

## **EXHIBIT C**

### **Planned Development Conditions of Approval**

## CONDITIONS OF APPROVAL

### Coastal Commercial Properties

### **Preliminary and Final Planned Residential Development**

#### **GENERAL REQUIREMENTS**

#### Conditions of Operation and Procedures

#### LAND USE SERVICES - Planning (909) 387-8311

1. Project Approval Description. This Planned Residential Development (PRD) is approved to be constructed project and operated in compliance with the San Bernardino County Code (SBCC), the following conditions of approval, the approved Planned Residential Development Plan and any other required and approved reports and/or displays (e.g. elevations). This PRD project is approved to establish 36 lot residential development on 6.86 acres.
  - a) Project signs shall comply with SBCC Chapter 83.13.
  - b) Project landscaping shall comply with SBCC Chapter 83.10
  - c) Project construction shall comply with all applicable construction codes including the California Building Codes (CBC) and Uniform Fire Code (UFC).
  - d) The “developer” shall provide a copy of the approved conditions and site plan to every current and future project property owner to facilitate compliance with these conditions of approval and continuous use requirements.  
Project Site APN: 1016-521-03, 04, 05. Project No. P201300324
  
2. Project Location: The project site is located on the west side of Pipeline Avenue, Approximately 860 feet north of Riverside Drive. Fourth Supervisorial District. The current zoning designation for this project is RS-20M
  
3. Concurrent Applications. A concurrently filed General Plan Amendment proposes to change the site from RS-20M to SD (PRD-2014-02) and Tentative Tract Map 18902 proposes to create a 36 single –residential lots on 6.86 acres. The Developer should review and be prepared to comply with all conditions for the Preliminary and Final Development Plan and Tract 18902 before preparing plans or the construction process commences.
  
4. Revisions. Any proposed change to the approved use/activity on the site (e.g. from a condominium project to mobile home park); or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to structures building locations, elevations, signs, parking allocation, landscaping, lighting, allowable number of occupants; or a proposed change in the conditions of approval, including operational restrictions from those shown either on the approved site plan and/or in the conditions of approval shall require that an additional land use application (e.g. Revision to an approved Action) be submitted to County Planning for review and approval.

5. Development Standards. The proposed Official Land Use Zoning District is PRD-2014-02. The following development standards shall apply to this PRD upon approval of the zone change and recordation of the tract:
- Maximum lot coverage (impervious area) shall be sixty percent (60%) of net lot area.
  - Maximum building height shall be thirty five (35) feet.
  - Minimum Yard Setbacks are: Front – 20 Ft.; Side – 5 ft.; Street Side – 10 ft; Rear – 15 ft.
6. Expiration/PRD. The Planned Residential Development approval shall expire and become void if it is not “exercised” within five (5) years of the effective date of this approval, unless an Extension of Time is granted. The permit is deemed “exercised” when either 1) the permittee has commenced actual construction or alteration under a validly issued Building Permit, or 2) the permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a Building Permit [SBCC 86.06.060]. Occupancy of completed structures and operation of the approved exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:
- Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and a final inspection is approved.
  - The land use is determined by the County to be abandoned or non-conforming.
  - The land use is determined to be not operating in compliance with either these conditions of approval, the County Code, or other applicable laws, ordinances or regulations and the violation is not corrected and the land use is revoked.

PLEASE NOTE: This will be the ONLY notice given of the expiration date. The property owner is responsible for initiation of any extension request and the granting an extension is a discretionary action.

7. Extension of Time/PRD. Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three (3) years beyond the current expiration date. An Extension of Time may be granted upon a successful review of an Extension of Time application, which includes a justification of the delay in construction, a plan of action for completion and submittal of the appropriate fee, not less than 30 days prior to the expiration date.
  
8. "Developer" Defined. The term "developer" as used in these conditions of approval for this project and for any development of this project site, includes all of the following: the applicant, the property owner and any lessee, tenant or sub-tenant, operator and/or any other agent or other interested party of the subject project and/or project site and/or any heir or any other successor in interest in the project site or project land use by sale or by lease of all or of a portion of the project site or project land uses and/or any other right given to conduct any land use in any or all of the project structures or any area on the project site.
  
