

LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

Vicinity Map -

HEARING DATE: April 18, 2019 AGENDA ITEM 2

Project Description

APN: 0266-011-19

Applicant: Honorato Ramirez

Community: San Bernardino/ 5th Supervisorial

District

Location: 19939 Kendall Drive
Project No: P201800446/CUP
Staff: Steven Valdez

Rep: Luis Figueroa, Fuscoe Engineering **Proposal:** Conditional Use Permit to construct a

3,200-square foot steel building for a truck repair business, on a 1.72 acre

lot

6 Hearing Notices Sent on: April 4, 2019

Report Prepared By: Steven Valdez, Senior Planner

SITE INFORMATION: Parcel Size: 1.72 acres

Terrain: Relatively flat vacant site

Vegetation: None

TABLE 1 – SITE AND SURROUNDING LAND USES AND ZONING:

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
SITE	Vacant Land	Glen Helen Specific Plan / Corridor Industrial (GHSP/CI)
North	Single Family Home	Glen Helen Specific Plan / Corridor Industrial (GHSP/CI)
South	Vacant / Railroad Right-of-Way	Glen Helen Specific Plan / Corridor Industrial (GHSP/CI)
East	104,500 sq. ft. Warehouse Facility	Glen Helen Specific Plan / Corridor Industrial (GHSP/CI)
West	Single Family Home	Glen Helen Specific Plan / Corridor Industrial (GHSP/CI)

Agency Comment
City of San Bernardino None

City Sphere of Influence:

Water Service:

City of San Bernardino

City of San Bernardino

Per Service Agreement Resolution

City of San Bernardino

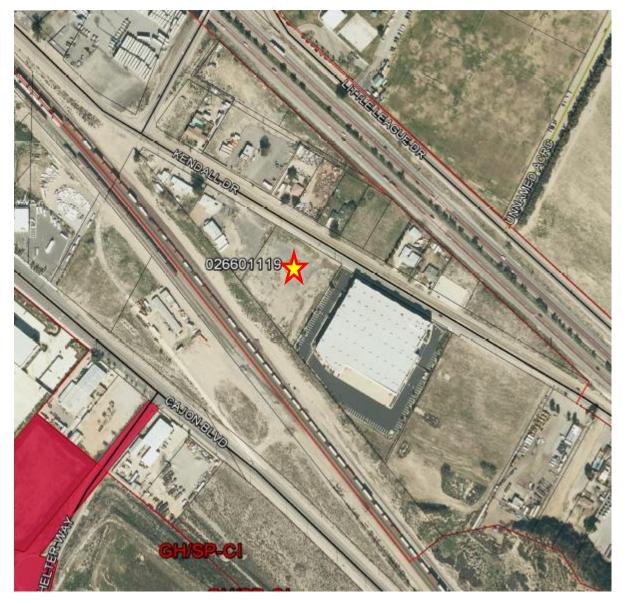
Per Service Agreement Resolution

STAFF RECOMMENDATION: That the Planning Commission **FIND** the proposed Project is exempt from CEQA pursuant to CEQA Guidelines §15303, **ADOPT** the recommended Findings, **APPROVE** the Conditional Use Permit based on the recommended Findings and subject to the Conditions of Approval, and **FILE** a Notice of Exemption. ¹

^{1.} In accordance with Section 86.08.010 of the Development Code, the Planning Commission action may be appealed to the Board of Supervisors

VICINITY MAP: Aerial view of the Project Site





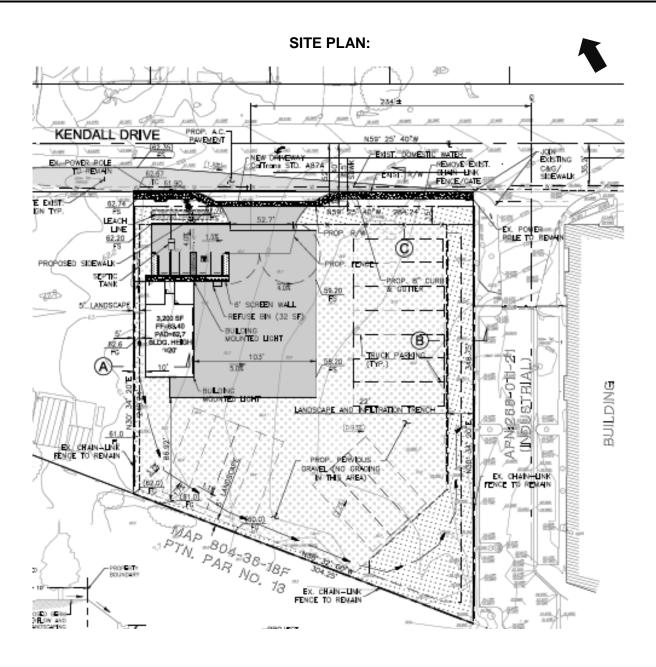
LAND USE DISTRICT MAP:





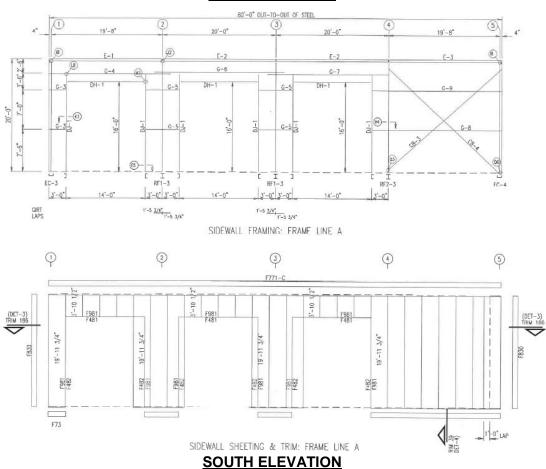


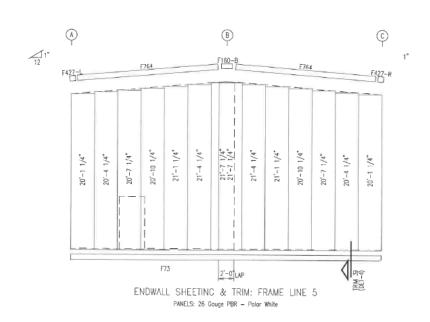
Nato's Trucking Repair



BUILDING ELEVATIONS:

EAST ELEVATION





SITE PHOTOS





Northwest view from Kendall Avenue



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PROJECT DESCRIPTION:

The applicant requests approval of a Conditional Use Permit (CUP) for a trucking repair shop/yard that consists of the placement of a 3,200 square-foot steel building, and will include five (5) employee and guest parking spaces, and fourteen (14) truck parking spaces located at 19939 Kendall Drive within the Glen Helen Specific Plan, Corridor Industrial (GHSP/CI) Zoning District (Project). The Project site is approximately 1.72 acres, located on the south side of Kendall Drive, approximately 570 feet east of Little League Drive, in the Glen Helen Specific Plan/Corridor Industrial (GHSP/CI) zoning district. The applicant, Honorato Ramirez has presented a detailed project description in a letter of intent (Exhibit D).

