

RESOLUTION NO. PC2025-009

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CHINO, CALIFORNIA, APPROVING PL22-0074 (SPECIAL CONDITIONAL USE PERMIT), PL22-0075 (SITE APPROVAL), PL24-0080 (TENTATIVE PARCEL MAP NO. 20634) AND PL24-0081 (SPECIAL CONDITIONAL USE PERMIT) FOR APPROVAL TO SUBDIVIDE APPROXIMATELY 9.82 ACRES OF LAND INTO FIVE LOTS FOR THE CONSTRUCTION OF THE EDEN MIXED-USE DEVELOPMENT PROJECT CONSISTING OF 20,800 SQUARE FEET OF COMMERCIAL RETAIL, A 132,438 SQUARE FOOT SELF-STORAGE FACILITY, AND A 264-UNIT RESIDENTIAL RENTAL COMMUNITY CONSISTING OF A FOUR-STORY APARTMENT BUILDING AT A DENSITY OF 26.9 DWELLING UNITS PER ACRE, AND TO CONDITIONALLY PERMIT TWO FAST FOOD DRIVE-THRU RESTAURANTS AND A SELF-STORAGE FACILITY, LOCATED WITHIN THE GENERAL COMMERCIAL (GC) LAND USE DESIGNATION OF THE EAST CHINO SPECIFIC PLAN WITHIN THE MIXED USE OVERLAY (MUO) DISTRICT, LOCATED ON THE NORTH SIDE OF SCHAEFER AVENUE BETWEEN EUCLID AVENUE AND FERN AVENUE (APN: 1052-581-03).

WHEREAS, the Chino 2021-2029 Housing Element (Housing Element) update was adopted by the City Council on January 4, 2022, with revisions to the Housing Element being adopted in December 2024. The Housing Element established an Affordable Housing Overlay (AHO) and Mixed Use Overlay (MUO) on sites throughout the City that had been identified during the drafting of the Housing Element as a strategy for meeting the City's Regional Housing Need Assessment (RHNA) numbers. Housing sites within both overlays allow for residential development of up to 30 dwelling units per acre (du/ac) provided that projects provide affordable housing for low to very low income households; and

WHEREAS, Orbis Real Estate Partners (the "Applicant"), on October 19, 2022, filed an application with the City of Chino (the "City") for PL22-0074 (Special Conditional Use Permit) and PL22-0075 (Site Approval) for the development of a commercial center; and

WHEREAS, on October 18, 2023, the Applicant revised the scope of the Project for PL22-0074 (Special Conditional Use Permit) and PL22-0075 (Site Approval) and filed subsequent applications on July 9, 2024 with the City for approval of PL22-0074 (Special Conditional Use Permit), PL22-0075 (Site Approval), PL24-0080 (Tentative Tract Map No. 20634), and PL24-0081 (Special Conditional Use Permit) (the "Project") to subdivide approximately 9.82 acres of land into five lots for the construction of the Eden mixed-use development project consisting of 20,800 square feet of commercial retail, a 132,438 square foot self-storage facility, and a 264-unit residential rental community consisting of a four-story apartment building at a density of 26.9 dwelling units per acre, and to

conditionally permit two fast food drive-thru restaurants and a self-storage facility, located within the General Commercial (GC) land use designation of the East Chino Specific Plan (ECSP) within the Mixed Use Overlay (MUO) district, located on the north side of Schaefer Avenue between Euclid Avenue and Fern Avenue (APN: 1052-581-03); and

WHEREAS, the Applicant filed a preliminary application with the City on December 20, 2024; and

WHEREAS, in compliance with the California Environmental Quality Act (CEQA), an Addendum to the City of Chino General Plan Environmental Impact Report (SCH# 2008091064) for the Eden Mixed-Use Development Project, dated April 11, 2025, has been prepared by Applied Planning, Inc.; and

WHEREAS, the Planning Commission of the City of Chino has completed its study of the proposed Project; and

WHEREAS, on May 21, 2025, the Planning Commission held a duly noticed public hearing for the Project in compliance with law, including compliance with the relevant provisions of the California Government Code and Chino Municipal Code, entertained the written and oral report of staff, and took public testimony on the Project.

NOW, THEREFORE, the Planning Commission of the City of Chino, California, does hereby FIND, DETERMINE, and RESOLVE as follows:

A. The foregoing recitals are true and correct and incorporated herein.

B. Based on substantial evidence, both written and oral, from the public hearing, the Planning Commission makes the following findings and takes the following actions on PL22-0074 (Special Conditional Use Permit), PL22-0075 (Site Approval), PL24-0080 (Tentative Tract Map No. 20634), PL24-0081 (Special Conditional Use Permit):

1. *PL22-0075 (Site Approval)*

- a. The proposed Project is consistent with the goals and policies of the City's adopted General Plan and/or applicable specific plan(s), as General Plan Goal LU-1 aims to enhance livability in the City, with Objective LU-1.1 encouraging a variety of housing types that meet the housing needs of residents of all income levels in Chino. The Project is located on a site designated General Commercial (GC) with a Mixed Use Overlay (MUO), as identified in the City's 2021-2029 Housing Element, and proposes 264 multi-family units (including 24 affordable units for low-income households), 20,800 square feet of commercial space, and a 132,438 square foot self-storage facility, located within the Mixed Use Overlay (MUO) within the East Chino Specific Plan (ECSP) and has been designed to meet applicable development standards and design guidelines;

- b. The proposed Project is permitted within the zoning district in which it is proposed and complies with all applicable provisions of the City's Zoning Code. The Project site is located in the GC land use designation of the East Chino Specific Plan and within the MUO district which allows for mixed-use projects with affordable residential units. The proposed Project includes the development of a 264-unit, four-story apartment building, 20,800 square feet of commercial space, and a 132,438 square foot self-storage facility. The Project complies with all standards including building setbacks, lot coverage, height, parking, and landscape requirements;
- c. The subject site is physically suitable, including, but not limited to, parcel size, shape, access and availability of utilities, for the type and intensity of use proposed, as all minimum zoning requirements governing parcel size, shape, access, type and intensity of development have been met or exceeded. The 9.82-acre site is flat and will have adequate infrastructure and five points of vehicular access from Euclid Avenue, Fern Avenue and Schaefer Avenue. Utilities and stormwater improvements will be extended to serve the site;
- d. The subject site for the Project relates to streets and highways properly designed, both as to width and type of pavement to carry the type and quantity of traffic generated by the proposed Project, in that the Project site is located along Fern Avenue and Schaefer Avenue, which are designated as primary arterials and Euclid Avenue, which is designated as an expressway. Access to the site is provided from the adjacent streets. The surrounding streets have been designed to carry the type of traffic visiting the site and additional street improvements will be required of the Project to improve the streets to ultimate conditions where needed;
- e. The proposed Project is compatible with those on abutting properties and in the surrounding neighborhood. There is an existing commercial center, Stater Brothers Plaza, located to the south of the Project site which will interface with the commercial component of the Project. The parcel to the north is currently vacant with an underlying land use designation of GC and within the MUO, consistent with the Project site. The property to the east is located within the City of Ontario and has been designated Medium Density Residential by the Ontario General Plan, with an Affordable Housing Overlay. The Medium Density designation in Ontario allows development at 11 to 25 units per acre while the Affordable Housing Overlay in Ontario allows a minimum of 20 units per acre and a maximum of 30 units per acre, consistent with the City of Chino MUO. The property west of the Project site is designated RD 4.5 by the ECSP. Compatibility with the property located west of the Project site is achieved through transitional building heights, increased setbacks along Fern Avenue adjacent to single-family homes, and a contemporary architectural design that includes a palette of earth-tone colors;

- f. The proposed location, size, and operating characteristics of the proposed Project will not be detrimental to the public interest, health, safety or general welfare, as the proposed mixed-use development of residential and commercial uses supports walkability and neighborhood serving uses and is consistent with the MUO. In addition, certain safeguards have been required of the proposed Project, which the Planning Commission deems necessary to protect the public health, safety, and general welfare. These safeguards (Conditions of Approval) are attached hereto as Exhibit "A";
 - g. The proposed Project will not have a significant adverse impact on the environment as an Addendum to the City of Chino General Plan Environmental Impact Report (SCH# 2008091064) for the Eden Mixed-Use Development Project has been prepared for this Project pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines. The Project is within the scope of the EIR, which adequately describes the activity for the purposes of CEQA; and
 - h. The minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed Project and have been imposed as conditions of Project approval by the Chino Planning Commission. In addition, certain safeguards have been required of the proposed Project, which the Planning Commission deems necessary to protect the public health, safety, and general welfare. These safeguards (Conditions of Approval) are attached hereto as Exhibit "A".
2. *PL24-0080 (Tentative Parcel Map No. 20634):*
- a. *Consistency with plans.* The proposed subdivision, together with the provisions for its design and improvements, is consistent with the City's General Plan and ECSP. The site lies within the GC land use designation with a MUO, and the subdivision supports development consistent with these designations, including the construction residential, commercial and self-storage uses;
 - b. *Consistency with zoning.* The proposed subdivision is consistent with the provisions of the Chino Zoning Ordinance and the ECSP, in that all proposed parcels exceed the minimum 10,000 square foot lot size requirement of the MUO district;
 - c. *Suitability.* The site is physically suitable for mixed-use development because all required on and off-site improvements necessary to accommodate the development will be provided in accordance with City requirements. The site is flat and does not have any development constraints that would hinder future development, and the parcels being created are of sufficient size and dimensions to accommodate the mixed-

use development in accordance with the requirements of the ECSP and MUO;

