

**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION CONDITIONS OF APPROVAL**

DATE: May 20, 2026

PROJECT FILE NO.: PL26-0026 (Special Conditional Use Permit)

LOCATION: 11840 South Benson Avenue (APN: 1014-401-06)

APPLICANT: City of Chino Public Works Department

1.0 TIME LIMITS:

- 1.1. Special conditional use permit approval shall expire on May 20, 2027, if the approved use has not commenced and/or if building permits are not obtained. The expiration date may be extended upon written request by the applicant on a City application form. The request must be received by the Director of Development Services at least 30 days prior to expiration of the application.
- 1.2. Should the use the special conditional use cease to exist for 180 or more consecutive days, this permit shall be deemed null and void.

2.0 GENERAL REQUIREMENTS:

- 2.1. Failure to comply with any conditions of approval shall be deemed just cause for revocation of project approval by the Planning Commission.
- 2.2. The project shall proceed only in accordance with approved plans on file with the Development Services Department, the conditions contained herein and the Chino Municipal Code.
- 2.3. Approval of this request shall not waive compliance with all sections of the Chino Municipal Code, all other applicable City ordinances, and applicable specific plans.
- 2.4. Pursuant to Government Code Section 66020, the applicant is informed that the 90-day period in which the applicant may protest the fees, dedications, reservation or other exaction imposed on this project through the conditions of approval has begun.
- 2.5. In the event that any condition contained herein is determined to be invalid or legally unenforceable, then all remaining conditions shall remain in force.

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

CONDITIONS OF APPROVAL

FILE NO.: PL26-0026 (SCUP)

DATE: May 20, 2026

- 2.6. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the project sponsors and/or other parties in an action filed in a court of law, which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the applicable section of the entire project shall be reviewed by the City and substitute conditions may be imposed.
- 2.7. The applicant shall indemnify the City and its elected boards, commissions, officers, agents and employees and will hold and save them and each of them harmless from any and all actions, claims, liabilities, losses, damages, penalties, obligations and expenses, including but not limited to attorneys' fees and costs, (collectively "claims") against the City for any such claims and shall be responsible for any judgment arising therefrom. The City shall provide the applicant with notice of the pendency of such action and shall request that the applicant defend such action. The applicant may utilize the City Attorney's office or use legal counsel of its choosing, but shall reimburse the City for any necessary legal cost incurred by City, including for the City's required participation in defense of the claims. The applicant shall provide a deposit in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by City to keep the deposit at such level. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and City shall have no liability to the applicant.
- 2.8. The City of Chino has an exclusive contract with Waste Management for all solid waste collection and hauling services within the City. The applicant shall be responsible for making arrangements with Waste Management for disposal of any/all construction debris or trash generated as a result of this permit. Waste Management can be reached at 1-800 423-9986.
- 2.9. Pursuant to Public Resources Code Section 21089 and Fish and Wildlife Code Section 711.4, the developer shall provide those fees marked [X] below in the form of a check made payable to the ***San Bernardino County Clerk of the Board of Supervisors*** within **5 days of Planning Commission approval. Project approval shall not be complete until the required fee(s) is (are) paid:**

[X] \$50 for the Notice of Exemption filing fee.

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

CONDITIONS OF APPROVAL

FILE NO.: PL26-0026 (SCUP)

