



**PLANNING COMMISSION MEETING AGENDA  
June 6, 2012**

TIME: 1:15 p.m.

Next Resolution PC2012-10

PLACE: Hofert Hall  
City of Big Bear Lake  
39707 Big Bear Boulevard  
Big Bear Lake, California

**CALL TO ORDER**

**FLAG SALUTE**

**ROLL CALL** PACELLI, SENFT, ZIMMERMAN, SMITH, JACKOWSKI

**INTRODUCTION OF STAFF**

**AGENDA APPROVAL**

**PRESENTATIONS / ANNOUNCEMENTS / INFORMATIONAL ITEMS**

Major Special Event Presentation No. 2: Conceptual Development Code Language

**PUBLIC FORUM**

**1. CONSENT CALENDAR**

1.1 Approval of the minutes of the Planning Commission meeting of May 16, 2012

**2. PUBLIC HEARING ITEMS**

*Any person may appear and be heard in support or opposition to the proposal at the time of the meeting. If you challenge the action in court, you may be limited to raising only those issues which you or someone else raised at the public meeting described in the notice, or in written correspondence delivered to the City at or before the public meeting.*

2.1 Plot Plan Review 2012-046 Ruth Lorentz, Associate Planner  
Applicants: Charles, Nancy and Allison Girvin  
Representative: James Smith, Smithaven Homes  
Location: 40191 Beverly Lane  
APN: 307-172-15, 16

The applicant requests approval to construct a two-story addition measuring 936 square feet to an existing legal non-conforming single family residential unit on two parcels (to be merged) measuring a total of 6,250 square feet. The existing residence measures 840 square feet and is located approximately five feet into the required front yard setback of 20 feet.

Staff recommends that the Planning Commission conduct a public hearing and adopt a resolution finding the project exempt from the California Environmental Quality Act (CEQA) and approving Plot Plan Review 2012-046 based on the findings and subject to the conditions of approval contained in the resolution.

3. **PLANNING DIRECTOR'S REPORT**
4. **SUMMARY COMMENTS**
5. **ADJOURNMENT**

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**CITY OF BIG BEAR LAKE  
PLANNING COMMISSION MEETING MINUTES**

**ITEM 1.1**

**May 16, 2012**

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**CALL TO ORDER** 1:15 p.m.

**FLAG SALUTE** Commissioner Zimmerman.

**ROLL CALL** Commissioners Senft, Pacelli, Zimmerman, Smith, Jackowski.

**STAFF PRESENT** James J. Miller, Community Development Director; Janice Etter, City Planner; Jeff Ballinger, City Attorney; Ruth Lorentz, Associate Planner; Lynne Rayner, Commission Secretary.

**AGENDA APPROVAL** Approved as presented.

**PRESENTATIONS / ANNOUNCEMENTS / INFORMATIONAL ITEMS** Director Miller reminded the Commission of the AMGEN Tour of California on Friday, May 18<sup>th</sup>. He then introduced Mandy Parkes, District Manager for the Inland Empire Resource Conservation District. Ms. Parkes presented Opportunities for Partnering to the Commission and responded to questions.

**PUBLIC FORUM** No one wished to speak.

**1. CONSENT CALENDAR**

1.1 Minutes of the Planning Commission meeting of April 18, 2012

Approved as amended for a text correction.

**2. ACTION ITEM**

2.1 Planning Appeal 2012-045

Appellants: Robert and Helga Slagle, property owners

Location: 40588 Village Drive

APN: 308-346-16

City Planner Etter presented the staff report for Planning Appeal 2012-045, an appeal of the application of the provisions of the Village Specific Plan and Planning Commission Resolution No. PC2006-031, governing the establishment of administrative, professional and personal service uses within the Village Specific Plan area. She informed the Commission that Mr. Slagle had submitted an email addendum to the appeal, which was submitted to the Commission on green paper.

At the hour of 1:55 p.m., Chairman Jackowski accepted public comment.

Walt Henderson, a business owner in the Village, expressed his support for approving the appeal to allow administrative professional and personal services at the appellant's property within the Village Specific Plan area.

Robert Slagle, the appellant, presented his appeal to the Commission and fielded questions.

Hearing no further comment, at the hour of 2:11 p.m., Chairman Jackowski closed public comment.

Moved by Commissioner Zimmerman, seconded by Vice-Chairman Smith, to uphold restrictions governing the establishment of standalone administrative, professional and personal services in the Commercial Lodging and Village Retail zones within the Village Specific Plan area, to deny Planning Appeal 2012-045 and to adopt Resolution No. 2012-09, based on the findings.

