



CONSENT CALENDAR

City of San Bernardino Request for Council Action

Date: September 18, 2024

To: Honorable Mayor and City Council Members

From: Rochelle Clayton, Acting City Manager;
Gabriel Elliott, Director of Community Development and Housing

Department: Community Development & Housing

Subject: **Specific Plan Amendment 23-02 and Conditional Use Permit Revision 23-11 (Ward 6)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1641 of the Mayor and City Council of the City of San Bernardino, California, approving Specific Plan Amendment 23-02 amending the CalMat/Cajon Creek Specific Plan Design Guidelines governing mining depths and areas within the City of San Bernardino Areas K, L, M, and N (Attachment 1).

Executive Summary

With respect to the proposal for Specific Plan Amendment 23-02 with approval of Conditional Use Permit Revision 23-11, the proposed project will maintain and allow the continuation of an existing authorized aggregate (sand and gravel) mining operation within the City and County of San Bernardino's jurisdictions in accordance with the Surface Mining and Reclamation Act (SMARA).

Background

On August 21, 2024, the Mayor and City Council conducted a public hearing and took the following actions:

1. Adopted Resolution No. 2024-183 of the Mayor and City Council of the City of San Bernardino, California, considering an Environmental Impact Report, making Responsible Agency Findings, and adopting a Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program, and an Addendum to the Environmental Impact Report; and
2. Introduced, read by title only, and waived further reading of Ordinance No. MC-1641 of the Mayor and City Council of the City of San Bernardino, California, approving Specific Plan Amendment 23-02 amending the CalMat/Cajon Creek

Specific Plan Design Guidelines governing mining depths and areas within the City of San Bernardino Areas K, L, M, and N; and

3. Adopted Resolution No. 2024-184 of the Mayor and City Council of the City of San Bernardino, California, approving Conditional Use Permit Revision 23-11 amending Conditional Use Permit 91-31/Reclamation Plan allowing the consolidation of the City's Reclamation Plan with an updated Amended Reclamation Plan to allow for the continuation of an aggregate mining operation within the San Bernardino County Area Q and City of San Bernardino Areas K, L, M, and N on a project site containing approximately 530.5 acres located southwest of Cajon Boulevard between Institution Road to the north and Devils Creek Diversion Channel to the south within Specific Plan – CalMat/Cajon Creek Industrial Extractive and Industrial Light zone designations.

Discussion

General Plan Goals and Policies

The City of San Bernardino General Plan includes goals and policies to guide future development within the City. The proposed project is in compliance General Plan Element Chapter 12 (Natural Resources and Conservation) in where the following goal and policies align with mineral resources and extraction of those resources to meet the needs of the area:

- ✓ General Plan Goal 12.4 - Properly manage designated areas for mineral extraction to meet the needs of the area.
- ✓ General Plan Policies 12.4.1 - Continue to document current extraction sites, including sand and gravel quarries, including the status and duration of existing permits and approvals.
- ✓ General Plan Policies 12.4.5 - Require that the operation and reclamation of surface mines be consistent with the State Surface Mining and Reclamation Act (SMARA) and the Development Code.

With respect to the proposal for Specific Plan Amendment 23-02 with approval of Conditional Use Permit Revision 23-11, the proposed project will maintain the existing mining operation and utilize the significant amount of on-site mineral resources that have been designated by the State, in such a manner at to be compatible with adjacent land uses. Through the incorporation of mitigation measures and conditions of approval that will protect the existing operation and surrounding land uses, mineral extraction and processing activities will continue to be regulated and maintained in accordance with SMARA. Therefore, the proposed project is in compliance with the Specific Plan and Development Code requirements, and the City's General Plan goals and policies.

2021-2025 Strategic Targets and Goals

Specific Plan Amendment 23-02 with approval of Conditional Use Permit Revision 23-11 aligns with Key Strategic Goal 4. Economic Growth and Development. Mineral deposits are important to many industries, including construction and transportation. The value of mineral deposits is enhanced by their close proximity to urban areas. However, these mineral deposits are endangered by the same urbanization that

enhances their value. The non-renewable characteristic of mineral deposits necessitates careful and efficient development to prevent the unnecessary waste of these deposits due to careless exploitation and uncontrolled urbanization. Management of these mineral resources will protect not only future development of mineral deposit areas but will also guide the exploitation of mineral deposits so that adverse impacts caused by mineral extraction will be reduced or eliminated. Mineral extraction is an important component of San Bernardino's economy. In 1975, the State legislature adopted the Surface Mining and Reclamation Act (SMARA). This designated Mineral Resources Zones that were of State-wide or regional importance. The proposed project site is one of those areas designated as having a significant mineral deposit that meets the State criteria for value and marketability. The proposed project will aim at ensuring that the mineral deposits are extracted to provide a resource for future development and ensure that such deposits are extracted safely.

Fiscal Impact

There is no negative financial impact to the City's General Fund associated with this item.

Conclusion

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1641 of the Mayor and City Council of the City of San Bernardino, California, approving Specific Plan Amendment 23-02 amending the CalMat/Cajon Creek Specific Plan Design Guidelines governing mining depths and areas within the City of San Bernardino Areas K, L, M, and N (Attachment 1).

Attachments

Attachment 1	Ordinance No. MC-1641 (Approving Specific Plan Amendment 23-02)
Attachment 2	Ordinance No. MC-1641 (Approving Specific Plan Amendment 23-02), Exhibit A - Plans

Ward:

Sixth Ward

Synopsis of Previous Council Actions:

On August 21, 2024, the Mayor and City Council introduced Ordinance No. MC- 1641 approving Specific Plan Amendment 23-02.