DATE: May 20, 2026

3.0 PRIOR TO THE ISSUANCE OF A BUILDING PERMIT AND/OR COMMENCEMENT OF THE APPROVED USE:

- 3.1. Revised plans, incorporating all conditions of approval, shall be submitted for review and approval by the Director of Development Services.
- 3.2. All plans shall be coordinated for consistency.
- 3.3. The developer shall pay development impact fees at the established rate. Such fees may include, but not be limited to, new construction fee, park or open space fees, school fees, drainage fees, sewer fees, building permit and plan check fees.
- 3.4. A construction management plan shall be submitted for review and approval by the Director of Development Services. The plan shall coordinate and address construction activities that may impact residents and/or surrounding businesses on site and in adjacent areas. Elements of the plan would contain, but not be limited to, the following:
 - a. Routing of construction equipment
 - b. Hours of operation
 - c. Dust control
 - d. Vector control
 - e. Vehicle, equipment, and personnel staging
 - f. Pre-construction meetings
 - g. Contractor/subcontractor acknowledgement, obligations, and penalties
 - h. Traffic control and coordination
 - i. Security and interim fencing
 - j. Signs posted on the site with a contact number for the job site construction manager and the City's Code Enforcement Division. Signs shall measure at least four feet by eight feet and shall be posted along every street frontage. The developer shall contact the City immediately upon any change in contact numbers.
- 3.5. Equipment that is not placed underground such as SCE transformers, backflow prevention devices, irrigation valves and controllers used for common landscape areas shall be placed in areas out of public view and sufficiently screened. The location and method of screening shall be reflected in a plan and shall be subject to the review and approval by the Director of Development Services.

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

CONDITIONS OF APPROVAL

FILE NO.: PL26-0026 (SCUP)

DATE: May 20, 2026

- 3.6. All electrical panels and cabinets shall be completely screened. All electrical panels and cabinets shall be fully enclosed and integrated into and architecturally compatible with the building to the satisfaction of the Director of Development Services. The locations of the electrical panels and cabinets shall be reflected on a site plan and elevation(s) to be reviewed and approved by the Director of Development Services.
- 3.7. A detailed on-site exterior lighting plan shall be submitted and approved by the Director of Development Services. Plans shall be designed pursuant to Chino Municipal Code Section 20.10.090 (Outdoor Lighting) and shall identify fixture design, illumination (photometric), location, height and method of shielding, so as not to adversely affect adjacent properties.
- 3.8. Upon submittal of construction drawings to the Building Division for plan check review, all departmental conditions of approval for the project shall be included on the sheet following the title sheet, or the first sheet of the plans. A site plan shall also be attached to all sets of construction drawings. The condition shall be a minimum requirement for acceptance of construction drawings for the Building plan check review.
- 3.9. The applicant is required to contact the West Valley Mosquito and Vector Control District to determine if an inspection or field survey of potential vectors and their ectoparasites is necessary. If the District so determines, an inspection or field survey shall be conducted by the District, at the applicant's expense, prior to demolition or grading in order to protect the health of and reduce the risk of neighboring residents to vector-borne diseases. Based on the inspection or survey results, the applicant shall take appropriate vector control methods as recommended by the District.

4.0 PRIOR TO START OF CONSTRUCTION

- 4.1. A pre-construction meeting, scheduled with the Building Division, shall be held with all applicable City staff members, developer, contractor, superintendent, and all applicable subcontractors.
- 4.2. Detailed landscape and irrigation plans for the development shall be approved by the Director of Development Services.
- 4.3. The approved construction management plan shall be distributed to all contractors and subcontractors and shall be maintained on-site through the duration of construction.

5.0 PRIOR TO THE ISSUANCE OF A CERIFICATE OF OCCUPANCY:

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

CONDITIONS OF APPROVAL

FILE NO.: PL26-0026 (SCUP)

DATE: May 20, 2026

- 5.1. All conditions of approval shall be completed to the satisfaction of the Director of Development Services.
- 5.2. The fee for review of the landscaping and irrigation plans by both the City and the City's landscape architect shall be paid by the developer.
- 5.3. The project site shall be clean and free of trash and construction debris, and all construction equipment shall be removed from the site.

6.0 ENVIRONMENTAL REQUIREMENTS & MITIGATION MEASURES:

- 6.1. Comply with all mitigation measures identified in the attached *Mitigation Monitoring Reporting Program* (Exhibit "A") which identifies each environmental mitigation measure, the time in which it will implemented and the responsible party for monitoring its implementation.

