

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

DATE: May 7, 2025

PROJECT FILE NO.: PL24-0111 (Administrative Approval) and PL24-0112 (Special Conditional Use Permit)

LOCATION: East side of Central Avenue, north of Schaefer Avenue
(APN: 1020-571-12)

APPLICANT: Kaidence Group LLC

1.0 TIME LIMITS:

- 1.1. The above referenced Administrative Approval and Special Conditional Use Permit shall expire on May 7, 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 90 days prior to expiration of the application.

2.0 GENERAL REQUIREMENTS:

- 2.1. The project shall proceed only in accordance with Planning Commission approved plans on file with the Development Services Department, the conditions contained herein and the Chino Municipal Code.
- 2.2. Failure to comply with any conditions of approval shall be deemed just cause for revocation of project approval by the Planning Commission.
- 2.3. 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.
- 2.4. In the event that any condition contained herein is determined to be invalid or legally unenforceable, all remaining conditions shall remain in force.
- 2.5. Approval of this request shall not waive compliance with any section of the Chino Municipal Code, or any other applicable City ordinances, or applicable specific plan provision.

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- 2.6. Pursuant to Government Code Section 66020, upon approval of the project, the applicant has a 90-day period in which to protest the fees, dedications, reservation or other exaction imposed on this project through the conditions of approval.
- 2.7. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the applicant 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.
- 2.8. 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.
- 2.9. 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.
- 2.10. All proposed signs shall be designed to conform with the City's Sign Code (Chino Municipal Code, Title 16 – Signs) and shall require separate

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application and approval by the Director of Development Services prior to installation.

- 2.11. Any change in the project shall be reviewed by the Development Services Department for compliance with CEQA.
- 2.12. 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.

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

- 3.1. The applicant/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.
- 3.2. 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.
- 3.3. Final revised plans, incorporating all conditions of approval, shall be submitted and approved by the Director of Development Services.
- 3.4. All plans shall be coordinated for consistency.
- 3.5. The applicant/developer shall submit two sets of structural plans/construction documents. The plans shall include one set of structural calculations, one set of Title 24 energy calculations, and one soils report. The applicant/developer shall also submit the above documents in digital format to the Building Division once approved.
- 3.6. A construction management plan shall be submitted and approved by the Director of Development Services. The plan shall coordinate and address construction activities that may impact residents and/or surrounding businesses in adjacent areas. Elements of the plan shall contain, but not be limited to, the following:

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- 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.
 - k. Building and landscape phasing.
- 3.7. A precise wall plan identifying the design, location and construction details of all walls and fences shall be submitted and approved by the Planning and Building Divisions. All perimeter and street-facing walls, including retaining walls, shall be decorative in nature.
- 3.8. 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.
- 3.9. All ground-mounted utilities, including but not limited to cable television facilities, and telephone/fiber optic facilities, shall be undergrounded.

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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.

- 3.10. 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.
- 3.11. 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 according to the plans approved by the Planning Commission on May 7, 2025, as prepared by MCG Architecture, Canon Engineering, and Wilson Davis Associates Landscape Architecture. 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.
- 3.12. 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.
- 3.13. Special Conditions:
 - 3.13.1. A Water Quality Management Plan shall be prepared in accordance with County of San Bernardino requirements and submitted and approved by the City.
 - 3.13.2. 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 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

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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.

- 3.13.3. 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.

4.0 PRIOR TO START OF CONSTRUCTION:

- 4.1. The final landscape and irrigation plans for the development shall be approved by the Director of Development Services.
- 4.2. 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.
- 4.3. The approved construction management plan shall be distributed to all contractors and subcontractors and shall be maintained on-site through the duration of construction.
- 4.4. 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. 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. All landscaping and irrigation shall be installed in accordance with the approved Planning Commission plans on file with the Development

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Services Department, and irrigation systems fully operational. In addition, all hardscaped and landscaped areas shall be free of trash and debris.

- 5.4. 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 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.
- 5.5. Prior to issuance of a certificate of occupancy construction office buildings/trailers shall be removed from the site.
- 5.6. 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 OTHER REQUIREMENTS:

- 6.1. All existing buildings or structures on the project site that are proposed to be demolished shall be removed or razed within 90 days of Planning Commission approval or issuance of a grading permit, whichever occurs first. The Director of Development Services may approve an extension of time to complete the demolition, based on evidence that the applicant has exercised reasonable progress. Approval of this application shall be deemed null and void upon failure of the applicant to comply with this condition within the aforementioned time periods.
- 6.2. The project site shall be cleared of all trash, debris, weeds, and other discarded items within two weeks of Planning Commission approval. 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.
- 6.3. 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.