The Project site was previously used as a storage lot and is relatively flat, with slopes of less than two percent. The surrounding area is urbanized; developed with industrial uses to the east, and residential uses to the north and west, all within the GHSP/CI zoning district. The scope of the proposed development will consist of site clearing, site preparation, appurtenant improvements, and construction of the proposed steel repair building, with on-site parking and loading areas, circulation, and landscaping and water quality management improvements. Off-site street and drainage improvements will also be constructed. The repair building will have three repair bays on the east side of the building and required parking spaces will be located adjacent to the repair building with landscaping being utilized for screening and noise attenuation. Access to the site for passenger cars, trucks, and other vehicles will be provided by one driveway on Kendall Drive.

PROJECT ANALYSIS:

Site Planning: The Project proposes a truck repair business to be located within a one-story steel building. The proposed steel building will contain three service bay doors located on the east side of the building, and an office, breakroom and one restroom on the north side of the building. The truck parking and staging areas will be provided on the east and south side of the lot. The building and truck parking areas will be screened from public view on all sides through the incorporation of trees and shrubs placed strategically along the front, side and rear property lines. The Project site plan provides adequate areas to accommodate all parking, loading areas, and access and circulation requirements, as needed to comply with County requirements (See Table 2 below).

<u>Code Compliance Summary</u>: As noted above, the Project satisfies all applicable standards of the Development Code for development in the GHSP/CI Land Use District, as illustrated in Table 2:

Table 2: PROJECT CODE COMPLIANCE

Project Component	Development Code Standard/Glen Helen Specific Plan		Project Plans
General Repair Business	CUP		CUP
Parking	9		19
Landscaping Building Setbacks	Trees Minimum Landscaping Front Interior Side Rear	40 required 15% 25' 10' 10'	40 provided 21% (18,233 sq. ft.) 60' 10' 86'
Building Height	75 feet n	naximum	20 feet
Floor Area Ratio	.8	:1	.25:1
Drive Aisles	24'		25'

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<u>Landscaping</u>: A total of 21% of the site will be covered with drought-tolerant landscaping, with a variety of trees, groundcover and shrubs, in compliance with Development Code Section 83.10.060 and Glen Helen Specific Plan Landscaping Design Guidelines. The Project will exceed the code requirements and will provide ample tree planting in the perimeter landscaping.

Hours of Operation: The operator(s)/tenant(s) of the property and structure plan to operate from 8 AM to 5 PM Monday through Friday.

California Environmental Quality Act (CEQA) Compliance:

The Project is categorically exempt from CEQA review pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). This exemption includes projects that involve the construction and location of limited numbers of new, small facilities or structures less than 10,000 in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

Following are summaries of topics addressed that were used to determine that the Project was categorically exempt and that none of the exceptions in CEQA Guidelines Section 15300.2 apply:

<u>Aesthetics</u>: The proposed Project will include a steel structure, painted in earth tone colors with blue window glazing to blend with the surrounding area, which is complementary to the existing warehouse facilities in the vicinity. The single-story building will be 20 feet tall and will include a landscape buffer and building features that will screen truck parking and loading activities from the street and adjacent properties.

<u>Traffic</u>: A Traffic Impact Study was not required for the Project given the size of the structure proposed and type of use. However, to address circulation and turning movement issues, the applicant was required to extend the left turning lane on Kendall Drive and pay a transportation fee to fund improvements to the regional transportation system. The Project's obligation under this fee program, based on floor area, is estimated to be \$17,184.

Public Comments:

Project notices were sent to surrounding property owners within 300 feet of the Project site, as required by Development Code Section 85.03.080. A Notice of Exemption is included as an attachment to the report and will be recorded if the Project is approved to satisfy CEQA requirements. No comments were received from the public at the time the public notice was sent.

RECOMMENDATION:

That the Planning Commission:

- FIND the Project is exempt from CEQA pursuant to CEQA Guidelines §15303, New Construction or Conversion of Small Structures, and that none of the exceptions in §15300.2 apply;
- 2. **ADOPT** the recommended Findings for approval of the Project;
- 3. **APPROVE** the Conditional Use Permit for the construction of a 3,200 sq. ft. truck repair building, with five required parking spaces and fourteen truck parking spaces, subject to the recommended Conditions of Approval; and
- 4. **FILE** the Notice of Exemption.

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ATTACHMENTS:

