

CONDITIONS OF APPROVAL

Bloomington ARCO AM/PM
Conditional Use Permit/Policy Plan Amendment/Zone Amendment

GENERAL REQUIREMENTS

Ongoing and Operational Conditions

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

1. Project Approval Description. A Conditional Use Permit for construction of a 5,000-sf. convenience store and service station with four fueling islands with a 5,318-sf. canopy. A 2,634-sf. car wash, 2,550 sf. drive thru restaurant, and a 2,244-sf. storage building, to include a perimeter wall up to eight (8) feet in height, as allowed by Development Code Section 83.06.030, Table 83-6, in conjunction with a Policy Plan Amendment to change the Land Use Category from Low Density Residential (LDR) to Commercial (C), and a Zone Amendment from Single Residential 1-acre minimum Additional Agriculture (RS-1-AA) to General Commercial (CG).

This CUP is approved 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: 0257-101-09, Project No. P201900307.

2. Project Location. The project is located at 11279 Cedar Avenue, on the NEC of Cedar Avenue and Jurupa Avenue in the community of Bloomington.
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. 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.

5. Expiration. 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:
- a. The permittee has commenced actual construction or alteration under a validly issued building permit, or
 - 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.
- PLEASE NOTE: 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. Continuous Effect/Revocation. 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 non-complying 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 Project trust account number is PROJ-2020-00041. 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. Condition Compliance: 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:
- Grading Permits: a copy of the signed CCRF for grading/land disturbance.
 - Building Permits: a copy of the signed CCRF for building permits.
 - 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, California Department of Fish and Wildlife, Caltrans
 - c) COUNTY: Land Use Services – Building and Safety/Code Enforcement/Land Development, County Fire/HazMat; Public Health – Environmental Health Services, Public Works –Traffic/ County Surveyor, and
 - d) LOCAL: N/A
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 structures, 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.
 - i) Signage: 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.
 - 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.

- l) 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.
14. Lighting. 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. 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, Community and Cultural Section, telephone (909) 798-8570.
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. Construction Noise. 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.
20. 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. 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.
21. NOI-2(A): *The Applicant will be required to construct and maintain a 6-foot-high solid block wall along the east property line as a means to attenuate noise from the site during its normal operations. The wall must be maintained free of graffiti at all times.*
22. NOI-3(A): *The Applicant must ensure that the use of the carwash tunnel is limited to the daylight hour only. When not in use, the car wash tunnel must be secured by a gate.*

23. NOI-4(A): *The drive through lane restaurant speakers must remain at its location shown on the site plan so as not to impact the residences located to the east.*
24. NOI-5 (A): *Loitering in the parking areas with attendant loud noise (radios, car noise, etc.) will not be permitted. The drive through lane restaurant speakers must remain at its location shown on the site plan so as not to impact the residences located to the east.*
25. NOI-6(B): *Haul trucks will be prohibited from travelling eastbound or westbound northbound on Jurupa Avenue. All haul trucks must travel northbound on Cedar Avenue.*

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

26. Enforcement. 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. Weed Abatement. 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).

LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (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. 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.
30. 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.
31. Continuous BMP Maintenance. The property owner/“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 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.
32. 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 HEALTH - Environmental Health Services (800) 442-2283

33. Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080. For information, please call DEHS at 1-800-442-2283.
34. All refuse generated at the premises shall at all times be stored in approved 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 one (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 two (2) times per week, or as often if necessary, to minimize public health nuisances, by a permitted 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: 1-800-442-2283.

COUNTY FIRE DEPARTMENT–Community Safety Division (760)995-8190

35. 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.
36. Jurisdiction. 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 Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department. [F01]
37. Fire Fee. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division (909) 386-8400.

COUNTY FIRE DEPARTMENT – Hazardous Materials Division (760) 995-8190/(909) 386-8401

38. Prior to sign off by this agency, the operator must update disclosure information using the California Environmental Reporting System (CERS) <http://cers.calepa.ca.gov>. For additional information please contact the Office of the Fire Marshal, Hazardous Materials Division at (909) 386-8401.
39. Permit Requirements. Any business or facility that handles a hazardous material in quantities at or exceeding 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time or generates any amount of hazardous waste must obtain hazardous material permits.