Motion to deny the appeal passed by the following vote:

AYES: SENFT, ZIMMERMAN, SMITH  
NOES: PACELLI, JACKOWSKI  
ABSENT: NONE  
ABSTAIN: NONE

**3. DISCUSSION ITEM**

3.1 Introduction to a proposed Development Code Amendment regarding Public Noticing.

Director Miller provided a Powerpoint presentation to introduce possible scenarios and amendments to the City's current public noticing requirements. Director Miller informed the Commission that the purpose is to streamline the ineffective existing practice of publishing legal ads and direct mailing to property owners, to address the tiered noticing concept, to present other outreach options and electronic notification, and to ask the Commission to direct staff to return with draft ordinance language at a future meeting.

**4. PLANNING DIRECTOR'S REPORT** None.

**5. SUMMARY COMMENTS** Vice-Chairman Smith asked the status of the Code Compliance effort for enforcement of the new Sign Ordinance. City Planner Etter stated that the Code Compliance department, along with a member of Planning staff, are undergoing visits to clusters of businesses to identify violations. Director Miller stated that a more complete update would be agendaized for the meeting of June 20<sup>th</sup>. Commissioner Senft asked for an update on Big 5. Director Miller stated that he does not have any new information to provide to the Commission. Commissioner Pacelli commended City Planner Etter on her staff report for the Slagle appeal.

**6. ADJOURNMENT** At the hour of 2:58 p.m., Chairman Jackowski adjourned the meeting.

MINUTES APPROVED AT THE MEETING OF \_\_\_\_\_.

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Lynne Rayner, Commission Secretary



# Staff Report

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**PLANNING COMMISSION MEETING OF JUNE 6, 2012**

*PUBLIC HEARING*

**SUMMARY AND RECOMMENDATIONS**

**Project:** PLOT PLAN REVIEW 2012-046

**Proposal:** To construct a two-story addition measuring 936 square feet to an existing legal non-conforming single family residence on two parcels (to be merged) measuring a combined total of 6,250 square feet.

**Location:** 40191 Beverly Lane (APN 307-172-15, 16)

**Applicant:** Charles, Nancy, and Allison Girvin, property owners

**Representative:** James Smith, Smithaven Designs

**Recommendation:** Staff recommends that the Planning Commission hold a public hearing and adopt a resolution finding the project Categorical Exempt from the California Environmental Quality Act and approving Plot Plan Review application 2012-046, based on the findings and subject to the recommended conditions of approval contained in the resolution.

Submitted by,

*James J. Miller*

JAMES J. MILLER  
Community Development Director

Prepared by,

*Ruth Lorentz*

RUTH LORENTZ  
Associate Planner

## PROJECT DESCRIPTION

The applicant has submitted a Plot Plan Review application requesting approval to construct a two-story addition measuring 936 square feet to an existing legal non-conforming single family residential unit. The project will occur on two parcels (to be merged) measuring a combined total of 6,250 square feet.

The existing residence measures 840 square feet and is located approximately 5 feet into the required front yard setback of 20 feet. The residence contains 2 bedrooms, 2 bathrooms, a living room and a kitchen. An existing rear deck will be removed to make room for the addition. The purpose of the addition is to add a new family room to the ground floor and a new master bedroom on the second story. A new concrete patio, measuring 300 square feet will be constructed at grade to replace the existing deck. The existing driveway will be extended to the west property line in order to provide the minimum required parking spaces. The property contains 8 pine trees, 4 of which will be removed to allow for the new addition and required driveway expansion. Two photographs of the existing structure are shown below in Figures 1 and 2:



Figure 1: Rear elevation and location of new addition



Figure 2: Front elevation and setback area

## BACKGROUND

Records indicate that the structure was built in 1983, however; Planning staff was not reviewing plan checks at that time so it is not known whether building setbacks were verified. Nonetheless, pursuant to the City's Development Code Section 17.03.320 (Nonconforming Uses and Structures), legal nonconforming residential structures are allowed to remain and may also be expanded. When a nonconforming residential structure is proposed to be expanded by more than 25% of its original size, the expansion is subject to the review and approval of a Plot Plan Review by the Planning Commission. This process recognizes and allows the nonconformity to continue while new portions of the structure are required to comply with current standards.

The property is located on an unpaved and unmaintained City road, which measures 20 feet in width, thereby prompting a greater front setback requirement of 20 feet for the properties located

along Beverly Lane. Photographs of Beverly Lane are shown in Figures 3 and 4. The existing asphalt in the photographs was not constructed by the City.



