



LAND USE SERVICES DEPARTMENT ZONING ADMINISTRATOR STAFF REPORT

HEARING DATE: December 11, 2025

AGENDA ITEM # 7

Project Description

APN: 0544-312-08
Applicant: Staten Solar
Community: Baker / 1st District
Location: 72363 Baker Blvd, Baker
Project No.: PROJ-2025-00028
Staff: Joseph Sidor, Contract Planner
Rep: Marissa Boucher, Staten Solar
Proposal: Minor Use Permit (MUP) to construct, install, and operate a 3,742 square foot carport structure with roof-mounted solar panels and approximately 26,243 square feet of ground-mounted solar panels to augment on-site power requirements.

Vicinity Map



59 Hearing Notices Sent On: November 24, 2025

Report Prepared By: Joseph Sidor

SITE INFORMATION

Parcel Size: 2.4 acres
Terrain: Flat
Vegetation: Site contains minimal low-lying desert vegetation.

Table 1 - Site and Surrounding Land Use Description

AREA	EXISTING LAND USE	LAND USE CATEGORY	ZONING DISTRICT
North	Commercial Service (Gas) Station and Travel Plaza	Commercial (C)	Highway Commercial (CH)
North	Baker Boulevard	Undesignated	Unclassified
South	Vacant and Wireless Telecommunications Facility	Commercial (C)	Highway Commercial (CH)
East	Commercial Restaurant	Commercial (C)	Highway Commercial (CH)
West	Service Garage	Commercial (C)	Highway Commercial (CH)

AGENCY

City Sphere of Influence: N/A
Water Service: Baker Community Services District
Sewer Service: Baker Community Services District

COMMENT

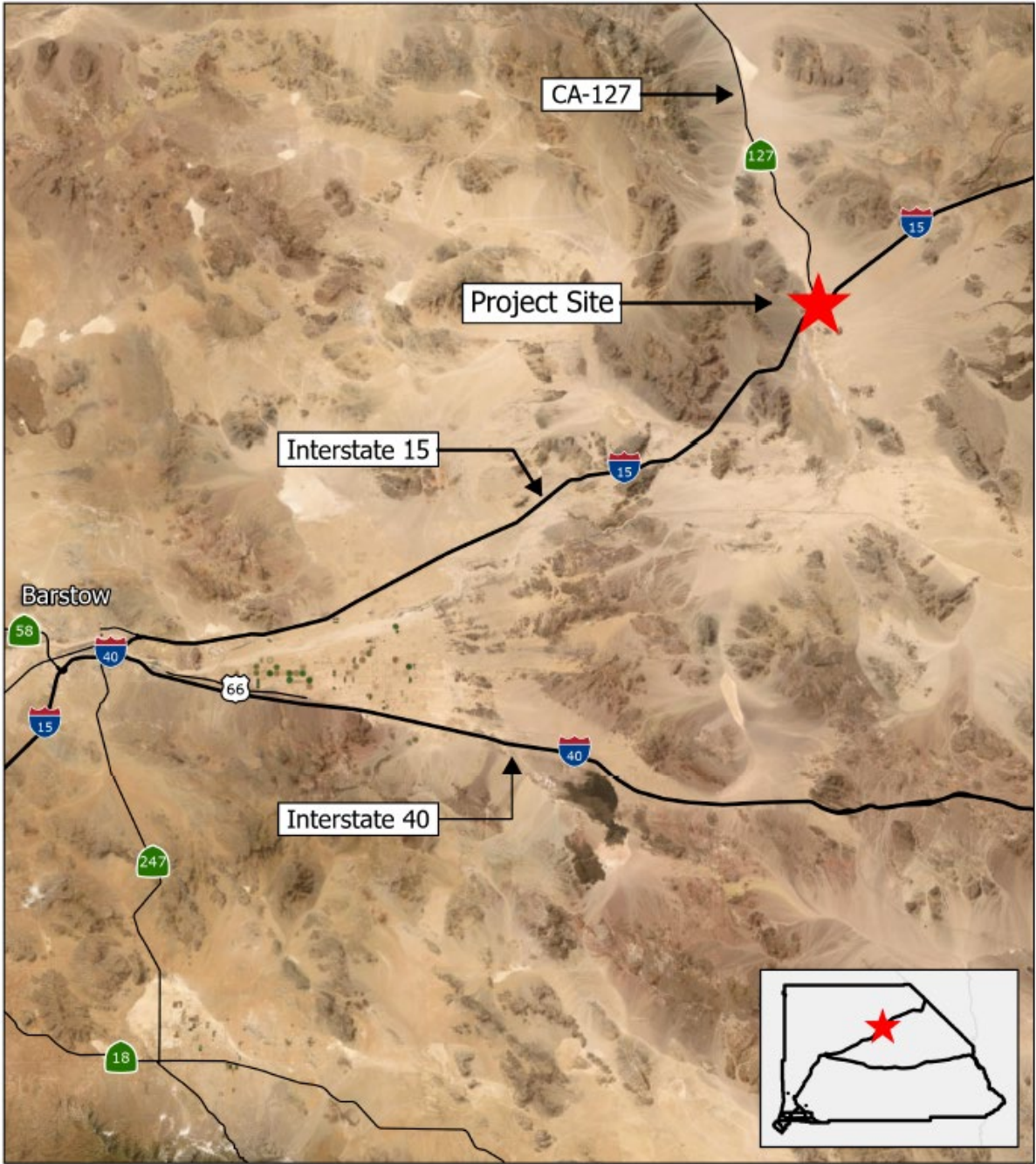
N/A
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STAFF RECOMMENDATION: That the Zoning Administrator **ADOPT** the Findings for approval of the Minor Use Permit; **APPROVE** the Minor Use Permit subject to the attached Conditions of Approval; and **DIRECT** Land Use Services Department staff to file a Notice of Exemption.

APPEAL: In accordance with Section 86.08.010 of the Development Code, this action may be appealed to the Planning Commission before its effective date.

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REGIONAL LOCATION MAP



Scale: 1:750,000

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★ PROJ-2025-00028

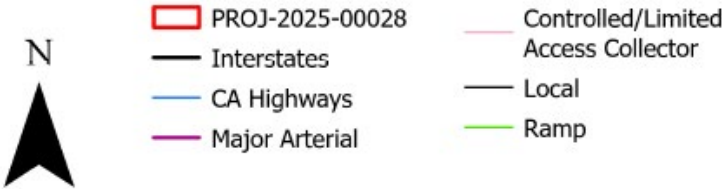
— Interstates

— CA Highways

VICINITY MAP



Scale: 1:24,000

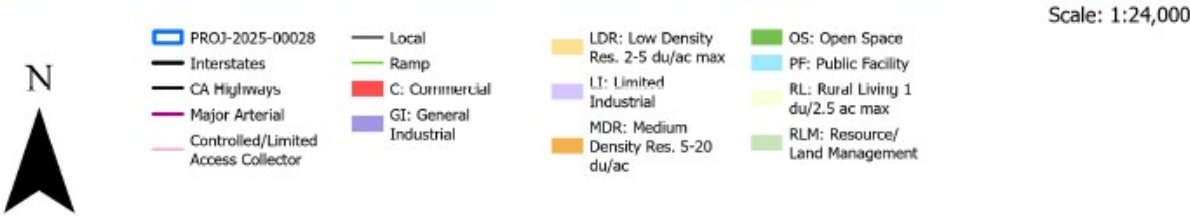
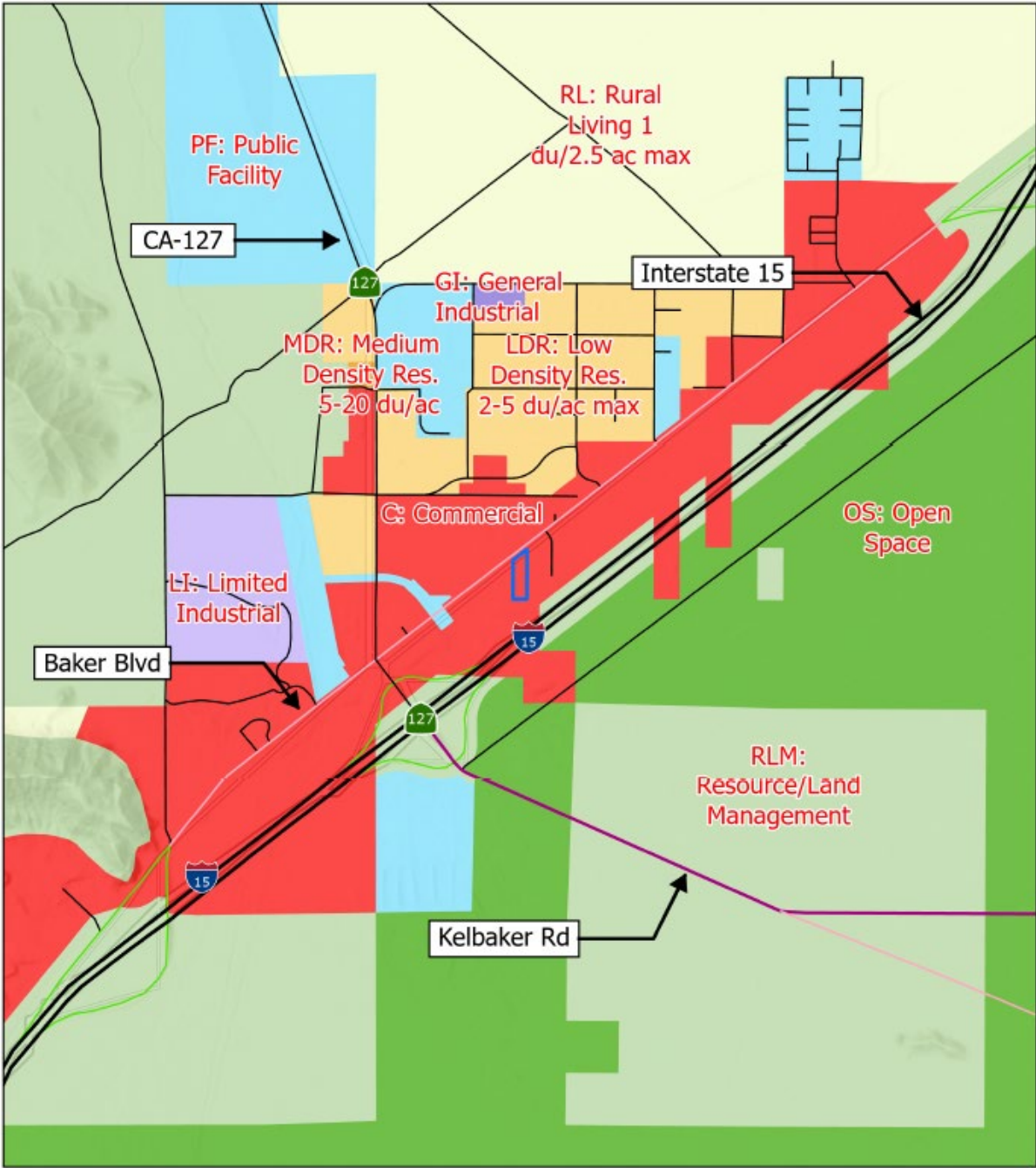