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

40. Franchise Hauler Service Area. 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 Waste Industries - Edco Disposal).
41. 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 Assembly Bill (AB) 2176.
42. 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 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 commercial recycling and will require businesses to provide recycling information. This requirement is to assist the County in compliance with AB 341.
43. Mandatory Commercial Organics Recycling. As of January 1, 2019, AB 1826 (Enacted October 2014) 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.

DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186

44. Project vehicles shall not back out into the public roadway.

**PRIOR TO ISSUANCE OF GRADING PERMITS
OR LAND DISTURBING ACTIVITIES**
The Following Shall Be Completed

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

45. NOI-1(A): *The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.*
46. Bio-1(B): *Applicant shall ensure that impacts to nesting birds at the Project site are avoided through the implementation of pre-construction surveys, ongoing monitoring, and if necessary, establishment of minimization measures for burrowing owls and nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Game Code shall prior to the commencement of, and during Project-related ground disturbance. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. In the event that listed species are encountered, authorization from the USFWS and CDFW must be obtained. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas.*
1. *Applicant shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.*
 2. *The Designated Biologist shall conduct nesting bird surveys at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to any disturbance of the site, including tree and shrub removal, diking, demolition activities, and grading. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.*
 3. *If active nests are identified, the Designated Biologist shall immediately establish conservative avoidance buffers around the nests based on their best professional judgement and experience, and on the level of activity within the buffer and species' observed tolerance. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Raptor*

Mitigation Measures are in Italics

species shall have an avoidance buffer of 500 feet and other bird species shall have an avoidance buffer of 300 feet. These buffers may be reduced at the discretion of the Designated Biologist. The Designated Biologist shall monitor the nest at the onset of Project activities, and at the onset of any changes in Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that Project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. If active nests are not identified, vegetation clearing, and ground disturbing activities may commence.

Tribal Cultural Resources San Manuel Band of Mission Indians:

47. CUL-1(B): *In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.*
48. CUL-2(B): *If significant cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan (MTP). Should the significant resource be from the pre-contact era, the draft of the MTP shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.*
49. CUL-3(B): *If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.*
50. TCR-1: *The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.*
51. TCR-2: *Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.*

Tribal Cultural Resources Gabrieleno Band of Mission Indians-Kizh Nation:

52. TCR-3: *Prior to the commencement of any ground disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 - SB18 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the Lead Agency prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor*

have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 50 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the Tribal monitor approved by the Consulting Tribe and a qualified archaeologist if one is present. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue in other parts of the Project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

53. TCR-4: Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC and PRC 5097.98 shall be followed.
54. TCR-5: Upon discovery of human remains, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 100 feet and place an exclusion zone around the discovery location. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).
55. TCR-6: If the Gabrieleno Band of Mission Indians – Kizh Nation is designated MLD, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.
56. TCR-7: Prior to the continuation of ground disturbing activities, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. If data recovery is approved by the Tribe,

documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

57. TCR-8: Native American and Archaeological monitoring during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of TCR's shall be taken. The Native American monitor must be approved by the Gabrieleno Band of Mission Indians-Kizh Nation. Principal personnel for Archaeology must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California.

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

58. Retaining Wall Plans: Submit plans and obtain separate building permits for any required walls or retaining walls.
59. Geotechnical (Soil) Report: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.

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

60. 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 \$750 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.
61. FEMA Flood Zone. The project is located within Flood Zone X-Unshaded according to FEMA Panel Number 06071C8667H dated 8/28/2008. No elevation requirements. 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.
62. 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.
63. 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
64. 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.

65. On-site Flows. On-site flows need to be directed to the nearest County drainage facility unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
66. 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 of the WQMP guidance and template can be found at: <http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx>
67. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to the Department of Public Works for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

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

68. Survey Monumentation. If any activity on this project will disturb any 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 prior 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).

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 property lines or corners;
- 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

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

69. 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.