Figure 3: Beverly Lane



Figure 4: End of street at driveway of 40191 Beverly Lane

The applicant submitted an application for a Lot Merger to the Engineering Division on April 9, 2012. The purpose of the Merger is to combine two substandard-size parcels that were separated by deed only and to create one larger lot that allows for the addition. On April 17, 2012, the applicant submitted Plot Plan Review (PPR) application No. 2012-046. This application was reviewed at the Development Review Committee (DRC) meeting of May 9, 2012. In the meantime, the Planning Division administratively reviewed and supported approval of the lot merger on May 9, 2012. Upon submittal of corrections to the plans, the application was determined to be complete on May 11, 2012. Figure 5, below, shows the current General Plan designation and Zoning of the subject property and the surrounding land uses:

<b>General Plan Designation</b>	Single Family Residential (SFR-4)
<b>Zoning</b>	Single Family Residential (R-1-7,200)
<b>Existing Use</b>	Single family residence
<b>Adjacent Land Uses</b>	North: Single family residence, zoned R-1
	East: Single family residence, zoned R-1
	South: San Bernardino National Forest
	West: Single family residence, zoned R-1

Figure 5: General Plan, Zoning and Land Uses

## ANALYSIS

### *General Plan Consistency*

The proposal is consistent with the General Plan Land Use Element Policy L1.1 and Policy L3.2, because the residential use is consistent with the designation of the property. The existing residence and proposed addition are designed to be sensitive to the mountain environment because the rear setback between the forest boundary and patio will be over 50 feet and the

building mass and coverage are proportional to the parcel size and in scale with the neighborhood. The addition will contain steep roof pitches, new windows to break up the west wall, an extended covered deck on the east elevation, and will be painted in tan colors with dark brown trim to match the existing structure. These design features are further consistent with Community Design Policies CD3.4 (roof design and materials), CD3.5 (building colors), and CD3.6 (doors, windows, balconies, and porches).

***Zoning Consistency***

The proposed use and design are consistent with purpose, intent, and standards of the Development Code because the existing residential use can remain and be expanded in the R-1 zone. With the exception of the encroachment into the front setback yard, the project will be consistent with all other zoning and development standards that are applicable to R-1 zones and residential uses. These include lot coverage, minimum roof pitch, side and rear yard setbacks, and building height, is detailed below in Figure 6. The project is being conditioned to expand the driveway as shown on the attached site plan, to provide two 9x19 vehicle parking spaces on-site. Another condition of approval is recommended to ensure the lot merger is recorded prior to obtaining a building permit.

Category	Standard	
	Existing	Proposed
Lot Area	Parcel 15: 2,250 sq. ft. Parcel 16: 4,000 sq. ft.	6,250 sq. ft. (after merger)
Lot Coverage (40% maximum)	39.77%	19.69%
Building Height (40 feet maximum)	23 feet (average)	23 feet (average)
Setbacks: Front (20 feet minimum)	15 feet 6 inches	15 feet 6 inches
Setbacks: Rear (15 feet minimum)	79 feet (to existing deck)	68 feet (to structure)
Setbacks: Sides (5 feet minimum each)	West: 6 feet 8 inches East: 5 feet	West: 6 feet 8 inches East: 5 feet
Parking (2 spaces minimum)	1 vehicle space (9' x 19')	2 vehicle spaces (9'x19')

Figure 6: Development Standards

***Nonconforming Uses and Structures***

Development Code Section 17.03.320 (Nonconforming Uses and Structures) allows for the continued use and expansion of nonconforming structures over 25 percent of the original floor area through the Plot Plan Review process. In addition, Section 17.03.320 allows for the expansion of nonconforming, primary residential structures if the use of the structure has not been discontinued for a continuous period of one year or more, the proposed expansion does not

increase the nonconformity of the structure and the expansion conforms to all applicable codes and ordinances, and the expansion does not increase the residential density or increase the overall site area.

With respect to this project, the legal nonconforming structure may be expanded because the existing single-family residential structure and use have continuously occupied the property since the structure was built in 1983, the submitted site plan shows that the proposed building addition will meet all required building setbacks, building height, and lot coverage standards, and the project does not propose to increase residential density or expand the site area. The nonconforming condition of the structure has not been detrimental to adjacent land uses or properties and the addition will allow the property owner to have additional living space without changing the character or integrity of surrounding properties, and without compelling the demolition of the existing residence.

### ***Tree Removal***

Three trees, located in the front and on the east side, will be removed to make space for the expanded driveway and covered porch. One tree in the rear will be removed due to the addition, while 2 remaining trees in the front and 2 in the back will be saved. This results in a total of 4 trees to be removed and 4 trees to be saved. Due to the existing tree canopy that surrounds the property and its proximity to the National Forest, no new trees are proposed at this time.

### **ENVIRONMENTAL REVIEW**

The project has been evaluated for compliance with the California Environmental Quality Act (CEQA). The project qualifies under Section 15301, Class 1 of the Categorical Exemptions. This class of exemptions pertains to additions to existing structures of up to 10,000 square feet where all public services and facilities are available to allow for maximum development permissible under the General Plan. A Notice of Exemption has been prepared for the Planning Commission's consideration and is attached as Attachment 2.