VICINITY MAP (DETAIL)

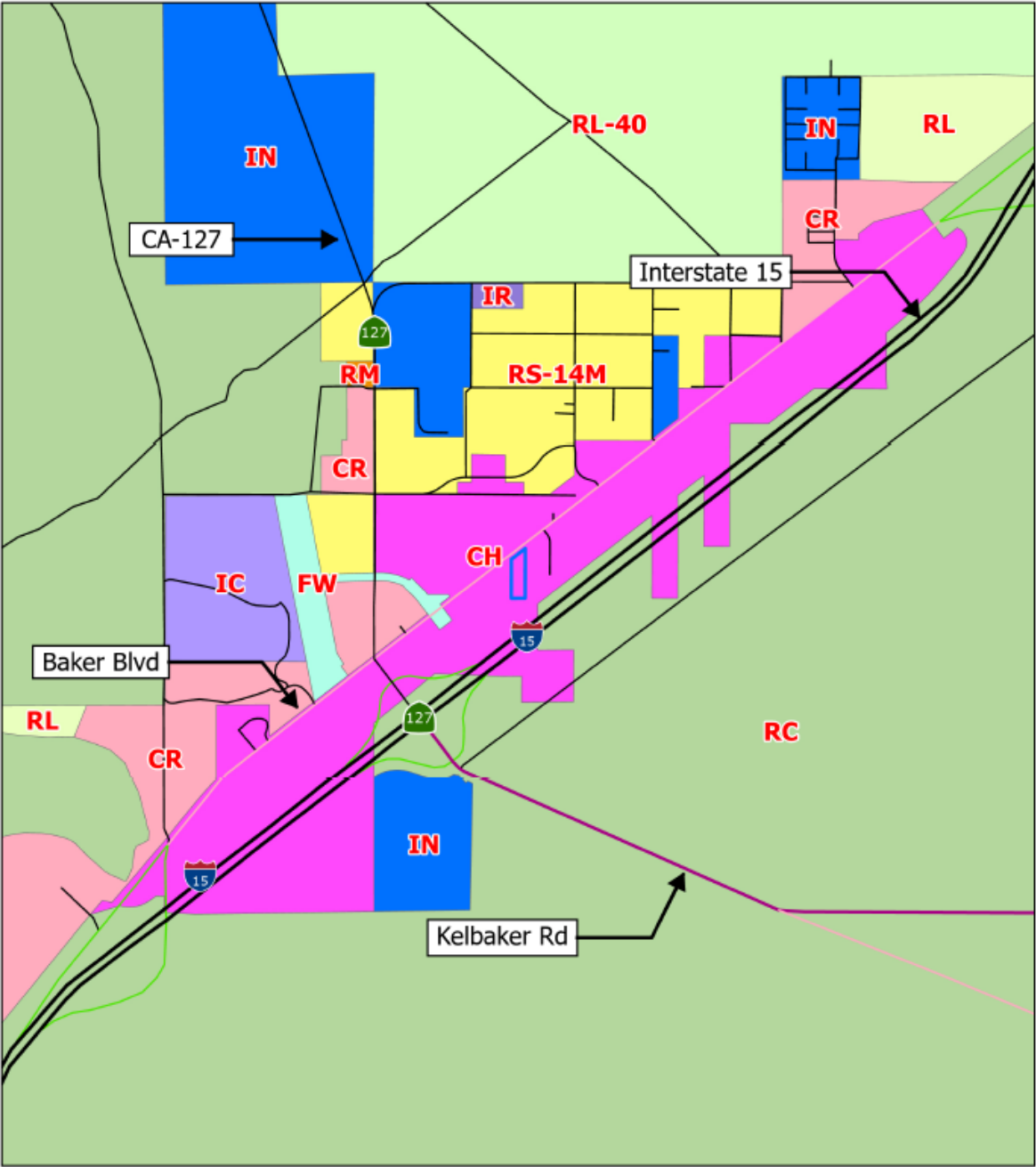


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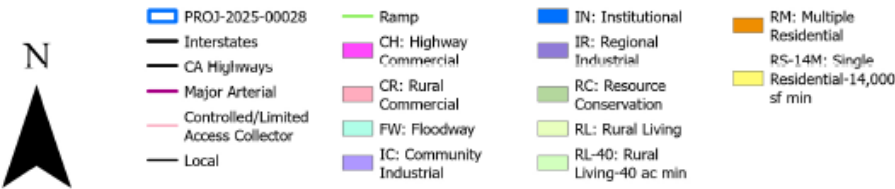
LAND USE DESIGNATION MAP



ZONING DISTRICT MAP



Scale: 1:24,000



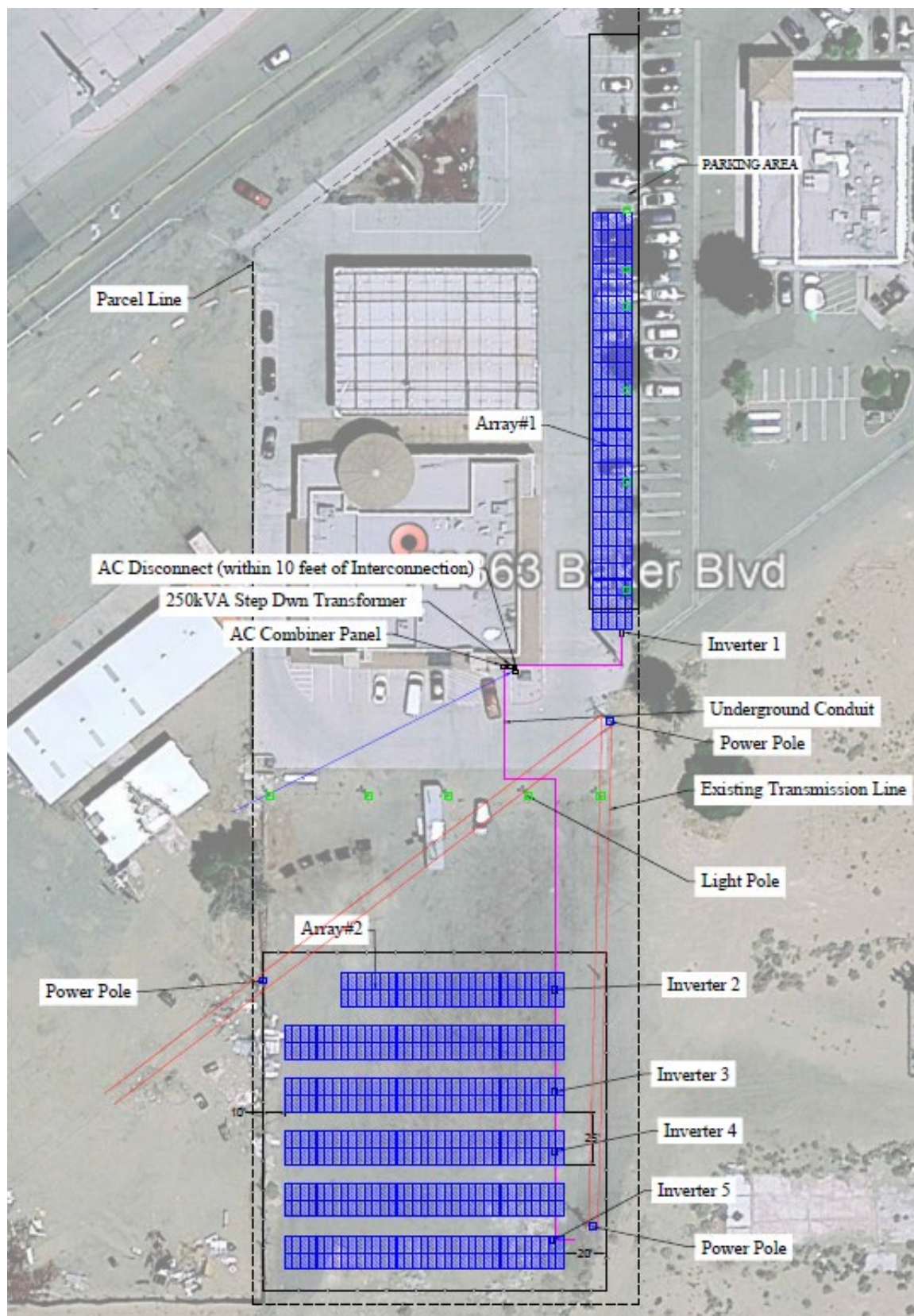
EXISTING CONDITIONS LOOKING NORTH FROM INTERSTATE 15



PROPOSED CONDITIONS LOOKING NORTH FROM INTERSTATE 15



SITE OVERVIEW



PROJECT DESCRIPTION AND BACKGROUND:

Staten Solar (the applicant) requests approval of a Minor Use Permit (MUP) to construct, install, and operate a 0.316 Megawatt (MW) solar photovoltaic (PV) power generating facility on a 2.4-acre parcel in the unincorporated community of Baker (the Project). The Project would augment power requirements for an existing gas station and travel plaza in the Highway Commercial zoning district of Baker.