- d. *Environmental damage.* The proposed subdivisions or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. An Addendum to the City of Chino General Plan Environmental Impact Report (SCH# 2008091064) for the Eden Mixed-Use Development Project has been prepared for this Project, that concludes that the subdivision would not create any new significant impacts, or impacts that are significantly different than those identified in the City of Chino General Plan EIR;
- e. *Wastewater.* The discharge of waste from the proposed subdivision into a community sewer system will not result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code);
- f. *Water service.* The review of the City Engineer or water service agency concludes that there is sufficient water to provide for the mixed-use development of the subdivision. Studies have been provided as part of the Addendum demonstrating that the capacity of existing water, system is adequate;
- g. *Soils and geology.* There are no adverse soil or geological conditions, according to a soils report provided with the Addendum to the City of Chino General Plan Environmental Impact Report (SCH# 2008091064) for the Eden Mixed-Use Development Project;
- h. *Public health.* The design of the subdivision and the associated improvements will not cause serious health problems because full public improvements will be provided and will also be designed and constructed in conformance with City standards as well as applicable State and federal regulations;
- i. *Easements.* The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. Covenants, Codes, and Restrictions (CC&Rs) are required to be recorded with the final map and will include provisions to assure maintenance of all common areas, including landscaping, site access points and off-street parking areas, and to assure common ingress and egress between parcels;
- j. *Environmental documentation.* The environmental documentation is adequate and conforms with the provisions of the California Environmental Quality Act. An Addendum to City of Chino General Plan Environmental Impact Report (SCH# 2008091064) for the Eden Mixed-Use Development

Project, has been prepared for this Project pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines. The Project is within the scope of the EIR, which adequately describes the activity for the purposes of CEQA; and

- k. *Agricultural suitability.* The proposed subdivision will not result in the subdivision of agricultural parcels to a size too small to sustain agricultural use under the conditions for denial listed in Section 66474.4 of the Subdivision Map Act, as the Project site is not currently encumbered with any Williamson Act contracts.
3. *PL22-0074 (Special Conditional Use Permit – Self-Storage Facility):*
- a. The proposed use is consistent with the goals and policies of the City's adopted General Plan and/or applicable specific plan(s), in that self-storage facilities in the MUO district are allowed, subject to approval of a SCUP. General Plan Objective LU-1.3 encourages commercial development that will support and enhance vibrant commercial areas and serve existing neighborhoods. Establishing a self-storage facility that is professionally operated at this location will serve the residents and local businesses within the City;
 - b. The subject site is physically suitable, including but not limited to, parcel size, shape, access and availability of utilities, for the type and intensity of use proposed, as all minimum zoning requirements governing parcel size, shape access, type and intensity of development have already been met or exceeded and the appropriate infrastructure and public improvements are conditioned to be constructed with the development. Additionally, the proposed self-storage facility meets all requirements and development standards set forth in Section 20.09.090.E.4 (Public Storage Facilities) in the Zoning Ordinance;
 - c. The subject site relates to streets and highways properly designed, both as to width and type of pavement to carry the type and quantity of traffic generated by the proposed use; as the self-storage use is located adjacent to Euclid Avenue with direct access to the self-storage facility from two driveways on Euclid Avenue. Euclid Avenue is designated as an expressway and designed to carry the volume of traffic typically generated by self-storage facilities, which is generally low in volume. All other surrounding streets (Fern Avenue and Schaefer Avenue) are also capable of handling the volume of traffic generated by the proposed use;
 - d. The proposed use is compatible with those on abutting properties and in the surrounding neighborhood, as the self-storage facility is located at the northeast corner of the Project site, adjacent to Euclid Avenue and a vacant parcel to the north. The self-storage facility will have direct access from

Euclid Avenue and is anticipated to generate a low volume of traffic based on data provided in the Traffic Impact Analysis that was prepared for the overall Project. There will be no direct views from the self-storage facility to the residential properties located over 162 feet to the north. The self-storage facility is located over 600 feet from the existing residential homes located on the west side of Fern Avenue. In addition, self-storage facilities are inherently low intensity in terms of traffic generation, noise, and activity levels, resulting in minimal trips that are short and infrequent;

- e. The proposed location, size, and operating characteristics of the proposed use will not be detrimental to the public interest, health, safety or general welfare, as self-storage facilities are inherently low impact land uses that generate minimal vehicular traffic, with customer visits typically being short, infrequent, and dispersed throughout the day. In addition, the facility's design and operational plan will include security measures such as controlled access, lighting and 24/7 surveillance systems, further promoting safety;
 - f. The proposed use will not have a significant adverse impact on the environment as an Addendum to the City of Chino General Plan Environmental Impact Report (SCH# 2008091064) for the Eden Mixed-Use Development Project has been prepared for this Project pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines. The Project is within the scope of the EIR, which adequately describes the activity for the purposes of CEQA; and
 - g. The minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed use and have been imposed as conditions of Project approval by the Chino Planning Commission. In addition, certain safeguards have been required of the proposed use, which the Planning Commission deems necessary to protect the public health, safety, and general welfare. These safeguards (Conditions of Approval) are attached hereto as Exhibit "A". In addition, the self-storage facility meets all required development standards and policies.
4. *PL24-0081 (Special Conditional Use Permit – Drive-Thru Restaurants):*
- a. The proposed use is consistent with the goals and policies of the City's adopted General Plan and/or applicable specific plan(s); in that drive-thru restaurants in the GC land use designation of the ECSP are allowed, subject to approval of a SCUP. Furthermore, Objective LU-1.3 of the City's General Plan encourages commercial development that will support and enhance vibrant commercial areas to serve existing neighborhoods with a combination of daily and specialty daily needs;

- b. The subject site is physically suitable, including, but not limited to, parcel size, shape, access and availability of utilities, for the type and intensity of use proposed, as all minimum zoning requirements governing parcel size, shape access, type and intensity of development have already been met or exceeded and the appropriate infrastructure and public improvements are conditioned to be constructed with the development;
- c. The subject site relates to streets and highways properly designed, both as to width and type of pavement to carry the type and quantity of traffic generated by the proposed use; as site access is provided to the fast-food drive-thru restaurants directly from Euclid Avenue and Schaefer Avenue. Both streets are designed to carry the traffic typically generated by drive-thru restaurants. All surrounding streets are capable of handling the volume of traffic that is consistent with the proposed mixed-use development;
- d. The proposed use is compatible with those on abutting properties and in the surrounding neighborhood; as the drive-thru restaurants, with the approval of a SCUP, is compatible with the commercial development to the south, single family residential to the west, vacant land to the north, and future multi-family residential to the east in the City of Ontario and is consistent with the uses permitted in the GC land use designation of the ECSP. The drive-thru restaurants are strategically plotted at the southeastern corner of the Project site, away from the single-family residential homes to the west and north. Homes to the west are buffered from the proposed apartment building and Fern Avenue, while the homes to the north are buffered by the self-storage facility and vacant 3-acre piece of land;
- e. The proposed location, size, and operating characteristics of the propose use will not be detrimental to the public interest, health, safety or general welfare; as the drive-thru restaurants, with the approval of a SCUP, are compatible with the commercial development to the south, single-family residential to the west, vacant land to the north and future multi-family residential to the east in the City of Ontario and is consistent with the uses permitted in the GC land use of the ECSP. The minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed use and have been imposed as conditions of Project approval by the Chino Planning Commission. In addition, certain safeguards have been required of the proposed use, which the Planning Commission deems necessary to protect the public health, safety, and general welfare. These safeguards (Conditions of Approval) are attached hereto as Exhibit "A". In addition, the drive-thru restaurants meet all required development standards and policies;
- f. The proposed use will not have a significant adverse impact on the environment as an Addendum to the City of Chino General Plan Environmental Impact Report (SCH# 2008091064) for the Eden Mixed-Use

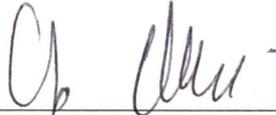
Development Project, has been prepared for this Project pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines. The Project is within the scope of the EIR, which adequately describes the activity for the purposes of CEQA; and

- g. The minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed use and have been imposed as conditions of Project approval by the Chino Planning Commission. Further, the proposed use meets all required development standards and policies pertaining to self-storage facilities.
5. *Affordable Housing Findings:*
- a. The proposed development meets the affordability criteria for the requested density in accordance with the requirements of subsection (D) and (I). The applicant proposes the construction of 264 multi-family rental units on 9.82 acres, resulting in a density of 26.9 dwelling units per acre. To qualify for this density, the Project is required to provide a minimum of 9% of the total of units as affordable to low income households. In compliance with this requirement, 24 of the 264 units will be affordable units; and
 - b. The increased density would not have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the Government Code, upon public health and safety or the physical environment or on any real property listed in the California Register of Historic Resources, as an Addendum to the City of Chino General Plan Environmental Impact Report (SCH# 2008091064) for the Eden Mixed-Use Development Project, has been prepared for this Project pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines that confirms the increased density, would not result in any new significant environmental impacts than those already analyzed in the certified General Plan EIR.
6. *CEQA Findings.* An Addendum to the City of Chino General Plan Environmental Impact Report (SCH# 2008091064) for the Eden Mixed-Use Development Project has been prepared by Applied Planning for this Project pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines. The Planning Commission has considered the Addendum and Environmental Impact Report as part of its decision on this Project pursuant to Section 15164. The Planning Commission hereby finds that the Project is within the scope of the EIR, which adequately describes the activity for the purposes of CEQA. The Planning Commission hereby finds that the Project will not have any impacts that would require a revision to the EIR or any other additional environmental review.
7. *Approval of PL22-0074 (Special Conditional Use Permit), PL22-0075 (Site Approval), PL24-0080 (Tentative Tract Map No. 20634) and PL24-0081 (Special Conditional Use Permit).* The Planning Commission hereby approves PL22-0074

(Special Conditional Use Permit), PL22-0075 (Site Approval), PL24-0080 (Tentative Tract Map No. 20634) and PL24-0081 (Special Conditional Use Permit) subject to the Conditions of Approval attached hereto as Exhibit "A". Applicant, including its successors and assigns, shall be responsible for implementing and complying with all conditions set forth in Exhibit "A".

