



# LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

**HEARING DATE: February 9, 2017**

**AGENDA ITEM # 2**

Project Description:

**APNs:** 0325-051-09, 10  
**Applicant:** Philip and Tamara Kerbs  
**Community:** Oak Glen, 3<sup>rd</sup> Supervisorial District  
**Location:** 12849 Oak Glen Road, east side approximately one mile north of Wildwood Canyon Road  
**Project No.:** P201400361  
**Staff:** Linda Mawby, Senior Planner  
**Rep.:** N/A  
**Proposal:** A) General Plan Amendment from Oak Glen Rural Living (OG/RL) and Oak Glen Rural Living Minimum 20 acre lot size (OG/RL-20) to Oak Glen Rural Commercial (OG/CR); and  
 B) Revision to an Approved Action to permit a commercial wedding facility on 5.05 acres.



Newspaper Publication Date: January 29, 2017

Report Prepared By: Linda Mawby

**SITE INFORMATION**

Parcel Size 5.05 ACRES  
 Terrain: Moderate to Steeply Sloped  
 Vegetation: Chaparral, Oak Woodland

**SURROUNDING LAND DESCRIPTION:**

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
Site	Commercial wedding facility on 5.05 ac	Oak Glen Rural Living (OG/RL) and Oak Glen Rural Living 20-acre Minimum Lot Size (OG/RL-20)
North	Single Family Residence	Oak Glen Rural Living (OG/RL)
South	Open Space	Oak Glen Rural Living 20-acre Minimum Lot Size (OG/RL-20)
East	Open Space	Oak Glen Rural Living 20-acre Minimum Lot Size (OG/RL-20)
West	Open Space	Oak Glen Rural Living 20-acre Minimum Lot Size (OG/RL-20)

	<u>AGENCY</u>	<u>COMMENT</u>
City Sphere of	N/A	N/A
Water Service:	Yucaipa Valley Water	Presently Serves
Sewer Service:	Private on-site septic system	EHS Approval Required

**STAFF RECOMMENDATION:** That the Planning Commission **RECOMMEND** that the Board of Supervisors **ADOPT** the proposed Findings, **APPROVE** the General Plan Amendment, and **APPROVE** the Revision to an Approved Action for a commercial wedding facility subject to the recommended Conditions of Approval.

Recommendations by the Planning Commission to the Board of Supervisors are not appealable.

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## VICINITY MAP

### Aerial View of Oak Glen and the Project Site





# OFFICIAL LAND USE DISTRICT MAP

LUS GIS Viewer showing the Project Site zoned OG/RL and OG/RL-20







## SITE PHOTOS



Photo 1: Signage from Oak Glen Road facing northeast.



Photo 2: Entryway from Oak Glen Road facing southeast.

## SITE PHOTOS



Photo 3: Outdoor reception area facing south.



Photo 4: Outdoor reception area facing east.



## SITE PHOTOS



Photo 5: View of ceremony area from upper walkway facing southeast.



Photo 6: Walkway to ceremony from parking area.



## SITE PHOTOS



Photo 7: Addition of barn for indoor events. A new, stand-alone, restroom facility will be located behind this structure.



Photo 8: Pathway to barn from ceremony area.

## **PROJECT DESCRIPTION & BACKGROUND:**

Project: Philip and Tamara Kerbs (Applicants) are requesting approval of a General Plan Land Use District Amendment (GPA) from Oak Glen Rural Living (OG/RL) and Oak Glen Rural Living 20-acre minimum lot size (OG/RL-20) to Oak Glen Rural Commercial (OG/CR) on 5.05 acres. The applicants have also submitted a Revision to an Approved Action (Revision) application to modify a Conditional Use Permit (CUP) approved in 2004 for their existing wedding facility (Serendipity Garden Weddings). The original CUP authorized a bed and breakfast ng functions. The Revision eliminates the bed and breakfast element of the Project to establish a commercial wedding venue as the primary use of the site, including addition of a “barn” structure to be used for indoor events. The GPA and Revision are collectively referred to as the “Project.”

Location: Serendipity Garden Weddings is located at 12489 Oak Glen Road in the community of Oak Glen. The facility is situated on the east side of Oak Glen Road, approximately one mile north of Wildwood Canyon Road.

Environmental Setting: The Project site is located in the foothills south of the center of the Oak Glen community. The site is approximately 850 feet northeast of the Yucaipa city limit, though not within its Sphere of Influence. Portions of the Project site include hillside terrain that is moderate to steep. The surrounding area is primarily open space, consisting of chaparral, scrub and scattered oak trees. A single family residence, located on the adjacent parcel to the north, is also owned by the applicants but is not a part of the Project.

Revisions to the Approved Project: Serendipity Garden Weddings is an established outdoor wedding and reception facility operating under a CUP approved in 2004. Unfortunately, the primary use approved by the 2004 CUP was a bed and breakfast inn, which was never established on the site. A commercial wedding venue is not an allowed use, even subject to a CUP under the existing OG/RL land use designation. The GPA is requested to designate the site OG/CR so that the use permit can be modified to permit the actual use of the site as a commercial wedding venue. With the Revision application, the Applicants are also requesting approval to utilize an existing 2,400 square foot barn for indoor events, and the addition of a stand-alone 450-square foot restroom at the northeastern corner of the Project site. The Project would continue to be subject to the maximum attendance limit of 210 guests, as established under the original CUP. Details related to proposed changes in site operations are as follows:

*Site Function and Operation.* The facility will continue its current operation of holding outdoor weddings and receptions, primarily on weekends. The hours of operation are: 10 a.m. to 10 p.m. The months of operation are primarily from March through November. Inclusion of the barn for indoor events during inclement weather will result in a minimal increase in the number of events per year.

*Access & Parking.* Roadway access and parking remain unchanged. There are 75 parking spaces in total, with 70 for guests (assuming an average of 3 persons per vehicle) and 5 for employees. Five of the parking spaces are ADA (Americans with Disabilities Act) accessible. Due to the steep terrain at the site, disabled access will be enhanced through the use of three ADA-approved golf carts. An emergency vehicle access route to the barn and throughout the site has also been incorporated in the revised Site Plan.



*Site Plan and Structural Layout.* The maximum height of buildings remains unchanged, and building setbacks are consistent with Development Code standards. Receptions are currently held on the open patio outside the Reception Support Facility on the hilltop adjacent to the parking lot.

*Building Code Compliance.* Evaluation of the existing barn for compliance with structural standards for an assembly occupancy will be required. Any required modifications will be completed prior to approval of its use for indoor weddings or receptions. A safety dispersal area outside the barn, to which guests and staff can evacuate in the event of a structure fire, has also been incorporated in the revised site plan.

*Food Service and Alcohol Consumption.* Current permits and regulations governing food and beverages remain unchanged. The food preparation and staging area, located in the Reception Support Facility, is subject to inspections and permitting through the Department of Public Health-Environmental Health Services Division (EHS). Alcohol is not sold at the venue, but guests are allowed to bring their own pre-mixed cocktails, champagne, wine, or beer.

## **ANALYSIS:**

### **General Plan Amendment**

A GPA is required in conjunction with the proposed CUP Revision because a commercial wedding venue is not permitted in the current Rural Living (RL) land use designation. The original CUP was approved for a bed and breakfast facility with ancillary outdoor weddings. Bed and breakfast facilities are among the rural tourism uses that are permitted subject to a CUP in the RL district of Oak Glen. The existing outdoor assembly areas, parking improvements and attendance limits Serendipity Garden Weddings all conform to the original CUP, except that the bed and breakfast facility was never established. The proposed Rural Commercial (CR) designation would allow for the CUP to be revised to recognize the wedding venue as the primary use of the Project site, which conforms to the minimum 2.5-acre area required to establish a new CR district.

### **County General Plan – Rural Commercial**

The proposed Project meets both the purpose and the locational criteria of the Rural Commercial land use designation, as described in Section II, Part I of the General Plan:

*Purpose: To provide sites in rural areas where a range of commercial services intermixed with residential uses can be established which are limited in scope and intensity and meet the needs of the remote population and the traveling public.*

*Locational Criteria: Rural areas with low concentrations of population, not exceeding 500 people per square mile; along major remote thoroughfares or intersections; where a mixture of uses can coexist without conflict and without creating competition with an established commercial core; and not located within a city sphere of influence.*

The Project represents a commercial use that capitalizes on its rural location and adjacent open spaces. Located along a major thoroughfare, it does not conflict with commercial areas in the

nearby commercial core of Oak Glen, one to two miles to the north. It is compatible with surrounding land uses, and is not located within a city sphere of influence.

In addition, the Project satisfies the goals and policies of the General Plan in that it meets the criteria of being a compatible and harmonious, fiscally viable, commercial facility that meets the general social and economic needs of the residents. Specific consistent goals and policies follow:

*GOAL LU 1. The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents.*

*Policy LU 1.2 The design and siting of new development will meet locational and development standards to ensure compatibility of the new development with adjacent land uses and community character.*

*Policy LU 1.4 Encourage preservation of the unique aspects of the rural communities and their rural character.*

*GOAL M/LU 2. Provide opportunities for commercial and industrial development within the region that is compatible with the forest and mountain character and meets the needs of local residents and visitors.*

The Project does not conflict with surrounding land uses. Surrounding properties are primarily vacant. There are some low density residential uses nearby, but not near enough to the site to be negatively affected by the Project. Noise levels have been measured to demonstrate compliance with Development Code standards, and the hours of operation defined in the conditions of approval ensure quiet time after 10:00 p.m. Adequate parking is available onsite. The design and layout of the facility is secluded from the highway and surrounding land uses, which protects the rural atmosphere of the area.

### Oak Glen Community Plan

The stated purpose of the Oak Glen Community Plan is “to guide the future use and development of land and resources within the Oak Glen Community Plan area, in a manner that preserves the character and independent identity of the community.” Relevant goals and policies of the Oak Glen Community Plan that support the stated purpose include:

*Goal OG/LU 1. Retain the existing rural agricultural character of the community.*

*Goal OG/LU 2 Ensure that commercial development will be consistent with the character of Oak Glen.*

*Policy OG/LU 2.1 Establish development and design standards for General Commercial (CG) uses within the plan area to ensure that architectural detailing, the size and scale of buildings, site design, signage, screening between commercial and residential land uses and parking areas are compatible with the rural agricultural character of the community, the natural setting and the surrounding land uses.*



*Goal OG/ED 1. Promote economic development that is compatible with the rural agricultural character of the Oak Glen community.*

*Policy OG/ED 1.2 Support commercial development and business activities that are of a size and scale complementary to the natural setting, is compatible with surrounding development and enhances the rural character.*

Although the commercial wedding facility is not related to agriculture, it does capitalize on the natural beauty and open space of the region, complementing it with extensive landscaping, including the use of grape vines on interior slopes. The “barn” building also contributes a rural agricultural theme to the site. Overall, Serendipity Garden Weddings complements the agricultural tourism in the community of Oak Glen with a compatible wedding venue that is consistent with the rural character of the area. Therefore, the requested Rural Commercial land use designation is consistent with the Oak Glen Community Plan.

### **Revision to an Approved Action**

Removal of the bed and breakfast use from the CUP was requested by the applicants because the wedding venue has emerged as the primary use of the site. As popularity of garden weddings increased, the value of adding a bed and breakfast decreased significantly. With the requested GPA, the proposed Revision would make the commercial wedding venue the primary use of the property. Construction of the “barn” as a commercial building for public assembly could not be permitted under the RL land use district, so the applicants obtained a permit for a barn, and built it to a much higher standard, intending for its ultimate approval for indoor assembly during inclement weather. A full plan review, permits and inspections are required by the conditions of approval prior to this occupancy approval for the “barn”. The Revision does not modify the original hours of operation or the original wedding attendance limit of 210 guests. Project Conditions of Approval are attached as Exhibit B.

### **PUBLIC COMMENTS:**

Two comment letters (Exhibit C) have been received regarding the Project. The first letter, from a resident of Riverside County, was submitted as a Code Enforcement complaint before the application was filed for the Project. The letter complained about the existing wedding venue operation, citing excessive noise and traffic, inadequate parking, light trespass, and un-permitted food and beverage services. As part of the application review process, a noise study was performed, which found noise levels to conform to County Development Code standards of 45 dBA or less at the perimeter of the site. The Department of Public Works Traffic Division has not identified any concerns with the Project traffic and circulation, and EHS has identified no food service violations. The facility has current permits for food service, in compliance with applicable regulations. Light shielding standards consistent with the County Night Sky regulations in Development Code Section 83.07.040 are required in the conditions of approval. Several attempts to contact the letter author to discuss his concerns were unsuccessful.

The other comment letter from an adjacent property owner supports the Project, saying it represents a quality operation that brings benefits to the community. All written comments are included in Exhibit C.

## **ENVIRONMENTAL REVIEW**

An Addendum to the 2004 Initial Study/Mitigated Negative Declaration (IS/MND) was prepared to address proposed changes to the site (Exhibit D). The California Environmental Quality Act (CEQA) (Section 15164) allows preparation of an addendum to an approved IS/MND to document changes in project characteristics or environmental conditions if there are only minor changes that do not result in any new or different significant impacts from those identified in the Mitigated Negative Declaration. Based on the analysis of the proposed Project, there will be no new significant environmental impacts not previously disclosed in the MND and no substantial increases in the severity of any previously identified effects. The recommended findings for approval of the Project include a finding that confirms reliance on the previous IS/MND, as outlined in the Addendum.