COUNTY FIRE DEPARTMENT – Hazardous Materials Division (760) 995-8190/(909) 386-8401

70. Businesses or facilities handling greater than 1320 gallons of petroleum products in aboveground storage tanks (shell capacity) shall prepare and implement a Spill Prevention, Control, and Countermeasures Plan (SPCC) in accordance with 40 CFR 1 112.3 and CHSC 25270.4.5(a). The SPCC plan shall be submitted via the CERS system and maintained on site.
71. Underground storage tank (UST) systems storing hazardous substances in the County of San Bernardino shall conform to standards issued by the San Bernardino County Fire Protection District. Written approval shall be obtained from this Department prior to the installation of any new UST system(s) and/or modifications to an existing UST system. Prior to installation, plans for underground storage tank systems shall be reviewed and approved by Office of the Fire Marshal, Hazardous Materials Division. For additional information please contact (909) 386-8401.

“Hazardous Material” means any material that because of its quantity, concentration, physical characteristics, or chemical characteristics poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace. Hazardous Materials include but are not limited to, hazardous substances, hazardous waste, or any material which the administering agency has a reasonable basis for believing would be injurious to human health or the environment.

COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190

72. 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 IIIA of the Uniform Fire Code. [F05]

PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed:

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

73. Architecture. Architectural elevations are considered conceptual. Final details with colors and material samples shall be submitted to the Planning Division for approval prior to building plan check submittal.
74. Lighting Plans. The developer shall submit for review and approval to County Planning a photometric study demonstrating that the project light does not spill onto the 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. This shall be done to the satisfaction of County Planning, in coordination with County Building and Safety.
75. Landscape and Irrigation Plan. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit four copies of a landscape and irrigation plan to County Planning.
76. 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. Pursuant to SBCC Chapter 83.13, *Sign Regulations*, and SBCC §83.07.030, *Glare and Outdoor Lighting Valley Region*, all signs shall comply with the following minimum standards:
- a) Light Trespass Prohibited. Outdoor lighting of commercial or industrial land uses shall be fully shielded to preclude light pollution or light trespass on any of the following:
 - 1. An abutting residential land use zoning district;
 - 2. A residential parcel; or
 - 3. Public right-of-way.
 - b) Determination of Light Trespass. A determination of light trespass shall be made through a quantitative measurement utilizing a standard yardstick (3 ft x 1½ in.). The yardstick shall be placed at the building setback line in the complainant's yard. The yardstick shall be in contact with the ground or may be raised to window level of the dwelling and in a vertical position. The person taking the measurement shall then determine if a shadow is cast by the light source, that is, the light source, yardstick, and shadow shall be in alignment. Measurements shall not be taken when there is a moon in the night sky.
 - c) Maximum Allowed Foot-Candles. Direct or indirect light from any light fixture shall not cause glare above five-tenths (0.5) foot-candles when measured at the property line of a residential land use zoning district, residential parcel, or public right-of-way. Light levels shall be measured with a photoelectric photometer, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.

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

77. Construction Plans. Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.

78. Temporary Use Permits: 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

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

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

Cedar Avenue (Major Highway – 104')

- Road Dedication. A 7-foot grant of easement is required to provide a half-width right-of-way of 52.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B and located per San Bernardino County Standard 130.

Jurupa Avenue (Major Highway – 104')

- Road Dedication. A varied width 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".
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B and located per San Bernardino County Standard 130.

As an alternative, and in conformance with § 83.05.060 of the Development Code, the developer may submit a delayed improvement agreement in writing to the County Department of Public Works to make the improvements along within 3 years, with the posting of a form of surety. The surety shall be in the form of a cash deposit, a surety bond, a developer lien agreement, or other form acceptable to the County, in an amount equal to the estimated cost of the improvements as approved by the County, and shall be posted to guarantee the installation of the improvements.

80. 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.