- 8. *Actions by the Planning Commission Secretary.* The Planning Commission Secretary is hereby directed to attest to the adoption of this Resolution as of the date set forth below and forthwith transmit a copy of this Resolution, by regular mail, to the Applicant at the address of record set forth in the Application.

PASSED, APPROVED, AND ADOPTED THIS 21ST DAY OF MAY 2025.



PLANNING COMMISSION CHAIRPERSON

ATTEST:


SECRETARY, PLANNING COMMISSION

State of California)
County of San Bernardino) §
City of Chino)

I hereby certify the foregoing Resolution was duly adopted by the Chino Planning Commission at a meeting held on the 21st day of May 2025 and entered in the minutes of said Commission.

AYES: COMMISSIONERS: Blanchard, Cisneroz, Lewis, Lopez, Vieira, Alexandris

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Fraga



SECRETARY, PLANNING COMMISSION

Attachment: Exhibit "A" – Conditions of Approval

EXHIBIT A

DEPARTMENTAL CONDITIONS OF APPROVAL

DATE: May 21, 2025

PROJECT FILE NO.: PL22-0074 (Special Conditional Use Permit), PL22-0075 (Site Approval), PL24-0080 (Tentative Tract Map No. 20634) and PL24-0081 (Special Conditional Use Permit)

LOCATION: North side of Schaefer Avenue between Euclid and Fern Avenues (APN: 1052-581-03)

APPLICANT: Orbis Real Estate Partners

The departments listed below have reviewed the above referenced application. Those departments marked with an "X" have required conditions of approval to be imposed on the project.

Development Services Department –

- Planning Division
- ADA Accessibility Division

Public Works Department –

- Engineering Division
- Traffic Division

Chino Valley Independent Fire District

Police Department

Finance Department

Community Services, Parks & Recreation Department

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

DATE: May 21, 2025

PROJECT FILE NO.: PL22-0074 (Special Conditional Use Permit), PL22-0075 (Site Approval), PL24-0080 (Tentative Tract Map No. 20634) and PL24-0081 (Special Conditional Use Permit)

LOCATION: North side of Schaefer Avenue between Euclid and Fern Avenues (APN: 1052-581-03)

APPLICANT: Orbis Real Estate Partners

NOTE: CONDITIONS UNDER SECTION 4.17 AND IN BOLD WERE ADDED BY THE PLANNING COMMISSION.

1.0 TIME LIMITS:

- 1.1. The above referenced Site Approval and Special Conditional Use Permits shall expire on May 21, 2026, if building permits are not obtained and/or the approved uses have not commenced. 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. The above reference Tentative Tract Map shall expire on May 21, 2027, if the final map is not recorded. 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.
- 1.3. Should any of the special conditionally permitted uses cease to exist for 180 or more consecutive days, then the 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 the approved plans on file with the Development Services Department, and with the conditions contained herein and the Chino Municipal Code.

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FILE NO.: PL22-0074 (SCUP), -0075 (SA), PL24-0080 (TTM) & -0081 (SCUP)

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- 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. If it is determined that the changes will be substantial, approval from the Planning Commission will be required.
- 2.4. 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.
- 2.5. 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.
- 2.6. In the event that any condition contained herein is determined to be invalid or legally unenforceable, then all remaining conditions shall remain in force.
- 2.7. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the project's 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.
- 2.8. 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

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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. Any change of use in the project shall be reviewed by the Development Services Department for compliance with CEQA.
- 2.11. All proposed signs shall be designed to conform with Chino Municipal Code Title 16 (Signs) and shall require separate application and approval by the Director of Development Services prior to installation. The applicant shall submit a Sign Program to the Development Services Department for review and approval.
- 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 Determination filing fee.

- 2.13. Special Conditions:

- 2.13.1. 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.

- 2.13.2. All fees, including City Attorney fees, associated with drafting the Affordable Housing Overlay agreement shall be paid by the developer.

3.0 PRIOR TO RECORDATION OF THE FINAL MAP:

- 3.1. The Covenants, Conditions, and Restrictions (CC&Rs) shall be prepared in accordance with the *City Attorney Policy – Guidelines and Protocol for Review and Approval of CC&Rs* and submitted for review and approval by the Development Services and Public Works Departments, Planning and

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Engineering Divisions, and the City Attorney. The approved CC&Rs shall be recorded concurrently with the final map and a recorded copy submitted to the Director of Development Services. The following items shall be included in the final CC&Rs:

- 3.1.1. Reciprocal agreement to assure maintenance of all common areas, including landscaping, site access points and off-street parking areas, and to assure common ingress and egress between parcels. The intent of the CC&Rs is to assure that the entire project is designed and maintained in a uniform and comprehensive manner.
- 3.1.2. Provide a maintenance agreement for review and approval. The proposed maintenance agreement shall contain the Owner's maintenance obligations with respect to various facilities including, but not limited to, right-of-way landscaping, private streets, sidewalks, utilities, streetlights, and Water Quality Management Plan (WQMP) features. This document must be submitted to and approved by the City before it is submitted to any other governmental entity.
- 3.1.3. After recordation of Tentative Tract Map No. 20634, provide one hard copy and one electronic copy of the recorded CC&Rs shall be submitted to the Director of Development Services.

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

- 4.1. The developer shall pay development impact fees per Engineering's conditions. Other applicable 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.
- 4.2. Revised plans, incorporating all conditions of approval, shall be submitted for review and approval by the Director of Development Services.
- 4.3. All plans shall be coordinated for consistency.
- 4.4. 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.
- 4.5. 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,

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the Police Department, School District, other parties that provide essential services, and/or surrounding businesses 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.
 - k. Building and landscape phasing. This plan shall show which buildings and landscaping 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.
- 4.6. 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.
- 4.7. Prior to the issuance of any grading permit, 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 the plans shall be prepared on City of Chino, Engineering Division base sheets, and

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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.

- 4.7.1. 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.
- 4.8. 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 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.
- 4.9. All new 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.
- 4.10. 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.
- 4.11. 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 21, 2025, as prepared by AO Architects, Sitescapes, and Fuscoe Engineering. Any substantial modification to the project shall require Planning

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Commission review and approval. If minor in nature, the modification may be reviewed and approved by the Development Services Director.

- 4.12. A detailed on-site exterior lighting plan shall be submitted for review and approval by the Director of Development Services. Plans shall be designed pursuant to Chino Municipal Code Section 20.10.090 (Outdoor Lighting) and shall indicate fixture design, illumination (photometric), location, height and method of shielding, so as not to adversely affect adjacent properties.
- 4.13. 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.
- 4.14. 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.
- 4.15. 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.
- 4.16. No grading permits shall be issued until all applicable biological resource mitigation measures, identified in the Addendum to the City of Chino General Plan Certified Environmental Impact Report (SCH# 2008091064) for the Eden Mixed-Use Development Project, prepared by Applied Planning, Inc., dated September 23, 2024, as they apply to the project area, have been complied with to the satisfaction of the Director of Development Services.
- 4.17. Special Conditions:
 - 4.17.1. Electrical transformers shall be located in areas that are the least visible to the public and adequately screened to the satisfaction of the Director of Development Services.

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- 4.17.2. An Administrative Approval (AA) application shall be required if any of the proposed tenants for the drive-thru restaurants are a high-volume drive-thru user that would exceed the current drive-thru design capacity.
- 4.17.3. **The massing of the residential building along the north elevation shall be reduced from 4-stories to 3-stories.**
- 4.17.4. **The massing of the residential building around the courtyard shall be increased from 3-stories to 4-stories.**
- 4.17.5. **Signage and artwork shall be incorporated at key locations as follows:**
 - 4.17.5.1. **The word “Chino” shall be displayed at the top of the monument signs located at the Euclid Avenue and Schaefer Avenue driveway entrances.**
 - 4.17.5.2. **Artwork that reflects the historical significance of the site (e.g. strawberry farming) shall be provided at the Euclid Avenue and Schaefer driveway entrances.**
 - 4.17.5.3. **City of Chino identification signage shall be provided within the planter area located at the corner of Euclid and Schaefer Avenues.**
 - 4.17.5.4. **The mural located on the south elevation of the self-storage building shall reflect themes that represent the City of Chino and the history of the site.**
 - 4.17.5.5. **Posters placed at the driveway entrances along Euclid Avenue and Schaefer Avenue shall incorporate the word “Chino.”**

5.0 PRIOR TO START OF CONSTRUCTION:

- 5.1. 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.
- 5.2. Detailed landscape and irrigation plans for the development shall be approved by the Director of Development Services.

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

6.0 PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY:

- 6.1. All conditions of approval shall be completed to the satisfaction of the Director of Development Services.
- 6.2. 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.
- 6.3. All landscaping and irrigation shall be installed in accordance with plans on file with the Development Services Department, and irrigation systems fully operational. In addition, all hardscaped and landscaped areas shall be free of trash and debris.
- 6.4. 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.
- 6.5. 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.
- 6.6. Prior to issuance of a final certificate of occupancy, any temporary construction office buildings/trailers shall be removed from the site.

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6.7. The project site shall be clean and free of trash and construction debris, and all construction equipment shall be removed from the site.

