



# LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

**HEARING DATE: July 25, 2019**

**AGENDA ITEM #2**

Project Description

Vicinity Map

<b>APN:</b>	0351-221-11
<b>Applicant:</b>	Prentiss Campbell/Missionary Sisters of the Holy Martyrs
<b>Community/Supervisorial District:</b>	PHELAN
<b>Location:</b>	1 <sup>ST</sup> SUPERVISORIAL DISTRICT 6722 Hwy 138 at intersection of Blossom Drive and Paramount Road, four miles south of the community of Phelan.
<b>Project No:</b>	P201500425
<b>Staff:</b>	Anthony De Luca
<b>Rep:</b>	Mark Rowan/Merrell Johnson Companies
<b>Proposal:</b>	Conditional Use Permit (CUP) to establish a private convent/retreat within an existing single family residence and accessory buildings on 21.43 acres in the Rural Living (RL) land use zoning district



**Hearing Notices Sent On: July 12, 2019**

**Report Prepared By: Anthony De Luca**

**SITE INFORMATION**

**Parcel Size:** 21.43 Acres  
**Terrain:** Flat to gently rolling hills  
**Vegetation:** Natural desert vegetation

**SITE INFORMATION**

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
Site	Existing Facility; MH on Perm Foundation	Rural Living (RL)
North	Hwy 138/Single Family Residences	Rural Living (RL)
South	Vacant/ MH on Fee Land	Rural Living (RL)
East	Vacant/Single Family Residences	Rural Living (RL)
West	Vacant Land	Rural Living (RL)

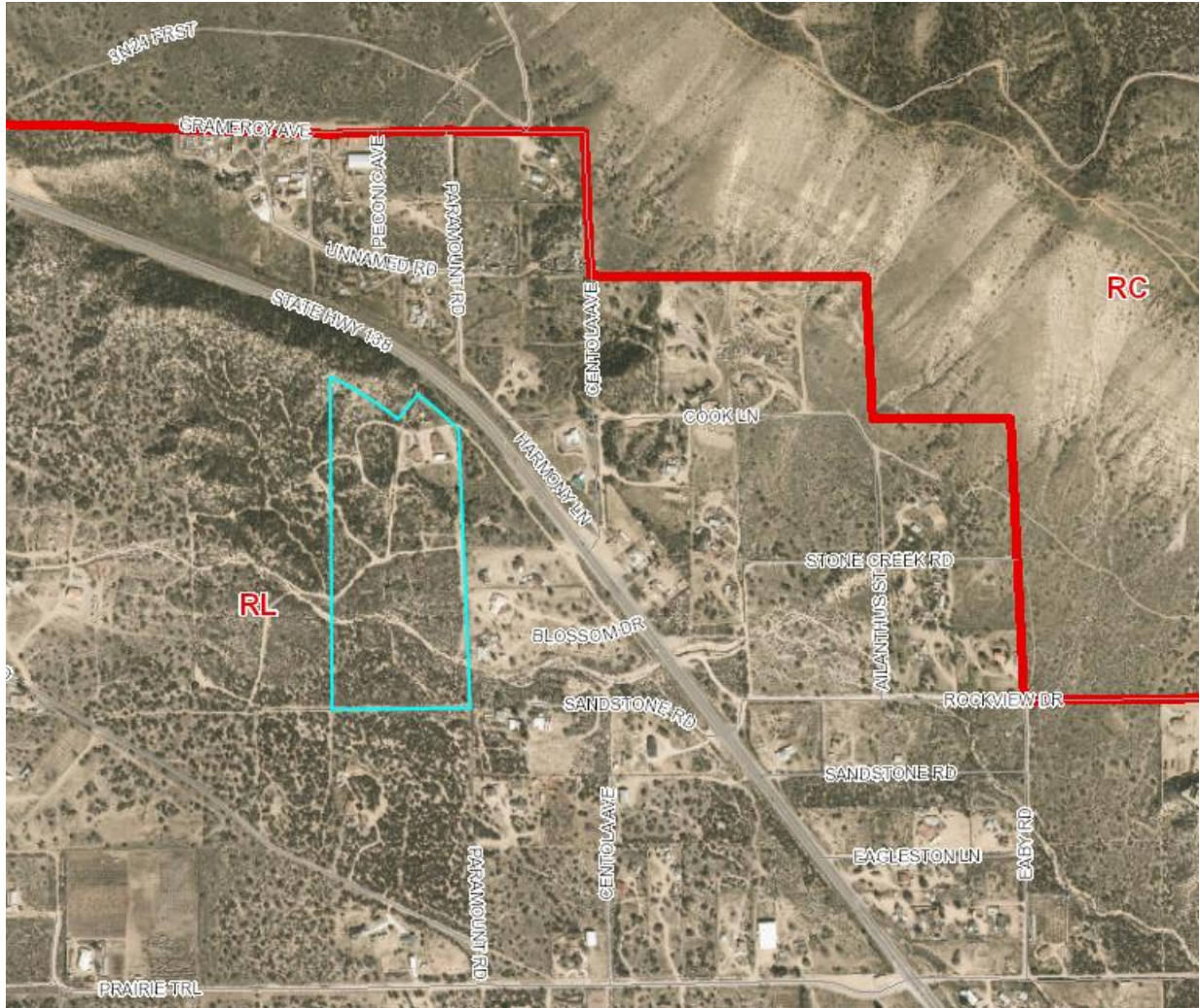
	<u>AGENCY</u>	<u>COMMENT</u>
City Sphere of Influence:	N/A	N/A
Water Service:	Well	With Environmental Health Services approval
Sewer Service:	Septic	With Environmental Health Services approval

**STAFF RECOMMENDATION:**

That the Planning Commission **FIND** that the proposed Project is exempt from CEQA pursuant to CEQA guidelines Section 15301; **ADOPT** the recommended findings, **APPROVE** the Conditional Use Permit subject to the Conditions of Approval, and **DIRECT** staff to file a Notice of Exemption.

In accordance with Section 86.08.010 of the San Bernardino County Development Code, this action may be appealed to the Board of Supervisors.

