



# Conditions of Approval

**Record:** PROJ-2019-00057 **System Date:** 12/04/2024  
**Record Type:** Project Application **Primary APN:** 0466111090000  
**Record Status:** In Review **Application Name:** C/F-CUP & GPA  
**Effective Date:** **Expiration Date:**

**Description:** CONDITIONAL USE PERMIT FOR A 3.0 MEGAWATT (MW) COMMUNITY SOLAR PHOTOVOLTAIC ARRAY ON APPROXIMATELY 23 ACRES WITH INTERIOR DRIVES AND SURROUNDING CHAINLINK FENCE, ZONED RL (RURAL LIVING) AND POLICY PLANNED FOR RL (RURAL LIVING); LOCATED WEST OF CORRAL ROAD AND NORTH OF NATIONAL TRAILS HIGHWAY; APN: 0466-111-09; 1ST SUPERVISORIAL DISTRICT.

**This document does not signify project approval.**

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

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

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

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

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

## ON-GOING

### Land Use Services - Planning

- 1 **Project Approval Description (CUP/MUP)** - Status: Outstanding  
 This Conditional Use Permit is conditionally approved to allow an energy generating facility, in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project.
- 2 **Project Location** - Status: Outstanding  
 The Project site is located at 29510 Corral Road in the Helendale Community, northeast of National Trails Highway and Corral Road.

3 **Revisions** - Status: Outstanding

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

4 **Indemnification** - Status: Outstanding

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

5 **Additional Permits** - Status: Outstanding

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

6 **Expiration** - Status: Outstanding

This project permit approval shall expire and become void if it is not "exercised" within thirty-six (36) months of the effective date of this approval, unless an extension of time is approved. The permit is deemed "exercised" when either: (a.) The permittee has commenced actual construction or alteration under a validly issued building permit, or (b.) The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060) (c.) Occupancy of approved land use, occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs: - Construction permits for all or part of the project are not issued, or the construction permits expire before the structure is completed and the final inspection is approved. - The land use is determined by the County to be abandoned or non-conforming. - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination. PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.

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

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

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

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

9 **Project Account** - Status: Outstanding

The Project account number is PROJ-2019-00057. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.

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

Per Development Code Section 84.29.040 (d), the developer of an approved commercial solar energy generation facility shall pay a Public Safety Services Impact Fee on an annual basis according to the prescribed schedule of 15 acres or greater at a rate of \$157.00 per acre. The total for this initial fee will be \$3,611.00 based on the project site of 23 acres. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances, and the per acre annual impact fee shall be adjusted annually based on the Consumer Price Index for All Urban Consumers (CPI-U) for the Los Angeles-Riverside-Orange County, California area.

11 **Condition Compliance** - Status: Outstanding

The project site, especially the solar panel structural undersides shall be adequately screened and buffered per § 83.02.060 Screening and Buffering. This Section provides standards for the screening and buffering of adjoining land uses, equipment, and outdoor storage areas, and surface parking areas. The project site shall comply with the following applicable requirements of this Section. (a) Screening Between Different Land Uses. (1) An opaque screen consisting of plant material, a minimum of ten feet in width, and six feet in height, shall be installed along parcel boundaries whenever a commercial, institutional or industrial development adjoins a residential land use zoning district. (2) The maximum height of fences shall comply with the provisions of Chapter 83.06 (Fences, Hedges, and Walls). (b) Mechanical Equipment, Loading Docks, and Refuse Areas. (1) Roof or ground mounted mechanical equipment (e.g., air conditioning, heating, ventilation ducts and exhaust, etc.), loading docks, refuse storage areas, and utility services shall be screened from public view from adjoining public streets and rights-of-way and surrounding area(s) zoned for residential or open space uses. (2) The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural style.

12 **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

13 **Performance Standards** - Status: Outstanding

On-site vehicle speed will be limited to 15 miles per hour.

14 **Continous Maintenance** - Status: Outstanding

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

15 **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

16 **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.

17 **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.

- 18 **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.
- 19 **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.
- 20 **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.
- 21 **Occupancy Condition** - Status: Outstanding  
The Applicant/Developer shall maintain in good standing a Generator Interconnection Agreement between Applicant/ Developer and Southern California Edison requiring interconnection of the Project to a local distribution circuit that primarily serves local off-site use.