6.8. Special Condition:

6.8.1. Prior to the issuance of a Certificate of Occupancy for the residential component of PL22-0074 (Site Approval), a building permit shall be issued, and construction shall have commenced for the commercial portion of the project.

6.8.2. Provide trees planted in tree wells and/or potted plants with irrigation in areas adjacent to all shops where landscaping is not provided next to building walls, and to break up large, paved areas to enhance the landscape design. The location of these potted plants shall be shown on the landscape plans and the final number and locations shall be subject to the review and approval of the Director of Development Services.

7.0 ENVIRONMENTAL REQUIREMENTS & MITIGATION MEASURES:

7.1. Comply with all mitigation measures identified in the *Mitigation Summary Matrix* contained within the Addendum to the City of Chino General Plan Certified Environmental Impact Report (SCH# 2008091064) for the Eden Mixed-Use Development 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.

8.0 OTHER REQUIREMENTS:

8.1. The applicant shall disclose to all potential tenants or owners of units or buildings that the businesses/uses must be consistent with the standards of the land use designation/zoning district in which the project site is located.

8.2. The project site shall be cleared of all trash, debris, weeds, and other discarded items, and 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.

8.3. 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

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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.

8.4. Building and Site Design:

8.4.1. 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.

8.4.2. 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 buildings.

8.4.3. 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.

8.4.4. 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.

8.4.5. New ladders for roof access shall be mounted on the inside of the building within the commercial projects.

8.4.6. All new overhead doors, mechanical doors and/or man doors shall be color coordinated with the building.

8.4.7. All landscaping shall be designed and installed in accordance with Chapter 20.19 of the Chino Municipal Code.

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8.5. Parking and Lighting:

- 8.5.1. 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.
- 8.5.2. 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 unless reviewed and approved by the Director of Development Services.
- 8.5.3. 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).
- 8.5.4. Drive surfaces contiguous with planter areas shall have a 6-inch raised curb separation.
- 8.5.5. All parking spaces, aisles, entrances and exits shall be double-striped per City standards.
- 8.5.6. 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.
- 8.5.7. Special Condition:
 - 8.5.7.1. A parking management plan shall be prepared by the applicant and submitted to the Director of Development Services for review and approval. The plan may include, but not be limited to the following: assignment of parking garage spaces, assignment of open parking, designation of guest parking, guest parking passes, no parking areas, enforcement, penalties, and towing. Once the plan is approved by the City, the applicant shall explain the parking assignments and restrictions to each new tenant within the development prior to commencement of the lease.

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8.6. Refuse and Recycling:

8.6.1. Separate receptacles (bins) for the collection of refuse, recyclable, and organic materials shall be provided. An adequate number of bins to all for the collection of refuse, recyclable, and organic materials generated by the development shall be provided.

8.6.2. Receptables (bins) shall be located entirely within building(s) or enclosed by a 6-foot- high (1.83 m) wall and provided with a solid roof shade structure 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.

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

8.6.4. 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.

8.6.5. 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.

8.7. Chino Climate Action Plan:

8.7.1. 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

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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.

9.0 THE APPROVED USES 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 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 sewerage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accordance

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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 10⁰F (5.56⁰C).
- 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.

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

10.0 CONSTRUCTION SITE SECURITY:

- 10.1. 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 Building Official.

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- 10.2. 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.
- 10.3. Each site shall have only one entry/exit gate, or as approved by the Planning Division.
- 10.4. Gate hinge pins shall be spot-welded or altered in such a way as to prevent easy removal.
- 10.5. Each gate shall have a casehardened lock and chain, or other equivalent security hardware.
- 10.6. "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.
- 10.7. 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.
- 10.8. Office trailers and tool bins shall be placed adjacent to gates inside the property to allow observation from outside.
- 10.9. 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.
- 10.10. Tool bins shall be secured with casehardened locks, preferably with lock guards.
- 10.11. 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.
- 10.12. 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.

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- 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.

Attachment:

Exhibit "A" – Mitigation Monitoring and Reporting Program

Table 5.1-1 Mitigation Summary Matrix	
Certified EIR	Eden Mixed-Use Development Project
Aesthetics	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all aesthetics impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Agriculture and Forestry Resources	
Under the General Plan, the conversion of two parcels that are currently in an active Williamson Act contract, and which are not found within The Preserve Specific Plan Area would occur. The Certified EIR determined this was a significant and unavoidable impact. No mitigation was presented.	As substantiated in this Addendum, all agriculture and forestry resources impacts of the Project would be less-than-significant. No mitigation is required of the Project.
Air Quality	
<p>The Certified EIR determined that the proposed land uses would be inconsistent with the previous General Plan upon which the 2007 South Coast Air Quality Management Plan (SCAQMP) was based. As such, the General Plan would therefore fail to conform to the planning assumptions included in the 2007 SCAQMP. The GPU's conflict with the 2007 SCAQMP was disclosed as a significant and unavoidable impact.</p> <p>Additionally, increased operational-related vehicle miles travelled (VMT) would result in increased emissions of criteria pollutants for which the region is non-attainment (ozone, PM₁₀, and PM_{2.5}). As such, operational emissions were deemed a significant and unavoidable impact.</p> <p>No mitigation was available for the preceding impacts, and a statement of overriding considerations was adopted.</p>	As substantiated in this Addendum, all air quality impacts of the Project would be less-than-significant. No mitigation is required of the Project.

**Table 5.1-1
Mitigation Summary Matrix**

Certified EIR	Eden Mixed-Use Development Project
Biological Resources	
Mitigation is not identified in the Certified EIR.	<p>Impacts to biological resources would be less-than-significant with the incorporation of Measures BIO-1 and BIO-2:</p> <p><i>BIO-1 Avoidance of Nesting Migratory Birds: If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season, all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified biologist (Biologist). The Biologist shall be approved by the City and retained by the Applicant. The survey results shall be submitted by the Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer, with the final buffer distance to be determined by the Project Biologist. The buffer area shall be avoided until, as determined by the Biologist, the nesting cycle is complete or it is concluded that the nest has failed. In addition, the Biologist shall be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.</i></p>
	<p><i>BIO-2 Avoidance of Nesting Burrowing Owls: No more than 72 hours prior to any site disturbances, focused surveys for the burrowing owl shall be conducted. If absence of this species is confirmed, project work can proceed. If, however, burrowing owl is located on site, the appropriate resource agencies (CDFW and USFWS) shall be contacted. The Applicant shall consult with the wildlife agencies regarding the most appropriate methods and timing for removal of owls. As necessary, owls will be actively evicted following agency approved protocols (i.e., placing a one-way door at the burrow entrance to ensure that owls cannot access the burrow once they leave). Any such active</i></p>

Table 5.1-1 Mitigation Summary Matrix	
Certified EIR	Eden Mixed-Use Development Project
	<i>eviction shall occur outside of the breeding/nesting season. That is, if active eviction is required, eviction shall be accomplished between September 1 and February 15. If more than 30 days have elapsed between owl eviction and completion of clearing and grubbing activities, a subsequent survey for the burrowing owl shall be conducted to ensure that owls have not re-populated the site. Any reoccupation by owls will require subsequent protocol active eviction.</i>
Cultural Resources	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all cultural resources impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Energy	
The environmental topic “Energy” has been added to the CEQA Guidelines Appendix G, Environmental Checklist Form since the adoption of the Certified EIR, and was therefore not specifically addressed in the Certified EIR. Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all energy impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Geology and Soils	
Mitigation is not identified in the Certified EIR.	Geology and soils impacts would be less-than-significant with the incorporation of Measures GEO-1 and GEO-2: <i>GEO-1 Design and development of the Project shall comply with recommendations, specifications and performance standards identified within the Project Geotechnical Investigation. Where the Project Geotechnical Investigation is silent, requirements of the California Building Code as adopted and implemented by the City shall prevail.</i>

Table 5.1-1 Mitigation Summary Matrix	
Certified EIR	Eden Mixed-Use Development Project
	<i>GEO-2 A qualified paleontologist shall be retained to monitor any grading or trenching activities in excess of eight feet. If paleontological resources (fossils) are discovered during Project site-disturbing activities, work shall be halted in that area to assess the significance of the find. The Project paleontologist shall be equipped to record and salvage fossil resources that may be unearthed during site-disturbing activities. The paleontologist shall be empowered to temporarily halt or divert site-disturbing activities to allow recording and removal of the unearthed resources. Any fossils found shall be evaluated in accordance with the CEQA Guidelines and offered for curation at an accredited facility approved by the City.</i>
Greenhouse Gas Emissions	
<i>MM AQ-2 Objective OSC-5.1 Action A1 No later than December 31, 2013, the City shall develop and approve a Climate Action Plan (“CAP”). The CAP shall include, at a minimum, the elements specified in Exhibit D of the Settlement and Release Agreement between CREED and the City of Chino dated December 19/20, 2011.¹</i>	<p>GHG impacts would be less-than-significant with the incorporation of Measure GHG-1:</p> <p><i>GHG-1 The Project final plans and designs shall conform to the provisions of the CAP Update through implementation of the Screening Table Measures. The Project shall implement Screening Table Measures providing for a minimum 100 points. The City shall verify incorporation of the identified Screening Table Measures within the Project building plans and site designs prior to the issuance of building permit(s) and/or site plans (as applicable). Alternatively, the Project would be required to comply with City of Chino Municipal Code Section 15.45.070 - GHG Performance Standards for New Development.</i></p>
Hazards and Hazardous Materials	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all hazards and hazardous materials impacts of the Eden Mixed-Use Development Project would

¹ It is noted that this Mitigation Measure has been revised (as presented) since the adoption of the Certified EIR.

