

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

May 23, 2023

FROM

CHAD NOTTINGHAM, Interim Director, Land Use Services Department

SUBJECT

Memorandum of Understanding with City of Redlands and PR III/MP Redlands Industrial LLC Regarding Land Use Entitlement Processing

RECOMMENDATION(S)

Approve Memorandum of Understanding (**County Contract No. 23-455**) with the City of Redlands and PR III/MP Redlands Industrial LLC, to acknowledge land use authority and land use entitlement processing for a proposed project to develop an approximately 380,579 square foot high-cube warehouse distribution facility, located primarily within the unincorporated area of San Bernardino County, with a de minimis portion located in the City of Redlands, effective upon full execution by all parties.

(Presenter: Chad Nottingham, Interim Director, 387-4431)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Sufficient appropriation and revenue to complete this administrative action have been included in the Land Use Services Department, Planning Division 2022-23 budget. All costs of processing annexation and related development applications are paid by the applicant.

BACKGROUND INFORMATION

PR III/MP Redlands Industrial LLC (Developer) is proposing to develop an approximately 380,579 square foot high-cube warehouse distribution facility with associated parking and improvements (Project), located at 27050 Palmetto Avenue, primarily located in the unincorporated area of San Bernardino County with a de minimis (small) portion of the Project site to be developed on a parcel located within the City of Redlands (City) (City Property). As proposed by the Developer, the portion of the Project and associated improvements located within the City Property and within the City's jurisdiction include curb, landscaping, and a portion of parking stalls only.

Given the limited encroachment of the Project within the City's jurisdiction and the narrow scope of the improvements that will be developed therein, the parties desire to enter into a Memorandum of Understanding (MOU) to acknowledge and clarify the land use authority and land use entitlement processing for the Project. The proposed MOU acknowledges that all discretionary land use approvals for the Project are properly within the County's sole land use

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May 23, 2023**

jurisdiction, that the development of the improvements on the City Property will be reviewed and acted upon by the City as part of a ministerial action, and that the City agrees the improvements proposed on the City Property are consistent with the City's general plan and zoning codes. In addition, the City acknowledges that the County is the sole lead agency in connection with processing the Project under the California Environmental Quality Act. The Developer is a party to the MOU and has agreed to defend and indemnify the County and City in any action to challenge or void the MOU by a third-party. The recommended MOU has already been approved by the City.

Nothing contained in the MOU precludes the County and City from exercising its land use or police powers or constitute a waiver of any lawful discretion under any law, regarding the County and City's future determination on the Developer's request for Project approvals or permits from the respective jurisdictions.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Jason Searles, Supervising Deputy County Counsel, 387-5455) on March 7, 2023; Finance (Penelope Chang, Administrative Analyst, 387-5412) on March 8, 2023; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on March 8, 2023.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman
Ayes: Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.
Absent: Col. Paul Cook (Ret.)

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 23, 2023



cc: LUSD -Duron w/agree
Contractor - C/O LUSD w/agree
File - w/agree
CCM 05/30/2023