

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION CONDITIONS OF APPROVAL

DATE: August 20, 2025

PROJECT FILE NO.: PL24-0151 (Site Approval)

LOCATION: West side of Corporate Center Avenue, approximately 625 feet west of Ramona Avenue (APN: 1025-211-29)

APPLICANT: BCT Dev. Acquisition Co., LLC

1.0 TIME LIMITS:

- 1.1. Project approval shall expire on August 20, 2026, 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.

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.

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- 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.

3.0 PRIOR TO THE ISSUANCE OF A BUILDING AND/OR GRADING PERMIT:

- 3.1. The developer shall pay development impact fees at the established rate, pursuant to Government Code Section 66007, the applicant shall make payment of fees at the time of impact. Additionally, all applicable fees shall comply with the fee protections established under the Senate Bill No. 330. Such fees may include, but not be limited to, new construction fee, park or

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open space fees, school fees, drainage fees, sewer fees, building permit and plan check fees.

- 3.2. 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***. **Project approval shall not be complete until the required fee(s) is (are) paid:**

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

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

[] \$2,548.00 for the California Department of Fish and Wildlife Mitigated Negative Declaration fee.

[] \$3,539.25 for the California Department of Fish and Wildlife Environmental Impact Report fee.

- 3.3. The Director of Development Services shall have the authority to approve minor deviations in the site plan, architecture and/or landscape providing the total approved building area is not exceeded. If it is determined that the changes will be substantial, approval from the Planning Commission will be required.
- 3.4. As a condition for the approval of a density bonus and additional incentive or incentives and consistent with the requirements of Chino Zoning Code section 20.14.040, the applicant shall agree to enter into a density bonus agreement with the City in a form approved by the City Attorney and consistent with the requirements of Government Code section 65915 and other applicable state law. The City Manager is authorized to execute the density bonus agreement on behalf of the City. The executed density bonus agreement shall be recorded on the parcel or parcels designated for the construction of qualifying units, or donated for the purpose of constructing qualifying units. The approval and recordation shall occur prior to **building permits**. The density bonus agreement shall be binding upon all future owners and successors in interest.
- 3.5. Since the project is utilizing the Affordable Housing Overlay component, the applicant shall enter into an Affordable Housing Overlay agreement with the City in a form approved by the City Attorney. This agreement may be combined with the density bonus agreement in the discretion of the City Attorney.

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- 3.6. All fees, including City Attorney fees, associated with drafting and negotiating the density bonus agreement and Affordable Housing Overlay agreement shall be paid by the developer.
- 3.7. Revised plans, incorporating all conditions of approval, shall be submitted for review and approval by the Director of Development Services.
- 3.8. All plans shall be coordinated for consistency.
- 3.9. The developer shall submit two sets of structural plans/construction documents. Said plans shall include one set of structural calculations, one set of Title 24 energy calculations, and one soils report. The developer shall also submit the above documents in digital format to the Building Division once approved.
- 3.10. A construction-phasing plan shall be submitted to and approved by the Deputy Director of Development Services prior to building permit issuance. This plan shall show which homes will be completed in which phases, and how each completed phase will be closed off from phases under construction so as to minimize conflict between construction vehicles, construction equipment, employees and residents, as applicable.
- 3.11. 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.

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- 3.12. A precise wall plan indicating the design, location and construction details of all walls and fences shall be submitted for review and approval by the Planning and Building Divisions. All perimeter and street-facing walls, including retaining walls, shall be decorative in nature.
- 3.13. Prior to the issuance of any grading permit, four (4) sets of detailed on-site landscaping and irrigation construction drawings along with a copy of the Planning Commission approved conceptual landscape plans and a copy of the conditions of approval shall be submitted for review and approval by the Director of Development Services. A grading permit will not be issued until the City's outside plan checker has completed one review of detailed landscape and irrigation plans for the development. Payment of the Landscape & Irrigation Plan Review Fee shall be due at the time of submittal. Plans shall be prepared to comply with the City's Water Efficient Landscape Ordinance, adopted on October 6, 2015, Ordinance No. 2015-008, meet the requirements for a Landscape Documentation Package in accordance with Section 20.19.030 of the Landscape Ordinance, and shall bear the seal of a landscape architect registered with the state of California. If the site includes areas proposed to be placed within a City-maintained Landscape Maintenance District, then five (5) sets of plans shall be submitted, and the plans shall be prepared on City of Chino, Engineering Division base sheets, and shall bear the seal of a landscape architect registered with the state of California. Original mylars shall be submitted to the City upon approval of plans by the City Engineer.
- 3.14. All ground-mounted utilities, including but not limited to cable television facilities, and telephone/fiber optic facilities, shall be undergrounded. 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 of said utilities shall be reflected in a plan and shall be subject to the review and approval by the Director of Development Services.
- 3.15. All electrical panels and cabinets shall be completely screened to the best extent possible with a combination of landscape and/or berming. 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.
- 3.16. Prior to the issuance of a building permit, the approved grading plans shall be attached to the construction plan set. The project shall be built