EXHIBIT A: Site Plan EXHIBIT B: Findings

EXHIBIT C: Conditions of Approval

EXHIBIT D: Letter of Intent

EXHIBIT A

Site Plan

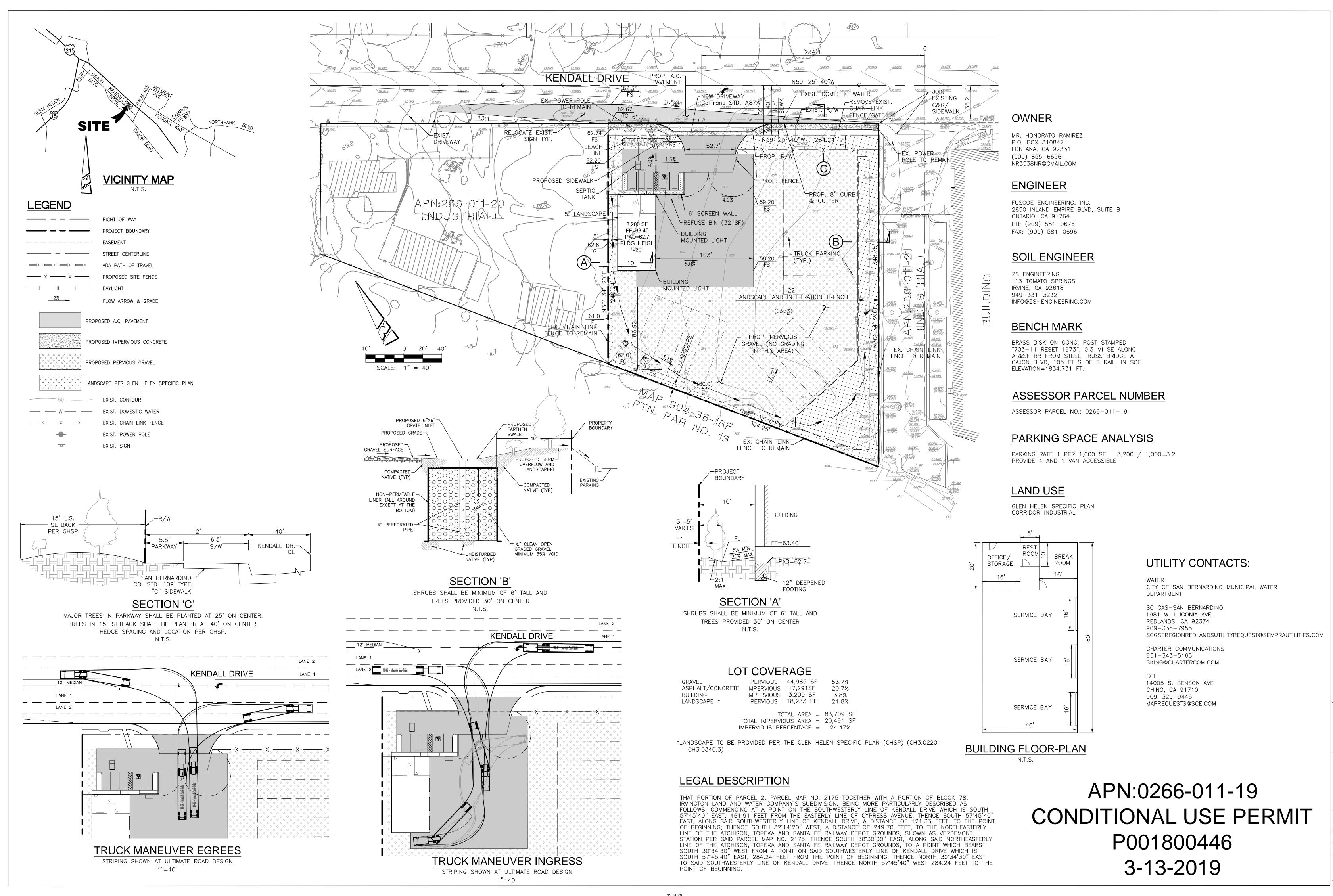


EXHIBIT B

Findings

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FINDINGS: CONDITIONAL USE PERMIT

Conditional Use Permit (CUP) to authorize the construction of a 3,200 square foot steel building for the opeation of a trucking repair yard/shop located at 19939 Kendall Drive within the Glen Helen Specific Plan, Corridor Industrial (GHSP/CI) Zoning District. (Project: P201800446) (APN: 0266-011-19).

Pursuant to Development Code Section 85.06.040(a) *General findings for all Use Permits* (Conditional and Minor), the following findings must be made in the affirmative in order to approve the Project's Conditional Use Permit:

1. THE SITE FOR THE PROPOSED USE IS ADEQUATE IN TERMS OF SHAPE AND SIZE TO ACCOMMODATE THE PROPOSED USE AND ALL LANDSCAPING, LOADING AREAS, OPEN SPACE, PARKING AREAS, SETBACKS, WALLS AND FENCES, YARDS, AND OTHER REQUIRED FEATURES PERTAINING TO THE APPLICATION.

The 1.72-acre parcel is of adequate size and shape to accommodate the construction of a 3,200 square foot repair shop with ancillary truck and employee parking. All setbacks and yards have an appropriate landscaped buffer that meets or exceeds the requirements of the Development Code for the proposed use and land use designation. Approximately 21% of the site will be landscaped, which meets the Glen Helen Specific Plan's minimum 15% landscaping standard for the zoning district in which the project is located.

2. THE SITE FOR THE PROPOSED USE HAS ADEQUATE ACCESS, WHICH MEANS THAT THE SITE DESIGN INCORPORATES APPROPRIATE STREET AND HIGHWAY CHARACTERISTICS TO SERVE THE PROPOSED USE.

The proposed Project has been conditioned to meet County requirements for street frontage and site ingress/egress to provide appropriate legal and physical access to the site. The Project is located on Kendall Avenue adjacent to the railroad right-of-way to the south. Kendall Avenue is a County-maintained road that provides adequate legal and physical access to the Project site. The street is required to be widened in front of the property as part of this proposal. In addition to the street widening, sidewalks and curb and gutter will be provided in conformance to the Glen Helen Specific Plan and Development Code standards.

3. THE PROPOSED USE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ABUTTING PROPERTY OR THE ALLOWED USE OF THE ABUTTING PROPERTY, WHICH MEANS THE USE WILL NOT GENERATE EXCESSIVE NOISE, TRAFFIC, VIBRATION, LIGHTING, GLARE, OR OTHER DISTURBANCE. IN ADDITION, THE USE WILL NOT SUBSTANTIALLY INTERFERE WITH THE PRESENT OR FUTURE ABILITY TO USE SOLAR ENERGY SYSTEMS.

An Industrial Warehouse and commercial business are located east and west of the property. To the north is a single family residences and a commercial business. The parcel to the south is a railroad right-of-way. The surrounding properties will be protected under County and Glen Helen Specific Plan standards for noise, vibration, and lighting. A vegetative screening wall that consist of trees and shrubs will be utilized to buffer the use from adjacent properties. In

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addition to the screening, the building will be located on the lot in a manner that will direct noise and sound away from street and adjacent uses. To further reduce impact to adjacent properties, the operational hours will be limited to the hours of 8 am to 5 pm, Monday through Friday. The loading and dropping of trailers for repair shall be conducted only during the permitted operating hours. Truck repairs operations shall be conducted within the proposed truck repair structure. After 9:00 p.m. the noise level 12-Hour Equivalent Sound Level (Interior) in dBA Ldn must be under 65 within the structure.