The Project would involve the construction/installation of a 3,742 square foot carport structure with roof-mounted solar panels (Array 1) and approximately 26,243 square feet of ground-mounted solar panels (Array 2). Once operational, the solar panels would generate approximately 0.316 MWs (316 kilowatts) of energy to augment on-site power requirements and will include approximately 531 solar panels (125 roof-mounted and 406 ground-mounted), a transformer, and inverters. Electrical conduit and transmission and collection lines would be installed underground and would connect to existing utility poles on the Project site. The Project would also include construction of approximately 630 linear feet of 6-foot high chain link fencing for visual screening and dust control.

As proposed, the Project qualifies as a Neighborhood-level community-oriented renewable energy (CORE) facility. The Resource Energy and Conservation Element (RECE) defines CORE as “renewable energy generation planned and approved for consumption by one or more locally sponsored, specific, and proximal end-users.” Chapter 3 of the RECE, entitled “Community-Oriented Renewable Energy”, explains that CORE facilities are “primarily intended to serve the people near them. Utility-scale projects are not. In determining if a project is a CORE facility, the primary factor is not size or mega-watt output, but rather the location and intention of who is anticipated to be served by the solar facility. For example, RECE Policy RE 3.2.3 provides that “CORE facilities shall be designed primarily to meet the needs of the local users.”

Table 1 of the RECE (below), entitled “Renewable Energy Generation Categories”, provides “typical” size and acreage guidance for “Neighborhood”, “Community”, and “Utility-Oriented” solar projects. Per Table 1, the Project is a CORE facility at the Neighborhood level because the project would generate approximately 0.316 MW (316 kilowatts (kW)) of solar energy when operational. As proposed, the Project will be larger than the Accessory CORE category (up to 70 kW) and smaller than the Community CORE category (711 kW to 10 MWs), and will augment on-site power requirements. The Project is designed to meet the criteria of a CORE project, with electricity provided for local on-site use and an output of 0.316 MW (316 kilowatts). Therefore, the Land Use Services Department believes the Project as conditioned qualifies as a CORE facility.

Project Fencing and Security

The area of ground-mounted solar panels (Array 2) will be enclosed with a six-foot-tall chain-link security fence. The fence will have at least one vehicle access gate and man-gate at the northern boundary. The access gate would remain locked, except during operations and maintenance activities. A Knox-box lock system will be installed at the entrance gate to provide 24-hour access for emergency responders.

Table 1: Renewable Energy Generation Categories

	Community-Oriented				Utility-Oriented
	Accessory: Site-Oriented				
Key Traits	Rooftop	Ground-Mounted Accessory	Neighborhood	Community	
Typical Use	Accessory structure in support of on-site consumption	Accessory structure in support of on-site consumption	Provides electricity primarily for adjacent use	Provides electricity primarily for local off-site use	Supplies electricity to the transmission grid
Preferred Technology Types	Solar PV and water heater energy systems	Solar PV and water heater energy systems	Solar PV energy systems	Solar PV energy systems	Solar PV energy systems
	Geothermal Wind energy systems	Geothermal Wind energy systems	Geothermal	Bioenergy Geothermal	Bioenergy
Permit Type	Building Permit	Building Permit	Minor Use Permit	Conditional Use Permit	Conditional Use Permit
Approval	Staff	Staff	Zoning Administrator	Planning Commission	Planning Commission
Typical Size	Varies depending on size of facility/residential roof	Varies depending on on-site needs	Up to 5 acres in total area	Up to 60 acres in total area	More than 60 acres in total area - Limited Sites*
Typical Power Generation	Varies depending on facility/residence size	Up to approximately 70 kW (standard layout)	Up to approximately 710 kW (standard layout)	Up to approximately 10 MW (standard layout)	More than 10 MW
Notes:	* Limited sites for utility-oriented development are specified in the Development Code				

Land Use Designations and Zoning

The project site is located in the Community of Baker, North Desert Region, with a Land Use designation of Commercial (C) and a Zoning classification of Highway Commercial (CH). The project adheres to Desert Region standards and complies with all applicable criteria for commercial solar facilities as outlined in the San Bernardino County Development Code (Development Code).

The C Land Use designation is intended to allow for retail, office, and service commercial businesses that serve the needs of local residents, regional markets, and visitors/tourists. The CH zoning district in rural desert communities provides sites for limited commercial development and small businesses that serve local residents and visitors, compatible with the natural environment and surrounding uses. Pursuant to the RECE and Development

Code, renewable energy generation facilities designed as a CORE facility are a permitted use within the CH zone with an approved MUP.

The subject property is a developed commercial property, with only three (3) planted landscape trees and sparse vegetation. Baker Boulevard abuts the subject property to the north. The adjacent parcels to the east, west, and south are zoned Highway Commercial (CH) and identified by County Assessor's Parcel Numbers (APNs) 0544-312-05 (service garage), 0544-312-11 (Denny's restaurant), 0544-312-17 (vacant), 0544-312-02 (wireless telecommunications facility), and 0544-441-07 (vacant).

PUBLIC COMMENTS AND NOTICES

In accordance with Section 84.29.040(f) of the San Bernardino County Development Code, Project Notices were sent to all property owners within 1,320 feet of the external boundaries of the Project boundary. A total of 49 project notices were sent to surrounding property owners and interested agencies/associations on August 14, 2025. In response to the Project Notice, one noticed property owner returned the notice with an address written on the notice that was already listed on the mailing labels. This property owner will also be mailed the notice of hearing.

The Planning Division sent out 59 hearing notices on November 24, 2025, advertising the Zoning Administrator Hearing to be held on December 11, 2025. All agency comment letters recommended approval of the project.

PROJECT ANALYSIS:

The project involves the construction of a 3,742 square foot carport structure with roof-mounted solar panels and approximately 26,243 square feet of ground mounted solar panels on a 2.4-acre parcel with an existing gas station and travel plaza in an established commercial district (see Exhibit C). Once operational, the solar panels would generate approximately 316 kW of energy to augment on-site power requirements. As proposed, the carport and roof- and ground-mounted solar panels would be consistent with applicable and required development standards.

The RECE provides the following five siting policies to be considered in the allowance of renewable energy (RE) facilities within the Development Code Land Use Districts. As explained below, the Project complies with each of the siting policies.

1. Condition of the underlying ground: Fundamentally, RE should be developed on substantially disturbed or degraded lands. Minor disturbances likely to recover to a high-quality natural condition in a short time should not be considered substantially disturbed.

Response: The Project proposes de minimis surface grading and minor spot grading for the installation of the ground-mounted array stands/piers. Grading activities will be subject to BMPs for erosion and silt control and general County inspection schedules/requirements.

2. Impact on the natural environment: Siting that may negatively impact critical habitats and species that are threatened or endangered will be given very careful scrutiny. Generally, RE and all other types of development will be expected to minimize and mitigate negative environmental impacts.

Response: The proposed facility is not located in an identified environmentally sensitive area and no known sensitive habitat or wildlife corridors are present on or near the project site. The carport accessory structure would occupy existing paved area, and the ground-mounted solar panels would occupy a vacant area between the existing paved area and a vacant commercial parcel. Interstate 15 is located approximately 300 feet to the south of the project site.

3. Relationship to surrounding land uses: RE development should not substantially conflict with surrounding land uses, especially existing communities or residential areas where residents object to the visual character of RE projects.

Response: The surrounding land uses/lots are commercial, and the nearest residential uses are over 500 feet north of the Project site. The topography in the area is relatively flat, thereby substantially minimizing views of the relatively low-lying solar panels.

4. Proximity to transmission and/or distribution infrastructure: Generally, the intent is to discourage siting that requires substantial new infrastructure, especially transmission lines.

Response: The point of connection to the existing electrical lines would occur near the center of the Project site, thereby minimizing any substantial new infrastructure.

5. Contribution to the benefits of community-oriented RE: There is substantial growth nationally in community-oriented renewable energy (CORE) facilities development. The Element emphasizes CORE development, including the principles of energy reliability, consumer cost reduction, local production for local consumption, and locally appropriate services. Therefore, there are many conditions under which CORE facilities sited in or adjacent to communities may complement the collective needs of the community or neighborhood.

Response: As proposed, the Project qualifies as a Neighborhood-level community-oriented renewable energy (CORE) facility that would generate approximately 0.316 MWs (316 kilowatts) of energy to augment on-site power requirements.

Consistency with Countywide Policy Plan: The Project is consistent with the Countywide Policy Plan Policy LU-2.4, Land Use Map consistency, in that no proposed change in land use category or zoning district is required and the Project is therefore generally compatible and consistent with surrounding land uses and the community's identity. The project was reviewed and/or conditioned by the various applicable County agencies.

Code Compliance Summary:

The Project satisfies applicable standards of the Development Code for development in the Highway Commercial Zoning District, as illustrated in Table 2 below.

Table 2: Project Code Compliance

Project Component	Development Code Standard	Project Proposal	Meets Code
Entitlement - Solar Facility	CORE Category - Neighborhood Level Minor Use Permit	Minor Use Permit	Yes
Setback (Front) [Section 84.29.040(a) & Section 82.05.060 – Table 82-15B]	32.5 feet	94 feet	Yes
Setback (Rear)	0 feet	38 feet	Yes
Setback (Side)	10 feet and 0 feet	28 feet and 0 feet	Yes
Height	60 feet (maximum)	18 feet (including solar panels)	Yes
Coverage	80%	~ 45%	Yes
Night Lighting Section 84.29.040(c)	Comply with provisions of Chapter 83.07	None proposed	Yes - Conditioned
Annual Fee Section 84.29.040(d)	0 – 4.99 acres \$580/acre	2.4 acres \$1,392	Yes - Conditioned

Glare: According to SBCC Section 84.29.040(b), solar energy facilities shall be designed to preclude daytime glare on any abutting residential land use zoning district, residential parcel, or public right-of-way. The Project is within a Highway Commercial zoning district and adjacent to commercial lots. The nearest residences are approximately 500 to 900 feet to the north and northwest, and Interstate 15 is over 300 feet to the south. An existing commercial building would block view of the proposed ground-mounted solar panels from Baker Boulevard, and proposed fencing would provide a visual barrier toward I-15. Additionally, as conditioned, any proposed exterior lighting must be shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties. Generally, solar panels are designed to be highly absorptive of light that strikes the panel surfaces, generating electricity rather than reflecting light. Solar PV panels have a lower index of refraction/reflectivity than common sources of glare in commercial environments. The glare and reflectance levels of panels are further reduced with the application of anti-reflective coatings.