### OFFICIAL LAND USE DISTRICT MAP



**Figure 1 Land Use Designation Map: Site Outlined in Blue**



## MAPS, PHOTOS AND FIGURES



Source: Google Maps

**Figure 2 Project Location: Vicinity Map**





Source: Google Maps

**Figure 3 Aerial View of Project Area of Proposed Activity**

**PROJECT DESCRIPTION AND BACKGROUND:**

The applicant, the Missionary Sisters of the Holy Martyrs (Order), is requesting approval of a Conditional Use Permit (CUP) to establish a private convent/retreat within an existing single family residence and accessory buildings, which include a caretaker residence and a private prayer chapel, all on 21.43 acres (Project). There are no public services proposed for the site. The Order wishes to set up a retreat where its members could spend time with their families. Sisters in the Order are able to vacation at the property, bi-yearly, for one week at a time. While at the property, the sisters’ families are welcome to reunite and stay within the guest quarters on the property. The property is zoned Rural Living (RL). Although private, with no intended or planned public assembly, the use is still considered a place of worship, subject to a CUP per the San Bernardino Development Code (Development Code).

The number of people visiting the site in a typical week will include one (1) nun and her immediate family, ranging from three (3) to eight (8) people. Additionally, there are two (2) nuns that continually reside on the property in the caretaker’s residence, meaning the maximum occupancy of the property would be eleven (11) people.

The County Planning Division sent out Project notices on July 12, 2019, advertising the Planning Commission Hearing on July 25, 2019.

**PROJECT ANALYSIS:**

Site Planning: The Project consists of interior renovations to existing structures as well as the permitting of the previously unpermitted activity and structures. There are no plans to construct additional structures on the property, nor to increase the occupancy.

Access to the site is provided by Hwy 138 approximately two (2) miles southeast of the junction of Hwy 138 and Hwy 2. The Project site plan provides adequate area to accommodate all parking, access, and landscaping required to comply with development standards of the Development Code.

Development Code Compliance Summary: As noted above, the Project satisfies all applicable standards of the Development Code for development in the Rural Living (RL) Land Use District, as illustrated in the following Table 1:

**Table 1: PROJECT CODE COMPLIANCE**

<b>Project Component</b>	<b>Development Code Standard</b>		<b>Project Plans</b>
Convent Retreat Residence	CUP		Provided
Parking	4 spaces required 1 ADA space		6 total spaces which includes 1 ADA space
Landscaping	20% minimum required		20+%
		<b>RL</b>	<b>RL</b>
Building Setbacks	Front:	25'	25'+
	Side Street:	25'	25'+
	Side Interior:	20'	20'+

Project Component	Development Code Standard		Project Plans
	Rear:	20'	20'+
Building Height	35' Maximum		15'
Drive Aisles	20' Driveway 20' minimum Fire lane one way only		20' Driveway 20' Fire lane

Landscaping: A landscaping plan will be provided and will be required to comply with the Landscaping Standards provided in the Development Code Section 83.10.060, and table 83-12 "Minimum Landscaped Area".

Fencing: Walls existing and proposed on all property lines are consistent and in compliance with Development Code Section 83.02.060 – Screening and Buffering requirements.

Parking: Chapter 83.11, section 83.11.040 table 83-15 requires two (2) spaces with one (1) covered for caretaker residences, and one (1) uncovered space for each accessory dwelling unit. The project provides six (6) spaces including one (1) ADA accessible space. Loading and deliveries will not occur.

Water Service: Water will be obtained from on-site wells and will be in compliance with EHS County Code requirements.

Septic Service: The Project includes a proposed septic system. Based on discussion with County Environmental Health Services (EHS), the results of the percolation testing for the seepage pits, and seepage pit design will be in compliance with EHS County Code requirements.

## **ENVIRONMENTAL REVIEW:**

In compliance with the California Environmental Quality Act (CEQA), a Notice of Exemption was prepared pursuant to CEQA Guidelines Section 15301 (Existing Facilities) which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures or facilities involving negligible or no expansion of existing or former use from CEQA. The negligible alterations in this case include: (1) interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyance; and (2) restoration, or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety. (CEQA Guidelines Section 15301, subd (a) and (d))

Accordingly, the filing of a Notice of Exemption is recommended.

Public Comments: Project notices were sent to surrounding property owners within 700 feet of the Project site, as required by Development Code Section 85.03.080. Two public comments were received as a result of the Project notification to surrounding property owners. The commenters expressed concern for increased traffic that would result from a public assembly place of worship on the property. The applicant has clarified that there will be no public assembly, and that the private chapel on the property is for the sisters and their families. The restriction on the use of the chapel for public assembly is also provided within the Conditions of Approval. A notice of hearing has been circulated/posted 10-days prior to the scheduled hearing date, and those that wish to comment further will have an opportunity to do so at that time. The construction, and ongoing operation of the Project is subject to

compliance with the Development Code, as stated in the project Conditions of Approval. These conditions are in place to mitigate any adverse effect the Project may create, which includes the concerns presented in the public comment letters received.

**RECOMENDATION: That the Planning Commission:**

1. **FIND** the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities);
2. **ADOPT** the Findings as contained in the staff report;
3. **APPROVE** the Conditional Use Permit to establish a private convent retreat for the Missionary Sisters of the Holy Martyrs which includes an existing caretaker residence, guest quarters, and a private prayer chapel, subject to the conditions of approval; and
4. **DIRECT** staff to file the Notice of Exemption.

**ATTACHMENTS:**

- EXHIBIT A:** Findings
- EXHIBIT B:** Conditions of Approval
- EXHIBIT C:** Site Plan

# EXHIBIT A

## Findings



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**FINDINGS: CONDITIONAL USE PERMIT**

**A Conditional Use Permit to establish a private convent/retreat within an existing single family residence and accessory buildings on 21.43 acres in the Rural Living (RL) land use zoning district; Phelan (Project).**

**Required Findings:** Before approving a request for a Conditional Use Permit, the review authority shall first find that all of the following are true:

- 1. The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, open space, setbacks, walls and fences, yards, and other required features pertaining to the application.**

The 21.43-acre site will accommodate the proposed buildings associated with the Project. All setbacks meet or exceed the requirements of the Development Code for the proposed land use and the existing zoning.

- 2. The site for the proposed use has adequate access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use.**

The project is located adjacent west of Hwy 138, at the intersection of Blossom Drive and Paramount Road approximately four (4) miles south of the community of Phelan. An existing entrance from Hwy 138 provides adequate and necessary legal and physical access to the Project site.

- 3. The proposed use will not have a substantial adverse effect on abutting properties or the allowed use of the abutting properties, which means that the use will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance.**

The proposed use is required to comply with all requirements of the County Development Code with respect to noise, vibration, lighting and glare. In addition, the use will not interfere with the present or future ability to use solar energy systems.

- 4. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the County General Plan and any applicable Community or Specific Plan.**

The proposed Conditional Use Permit site plan, together with the provisions for its design and improvement are consistent with the County General Plan. The Project specifically implements the following goal from the Phelan/Pinon Hills Community Plan:

Goal PH/LU 1: Retain the existing rural desert character of the community.

Implementation: The proposed Project is an existing rural residential development that will be converted into a religious convent/retreat for use by no more than 11 members of the Missionary Sisters of the Holy Martyrs and their families at one time. Two sisters will reside on the property full time as caretakers. Sisters in the order from out of the area, will visit the property bi-yearly for one week at a time. The existing buildings will be renovated into a caretaker's residence, a guest quarters and a prayer chapel. No new construction is proposed. Further, no public services are proposed, and as such there will not be an increase in traffic (vehicle trips to the site), or any public attendance of services that would hinder the ability of the Project to maintain its existing rural character and that of the surrounding area.

- 5. There is supporting infrastructure, existing or available, consistent with the intensity of the development, to accommodate the proposed project without significantly lowering service levels.**

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Water service is provided by an EHS approved onsite well, the site will remain on a septic system. There are public services available to serve the site.

**6. The lawful conditions stated in the approval are deemed reasonable and necessary to protect the overall public health, safety and general welfare.**

The Project conditions of approval include measures that require the developer to comply with the performance measures outlined in the County Development Code. The Project has been evaluated by County departments and as part of the environmental review process to respond to specific development needs and reduce potential environmental impacts.

**7. The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.**

The Project can provide future opportunities for the installation of solar systems could on the roofs of the buildings onsite. There is also the opportunity to implement a detached solar system elsewhere on the 21.43-acre property in the future.

**ENVIRONMENTAL FINDINGS:**

In compliance with the California Environmental Quality Act (CEQA), the proposed Project is categorically exempt pursuant to Section 15301 (a), Existing Facilities: Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. This determination represents the independent judgment and analysis of the County acting as lead agency for the Project. Therefore, if the Project is approved a Notice of Exemption will be filed.

## **EXHIBIT B**

### **Conditions of Approval**



## **CONDITIONS OF APPROVAL**

Missionary Sisters of the Holy Martyrs  
Conditional Use Permit

### **GENERAL REQUIREMENTS**

Ongoing and Operational Conditions

#### **LAND USE SERVICES DEPARTMENT– Planning Division (909) 387-8311**

1. Project Approval Description. Conditional Use Permit (CUP) is conditionally approved for the establishment of a private convent/retreat within an existing single family residence and accessory buildings on 21.43 acres in the Rural Living (RL) land use zoning district; Phelan / 1st Supervisorial District. Uses of buildings include care-takers residence, guest quarters, and private prayer chapel. No public services are proposed.

This CUP is approved in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations).

The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project Site with APN: 0351-221-11. Project No. P201500425.

2. Project Location. The project is located at the 6722 Hwy 138, at the intersection of Blossom Drive and Paramount Road, approximately four (4) miles south of the community of Phelan.
3. Revisions. Any proposed change to the approved use/activity on the site or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to the height, location, bulk or size of structure or equipment shall require an additional land use review and application subject to approval by the County. The developer shall prepare, submit with fees and obtain approval of the application prior to implementing any such revision or modification. (SBCC §86.06.070)
4. 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. Expiration. This project permit approval shall expire and become void if it is not “exercised” within three (3) years of the effective date of this approval, unless an extension of time is approved. The permit is deemed “exercised” when either:
- The permittee has commenced actual construction or alteration under a validly issued building permit, or
  - The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060)
  - Occupancy of approved land use occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:
    - Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved.
    - The land use is determined by the County to be abandoned or non-conforming.
    - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

PLEASE NOTE: This will be the ONLY notice given of this approval’s expiration date. The developer is responsible to initiate any Extension of Time application.

6. Continuous Effect/Revocation. All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.
7. Extension of Time. Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
8. Project Account. The Project (account number) is P201500425. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the “developer” shall deposit additional funds to maintain or return the account to a positive balance. The “developer” is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.
9. Condition Compliance. In order to obtain construction permits for grading, building, final inspection and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release their holds on each phase of development by providing to County Building and Safety the following:

- Grading Permits: a copy of the signed CCRF for grading/land disturbance and two “red” stamped and signed approved copies of the grading plans.
  - Building Permits: a copy of the signed CCRF for building permits and three “red” stamped and signed approved copies of the final approved site plan.
  - Final Occupancy: a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by the Planning Division.
10. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
11. 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 not limited to:
- a) FEDERAL: N/A;
  - b) STATE: Santa Ana RWQCB, Mojave Desert AQMD, Caltrans
  - c) COUNTY: Land Use Services – Building and Safety/Code Enforcement/Land Development, County Fire/HazMat; Public Health – Environmental Health Services, Public Works –Traffic/County Surveyor, and
  - d) LOCAL: N/A
12. Continuous Maintenance. The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:
- a) Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
  - b) Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance.
  - c) Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
  - d) Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
  - e) Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
  - f) External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
  - g) Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
  - h) Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
  - i) Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. “No Trespassing”) in a clean readable condition at all times. The developer shall remove all graffiti and repair



vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.

j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.

k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations.

l) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.

13. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste.
14. Lighting. Lighting shall comply with Table 83-7 "Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region" of the County's Development Code (i.e. "Dark Sky" requirements). All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.
15. Clear Sight Triangle. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.
16. Cultural Resources. During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum, Community and Cultural Section, telephone (909) 798-8570.
17. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
18. Construction Hours. Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
19. Construction Noise. The following measures shall be adhered to during the construction phase of the project:
  - All construction equipment shall be muffled in accordance with manufacturer's specifications.

- All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits.
- All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.

20. GHG – Operational Standards. The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:

- Waste Stream Reduction. The “developer” shall provide to all tenants and project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services.
- Vehicle Trip Reduction. The “developer” shall provide to all tenants and project employees County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides.
- Provide Educational Materials. The developer shall provide to all tenants and staff education materials and other publicity about reducing waste and available recycling services. The education and publicity materials/program shall be submitted to County Planning for review and approval.
- Landscape Equipment. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.

#### **LAND USE SERVICES DEPARTMENT– Code Enforcement Division (909) 387-8311**

- Enforcement. If any County enforcement activities are required to enforce compliance with the conditions of approval, the property owner and “developer” shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees. Failure to comply with these conditions of approval or the approved site plan design required for this project approval shall be enforceable against the property owner and “developer” (by both criminal and civil procedures) as provided by the San Bernardino County Code, Title 8 – Development Code; Division 6 – Administration, Chapter 86.09 – Enforcement.
- Weed Abatement. The applicant shall comply with San Bernardino County weed abatement regulations and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

#### **LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311**

- Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off site - on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.
- Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
- Additional Drainage Requirements. In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
- Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.

