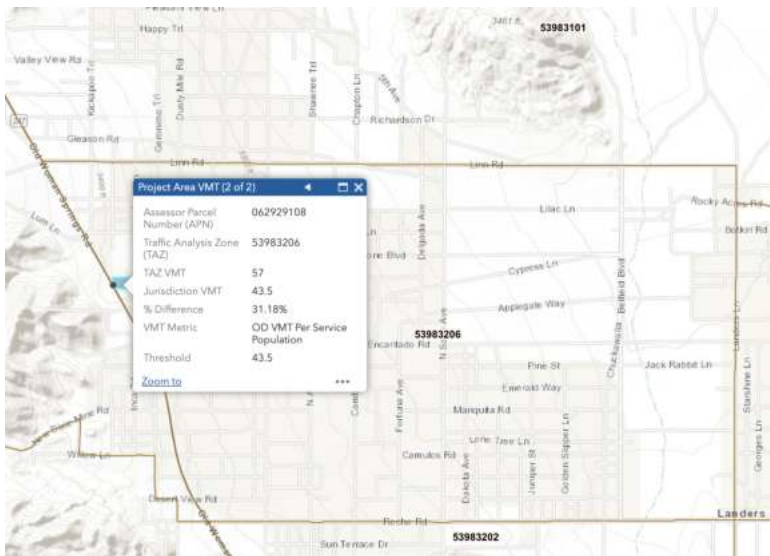


The Blooming Project falls under a low-VMT per person zone and can be screened out. Also per the County’s TIS Guidelines, the proposed Project can be considered to have a less than significant

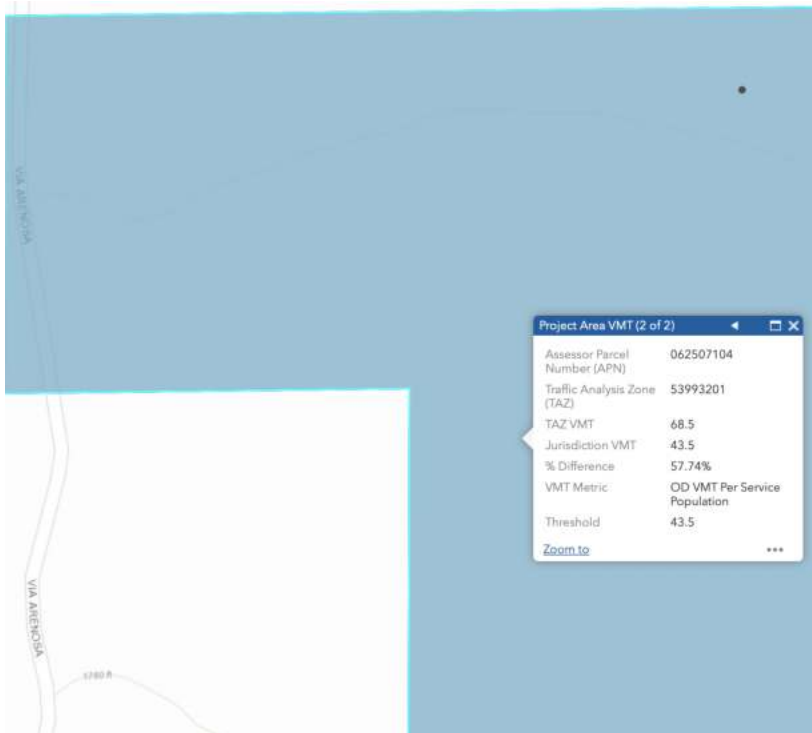
impact if the Project VMT per person is less than 4 percent below the existing VMT per person for the unincorporated County and no additional analysis is required.

All three projects in the Morongo Basin failed to fall in a low VMT generating TAZ.

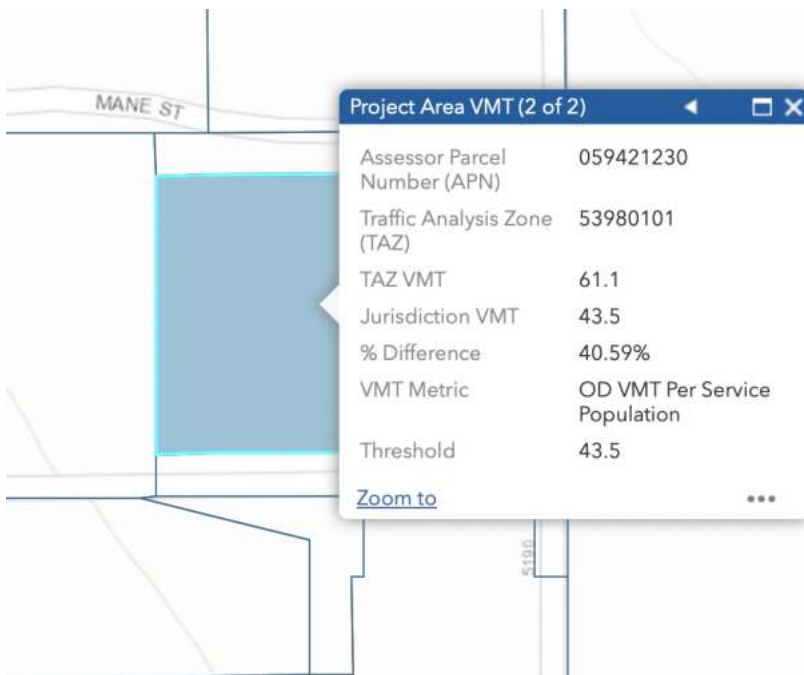
Flamingo 640



Wonder Inn



Pioneertown Motel Expansion



In all three Morongo Basin cases the projects are located in an area that is a high VMT TAZ area which generates VMT per Service Population which exceeds the County established thresholds. Therefore the project does not satisfy the screening criteria and must complete VMT Analysis.

Per the SBC Transportation Impact Study Guidelines, the requirement to prepare a TIS should be based upon, but not limited to, one or more of the following criteria:

- **If a project generates 100 or more trips without consideration of pass-by trips during any peak hour.**
- If a project is located within 300 feet of the intersection of two streets designated as Collector or higher in the County's General Plan or the Department's Master Plan or An impacted intersection as determined by the Traffic Division
- If this project creates safety or operational concerns.
- **The project has the potential to generate VMT that could result in a transportation impact as noted in the significance criteria presented later in this memorandum.**
- If a project generates less than 100 trips without consideration of pass-by trips during any peak hour, a study may be required if there are special concerns.

<https://www.sbcounty.gov/uploads/DPW/docs/Traffic-Study-Guidelines.pdf>

Per these guidelines, "Projects which serve the local community and have the potential to reduce VMT should not be required to complete a VMT assessment. " For all remaining projects, VMT should be estimated by multiplying average trip length by the trip generation for the project.

A project should be considered to have a significant impact if the project VMT per person/employee is greater than 4% below the existing VMT per person for the unincorporated County.

As none of the Morongo Basin tourism projects meet the SBCTA VMT Screening Threshold, the projects must complete a TIS, Trip Generation and analyze for VMT impacts using San Bernardino Transportation Analysis Model SBTAM.

However because SBTAM ignores visitor traffic another method is needed.

NOTE- SBC has NO existing method to evaluate the impact of tourism traffic on VMT. Tourist traffic project related VMT goes beyond county boundaries and impact analysis cannot be truncated by a TAZ or jurisdictional boundary.

The CA Office of Planning and Research (OPR) has a “Technical Advisory On Evaluating Transportation impacts in CEQA.”“https://opr.ca.gov/docs/20180416-743_Technical_Advisory_4.16.18.pdf

“Rural Projects Outside of MPOs

*In rural areas of non-MPO counties (i.e., areas not near established or incorporated cities or towns), fewer options may be available for reducing VMT, and significance thresholds may be best determined on a **case-by-case basis**. Note, however, that clustered small towns and small town main streets may have substantial VMT benefits compared to isolated rural development, similar to the transit oriented development described above.*

While the Morongo Basin is not outside of MPO, CEQA Guidelines allow for flexibility in the threshold of significance between urban and rural areas.

(State CEQA Guidelines § 15064(b)(1)) States that determination by a Lead Agency of whether a project may have a significant effect on the environment calls for careful judgment, based to the extent possible, on scientific and factual data . **Thus, establishing a single threshold of significance, while desirable in most instances, may not be possible for every environmental impact, because the significance of an impact may vary with the setting. For example, an effect that is less than significant in an urban area may be significant in a rural area (e.g., noise or aesthetics).** Moreover, it should be noted that compliance with a chosen threshold does not excuse an agency of its obligation to consider information presented to it regarding a project’s impacts. **The lead agency must evaluate any substantial evidence supporting a fair argument that, despite compliance with a threshold, the project’s impacts are nevertheless significant.**

SBC Short Term Rental Ordinance

While the Countywide Plan included the addition of Short Term Rental as a means of increasing the supply of tourist lodging, no traffic analysis was performed to determine the VMT impact of tourism traffic.

The SBC’s Board of Supervisors approved the Short Term Rental Ordinance 4439 under the “Common Sense” rule without environmental review.

Per CEQA Guidelines, Common Sense Exemptions. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to environmental review. In such cases, the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. (See CEQA Guidelines Section 15061(b)(3)).

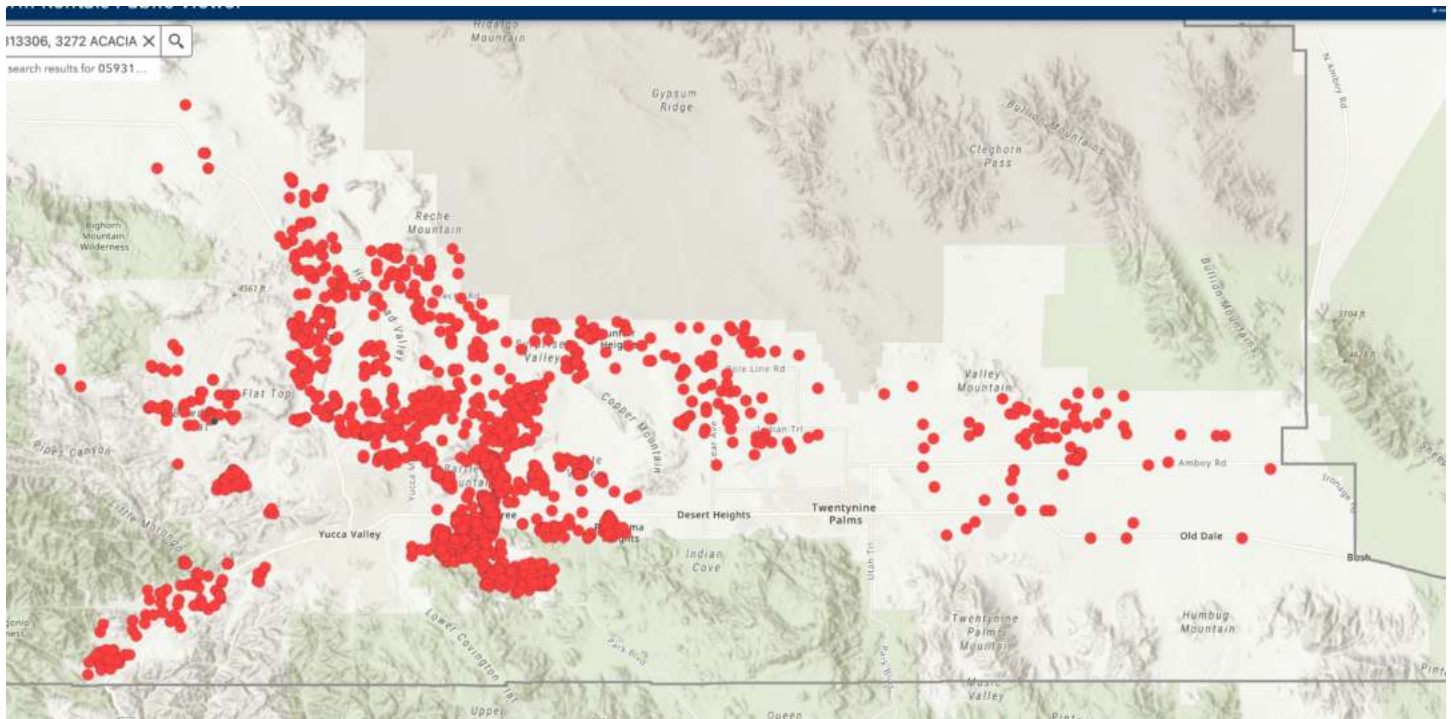
The Common Sense Rule was used with no substantive evidence that “there is no possibility that the activity in question may have significant effect on the environment”.

