

EXHIBIT A

Findings

FINDINGS – GENERAL PLAN AMENDMENT

General Plan Land Use Zoning District Amendment from CG (General Commercial) to CR (Rural Commercial) on 5 parcels totaling approximately 2.89 acres.

1. **The proposed amendment is internally consistent with all other provisions of the respective plan, the General Plan, or an applicable specific plan.** It is consistent with the following goals and policies of the County General Plan:
 - **Goal LU 3 – The unincorporated communities within the County will be sufficiently served by commercial land uses.**
Goal Implementation: The amendment would agree with Goal LU 3 by permitting the legalization and continuation of an existing commercial land use.
 - **Goal D/LU 3 – Ensure that commercial and industrial development within the region is compatible with the rural desert character and meets the needs of local residents.**
Goal Implementation: The amendment would agree with the Desert Region Goal D/LU 3 by retaining an existing commercial development that is compatible with the rural desert character. According to the applicant and representative, the original towing and impound business has thrived since it located on the site decades ago. The proposed project is to recognize and legally establish the existing business, which employs local residents.
 - **Goal D/ED 1 – Promote economic development that is compatible with the rural desert character of the Desert Region.**
 - **Policy D/ED 1.1 – Support development that is of a size and scale that complements the natural setting, is compatible with surrounding development and enhances the rural character.**
Goal and Policy Implementation: The amendment would permit the legal establishment of the existing towing and impound business on 2 parcels totaling 0.72 acres. By providing services to the CHP and the traveling public, the project will allow the continuation of the existing small business.
2. **The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County.** The amendment facilitates the legalization and continuation of a Project, which incorporates appropriate conditions of approval to protect and enhance public health and safety, while providing ongoing employment opportunities in the 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 amendment will permit the legalization of the existing use and enable it to continue. A community benefit will continue from the retention of employment opportunities. The land use zoning district change will permit the continuation of a development that will provide road and intersection improvements along National Trails Highway and Nopal Lane, which will serve the surrounding community and traveling public.
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 create a CR land use zoning district adjacent to the existing CG along a portion of National Trails Highway in Newberry Springs.
5. **The proposed land use zoning district change does not conflict with provisions of this Development Code.** The Project site conforms to the size and location criteria specified for the proposed CR land use zoning district. All development must comply with commercial development standards and land use regulations of the proposed CR land use district.

6. **The proposed land use zoning district change will not have a substantial adverse effect on surrounding property.** The proposed amendment will create a CR land use zoning district adjacent to the existing CG along National Trails Highway in the area. Development standards of the proposed CR land use district will limit the potential for any adverse effects on surrounding properties.
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, etc.), to ensure that the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.** The site contains an existing water well and an existing septic system. The conditions of approval require compliance with solid waste and recycling standards. San Bernardino County Fire Department and Sheriff Department provide fire and police protection to the site. The County Land Development Division evaluated site drainage and water quality associated with the Project. Appropriate drainage improvements are required as conditions of approval.
8. **The Environmental Initial Study 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. There are no potential impacts that would require mitigation measures. Adoption of a Negative Declaration will be part of the recommendation.

FINDINGS – CONDITIONAL USE PERMIT

Conditional Use Permit to recognize and legally establish an existing towing and impound facility on two parcels totaling approximately 0.72 acres.

1. **The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.** The 0.72-acre site is adequate in size and shape to accommodate the existing uses and buildings. The site plan shows all aspects of the Project, which meets the required loading and parking areas, including accessible spaces, adequate drive aisles, required setbacks, and landscaping.
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 adjacent to National Trails Highway and Nopal Lane, which provide legal and physical access to the site. The conditions of approval include additional road dedication and intersection improvements. As part of these improvements, the Project driveway will be redesigned to County standards.
3. **The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance.** The use is consistent with the development allowed in the Rural Commercial (CR) land use zoning district. The Project incorporates landscaped building setbacks to provide a buffer for adjacent properties designated as General Commercial. Although not adjacent to the towing and impound facility, Rural Living zoning exists south of the newly created CR zoning. An existing residence and vacant land buffer this residential land use from the impound yard.
4. **The proposed use and manner of development are consistent with the goals, policies, standards and maps of the General Plan and any applicable specific plan or planning area.** The existing towing and impound business are consistent with the goals, policies, standards, and maps of the General Plan and the Development Code. The Project, together with the provisions for its design and improvement, are consistent with both the General Plan's goals and policies and is consistent with the development standards of the CR Land Use Zoning District. The Project is consistent with the following Goals and Policies of the General Plan:
 - **Goal LU 3 – The unincorporated communities within the County will be sufficiently served by commercial land uses.**
Goal Implementation: The project would agree with Goal LU 3 by permitting the legalization and continuation of an existing commercial land use.
 - **Goal D/LU 3 – Ensure that commercial and industrial development within the region is compatible with the rural desert character and meets the needs of local residents.**
Goal Implementation: The project would agree with the Desert Region Goal D/LU 3 by retaining an existing commercial development that is compatible with the rural desert character. According to the applicant and representative, the original towing and impound business has thrived since it located on the site decades ago. The proposed project is to recognize and legally establish the existing business, which employs local residents.
 - **Goal D/ED 1 – Promote economic development that is compatible with the rural desert character of the Desert Region.**
 - **Policy D/ED 1.1 – Support development that is of a size and scale that complements the natural setting, is compatible with surrounding development and enhances the rural character.**

Goal and Policy Implementation: The project would permit the legal establishment of the existing towing and impound business on 2 parcels totaling 0.72 acres. By providing services to the CHP and the traveling public, the project will allow the continuation of the existing small business.

5. **There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels.** The site contains an existing water well and an existing septic system. The conditions of approval require compliance with solid waste and recycling standards. San Bernardino County Fire Department and Sheriff Department provide fire and police protection to the site. The County Land Development Division evaluated site drainage and water quality associated with the Project. Appropriate drainage improvements are required as conditions of approval.
6. **The lawful conditions stated in the approval are deemed necessary to protect the public health, safety, and general welfare.** All development issues have been evaluated by the appropriate agencies and County staff, and conditions of approval have been required to ensure compliance with applicable development standards, to protect the public health, safety and welfare.
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 existing 1,840-square foot building does not cause excessive shadow that would impede the use of solar energy systems and its orientation in a northerly-southerly direction is conducive to utilizing available solar energy. Sufficient space exists to consider the use of solar energy systems and passive or natural heating and cooling opportunities.
8. **An Environmental Initial Study / Negative Declaration 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. There are no potential impacts that would require mitigation measures. Adoption of a Negative Declaration will be part of the recommendation..