4. THE PROPOSED USE AND MANNER OF DEVELOPMENT ARE CONSISTENT WITH THE GOALS, MAPS, POLICIES, AND STANDARDS OF THE COUNTY GENERAL PLAN AND ANY APPLICABLE COMMUNITY OR SPECIFIC PLAN.

The proposed Conditional Use Permit site plan, together with the provisions for its design and improvement are consistent with the County General Plan. The Project specifically implements the following goals and policies:

<u>General Plan Goal LU 9:</u> Development will be in a contiguous manner as much as possible to minimize environmental impacts, minimize public infrastructure and service costs, and further countywide economic development goals.

General Plan Policy LU 9.1: Encourage infill development in unincorporated areas and sphere of influence (SOI) areas.

- Goal/Policy Implementation: The proposed Project is an infill project located in an area of similar uses that have been developed with light and general industrial and commercial uses for many years with caretaker's residence and along with single family residences. The Project is within the sphere of influence of the City of San Bernardino
- 5. THERE IS SUPPORTING INFRASTRUCTURE, EXISTING OR AVAILABLE, CONSISTENT WITH THE INTENSITY OF THE DEVELOPMENT, TO ACCOMMODATE THE PROPOSED PROJECT WITHOUT SIGNIFICANTLY LOWERING SERVICE LEVELS.

Public streets adjacent to and surrounding the Project will be improved to County Standards. The anticipated relatively-low traffic generation of the Project will increase service level demand, and will require the applicant to contribution to the Regional Transportation Mitigation Facilities Fee Plan to assist in the development of other needed improvements in the area. The property will be serviced by the City of San Bernardino for water and a septic system will be installed on the property for sewage treatment.

6. THE LAWFUL CONDITIONS STATED IN THE APPROVAL ARE DEEMED REASONABLE AND NECESSARY TO PROTECT THE OVERALL PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

Conditions of approval include measures to protect neighboring residences, businesses, and property owners to minimize noise, vibration, lighting, air quality, and traffic impacts and enforce performance standards to protect the overall public health, safety and general welfare.

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7. THE DESIGN OF THE SITE HAS CONSIDERED THE POTENTIAL FOR THE USE OF SOLAR ENERGY SYSTEMS AND PASSIVE OR NATURAL HEATING AND COOLING OPPORTUNITIES.

Although the use of a solar energy system is not a part of this Project proposal, the site has been designed to accommodate the use of solar energy systems and passive or natural heating and cooling opportunities in the future.

FINDING: CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

8. THE PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT, SUBJECT TO IMPLEMENTATION OF THE PROPOSED CONDITIONS OF APPROVAL AND MITIGATION MEASURES.

The Project was determined to be categorically exempt from the CEQA pursuant to CEQA Guidelines Section 15303 (Class 3 *New Construction or Conversion of Small Structures*) because the Project is for a new truck repair shop/yard with ancillary parking of less than 10,000 in floor area on a site zoned for such use and not involving the use of significant amounts of hazardous substances, where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.. The Project will not have a significant adverse impact on the environment with the implementation of the required conditions of approval and none of the exceptions in CEQA Guidelines Section 15300.2 apply.

EXHIBIT C

Conditions of Approval

CONDITIONS OF APPROVAL

Conditional Use Permit

Effective Date: April 29, 2019

Expiration Date: April 29, 2022

GENERAL REQUIREMENTS

Ongoing and Operational Conditions

LAND USE SERVICES DEPARTMENT- Planning Division (909) 387-8311

1. <u>Project Approval Description.</u> This Conditional Use Permit (CUP) is conditionally approved for a trucking repair shop/yard that consists of a 3,200 square foot steel building, five customer and employee parking spaces, and 14 truck parking spaces located at 19939 Kendall Drive within the Glen Helen Specific Plan, in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations).

The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project Site with APN: 0266-011-19 Project No. P201800446.

- 2. <u>Project Location</u>. 19939 Kendall Drive.
- 3. Revisions. Any proposed change to the approved use/activity on the site or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to the height, location, bulk or size of structure or equipment shall require an additional land use review and application subject to approval by the County. The developer shall prepare, submit with fees and obtain approval of the application prior to implementing any such revision or modification. (SBCC §86.06.070)
- 4. <u>Indemnification.</u> 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.

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- 5. <u>Expiration.</u> This project permit approval shall expire and become void if it is not "exercised" within three (3) years of the effective date of this approval, unless an extension of time is approved. The permit is deemed "exercised" when either:
 - The permittee has commenced actual construction or alteration under a validly issued building permit, or

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- b. 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)
- c. Occupancy of approved land use occupancy of completed structures and operation of the approved and 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 the final inspection is approved.
- The land use is determined by the County to be abandoned or non-conforming.
- The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.
 - <u>PLEASE NOTE:</u> This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.
- 6. <u>Continuous Effect/Revocation.</u> All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the noncomplying situation.
- 7. Extension of Time. 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 years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
- 8. Project Account. The Job Costing System (JCS) account number is P201800446. 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 expense 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 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.
- 9. <u>Condition Compliance</u>: In order to obtain construction permits for grading, building, final inspection and/or 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 the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release their holds on each phase of development by providing to County Building and Safety the following:

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- 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 Occupancy: a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by the Planning Division.
- 10. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
- 11. Additional Permits. The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but not limited to:
 - a. FEDERAL: N/A;
 - b. STATE: Santa Ana RWQCB, South Coast AQMD, Caltrans
 - c. COUNTY: Land Use Services Building and Safety/Land Development, County Fire/HazMat; Public Health – Environmental Health Services, Public Works –Traffic/ County Surveyor, and Planning
 - d. LOCAL: City of San Bernardino
- 12. Continuous Maintenance. The Project property owner 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 property owner 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: The developer shall conduct inspections for any fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
 - b) Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance.
 - c) Landscaping: The developer shall maintain landscaping 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) Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
 - e) Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
 - f) External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
 - g) Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
 - h) Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
 - The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
 - j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.

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k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations.