24 (g) The Board of Supervisors finds that this ordinance is not subject to review
25 under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, 14
26 California Code of Regulations, Section 15060, subdivision (c)(2) because the activity will
27 not result in a direct or reasonably foreseeable indirect physical change in the
28 environment, or is exempt from CEQA pursuant to Section 15061, subdivision (b)(3)

2

1 because there is no possibility the activity in question may have a significant effect on the
2 environment.

Clearly SBC is in violation of both SB743 and CEQA for failing to analyze or mitigate the impact of approximately 3100 Short Term Rentals spread throughout the Morongo Basin.



The STR Ordinance magnified the higher VMT problem even more by allowing occupancies and parking that greatly exceeded the average number of people per household.

The STR Ordinance also created a boom in building of STR single family homes and Accessory Dwelling Units. Two local well drillers have told me that new construction has dropped the water table to the point that wells are failing in the Pioneertown/Pipes Canyon area.

Here is an example of the impact of the STR Ordinance on VMT.

The property shown was a single family home with 2 full time residents and 2 cars.

The property now is a full time STR which allows 10 people and 6 cars.



Here you can see 8 cars parked. The property is regularly illegally rented out for 14 people and as many as 10 cars are parked at the property. This property is 20 miles from Joshua Tree National Park and 10 miles from tourism amenities (Gas, Restaurants, Medical Care).

STR Code Enforcement has been unable to enforce the ordinance's requirements for occupancy and parking. The VMT from this property has increased dramatically!.

Clearly SBC STR policy has violated CEQA and significantly impacted quality of life, community and housing in the Morongo Basin. I hope that you all consider my above recommendations.



Regard,

Kerrie Aley

Pipes Canyon, Near Pioneertown

From: [Greg DaPonte](#)
To: planningcomissioncomments@lus.sbc.gov
Cc: [Supervisor Rowe](#); [Khan, Azhar](#); [Reyes, Steve](#)
Subject: Public Hearing regarding the Wonder Inn LLC, agenda item #4.
Date: Tuesday, March 21, 2023 7:57:26 PM

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-
RE: Public Hearing regarding the Wonder Inn LLC, agenda item #4.

This proposed “development” is ill-conceived and totally inappropriate for the area. So many problems ...The drain on water, where will the emergency services come from - fire, police, paramedics??? this whole development is totally misplaced and completely out of sync with the surrounding area & residents. These developer’s environmental study is a joke, and where are REAL traffic studies???These developers “forgot” to mention that they want build a luxury housing tract too in addition to their hotel -what else haven’t they disclosed??? Lastly, we both know there’s not ONE SINGLE area resident that wants this inappropriate monstrosity built. NOT ONE. Listen to the residents of Wonder Valley & The Morongo Basin, this development should be DENIED.

Thank you,
G. DaPonte

Sent from my iPhone

From: [Tracey T](#)
To: [Khan, Azhar](#); [Supervisor Rowe](#); [Planning Commission Comments](#); [Reyes, Steve](#)
Subject: RE: PROJ-2021-00163
Date: Tuesday, March 21, 2023 8:58:55 AM

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To: Planning Commissioners Jonathan Weldy, Matthew Slowik, Michael Stoffel, Melissa Demirci, and Kareem Gongora; Dawn Rowe, Supervisor 3rd District; Field Representative Steve Reyes; and Azhar Khan, Senior Planner at Land Use Services

RE: PROJ-2021-00163

I urge you to deny approval of the Wonder Inn Project, a proposed 106-room luxury resort which would be unprecedented and completely out of scale and character with anything in rural, rustic Wonder Valley. Wonder Valley residents treasure their wild, wide-open, peaceful desert valley for the reasons stated in the Wonder Valley Community Action Guide of the 2020 Countywide Plan: its spacious rural atmosphere, natural desert beauty, and community spirit. It is these values together that represent our greatest asset, attracting visitors and tourist dollars and powering the local economy of low-key small business. The Wonder Inn Project would degrade this unique asset and economic engine by impacting the quantity and quality of our irreplaceable water supply, increasing traffic and associated dangers, increasing dust and air pollution, and causing noise pollution as well as light pollution. It would further stress our underfunded and already inadequate local fire and law enforcement resources, impact the community taxpayer-maintained roads, disrupt local wildlife corridors, and worsen the crisis in affordable housing. Establishment of this project, which would include a rezoning of 21 acres from Rural Living to Commercial Services, would set a precedent certain to start Wonder Valley down a road of irreversible damage to what makes this place unique.

I am extremely concerned about the future of air quality and water supply in the region, as well as, preserving the natural landscape.

Please do not approve the Wonder Inn Project.

Thank you for listening to my concerns.

Sincerely,
Tracey Taylor

From: [Khan, Azhar](#)
To: [DeLuca, Anthony](#)
Subject: FW: Wonder Inn Staff Report Small Tract Act
Date: Monday, March 20, 2023 11:24:00 AM
Attachments: [The Small Tract Act 1938-1976 Desert Report.pdf](#)

From: Pat Flanagan <patflanagan29@gmail.com>
Sent: Monday, March 20, 2023 11:21 AM
To: Khan, Azhar <Azhar.Khan@lus.sbcounty.gov>; Rowe, Dawn <Dawn.Rowe@bos.sbcounty.gov>; Reyes, Steve <Steve.Reyes@bos.sbcounty.gov>; Steve Bardwell <steve@infinityranch.net>; Laraine Turk <laraineinjt@icloud.com>; Eric Hamburg <ehamburg@gmail.com>
Subject: Wonder Inn Staff Report Small Tract Act

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Dear Mr. Khan:

Reading the Staff Report response regarding the cultural significance of the Small Tract Act 1938-1976 to the development of Wonder Valley

Therefore, to include the discussion of the Small Tract Act of 1938, which was eventually repealed, as part of the context of the Wonder Valley would also mean identifying the Wonder Valley as a once-recognized "slum" area.

I am taking this opportunity to submit a copy of an article I wrote that was published in the August 2022 Desert Report. The article explains

How a federal response to veterans' needs for affordable land with clean air set a pattern for development that helps protect plant and animal biodiversity and carbon sequestration in the Mojave Desert today.

Please let me know that you have received this email with the attachment and added it to the comments in opposition to the Wonder Inn project.

Sincerely,
Pat Flanagan
patflanagan29@gmail.com

BY PAT FLANAGAN

The Small Tract Act 1938-1976

Shaping the San Bernardino's high desert

How a federal response to veterans' needs for affordable land with clean air set a pattern for development that helps protect plant and animal biodiversity and carbon sequestration in the Mojave Desert.

Winter has arrived and it's time to drive into the desert for some hiking, botanizing, and star gazing. Driving along the state and county roads, your eyes will restfully weave between mountain ranges, across dry lakes, and along sand dunes. These scenic resources are tied together by thousands of acres of evenly spaced creosote scrub, the commonest plant in the deserts of the southwest. The longer you drive the easier it is to accept that the California Desert is the largest intact ecosystem in the continental United States.

Adjacent to the roads as they move out from established communities will be the occasional single house (often small and melting into the desert) or ranches. For the most part the scattered residences are the result of the federal homestead acts and the Small Tract Act.

In the early 1930s, Paul Witmer, newly head of the Office of Land Management, Department of the Interior, in Los Angeles made a trip to the Twentynine Palms area to learn more about the desert dwellers who had filed on 160 or 320-acre desert homesteads. Under federal law, homesteads were meant for agriculture, but it was easy to see that this land was not being farmed nor was it

adapted for farming. Witmer found many of the homesteaders were veterans happily recovering in the clean air while much of the hard work was done by their wives. After World War I, Pasadena Doctor James B. Luckie began sending veterans to Twentynine Palms to heal their asthma, tuberculosis, and mustard-gas poisoned lungs in the clean dry air.

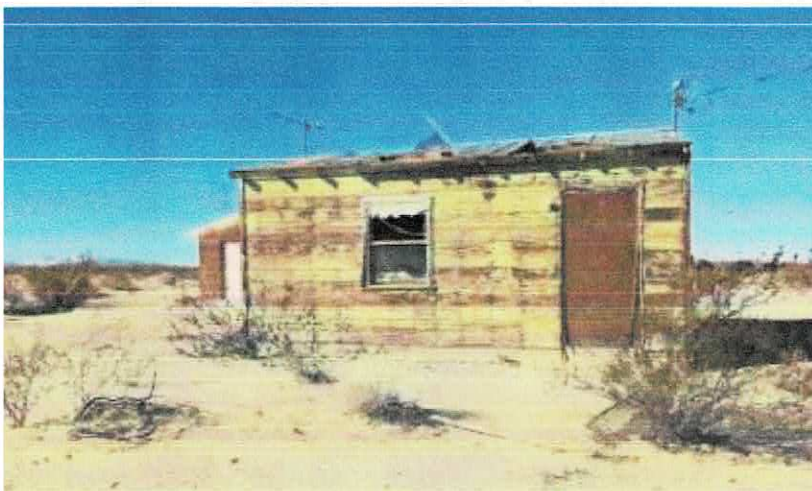
Homesteading made the move possible for many living on their government pensions. All that was required to "prove up" after the \$18 filing fee was to live on the land, build a home, make improvements, and farm for 5 years. Witmer decided what was needed were smaller parcels that could be purchased for little money and that would not require the agricultural proving up. The property was to be improved with a building.

Witmer developed the Small Tract Act and spent years convincing the Federal Government to pass it. With passage, it became possible for any citizen to obtain certain surveyed federal lands for residence, recreation, or business purposes. The "baby homesteads," or as they were later called "jackrabbit homesteads," were open to any citizen for residence, recreation, or business purposes. The tracts were usually 5 acres – 660 feet long by 330 feet wide. Starting July 1955, the property was to be improved with a building with at least 400 sq. feet of space. Fifty foot wide access roads were provided for the owners and utilities. These dirt roads are a visible pattern across the desert today, and they are maintained, if at all, by the property owners.

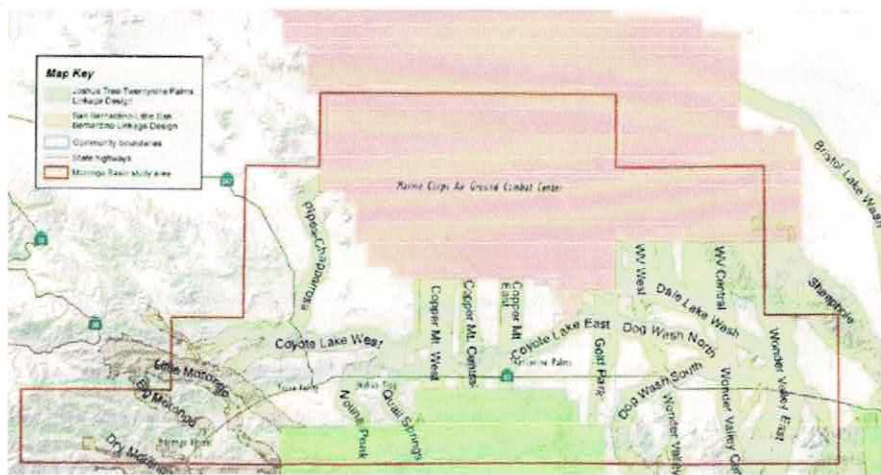
By the start of 1955, the Five Acre Tract movement was established so firmly that about 25,000 permits had been issued. 1200 others were being processed by Mr. Witmer's Bureau of Land Management in Los Angeles, and some 12,000 others were starting along the procedural route in federal offices.