Night Lighting: According to SBCC Section 84.29.040(c), outdoor lighting within a commercial solar energy generation facility shall comply with the provisions of SBCC Chapter 83.07, Light Trespass. SBCC Section 83.07.060, Mountain and Desert Requirements, generally requires shielding of outdoor light fixtures, directional lighting, use of motion sensors and timers, etc. As conditioned, any proposed exterior lighting must be

shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties.

Pursuant to San Bernardino Development Code section 84.29.035(25) through (29), the project site is located: over 9 miles from the boundary of the nearest active military base; over 79 miles from the nearest boundary of Joshua Tree National Park; over 28 miles from the nearest boundary of Death Valley National Park; over 2 miles from the nearest boundary of the Soda Mountains Wilderness Study Area; and approximately 1,000 feet from the nearest boundary of the Mojave National Preserve.

No other commercial solar energy generation facilities are located within 20 miles of the vicinity of the Community of Baker.

Review Factors: According to *Section 84.29.035 (a) and (b)*, the review authority shall consider the following aesthetic, health, safety, and economic factors in determining whether to issue a Use Permit for a commercial solar energy generation facility:

1. The location of the proposed commercial solar energy facility is appropriate in relation to the desirability and future development of communities, neighborhoods, and rural residential uses, and will not lead to loss of the scenic desert qualities that are key to maintaining a vibrant desert tourist economy.
2. The characteristics of the commercial solar energy facility development site and its physical and environmental setting, as well as the physical layout and design of the proposed development in relation to nearby communities, neighborhoods, and rural residential uses.
3. The location of other commercial solar energy generation facilities that have been constructed, approved, or applied for in the vicinity, whether within a city or unincorporated territory, or on State or Federal land.

As analyzed above, the proposed project meets the 3 factors required for consideration by the review authority.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA): The project is exempt from CEQA as a Class 29 Categorical Exemption under Section 15329, Cogeneration Projects at Existing Facilities. The Class 29 exemption applies to the installation of cogeneration equipment with a capacity of 50 megawatts or less at existing facilities meeting the following conditions:

- (a) At existing industrial facilities, the installation of cogeneration facilities will be exempt where it will:
 - (1) Result in no net increases in air emissions from the industrial facility, or will produce emissions lower than the amount that would require review under the new source review rules applicable in the county, and
 - (2) Comply with all applicable state, federal, and local air quality laws.

(b) At commercial and institutional facilities, the installation of cogeneration facilities will be exempt if the installation will:

- (1) Meet all the criteria described in subdivision (a);
- (2) Result in no noticeable increase in noise to nearby residential structures;
- (3) Be contiguous to other commercial or institutional structures.

As proposed, the project meets the Class 29 criteria for exemption.

Additionally, the project is exempt from CEQA as a Class 3 Categorical Exemption under Section 15303, New Construction or Conversion of Small Structures, which applies to new construction and location of small structures and appurtenant equipment.

Further environmental review under CEQA is not required, and a Notice of Exemption has been prepared.

RECOMMENDATION: That the Zoning Administrator:

- 1) **FIND** the project Exempt from CEQA per Sections 15329 and 15303; and
- 2) **ADOPT** the Findings as included in the Staff Report for approval of the Minor Use Permit; and
- 3) **APPROVE** the Minor Use Permit (PROJ-2025-00028) and Conditions of Approval for the construction of a 3,742 square foot carport structure with roof-mounted solar panels and approximately 26,243 square feet of ground mounted solar panels; located at 72363 Baker Boulevard, in the Community of Baker, within the Commercial (C) Land Use Category and Highway Commercial (CH) Zoning District; 1st Supervisorial District; APN: 0544-312-008-0000; and
- 4) **DIRECT** Land Use Services Department staff to file a Notice of Exemption in accordance with the California Environmental Quality Act.

ATTACHMENTS:

EXHIBIT A: Findings
EXHIBIT B: Conditions of Approval
EXHIBIT C: Site Plan and Photos
EXHIBIT D: Photo Simulations
EXHIBIT E: Notice of Exemption
EXHIBIT F: Correspondence

Exhibit A

Findings

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FINDINGS: MINOR USE PERMIT

A MINOR USE PERMIT (MUP) TO CONSTRUCT, INSTALL, AND OPERATE A 3,742 SQUARE FOOT CARPORT STRUCTURE WITH ROOF-MOUNTED SOLAR PANELS AND APPROXIMATELY 26,243 SQUARE FEET OF GROUND-MOUNTED SOLAR PANELS TO AUGMENT ON-SITE POWER REQUIREMENTS FOR AN EXISTING GAS STATION AND TRAVEL PLAZA ON A 2.4-ACRE PARCEL ZONED CH (HIGHWAY COMMERCIAL) AND IN LAND USE CATEGORY C (COMMERCIAL); LOCATED AT 72363 BAKER BOULEVARD, IN THE COMMUNITY OF BAKER, 1ST SUPERVISORIAL DISTRICT; APN: 0544-312-08; PROJECT NUMBER PROJ-2025-00028.

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040, and supporting facts for approval of all Use Permits:

- 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 SPACE, PARKING AREAS, SETBACKS, WALLS AND FENCES, YARDS, AND OTHER REQUIRED FEATURES PERTAINING TO THE APPLICATION.**

The Project Site is 2.4 acres in size and is of adequate size and shape to accommodate the proposed commercial solar panel energy generating facility. Ingress and egress circulation, landscaping, lot coverage, all setbacks, and buffering fences meet the requirements of the Development Code for the proposed project's property land use and zoning designations. The proposed facility is sufficiently separated from existing rural residential areas and is surrounded by highway commercial land uses. Additionally, the proposed facility is of sufficiently small size, and would have adequate setbacks and sufficient screening, so as not to adversely affect the desirability and future development in the vicinity.

- 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 site design ensures adequate legal and physical access to the site directly from Baker Boulevard, which borders the site to the north. Regional access to the site is provided via State Route 127 (SR 127) to the north and Interstate 15 (I 15) to the south.

- 3. THE PROPOSED USE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ABUTTING PROPERTY OR THE ALLOWED USE OF THE ABUTTING PROPERTY, WHICH MEANS THE USE WILL NOT GENERATE EXCESSIVE NOISE, TRAFFIC, VIBRATION, LIGHTING, GLARE, OR OTHER DISTURBANCE. IN ADDITION, THE USE WILL NOT SUBSTANTIALLY INTERFERE WITH THE PRESENT OR FUTURE ABILITY TO USE SOLAR ENERGY SYSTEMS.**

The Project, as designed and conditioned, is consistent with the land uses and development standards allowed within the Highway Commercial (CH) Zoning District and as such should not have adverse effects on abutting commercial properties. The nearest residences or other sensitive receptors are approximately 500 to 900 feet to the north and northwest. Additional rural residences within the Community of Baker are located farther to the north, west, and east. The proposed project will deliver clean, emission-free renewable solar energy to the Project Site to augment existing power sources. The project is consistent with all required setbacks which will reduce operational and maintenance noise levels.

4. THE PROPOSED USE AND MANNER OF DEVELOPMENT ARE CONSISTENT WITH THE GOALS, MAPS, POLICIES, AND STANDARDS OF THE COUNTY GENERAL PLAN AND ANY APPLICABLE COMMUNITY OR SPECIFIC PLAN.

The proposed Minor Use Permit, together with the provisions for its design and improvement are consistent with the Countywide Policy Plan. The proposed Project as designed specifically is consistent with the goals, policies, standards and maps of the Policy Plan. The project specifically implements the following San Bernardino Policy Plan goals and policies:

- **Policy LU-2.1 Compatibility with existing uses.**

We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods.

Consistency: *The Project is appropriate because the use is allowed subject to a land use entitlement of a Minor Use Permit (MUP) and compatible with the size and scale of the surrounding commercial characteristics. The height of the solar panels on the carport structure will be installed at a height no greater than 18 feet high, which is consistent with the height of structures and accessory structures allowed in the Highway Commercial zoning district. As proposed, the Project would include/provide a buffer/fence to screen the ground-mounted energy generating facility from public view and designed to be sensitive to uses on surrounding properties.*

- **Policy LU-2.3 Compatibility with natural environment**

We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.

Consistency: *The Project is designed, located, and scaled for compatibility with the surrounding natural environment. Also, the proposed facility is not located in an identified environmentally sensitive area and no known sensitive habitat or wildlife corridors are present on or near the project site. The carport accessory structure would occupy existing paved area, and the ground-mounted solar panels would occupy a vacant area between the existing paved area and a vacant commercial parcel.*

- **Policy LU-2.4 Land Use Map consistency.**

We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.

Consistency: *The Project is consistent with the Land Use Map and does not propose a change in the Land Use Category. As designed, the proposed use is generally compatible and consistent with surrounding land uses and the community's identity.*

- **Policy RE-2.1: Renewable Energy Systems**

We support solar energy generation, solar water heating, wind energy and bioenergy systems that are consistent with the orientation, siting and environmental compatibility policies of the General Plan. Additionally, Policy RE 2.1.1, states that projects shall "utilize renewable energy development standards in the Development Code to minimize impacts on surrounding properties."

Consistency: *The proposed project will deliver clean, emission-free renewable solar energy to the Project Site to augment existing power sources. As proposed, the project is consistent with applicable development standards.*

- **Policy RE-3.2: Community-Oriented Renewable Energy**

We encourage community-oriented renewable energy (CORE) generation that primarily serves local uses in the county, and Policy RE-3.2.3: CORE facilities shall be designed primarily to meet the needs of the local users, with an adequate overage margin to meet peak demands and defray the cost of the systems.

Consistency: *Per Table 1, Renewable Energy Generation Categories, of the San Bernardino County Renewable Energy and Conservation Element, the Project is a Community-Oriented Renewable Energy (CORE) project at the Neighborhood level because the project would generate approximately 316 kilowatts (kW) of solar energy when operational. As proposed, the Project will be larger than the Accessory level category (up to 70 kW) and smaller than the Community level category (711 kW to 10 megawatts (MW)), and will augment on-site power requirements.*

- **Policy RE-4.5: Decommissioning Plans**

Require RE generation facility developers to provide and implement a decommissioning plan that provides for reclamation of the site to a condition at least as good as that which existed before the lands were disturbed or another appropriate end use that is stable i.e. with interim vegetative cover), prevents nuisance, and is readily adaptable for alternative land uses.

Consistency: *The project has been conditioned to require the applicant to submit a draft decommissioning plan to the County for review and approval prior to issuance of building permits. The draft decommissioning plan would include all required aspects, including cost estimates, work required, and removal of structures and equipment.*

- **Policy RE 4.7: Site Selection and Design**

RE project site selection and site design shall be guided by the following priorities relative to habitat conservation and mitigation:

1. Avoid sensitive habitat, including wildlife corridors, during site selection and project design;
2. Where necessary and feasible, conduct mitigation on-site.
3. When on-site habitat mitigation is not possible or adequate, establish mitigation off-site in an area designed for habitat conservation.

Consistency: *The proposed facility is not located in an identified environmentally sensitive area and no known sensitive habitat or wildlife corridors are present on or near the project site. The carport accessory structure would occupy existing paved area, and the ground-mounted solar panels would occupy a vacant area between the existing paved area and a vacant commercial parcel.*

- **Policy RE 5.1.2: Conformance to Development Code**

Siting of community-oriented and utility-oriented RE generation facilities will conform to applicable standards set forth in the Development Code.

Consistency: *The project site has been previously developed, is located in an area adjacent to other vacant and developed commercial properties, and away from large scale residential development. The nearest residences or other sensitive receptors are approximately 500 to 900 feet to the north and northwest. The project is also located adjacent to and will connect with an existing Southern-California Edison (SCE) electrical line.*

5. THERE IS SUPPORTING INFRASTRUCTURE, EXISTING OR AVAILABLE, CONSISTENT WITH THE INTENSITY OF THE DEVELOPMENT, TO ACCOMMODATE THE PROPOSED PROJECT WITHOUT SIGNIFICANTLY LOWERING SERVICE LEVELS.

Site access would be provided via Baker Boulevard. On-site access setbacks would encircle the entire ground-mounted solar array. The access lanes/setbacks would be wide enough to accommodate emergency vehicles (at least 20 feet wide for the perimeter and internal access areas) and designed in compliance with County building and fire department standards. As proposed, the project would augment on-site power requirements, and service levels are expected to be minimal. The solar facility itself would not require on-site water or waste water disposal.

6. THE LAWFUL CONDITIONS STATED IN THE APPROVAL ARE DEEMED REASONABLE AND NECESSARY TO PROTECT THE OVERALL PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

The conditions of approval include measures that require the applicant/developer to comply with the performance measures outlined in the County Development Code. Therefore, the conditions stated in the approval are deemed necessary to protect the public health, safety and general 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 proposed energy cogenerating facility is a solar energy system designed to maximize the amount of solar panels that can be placed on site while meeting all of the San Bernardino's Development Code Standards, thereby meeting the intent and purpose of the required finding.

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040(b), and supporting facts for approval of Minor Use Permits:

8. THERE ARE NO CIRCUMSTANCES THAT WOULD RESULT IN STANDARDS OR CONDITIONS NOT BEING ABLE TO ADEQUATELY MITIGATE ENVIRONMENTAL IMPACTS.

The project complies with all relevant environmental standards, and no significant impacts are anticipated due to the project's small scale and its location adjacent to Baker Boulevard. The project is exempt from CEQA pursuant to Section 15329 for installation of cogeneration projects at existing facilities and Section 15303 for new construction or conversion of small structures. The project would not increase existing ambient noise levels and would be adjacent to commercial structures and properties. No mitigation is required.

9. THE PROJECT IS PLANNED FOR IMMEDIATE DEVELOPMENT AND DOES NOT INCLUDE A PHASED DEVELOPMENT.

The project is designed for immediate development, with no phased construction planned. All necessary infrastructure and components are included in the initial development phase.

10. THE PROJECT IS NOT LIKELY TO RESULT IN CONTROVERSY. IF THE PROPOSED PROJECT FAILS TO SATISFY ANY OF THE FINDINGS IDENTIFIED IN THIS SUBDIVISION, IT SHALL ONLY BE PROCESSED AS A CONDITIONAL USE PERMIT IN COMPLIANCE WITH THIS CHAPTER.

The project is not expected to result in controversy, as it complies with all applicable standards, requirements, and findings. Given its alignment with zoning and land use policies, it is unlikely to generate significant opposition and can proceed as a Minor Use Permit under the guidelines of this chapter and Table 1 of the San Bernardino County Renewable Energy and Conservation Element.

FINDINGS: COMMERCIAL SOLAR ENERGY FACILITY

The following are the required findings, per the San Bernardino County Development Code Section 84.29.035, and supporting facts for approval of the Project:

11. Finding (c)(1): The proposed commercial solar energy generation facility is either:

(A) sufficiently separated from existing communities and existing/developing rural residential areas so as to avoid adverse effects, or

(B) Of a sufficiently small size, provided with adequate setbacks, designed to be lower profile than otherwise permitted, and sufficiently screened from public view so as to not adversely affect the desirability and future development of communities, neighborhoods, and rural residential use.

***Consistency:** The subject site is both sufficiently separated from existing residential areas and of sufficiently small size so as not to adversely affect the desirability and future development of the vicinity. The project site is approximately 500 to 900 feet to the south and southeast from the nearest residential or sensitive receptor uses and is surrounded by highway commercial land uses.*

12. Finding (c)(2): Proposed fencing, walls, landscaping, and other perimeter features of the proposed commercial solar energy generation facility will minimize the visual impact of the project so as to blend with and be subordinate to the environment and character of the area where the facility is to be located.

***Consistency:** Approximately 630 linear feet of fencing will be provided around the proposed ground-mounted solar facility. As conditioned, any proposed exterior lighting must be shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties. Generally, solar panels are designed to be highly absorptive of light that strikes the panel surfaces, generating electricity rather than reflecting light. PV panels have a lower index of refraction/reflectivity than common sources of glare in commercial environments. The glare and reflectance levels of panels are further reduced with the application of anti-reflective coatings.*

13. Finding (c)(3): The siting and design of the proposed commercial solar energy generation facility will be either:

(A) Unobtrusive and not detract from the natural features, open space and visual qualities of the area as viewed from communities, rural residential uses, and major roadways and highways, ¹ or

(B) Located in such proximity to already disturbed lands, such as electrical substations, surface mining operations, landfills, wastewater treatment facilities, etc., that it will not further detract from the natural features, open space and visual qualities of the area as viewed from communities, rural residential uses, and major roadways and highways.

Consistency: The Project site is located in a commercial zoning district and views of the facility would be limited due to existing buildings, proposed fencing, and distance. Distant views surrounding the site would be maintained due to the limited height of the solar panels, thereby not detracting from any natural features, open space or unique visual qualities of the area.

14. Finding (c)(4): The siting and design of project site access and maintenance roads have been incorporated in the visual analysis for the project and shall minimize visibility from public view points while providing needed access to the development site.

Consistency: The subject property and proposed solar facility have existing access from Baker Boulevard and on-site access lanes/setbacks would encircle the ground-mounted solar array. The access lanes/setbacks would be wide enough to accommodate emergency vehicles (at least 20 feet wide for the perimeter and internal access areas) and designed in compliance with County building and fire department standards.

15. Finding (c)(5): The proposed commercial solar energy generation facility will not adversely affect the feasibility of financing infrastructure development in areas planned for infrastructure development or will be located within an area not planned for future infrastructure development (e.g., areas outside of water agency jurisdiction).

Consistency: The project will not require additional infrastructure (private or public) to be installed or extended to the site. The facility will connect to existing overhead lines and the existing electrical grid. The project does not require the provision of water or sewer.

16. Finding (c)(6): The proposed commercial solar energy generation facility will not adversely affect to a significant degree the availability of groundwater supplies for existing communities and existing and developing rural residential areas.

Consistency: The proposed limited scale and size of the facility for on-site use would not adversely affect the availability of groundwater supplies for the existing Community of Baker.

17. Finding (c)(7): The proposed commercial solar energy generation facility will minimize site grading, excavating, and filling activities by being located on land where the existing grade does not exceed an average of five (5) percent across the developed portion of the project site, and by utilizing construction methods that minimize ground disturbance.

Consistency: *The project site is relatively level and the existing grade does not exceed an average of five percent. The proposed ground-mounted solar panels will be installed on the existing topographic land pattern.*

- 18. Finding (c)(8):** The proposed commercial solar energy generation facility will be located in proximity to existing electrical infrastructure, such as transmission lines, utility corridors, and roads, so that:

(A) Minimal ground disturbance and above ground infrastructure will be required to connect to the existing transmission grid, considering the location of the project site and the location and capacity of the transmission grid,

(B) New electrical generation tie lines will be co-located on existing power poles whenever possible, and

(C) Existing rights-of-way and designated utility corridors will be utilized to the extent practicable.

Consistency: *As a community-oriented solar facility, the Project is designed to include access to an existing transmission line near the center of the property.*

- 19. Finding (c)(9):** The proposed commercial solar energy generation facility will be sited so as to avoid or minimize impacts to the habitat of special status species, including threatened, endangered, or rare species, Critical Habitat Areas as designated by the U.S. Fish and Wildlife Service, important habitat/wildlife linkages or areas of connectivity designated by County, State or Federal agencies, and areas of Habitat Conservation Plans or Natural Community Conservation Plans that discourage or preclude development.

