

NOTICE OF EXEMPTION

2021 MAY -5 PM 4:52

<p>TO:</p> <p><input type="checkbox"/> Office of Planning and Research P. O. Box 3044, Room 113 Sacramento, CA 95812-3044</p>	<p>FROM: Name: San Bernardino County, LUSD</p> <p>Address: 385 North Arrowhead Ave, First Floor San Bernardino, CA 92415-0187</p> <p>Telephone: (909) 387-4110</p>
<p><input checked="" type="checkbox"/> Clerk of the Board of Supervisors County of San Bernardino Address: 385 North Arrowhead Avenue, Second Floor San Bernardino, CA 92415-0130</p>	

1. Title:	Director's Interpretation – Time Limits
2. Applicant/Involved Entity:	Lazer Broadcasting Corporation
3. Location – Identify street address and cross streets or attach a map showing project site (preferably a USGS 15' or 7 1/2' topographical map identified by quadrangle name):	Although the action involved a mere interpretation of the County code, the interpretation applies to a previously issued Conditional Use Permit for 38.12 acres on the west side of Pisgah Peak Road, approximately 1.5 miles north of Wildwood Canyon
4. (a) Project Location – City: unincorporated San Bernardino County	(b) Project Location – County: San Bernardino County
5. Description of nature, purpose, and beneficiaries of Project:	<p>On May 5, 2021, the San Bernardino County Land Use Services Department, Planning Division issued a Director's Interpretation regarding Time Limits in connection with a previously issued (May 1, 2018) Conditional Use Permit to construct an FM radio broadcasting facility, issued to Lazer Broadcasting Corporation.</p> <p>The Department has determined that the expiration date previously reported for the Conditional Use Permit is inaccurate, and that in relevant cases such as this, the expiration deadline may run from the date of "authorization" which may occur after a decision date. As Lazer Broadcasting Corporation has been enjoined from exercising its approval since the date of decision due to court order, the Director's Interpretation is that the 36-month time limit provided by San Bernardino County Code section 86.06.060 does not begin to run until Lazer Broadcasting Corporation receives authorization to proceed with the project.</p>
6. Name of Public Agency issuing interpretation:	San Bernardino County
7. Name of Person or Agency taking the action:	County of San Bernardino, Land Use Services Department

DATE FILED & POSTED
Posted On: 05/05/2021


Removed On: 06/17/2021

Receipt No: 36-05052021-259

8. Exempt status:	
(a) <input type="checkbox"/> Ministerial project.	(Pub. Resources Code § 21080(b)(1); State CEQA Guidelines § 15268)
(b) <input checked="" type="checkbox"/> Not a project.	State CEQA Guidelines § 15352, 15378
(c) <input type="checkbox"/> Emergency Project.	(Pub. Resources Code § 21080(b)(4); State CEQA Guidelines § 15269(b), (c))
(d) <input type="checkbox"/> Categorical Exemption. State type and section number:	
(e) <input type="checkbox"/> Declared Emergency.	(Pub. Resources Code § 21080(b)(3); State CEQA Guidelines § 15269(a))
(f) <input type="checkbox"/> Statutory Exemption. State Code section number:	
(g) <input checked="" type="checkbox"/> Other. Common Sense Exemption:	State CEQA Guidelines § 15061(b)(3)
9. Reason why project was exempt:	<p>The activity involves a Director Interpretation of existing San Bernardino County Code provisions related to the calculation of expiration dates for previously issued Conditional Use Permits. The Director's Interpretation does not involve any new approval, does not issue any new entitlement, and does not authorize any activity with the potential for a significant effect on the environment.</p> <p>Accordingly, the interpretation of the existing code does not involve any "approval" of a "project" under State CEQA Guidelines sections 15352 and 15378. Alternatively, even if the interpretation were a "project," it would be exempt from CEQA pursuant to the common sense exemption under State CEQA Guidelines 15061(b)(3), because it can be seen with certainty that the interpretation of an existing code provision has no possibility of causing a potentially significant impact on the environment.</p>
10. Lead Agency Contact Person: Telephone:	Aron Liang (909) 601-4672


Signature/Title

Date: May 5, 2021


Name

Director, Land Use Services Department

For the County of San Bernardino

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.