Many thousands of homes had been built, much more than \$1,000,000 of assessed valuation added to the tax rolls of San Bernardino and Riverside counties, and many more homes were being started all the time.¹

The enthusiasm for the five-acre tracts drew people together to form neighborhoods which did not sit well with realtors who wanted to develop much denser housing tracts on smaller parcels. The people won out and set the land use pattern visible today. Not all parcels are 5-acres, some are larger and some smaller but the areas away from the town centers such as of Joshua Tree,



Jackrabbit Homestead cabin on Indian Trail, Desert heights, San Bernardino County. Photo by Pat Flanagan



Map of Morongo Basin Wildlife Linkage Design Branches.
Morongo Basin Conservation
Priorities Report

Twentynine Palms, Landers, and Lucerne Valley are relatively open and the land is minimally disturbed.² If you explore the referenced parcel map you will find that many of the parcels are still owned by the BLM and Southern California Edison.

Not all of the tracts have a house and rarely is the five acres fenced, usually only the land around the house and out buildings is fenced. Much of the land, although surveyed, is vacant and many cabins are falling down – a good place for wildlife to rest up out of the elements.

Today large tracts of desert land are being eyed for utility scale solar projects, resorts, and illegal marijuana grows. More broadly, California³ and governments worldwide have adopted the 30x30 initiative to designate 30% of Earth's land and ocean area as protected areas by 2030. California's initiative seeks to protect and restore biodiversity, expand access to nature, and mitigate and build resilience to climate change. The California Desert is a major player in this initiative.

The California Desert makes up 27% percent of the State of California's land area and, speaking of biodiversity, contains 38% of the native plant species within the state. In addition, the intact desert lands have sequestered 10% of the state's carbon, all safely underground in the mycorrhizal fungi and caliche.⁴ Since the California Desert has the most protected land in the state you might think our problems are few. You would be incorrect. Protected lands, regardless of size, are islands and our diverse animals, both the endangered and common, need room to live in and roam between the islands. Habitat connectivity is critical to protecting the desert's biodiversity, intact ecosystems, and the buried sequestered carbon.

From 2010 to 2012 the Morongo Basin Open Space Group, with the support of the Sonoran Institute, under the guidance of Stephanie Weigel, senior planner and GIS expert, developed the Morongo Basin Conservation Priorities Report: A strategy for preserving conservation values. The values studied were: Protecting Joshua Tree National Park (JTNP); Protecting the Mission of the Marine Corp Air Ground Combat Center (Marine Base);

Wildlife Connectivity and Habitat; Maintaining Community Identity; and Protecting Community Views and Treasures.⁵

Protecting the Park and the Marine Base requires that neither of these large mountainous areas becomes an island of biodiversity. Protection of the linkages is important to preserve the intact habitat for species living in and passing through the area between the Little San Bernardino Mountains (JTNP) and the Bullion Mountains (Marine Base). (See figure above.) The parcels acreage is mostly from 2.5 acres to 5 acres to 20 acres. The owners range from individuals and trusts to Southern California Edison, Frontier Inc., and the Bureau of Land Management. With the exception of the cleared housing areas, the vegetation is generally pristine. I can tell this because when the wind blows the land is stable – dust rises only from the dirt roads and disturbed areas.

Thanks to Paul Witmer and the BLM for taking care that our veterans could have the clean air they needed. Now let us carry on to preserve the desert's contribution to the 30 by 30 initiative.

Pat Flanagan has been a resident of Desert Heights for 20 years. She is a board member of the Morongo Basin conservation Association, and is on the Technical advisory Committee for the Mojave Desert Resource conservation District.

- 1) Ed Ainsworth. Five Acres of Heaven. Copyright 1955 by Col. E.B. Moore.
- 2) You can explore the land use pattern for San Bernardino County by visiting the county Parcel Map <https://sbcounty.maps.arcgis.com/apps/webappviewer/index.html?id=87e70bb9b6994559ba7512792588d57a>. By zooming in and tapping on a parcel you will get information: owner, size, assessed value, zoning etc. This map was useful when tracking down the owners of land with illegal marijuana grows.
- 3) <https://www.californianature.ca.gov/pages/30x30>.
- 4) Robin Kobaly. The Desert Under Our Feet. Desert Report. March 2019.
- 5) The Report can be found https://www.mbconservation.org/conservation_priorities_map_and_report

From: [Eli Shillock](#)
To: [Planning Commission Comments](#)
Subject: Wonder Valley Inn Comment from nearby property owner Eli Shillock
Date: Thursday, March 23, 2023 2:30:58 AM

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Eli Shillock
4051 Peter Rabbit Trail
Wonder Valley CA 92277

Dear Planning Commission,

I am writing to express my strong opposition to the proposed Wonder Valley Inn development project, which is planned to be built less than a mile from my property. As someone who fell in love with the rural community of Wonder Valley for its dark night skies and peaceful serenity, I am deeply concerned about the negative impact that this development could have on our community. I bought property here because it was special it was not like Palm Springs, with pool parties and light pollution, it wasn't even like Joshua Tree it was it's own unique special place and concerned about the possibility of this development.

Firstly, this development's potential for light pollution is one of my major concerns. Our residents enjoy the peaceful and natural surroundings provided by our rural environment. The introduction of artificial lighting from the proposed development could have an impact on the quality of life for all residents and those who come to visit the area to enjoy the night skies. The resort would add a significant amount of lighting that could cause light pollution, harm wildlife, distort predator-prey interactions, disrupt animal hormones, and possible migration, but we won't know unless further studies are done. Lights would have to be on at night for pathways, restaurant, parking lot, exits, hotel rooms along with car headlights turning in and leaving

Secondly, the potential impact on water usage in the area is of great concern. As we are in a rural area, our water resources are already limited. The development of a large project could put significant pressure on our existing shared water supply.

Moreover, the proposed development would also bring significant traffic impact that could strain the area's already under-resourced fire and law services. The safety of our existing community members should be of utmost importance.

I urge the City Council to carefully consider the concerns of the residents before making any decisions related to the proposed development Wonder Valley Inn project.

Before approving things like the Policy Plan Amendment, Zoning Amendment, and Conditional Use Permit, more studies must be done. We need to ensure the community is heard and concerns considered and show everyone that developers cannot push through projects, especially ones that may not benefit the community.

Will a farm-to-table restaurant from a prominent Los Angeles Chef and a bar with biodynamic wine benefit the Wonder Valley community? To me this is misguided but please listen to the community and prove their voices matter. The Wonder Valley Inn developers have no ties to Wonder Valley and have the opinion that it's already slam dunk and a done deal, with advertising already indicating its opening in the Spring of 2024. Show everyone that there's process and that concerns are heard. There's a number of other concerns but will respect your time and I'm sure will be covered by others.

In conclusion, I strongly believe that the negative impacts of the development would outweigh any potential benefits, and it is not in the best interest of our community as a whole. Thank you for your attention to this matter.

Sincerely,

Eli Shillock

From: [Kerrie Aley](#)
To: [Planning Commission Comments](#); [Duron, Heidi - LUS](#); [Supervisor Rowe](#); [Morrissey, Jim](#); [Khan, Azhar](#)
Subject: Wonder Valley Inn, Tourism General Plan Inconsistencies
Date: Monday, March 20, 2023 3:01:09 PM
Attachments: [PC Aley WV GP March 23 2023 compressed.pdf](#)

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Please find attached a letter regarding the Wonder Inn Item 4 March 23 Planning Commission and other tourism projects.

Kerrie Aley
Pipes Canyon

From- Kerrie Aley

March 20 2023

Attention-

SBC Planning Commission

Dawn Rowe 3rd District SBC BOS Chairman

SBC Board of Supervisors

SBC Land Use Services

Azhar.khan@lus.sbcounty.gov

Jim.Morrissey@lus.sbcounty.gov

Heidi.Duron@lus.sbcounty.gov

Supervisor.Rowe@bos.sbcounty.gov

Subject- *SBC General Plan Update & Amendments, STR Ordinance and Conditional Use Permits, Consistency and CEQA Considerations*

Letter to be added to the following Project Files-

PROJ-2021-00163 Wonder Valley Inn

PROJ-2020-00191 Flamingo 640 Resort Camping

PROJ-2020-00203 Bubble Campground

PROJ-2020-00077 Pioneertown Motel Expansion

PROJ-2020-00158 Pioneertown Hotel (Trailer)

SBC Short Term Rental Ordinance

SBC Updated Zoning

Reference-

Resolution 2020-197 "A resolution of the San Bernardino County Board Amending the General Plan by approving the Countywide Plan, Policy Plan Text, Land Use Designation Map, and various Policy Maps, and approving the Countywide Plan Business Plan Text" **October 27 2020**

<https://sanbernardino.legistar.com/View.ashx?M=F&ID=9691608&GUID=A188B550-2B93-4025-A5D6-37B3312D1C4D>

County Business Plan Implementation Plan October 2020

Purpose Implementation consists of actions taken to carry out the Countywide Plan policies and continue progress toward achieving the Countywide Plan goals- Time Frame Immediate Action

https://countywideplan.com/wp-content/uploads/sites/68/2020/12/CWP_BP_ImplementationPlan_HardCopy_2020_October.pdf

Attention All SBC Decision Makers,

I am writing to you today about the proposed Wonder Valley Inn General Plan Amendment And Conditional Use Permit.

Additionally, I want to discuss the overriding fact that SBC has failed to take “**Immediate Action**” on numerous Development Code updates and other relevant actions which were included in the Countywide Plan-Business Implementation plan.(Approved October 27 2020) Because these actions were not completed there are inconsistencies between SBC’s Municipal Code and the General Plan.

CA State law requires that *when a general plan amendment makes the zoning inconsistent, the zoning must be changed to re-establish consistency “within a reasonable time” (Gov. Code § 65860(c)). According to the California Supreme Court, “[t]he Planning and Zoning Law does not contemplate that general plans will be amended to conform to zoning ordinances. The tail does not wag the dog.” (Leshar Communications v. City of Walnut Creek, supra, at p. 541).*

When there are extensive amendments to the general plan the CA OPR suggests that when possible, general plan amendments and necessary related zoning changes be heard concurrently (Gov. Code § 65862). When concurrent hearings are not feasible, the CA OPR recommends that such revision that result in inconsistency of large areas be completed within **two years**.

The failure of SBC to take “Immediate Action” on the following Development Code updates leaves any approval of General Plan Amendments, Conditional Use, and the STR Ordinance in legal limbo which could be legitimately challenged in court.

Countywide Business Plan Implementation Plan Development Code Immediate Actions

IMP-2021-DC-1 **Land use compatibility**. Update development standards and guidelines regarding scale, buffering, and other site design criteria to ensure greater land use compatibility of new development with existing uses, planned uses, and the natural environment. Special attention should be given to the interface with industrial uses. Do not permit new hazardous waste facilities to be developed in unincorporated EJFAs (EJFAs). Evaluate other limitations or restrictions that may need to be applied to uses or facilities that manage and/or transport hazardous materials but are not designated as hazardous waste facilities.

IMP-2021-DC-2 **Context-based standards and design**. Update building/site design and improvement standards for future development, varied as necessary by region/community so that it reflects the physical and historical character of the local area.