## **SUMMARY:**

The proposed GPA and CUP revision are consistent with the General Plan, the Oak Glen Community Plan, and the County Development Code. Changes to the operation of the existing facility, as proposed by the Project will enhance its use, bring the facility into compliance with the Development Code, and enhance tourism amenities of the community of Oak Glen.

## **RECOMENDATION:**

That the Planning Commission RECOMMEND to the Board of Supervisors that the following actions be undertaken:

- A. **ADOPT** a General Plan Amendment to change the land use designation from Oak Glen Rural Living (OG/RL) and Oak Glen Rural Living, 20-acre Minimum Lot Size (OG/RL-20) to Oak Glen Rural Commercial (OG/CR) on 5.05 acres.
- B. **ADOPT** the recommended findings.
- C. **APPROVE** a Revision to an Approved Action to permit a commercial wedding facility on 5.05 acres, based on the recommended findings and subject to the conditions of approval.
- D. **FILE** a Notice of Determination.

## **ATTACHMENTS:**

- Exhibit A: Findings
- Exhibit B: Conditions of Approval
- Exhibit C: Public Comment Letters
- Exhibit D: CEQA Addendum



# EXHIBIT A

## Findings

## PROJECT FINDINGS

The proposed Project is a General Plan Land Use District Amendment (GPA) from Oak Glen Rural Living OG/RL (5-acre minimum lot sizes) and Oak Glen Rural Living 20-acre Minimum Lot Size (OG/RL-20) to Rural Commercial OG/CR and a Revision to an Approved Action for an existing commercial wedding facility to remove the bed and breakfast function and add a 2,400 square foot barn and associated restrooms to be used for indoor events on 5.05 acres.

### GENERAL PLAN AMENDMENT

[SBCC 86.12.060]

1. **The proposed GPA is internally consistent with all other provisions of the General Plan and Oak Glen Community Plan**, as it is consistent with the following goals and policies:

#### **San Bernardino County General Plan**

##### County General Plan – Rural Commercial

*Purpose: To provide sites in rural areas where a range of commercial services intermixed with residential uses can be established which are limited in scope and intensity and meet the needs of the remote population and the traveling public.*

*Locational Criteria: Rural areas with a low concentration of population not exceeding 500 people per square mile; areas along major remote thoroughfares or intersections; areas where a mixture of uses can coexist without conflict and there is no need to use multiple commercial districts to separate land uses; areas where there is no competing commercial core; areas where special design considerations are not necessarily require to ensure compatibility with surrounding land uses and the community; and areas not within a city sphere of influence.*

Application: The proposed Project meets both the purpose and the locational criteria of the Rural Commercial land use designation. It represents a commercial use that capitalizes on its rural location and adjacent open spaces. Located along a major remote thoroughfare, it does not conflict with commercial areas in the nearby commercial core of Oak Glen, one to two miles north. It is compatible with surrounding land uses, and is not located within a city sphere of influence.

*GOAL LU 1. The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents.*

*Policy LU 1.2 The design and siting of new development will meet locational and development standards to ensure compatibility of the new development with adjacent land uses and community character.*

*Policy LU 1.4 Encourage preservation of the unique aspects of the rural communities and their rural character.*

*GOAL M/LU 2. Provide opportunities for commercial and industrial development within the region that is compatible with the forest and mountain character and meets the needs of local residents and visitors.*



Goal and Policy Implementation: The proposed Project meets the criteria of being a compatible and harmonious, fiscally viable, commercial facility that meets the general social and economic needs of the residents. Its use does not conflict with surrounding land uses, which is primarily open space. There are some low density residential uses nearby, but far enough away to not create interface concerns. Noise levels are restricted to meet Development Code standards, and hours of operation are conditioned to meet quiet time evening curfews (10 PM). Adequate parking is available onsite. The design and layout of the facility protects the rural feel of the region. The facility is located on a hill or behind the hill and is mostly secluded from the street.

## **Oak Glen Community Plan**

*Purpose: The primary purpose of the Oak Glen Community Plan is to guide the future use and development of land and resources within the Oak Glen Community Plan area in a manner that preserves the character and independent identity of the community.*

*Goal OG/LU 1. Retain the existing rural agricultural character of the community.*

*Goal OG/LU 2 Ensure that commercial development will be consistent with the character of Oak Glen.*

*Policy OG/LU 2.1 Establish development and design standards for General Commercial (CG) uses within the plan area to ensure that architectural detailing, the size and scale of buildings, site design, signage, screening between commercial and residential land uses and parking areas are compatible with the rural agricultural character of the community, the natural setting and the surrounding land uses.*

Goal and Policy Implementation: Although the commercial wedding facility is not actually an agriculturally-related land use, it capitalizes on the natural beauty and open space of the region, complimenting it with extensive landscaping having an agricultural feel, including the use of grape vines along interior slopes. The proposed barn addition also contributes to the rural character and agricultural feel of the property. The overall facility functions as a tourism draw to the community and complements the rural character of the region.

*Goal OG/ED 1. Promote economic development that is compatible with the rural agricultural character of the Oak Glen community.*

*Policy OG/ED 1.2 Support commercial development and business activities that are of a size and scale complementary to the natural setting, is compatible with surrounding development and enhances the rural character.*

Goal and Policy Implementation: The size and scale of the proposed Project is compatible with its location. The venue incorporates minimal structures and utilizes a substantial amount of on-site landscaping and open space, complementing the natural beauty of the site and maintaining the Project's and open and picturesque views. Use of a barn for indoor events further complements the rural character of the site and surroundings.

- 2. The proposed GPA would not be detrimental to the public interest, health, safety, convenience, or welfare of the County,** because the amendment facilitates a Project that has

incorporated appropriate conditions of approval and mitigation measures to protect and enhance public health and safety, and provides a beneficial service and tourism draw that supports the Oak Glen community.

3. **The proposed land use zoning district change is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised.** The proposed GPA is the continuation of an existing successful commercial operation that supports and complements the community and brings benefit to the surrounding area. The GPA does not compromise existing or other planned uses, but enhances the goal of establishing Oak Glen as a community tourist destination, without conflicting with other nearby commercial facilities.
4. **The proposed land use zoning district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area.** The proposed amendment will not change the existing use of the site as a wedding venue. Existing commercial business operations onsite will minimally increase by allowing events to occur during inclement weather. Removal of the bed and breakfast function will not affect existing land use patterns.
5. **The proposed land use zoning district change does not conflict with provisions of the Development Code,** because the Project site conforms to the size and location criteria specified for the Rural Commercial land use district and all future construction will be required to conform to the development standards and other applicable land use regulations.
6. **The proposed land use zoning district change will not have a substantial adverse effect on surrounding property.** The Project site is substantially isolated from surrounding uses. Use restrictions related to operation of the wedding facility will not change. There will be no significant increase in noise volume, lighting and glare, or traffic as a result of the proposed zoning district change.
7. **The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.** The Project has been evaluated and conditioned to provide a safe and accessible site for the proposed operation. Fire and police protection will also be provided by the County Fire Department and the Sheriff's Department and appropriate emergency vehicle access has been incorporated into the site design. Water service is provided by Yucaipa Valley Water and oversight of septic systems through Public Health, Environmental Health Services. There is sufficient solid waste storage and landfill capacity to accommodate the Project's solid waste disposal needs. The County has evaluated all aspects of the Project and determined that the Project does not constitute a hazard to neighboring properties.
8. **An Addendum to the 2004 Initial Study/Mitigated Negative Declaration for the Project has been prepared in compliance with the California Environmental Quality Act (CEQA) and represents the independent judgment of the County acting as lead agency for the Project.** The Project will not have a significant adverse impact on the environment with implementation of all required conditions of approval and mitigation measures.

**REVISION TO AN APPROVED ACTION / CONDITIONAL USE PERMIT**  
[SBCC 85.06.040]

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 5.05 acre site contains ample area necessary for site improvements associated with incorporation of the barn for commercial use. Appropriate onsite modifications have been incorporated into the site design including pedestrian walkways and emergency vehicle access. The Project as proposed satisfies all applicable standards and requirements of the San Bernardino County Development Code (Development Code).
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 on Oak Glen Road, a County-maintained road, which provides adequate legal and physical access to the Project site. No changes will occur to the existing parking facility, nor to its entry and exit points.
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 Project has sufficiently demonstrated compliance with the appropriate site design requirements and development standards such as setbacks, wastewater improvements, and off street parking. Compliance with these requirements, as well as all applicable conditions of approval, will ensure that the Project will have no substantial adverse effect upon abutting properties. Additionally, 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 San Bernardino County General Plan (General Plan) and any applicable Community or Specific Plan.** The Project is consistent with the General Plan as well as the Oak Glen Community Plan. The Project specifically implements the following goals, as previously described above:

**San Bernardino County General Plan**

*GOAL LU 1. The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents.*

*Policy LU 1.2 The design and siting of new development will meet locational and development standards to ensure compatibility of the new development with adjacent land uses and community character.*

*Policy LU 1.4 Encourage preservation of the unique aspects of the rural communities and their rural character.*



*GOAL M/LU 2. Provide opportunities for commercial and industrial development within the region that is compatible with the forest and mountain character and meets the needs of local residents and visitors.*

Goal and Policy Implementation: The proposed Project meets the criteria of being a compatible and harmonious, fiscally viable, commercial facility that meets the general social and economic needs of the residents. Its use does not conflict with surrounding land uses, which is primarily open space. There are some low density residential uses nearby, but far enough away to not create interface concerns. Noise levels are restricted to meet Development Code standards, and hours of operation are conditioned to meet quiet time evening curfews (10 PM). Adequate parking is available onsite. The design and layout of the facility protects the rural feel of the region. The facility is located on a hill or behind the hill and is mostly secluded from the street.

### **Oak Glen Community Plan**

*Goal OG/LU 1. Retain the existing rural agricultural character of the community.*

*Goal OG/LU 2 Ensure that commercial development will be consistent with the character of Oak Glen.*

*Policy OG/LU 2.1 Establish development and design standards for General Commercial (CG) uses within the plan area to ensure that architectural detailing, the size and scale of buildings, site design, signage, screening between commercial and residential land uses and parking areas are compatible with the rural agricultural character of the community, the natural setting and the surrounding land uses.*

Goal and Policy Implementation: Although the commercial wedding facility is not actually an agriculturally-related land use, it capitalizes on the natural beauty and open space of the region, complementing it with extensive landscaping having an agricultural feel, including the use of grape vines along interior slopes. The proposed barn addition also contributes to the rural character and agricultural feel of the property. The overall facility functions as a tourism draw to the community and complements the rural character of the region.

*Goal OG/ED 1. Promote economic development that is compatible with the rural agricultural character of the Oak Glen community.*

*Policy OG/ED 1.2 Support commercial development and business activities that are of a size and scale complementary to the natural setting, is compatible with surrounding development and enhances the rural character.*

Goal and Policy Implementation: The size and scale of the proposed Project is compatible with its location. The venue incorporates minimal structures and utilizes a substantial amount of on-site landscaping and open space, complementing the natural beauty of the site and maintaining the Project's and open and picturesque views. Use of a barn for indoor events further complements the rural character of the site and surroundings.

- 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.** Infrastructure, such as wet and dry utilities and street improvements, has been sufficiently

accommodated in the development proposal pursuant to the requirements of the Development Code. Following review of the Project site plan and supporting documents, Staff has concluded that adequate services levels for infrastructure will be maintained when considering the development as proposed.

6. **The lawful conditions stated in the approval are deemed reasonable and necessary to protect the overall public health, safety and general welfare.** All conditions are proposed to implement requirements of the Development Code and ensure the safe and orderly development of the Project.
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 orientation and design of the proposed structures may take advantage of passive solar heating capabilities, should future projects be approved. There is ample area with sun exposure available on the site at full build out of the Project.

### ENVIRONMENTAL FINDING

In conformance with the requirements of the California Environmental Quality Act (CEQA), an Initial Study (IS) was prepared to evaluate the environmental impacts of the Project in 2004. Mitigation measures were incorporated as part of the Project's conditions of approval, reducing the impacts to less than significant and justifying a Mitigated Negative Declaration (MND) as appropriate for adoption. Based on the analysis of the proposed GPA and Revision to an Approved Action, there will be no new significant environmental impacts not previously disclosed in the MND and no substantial increases in the severity of any previously identified effects. Neither do the changes constitute substantial changes to the Project. Moreover, pursuant to CEQA Guidelines section 15164, "none of the conditions described in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred." Therefore, pursuant to CEQA Guidelines sections 15162 and 15164, an Addendum to the previously certified EIR is determined to be the appropriate environmental document for the County's consideration of the proposed modifications. An Addendum to this document has been prepared pursuant to these provisions of CEQA. Both the IS/MND and the Addendum represent the independent judgment of the County acting as lead agency for the Project.

## **EXHIBIT B**

### Conditions of Approval



## **CONDITIONS OF APPROVAL**

Kerbs Serendipity Garden Weddings P201400361  
Revision to Approved Action

### **GENERAL REQUIREMENTS** Ongoing and Operational Conditions

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

1. Project Approval Description. This Revision to An Approved Action (CUP PH11736CU1/E386-129/CUP01) is conditionally approved to revise the Serendipity Garden Weddings venue on 5.05 acres in Oak Glen, 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).

Revisions include the removal of bed and breakfast functions and the addition of a barn to be used for indoor weddings and receptions. A General Plan Amendment from Oak Glen Rural Living (OG/RL) and Oak Glen Rural Living 20-acre Minimum Lot Size (OG/RL-20) to Oak Glen Rural Commercial (OG/CR) is required prior to or concurrent with this approval. All other business functions and operations remain the same. Site occupancy is restricted to a maximum of 210 guests. Events shall cease and the facility shall be closed at or before 10:00 pm.