7.0 OTHER REQUIREMENTS:

- 7.1. The project site shall be cleared of all trash, debris, weeds, and other discarded items. The Director of Development Services may approve an extension of time to complete demolition, based on evidence that the applicant has exercised reasonable progress.
- 7.2. A coating that will facilitate the removal of graffiti shall be applied over the complete height of one side/both sides of walls and/or fences, and to a height of eight feet on building walls. If a coating is not provided, the owner of the property shall paint the buildings and/or walls to remove graffiti within 72 hours of notice.
- 7.3. A preconstruction survey (four surveys in four days) shall be conducted no more than 30 days prior to ground disturbance including clearing, grubbing or grading of the site to ensure that no burrowing owls are occupying the project area.
- 7.4. Climate Action Plan:
 - a. Per Section 15.45.070 of the Chino Municipal Code, demonstrate consistency with the Chino Climate Action Plan by implementing one of the following three options:
 - a) Exceed the mandatory California Energy Code Title 24, Part 6 standards in effect at the time of application submittal by 5%; or
 - b) Achieve an equivalent reduction through voluntary measures in the California Green Building Standards Code, Title 24, Part 11 (CALGreen) in effect at the time of application submittal; or

c) Provide other equivalent greenhouse gas (GHG) reductions through measures including but not limited to, non-vehicle transportation infrastructure, transit, ZEV (zero emission vehicle) infrastructure or other incentives, waste diversion, water conservation, tree planting, renewable energy option packages, or any combination of these or other measures such that GHG emissions are reduced by 0.74 MT CO₂e per residential dwelling unit per year and/or per TSF of commercial/industrial use per year.

Applicants that choose Option a described above will be required to verify that their project meets the 5% improvement above the mandatory standards through the appropriate certificate of compliance form for residential construction (CF-1R) or for commercial/industrial construction (PERF-1C). Applicants that choose Options b or c described above will be required to utilize the GHG Performance Standard Checklist developed by the City, or provide other valid documentation, such as CalEEMod or other methodologies, as verified by the Director of Development Services to demonstrate the required GHG reductions consistent with the City's CAP

8.0 CONSTRUCTION SITE SECURITY

- 8.1. Each site shall be completely encircled by a minimum 6' tall security-quality chain link fence once precise grading has been completed or as determined by the Deputy Director of Development Services.
- 8.2. Tennis court or similar screening material shall be securely attached for the length of the fence, excluding gates and 10' on either side of gates.
- 8.3. Each site shall have only one entry/exit gate, or as approved by the Planning Division.
- 8.4. Gate hinge pins shall be spot-welded or altered in such a way as to prevent easy removal.
- 8.5. Each gate shall have a casehardened lock and chain, or other equivalent security hardware.
- 8.6. "No Trespassing" signs shall be attached to the exterior of the fence at a minimum distance of a third of a mile and at all entrances.
- 8.7. On or near the exterior of each gate will be a sign with the address of the site in no less than 6" letters. Both the number and street name will be

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

CONDITIONS OF APPROVAL

FILE NO.: PL26-0026 (SCUP)

DATE: May 20, 2026

listed on the sign. The address posted will be used for the entire site until the fence is removed and individual addresses assigned.

- 8.8. Office trailers and tool bins shall be placed adjacent to gates inside the property to allow observation from outside.
- 8.9. Lighting on trailers and bins is desirable but shall be directed into the property so as not to impede outside observation or endanger nearby traffic with glare.
- 8.10. Tool bins shall be secured with casehardened locks, preferably with lock guards.
- 8.11. A sign stating that theft is not acceptable on the site and will be reported to the police, or wording to that effect, will be displayed prominently near each entrance.
- 8.12. Each site will have an assigned Crime Prevention Manager who is responsible for the following:
 - a. Providing his/her name and 24- hour telephone access number to the Chino Police Department.
 - b. Have available at all times the names and 24-hour contact numbers for all subcontractors.
 - c. Have the authority to speak for the development/owners on matters concerning trespassing and other criminal matters.
 - d. Complete routine fence inspections and arrange for prompt repairs or removal of any damage, graffiti, or loose screening.
 - e. Ensure that no work or maintenance of construction equipment is being performed on the site between 8 PM and 7 AM.
 - f. Ensure that all above security requirements are complied with, and that all security hardware, fencing, and lighting are maintained in working order.
 - g. Ensure that thefts are immediately reported to the police department and the responsible steps are taken, if evident, to prevent future similar incidents.