81. Street Improvement Plans. 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.

Mitigation Measures are in Italics

82. Construction Permits. 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 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.
83. Encroachment Permits. Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction.
84. 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.
85. Slope Easements. Slope rights shall be dedicated, where necessary.
86. Turnarounds. Turnarounds at dead end streets shall be in accordance with the requirements of the County Department of Public Works and Fire Department.
87. Street Type Entrance. Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
88. 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.
89. 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.
90. Slope Tests. Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of County Public Works.
91. Two Access Points. A minimum two points of ingress/egress are required or alternative approved by County Fire Department.
92. Regional Transportation Fees. This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the Rialto 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 \$17.02 per square foot for Commercial Use, which includes the 5,000 square foot building, 2,244 square foot storage building, 5,318 square foot canopy, 2,634 square foot car wash and the 2,550 square foot drive thru restaurant per the site plan dated February 21, 2021.

Therefore, the estimated Regional Transportation Fees for the Project is \$302,036.92 [$\$17.02(5,000+2,244+5,318+2,634+2,550)$]. The current Regional Transportation Development Mitigation Plan can be found at the following website:
<http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190

93. Building Plans. Building plans shall be submitted to the Fire Department for review and approval.
94. Access. The development shall have a minimum of two (2) points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. Standard 902.2.1

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.

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]

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

95. Construction and Demolition Waste Management Plan (CWMP) Part 1 – The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights of solid waste materials expected to be generated from construction. The CWMP shall include options to divert waste materials from landfill disposal, materials for reuse or recycling by a minimum of 65% of total weight or volume. Forms can be found on our website at <http://cms.sbcounty.gov/dpw/solidwastemanagement.aspx>. An approved CDWMP Part 1 is required before a permit can be issued.

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

96. Water Purveyor. Water purveyor shall be **West Valley Water District** or EHS approved.

97. Water Service Verification 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 File Index Number and Assessor's Parcel Number(s). 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.

98. Existing Wells. If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to EHS standards, properly sealed and certified as inactive OR (3) constructed to EHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence shall be submitted to DEHS for approval

99. Food Establishment Plan Check Required. Plans for food establishments shall be reviewed and approved by EHS. For information, call EHS/Plan Check at: 1-800-442-2283.

100. Preliminary Acoustical Information. 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.

101. Sewage Disposal. Method of sewage disposal shall be City of Rialto, or, if not available, EHS approved onsite wastewater treatment system (OWTS).

102. Sewer Service Verification Letter. Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).

103. Sewer Connection. If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: A soil percolation report per June 2017 standards shall be submitted to EHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For information, please contact the Wastewater Section at 1-800-442-2283.

104. Onsite Wastewater Treatment System. Existing onsite wastewater treatment system can be used if applicant provides 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.

105. Water Board Clearance. Written clearance shall be obtained from the designated California Regional Water Quality Control Board (listed below) and a copy forwarded to the Division of Environmental Health Services for projects with design flows greater than 10,000 gallons per day.

- Santa Ana Region, 3737 Main St., Suite 500, Riverside, CA 92501-3339, 951-782-4130.

106. Demolition of Structures. 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 EHS Vector Section at 1-800-442-2283.

COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190

107. Fire Hydrant: Your project meets fire flow however the fire hydrant shown in your submittal is in excess of the required spacing and/or a substandard fire hydrant. You will be required to either install an approved fire hydrant within 300 feet (as measured along vehicular travel-ways) from the driveway on the address side of the proposed structure or install an approved fire sprinkler system. This requirement shall be completed prior to combination inspection by Building and Safety. [F05A]

108. Fire Flow Test: 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 either produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied, or you must install an approved fire sprinkler system. This requirement shall be completed prior to combination inspection by Building and Safety. [F05B]

109. Turnaround: An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty-five (45) foot radius for all turns. In the FS1, FS2 or FS-3 Fire Safety Overlay District areas, there are additional requirements. Standard 902.2.1 [F43]

110. Water System Commercial: 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 spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred [300] feet from any portion of a structure. [F54]

111. Primary Access Paved: Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions (Fire# F-9), including width, vertical clearance and turnouts, if required. [F89]

DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186

112. Improvements: The applicant shall design their street improvement plans to include the following

Driveway:

- The driveway located on Cedar Avenue shall be restricted to right in/right out. The applicant shall install the proper signage to reflect that movement.