- I) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.
- 13. 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.
- Lighting. Lighting shall comply with SBCC Chapter 83.13 Sign Regulations and SBCC§ 83.07.030 "Glare 14. and Outdoor Lighting - Valley Region". All lighting shall be limited to that necessary for maintenance activities and security purposes. No light shall project onto abutting residential land uses or districts or the public right-of-way, nor project onto adjacent roadways in a manner that interferes with on-coming traffic. 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 or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.
- 15. 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.
- 16. Cultural Resources. During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum Director, telephone (909) 798-8601.
- 17. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
- 18. Construction Hours. Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
- 19. Operating Hours: The hours of operation shall be restricted as follows:
 - Monday thru Friday 8:00 a.m. to 5:00 p.m.
 - Closed on Saturday and Sunday.
- 20. Trucking Operation. No trucking dispatch operation shall occur on the project site. A Revision application will be required if the owner/operator chooses to add trucking dispatch operations.

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- 21. <u>Paving</u>. All truck parking and maneuver areas shown on the plans shall be paved in accordance to Public Works Specification No. 38.
- 22. <u>Repair Operations.</u> All repair operations shall be conducted within the enclosed structure. After 9:00 p.m. the noise level 12-Hour Equivalent Sound Level (Interior) in dBA Ldn must be under 65 within the structure.
- 23. <u>Operational Noise</u>. The trucking repair use shall be in keeping with the Noise Ordinance. Prolonged noise in excess of the Noise Ordinance will require the applicant to reduce the noise levels by means of fences and additional landscaping to the satisfaction of the Planning Director.
- 24. <u>Construction Noise.</u> The following measures shall be adhered to during the construction phase of the project:
 - All construction equipment shall be muffled in accordance with manufacturer's specifications.
 - All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits.
 - All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.
- 25. <u>GHG Operational Standards</u>. The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:
 - a. <u>Waste Stream Reduction.</u> The "developer" shall provide to all tenants and project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services.
 - b. <u>Vehicle Trip Reduction</u>. The "developer" shall provide to all tenants and project employees County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides.
 - c. <u>Provide Educational Materials.</u> The developer shall provide to all tenants and staff education materials and other publicity about reducing waste and available recycling services. The education and publicity materials/program shall be submitted to County Planning for review and approval.
 - d. <u>Landscape Equipment</u>. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.

LAND USE SERVICES DEPARTMENT- Code Enforcement Division (909) 387-8311

- 26. <u>Enforcement.</u> If any County enforcement activities are 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.
- 27. <u>Weed Abatement.</u> The applicant shall comply with San Bernardino County weed abatement regulations and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

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

- Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off site on 28. 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.
- Additional Drainage Requirements. In addition to drainage requirements stated herein, other "on-site" and/or 30. "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. Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
- Continuous BMP Maintenance. The property owner/"developer" is required to provide periodic and continuous 32. 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 ensure 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.
- 33. BMP Enforcement. In the event the property owner/"developer" (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall 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.

PUBLIC WORKS - Traffic Division (909) 387-8311

- 34. Access. The access point to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.
- 35. Backing into Roadway. Project vehicles shall not back out into the public roadway

PUBLIC HEALTH - Environmental Health Services (800) 442-2283

- Noise. Noise level shall be maintained at or below County Standards, Development Code Section 36. 83.01.080. For information, please call DEHS at 1-800-442-2283.
- 37. Onsite Wastewater Treatment System Maintenance. The Onsite Wastewater Treatment System (OWTS) shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper or qualified service provider. For information, please call DEHS/Wastewater Section at: 1-800-442-2283.
- Refuse Storage/Removal. All refuse generated at the premises shall at all times be stored in approved 38. containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least 1 time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least 2 times per week, or as often if necessary to minimize public health nuisances, by a permitted

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hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq. For information, please call DEHS/LEA at: (800) 442-2283.

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COUNTY FIRE DEPARTMENT-Community Safety Division (909)386-8465/LOCAL FIRE JURISDICTION

- 39. Construction Permits. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred with 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.
- 40. <u>Jurisdiction.</u> The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.
- 41. 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. [F01A]

DEPARTMENT OF PUBLIC WORKS – Solid Waste Management – (909) 386-8701

- 42. <u>Franchise Hauler Service Area</u> This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (Burrtec- dba Jack's Disposal).
- 43. <u>Recycling Storage Capacity.</u> 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 Assembly Bill (AB) 2176.
- 44. <u>Mandatory Commercial Recycling.</u> Beginning July 1, 2012, all businesses defined to include a commercial or public entity that generates 4 or more cubic yards of commercial waste a week or is a multi-family residential dwelling of 5 units or more are required to arrange for recycling services. The County is required to monitor commercial recycling and will require businesses to provide recycling information. This requirement is to assist the County in compliance with AB 341.
- 45. <u>Mandatory Trash Service.</u> This project falls within a Uniform Handling Service area. If uniform handling is implemented in 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.

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Mandatory Commercial Organics Recycling - As of January 1, 2019, AB 1826 (Enacted October 2014) 46. requires businesses that generate four (4) cubic yards of solid waste per week to recycle their organic waste. A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste. Residential multifamily dwellings of five (5) or more units are required to recycle organics; however, they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County on efforts to recycle organics materials once operational. Demolition Debris - San Bernardino County owned and operated sanitary landfills and transfer stations are not permitted to accept asbestos contaminated wastes, therefore any debris generated by the demolition of structures are subject to asbestos clearance prior to disposal at any San Bernardino County disposal sites. Applicants are required to have a Certified Asbestos Consultant perform testing of all materials to be disposed. Upon receipt of the Consultant's report, indicating that the debris is not contaminated, Solid Waste Management Operations Section will provide applicant with disposal authorization. For more information on Certified Asbestos Consultants please visit http://www.dir.ca.gov/databases/doshacru/acruList.asp, or for information on County requirements please contact Solid Waste Operations 909-386-8701 solid.wastemail@dpw.sbcounty.gov

DEPARTMENT OF PUBLIC WORKS - Surveyor - (909) 387-8149

47. Property Line Description. On the site map there is a line type under Legend described as "property line". In addition, there is an abbreviation of "PL" indicating this same property line. Unless there is a proposed subdivision, do not use the words "property line" or "PL" to describe the limits of the proposed development.

PRIOR TO ISSUANCE OF GRADING PERMITS OR LAND DISTURBING ACTIVITIES

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT- Planning Division (909) 387-8311

- 48. Air Quality. Although the Project does not exceed South Coast Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the South Coast Air Quality Management District is in non-attainment status for ozone and suspended particulates [PM₁₀ and PM_{2.5} (State)]. To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. This would include, but not be limited to, the following Best Available Control Measures. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures:
 - a. The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
 - 1. The Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.
 - 2. The Project proponent shall ensure that all disturbed areas are treated to prevent erosion.