### **PUBLIC CORRESPONDENCE**

Public notice of this meeting was published in *The Grizzly* on May 23, 2012. In addition, the notice was mailed to 30 surrounding property owners within a 300-foot radius and posted in 3 public places a minimum of 10 days prior the hearing date. The notice was also placed on the City's website, [www.citybigbearlake.com](http://www.citybigbearlake.com). This notification was made in order to give the neighborhood and general public an opportunity to comment on the continuation of this nonconforming structure and the proposal to add additional square footage to the existing residence. As of the writing of this report, no public correspondence has been received.

## **CONCLUSION AND RECOMMENDATION**

This proposed addition to a legal nonconforming residence is consistent with the General Plan designation and policies, and with zoning and development standards, with the exception of the existing encroachment in the front setback. No part of the new addition will further increase the nonconformity of the structure, and the project will ensure the expansion of the driveway to ensure minimum parking requirements. An existing lot merger application is being processed concurrently and will allow for the addition to be constructed once the merger is recorded by the County Recorder. Therefore, staff recommends that the Planning Commission hold a public hearing and adopt the attached draft resolution finding the project Categorical Exempt from the California Environmental Quality Act and approving Plot Plan Review application 2012-046, based on the findings and subject to the recommended conditions of approval.

Attachments: 1. Draft Planning Commission Resolution No. PC 2012-XX  
2. Notice of Exemption  
3. Site plan, floor plan, building elevations

## ATTACHMENT 1

### RESOLUTION NO. PC2012-XXX

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING PLOT PLAN REVIEW 2012-046 TO CONSTRUCT A TWO-STORY ADDITION MEASURING 936 SQUARE FEET TO AN EXISTING LEGAL NON-CONFORMING SINGLE FAMILY RESIDENCE ON TWO PARCELS (TO BE MERGED) MEASURING A COMBINED TOTAL OF 6,250 SQUARE FEET IN THE SINGLE FAMILY RESIDENTIAL (R-1) PROPERTY LOCATED AT 40191 BEVERLY LANE (ASSESSOR'S PARCEL NUMBER 0307-172-15 AND 16)**

#### A. RECITALS

- (i) Charles, Nancy, and Allison Girvin, along with their representative James Smith of Smithaven Homes, have filed an application requesting the approval of Plot Plan Review 2012-046 as described herein (hereinafter referred to as "Application").
- (ii) The Application applies to 0.14 acres (6,250 square feet) of property, zoned Single Family Residential (R-1) and designated Single Family Residential (SFR-4) on the General Plan Land Use Map. The property is identified as 40191 Beverly Lane, referred to on the County Assessor's parcel rolls as 0307-172-15 and 16, legally described in Exhibit 1 attached hereto, and shown on the map attached hereto as Exhibit 2. The property is developed with an 840 square foot single family residence that is legally nonconforming with regard to a front yard setback requirement.
- (iii) The Application, as contemplated, proposes to expand the legal non-conforming residential structure by constructing a two-story addition measuring 936 square feet to the rear of the structure. The project will occur on two parcels (to be merged) measuring a combined total of 6,250 square feet.
- (iv) The subject property is zoned Single Family Residential (R-1) and designated Single Family Residential (SFR-4) on the General Plan Land Use Map. Land uses to the north, east, and west of the property consist of single-family residential uses within the Single Family Residential (R-1) zone and are designated Single Family Residential-4 (SFR-4) on the General Plan Land Use Map. Land uses to the south of the subject site consist of the San Bernardino National Forest and are outside of the City's jurisdiction.

- (v) The project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1, of the CEQA Guidelines pertaining to additions to existing structures of up to 10,000 square feet, where all public services and facilities are available to allow for maximum development permissible under the General Plan. A Notice of Exemption has been prepared.
- (vi) On June 6, 2012, the City of Big Bear Lake Planning Commission conducted a duly noticed public hearing on the Application in Hofert Hall, of the Civic and Performing Arts Center located at 39707 Big Bear Boulevard, Big Bear Lake, CA 92315 and concluded the hearing on that date.
- (vii) All legal prerequisites to the adoption of this Resolution have occurred.

## **B. RESOLUTION**

**NOW THEREFORE**, it is hereby found, determined, and resolved by the Planning Commission of the City of Big Bear Lake, as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in the Recitals, part A of this Resolution, are true and correct.
2. The Planning Commission hereby finds that the Application is exempt from CEQA pursuant to Section 15301, Class 1 of the CEQA Guidelines.
3. Based on the evidence presented to the Planning Commission, including oral and written staff reports and public testimony during the above-referenced public hearing, the Planning Commission finds as follows with respect to application for Plot Plan Review 2012-046.
  - a. The proposal is consistent with the General Plan Land Use Element Policy L1.1 and Policy L3.2, because the residential use is consistent with the designation of the property. The existing residence and proposed addition are designed to be sensitive to the mountain environment because the rear setback between the forest boundary and patio will be over 50 feet and the building mass and coverage are proportional to the parcel size and in scale with the neighborhood. The addition will contain steep roof pitches, new windows to break up the west wall, an extended covered deck on the east elevation, and will be painted in tan colors with dark brown trim to match the existing structure. These design features are further consistent with Community Design Policies CD3.4 (roof design and materials), CD3.5 (building colors), and CD3.6 (doors, windows, balconies, and porches).
  - b. The proposed use and design are consistent with purpose, intent, and standards of the Development Code because the existing residential use can remain and be expanded