PRIOR TO FINAL INSPECTION OR OCCUPANCY

The Following Shall Be Completed

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

113. Fees Paid. 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 P201900307
114. Shield Lights. Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC
115. AES-1(D): *The area of illumination from any lighting source must be confined to within the site boundaries so as to minimize impacts to night sky views from surrounding properties. On-site lighting will be fully shielded, diffused, or directed in a manner to avoid glare directed at adjacent properties, roadways or any light spill into any wildland areas surrounding the site that might affect nocturnal animals. No light will be permitted to project onto adjacent roadways in a manner that interferes with on-coming traffic. All lighting will be limited to that necessary for maintenance activities, security, and safety purposes. All signs proposed by this project will only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign or by direct stationary neon lighting.*
116. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
117. Landscaping/Irrigation. 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.
118. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
119. GHG – Installation/Implementation Standards. The developer shall submit for review and obtain approval from County Planning of evidence that all applicable GHG performance standards have been installed, implemented properly and that specified performance objectives are being met.
120. PS-1(A): *The convenience store and fast-food's restaurant windows must remain un-obstructed and free from any window signs or writing. This is to allow for clear visibility of the store's interior from the patrol vehicles outside.*
121. PS-2(A): *Internal security cameras must be installed throughout the proposed convenience store and fast-food window. Restaurant to provide a comprehensive view of the buildings' interior and exterior. Cameras will be monitored by the cashiers.*
122. PS-3(A): *A silent alarm system that will be monitored at a central station must be installed.*
123. PS-4(A): *Hold up buttons or remote transmitters must be provided.*
124. PS-5(A): *Doorway access to the restrooms must be visible to the cashiers or security cameras monitored by the cashiers.*
125. PS-6(A): *No long-term parking (more than one hour), other than that required by employees, will be permitted. This provision will be monitored by employees with appropriate signage posted within the parking area.*
126. PS-7(A): *Appropriate signage must be posted indicating that loitering and/or the drinking of alcoholic beverages on-site are prohibited.*
127. PS-8(A): *The site frontage from Cedar Avenue and Jurupa Avenue and the parking and circulation areas must be visible to outside surveillance. Landscaping and other architectural treatments must not inhibit surveillance of the site from these areas.*
128. PS-9(A): *The site must be properly illuminated, and the storage building and carwash tunnel must be secured when not in use.*

DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186

129. The applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans.

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

130. Drainage Improvements. 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 certify that these improvements have been completed according to the approved plans.

131. WQMP Improvements. 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

132. LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.

133. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works.

134. 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.

135. 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.

136. Parkway Planting. 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 (760) 995-8190

137. Fire Alarm – Automatic: An automatic fire sprinkler monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. Standard 1007.1.1FA [F62]

138. Fire Lanes: 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. Standard 901.4 [F93]

139. Fire Sprinkler-NFPA #13: An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. Standard 101.1 [F59]

140. Key Box: An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Standard 902.4 [F85]

141. 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 six (6) inches in height and with a three quarter (3/4) 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. Standard 901.4.4 [F82]
142. Hood and Duct Suppression: An automatic hood and duct fire extinguishing system is required. A Fire Department approved designer/installer shall submit three (3) sets of detailed plans (minimum 1/8" scale) with manufactures' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. [F65]
143. Fire Extinguishers: Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. [F88]

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

144. Construction and Demolition Waste Management Plan (CDWMP) Part 2 – The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. This summary shall provide documentation of actual diversion of materials including but not limited to receipts, invoices or letters from diversion facilities or certification of reuse of materials on site. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 65% of total weight or volume of all construction waste.

COUNTY FIRE DEPARTMENT – Hazardous Materials Division (760) 995-8190/(909) 386-8401

145. Prior to occupancy, the business operator shall be required to apply for one or more of the following permits or apply for exemption from hazardous materials laws and regulations: a Hazardous Material Permit, a Hazardous Waste Permit, Aboveground Storage Tank Permit or an Underground Storage Tank Permit. Application for one or more of these permits shall occur by submitting a hazardous materials business plan using the California Environmental Reporting System (CERS) <http://cers.calepa.ca.gov/>

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

146. Noise Reduction. Install "silence package" for the blower at exit of car wash to further reduce noise.

END OF CONDITIONS