**PUBLIC HEALTH - Environmental Health Services (800) 442-2283**

27. Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080. For information, please call DEHS at 1-800-442-2283.
28. The Onsite Wastewater Treatment System (OWTS) shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper or qualified service provider. For information, please call DEHS/Wastewater Section at: 1-800-442-2283.
29. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least 1 time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least 2 times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq. For information, please call DEHS/LEA at: 1-800-442-2283.

**COUNTY FIRE DEPARTMENT–Community Safety Division (760)995-8190/(909)386-8400**

30. Constriction Permits. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred with 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.
31. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.[F01]
32. Additional Requirements. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office. [F01A]
33. FS-1. The County General Plan designates this property as being within the Fire Safety Review Area-1 (one), and all future construction shall adhere to all applicable standards and requirements of this overlay district. [F04A]
34. Fire Safety Area: All construction shall adhere to the applicable standards and requirements of this Fire Safety Review Area (One, Two or Three) [FS-1/FS-2/FS-3] overlay district, as adopted in the San Bernardino County Development Code. In Fire Hazard Areas, the applicant shall contact the San Bernardino County Building and Safety Department for a variances concerning modified one-hour fire resistive construction for the exterior wall(s). [F48]
35. Fire Fee: The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division



**DEPARTMENT OF PUBLIC WORKS – Solid Waste Management – (909) 386-8701**

36. Franchise Hauler Service Area: This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (CR&R).
37. Recycling Storage Capacity. The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of Assembly Bill (AB) 2176.
38. Mandatory Commercial Recycling. Beginning July 1, 2012 all businesses defined to include a commercial or public entity that generates 4 or more cubic yards of commercial waste a week or is a multi-family residential dwelling of 5 units or more to arrange for recycling services. The County is required to monitor commercial recycling and will require businesses to provide recycling information. This requirement is to assist the County in compliance with AB 341.
39. Mandatory Commercial Organics Recycling. As of January 1, 2017, AB 1826 (Enacted October 2014) requires businesses that generate four (4) cubic yards of organic waste per week to recycle. A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. **Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste.** Residential multifamily dwellings of five (5) or more units are required to recycle organics; however, they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County on efforts to recycle organics materials once operational.

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**PRIOR TO ISSUANCE OF GRADING PERMITS  
OR LAND DISTURBING ACTIVITIES**

The Following Shall Be Completed

**LAND USE SERVICES DEPARTMENT– Planning Division (909) 387-8311**

40. Joshua Tree Relocation Plan. The developer shall submit and have approved by the Planning Division a relocation plan for Joshua Trees within the developed site area. The relocation plan shall be accompanied with certification from a certified arborist, registered professional forester or a Desert Native Plant Expert that the proposed tree removal, replacement, or revegetation activities are appropriate, supportive of a healthy environment, and are in compliance with Chapter 88.01 of the San Bernardino County Development Code. The certification shall include the information in compliance with Department procedures. Transplantation onsite shall be the primary method of addressing a Joshua Tree removal from the subject property.
41. GHG – Construction Standards. The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce GHG emissions and submitting documentation of compliance. The developer/construction contractors shall do the following:
  - a) Implement the approved Coating Restriction Plans.

- b) Select construction equipment based on low GHG emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment.
- c) Grading plans shall include the following statements:
  - “All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration.”
  - “All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes.”
- d) Schedule construction traffic ingress/egress to not interfere with peak-hour traffic and to minimize traffic obstructions. Queuing of trucks on and off site shall be firmly discouraged and not scheduled. A flagperson shall be retained to maintain efficient traffic flow and safety adjacent to existing roadways.
- e) Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures.
- f) The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.

42. Air Quality. Although the Project does not exceed Mojave Desert Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the Mojave Desert Air Basin is in non-attainment status for ozone and suspended particulates [ $PM_{10}$  and  $PM_{2.5}$  (State)]. To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. This would include, but not be limited to, the following Best Available Control Measures. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures:

- a) The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
  - 1. The Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.
  - 2. The Project proponent shall ensure that all disturbed areas are treated to prevent erosion.
  - 3. The Project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour.
- b) Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, will increase  $NO_x$  and  $PM_{10}$  levels in the area. Although the Project will not exceed Mojave Desert Air Quality Management District thresholds during operations, the Project proponent will be required to implement the following requirements:
  - 1. All equipment used for grading and construction must be tuned and maintained to the manufacturer’s specification to maximize efficient burning of vehicle fuel.
  - 2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.

43. Diesel Regulations. The operator shall comply with all existing and future California Air Resources Board and Mojave Desert Air Quality Management District regulations related to diesel-fueled trucks, which among

others may include: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. Mojave Desert Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.

#### **LAND USE SERVICES DEPARTMENT – Building and Safety Division (909) 387-8311**

42. Retaining Wall Plans: Submit plans and obtain separate building permits for any required walls or retaining walls.
43. Geotechnical (Soil) Report: When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.

#### **LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311**

44. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties.
45. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division.
46. FEMA Flood Zone. The project is located within Flood Zone \_\_\_D\_\_\_ according to FEMA Panel Number 7160H dated 08/28/2008. Flood Hazards are undetermined in this area but possible.
47. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
48. Grading Plans. Grading plans shall be submitted for review and approval obtained, prior to construction. All Drainage improvements shall be shown on the Grading plans according to the approved Drainage study. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
49. Streambed Alteration Agreement. California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) §1602. A streambed alteration agreement shall be provided prior to Grading permit issuance if streambed onsite is encroached upon. Link to CDFW website at <https://www.wildlife.ca.gov/Conservation/LSA>.

#### **COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190/(909) 386-8465**

50. Water System. Prior to any land disturbance, the water system shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix IIIA of the Uniform Fire Code. [F05]
51. Rural Water System Commercial: In areas without water serving utilities, the fire protection water system shall be designed to NFPA 1142 and shall be operational prior to framing. All NFPA 1142 systems shall provide an approved permanent water supply. Water supply systems may be mitigated with an approved NFPA 13 or 13R fire sprinkler system. [F06A]

#### **DEPARTMENT OF PUBLIC WORKS – Surveyor – (909) 387-8149**

52. Survey Monumentation. If any activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land

surveying prior to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor (Section 8771(b) Business and Professions Code).

Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:

- a) Monuments set to mark property lines or corners;
- b) Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
- c) Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey

**PUBLIC HEALTH – Environmental Health Services (800) 442-2283**

53. All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact DEHS Vector Section at 1-800-442-2283.
54. The project area has a high probability of containing vectors. DEHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to DEHS/Land Use. For information, contact Vector Control at 1-800-442-2283.

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**PRIOR TO ISSUANCE OF BUILDING PERMITS**

The Following Shall Be Completed:

**LAND USE SERVICES DEPARTMENT – Planning (909) 387-8311**

55. Lighting Plans. The developer shall submit for review and approval to County Planning a photometric study demonstrating that the project light does not spill onto the adjacent properties, or public streets. Lighting fixtures shall be oriented and focused to the onsite location intended for illumination (e.g. walkways). Lighting shall be shielded away from adjacent sensitive uses, including the adjacent residential development, to minimize light spillover. The glare from any luminous source, including on-site lighting, shall not exceed 0.5 foot-candle at the property line. This shall be done to the satisfaction of County Planning, in coordination with County Building and Safety.
56. Landscape and Irrigation Plan. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit four copies of a landscape and irrigation plan to County Planning.
57. GHG – Design Standards. The developer shall submit for review and obtain approval from County Planning evidence that the following measures have been incorporated into the design of the project. These are intended to reduce potential project greenhouse gas (GHGs) emissions. Proper installation of the approved design features and equipment shall be confirmed by County Building and Safety prior to final inspection of each structure.
  - a. Meet Title 24 Energy Efficiency requirements. The Developer shall document that the design of the proposed structures meets the current Title 24 energy-efficiency requirements. County Planning shall coordinate this review with the County Building and Safety. Any combination of the following design features may be used to fulfill this requirement, provided that the total increase in efficiency meets or exceeds the cumulative goal (100%+ of Title 24) for the entire project (Title 24, Part 6 of the California

Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings, as amended:

- Incorporate dual paned or other energy efficient windows,
  - Incorporate energy efficient space heating and cooling equipment,
  - Incorporate energy efficient light fixtures, photocells, and motion detectors,
  - Incorporate energy efficient appliances,
  - Incorporate energy efficient domestic hot water systems,
  - Incorporate solar panels into the electrical system,
  - Incorporate cool roofs/light colored roofing,
  - Incorporate other measures that will increase energy efficiency.
  - Increase insulation to reduce heat transfer and thermal bridging.
  - Limit air leakage throughout the structure and within the heating and cooling distribution system to minimize energy consumption.
- b. Plumbing. All plumbing shall incorporate the following:
- All showerheads, lavatory faucets, and sink faucets shall comply with the California Energy Conservation flow rate standards.
  - Low flush toilets shall be installed where applicable as specified in California State Health and Safety Code Section 17921.3.
  - All hot water piping and storage tanks shall be insulated. Energy efficient boilers shall be used.
- c. Lighting. Lighting design for building interiors shall support the use of:
- Compact fluorescent light bulbs or equivalently efficient lighting.
  - Natural day lighting through site orientation and the use of reflected light.
  - Skylight/roof window systems.
  - Light colored building materials and finishes shall be used to reflect natural and artificial light with greater efficiency and less glare.
  - A multi-zone programmable dimming system shall be used to control lighting to maximize the energy efficiency of lighting requirements at various times of the day.
  - Provide a minimum of 2.5 percent of the project's electricity needs by on-site solar panels.
- d. Building Design. Building design and construction shall incorporate the following elements:
- Orient building locations to best utilize natural cooling/heating with respect to the sun and prevailing winds/natural convection to take advantage of shade, day lighting and natural cooling opportunities.
  - Utilize natural, low maintenance building materials that do not require finishes and regular maintenance.
  - Roofing materials shall have a solar reflectance index of 78 or greater.
  - All supply duct work shall be sealed and leak-tested. Oval or round ducts shall be used for at least 75 percent of the supply duct work, excluding risers.



- Energy Star or equivalent appliances shall be installed.
- A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units

- e. Landscaping. The developer shall submit for review and obtain approval from County Planning of landscape and irrigation plans that are designed to include drought tolerant and smog tolerant trees, shrubs, and groundcover to ensure the long-term viability and to conserve water and energy. The landscape plans shall include shade trees around main buildings, particularly along southern and western elevations, where practical.
- f. Irrigation. The developer shall submit irrigation plans that are designed, so that all common area irrigation areas shall be capable of being operated by a computerized irrigation system, which includes either an on-site weather station, ET gauge or ET-based controller capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain and wind. In addition, the computerized irrigation system shall be equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks and eliminating over-watering and flooding due to pipe and/or head breaks.
- g. Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be located in public areas. Construction and operation waste shall be collected for reuse and recycling.
- h. Transportation Demand Management (TDM) Program. The project shall include adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. Preferred carpool/vanpool spaces shall be provided and, if available, mass transit facilities shall be provided (e.g. bus stop bench/shelter). The developer shall demonstrate that the TDM program has been instituted for the project or that the buildings will join an existing program located within a quarter mile radius from the project site that provides a cumulative 20% reduction in unmitigated employee commute trips. The TDM Program shall publish ride-sharing information for ride-sharing vehicles and provide a website or message board for coordinating rides. The Program shall ensure that appropriate bus route information is placed in each building.

58. Signs. All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. All signs shall comply with SBCC Chapter 83.13, Sign Regulations, SBCC §83.07.040, Glare and Outdoor Lighting Mountain and Desert Regions, and SBCC Chapter 82.19, Open Space Overlay as it relates to Scenic Highways (§82.19.040), in addition to the following minimum standards:

- a. All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable.
- b. All sign lighting shall not exceed 0.5 foot-candle.
- c. No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety.
- d. Monument signs shall not exceed four feet above ground elevation and shall be limited to one sign per street frontage.

- 59. Construction Plans. Any building, sign, or structure to be added to, altered (including change of occupancy/use), constructed, or located on site, will require professionally prepared plans based on the most current adopted County and California Building Codes, submitted for review and approval by the Building and Safety Division.
- 60. Permits: Obtain permits for all structures located on site and all work done without a permit - Garage Conversion and Portable School Building.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Road Section (909) 387-8311**

- 61. Road Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

**State Hwy 138 (Major Arterial - 120')**

- 62. Caltrans Review. Obtain and provide comments from Caltrans for access requirements and working within their right-of-way.

**COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190/(909) 386-8465**

- 63. Building Plans. No less than three (3) complete sets of Building Plans shall be submitted to the Fire Department for review and approval. [F42]
- 64. Rural Water System Commercial. Rural Water System Commercial. In areas without water serving utilities, the fire protection water system shall be designed to NFPA 1142 and shall be operational prior to framing. All NFPA 1142 systems shall provide an approved permanent water supply. Water supply systems may be mitigated with an approved NFPA 13 or 13R fire sprinkler system. [F06A]
- 65. Access. The development shall have a one point of vehicular access at 26 feet wide. These are for fire/emergency equipment access and for evacuation routes. Standard 902.2.1

66. Single Story Road Access Width:

All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.

67. Multi-Story Road Access Width:

Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. [F41]

- 68. Access - 30% slope. Where the natural grade between the access road and building is in excess of thirty percent (30%), an access road shall be provided within one hundred and fifty (150) feet of all buildings. Where such access cannot be provided, a fire protection system shall be installed. Plans shall be submitted to and approved by the Fire Department. Standard 902.2.1 [F46]

- 69. Access - 150+ feet. Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. These shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building. Standard 902.2.1[F45]

- 70. Private Road Maintenance. For all tracts and large developments the applicant shall submit plans for all private roads and/or fire access roads to the Fire Department. The applicant shall construct and maintain all such roads. In addition, the applicant shall provide to the Fire Department a signed maintenance agreement as detailed in the General Requirement conditions (Fire #F-9) for ongoing road maintenance and snow removal (where applicable). This shall include all primary and secondary access routes that are not otherwise maintained by a public agency. Standard 902.2.1 [F47]

71. Combustible Protection. Prior to combustibles, being placed on the project site an approved paved road with curb and gutter and fire hydrants with an acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy. [F44]
72. Combustible Vegetation. Combustible vegetation shall be removed as follows:  
"Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less.  
"Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less. County Ordinance # 3586 [F52]
73. Turnaround. Turnaround. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty five (45) foot radius for all turns. In the FS1, FS2 or FS-3 Fire Safety Overlay District areas, there are additional requirements. Standard 902.2.1 [F43]
74. Water System Commercial. A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. All fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred (300) feet from any portion of a structure. [F54A]
75. Water System Certification. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job site. [F57]
76. Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. Standard 901.4.4 [F72]

**PUBLIC HEALTH – Environmental Health Services (800) 442-2283**

77. Water purveyor shall be EHS approved.
78. Method of sewage disposal shall be EHS approved onsite wastewater treatment system (OWTS).
79. Existing onsite wastewater treatment system (OWTS) can be used if applicant provides OWTS certification from a qualified professional (i.e., Professional Engineer (P.E.), Registered Environmental Health Specialist (REHS), C42 contractor, Certified Engineering Geologist (C.E.G.), etc.) that the system functions properly, meets code, and has the capacity required for the proposed project. Applicant shall provide documentation outlining methods used in determining function. For information on the OWTS Certification form, contact DEHS at 1-800-442-2283.
80. All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact DEHS Vector Section at 1-800-442-2283.

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**PRIOR TO FINAL INSPECTION OR OCCUPANCY**

The Following Shall Be Completed

**LAND USE SERVICES DEPARTMENT – Planning Division (909) 387-8311**

81. Fees Paid. Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number P201500425.
82. Shield Lights. Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC Table 83-7 and be hooded and designed so as to reflect away from adjoining properties and public thoroughfares and in compliance with SBCC Chapter 83.07, "Glare and Outdoor Lighting" (i.e. "Dark Sky Ordinance).
83. CCRF/Occupancy. Prior to occupancy/use, all Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each reviewing agency.
84. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
85. Landscaping/Irrigation. All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape Plan shall be installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.
86. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
87. GHG – Installation/Implementation Standards. The developer shall submit for review and obtain approval from County Planning of evidence that all applicable GHG performance standards have been installed, implemented properly and that specified performance objectives are being met.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311**

88. Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.

**COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190/(909) 386-8465**

89. Commercial Addressing. Commercial - Large Facility Addressing. Commercial and industrial developments in excess of 100,000 sq. ft. shall have the street address installed on the building with numbers that are a minimum six (6) inches in height and with a three quarter (3/4) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. Standard 901.4.4 [F83]
90. Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan. Standard 901.4. [F93]
91. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. [F88]
92. Inspection by the Fire Department. Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for the "fire final".[F03]

**END OF CONDITIONS**

# EXHIBIT C

## Site Plan



# SAN BERNARDINO COUNTY CONDITIONAL USE PERMIT

FOR OFFICIAL USE ONLY

### UTILITIES:

ELECTRIC: SOUTHERN CALIFORNIA EDISON COMPANY  
12353 HESPERIA ROAD  
VICTORVILLE, CALIFORNIA 92395  
(760) 241-3805

TELEPHONE: 15168 LA PAZ DRIVE  
VICTORVILLE, CALIFORNIA 92395  
(760) 245-4251

WATER: ONSITE DOMESTIC WELL

SEWER: ONSITE SEPTIC

GAS: ONSITE PROPANE

### PARKING

LAND USE	RATE	BLDG SIZE	REQ.	PROVIDED
DORMITORY	1/1000 SQ.FT.	1679 SQ.FT.	2	2
CARE-TAKER	1/250 SQ.FT.	1244 SQ.FT.	1	1
SANCTUARY	1/250 SQ.FT.	968 SQ.FT.	3	3
TOTAL			6	6
VAN ACCESSIBLE SPACE FOR DISABLED			1	1
DISABLED SPACE			1	1
LOADING ZONE			1	1

**LANDSCAPING**  
DISTURBED AREA = 8,145 S.F.  
REQUIRED LANDSCAPING = 15% OF DISTURBED AREA  
= 1,222 S.F.

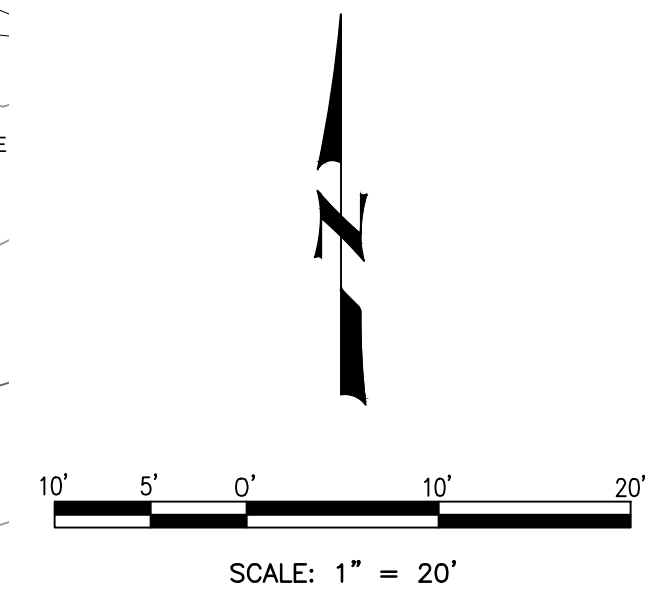
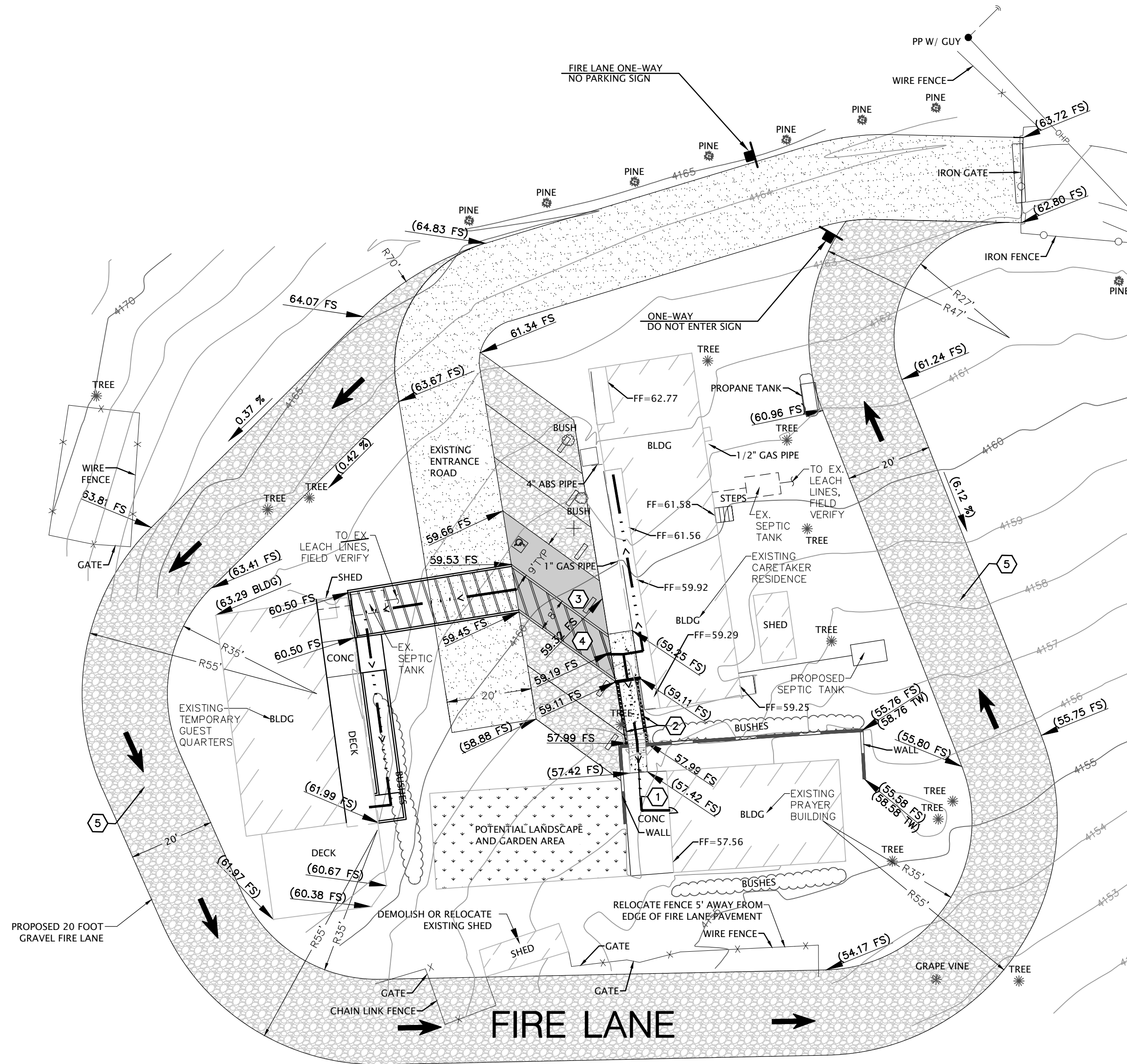
PROPOSED LANDSCAPE AREA = 1,250 S.F.

### PARKING LOT LANDSCAPING

TREES REQUIRED = 1 PER 10 SPACES  
TOTAL PARKING SPACES = 24  
PROPOSED TREES = 3

### GENERAL NOTES:

1. THERE ARE NO SIGNS PROPOSED AS PART OF THIS PROJECT.
2. THERE ARE NO PROTECTED PLANTS ON THIS SITE.



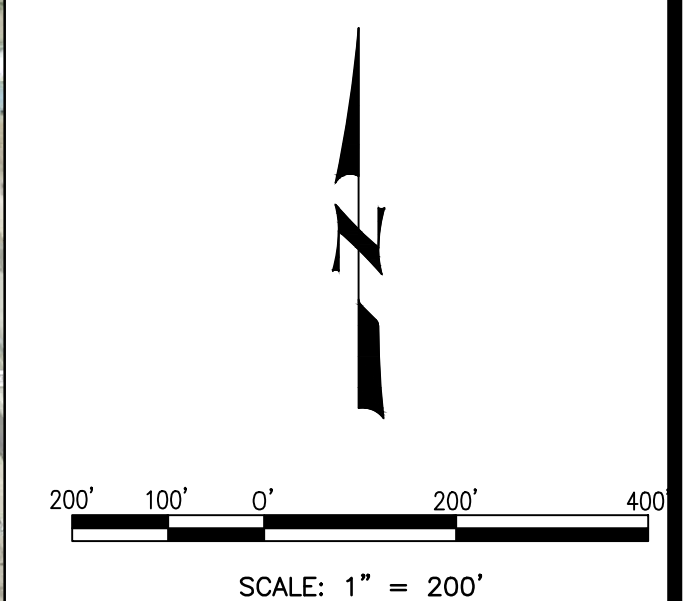
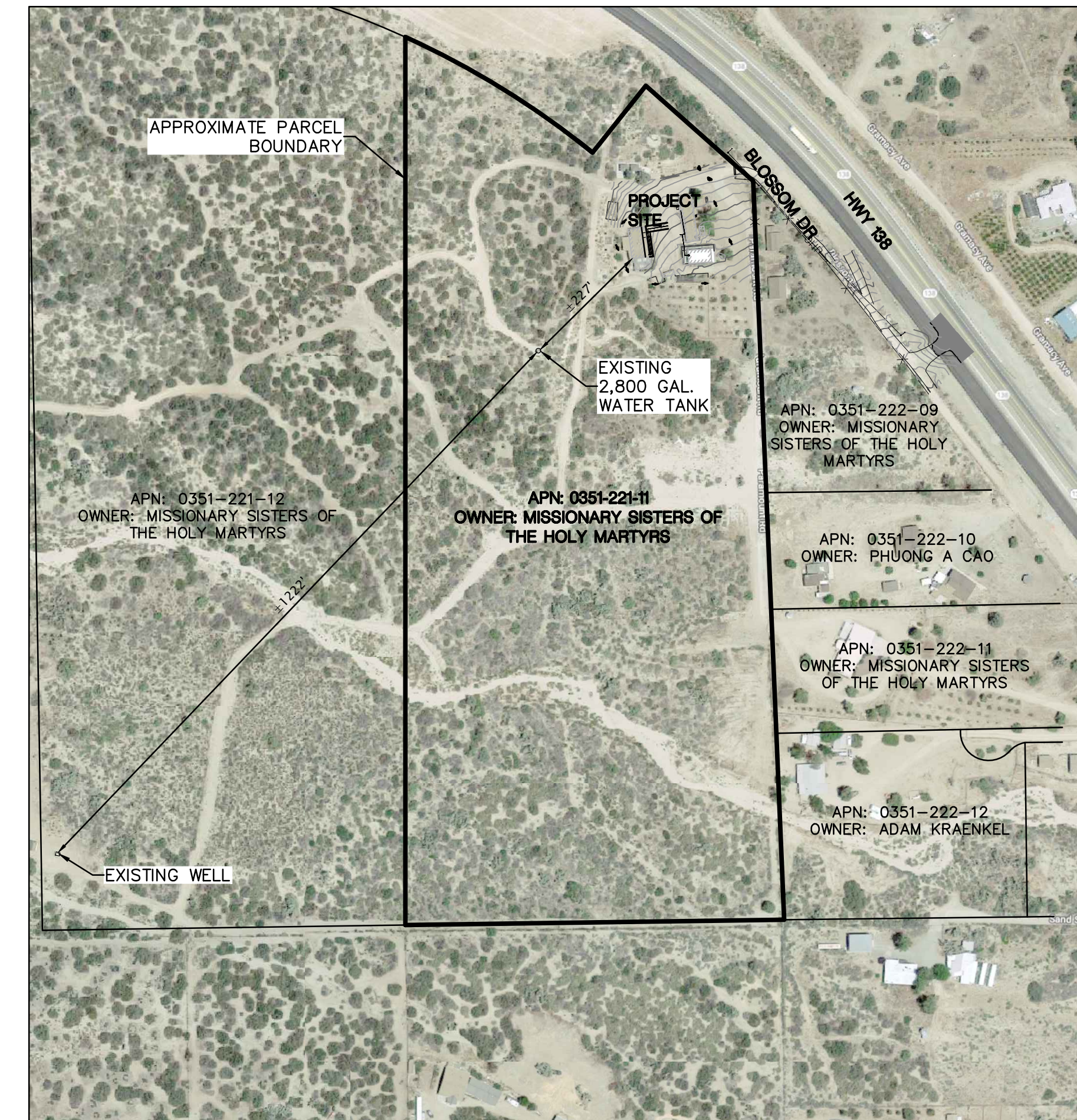
### LEGEND:

- PROPOSED GRAVEL PARKING SPOT/ FIRE LANE
- PROPOSED ASPHALT PAVED ADA PARKING SPOT
- PROPOSED CONCRETE
- EXISTING ENTRANCE ROAD
- POTENTIAL LANDSCAPE AND GARDEN AREA
- RETAINING WALL
- ADA PATHWAY

### CONSTRUCTION NOTES:

- 1 REMOVE EXISTING CONCRETE AND CONSTRUCT CONCRETE ADA RAMP
- 2 CONSTRUCT MASONRY BLOCK RETAINING WALL
- 3 CONSTRUCT AC PAVING
- 4 CONSTRUCT ADA STRIPING FOR UNLOADING ZONE, 4" WIDE STRIPES @ 36" O.C.
- 5 CONSTRUCT 20' WIDE GRAVEL FIRE LANE

TOTAL DISTURBED AREA = 8,145 S.F.



VICINITY MAP  
NOT TO SCALE

### BENCHMARK

TBM, 1" IP TAGGED LS 7562  
ELEV=4139.40

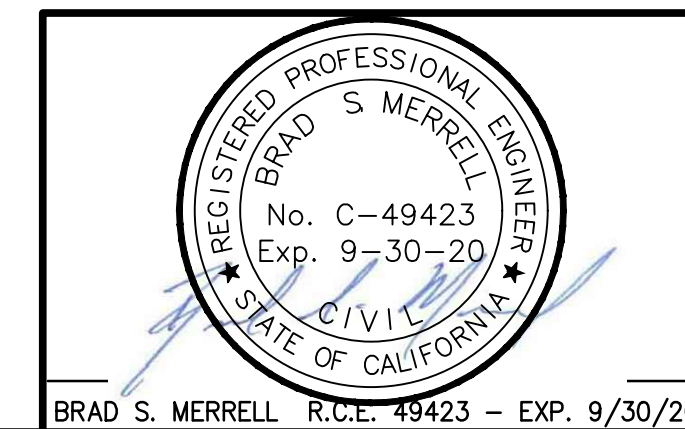
### BASIS OF BEARINGS

CALIFORNIA STATE PLANE COORDINATE SYSTEM ZONE V NAD 83

### LEGAL DESCRIPTION:

THAT PORTION OF THE EAST ONE-HALF OF THE GOVERNMENT LOT 1 OF THE SOUTHWEST ONE-QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN

## SITE PLAN FOR THE MISSIONARY SISTERS OF THE HOLY MARTYRS



**Merrell Johnson**  
COMPANIES  
22221 HIGHWAY 18  
APPLE VALLEY, CALIFORNIA 92307  
(760) 240-8000  
(760) 240-1400 FAX

16091 KAMANA RD  
APPLE VALLEY, CALIFORNIA 92307  
(760) 256-2068  
(760) 530-6672 FAX

**SITE PLAN**  
6722 HWY 138  
PHELAN, CA  
FOR:  
**MISSIONARY SISTERS  
OF THE HOLY MARTYRS**

DRAWN BY:  
LR/AW  
DATE:  
05/31/19

JOB NO.  
3418

SHEET  
1 OF 1