- in the R-1 zone. With the exception of the encroachment into the front setback yard, the project will be consistent with all other zoning and development standards that are applicable to R-1 zones and residential uses. These include lot coverage, minimum roof pitch, side and rear yard setbacks, and building height. The project is being conditioned to expand the driveway as shown on the attached site plan, to provide two 9x19 vehicle parking spaces on-site. Another condition of approval is recommended to ensure the lot merger is recorded prior to obtaining a building permit.
- c. The site for the proposed project is adequate in size and shape to accommodate all yards, open spaces, setbacks, walls and fences, parking areas, fire and building code considerations, and other features pertaining to the application because a lot merger is being administratively processed concurrently with this application. Therefore, the combined 6,250 square foot property size and shape accommodates the rear addition without further increasing the nonconformity of the structure and the minimum of two parking spaces will be provided.
  - d. The proposed use will not have a substantial adverse effect on abutting property or the permitted use thereof, and will not generate excessive noise, vibration, traffic, or other disturbances, nuisances, or hazards, because the existing residence and proposed expansion are consistent with the intended land uses of the Development Code, residential uses do not generate excessive noise, vibration or other nuisances or hazards; construction hours shall be limited to 7:00 a.m. to 7:00 p.m., and the existing encroachment does not preclude or impact the use or potential for development on adjacent properties.
  - e. The site for the proposed project has substandard access, meaning that the local street access is limited. Beverly Lane is an unpaved, unmaintained City right-of-way that measures 20 feet in width. According to the General Plan Exhibit C-1 (Circulation Plan), Beverly Lane is a local street. A total of seven parcels that take access from Beverly Lane contain existing residential uses and are zoned R-1. The addition to this nonconforming residence does not increase the existing limitations of Beverly Lane. The project proposes to expand the driveway to provide two parking spaces on-site, which is the minimum requirement and adequate for the single family residential use.
  - f. Development Code Section 17.03.320 (Nonconforming Uses and Structures) allows for the continued use and expansion of nonconforming structures over 25 percent of the original floor area through the Plot Plan Review process. In addition, Section 17.03.320 allows for the expansion of nonconforming, primary residential structures if the use of the structure has not been discontinued for a continuous period of one year or more, the proposed expansion does not increase the nonconformity of the structure and the expansion conforms to all applicable codes and ordinances, and the expansion does not increase the residential density or increase the overall site area.

With respect to this project, the legal nonconforming structure may be expanded because the existing single-family residential structure and use have continuously occupied the property since the structure was built in 1983, the submitted site plan shows that the proposed building addition will meet all required building setbacks, building height, and lot coverage standards, and the project does not propose to increase residential density or expand the site area. The nonconforming condition of the structure has not been detrimental to adjacent land uses or properties and the addition will allow the property owner to have additional living space without changing the character or integrity of surrounding properties, and without compelling the demolition of the existing residence.

4. Based on the findings set forth in paragraphs 1, 2, and 3 above, the Planning Commission hereby approves Plot Plan Review Application 2012-046, subject to the conditions of approval as set forth in Exhibit 3 of this resolution.

The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 6<sup>th</sup> day of June, 2012.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Robert Jackowski, Chairman

ATTEST:

\_\_\_\_\_  
Lynne Rayner  
Planning Commission Secretary

STATE OF CALIFORNIA                    )  
COUNTY OF SAN BERNARDINO ) ss  
CITY OF BIG BEAR LAKE                )

I, Lynne Rayner, Commission Secretary of the City of Big Bear Lake, California, do hereby certify that the whole number of the Planning Commission of the said City is five; that the foregoing Resolution, being **Resolution No. PC2012-xxx** as duly passed and adopted by the said Planning Commission and attested by the Commission Secretary of said City, all at a regular meeting of the said City held on the **6<sup>th</sup> day of June, 2012**, and that the same was so passed and adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Witness my hand and the official seal of said City this      **day of June, 2012**.