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

- 22 **Noise Levels** - Status: Outstanding  
Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080.
- 23 **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.
- 24 **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.

## **INFORMATIONAL**

### **County Fire - Community Safety**

- 25 **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.

26 **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.

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

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

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

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

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

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

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

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

## Land Use Services - Land Development

31 **Additional Drainage Requirements** - Status: Outstanding

In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

32 **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.

33 **Joshua Trees** - Status: Outstanding

Any land disturbance shall be kept at least 40 feet away from any Joshua tree in order for the design to be acceptable. If the proposed land disturbance is within 40 feet of a Joshua tree, then the applicant will need to submit a survey by a licensed arborist to verify that the proposed design will not detrimentally affect the tree. For all applications, plot plans must show the location of all Joshua trees on a parcel. <http://www.sbcounty.gov/Uploads/LUS/BandS/Handouts/IB-0016.pdf>

34 **Natural Drainage** - Status: Outstanding

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

35 **Project Specific Conditions** - Status: Outstanding

Endangered Desert Plants. Compliance with Desert Native Plants Act. Removal actions of all plants protected or regulated by the Desert Native Plants Act (Food and Agricultural Code §§ 80001 et seq.) shall comply with the provisions of the Act before the issuance of a development permit or approval of a land use application. Provide a plant protection plan or removal plan prepared by a licensed biologist to be approved by the County LUS. Per the County General Plan Environmental Impact Report, provide a biological report and associated plan (uploaded as a separate attachment in the EZOP record) that shows any protected species including plant species with stems two inches or greater in diameter or six feet or greater in height including but not limited to those listed in: § 88.01.060 Desert Native Plant Protection. See related links: <https://countywideplan.com/resources/document-download/> [https://countywideplan.com/wp-content/uploads/sites/68/2021/01/CWP\\_PolicyPlan\\_HardCopy\\_MainText\\_Tables\\_2022\\_Sept\\_Adopted.pdf?x23421](https://countywideplan.com/wp-content/uploads/sites/68/2021/01/CWP_PolicyPlan_HardCopy_MainText_Tables_2022_Sept_Adopted.pdf?x23421) [https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity\\_ca/0-0-0-175924](https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity_ca/0-0-0-175924)

36 **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.

## PRIOR TO LAND DISTURBANCE

### Land Use Services - Planning

37 **Air Quality** - Status: Outstanding

Although the Project does not exceed the Mojave Desert Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the Mojave Desert 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 Mojave Desert 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.

38 **Diesel Regulations** - Status: Outstanding

The operator shall comply with all existing and future California Air Resources Board and Mojave Desert 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. Mojave Desert 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.

39 **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.

40 **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

41 **Geotechnical Report** - Status: Outstanding

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

### Land Use Services - Land Development

42 **FEMA Flood Zone** - Status: Outstanding

The project is located within Flood Zone D according to FEMA Panel Number 06071C4500J dated 9/2/2016. Flood hazards are undetermined in this area, but they are still possible. However, part of the site is located within a flood hazard area for the 100-year floodplain shown on the Awareness Maps prepared by the California Department of Water Resources (DWR). Awareness floodplains identify the 100-year flood hazard areas using approximate assessment procedures. These floodplains will be shown simply as flood prone areas without specific depths and other flood hazard data. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.

43 **NPDES Permit** - Status: Outstanding

An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. [www.swrcb.ca.gov](http://www.swrcb.ca.gov)

44 **Regional Board Permit** - Status: Outstanding

Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.



45 **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. A \$750 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.

46 **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.

47 **Streambed Alteration Agreement** - Status: Outstanding

California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) § 1602. A streambed alteration agreement shall be provided prior to Grading permit issuance. Link to CDFW website at: <https://www.wildlife.ca.gov/Conservation/LSA>.

## Public Health– Environmental Health Services

48 **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

49 **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 BUILDING PERMIT ISSUANCE

### Land Use Services - Planning

50 **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.

- 51 **Mitigation Measures** - Status: Outstanding  
Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to building permit issuance
- 52 **Signs** - Status: Outstanding  
All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. All signs shall comply with SBCC Chapter 83.13, Sign Regulations, SBCC §83.07.040, Glare and Outdoor Lighting Mountain and Desert Regions, and SBCC Chapter 82.19, Open Space Overlay as it relates to Scenic Highways (§82.19.040), in addition to the following minimum standards: a. All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable. b. All sign lighting shall not exceed 0.5 foot-candle. c. No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety. d. Monument signs shall not exceed four feet above ground elevation and shall be limited to one sign per street frontage.

### **County Fire - Community Safety**

- 53 **F02 Fire Fee** - Status: Outstanding  
The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.

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

- 54 **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.
- 55 **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**

- 56 **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.
- 57 **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.

58 **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: National Trails Hwy (Major Highway – 104 feet) • Road Dedication. A 12-foot grant of easement is required to provide a half-width right-of-way of 52 feet, a 50-foot radius return grant of easement is required at the intersection of National Trails Hwy and Corral Road, and a 50-foot radius return grant of easement is required at the intersection of National Trails Hwy and Southerly Property Line. Southerly Property Line (Quarter Sectional Line – 88 feet) • Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet, and a 50-foot radius return grant of easement is required at the intersection of Southerly Property Line and Westerly Property Line. Westerly Property Line (Quarter Sectional Line – 88 feet) • Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet. Corral Road (Quarter Sectional Line – 88 feet) • Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet, and a 50-foot radius return grant of easement is required at the intersection of National Trails Hwy and Corral Road (Easterly Property Line). • Paved Access Road. This project is required to have a minimum 26-foot wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road. • Driveway Approach. Design driveway approach per County Standard 129a and located per County Standard 130. • Cul-de-sac Design. The proposed cul-de-sac shall be designed to County Standard 120.

59 **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 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.

60 **Slope Easements** - Status: Outstanding

Slope rights shall be dedicated where necessary.

61 **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.

62 **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.

63 **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.

64 **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.

65 **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

- 66 **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.
- 67 **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.
- 68 **Existing OWTS** - Status: Outstanding  
Existing onsite wastewater treatment system can be used if applicant provides an EHS approved certification that indicates the system functions properly, meets code, has the capacity required for the proposed project, and meets LAMP requirements.
- 69 **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.
- 70 **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.
- 71 **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.
- 72 **Sewage Disposal** - Status: Outstanding  
Method of sewage disposal shall be sewer service provided by Helendale CSD or an EHS approved onsite wastewater treatment system (OWTS) that conforms to the Local Agency Management Program (LAMP).
- 73 **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).

- 74 **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.
- 75 **Water Purveyor** - Status: Outstanding  
Water purveyor shall be Helendale CSD or EHS approved.
- 76 **Water Service Verification Letter** - Status: Outstanding  
Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address may suffice.
- 77 **Water System Permit** - Status: Outstanding  
A water system permit will be required and concurrently approved by the State Water Resources Control Board – Division of Drinking Water. Applicant shall submit preliminary technical report in accordance with California Health and Safety Code §116527(c) to EHS and the State Water Resources Control Board. Application must be approved prior to initiating construction of any water-related development. Source of water shall meet water quality and quantity standards. Test results, which show source meets water quality and quantity standards shall be submitted to the Division of Environmental Health Services (EHS). For information, contact the Water Section at (800) 442-2283 and SWRCB-DDW at (916) 449-5577.

## PRIOR TO OCCUPANCY

### Land Use Services - Planning

- 78 **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-2019-00057.
- 79 **Installation of Improvements** - Status: Outstanding  
All required on-site improvements shall be installed per approved plans.
- 80 **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.
- 81 **Mitigation Measures** - Status: Outstanding  
Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to occupancy permit issuance

82 **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).

83 **Condition Compliance** - Status: Outstanding

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

### County Fire - Community Safety

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

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

### Land Use Services - Building and Safety

85 **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

86 **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.

87 **LDD Requirements** - Status: Outstanding

All LDD requirements shall be completed by the applicant prior to occupancy.

88 **Private Roads/Improvements** - Status: Outstanding

Prior to occupancy, all required on-site and off-site improvements shall be completed by the applicant. Construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria.

89 **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.

90 **Structural Section Testing** - Status: Outstanding

A thorough evaluation of the structural road section, to also include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works.

## PRIOR TO RECORDATION

### Land Use Services - Planning

91 **Mitigation Measures** - Status: Outstanding

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

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

The following shall be delineated or noted on the CDP (Statements in quotations shall be verbatim): A Lot Line Adjustment shall be filed by the applicant in accordance with the approved site plan for the Conditional Use Permit that depicts the energy generating facility on a 23-acre portion of the 58.51-acre project site and adjusting the remainder lot to an estimated 35.51 acres to the satisfaction of the San Bernardino County Surveyor.

93 **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 for the Lot Line Adjustment and filed with Land Use Services prior to recordation of the amended Parcel Map.

94 **Subdivision - Funds** - Status: Outstanding

Sufficient funds shall remain in PROJ-2019-00057 to verify compliance with the conditions of approval for the Parcel Map.

## Public Health– Environmental Health Services

95 **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."



## Land Use Services - Planning

96 **Grading/Land Disturbance Condition** - Status: Outstanding

A Dust Control Plan shall be submitted and accepted by the County and Mojave Desert AQMD prior issuance of any construction related permits. The Plan shall include methods to stabilize and/or bind the soil as part of construction and operational activities, along with screening to reduce potential dust to the east and south consistent with Development Code Findings 84.29.035(22).

97 **Grading/Land Disturbance Condition** - Status: Outstanding

Prior to ground disturbance activities, the Applicant must prepare a Valley Fever Management Plan (VFMP), including a Valley Fever training program, to be implemented during construction to address potential risks from CI by minimizing the potential for unsafe dust exposure during construction. The VFMP will identify best management practices, including: - Development of an educational Valley Fever Training Handout for distribution to onsite workers, which should include general information about the causes, symptoms, and treatment instructions regarding Valley Fever, including contact information of local health departments and clinics knowledgeable about Valley Fever. - Conducting Valley Fever training sessions to educate all Project construction workers regarding appropriate dust management and safety procedures, symptoms of Valley Fever, testing and treatment options. This training must be completed by all workers and visitors (expected to be on site for more than 2 days) prior to participating in or working in proximity to any ground-disturbing activities. Signed documentation of successful completion of the training is to be kept on-site for the duration of construction. - Develop a job-specific Job Hazard Analysis (JHA), in accordance with Cal/OSHA regulations, to analyze the risk of worker exposure to dust and maintain and manage safety supplies identified by the JHA. - Provide and/or require, if determined to be needed based on the applicable JHA, OSHA-approved half-face respirators equipped with a minimum N-95 protection factor for use during collocation with surface disturbance activities, following completion of medical evaluations, fit-testing, and proper training on use of respirators.

98 **Informational Condition** - Status: Outstanding

Per Development Code Section, 84.29.070 Decommissioning Requirements. (a) Closure Plan. Following the operational life of the project, the project owner shall perform site closure activities to meet federal, state, and local requirements for the rehabilitation and revegetation of the project site after decommissioning. The project owner shall prepare a Closure, Revegetation, and Rehabilitation Plan and submit it to the Planning Division for review and approval prior to building permit issuance. Under this plan, all aboveground structures and facilities shall be removed to a depth of three feet below grade and removed offsite for recycling or disposal. Concrete, piping, and other materials existing below three feet in depth may be left in place. Areas that had been graded shall be restored to original contours unless it can be shown that there is a community benefit for the grading to remain as altered. Succulent plant species native to the area shall be salvaged prior to construction, transplanted into windrows, and maintained for later transplanting following decommissioning. Shrubs and other plant species shall be revegetated by the collection of seeds and re-seeding following decommissioning

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

Fencing. Install a 6 to 8-foot fence with slats for buffering along the property perimeter boundary for screening of the foundation structures that support the solar panels. Additionally, per Development Code Section 84.29.050 Special Fence Standards, "chain-link fencing up to eight feet in height may be installed no closer than 15 feet from the right-of-way on streetside boundaries. Security devices such as razor-wire height extensions may only be directed inward to the property, and may not extend beyond the property boundary to overhang the right-of-way."

100 **Occupancy Condition** - Status: Outstanding

Applicant/Developer shall enter into a Generator Interconnection Agreement between Applicant/Developer and Southern California Edison requiring interconnection of the Project to a local distribution circuit that primarily serves local off-site use. This is to ensure the Project's conformance to the County's Renewable Energy Conservation Element and policy regarding Community Oriented Renewable Energy (CORE) projects. The Applicant/Developer shall submit an executed copy of the Generator Interconnecting Agreement to the Planning Division.

## PRIOR TO FINAL INSPECTION

### County Fire - Community Safety

101 **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

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.sbcfire.org/">https://www.sbcfire.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://dph.sbcounty.gov/programs/ehs/">https://dph.sbcounty.gov/programs/ehs/</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>