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according to the plans approved by the Planning Commission on **August 20, 2025**, as prepared by **BCT Dev. Acquisition Co., LLC**. Any substantial modification to the project shall require Planning Commission review and approval. If minor in nature, the modification may be reviewed and approved by the Development Services Director.

- 3.17. 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. This condition shall be a minimum requirement for acceptance of construction drawings for the Building plan check review.
- 3.18. Prior to the issuance of any grading permit, a landscape plan shall be submitted to the Planning Division for review. A grading permit will not be issued until the City's outside plan checker has completed one review of detailed landscape and irrigation plans for the development.
- 3.19. Mailboxes shall not interfere with free ingress or egress to the project site. The applicant shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes. The location and design of mailbox standards shall be indicated on the required landscape and irrigation plans. The design of the mailboxes shall be subject to the review and approval of the Director of Development Services.
- 3.20. Special Conditions:
 - 3.20.1. A Water Quality Management Plan shall be prepared in accordance with County of San Bernardino requirements and submitted for review and approval by the City.
 - 3.20.2. Where direct views into second-story windows of adjacent units occur, the applicant shall minimize conflicting views of adjacent units by providing smaller and/or higher windows for one of the units to create privacy for the adjacent units. Windows shall not be removed unless approved by the Planning Division but shall still remain wherever possible to allow natural light into the affected units. Final window sizes and locations shall be approved by the Planning Division and shall be analyzed at the plan check level.
 - 3.20.3. Approval of the conceptual landscape plan by the Planning Commission does not constitute final approval. The final landscape approval (during the plan check process and/or

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following installation) shall be subject to the review and approval of the City's Landscape Architect Consultant and the Director of Development Services. The City Landscape Architect or Director of Development Services may require additional/fewer trees, shrubs, vines, and ground cover as necessary, based on final site conditions during the landscape plan check process or field review process in order to mitigate any site conditions that were not apparent during either the Planning Commission review or plan check review process.

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 subcontractors prior to start of construction.
- 4.2. The approved construction management plan shall be distributed to all contractors and subcontractors and shall be maintained on-site through the duration of construction.
- 4.3. 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.

5.0 PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY:

- 5.1. Detailed landscape and irrigation plans for the development shall be approved by the Director of Development Services. The fee for review of these plans by the City's outside plan checker shall be paid by the developer, including the City's Landscape & Irrigation Plan Review Fee.
- 5.2. All landscaping and irrigation shall be installed in accordance with plans on file with the Development Services Department, and irrigation systems fully operational. Furthermore, all landscaped areas shall be free of trash and debris.
- 5.3. A licensed landscape architect or contractor, or other licensed certified professional in a related field shall conduct a final field inspection and shall prepare a certificate of completion, which shall be filed with the Director of

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Development Services. The certificate of completion shall be prepared in accordance with Section 20.19.030.J of the Landscape Ordinance, and shall specifically indicate that plants were installed as specified by the landscape design plan, that the irrigation system was installed as specified by the irrigation design plan, and that an irrigation audit has been performed. All landscape and irrigation audits shall be conducted by a landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape.

- 5.4. A landscape maintenance program for the entire project site shall be reviewed and approved by the Director of Development Services. The maintenance program shall include general landscape maintenance provisions for pruning, trimming, the replacement of any dead, decayed, or diseased vegetation, ongoing weed abatement, and replacement/repair of the irrigation system, when necessary. The landscape maintenance program shall be included with the contract with the landscape maintenance company to ensure they implement the maintenance program. In addition, the maintenance program should include provisions for periodic inspections to ensure the irrigation system is working properly, and all landscaping is being properly maintained.
- 5.5. To minimize damage to paved areas due to tree root growth, trees located within five (5) feet of any paved surface area shall be provided with root barriers unless it can be demonstrated, to the satisfaction of the Planning Division, that the root growth characteristics of the type of tree proposed does not warrant their installation.
- 5.6. A 6-foot-high decorative masonry block wall shall be constructed along the perimeter of the project. Furthermore, a 6-foot-high decorative masonry block wall shall be installed along all interior rear and side property lines, with appropriate gates. All gates shall utilize decorative materials to tie in with the architecture of the adjacent unit and shall be steel-framed with a seal coat to protect against weather depreciation.
- 5.7. All residential units shall have Category 5e wiring or similar data-transfer/network wiring system installed throughout the unit, including the kitchen, bedrooms, and office/tech centers.
- 5.8. Prior to issuance of a certificate of occupancy for the final unit, any temporary sales and/or construction office buildings/trailers shall be removed from the site.
- 5.9. Air conditioning condenser units shall be placed on side or rear yard areas or on roofs so as to not impact access to the rear yard area. Landscaping