Table 5.1-1 Mitigation Summary Matrix	
Certified EIR	Eden Mixed-Use Development Project
	be less-than-significant. No mitigation is required of the Project.
Hydrology and Water Quality	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all hydrology and water quality impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Land Use and Planning	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all land use and planning impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Mineral Resources	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all mineral resources impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Noise	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all noise impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Population and Housing	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all population and housing impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Public Services	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all public services impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.

Table 5.1-1 Mitigation Summary Matrix	
Certified EIR	Eden Mixed-Use Development Project
Recreation	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all recreation impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Transportation	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all transportation impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Tribal Cultural Resources	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all tribal cultural resources impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Utilities and Service Systems	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all utilities and service systems impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.
Wildfire	
Mitigation is not identified in the Certified EIR.	As substantiated in this Addendum, all wildfire impacts of the Eden Mixed-Use Development Project would be less-than-significant. No mitigation is required of the Project.

PUBLIC WORKS CONDITIONS OF APPROVAL

PROJECT NO. PL22-0075 (SITE APPROVAL) & PL24-0080 (TM 20634)

DATE: May 14, 2025 PC MEETING DATE: May 21, 2025

PROJECT DESCRIPTION: Orbis Commercial Center

PROJECT LOCATION: NWC Euclid Avenue (SR-83) & Schaefer Avenue

APPLICANT: Clark Schaefer Partners, LLC PROJECT ENGINEER: Isidro Abreo

PRIOR TO THE FOUR MAJOR DEVELOPMENT EVENTS, THE APPLICANT SHALL SATISFY AND FULFILL ALL CONDITIONS OUTLINED BELOW. FAILURE TO COMPLY WITH ANY CONDITIONS OF APPROVAL SHALL BE DEEMED JUST CAUSE FOR REVOCATION OF PROJECT APPROVAL BY THE PLANNING COMMISSION. HOWEVER, THE PUBLIC WORKS DIRECTOR SHALL HAVE THE AUTHORITY TO APPROVE MINOR DEVIATIONS IN THE CONDITIONS OF APPROVAL AND ALL PLANS, INCLUDING THE CONSTRUCTION DRAWINGS.

1.0 PRIOR TO MAP RECORDATION (FOR TM 20634):

- 1.1 Provide a preliminary Title Report no older than 60 days.
- 1.2 Submit a soils/geology report in accordance with Appendix J of the California Building Code, latest edition to the project engineer for review and approval.
- 1.3 Make the following dedications:

<u>Street Name</u>	<u>Distance</u>	<u>Direction From C/L</u>
<u>Fern Avenue⁽¹⁾</u>	<u>52'</u>	<u>East</u>
<u>Schaefer Avenue⁽¹⁾</u>	<u>53'</u>	<u>North</u>
<u>Euclid Avenue⁽¹⁾⁽³⁾</u>	<u>Varies⁽²⁾</u>	<u>West</u>

- (1) Include corner cut-offs at the northeast corner of the Fern Ave & Schaefer Ave intersection and at the northwest corner of the Euclid Ave & Schaefer Ave intersection.
- (2) Street dedication ranges between 100 feet and 113 feet along the frontage on Euclid Ave.
- (3) Additional street dedication or an easement deed is required along the property's frontage to the north (A.P.N.1052-581-04) for the construction of public improvements on Euclid Ave. Those improvements include but are not limited to sidewalk, the project driveway, parkway landscape, curb, gutter, street paving, and utilities.

- 1.3b Prepare and record necessary drainage easements to implement the project in accordance with drainage law.
- 1.4 Provide and record a reciprocal use agreement to assure common ingress and egress and joint maintenance of all common access, parking areas and drives.
- 1.5 Provide a set of proposed Covenants, Conditions and Restrictions (CC&R) for review and approval. The proposed CC&Rs shall contain the Association's/Owner's maintenance obligations with respect to various facilities including, but not limited to, right-of-way landscaping, private streets, sidewalks, utilities, street lights, and Water Quality Management Plan (WQMP) features. This document must be submitted to and approved by the City before it is submitted to any other governmental entity.

Reviewed/Approved By: J.P. Date: 5/14/25

- 1.6 Prepare and record a Covenant & Agreement for the two proposed contiguous parcels, which will include the storage facility building and the retail/food shops building. These parcels are proposed to share a common boundary and structural walls. The Covenant & Agreement shall establish the rights, responsibilities, and obligations of all current and future parties with an interest in either or both parcels. At a minimum, the document shall address the terms and conditions for the sale transaction of one or both of the subject parcels. The document shall also be reviewed and approved by the City prior to recordation.
- 1.7 Execute a Subdivision Agreement and submit security in an amount acceptable to the City Engineer to guarantee construction of the public improvements listed in 2.8. All security must be accessible to the City at any time and in a form acceptable to the City Engineer, pursuant to Government Code, Section 66499.
- 1.8 Provide a Monumentation Bond in an amount specified in writing by a Registered Engineer or Licensed Land Surveyor of Record.
- 1.9 Complete and file the petition for annexation of your project property to the City's Landscape and Street Lighting Maintenance District MD 2002-1.
- 1.10 Submit a list of proposed street names for the main driveway (new signalized intersection) for the project to the Street Naming Committee for name(s) selection.
- 1.11 Comply with all applicable requirements of the City Municipal Code.
- 1.12 Provide a Pedestrian Accessibility Plan that labels and indicates the path location and conceptual design of the following structures and facilities:
 - a. Sidewalks and walks (public right of way sidewalk, walks within the development);
 - b. Curb ramps (should be directional with one curb ramp provided for each pedestrian crossing and shall comply with the City's Policy on Accessible Pedestrian Facilities);
 - c. Pedestrian crossings at driveways;
 - d. Crosswalks (marked, unmarked, signalized); and
 - e. Path of travel from right-of-way to recreation facilities (parks, restrooms) and each feature pad area or commercial building pad.
- 1.13 The Pedestrian Accessibility Plan requested in 1.12 should clearly indicate structures that are proposed with this site and future per other phases and/or site plans. Pedestrian facilities (privately or publicly owned) that are open to the public shall comply with accessibility standards in the City's Policy on Accessible Pedestrian Facilities, the current edition of the CBC in effect at the time of building permit issuance or, if no permit, the date construction commences, and Part 36 of Title 28 of the Americans with Disabilities Act (ADA) regulations, which include the 2010 ADA Standards.
- 1.14 Existing pedestrian facilities on the frontage of the development, open to the public within the development, shall be evaluated for accessibility. The street frontage includes all adjacent pedestrian facilities, created by, extended from, or connected to any required or provided sidewalks improvements. The frontage may include sidewalks, curb ramps, connecting crosswalks (marked and unmarked), and other associated pedestrian facilities.
 - a. The following existing improvements shall be made compliant with accessibility regulations as a part of this project:
 - i. sidewalks/walks
 - a. On Fern Ave, Schaefer Ave, and Euclid Ave.
 - ii. shared-use paths/multi-purpose paths
 - iii. curb ramps
 - a. Two (2) directional curb ramps at the northeast corner of Fern Ave and Schaefer Ave.

- b. One directional curb ramp at the northeast corner of New Driveway and Schaefer Ave
- c. One directional curb ramp at the southeast corner of New Driveway and Schaefer Ave
- d. Two (2) directional curb ramps at the northwest corner of Euclid Ave and Schaefer Ave.
- iv. crosswalk pavement and associated pedestrian facilities (pedestrian push buttons, maneuvering space, clear space)
- v. driveway approaches crossings
 - a. Two (2) on Fern Ave.
 - b. One (1) on Schaefer Ave
 - c. Two (2) on Euclid Ave
- vi. parking space (onsite, no on-street parking)

- b. Improvements that are non-compliant with the accessibility standards in effect at the time of construction or alteration, shall be brought up to current accessibility standards. This work shall be incorporated into the scope of this project and shall be completed prior to acceptance by the City.
- c. Improvements that are compliant with the accessibility standards in effect at the time of construction, shall be documented on a separate construction plan with detailed specifications (running and cross slopes of all pedestrian walking surfaces, locations, dimensions and slopes of maneuvering spaces and landings, width of sidewalk, clear width and vertical clearance from obstructions). The accessibility of existing improvements will be verified by City inspection staff upon completion of the project. Discrepancies between documented existing conditions and existing conditions as measured by City staff shall be remediated and brought up to accessibility standards as part of the project.

1.15 Pay all applicable fees pursuant to City Municipal Code including, but not limited to, plan check fees.

2.0 PRIOR TO ISSUANCE OF BUILDING PERMITS FOR ANY LOT WITHIN THE SUBDIVISION/ PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS:

- 2.1 Record Tract Map No. 20634 pursuant to the Subdivision Map Act and in accordance with City Municipal Code. Provide a duplicate photo Mylar of the recorded map to the City Engineer's office.
- 2.2 All required plans and studies shall be prepared by a Registered Professional Engineer and submitted to the project engineer for review and approval. All project plans must be approved by the City Engineer's office before a Building Permit will be issued. All maps, studies, calculation sheets, reports, etc. must be on and/or folded in an 11-inch x 8 1/2-inch standard format.
- 2.3 Provide a focused parking and circulation study comprising the project access/egress, internal circulation and project parking analyses. The study is subject to the review and approval of the City Traffic Engineer.
- 2.4 Prepare and submit a drainage study, including supporting hydraulic and hydrological data to the project engineer for approval. The study shall confirm or recommend changes to the City's adopted Master Drainage Plan by identifying off-site and on-site storm water runoff impacts resulting from build-out of permitted General Plan land uses. In addition, the study shall identify the project's contribution and shall provide locations and sizes of catchments and system connection points and all downstream drainage-mitigating measures.