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Lynne Rayner  
Planning Commission Secretary

**Exhibit 1**

**LEGAL DESCRIPTION FOR  
PLOT PLAN REVIEW 2012-046  
40191 BEVERLY LANE  
0307-172-15 and 16**

All that certain real property situated in the County of San Bernardino, State of California, described as follows:

**Parcel 1:**

The North 45 feet of Lot 15, Bryn Mawr Woodlands, Big Bear Valley, in the City of Big Bear Lake, County of San Bernardino, State of California, as per plat recorded in Book 24, Page 38 of Maps, in the Office of the County Recorder of said County.

**Parcel 2:**

**Parcel A:**

Lot 15, Bryn Mawr Woodlands, Big Bear Valley, in the City of Big Bear Lake, County of San Bernardino, State of California, as per plat recorded in Book 24, Page 38 of Maps, in the Office of the County Recorder of said County.

Except the North 45 feet.

**Parcel B:**

An easement for ingress and egress over and across the Easterly 10 feet of Lot 15, Bryn Mawr, Woodlands Trust, in the City of Big Bear Lake, County of San Bernardino, State of California, as per plat recorded in Book 24, Page 38 of Maps, in the Office of the County Recorder of said County.

Assessor's Parcel Numbers: 0307-172-15-0-000 and 0307-172-16-0-000

**Exhibit 2**

VICINITY MAP FOR  
PLOT PLAN REVIEW 2012-046  
40191 BEVERLY LANE  
0307-172-15 and 16

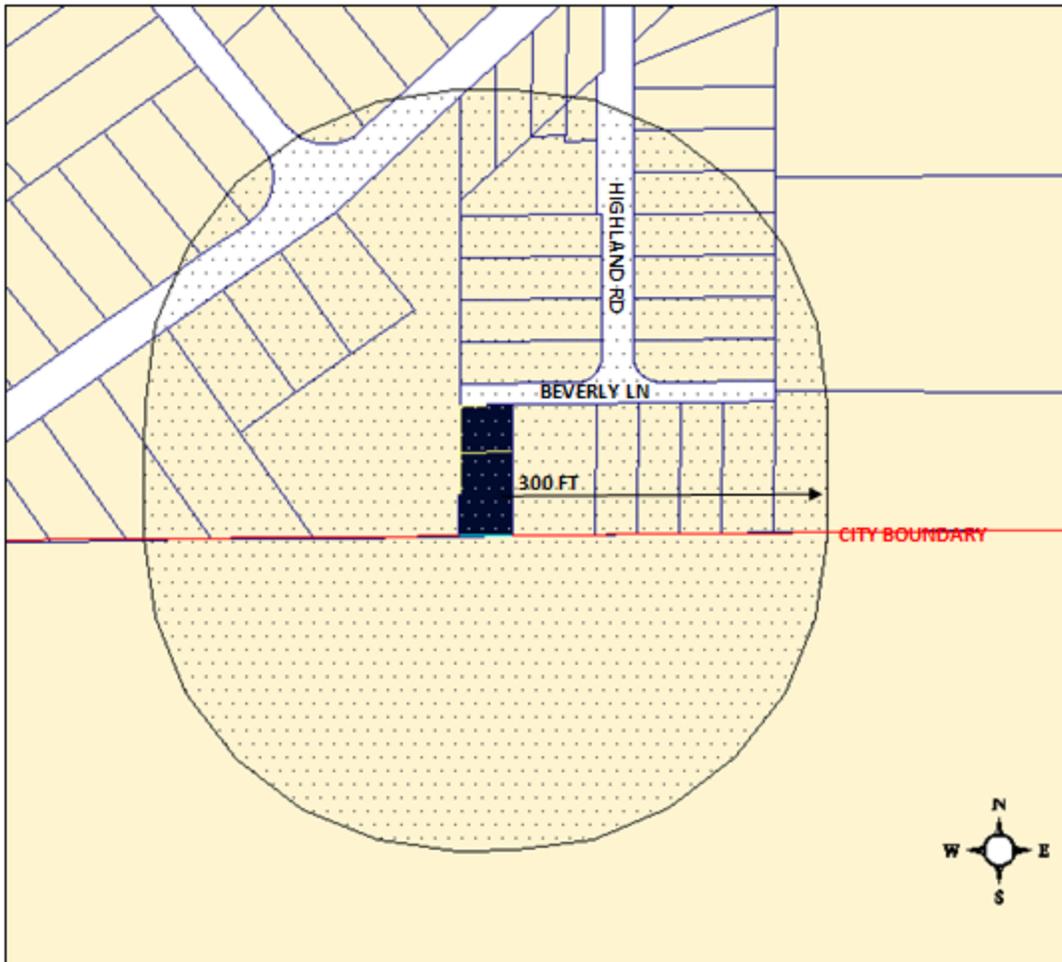


Exhibit 3

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CONDITIONS OF APPROVAL FOR  
PLOT PLAN REVIEW 2012-046  
40191 BEVERLY LANE  
0307-172-15 and 16