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shall be designed and installed so as to not restrict access to gated side yard areas, and concrete pads or similar hard surface shall be installed to facilitate the movement of trash receptacles.

6.0 ENVIRONMENTAL REQUIREMENTS & MITIGATION MEASURES:

- 6.1. Comply with all mitigation measures identified in the *Mitigation Monitoring Program* contained within Addendum to the Program Environmental Impact Report for the Eucalyptus Business Park Specific Plan (SCH#1989070310) for the Project and attached as Exhibit "A" to the conditions of approval, which identifies each environmental mitigation measure, the time in which it will be implemented and the responsible party for monitoring its implementation.
- 6.2. A preconstruction survey shall be conducted no more than 72 hours prior to ground disturbance including clearing, grubbing or grading of the site to ensure that no burrowing owls are occupying the project area.

7.0 OTHER REQUIREMENTS:

- 7.1. The project site shall be cleared of all trash, debris, weeds, and other discarded items within 2 weeks of Planning Commission approval, or as determined by the Director of Development Services. Approval of this application shall be deemed null and void upon failure of the applicant to comply with this condition within the aforementioned time period.
- 7.2. All signs, including subdivision and/or realty signs proposed for this development shall be designed to conform to the Sign Ordinance and shall require separate application and approval by the Planning and Building Divisions prior to installation.
- 7.3. All building drainage gutters, down spouts, vents, etc., located on the exterior walls shall be architecturally compatible with the exterior building design and color, to the satisfaction of the Director of Development Services, or shall be completely concealed from view.
- 7.4. Any revision to plotting and/or elevation changes for residential projects shall be subject to review and approval by the Director of Development Services. If the proposed revisions are substantial, then the Director may require that the Planning Commission review and approve them. To ensure that the appropriate variation of units is maintained, the applicant shall, at a minimum, submit a revised colored site plan, a table identifying the revised unit count, and an exhibit showing the revised streetscene(s).

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Additional information may be required depending on the nature of the changes.

- 7.5. The recreation center shall be fully constructed prior to occupancy of any residential unit within the project area. A 30-day time extension may be permitted subject to approval by the Director of Development Services.

7.6. **Special Conditions:**

- 7.6.1. Prior to the first building permit issuance, the applicant shall pay the fee for the Eucalyptus Business Park Specific Plan (EBPSP) Art in Public Places Program. Required fees are 0.1% of building valuation. Building valuation shall be based on the total building(s) valuation as computed using the latest Building Valuation Data as set forth by the International Conference of Building Officials (ICBO).
- 7.6.2. Exterior building color shall be reviewed and approved by the Director of Development Services. Colors shall be coordinated between structures, utilizing compatible hues and intensities. Final review and approval of paint colors utilizing a color test may be required prior to painting any structure, if determined necessary in the field by the Director of Development Services.
- 7.6.3. All new mechanical equipment and appurtenances of any type (including, but not limited to, electrical cabinets, HVAC equipment, skylights, stack vents or fans) whether located on rooftops, ground level or anywhere on the building structure, shall be completely screened so as not to be visible from any public street and/or adjacent property, subject to review and approval by the Director of Development Services. The parapet wall should serve as the primary method of screening, or the facilities shall be enclosed within the structure of the building. Such enclosure of facilities shall be of compatible design related to building structure for which such facilities are intended to serve.
- 7.6.4. All landscaping shall be designed and installed in accordance with Chapter 20.19 of the Chino Municipal Code.
- 7.6.5. Stone, brick, and other masonry veneers, where used, shall be applied to within four inches of the finished grade.

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- 7.7. All new residential development shall comply with the mandatory measures contained in Chapter 4 of the California Green Building Code and the selected voluntary measure contained in Appendix A4 and identified in Section 15.45.030 (Residential Development) of the Chino Municipal Code.
- 7.8. 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.

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- 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 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 p.m. and 7 a.m.

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- 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 that reasonable steps are taken, if evident, to prevent future similar incidents.

Exhibit A: Mitigation Monitoring Program