- 2.5 Prepare and submit a final grading plan showing building footprints, pad elevations, finished grades, drainage routes, retaining walls, erosion control, slope easements and other pertinent information in accordance with Appendix J of the California Building Code, latest edition.
- 2.6 Provide a certificate, from a Registered Civil Engineer, certifying that the finished grading has been completed in accordance with the City approved grading plan.
- 2.7 Design and install a monitoring manhole (per City Standard No. 530) on each domestic sewer lateral connection into a private sewer main that is tributary to the City's main sewer. In addition, a sampling Wye will be designed and installed on a stubbed-out sewer lateral connection into the main sewer for each industrial building in this development.
- 2.8 Design per City Standards and construct full public improvements for all impacted and interior streets/facilities in accordance with City Code, Standards and Specifications. Such public improvements shall include, but not be limited to, the following: (Please coordinate and verify all requirements with the project engineer.)

	<u>Street Names</u>		
	Fern Avenue ⁽¹⁾	Schaefer Avenue	Euclid Avenue ⁽¹⁾⁽⁸⁾
Curb & Gutter (Offset from Centerline)		X(36')	X(84'-98') ⁽²⁾
Sidewalk (Width)	X(6')	X(8')	X(5')
Asphalt Concrete Pavement on Aggregate Base (Width from Centerline) ⁽³⁾	X ⁽³⁾	X	X
Asphalt Concrete Overlay	X	X	X
Driveways (# of dwys) ⁽⁴⁾	X(2)	X(1)	X(2)
Street Lights ⁽⁵⁾	X	X	X
Median Island and Landscaping	X ⁽⁶⁾		X ⁽⁷⁾
Parkway Landscaping ⁽⁹⁾	X	X	X
Striping and Traffic Controls ⁽¹⁰⁾	X	X	X
Traffic Signal/Signal Modification	X ⁽¹¹⁾	X ⁽¹²⁾	X ⁽¹³⁾
Traffic Signal Interconnect ⁽¹⁴⁾			X
Sewer ⁽¹⁵⁾	X		
Storm Drain ⁽¹⁶⁾		X	X
Domestic Water ⁽¹⁷⁾	X	X	X
Recycled Water			
Fire Hydrants as required by CVIFD ⁽¹⁸⁾	X	X	X

- (1) All pedestrian facilities along the project frontage shall be made accessible per the City's Policy on Accessible Pedestrian Facilities. All existing public street improvements not up to current standards shall be remediated. This includes, but is not limited to, the removal and/or repair of any substandard or broken curb, gutter, sidewalks, pedestrian push buttons, crosswalks, and/or curb ramps.
- (2) An additional southbound right-turn lane is required to provide access to the two new driveways on Euclid Ave. The extent of this lane is between the northerly property line of APN 1052-581-04 and the new driveway closest to the Euclid Ave & Schaefer Ave intersection.
- (3) Grind and overlay or replacement of the existing street paving shall be required on Fern Avenue, Schaefer Ave, and Euclid Ave along the project frontage from the edge of pavement to the centerline of the streets. This will be based on the R-value and existing pavement condition of said streets as determined by core samples and the extent of any proposed utility improvements. Based on the extent

- of the storm drain improvements for this project, the full extent of the Fern Ave and Schaefer Ave intersection will also be included. All paving requirements will be at the discretion of the City Engineer.
- (4) The proposed driveways shall be constructed per City of Chino Standard No. 250 with 5-ft minimum sidewalks. Truncated domes are to be provided where the driveway approach is signalized or stop controlled, per ADA requirements.
 - (5) Streetlights on Fern Ave, Schaefer Ave and Euclid Ave shall be designed and constructed for public use using Southern California Edison's LS-2 rate plan.
 - (6) Modify the existing median on Fern Avenue, near the north property line, to provide a turn pocket for southbound left turns into the project and allow for westbound left turns from the project. Note: The existing median has an opening precisely in line with the northerly property line that would need to accommodate the southbound left and westbound left turning movements.
 - (7) A southbound left turn lane pocket is required at the Euclid Avenue & Schaefer Ave intersection. This lane requires a median to be constructed between the left-turn lane and the adjacent southbound through lane. The length of the median will be from the Euclid Ave & Schaefer intersection to just north of the new project driveway to enforce a right-in/right-out-only access at the new driveway closest to the intersection. The final design of this turn lane shall be designed and constructed to the satisfaction of the City Engineer. The street improvements shall be designed in conformance with Caltrans Highway Design Manual standards and specifications.
 - (8) Euclid Avenue is designated as a Major Arterial with a raised median with curbs and landscaping. In lieu of constructing said median improvements and installing landscape and irrigation systems, the developer shall pay an "in-lieu" fee to the City for the City to construct in the future.
 - (9) The property owner is responsible for the parkway landscape maintenance. Parkway landscape and irrigation must be installed along the project frontage on Fern Ave, Schaefer Ave, and Euclid Ave.
 - (10) New signing & striping is required at the new signalized intersection at the new driveway & Schaefer Ave. Both the Fern Ave & Schaefer and the Euclid Ave & Schaefer Ave intersections require restriping to accommodate the new curb ramps, sidewalks, and crosswalks. The City Traffic Engineer will determine the limits of the signing & striping.
 - (11) Modify the existing traffic signal on Fern Ave and Schaefer Avenue to accommodate the new curb ramps and corresponding pedestrian push buttons.
 - (12) A new signal is required at the new project driveway and Schaefer Avenue, between Fern Ave and Euclid Ave. Refer to Condition 1.13 for corresponding street improvements at the intersection, including those on the south side of Schaefer Ave.
 - (13) Modify the existing traffic signal on Euclid Ave and Schaefer Avenue to accommodate a modified southbound left turn pocket lane, new crosswalks, and curb ramps with corresponding pedestrian push buttons.
 - (14) As directed by the City Traffic Engineer, install conduit and pull boxes along the project frontage to accommodate future traffic signal fiber optics.
 - (15) A new public sewer lateral is to be constructed on Fern Ave, in line with the new drive aisle near the northern property line. The extent of this public line is from the point of connection to the City main and the proposed sewer monitoring manhole at the R.O.W./property line. The proposed onsite sewer lines shall be private. Refer to Condition 2.15 for private utility maintenance requirements.
 - (16) A new storm drain line is being proposed along Schaefer Ave, connecting with the city's existing storm drain main line at the Fern Ave & Schaefer Ave intersection. These improvements will require updating the City's Master Plan of Drainage, as indicated in Condition 2.23.
 - (17) Multiple water meters and service laterals constructed proposed on Schaefer Ave and one on Euclid Ave. Refer to City of Chino Std. 415A&B for 3" or larger meters. Water lines that go from the meter to the structures shall be private. Refer to Condition 2.15 for private utility maintenance requirements.

(18)The applicant/property owner shall be solely responsible for any future maintenance and repair of fire service laterals at the project site in accordance with City Code, Chapters 13.04.175 and 13.12.150.

- 2.9 All improvements shall comply with federal, state, and local accessibility regulations and standards. The review or approval of plans and specifications by the City does not permit the violation of any section of the federal law, state law, building code, or local ordinance. Where accessibility standards are contradictory, the provision that provides the most accessible (restrictive) condition shall apply. Where the project's conditions of approval conflict with accessibility regulations and standards, the prevailing provision shall be determined by City's Accessibility Coordinator and City Engineer.
- 2.10 Obtain design and plan approval from appropriate utility companies for undergrounding all overhead (dry) utility lines adjoining and interior to the project, including power lines of 34.5 kV or less, pursuant to City Municipal Code, Chapter 13.32. To accommodate the public improvements on Schaefer Avenue, relocation of the existing poles is required, in addition to the undergrounding of utility lines. Power lines exceeding the 34.5kV threshold can remain above ground with the relocated poles.
- 2.11 Prepare and submit a sewer collection system analysis to determine if downstream facilities are adequate to handle the proposed development. The analysis will evaluate the proposed point(s) of connection and determine if there are any system deficiencies or needed improvements in order for the proposed development to be connected to the City's sanitary sewer collection system.
- 2.12 Pay all applicable fees pursuant to City Municipal Code including, but not limited to, the Development Impact Fees (DIF) and Sewage Facilities Development Fee (SFDF). The actual amount of fees due to the City will be based on the fee schedule in place on the date that the fees are due, or the date that they are paid, whichever occurs last. The fee amount stated in this notice is subject to change based on (1) annual adjustments for inflation, pursuant to Chino Municipal Code, Chapter 3.40.100 or 3.45.100, (2) revisions to the Chino Municipal Code, and (3) updates to the fee studies and nexus reports adopted by the City.
- Developer is solely responsible for remaining informed about changes in the fee amounts. City shall have no obligation to inform Developer of changes in the fee amounts unless Developer requests notice of such changes, pursuant to Government Code Section 66019(b) and Chino Municipal Code Chapter 3.40.080(B) or 3.45.080(B).
- 2.13 All projects developing one (1) acre or more of total land area, or which are part of a larger phased development that will disturb one acre of land, are required to obtain coverage under the State Water Resources Control Board's (SWRCB) General Permit for storm water discharges associated with construction activity. Proof of filing a Notice of Intent (NOI) with the SWRCB for coverage under this permit is required. A copy of the Waste Discharger's Identification Number (WDID), issued by the SWRCB, must be submitted to the Project Engineer prior to issuance of grading permits. More detailed information regarding this General Permit, applicable fee information and the necessary forms to complete the NOI are available by calling (916) 341-5537 or on the SWRCB web site at http://www.swrcb.ca.gov/water_issues/programs/stormwater/constpermits.shtml
- 2.14 Pursuant to Santa Ana Regional Water Quality Control Board Order Number R8-2010-0036, NPDES Permit No. CAS618036, prepare a project-specific Water Quality Management Plan (WQMP) and submit to the project engineer for review and approval. To address NPDES Permit requirements to the maximum extent practicable, the project shall be designed to specify preferential use of Low Impact Development Best Management Practices that reduce pollutants and runoff volume through structural measures (e.g. infiltration, harvesting, and bio-treatment) and non-structural measures (e.g. preserving natural areas, clustering development, and reducing

impervious areas). The WQMP shall conform to the requirements of the San Bernardino County Stormwater Program, 2013 WQMP Technical Guidance Document and include the Trash Order Implementation Plan requirements.