APPROVAL DATE: JUNE 6, 2012  
EFFECTIVE DATE: JUNE 18, 2012  
EXPIRATION DATE: JUNE 18, 2014

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These conditions of approval apply to Plot Plan Review Permit Application 2012-046 to construct a two-story addition measuring 936 square feet to an existing legal non-conforming single family residence on two parcels (to be merged) measuring a combined total of 6,250 square feet in the R-1 zone. Any proposed change of use or expansion of the area, or modifications to the site plan or structures shall be submitted to the Planning Division, along with the required application and fee, for review. For the purpose of these conditions, the term “applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

General conditions:

1. Plot Plan Review application 2012-046 is granted to construct a two-story addition measuring 936 square feet to an existing legal non-conforming single family residence on two parcels (to be merged) measuring a combined total of 6,250 square feet. The subject site is located at 40191 Beverly Lane (Assessor Parcel Numbers 0307-172-15 and 16). This approval is granted based on the application materials submitted by Charles, Nancy, and Allison Girvin on April 17, 2012, prepared by James Smith of Smithaven Homes on April 17, 2012 and May 11, 2012 including site plan, elevations, and floor plans. These plans and the proposed use of the site are approved as submitted and conditioned herein, and shall not be further altered unless reviewed and approved by the affected City departments. If not appealed, this approval shall become effective on the eleventh (11<sup>th</sup>) day after the date of the Planning Commission’s approval; or the next city business day following such eleventh (11<sup>th</sup>) day when the eleventh (11<sup>th</sup>) day is not a city business day. This approval shall expire twenty-four (24) months after the effective date of the approval unless the use or occupancy which is the subject of this action has taken place and all conditions of approval have been met, or a time extension has been granted by the City. Any application for an extension of time shall be submitted to the Planning Division, along with the required fee, at least ninety (90) days prior to the expiration date of this approval.

2. Minor modifications to this approval which are determined by the City Planner to be in substantial conformance with the approved site plan, and which do not intensify or change the use or require any deviations from adopted standards, may be approved by the City Planner upon submittal of an application and the required fee.
3. Approval of this application does not relieve the applicant from complying with all applicable Federal, State, County or City regulations or requirements.
4. In the event that exhibits and written conditions are inconsistent, the written conditions shall prevail.
5. The applicant shall defend, indemnify, and hold harmless the City of Big Bear Lake and its officers, employees, and agents from and against any claim, action, or proceeding against the City of Big Bear Lake, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City of Big Bear Lake concerning this project, including but not limited to any approval or condition of approval of the City Council, Planning Commission, or City Planner. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter.
6. The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements in the Big Bear Lake Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City.
7. The applicant shall pay all fees at the time fees are determined payable and comply with all requirements of the applicable Federal, State, and local agencies including, but not limited to, the following:

City of Big Bear Lake Building Department (development impact fees)  
Bear Valley Unified School District (school fees)  
Department of Water (water meter, connection and user fees)  
Big Bear Lake Fire Protection District (Fire Department Impact fees)  
City of Big Bear Lake Public Works/Sanitation (sewer connection fees)

The duty of inquiry as to such requirements shall be upon the applicant.

8. All plans, specifications, studies, reports, calculations, maps, notes, legal documents, and designs, shall be prepared, signed, and stamped only by those individuals legally authorized to do so.

**The following conditions shall be completed prior to or in conjunction with issuance of building permits. Where a condition specifies that plans or other items shall be submitted to the City for review and approval, the approval of these items by the appropriate City departments shall be obtained prior to issuance of permits:**

9. Plans for this project shall be submitted to the Building and Safety Division for review and approval, and shall comply with the latest adopted edition of the following codes as adopted by the City of Big Bear Lake and the Fire District: (B&S)
  - a. 2010 California Building Code and its appendices and standards, including those portions adopted by the State Fire Marshal;
  - b. 2010 California Plumbing Code and its appendices and standards;
  - c. 2010 California Mechanical Code and its appendices and standards;
  - d. 2010 California Electrical Code;
  - e. 2010 California Fire Code and its appendices and standards; and
  - f. California Code of Regulations, Title 19 and Title 24;
  
10. The applicant shall submit four (4) sets of final construction plans, site plan, building elevations, and floor plans to the Building and Safety Division for review and approval by all applicable departments. Such plans shall be scaled, fully dimensioned and in substantial conformance with those plans approved by the Planning Commission. Plans shall address the following: (PLN)
  - a. The final conditions of approval shall be incorporated into the construction plans and shall be reproduced on the front page of the construction plans.
  - b. Elevation drawings shall note proposed materials, colors, height, dimensions, window, roof, and deck treatments for all four sides of proposed addition. Such enhancements shall be an integral component of the building, rather than applied to the building surface.
  - c. Location of all building-mounted light fixtures shall be shown on the elevations. A detail of said fixtures shall be shown on the elevations, and fixtures shall be decorative and complementary to the building architecture.
  - d. Elevations shall note that all gutters and downspouts shall be concealed unless painted to match the surface to which it is attached.
  - e. Elevations shall show that all exposed concrete building foundations and built-up areas are treated with a decorative masonry product or are painted to match the building.
  - f. Elevations shall show that all exposed retaining walls are a treated with a decorative masonry product.