IMP-2021-DC-7 **Commercial amendment**. Create an application form and process that determines varying levels of evaluation required as part of a comprehensive Land Use Plan amendment for new commercial uses.

IMP-2021-DC-8 **Application requirements.** Amend the entitlement process for a Planning Project Application to incorporate required documentation and public outreach activities for projects that are within or adjacent to unincorporated EJFAs. Identify how the community's input will be communicated and factored into the County's evaluation and determination.

IMP-2021-DC-9 **Short term rentals.** Assess the need for changes to Short Term Rentals Ordinance No. 4371.

IMP-2021-DC-13 **Scenic resources.** Update the scenic overlay for County Scenic Routes.

IMP-2021-DC-17 **Native plant protection.** Address appropriate development standards regarding the disturbance and clearance of native soils and vegetation, with a focus to control/minimize fugitive dust, windblown sand, and soil erosion. Encourage the use of native plants that will continue to be viable in the area under a prolonged and severe drought when outside of high/very high fire hazard severity zones.

IMP-2021-DC-27 **Noise standards.** Update requirements, standards, and provisions to limit/restrict new noise sensitive land uses and sound control at the source.

IMP-2021-DC-29 **Policy references.** Update all policy references to reflect adopted Policy Plan. Lead: Land Use Services - Planning

SBC has made changes to the Development Code such as the STR Ordinance that has significantly increased Tourism VMT which was unaccounted for in the Countywide Plan EIR in violation of CEQA. (See Feb 18 correspondence attached) SBC's decision to encourage new jobs and economic development without considering the loss of housing due to the addition of 3100 Short Term Rentals creates a clear inconsistency in the General Plan.

It is apparent that Tourism projects like the Wonder Inn and Flamingo 630 have issues which require the consideration of the above actions- Land Use Compatibility, Context Based Standards and Design, Commercial Amendment, Application Requirements, Short Term Rentals, Scenic Resources, Native Plant Protection, Noise Standards and, Policy References. How can SBC approve discretionary actions like Conditional Use or General Plan Amendments when there is a clear inconsistency between the General Plan and the current development code?

The Land Use Plan was just updated in 2020. Why is SBC staff recommending a General Plan Land Use Amendment from Rural Living to Commercial and a Conditional Use Permit for the Wonder Valley Inn when the Development Code has not even been updated?

Invalid Legal Actions- General Plan Amendment, Conditional Use, STR Ordinance

Since the new Development Code standards do not exist and SBC has failed to take “Immediate Action” to update the Development Code within the CA OPR 2 year limit it seems to me that any recent General Plan Amendments, Conditional Use Permits and the STR Ordinance are legally invalid.

For San Bernardino County the consistency requirement applies and every zoning action, such as the adoption of new zoning ordinance text or the amendment of a zoning ordinance map, must be consistent with the general plan.

A zoning ordinance that conflicts with the general plan at the time it is enacted is “invalid at the time it is passed” (Leshar Communications v. City of Walnut Creek (1990) 52 Cal.3d 531; accord, Sierra Club v. Board of Supervisors (1981) 126 Cal.App.3d 698).

Over two years ago SBC Land Use Services produced a timeline for immediate action to update the development code which included the zoning tables. A draft copy of the development code was soon released to the public with the expectation that there would be a public process and a hearing to approve the changes within the next year. Now 29 months later there has been no effort made or any schedule I know of as to when the Development Code will be changed to reflect the Countywide Plan.

More concerning is that SBC committed to a time frame to CA HCD for the completion of a study on the impacts of STR on housing and recommendations for changes to the Short Term Rental STR Ordinance to mitigate the loss of housing by February 2023. Recently we learned that this CA HCD study/recommendation on the STR Ordinance will not be completed until after September 2023.

The requirement for Immediate Action on IMP-2021-DC-9 Short term rentals- “Assessing the need for changes to Short Term Rentals Ordinance No. 4371” will now take 34 months to provide the information to the CA HCD and the implementation plan (Ordinance Revision) is scheduled for sometime in 2024.

The “Interim Plan” described in the Resolution 2020-197 which provides a process to approve projects while inconsistency exists between the Development Code and the General Plan is now invalid because SBC has clearly not taken “Immediate Action” in a “reasonable amount of time”.

In addition, subsequent changes to the development code such as the STR Ordinance increased VMT, and created a development boom in vacation homes negatively impacting our fragile desert environment in violation of CEQA.

SBC failed to act in a timely manner and enact a cap on the number of STRs, failed to prevent contiguous STRs acting as hotels, failed to consider the impact of development on well water, on wildlife and protected species and has created a tremendous loss of community and a huge public nuisance.

SBC's Indemnification Conditions of Approval Wonder Valley Inn

4 Conditions of Approval Wonder Valley Inn

Indemnification -

In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval. Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses. This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

5 Additional Permits -

The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but are not limited to: a. FEDERAL: b. STATE: c. COUNTY: d. LOCAL:

Case law has determined that "The city or county is responsible for determining whether an activity is consistent with the general plan. A city council's finding of a project's consistency with the plan would be reversed by a court if, based on the evidence before the council, a reasonable person could not have reached the same conclusion (No Oil, Inc. v. City of Los Angeles (1987) 196 Cal.App.3d 223)."

It seems to me there is a serious conflict of interest with the San Bernardino County collecting tens of millions of dollars of Transient Occupancy Tax TOT each year from visitor lodging (STRs, the Wonder Valley Inn, Flamingo 640) while at the same time then indemnifying themselves from any damages and legal fees.

The decision makers of San Bernardino County (Planning Staff, the Planning Commission and the Board of Supervisors) have the sole responsibility to make decisions based on consistency with the Development Code and Zoning and the General Plan.

I object strongly to this blanket *Indemnification* “get out of jail” ordinance SBCC §81.01.070 and the statement that “The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but are not limited to: a. FEDERAL: b. STATE: c. COUNTY: d. LOCAL.

San Bernardino County is wholly responsible for making a determination of Finding of Facts on a proposed development project not the developer. If SBC ignores its own guidance documents and the public’s comments that prove otherwise then these “decision makers” should pay the consequences for their actions.

Tourist Hazard and Public Nuisance

The introduction of tourism into remote areas like Pipes Canyon, Rimrock and Pioneertown has created a nightmare for residents who now are inundated with trespassing (both hiking and illegal OHV traffic) on their private property. In Pipes Canyon 30-40% of homes were bought up by investors who now manage their properties remotely using maids as local contacts. Because of the saturation of STRs investor’s occupancy and rental rates are down significantly so they are now reluctant to use full service hosting companies who charge a fee of 20-30% of the rental rate. The majority of STR investors near me have no ties to the community and no interest in our neighborhood.

SBC created the STR public nuisance and placed the responsibility for code enforcement onto residents. The trash day is on Tuesday so the cans are regularly left for days...knocked over and the weekend trash is flying everywhere-it's now our job to pick up tourist trash. Loud music our problem-before 10 pm there is no limit, too bad as everyday is a party for tourists . Fireworks -Too Bad! Enforcement cannot prove who shot them off. Too many guests and cars parked all over the front area- that's your problem get over it!. SBC simply does not have enough Sheriff Deputies to handle the number of STRs.

SBC’s STR Code Enforcement Program is a complete failure. If you look at the STR Complaint Reports I’d say 90%+ of the complaints (for trash, trespassing, illegal events, noise, over permitted occupancy, illegally unpermitted remodels, rented structures/trailers and vehicles) have been determined to be “unfounded” or “unconfirmed”. The number of complaints underestimate the true damage to our neighborhoods. The most common comment by my neighbors is “Why bother complaining about AirBnbs to SBC when NOTHING IS DONE!”.

The investors have remodeled homes into fancy hotel rooms yet there are no public hiking trails, restaurants or attractions near my home. I now have bored wealthy entitled tourists regularly hiking on my property even after I spent over \$5,000 on No Trespassing signs, gates and cameras.

The lack of tourist amenities has created a huge market in unpermitted commercial events, parties, and weddings. These activities damage our rural neighborhood and disrupt our right to enjoy our property in peace.

Last weekend I had a tourist trespass onto my property to take pictures of me, the view and my house. I told one woman to leave my property and was yelled at for asking. Another tourist decided to hike around on vacant private property in Pipes Wash, tromp through native habitat on my land in Antelope Wash then climb over a burrowing tortoise to the street while wearing a 3 ft diameter \$700 sun hat and her newly purchased outfit for the weekend. Since there is nothing to do they are driving 20+ miles to Joshua Tree ...or as I have seen frequently-bored tourists driving up and down our county's unmaintained desert dirt roads into environmentally sensitive areas and turning onto private property to climb boulders or take pictures of themselves.

I had problems with tourists parking in front of my gate then unloading coolers to take down into the wash to party and drink alcohol. I have even had to contact Google Maps to remove the trespasser's pins/photos which direct more visitors onto my private land. The trespassing problems this spring are the worst I have seen in 4 years.

Three days ago a deranged visitor drove onto a neighbor's property and decided to go off roading onto more properties off of Pipes Canyon Road where his car landed down a hillside onto another neighbor's property. When this owner contacted the SBC Sheriff's office they were told that Deputies were too busy to come out.

Currently there are at least two abandoned cars in Pipes Wash. One vehicle has been stuck in the wash for two years. In the last three years my neighbor has pulled out at least four cars out of Antelope Wash. The introduction of bored tourists into remote rural areas has invited all sorts of mayhem and hazards.

Tourists have started a bonfire in Pipes Wash, a huge vehicular fire where the wheels melted (while trespassing -off roading) which burned one acre adjacent to homes near me.

One woman and her friend recently drove her truck into Pipes Wash and tore up my land in the Antelope Wash while driving pointlessly around with nothing better to do (I can say she was ready for action- dressed in some form of "Desert Chic" boho costume from "Free People" while destroying the desert and taking pictures of herself.) This tourist drove around no trespassing signs, took out multiple Joshua Trees and killed ancient black brush. Tourists also like to take drugs and pretend they are having some sort of spiritual moment while trespassing on private property scaring both the residents and the wildlife. One weekend morning I was in Gamma Gulch and I could hear a party with a live band going on that was at least a ½ mile away. (STR Enforcement will do nothing about noise during the day.)

I know that The Wildlands Conservancy Ranger is extremely busy protecting their property in Ploneertown, Rimrock, and Pipes Canyon. One holiday weekend he was calling residents trying to figure out where the automatic weapon was being fired. The Ranger also spends a considerable time trying to reduce the damage from illegal OHV trespassing. The impact of illegal off roading has gotten much worse because SBC blanketed our area with STRs with no consideration of the impact of city visitors on our rural, fragile and beautiful area.

I pay about \$8,000 for home insurance in a high fire hazard area and have had to spend thousands just trying to keep the tourists off of my property.

The STRs owners scrape their lots clean of vegetation so the tourists are attracted to my property.

It is springtime and there are 5 coveys-over 75 quail under Acacia and Desert Willow trees, large flocks of Ladder Back Woodpeckers, Cactus Wrens, Le Conte Thrashers, two types of orioles Scott and Hooded, and hundreds of other birds nesting on my property. The antelope and other squirrels spread the seeds of the Joshua Tree. The Bobcat and Coyotes keep the number of cottontail rabbits, jackrabbits and pack rats in check. The animals have moved to safety on the few properties like mine that are not STRs. The wild flowers are budding up and I am worried this will attract even more trespassing tourists who will trample the ground.

STRs in my neighborhood provide NO benefit to those who live here. I have seen none of the tens of millions of dollars (collected from the STR Transient Occupancy Tax each year) benefit my community or the rest of the Morongo Basin.

SBC is killing Pipes Canyon, Rim Rock and Pioneertown with over tourism.