Consistency: *The project site has been previously developed and is located in an area adjacent to other vacant and developed commercial properties. The proposed facility is not located in an identified environmentally sensitive area and no known sensitive habitat or wildlife corridors are present on or near the project site. The carport accessory structure would occupy existing paved area, and the ground-mounted solar panels would occupy a vacant area between the existing paved area and a vacant commercial parcel. No wildlife linkages or wildlife corridors are known to traverse the subject property.*

- 20. Finding (c)(10):** Adequate provision has been made to maintain and promote native vegetation and avoid the proliferation of invasive weeds during and following construction.

Consistency: *The Project includes maintenance and operational measures to minimize the potential growth of invasive weeds during and following construction.*

- 21. Finding (c)(11):** The proposed commercial solar energy generation facility will be located so as to avoid or mitigate impacts to significant cultural and historic resources, as well as sacred landscapes.

Consistency: *The proposed project would be small in scale and located on a developed commercial site in an established commercial district; therefore, construction disturbance would be minimal and the potential for inadvertent discovery of cultural resources would be low.*

- 22. Finding (c)(12):** The proposed commercial solar energy generation facility will be designed in a manner that does not impede flood flows, avoids substantial modification of natural water courses, and will not result in erosion or substantially affect area water quality.

Consistency: Construction and operation of the proposed facility will not result in substantially increased run off or flow and is not anticipated to result in increased erosion. Required construction and erosion control plans are required to be submitted to the County for review and approval prior to construction activities.

- 23. Finding (c)(13):** The proposed commercial solar energy generation facility will not be located within a floodway designated by the Federal Emergency Management Agency (FEMA), has been evaluated for flood hazard impacts pursuant to Chapter 82.14 of the Development Code, and will not result in increased flood hazards to upstream or downstream properties.

Consistency: Based on FEMA's National Flood Hazard Layer, the Project site is located within Flood Zone X-Unshaded (FEMA Panel Number 06071C2325H, dated 08/28/2008) and is not within a FEMA-designated floodway. The Land Development Division reviewed the proposed project for potential flood hazard impacts and applied conditions to address possible flood hazards to upstream or downstream properties. The nearest designated floodway is located over 800 feet west of the Project site, and the nearest drainage channel is approximately 200 feet south of the Project site.

- 24. Finding (c)(14):** All on-site solar panels, switches, inverters, transformers, and substations shall be located at least one foot above the base flood elevation as shown on the Flood Insurance Rate Maps.

Consistency: Based on FEMA's National Flood Hazard Layer, the Project site is located within Flood Zone X-Unshaded (FEMA Panel Number 06071C2325H dated 08/28/2008), which indicates there are no elevation requirements for the site. Additionally, based upon a review of Policy Map HZ-4 (Flood Hazards) of the San Bernardino Countywide Plan, the Project site is not located within a flood hazard area.

- 25. Finding (c)(15):** For development sites proposed on or adjacent to undeveloped alluvial fans, the commercial solar energy generation facility has been designed to avoid potential channel migration zones as demonstrated by a geomorphic assessment of the risk of existing channels migrating into the proposed development footprint, resulting in erosion impacts.

Consistency: The proposed Project would be located on a developed commercial site within an established commercial district, and would not be located on or adjacent to undeveloped alluvial fans or drainage courses.

- 26. Finding (c)(16):** For proposed facilities located on prime agricultural soils or land designated by the California Farmland Mapping and Monitoring Program as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, where use of the land for agricultural purposes is feasible, the proposed commercial solar energy generation facility will not substantially affect the agricultural viability of surrounding lands.

Consistency: *The proposed Project site and the surrounding properties do not contain agricultural land or land designated by the State for farmland. Therefore, the Project would not have an adverse effect on the agricultural viability of surrounding lands.*

- 27. Finding (c)(17):** If the proposed site is subject to a Williamson Act contract, the proposed commercial solar energy generation facility is consistent with the principals of compatibility set forth in California Government Code Section 51238.1.

Consistency: *The Project site is not subject to any Williamson Act contracts.*

- 28. Finding (c)(18):** The proposed commercial solar energy generation facility will not preclude access to significant mineral resources.

Consistency: *Based on review of Policy Map NR-4 of the San Bernardino Countywide Plan, the Project site is not located in an area of known, significant mineral resources. Additionally, solar energy generation is considered an interim land use (with a limited-term contract with a utility) and is expected to be removed after its contractual lifetime.*

- 29. Finding (c)(19):** The proposed commercial solar energy generation facility will avoid modification of scenic natural formations.

Consistency: *The Project would avoid any modification of scenic natural formations, as no designated scenic natural formations, as identified by the County, are located at the Project site. The Project site is a relatively level and developed commercial property within a developed commercial district.*

- 30. Finding (c)(20):** The proposed commercial solar energy generation facility will be designed, constructed, and operated so as to minimize dust generation, including provision of sufficient watering of excavated or graded soil during construction to prevent excessive dust. Watering will occur at a minimum of three (3) times daily on disturbed soil areas with active operations, unless dust is otherwise controlled by rainfall or use of a dust palliative, or other approved dust control measure.

Consistency: *The Project will apply dust control measures in compliance with permit conditions and Mojave Desert Air Quality Management District (MDAQMD) guidance.*

- 31. Finding (c)(21):** All clearing, grading, earth moving, and excavation activities will cease during period of winds greater than 20 miles per hour (averaged over one hour), or when dust plumes of 20 percent or greater opacity impact public roads, occupied structures, or neighboring property, and in conformance with Air Quality Management District (AQMD) regulations.

Consistency: *The Project will apply dust control measures in compliance with permit conditions and MDAQMD regulations.*

- 32. Finding (c)(22):** For sites where the boundary of a new commercial solar energy generation facility will be located within one-quarter mile of a primary residential structure, an adequate wind barrier will be provided to reduce potentially blowing dust in the direction of the residence during construction and ongoing operation of the commercial solar energy generation facility.

Consistency: *There are three primary residential structures within one-quarter mile of the Project site. All three are approximately 500 to 900 feet to the north and northwest. The proposed commercial solar energy facility (facility) would be located on a developed commercial property within an existing commercial district. Approximately 24 percent of the solar panels would be roof-mounted, and the other 76 percent would be ground-mounted and located behind an existing commercial building relative to the location of the residential structures. As proposed, the project would include the installation of fencing to serve as a wind and visual barrier.*

- 33. Finding (c)(23): Any unpaved roads and access ways will be treated and maintained with a dust palliative or graveled or treated by another approved dust control method to prevent excessive dust, and paving requirements will be applied pursuant to Chapter 83.09 of the Development Code.**

Consistency: *The Project site is a developed commercial property and all existing access ways are paved.*

- 34. Finding (c)(24): On-site vehicle speed will be limited to 15 miles per hour.**

Consistency: *The project site is a 2.4-acre parcel with existing commercial development. On-site vehicle speeds would be consistent with parking lot restrictions.*

- 35. Finding (c)(25): For proposed commercial solar energy generation facilities within two miles of the Joshua Tree National Park boundaries, the location, design, and operation of the proposed commercial solar energy facility will not be a predominant visual feature along the main access roads to the park (Park Boulevard and Utah Trail), nor will it substantially impair views from hiking/nature trails, campgrounds, and backcountry camping areas within the National Park.**

Consistency: *The Project site is over 79 miles from the nearest boundary of Joshua Tree National Park (i.e., the Project site is not located within two miles of Joshua Tree National Park).*

- 36. Finding (c)(26): For proposed facilities within two miles of the Mojave National Preserve boundaries, the location, design, and operation of the proposed commercial solar energy facility will not be a predominant visual feature of, nor substantially impair views from, hiking and backcountry camping areas within the National Preserve.**

Consistency: *The Project site is located approximately 1,000 feet from the nearest boundary of the Mojave National Preserve (i.e., the Project site is within two miles of the Mojave National Preserve). The proposed commercial solar energy facility (facility) would be located on a developed commercial property within an established commercial district, would be small in scale, and would be separated from the Mojave National Preserve boundary by other commercial properties and Interstate 15. Therefore, the facility would not be a predominant visual feature of, nor substantially impair views from, hiking and backcountry camping areas within the National Preserve.*

- 37. Finding (c)(27): For proposed facilities within two miles of Death Valley National Park boundaries, the location, design, and operation of the proposed commercial solar energy facility will not be a predominant visual feature of, nor substantially impair views from, hiking and backcountry camping areas within the National Park.**

Consistency: *The Project site is over 28 miles from the nearest boundary of Death Valley National Park (i.e., the Project site is not located within two miles of Death Valley National Park).*

- 38. Finding (c)(28):** For proposed facilities within two miles of the boundaries of a County, State or Federal agency designated wilderness area, the location, design, and operation of the proposed commercial solar energy facility will not be a predominant visual feature of, nor substantially impair views from, the designated wilderness area.

Consistency: *The Project site is over two miles from the nearest boundary of the Soda Mountains Wilderness Study Area, the nearest County, State, or Federal agency designated wilderness area (i.e., the Project site is not located within two miles of the nearest boundary of a County, State, or Federal agency designated wilderness area).*

- 39. Finding (c)(29):** For proposed facilities within two miles of the boundaries of any active military base, the location, design, and operation of the proposed commercial solar energy facility will not substantially impair the mission of the facility.

Consistency: *The Project site is over nine miles from the boundary of the nearest active military base (i.e., the Project site is not within two miles of an active military base), and construction and/or operation of the Project would not preclude military operations from occurring within the Project area.*

- 40. Finding (c)(30):** When located within a city's sphere of influence, in addition to other County requirements, the proposed commercial solar energy facility will also be consistent with relevant city zoning requirements that would be applied to similar facilities within the city.

Consistency: *The Project site is not located within the Sphere of Influence of a city.*

- 41. Finding (c)(31):** On terms and in an amount acceptable to the Director, adequate surety is provided for reclamation of commercial solar energy generation facility sites should energy production cease for a continuous period of 180 days and/or if the site is abandoned.