9. Indemnification. In compliance with SBCC §81.01.070, the "developer" shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" {herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body} from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the "developer" of any claim, action, or proceeding and that the County cooperates fully in the defense. The "developer" shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the "developer" of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

10. NOD/MND/CDFG Fees. The California Environmental Quality Act (CEQA) requires that an environmental determination be prepared for this project. County staff completed an environmental initial study for this project and properly circulated it for review. This study represents the independent judgment of the County acting as lead agency for the project. The project will not have a significant adverse impact on the environment with the implementation of all the required conditions of approval and mitigation measures. A Mitigated Negative Declaration (MND) will be issued indicating that all identified impacts were found to be mitigated below a level of significance. A Notice of Determination (NOD) of this finding is required to be filed with a fee (currently \$50). The California Department of Fish and Game (CDFG) requires that an additional fee (currently \$2181.25) be paid with the NOD filing, unless CDFG issues a determination of "No Biological Effect". The combined fees (\$2,231.25) are required to be paid to the Clerk of the Board with the NOD filing. The project approval does not become effective, until these fees are paid and the filing is posted.
11. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
12. Project Account. The Job Costing System (JCS) account number is P201400324. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 shall be in the project account at the time of project approval and a minimum balance of \$1000.00 must be in the project account at the time the County Surveyor initiates Condition Compliance Review for recordation. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to recordation. There shall be sufficient funds (\$250.00) remaining in the account to properly fund file closure and any other required post-occupancy compliance review and inspection requirements (e.g. mitigation performance).

13. Condition Compliance. In order to obtain construction permits for grading, building, final inspection and tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through County Planning in accordance with the directions stated in the Approval letter. County Planning shall release its holds on each phase of development by providing to County Building and Safety the following:
- Grading Permits - a copy of the signed CCRF for grading/land disturbance and two “red” stamped and signed approved copies of the grading plans.
  - Building Permits - a copy of the signed CCRF for building permits and three “red” stamped and signed approved copies of the final approved site plan.
  - Final Inspection - a copy of the signed CCRF for final inspection of each respective building, after an on-site compliance inspection by County Planning.
14. Additional Permits. The “developer” is responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These include but are not limited to::
- a) FEDERAL: Army Corps of Engineers (ACOE), US Fish and Wildlife (USFS)
  - b) STATE: Fish and Game (CDFG), State Fire Marshall. Mojave Desert Air Quality Management District (AQMD), Regional Water Quality Control Board (RWQMB) Colorado River Basin Region
  - c) COUNTY: Land Use Services - Building and Safety/Code Enforcement, County Fire - HazMat and County Fire/Community Safety; Public Health-Environmental Health Services (DEHS), Public Works – Land Development, Traffic, County Surveyor, Solid Waste, AND
  - d) LOCAL: Local Agency Formation Commission (LAFCO)
15. Continuous Maintenance. The property owner/“developer” shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The “developer” shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:
- a) Annual maintenance and repair inspections shall be conducted for all structures, fencing/walls, walks, parking lots, driveways, and signs to assure proper structural, electrical and mechanical safety and a properly operating irrigation system.
  - b) Graffiti and debris shall be removed immediately with weekly maintenance.
  - c) Landscaping shall be maintained in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.

- d) Fuel Modification zones shall be maintained annually to insure on-going protection from wildland fire.
  - e) Erosion control measures shall be maintained to reduce water run off, siltation, and promote slope stability.
  - f) Architectural controls shall be enforced by the property owner to maintain compatibility of theme, materials, unfaded colors, building mass, size and height.
  - g) External Storage, loading, recycling and trash storage areas shall be kept neat, orderly, and fully screened from public view. Commercial outside storage shall be fully screened from public view and not exceed the height of screening walls.
  - h) Metal Storage Containers are NOT allowed in commercial loading areas or other areas unless specifically approved by this or subsequent land use approvals.
  - i) Screening shall be visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
  - j) Signage. All on-site signs, including posted area signs (e.g. "No Trespassing") shall be maintained in a clean readable condition at all times and all graffiti and vandalism shall be removed and repaired on a regular weekly basis. Signs on the site shall be of the size and general location as shown on the approved site plan or an approved sign plan.
  - k) Parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs shall be maintained in an unfaded condition as identified on the approved site plan. Any modification to parking and access layout requires County review and approval. The markings and signs shall be clearly defined, unfaded and legible, these include parking spaces, disable space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps "No Parking" "carpool" and "Fire Lane" designations.
  - l) Fire Lanes. All markings required by the Fire Department including "No Parking" designations, and "Fire Lane" designations shall be clearly defined and shall be maintained in good condition at all times.
16. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration and the disposal of liquid waste. In addition to these, none of the following shall be perceptible without instruments at any point outside the project boundaries at adjoining property lines:
- a) Odors: No offensive or objectionable odor
  - b) Emissions: No emission of dirt, dust, fly ash, and other forms of particulate matter.
  - c) Smoke: No smoke from any project source shall be emitted of a greater density than that described in No. 2 on the Ringelmann Chart (as published currently by the United States Bureau of Mines)