There should be no surprise why the Homestead Valley and Wonder Valley communities are legitimately against the Flamingo 640 and the Wonder Valley Inn projects.

Recommendation-

- Any consideration of Tourism projects approvals like Flamingo 640 or the Wonder Inn should be delayed until the Development Code has been revised to mesh with the entire General Plan including the Land Use Element and Mobility Transportation Element.
- For myself, my neighbors, the community and the wildlife and habitat- I am demanding that SBC put an immediate moratorium on ALL new or renewed STR permits, Conditional Use permits and General plan amendments related to tourism in the Morongo Basin.
- This moratorium can be pulled when SBC has updated their Development Code to comply with the Countywide Plan, has a CA HCD accepted Housing Element which addresses the loss of housing due to STRs, the General Plan EIR has been revised to reflect the impact of tourism and the STR Ordinance has been revised to cap the number of permits to a level that is acceptable to the people who live in the neighborhood that are impacted by tourism.
- It seems to me that the bulk of tens of millions in STR TOT fees collected in the Morongo Basin should be proportionally allocated to each planning area for community improvements and as compensation for the loss of our peaceful enjoyment of our property, damage to our property and the environmental damage the STR Ordinance has done to the area.

Hope you have a nice day.

Kerrie Aley

Pipes Canyon



March 17 2023 Three days ago....

“This incident happened last night behind XXXX’s property in Pipes Canyon. They confronted the guy who called himself Jesus and seemed very intoxicated before he drove down this embankment and wedged the vehicle in some rocks (also taking out a young Joshua Tree in the process). They believe he accessed the area from the first gate at YYYY’s place. He told them he was collecting rocks and plants. Sheriff was called but they said they were too busy to come out. Vehicle is still there and I’m posting on the off chance it was stolen and someone here might recognize it.”

Attachment (Previously Sent)

February 18 2023

Attention-

Dawn Rowe 3rd District SBC Supervisor
SBC Land Use Services
SBC Public Works Traffic Engineering

Azhar.khan@lus.sbcounty.gov
Jim.Morrissey@lus.sbcounty.gov
Heidi.Duron@lus.sbcounty.gov
Supervisor.Rowe@bos.sbcounty.gov

Subjects- Morongo Basin Tourism CEQA Impacts

Development Projects- Negative CEQA Negative Declarations

PROJ-2021-00163 Wonder Valley Inn
PROJ-2020-00191 Flamingo 640 Resort Camping
PROJ-2020-00203 Bubble Campground
PROJ-2020-00077 Pioneertown Motel Expansion
PROJ-2020-00158 Pioneertown Hotel (Trailer)

SBC Short Term Rental Ordinance

SBC CEQA Thresholds of Significant Impact

SBC Countywide Plan- VMT Reduction & Greenhouse Gas

SBC Transportation and Mobility Element

SBC Special Event Ordinance

SBC Updated Zoning- Conditional Use/ Minor Use

Dear SBC Decision Makers,

I am writing to you today about the proposed Wonder Valley Inn.

More importantly, I want to discuss the cumulative significant environmental impacts of recently approved and proposed tourism projects (lodging and amenities) in the rural areas of the East Desert - Morongo Basin.

Section 15378 of the CEQA Guidelines provides the following definition of a project.

“Project means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment”.

As such please include this letter in your public comment files for the “projects” listed above.

Morongo Basin Tourism Impacts

The approved Countywide Plan states that SBC cannot meet the rural East Desert’s target decreases in Vehicle Miles Traveled VMT needed for greenhouse gas reductions. Yet SBC is considering or has already approved projects (STR Ordinance & Developments) which together will produce significant amounts of unmitigated Vehicles Miles Traveled (VMT) tourism traffic.

The sudden increase in tourism lodging has had a detrimental impact on housing affordability and availability, employment and local services. The conversion of residential housing to tourist lodging has caused a measurable increase in overall VMT. For example, the 29 Palms Marine Base has nearly doubled their off base housing allowances and increased the area allowed to one hour travel time (Palm Springs).

This letter contains a diverse amount of material so I thought it best to start with my recommendations to address these issues and then provide the supporting documentation that supports my proposals..

You will also find comments specific to the Wonder Inn project, but I believe that these ideas will also apply to the development of revised CEQA thresholds of significance, updated zoning tables (conditional/minor use), possible revisions to the SBC Countywide Plan Housing , Transportation Mobility and Land Use Elements and changes to SBC Ordinances.

Recommendations

1. Develop refined levels of CEQA environmental significant impacts that are tailored to the rural high desert of the Morongo Basin. Including Level of Service (LOS), Vehicle Miles Traveled (VMT), Light Pollution, Noise and traffic increases with higher levels of project parking spaces . There should be a measure of significant traffic impact dedicated to dirt desert roads.
2. The SBCTA VTM Model (and screening tool) does not consider tourism VTM. An analysis procedure needs to be defined which evaluates (on a case by case determination) and mitigates the cumulative environmental impacts of proposed tourism related projects in rural desert areas.
3. If case by case determinations are not feasible, SBC should consider modifying the San Bernardino County Transportation Analysis Model SBTAM to account for SBC and regional tourism impacts. The SBCTA VTM Screening Tool should also be modified to consider a development's tourism traffic on area VMT traffic.
4. SBC should complete a study to analyze and mitigate the cumulative VMT tourism impacts of Short Term Rentals.
5. As VMT tourism mitigation, revise the Zoning Ordinance to exempt all Rural Living RL parcels from conditional or minor uses related to tourism- campgrounds, glamping resorts, B & B hotel, resorts and event spaces.
6. Provide measures which prohibit Countywide General Plan Amendments (including parcel subdivisions for STRs that will result in unmitigated higher levels of area VMT due to tourism traffic .
7. Complete the CA HCD Program 4 and implement appropriate caps in the number of STRs with consideration of loss of housing, impacts on community, neighborhood STR density AND local area tourism VMT.
8. Change the SBC STR Ordinance to prohibit the permitting of multi-parcel STR complexes that function as hotels in RL zoning.
9. Establish a plan to encourage a reduction of tourism VMT through centralization of tourism lodging near public transportation, grocery stores, restaurants, services and attractions.

This plan would result in a reduction of work-related VMT by hotel/STR employees , maids, contractors, pool maintenance professionals, restaurant workers and retail clerks.

The concentration of tourism lodging (hotels and STRs) would also reduce the cost of STR maid service and increase the occupancy rate and profitability of both hotels and STRs.

10. Reduce tourism lodging STR impacts by requiring that the average occupancy of a STRs is limited to that of the local median per household (approx. 2.5 people). Reduce tourism VMT by limiting the total parking spaces available to guests to an average of 2 vehicles per STR.

The occupancy and parking of STRs should reflect the historic residential land use so that VMTs are not increased.

11. To reduce tourism VMT, the SBC Special Event Ordinance should be changed so that it does not permit events at STRs and vacant RL lots.
12. In high VMT locations such as Wonder Valley, Homestead Valley, Pioneertown (including Rimrock and Pipes Canyon) require that any proposed development that offers hotel, restaurant, bar or event amenities be evaluated per CEQA using appropriate environmental thresholds of significance which reflect the local area characteristics and account for project cumulative impacts.
13. Create areas of Planned Development Districts (PD) which would provide both local and tourist benefits with the goal of reducing environmental impacts near open space or rural living areas and a reduction in VMT. Areas that should be considered are Joshua Tree, Homestead Valley-Landers/Flamingo Heights, Pioneertown (Including the Mane Street Historic Overlay), Morongo Valley and Wonder Valley.

The size and intensity of use should reflect the local Community Action guides, focus on reducing VMT levels and consider surrounding land use/density, open spaces and environmental sensitivity to development.

14. To comply with California Greenhouse Gas reduction mandates and VMT laws (including SB743) regarding road capacity prompting increasing VMT, SBC should revise the Countywide Plan Transportation and Mobility Plan TM-1(A-E) Roadway Network to reflect current defined usage as described in the SANBAG Morongo Basin Area Transportation Study MBATS and the present day traffic volume of area roads.

Change Countywide Transportation & Mobility Roadway Classifications:

From “Major Highway” to “Collector”

Amboy, Pioneertown, Pipes Canyon, Skyline Ranch, Reche, Avalon, Winters, Coyote Valley, Sunfair, Anaheim, Lear, Poleline, Warren Vista, Yucca Mesa, Douglas/Bourbon, Quail Springs.

From “Secondary Highway” to “Collector”

Buena Vista, Aberdeen, Landers, Morongo, Sunny Vista/Bartlett Mountain, Two Mile, Rice, Sunever, Alta Loma, Quail Springs, Amboy.

15. SBC LUS should consider future County Plan projects to widen roads including Yucca Mesa and Highway 247 when evaluating the discretionary approval of nearby RL subdivisions or Conditional /Minor Use permits. Was this done when the Bubble Motel project was approved? Flamingo 640?
16. SBC's use of "LOS C" as a criteria for CEQA Significant Impact (when roads are currently operating at Level A) and an overbuilt "highway system" in the Morongo Basin will encourage excessive development and induce even higher area VMTs.

I understand that Federal and State road maintenance funds are tied to their classifications. I suggest lowering the LOS threshold, reclassifying the roads as described above or control the size and impact of development through more restrictive zoning in specific Planning Areas.

Supporting Documentation and Comments

Wonder Valley Inn Project and Negative Declaration

The Wonder Inn Project Application is incomplete and an EIR should be prepared for the following reasons.

Parcel Zoning

Comments- The existing structure is not "commercial". The L-shaped parcel was rezoned to RL and the commercial structure was allowed as a non-conforming use. At some point the structure was remodeled into housing. Per the SBC Code for Nonconforming Use, the structure was remodeled into a use conforming to the new zoning RL and the commercial use was discontinued and per the code *"its status as a legal nonconforming use shall cease and thereafter it shall only be used or occupied in compliance with this Development Code"*.

The property owner has no right "by zoning" to operate the home as a commercial structure. The applicant has asked that the other portions of this RL parcel be rezoned to "Commercial". I looked at the small amount of commercial space in Wonder Valley and most of the "Commercial" parcels are now used as housing which is an allowable use in this zoning.

If SBC County were to grant the rezoning of this parcel, this project's commercial acreage would be much larger than the sum of the individual commercial parcels in all of Wonder Valley.

The "classic" definition of spot zoning is *"the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners."* Spot zoning of this property would set an unacceptable precedent for other General Plan Zoning parcel amendments in Wonder Valley.

Supporting Documentation and Comments

Wonder Valley Inn Project and Negative Declaration Parcel Zoning

Comment- Per SBC's PIMS, the property is classified as residential/agricultural.

§ 84.17.040 Termination of Nonconforming Use.

(a) *Termination by Change of Use.* A part of a structure or parcel occupied by a nonconforming use that is changed to or replaced by a use conforming to this Development Code shall only be used or occupied by a conforming use afterwards.

(b) *Discontinued Structures or Land Use.* If a part of a structure or parcel occupied by a nonconforming use is discontinued for 180 days or more, its status as a legal nonconforming use shall cease and thereafter it shall only be used or occupied in compliance with this Development Code.

Project's PIMS Information-

The screenshot displays the 'Property Information Management System Internet Site' for a property in San Bernardino County. The site is accessed via a web browser showing the URL 'www.sbcounty.gov'. The main navigation bar includes links for 'ASSR Map Book Search', 'Parcel Map Search', 'Tract Map Search', and 'Links'. The 'Property Info' tab is selected, showing a list of zoning codes on the left and a detailed 'Land Characteristics' table on the right. The 'Land Characteristics' table lists various attributes such as Zoning (CSRL-5), Lot Width (0.00), Lot Depth (0.00), Footage (1240589), Gross Acre (28.480), Net Acre (0.000), Access (1), Slope Dir (0), Slope Degree (0), View Quality (3), View Type (5), Sewer (2), Water (1), Elec (2), Gas (1), Office (2), Enc/Eas (0), Nuisance1 (0), Nuisance2 (0), Spc Inft1 (0), Spc Inft2 (0), Dock Rte (0), and Lease Exp (0). Below the 'Land Characteristics' table, a section titled 'No SFR Characteristics Found' is displayed. Further down, the 'Other Characteristics' section lists details such as Sequence (1), Location (LIVING SPACE SOHO STYLE), Use (0862), Struc Quality (A), Struc Type (C), Grs Lease (4226), Net Lease (4226), Const. Year (1962), Eff Year (1962), Nbr Units (1), Adj. SF Units (0), # Stories (1), Story Height (14), Elevator (0), Landscape (0), Func. Obs (0), Adj. LB Ratio (0.00), Lease Exp (0.00), Apt 1 Units (0), Apt 1 Bath (0.00), Apt 2 Units (0), Apt 2 Bath (0.00), Apt 3 Units (0), Apt 3 Bath (0.00), Apt 4 Units (0), Apt 4 Bath (0.00), Apt 5 Units (0), Apt 5 Bath (0.00), Garage (0), Car Port (0), Open Spaces (0), RV Spaces (0), Laundry (0), Rec Bldg (0), Apt Pool (0), Tennis (0), Security Gate (0), Office Percent (0), Max SQF (0), Restaurant (0), Hotel Pool (0), and Hotel Spa (0).

Supporting Documentation and Comments

Wonder Valley Inn Project and Negative Declaration Parcel Zoning Comment

[Maximize](#)

[y Supplement History](#) [Characteristics](#) [View ASSR Parcel Map](#) [Reports](#)

San Bernardino County - PIMS
Property Information for Parcel 0625-071-04-0000

Parcel	Parcel Status	Parcel Type	Property ID	Tax Status	Use Code	Land Access	Size	Land Type	District	Resp Group	Resp Unit
0625071040000	A	0		1	MU SFR-AGR	PUB/PV	09	07	JOSHUA TREE	D	COM

Property Address (Main Situs)
Protected per CA. Govt. Code Sect. 6254.21
Protected per CA. Govt. Code Sect. 6254.21

Owner and Mailing Address	Effective Date
GREENBERG, ALAN R	03/17/2020
LANDVER, JASON	
Protected per CA. Govt. Code Sect. 6254.21	
Protected per CA. Govt. Code Sect. 6254.21	

Current Owners

Name	R/I	% Int	Type	Acquisition Date	Document Date	Inactive Date	Document Nbrs
GREENBERG, ALAN R	TC	52.0000000	B	02/10/2020	02/10/2020	NONE	20200047628
LANDVER, JASON	TC	48.0000000	J	02/10/2020	02/10/2020	NONE	20200047628

0837	COMMERCIAL/AGRICULTURAL
0839	COMMERCIAL/RESTRICTED
0845	INSTITUTIONAL/SINGLE FAMILY RESIDENTIAL
0846	INSTITUTIONAL/MULTI FAMILY RESIDENTIAL
0847	INSTITUTIONAL/AGRICULTURAL
0849	INSTITUTIONAL/RESTRICTED
0856	SINGLE FAMILY RESIDENTIAL/MULTI FAMILY RESIDENTIAL
0857	SINGLE FAMILY RESIDENTIAL/AGRICULTURAL
0859	SINGLE FAMILY RESIDENTIAL/RESTRICTED
0867	MULTI FAMILY RESIDENTIAL/AGRICULTURAL
0869	MULTI FAMILY RESIDENTIAL/RESTRICTED
0879	AGRICULTURAL/RESTRICTED
0888	OTHER COMBINATIONS OF USES

The Parcel Number (APN) is a 15-digit number

Supporting Documentation and Comments

Wonder Valley Inn Project and Negative Declaration

Project Description-

Comment- The ND technical reports use differing (and incorrect) claims of zoning for the property. SBC LUS needs to produce an official determination of the actual zoning of the property so that all reports reference the same classifications and permitted uses.

The entire Negative Declaration needs to be revised using one consistent description of not only the hotel but also the square footage of the restaurant, event spaces and health club etc.

CEQA does not allow “piecemealing” of environmental impacts. The applicant is currently advertising the construction of vacation homes on the adjoining properties. The whole project must be evaluated.

Traffic Analysis

“The proposed project involves the redevelopment of the site into a unique retreat-style hotel. The proposed project involves remodeling of the existing commercial building into a lobby, construction of four new buildings to provide a total of 106 guest rooms, and construction of a variety of amenities, including a swimming pool, on-site restaurant, picnic area, event space, spa, volleyball and yoga areas, and an astronomy observation amphitheater. New building area will consist of a total of approximately 34,450 square feet.

Comment- The above project description used for the traffic analysis is incomplete. The project description should be revised to indicate which of the accessory uses (restaurant, swimming pool, picnic area, event space, spa, volleyball, yoga areas and astronomy observation amphitheater) will be used by non-hotel guests.

If the applicant intends on renting out the facility or holding special events to non-resort guests then the trip generation rates numbers should be revised accordingly. Under CEQA, Special Events impacts should be evaluated for environmental impact.

The quoted number of employees is 20-30 plus some part time needs to be justified with an analysis. The project application should also include the justification for the total number of employees (by function) and a calculation for parking space demand by hour.

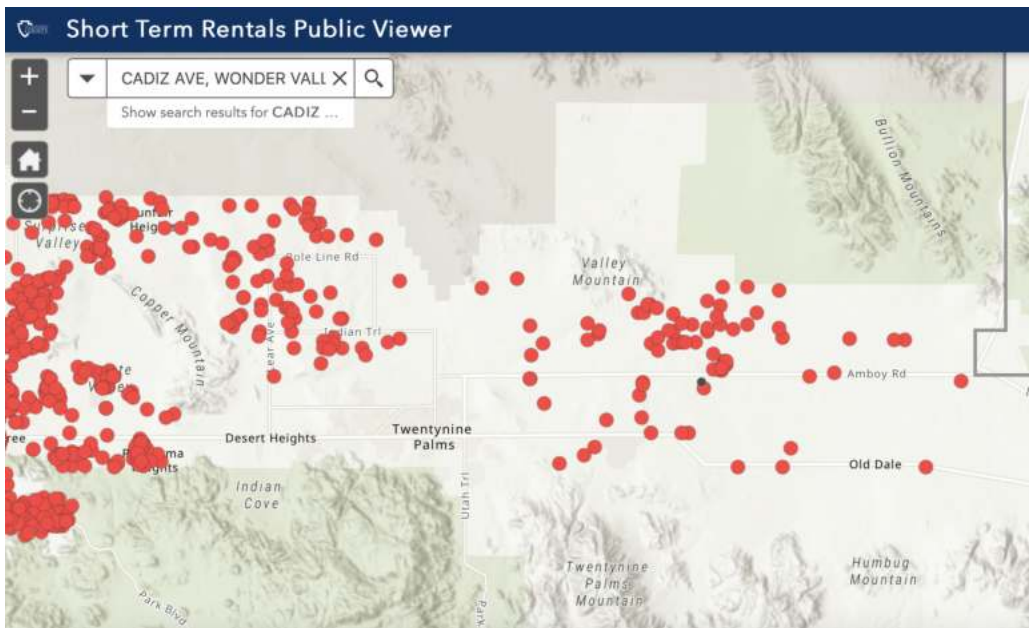
The cumulative traffic impact of Wonder Valley STRs on Amboy Road should be added to the project traffic impact. The increase in occupancy of the STRs and parking above the median residential housing occupancy rate should be accounted for. Since check-in times of STRs will be at the same time as the Wonder Valley Inn, the traffic analysis on Amboy should be revised.

Supporting Documentation and Comment

Wonder Valley Inn Project and Negative Declaration Continued

Traffic Analysis

Comment- Amboy is a low volume “Major Highway” with measured traffic between 790 and 1200 vehicles per day. Given the project impacts, high speeds, low volume of traffic and lack of traffic control devices on Amboy, a more complete TIS is merited.



Comment- The project VMT calculations should be revised to add the number of STR employees(maids, pool service, handyman) to update the projected cumulative *Project VMT/Employee*.

Negative Declaration- Evaluation of Visitor VMT

“The SBTAM model does not model visitor travel activity. Therefore, an off-model evaluation of visitor trips was prepared to determine if visitor trips would result in a significant VMT impact. The County’s guidelines do not define a significant impact for visitor trips.

“For purposes of this analysis, a significant impact would occur if the project causes additional visitors to the area resulting in an overall increase in VMT.”

Comment- The project causes additional visitors to the area resulting in an overall increase in VMT.

Supporting Documentation and Comment

Wonder Valley Inn Project and Negative Declaration Continued

Traffic Analysis

“Most visits to the Twentynine Palms area are to visit Joshua Tree National Park. Annual visitation to Joshua Tree National Park was approximately 2.9 million visitors in 2017, 2018 and 2019.”

Comment- Claim is not based on facts. There are a number of other attractions which bring visitors to Twentynine Palms other than JTNP. There are other attractions including music festivals, events at The Palms in Wonder Valley, attractions in Joshua Tree, Pioneertown and vacation stays at STRs.

“When evaluating VMT of visitor serving uses, it should be determined whether the proposed project would serve an existing attraction or area or would create its own attraction that would result in an increase of visitors to the area. “

As noted above, visitors currently visit the Twentynine Palms area to Visit Joshua Tree National Park and are served by existing hotels in the area. According to the Retail Market Study, the average occupancy of hotels in the Twentynine Palms Area peaks at approximately 78 percent during March and has a low of approximately 50 percent during December and January. The average occupancy was 59.9 percent in 2016. Therefore, there are available rooms for visitors who wish to stay overnight in a hotel, even during peak season. Because there is hotel availability during both peak and typical times, there is not a latent demand for travel to the Twentynine Palms/Joshua Tree National Park area which cannot be accommodated by existing lodging.”

Comment- Claim is not based on facts- The Wonder Inn proposes to be a “destination, unique resort” not a roadside hotel. The amenities that the Wonder Inn Resort is providing do not compare to the existing lodging and will increase the number of visitors to the area.

“Therefore, the increase in lodging availability would not increase trips to the area. The hotel would provide on-site amenities such as dining, a swimming pool, yoga, etc. There are other resorts and retreat centers in the area that provide dining, swimming and yoga/meditation retreats, therefore these amenities would not be an attraction by themselves. Rather, it is the combination of the on-site amenities and proximity to Joshua Tree National Park that will attract visitors to the project. For these reasons, the on-site amenities are not likely to attract visitors who were not previously planning a trip to the area.”

Comment- Claim is not based on fact. Many visitors who frequent the high desert never enter JTNP. The increase in lodging availability WOULD increase trips to the area.

Supporting Documentation and Comment

Wonder Valley Inn Project and Negative Declaration Continued Traffic

“Because of the existing hotel capacity and resort amenities in the Twentynine Palms area, construction of the project would not result in a significant number of new visitors to the Twentynine Palms/Joshua Tree National Park area but would instead divert existing visitors from other lodging choices. Overall VMT would not increase as a result of the project and therefore VMT impacts due to visitors would be less than significant.”

Comment- Claim is not based on fact. An analysis should be provided to account for the cumulative impact of both the Wonder Inn Resort, Wonder Valley STRs and 29 Palms STRs.

Water-

“The Project Site has two existing wells, one of which will serve as the source of domestic, irrigation, and fire suppression water for the Proposed Project. Because the well will be providing water for human consumption to at least 15 service connections or to at least 25 people for at least 60 days per year, the water system proposed for the Project meets the classification as a public water system, more specifically, a transient non-community water system (TNC), which limits the number of employees to less than 25 and limiting guest stays to less than 60 days.”