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- 6.4. 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.
- 6.5. Building and Site Design:
 - 6.5.1. 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.
 - 6.5.2. All building drainage gutters, downspouts, 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. They shall not be located on the exterior of building walls near office areas or other prominent locations on the building(s).
 - 6.5.3. 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.
 - 6.5.4. Returns for parapet walls shall not be visible from public view and shall be evaluated in the field during construction, and modified if necessary so as not to be visible. All parapet returns shall be a minimum of 4 feet deep.
 - 6.5.5. New ladders for roof access shall be mounted on the inside of the building within the commercial and industrial projects.

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- 6.5.6. All new overhead doors, mechanical doors and/or man doors shall be color coordinated with the building.
- 6.5.7. All landscaping shall be designed and installed in accordance with Section 20.19 of the Chino Municipal Code.
- 6.6. Drive-thru Coffee Shop Conditions:
 - 6.6.1. Amplified music shall not broadcast outside of any building.
 - 6.6.2. Employees of the restaurant shall regularly patrol the parking lot to pick up trash, litter, spills, and debris, etc. The overall site maintenance is the responsibility of the property owner and/or manager.
 - 6.6.3. The drive-through window speaker shall not be audible to adjacent properties. If noise complaints are reported from adjacent businesses, mitigation measures must be implemented to the satisfaction of the Director of Development Services.
- 6.7. Parking and Lighting:
 - 6.7.1. All exterior lighting fixtures shall be installed in accordance with plans on file with the Development Services Department and shall be fully operational prior to occupancy.
 - 6.7.2. All building-mounted light fixtures within public areas shall be decorative in nature and architecturally compatible with the building. Building-mounted light fixtures shall be reviewed and approved by the Director of Development Services prior to installation. "Wall-paks" or other standardized exterior lighting shall not be permitted within public areas.
 - 6.7.3. All parking and loading areas shall be paved and double-striped in accordance with plans on file with the Development Services Department, Chino Municipal Code Chapter 20.18 (*Parking*) and the disabled parking and accessibility requirements of state law (see the CalDAG—California Disabled Accessibility Guidebook).
 - 6.7.4. Drive surfaces contiguous with planter areas shall have a 6-inch raised curb separation.
 - 6.7.5. All parking spaces, aisles, entrances and exits shall be double-striped per City standards.

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6.7.6. All parking spaces for compact cars shall be clearly identified as "Compact Car Only" on the pavement, at the opening of the space. Compact parking spaces shall be reasonably distributed throughout the parking area, subject to review and approval by the Director of Development Services.

6.8. Refuse and Recycling:

6.8.1. Separate receptacles (bins) for the collection of refuse and recyclable materials shall be provided. An adequate number of bins to allow for the collection of both refuse and recyclable materials generated by the development shall be provided, to the satisfaction of the Director of Development Services.

6.8.2. Refuse and recyclable materials bins shall be enclosed by a 6-foot- high (1.83 m) wall that is designed to be architecturally compatible with the building(s), with solid view obstructing gates fitted with self-closing door devices, and be designed with cane bolts in front of the block walls to secure the gates when in the open position. The gates should also be equipped with rod locks and corresponding rod holes in both the open and closed gate positions. Bins containing recyclable materials shall be provided protection from adverse environmental conditions that might render the collection materials unmarketable.

6.8.3. No refuse/recycling enclosure shall be located within any required setback area.

6.8.4. All refuse and recyclable material bin enclosures not located in private yard areas shall be screened with landscaping on all sides, with the exception of the gate area. All sides of the enclosure, with the exception of the gate area, shall be surrounded by a minimum 18" wide planter area for the purpose of providing landscape material.

6.8.5. Refuse storage and recycling areas shall not be used for the storage of materials other than that for which it is designed (refuse and recyclable materials). The premises shall be kept in a neat and orderly condition, and in good repair and appearance at all times.

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7.0 CONSTRUCTION SITE SECURITY:

- 7.1. 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.
- 7.2. 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.
- 7.3. Each site shall have only one entry/exit gate, or as approved by the Planning Division.
- 7.4. Gate hinge pins shall be spot-welded or altered in such a way as to prevent easy removal.
- 7.5. Each gate shall have a casehardened lock and chain, or other equivalent security hardware.
- 7.6. "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.
- 7.7. 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.
- 7.8. Office trailers and tool bins shall be placed adjacent to gates inside the property to allow observation from outside.
- 7.9. 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.
- 7.10. Tool bins shall be secured with casehardened locks, preferably with lock guards.
- 7.11. 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.
- 7.12. Each site will have an assigned Crime Prevention Manager who is responsible for the following:

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