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> 3. The Project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour.

- Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, will increase NO_X and PM₁₀ levels in the area. Although the Project will not exceed South Coast Air Quality Management District thresholds during operations, the Project proponent will be required to implement the following requirements:
 - All equipment used for grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
 - 2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and offsite haul trucks in order to minimize exhaust emissions from truck idling.
 - 3. All commercial vehicles are restricted to idle for not more than 5 minutes per trip on site.
 - 4. On-site electrical power connections shall be made available, where feasible.
 - 5. All transportation refrigeration units (TRU's) shall be provided electric connections, when parked on-
- 49. Diesel Regulations. The operator shall comply with all existing and future California Air Resources Board and South Coast Air Quality Management District regulations related to diesel-fueled trucks, which among others may include: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps: (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. South Coast Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.

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

- 50. Geology Report: A geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to issuance of grading permits.
- 51. Geotechnical (Soil) Report: A geotechnical/soils report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to issuance of grading permits.

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

- 52. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
- 53. FEMA Flood Zone. The project is located within Flood Zone X-Shaded according to FEMA Panel Number 06071C7930J dated 09/02/2016 and will require the lowest floor of structure to be elevated 1 feet above highest adjacent ground in compliance with FEMA/SBC regulations. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.

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- 54. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
- 55. Grading Plans. Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
- 56. NPDES Permit. An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
- 57. Regional Board Permit. Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
- 58. On-site Flows. On-site flows need to be directed to the nearest County road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
- 59. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana/Mojave Watershed Region. Copies **WQMP** of the quidance and template be found can (http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx)
- 60. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465/LOCAL FIRE JURISDICTION

- 61. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix B of the California Fire Code. [F05]
 - The required fire flow for this project is 1500 GPM at 20 PSI for a 2 Hour Duration.
- 62. Building Plans. Building Plans shall be submitted to the Fire Department for review and approval via EZ Online Permitting; EZOP.SBCounty.gov. [F42]
- 63. Fire Fee. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division (909) 386-8400. [F40]

PUBLIC HEALTH - Environmental Health Services (800) 442-2283

64. Vector Control. All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact DEHS Vector Section at 1-800-442-2283.

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65. <u>Vector Clearance Letter</u>. The project area has a high probability of containing vectors. DEHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to DEHS/Land Use. For information, contact Vector Control at 1-800-442-2283.

DEPARTMENT OF PUBLIC WORKS - Surveyor - (909) 387-8149

- 66. <u>Survey Monumentation</u>. If any activity on this project will disturb <u>any</u> land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying <u>prior</u> to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor (Section 8771(b) Business and Professions Code).
- 67. Record of Survey. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:
 - a. Monuments set to mark the property lines.
 - b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
 - c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed:

LAND USE SERVICES DEPARTMENT – Planning (909) 387-8311

- 61. <u>Lighting Plans.</u> The developer shall submit for review and approval to County Planning a photometric study demonstrating that lighting associated with the project does not spill onto adjacent properties, or public streets. Lighting fixtures shall be oriented and focused to the onsite location intended for illumination (e.g. walkways). Lighting shall be shielded away from adjacent sensitive uses, including the adjacent residential development, to minimize light spillover. The glare from any luminous source, including on-site lighting, shall not exceed 0.5 foot-candle at the property line. The parking lot, building entrances/exits, and any parking areas shall be lit, in accordance with the Glen Helen Specific Plan and to the satisfaction of County Planning, in coordination with County Building and Safety.
- 62. <u>Exterior Lighting Features</u>. External structures or lighting shall be allowed only where the lighting is activated and controlled by motion sensors.
- 63. <u>Street Lights.</u> This project lies within the sphere area of County Service Area 70, Zone SL-1. Due to your projected use of the property, street lighting may be required. If required, annexation to the district will occur and the developer is requirement to provide the street lighting plans, plan check fees, and (3) three-year advanced energy charges for review and approval. Development plans are to be submitted to the Special Districts Department at 222 W. Hospitality Lane, 2nd Floor, San Bernardino, CA 92415-0450. For additional information on street light plans, please call Streetlighting Section at (909) 386-8821.
- 64. <u>Power Lines.</u> As required in County Development Code Section 84.27.050(k), the applicant shall not extend any new aboveground power or communication lines to the site, unless clear and convincing evidence demonstrates that undergrounding these lines would result in substantial environmental impacts. Prior to

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installation of power line whether underground or overhead, submittal of verification to the County Planning Division is required prior to issuance of building permits.

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- 65. <u>Landscape and Irrigation Plan</u>. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code and the Glen Helen Specific Plan Landscape Design standards. The plan shall include a minimum of 40 trees, and 21% landscaped areas, which includes a berm within the required front yard setback area. The developer/applicant shall submit one copy of the landscape and irrigation plan to County Planning.
- 66. <u>GHG Design Standards</u>. The developer shall submit for review and obtain approval from County Planning evidence that the following measures have been incorporated into the design of the project. These are intended to reduce potential project greenhouse gas (GHGs) emissions. Proper installation of the approved design features and equipment shall be confirmed by County Building and Safety prior to final inspection of each structure.
 - a. Meet Title 24 Energy Efficiency requirements. The Developer shall document that the design of the proposed structures meets the current Title 24 energy-efficiency requirements. County Planning shall coordinate this review with the County Building and Safety. Any combination of the following design features may be used to fulfill this requirement, provided that the total increase in efficiency meets or exceeds the cumulative goal (100%+ of Title 24) for the entire project (Title 24, Part 6 of the California Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings, as amended:
 - Incorporate dual paned or other energy efficient windows,
 - Incorporate energy efficient space heating and cooling equipment.
 - Incorporate energy efficient light fixtures, photocells, and motion detectors,
 - Incorporate energy efficient appliances,
 - Incorporate energy efficient domestic hot water systems,
 - Incorporate solar panels into the electrical system,
 - Incorporate cool roofs/light colored roofing.
 - Incorporate other measures that will increase energy efficiency.
 - Increase insulation to reduce heat transfer and thermal bridging.
 - Limit air leakage throughout the structure and within the heating and cooling distribution system to minimize energy consumption.
 - b. Plumbing. All plumbing shall incorporate the following:
 - All showerheads, lavatory faucets, and sink faucets shall comply with the California Energy Conservation flow rate standards.
 - Low flush toilets shall be installed where applicable as specified in California State Health and Safety Code Section 17921.3.
 - All hot water piping and storage tanks shall be insulated. Energy efficient boilers shall be used.
 - c. <u>Lighting. Lighting design for building interiors shall support the use of:</u>
 - Compact fluorescent light bulbs or equivalently efficient lighting.
 - Natural day lighting through site orientation and the use of reflected light.
 - Skylight/roof window systems.
 - Light colored building materials and finishes shall be used to reflect natural and artificial light with greater efficiency and less glare.
 - A multi-zone programmable dimming system shall be used to control lighting to maximize the energy
 efficiency of lighting requirements at various times of the day.
 - Provide a minimum of 2.5 percent of the project's electricity needs by on-site solar panels.
 - d. <u>Building Design</u>. Building design and construction shall incorporate the following elements:

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> Orient building locations to best utilize natural cooling/heating with respect to the sun and prevailing winds/natural convection to take advantage of shade, day lighting and natural cooling opportunities.

- Utilize natural, low maintenance building materials that do not require finishes and regular maintenance.
- Roofing materials shall have a solar reflectance index of 78 or greater.
- All supply duct work shall be sealed and leak-tested. Oval or round ducts shall be used for at least 75 percent of the supply duct work, excluding risers.
- Energy Star or equivalent appliances shall be installed.
- A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units
- e. Landscaping. The developer shall submit for review and obtain approval from County Planning of landscape and irrigation plans that are designed to include drought tolerant and smog tolerant trees, shrubs, and groundcover to ensure the long-term viability and to conserve water and energy. The landscape plans shall include shade trees around main buildings, particularly along southern and western elevations, where practical.
- f. Irrigation. The developer shall submit irrigation plans that are designed, so that all common area irrigation areas shall be capable of being operated by a computerized irrigation system, which includes either an on-site weather station, ET gauge or ET-based controller capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain and wind. In addition, the computerized irrigation system shall be equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks and eliminating over-watering and flooding due to pipe and/or head breaks.
- q. Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be located in public areas. Construction and operation waste shall be collected for reuse and recycling.
- h. Transportation Demand Management (TDM) Program. The project shall include adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. carpool/vanpool spaces shall be provided and, if available, mass transit facilities shall be provided (e.g. bus stop bench/shelter). The developer shall demonstrate that the TDM program has been instituted for the project or that the buildings will join an existing program located within a quarter mile radius from the project site that provides a cumulative 20% reduction in unmitigated employee commute trips. The TDM Program shall publish ride-sharing information for ride-sharing vehicles and provide a website or message board for coordinating rides. The Program shall ensure that appropriate bus route information is placed in each building.
- 67. Signs. All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. All signs shall comply with SBCC Chapter 83.13, Sign Regulations, SBCC §83.07.030, Glare and Outdoor Lighting - Valley Region, in addition to the following minimum standards:
 - a. All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable.
 - b. All sign lighting shall not exceed 0.5 foot-candle.
 - c. No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety.

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d. Monument signs shall not exceed four feet above ground elevation and shall be limited to one sign per street frontage.

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

- 68. <u>Temporary Use Permit.</u> A Temporary Use Permit (T.U.P.) for the office trailer will be required or it must be placed on a permanent foundation per State H.C.D. guidelines. A T.U.P. is only valid for a maximum of five (5) years.
- 69. <u>Construction Plans.</u> Any building, sign, or structure to be added to, altered (including change of occupancy/use), constructed, or located on site, will require professionally prepared plans based on the most current adopted County and California Building Codes, submitted for review and approval by the Building and Safety Division.

PUBLIC WORKS - Traffic Division (909) 387-8186

- 68. Improvements: The applicant shall design their street improvement plans to include the following:
 - a. <u>Continuous Left Turn Lane</u>. A continuous left turn lane shall be designed along the project frontage on Kendall Drive. Additional improvements may be required to safely transition traffic

LAND USE SERVICES DEPARTMENT – Land Development Division – Road Section (909) 387-8311

69. Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

Kendall Drive (Major Highway Per Glen Helen Specific Plan – 104')

- Road Dedication. A 7 foot grant of easement is required to provide a half-width right-of-way of 52 feet.
- Street Improvements. Design curb and gutter with match up paving 40 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- <u>Driveway Approach.</u> Design driveway approach per San Bernardino County Standard <u>129B</u>, and located per San Bernardino County Standard 130.
- 70. Road Standards and Design. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed 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 General Plan, Circulation Element.
- 71. <u>Street Improvement Plans.</u> The developer shall submit for review and obtain approval of street improvement plans prior to construction. 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. Street improvement plans shall not be approved until all necessary right-of-way is acquired.
- 72. <u>Construction Permits.</u> Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as

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well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.

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- 73. <u>Soils Testing.</u> 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. <u>Street Type Entrance.</u> Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
- 75. <u>Transitional Improvements.</u> Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
- 76. <u>Street Gradients.</u> 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.
- 77. <u>Slope Tests.</u> Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of County Public Works.
- 78. Regional Transportation Fee. This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the San Bernardino Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid by a cashier's check to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$5.37 per square foot for Commercial Use, which includes the 3,200 sq. ft. building per the site plan dated October 16, 2018.

Therefore, the estimated Regional Transportation Fees for the Project is \$17,184. The current Regional Transportation Development Mitigation Plan can be found at the following website: http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx

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- 79. <u>Hydrant Marking</u>. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road. [F80]
- 80. <u>Fire Flow Test</u>. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to building permits being issued. [F05B]
- 81. <u>Access.</u> The development shall have a minimum 1 point of vehicular access. These are for fire/emergency equipment access and for evacuation routes.

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a. Single Story Road Access Width: All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.