“The well water testing indicated that it meets the nitrate/nitrite and bacteria standards for a transient non-community water system (Appendix F-2). The well would be treated to reduce iron and manganese to improve aesthetics. As part of the iron and manganese system, the well water will be chlorinated. The well would also be treated to reduce hardness to increase the lifespan of the Inn’s fixtures. As the water has high total dissolved solids (TDS), a reverse osmosis system may also be installed in the future. The TNC designation was approved by the County of San Bernardino Environmental Health Services on August 20, 2021 (Appendix F-2).”

Comment- The developer is promoting his project as a health resort.

It was determined early on that the water quality was unacceptable for long term residential use. He first tried to pipe in the water 3.4 miles away but was denied a service letter by the water agency and balked at the cost. I do not believe that SBC should be approving visitor “health resort” lodging at this site given the very poor quality of the well water.

The developer was able to obtain an approved application only for a “transient non-community water system (TNC) which limits the number of employees to less than 25 and limiting guest stays to less than 60 days.” Looking at ITE and resort planning guidelines for the number of employees needed, I do not believe that a resort of this size, function and with the proposed amenities can operate with only 25 employees.

Note- Ministerial actions such as well permits are subject to CEQA and no objective technical evaluation on aquifer impacts has been provided.

Supporting Documentation and Comment

Wonder Valley Inn Project and Negative Declaration Continued

Sound-

Comment- The ND analysis uses urban area sound thresholds for a remote rural area.

Noise data claims that the ambient noise level average was 63.3 dBA CNEL at the project site. The majority of sound is generated by wind and traffic.

The “average” misrepresents the ambient noise level as Amboy is a low volume road where there are periods of very low ambient noise below 63.3 dbA. I live in a low ambient area and in the mornings I can hear a car one mile away. The noise from the Wonder Valley Inn Resort and the resultant traffic would be perceptible to the sensitive receptors near the project site.

I have no confidence in the noise analysis at all given the fact that the consultant has used a traffic volume of 7,000 cars per day in their analysis when the actual number varies between 790-1200 per day. (Reference Countywide Plan Transportation & Mobility EIR and Morongo Basin traffic studies).

Table 4: Roadway Parameters and Vehicle Distribution

Roadway	Segment	Existing ADT ¹	Existing Plus Project ADT ²	Speed (MPH)	Site Conditions
Amboy Road	Pinto Mountain Rd to Gammel Rd	7,000	7,886	55	Soft
Vehicle Distribution (Truck Mix)					
Motor-Vehicle Type		Daytime % (7AM to 7 PM)	Evening % (7 PM to 10 PM)	Night % (10 PM to 7 AM)	Total % of Traffic Flow
Automobiles		75.5	14.0	10.5	97.42
Medium Trucks		48.9	2.2	48.9	1.84
Heavy Trucks		47.3	5.4	47.3	0.74
Notes:					
¹ Traffic count from San Bernardino County General Plan, Final Environmental Report, Chapter IV Table IV-O-8.					
² Trip generation rate based on CalEEMod run.					

The following outlines key adjustments to the REMEL for project site parameter inputs:

Supporting Documentation and Comment

Wonder Valley Inn Project and Negative Declaration Continued

Sound-

Comment- Noise Input Data Uses 7,000 Average Daily Traffic ADT. This is approximately 10X the actual volume.



PROJECT:	Wonder Inn Project	JOB #:	0739-2021-01
ROADWAY	Amboy Road	DATE:	2-May-22
SEGMENT	Pinto Mountain Rd and Gammel Rd	ENGINEER:	F. Irazabal
LOCATION:	County of San Bernardino	SCENARIO:	Existing

NOISE INPUT DATA	
ROADWAY CONDITIONS	RECEIVER INPUT DATA
ADT = 7,000	RECEIVER DISTANCE = 220
SPEED = 55	DIST C/L TO WALL = 0
PK HR % = 10	RECEIVER HEIGHT = 5
NEAR LANE/FAR LANE DIST = 24	WALL DISTANCE FROM RECEIVER = 220
ROAD ELEVATION = 0	PAD ELEVATION = 0
GRADE = 0	ROADWAY VIEW: LF ANGLE -90
PK HR VOL = 700	RT ANGLE 90
	DF ANGLE 180

SITE CONDITIONS	WALL INFORMATION
AUTOMOBILES 15	HTH WALL = 0 FT
MED TRUCKS 15 (HARD SITE=10, SOFT SITE=15)	AMBIENT = 0
HVY TRUCKS 15	BARRIER = 0 (0=WALL,1=BERM)

Light Impact-

Comment- The Negative Declaration quotes SBC's Dark Sky Ordinance as evidence that the project will not significantly add environmental impacts of light pollution to this rural low development density area.

SBC has no defined threshold of significant impact for this area. The analysis must be revised to define the total umbrella levels of light and its effect on the parcel and surrounding areas.

Supporting Documentation and Comment

Tourist Vehicle Miles Traveled VMT

VMT measures the amount and distance of vehicle travel attributed to a project or use. Specifically, VMT focuses on determining the origin and destination of travel patterns. VMT assesses the effects of the project on regional traffic. VMT reductions are needed in SBC to meet CA GreenHouse Gas Emission targets.

Per the SBC's TIS Guidelines, a project can be screened out from a VMT analysis if it lies in a low VMT generating area based on VMT per person.

The San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool was reviewed to determine whether the proposed Project falls under a low-VMT per person zone and can be screened out.

Per the County's TIS Guidelines, the proposed Project can be considered to have a less than significant impact if the Project VMT per person is less than 4 percent below the existing VMT per person for the unincorporated County.

I used the SBCTA VMT Screening Tool to evaluate 4 projects-

Bloomington Condos 181 Condos (Urban Infill)

Flamingo 640 Glamp Resort (Vacant land Flamingo Heights near Highway 247)

Wonder Inn Resort (106 room resort on vacant land in Wonder Valley)

Pioneertown Motel Expansion (Expansion of existing Motel Curtis/Pioneertown Rd)

In all of the above projects (both urban and rural), the Negative Declarations used 100 vehicles/peak hour (Per SBC Transportation Impact Study Guidelines) as a threshold of significant impact.

In the Pioneertown Motel Expansion traffic analysis the 100 vehicle/peak hour threshold was used for both a half desert road (Curtis) and paved Pioneertown Road.

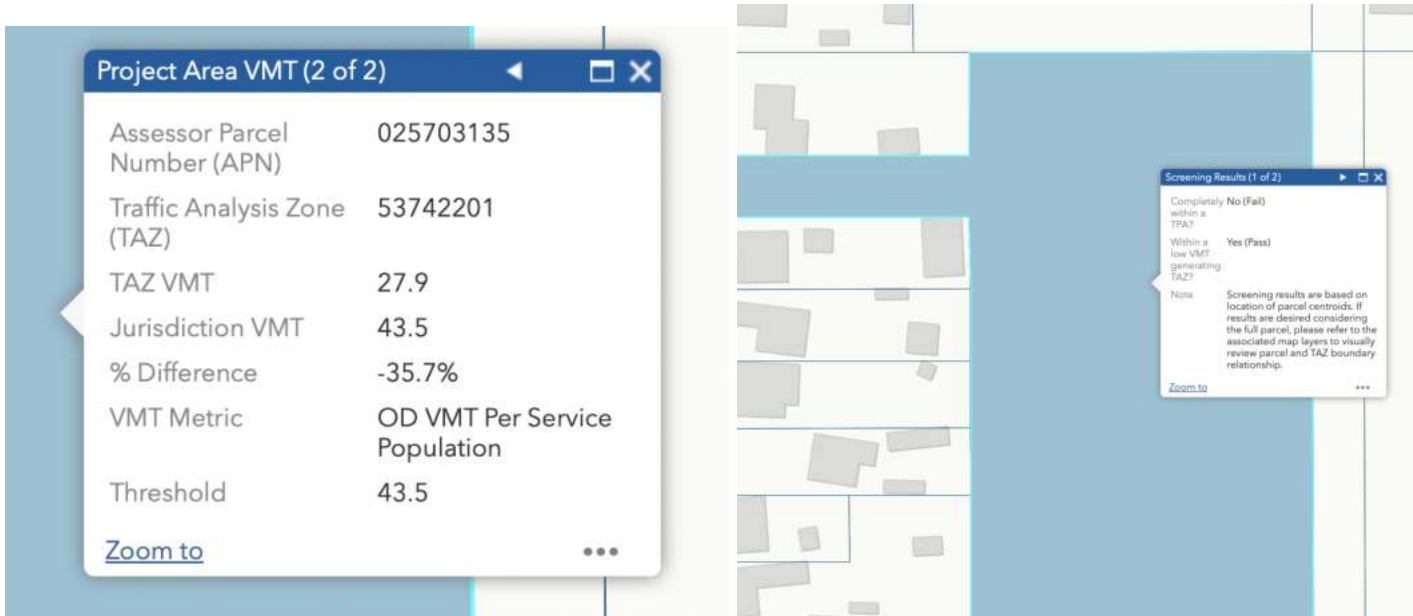
It seems to me that the threshold for significant traffic impact should vary given the size, paving and volume of the project's roadway access points.

The Bloomington Condo Project is located in a low -VMT per person zone.



Figure 4 Project Aerial View

Bloomington Condo Project

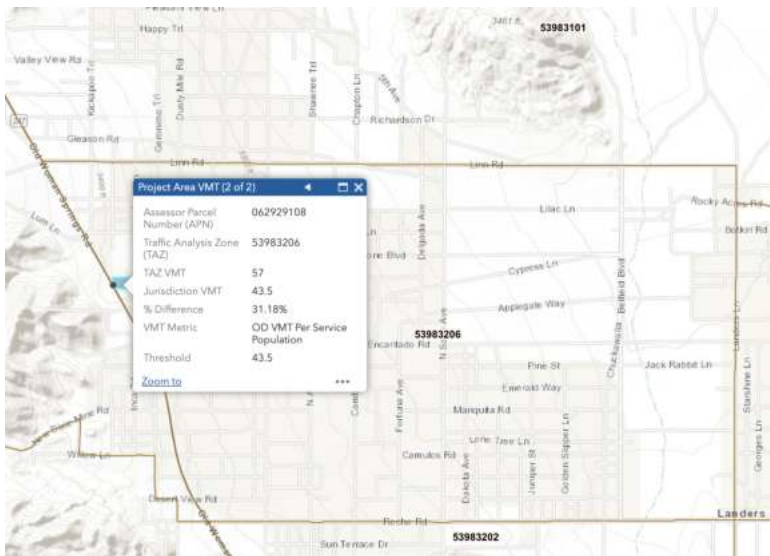


The Blooming Project falls under a low-VMT per person zone and can be screened out. Also per the County’s TIS Guidelines, the proposed Project can be considered to have a less than significant

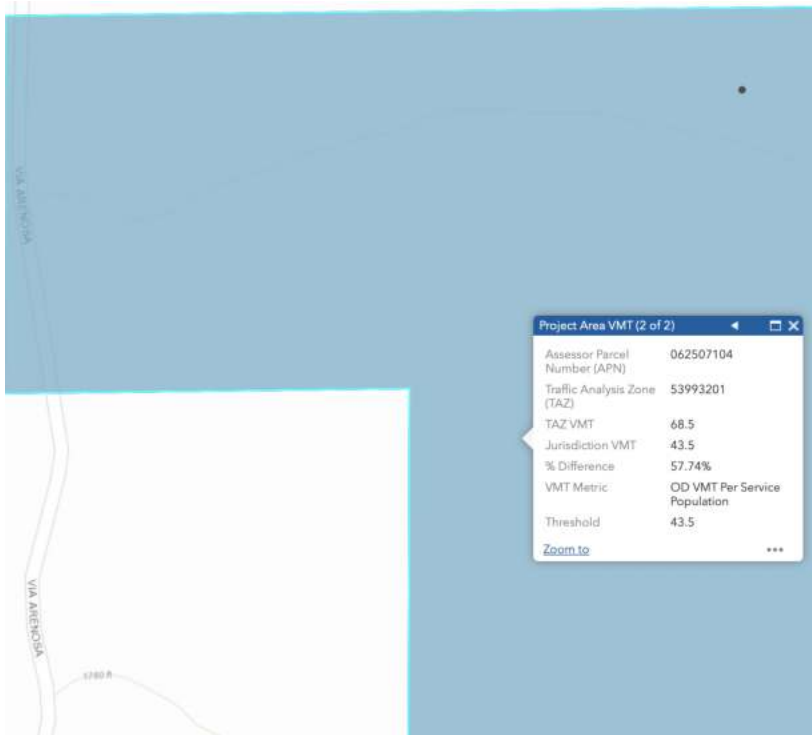
impact if the Project VMT per person is less than 4 percent below the existing VMT per person for the unincorporated County and no additional analysis is required.