- 2.15 Any future maintenance and repair of sewer laterals, except for the portion of lateral located within the public right-of-way or public easement, and domestic water or fire service laterals to the project site shall be the sole responsibility of the applicant/property owner in accordance with City Code, Chapter 13.04.175 and 13.12.150.
- 2.16 Convey ownership of all onsite water wells that may exist to the City and convert to monitoring wells as directed by the City's Public Works Environmental staff and Water Utilities Supervisor. Prepare and record any necessary easements to provide the City with access to the monitoring wells. Any existing water wells that cannot be feasibly converted to monitoring wells shall be destroyed (per City Standard No. 465).
- 2.17 City staff shall determine the type of water (potable or recycled) to be used for grading operations, dust control activities, and common area/public landscape irrigation at the time of permit issuance.
- 2.18 All public street corners shall have a minimum curb radii per City Municipal Code, Chapter 19.06 and City Standards and Specifications.
- 2.19 Provide adequate sight distance (per City Standard No. 865) for each project driveway and at all intersections. Landscaping type and height shall be maintained to ensure sight distance requirements are perpetuated.
- 2.20 Submit to the City electronic files, in Adobe Acrobat PDF format, of all submittals, including reports, studies, improvement plans, and City redlines of previous submittals. Include AutoCAD and Esri GIS shape files as an e-transmitted zip file of all approved improvement plans.
- 2.21 The developer shall be responsible for the modification of traffic signals at the Fern Ave & Schaefer Ave and Euclid Ave & Schaefer Ave intersections. During construction, the developer shall be responsible for any damages attributed to the construction of related public improvements and shall coordinate with the Transportation Division and the City's designated traffic signal maintenance company for technical support of the traffic signal during construction until such time as the City accepts the improvements to the satisfaction of the City Engineer.
- 2.22 Comply with all requirements of the Traffic Impact Analysis (TIA) dated June 13, 2024 including participation in fair share contributions and construction of required improvements and mitigation measures as shown on the Mitigation Monitoring and Reporting Program, to mitigate impacts.
- 2.23 Provide an addendum to the City of Chino's Master Plan of Drainage (MPD) to include the proposed storm drain line that is required for this project, which will connect to the City's existing storm drain line under System 82. Include an analysis of cost impacts to the system and provide updated system drawings to "slip sheet" them into the MPD.

3.0 PRIOR TO REQUEST AND RELEASE OF ANY OCCUPANCY PERMITS:

- 3.1 Construct and secure Public Works Department approval of all public facilities enumerated under Section 2.8 above (per Resolution No. 88-23).
- 3.2 Underground all utility lines adjoining and interior to the project, including power lines of 34.5kV or less in accordance with City Municipal Code, Chapter 13.32.
- 3.3 Distribute for signature of all buyers, the information and disclosure notice announcing that the development will be annexed to the City's Landscape and Street Lighting Maintenance Assessment District before transfer of property title and completion and acceptance of all public improvements.

- 3.4 Distribute for signature of all buyers, the information and disclosure notice announcing that the project property will be subject to an annual special East Chino Specific Plan area Community Facilities District Tax.
- 3.5 The applicant's Civil Engineer shall field verify that all BMPs are designed, constructed, and functional in accordance with the approved WQMP. BMPs shall also be inspected by Public Works Environmental staff. Coordinate inspection with staff and submit a completed City of Chino BMP field verification form for review and approval.
- 3.6 Rehabilitate all street pavement impacted by utility trench repairs as directed by City staff. Install signing and striping per approved plans.
- 3.7 Provide and record a reciprocal use and maintenance agreement to assure common ingress and egress and joint maintenance of all common access, parking areas and drives.
- 3.8 Pay all remaining applicable fees pursuant to City Municipal Code.

4.0 PRIOR TO FINAL ACCEPTANCE/PROJECT CLOSEOUT:

- 4.1 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.2 Submit to the City a letter from the surveyor indicating monuments required for the map have been set and they have been fully paid for their services.
- 4.3 Submit to the City, electronic files of Tract/Parcel Map and "as-built" improvement plans in AUTOCAD, Esri GIS shape and Adobe Acrobat PDF formats. AUTOCAD files shall be submitted as an e-transmitted zip file of the CAD drawings with all base files attached. Scanned resolution of PDF shall be a minimum of 360 dpi.

**CITY OF CHINO
PUBLIC WORKS DEPARTMENT
DEVELOPMENT ENGINEERING DIVISION**

PROJECT NO. PL22-0075 (SA) & PL24-0080 (TM 20634)

PROJECT ENGINEER: Isidro Abreo

DATE: 5/14/2025

A COPY OF THIS CHECKLIST MUST BE PROVIDED ALONG WITH A COMPLETED PLAN CHECK REVIEW APPLICATION TO THE ENGINEERING TECHNICIAN WHEN MAKING AN APPOINTMENT FOR FIRST PLAN CHECK SUBMITTAL

- Copy of Development Engineering Division Conditions of Approval
- Plan Check Fee Calculation Form
- Maps (Subdivision Only)
- Preliminary Title Report (no older than six months) (Subdivision Only)
- Closure Calculations (Subdivision Only)
- Referenced Maps (Subdivision Only)
- Preliminary Soils Report (no older than sixty days)
- Lot line adjustment certificate
- Lot merger
- Right-of-way dedication
- Rough Grading Plan
- Precise Grading Plan
- Storm Drain Plan- *New public storm drain line on Schaefer Ave*
- Hydrology and Hydraulic Calculations with Backup Data (Signed and Sealed by a Registered Civil Engineer)
- Engineering Cost Estimate (On City Forms) with Engineer's Wet Signature and Stamp
- Street Improvement Plan
- Cross-sections (if street plans are required) at 50' intervals and extended a minimum of 100' beyond the limits of improvements
- Sewer Plan- *Revise record drawings to add the sewer service lateral and monitoring manhole*
- Domestic Water Plan- *Revise record drawings to add the water service laterals and meters*
- Street Light Plan
- Voltage Drop Calculations (Signed and Sealed by a Registered Engineer)
- Signing and Striping Plan
- Traffic Signal Interconnect Plan- *Euclid Avenue*
- Traffic Signal Plan- *New signal plan for 'New Driveway' and Schaefer Ave*
- Traffic Signal Mod Plan- *Revise existing signal plan for Fern Ave & Schaefer Ave*
- Traffic Signal Mod Plan- *Revise existing signal plan for Euclid Ave & Schaefer Ave*
- Water Quality Management Plan
- Construction Management Plan



Chino Valley Fire District

14011 City Center Drive
Chino Hills, CA 91709
(909) 902-5260 Administration
(909) 902-5250 Fax
Chinovalleyfire.org

Board of Directors

Harvey Luth
President
Sarah-Ramos Evinger
Vice President
John DeMonaco
Tom Haughey
Mike Kreeger

Fire Chief
Dave Williams

May 13, 2025

2022-00003067

CLARK SCHAEFER PARTNERS, LLC
280 NEWPORT CENTER DR STE 240
NEWPORT BEACH, CA - California 92660

Project Name: ORBIS COMMERCIAL
PL22-0074-0075, PL23-0111, PL24-0080-0081
Project Address: NW CORNER OF EUCLID &
SCHAEFER AVE, Chino, CA. 91710

It is a recommendation of the Fire District that the developer of every new construction project facilitate a preconstruction meeting. The meeting is to be scheduled with the Fire District Inspector for said project.

The following are the conditions of the above referenced permit/project. All conditions shall be adhered to, failure to comply with said conditions may result in the revocation of said permit and/or punitive fines as outlined in the Fire District fee schedule.

We look forward to a cooperative working relationship throughout the project. Should you have any questions regarding the project, including the conditions as set forth herein, please feel free to contact our office at (909) 902-5280.

Fire Protection Requirements

- 1.0 THE ITEMS BELOW ARE CONDITIONS OF APPROVAL AND ARE TO BE COMPLETED PRIOR TO RECORDATION:
 - 1.1 Fire access roads shall be designed and plans submitted to the Fire District for approval. Fire access roads shall be constructed of an all-weather hard surface, such as, asphalt or concrete, and be a minimum unobstructed width of 26 feet and minimum clear height of 13'6". The road grade shall not exceed twelve percent (12%) maximum. An approved turn around shall be provided at the end of each roadway in excess of 150 feet in length. Aerial access shall be provided for any buildings 30' ft. and higher per 2019 CFC. Appendix D. A 26' ft. wide access road shall be a minimum of 15' ft. to the building and a maximum of 30' ft. from the building. Access roads shall comply with Fire District Standard No. 111.

