

Lucerne Valley Economic Development Association

P. O. Box 193 Lucerne Valley, CA 92356



50567B Quailbush Rd. Johnson Valley, CA 92285

RE: Rural Living (RL) zoning and the tables of allowable uses in the SB County Development Code
CHAPTER 82.04: RESIDENTIAL LAND USE ZONING DISTRICTS.

January 13, 2023

Dear Supervisor Rowe,

Thank you for your recent report at the December 19th, 2022 HVCC meeting where you provided points (Exhibit A) regarding Rural Living and the permitting of Campgrounds. It was suggested the points be focused on the suggested further definition of "Campgrounds" in Rural Living zones and how each category would potentially be permitted. While it certainly is an approach it's not one we find that satisfies our initial request letter (Exhibit B) to LUS to perform a public review/analysis of the Development Code's numerous, intense, and often conflicting land uses that are currently allowed in Lucerne Valley and Homestead Valley RL Zoning. During the meeting, you mentioned, "*I'm not convinced it will work so we might have to come back to it.*" We agree. Rather than coming back to it at a later time, allowing additional developers to permanently alter the RL landscape that we wish to maintain, we don't find this proposal as the best use of time forward for both the county, LVEDA, HVCC, and the residents we all serve.

The bottom-line reality is that every type of Campground listed is considered Commercially Zoned & open to the 'public' land use – not consistent with the integrity and intent of "Rural Living"/large lot residential zoning. We wish to see RL remain "Rural Living" in our communities and not what we see as a hodge-podge of land uses that interfere with the intent of residential zoning.

It was suggested that certain areas such as Homestead Valley and Lucerne Valley "*simply can't have a circle drawn around them to craft special rules*" however, the Development Code document already makes exceptions for communities like Oak Glen Community Plan Area and Phelan/Pinon Hills Community Plan, so it's evident that exceptions can/are made. Another fact that there are dust control/soil erosion differences county wide is another example that gives merit to our request and the ability of the County & LUS to facilitate a change process.

Circa 2019-2020 SBC embarked on the Homestead Valley Communities Action Guide and the Lucerne Valley Communities Action Guide. Both of which highlight the following at their core:

HV: *Homestead Valley residents value the rural lifestyle and character of the area, which includes wide open spaces and stretches of unpaved roads, fresh air, dark night skies, and a peaceful and quiet atmosphere.*

LV: *Lucerne Valley residents value the unique character of the desert environment, dark skies, and a peaceful and quiet atmosphere. Lucerne Valley residents value responsible growth that respects and complements the culture of the community.*

Campgrounds of any "category" unequivocally go against the undisputable definition of Rural Living.

The Action Guides also outline for each respective community the following:

HV: *Collaborate with San Bernardino County Land Use Services to develop and adopt design guidelines that reflect the unique characteristics of the community, and will lead to residential and nonresidential buildings that are compatible to the architectural style within Homestead Valley. Draft development standards and design guidelines for rural desert development in Homestead Valley submitted for review and possible adoption by San Bernardino County.*

LV: *Community residents may begin the process of identifying the design and development characteristics that define Lucerne Valley and that should be applied to new development and major renovations. The process of drafting the development standards should involve the community to identify goals, preferences, and values. Draft rural desert development standards should be submitted to the County Planning Division for review and potential adoption by the Board of Supervisors.*

In essence, our original letter requesting the RL Zone Review should be considered as a request from each respective group, LVEDA and HVCC to formally start the process of Action A2.

When we get down into the basics of the Code it should in and by itself make findings for Campgrounds as an 'allowed use' in RL 'incompatible' – it seems to be another County disconnect:

- (A) *Required Findings. The Director may determine that a proposed use is similar to, and compatible with a listed use and may be allowed, only after first making all of the following findings with the determination:*
- (I) The characteristics of, and activities associated with the use are similar to one or more of the listed uses, and will not involve a greater intensity than the uses listed in the district;*
 - (II) The use will be consistent with the purposes of the applicable land use zoning district;*
 - (III) The use will be consistent with the General Plan, and any applicable specific plan;*
 - (IV) The use will be compatible with the other uses allowed in the land use zoning district; and*
 - (V) The use is not listed as allowed in another land use zoning district.*

Does it apply to the Code's initial inclusion of all the allowed uses in RL – or does it apply to what findings the "Director" has to make for each 'allowed use' in RL on a project-by-project basis? In either scenario, no way can findings for Campgrounds in RL be *consistent*.

This brings us back again to our initial request for Rural Living (RL) zoning and the tables of allowable uses in the SB County Development Code. We don't believe in good faith when "Campgrounds" were added to this list anyone envisioned having a "Bubble Hotel" (yes hotel) in their RL zoned backyard/community. Likewise, the very concerning list with no real definitions that can/will be conceivably misused include Commercial entertainment - Indoor, Animal keeping, Recycling facilities, Conference/convention facility, Commercial Kennels and Catteries, and Temporary special events to name a few; all of which we could agree to belong in Agricultural and/or Commercial Zones - not RL.