All three projects in the Morongo Basin failed to fall in a low VMT generating TAZ.

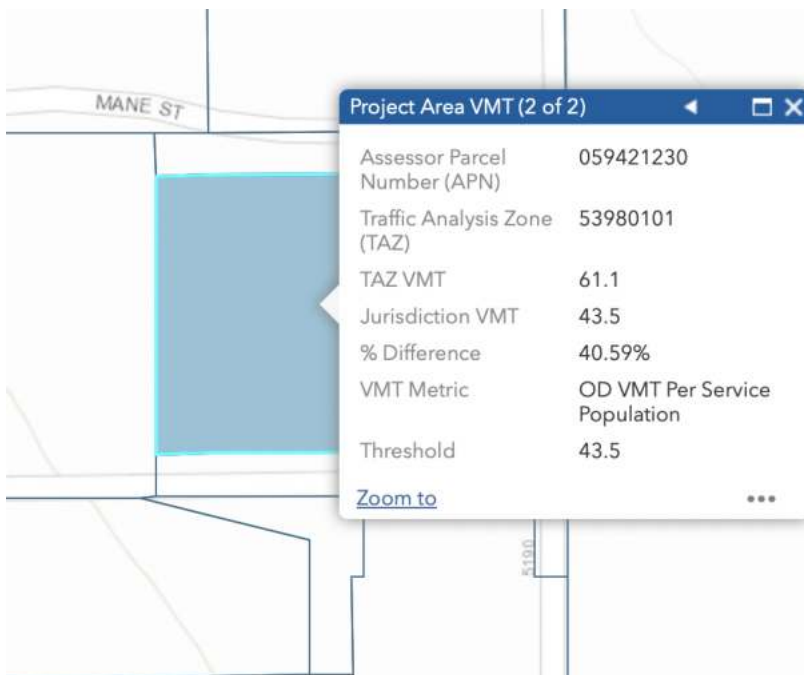
Flamingo 640



Wonder Inn



Pioneertown Motel Expansion



In all three Morongo Basin cases the projects are located in an area that is a high VMT TAZ area which generates VMT per Service Population which exceeds the County established thresholds. Therefore the project does not satisfy the screening criteria and must complete VMT Analysis.

Per the SBC Transportation Impact Study Guidelines, the requirement to prepare a TIS should be based upon, but not limited to, one or more of the following criteria:

- **If a project generates 100 or more trips without consideration of pass-by trips during any peak hour.**
- If a project is located within 300 feet of the intersection of two streets designated as Collector or higher in the County's General Plan or the Department's Master Plan or An impacted intersection as determined by the Traffic Division
- If this project creates safety or operational concerns.
- **The project has the potential to generate VMT that could result in a transportation impact as noted in the significance criteria presented later in this memorandum.**
- If a project generates less than 100 trips without consideration of pass-by trips during any peak hour, a study may be required if there are special concerns.

<https://www.sbcounty.gov/uploads/DPW/docs/Traffic-Study-Guidelines.pdf>

Per these guidelines, "Projects which serve the local community and have the potential to reduce VMT should not be required to complete a VMT assessment. " For all remaining projects, VMT should be estimated by multiplying average trip length by the trip generation for the project.

A project should be considered to have a significant impact if the project VMT per person/employee is greater than 4% below the existing VMT per person for the unincorporated County.

As none of the Morongo Basin tourism projects meet the SBCTA VMT Screening Threshold, the projects must complete a TIS, Trip Generation and analyze for VMT impacts using San Bernardino Transportation Analysis Model SBTAM.

However because SBTAM ignores visitor traffic another method is needed.

NOTE- SBC has NO existing method to evaluate the impact of tourism traffic on VMT. Tourist traffic project related VMT goes beyond county boundaries and impact analysis cannot be truncated by a TAZ or jurisdictional boundary.

The CA Office of Planning and Research (OPR) has a “Technical Advisory On Evaluating Transportation impacts in CEQA.”“https://opr.ca.gov/docs/20180416-743_Technical_Advisory_4.16.18.pdf

“Rural Projects Outside of MPOs

*In rural areas of non-MPO counties (i.e., areas not near established or incorporated cities or towns), fewer options may be available for reducing VMT, and significance thresholds may be best determined on a **case-by-case basis**. Note, however, that clustered small towns and small town main streets may have substantial VMT benefits compared to isolated rural development, similar to the transit oriented development described above.*

While the Morongo Basin is not outside of MPO, CEQA Guidelines allow for flexibility in the threshold of significance between urban and rural areas.

(State CEQA Guidelines § 15064(b)(1)) States that determination by a Lead Agency of whether a project may have a significant effect on the environment calls for careful judgment, based to the extent possible, on scientific and factual data . **Thus, establishing a single threshold of significance, while desirable in most instances, may not be possible for every environmental impact, because the significance of an impact may vary with the setting. For example, an effect that is less than significant in an urban area may be significant in a rural area (e.g., noise or aesthetics).** Moreover, it should be noted that compliance with a chosen threshold does not excuse an agency of its obligation to consider information presented to it regarding a project’s impacts. **The lead agency must evaluate any substantial evidence supporting a fair argument that, despite compliance with a threshold, the project’s impacts are nevertheless significant.**

SBC Short Term Rental Ordinance

While the Countywide Plan included the addition of Short Term Rental as a means of increasing the supply of tourist lodging, no traffic analysis was performed to determine the VMT impact of tourism traffic.

The SBC’s Board of Supervisors approved the Short Term Rental Ordinance 4439 under the “Common Sense” rule without environmental review.

Per CEQA Guidelines, Common Sense Exemptions. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to environmental review. In such cases, the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. (See CEQA Guidelines Section 15061(b)(3)).

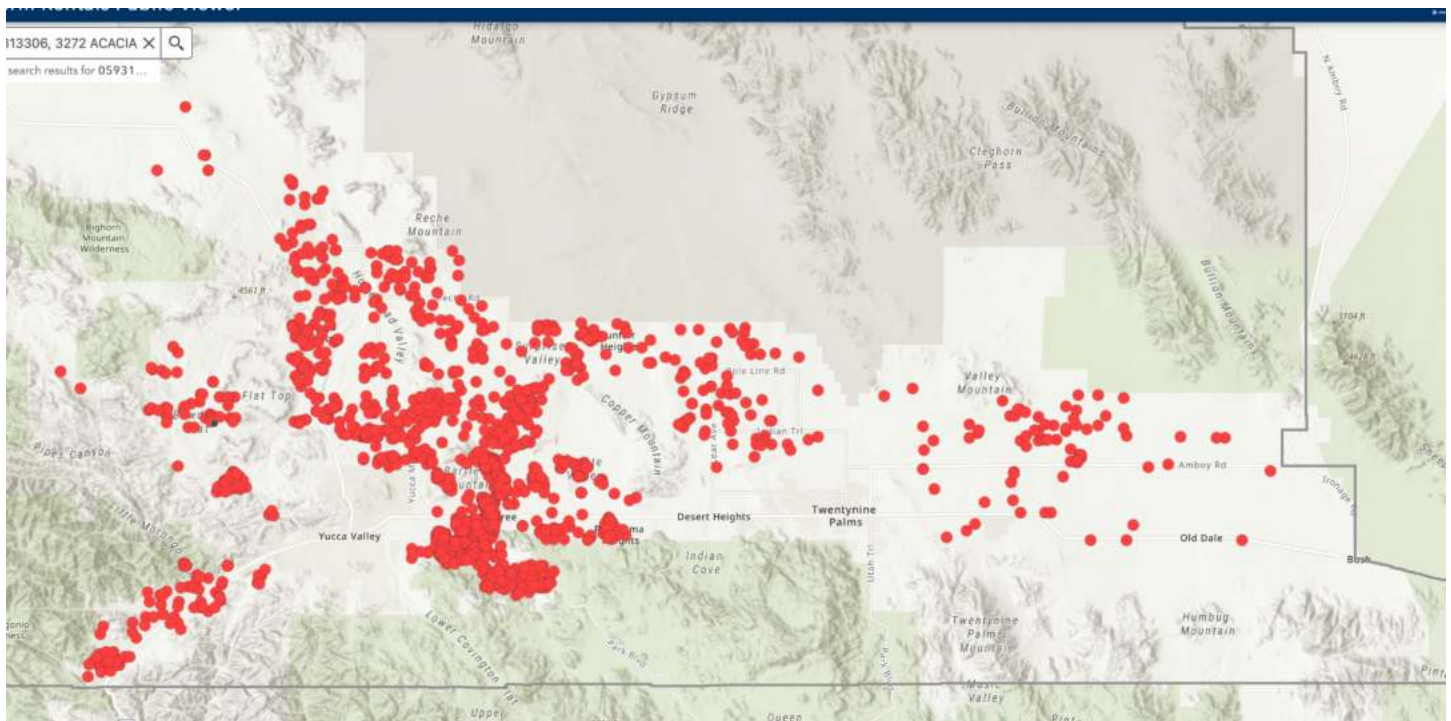
The Common Sense Rule was used with no substantive evidence that “there is no possibility that the activity in question may have significant effect on the environment”.

24 (g) The Board of Supervisors finds that this ordinance is not subject to review
25 under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, 14
26 California Code of Regulations, Section 15060, subdivision (c)(2) because the activity will
27 not result in a direct or reasonably foreseeable indirect physical change in the
28 environment, or is exempt from CEQA pursuant to Section 15061, subdivision (b)(3)

2

1 because there is no possibility the activity in question may have a significant effect on the
2 environment.

Clearly SBC is in violation of both SB743 and CEQA for failing to analyze or mitigate the impact of approximately 3100 Short Term Rentals spread throughout the Morongo Basin.



The STR Ordinance magnified the higher VMT problem even more by allowing occupancies and parking that greatly exceeded the average number of people per household.

The STR Ordinance also created a boom in building of STR single family homes and Accessory Dwelling Units. Two local well drillers have told me that new construction has dropped the water table to the point that wells are failing in the Pioneertown/Pipes Canyon area.

Here is an example of the impact of the STR Ordinance on VMT.

The property shown was a single family home with 2 full time residents and 2 cars.

The property now is a full time STR which allows 10 people and 6 cars.



Here you can see 8 cars parked. The property is regularly illegally rented out for 14 people and as many as 10 cars are parked at the property. This property is 20 miles from Joshua Tree National Park and 10 miles from tourism amenities (Gas, Restaurants, Medical Care).

STR Code Enforcement has been unable to enforce the ordinance's requirements for occupancy and parking. The VMT from this property has increased dramatically!.

Clearly SBC STR policy has violated CEQA and significantly impacted quality of life, community and housing in the Morongo Basin. I hope that you all consider my above recommendations.



Regard,

Kerrie Aley

Pipes Canyon, Near Pioneertown