- 1.2 The development and each phase shall have two (2) points of vehicular access during construction. Fire District Standard No. 111 shall be complied with.
- 1.3 Water systems shall be designed to meet the required fire flow of this development and be approved by the Community Risk Reduction Division. Buildings in excess of 100,000 square feet shall have a minimum of two (2) connections to a public main. The developer shall furnish the Community Risk Reduction Division with three (3) copies of the water system working plans done by the installing contractor for approval, along with the Fire Flow Availability Form completed by the water purveyor prior to recordation. The required fire flow shall be determined by using the California Fire Code, current adopted edition. For all private systems, the water systems shall comply with Fire District Standard Nos. 101, 102, and 103. In areas without water-serving utilities, fire protection water systems shall be based on NFPA Pamphlet 1231. For water connections and work conducted in the public right of way, please refer to separate plans reviewed and approved by the water purveyor.
- 1.4 Fire hydrants shall be six-inch (6") diameter with a minimum one four-inch (4") and one two and one-half inch (2-1/2") connections. All fire hydrants shall be spaced a maximum of three hundred feet (300') apart. Private water systems shall comply with Fire District Standard Nos. 101, 102, and 114. All hydrants shall be installed with pavement markers to identify their locations.
- 1.5 Access drives which cross property lines shall be provided with CC & R's, access easements or reciprocating agreements and shall be recorded on the titles of affected properties. Copies of the recorded documents shall be provided at the time of Fire District plan review.
- 1.6 Underground fire mains which cross property lines shall be provided with CC & R's, easements, or reciprocating agreements addressing the use and maintenance of the mains and hydrants and shall be recorded on the titles of affected properties. Copies of the recorded documents shall be provided at the time of Fire District plan review.
- 2.0 THE ITEMS BELOW ARE CONDITIONS OF APPROVAL AND ARE TO BE COMPLETED PRIOR TO ISSUANCE OF BUILDING PERMIT:
- 2.1 Fire access roads shall be constructed and approved by the Community Risk Reduction Division prior to combustibles being brought onto the site.
- 2.2 Approved street signs shall be installed prior to issuance of building permits, as well as a job site address.
- 2.3 Fire Protection water systems shall be tested, operational, and approved by the Community Risk Reduction Division prior to combustible materials being brought to the site.
- 2.4 All flammable vegetation shall be removed from each building site for a minimum distance of thirty feet (30') from any flammable building material including all structures.

- 2.5 A detailed site plan of the development is required to be submitted in electronic (pdf.) format. The plan must show and be limited to: locations of property lines, buildings, and equipment and hazards for emergency response purposes. Please refer to Fire District Standard No. 143. Additional or revised files may be required during construction and/or prior to final signoff.
- 2.6 The Developer shall submit, as an electronic file, a drawing of the new streets in pdf format to the Fire District with the building construction plans. Format must contain and be restricted to the following layers: A. Right of way; B. Parcel Lines; C. Street Names; D. Address numbers; E. Fire Hydrants. Additional or revised files may be required during construction and/or prior to final signoff.
- 3.0 THE ITEMS BELOW ARE CONDITIONS OF APPROVAL AND ARE TO BE COMPLETED PRIOR TO OCCUPANCY:
- 3.1 An automatic protection fire sprinkler system is required for all buildings 5,000 sq. ft or greater. and/or when used for allowable area increase, if applicable. This system shall comply with NFPA Standard No. 13 and Fire District Standard No. 110. An electronic/PDF set of detailed plans along with hydraulic calculations and material specifications shall be submitted to the Community Risk Reduction Division. The system shall be installed, tested and approved prior to system final. Fire sprinkler systems shall be installed by a licensed C-16 contractor and the contractor is required to submit a report to The Compliance Engine (TCE).
- 3.1 A residential "life safety" fire sprinkler system is required. The developer shall submit an electronic/PDF set of detailed plans and hydraulic calculations to the Community Risk Reduction Division for approval. The system shall be installed, tested and approved prior to occupancy. The system shall meet the standards of NFPA 13R or 13D and Fire District Standard No.126. Dwellings in excess of 5,000 square feet shall provide calculations of the (4) four most remote sprinkler heads. For NFPA 13R systems, the contractor is required to submit a report to The Compliance Engine (TCE).
- 3.2 An automatic fire alarm system is required. An electronic/PDF set of detailed plans shall be submitted showing the design, system components, signaling devices, fire alarm power supply, control panel and auxiliary devices and functions of the alarm system. Please refer to Fire District Standard No. 133 and current adopted editions of the California Building Code, as well as NFPA Standard 72. The contractor is required to submit a report to The Compliance Engine (TCE).
- 3.3 Approved in-building, two-way emergency responder communication coverage for emergency responders shall be provided in all new buildings, if ERRC evaluation determines the need for installation of system. In-building, two-way emergency responder communication coverage within the building shall be based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. System shall comply with current adopted edition of the California Fire Code, NFPA 70, 72 & 1221 and the contractor is required to submit a report to The Compliance Engine (TCE).
- 3.4 An automatic fixed fire extinguishing system may be required. An electronic/PDF set of detailed plans shall be submitted to the Community Risk Reduction Division for approval.

System shall comply with current adopted edition of the California Fire Code, NFPA Standard 17-A, and UL 300. Please refer to Fire District Standard No. 112. The contractor is required to submit a report to The Compliance Engine (TCE).

- 3.5 Insulated liquid carbon dioxide systems with more than 100 pounds (45.4 kg) of carbon dioxide used in beverage dispensing applications shall comply with CFC, Section 5307.3.1., and shall be provided with mechanical ventilation or a gas detection system. The contractor is required to submit a report to The Compliance Engine (TCE).
- 3.6 A maximum occupant load sign shall be posted in a conspicuous location near the main entrance/exit of the room, if occupant load is greater than 49 people. Such sign shall be legible.
- 3.7 Hand-held portable fire extinguishers are required to be installed. The location, type and cabinet design shall be approved by the Community Risk Reduction Division.
- 3.8 Smoke and Carbon Monoxide alarms are required to be installed per Section 310 of the California Building Code, current adopted edition. Locations shall be in accordance with code requirements.
- 3.9 Exits, doors, signs and approved path marking shall be installed in accordance with the current adopted edition of the California Building Code, Section 1007
- 3.10 "No Parking - Fire Lane" signs shall be installed in interior access drives at locations designated by the Community Risk Reduction Division. Curbs shall be painted red at locations designated by the Community Risk Reduction Division. Please refer to Fire District Standard No. 121.
- 3.11 An approved recessed Fire Department "KNOX" brand key box is required. The key box shall be located at or near the main entrance(s), and shall be provided with a tamper switch and shall be monitored by an approved central station monitoring service. Please refer to Fire District Standard No. 117.
- 3.12 An approved Knox key switch and/or Knox lock is required on each automatic electric or manual gate that crosses an EVA. All automatic gates shall be provided with a manual override. Fire District Standard No. 116 & 117 shall be complied with.
- 3.13 Commercial, industrial, and multi-family building addresses shall be posted with a minimum eight inch (8") numbers, visible from the street and during the hours of darkness they shall be internally or externally electrically illuminated. Posted numbers shall contrast with the background used and be legible from the street.

Where building set back exceeds 100 feet from the roadway, additional non-illuminated six inch (6") numbers shall be displayed at the property access entrance. These numbers shall also contrast with the background used. Fire District Standard No. 122 must be complied with.
- 3.14 Residential street addresses shall be posted with a minimum of four inch (4") numbers, shall be electrically illuminated (by 12-volt power source only) by internal means during the hours of darkness. Posted numbers shall contrast with the background used and be

legible from the street in accordance with the California Fire Code, current adopted edition. Where building is set back more than 100 feet from the roadway, additional non-illuminated four inch (4") numbers shall be displayed at the property access entrance. These numbers shall also contrast with the background used. Please refer to Fire District Standard No. 122.

- 3.15 An electronic/PDF set of plans shall be submitted separately for each of the following listed items to the Fire District for review, approval and permit prior to any installation or work being done. Approved plans must be maintained at the worksite during construction. Fees are due at the time of submittal.
- a) Building Construction, includes tenant improvement work
 - b) Private (onsite) Underground Fire Protection Water Systems, if applicable
 - c) Fire Sprinkler Systems, designed by C16 contractor or registered engineer
 - d) Fire Alarm Systems or Sprinkler Monitoring Systems designed by a C7, C10 contractor or registered engineer.
 - e) Knox box and/or security gate locations.
 - f) Gas detection systems
 - g) Emergency Responder Radio Coverage Systems

Applicable Standards:

101, 102, 103, 110, 111, 114, 117, 121, 122, 126, 133, 141, 143

CVFD Standards available online at <http://www.chinovalleyfire.org>

**POLICE DEPARTMENT
CONDITIONS OF APPROVAL**

DATE: May 21, 2025

PROJECT FILE NO.: PL22-0074 (Special Conditional Use Permit), PL22-0075 (Site Approval), PL24-0080 (Tentative Tract Map No. 20634) and PL24-0081 (Special Conditional Use Permit)

LOCATION: North side of Schaefer Avenue between Euclid and Fern Avenues (APN: 1052-581-03)

APPLICANT: Orbis Real Estate Partners

1.0 GENERAL REQUIREMENTS:

- 1.1. FLOCK cameras shall be installed and adequately positioned to cover main entrances and exits to the property (Schaefer and Euclid Avenues).
- 1.2. Install and adequately position license plate reader quality security cameras capable of capturing nighttime video to cover door entrances (directed towards faces), rear of the properties, parking lots, entrance and exit to residential parking structure, and safe storage locations with 24/7 monitoring. Consider private security during nighttime/early morning hours. Allow access to camera system to our Real Time Crime Center Analysts for in progress calls for service/crimes in progress. Contact Leah Green Chino PD (909-334-3060).
- 1.3. *A CPTED (Crime Prevention Through Environmental Design) inspection can be scheduled to assist with recommendations on camera placement for best coverage.