- d) Radiation: No dangerous amount of radioactive emissions.
  - e) Toxic Gases: No emission of toxic, noxious or corrosive fumes of gases.
  - f) Glare: No intense glare that is not effectively screened from view at any point outside the project boundary.
17. Lighting. The glare from any luminous source, including on-site lighting shall not exceed one-half (0.5) foot-candle at property line. All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic or adjacent native vegetation areas. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting.
18. **Recreational Lighting. There shall be no illumination of recreational facilities between the hours of 10:00 p.m. and sunrise.**
19. Clear Sight Triangle. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.
20. Underground Utilities. Utility lines, including electric, telephone, communications, and street lighting, within or directly serving each subdivision, shall be placed underground. The subdivider is responsible for complying with the requirements of this Subsection without expense to the County, and shall make necessary arrangements with the utility company for the installation of the facilities. Appurtenances and associated equipment (e.g., boxes and meter cabinets) and concealed ducts in an underground system may be placed above ground.
21. Street Lighting. The subdivision shall provide street lighting facilities designed and constructed in compliance with the County's infrastructure standards and specifications.



LAND USE SERVICES – Code Enforcement (909) 387-8311

22. Enforcement. If any County agency is required to enforce compliance with the conditions of approval, the property owner and “developer” shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees. Failure to comply with these conditions of approval or the approved site plan design required for this project approval shall be enforceable against the property owner and “developer” (by both criminal and civil procedures) as provided by the San Bernardino County Code, Title 8 - Development Code; Division 6 - Administration, Chapter 86.09 - Enforcement.
23. Weed Abatement. The “developer” shall comply with San Bernardino County weed abatement regulations [SBCC§ 23.031-23.043] and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

Chino Valley Independent Fire District (909) 902-5280

24. Jurisdiction. The above referenced project is under the jurisdiction of the Chino Valley Independent Fire District, herein (“Fire Department”). Prior to any construction occurring on any parcel, the developer shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.
25. Additional Requirements. In addition to the Fire requirements stated herein, other on site and off site improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

PUBLIC HEALTH – Environmental Health Services [DEHS] (909) 387-4666

26. Water. The water purveyor shall be City of Chino.
27. Sewer. The water purveyor shall be City of Chino.

LAND USE SERVICES - Land Development – Drainage (909) 387-8311

28. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off site - on site drainage flows around and through the site in a manner which will not adversely affect adjacent or downstream properties at the time the site is developed
29. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.

30. Additional Drainage Requirements. In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
31. Continuous BMP Maintenance. The property owner and "developer" is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
32. BMP Enforcement. In the event the property owner and "developer" (including any successors or assigns) fail to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County may cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

#### LAND USE SERVICES - Land Development – Roads (909) 387-8311

33. Roads Standards. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans.

#### PUBLIC WORKS - Solid Waste Management (909) 386-8701

34. Recycling Storage Capacity. The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of AB 2176.

35. Mandatory Commercial Recycling. Beginning July 1, 2012 all businesses defined to include a commercial or public entity that generates 4 or more cubic yards of commercial solid waste a week or is a multi-family residential dwelling of 5 units or more to arrange for recycling services. The County is required to monitor business recycling and will require the business to provide recycling information. This requirement is to assist the County in compliance with the recycling requirements of AB 341.
  
36. Mandatory Trash Service. This project falls within a Uniform Handling Service area. If uniform handling service is implemented for all or part of a particular franchise area, all owners or a dwelling or a commercial or industrial unit within the uniform handling area who are required to have uniform handling service shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement and pay the rate of such services. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5, Section 46.0501.