Consistency: *Decommissioning of the site will occur in compliance with County Development Code Section 84.29.060, which requires removal of site facilities when operations cease. The requirement for a removal surety bond will be included in the Conditions of Approval to be adopted for the Project.*

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Exhibit B

Conditions of Approval

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Conditions of Approval

Record:	PROJ-2025-00028	System Date:	11/17/2025
Record Type:	Project Application	Primary APN:	0544312080000
Record Status:	In Review	Application Name:	STATEN SOLAR
Effective Date:		Expiration Date:	
Description:	STATEN SOLAR - MINOR USE PERMIT (SOLAR)		

A MINOR USE PERMIT TO CONSTRUCT A GROUND-MOUNTED PHOTOVOLTAIC SYSTEM SOLAR FACILITY OF 0.316 MW, LOCATED AT 72363 BAKER BLVD, BAKER, CA 92309, ON 2.40-ACRES IN THE COMMERCIAL (C) LAND USE CATEGORY AND HIGHWAY COMMERCIAL (CH) ZONING DISTRICT; 1ST SUPERVISORIAL DISTRICT; APN: 0544-312-08

This document does not signify project approval.

If the project has been approved, then an effective date and an expiration date for these conditions can be found below. This content reflects County records as at the System Date and time below.

The following conditions of approval have been imposed for the project identified below. The applicant/developer shall complete all conditions of approval stipulated in the approval letter.

Conditions of Approval are organized by project phase, then by status, and finally by department imposing the condition.

On-going conditions must be complied with at all times. For assistance interpreting the content of this document, please contact the Land Use Services Department Planning Division.

Contact information is provided at the end of this document for follow-up on individual conditions.

ON-GOING

Land Use Services - Planning

1 **Project Approval Description (CUP/MUP)** - Status: Outstanding

This Minor Use Permit is conditionally approved to allow Staten Solar and Glenwind Enterprises Inc. to install, construct and operate a carport structure with roof-mounted solar panels and approximately 26,243 square feet of ground-mounted solar panels, in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project.

2 **Project Location** - Status: Outstanding

The Project site is located at 72363 Baker Boulevard in the unincorporated community of Baker, Assessor's Parcel Number 0544-312-08.

3 **Revisions** - Status: Outstanding

Any proposed change to the approved Project and/or conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.

4 **Indemnification** - Status: Outstanding

In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval. Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses. This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

5 **Additional Permits** - Status: Outstanding

The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but are not limited to: a. FEDERAL: b. STATE: c. COUNTY: d. LOCAL:

6 **Expiration** - Status: Outstanding

This project permit approval shall expire and become void if it is not "exercised" within three (3) years of the effective date of this approval, unless an extension of time is approved. The permit is deemed "exercised" when either: (a.) The permittee has commenced actual construction or alteration under a validly issued building permit, or (b.) The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060) (c.) Occupancy of approved land use, occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs: - Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved. - The land use is determined by the County to be abandoned or non-conforming. - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination. PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.

7 **Continuous Effect/Revocation** - Status: Outstanding

All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.

8 **Extension of Time** - Status: Outstanding

Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)

9 **Project Account** - Status: Outstanding

The Project account number is PROJ-2025-00028. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.

10 **Development Impact Fees** - Status: Outstanding

Per San Bernardino County Development Code Section 84.29.040(d), the Owner/Applicant/Operator shall pay a Public Safety Services Impact Fee on an annual basis. The current fee per acre per year is \$580.00 for projects from 0 to 4.99 acres.

11 **Development Impact Fees** - Status: Outstanding

Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.

12 Continous Maintenance - Status: Outstanding

The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to: a) Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety. b) Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance. c) Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying. d) Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided. e) Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability. f) External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls. g) Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals. h) Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view. i) Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan. j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules. k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations. l) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.

13 Lighting - Status: Outstanding

Lighting shall comply with Table 83-7 "Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region" of the County's Development Code (i.e. "Dark Sky" requirements). All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.

14 Construction Hours - Status: Outstanding

Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.

15 Construction Noise - Status: Outstanding

The following measures shall be adhered to during the construction phase of the project: - All construction equipment shall be muffled in accordance with manufacturer's specifications. - All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits. - All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.

16 **Cultural Resources** - Status: Outstanding

During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum, Community and Cultural Section, telephone (909) 798-8570.

Public Health– Environmental Health Services17 **Noise Levels** - Status: Outstanding

Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080.

18 **Refuse Storage and Disposal** - Status: Outstanding

All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least 1 time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least 2 times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq.

Public Works - Traffic19 **Back Out Into Public Roadways** - Status: Outstanding

Project vehicles shall not back up into the project site nor shall they back out into the public roadway.

INFORMATIONAL**County Fire - Community Safety**20 **F01 Jurisdiction** - Status: Outstanding

The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein "Fire Department". Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

21 **F04 Fire Permit Expiration** - Status: Outstanding

Construction permits shall automatically expire and become invalid unless the work authorized such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the permit may be made in writing PRIOR TO the expiration date justifying the reason that the permit should be extended.

22 **F60 Solar Plans** - Status: Outstanding

Solar/PV Plans shall be submitted to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

23 **F61 Solar Surface** - Status: Outstanding

Fire apparatus access roads for photovoltaic facilities without buildings can be designed with native soil compacted to 85% and hold the weight of Fire Apparatus at a minimum of 80K pounds.

24 **F62 Solar Access** - Status: Outstanding

The development shall have a minimum of one points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. Photovoltaic solar facilities without buildings on the site shall have access provided by approved roads, alleys and private drives. Perimeter access roads shall have a minimum twenty (20) foot unobstructed width and vertically clearance of fourteen (14) feet six (6) inches. Interior access roads shall have a minimum fifteen (15) foot unobstructed width and vertical clearance of fourteen (14) feet six (6) inches. Access shall be provided within 300 feet of all solar panels.

25 **F70 Additional Requirements** - Status: Outstanding

In addition to the Fire requirements stated herein, other onsite and off-site improvements may be required which cannot be determined at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

Public Works - Solid Waste Management

26 **Community Service District Hauler Service Area** - Status: Outstanding

This project falls within the Baker Community Service District. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors should comply with the Solid Waste collection requirements prescribed through the Baker Community Service District. Additionally, all owners/occupants of a dwelling or a commercial or industrial unit within the area shall, upon notice thereof, be required to accept the solid waste handling and collection requirements set forth by the Community Service District

27 **Demolition Debris** - Status: Outstanding

San Bernardino County owned and operated sanitary landfills and transfer stations are not permitted to accept asbestos contaminated wastes, therefore any debris generated by the demolition of structures are subject to asbestos clearance prior to disposal at any San Bernardino County disposal sites. Applicants are required to have a Certified Asbestos Consultant perform testing of all materials to be disposed. Upon receipt of the Consultant's report, indicating that the debris is not contaminated, Solid Waste Management Operations Section will provide applicant with disposal authorization. For more information on Certified Asbestos Consultants please visit <http://www.dir.ca.gov/databases/doshacru/acruList.asp>, or for information on County requirements please contact Solid Waste Operations at 909-386-8701 or solid.wastemail@dpw.sbcounty.gov.

PRIOR TO LAND DISTURBANCE

Land Use Services - Building and Safety

28 **Geotechnical Report** - Status: Outstanding

A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance.

Public Health– Environmental Health Services

29 **Vector Control Requirement** - Status: Outstanding

The project area has a high probability of containing vectors. A vector survey shall be conducted to determine the need for any required control programs. A vector clearance application shall be submitted to the appropriate Mosquito & Vector Control Program. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.

PRIOR TO BUILDING PERMIT ISSUANCE

Land Use Services - Planning

30 **Issuance/Building Permit Condition** - Status: Outstanding

Decommissioning Surety Bond and Plan. Prior to issuance of a grading and/or building permit, the Applicant/Property Owner/Lease Holder shall post a surety bond for the future decommissioning of the property and removal of solar equipment in the amount established by the Director of Planning or effective County ordinance in effect at the time, in compliance with County Code Section 84.29.070 - Decommissioning Requirements. The Applicant/Property Owner/Lease Holder shall also submit a draft Decommissioning Plan to Land Use Services - Planning for review and approval.

31 **Issuance/Building Permit Condition** - Status: Outstanding

Special Use Permit. Pursuant to San Bernardino County Development Code Section 84.29.040(e), prior to the start of construction, the developer of an approved commercial solar energy generation facility shall submit for review, and gain approval for, a Special Use Permit (SUP) from County of San Bernardino Code Enforcement. Thereafter, the SUP shall be renewed annually subject to annual inspections and the payment of fees required in Development Code Section 84.29.040(d).

County Fire - Community Safety

32 **F02 Fire Fee** - Status: Outstanding

The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.

33 **F19 Surface** - Status: Outstanding

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.

34 **F69 Haz-Mat Approval** - Status: Outstanding

The applicant shall contact the San Bernardino County Fire Department/Hazardous Materials Division (909) 386-8401 for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials.

Land Use Services - Building and Safety

35 **Construction Plans** - Status: Outstanding

Any building, sign, or structure to be added to, altered (including change of occupancy/use), constructed, or located on site, will require professionally prepared plans based on the most current adopted County and California Building Codes, submitted for review and approval by the Building and Safety Division.

36 **Temporary Use Permit** - Status: Outstanding

A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.

Public Health– Environmental Health Services

37 **Demolition Inspection Required** - Status: Outstanding

All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any premises. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.

38 **Existing Wells** - Status: Outstanding

If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to EHS standards, properly sealed and certified as inactive OR (3) constructed to EHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence, such as a well certification, shall be submitted to EHS for approval.

PRIOR TO OCCUPANCY

Land Use Services - Planning

39 **Fees Paid** - Status: Outstanding

Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number PROJ-2025-00028.

40 **Installation of Improvements** - Status: Outstanding

All required on-site improvements shall be installed per approved plans.

41 **Shield Lights** - Status: Outstanding

Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC Table 83-7 and be hooded and designed so as to reflect away from adjoining properties and public thoroughfares and in compliance with SBCC Chapter 83.07, "Glare and Outdoor Lighting" (i.e. "Dark Sky Ordinance).