We still await a response from Heidi Duron to our initial request and appreciate your time sharing this letter with LUS so that we can get the process started. Likewise given the emergency situation with "Resort" Campgrounds which has been proposed by the County as NOT Permitted in RL we would like to request the BOS place a moratorium on Campground applications and approvals during this petition process.

Thank you for your consideration,



Justin Merino
President HVCC
merino@homesteadvalleycc.org



Chuck Bell,
President LVEDA
chuckb193@outlook.com

(Exhibit A)

CEO's/Planning's recommendation notes to Dawn presented during the December 19th, 2022 HVCC meeting

RL Zones

Below are points regarding Rural Living and the permitting of campgrounds. The points are focused on the suggested further definition of campground and how each category would be permitted. Once developed, we feel this would add clarity to the process and allow flexibility depending on the complexity of the project.

- Development Code allows any individual or group to propose a land use change, with or without a project.
- Generally, campgrounds are prone to be in rural areas (RL zoning)
- Campground uses now range from simple yurts to full RV park including stores and bars.
- 2 to 6 pre-applications are received per week for campgrounds, including alternative shelters
- Campground definition and zoning requirements could be expanded
 - Include what zoning based on the type of campground
 - Allow reasonable permitting cost depending on type
 - Proposed Development code update required to identify category:
 - BOUTIQUE LODGING. A site used for the temporary occupancy by travelers typically utilizing individual accommodations in the form of cabins, yurts, tents, pods, domes, travel trailers and other Alternative Structures and non-traditional camping site with limited on-site amenities for guests only (not open to the public) such as common kitchen and sanitation facilities, etc. Boutique lodging accommodations may also include Bed & Breakfasts. To be permitted as a Campground, Minor.
 - CAMPGROUND, MINOR. A site used or intended to be used, leased or rented for temporary occupancy by campers, which may include individual campsites for trailers, tents or other movable or temporary dwellings. Does not include utility hookups for recreational vehicles. This includes Boutique Lodging (see definition).
 - CAMPGROUND, MAJOR. A site used or intended to be used, leased or rented for temporary occupancy by campers which may include individual campsites for trailers, tents or other movable or temporary dwellings. Limited cabins and recreations vehicle spaces with utility hookups for recreational vehicles may be provided. Amenities such as showers, toilets and refuse collection areas are provided. Sites providing RV hookups for a majority of spaces shall be classified as an RV park.
 - RESORT. A site that provides overnight accommodations in addition to other amenities such as restaurants, bars, spas, shops, and recreational activities. May also include conference rooms and meeting facilities. Condos may also be included within a resort.
- Proposed Permitting Process (Require Notification and Public Hearing)
 - CAMPGROUND, MINOR – Permitted in the RL, subject to a Minor Use Permit.
 - CAMPGROUND, MAJOR – Permitted in the RL, subject to a Conditional Use Permit.
 - RESORT – NOT Permitted in RL, must be in commercial zone and subject to a Conditional Use Permit.

(Exhibit B)

Lucerne Valley Economic Development Association

**P. O. Box 193
Lucerne Valley, CA 92356
www.lveda.org**



**50567B Quailbush Rd.
Johnson Valley, CA 92285
www.homesteadvalleycc.com**

September 28, 2022

Heidi Duron, MPA
Planning Director
Land Use Services Department
385 N. Arrowhead Ave.
San Bernardino, CA 92415-0187

Dear Heidi Duron,

On behalf of The Lucerne Valley Economic Development Association (LVEDA) representing the community of Lucerne Valley, and The Homestead Valley Community Council (HVCC) representing the Homestead Valley communities of Flamingo Heights, Johnson Valley, Landers, and Yucca Mesa, we are writing you regarding Rural Living (RL) zoning and the tables of allowable uses in the SB County Development Code CHAPTER 82.04: RESIDENTIAL LAND USE ZONING DISTRICTS.

During our recent review of the draft MND for Robott Land Company's Flamingo Heights 640 campground project and the previously mentioned RL zoning allowable use tables, it came to our attention that there is an extensive list of allowable uses under RL zoning that we do not feel are compatible with rural living – commercial campgrounds like FH 640 being just one. Other questionable allowable uses include, but are not limited to, Composting, Recycling, Commercial Entertainment, Temporary Special Events, and Animal Keeping / Livestock.

In a joint effort, LVEDA and HVCC are hereby requesting that Land Use Services perform a public review/analysis of the Development Code's numerous, intense, and often conflicting land-uses that are currently allowed in Lucerne Valley and Homestead Valley RL Zoning. We wish to see RL remain "Rural Living" in our communities and not what we see as a hodge-podge of land-uses that interfere with the intent of residential zoning. We understand there may be a formal process for this involving an application and fees to cover costs. Please advise us on the appropriate procedure to initiate such a review.

Thank you for your consideration,

Chuck Bell,
President LVEDA
chuckb193@outlook.com

Jim Harvey,
President HVCC
johnsonvalley@gmail.com