**PRIOR TO ISSUANCE OF GRADING PERMITS  
OR LAND DISTURBING ACTIVITY**

*The Following Shall Be Completed*

LAND USE SERVICES - Building and Safety (909) 387- 8311

37. Pre-Construction. A pre-construction inspection, tree removal plan and permit in compliance with the County's Plant Protection and Management Ordinance, shall be approved prior to any land disturbance and/or removal of any trees or plants.
38. Grading Plans. One copy of the proposed engineered grading plans shall be submitted for plan review with appropriate fees and approval of these obtained, when earthwork quantities exceed fifty (50) cubic yards.
39. Erosion Control Plan. One copy of the proposed engineered erosion and sediment control plans shall be submitted for plan review with appropriate fees and approval of these obtained.
40. Erosion Control Devices. Prior to land disturbance, erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the job site.
41. Geology Report. When proposed earthwork quantities exceed 5,000 cubic yards, including construction of private roads, an engineering geology report is required to be submitted with appropriate fees to the County Geologist for review and approval prior to issuance of grading permits.
42. Retaining Walls. One copy of engineered plans of any proposed retaining walls or other required walls to be constructed with the grading operations shall be submitted for review with appropriate fees and approval of these obtained .
43. Demolition Permit. Two copies of engineered plans to demolish any existing buildings or structures shall be submitted for review with appropriate fees and approval of these obtained. Underground structures shall be broken in, back-filled and inspected before covering. Any structure requiring a building permit to be originally constructed requires a demolition permit to be removed properly.
44. NPDES -NOI. Submit a copy of the Notice of Intent (NOI) obtained from the Regional Water Quality Control Board in compliance with the National Pollutant Discharge Elimination System (NPDES), when proposed grading is one acre or more. Contact local Regional Water Quality Control Board for information.

45. WDID. Submit a copy of the Regional Water Quality Control Board (RWQCB) permit letter with the Waste Discharge Identification (WD ID) number assigned by the RWQCB when proposed grading is one acre or more. The letter must include the total land disturbance area including all clearing, grading, and/or excavation areas. Contact the local RWQCB for more information.

LAND USE SERVICES - Land Development – Drainage (909) 387-8311

46. Permit. A permit, or authorized clearance, shall be obtained from the Land Development Division prior to issuance of a grading permit by the Land Use Services Department, Building and Safety Division.
47. Grading Plans. Grading plans shall be submitted to Land Development Division for review and approval obtained, prior to construction. A \$520 deposit for grading plan review will be collected upon submittal to the Land Development Division.
48. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained, prior to construction. A \$2,500 deposit for WQMP review will be collected upon submittal to the Land Development Division. Copies of the WQMP guidance and template can be found at:  
([http://www.sbcounty.gov/dpw/land/environmental\\_mgmt.asp](http://www.sbcounty.gov/dpw/land/environmental_mgmt.asp))
49. WQMP Inspection Fee. The developer shall deposit an inspection fee for WQMP in the amount of \$3,600 to Land Development Division.

LAND USE SERVICES - Planning (909) 387-8311

50. Grading Plans. The “developer” shall submit for review and obtain approval from County Planning of a copy of the final grading plan that incorporates the following:
- a) Off-site grading easements shall be obtained, where necessary, and proof of such easements shall be submitted to County Planning.
  - b) Fill material quantities shall not exceed thirty feet in depth.
  - c) Maximum heights for manufactured slopes shall not exceed ten feet, where natural terrain slope is 10% or less and shall not exceed thirty feet.
  - d) The toe and crest of any slope in excess of ten feet in height shall be rounded and gradually adjusted to the angle of the natural terrain.
  - e) All graded areas and otherwise disturbed surfaces that remain undeveloped following construction shall be revegetated no later than ninety days after cessation of grading activities in accordance with the approved landscape plans. Plant selection in areas directly adjacent to native open spaces shall be compatible and non-invasive to the surrounding native vegetation.