42 **Condition Compliance** - Status: Outstanding

Prior to occupancy/use, all conditions shall be completed to the satisfaction of County Planning with appropriate authorizing approvals from each reviewing agency.

County Fire - Community Safety

43 **F06 Inspection by Fire Department** - Status: Outstanding

Permission to occupy or use the building/facility (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".

County Fire - Hazardous Materials

44 **Permit Required** - Status: Outstanding

Prior to occupancy, a business or facility that handles hazardous materials in quantities at or exceeding 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time or generates any amount of hazardous waste shall obtain hazardous material permits from this department. Prior to occupancy, the business operator shall apply for permits (Hazardous Material Handler Permit, Hazardous Waste Generator Permit, Aboveground Petroleum Storage Tank Permit, Underground Storage Tank Permit, or other applicable permits) by submitting a complete hazardous materials business plan using the California Environmental Reporting System (CERS) at <http://cers.calepa.ca.gov/> or apply for exemption from permitting requirements. Contact the Office of the Fire Marshal, Hazardous Materials Section at (909) 386-8401 or visit <https://sbcfire.org/hazmatcupa/> for more information.

Land Use Services - Building and Safety

45 **Condition Compliance Release Form Sign-off** - Status: Outstanding

Prior to occupancy all Department/Division requirements and sign-offs shall be completed.

PRIOR TO FINAL INSPECTION

County Fire - Community Safety

46 **F11 Combustible Vegetation** - Status: Outstanding

Combustible vegetation shall be removed as follows: a. Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less. b. Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less. County Ordinance #3586

47 **F51 Commercial Addressing** - Status: Outstanding

Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum eight (8) inches in height and with a one (1) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated address identification shall be displayed on a monument, sign or other approved means with numbers that are a minimum of six (6) inches in height and three-quarter ($\frac{3}{4}$) inch stroke.

If you would like additional information regarding any of the conditions in this document, please contact the department responsible for applying the condition and be prepared to provide the Record number above for reference. Department contact information has been provided below.

Department/Agency	Office/Division	Phone Number
Land Use Services Dept.	San Bernardino Govt. Center	(909) 387-8311
(All Divisions)	High Desert Govt. Center	(760) 995-8140
Web Site	https://lus.sbcounty.gov/	
County Fire	San Bernardino Govt. Center	(909) 387-8400
(Community Safety)	High Desert Govt. Center	(760) 995-8190
Web Site	https://www.sbcfire.org/	

County Fire	Hazardous Materials	(909) 386-8401
	Flood Control	(909) 387-7995
Dept. of Public Works	Solid Waste Management	(909) 386-8701
	Surveyor	(909) 387-8149
	Traffic	(909) 387-8186
Web Site	https://dpw.sbcounty.gov/	
Dept. of Public Health	Environmental Health Services	(800) 442-2283
Web Site	https://ehs.sbcounty.gov	
Local Agency Formation Commission (LAFCO)		(909) 388-0480
Web Site	http://www.sbclafco.org/	
	Water and Sanitation	(760) 955-9885
	Administration,	
	Park and Recreation,	
Special Districts	Roads, Streetlights,	(909) 386-8800
	Television Districts, and Other	
External Agencies (Caltrans, U.S. Army, etc.)		See condition text for contact information...

Exhibit C

Site Plan

And

Photos

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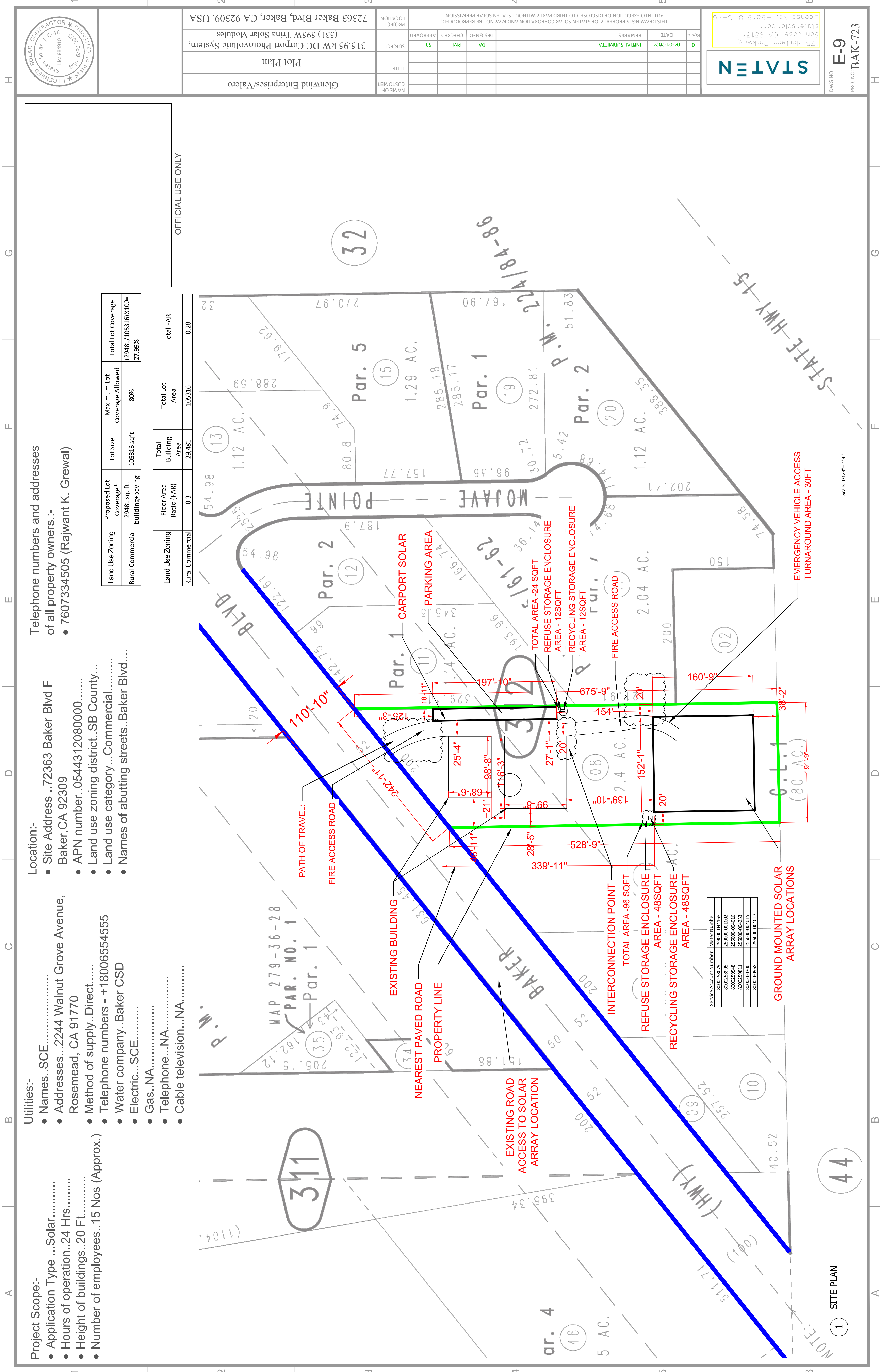


Exhibit D

Photo

Simulations

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Photo Simulation Report



East View – With Modules



East View – Without Modules



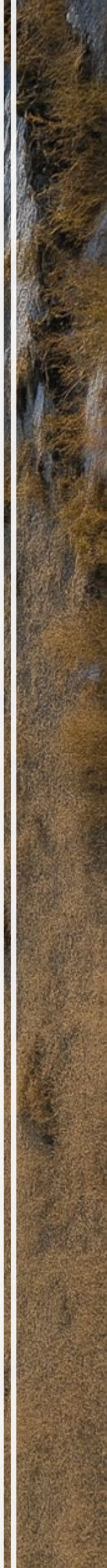


Centre View – With Modules





Centre View – Without Modules





West View – With Modules



West View – Without Modules

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Exhibit E

Notice of Exemption

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Notice of Exemption**Appendix E**

To: Office of Land Use and Climate Innovation **From:** (Public Agency): _____
 P.O. Box 3044, Room 113 _____
 Sacramento, CA 95812-3044 _____
 County Clerk _____
 County of: _____ (Address) _____

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Staten Solar - Minor Use Permit to construct a 3,742 square foot carport structure with roof-mounted solar panels and approximately 26,243 square feet of ground mounted solar panels. The project will be located on a 2.4-acre parcel adjacent to Baker Boulevard. The parcel is zoned Highway Commercial (CH) and is within the 1st Supervisorial District; APN: 0544-312-08.

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency
 Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

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

Date Received for filing at OPR: _____

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Exhibit F

Correspondence

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Project Notice

Date Created: August 5, 2025

An application has been filed with County Planning

PROJECT NUMBER: PROJ-2025-00028

ASSESSOR PARCEL NO: 0544-312-08-0000

APPLICANT: STATEN SOLAR

LOCATION: 72363 BAKER BLVD, BAKER, CA

COMMUNITY: BAKER / DISTRICT 1

ZONING: C/CH (HIGHWAY COMMERCIAL)

Project Proposal

Minor Use Permit to construct a 2,364 square foot carport structure with roof-mounted solar panels and 26,243 square feet of ground-mounted solar panels to augment on-site power requirements.

We'd love to hear from you....

Please submit comments by August 29, 2025 to be sure that they get considered in the review process. However, comments will be taken up to the time of the project decision. Please refer to this project by the Project Number and the Assessor Parcel Number (APN). If you have no comment, a reply is not necessary.

Name:

A/P Rentals c/o Frances Tobler

E-mail Address:

Mailing Address:

*269 So Western Ave #189
Los Angeles, CA 90004*



Joseph Sidor, Contract Planner

Phone: 831.277.9882

E-mail: joseph.sidor@lus.sbcounty.gov

Fax: 760.995.5140

Project Decision

If you would like to be notified of the decision rendered for this project, please provide your contact information in the section below and mail this notice back to one of the addresses listed below.

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