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b. Multi-Story Road Access Width: Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. [F41]

PUBLIC HEALTH – Environmental Health Services (800) 442-2283

- 82. <u>Water purveyor</u>. Water purveyor shall be City of San Bernardino MWD or EHS approved.
- 83. Water Will Serve Letter. Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the <u>File Index Number</u> and <u>Assessor's Parcel Number(s)</u>. For projects with current active water connections, a copy of water bill with project address will suffice. For information, contact the Water Section at 1-800-442-2283.
- 84. <u>Sewage Disposal.</u> Method of sewage disposal shall be City of San Bernardino MWD or EHS approved. The wastewater treatment system shall conform to the Local Agency Management Plan.
- 85. <u>Wastewater Systems.</u> Applicant shall procure a verification letter from the sewering agency with jurisdiction. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewering agency. The letter shall reference the Assessor's Parcel Number.
- 86. <u>OWTS.</u> If sewer connection and/or service are unavailable, Onsite Wastewater Treatment System(s) (OWTS) may then be allowed under the following conditions:
 - a. A percolation report shall be submitted to DEHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For more information, contact DEHS Wastewater Section.
 - b. An Alternative Treatment Permit, if applicable, shall be required.
- 87. <u>Existing OWTS</u>. Existing onsite wastewater treatment system (OWTS) can be used if applicant provides OWTS certification from a qualified professional (i.e., Professional Engineer (P.E.), Registered Environmental Health Specialist (REHS), C42 contractor, Certified Engineering Geologist (C.E.G.), etc.) that the system functions properly, meets code, and has the capacity required for the proposed project. Applicant shall provide documentation outlining methods used in determining function. For information on the OWTS Certification form, contact DEHS at 1-800-442-2283.
- 88. <u>Water Service Provider</u>. Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either:
 - a. Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or,
 - b. Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant

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to the provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.

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89. Acoustical Study. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at 1-800-442-2283.

PRIOR TO FINAL INSPECTION OR OCCUPANCY

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT – Planning Division (909) 387-8311

- 90. <u>Fees Paid</u>. Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number P201800446.
- 91. <u>Shield Lights</u>. Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC Table 83-7 and be hooded and designed so as to reflect away from adjoining properties and public thoroughfares and in compliance with SBCC Chapter 83.07, "Glare and Outdoor Lighting" (i.e. "Dark Sky Ordinance).
- 92. <u>CCRF/Occupancy</u>. Prior to occupancy/use, all Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each reviewing agency.
- 93. <u>Landscaping/Irrigation</u>. All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape Plan shall be installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.
- 94. Installation of Improvements. All required on-site improvements shall be installed per approved plans.

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

95. <u>Condition Compliance Release Form Sign-off.</u> Prior to occupancy all Department/Division requirements and signoffs shall be completed.

PUBLIC WORKS - Traffic Division (909) 387-8186

96. Roadway Improvements. The applicant shall construct, at 100% cost to the applicant all roadway improvements as shon on their approved street improvement plans.

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

97. <u>Drainage Improvements.</u> All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and

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certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.

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98. <u>WQMP Improvements</u>. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.

LAND USE SERVICES DEPARTMENT – Land Development Division – Road Section (909) 387-8311

- 99. <u>LDD Requirements</u>. All LDD requirements shall be completed by the applicant prior to occupancy.
- 100. <u>Road Improvements</u>. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works.
- 101. 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.
- 102. <u>Structural Section Testing.</u> A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.
- 103. <u>Parkway Planting.</u> Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Current Planning and shall be maintained by the adjacent property owner or other County-approved entity.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465/LOCAL FIRE JURISDICTION

- 104. Commercial Addressing. Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum twelve (12) inches in height and with a one (1") inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. [F82]
- 105. <u>Override Switch.</u> Override Switch. Where an automatic electric security gate is used, an approved Fire Department override switch (Knox ®) is required. [F86]
- 106. <u>Hydrant Marking.</u> Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road. [F80]
- 107. <u>Fire Lanes.</u> The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan. [F93]
- 108. <u>Water System Commercial.</u> A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. All fire hydrants shall be

CONDITIONS OF APPROVAL

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- spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than one hundred-fifty [150) feet from any portion of a structure. [F54]
- 109. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. [F88]
- 110. Inspection by the Fire Department. Inspection by Fire Department. Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final". [F03]
- 111. Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. [F72]

COUNTY FIRE DEPARTMENT – Hazardous Materials Division (909) 386-8432/LOCAL FIRE JURISDICTION

- 112. Combustible Protection. Prior to combustibles, being placed on the project site an approved paved road with curb and gutter and fire hydrants with an acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy. [F44]
- Material Identification Placards. The applicant shall install Fire Department approved material identification 113. placards on the outside of all buildings and/or storage tanks that store or plan to store hazardous or flammable materials in all locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an N.F.P.A. 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises. which shall contain business access keys and a business plan. [F95]

END OF CONDITIONS

EXHIBIT D

Letter of Intent

Construction Proposal

Project number:

P201800446

Project Location:

19939 Kendall Drive San Bernardino, CA 92407

Introduction:

I Honorato Ramirez am an owner of two business "Nato's Truck and Trailer Repair, Inc." I have 26 years of experience as a diesel mechanic. I have been working for various diverse companies in the County of San Bernardino, for example Penske, Freightliner, Jack B. Kelley etc. On October 2012 I decided to commence my own business Natos Truck and Trailer Repair, Inc. currently located at 16277 Valley Blvd Fontana, CA. When my business began it only consisted of two employees myself and my son. Six years later the business expanded, to now having ten employees. Nato's Truck and Trailer Repair, Inc. specializes in the repair and maintenance of diesel trucks and trailers. Based on the development of my businesses I have decided to purchase a property in the County of San Bernardino.

Purpose:

My plans are to expand my businesses and offer more job opportunities in the County of San Bernardino. In order to accomplish such, I propose to construct a one story building. The property is designed to create a stable environment for my current/future employees. Providing excellent service to my customers in which minimum 10 trucks or trailers could be repaired in a week. Also having a safe and reliable location in which the customer/drivers can park their trucks and trailers.

Project Plans:

The construction will consist of a metal building 80' length X 40' width and 20' height. A portion of the building will have three bays were work will be performed. The rest of the building will be utilized for the office, restroom, and break room. As for the remaining property it will be used to park the extra trucks and trailers in waiting to have work performed on them our business hours are from Monday-Friday 8:00-5:00 pm . The utility companies that will service my property will be San Bernardino Water Company, California Edison, and San Bernardino Burrtec Trash Company.

In Conclusion:

I would greatly appreciate your cooperation in the approval of the construction project. My ultimate goal is to be able to give back to my own community, bringing business, and job opportunities in San Bernardino.