51. AQ-Dust Control Plan. The “developer” shall prepare, submit and obtain approval from County Planning of a Dust Control Plan (DCP) consistent with SCAQMD guidelines and a letter agreeing to include in any construction contracts/subcontracts a requirement that project contractors adhere to the requirements of the DCP. The DCP shall include the following elements to reduce dust production:
- a) Exposed soil shall be kept continually moist through waterings (Minimum twice daily) to reduce fugitive dust during all grading/construction activities.
  - b) Street sweeping shall be conducted when visible soil accumulations occur along site access roadways to remove dirt dropped or tracked-out by construction vehicles.
  - c) Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday.
  - d) Construction Vehicle tires shall be washed prior to leaving the project site.
  - e) All trucks hauling dirt away from the site shall be covered.
  - f) During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall cease until wind speeds no longer exceed 25 mph.
  - g) Storage piles that are to be left in place for more than three working days shall either be sprayed with a non-toxic soil binder, covered with plastic or revegetated.
52. GHG – Construction Mitigation. The developer shall submit for review and approval to County Planning a letter agreeing to include the following as conditions of all construction contracts/subcontracts to reduce impacts to GHG:
- a) Select the construction equipment used on site based on low emissions factors and high energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment.
  - b) Ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer’s specifications.
  - c) Confirm that the construction grading plans include a statement that all construction equipment (including construction vehicles and electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes. During smog season (May through October), the overall length of the construction period shall be extended in order to decrease the size of the area prepared each day. This will minimize vehicles and equipment operating at the same time.
  - d) Use low-sulfur fuel for stationary equipment. (SCAQMD Rules 431.1 and 431.2).
  - e) Schedule construction activities so as to not interfere with peak-hour traffic and minimize obstruction of through traffic lanes adjacent to the site. Queuing of trucks on and off site shall be firmly discouraged and not scheduled. A flagperson shall be retained to maintain safety adjacent to existing roadways.

- f) *Comply with SCAQMD Rule 1113 on the use of architectural coatings. Emissions associated with architectural coatings will be reduced by complying with these rules and regulations, which include using pre-coated/natural colored building materials, water-based or low volatile organic compound (VOC) coating, and coating transfer or spray equipment with high transfer efficiency*
  - g) *Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) in accordance with the policies and procedures of County Solid Waste Management.*
  - h) *The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.*
53. *Cultural Resources.* *The “developer” shall prepare, submit for review and obtain approval of a letter agreeing to adhere to the following requirements and to include in any construction contracts/subcontracts a requirement that project contractors adhere to the following requirements:*
- If archaeological, paleontological and/or historical resources are uncovered during ground disturbing activities, all work in that area shall cease immediately until written clearance by County Planning is provided indicating that satisfactory mitigation has been implemented. A qualified expert (e.g. archaeologist or paleontologist), as determined by County Planning in consultation with the County Museum shall be hired to record the find and recommend any further mitigation. The developer shall implement any such additional mitigation to the satisfaction of County Planning and the County Museum. If human remains are uncovered during ground disturbing activities, the San Bernardino County Coroner shall be contacted within 24 hours of the find. If the remains or cultural artifacts are determined to be of Native American origin, the local Native American representative shall also be notified. [Mitigation Measure V-1] Grading/Planning*
54. *Nesting Bird Mitigation – Pre-Construction Surveys.* *Within 30 days prior to vegetation clearing or ground disturbance associated with construction or grading that would occur during the nesting/breeding season (February through August, unless determined otherwise by a qualified biologist based on observations in the region), the Applicant will retain a qualified biologist to determine if active nests of species protected by the Migratory Bird Treaty Act or the California Fish and Game Code are present within or adjacent to the disturbance zone or within 100 feet (300 feet for raptors) of the disturbance zone. The surveys will be conducted no more than seven days prior to initiation of disturbance work within active project areas. If ground disturbance activities are delayed, then additional pre-disturbance surveys will be conducted such that no more than seven days will have elapsed between the survey and ground disturbance activities. If ground disturbance will be phased across the project site, pre-disturbance surveys may also be phased to conform to the development schedule.*

*If active nests are found, clearing and construction within 300 feet of the nest (or a lesser distance if approved by the U.S. Fish & Wildlife Service) will be postponed or halted, until the nest is vacated and juveniles have fledged, as determined by the biologist. Avoidance buffers will be established in the field with highly visible construction fencing or flagging, and construction personnel will be instructed on the sensitivity of nest areas. A qualified biologist will serve as a construction monitor during those periods when construction activities will occur near active nests to ensure that no inadvertent impacts on these nests occur.*

*The results of pre-construction nesting bird surveys, including graphics showing the locations of any nests detected, and documentation of any avoidance measures taken, will be submitted to the County of San Bernardino and California Department of Fish & Wildlife within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.*

55. Noise Mitigation. *The developer shall submit to County Planning a letter agreeing to include in any construction contracts and/or subcontracts a requirement that the contractors adhere to the following noise attenuation requirements:*

- a) *Noise levels of any project use or activity will be maintained at or below adopted County noise standards (SBCC 83.01.080). The use of noise-producing signals, including horns, whistles, alarms, and bells, will be for safety warning purposes only.*
- b) *Exterior construction activities will be limited between 7 a.m. and 7 p.m. There will be no exterior construction activities on Sundays or National Holidays.*
- c) *Construction equipment will be muffled per manufacturer's specifications. Electrically powered equipment will be used instead of pneumatic or internal combustion powered equipment, where feasible.*
- d) *All stationary construction equipment will be placed in a manner so that emitted noise is directed away from sensitive receptors nearest the project site. All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors nearest the project site.*

*[Mitigation Measure N-1]*



**PRIOR TO ISSUANCE OF BUILDING PERMITS**  
*The Following Shall Be Completed*

LAND USE SERVICES - Building and Safety (909) 387- 4246

56. Building Permits. Prior to obtaining permits for any construction, professionally prepared plans shall be submitted to the Building and Safety Division for review and approval.
57. Walls. Submit plans and obtain separate building permits for any required walls, retaining walls or trash enclosures.

LAND USE SERVICES - Planning (909) 387-8311

58. Recordation. The recordation of TT 18902 is required prior to the issuance of building permits for 3 or more home unless a TUP for model homes is obtained.
59. Landscaping Plans. Submit three (3) copies of a landscape plan that is prepared in accordance with Section 83.10.020 of the County Development Code. Landscape plans shall also include all proposed walls, fencing, screening and hardscape.
60. Lighting Plan. Submit Three (3) copies of a lighting plan for review and approval.
61. Access. The development meets the requirements set forth in Appendix D of the California Fire Code to allow the development to have one point of access.
62. Hydrants. A fire hydrant is required within 300 feet of all structures within this project; spacing between fire hydrants shall be 600 feet apart.
63. Fire Flow. Fire flow for the residential sites shall be a minimum of 1500 gpm.
64. Addressing. Addressing for all lots is required. Addressing shall conform to the adopted Ordinance of CVFD at time of Building Permit.

65. Construction Plans. Separate plan submittals are required for:
- a. Building Construction – A minimum of 2 sets of plans shall be submitted to the Chino Valley Independent Fire District. Plans shall include a fire flow report from the local water department. The fire flow shall be conducted within the last 6 months prior to submittal.
  - b. Sprinklers – A minimum of 3 sets of plans shall be submitted to an approved Chino Valley Fire District consultant for review. Once recommended for approval by said consultant, plans shall be submitted to the Fire District for approval and issuance of permit.

Plans shall be approved and a permit obtained prior to the commencement of work. The permit and an approved/stamped set of plans shall be maintained onsite during construction. Fees are to be paid at the time of submittal.

66. Combustible Protection. Prior to combustibles being brought to the jobsite, the street shall be in a condition that meets the requirements of the Fire District. The fire hydrant(s) shall also be active.

LAND USE SERVICES - Land Development – Roads (909) 387-8311

67. Road Design. Road sections within and/or bordering the project site shall be designed and constructed to Valley Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the Master Plan of Highways.
68. Improvement Securities. All required public road, drainage, WQMP, and utility improvements for subdivisions shall be bonded in accordance with County Development code unless constructed and approved prior to recordation. Submit necessary fees, per the latest fee schedule, for new securities.
69. Maintenance Bond. Once all required public road, drainage, WQMP, and utility improvements have been constructed and approved, a maintenance bond for a period of one year shall be required to insure satisfactory condition of all improvements. Submit necessary fees, per the latest fee schedule, for new securities.
70. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to recordation.
71. Utilities. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.

72. Encroachment Permits. Prior to installation of road and drainage improvements, a permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8039, as well as other agencies prior to work within their jurisdiction.
73. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
74. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.
75. Street Type Entrance. Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
76. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
77. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.

#### SPECIAL DISTRICTS DEPARTMENT (909) 387-9612

78. Streetlights. The developer shall establish a Homeowners' Association or enter into an Improvement Zone that shall be responsible for the maintenance of streetlights throughout the development. Street lighting plans and plan check fees must be submitted to Special Districts Department for review and approval. Please submit plans to Special Districts Department, 157 W. 5th St., 2nd Floor, San Bernardino, CA 92415-0450.

PUBLIC WORKS - Solid Waste Management (909) 386-8701

79. C&D Plan – Part 1. The developer shall prepare, submit, and obtain approval from Solid Waste Management Division (SWMD) of a “Construction Waste Management Recycling Plan (C&D Plan), Part I” for each phase of the project. The C&D Plan shall list the types and volumes of solid waste materials expected to be generated from grading and construction. The Plan shall include options to divert from landfill disposal materials for reuse or recycling by a minimum of 50% of total volume. Forms can be found on our website at [www.sbccounty.gov/dpw/solidwaste](http://www.sbccounty.gov/dpw/solidwaste).

Upon completion of construction, the developer shall complete SWMD’s C&D Plan Part 2 and shall provide documentation of diversion of materials including but not limited to receipts or letters documenting material types and weights from diversion facilities or certification reuse of materials on site.

**PRIOR TO FINAL INSPECTION OR OCCUPANCY**  
*The Following Shall Be Completed*

LAND USE SERVICES - Building and Safety (909) 387- 8311

80. Occupancy. All required conditions and/or improvements shall be completed and approved by County Departments and other agency as indicated in the Condition of Approval.

LAND USE SERVICES - Planning (909) 387-8311

81. Lights Installed. All required lighting shall be installed in compliance with the approved lighting plan. All lights used to illuminate the site shall be hooded and designed so as to reflect away from adjoining properties and public thoroughfares.
82. Screening Installed. All required screening and buffering measures shall be installed. All roof top mechanical equipment shall be screened from ground vistas. All trash enclosures shall be screened from public view and shall be double-bin capacity with a rainproof roof.
83. Elevations Installed. The building construction shall be completed in conformance with the approved architectural elevations to the satisfaction of County Planning
84. Landscaping Installed. All proposed landscaping, hardscape, exterior features (benches, walkways, bike racks etc), walls and fencing shall be installed as shown on the approved landscaping plan.

LAND USE SERVICES - Code Enforcement (909) 387-4044

85. SUP-Landscaping. The “developer” shall submit with appropriate fees and obtain approval of a Special Use Permit (SUP) application to establish administration of the landscaping surety and to provide confirmation inspections to guarantee the installation, proper maintenance, accomplishment of screening performance standards and survival of the required landscaping.
86. SUP Surety. Surety in a form and manner determined acceptable to County Counsel and the Land Use Services Director shall be required for all landscape plantings and irrigation systems to ensure that the landscaping remains in a healthy thriving condition for a minimum of two full years. As a minimum this surety shall be in an amount equal to 120% of the cost estimate by a licensed landscape architect to replace all plant material (including labor). This does not include an estimate to replace the irrigation system. Failure to accomplish the screening and other

landscape objectives listed in these conditions shall require additional/replacement plantings and/or other corrective measures as determined necessary by County Code Enforcement in coordination with County Planning. Also the time requirement for the SUP shall be extended and continue until such time as the objectives have been accomplished to the satisfaction of County Code Enforcement in coordination with County Planning and then sustained for one subsequent year.

Chino Valley Fire Department (909) 386-8400

87. Street Sign. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. Standard 901.4.4 [F72]
88. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department.
89. Residential Addressing. The street address shall be installed.

LAND USE SERVICES - Land Development – Drainage (909) 387-8311

90. Drainage and WQMP Improvements. All required drainage and WQMP improvements shall be completed and approved by County Public Works.
91. WQMP Final File. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.

LAND USE SERVICES - Land Development – Roads (909) 387-8311

92. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant and approved by County Public Works.
93. Condition of Road Improvements. At the time of occupancy for all structures, the condition of all required on-site and off-site improvements shall be acceptable to County Public Works.
94. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.
95. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by the County Public Works/Current Planning, maintained by the adjacent property owner or other County-approved entity.

PUBLIC WORKS - Solid Waste Division (909) 387-8701

96. C&D Plan – Part 2. The developer shall complete SWMD’s C&D Plan Part 2”. This summary shall provide documentation of actual diversion of materials including but not limited to receipts or letters from diversion facilities or certification reuse of materials on site. The C&D Plan – Part 2 shall provide evidence to the satisfaction of County Solid Waste that demonstrates that the project has diverted from landfill disposal materials for reuse or recycling by a minimum of 50% of total volume of all construction waste.

SPECIAL DISTRICTS DEPARTMENT (909) 387-9612

97. Streetlights Installed. The developer shall construct/install streetlights per the approved streetlight plans.

**End of Conditions**

08/07/2014 P201300324