2. Project Location. The project address is 12849 Oak Glen Road, east side approximately one mile north of Wildwood Canyon Road in the Oak Glen Community Plan area. APN: 0325-051-09, 10.
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. Continuous Effect/Revocation. All Conditions of Approval applied to this Project shall be effective continuously, throughout the operative life of the Project for the approved use. Failure of the property owner, tenant, applicant, developer, or any operator to comply with any or all of the conditions at any time may result in a public hearing and revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.
5. 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.

6. 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:
  - a. The permittee has commenced actual construction or alteration under a validly issued building permit, or
  - b. 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)
  - c. 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.
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 Job Costing System (JCS) account number is P201400361. 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, South Coast AQMD, California Department of Fish and Wildlife, 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. ADA Access. Due to the steepness of the site, three properly functioning ADA accessible golf carts will be required to facilitate the transport and access of persons with disabilities onsite.
14. 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.
15. 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.
16. 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.
17. Grading and Excavation. *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 Director (909) 798-8601.*
18. 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.
19. 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.
20. 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.



21. GHG – Operational Standards. The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:
- a. 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.
  - b. 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.
  - c. 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. .
  - d. 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**

22. 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.
23. 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**

24. 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.
25. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
26. 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.

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

27. Refuse Storage/Removal. 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: (800) 442-2283.

28. Septic System Maintenance. The septic system shall be properly maintained, not create a public nuisance, and be serviced by a DEHS permitted sewage pumper.
29. Noise. Noise level(s) shall be maintained at or below County Standards, Development Code §83.01.080.

### **COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465**

30. Construction 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 developer 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.

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

32. 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.
33. 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.
34. Mandatory Trash Service. This project falls within a Uniform Handling Service area. If uniform handling is implemented in all or part of a particular franchise area, all owners or a dwelling or a commercial or industrial unit within the uniform handling area who are required to have uniform handling service shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement and pay the rate of such services. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5, Section 46.0501.
35. Mandatory Organics Recycling. As of April 2016, the State of California through AB 1826 (Enacted October 2014), requires businesses that generate eight (8) cubic yards of organics 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 though 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.

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

36. 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).

- Legal descriptions or construction staking based upon a field survey of the boundary or building setbacks.
- Monuments set to mark the property lines.
- Pursuant to applicable sections of the Business and Professions Code.



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

The Following Shall Be Completed

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

39. Tree Removal. The only trees that are authorized to be removed by this approval are those within the foot print of the roadway, parking areas and building footprints as indicated on the approved plot plan.
40. Air Quality. *Although the Project does not exceed South Coast Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the South Coast 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 South Coast 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.
41. Diesel Regulations. The operator shall comply with all existing and future California Air Resources Board and South Coast 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. South Coast 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.

42. 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:
- Implement the approved Coating Restriction Plans.
  - 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.
  - 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.”
  - 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.
  - Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures.
  - 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.

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

43. Retaining Wall Plans. Submit plans and obtain separate building permits for any required walls or retaining walls.
44. 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.
45. Grading Plans. Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance of more than 50 Cu Yards.
46. Demolition Permit. Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering.
47. Erosion & Sediment Control Plan. An erosion and sediment control plan and permit shall be submitted to and approved by the Building Official prior to any land disturbance.
48. Erosion Control Installation. Erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the job site.
49. NPDES Permit. An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. [www.swrcb.ca.gov](http://www.swrcb.ca.gov)
50. Regional Board Permit Letter. CONSTRUCTION projects involving one or more acres must be accompanied by a copy of the Regional Board permit letter with the WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.

**COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465**

51. 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.
52. Primary Access Paved. Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions (Fire # F-9), including width, vertical clearance and turnouts, if required.

## PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed:

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

53. **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.
54. **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.
55. **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.
56. **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:
    - o Incorporate dual paned or other energy efficient windows,
    - o Incorporate energy efficient space heating and cooling equipment,
    - o Incorporate energy efficient light fixtures, photocells, and motion detectors,
    - o Incorporate energy efficient appliances,
    - o 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.

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

- 57. Construction Plans. Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.
- 58. Permits. Obtain permits for all structures located on site and all work done without a permit.

**COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465**

- 59. Building Plans. No less than three (3) complete sets of Building Plans shall be submitted to the Fire Department for review and approval.
- 60. Fire Flow. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to either produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied or you must install an approved fire sprinkler system. This requirement shall be completed prior to combination inspection by Building and Safety.
- 61. 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.
- 62. Access. The development shall have a minimum 1 point of vehicular access. These are for fire/emergency equipment access and for evacuation routes. Standard 902.2.1
  - a. 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.
  - b. 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.
- 63. 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

64. 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
65. 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
66. 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.

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

67. Water Purveyor. Water purveyor shall be Yucaipa Valley Water. Applicant shall procure a verification letter from the water agency with jurisdiction. The letter shall state whether or not water connection and service shall be made available to the project by the water agency. The letter shall also reference the project name and assessor's parcel number. For projects with a current active water connection, a copy of the water bill with project address may suffice. For more information contact DEHS.
68. Onsite Wells. If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to DEHS standards, properly sealed and certified as inactive OR (3) constructed to DEHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence shall be submitted to DEHS for approval.
69. Water System Permit. If an approved water company cannot service the project, a water systems permit will be required. The source of water shall meet water quality and quantity standards pursuant to Title 22 Drinking Water Standards. For more information contact DEHS Drinking Water Section.
70. Onsite Wastewater Treatment System (OWTS). Method of sewage disposal shall be EHS approved onsite wastewater treatment systems. Applicant to provide 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 systems at both restroom locations function properly, meet code, and have the capacity required for the proposed project. Applicant shall provide documentation outlining methods used in determining function. Systems shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper. For information, call DEHS/Wastewater Section at (800) 442-2283.
71. Recycling Center. The refuse generated shall comply with San Bernardino County Code §33.081 et. seq. The recycling center shall maintain an amount of less than 10% residual solid waste (by weight) from the separated waste and less than 1% putrescible waste (by weight) from the separated waste material pursuant to the Transfer/Processing Regulatory Requirements of Title 14 CCR (§17402.5). If the facility exceeds the above stated limitations, a Solid Waste Facility Permit will be required. For more information, contact DEHS Local Enforcement Agency (LEA).
72. Food Establishment Plan Checks. Plans for food establishments shall be reviewed and approved by DEHS. For information, call DEHS/Plan Check at: 1-800-442-2283.

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

73. Construction and Demolition Waste Management Plan (CDWMP) Part 1 – The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights or volumes of solid waste materials expected to be generated from construction. The CDWMP shall include options to divert from landfill disposal, materials for reuse or recycling by a minimum of 50% of total weight or volume. Forms can be found on our website at <http://cms.sbcounty.gov/dpw/solidwastemanagement.aspx>. An approved CDWMP Part 1 is required before a demolition permit can be issued.



**PRIOR TO FINAL INSPECTION OR OCCUPANCY**

The Following Shall Be Completed

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

74. 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 P201400361.
75. 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).
76. 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.
77. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
78. 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.
79. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
80. 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 – Building and Safety Division (909) 387-8311**

81. Condition Compliance Release Form Sign-off. Prior to occupancy all Department/Division requirements and signoffs shall be completed.

**COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465**

82. Commercial Addressing. Commercial and industrial developments of 100,000 sq. ft or less 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
83. Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for

review and approval. The plans (minimum 1/8" scale) shall include hydraulic calculations and manufacture's specification sheets. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. Standard 101.1

84. Additional Requirements. In addition to the Fire requirements stated herein, other on-site and 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.

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

85. Construction and Demolition Waste Management Plan (CDWMP) Part 2 – The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. This summary shall provide documentation of actual diversion of materials including but not limited to receipts, invoices or letters from diversion facilities or certification of reuse of materials on site. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 50% of total weight or volume of all construction waste.

END OF CONDITIONS

# EXHIBIT C

## Public Comment Letters

12-Feb-14

Tom Hudson, Director  
County of San Bernardino Land Use Services  
385 N. Arrowhead Ave.; 1st Floor  
San Bernardino, CA 92415

Director Hudson:

I would like to notify your office of violations of the San Bernardino County, CA Code of Ordinances Chapter 84.03: Agritourism Enterprises by Serendipity Garden Weddings. In good faith, I have attempted to address these issues directly with the owner on several occasions to no avail. As such, I seek your help to resolve.

I ask for your office to investigate these violations. I request the opportunity to speak with you personally on this matter since I have had other correspondence with your office resulting in only casual response. I seek improvements in the services your office offers to the Oak Glen community.

The Serendipity Garden Weddings violations are manifested at their business location on San Bernardino County APN 0325-051-09 and others. The street address is 12865 Oak Glen Road; Oak Glen, CA 92399. The website for that business is [www.serendipitygardenweddings.com](http://www.serendipitygardenweddings.com). The business severely detracts from the otherwise rural and peaceful setting of the historic Agritourism community of Oak Glen. Subject to the code violations of that business, its operations are a disgrace to the Oak Glen community based on its illicit promotion of drunkenness, noise, pollution, disorderly behavior, and more.

The violations are as follows:

1. **Illegal alcoholic beverage service and consumption**

The Conditional Use Permit for APN 0325-051-09 (DBA Serendipity Garden Weddings) does not authorize the serving and consumption of alcoholic beverages Serendipity Garden Weddings. On 22-Jun-13, the owner, Tamera (Scalise) Kerbs, admitted that she promotes and permits consumption of alcoholic beverages on the premises of Serendipity Garden Weddings. Serendipity Garden Weddings advertises a "cocktail hour" and the use of alcohol-related glassware on their website. We have directly witnessed drunken drivers leaving the premises after their events and swerving onto Oak Glen Road at high speed causing safety issues for local residents and oncoming traffic. We have called Yucaipa Police and the California Highway Patrol to investigate occasions when we witnessed drunken driver departures. We fear that this promotion of drunken driving may one day result in the injury or death of innocent passers-by. We have sadly suffered traffic-related deaths due to high-speed violations on Oak Glen Road. Drunken drivers increase the probability of alcohol-related incidents.

2. **Hours of Operation**

Serendipity Garden Weddings violates San Bernardino County, CA Code of Ordinances Chapter 84.03: Agritourism Enterprises Section 84.03.030.B.3 (Hours of Operation). We regularly observe operations past 10:00 PM nightly when that should terminate at 8:00 PM.

3. Noise

Serendipity Garden Weddings violates San Bernardino County, CA Code of Ordinances Chapter 84.03: Agritourism Enterprises Section 84.03.030.B.5 (Noise/Amplified Sound). The events commonly utilize a Disc Jockey with amplified sound, loud music, and cheering/noisy crowds. By code, the sounds must be contained indoors. The Conditional Use Permit for APN 0325-051-09 does not permit noises such as those generated by Serendipity Garden Weddings. Rather than being contained indoors, these noise violations are generated by powerful amplifiers carrying annoying sounds echoing throughout the Oak Glen community and its environs.

4. Lighting

Serendipity Garden Weddings violates the Conditional Use Permit for APN 0325-051-09 Section 11 (Lighting) based on excessive lighting added to the driveway and facilities. The illegal lighting infringes and excessively illuminates the surrounding forest/natural area as a source of illegal light pollution.

5. Parking

Serendipity Garden Weddings violates the Conditional Use Permit for APN 0325-051-09 Section 15 (B&B Parking). The parking lot for Serendipity Garden Weddings exceeds the specified capacity. We have witnessed overflow parking extending onto Oak Glen Road causing safety hazards affecting neighborhood traffic.

6. Food Sales

Serendipity Garden Weddings violates the Conditional Use Permit for APN 0325-051-09 Section 18 (B&B Food Sales). Serendipity Garden Weddings provides food for numerous individuals outside of the "guests residing on the premises."

7. Traffic

Serendipity Garden Weddings violates the Conditional Use Permit for APN 0325-051-09 Section 21 (B&B Normal Residential Traffic). The crowds attending functions at Serendipity Garden Weddings greatly exceed the "pedestrian and vehicular traffic" limits of this otherwise peaceful and quiet residential area.

Serendipity Garden Weddings violates other Land Use Service Codes and Conditional Use Permit details as well.

I request that you research these violations immediately. I request that you issue orders to have Serendipity Garden Weddings cease business operations immediately subject to their egregious and open violations of County ordinances.

Sincerely,



G. Brian Kovalsky



San Bernardino County, CA Code of Ordinances

**CHAPTER 84.03: AGRITOURISM ENTERPRISES**

Section

84.03.010 Purpose.

84.03.020 Applicability.

84.03.030 Permit Requirements and Development Standards.

**§ 84.03.010 Purpose.**

The purpose of this Chapter is to regulate the establishment and operation of agritourism enterprises in order to maintain and preserve the rural character, integrity, and property values of surrounding areas in which these uses are located.

(Ord. 4011, passed - -2007)

**§ 84.03.020 Applicability.**

The permit requirements and standards provided in this Chapter apply to agritourism enterprises where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Land Uses).

(Ord. 4011, passed - -2007)

**§ 84.03.030 Permit Requirements and Development Standards.**

The following permit requirements and development standards shall apply to all agritourism enterprises.

(a) *Permit Requirements and Development Standards.*

(1) *Scope of Use and Permit Requirements.* The allowed scope of use, minimum lot size, and permit requirements for an agritourism enterprise shall be as provided in Table 84-1.