11. The site grading plan shall show that the driveway shall be extended to the west property line and shall call out two vehicle parking spaces, measuring a minimum of 9 feet in width and 19 feet in length each. (PLN)
12. The site grading plan shall show the details for the removal of the sewer lateral located in the public right-of-way that serves parcel 0307-172-16. The lateral shall be capped at the wye junction on the main line. (ENG)
13. The applicant shall record an Optional Lot Merger with the County Recorder for Assessor's Parcel Numbers 0307-172-15 and 16. (ENG)

**The following conditions and requirements shall be met during construction activities:**

14. During construction of the project, any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with all rules and regulations adopted by the City of Big Bear Lake, including approval of a Temporary Use Permit by the Planning Division. (B&S)
15. The applicant shall comply with any and all applicable City and State guidelines and requirements for traffic control during construction activities (ENG).
16. Construction activities shall comply with the tree conservation requirements contained in the Tree Conservation Ordinance. (PLN)
17. Noise generated from construction, maintenance, or demolition activities shall not be permitted between the hours of 7:00 p.m. and 7:00 a.m., or on Sundays and national holidays, except as approved by the Chief Building Official. (PLN)

**The following conditions shall be met prior to issuance of a certificate of occupancy, final inspection, and release of utilities:**

18. As applicable, as-built plans of all construction plans shall be submitted and approved. (ENG)
19. The project shall be constructed in accordance with all the approved plans and conditions of approval, including but not limited to site plans, grading plans, floor plans, and elevations. (PLN)
20. The applicant shall contact the Planning Department a minimum of one (1) week prior to final inspection by the Building and Safety Division to make arrangements for a final walk-through inspection by the Planning Division. (PLN)

**The following are on-going conditions of operation:**

21. Any of the trees to remain on the site that have died within twenty-four (24) months after issuance of a Certificate of Occupancy shall be replaced at a one-to-one ratio with a 24-inch boxed tree selected from Exhibit 1 (Trees of the Big Bear Area) contained in the Tree Conservation Ordinance of the same species. (PLN)
22. In the event that future land uses require additional parking, the applicant must obtain the necessary land use approval that demonstrates that sufficient parking is being provided for all land uses within the building or on the property. (PLN)
23. The applicant shall be responsible for regular and ongoing upkeep and maintenance of the site, including snow clearing, parking lot paving condition and striping, clearing of trash, weeds and debris, lighting, and other site improvements. All parking facilities shall be maintained in good condition. The maintenance thereof may include, but shall not be limited to the repaving, sealing, and striping of a parking area and the repair, restoration and/or replacement of any parking area design features when deemed necessary by the City to insure the health, safety, and welfare of the general public. (PLN)

**End of Conditions**

B & S – Building and Safety Division  
DWP – Department of Water  
ENG – Engineering Division  
FIRE – Fire Protection District  
PLN – Planning Division

**ATTACHMENT 2**  
**NOTICE OF EXEMPTION**

**TO:** Clerk of the Board of Supervisors  
County of San Bernardino  
385 N. Arrowhead Avenue, 2nd Floor  
San Bernardino, CA 92415-0130

**FROM:** Planning Department  
City of Big Bear Lake  
P. O. Box 10000  
Big Bear Lake, CA 92315-8900

Project Title:

Plot Plan Review 2012-046

Project Location - Specific: 40191 Beverly Lane, APN's 0307-172-15 and 16, in the City of Big Bear Lake, San Bernardino County, California

Description of Project:

A proposal to construct a two-story addition measuring 936 square feet to an existing legal non-conforming single family residence on two parcels (to be merged) measuring a combined total of 6,250 square feet in the R-1 zone

Name of Public Agency Approving Project:

City of Big Bear Lake, Planning Commission

Name of Person or Agency Carrying out Project:

Charles, Nancy, and Allison Girvin, property owners  
James Smith, Smithaven Homes, Representative

Exempt Status: (check one) (State type and section number)

XX Categorical Exemption. Section: 15301, Class 1

Reasons why project is exempt:

Section 15301, Class 1, of the CEQA Guidelines This class of exemptions pertains to additions to existing structures of up to 10,000 square feet where all public services and facilities are available to allow for maximum development permissible under the General Plan.

Lead Agency or Contact Person:

Ruth Lorentz, Associate Planner

Area Code/Telephone/Extension

(909) 866-5831 x124

Signature:

Date: