



# LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

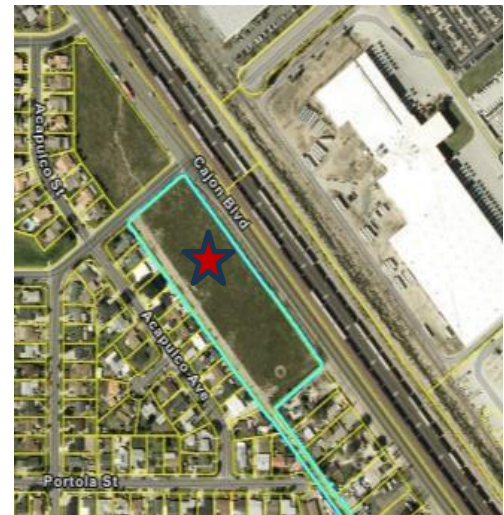
**HEARING DATE: July 9, 2026**

**AGENDA ITEM 2**

**Project Description:**

**Project No:** PROJ-2023-00107  
**APNs:** 0267-012-09  
**Applicant:** Jack Luu  
**Community:** 5<sup>th</sup> District  
**Location:** 3962 Cajon Boulevard, San Bernardino  
**Staff:** Precious McDuffie, Planner III  
**Rep:** Lilburn Corporation  
**Proposal:** A request for the approval of a Conditional Use Permit (CUP) for two industrial warehouse buildings and ancillary offices totaling 88,174 square feet, a Minor Variance to reduce the required front yard setback from 25 ft. to 15 ft., and a Tentative Parcel Map (TPM) to subdivide a 4.59-acre parcel into two parcels (2.39 acres and 2.2 acres)

**Vicinity Map**



413 Hearing Notices Sent on June 23, 2026

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Report Prepared by: Precious McDuffie, Planner III

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**SITE INFORMATION**

Parcel Size: 4.59 acres  
 Vegetation: Scattered natural vegetation

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**TABLE 1- SITE AND SURROUNDING LAND USE & ZONING DESCRIPTION:**

AREA	EXISTING LAND USE	LAND USE CATEGORY	LAND USE ZONING DISTRICT
Site	Vacant	Limited Industrial (LI)	Muscoy/General Commercial (MS/CG)
North	Distribution Warehouse	City of San Bernardino	City of San Bernardino
South	Single Family Residential	Low Density Residential (LDR)	Muscoy/Single Residential (MS/SR)
East	Single Family Residential	Limited Industrial (LI)	Muscoy/General Commercial (MS/CG)
West	Vacant Land & Single Family Residential	City of San Bernardino	City of San Bernardino

**AGENCY**

City Sphere of Influence: San Bernardino  
 Water Service: San Bernardino Valley Water District  
 Sewer Service: San Bernardino Valley Water District

**COMMENT**

Traffic Review-Approved  
 Will Serve  
 Will Serve

Muscoy Warehouse Project  
PROJ-2023-00107  
Planning Commission Staff Report  
July 9, 2026

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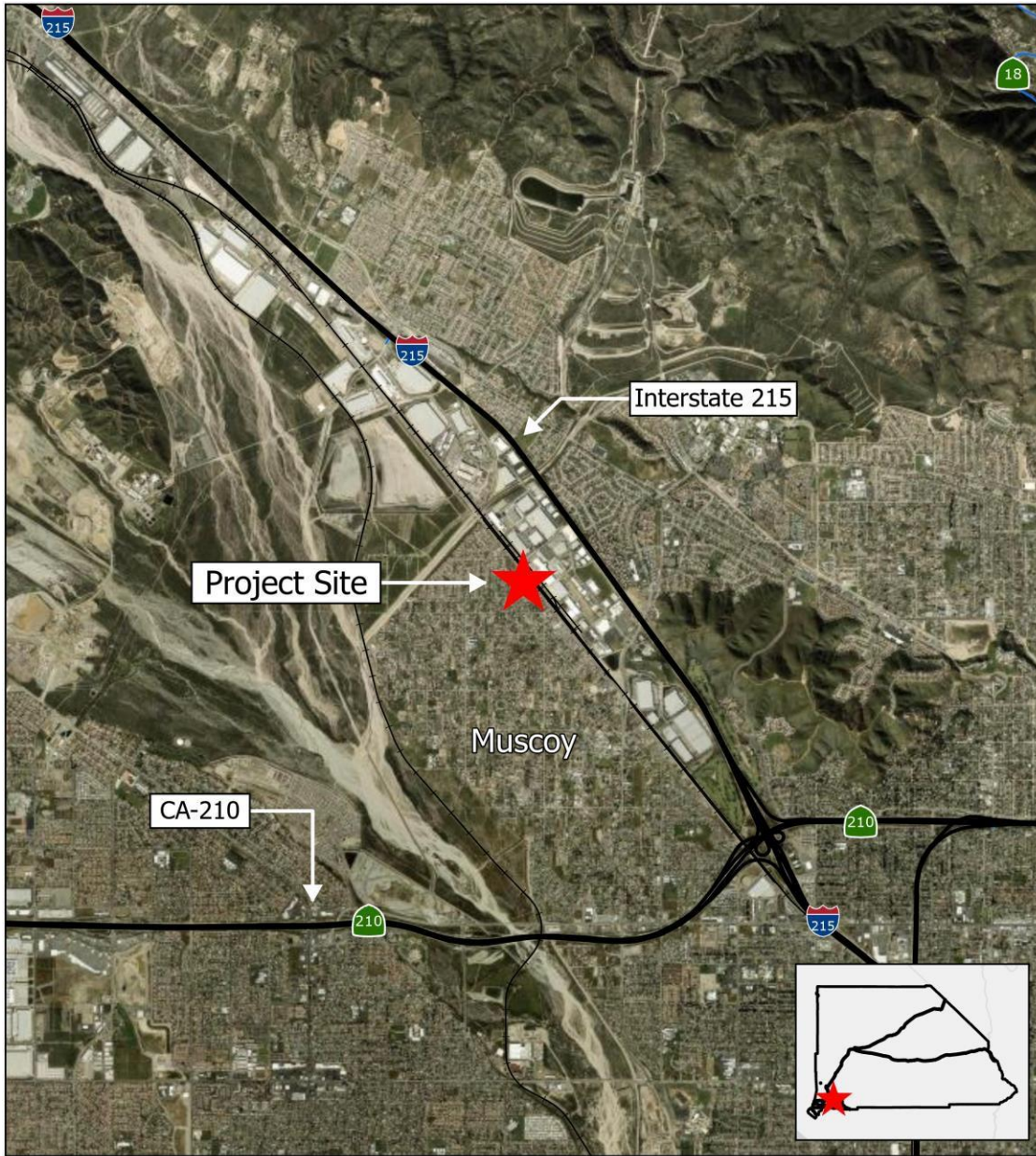
**STAFF RECOMMENDATION:** That the Planning Commission **ADOPT** the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program; **ADOPT** the Findings for approval of the Tentative Parcel Map, Minor Variance; and Conditional Use Permit; **APPROVE** the Tentative Parcel Map, Minor Variance, and Conditional Use Permit, subject to the Conditions of Approval; and **DIRECT** the Land Use Services Department to file a Notice of Determination in accordance with CEQA.

Appeal: In accordance with Section 86.08.010 of the Development Code, the action taken by the Planning Commission's action may be appealed to the Board of Supervisors before its effective date.

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**FIGURE 1 – REGIONAL LOCATION MAP**



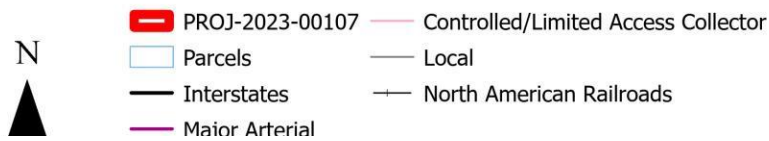
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-  N
-  PROJ-2023-00107
-  Interstates
-  Freeways
-  CA Highways
-  North American Railroads

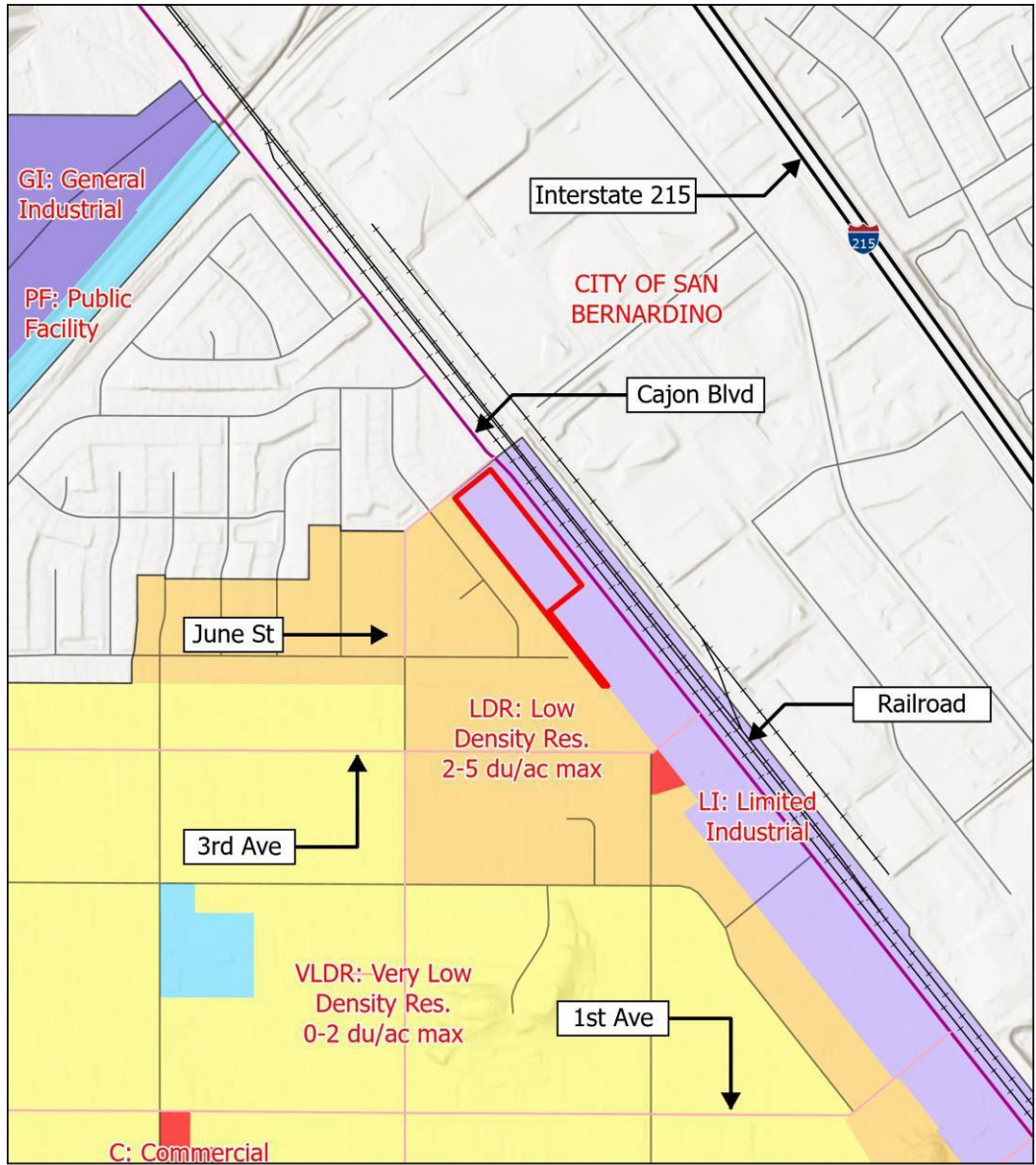
**FIGURE 2 – VICINITY MAP**



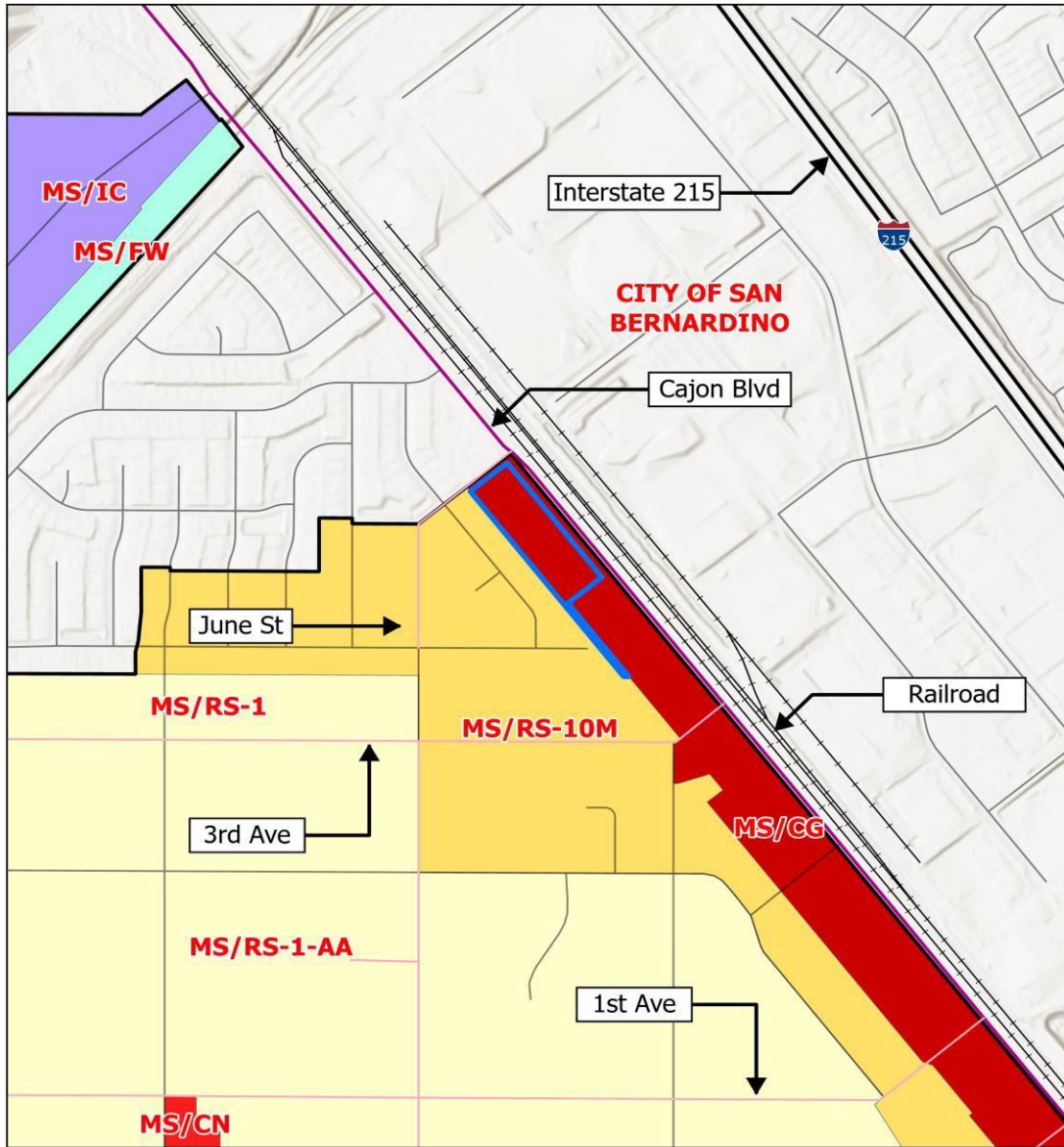
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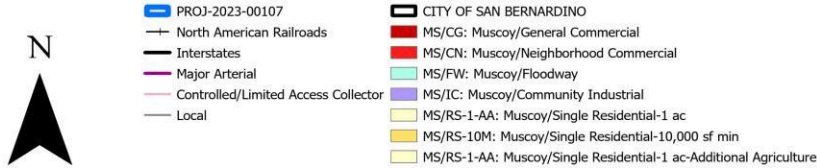
**FIGURE 3 –LAND USE CATEGORY MAP**



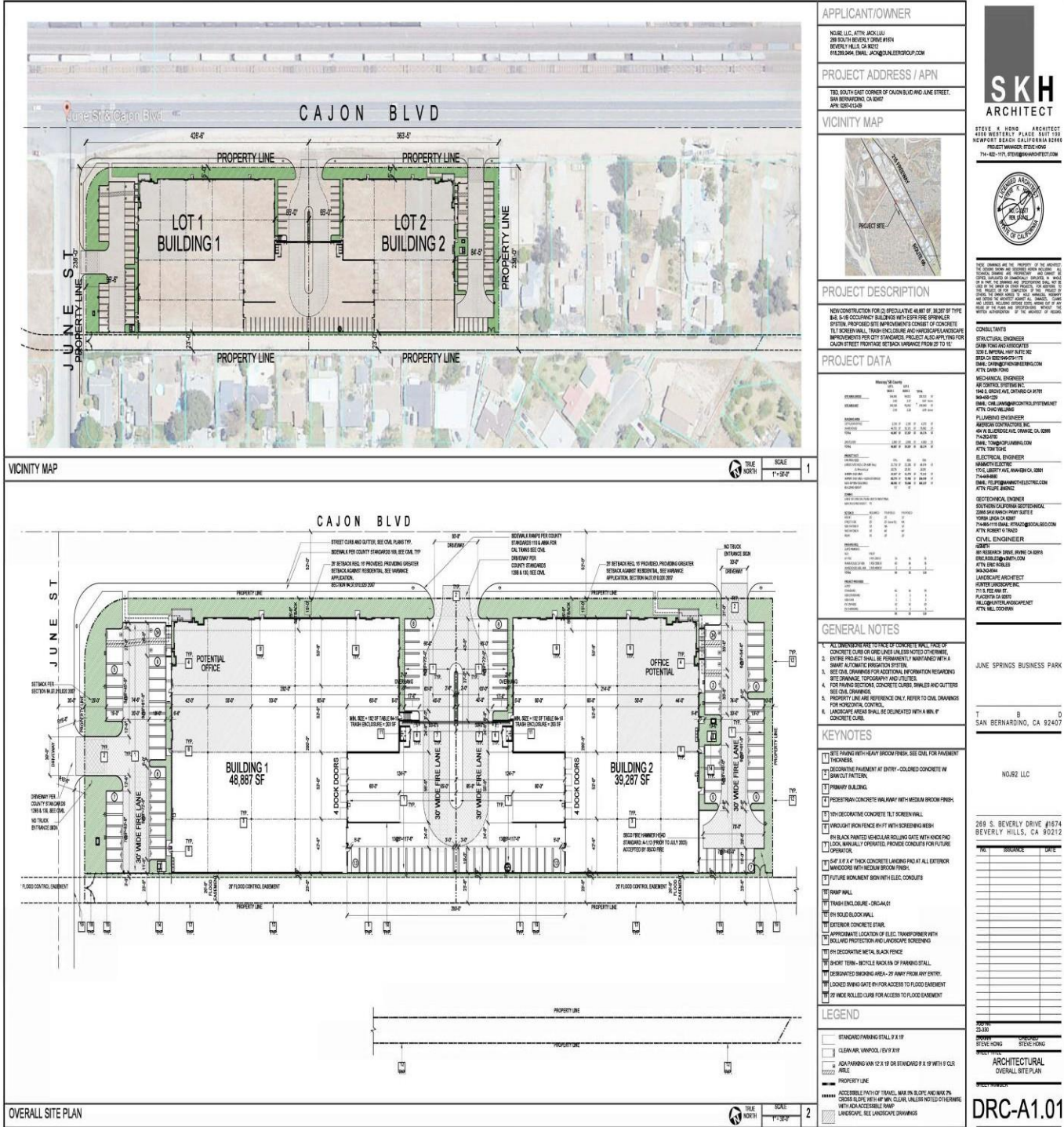
**FIGURE 4 –ZONING MAP**



Scale: 1:10,000



## FIGURE 5 – SITE PLAN



## FIGURE 6 – ELEVATION PLANS (BUILDING 1)

### ELEVATION PLANS-COLORED (MUSCOY WAREHOUSE PROJECT BUILDING 1)



North Side of Building (Front of the Building Facing Cajon Blvd.)



West Side of Building (Side of Building Closest to June St.)



South Side of Building (Rear of the Building Closest to Drainage Easement & Residents on Acapulco Ave.)



East Side of Building (Side of Building Closest to Residents on Cajon Blvd)



COLORED ELEVATION DESIGN BUILDING 1

12.8.2025



## FIGURE 7- ELEVATION PLANS (BUILDING 2)

### ELEVATION PLANS-COLORED (MUSCOY WAREHOUSE PROJECT BUILDING 2)



North Side of Building (Front of the Building Facing Cajon Blvd.)



West Side of Building (Side of Building Closest to June St.)



South Side of Building (Rear of Building Closest to Drainage Easement & Residents on Acapulco Ave.)



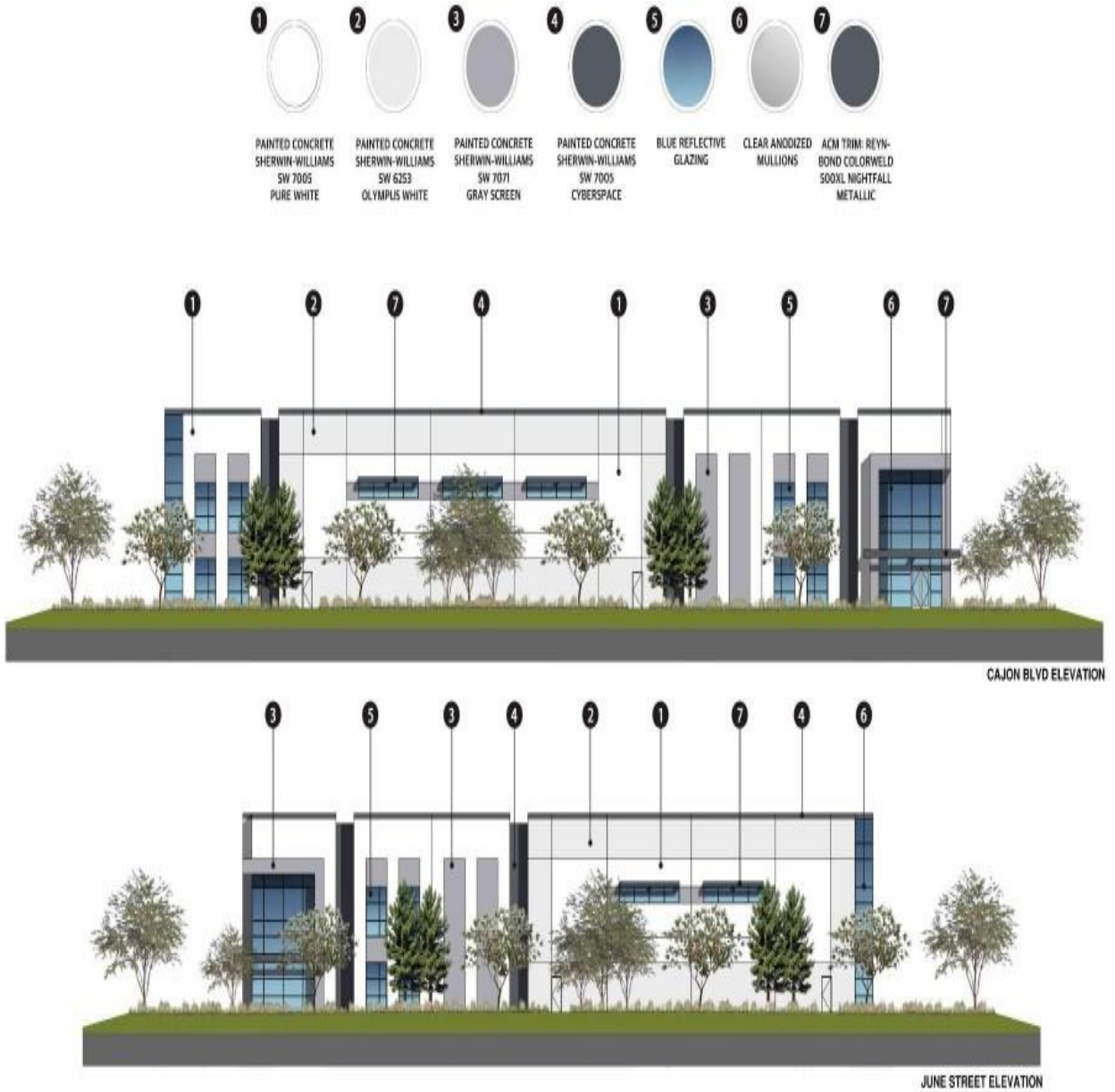
East Side of Building (Side of Building Closest to Residents on Cajon Blvd.)



COLORED ELEVATION DESIGN BUILDING 2  
12.8.2025



## FIGURE 8 – BUILDING COLORS



**FIGURE 9 – PHOTOS OF PROJECT SITE**



Project Site  
Southeast Corner of Cajon Blvd. & June St.



Project Site  
Front of Property on Cajon Blvd.

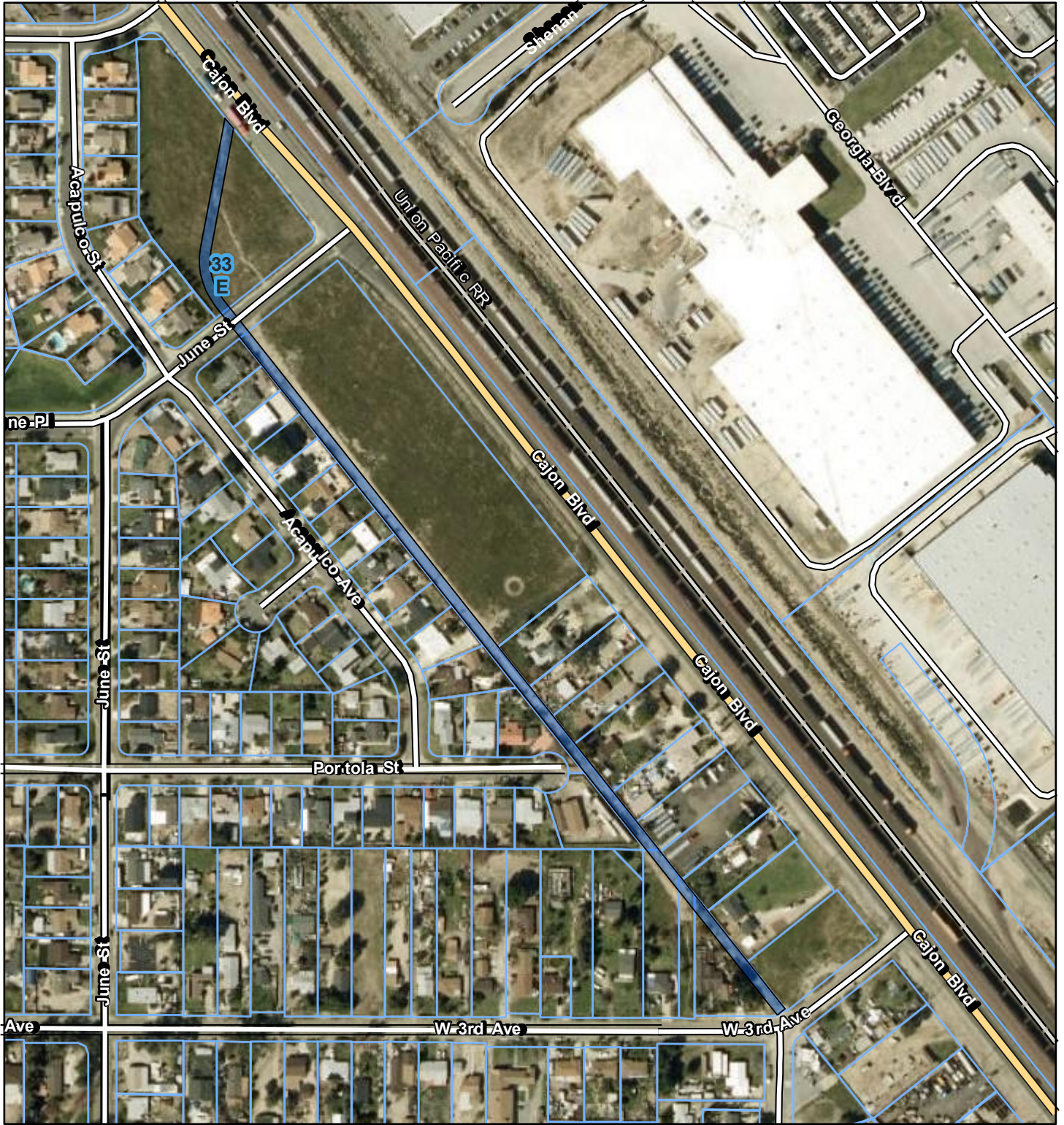


Rear of Project Site  
Adjacent to Residences on Acapulco Ave.



Rear of Project Site-Drainage Easement  
& Residences on Acapulco Ave.

**FIGURE 10-Flood Control Right of Way (PROJ-2023-00107)**



4/23/2026

FCD RW Parcels

Easement granted to FCD

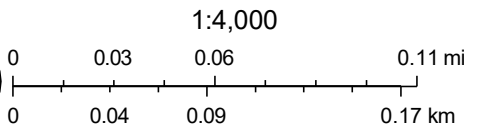
SBCo Parcel Polygons

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, County of San Bernardino Flood Control District, SBCo GIS, County of San Bernardino, Vantor

## **PROJECT DESCRIPTION:**

This item consists of a reconsideration of Agenda Item No. 3 previously scheduled on the May 21, 2026, regular meeting of the San Bernardino County Planning Commission. The application consists of a request for a conditional use permit to construct two industrial buildings<sup>1</sup> with offices totaling approximately 88,174 square feet (Building 1: 48,887 sq. ft. and Building 2: 39,287 sq. ft.), a Minor Variance to reduce the required front yard setback from 25 feet to 15 feet for each industrial building, and a Tentative Parcel Map to subdivide one 4.59-acre parcel into two parcels (2.39 acres and 2.2 acres). The gross lot size is 4.67 acres.

The proposed buildings will face Cajon Boulevard and will be located on the southeast corner of Cajon Boulevard and June Street. Building 1 will have 44,751 feet for warehouse space and 4,136 square feet of office space for a total of 48,887 square feet. The lot size for Building 1 will be approximately 2.39 acres.

Building 2 will have 35,151 square feet for warehouse use and 4,136 square feet of office space for a total of 39,287 square feet. The lot size for Building 2 will be approximately 2.2 acres.

The proposed hours of operation are from 6 AM -12 AM, seven days a week and the total number of employees is estimated to be 32 per shift. There will be a total of eight dock doors (four for Building 1 and four for Building 2). The dock doors are aligned perpendicular to Cajon Boulevard.

The proposed buildings will be concrete tilt-up construction painted primarily white with accents of gray. (See Figures 6-8, for building colors and architectural features). The building will be 41 feet in height. Additionally, decorative walls and landscaping are proposed to buffer the proposed use from the surrounding residential uses closest to Acapulco Avenue and the residential uses on the east side of the building on Cajon Blvd. (See Site Plan Exhibit A).

## **PROJECT SETTING:**

The subject site is vacant, relatively flat and is located at 3962 Cajon Boulevard in an unincorporated portion of San Bernardino. The site is encumbered with a 20-foot-wide San Bernardino County Flood Control District easement located in the rear of the property and south of the proposed buildings. (See Exhibit A for Site Plan, Exhibit B for Photo of the Flood Control Easement, and Figure 10 for the Flood Control Right of Way.)

Single family residences border on the site on the south and east property lines. The railroad and industrial buildings are located across Cajon Boulevard to the north. June Street and vacant land abut the site on the west.

The Land Use Category designation for the Project is Limited Industrial (LI) and the Land

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<sup>1</sup> Pursuant to Government Code section 65098.1.5, the logistics use development proposed by this application is exempt from Assembly Bill No. 98's Warehouse Design and Building Standards, as set forth in Chapter 2.8 (commencing with Section 65098), Division 1, Title 7 of the Government Code, because the application for the local entitlement process commenced in 2023.

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Use Zoning District Designation remains General Commercial (CG). The proposed Project is also located in the Muscoy Community Planning area. (Muscoy Community Action Guide), the Bloomington-Muscoy Environmental Justice Area<sup>2</sup> and in the sphere of influence of the City of San Bernardino. The General Plan Designation of Limited Industrial (LI) for the project site was established with the adoption of the 2020 Countywide Plan; however, the Land Use Zoning District designation for the Project site remains General Commercial (CG). While an inconsistency in the general plan and zoning exist, Government Code Section 65860 requires the County to process the development application in accordance with all applicable laws after concluding that the proposed development is consistent with objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan. Since the General Plan designation is Limited Industrial (LI), the implementing zone and general applicable law in which to apply the appropriate Development Standards is the Community Industrial (IC) zone, together with all applicable objective general plan standards and criteria, instead of the inconsistent Development Standards outlined in the General Commercial (CG) zone. The project will be developed at a density allowed on the site by the Limited Industrial (LI) designation.

### **PROJECT ANALYSIS:**

#### **Project Components**

Per Section 82.06.040 (Table 82-17) of the Development Code the proposed warehouse use is allowed in the Community Industrial (IC) zone subject to approval of a conditional use permit. Also, this application seeks variance pursuant to Chapter 85.17. of the Development Code because the Project design will not be providing the minimum required front yard setback of 25 feet. The applicant is proposing a 15-foot front yard setback for each of the warehouse buildings. The applicant is also requesting approval of a Tentative Parcel Map in compliance with Chapter 87.02. to subdivide one 4.59-acre parcel into two parcels (2.39 acres and 2.2 acres). The gross acreage for the parcel is 4.67 acres. See Exhibit C for the Tentative Parcel Map (TPM) 20798.

#### **Parking:**

Pursuant to Section 83.11.040(c)(3), Table 83-15 of the Development Code, warehouse uses are required to provide parking at a ratio of one space per 1,000 square feet of the first 40,000 square feet of Ground Floor Area (GFA), and one space for each 4,000 sq ft. of GFA for the portion over 40,000 square feet. Also, pursuant to Section 83.11.040(c)(5), Table 83-15 for office spaces, the code requires 1 space per 250 square feet of gross leasable area (GLA). Based on the parking and loading standards outlined in Chapter 83.11 Building 1 is required to have 58 parking spaces and Building 2 is required to have 52 parking spaces. The applicant proposes a total of 110 parking stalls for Building 1 and 2 combined, which include 78 standard parking spaces, 6 handicap accessible, 6 EV charging spaces, and 20 EV capable spaces. The Project will also provide a rack for short term bicycle parking.

Since Building 1 and Building 2 will be developed on separate lots, and the two lots will be sharing a common driveway for ingress and egress of trucks on Cajon Boulevard, the Project is conditioned to have a reciprocal access easement agreement. (Note: There are two

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<sup>2</sup> With the adoption of the Countywide Plan, the Board of Supervisors repealed the Community Plans. For purposes of general plan consistency, reference to the Community Action Guide was evaluated.

driveways on Cajon Boulevard for this project. The shared driveway on Cajon Boulevard will be the westerly driveway closest to June Street).

Landscaping:

A landscaping plan will be provided and will be required to comply with the Landscaping Standards provided in Development Code Section 83.10.060, and Table 83-12 “Minimum Landscaped Area.” The conceptual landscape plan provides 20% of landscape for Building 1 and 20% of landscape area for Building 2. Landscaping will be provided along the perimeter of the site and throughout the parking areas except in the flood control easement area. The landscaping will consist of a variety of trees, groundcover, and shrubs.

The applicant is prohibited from placing any landscaping in the 20 feet flood control easement located in the rear of the property. The applicant is proposing a three-foot wide landscape area north of the easement. Together the Department has interpreted the three-foot wide landscape area and 20-foot easement to satisfy the necessary screening and buffering requirements related to the separation of an industrial and residential zoning district.

Street Improvements:

The Project is required to install street and sidewalk improvements. Offsite improvements include street widening on Cajon Boulevard and June Street, along with curb and gutter, sidewalks, and driveway improvements. The Project also includes installation of a water main line on Cajon Boulevard.

Access & Circulation:

The Project will provide site access from three driveways. There will be two driveways on Cajon Boulevard. The driveway on Cajon Boulevard adjacent to the residential uses (east of Building 2) will be a 30-foot driveway marked as “No Truck Entrance” and will be for passenger vehicle use only. The other driveway on Cajon Boulevard will be a shared 50-foot-wide driveway for truck ingress and egress. There will be one driveway on June Street that will be 30-feet wide for employees only and will be marked as “No Truck Entrance” (See Exhibit A, Site Plan for driveways).

The development is estimated to generate 418 car trips per day and 25 truck trips per day. The Department of Public Works, Traffic Division reviewed the Project traffic analysis provided by the applicant and determined that the project will meet the County Traffic Division requirements subject to conditions of approval.

Walls/Fencing:

The applicant will construct a ten 10-foot-high decorative block wall connecting Buildings 1 and 2 in the rear (south side) of the building. The 10 ft. high wall will serve as an aesthetic, noise, and safety buffer between the residential uses closest to Acapulco Avenue. Additionally, the applicant is proposing a six (6) foot high wall on the east side of Building 2 on the property line to buffer the residential uses on Cajon Boulevard from the proposed warehouse. (See Exhibit A, Site Plan).

**Code Compliance Summary:**

The Project satisfies the applicable standards of the Development Code for development within the Community Industrial (IC) Zone (Valley) as summarized below in Table 2A and 2B with the exception of the front yard setback. As denoted, a 25 ft. front yard setback is required in the front yard and the applicant is proposing a 15 ft. front yard setback. The applicant has filed a Minor Variance application in compliance with Chapter 85.17.

**Table 2A: Project Code Compliance Summary**

**LOT 1: 2.39 acres -Building 1: 48,887 sq. ft.** (Warehouse, 44,751 sq. ft. Office, 4,136 sq. ft.)

Project Component	Development Code		Project Plans
Minimum Setbacks	Front	25'	15'
	Side Street	25'	25
	*Side Interior	10'	40'
	**Rear	15'	23'
Maximum Building Height	75 feet		41 feet
Maximum Lot Coverage	85%		80%
Minimum Landscaping	15%		20%
Minimum Parking Spaces	58		58
Minimum Lot Size	5 acres. Lot size may be less if filed concurrently with a CUP.		2.39 acres

**Table 2B: Project Code Compliance Summary**

**LOT 2: 2.2 acres -Building 2: 39,287 sq. ft.** (Warehouse, 35,151 sq. ft. Office, 4,136 sq. ft.)

Project Component	Development Code		Project Plans
Minimum Setbacks	Front	25	15'
	Side Interior	10'	10'
	*Side Interior	10'	40'
	**Rear	15'	23'
Maximum Building Height	75 feet		41 feet
Maximum Lot Coverage	85%		80%
Minimum Landscaping	15%		20%
Minimum Parking	52		52
Minimum Lot Size	5 acres. Lot size may be less if filed concurrently with a CUP.		2.2 acres

*\*“Only one side yard setback is required to provide for emergency access. If the adjacent lot is not designated commercial or industrial.” ( Development Code Section 82.06.060, Table 82-19 A, Note (1). )*

*\*\* “A setback of 15 feet or the distance required within the land use zoning district where the commercial or industrial use is located, whichever is greater, shall be maintained between the different land uses.” (San Bernardino Development Code Section 84.07.030.) This standard applies to commercial or industrial uses located on property zoned for commercial or industrial uses and abutting property zoned for residential use.*

Consistency with Countywide Plan:

The proposed warehouse use with ancillary offices is consistent with the Countywide Plan and the uses described for the Community Industrial (IC) Zoning District. The following is a list of Countywide Plan policies and how the project is consistent with those policies:

**TABLE 3: COUNTYWIDE POLICY PLAN CONSISTENCY**

<b>Policy LU-2.12 Office and Industrial Development in the Valley Region</b>	<b>Consistency</b>
We encourage office and industrial uses in the unincorporated Valley region in order to promote a countywide jobs-housing balance.	The Project would include an industrial use within the unincorporated Valley region and would help to promote a countywide jobs-housing balance.
<b>Policy TM-2.2: Roadway Improvements</b>	<b>Consistency</b>
We require roadway improvements that reinforce the character of the area, such as curbs and gutters, sidewalks, landscaping, street lighting, and pedestrian and bicycle facilities. We require fewer improvements in rural areas and more improvements in urbanized areas, consistent with the Development Code. Additional standards may be required in municipal spheres of influence.	The project will consist of street improvements, including curb and gutter on Cajon Boulevard and June Street. Off-site road improvements will be constructed to the standards of the County Land Development Division and DPW Traffic Departments.
<b>Policy IU-1.1: Water Supply</b>	<b>Consistency</b>
We require that new development be connected to public water system or a County-approved well to ensure a clean and resilient supply of portable water, even during cases of prolonged drought.	The proposed project will be connected to the San Bernardino Municipal Water District water service system.

**ENVIRONMENTAL REVIEW:**

California Environmental Quality Act:

An Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (CEQA). The Initial Study concluded that the Project will not have a significant effect on the environment with implementation of mitigation measures. Based on the conclusion of the Initial Study, a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program is proposed for adoption.

A Notice of Availability /Notice of Intent (NOA/NOI) to adopt a Mitigated Negative Declaration was circulated for public review and comments from December 2, 2025, to January 8, 2026.

A summary of recommended mitigation measures to reduce the Project’s impact on the environment to less than significant is contained in the Mitigated Negative Declaration and incorporated into the Project’s Mitigation and Monitoring Reporting Program (See Exhibit D). The mitigation measures include the following topics: Biological Resources,

Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, and Tribal Cultural Resources.

Environmental documents including the Mitigated Negative Declaration (MND) and supporting studies are available and can be found on the County's Environmental webpage for the Valley region: <https://us.sbcounty.gov/planning-home/environmental/valley-region/>

Tribal Consultation: Pursuant to Assembly Bill (AB)-52, the County mailed notification to various interested tribes. A response was received from Gabrieleno Band of Mission Indians-Kizh Nation requesting the following mitigation measures for Cultural Resources and Tribal Cultural Resources (TCRs): Retain a Native American Monitor prior to commencement of ground disturbing activities; Adhere to procedures when discovery of TCRs are discovered, including unanticipated discovery of tribal cultural resource objects (non-funerary/non-ceremonial) and unanticipated discovery of human remains and associated funerary or ceremonial objects.

Additionally, after the AB 52 consultation period ended in December of 2023 and after the Notice of Intent to Adopt a Mitigated Negative Declaration was sent out on November 25, 2026, the Yuhaaviatam of San Manuel Nation (YSMN) tribe requested to add Mitigation Measures to PROJ-2023-00107 on June 4, 2026. YSMN did not request consultation within the 30-day period authorized under Section 21080.3.1(d) of the Public Resource Code or respond to the Notice of Intent to adopt a Mitigated Negative Declaration. Under this scenario, if a tribe fails to respond within 30 days after receiving a notice to consult under AB 52, consultation is considered concluded and the County may adopt the MND and proceed with project approvals. However, staff has incorporated the Mitigation Measures requested by YSMN and has updated the Mitigation Monitoring and Reporting Program (MMRP). The updated MMRP, Exhibit D, includes new mitigation measures CR- 2, CR-3, CR- 4, TRC-4, and TRC-5. Pursuant to CEQA Guidelines Section 15073.5(c), new mitigation measures may be adopted without triggering recirculation of the MND if they are added in response to comments on environmental impacts already identified in the MND. The addition of mitigation measure CR- 2, CR-3, CR- 4, TRC-4, and TRC-5 relate to previously identified impacts in the MND related to cultural resources and tribal cultural resources and therefore the added mitigation does not require recirculation.

## **PUBLIC COMMENTS AND NOTICES**

### Project Notices

Project notices were sent out on August 31, 2023 (Notices were sent to 76 people in a 300-foot radius of the subject property).

### Community Meeting Notices

Additional notices were mailed out for the Project because the property is located in the "Bloomington and Muscoy Environmental Justice Focus Area (EJFA)." Projects located in an EJFA are required to have two community meetings when the application involves a general plan or zoning amendment. Prior to changes in State law described above related to the

inconsistencies between general plan and zoning, the Project was believed to include a zoning amendment. As a result, there were two community meetings held and notices were sent out in English and Spanish on the following dates for the meetings:

1. March 23, 2024 (Notices sent out in a 1,000 ft radius of the subject property)
2. April 6, 2024 (Notices sent out in a 1,000 ft radius of the subject property).

During the community meetings the residents and homeowners were primarily concerned with air quality, traffic, noise, flooding, and aesthetics. The two meetings were held at the subject site and approximately twenty-five (25) people attended.

Notice of Availability and Notice of Intent (NOA-NOI) To Adopt A Mitigated Negative Declaration The NOA-NOI notices were sent out on November 25, 2025 (Notices were sent to 344 people in a 1,300 ft. radius of the subject property).

As a result of the notice being sent out on November 25, 2025, the Department received twelve emails from the surrounding residents opposing the Project and one letter dated December 9, 2025. Some of the concerns of the residents were traffic, noise, air quality, flooding, and aesthetics. (See Exhibit E, Letter dated December 9, 2025). Additionally, a letter dated January 6, 2026 was received from, "Center for Community Action and Environmental Justice (CCAIEJ)" expressing concerns about the Project (See Exhibit F, Letter from CCAIEJ). The applicant's environmental consultant, Lilburn Corporation has provided responses to the residents/homeowners' opposition to the warehouse project and also responded to the concerns of the CCAIEJ. (See Exhibit G, Letter from Lilburn Corporation, dated February 24, 2026).

Air Quality was one of the primary concerns raised and as identified in the response to comments. It was determined that the operational emissions of the Project are below the South Coast Air Quality Management District (SCAQMD) thresholds and that the proposed Project does not exceed applicable SCAQMD regional thresholds either during construction or operational activities. (See Exhibit G).

#### Public Hearing Notices

In accordance with Section 86.07.020 of the Development Code, public hearing notices were sent out in advance of the Planning Commission hearing. However, because this Project is within an "EJFA" notices were sent to surrounding property owners within a 1,300-foot radius to interested parties on April 30, 2026, and published in the local newspapers on May 10, 2026, advertising the Planning Commission hearing to be held on May 21, 2026.

## **REQUIRED FINDINGS FOR REQUESTED ACTIONS**

### Conditional Use Permit Findings:

Pursuant to Development Code Section 85.06.040 (a,1-7) the supporting facts for the required Conditional Use Permit are provided in Exhibit H.

### Variance Findings:

Pursuant to Development Code Section 85.17.060 (a,1-4) the supporting facts for the required Variance are provided in Exhibit I.

### Tentative Parcel Map Findings:

Pursuant to Development Code Section 87.02.060 (a,1, A-H) the supporting facts for the required Tentative Parcel Map are provided in Exhibit J.

## **RECOMMENDATION:** That the Planning Commission:

- 1) **ADOPT** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;
- 2) **ADOPT** the Findings for approval of the Tentative Parcel Map, Minor Variance, and Conditional Use Permit;
- 3) **APPROVE** the Tentative Parcel Map to subdivide a 4.59-acre parcel into two parcels (2.39 and 2.2 acres) subject to the Conditions of Approval;
- 4) **APPROVE** the Minor Variance to reduce the front yard setback from 25 feet to 15 feet;
- 5) **APPROVE** a Conditional Use Permit to construct and operate two industrial buildings and ancillary offices totaling 88,174 square feet on the 4.59-acre site subject to the conditions of Approval;
- 6) **DIRECT** the Land Use Services Department to file a Notice of Determination in accordance with the California Environmental Quality Act.

**ATTACHMENTS:**

**EXHIBIT A:** Site Plan

**EXHIBIT B:** Photo of Flood Control Easement

**EXHIBIT C:** Tentative Parcel Map #20798

**EXHIBIT D:** Updated Mitigation Monitoring and Reporting Program (MMRP) & MND

**EXHIBIT E:** Resident Letter Dated December 9, 2025

**EXHIBIT F:** Letter-Center For Community Action And Environmental Justice, dated January 6, 2026

**EXHIBIT G:** Responses To Comment- Letter From Lilburn dated February 24, 2026

**EXHIBIT H:** Findings For Conditional Use Permit

**EXHIBIT I:** Findings For Variance

**EXHIBIT J:** Findings For Tentative Parcel Map

**EXHIBIT K:** Conditions of Approval

**EXHIBIT L:** Public Comment

# **EXHIBIT A**



# **EXHIBIT B**

**Photo of Flood Control Easement  
PROJ-2023-00107 (Muscoy Warehouse Project)**



Rear of Property -Adjacent to **Flood Control Easement** and homes on Acapulco Ave.

# **EXHIBIT C**

# TENTATIVE PARCEL MAP NO. 20798

## IN THE COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA

### UTILITY PROVIDERS

**WATER** CITY OF SAN BERNARDINO  
MUNICIPAL WATER DEPARTMENT  
1350 SOUTH E STREET  
SAN BERNARDINO, CA 92408  
PHONE (909) 384-5141

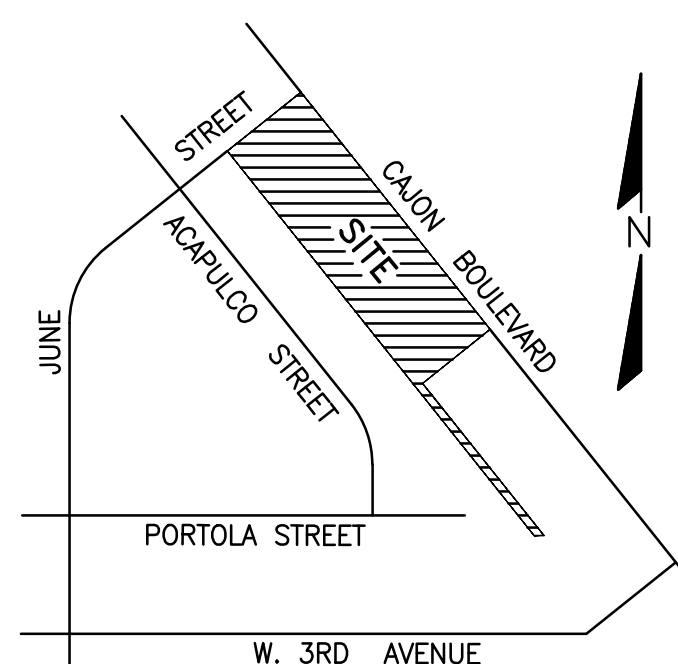
**ELECTRIC** SOUTHERN CALIFORNIA EDISON CO.  
P.O. BOX 788  
RIALTO, CA 92376  
PHONE (909) 875-6420

**SEWER** CITY OF SAN BERNARDINO  
MUNICIPAL WATER DEPARTMENT  
1350 SOUTH E STREET  
SAN BERNARDINO, CA 92408  
PHONE (909) 384-5141

**GAS** SOUTHERN CALIFORNIA GAS CO.  
1231 VALLEY BLVD.  
FONTANA, CA 92335  
PHONE (909) 428-8407

**TELEPHONE** AT&T

**CABLE** NONE



**VICINITY MAP**  
NOT TO SCALE

### LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE RANCHO MUSCUPLAKE, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 7, OF MAPS, PAGE 23, RECORDS OF SAID COUNTY, BEING A PORTION OF SECTION 18 TOWNSHIP 1 NORTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IF SAID SECTION LINES WERE EXTENDED ACROSS SAID RANCHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 17, TRACT NO. 3238, AS PER PLAT RECORDED IN BOOK 60 OF MAPS, PAGES 14 AND 15, RECORDS OF SAID COUNTY; THENCE ALONG THE NORTH LINE OF SAID LOT 59, TRACT NO. 2946, AS PER PLAT RECORDED IN BOOK 40 OF MAPS, PAGES 82, 83 AND 84 RECORDS OF SAID COUNTY, SOUTH 89° 45' EAST, 25.67 FEET TO AN ANGLE POINT THEREIN; THENCE NORTH 38° 32' WEST, 507.19 FEET (NORTH 38° 33' 30" WEST, 507.46 FEET, DEED); THENCE NORTH 51° 26' 30" EAST, 225 FEET TO A POINT IN THE SOUTHWESTERLY LINE OF 90 FOOT WIDE CAJON BOULEVARD; THENCE ALONG SAID SOUTHWESTERLY LINE OF CAJON BOULEVARD, NORTH 33° 33' 30" WEST, 789.92 FEET TO THE INTERSECTION WITH THE SOUTHEASTERLY LINE OF JUNE STREET, SOUTH 51° 26' 30" WEST, 245 FEET TO THE MOST NORTHERLY CORNER OF LOT 1 OF SAID TRACT NO. 3238; THENCE ALONG THE NORTHEASTERLY LINE SAID TRACT NO. 3238, SOUTH 38° 33' 30" EAST 1,280.99 FEET TO THE POINT OF BEGINNING.

### EASEMENT NOTES

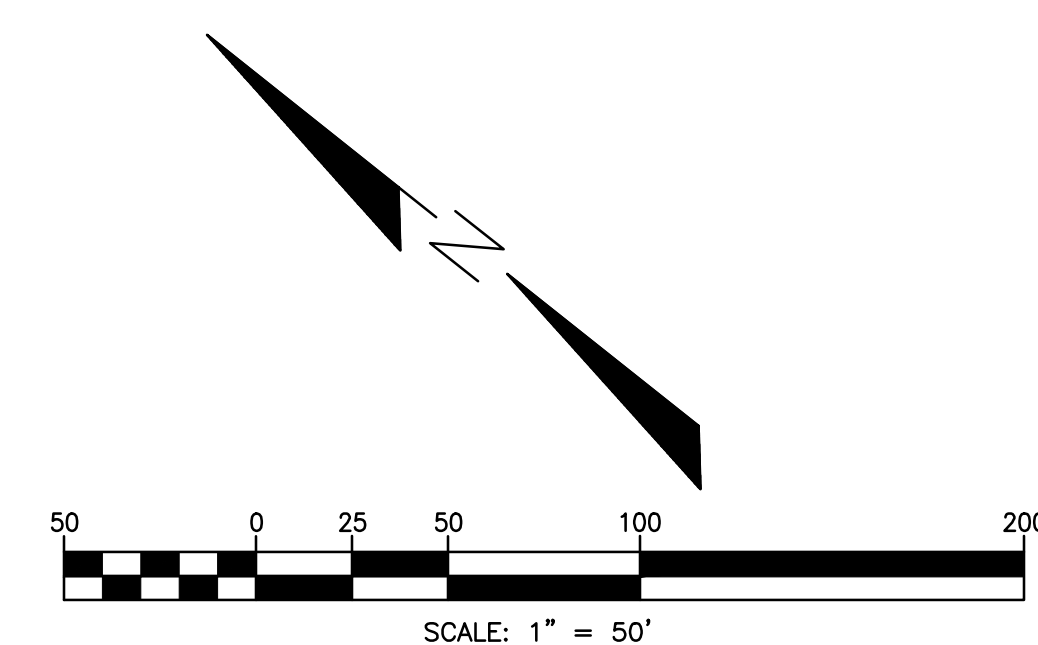
THE FOLLOWING EASEMENT NUMBERS CORRESPOND TO EXCEPTION NUMBERS OF PRELIMINARY REPORT, ORDER NO. 995-30105281-2AA, DATED JULY 6, 2023 PREPARED BY FIDELITY NATIONAL TITLE COMPANY, UNLESS OTHERWISE NOTED.

③ AN EASEMENT FOR FLOOD CONTROL AND WATER CONSERVATION PURPOSES, RECORDED DECEMBER 7, 1953 IN BOOK 3289, PAGE 356 OF OFFICIAL RECORDS.

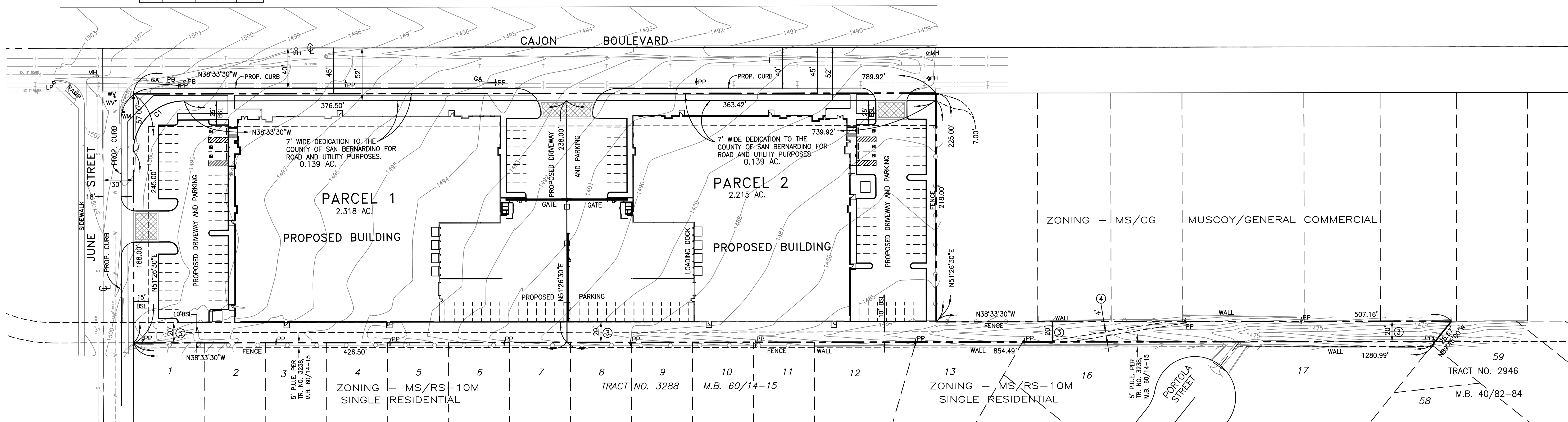
④ AN EASEMENT FOR POLE LINES, CABLES, UNDERGROUND CONDUITS AND APPURTENANCES FOR THE TRANSMISSION OF ELECTRIC ENERGY FOR COMMUNICATION AND OTHER PURPOSES, RECORDED JUNE 1, 1956 IN BOOK 6637, PAGE 556 OF OFFICIAL RECORDS.

### LEGEND

BSL BUILDING SETBACK LINE  
FH EXISTING FIRE HYDRANT  
GA EXISTING GUY ANCHOR  
LP EXISTING LIGHT POLE  
MH EXISTING MANHOLE  
PB EXISTING PULLBOX  
PP EXISTING POWER POLE  
WM EXISTING WATER METER  
WV EXISTING WATER VALVE  
--- EXISTING SEWER LINE  
--- EXISTING WATER LINE  
--- EXISTING COMMUNICATION LINE



CURVE DATA			
NO.	RADIUS	DELTA	ARC
C1	50.00'	90°00'00"	78.54'



### BENCHMARK

USGS  
DESIGNATION: B 40  
PID: EV1296

DESCRIBED BY COAST AND GEODETIC SURVEY 1961  
3.2 MI NW FROM SAN BERNARDINO,  
3.15 MILES NORTHWEST ALONG THE ATCHISON, TOPEKA AND SANTA FE  
RAILWAY FROM THE HIGHLAND AVENUE OVERPASS AT SAN BERNARDINO,  
IN THE TOP OF THE NORTHEAST END OF THE NORTHWEST CONCRETE  
ABUTMENT OF WOODEN BRIDGE 75.5, BETWEEN THE MAIN TRACK AND A  
SIDE TRACK, 111 1/2 FEET NORTHWEST OF THE CENTER OF THE CROSSING  
OF AN ABANDONED PAVED ROAD LEADING NORTHEAST, 92.7 FEET  
NORTHEAST OF THE CENTER LINE OF CAJON BOULEVARD, 8.5 FEET  
SOUTHWEST OF THE SOUTHWEST RAIL OF THE SIDE TRACK, 5.5 FEET  
NORTHEAST OF THE NORTHEAST RAIL OF THE CENTER TRACK, ABOUT 1/2  
FOOT LOWER THAN THE RAILS AND FLUSH WITH THE GROUND.

ELEV: 1516.40 (NAVD 88)

### LAND USE / ZONING INFORMATION

**LAND USE**  
EXISTING: VACANT  
PROPOSED: COMMERCIAL

**ZONING**  
EXISTING: MS/CG - MUSCOY/GENERAL COMMERCIAL  
PROPOSED: MS/CG - MUSCOY/GENERAL COMMERCIAL

**AREA**  
EXISTING PARCEL: 4.672 ACRES  
PROPOSED PARCEL 1: 2.399 ACRES  
PROPOSED PARCEL 2: 2.273 ACRES

**GROSS**  
4.672 ACRES

### AREAS

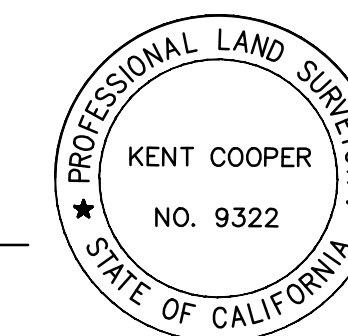
PARCEL 1: 2.318 AC.  
PARCEL 2: 2.215 AC.  
DEDICATION: 0.139 AC.  
TOTAL: 4.672 AC.

### BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE  
OF JUNE STREET BEING NORTH 51°26'30" EAST PER TRACT NO.  
3238 M.B. 61-14-15

PREPARED UNDER THE SUPERVISION OF:

*Kent Cooper*  
KENT COOPER, P.L.S. 9322  
LICENSE EXPIRES 3-31-25



### OWNER/SUBDIVIDER

NOJ92, LLC  
269 S. BEVERLY DRIVE  
SUITE 1674  
BEVERLY HILLS, CA 90212  
(213) 545-0454

### DEVELOPER BUILD-OUT

DATE	DESCRIPTION
---	---
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---	---
---	---
---	---
---	---
---	---
---	---
---	---

ENGINEER/REPRESENTATIVE/MAP PREPARER: ERIC ROBLES

**raSmith**  
CREATIVITY BEYOND ENGINEERING

8911 Research Drive  
Irvine, CA 92618-4237  
(949) 872-2378  
rasmith.com

## TENTATIVE PARCEL MAP NO. 20798

4088 CAJON BOULEVARD  
SAN BERNARDINO, CALIFORNIA 92407  
ASSESSOR'S PARCEL NO. 0267-012-09

DATE: 9/14/23

SCALE: 50

JOB NO. 3230032

PROJECT MANAGER:  
ERIC ROBLES

DESIGNED BY: TFW

CHECKED BY: KEC

SHEET 1 OF 1

# **EXHIBIT D**

**Mitigation Monitoring and Reporting Program  
Initial Study/Mitigated Negative Declaration  
Muscoy Warehouse Project  
SEC of June Street and Cajon Boulevard, Muscoy, CA**

*Prepared by:*



**San Bernardino County, Land Use Services Department**

385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, California 92415-0182  
*Contact: Precious McDuffie, Senior Planner*

JUNE 2026

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2 PROJECT DESCRIPTION .....	3
3 MITIGATION MONITORING AND REPORTING PROGRAM TABLE .....	3

# 1 Introduction

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The California Environmental Quality Act (CEQA) requires that a public agency adopting a Mitigated Negative Declaration (MND) take affirmative steps to determine that approved mitigation measures are implemented after project approval. The lead or responsible agency must adopt a reporting and monitoring program for the mitigation measures incorporated into a project or included as conditions of approval. The program must be designed to ensure compliance with the MND during project implementation (California Public Resources Code, Section 21081.6(a)(1)).

This Mitigation Monitoring and Reporting Program (MMRP) will be used by San Bernardino County (County) to ensure compliance with adopted mitigation measures identified in the MND for the proposed Conditional Use Permit (CUP), Variance, and Tentative Parcel Map (TPM) when construction begins. The County, as the lead agency, will be responsible for ensuring that all mitigation measures are carried out. Implementation of the mitigation measures would reduce impacts to below a level of significance for greenhouse gas emissions, biological resources, cultural resources, and tribal cultural resources.

The remainder of this MMRP consists of a table that identifies the mitigation measures by resource area as stated in the Initial Study. Table 1 identifies the mitigation monitoring and reporting requirements, list of mitigation measures, party responsible for implementing mitigation measures, timing for implementation of mitigation measures, agency responsible for monitoring of implementation, and date of completion. With the MND and related documents, this MMRP will be kept on file at the following location:

San Bernardino County  
385 N. Arrowhead Avenue, First Floor  
San Bernardino, California 92415

## 2 Project Description

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### PROJECT DESCRIPTION

NOJ92, LLC /Jack Luu (Applicant) is requesting the approval of a Conditional Use Permit (CUP) for the construction and operations of two industrial warehouse buildings totaling 88,174 square feet to be built in one phase. The applicant is also requesting approval of a Tentative Parcel Map (TPM) to subdivide an approximately 4.59-acre parcel into two parcels (2.39 acres and 2.2 acres), along with a front yard setback variance from the minimum 25 ft. to 15 ft. The Project Site is currently vacant and is located on the southeast corner of Cajon Boulevard and June Street in an unincorporated area of San Bernardino County within the community of Muscoy, described as Assessor's Parcel Number (APN): 0267-012-09.

The proposed warehouse buildings will include:

- **Building 1:** 48,887 square feet, which includes 44,751 square feet of warehouse space and 4,136 square feet of office space (2,136 square feet on the first floor and 2,000 square feet on the second floor), with four dock-high loading doors and one ground-level door.
- **Building 2:** 39,287 square feet, which includes 35,151 square feet of warehouse space and 4,136 square feet of office space (2,136 square feet on the first floor and 2,000 square feet on the second floor), with four dock-high loading doors and one ground-level door.

The project provides a total of 79,902 square feet of warehouse space and 8,272 square feet of office space for a total of 88,174 square feet.

Access to the site would be provided via three driveways, two along Cajon Boulevard, including a 50 -foot driveway for trucks and a 30-foot driveway for passenger vehicle use. There will also be a 30-foot driveway for employees only from June Street. Although the buildings are intended to be used for industrial activities (i.e., warehouse and distribution), an end user for the Project has not been identified at this time, and therefore, specific details about the future operation of the facility are not known. However, the applicant is requesting approval of a 6 a.m. to 12 a.m./7 days per week operational schedule to provide maximum flexibility for a future tenant/use and has been designed with the expectation that there would be no more than 32 employees onsite per shift.

The facility would include a total of 110 parking spaces including 78 standard auto spaces, 6 ADA vehicle accessible parking spaces, 6 EV charging spaces, and 20 EV capable spaces. Four underground stormwater capture, and infiltration systems would be constructed in each of the designated parking areas. Additionally, landscaping would be provided along the perimeter of the site and throughout the parking areas, which would amount to 15 percent of the net site area. Offsite improvements include street widening along Cajon Blvd, water main line extension along Cajon Blvd, curb and gutter, sidewalk, pavement, and driveways on both streets.

### 3 Mitigation Monitoring and Reporting Program Table

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<b>Biological</b>				
<p><b>BIO-1:</b> Applicant shall designate an avian biologist (qualified biologist) experienced in: identifying local and migratory bird species; conducting bird surveys using appropriate survey protocol, nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, identifying nesting stages and success; establishing avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.</p> <p>If start of construction occurs between February 1 and August 31, then a qualified biologist shall conduct a breeding bird survey at the appropriate time of day/night during the appropriate weather conditions, no more than three days prior to the start of construction to determine if nesting is occurring. Preconstruction surveys shall focus on direct and indirect evidence of nesting, including nest locations, nesting stages, and nest behavior. Surveys shall evaluate all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. The duration of the survey shall be dependent upon the size of the project site, density, and complexity of the habitat; and shall be sufficient to ensure complete and accurate data is collected.</p> <p>If active occupied nests are found, they shall not be disturbed unless the qualified biologist verifies</p>	<p>Prior to Land Disturbance</p>	<p>Project applicant</p>	<p>San Bernardino County</p>	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation; or (b) the juveniles from the occupied nests are capable of independent survival and will not be impacted by the removal of the nest. If the biologist is not able to verify one of the above conditions, then no disturbance shall occur within a distance specified by the qualified biologist for each nest or nesting site. The qualified biologist will determine the appropriate distance in consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service. The size and location of buffer zones shall be based on nesting bird species, species behavior, nesting stage, species sensitivity to disturbance, and the intensity and duration of the disturbance activity.</p>				
<b>Cultural Resources</b>				
<p><b>CR-1:</b> If any cultural or paleontological resources are inadvertently discovered, all construction work in the immediate vicinity of the discovery (within a 60-foot buffer) shall cease, and a qualified archaeologist and/or paleontologist meeting Secretary of Interior standards shall be hired to assess the find.</p>	During Grading	Project applicant and their construction contractor	San Bernardino County	
<p><b>CR-2:</b> In the event that cultural resources are discovered during project grading or construction activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources</p>	During Grading	Project applicant and their construction contractor	San Bernardino County and YSMN	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
Department (YSMN) shall be contacted, as detailed within TCR-4, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.				
<b>CR-3:</b> If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-4 The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.	During Grading	Project applicant and their construction contractor	San Bernardino County and YSMN	
<b>CR-4:</b> If human remains or funerary objects are encountered during any grading or construction activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.	During Grading	Project applicant and their construction contractor	San Bernardino County	
<b>Geology and Soils</b>				
<b>GEO-1:</b> The Proposed Project's design and construction specifications shall follow the seismic design parameters presented in the Geotechnical Report based on 2022 California Building Code (CBC) adopted on January 1, 2023	Prior to Building Permit Issuance	Project applicant	San Bernardino County / Applicant	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<b>Hazards and Hazardous Materials</b>				
<b>HAZ-1:</b> Pursuant to State law, should the warehouse store hazardous materials at reportable quantities, the applicant would be required to prepare and submit a Hazardous Materials Business Plan to San Bernardino County Fire Protection District (the CUPA in the County) for review and approval prior to issuance of occupancy permits.	Prior to Occupancy Permit	Project applicant	San Bernardino County / Applicant	
<b>Noise</b>				
<b>NOI-1:</b> Construct a 10-foot-high solid barrier between the two proposed buildings. The wall shall be solid without holes or cracks and shall extend from the ground.	Prior to Occupancy Permit	Project applicant	San Bernardino County / Applicant	
<b>NOI-2:</b> The use of vibratory rollers, or other similar vibratory equipment, shall be prohibited within 20 feet and the use of large bulldozers within 12 feet of residential structures south and west of the Project Site.	During grading / construction	Project applicant and their construction contractor	San Bernardino County/Applicant	
<b>Tribal Cultural Resources</b>				
<b>TCR-1:</b> Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.  A. The Project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the Project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing	Prior to Grading	Project applicant and their construction contractor	San Bernardino County/Applicant	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</p> <p>B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.</p> <p>C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.</p> <p>D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-</p>				

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs</p>				
<p><b>TCR-2:</b> Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial).</p> <p>A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historical purposes.</p>	<p>During grading / construction</p>	<p>Project applicant and their construction contractor</p>	<p>San Bernardino County/Applicant</p>	
<p><b>TCR-3:</b> Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects.</p> <p>A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section</p>	<p>During grading / construction</p>	<p>Project applicant and their construction contractor</p>	<p>San Bernardino County/Applicant</p>	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>5097.98, are also to be treated according to this statute.</p> <p>B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.</p> <p>C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).</p> <p>D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.</p> <p>E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</p>				
<p><b>TRC-4:</b> The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) shall be contacted, as detailed in CUL-2, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project,</p>	<p>During Grading</p>	<p>Project applicant and their construction contractor</p>	<p>San Bernardino County and YSMN</p>	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>should YSMN elect to place a monitor on-site. Project implementation shall be defined as any soil disturbance activities related to grading and construction of the project.</p>				
<p><b>TRC-5:</b> Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The applicant shall, in good faith, consult with YSMN throughout the life of the Project. For purposes of this mitigation measure, the Lead Agency defines “life of the Project” as the period during which grading, construction, and other ground-disturbing activities associated with implementation of the approved Project are occurring and shall end upon completion of such activities and issuance of final occupancy or equivalent final approval.</p>	<p>During Grading</p>	<p>Project applicant and their construction contractor</p>	<p>San Bernardino County and YSMN</p>	

# **EXHIBIT E**

KIMBERLYN HEARNS

PO BOX 9891

SAN BERNARDINO, CA 92427

COUNTY OF SAN BERNARDINO

LAND USE SERVICES DEPARTMENT, PLANNING DIVISION

ATTN: PRECIOUS McDUFFIE, SENIOR PLANNER

385 N. ARROWHEAD AVE, 1ST FLOOR

SAN BERNARDINO, CA 92415-0187

DECEMBER 9, 2025

RE: MUSCOY WAREHOUSE PROJECT (PROJ-2023-00107)

ASSESSOR PARCEL # 0267-012-09

~~TO:~~

DEAR PRECIOUS McDUFFIE,

THIS LETTER CONVEYS MY STAUNCH OPPOSITION TO THE ABOVE LISTED PROJECT. THE PROPOSED AREA, IF I'M CORRECT, HAS ALREADY BEEN DECLARED A "DIESEL DEATH ZONE" FOR AIR QUALITY PURPOSES. UPON REVIEWING PAGE 4 OF THE "INITIAL STUDY/MITIGATED NEGATIVE NEGATIVE DECLARATION ENVIRONMENTAL CHECKLIST FORM," IT'S SHOCKINGLY PLAIN TO SEE THAT THE PROPOSED WAREHOUSES ARE ALMOST ON TOP OF THE CITY OF SAN BERNARDINO'S CIMMERON RANCH. IN SUPPORT OF MY STATEMENTS, I REFER YOU TO TWO BUSY RAILROAD OPERATIONS THAT VIRTUALLY ABUT CIMMERON. THEY ARE BNSF RAILROAD, WHICH PARALLELS CAJON BLVD AND WHICH HAS RECENTLY LAID MORE TRACK. THEN THERE'S UNION PACIFIC RAILROAD, WHICH GOES AROUND THE WESTERN PART OF CIMMERON.

(2)

WITH THE RECENT EXPANSION OF SEVERAL WAREHOUSES ALONG CAJON BLVD FROM "WESTERN" STREET ALL THE WAY TO KENDALL DRIVE, THERE IS ALMOST NO UNDEVELOPED LAND LEFT. TAKE A DRIVE SOUTH ON CAJON BLVD FROM ROSARITA STREET AND YOU WILL NOW SEE THAT LITERALLY EVERY LOT WHICH DOESN'T HAVE A WAREHOUSE NOW HAS NUMEROUS TRACTOR TRAILER STORAGE LOTS - ALL THE WAY TO WESTERN STREET.

ADD TO THIS THE RECENT "QUARRY" EXCAVATION PROJECT WITH ITS HEAVY CONSTRUCTION EQUIPMENT AND THE RISKS OF VALLEY FEVER EXPOSURE DUE TO DUST ACCUMULATION, AND CIMMERON RANCH IS ALMOST SURROUNDED BY AN ENVIRONMENTAL POLLUTION HAZARD.

WHY INFRINGE FURTHER ON THE QUALITY OF LIFE OF THE RESIDENTS OF ONE OF THE NICEST NEIGHBORHOODS IN THE CITY OF SAN BERNARDINO? THERE ARE ALREADY INCREASED CHANCES OF RESPIRATORY DISEASES AND ASTHMA IN THIS AREA AS IT IS. AND NOW THERE'S CONSIDERATION OF PUTTING 2 LARGE WAREHOUSES WITHIN A STONE'S THROW OF CIMMERON RANCH.

IMAGINE THE TRAFFIC! OPERATIONS 18 HOURS A DAY STARTING AT 6AM EVERYDAY. A PARKING LOT WITH A 110 CAR CAPACITY. 3 DRIVEWAYS, 2 OF WHICH WILL BE ON CAJON BLVD WITH LARGE TRACTOR TRAILERS LIKELY BLOCKING THE TURN LANES AS THEY STAGE OFF-PREMISE PRIOR TO DELIVERY.

IMAGINE THE SPILL-OVER PARKING? I FORESEE NUMEROUS VEHICLES JOCKYING FOR PARKING ON THE STREETS WITHIN CIMMERON RANCH. DO YOU REALLY BELIEVE THAT A 110-SPACE PARKING LOT IS REALLY BEING BUILT FOR NO MORE THAN 32 EMPLOYEES ON THE PROPOSED PREMISES AT ANY ONE TIME?

③

WITHOUT CONSIDERING THE REAL IMPACT OF THE CURRENT EFFECTS OF BNSF RAILROAD, UNION PACIFIC RAILROAD, THE "Q" QUARRY PROJECT, AND THE HUGE INCREASE OF TRACTOR TRAILER OPERATIONS ON CAJON BLVD FOR STORAGE AND SERVICING OF EXISTING WAREHOUSES ON CAJON BLVD BETWEEN WESTERN STREET AND KENDALL DRIVE, I FIND YOUR HEALTH RISKS ASSESSMENTS TO POTENTIALLY BE INCOMPLETE AND MISLEADING. THIS AREA, LAST I HEARD, IS ALREADY A "DIESEL DEATH ZONE" AND FACES SIGNIFICANT POTENTIAL AIR QUALITY IMPACT (MY OPINION). LET ALONE THE NOISE LEVELS INCREASING DUE TO THE TRACTOR TRAILER ACTIVITY FOR 18 HOURS EVERYDAY.

IF I'M READING THE DOCUMENT RIGHT, I'M TROUBLED BY THE BOX REGARDING HAZARDS AND HAZARDOUS MATERIALS BEING CHECKED "LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED." YOU'RE PUTTING WAREHOUSES LITERALLY ON OUR DOORSTEP!

YOU MIGHT ALSO WANT TO HAVE SOMEONE, IF YOU ALREADY HAVEN'T, BE ONSITE PRIOR TO CONSTRUCTION DURING A HEAVY RAIN DOWNPOUR, NOT ALL THE WATER FLOWS INTO THE FLOOD CHANNEL NORTH OF CIMMERON RANCH. A LOT OF IT FLOWS SOUTH ON CAJON, CARRYING DEBRIS, AND PARTIALLY BLOCKING THE ROAD ALL THE WAY DOWN TO WESTERN STREET, THIS ROUTINELY REQUIRES GRADING EQUIPMENT TO RESTORE PASSABILITY OF VEHICLE TRAFFIC, I READ THE "EXECUTIVE SUMMARY" OF THE 80-PAGE "MUSCOY WAREHOUSE HEALTH RISK ASSESSMENT ANALYSIS AND IT SHOCKED ME TO READ THAT "NO MITIGATION IS REQUIRED" AT ALL! NOT FOR DIESEL PARTICULATE MATTER NOR NON-CANCER RELATED IMPACTS. I'M OBVIOUSLY NOT A SCIENTIST BUT, HOW DID THIS FINDING EMERGE WITHIN A DIESEL DEATH ZONE?

(4)

THERE IS AN INCONSISTENCY IN THE INTRODUCTION AND SETTING HEADING, UNDER "PROJECT DESCRIPTION" SUBHEADING, "VEHICULAR ACCESS IS PROPOSED VIA TWO DRIVEWAYS WITH ONE ON CAJON BOULEVARD AND THE OTHER ON JUNI<sup>PLACE</sup> STREET. FIGURE 2 ILLUSTRATES THE PROPOSED SITE PLAN." FIGURE 2, ON PAGE 8, CLEARLY HAS 3 DRIVEWAYS - 2 OF WHICH ARE ON CAJON BLVD. ALSO, THE "INITIAL STUDY..." DOCUMENT ON YOUR WEBSITE (87 PAGES) CORRECTLY STATES 3 DRIVEWAYS. FURTHERMORE, ON PAGE 9 UNDER HEADING "POLLUTANTS AND REGULATORY SETTING", SUBHEADING "TOXIC AIR CONTAMINANTS", 3RD PARAGRAPH, THERE'S DISCUSSION OF HARMFUL DIESEL PARTICULATE MATTER (DPM) AND RISKS TO CHILDREN AND THE ELDERLY. CIMMERON RANCH IS A DENSELY-POPULATED NEIGHBORHOOD WITH NUMEROUS CHILDREN AND RETIREES, YET THIS WAREHOUSE IS SO CLOSE TO CIMMERON RANCH THAT IT IS ALMOST IN THE HOUSING AREA. WHERE'S THE STUDY ACCOUNTING FOR THE NUMBERS OF CHILDREN AND ELDERLY IN CIMMERON RANCH? RECALL "DIESEL DEATH ZONE"? ALSO I'M CURIOUS AS TO WHETHER <sup>THERE</sup> IS A MORE RECENT PUBLICATION OF THE CALIFORNIA AIR RESOURCES BOARD (CARB) LOCATION SPECIFIC SUMMARY OF CONCENTRATION LEVELS OF SEVERAL TOXIC AIR CONTAMINANTS (TAC). IT APPEARS THE DATA REFERRED TO IS FROM THE CARB AIR QUALITY ALMANAC FOR 2013 (CARB 2013) PER PAGE 4 OF THE 2023 "MUSCOY WAREHOUSE HEALTH RISK ASSESSMENT ANALYSIS." YOU WOULD HAVE A HARD TIME DENYING THAT THINGS HAVE CHANGED DURING THE PERIOD 2013 THROUGH 2025, WOULDN'T YOU AGREE? THERE ARE MORE WAREHOUSES AND MORE TRACTOR TRAILER TRAFFIC TRAVERSING CAJON BLVD NOW.

(5)

I REFER TO THIS WEBSITE FOR YOUR REVIEW:

"INLAND EMPIRE ONCE AGAIN RANKS AS WORST IN NATION FOR AIR QUALITY" BY ANTHONY VICTORIA

APRIL 21, 2022

[pssocal.org/shows/earth-focus/inland-empire-once-again-ranks-as-worst-in-nation-for-air-quality](https://pssocal.org/shows/earth-focus/inland-empire-once-again-ranks-as-worst-in-nation-for-air-quality)

QUESTIONS:

- ① ARE YOU USING THE ENVIRONMENTAL PROTECTION AGENCY'S 2015 OZONE STANDARD?
- ② WHY REFER TO 20-YEAR TREND SUMMARIES IN THE CARB ALMANAC OF AIR QUALITY AND EMISSIONS PUBLISHED IN 2013 (CORRECTION: CARB ALMANAC OF EMISSIONS AND AIR QUALITY)?
- ③ WHICH AGENCY HAS THE HIGHER STANDARD, EPA OR CARB?
- ④ IS THERE MORE CURRENT DATA AVAILABLE?

I ADMIT THAT I'M A NOVICE AND CANNOT INTERPRET YOUR SCIENTIFIC RESEARCH DATA. HOWEVER, MORE RESEARCH NEEDS TO BE DONE AND AN ALTERNATE SITE CHOSEN, WHAT ABOUT ALL THAT LAND ON "INSTITUTION ROAD"?

OUR "DIESEL DEATH ZONE" INCLUDES MASSIVE VEHICLE TRAFFIC FROM INTERSTATE 215, THE "Q" QUARRY, UNION PACIFIC, AND BNSF RAILROAD. NOW CAJON BLVD IS A MAJOR TRACTOR TRAILER ARTERY AND STORAGE CONDUIT FOR WAREHOUSES AND THEIR VEHICLES.

FOR ALL OF THE REASONS STATED, I OPPOSE THE MUSCOY WAREHOUSE PROJECT, WHAT'S NEXT? WILL THE REST OF THE RESIDENCES IN THE COUNTY ON CAJON BLVD BE RAZED FOR MORE WAREHOUSES?

IS THIS THE FIRST OF SEVERAL MORE WAREHOUSES TO COME? I HOPE NOT. PLEASE CANCEL.

SINCERELY,



# **EXHIBIT F**

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE

“Bringing People Together to Improve Our Social and Natural Environment”

January 6, 2026

San Bernardino County Land Use Service

Attn: Precious McDuffie

385 N. Arrowhead

San Bernardino, CA 92415

*Submitted via email to [precious.mcduffie@lus.sbcounty.gov](mailto:precious.mcduffie@lus.sbcounty.gov).*

**Re: Muscoy Warehouse Project MND (SCH #2025120438)**

Dear Precious McDuffie,

I am writing this letter in response to the Mitigated Negative Declaration (SCH #2025120438) for the proposed Muscoy Warehouse Project that would be built in the community of Muscoy area of the county. After some review of the document, there are a couple of concerns that appear to be overlooked or otherwise have not been adequately addressed by the MND work and remain in need of attention.

The first issue is the very nature of the Project itself. While the Project description in the MND indicates in Table-1: Existing Land Use Designations that there are “Distribution Warehouses” to the “East” of the Project site, that is not an adequate description of the level of change that the Project would bring to the community. While technically true that there are warehouses east of the site, they are separated from the existing community by Cajon Boulevard and the BNSF tracks which leads to more than 300 feet from the Project site to the property line of the existing warehouses and nearly 600 feet to the homes next to the site. There also are no other warehouses in the close vicinity of the Project, this would be the first. Even though the land is zoned Industrial, we would stress that there are other uses which would be a better fit for the site than warehouses as they would likely not be a fundamental change to the community itself with what continues to prove to be a markedly incompatible use with residential communities.

The most prominent issue is the air quality concerns that the Project would cause. The South Coast AQMD’s Rule 2305 Warehouse ISR is a critical tool for improving the emissions that are produced by warehouses and facilities similar to the proposed Project. An important component of that Rule is building out the infrastructure for zero-emissions operations at the facility in the future. While it is true that the Project is too small to be covered by 2305, even when considering the combined size of both buildings that will be built, it nonetheless is crucial that it also includes those same preparatory measures so that as more zero-emissions options are brought to market in the region and beyond, it is not a hindrance to their adoption.

**Mailing Address**

PO Box 33124

Jurupa Valley, CA 92519

[www.ccae.org](http://www.ccae.org)

## CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE

“Bringing People Together to Improve Our Social and Natural Environment”

An additional concern is for the bicycle facilities which would be provided. It is good to see that the MND does already identify that as part of the Countywide Plan, the location is planned to have Class II bike lanes along the frontage that would be required to be built at the same time as the Project. However, as noted on the Caltrans bikeway classification guidance,<sup>1</sup> Class II bike lanes are not appropriate for the situation that is present or proposed for Cajon Boulevard. Instead, especially in the situation where infrastructure is still being built out such as is to be required of the Project, it is important that it meets the Caltrans guidance with a Class IV bike facility from the outset to ensure that this is not a problem spot in the future due to inadequate infrastructure being in place.

In summary, there remain concerns that this Project is not appropriate for the location as a semi-rural residential community; if the Project is to move forward, it needs to be built in preparation for zero-emissions operations in the future by installing at least conduit for the necessary infrastructure in the future; and the bikeway facilities need to be built in a manner that will not be a weak point in the future.

Thank you for the time and attention to these concerns.

Sincerely,



Marven E. Norman  
Environmental Policy Analyst

*CCA EJ* is a long-standing community based organization with over 40 years of experience advocating for stronger regulations through strategic campaigns and building a base of community power. Most notably, *CCA EJ*'s founder Penny Newman won a landmark federal case against Stringfellow Construction which resulted in the 'Stringfellow Acid Pits' being declared one of the first Superfund sites in the nation. *CCA EJ* prioritizes community voices as we continue our grassroots efforts to bring lasting environmental justice to the Inland Valley Region.

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<https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/office-of-smart-mobility-and-climate-change/planning-contextual-guidance-memo-03-11-20-a11y.pdf>

**Mailing Address**  
PO Box 33124  
Jurupa Valley, CA 92519  
[www.ccae.org](http://www.ccae.org)

# **EXHIBIT G**

February 24, 2026

Ms. Precious McDuffie  
San Bernardino County LUSD  
385 North Arrowhead Avenue  
San Bernardino, CA 92415

**SUBJECT: PROJ-2023-00107- Responses to Comment Letters Received during Public Review of Initial Study/Mitigated Negative Declaration**

Dear Precious:

This letter has been prepared per the County's request for Lilburn Corporation to provide responses to the comment letters received during the 30-day public review period of the CEQA Initial Study (IS) prepared for the subject project. The public review began on December 2, 2025 and ended January 28, 2026. One letter was received from the Center for Community Action and Environmental Justice, and several emails opposing the project were received from the general public. No federal, State, or local agencies provided comments. The issues/concerns raised in the emails primarily focused on:

1. Traffic
2. Noise
3. High levels of air pollution and other contaminants (Air Quality)
4. Health Risk & Concerns (Project is in an Environmental Justice Area)
5. Reduction of residential homeowners and tenants (Less desirable neighborhood due to proximity of the proposed warehouse buildings to residential property)
6. Property Values
7. Aesthetics & Views
8. Project is incompatible with the surrounding residential properties. (Proximity to residential property)
9. Street Flooding

Responses to these general concerns are provided below, and the Center for Community Action and Environmental Justice letter has been indexed with individual responses to comments provide and attached hereto. These responses are intended to provide the County with information to proceed with adoption of the IS/MND that was prepared to review the subject project under the California Environmental Quality Act (CEQA).

## Responses to General Concerns

1. Traffic. As noted on page 66 of the Initial Study, a Transportation Screening Assessment, dated September 22, 2023, was prepared for the Proposed Project by Ganddini Group, Inc. and was included in the IS as Appendix L. The purpose of the screening assessment was to determine if the preparation of a traffic impact analysis with level of service (LOS) analysis or vehicle miles traveled (VMT) analysis was necessary based on the transportation study guidelines and screening criteria established by the County of San Bernardino. The Proposed Project is forecast to generate net trips of 443 daily vehicle trips, including 69 vehicle trips during the AM peak hour and 61 vehicle trips during the PM peak hour, which is equivalent to 476 daily PCE trips, including 73 PCE trips during the AM peak hour and 65 PCE trips during the PM peak hour. If a project generates less than 100 trips without consideration of pass-by trip reductions during any peak hour, a study may be required if there are special concerns. The Proposed Project is forecast to generate fewer than 100 peak hour trips and is located more than 300 feet from the nearest intersection of two streets designated as Collector or higher on the Countywide Plan circulation system. Assuming the Project shall construct all on-site and off-site improvements (if any) following County design standards, the project would not create any new safety or operational concerns.

As stated in the Transportation Screening Assessment prepared for the Project. The Proposed Project is consistent with existing land uses in the Project TAZ, and there does not appear to be anything unique about the Project that would otherwise be mis-represented utilizing the data from the VMT Screening Tool. Since the Proposed Project consists of industrial use, the Proposed Project would satisfy the low VMT screening criteria if it is located in a TAZ where the VMT per worker is four percent below the County of San Bernardino regional average VMT per worker. No significant impacts are identified or anticipated, and no mitigation measures are required.

2. Noise. As noted on page 57 of the IS, a Noise Impact Analysis, dated November 13, 2023, was prepared for the Proposed Project by Ganddini Group, Inc. to determine the noise impacts associated with the development of the Proposed Project and was included as Appendix K. The modeled traffic noise levels at the nearest sensitive receptors along June Street in the project vicinity are 57.9 dBA CNEL for Existing conditions and 60.2 dBA CNEL for Existing Plus Project conditions; the addition of project trips is expected to result in an increase of approximately 2.2 dBA CNEL. In addition, the modeled traffic noise levels at the nearest sensitive receptor along Cajon Boulevard in the project vicinity are 73.7 dBA CNEL for Existing conditions and 73.8 dBA CNEL for Existing Plus Project conditions; the addition of project trips is expected to result in an increase of approximately 0.2 dBA CNEL. Therefore, the addition of project trips is not expected to change noise levels in excess of the applicable thresholds at the study roadway segments. The project impact is less than significant; no mitigation is required.

The SoundPLAN noise model was utilized to model project peak hour operation and nighttime operation. Noise levels associated with the Proposed Project would range between 42 and 55 dBA Leq without taking into consideration any perimeter walls and would not exceed County criteria at the adjacent land uses (residential 55 dBA Leq). The Project's Site Plan identifies a 10-foot high decorative concrete tilt screen wall" on the western boundary of the Project site between the two buildings. Without construction of a solid 10-foot-high wall filling in the gap between the two proposed buildings, project operation would exceed the nighttime noise standard of 45 dBA Leq night. A Mitigation Measure will be adopted by the County to make sure the proposed wall provides adequate noise protection, which would reduce nighttime noise levels at adjacent properties to range between 37 and 45 dBA and would not exceed the County's nighttime noise criteria at the adjacent land uses (residential 45 DBA Leq).

3. Air Pollution and Contaminants. California Emissions Estimator Model (CalEEMod) version 2022.1.1.29 prepared by the SCAQMD (included in the IS as Appendix A). CalEEMod was utilized to estimate the on-site and off-site emissions. The emissions incorporate Rule 402 and 403 by default as required during construction. The criteria pollutants screened for include reactive organic gases (ROG), nitrous oxides (NO<sub>x</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), and particulates (PM<sub>10</sub> and PM<sub>2.5</sub>). Two of the analyzed pollutants, ROG and NO<sub>x</sub>, are ozone precursors. Both summer and winter season emission levels were estimated. The Proposed Project does not exceed SCAQMD thresholds for construction emissions. The Project Proponent would be required to comply with all applicable SCAQMD rules and regulations as the South Coast Air Basin (SCAB) is in non-attainment status for ozone and suspended particulates (PM<sub>10</sub> and PM<sub>2.5</sub>).

The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources.

As shown in the IS, both summer and winter season operational emissions are below SCAQMD thresholds. The Proposed Project does not exceed applicable SCAQMD regional thresholds either during construction or operational activities. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

4. Health Risk Concerns/Environmental Justice Area. County Policy requires that project proposed in Environmental Justice areas conduct a community outreach effort and prepare a Health Risk Assessment. The Applicant has initiated a Community Outreach effort and held two meetings within the community to inform the residents and any other interested parties of the Proposed Project. The first meeting was conducted with the community on March 23, 2024 where the applicant introduced the project to the community. The second meeting was conducted on April 6, 2024 where the applicant answered questions from the public and Environmental Justice organizations. A Health Risk Assessment (HRA)

Analysis dated November 17, 2023, was prepared for the Proposed Project by Ganddini Group Inc. and included in the IS as Appendix A-1. The California Air Resources Board (CARB) has monitoring networks that measure ambient concentrations of certain Toxic Air Contaminants (TACs) that are associated with important health-related effects and are present in appreciable concentrations in the area. The CARB publishes annual Statewide, air basin, and location-specific summaries of the concentration levels of several TACs and their resulting cancer risks. The most recent summary is the CARB Air Quality Almanac for 2013 (CARB 2013). According to the HRA analysis, the project area has an estimated ambient cancer risk of 410 in one million. In comparison, the average cancer risk for San Bernardino County is 439 in one million.

The HRA analysis identified that the ultra-conservative cancer risk value of the Proposed Project would be a maximum of 0.92 in a million. Therefore, as the maximum incremental cancer risk (MICR) does not exceed 10 in a million at any sensitive receptor location, the on-going operations of the Proposed Project would result in a less than significant impact due to the cancer risk from diesel emissions created by the Proposed Project.

5. Reduction of Residential Homeowners and Tenants due to Proximity of Proposed Warehouse Buildings. As noted in the IS, the Project Site has a Countywide Plan land use category of Limited Industrial (LI). The Proposed Project is compatible with the Countywide Plan land use designation and requires a conditional use permit for the construction and operation of the two proposed industrial warehouses. The IS prepared for the Proposed Project documents that any potential environmental impacts resulting from the Project would be less than significant in light of federal, State, and local regulations and guidelines.
6. Property Values. Speculation regarding how a project may effect property values of the surrounding area is not a required CEQA topic and therefore was no addressed in the IS.
7. Aesthetics and Views. An analysis of the project's impacts on aesthetic scenery and views is provided on pages 10 – 12 of the IS. The Countywide Plan (adopted November 27, 2020) does not identify a scenic vista within the vicinity of the Project Site.<sup>1</sup> The Proposed Project would be required to adhere to a maximum height of 60 feet, as allowed within the CG Zone.<sup>2</sup> The proposed building heights are proposed to be 41 feet. Compliance with this height limit would minimize potential obstruction of views of the surrounding mountains and other public views. The Project's Photometric Study has been included in the Application submittal as Sheet FC-1 which shows compliance with the County's lighting standards with no light spill onto adjacent properties.
8. Incompatible with Surrounding Residential Properties. The Proposed Project is compatible with the Countywide Plan land use designation and requires a conditional use permit for

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<sup>1</sup> San Bernardino County Countywide Plan. Adopted November 27, 2020. [Policy Plan – San Bernardino County](#) Accessed November 15, 2023.

<sup>2</sup>San Bernardino County. Development Code. Accessed November 15, 2023.

the construction and operation of two industrial warehouses. Further, the Project would provide off-site improvements accessible to the public, including curbs and gutters, sidewalks, landscaping, street lighting, and pedestrian and bicycle facilities. The Proposed Project's off-site improvements would be constructed to the standards of the County Land Development Division and DPW Traffic Departments. The Building and Safety Division will review building plans to ensure that they are consistent with the design standards of the Land Development Division and DPW Traffic during building plan check.

9. Street Flooding. A Hydrology and Hydraulic Report, dated November 6, 2023, was prepared for the Proposed Project by raSmith and included in the IS as Appendix J. Results of the hydrology study determined that the Project Site currently drains along the gravel shoulder to the southeast along the right of way and then continues on along the shoulder. The Project includes an on-site storm flow infiltration system to reduce off-site flows. In accordance with the San Bernardino County's drainage requirements, the infiltration system would be sized to retain the difference in runoff volume between the proposed condition and the existing condition for the 100-year storm. Storm flows that exceed the capacity of the infiltration system would runoff to the 20-foot-wide drainage easement along the southern edge of the property. No significant impacts are identified or anticipated

### **Lilburn Corporation Conclusion**

As detailed herein, based on our review of the comment letters, substantial evidence supports the County's determination that the Project is subject to a CEQA Initial Study and an Environmental Impact Report is not required as all potentially significant impacts would be reduced with implementation of recommended mitigation measures. The County has drafted a Mitigation Monitoring and Reporting Program for adoption with the IS/MND.

The comment letters provide: 1) no new information regarding significant impacts; 2) no evidence to support the need to conduct additional environmental analysis or provide any new information that was not already disclosed in the Initial Study; and 3) no substantial evidence supporting the preparation of additional environmental review.

If you should have any questions or require additional information, please do not hesitate to give us a call.

Sincerely,



Cheryl A. Tubbs  
Vice President

cc: Paul Toomey

**LETTER COMMENTS AND RESPONSES – LETTER 1**  
**CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE**  
**DATED JANUARY 6, 2026**

**Comment 1-1**

Introductory comment stating the organization has concerns related to what has been addressed in the MND.

**Response to Comment 1-1**

Comment noted.

**Comment 1-2**

Comment relates to description of the existing land uses surrounding the Project Site, and that there are no other warehouses in close vicinity. Although the Project Site is zoned Industrial, Commenter believes there are other uses that would be better for the site.

**Response to Comment 1-2**

The Proposed Project is compatible with the Countywide Plan land use designation and requires a conditional use permit for the construction and operation of two industrial warehouses. The IS prepared for the Proposed Project documents that any potential environmental impacts resulting from the Project would be less than significant in light of federal, State, and local regulations and guidelines.

**Comment 1-3**

Commenter states that the Project should include preparatory measures in building design related to zero-emissions options for improving emissions from warehouses by recognizing the South Coast Air Quality Management Districts Rule 2305 Warehouse ISR.

**Response to Comment 1-3**

As stated on Page 3 of the Initial Study/MND, the project will be reviewed by the South Coast Air Quality Management District for approval of building plans, construction and operations activities to ensure compliance with air quality and GHG emissions standards as outlined in the IS/MND.

**Comment 1-4**

Commenter states that although the IS/MND discloses the location of planned bike lanes as shown in the Countywide Plan, which includes Class II bike lanes along the frontage of the Project Site, Caltrans bikeway classification guidance states that Class II bike lanes are not appropriate for this situation. Commenter suggests the Caltrans guidance for a more appropriate Class IV bike facility be followed.

**Response to Comment 1-4**

According to the Countywide Plan TM-4: SBCTA Bicycle & Pedestrian Planning shows a planned Class II Bicycle path along Cajon Boulevard, including along the western boundary of the Project

Site. The development of the Proposed Project is not anticipated to impact the planned bicycle lane. Therefore, no significant impacts to bicycle and pedestrian facilities are anticipated. The Proposed Project's off-site road improvements will be constructed to the standards of the County Land Development Division and DPW Traffic Departments. The Building and Safety Division will review building plans to ensure that they are consistent with the design standards of the Land Development Division and DPW Traffic during building plan check.

**Comment 1-5**

Summary comment reiterating the Proposed Project is not appropriate for the location in a semi-rural residential community and if it is to move forward concerns related to above described zero-emission operations and bikeway facility included.

**Response to Comment 1-5**

Summary of comments previously provided. See Responses to Comments 1-2 through 1-4.

# **EXHIBIT H**

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**FINDINGS: CONDITIONAL USE PERMIT**

**A CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE A WAREHOUSE DEVELOPMENT CONSISTING OF TWO BUILDINGS WITH ANCILLARY OFFICE USES ON A VACANT 4.59-ACRE PARCEL. BUILDING 1 INCLUDES 44,751 SQUARE FEET OF WAREHOUSE SPACE AND 4,136 SQUARE FEET OF OFFICE SPACE. BUILDING 2 INCLUDES 35,151 SQUARE FEET OF WAREHOUSE SPACE AND 4,136 SQUARE FEET OF OFFICE SPACE; LOCATED ON THE SOUTHEAST CORNER OF CAJON BOULEVARD AND JUNE STREET; WITHIN THE LIMITED INDUSTRIAL (LI) LAND USE CATEGORY AND THE MUSCOY GENERAL COMMERCIAL (MS/CG) ZONING DISTRICT; WITHIN THE SPHERE OF INFLUENCE OF THE CITY OF SAN BERNARDINO; 5<sup>TH</sup> SUPERVISORIAL DISTRICT; APN: 0267-012-09; PROJ-2023-00107.**

Pursuant to San Bernardino County Development Code Section 85.06.040 the following findings and facts are made in support of approval of a Conditional Use Permit to allow a warehouse use consisting of two buildings and ancillary offices as follows:

- 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 spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.**

With the exception of the requested variance, the project site is adequate in size and shape to accommodate the proposed warehouse and office uses, including all required site improvements such as landscaping, loading areas, circulation, parking, setbacks, walls, and other development standards. The site layout has been designed to comply with applicable development regulations in the Community Industrial (IC) zone. In accordance with requirements imposed by government code Section 65869 and as further detailed in the Planning Commission Staff Report. A Minor Variance application was approved to allow a 15 ft. front yard setback for each of the Buildings on the project site.

- 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 project site has adequate access to serve the proposed use. The project design incorporates appropriate ingress and egress points from the project driveways and is served by roadways capable of accommodating anticipated traffic volumes, including truck traffic associated with warehouse operations. The project will provide site access from three driveways. There will be two driveways on Cajon Boulevard. The driveway on Cajon Boulevard adjacent to the residential uses (east of Building 2) will be a 30-foot driveway marked as "No Truck Entrance" and will be for vehicular passenger use. The other driveway on Cajon Boulevard will be a 50-foot-wide driveway for truck ingress and egress. There will be one driveway on

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June Street that will be 30-feet wide for employees only and will be marked as “No Truck Entrance” (See Exhibit A, Site Plan for driveways).

3. **The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems.**

The proposed use will not have a substantial adverse effect on adjacent properties or their permitted uses. The warehouse operation is consistent with surrounding uses and will not generate excessive noise, traffic, vibration, or other disturbances beyond acceptable thresholds with the conditions of approval and mitigation measures to be incorporated into this project. Additionally, the project will not interfere with the use of solar energy systems on adjacent properties.

4. **The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan and any applicable community or specific plan.:**

The proposed use and development are consistent with the goals, policies, maps, and standards of the applicable General Plan and zoning regulations. The Limited Industrial (LI) Land Use Category designation and application of the Community Industrial (IC) Land Use Zoning District allow for and encourage warehouse and office uses subject to approval of a Conditional Use Permit. The project supports economic development objectives and promotes a countywide job-housing balance. Water for the project will be provided by the San Bernardino Valley Water District. Thus, the proposed warehouse use is consistent with the following Countywide Plan Policies:

- a) Policy LU-2.12 Office and Industrial Development in the Valley Region: We encourage office and industrial uses in the unincorporated Valley region in order to promote a countywide jobs-housing balance.
- b) Policy IU-1.1: Water Supply: We require that new development be connected to public water system or a County-approved well to ensure a clean and resilient supply of portable water, even during cases of prolonged drought.

5. **There is supporting infrastructure, existing or available, consistent with the intensity of the development, to accommodate the proposed development without significantly lowering service levels.**

There is adequate infrastructure planned, to support the proposed development. Public services and utilities, including water, sewer, drainage, and roadway systems, are available and capable of accommodating the project without significantly reducing service levels. The

project will be required to make street and sidewalk improvements. Offsite improvements include street widening on Cajon Boulevard and June Street, along with curb and gutter, sidewalks, and driveway improvements. The project also includes installation of a water main line on Cajon Boulevard. Water and sewer will be provided by the San Bernardino Valley Water District.

**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 are reasonable and necessary to ensure that the project operates in a manner that protects public health, safety, and general welfare. The conditions of approval for the warehouse address operational characteristics, site development standards, and mitigation of potential impacts to protect the overall public health, safety and general welfare of the public.

**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 project design has considered opportunities for solar energy systems and passive or natural heating and cooling. Building orientation, roof design, and site layout allow for potential future installation of solar infrastructure and energy-efficient design features.

**ENVIRONMENTAL FINDINGS:**

The environmental findings, in accordance with Section 85.03.040 of the San Bernardino County Development Code, are as follows:

Pursuant to the requirements of the California Environmental Quality Act (CEQA), CEQA Guidelines, and the San Bernardino County Environmental Review Guidelines the above-referenced Project has been determined through the preparation of an initial study and associated technical documents to not have a significant adverse impact on the environment with the implementation of mitigation measures. A Mitigated Negative Declaration (MND) is adopted and a Notice of Determination will be filed in accordance with CEQA. The MND represents the independent judgment and analysis of the County acting as lead agency for the Project.

**END OF FINDINGS**

# **EXHIBIT I**

**FINDINGS: VARIANCE**

**A VARIANCE TO ALLOW A 10-FOOT ENCROACHMENT INTO THE REQUIRED 25-FOOT FRONT YARD SETBACK, RESULTING IN A 15-FOOT FRONT YARD SETBACK, FOR EACH OF THE INDUSTRIAL BUILDINGS ON A 4.59-ACRE PARCEL FOR PROPOSED WAREHOUSES AND ANCILLARY OFFICE USES; LOCATED ON THE SOUTHEAST CORNER OF CAJON BOULEVARD AND JUNE STREET; WITHIN THE LIMITED INDUSTRIAL (LI) LAND USE CATEGORY AND THE MUSCOY GENERAL COMMERCIAL (MS/CG) ZONING DISTRICT; LOCATED WITHIN THE SPHERE OF INFLUENCE OF THE CITY OF SAN BERNARDINO; 5<sup>TH</sup> SUPERVISORIAL DISTRICT; APN: 0267-012-09; PROJECT NUMBER: PROJ-2023-00107.**

Pursuant to San Bernardino County Development Code Section 85.17.060 the following findings and facts are made in support of approval of the requested variance:

- 1. THE GRANTING OF THE VARIANCE WILL NOT BE MATERIALLY DETRIMENTAL TO OTHER PROPERTIES OR LAND USES IN THE AREA AND WILL NOT SUBSTANTIALLY INTERFERE WITH THE PRESENT OR FUTURE ABILITY TO USE SOLAR ENERGY SYSTEMS:**

The granting of the variance will not be materially detrimental to adjacent properties or land uses in the area. The project has been designed to be compatible with surrounding uses through the incorporation of buffering elements, including sound walls, building placement, and landscaping. In addition, the proposed layout of the driveways, and site configuration are designed to minimize the potential for traffic congestion.

Furthermore, the reduced front yard setback will not substantially interfere with the present or future ability of adjacent properties to utilize solar energy systems, as the project's design, orientation, and scale will not result in significant shading impacts.

- 2. THERE ARE EXCEPTIONAL OR EXTRAORDINARY CIRCUMSTANCES OR CONDITIONS APPLICABLE TO THE SUBJECT PROPERTY OR TO THE INTENDED USE THAT DO NOT APPLY TO OTHER PROPERTIES IN THE SAME VICINITY AND LAND USE ZONING DISTRICT:**

There are exceptional circumstances applicable to the subject property that do not generally apply to other properties in the same vicinity and zoning district. Specifically, the parcel's irregular flag shape, size, and configuration and the existing 20-foot-wide flood control easement in the rear of the property constrains the developable area by requiring a larger setback and limits site design flexibility that does not apply to other properties in the same vicinity and land use zoning district. The irregular flag shape, size of the project site, together with the required setbacks and dedications, prevent the depth necessary to construct an

economically viable industrial structure while also complying with countywide development standards related to parking and open space.

**3. STRICT APPLICATION OF THE LAND USE DISTRICT STANDARDS DEPRIVES SUCH PROPERTY OF PRIVILEGES ENJOYED BY OTHER PROPERTIES IN THE VICINITY OR IN THE SAME LAND USE DISTRICT:**

The strict application of the development standards would deprive the property of privileges enjoyed by other similarly zoned properties in the vicinity. Without the variance, the combined constraints of the parcel shape, size, and configuration and the 20 ft. Flood Control drainage easement on the property would restrict the ability to develop the site in a manner consistent with other permitted industrial uses and properties in the vicinity or within the Community Industrial (IC) Land Use Zoning District

**4. THE GRANTING OF THE VARIANCE IS COMPATIBLE WITH THE MAPS, OBJECTIVES, POLICIES, PROGRAMS, AND GENERAL LAND USES SPECIFIED IN THE COUNTYWIDE PLAN AND APPLICABLE SPECIFIC PLAN:**

The granting of the variance is compatible with the Countywide Plan and applicable land use policies. The proposed industrial warehouse and ancillary office use is alignment with the type of uses allowed and encouraged in the General Plan Designation of Limited Industrial (LI) and the Community Industrial (IC) zone. Furthermore, the Project does not conflict with the goals, objectives, or programs of the Countywide Plan for uses in the Limited Industrial (LI) Land Use Category. Additionally, water will be supplied for the project by the San Bernardino Municipal Water District. The project specifically implements the following San Bernardino County General Plan (Countywide Plan) Goals and policies:

- a) Policy LU-2.12 Office and Industrial Development in the Valley Region: We encourage office and industrial uses in the unincorporated Valley region in order to promote a countywide jobs-housing balance.
- b) Policy IU-1.1: Water Supply: We require that new development be connected to public water system or a County-approved well to ensure a clean and resilient supply of portable water, even during cases of prolonged drought.

**END OF FINDINGS**

# **EXHIBIT J**

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**TENTATIVE PARCEL MAP FINDINGS:**

**A TENTATIVE PARCEL MAP (TPM) NO. 20798 TO SUBDIVIDE A 4.59-ACRE PARCEL INTO TWO PARCELS (2.39 ACRES AND 2.9 ACRES). THE GROSS ACREAGE SIZE IS 4.67-ACRES; LOCATED ON THE SOUTHEAST CORNER OF CAJON BOULEVARD AND JUNE STREET; WITHIN THE LIMITED INDUSTRIAL (LI) LAND USE CATEGORY AND THE MUSCOY GENERAL COMMERCIAL (MS/CG) ZONING DISTRICT-VALLEY REGION; LOCATED WITHIN THE SPHERE OF INFLUENCE OF THE CITY OF SAN BERNARDINO; 5TH SUPERVISORIAL DISTRICT; APN: 0267-012-09; PROJECT NUMBER: PROJ-2023-00107.**

Pursuant to San Bernardino County Development Code Section 87.02.060 and the State Subdivision Map Act (Government Code Section 66410 et. seq.) the following findings and facts are made in support of the approval of TPM No. 20798:

- A. The proposed map, subdivision design, and improvements are consistent with the General Policy Plan, any applicable community plan, and any applicable specific plan.**

TPM, subdivision design, and improvements are consistent with the Policy Plan. The land use designation in the Policy Plan for the project site is Limited Industrial (LI), which supports office and industrial uses to promote a jobs-housing balance in the Valley region. The proposed warehouse and ancillary office use associated with the TPM are consistent with this policy. Planned improvements for the project site include street widening, sidewalks, curbs, and gutters. The planned improvements are also consistent with the Policy Plan.

- B. The site is physically suitable for the type and proposed density of the development.**

The site is physically suitable for the proposed warehouse use and ancillary office use as well as the density of the proposed project. The site is adequate in size and shape to accommodate the proposed use including the required site improvements. Site improvements include parking, trash enclosure, landscaping, walls, building height, and other development standards. With the requested variance, the site layout has been designed to comply with applicable development standards in the Community Industrial (IC) zone based on the land use designation of Limited Industrial (LI). While a variance is requested for the construction of the intended use of the parcels, the parcels themselves satisfy the required subdivision standards for the development within the Community Industrial (IC) zone.

**C. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife habitat.**

The subdivision design and improvements are not likely to cause substantial environmental damage or significantly impact fish or wildlife habitat. An Initial Study and supporting technical analyses prepared for the Project determined that all potential impacts can be mitigated to a less-than-significant level. A Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) have been adopted to ensure compliance. The project is also subject to applicable regulations of the California Department of Fish and Wildlife.

**D. The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems.**

The design of the subdivision and proposed improvements will not result in serious public health or safety problems. The project has been reviewed by responsible agencies, and conditions of approval have been incorporated to ensure compliance with applicable standards. Environmental review confirms that impacts will be less than significant with mitigation.

**E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

The design of the subdivision and proposed improvements will not conflict with existing or proposed easements for public access or use. The approval of the Tentative Parcel Map will require all existing and required easements to remain in place and unobstructed. Furthermore, no improvements are required that would conflict with any easements for the proposed subdivision.

**F. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by California Regional Water Quality Control Board.**

The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board. Development/construction for the proposed subdivision will require the San Bernardino County Department of Public Health-Environmental Health Services Division to review, and approve any plans, mechanisms, treatments, connections, or systems to combat the discharge of sewage into the community sewer system.

**G. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities.**

The subdivision allows for future development/construction to be designed to allow passive or natural heating and cooling opportunities that exist on the project site because of its location and requirements/standards from applicable regulatory and servicing agencies.

**H. The proposed subdivision, its design, density, and type of development and improvements conforms to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law.**

The proposed subdivision meets the lot size, depth, width, density, and gross acreage requirements for properties in the Community Industrial (IC) Valley Region Zoning District in the Development Code. Based on the Land Use Category of Limited Industrial (LI) the proposed project is allowed to utilize the development standards in the Community Industrial (IC) Zoning District in lieu of the development standards in the Muscoy General Commercial (MS/CG) zone. Furthermore, agencies having jurisdiction by law have reviewed the proposed subdivision and have provided conditions of approval to ensure regulations of the Development Code and any applicable federal, state and local laws are met.

**END OF FINDINGS**

# **EXHIBIT K**



# Conditions of Approval

<b>Record:</b>	PROJ-2023-00107	<b>System Date:</b>	04/30/2026
<b>Record Type:</b>	Project Application	<b>Primary APN:</b>	0267012090000
<b>Record Status:</b>	In Review	<b>Application Name:</b>	CF- CUP /MINOR VARIANCE/TPM
<b>Effective Date:</b>	June 2, 2026	<b>Expiration Date:</b>	June 2, 2029

**Description:** A CONDITIONAL USE PERMIT (CUP) TO CONSTRUCT TWO INDUSTRIAL BUILDINGS TOTALING 88,174 SQUARE FEET (BUILDING #1: 48,887 SQ. FT. AND BUILDING #2 39,287 SQ. FT.) A MINOR VARIANCE REQUEST TO REDUCE THE FRONT YARD SETBACK FROM 25' TO 15'; AND A TENTATIVE PARCEL MAP TO SUBDIVIDE AN APPROXIMATELY 4.59 ACRE PARCEL INTO TWO PARCELS (2.39 ACRES AND 2.2 ACRES), LOCATED ON THE SOUTH EAST CORNER OF CAJON BOULEVARD AND JUNE STREET; WITHIN THE COUNTYWIDE PLAN DESIGNATION OF LIMITED INDUSTRIAL (LI); ZONED MUSCOY GENERAL COMMERCIAL (MS/CG); WITHIN THE CITY OF SAN BERNARDINO SPHERE OF INFLUENCE; APN: 0267-012-09; 5TH SUPERVISORIAL DISTRICT; PROJECT NUMBER: PROJ-2023-00107.

**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 **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.
  
- 2 **Continuous 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.

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

This Conditional Use Permit, Variance and Tentative Parcel Map is conditionally approved to allow two Warehouse Buildings with ancillary offices totaling 88,174 sq. ft. (Building 1: 48,887 sq. ft. and Building 2: 39, 287 sq. ft.), a Variance to reduce the minimum front yard setback from 25 ft to 15 ft. and a Tentative Parcel Map to subdivide a 4.59-acre parcel into two parcels (2.2 and 2.39 acres). ", 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.

4 **Project Location** - Status: Outstanding

The Project site is located at: 3962 Cajon Boulevard, San Bernardino, CA. 92407. (Southeast corner of Cajon Blvd. and June St.)

5 **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.

6 **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.

7 **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: Caltrans, CARB c. COUNTY: Planning, Land Development, DPW-Traffic, Solid Waste Management, Surveyor, Environmental Health Services, Fire, Building and Safety, Flood Control, d. LOCAL: SCAQMD

8 **Expiration** - Status: Outstanding

This project permit approval shall expire and become void if it is not "exercised" within 36 month 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.

9 **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)

10 **Project Account** - Status: Outstanding

The Project account number is, PROJ-2023-00107. 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.

- 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 **Condition Compliance** - Status: Outstanding  
Condition Compliance Release forms are required for Prior to Land Disturbance, Prior to Building Permit Issuance and Prior to Building Occupancy.
- 13 **Performance Standards** - Status: Outstanding  
The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste
- 14 **Clear Sight Triangle** - Status: Outstanding  
Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic
- 15 **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.
- 16 **Underground Utilities** - Status: Outstanding  
No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
- 17 **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.
- 18 **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.

19 **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.

20 **GHG - Operational Standards** - Status: Outstanding

The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project: a. Waste Stream Reduction. The "developer" shall provide to all tenants and project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services. b. Vehicle Trip Reduction. The "developer" shall provide to all tenants and project employees County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides. c. Provide Educational Materials. The developer shall provide to all tenants and staff education materials and other publicity about reducing waste and available recycling services. The education and publicity materials/program shall be submitted to County Planning for review and approval. The developer shall also provide to all tenants and require that the tenants shall display in their stores current transit route information for the project area in a visible and convenient location for employees and customers. d. Landscape Equipment. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.

21 **Operational Condition** - Status: Outstanding

"No Truck Idling Signs" Signs shall be posted at truck driveway entrance, exits and dock loading areas. Signs should also contain contact information to report violations.

22 **Operational Condition** - Status: Outstanding

Truck Refrigeration Idle Control Systems which adhere to no idling must be utilized for this project.

### Public Health– Environmental Health Services

23 **Noise Levels** - Status: Outstanding

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

24 **OWTS Maintenance** - Status: Outstanding

The onsite wastewater treatment system shall be maintained so as not to create a public nuisance and shall be serviced by an EHS permitted pumper.

25 **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 - Traffic

26 **Access** - Status: Outstanding

The access point to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.

- 27 **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.
- 28 **Directional Sign Maintenance** - Status: Outstanding  
All required directional signage for traffic entering and exiting the site shall be installed and continuously maintained outside the Public road right-of-way in good condition for both day and night time visibility.

## INFORMATIONAL

### Land Use Services - Planning

- 29 **Subdivisions - Additional Permits** - Status: Outstanding  
The property owner, developer and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include: FEDERAL: STATE: COUNTY: LOCAL:
- 30 **Subdivisions - 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.
- 31 **Subdivisions - Expiration/TPM** - Status: Outstanding  
This conditional approval of the Tentative Parcel Map shall become null and void unless all conditions have been completed and the Tentative Map has been deemed complete by the County Surveyor for purposes of recordation within 36 months following the effective approval date, unless an extension of time is granted. PLEASE NOTE: This will be the ONLY notice given of the approval expiration date. The developer is responsible for initiation of any extension request.
- 32 **Subdivisions - Extension of Time/TPM** - Status: Outstanding  
Where circumstances cause delays, which do not permit compliance with the required recordation time limit, the developer may submit for review and approval an application requesting an extension of time. County Land Use Services may grant such requests for extensions of time in compliance with the State Map Act Section 66452.6. An Extension of Time may be granted upon a successful review of an Extension of Time application, which includes a justification of the delay in recordation, a plan of action for completion and submittal of the appropriate fee, not less than 30 days prior to the expiration date. The granting of an extension request is a discretionary action that may be subject to additional or revised conditions of approval.
- 33 **Subdivisions - 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.

34 **Subdivisions - Project Account (TT/TPM)** - Status: Outstanding

The Project account number is PROJ-2023-00107 and the TPM No, is 20798. 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 expenses 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 shall be in the project account at the time of project approval and the initiation of the Condition Compliance Review. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to recordation.

35 **Subdivisions - Revisions/TPM** - Status: Outstanding

Any proposed change to the approved Tentative Parcel Map and/or the 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.

36 **Subdivisions - State and Federal Endangered Species Act** - Status: Outstanding

This approval does not relieve the property owner or project proponent of responsibility to comply with State and Federal Endangered Species Acts. If any sensitive species are identified during grading, building or land disturbing activity, all on-site activities must cease, the California Department of Fish and Wildlife (CDFW) and/or U.S. Fish and Wildlife Service (USFWS) (as applicable) must be contacted to discuss specific mitigation measures and to obtain the necessary incidental take permits. Proof of an incidental take permit from the appropriate agency, or letter stating a permit is not required, must be furnished to the Planning Division. All mitigation measures must be agreed upon and implemented prior to construction activity resuming.

37 **Subdivisions- Condition Compliance** - Status: Outstanding

Condition compliance confirmation for purposes of Parcel Map recordation will be coordinated by the County Surveyor.

## **County Fire - Community Safety**

38 **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.

39 **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 with 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.

40 **F08 Fire Safety Overlay** - Status: Outstanding

The County General Plan designates this property as being within the Fire Safety Review Area. All construction shall adhere to all applicable standards and requirements of the Fire Safety Review Area as adopted in the San Bernardino County Development Code.

41 **F20 Access – 150+ feet** - Status: Outstanding

Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. Roadways shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.

42 **F36 Sprinkler Installation Letter** - Status: Outstanding

The applicant shall submit a letter to the Fire Department agreeing and committing to installation of a fire protection system prior to the building inspection for drywall and insulation.

43 **F67 Emergency Responder Radio System** - Status: Outstanding

An emergency responder radio system is required. The applicant shall hire a qualified designer, to submit detailed plans with manufactures' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. Frequencies used and tower locations can be found at

<https://www.radioreference.com/apps/db/?sid=7016>

<https://www.radioreference.com/apps/db/?action=siteMap&sid=7016&type=fcc>

44 **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. 1. In the event that there is High Pile Storage and ESFR heads are installed, then a Mechanical Smoke Removal System will be required per Standard S-1.

45 **F71 Proposal Changes** - Status: Outstanding

Any changes to this proposal shall require new Fire Department condition letter.

## **Land Use Services - Land Development**

46 **Natural Drainage** - Status: Outstanding

The natural drainage courses traversing the site shall not be occupied or obstructed.

47 **Tributary Drainage** - Status: Outstanding

Adequate provisions should be made to intercept and conduct the tributary off-site and on-site 100-year drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. The project site shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions.

## **Public Works - Solid Waste Management**

48 **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](mailto:solid.wastemail@dpw.sbcounty.gov).

49 **Franchise Hauler Service Area** - Status: Outstanding

This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (Burrtec Waste and Recycling).

50 **Mandatory Trash, Organic Waste, and Recycling Service** - Status: Outstanding

This property falls within a Uniform Handling Service area and is subject to California Senate Bill (SB) 1383. All owners of a dwelling or a commercial or industrial unit within the uniform handling area shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement for trash, recycling, and organic waste (includes green waste and food waste) collection services and pay the rates of such services; or apply to the County for a self-haul exemption from uniform handling service. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5.

51 **Recycling and Organic Waste Collection Container Information** - Status: Outstanding

California Assembly Bill (AB) 827 and Senate Bill (SB) 1383 require businesses that sell products meant for immediate consumption and currently provide trash collection containers for their customers to provide recycling and/or organics collection containers adjacent to trash containers at front-of-house, except in restrooms. Full-service restaurants are exempt from these requirements as long as they provide containers for employees to separate post-consumer recyclables and organic waste purchased on the premise for customers.

52 **Recycling Storage Capacity** - Status: Outstanding

The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of California Assembly Bill (AB) 2176.

## **PRIOR TO LAND DISTURBANCE**

### **Land Use Services - Planning**

53 **Air Quality** - Status: Outstanding

Although the Project does not exceed South Coast Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the South Coast Air Quality Management District is in non-attainment status for ozone and suspended particulates [PM10 and PM2.5 (State)]. To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. This would include, but not be limited to, the following Best Available Control Measures. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures: a. The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities. 1. The Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered to ensure that a crust is

formed on the ground surface, and shall be watered at the end of each workday. 2. The Project proponent shall ensure that all disturbed areas are treated to prevent erosion. 3. The Project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour. b. Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, will increase NOX and PM10 levels in the area. Although the Project will not exceed South Coast Air Quality Management District thresholds during operations, the Project proponent will be required to implement the following requirements: 1. All equipment used for grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel. 2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.

54 **Diesel Regulations** - Status: Outstanding

The operator shall comply with all existing and future California Air Resources Board and the South Coast Air Quality Management District regulations related to diesel-fueled trucks, which among others may include: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. South Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.

55 **GHG - Construction Standards** - Status: Outstanding

The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce GHG emissions and submitting documentation of compliance. The developer/construction contractors shall do the following: a) Implement the approved Coating Restriction Plans. b) Select construction equipment based on low GHG emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment. c) Grading contractor shall provide and implement the following when possible: - training operators to use equipment more efficiently. - identifying the proper size equipment for a task can also provide fuel savings and associated reductions in GHG emissions. - replacing older, less fuel-efficient equipment with newer models. - use GPS for grading to maximize efficiency. d) Grading plans shall include the following statements: - "All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration." - "All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes." e) Schedule construction traffic ingress/egress to not interfere with peak-hour traffic and to minimize traffic obstructions. Queuing of trucks on and off site shall be firmly discouraged and not scheduled. A flagperson shall be retained to maintain efficient traffic flow and safety adjacent to existing roadways. f) Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures. g) The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.

56 **Mitigation Measures** - Status: Outstanding

Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to grading permit issuance.

## **Land Use Services - Building and Safety**

57 **Geotechnical Report** - Status: Outstanding

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

58 **Wall Plans** - Status: Outstanding

Submit plans and obtain separate building permits for any required retaining walls.

## Land Use Services - Land Development

- 59 **BMP Enforcement.** - Status: Outstanding  
In the event the property owner/"developer" (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by the County Department of Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees, and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.
- 60 **Continuous BMP Maintenance.** - Status: Outstanding  
The property owner/"developer" is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved final Water Quality Management Plan (WQMP) for the project. Refer to approved WQMP maintenance section.
- 61 **Drainage Improvements** - Status: Outstanding  
A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safe manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. An \$810 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
- 62 **Erosion Control Installation.** - Status: Outstanding  
Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
- 63 **FEMA Flood Zone.** - Status: Outstanding  
FEMA Flood Zone. The project is located within Flood Zone XXX
- 64 **Grading Plans** - Status: Outstanding  
Grading and erosion control plans shall be prepared in accordance with the County's guidance documents (which can be found here: <https://lus.sbcounty.gov/land-development-home/grading-and-erosion-control/>) and submitted for review with approval obtained prior to construction. All drainage and WQMP improvements shall be shown on the grading plans according to the approved final drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
- 65 **On-site Flows** - Status: Outstanding  
On-site flows need to be directed to the nearest County maintained road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
- 66 **Project Specific Conditions** - Status: Outstanding  
Flood Control District Review. A proof of applying for an encroachment permit from Flood Control District shall be submitted to Land Development for permit requirements and working within the District right-of-way. Contact Flood Control District, Flood Permits Section for permit information at (909) 387-7995
- 67 **State Construction Stormwater General Permit:** - Status: Outstanding  
Notice of Intent (NOI) and WDID # are required on all land disturbance of one (1) acre or more prior to issuance of a grading/construction permit. For questions regarding the State Construction Stormwater General Permit, please

contact: [https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html)

68 **WQMP** - Status: Outstanding

A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained prior to construction. A \$2,862 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. Review processed on an actual cost basis. Copies of the WQMP guidance and template can be found at: (<https://dpw.sbcounty.gov/wqmp-templates-and-forms/>)

69 **WQMP Inspection Fee** - Status: Outstanding

The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

### **Public Health– Environmental Health Services**

70 **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.

### **Public Works - Surveyor**

71 **Corner Records Required Before Grading** - Status: Outstanding

Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances: a. Monuments set to mark property lines or corners; b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel; c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

72 **Monument Disturbed by Grading** - Status: Outstanding

If any activity on this project will disturb ANY land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying PRIOR to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

## **PRIOR TO RECORDATION**

### **Land Use Services - Planning**

73 **Mitigation Measures** - Status: Outstanding

Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to recordation.

74 **Subdivision - CDP/Planning Division** - Status: Outstanding

The following shall be delineated or noted on the CDP (Statements in quotations shall be verbatim):

- 75 **Subdivision - Composite Development Plan (CDP)** - Status: Outstanding  
A Composite development plan ("CDP"), complying with the County Development Code, shall be submitted for review and approval by the County Surveyor and filed with Land Use Services prior to recordation of the Parcel Map.
- 76 **Subdivision - Funds** - Status: Outstanding  
Sufficient funds shall remain in PROJ-2023-00107 to verify compliance with the conditions of approval for the Parcel Map.

### County Fire - Community Safety

- 77 **F16 Access** - Status: Outstanding  
The development shall have a minimum of three points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. b. Multi-Story Road Access Width. Fire apparatus access roadways serving buildings that are three (3) or more stories or thirty (30) feet or more in height shall be a minimum of thirty (30) feet in unobstructed width and vertically to fourteen (14) feet six (6) inches in height.

### Land Use Services - Building and Safety

- 78 **Composite Development Plan (CDP) Note Requirements** - Status: Outstanding  
The following Composite Development Plan (CDP) Requirements shall be placed on the CDP submitted as a requirement for Recordation of the final map. Wall Plans: Submit plans and obtain separate permits for any required retaining walls. A geotechnical (soil) report shall be submitted to the Building and Safety Division under a separate Geotechnical (GTR) record for review and approval prior to issuance of grading permits or land disturbance. Construction Plans: Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division. Temporary Use Permit: 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.

### Land Use Services - Land Development

- 79 **Drainage Improvements** - Status: Outstanding  
A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safe manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. An \$810 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
- 80 **Construction Permits** - Status: Outstanding  
Prior to installation of road and drainage improvements, a construction permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.

- 81 **Encroachment Permits** - Status: Outstanding  
Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction.
- 82 **Improvement Securities** - Status: Outstanding  
Any required public road, drainage, WQMP, and/or utility improvements for subdivisions shall be bonded in accordance with County Development Code unless constructed and approved prior to recordation. All necessary fees shall be provided in accordance with the latest fee schedule.
- 83 **Maintenance Bond** - Status: Outstanding  
Once all required public road, drainage, WQMP, and/or utility improvements have been completed and accepted, then a maintenance bond for a period of one year shall be required to insure satisfactory condition of all improvements. Submit necessary fees, per the latest fee schedule, for new securities.
- 84 **Road Dedication/Improvements** - Status: Outstanding  
The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements designed by a Registered Civil Engineer (RCE) licensed in the State of California: Cajon Boulevard (Major Highway – 104 feet) • Road Dedication. A 7-foot grant of easement is required to provide a half-width right-of-way of 52 feet, and a 50-foot return radius grant of easement is required at the intersection of Cajon Boulevard and June Street. • Street Improvements. Design curb and gutter with match up paving 40 feet from centerline with a minimum 80-foot paved section within a 104-foot right-of-way. • Sidewalks. Design sidewalks per County Standard 109 Type "C". • Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within public right-of-way. • Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130. June Street (Local Street – 60 feet) • Street Improvements. Design curb and gutter with match up paving 18 feet from centerline with a minimum 36-foot paved section within a 60-foot right-of-way. • Sidewalks. Design sidewalks per County Standard 109 Type "C". • Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within public right-of-way. • Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130. .
- 85 **Road Standards and Design** - Status: Outstanding  
All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Mountain Desert Road Standards of San Bernardino County and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.
- 86 **Slope Easements and Tests.** - Status: Outstanding  
Slope rights shall be dedicated where necessary. Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of the County Department of Public Works.
- 87 **Soils Testing** - Status: Outstanding  
Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.
- 88 **Street Gradients** - Status: Outstanding

Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of the County Department of Public Works confirming the adequacy of the grade.

89 **Streetlights** - Status: Outstanding

This project lies within the streetlight district boundary of County Service Area 70, Zone SL-1. Due to the projected use of the property, streetlighting will be required. This project requires streetlights per San Bernardino County Department of Public Works Special Districts Streetlighting Section, streetlight plans will be submitted directly to Special Districts, but all streetlights must be show on the street improvement plans submitted to Land Development. Streetlight poles shall be Marbelite type. Please contact (909) 386-8821 for requirements or for additional information.

90 **Transitional Improvements** - Status: Outstanding

Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing sections shall be required as necessary.

91 **Utilities** - Status: Outstanding

Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction. Any such utility shall be relocated as necessary without cost to the County.

## **Public Health– Environmental Health Services**

92 **Individual Wells** - Status: Outstanding

If an approved water company cannot serve the project, individual wells are authorized for each daughter parcel providing that County Development Code infrastructure requirements can be met. Conceptual plans, showing that wells and septic system locations meet setback requirements, may be required (§ 83.09.060). If wells are approved, the following notes shall be placed on the Composite Development Plan (CDP), "An individual well shall be utilized as the domestic water source for each lot. The well shall be installed and approved by EHS prior to the issuance of building permits for each lot."

93 **New OWTS for Parcel Maps and Tracts** - Status: Outstanding

1. If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: a. A soil percolation report shall be submitted to EHS for review and approval. For information, please contact the Wastewater Section at (800) 442-2283. b. The following note shall be placed on a Composite Development Plan (CDP): "An approved percolation report, (EHS reference number) prepared by (person/firm name & credentials) on (date prepared), is on file with EHS."

## **Public Works - Surveyor**

94 **Easements** - Status: Outstanding

Easements within the reminder portion of the map are to be dedicated by separate document.

95 **Easements of Record** - Status: Outstanding

Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easement of record, which cannot be relinquished or relocated, shall be redesigned.

96 **Final Map Review** - Status: Outstanding

Review of the Parcel Map by our office is based on actual cost, and requires an initial \$3,000.00 deposit. Prior to recordation of the map all fees due to our office for the project shall be paid in full.

- 97 **Final Map Signatures** - Status: Outstanding  
Final Parcel map notarized signatures by the Owner (and Beneficiaries if applicable), County Auditor, Land Surveyor or Engineer of Record.
- 98 **Non-Interference Letter** - Status: Outstanding  
Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
- 99 **Parcel Map Required** - Status: Outstanding  
A Parcel Map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.
- 100 **Title Report** - Status: Outstanding  
A current Title Report prepared for subdivision purposes is required at the time the map is submitted to our office for review.

## PRIOR TO BUILDING PERMIT ISSUANCE

### Land Use Services - Planning

- 101 **Architecture** - Status: Outstanding  
Architectural elevations are considered conceptual. Final details with colors and material samples shall be submitted to the Planning Division for approval prior to building plan check submittal.
- 102 **Landscape and Irrigation Plan** - Status: Outstanding  
Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit four copies of a landscape and irrigation plan to County Planning.
- 103 **Lighting Plans** - Status: Outstanding  
The developer shall submit for review and approval to County Planning a photometric study demonstrating that the project light does not spill onto the adjacent properties, or public streets. Lighting fixtures shall be oriented and focused to the onsite location intended for illumination (e.g. walkways). Lighting shall be shielded away from adjacent sensitive uses, including the adjacent residential development, to minimize light spillover. The glare from any luminous source, including on-site lighting, shall not exceed 0.5 foot-candle at the property line. This shall be done to the satisfaction of County Planning, in coordination with County Building and Safety.
- 104 **GHG - Building Design** - Status: Outstanding  
Building Design. Building design and construction shall incorporate the following elements: - Orient building locations to best utilize natural cooling/heating with respect to the sun and prevailing winds/natural convection to take advantage of shade, day lighting and natural cooling opportunities. - Utilize natural, low maintenance building materials that do not require finishes and regular maintenance. - Roofing materials shall have a solar reflectance index of 78 or greater. - All supply duct work shall be sealed and leak-tested. Oval or round ducts shall be used for at least 75 percent of the supply duct work, excluding risers. - Energy Star or equivalent appliances shall be installed. - A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units.
- 105 **GHG - Design Standards** - Status: Outstanding  
The developer shall submit for review and obtain approval from County Planning evidence that the conditioned

measures have been incorporated into the design of the project. These are intended to reduce potential project greenhouse gas (GHGs) emissions. Proper installation of the approved design features and equipment shall be confirmed by County Building and Safety prior to final inspection of each structure.

106 **GHG - Irrigation** - Status: Outstanding

Irrigation. The developer shall submit irrigation plans that are designed, so that all common area irrigation areas shall be capable of being operated by a computerized irrigation system, which includes either an on-site weather station, ET gauge or ET-based controller capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain and wind. In addition, the computerized irrigation system shall be equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks and eliminating over-watering and flooding due to pipe and/or head breaks.

107 **GHG - Landscaping** - Status: Outstanding

Landscaping. The developer shall submit for review and obtain approval from County Planning of landscape and irrigation plans that are designed to include drought tolerant and smog tolerant trees, shrubs, and groundcover to ensure the long-term viability and to conserve water and energy. The landscape plans shall include shade trees around main buildings, particularly along southern and western elevations, where practical.

108 **GHG - Lighting** - Status: Outstanding

Lighting. Lighting design for building interiors shall support the use of: - Compact fluorescent light bulbs or equivalently efficient lighting. - Natural day lighting through site orientation and the use of reflected light. - Skylight/roof window systems. - Light colored building materials and finishes shall be used to reflect natural and artificial light with greater efficiency and less glare. - A multi-zone programmable dimming system shall be used to control lighting to maximize the energy efficiency of lighting requirements at various times of the day. Provide a minimum of 2.5 percent of the project's electricity needs by on-site solar panels.

109 **GHG - Plumbing** - Status: Outstanding

Plumbing. All plumbing shall incorporate the following: - All showerheads, lavatory faucets, and sink faucets shall comply with the California Energy Conservation flow rate standards. - Low flush toilets shall be installed where applicable as specified in California State Health and Safety Code Section 17921.3. - All hot water piping and storage tanks shall be insulated. Energy efficient boilers shall be used.

110 **GHG - Recycling** - Status: Outstanding

Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be located in public areas. Construction and operation waste shall be collected for reuse and recycling.

111 **GHG - TDM Program** - Status: Outstanding

Transportation Demand Management (TDM) Program. The project shall include adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. Preferred carpool/vanpool spaces shall be provided and, if available, mass transit facilities shall be provided (e.g. bus stop bench/shelter). The developer shall demonstrate that the TDM program has been instituted for the project or that the buildings will join an existing program located within a quarter mile radius from the project site that provides a cumulative 20% reduction in unmitigated employee commute trips. The TDM Program shall publish ride-sharing information for ride-sharing vehicles and provide a website or message board for coordinating rides. The Program shall ensure that appropriate bus route information is placed in each building.

112 **GHG - Title 24 Energy Efficiency Requirements** - Status: Outstanding

Meet Title 24 Energy Efficiency requirements. The Developer shall document that the design of the proposed structures meets the current Title 24 energy-efficiency requirements. County Planning shall coordinate this review with the County Building and Safety. Any combination of the following design features may be used to fulfill this requirement, provided that the total increase in efficiency meets or exceeds the cumulative goal (100%+ of Title 24) for the entire project (Title 24, Part 6 of the California Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings, as amended: - Incorporate dual paned or other energy efficient windows, - Incorporate energy efficient space heating and cooling equipment, - Incorporate energy efficient light fixtures, photocells, and motion detectors, - Incorporate energy efficient appliances, - Incorporate energy efficient domestic hot water systems, - Incorporate solar panels into the electrical system, - Incorporate cool roofs/light colored roofing, - Incorporate other measures that will increase energy efficiency. - Increase insulation to reduce heat transfer and thermal bridging. - Limit air leakage throughout the structure and within the heating and cooling distribution system to minimize energy consumption.

## **County Fire - Community Safety**

### 113 **F02 Fire Fee** - Status: Outstanding

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

### 114 **F09 Building Plans** - Status: Outstanding

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

### 115 **F10 Combustible Protection** - Status: Outstanding

Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.

### 116 **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.

### 117 **F21 Turnaround** - Status: Outstanding

An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty-five (45) foot radius for all turns. In the Fire Safety Overlay District cul-de-sac length shall not exceed three hundred fifty (350) feet.

### 118 **F22 Primary Access Paved** - Status: Outstanding

Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.

### 119 **F23 Secondary Access Paved** - Status: Outstanding

Prior to building permits being issued to any new structure, the secondary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.

120 **F26 Fire Flow Test** - Status: Outstanding

Please provide a fire flow test report from your water purveyor that has been completed in the last six months demonstrating that the fire flow demand is satisfied.

121 **F27 Water System** - Status: Outstanding

Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 2375 GPM for a 2 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 49,401 sq.ft. structure.

122 **F28 Water System Commercial** - Status: Outstanding

A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred (300) feet from any portion of a structure.

123 **F33 Water System Certification** - Status: Outstanding

The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job site

124 **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

125 **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.

126 **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.

### Land Use Services - Land Development (Upon recordation of map, conditions with an \* are satisfied.)

\*127 **Construction Permits** - Status: Outstanding

Prior to installation of road and drainage improvements, a construction permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.

\*128 **Road Dedication/Improvements** - Status: Outstanding

The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE) licensed in the State of California: Cajon Boulevard (Major Highway – 104 feet) • Road Dedication. A 7-foot grant of easement is required to provide a half-width right-of-way of 52 feet, and a 50-foot return radius grant of easement is required at the intersection of Cajon Boulevard and June Street. • Street Improvements. Design curb and gutter with match up paving 40 feet from centerline with a minimum 80-foot paved section within a 104-foot right-of-way Sidewalks. Design sidewalks per County Standard 109 Type "C". • Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within public right-of-way. • Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130. June Street (Local Street – 60 feet) • Street Improvements. Design curb and gutter with match up paving 18 feet from centerline with a minimum 36-foot paved section within a 60-foot right-of-way. • Sidewalks. Design sidewalks per County Standard 109 Type "C". • Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within public right-of-way. • Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130 .

\*129 **Road Standards and Design** - Status: Outstanding

All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Mountain Desert Road Standards of San Bernardino County and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.

\*130 **Slope Easements** - Status: Outstanding

Slope rights shall be dedicated where necessary.

\*131 **Slope Tests** - Status: Outstanding

Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of the County Department of Public Works.

\*132 **Soils Testing** - Status: Outstanding

Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.

\*133 **Street Gradients** - Status: Outstanding

Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of the County Department of Public Works confirming the adequacy of the grade.

\*134 **Transitional Improvements** - Status: Outstanding

Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing sections shall be required as necessary.

\*135 **Utilities.** - Status: Outstanding

Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.

## Public Health– Environmental Health Services

- 136 **California Regional Water Quality Control Board Clearance** - Status: Outstanding  
Written clearance shall be obtained from the designated California Regional Water Quality Control Board (listed below) and a copy forwarded to the Division of Environmental Health Services for projects with design flows greater than 10,000 gallons per day. Santa Ana Region, 3737 Main St., Suite 500, Riverside, CA 92501-3339, 951-782-4130. Colorado River Basin Region, 73-720 Fred Waring Dr., Suite 100, Palm Desert, CA 92260, 760-346-7491. Lahontan Region, 15095 Amargosa Road Bldg 2 Suite 210 Victorville, CA 92392.
- 137 **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.
- 138 **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.
- 139 **New OWTS** - Status: Outstanding  
If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: a. A soil percolation report shall be submitted to EHS for review and approval. For information, please contact the Wastewater Section at (800) 442-2283. b. An Alternative Treatment System, if applicable, shall be required.
- 140 **Preliminary Acoustical Information** - Status: Outstanding  
Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the EHS for review and approval. For information and acoustical checklist, contact EHS at (800) 442-2283.
- 141 **Sewage Disposal** - Status: Outstanding  
Method of sewage disposal shall be sewer service provided by San Bernardino MWD or an EHS approved onsite wastewater treatment system (OWTS) that conforms to the Local Agency Management Program (LAMP).
- 142 **Sewer Service Verification Letter** - Status: Outstanding  
Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).
- 143 **Water and Sewer - LAFCO** - Status: Outstanding  
Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to EHS verification of Local Agency Formation Commission (LAFCO) approval of either: 1. Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or, 2. Out-of-agency service agreement for service outside a water and/or sewer

service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133.

- 144 **Water Purveyor** - Status: Outstanding  
Water purveyor shall be San Bernardino MWD or EHS approved.

### **Public Works - Solid Waste Management**

- 145 **CDWMP Part I** - Status: Outstanding  
CDWMP Part I must be submitted prior to issuance of the permit. For questions related to the submittal of this plan please call (909) 386-8701 or visit the EZOP website at <http://wp.sbcounty.gov/ezop/permits/construction-waste-management-plan-part-1/>

### **Public Works - Surveyor**

- 146 **Corner Records Required Before Building** - Status: Outstanding  
Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances: a. Monuments set to mark property lines or corners; b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel; c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.
- 147 **Monument Disturbed by Building** - Status: Outstanding  
If any activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

### **Public Works - Traffic**

- 148 **Regional Transportation Fee** - Status: Outstanding  
Regional Transportation Fee. This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the San Bernardino Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted, and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$1.89 per square foot for Industrial Use, which includes one 48,887 square foot building and one 39,287 square foot building per the site plan provided March 13, 2026. Therefore, the estimated Regional Transportation Fees for the Project is \$166,648.86 [ $\$1.89/\text{square foot} \times (48,887 \text{ square feet} + 39,287 \text{ square feet})$ ]. The current Regional Transportation Development Mitigation Plan can be found at the following website: <https://www.sbcounty.gov/uploads/DPW/docs/Fee-Schedule-Regional-Plan.pdf>
- 149 **Street Improvements** - Status: Outstanding  
The applicant shall design their street improvement plans to include the following: Cajon Blvd Driveway: The southerly driveway shall be no truck entrance with an "No Truck Entrance" sign. The sign shall be placed within the property line at the driveway, and the owner is responsible for maintaining the sign. June Street Driveway: The driveway shall be no truck entrance with an "No Truck Entrance" sign. The sign shall be placed within the property line at the driveway, and the owner is responsible for maintaining the sign.

## PRIOR TO FINAL INSPECTION

### County Fire - Community Safety

150 **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

151 **F24 Fire Lanes** - Status: Outstanding

The applicant shall submit a fire lane plan with the building construction plans to the Fire Department for review and approval. Fire lane curbs shall be painted red. "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan.

152 **F35 Hydrant Marking** - Status: Outstanding

Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs, or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.

153 **F37 Fire Sprinkler-NFPA #13** - Status: Outstanding

An automatic fire sprinkler system complying with NFPA Pamphlet #13 and Fire Department standards is required. The applicant shall hire a licensed fire sprinkler contractor. The fire sprinkler contractor shall submit plans with hydraulic calculations, manufacturers specification sheets and a letter from a licensed structural (or truss) engineer with a stamp verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design to the Fire Department for approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.

154 **F40 Roof Certification** - Status: Outstanding

A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at time of fire sprinkler plan review, verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design.

155 **F41 Fire Alarm** - Status: Outstanding

A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a licensed fire alarm contractor. The fire alarm contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

156 **F43 Smoke and Heat Removal** - Status: Outstanding

Mechanical smoke removal systems shall be provided for building protected by EFSR sprinkler systems as required by the Chief. The mechanical smoke removal systems shall meet the requirements of applicable codes and fire department standards.

157 **F44 High-Piled Storage** - Status: Outstanding

The applicant shall submit an application for high-piled storage (internal storage over 12' in height), detailed plans and a commodity analysis report to the Fire Department for review and approval. The applicant shall submit the approved plan to Building and Safety for review with building plans. If the occupancy classification is designated as S-2,

commodities to be stored will be limited to products of light hazard classification only. The required fees shall be paid at the time of plan submittal.

158 **F45 Fire Extinguishers** - Status: Outstanding

Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.

159 **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.

160 **F55 Key Box** - Status: Outstanding

An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Lock (Knox ®).

## Public Works - Solid Waste Management

161 **CDWMP Part II** - Status: Outstanding

CDWMP Part II must be submitted prior to the Final Inspection. For questions related to the submittal of this plan please call (909) 386-8701 or visit the EZOP website at <http://wp.sbcounty.gov/ezop>

## County of San Bernardino Special Districts

162 **Streetlighting - District** - Status: Outstanding

This project lies within the district boundary of CSA 70 SL-1. Due to your projected use of the property, street lighting may be required. If required, please provide the street lighting plans, plan check fees, and (3) three-year advanced energy charges to the Special Districts Department for review and approval. Development plans are to be submitted to the Special Districts Department at 222 W. Hospitality Lane, 2nd Floor, San Bernardino, CA 92415-0450. For additional information on street light plans, please call Streetlighting Section at (909) 386-8821.

## PRIOR TO OCCUPANCY

### Land Use Services - Planning

163 **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-2023-00107.

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

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

165 **Landscaping/Irrigation** - Status: Outstanding

All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape Plan shall be

installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.

166 **Mitigation Measures** - Status: Outstanding

Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to occupancy permit issuance

167 **Screen Rooftop** - Status: Outstanding

All roof top mechanical equipment is to be screened from ground vistas.

168 **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).

169 **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.

170 **GHG - Installation/Implementation Standards** - Status: Outstanding

The developer shall submit for review and obtain approval from County Planning of evidence that all applicable GHG performance standards have been installed, implemented properly and that specified performance objectives are being met to the satisfaction of County Planning and County Building and Safety. These installations/procedures include the following: a) Design features and/or equipment that cumulatively increases the overall compliance of the project to exceed Title 24 minimum standards by five percent. b) All interior building lighting shall support the use of fluorescent light bulbs or equivalent energy-efficient lighting. c) Installation of both the identified mandatory and optional design features or equipment that have been constructed and incorporated into the facility/structure.

171 **Driveway Reciprocal Easement** - Status: Outstanding

A reciprocal Access Easement for the shared driveway that runs with the land shall be recorded for both lots created under the subdivision for this property. A complete legal description of the easement shall also be all be recorded with CDP notes reflected on the subdivision-Tentative Parcel Map (TPM) and in compliance with the County Subdivision and Surveyor's office.

## County Fire - Community Safety

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

Permission to occupy or use the building (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

173 **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**

- 174 **Condition Compliance Release Form Sign-off** - Status: Outstanding  
Prior to occupancy all Department/Division requirements and sign-offs shall be completed.

## **Land Use Services - Land Development**

- 175 **Drainage Improvements** - Status: Outstanding  
All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.
- 176 **Flood Control District Approval** - Status: Outstanding  
Submit an official letter issued by the Flood Control District indicates that all items under the issued encroachment permit have been satisfied and the encroachment permit has been closed.
- 177 **WQMP Improvements** - Status: Outstanding  
All required WQMP improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works. An electronic file of the approved final WQMP shall be submitted to Land Development Division, Drainage Section.
- 178 **Streetlights** - Status: Outstanding  
This project lies within the streetlight district boundary of County Service Area 70, Zone SL-1. Due to the projected use of the property, streetlighting will be required. This project requires streetlights per San Bernardino County Department of Public Works Special Districts Streetlighting Section, streetlight plans will be submitted directly to Special Districts, but all streetlights must be show on the street improvement plans submitted to Land Development. Streetlight poles shall be Marbelite type. Please contact (909) 386-8821 for requirements or for additional information.
- 179 **LDD Requirements** - Status: Outstanding  
All LDD requirements shall be completed by the applicant prior to occupancy.
- 180 **Road Improvements** - Status: Outstanding  
All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works.
- 181 **Structural Section Testing for non-CMRS roads connecting to CMRS road** - Status: Outstanding  
Prior to occupancy, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works for \_\_\_\_\_only. Structural section for the private roads shall be submitted to Land Development.

## **Public Health– Environmental Health Services**

- 182 **New Alternative Treatment System Permit** - Status: Outstanding  
An Alternative Treatment System annual permit shall be required. For information, contact EHS at: (800) 442-2283.

## Public Works - Traffic

### 183 **Improvements** - Status: Outstanding

The applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans. This shall include any software and/or hardware to implement the approved signal coordination plan.

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	<a href="https://lus.sbcounty.gov/">https://lus.sbcounty.gov/</a>	
County Fire	San Bernardino Govt. Center	(909) 387-8400
(Community Safety)	High Desert Govt. Center	(760) 995-8190
Web Site	<a href="https://www.sbcounty.org/">https://www.sbcounty.org/</a>	
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	<a href="https://dpw.sbcounty.gov/">https://dpw.sbcounty.gov/</a>	
Dept. of Public Health	Environmental Health Services	(800) 442-2283
Web Site	<a href="https://ehs.sbcounty.gov/">https://ehs.sbcounty.gov/</a>	
Local Agency Formation Commission (LAFCO)		(909) 388-0480
Web Site	<a href="http://www.sbclafco.org/">http://www.sbclafco.org/</a>	
	Water and Sanitation	(760) 955-9885
	Administration,	
	Park and Recreation,	
Special Districts	Roads, Streetlights,	(909) 386-8800
	Television Districts, and Other	
<i>External Agencies (Caltrans, U.S. Army, etc.)</i>		<i>See condition text for contact information...</i>

# **EXHIBIT L**



## Interoffice Memo

**DATE:** May 21, 2026

**PHONE:** 909-387-4110

**FROM:** PRECIOUS MCDUFFIE, PLANNER III  
LAND USE SERVICES DEPARTMENT

**TO:** HONORABLE PLANNING COMMISSION

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**SUBJECT:** AGENDA ITEM #3 - PROJ-2023-00107– JACK LUU

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Since the distribution of the staff report, Staff has received additional comments for the above-referenced Project. These additional comments are attached for your consideration.



KIMBERLYN HEARNS  
PO BOX 9891  
SAN BERNARDINO, CA 92427

COUNTY OF SAN BERNARDINO  
LAND USE SERVICES DEPARTMENT, PLANNING DIVISION  
385 N. ARROWHEAD AVENUE, 1ST FLOOR  
SAN BERNARDINO, CA 92415

MAY 11, 2026

RE: MUSCOY WAREHOUSE PROJECT (PROJ-2023-00107)  
APN 0267012090000

TO WHOM IT MAY CONCERN:

THIS LETTER REITERATES MY STAUNCH OPPOSITION TO THE ABOVE LISTED PROJECT AS STATED IN MY PREVIOUS LETTER DATED DECEMBER 9, 2025 (COPY ATTACHED). THIS IS A "DIESEL DEATH ZONE."

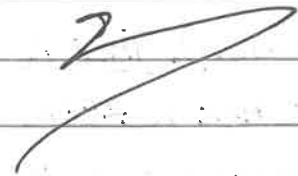
THERE ARE ALREADY SEVERAL EMPTY WAREHOUSES ON HALLMARK/INDUSTRIAL PARKWAY IN THE INCORPORATED AREA. WE DO NOT NEED MORE WAREHOUSES. ALSO I'M CONTESTING, IN ADVANCE, ANY IDEAS OF IMMIGRATION DETENTION CENTERS AND/OR DATA CENTERS AT THAT PARCEL. THERE'S LOTS OF LAND BY GLEN HELEN FOR THE COUNTY OF SAN BERNARDINO TO PLACE THE PROPOSED WAREHOUSES.

I'VE ALSO INCLUDED WITH THIS LETTER THE FOLLOWING:

- ① LOS ANGELES TIMES ARTICLE (JANUARY 4, 2026)  
"BIG TECH'S DATA CENTER PLANS FACE LOCAL OUTCRY"
- ② CALIFORNIA AIR RESOURCES BOARD (12-10-25)
- ③ SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (12-10-25)
- ④ ENVIRONMENTAL PROTECTION AGENCY (12-10-25)
- ⑤ RETURN RECEIPTS (3) US POSTAL SERVICE (PS FORM 3811)

IN CLOSING, MY ELECTRIC BILL HAS LITERALLY TRIPLED  
WITHIN THE LAST THREE YEARS. I USE LESS ELECTRICITY  
NOW THAN I DID THEN. ONE DATA CENTER CONSUMES  
ENOUGH <sup>ENERGY</sup> ~~POWER~~ AND WATER TO POWER A CITY. WE DON'T  
NEED A WAREHOUSE CONNECTED TO OUR LOCAL GRID  
CAUSING OUR RATES TO SKYROCKET MORE.  
PLEASE SCRAP THE ENTIRE PROJECT AND DON'T REVISIT  
THE IDEA IN THE FUTURE?

SINCERELY,



KIMBERLYN HEARNS

PO BOX 9891

SAN BERNARDINO, CA 92427

COUNTY OF SAN BERNARDINO

LAND USE SERVICES DEPARTMENT, PLANNING DIVISION

ATTN: PRECIOUS McDUFFIE, SENIOR PLANNER

385 N. ARROWHEAD AVE, 1ST FLOOR

SAN BERNARDINO, CA 92415-0187

DECEMBER 9, 2025

RE: MUSCOY WAREHOUSE PROJECT (PROJ-2023-00107)

ASSESSOR PARCEL # 0267-012-09

~~THAT~~

DEAR PRECIOUS McDUFFIE,

THIS LETTER CONVEYS MY STAUNCH OPPOSITION TO THE ABOVE LISTED PROJECT. THE PROPOSED AREA, IF I'M CORRECT, HAS ALREADY BEEN DECLARED A "DIESEL DEATH ZONE" FOR AIR QUALITY PURPOSES. UPON REVIEWING PAGE 4 OF THE "INITIAL STUDY/MITIGATED NEGATIVE NEGATIVE DECLARATION ENVIRONMENTAL CHECKLIST FORM," IT'S SHOCKINGLY PLAIN TO SEE THAT THE PROPOSED WAREHOUSES ARE ALMOST ON TOP OF THE CITY OF SAN BERNARDINO'S CIMMERON RANCH. IN SUPPORT OF MY STATEMENTS, I REFER YOU TO TWO BUSY RAILROAD OPERATIONS THAT VIRTUALLY ABUT CIMMERON. THEY ARE BNSF RAILROAD, WHICH PARALLELS CAJON BLVD AND WHICH HAS RECENTLY LAID MORE TRACK. THEN THERE'S UNION PACIFIC RAILROAD, WHICH GOES AROUND THE WESTERN PORTION OF CIMMERON.

WITH THE RECENT EXPANSION OF SEVERAL WAREHOUSES ALONG CAJON BLVD FROM "WESTERN" STREET ALL THE WAY TO KENDALL DRIVE, THERE IS ALMOST NO UNDEVELOPED LAND LEFT. TAKE A DRIVE SOUTH ON CAJON BLVD FROM ROSARITA STREET AND YOU WILL NOW SEE THAT LITERALLY EVERY LOT WHICH DOESN'T HAVE A WAREHOUSE NOW HAS NUMEROUS TRACTOR TRAILER STORAGE LOTS - ALL THE WAY TO WESTERN STREET.

ADD TO THIS THE RECENT "QUARRY" EXCAVATION PROJECT WITH ITS HEAVY CONSTRUCTION EQUIPMENT AND THE RISKS OF VALLEY FEVER EXPOSURE DUE TO DUST ACCUMULATION, AND CIMMERON RANCH IS ALMOST SURROUNDED BY AN ENVIRONMENTAL POLLUTION HAZARD.

WHY INFRINGE FURTHER ON THE QUALITY OF LIFE OF THE RESIDENTS OF ONE OF THE NICEST NEIGHBORHOODS IN THE CITY OF SAN BERNARDINO?

THERE ARE ALREADY INCREASED CHANCES OF RESPIRATORY DISEASES AND ASTHMA IN THIS AREA AS IT IS. AND NOW THERE'S CONSIDERATION OF PUTTING 2 LARGE WAREHOUSES WITHIN A STONE'S THROW OF CIMMERON RANCH.

IMAGINE THE TRAFFIC! OPERATIONS 18 HOURS A DAY STARTING AT 6 AM EVERYDAY. A PARKING LOT WITH A 110 CAR CAPACITY. 3 DRIVEWAYS, 2 OF WHICH WILL BE ON CAJON BLVD WITH LARGE TRACTOR TRAILERS LIKELY BLOCKING THE TURN LANES AS THEY STAGE OFF-PREMISE PRIOR TO DELIVERY.

IMAGINE THE SPILL-OVER PARKING? I FORESEE NUMEROUS VEHICLES JOCKYING FOR PARKING ON THE STREETS WITHIN CIMMERON RANCH. DO YOU REALLY BELIEVE THAT A 110-SPACE PARKING LOT IS REALLY BEING BUILT FOR NO MORE THAN 32 EMPLOYEES ON THE PROPOSED PREMISES AT ANY ONE TIME?

(3)

WITHOUT CONSIDERING THE REAL IMPACT OF THE CURRENT EFFECTS OF BNSF RAILROAD, UNION PACIFIC RAILROAD, THE "Q" QUARRY PROJECT, AND THE HUGE INCREASE OF TRACTOR TRAILER OPERATIONS ON CAJON BLVD FOR STORAGE AND SERVICING OF EXISTING WAREHOUSES ON CAJON BLVD BETWEEN WESTERN STREET AND KENDALL DRIVE, I FIND YOUR HEALTH RISKS ASSESSMENTS TO POTENTIALLY BE INCOMPLETE AND MISLEADING. THIS AREA, LAST I HEARD, IS ALREADY A "DIESEL DEATH ZONE" AND FACES SIGNIFICANT

POTENTIAL AIR QUALITY IMPACT (MY OPINION). LET ALONE THE NOISE LEVELS INCREASING DUE TO THE TRACTOR TRAILER ACTIVITY FOR 18 HOURS EVERYDAY.

IF I'M READING THE DOCUMENT RIGHT, I'M TROUBLED BY THE BOX REGARDING HAZARDS AND HAZARDOUS MATERIALS BEING CHECKED "LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED." YOU'RE PUTTING WAREHOUSES LITERALLY ON OUR DOORSTEP!

YOU MIGHT ALSO WANT TO HAVE SOMEONE, IF YOU ALREADY HAVEN'T, BE ONSITE PRIOR TO CONSTRUCTION DURING A HEAVY RAIN DOWNPOUR, NOT ALL THE WATER FLOWS INTO THE FLOOD CHANNEL NORTH OF CIMMERON RANCH. A LOT OF IT FLOWS SOUTH ON CAJON, CARRYING DEBRIS, AND PARTIALLY BLOCKING THE ROAD ALL THE WAY DOWN TO WESTERN STREET, THIS ROUTINELY REQUIRES GRADING EQUIPMENT TO RESTORE PASSABILITY OF VEHICLE TRAFFIC. I READ THE "EXECUTIVE SUMMARY" OF THE 80-PAGE "MUSCOY WAREHOUSE HEALTH RISK ASSESSMENT ANALYSIS AND IT SHOCKED ME TO READ THAT "NO MITIGATION IS REQUIRED" AT ALL! NOT FOR DIESEL PARTICULATE MATTER NOR NON-CANCER RELATED IMPACTS. I'M OBVIOUSLY NOT A SCIENTIST BUT, HOW DID THIS FINDING EMERGE WITHIN A DIESEL DEATH ZONE?

(4)

THERE IS AN INCONSISTENCY IN THE "INTRODUCTION AND SETTING" HEADING, UNDER "PROJECT DESCRIPTION" SUBHEADING, "VEHICULAR ACCESS IS PROPOSED VIA TWO DRIVEWAYS WITH ONE ON CAJON BOULEVARD AND THE OTHER ON JONES STREET." FIGURE 2 ILLUSTRATES THE PROPOSED SITE PLAN. FIGURE 2, ON PAGE 8, CLEARLY HAS 3 DRIVEWAYS - 2 OF WHICH ARE ON CAJON BLVD. ALSO, THE "INITIAL STUDY" DOCUMENT ON YOUR WEBSITE (87 PAGES) CORRECTLY STATES 3 DRIVEWAYS. FURTHERMORE, ON PAGE 9 UNDER HEADING "POLLUTANTS AND REGULATORY SETTING", SUBHEADING "TOXIC AIR CONTAMINANTS", 3RD PARAGRAPH, THERE'S DISCUSSION OF HARMFUL DIESEL PARTICULATE MATTER (DPM) AND RISKS TO CHILDREN AND THE ELDERLY. CIMMERON RANCH IS A DENSELY-POPULATED NEIGHBORHOOD WITH NUMEROUS CHILDREN AND RETIREES. YET THIS WAREHOUSE IS SO CLOSE TO CIMMERON RANCH THAT IT IS ALMOST IN THE HOUSING AREA. WHERE'S THE STUDY ACCOUNTING FOR THE NUMBERS OF CHILDREN AND ELDERLY IN CIMMERON RANCH? RECALL "DIESEL DEATH ZONE"? ALSO I'M CURIOUS AS TO WHETHER <sup>THERE</sup> IS A MORE RECENT PUBLICATION OF THE CALIFORNIA AIR RESOURCES BOARD (CARB) LOCATION SPECIFIC SUMMARY OF CONCENTRATION LEVELS OF SEVERAL TOXIC AIR CONTAMINANTS (TAC). IT APPEARS THE DATA REFERRED TO IS FROM THE CARB AIR QUALITY ALMANAC FOR 2013 (CARB 2013) PER PAGE 4 OF THE 2023 "MUSCOY WAREHOUSE HEALTH RISK ASSESSMENT ANALYSIS." YOU WOULD HAVE A HARD TIME DENYING THAT THINGS HAVE CHANGED DURING THE PERIOD 2013 THROUGH 2025. WOULDN'T YOU AGREE? THERE ARE MORE WAREHOUSES AND MORE TRACTOR TRAILER TRAFFIC TRAVERSING CAJON BLVD NOW.

(5)

I REFER TO THIS WEBSITE FOR YOUR REVIEW:

"INLAND EMPIRE ONCE AGAIN RANKS AS WORST IN NATION FOR AIR QUALITY" BY ANTHONY VICTORIA  
APRIL 21, 2022

[pssocal.org/shows/earth-focus/inland-empire-once-again-ranks-as-worst-in-nation-for-air-quality](https://pssocal.org/shows/earth-focus/inland-empire-once-again-ranks-as-worst-in-nation-for-air-quality)

QUESTIONS:

- ① ARE YOU USING THE ENVIRONMENTAL PROTECTION AGENCY'S 2015 OZONE STANDARD?
- ② WHY REFER TO 20-YEAR TREND SUMMARIES IN THE CARB ALMANAC OF AIR QUALITY AND EMISSIONS PUBLISHED IN 2013 (CORRECTION: CARB ALMANAC OF EMISSIONS AND AIR QUALITY)?
- ③ WHICH AGENCY HAS THE HIGHER STANDARD, EPA OR CARB?
- ④ IS THERE MORE CURRENT DATA AVAILABLE?

I ADMIT THAT I'M A NOVICE AND CANNOT INTERPRET YOUR SCIENTIFIC RESEARCH DATA. HOWEVER, MORE RESEARCH NEEDS TO BE DONE AND AN ALTERNATE SITE CHOSEN. WHAT ABOUT ALL THAT LAND ON "INSTITUTION ROAD"?

OUR "DIESEL DEATH ZONE" INCLUDES MASSIVE VEHICLE TRAFFIC FROM INTERSTATE 215, THE "Q" QUARRY, UNION PACIFIC, AND BNSF RAILROAD. NOW CAJON BLVD IS A MAJOR TRACTOR TRAILER ARTERY AND STORAGE CONDUIT FOR WAREHOUSES AND THEIR VEHICLES.

FOR ALL OF THE REASONS STATED, I OPPOSE THE MUSCOY WAREHOUSE PROJECT, WHAT'S NEXT? WILL THE REST OF THE RESIDENCES IN THE COUNTY ON CAJON BLVD BE RAZED FOR MORE WAREHOUSES?

IS THIS THE FIRST OF SEVERAL MORE WAREHOUSES TO COME? I HOPE NOT. PLEASE CANCEL.

SINCERELY,



# Big Tech's data center plans face local outcry

LA TIMES / 1-4-26

BY MARC LEVY

SPRING CITY, Pa. — Tech companies and developers looking to plunge billions of dollars into ever-bigger data centers to power artificial intelligence and cloud computing are increasingly losing fights in communities where people don't want to live next to them, or even near them.

Communities across the U.S. are reading about — and learning from — one another's battles against data center proposals that are fast multiplying in number and size to meet steep demand as developers branch out in search of faster connections to power sources.

In many cases, municipal boards are trying to figure out whether energy- and water-hungry data centers fit into their zoning framework. Some have entertained waivers or tried to write new ordinances. Some don't have zoning.

But as more people hear

about a data center coming to their community, once-sleepy municipal board meetings in farming towns and growing suburbs now feature crowds of angry residents pressuring local officials to reject the requests.

"Would you want this built in your backyard?" Larry Shank asked supervisors last month in Pennsylvania's East Vincent Township. "Because that's where it's literally going, is in my backyard."

## Opposition spreads as centers fan out

A growing number of proposals are being defeated, sounding alarms across the data center constellation of Big Tech firms, real estate developers, electric utilities, labor unions and more.

Andy Cvengros, who helps lead the data center practice at commercial real estate giant JLL, counted seven or eight deals he'd worked on in recent months that saw opponents going door-to-door, handing out shirts or putting signs in people's yards.

"It's becoming a huge problem," Cvengros said.

Data Center Watch, a project of 10a Labs, an AI security consultancy, said it is seeing a sharp escalation in community, political and regulatory disruptions to data center development.

Between April and June alone, its latest reporting period, 20 proposals valued at \$98 billion in 11 states were blocked or delayed amid local opposition and state-level pushback. That amounts to two-thirds of the projects it was tracking.

Some environmental and consumer advocacy groups say they're fielding calls every day, and are working to educate communities on how to protect themselves.

"I've been doing this work for 16 years, worked on hundreds of campaigns I'd guess, and this by far is the biggest kind of local pushback I've ever seen here in Indiana," said Bryce Gustafson of the Indianapolis-based Citizens Action Coalition.

In Indiana alone, Gustafson counted more than a dozen projects that lost rezoning petitions.

## Similar concerns across communities

For some people angry over steep increases in electric bills, their patience is thin for data centers that could bring still-higher increases.

Losing open space, farmland, forest or rural character is a big concern. So is the damage to quality of life, property values or health by on-site diesel generators kicking on or the constant hum of servers. Others worry that wells and aquifers could run dry.

Lawsuits are flying — both ways — over whether local governments violated their own rules.

Big Tech firms Microsoft, Google, Amazon and Facebook — which are collectively spending hundreds of billions of dollars on data centers globally — didn't answer Associated Press questions about the effect of community pushback.

But Microsoft has acknowledged the difficulties. In an October securities filing, it listed operational risks as including "community opposition, local moratoriums, and hyper-local dissent that may impede or delay infrastructure development."

Even with high-level support from state and federal governments, the pushback is having an effect.

Maxx Kossow, vice president of investment at Chicago-based developer the Missner Group, said developers worried about losing a zoning fight are considering selling properties once they secure a power source, a highly sought-after commodity that makes a proposal more viable and valuable.

"You might as well take chips off the table," Kossow said. "The thing is you could have power to a site and it's futile because you might not get the zoning. You might not get the community support."

Some in the industry are frustrated, saying opponents are spreading falsehoods about data centers — such as polluting water and air — and are difficult to overcome.

Still, data center allies say they are urging developers to engage with the

public earlier in the process, emphasize economic benefits, sow good will by supporting community initiatives and talk up efforts to conserve water and power and protect ratepayers.

"It's definitely a discussion that the industry is having internally about, 'Hey, how do we do a better job of community engagement?'" said Dan Diorio of the Data Center Coalition, a trade association that includes Big Tech firms and developers.

## Residents become a force in politics

Winning over local officials, however, hasn't translated to winning over residents.

Developers pulled a project off an October agenda in the Charlotte suburb of Matthews, N.C., after Mayor John Higdson said he informed them it faced unanimous defeat.

The project would have funded half the city's budget and developers promised environmentally friendly features. But town meetings overflowed, and emails, texts and phone calls were overwhelmingly opposed, Higdson said.

Had council approved it, "every person that voted for it would no longer be in office," the mayor said. "That's for sure."

In Hermantown, a suburb of Duluth, Minn., a proposed data center campus several times larger than the Mall of America is on hold amid challenges over whether the city's environmental review was adequate.

Residents found one another through social media and, from there, learned to organize, protest, door-knock and get their message out.

They say they felt betrayed and lied to when they discovered that state, county, city and utility officials knew about the proposal for an entire year before the city — responding to a public records request filed by the Minnesota Center for Environmental Advocacy — released internal emails that confirmed it.

Levy writes for the Associated Press.

KIMBERLYN HEARNIS  
PO BOX 9891  
SAN BERNARDINO, CA 92427

CALIFORNIA AIR RESOURCES BOARD  
1001 "I" STREET  
SACRAMENTO, CA 95814

PO BOX 2815  
SACRAMENTO, CA 95812

DECEMBER 10, 2025

RE: MUSCOY WAREHOUSE PROJECT  
SAN BERNARDINO, COUNTY, CALIFORNIA

TO WHOM IT MAY CONCERN:

ATTACHED IS A COPY OF AN OPPOSITION LETTER THAT I SENT TO THE COUNTY OF SAN BERNARDINO LAND USE SERVICES, PLANNING DIVISION. WITHOUT RESTATING WHAT IS IN THE LETTER, MY OPINION IS THAT COUNTY OF SAN BERNARDINO SHOULD NOT BE ABLE TO "CASH-IN" BY LOCATING 2 AND POSSIBLY MORE WAREHOUSES IN A "DIESEL DEATH ZONE" ACROSS THE STREET FROM A DENSELY OCCUPIED LOWER-MIDDLE CLASS NEIGHBORHOOD. THE HEALTH RISK ASSESSMENTS CONCLUDED THAT NO MITIGATION IS REQUIRED. THAT ASSESSMENT REFERENCES THE CARB ALMANAC EMISSIONS AND AIR QUALITY (2013 EDITION). EVEN THOUGH THE TENURE OF THIS ALMANAC IS SLATED FOR 20 YEARS, DID FORECASTS REVEAL AN EXPLOSION OF WAREHOUSES AND DIESEL TRAFFIC IN THE INLAND BASIN? PLEASE PAUSE THIS PROJECT.

SINCERELY,



KIMBERLYN HEARNS  
PO BOX 9891  
SAN BERNARDINO, CA 92427

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
21865 COPLEY DRIVE  
DIAMOND BAR, CA 91765

DECEMBER 10, 2025

RE: MUSCOY WAREHOUSE PROJECT -  
SAN BERNARDINO COUNTY, CALIFORNIA

TO WHOM IT MAY CONCERN:

ATTACHED IS A COPY OF AN OPPOSITION LETTER THAT I SENT TO THE COUNTY OF SAN BERNARDINO LAND USE SERVICES, PLANNING DIVISION. WITHOUT REPEATING WHAT IS IN THE LETTER, MY OPINION IS THAT THE COUNTY OF SAN BERNARDINO SHOULD NOT BE ABLE TO "CASH-IN" BY LOCATING 2 OR MORE WAREHOUSES IN A "DIESEL DEATH ZONE" ACROSS THE STREET FROM A DENSELY POPULATED LOWER-MIDDLE CLASS NEIGHBORHOOD. THE HEALTH RISK ASSESSMENTS CONCLUDED THAT NO MITIGATION IS REQUIRED. THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT IS MENTIONED AND REFERRED IN SOME OF THE DOCUMENT ON THEIR WEBSITE. ON YOUR WEBSITE UNDER THE "AIR QUALITY ICON/LINK", IT'S UNCLEAR IF DIESEL PARTICULATE MATTER (DPM), IN CALCULATING AIR QUALITY INDEX (AQI), IS INCLUDED. I HOPE YOU WILL CONSIDER MY CONCERNS AND PAUSE THIS PROJECT.

SINCERELY,



KIMBERLYN HEARNS

PO Box 9891

SAN BERNARDINO, CA 92427

ENVIRONMENTAL PROTECTION AGENCY

75 HAWTHORNE STREET

SAN FRANCISCO, CA 94105

DECEMBER 10, 2025

RE: MUSCOY WAREHOUSE PROJECT

SAN BERNARDINO COUNTY, CALIFORNIA

TO WHOM IT MAY CONCERN:

ATTACHED IS A COPY OF AN OPPOSITION LETTER THAT I SENT TO THE COUNTY OF SAN BERNARDINO LAND USE SERVICES, PLANNING DIVISION, WITHOUT REPEATING WHAT IS IN THE LETTER, MY OPINION IS THAT SAN BERNARDINO COUNTY SHOULD NOT BE ABLE TO "CASH-IN" BY LOCATING 2 (POSSIBLY MORE) WAREHOUSES IN A "DIESEL DEATH ZONE" ACROSS THE STREET FROM A DENSELY POPULATED LOWER-MIDDLE CLASS NEIGHBORHOOD. THE HEALTH RISK ASSESSMENTS CONCLUDED THAT NO MITIGATION IS REQUIRED. THE EPA IS MENTIONED IN SOME OF THE COUNTY WEBSITE'S DOCUMENTATION, I WENT TO ONE OF YOUR WEBSITES AT 2113 HRS TODAY (airnow.gov) AND ENTERED MY HOUSE'S ZIPCODE IN THE CURRENT AIR QUALITY TOOL. THE AQI WAS 39 AND POLLUTANT WAS PM2.5 (GOOD). HOWEVER, THIS WAS DURING LOW TRAFFIC HOURS. I'D LIKE THIS PROJECT PAUSED AND REVIEWED.

SINCERELY,



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
**PRECIOUS McDUFFIE, SR PANNER**  
**COUNTY OF SBLE**  
**LAND USE SVCS PLANNING DIV**  
**385 N. ARROYO HEAD AVE, 1ST FL**  
**SAN BERNARDINO, CA 92415-0187**



2. Article Number (Transfer from service label)  
**9590 9402 2903 7094 0561 04**

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- Agent
  - Addressee
- A. Signature  
*[Signature]*
- B. Received by (Printed Name)  
**Andy Henriquez**
- C. Date of Delivery  
**12/11/25**
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

RECEIVED  
 AND USE SERVICE CENTER  
 ADMINISTRATION  
 11 DEC 11 4:07 PM '07

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
**SCAQM D**  
**21865 COPLEY DR**  
**DIAMOND BAR, CA**  
**91765**



9590 9402 2903 7094 0560 67

2. Article Number (Transfer from service label)  
**95389 0710 5770 2438 0851 56**

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- Agent
  - Addressee
- A. Signature  
*[Signature]*
- B. Received by (Printed Name)  
**JOSE CHAVEZ**
- C. Date of Delivery  
**DEC 16 2025**
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
**ENVIRONMENT PROTECTION AGENCY**  
**75 HAWTHORNE STREET**  
**SAN FRANCISCO, CA 94105**



9590 9402 2903 7094 0560 74

2. Article Number (Transfer from service label)

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- Agent
  - Addressee
- A. Signature  
*[Signature]*
- B. Received by (Printed Name)
- C. Date of Delivery  
**12-15-25**

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt





T 510.836.4200  
F 510.836.4205

1939 Harrison Street, Ste. 150  
Oakland, CA 94612

www.lozeaudrury.com  
victoria@lozeaudrury.com

*Via Email*

May 20, 2026

Michael Stoffel, Chair  
Kareem Gongora, Vice-Chair  
Jonathan Weldy, Commissioner  
Matthew Slowik, Commissioner  
Suket Dayal, Commissioner  
Planning Commission  
San Bernardino County  
385 N. Arrowhead Avenue, 1st Floor  
San Bernardino, CA 92415  
PlanningCommissionComments@lus.sbcounty.gov

Precious McDuffie, Planner  
Land Use Services Department  
County of San Bernardino  
385 North Arrowhead Avenue, 1st Floor  
San Bernardino, CA 92415  
precious.mcduffie@lus.sbcounty.gov

**Re: Comment on Mitigated Negative Declaration, Muscoy Warehouse Project (PROJ-2023-00107, SCH NO. 2025120438) Planning Commission May 21, 2026 Hearing Agenda Item 3**

Dear Chair Stoffel, Vice-Chair Gongora, Honorable Commissioners, and Ms. McDuffie:

This comment is submitted on behalf of Supporters Alliance For Environmental Responsibility (“SAFER”) regarding the Initial Study and Mitigated Negative Declaration (“IS/MND”) prepared for the Muscoy Warehouse Project (PROJ-2023-00107, SCH NO. 2025120438) including all actions referring or related to the proposed development of a two industrial warehouse buildings totaling 88,174 square feet, located on the southeast corner of Cajon Boulevard and June Street (APN’s: 0267-012-09 ) in the County of San Bernardino (“Project”), which is scheduled to be heard by the Planning Commission on May 21, 2026 as Agenda Item 3.

SAFER is concerned that the IS/MND is improper under the California Environmental Quality Act due to the IS/MND’s failure to adequately assess the Project’s potentially significant environmental impacts. SAFER requests that an environmental impact report (EIR) be prepared for the Project rather than an MND because there is a fair argument that the Project may have adverse environmental impacts. An EIR will ensure that potentially significant impacts of this Project are fully disclosed, analyzed, and mitigated.

May 20, 2026

Comment on Mitigated Negative Declaration, Muscoy Warehouse Project (PROJ-2023-00107, SCH NO. 2025120438)

Page 2 of 2

SAFER reserves the right to supplement this comment throughout the administrative process. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

Sincerely,

A handwritten signature in cursive script, appearing to read "Victoria Yundt".

Victoria Yundt  
Lozeau Drury LLP