<i>Table 84-1</i>		
<i>Permit Requirements and Development Standards for Agritourism Enterprises</i>		
<i>Use/Permit Required</i>	<i>Scope of Use/Event<sup>(4)</sup></i>	<i>Minimum Lot Size</i>
<u>Produce Stand</u>	Single structure that is 200 sq. ft. or less.	10,000 sq. ft.

Permitted (no permit required)		
	All produce shall be grown on site.	
	No other produce or merchandise allowed.	
<u>Small scale use</u> Site Plan Permit	Single structure greater than 200 sq. ft. and less than 3,000 sq. ft.	2 acres
	Not more than 15 automobiles allowed on site at any one time. <sup>(1) (2)</sup>	
	Bed and breakfast home (up to 5 guest rooms).	
	Small incidental food services operations not to include restaurants.	
	Operations that do not require a permanent structure (e.g., educational tours). <sup>(3)</sup>	
	No use of amplified music, or historical reenactments using gunfire or similar loud noise.	
<u>Medium scale use</u> Minor Use Permit	Single or multiple structures with a total area that is 3,000 sq. ft. or greater and less than 5,000 sq. ft.	5 acres
	Not more than 25 automobiles allowed on site at any one time. <sup>(1) (2)</sup>	
	Bed and breakfast inn/lodge (up to 10 guest rooms) [the requirements of § 84.05.060(a) need not apply].	
	No use of amplified music, or historical reenactments using gunfire or similar loud noise.	
<u>Large scale use</u> Conditional Use Permit	Single or multiple structures with a total area that is 5,000 sq. ft. or greater.	10 acres
	More than 25 automobiles allowed on site at any one time. <sup>(1) (2)</sup>	
	Lodging having more than 10 guest rooms.	
	Restaurants.	
<b>Notes:</b>		
(1) This requirement refers only to the parking required and/or provided for the commercial activities that are accessory to the primary agricultural uses. It shall not apply to the parking provided for the primary agricultural activities (e.g., u-pick or u-cut operations, etc.).		
(2) Parking for the commercial activities accessory to the primary agricultural uses shall be provided in compliance with § 83.11.040 (Number of Parking Spaces Required) and Table 83-15 (Parking Requirements by Land Use) specified for "General retail." Parking area improvements shall		

be in compliance with § 83.11.090 (Parking and Loading Development Standards), or as specified in the approved permit for the commercial agritourism enterprise.

(3) If these operations are conducted year round, a Site Plan Permit shall be required. If the project cannot meet the standards of this Section or any other regulations, the permit may be elevated to a Minor Use Permit or a Conditional Use Permit. These operations shall have an Environmental Health Services-approved wastewater disposal system and facilities. If no more than four events are planned, a Temporary Special Event Permit shall be required.

(4) The parameters in this column will dictate both the use/permit required and the minimum lot size. The filing of a higher land use approval application shall not relieve a project of the minimum lot size.

(2) *Storage Areas.* The total area of all storage areas shall not exceed 25 percent of the total floor area of the structures used for the agritourism enterprise.

(3) *Setbacks.* Structures for agritourism enterprises shall be set back from lot lines in compliance with Division 2 (Land Use Zoning Districts and Allowed Land Uses) unless a greater setback is required by the applicable review authority.

(b) *Operational Standards.*

(1) *Incidental to Primary Agricultural, Horticultural, Animal Husbandry Use.* An agritourism enterprise shall be incidental to the primary associated agricultural, horticultural, or animal husbandry use being conducted on the property. For the purposes of this Section, a primary agricultural, horticultural, or animal husbandry use shall mean that:

(A) At least 50 percent of the total gross parcel area shall be suitable and available for agricultural, horticultural animal husbandry or open space use; and

(B) At least fifty percent of that 50 percent area (i.e., 25 percent of the total gross parcel area) shall be in actual active agricultural, horticultural, or animal husbandry use. For operations with a total area greater than 200 acres, at least 40 acres must be actual active agricultural, horticultural, or animal husbandry use.

(2) *Operator.* The agritourism enterprise shall be operated or maintained by the owner, operator, or occupant of the land upon which the primary associated agriculture, horticulture, or animal husbandry use is being conducted.

(3) *Hours of Operation.* Hours of operation for outdoor activities shall be limited to 8:00 a.m. to 8:00 p.m.

(4) *Private Special Events for Compensation.* Private special events (e.g. weddings, receptions, parties, etc.) or similar activities conducted for compensation may be held, as follows.

(A) Up to five private special events in a 12-month time period shall require a Site Plan Permit.

(B) Six to 12 private special events in a 12-month time period shall require a Minor Use Permit.

(C) Thirteen or more private special events in a 12-month time period shall require a Conditional Use Permit.

(5) *Noise/Amplified Sound.* All approved projects shall be operated in compliance with the noise standards provided in § 83.01.080. All amplified sound being considered as part of a Conditional Use Permit application shall emanate indoors, except as approved through a Temporary Special Event Permit or when emanating at least 330 feet from the nearest residence of other sensitive receptor on a neighboring parcel.

(c) *Existing Structures/Uses.* A structure existing before the adoption of this Chapter may be used for an agritourism enterprise and shall be exempt from the minimum lot area and floor area requirements specified in this Chapter, provided that an expansion or enlargement the structure(s) shall not exceed 15 percent of the total floor area existing before adoption of this Chapter unless a greater expansion is allowed through approval of a Minor Use Permit in compliance with Chapter 85.06 (Conditional Use Permit/Minor Use Permit).

(d) *Additional Licenses and Permits.* In addition to required land use permits, an agritourism enterprise may be required to obtain licenses and permits from other County Departments (e.g., business licenses from the County Clerk, food service or sales licenses from the County Department of Public Health, animal care licenses from the County Department of Public Health, etc.).

(e) *Seasonal Operations.* Those operations that will be limited to three months of the year that encompass the harvest season of the agricultural product to which the tourism activity is an accessory use may be operated with reduced standards. These shall include the following:

(1) *Parking Area.* The parking area does not need to be surfaced with a minimum of two inches of asphaltic concrete paving or plant-mix surfacing but shall be provided with a dust-proofed surface of slag, crushed rock, or an equivalent measure.

(2) *Sanitation Facilities.* Toilets, potable water, lavatories, wastewater may be used for seasonal operations in compliance with the provisions required for a Temporary Special Event.

(3) *Permit Required.* Even though an operation may be seasonal, if a structure is built, land use approvals shall be required in compliance with Table 84-1 above.

(Ord. 4011, passed - -2007; Am. Ord. 4162, passed - -2012)

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APN 0325-051-09 CONDITIONAL USE PERMIT  
Scalise— 2<sup>nd</sup> Residence with B&B and Reception Facility  
JCS/INDEX: 11736CU1/E386-129/CUP01  
Final - Staff Action June 30, 2004

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EFFECTIVE DATE: July 13, 2004  
EXPIRATION DATE: July 13, 2007

## CONDITIONAL USE PERMIT

### Conditions of Approval

#### ON-GOING PROCEDURAL OR OPERATIONAL CONDITIONS OF APPROVAL

LAND USE SERVICES DEPARTMENT - Planning (909) 387-4167

1. **Project Description.** This Conditional Use Permit is approved to add a second residence with a five bedroom bed and breakfast inn (6,500 ± sq. ft.) that includes an associated reception facility (2600 ± sq. ft.) for weddings and other events that have a maximum occupancy of 210 guests, subject to the listed variance on 5+ acres. The property is located on the East Side of Oak Glen Road approximately one-half mile north of its intersection with Acorn Way in the Oak Glen Planning Area/Third Supervisorial District. APN: 0325-051-09 and 10

**Major Variance – Surfacing -** A Major Variance to allow alternative surfacing requirements is approved for reception parking areas only. All access drives, all residential parking, including the parking areas for the bed and breakfast parking and all the parking for the disable shall be paved. The alternative surfacing shall be turf that is installed with a turf binding material that is approved for support of occasional event parking. The installation, maintenance and performance evaluation of this material shall be subject to an annual inspection for a minimum of three years or longer if determined to be necessary by County Code Enforcement through a Special Use Permit. The applicant shall correct, modify or replace the installation at the direction of Code Enforcement, who will coordinate such modification requirements with County Planning and County Building and Safety. Such modification can include the requirement to replace the material with paving or other acceptable alternative paving material.

**Phasing.** The installation of the project facilities and the reception parking area maybe done in multiple phases. Reception parking shall be done in minimum increments of 20 spaces (10x20 with 25 foot aisles). The maximum attendance at the reception facility shall be limited to 3 guests per installed space with a maximum of 210 guests (requiring 70 parking spaces). The reception parking is in addition to all the required parking for the residential and bed & breakfast uses.

2. **Revisions.** Any alteration or expansion of these facilities, a proposed change of use; any proposed change to parking allocation, allowable number of guests/employees or increase in the developed area of the site from that shown on the approved site plan shall require submission of an additional land use application for review and approval. (e.g. Revision to an Approved Action application). [P2]
3. **Indemnification.** The applicant shall agree to defend at their sole expense any action brought against the County, its agents, officers, or employees, because of the issuance of such approval in compliance with the San Bernardino County Ordinance #2684. The applicant shall reimburse the County, its agents, officers, or employees for any court costs and attorney's fees which the County, its agents, officers or employees 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 application of his obligations under this condition. [P3]

APN 0325-051-09 CONDITIONAL USE PERMIT  
Scalise— 2<sup>nd</sup> Residence with B&B and Reception Facility  
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EFFECTIVE DATE: July 13, 2004  
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4. Expiration. This Conditional Use Permit approval shall become null and void if all conditions have not been complied with and the occupancy or use of the land has not taken place within three (3) years of the date of approval. Extensions of time, not to exceed three (3) years may be granted upon written request with the appropriate fee. PLEASE NOTE: This will be the only notice given for the specified expiration date. The applicant is responsible for initiating an extension request. [P4]
5. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances. [P5]
6. Condition Compliance. In order to obtain grading, building and occupancy permits, the developer shall process a Condition Compliance Review through County Planning for each phase of the development, as directed in the Conditional Approval letter. 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. [P6]
7. Follow-on Permits. The applicant shall ascertain and comply with the requirements of all Federal, State, County and Local agencies as are applicable to the proposed use and the project area. These include, but are not limited to: a) FEDERAL: Army Corps of Engineers and Fish and Wildlife. b) STATE: Caltrans, Fire Marshal, Fish and Game, Regional Water Quality Control, Toxic Substance Control and South Coast Air Quality Management District, c) COUNTY: Departments of Public Health-Environmental Health Services, Land Use Services-Building and Safety/Code Enforcement, Public Works, Flood Control District, and Fire and d) LOCAL: County Special Districts – CSA 70 Improvement Zone SL-1 (streetlights), landscape maintenance, etc [P7]
8. Continuous Effect. All of the conditions of this CUP are in effect through out the useful life of the project for the approved use. Failure of the property owner, tenant, applicant, developer or any operator to comply with any or all of said conditions at any time may result in the revocation of the permit granted to the property provided adequate notice and opportunity is provided to correct and comply with the conditions of approval. Notwithstanding the above, a failure of the applicant or operator of any specific use to comply with any or all relevant conditions shall not constitute causes to revoke a permit for other than the use that is found not to be in compliance with applicable conditions. [P10]
9. Continuous Maintenance - All landscaping, fuel modification measures, fencing and structures shall be maintained regularly by the property owner, so that all facets of the development are kept in continual good repair, including but not limited to the removal of graffiti and the continued provision of healthy thriving landscaping. All trash and storage areas, loading areas, mechanical equipment and roof top mechanical equipment shall be screened from public view. The property shall be maintained so that is visually attractive and not dangerous to the health and welfare of the surrounding properties. Drought-resistant, fire retardant vegetation shall be used for any replacement landscaping and erosion control to reduce water consumption and promote slope stability (where applicable). All landscaped areas must be irrigated in a manner designed to conserve water. The fuel modification zone shall be maintained annually to insure on-going protection from wildland fire. [P11]

APN 0325-051-09 CONDITIONAL USE PERMIT  
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10. Parking Maintenance Parking and on-site circulation requirements shall be maintained:
  - All markings are to include parking spaces, directional designations, "No Parking" designations and "Fire Lane" designations. All markings shall be clearly defined and said markings shall be maintained in good condition at all times.
  - Parking and site circulation surfaces shall be maintained in good condition at all times.
  - Any occupancies which require additional parking that are not approved with this project shall require a separate application review and approval process. [P12]
11. Lighting. All lighting, provided to illuminate the site, shall be arranged to reflect away from adjoining residential properties, abutting streets *and* shall not illuminate the surrounding forest/natural area with its resident wildlife. The glare from the luminous source shall not exceed one-half (0.5) foot-candle at property line. [P13]
12. Sign Lighting. All signs proposed by this project may only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or by an alternating lighting system that changes no more than once per hour. The glare from the luminous source shall not exceed one-half (0.5) foot candle. [P14]
13. B&B Room Standards. All dwelling units proposed for Bed and Breakfast use must comply with standards and specifications of the Uniform Building Code, and shall also be subject to the Room Occupancy Standard outlined in the State Housing Law (as amended).
14. B&B Room Safety. Each guest room shall be equipped with a fire extinguisher and a smoke detector conforming to the Uniform Building Code Standards (UBC No. 43-6), and exit/egress and an emergency evacuation map must be displayed in a prominent location in each guest room.
15. B&B Parking: A total of four (4) parking spaces are required to accommodate the residents of the two homes and five (5) parking spaces to accommodate guests of the bed-and -breakfast inn.
  - Each parking space will be a minimum of 9 feet wide by 19 feet long.
  - The owner shall ensure that all required accesses, driveways and parking spaces remain clear and unobstructed, and are available and ready for the occupants' use at all times
16. B&B Permits. The requirements of Development Code Section 84.0620 regarding Bed and Breakfast Uses shall apply to this use. This includes requirements for an annual Special Use Permit, any required Health Permit required by Title 3 of the San Bernardino County Code, and the payment of the appropriate Transient Occupancy Tax (bed tax).
17. B&B Food Preparation. There shall be no cooking facilities permitted in guestrooms. Any preparation and service of unpackaged foods shall be done in accordance with County Regulations and subject to the review and approval of the County Public Health Department, Division of Environmental Health Services.
18. B&B Food Sales. The sale of food or other materials is limited only to guests who are currently residing on the premises where the use is located and not to the general public.
19. B&B Record Keeping. The operator shall maintain records for at least three (3) years of all guests that patronize the facility.

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20. B&B Over-concentration. No Bed and Breakfast use shall be permitted where more than two such uses currently exist within one thousand (1,000) feet of the perimeter of the proposed site.
21. B&B Normal Residential Traffic. Pedestrian and vehicular traffic will be limited to that normally associated with residential districts.
22. B&B Normal Residential Vehicles. The use shall not involve the use of commercial vehicles for the delivery of materials to or from the premises beyond those commercial vehicles normally associated with residential uses.
23. B&B Normal Residential Appearance. The appearance of the structure shall not be altered nor the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, noises and vibrations.
24. B&B No Outdoor Storage. There shall be no outdoor storage of materials or equipment, nor shall merchandise be visible from outside the home.
25. B&B Normal Residential Utility Usage. The uses of utilities and community facilities shall be limited to that normally associated with the use of the property for residential purposes.

LAND USE SERVICES DEPARTMENT - Code Enforcement Division (909) 387-4044

26. Enforcement Fees. If any County enforcement activities are required to enforce compliance with the conditions of approval, the applicant and/or property owner shall be charged for such enforcement activities in accordance with the San Bernardino County Code Schedule of Fees. [C1]

PUBLIC HEALTH DEPARTMENT - Environmental Health Services (DEHS) (909) 387-4677

27. Noise. Noise level shall be maintained at or below County Standards, Development Code Section 87.0905(b). For information, call DEHS/Land Use at (909) 387-4666. [E12]
28. Septic System The septic system shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper. For information, call DEHS/Wastewater Section at (909) 387-4666. [E13]
29. Solid Waste Storage. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that visual, noise, or other impacts and environmental health nuisances are minimized and complies with San Bernardino County Code Chapter 8, Section 33.081 et. seq. For information, call DEHS/Local Enforcement Agency (LEA) at (909) 387-4655. [E14]
30. Garbage Removal. All refuse containing garbage shall be removed from the premises at least two (2) time per week to an approved solid waste facility, in conformance with San Bernardino County Code Chapter 8, Section 33.081 et seq. For information, call DEHS/Local Enforcement Agency at (909) 387-4655. [E15]

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***PRIOR TO ISSUANCE OF GRADING PERMITS OR LAND DISTURBING ACTIVITY  
THE FOLLOWING SHALL BE COMPLETED***

LAND USE SERVICES DEPARTMENT - Building and Safety Division (909) 387-4226

31. Erosion Control Plan. An erosion and sediment control plan and permit shall be submitted to and approved by the Building Official prior to any land disturbance. [B9]
32. Grading Plans. If grading exceeds fifty (50) cubic yards, approved plans will be required. [B48]

LAND USE SERVICES DEPARTMENT – Current Planning Division (909) 387-4167

33. Archaeological, Paleontological and Historical Resources. If archaeological, paleontological and/or historical resources are uncovered during ground disturbing activities, all work in that area shall cease. A qualified expert (e.g. archaeologist), as determined by County Planning in consultation with the County Museum shall be hired to record the find and recommend any further mitigation. If human remains are uncovered during ground disturbing activities, the San Bernardino County Coroner shall be contacted within 24 hours of the find and all work shall halt until clearance is received. If the remains are determined to be of Native American origin, the local Native American representative shall be notified. [P14] [*Mitigation Measure V a-d*].
34. Tree Removal. The only trees that are authorized to be removed by this approval are those within the foot print of the roadway, parking areas and building footprints as indicated on the approved plot plan. Tree removal should be minimized and reforestation is encouraged where ever possible.



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**PRIOR TO ISSUANCE OF BUILDING PERMITS  
THE FOLLOWING SHALL BE COMPLETED**

LAND USE SERVICES DEPARTMENT - Building And Safety (909) 387-4226

35. Preliminary Soils Report. When earthwork quantities exceed 5,000 cubic yards, a preliminary soils report shall be filed with and approved by the Building Official prior to issuance of grading or building permits. A fee to cover the costs of the review shall be submitted with the report. [B2A]
36. Erosion Control - Slopes. Erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the site. [B21]
37. Erosion Control Installed. All erosion control planting, landscaping and devices shall be installed upon completion of rough grading [B22].
38. Building Plans. Submit building plans for approval and obtain permits prior to any construction. [B46]
39. Sign Plans. Any building, sign, or structure to be constructed or located on site will require professionally prepared plans approved by the Building and Safety Division. [B49]
40. Fence Plans. Submit plans and obtain permits for all fences greater than six feet (6') in height. [B109]

COUNTY FIRE DEPARTMENT (909) 387-5372

41. 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. [F-1]
42. Water System. Prior to any land disturbance, the water systems 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.

**The Fire Flow for this project shall be:**

**1000 GPM for a 2 Hour duration at 20 psi residual operating pressure.**

Currently the project:  Meets Fire Flow  Does not meet Fire Flow

Except for individual single family residences, the applicant shall submit four (4) copies of the water system improvement plans to the Fire Department for review and approval. New water systems shall have minimum eight (8) inch mains, six (6) inch laterals, six (6) inch riser and an approved six (6) inch fire hydrant. Standard 903.1 [F-5]

43. Building Plans. Not less than two (2) complete sets of Building Plans shall be submitted to the Fire Department for review and approval. [F-42]



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44. 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 (40) foot radius for all turns. In the FR1 or FR2 Fire Safety Overlay District areas, there are additional requirements. Standard 902.2.1 [F-43]
45. 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. Written documentation for private road maintenance, including but not limited to grading and snow removal shall be submitted to the Fire Department for review and approval. Standard 902.2.1 [F-46]
46. 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 [F-52]
47. Water system. 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 and no more than one hundred fifty (150) feet from any portion of a structure. Detached single family residential developments may increase the spacing between hydrants to be no more than six hundred (600) feet and no more than three hundred (300) feet any portion of a detached single family structure. Standard 901.4 [F-54]
48. 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. [F-57]
- DEPARTMENT OF-PUBLIC HEALTH -Environmental Health Services (909) 387-4677
49. Water Purveyor. The water purveyor shall be Yucaipa Valley Water District. [E1]
50. Water Verification. Applicant shall procure a verification letter from the water agency with jurisdiction. This letter shall state whether or not water connection and service shall be made available to the project by the water agency. This letter shall reference the File /Index Number and Assessor's Parcel Number. [E1a]
51. Sewage Disposal. The method of sewage disposal shall be approved by EHS. [E2]

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52. Septic System. If sewer connection and service are unavailable, septic systems will then be allowed, under the following condition. Soil percolation report/ Plot plan shall be submitted to DEHS for review and approval. For information, contact Wastewater Section at (909) 387-4666. [E3]
53. Sewer Verification. Applicant shall procure a verification letter from the sewer agency with jurisdiction. This letter shall state whether or not water connection and service shall be made available to the project by the water agency. This letter shall reference the File /Index Number and Assessor's Parcel Number. [E2a]
54. RWOE Written clearance shall be obtained from the designated California Regional Water Quality Control Board (listed below) and a copy forwarded to the Department of Environmental Health Services. [E5]
- A. Santa Ana Region, 3737 Main Street, Suite 500 Riverside, CA 92501-3339 (909) 782-4130
55. Food Establishments. Plans for food establishments shall be reviewed and approved by DEHS. For information, call DEHS/Plan Check at (909) 387-4608. [E8]

LAND USE SERVICES DEPARTMENT - Code Enforcement Division (909) 387-4044

56. Sign Registration. Prior to installation of any freestanding, wall, roof, projecting or monument sign, an approved sign registration application and plot plan are required.

LAND USE SERVICES DEPARTMENT - Planning Division (909) 387-4115

57. Landscape and Irrigation Plan. The developer shall submit for review and obtain approval from County Planning of a Landscape and Irrigation Plan for the development, indicating the location of all existing and proposed landscape materials and the installation details for the permanent irrigation system. The plan shall be prepared by a registered landscape architect and four (4) copies shall be submitted.
- The plans shall show the size, type, number, planting specifications and locations of all existing and proposed plant material. Where possible, the plan shall utilize indigenous landscaping or locally adaptable drought-tolerant cultivars, trees and turf capable of surviving the local climate and soil conditions with a minimum of supplemental water maintenance once established.
  - Irrigation plans – professionally prepared. Irrigation plans shall include, where practical, drip, bubbler or other non-aerial water service methods or system. The irrigation system shall include timers for controlled application. The irrigation plans shall include notes indicating: 1) the gallons per minute (GPM) and static pounds per square inch (psi) on the delivery side of the service backflow device and 2) the GPM and psi of the irrigation system located the longest distance from the delivery service. 3) All mainline connections, backflow valves and other inline devices shall be the same size or larger than the delivery service connection.

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- Screening. Voltage boxes, trash enclosures, maintenance structures, backflow devices, automatic controls, air conditioning/heating units, etc., shall be screened with landscaping and/or decorative fencing and shown on the plan. Parking areas shall be screened with landscaping to a minimum of three feet high to defuse headlights. Turfed parking areas shall have end row plantings to define rows and aisles. The frontage along Oak Glen Road a scenic route shall be fully landscaped.
- Signs. All proposed on-site signs shall be shown on a 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.
- Required slope planting. Slope planting shall be required for the surface of all cut slopes more than five (5) feet in height and fill slopes more than (3) feet in height. Said slopes shall be protected against damage from erosion by planting with grass or ground cover plants. Slopes exceeding ten (10) feet in vertical height shall also be planted with shrubs, spaced not to exceed ten (10) feet on centers; and trees, spaced not to exceed thirty (30) feet on centers. The plants selected and planting methods used shall be suitable for the soil and climatic conditions of the site. All planters shall be protected from vehicle encroachment. Drought tolerant plantings shall be used to the maximum extent possible. The landscaping plan shall include the following minimums:

	<u>No less than 50% shall be</u>	<u>Remainder shall be no less than</u>
Trees	15 gallon*	5 gallon
Shrubs	5 gallon	1 gallon
Groundcover	100% coverage	100% coverage

\*This shall include some specimen trees [25 gallon size, 1 inch caliper, and multi-branched]

PUBLIC WORKS - Land Development Engineering - Roads (909) 387-8218

58. Road Standards. Road sections within or bordering the development shall be designed and constructed to Valley Road standards and to Road Standards of San Bernardino County in accordance with the policies and requirements of the County Department of Public Works and the Master Plan of Highways.
59. Existing Facilities. Final plans and profiles shall indicate the location of any existing facility, which would affect construction.
60. Utility Poles. Existing utility poles shall be shown on the improvement plans and relocated as necessary without cost to the County.
61. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing shall be required.
62. Driveway Approaches. Applicant shall construct driveway approaches and entrances to conform to County Public Works Design Standard No. 189B and in conformance with the Highway Planning Technical Committee action of July 30, 2003.

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63. Road Improvement Plans. Applicant shall submit engineered road improvement plans to San Bernardino County of Public Works 825 E. Third Street room 142, San Bernardino CA 92415-0335 for review and approval. Telephone is (909) 387-8218.
64. Yucaipa Area Transportation Fees. Yucaipa Area Transportation fees shall be paid to County Public Works. The fees are currently \$949 for the second residence and \$1537.00 per acre for the 2.5 acres that is occupied by the reception facility (\$3, 842.50).

PUBLIC WORKS - Land Development Engineering - Drainage (909) 387-8145

65. Offsite Discharge. Adequate drainage facilities shall be made to intercept and conduct the 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. Submit hydrology and hydraulic studies.
66. Drainage Easements. Adequate San Bernardino Drainage Easements (Minimum fifteen (15) feet wide) shall be provided over the natural drainage courses, drainage facilities/or concentrations of the runoff from the site to dewater into private property.
67. Flood Hazard Areas. The site is located near Flood Zone X according to FEMA Panel Number 8765F dated 3/96 and will require the building pad to be elevated in compliance with FEMA and San Bernardino County regulations.

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***PRIOR TO FINAL INSPECTION OR OCCUPANCY  
THE FOLLOWING SHALL BE COMPLETED***

LAND USE SERVICES DEPARTMENT - Code Enforcement Division (909) 387-4044

68. Sign Registration Application Prior to installation of any freestanding, wall, roof, projecting or monument sign, an approved sign registration application and plot plan are required.
69. Special Use Permit. The applicant shall file and obtain an approval of a Special Use Permit for the operation and of the Bed and Breakfast Home operation. This permit shall be renewed annually and there shall be a minimum of one annual inspection in conjunction with the renewal of the SUP permit. The Special Use Permit shall also evaluate the vegetation survival and require replacement if necessary. Also the proper functioning and installation of turf binders into the soil and turf for the purpose of occasional reception event parking shall be evaluated. Code Enforcement shall make require that this material operate properly

LAND USE SERVICES DEPARTMENT - Current Planning (909) 387-4115

70. Driveway Width and Paving. All internal drives shall be a minimum of twenty-four (24) feet wide to facilitate two-way traffic. The main entry drive shall be a minimum of thirty-six (35) feet wide to accommodate a right turn pocket. All parking and driveway access areas shall be surfaced with a minimum two (2) inches asphalt and four (4) inches of base or greater surfacing as determined by Building and Safety, except as otherwise authorized by the approved variance related to this project.
71. Paint Parking Spaces. All paved parking stalls shall be clearly striped and permanently maintained with double or hairpin lines on the surface of the facility, with the two lines being located an equal nine (9) inches on either side of the stall sidelines; arrows shall be painted on the paving to indicated direction of traffic flow.
72. Disable Access. Disable access parking spaces shall be clearly marked as handicap spaces and said markings shall be maintained in good condition at all times.
73. Shield Lights. Any lights used to illuminate the site shall be hooded and designed so as to reflect away from adjoining properties and public thoroughfares.
74. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
75. Screen Dumpsters. All trash receptacles shall be screened from public view.
76. Landscaping Surety. Surety in a form and manner determined acceptable to County Counsel and the Land Use Services Director shall be required for all landscape planting and irrigation systems to insure that the landscaping remains in a healthy thriving condition for a minimum of three (3) full years and that the irrigation system continues to function properly for a minimum of three (3) full years. As a minimum this surety shall be in an amount equal to 120% of the cost estimate by a licensed landscape architect and must include material and labor for each landscaped area.

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77. Landscaping Installed. All landscaping shown on the approved landscaping plan and all walls/fencing (as delineated on the approved landscape plan) shall be completed.

PUBLIC HEALTH DEPARTMENT - Environmental Health Services (DEHS) (909) 387-4677

78. Certificate of Use. Prior to the occupancy of a bed and breakfast inn, pursuant to the San Bernardino County Code 33.101 et seq., a Certificate of Use request shall be submitted to the Division of Environmental Health Services. For information, call DEHS/ Community Environmental Health at (909) 387-3047[E11]

COUNTY FIRE DEPARTMENT (909) 386-8400

79. FS. This development shall comply with the Fire Safety Overlay District FS. [F]
80. Residential Addressing. The street address shall be installed on the building with numbers that are a minimum of four (4) inches in height and with a one half (½) inch stroke. The address shall be visible from the street. During the hours of darkness, the numbers shall be internally and electrically illuminated with a low voltage power source. Numbers shall contrast with their background and be legible from the street in accordance. Where the building is fifty (50) feet or more from the roadway, additional contrasting four (4) inch numbers shall be displayed at the property access entrances. Standard 901.4.4 [F81]
81. Key Box. An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Standard 902.4 [F85]
82. Spark Arrestor. An approved spark arrestor is required. Every chimney that is used in conjunction with any fireplace or any heating appliance in which solid or liquid fuel are used, shall have an approved spark arrestor visible from the ground that is maintained in conformance with the Uniform Fire Code. [F87]



# DICKINSON & SON

PROPERTY

MANAGEMENT & DEVELOPMENT

Established 1901

606 NORTH LARCHMONT BLVD., #4G

LOS ANGELES, CALIFORNIA 90004

TELEPHONE (323) 463-1181

FAX (323) 463-1188

GEORGE W. DICKINSON

BRUCE N. DICKINSON

October 9, 2014

San Bernardino County  
Land Use Services  
385 North Arrowhead Ave, First Floor  
San Bernardino, CA 92415

Attn: Cris Warrick

APN: 0325-052-09 Krebs, Phillip & Tamara

Dear Sir:

In Response to your notice for the above Project, please be advised that I have NO OPPOSITION to the Wedding Facility and I am heartily in favor of the Krebs obtaining permanent approval of their operation.

The Krebs' have done a beautiful job in creating a romantic setting for weddings and the beauty of their facility only enhances the quality of the neighborhood. They have also done a superb job in controlling the traffic, ensuring that it does not disturb surrounding landowners such as myself.

I am the owner of the parcel (APN 0325-052-07) two doors North of this project, along with a large Ranch, which begins directly across the street from their facility (APN's 321-041-06,07,08 etc.). I URGE FOR A QUICK AND PROMPT APPROVAL OF THIS APPLICATION.

Copy to: Philip & Tamara Krebs

Very Truly Yours,

  
George W. Dickinson

# EXHIBIT D

## CEQA Addendum

**Addendum to 2004  
Mitigated Negative Declaration  
CUP 11736CU1/E386-129/CUP01**

**Serendipity Garden Weddings  
Oak Glen, California  
P201400361**

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## **1.0 INTRODUCTION**

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### **1.1 PURPOSE OF THIS REPORT**

This report has been prepared by the County of San Bernardino Land Use Services Department (“County”) as the Lead Agency as an Addendum to the Mitigated Negative Declaration (“MND”) for Serendipity Garden Weddings (“Addendum”) pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines. This Addendum describes changes to the MND as necessary to achieve CEQA compliance for the currently proposed revisions to the Serendipity Garden Weddings facility (Project) evaluated in this Addendum. The MND addressed the environmental implications of a proposed project to add a second residence, including a five bedroom Bed & Breakfast with an associated wedding garden and reception facility for a maximum of 210 guests on 5.05 acres (“Existing Project”). The property is located on the east side of Oak Glen Road approximately one mile north of Wildwood Canyon Road in the Oak Glen Planning Area. APN: 0325-051-09, 10.

The Applicant has proposed the following revisions: 1) a General Plan Amendment (GPA) from Oak Glen Rural Living (OG/RL) and Oak Glen Rural Living Minimum Lot Size of 20 acres (OG/RL-20) to Oak Glen Rural Commercial (OG/CR); 2) elimination of bed and breakfast use; and 3) addition of a 2,400 square foot barn structure to be used as an indoor wedding and/or reception facility (“Modified Project”). The County has prepared this Addendum to examine the potential environmental effects of the proposed revisions to the Project.

The original Initial Study and MND are attached hereto and incorporated herein by reference.

### **1.2 ADDENDUM DETERMINATION**

The Oak Glen Community Plan supports the establishment of uses that preserve its rural character and natural beauty while balancing the needs of its residents, agricultural and agritourist operations. The current wedding facility has successfully met these goals and the Applicants desire to continue in the same manner.

(CEQA allows preparation of an Addendum to an MND to document changes in project characteristics or environmental conditions under which the project will be implemented. An Addendum can be prepared for the MND only if there are minor changes that do not result in any new or different significant impacts from those identified in the MND.

Based on the analysis of the proposed Modified Project, there will be no new significant environmental impacts not previously disclosed in the MND and no substantial increases in the severity of any previously identified effects. Neither do the changes constitute substantial changes to the Project. Moreover, pursuant to CEQA Guidelines section 15164, “none of the conditions described in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.” Therefore, pursuant to CEQA Guidelines sections 15162 and 15164, an Addendum to the previously certified EIR is the appropriate environmental document for the County’s consideration of the proposed modifications.

CEQA recognizes that, between the date that projects are approved and the date they are implemented, one or more of the following changes may occur: 1) the scope of the project may change, 2) the environmental setting in which the project is located may change, 3) certain environmental laws, regulations, or policies may change, and 4) previously unknown information can come to light. CEQA requires that lead agencies evaluate these changes to determine whether or not they are significant.

The mechanism for assessing the significance of these changes is found in CEQA Guidelines sections 15162 – 15164. Further environmental review (in the form of a Subsequent or Supplemental Environmental Impact Report) would be warranted pursuant to CEQA Guidelines sections 15162 and 15163, only if :

- (1) substantial changes are proposed to the project which will require major revisions of the previous EIR due to the changes involving new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified show that
  - (a) the project will have one or more significant effects not discussed in the previous EIR,
  - (b) significant effects previously examined will be substantially more severe than shown in the previous EIR,
  - (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or,
  - (d) mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. If the changes do not meet these criteria, then an Addendum, pursuant to CEQA Guidelines section 15164, is prepared to document any resulting changes to environmental impacts or mitigation measures.

The County has determined that preparation of an Addendum to the MND pursuant to Section 15164 of the CEQA Guidelines is the most appropriate method for evaluation of the proposed changes to the Serendipity Garden Wedding facility based upon the analysis included below.

### **1.3 SUMMARY OF ADDENDUM CONCLUSIONS**

Section 2, below, describes the specific differences between the Modified Project and the Existing Project and confirms the revisions incorporated in Modified Project would not result in new significant environmental effects or a substantial increase in the severity of the significant effects identified in the MND. This conclusion results primarily because the Modified Project does not substantially deviate in size and function from the Existing Project.

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## 2.0 DETAILED DESCRIPTION OF THE EXISTING AND THE MODIFIED PROJECT

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**2.1 Revisions to the Approved Project:** The Existing Project is an established outdoor wedding and reception facility operating under a CUP established in 2005. Requested revisions to the approved CUP are to eliminate the bed and breakfast requirement by seeking a GPA from Oak Glen Rural Living (OG/RL) and Oak Glen Rural Living Minimum Lot Size of 20,000 SF (OG/RL-20) to Oak Glen Rural Commercial (OG/CR). This change would remove the venue from Oak Glen Agritourism regulations. The Applicants are also proposing to include a 2,400 square foot barn for indoor weddings and/or receptions. The site continues to be restricted to a maximum of 210 guests. Details related to changes in site operations are as follows:

**2.1.1 Site Function and Operation.** The facility will continue its current operation of holding outdoor weddings and receptions, primarily on weekends. Hours of operation: 10 am to 10 pm. Months of operation: primarily March through November. Inclusion of the barn for indoor events during inclement weather will result in a minimal increase in the number of events per year.

**2.1.2 Access & Parking.** Roadway access and parking remains unchanged. There are 75 parking spaces: 70 guest spaces (assumed average of 3 persons per vehicle); 5 employee spaces. Five of the parking spaces are ADA compliant. Due to the steepness of the terrain at the site, disabled access is available through the use of three ADA golf carts. Emergency vehicle access to the barn has been incorporated into the revised Site Plan.

**2.1.3. Site Plan and Structural Layout.** Maximum height of buildings remains unchanged; building and property setbacks are consistent with Development Code standards. Receptions are currently held on the open patio outside the Reception Support Facility on the hilltop adjacent to the parking lot. Evaluation of the barn to meet commercial structural standards will be required prior to use for indoor weddings or receptions. A safety dispersal area in the event of a structural fire has also been incorporated.

**2.1.4 Food Service and Alcohol Consumption.** Current policies relative to the serving of food and alcoholic beverages remain unchanged. The food preparation and staging area, located in the Reception Support Facility, is subject to inspections and permitting through the Department of Public Health Environmental Health Services (EHS). Alcohol is not sold, however, guests are allowed to bring their own, pre-mixed cocktails, champagne, wine, or beer.

***The above described Modified Project is reflected throughout this Addendum as necessary to comprehensively evaluate potential environmental impacts in light of the previously certified MND.***

## 2.2 POTENTIAL IMPACTS AND MITIGATION MEASURES AS APPLIED TO THE EXISTING AND MODIFIED PROJECT.

### 2.2.1 Aesthetics

No change. The Modified Project will not result in new impacts with respect to aesthetics. The addition of the barn for weddings and/or receptions will not be visible from the street. The Oak Glen Community Plan emphasizes the protection of its rural and tourist oriented environment,



which the venue has maintained. No changes to venue aesthetics or operations will occur as a result of the Modified Project. Impacts to scenic resources remain less than significant.

### **2.2.1 Agriculture and Forestry Resources**

No change. No agricultural or forestry resources are present.

### **2.2.2 Air Quality**

Insignificant change. Impacts are quantified by the number of vehicle trips generated to and from the facility. Vehicle trips are limited by the size of the parking area which can accommodate a maximum of 75 cars, which would remain unchanged. Although the number of wedding events will increase, the number of trips generated remains less than significant.

### **2.2.3 Biological Resources**

No change. The site has been developed and utilized for residential and commercial purposes for the past 12 years. No protected species, or riparian habitat will be affected. Neither would the Modified Project affect a wildlife corridor, nor violate local policies, ordinances, or adopted Habitat Conservation Plans.

### **2.2.4 Cultural Resources**

No change. Protections are in place should cultural or paleontological resources be discovered during the grading process.

### **2.2.5 Geology /Soils**

No change.

### **2.2.6 Greenhouse Gas Emissions**

Insignificant change. Greenhouse gas emissions were estimated based upon the addition of 2,400 square feet of commercial usage. Emissions calculations are less than the 3,000 MTCO<sub>2</sub>e threshold in the San Bernardino County Greenhouse Gas (GHG) Emission Reduction Plan. Addition of the barn will require minor modifications to an existing structure, therefore, the full range of standard GHG Performance Measures incorporated into the project's Conditions of Approval have been modified accordingly (see example below). No significant impacts are anticipated and no mitigation measures are required.

1. *GHG – Operational Standards. The applicant shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:*
  - a) *Waste Stream Reduction. The applicant 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*
  - b) *Vehicle Trip Reduction. The applicant 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.*
  - c) *Provide Educational Materials. The applicant 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. The applicant shall also provide to all tenants and require that the tenants shall display in their stores current transit route information for the project area in a visible and convenient location for employees and customers. The specific transit routes displayed shall include Omni Trans Route 8, San Bernardino-Mentone-Yucaipa.

- d) *Landscape Equipment.* The applicant 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.
2. *GHG – Design Standards.* The applicant shall submit for review and obtain approval from County Planning 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 implemented July 1, 2014.* The applicant shall document that the design of the proposed structures meets 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 January 24, 2013; Cool Roof Coatings performance standards as amended January 24, 2013):
    - *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,*
    - *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.*
    - *Light colored building materials and finishes shall be used to reflect natural and artificial light with greater efficiency and less glare.*
  - e) *Landscaping.* The applicant incorporate landscape and irrigation plans that 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.

- 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.*

**2.2.7 Hazards & Hazardous Materials**

No change.

**2.2.8 Hydrology / Water Quality**

Insignificant change. Conditions of Approval are in place to protect on- and off-site drainage.

**2.2.9 Land Use / Planning**

Insignificant change. A GPA is required to facilitate removal of the bed and breakfast within the Oak Glen Rural Living (OG/RL) zone under the Oak Glen Community Plan. Approval of a designation for Oak Glen Rural Commercial (OG/CR) will bring the Modified Project into compliance with County land use and planning regulations.

**2.2.10 Mineral Resources**

No change.

**2.2.11 Noise**

No change. Noise standards to protect neighboring properties are in place and incorporated into the Project's Conditions of Approval. A noise study was submitted with the Modified Project application and revealed no violations to Development Code standards.

**2.2.12 Population / Housing**

No change.

**2.2.13 Public Services**

Insignificant change. The potential demand for police and fire services will incrementally rise with the minimal increase in number of events per year. Fire protection measures for safety and emergency vehicle access to the barn have been incorporated into the Site Plan.

**2.2.14 Recreation**

No change.

**2.2.15 Transportation/Traffic**

Insignificant change. The number of vehicle trips per event remains the same. No increase in parking spaces or maximum number of guests. The number of additional events per year is expected to minimally increase due to availability of the indoor barn facility.

**2.2.16 Utilities / Service Systems**

Insignificant change. Assessment for the provision of necessary utilities and service systems have been evaluated and found sufficient to meet all County requirements. No new impacts will result.

**2.2.17 Mandatory Findings of Significance**

No new significant adverse impacts are identified or anticipated and no new mitigation measures are required as a result of the Modified Project.

**SAN BERNARDINO COUNTY  
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM**

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the State CEQA Guidelines.

**Project Label:**

<p><b>APN:</b> 0325-051-09*</p> <p><b>Applicant:</b> Scalise, John and Tamara</p> <p><b>Proposal:</b> Conditional Use Permit to add a Second Residence, including a 5 bedroom Bed &amp; Breakfast with an associated wedding garden and reception facility for a maximum of 200 guests with a variance for surfacing requirements on 5 acres.</p> <p><b>Community:</b> Oak Glen/S3 <i>3rd Supervisorial Dist</i></p> <p><b>Location:</b> Oak Glen Road east side, approximately 1/4 mile north of Acorn Way</p> <p><b>JCS/Index:</b> 11736CU1/E386-129/2003/COP01</p> <p><b>Staff:</b> J. P. McGuckian</p> <p><b>Representative:</b> Alison &amp; Company</p>	<p><b>USGS QUAD:</b> Forest Falls (15 minute)</p> <p><b>T, R, and SECTION:</b> T2S, R1W, Sec.2, and SW¼</p> <p><b>THOMAS BROS.:</b> p. 651 A-4 /grid</p> <p><b>PLANNING AREA:</b> OAK GLEN</p> <p><b>OLUD:</b> OG/RL-2.5</p> <p><b>IMPROVEMENT LEVEL:</b> IL-3</p>
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**PROJECT CONTACT INFORMATION:**

**Lead agency name and address:**

San Bernardino County Land Use Services Department, Current Planning Division  
385 North Arrowhead Avenue, First Floor San Bernardino, CA 92415-0182

**Contact person and phone number:** J.P. McGuckian, AICP, Planner- Phone: (909) 387-4115 Fax: (909) 387-4301

**Project sponsor's name and address:**

**PROJECT DESCRIPTION** - The proposed project is a Conditional Use Permit (CUP) to add a Second Residence, including a five bedroom Bed & Breakfast with an associated wedding garden and reception facility for a maximum of 200 guests on 5 acres. The project includes a variance to allow alternative surfacing in lieu of the required paved parking. The project is located on the East Side of Oak Glen Road, approximately 1/4 mile north of Acorn Way which provides access to the site and is County maintained roads. This project site is in the unincorporated portion of the County of San Bernardino in the Oak Glen Planning Area. The County General Plan designates the project site as Rural Living (RL) Land Use District with an Improvement Level Three (IL-3) and the site is regulated by the following Overlay Districts: Fire Safety Review Area 1, Geological Hazard (low to moderate susceptibility to landslides).

**ENVIRONMENTAL/EXISTING SITE CONDITIONS:**

AREA	EXISTING LAND USE	OFFICIAL LAND USE DISTRICT	IL
SITE	OG/RL-2.5	Single Family Residence/farm	IL-3
North	OG/RL-2.5	Single Family Residence/farm	IL-3
South	OG/RL-2.5	Vacant	IL-3
East	OG/RL-20	Vacant	IL-3
West	OG/RL-20	Vacant	IL-3

**ENVIRONMENTAL/EXISTING SITE CONDITIONS (cont'd):**

The project site is currently occupied with a single family house and a vacant agriculturally graded hay field that slopes off into a ravine with natural vegetation. The site has very little native vegetation.

**Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

Federal: None; State of California: Regional Water Quality Control Board, Fish and Game; County of San Bernardino: Land Use Services - Code Enforcement; Building and Safety, Public Health-Environmental Health Services, Special Districts, Public Works. County Fire.

**Evaluation Format**

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on seventeen (17) major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
2. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
3. Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List mitigation measures)
4. Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are: (List the impacts requiring analysis within the EIR ).

At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

**1. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils         |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Land Use/ Planning     |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing   |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

- The proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- The proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- The proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Signature (prepared by) John P. McGuckian, AICP, Planner III

2/23/2004  
Date

  
\_\_\_\_\_  
Judy S. Tatman, AICP – Senior Planner  
For Land Use Services Director

6/30/2004  
Date



	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
<b>I. AESTHETICS</b> — Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION** (check  if project is located within the viewshed of any Scenic Route listed in the General Plan):

- I a) The proposed project is located within the designated Scenic Corridor for Oak Glen Road, but will not have a substantial adverse effect on the scenic vista. There will be a landscaped 15 –20 high bank between the use and Oak Glen Road.
- I b) The proposed project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, because there are no, rock outcroppings, or historic building on the project site and the existing trees are incorporated into the design of the site.
- I c) The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings, because the project is consistent with the existing visual character of the area and will incorporate landscaping and provide screening walls landscaping for exterior mechanical equipment, loading and storage areas. The project site is located behind a slope and will use innovative soil binding material to provide for most of the occasional event traffic.
- I d) The proposed project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area, because this site is all ready developed with one single family dwelling. Lighting proposed on site will be hooded and downshielded to protect surrounding properties from any resultant glare.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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**II. AGRICULTURE RESOURCES** — In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION (check \_\_ if project is located in the Important Farmlands Overlay):

- II a) The subject property is not identified or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. There are previous agricultural uses of a horse grazing field and hay production on 5 acres is of minimal importance to the agricultural enterprises in the area that are predominantly apple orchards.
- II b) The subject property is not designated and the proposed use does not conflict with any agricultural land use or Williamson Act land conservation contract.
- II c) The subject property is designated and the proposed use does not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Prime Farmland, to a non-agricultural use.

Therefore, no impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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**III. AIR QUALITY** — Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**SUBSTANTIATION** (discuss conformity with the *South Coast or Mojave Desert* Air Quality Management Plan, if applicable):

- III a) The project will not conflict with or obstruct implementation of the (*Mojave or South Coast*) air quality plan, because the proposed uses do not exceed the thresholds established for air quality concerns as established by the CEQA Air Quality Handbook developed by the South Coast Air Quality Management District and used as a guide by the Mojave Desert Air Quality Management District. The traffic increase is not significant based on the handbook criteria and will not contribute in any substantial way to the degradation of local region air quality. The site access will be paved and/or landscaped with turf, which will mean little or no wind-blown dust or particulate matter.
- III b) The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation, because the proposed use(s) do not exceed established thresholds of concern as established by the District. A dust control plan will be required as mitigation measure to regulate construction activities that could create wind blown dust.
- III c) The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors), because the proposed uses do not exceed established thresholds of concern.
- III d) The project will not expose sensitive receptors to substantial pollutant concentrations, because there are no identified concentrations of substantial pollutants and the project is not located within ¼ mile of a use considered a 'sensitive receptor'.
- III e) The project will not create odors affecting a substantial number of people because there are no identified potential uses which will result in the production of objectionable odors.

Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as conditions of project approval to reduce these impacts to a level below significant. The required mitigation measures are:

Dust Control Plan The developer shall submit a Dust Control Plan (DCP) to County Building and Safety consistent with SCAQMD guidelines. The DCP shall include activities to reduce on-site and on-site dust production. This measure shall be implemented to the satisfaction of County Building and Safety. Such activities shall include, but are not limited to, the following:

- Throughout grading and construction activities, exposed soil shall be kept moist through a minimum of twice daily watering to reduce fugitive dust.
- Street sweeping shall be conducted when visible soil accumulations occur along site access roadways to remove dirt dropped by construction vehicles or dried mud carried off by trucks moving dirt or bringing construction materials. Site access driveways and adjacent streets will be washed if there are visible signs of any dirt track-out at the conclusion of any workday.
- All trucks hauling dirt away from the site shall be covered to prevent the generation of fugitive dust.
- During high wind conditions (i.e., wind speeds exceeding 25 mph) areas with disturbed soil will be watered hourly and activities on unpaved surfaces shall be terminated until wind speeds no longer exceed 25 mph.
- Storage piles that are to be left in place for more than three working days shall either be sprayed with a non-toxic soil binder or covered with plastic or revegetated until placed in use.
- Tires of vehicles will be washed before the vehicle leaves the project site and enters a paved road.
- Dirt on paved surfaces shall be removed daily to minimize generation of fugitive dust.

*[Mitigation Measure III b-1]*

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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**IV. BIOLOGICAL RESOURCES — Would the project:**

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**SUBSTANTIATION** (check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ):

- IV a) This project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, because the project site is a previously graded and partially developed lot that has no such biological resources identified on the site.
- IV b) This project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service because the project site is a previously graded and partially developed lot that has no such biological resources riparian habitat or sensitive natural community identified on site.
- IV c) This project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the project is not within an identified protected wetland.
- IV d) This project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, because there are no such corridors or nursery sites within or near the project site.

- IV e) This project will not conflict with any local policies or ordinances protecting biological resources, as the site has been previously disturbed and there are no identified biological resources that are subject to such regulation.
- IV f) This project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plan has been adopted in the area of the project site.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
<b>V. CULTURAL RESOURCES —</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION** (check if the project is located in the Cultural \_\_\_ or Paleontologic \_\_\_ Resources overlays or cite results of cultural resource review):

- V a) This project will not cause a substantial adverse change in the significance of a historical resource, because there are no such resources identified on the site. To further reduce the potential for impacts, a condition shall be added to the project which requires the developer to contact the County Museum for determination of appropriate mitigation measures, if any finds are made during project construction.
- V b) This project will not cause a substantial adverse change to an archaeological resource, because there are no such resources identified on the site. To further reduce the potential for impacts, a condition shall be added to the project which requires the developer to contact the County Museum for determination of appropriate mitigation measures, if any finds are made during project construction.
- V c) This project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, because no such resources have been identified on the site. To further reduce the potential for impacts, a condition shall be added to the project which requires the developer to contact the County Museum for determination of appropriate mitigation measures, if any finds are made during project construction.
- V d) - This project will not disturb any human remains, including those interred outside of formal cemeteries, because no such burial grounds are identified on this project site. If any human remains are discovered, during construction of this project, the developer is required to contact the County Coroner, County Museum for determination of appropriate mitigation measures and a Native American representative, if the remains are determined to be of Native American origin.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required. As a precautionary measure to further reduce any potential for impacts, the following requirement will apply:

Archaeological, Paleontological and Historical Resources. If archaeological, paleontological and/or historical resources are uncovered during ground disturbing activities, all work in that area shall cease. A qualified expert (e.g. archaeologist or paleontologist), as determined by County Planning in consultation with the County Museum shall be hired to record the find and recommend any further mitigation. If human remains are uncovered during ground disturbing activities, the San Bernardino County Coroner shall be contacted within 24 hours of the find and all work shall halt until clearance is received. If the remains are determined to be of Native American origin, the local Native American representative shall be notified. [Mitigation Measure V a-d].



	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
<b>VI. GEOLOGY AND SOILS — Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist -Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 181-B of the Uniform Building Code (1994), creating substantial risks to life or property?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION** (check  if project is located in the Geologic Hazards Overlay District):

VI a) (i-iv) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving; i) rupture of a known earthquake fault, ii) strong seismic ground shaking, iii) Seismic-related ground failure, including liquefaction or iv) Landslides, because there are no such geologic hazards identified in the immediate vicinity of the project site. The project will be reviewed and approved by County Building and Safety with appropriate seismic standards.

VI b) – The project will not result in substantial soil erosion or the loss of topsoil, because the site will be paved and landscaped. Erosion control plans will be required to be submitted, approved and implemented.

VI c) – The project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse. Where a potential for these is identified a geology report is required to be reviewed and approved by the County Building and Safety Geologist, who will require implementation of appropriate mitigation measures, if any are required

VI d) The project site is not located in an area which has been identified by the County Building and Safety Geologist as having the potential for expansive soils, as determined by a required soils report.

VI e) The project has soils capable of supporting septic tanks and a percolation report is required prior to issuance of building permits.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

**VII. HAZARDS AND HAZARDOUS MATERIALS —**

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:**

- VII a) The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because no use approved on the site is anticipated to be involved in such activities. If such uses are proposed on-site in the future, they will be subject to permit and inspection by the Hazardous Materials Division of the County Fire Department.
- VII b) The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, because any proposed use or construction activity that might use hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department.
- VII c) The project uses will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, because the project does not propose the use of hazardous materials and all existing and proposed schools are more than one-quarter mile away from the project site.

- VII d) The project site is not included on a list of hazardous materials sites.
- VII e) The project site is not within the vicinity or approach/departure flight path of a public airport.
- VII f) The project site is not within the vicinity or approach/departure flight path of a private airstrip.
- VII g) The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the project has adequate access from two or more directions.
- VII h) The project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, because there are no wildlands adjacent to this site.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
<b>VIII. HYDROLOGY AND WATER QUALITY — Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:**

VIII a) The project will not violate any water quality standards or waste discharge requirements, because the project will be served by established water and wastewater purveyors that are subject to independent regulation by local and state agencies that ensure compliance with both water quality and waste discharge requirements.

VIII b) The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, because the project is served by an existing water purveyor that has indicated that there is currently sufficient capacity in the existing water system to serve the anticipated needs of this project.

- VIII c) The project will not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site, because the project does not propose any substantial alteration to a drainage pattern, stream or river and the project is required to submit and implement an erosion control plan.
- VIII d) The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, because the project does not propose any substantial alteration to a drainage pattern, stream or river. County Public Works has reviewed the proposed project drainage and all necessary drainage improvements both on and off site have been required as conditions of the construction of the project.
- VIII e) The project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, because County Public Works has reviewed the proposed project drainage and has determined that the proposed systems are adequate to handle anticipated flows. All necessary drainage improvements both on and off site will be required as conditions of the construction of the project. There will be adequate capacity in the local and regional drainage systems so that downstream properties are not negatively impacted by any increases or changes in volume, velocity or direction of stormwater flows originating from or altered by the project.
- VIII f) – The project will not otherwise substantially degrade water quality, because appropriate measures relating to water quality protection, including erosion control measures have been required.
- VIII g) The project will not place unprotected housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, because the project has been reviewed by County Public Works and the project is not within identified flood hazard areas. (Or: appropriate protection mechanisms, (such as elevation of the building sites for habitable structures) have been required as conditions of construction of the project.
- VIII h) The project will not place within a 100-year flood hazard area structures which would impede or redirect flood flows, because the site is not located within a 100-year flood hazard area and any area identified as being potentially affected by a 100-year storm the structures will be subject to a flood hazard review and will be required to be elevated a minimum of one foot above the base flood elevation.
- VIII i) The project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, because the project site is not within any identified path of a potential inundation flow that might result in the event of a dam or levee failure or that might occur from a river, stream, lake or sheet flow situation.
- VIII j) The project will not be impacted by inundation by seiche, tsunami, or mudflow, because the project is not adjacent to any body of water that has the potential of seiche or tsunami nor is the project site in the path of any potential mudflow.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
<b>IX. LAND USE AND PLANNING — Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:**

- IX a) The project will not physically divide an established community, because the project is a logical and orderly extension of the planned land uses and development that are established within the surrounding area.
- IX b) The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect, because the project is consistent with all applicable land use policies and regulations of the County Code and General Plan. The project complies with all hazard protection, resource preservation and landuse modifying Overlay District regulations.
- IX c) The project will not conflict with any applicable habitat conservation plan or natural community conservation plan, because there is no habitat conservation plan or natural community conservation plan within the area surrounding the project site and no habitat conservation lands are required to be purchase as mitigation for the proposed project.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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**X.MINERAL RESOURCES** — Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**SUBSTANTIATION** (check \_\_\_ if project is located within the Mineral Resource Zone Overlay):

- X a) The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, because there are no identified important mineral resources on the project site and the site is not within a Mineral Resource Zone Overlay.
- X b) The project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan, because there are no identified locally important mineral resources on the project site.

Therefore, no impacts are identified or anticipated and no mitigation measures are required.



	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
<b>XI. NOISE</b> — Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION** (check if the project is located in the Noise Hazard Overlay District \_\_\_\_ or is subject to severe noise levels according to the General Plan Noise Element \_\_):

- XI a) The project will not expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, because the project has been conditioned to comply with the noise standards of the County Development Code and no noise exceeding these standards is anticipated to be generated by the proposed uses.
  - XI b)– The project will not create exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels, because the project has been conditioned to comply with the vibration standards of the County Development Code and no vibration exceeding these standards is anticipated to be generated by the proposed uses.
  - XI c)– The project will not generate a substantial permanent increase in ambient noise levels in the project vicinity above levels existing or allowed without the project, because the project has been conditioned to comply with the noise standards of the County Development Code and no noise exceeding these standards is anticipated to be generated by the project.
  - XI d) The project will not generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing or allowed without the project, because the project has been conditioned to comply with the noise standards of the County Development Code. Construction activity shall be limited to the hours between 7 AM and 7 PM, each day. Construction equipment is required to be staged away from any surrounding residences.
  - XI e) The project is not located within an airport land use plan area or within 2 miles of a public/public use airport.
  - XI f) The project is not within the vicinity of a private airstrip.
- Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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**XII. POPULATION AND HOUSING — Would the project:**

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**SUBSTANTIATION:**

- XII a) The project will not induce substantial population growth in an area either directly or indirectly. The project will generate several new jobs and employment opportunities. This may generate a need for housing for new employees. However considering the unemployment rate for the area and the type of jobs generated by the project it is probable that the new jobs would be absorbed by the employment needs of the existing residents in the area.
- XII b) The proposed use will not displace substantial numbers of existing housing units, necessitating the construction of replacement housing, because no housing units are proposed to be demolished as a result of this proposal.
- XII c) The proposed use will not displace substantial numbers of people necessitating the construction of replacement housing elsewhere, because the project will not displace any existing housing or existing residents.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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**XIII. PUBLIC SERVICES —**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

XIII a) The proposed project will not result substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services, including fire and police protection, schools, parks or other public facilities. Construction of the project will increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this project.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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**XIV. RECREATION —**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**SUBSTANTIATION:**

XIV a) This project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, because the project will generate only one new residential units and the impacts generated by the employees/residents of this project will be minimal. The project itself will augment and contribute to choices in the area for a public reception gathering.

XIV b) This project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment, because the type of project proposed will not result in an increased demand for recreational facilities.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
<b>XV. TRANSPORTATION/TRAFFIC — Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

- XV a) The project will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system, because the increase in the number of vehicle trips, the volume to capacity ratio on roads, and the congestion level at intersections remains below the planned thresholds for those facilities. The occasional event traffic will be limited to a maximum of 200 guests (rated at 3 per vehicle) and 5 bed and breakfast guests vehicles, which is anticipated to generate a maximum of 78 vehicles. The normal event will be between 50 and 100 guests generating less than 33 vehicles on average that arrive over a 2 hour period. This is less than 20 vehicles per hour.
- XV b) The project will not exceed, either individually or cumulatively, a level of service (LOS) standard established by the county congestion management agency for designated roads or highways, because County Public Works – Traffic Division has reviewed the traffic generation of the proposed project and anticipates that traffic service will be remain at an LOS of “C” or better, as required by the County General Plan.
- XV c) The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks, because there are no airports in the vicinity of the project and there is no anticipated notable impact on air traffic volumes by passengers or freight generated by the proposed uses and no new air traffic facilities are proposed.
- XV d) The project will not substantially increase hazards due to a design feature or incompatible uses, because the project site is adjacent to an established road that is accessed at points with good site distance and properly controlled intersections. There are no incompatible uses proposed by the project that will impact surrounding land uses. The access points were reviewed and approved by the County Highway Planning and Technical Committee.
- XV e) The project will not result in inadequate emergency access, because there are a minimum of two access points.
- XV f) The project will not result in inadequate parking capacity, because the project meets and exceeds the parking standards established by the County Development Code.
- XV g) The project will not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks), because these have been required to be installed as conditions of approval.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
<b>XVI. UTILITIES AND SERVICE SYSTEMS —</b>				
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

- XVI a) The proposed project does not exceed wastewater treatment requirements of the Regional Water Quality Control Board, Santa Ana Region, as determined by County Public Health – Environmental Health Services.
- XVI b) The proposed project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, as there is sufficient capacity in the existing system for the proposed use.
- XVI c) The proposed project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities that cause significant environmental effects, as County Public Works has determined that either there is sufficient capacity in the existing storm water system to absorb any additional stormwater drainage caused by the project or has required facilities to be constructed as a part of this project. Any drainage facility construction that is required is included in this environmental review and this review has required appropriate mitigation measures if necessary.
- XVI d) The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources, as the local water purveyor has given assurance of such water service.
- XVI e) The proposed project has a determination from the wastewater treatment provider serving the project that it has adequate capacity to serve the projected demand for the project in addition to the provider's existing commitments.
- XVI f) The proposed project is served by County landfill, which has sufficient permitted capacity to accommodate the project's solid waste disposal needs in the San Timoteo landfill.
- XVI g) The proposed project is required to comply with federal, state, and local statutes and regulations related to solid waste.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.



Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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**XVII. MANDATORY FINDINGS OF SIGNIFICANCE—**

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause Substantial adverse effects on human beings, either directly Or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**SUBSTANTIATION:**

XVII a) The project does not appear to have the potential to significantly degrade the overall quality of the regions's environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population or drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. There are no rare or endangered species or other species of plants or animals or habitat identified as being significantly and negatively impacted by this project. There are no identified historic or prehistoric resources identified on this site. If any archaeological or paleontological resources are identified during construction the project, the project is conditioned to stop and identify appropriate authorities, who properly record and/or remove for classification any such finds.

XVII b) The project does not have impacts that are individually limited, but cumulatively considerable. The sites of projects in the area to which this project would add cumulative impacts have either existing or planned infrastructure that is sufficient for all planned uses. These sites either are occupied or are capable of absorbing such uses without generating any cumulatively significant impacts.

XVII c) The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly, as there are no such impacts identified by the studies conducted for this project or identified by review of other sources or by other agencies.

Only minor increases in traffic, emissions and noise will be created by implementation of the proposed project. These potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse affects upon the region, the local community or its inhabitants. At a minimum, the project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further insure that no potential for adverse impacts will be introduced by construction activities, initial or future land uses authorized by the project approval. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.



## XVIII. MITIGATION MEASURES

(Any mitigation measures which are not 'self-monitoring' shall have a Mitigation Monitoring and Reporting Program prepared and adopted at time of project approval)

### SELF MONITORING MITIGATION MEASURES:

(Condition compliance will be verified by existing procedure)

Dust Control Plan. The developer shall submit a Dust Control Plan (DCP) to County Building and Safety consistent with SCAQMD guidelines. The DCP shall include activities to reduce on-site and on-site dust production. This measure shall be implemented to the satisfaction of County Building and Safety. Such activities shall include, but are not limited to, the following:

- Throughout grading and construction activities, exposed soil shall be kept moist through a minimum of twice daily watering to reduce fugitive dust.
- Street sweeping shall be conducted, when visible soil accumulations occur along site access roadways to remove dirt dropped by construction vehicles or dried mud carried off by trucks moving dirt or bringing construction materials. Site access driveways and adjacent streets will be washed if there are visible signs of any dirt track-out at the conclusion of any workday.
- All trucks hauling dirt away from the site shall be covered to prevent the generation of fugitive dust.
- During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil will be watered hourly, and activities on unpaved surfaces shall be terminated until wind speeds no longer exceed 25 mph.
- Storage piles, which are to be left in place for more than three working days shall either be sprayed with a non-toxic soil binder or covered with plastic or revegetated until placed in use.
- Tires of vehicles will be washed before the vehicle leaves the project site and enters a paved road.
- Dirt on paved surfaces shall be removed daily to minimize generation of fugitive dust.

*[Mitigation Measure III b]*

Archaeological, Paleontological and Historical Resources. If archaeological, paleontological and/or historical resources are uncovered during ground disturbing activities, all work in that area shall cease. A qualified expert (e.g. archaeologist), as determined by County Planning in consultation with the County Museum shall be hired to record the find and recommend any further mitigation. If human remains are uncovered during ground disturbing activities, the San Bernardino County Coroner shall be contacted within 24 hours of the find and all work shall halt until clearance is received. If the remains are determined to be of Native American origin, the local Native American representative shall be notified. *[Mitigation Measure V a-d].*

### MITIGATION MEASURES SUBJECT TO A MITIGATION MONITORING AND REPORTING PROGRAM:

(Condition compliance requires an independent verification process)

All listed mitigation measures are self- monitoring and there will be no requirement for a Mitigation Monitoring and Reporting Program.

**REFERENCES** (List author or agency, date, title)

Alquist-Priolo Special Studies Zone Act Map Series (PRC 27500)

California Department of Water Resources, Bulletin #118 (Critical Regional Aquifers), 1975.

CEQA Guidelines, Appendix

California Standard Specifications, July 1992

County Museum Archaeological Information Center

County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995

County of San Bernardino Development Code, revised 2002

County of San Bernardino General Plan, adopted 1989, revised 2002

County of San Bernardino Hazard Overlay Maps

County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998

County Road Planning and Design Standards

Environmental Impact Report, San Bernardino County General Plan, 1989

Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map

Mojave Desert Air Quality Management District, Mojave Desert Planning Area – Federal Particulate Matter (PM10) Attainment Plan, July 1995

South Coast Air Quality Management District, CEQA Air Quality Handbook, November 1993