9.0 THE APPROVED USE SHALL BE OPERATED IN ACCORDANCE WITH THE FOLLOWING:

- 9.1. All operations shall not create a nuisance due to noise, odor, dust, mud, smoke, steam, vibration or other similar causes.
- 9.2. The operation or activity shall not cause the emission of any smoke, fly ash, dust, fumes, vapors, gases, or other forms of air pollution that can

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

CONDITIONS OF APPROVAL

FILE NO.: PL26-0026 (SCUP)

DATE: May 20, 2026

cause damage to human health, vegetation, or other forms of air pollution that can cause excessive soiling on any other parcel. No emission shall be permitted which exceeds the requirements of the South Coast Air Quality Management District or the requirements of any Air Quality Plan adopted by the City of Chino.

- 9.3. The operation or activity shall not emit odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise objectionable to a level that is detectable with or without the aid of instruments at or beyond the project site boundary.
- 9.4. The operation shall not discharge, at any point, into any public or private street, public sewer, storm drain, private stream, body of water, or into the ground, any material which can contaminate any water supply, interfere with bacteriological processes in sewer treatment, or otherwise cause the emission of dangerous or offensive elements, except in accordance with the standards approved by the California Department of Public Health, or any other federal, state or local government agency.
- 9.5. No operation or activity shall emit heat or cold that would cause a temperature increase or decrease on any adjacent parcel in excess of 10°F (5.56°C).
- 9.6. No operation or activity shall cause any impermissible source of electronic disturbance that adversely affects persons or the operation of any equipment on any other parcel that is not in conformance with the regulations of the Federal Communications Commission (FCC). Impermissible interference for the purposes of this document shall mean any interference that violates the rules and regulations of the FCC and/or the Communications Act of 1934, as amended.
- 9.7. No operation or activity shall be permitted to cause a steady state, earth-borne oscillation which is continuous and occurring more frequently than 100 times per minute beyond the project site. Ground vibration caused by moving vehicles, trains, aircraft, or temporary construction or demolition is exempted from this requirement.
- 9.8. Noise emanating from the project site, and which is received by adjacent land uses, shall not exceed the levels specified below, except that loudspeakers, bells, gongs, buzzers or other noise attention or attracting devices shall not exceed a maximum daytime dBA level of 60 and nighttime dBA of 40, measured anywhere beyond the boundaries of the property within which the noise is created.

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

CONDITIONS OF APPROVAL

FILE NO.: PL26-0026 (SCUP)

DATE: May 20, 2026

Maximum Time of Exposure	Noise Metric	Noise Level Not To Be Exceeded	
		7 a.m. to 10 p.m.	10 p.m. to 7 a.m.
30 Minutes/Hour	L50	55 dBA	50 dBA
15 Minutes/Hour	L25	60 dBA	55 dBA
5 Minutes/Hour	L8.3	65 dBA	60 dBA
One Minute/Hour	L1.7	70 dBA	65 dBA
Any Period of Time	Lmax	75 dBA	70 dBA

- 9.9. Should it be determined by the City that noise measurements or a noise analysis of the use is needed, the applicant and its successor(s) shall bear all costs for said measurements and/or study and if necessary shall provide necessary soundproofing to mitigate the noise created on site, if noise and/or vibrations exceed what is permitted under the Chino Municipal Code or create a nuisance to surrounding uses. Said soundproofing shall be installed to the satisfaction of the Director of Development Services.

Attachment:

Exhibit "A" – Mitigation Monitoring Reporting Program (MMRP)