

**RESOLUTION NO. 2023-XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA APPROVING PRECISE PLAN OF DESIGN NO. 2022-0083 ALLOWING THE ESTABLISHMENT OF A 117,621-SQUARE-FOOT CLIMATE-CONTROLLED INDOOR SELF-STORAGE FACILITY LOCATED ALONG EUCALYPTUS AVENUE APPROXIMATELY 284 FEET SOUTH OF FOOTHILL BOULEVARD WITHIN THE COMMERCIAL-MIXED USE (C-MU) ZONE OF THE FOOTHILL BOULEVARD SPECIFIC PLAN.

WHEREAS, the applicant, Laguna Canyon Group LLC, proposes to establish a 117,621 square foot climate-controlled indoor self-storage facility (“Project”) located along Eucalyptus Avenue approximately 284 feet south of Foothill Boulevard (APNs: 0131-061-06 and 0131-061-27) within the Commercial-Mixed Use (C-MU) zone of the Foothill Boulevard Specific Plan (“Site”); and

WHEREAS, the Project will consist of the construction of a non-habitable architectural projection to create a prominent storefront for the proposed establishment of a climate-controlled indoor self-storage facility at the Site; and

WHEREAS, Pursuant to Section 18.65.010 of the Rialto Municipal Code, the Project requires a Precise Plan of Design, and the applicant has agreed to apply for a Precise Plan of Design No. 2022-0083 (“PPD No. 2022-0083”); and

WHEREAS, in conjunction with the Project, the applicant submitted Conditional Development Permit No. 2023-0001 (“CDP No. 2023-0001”) to facilitate the establishment of a 117,621 square foot climate-controlled indoor self-storage facility at the Site; and

WHEREAS, on December 6, 2023, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, on PPD No. 2022-0083 and CDP No. 2023-0001, took testimony, at which time it received input from staff, the city attorney, and the applicant; heard public testimony; discussed the proposed PPD No. 2022-0083 and CDP No. 2023-0001; and closed the public hearing; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Rialto as follows:

1        SECTION 1. The Planning Commission hereby specifically finds that all of the facts set forth  
2 in the recitals above of this Resolution are true and correct and incorporated herein.

3        SECTION 2. Based on substantial evidence presented to the Planning Commission during  
4 the public hearing conducted with regard to PPD No. 2022-0083, including written staff reports,  
5 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the  
6 Planning Commission hereby determines that PPD No. 2022-0083 satisfies the requirements of  
7 Section 18.65.020E of the Rialto Municipal Code pertaining to the findings which must be made  
8 precedent to granting a Precise Plan of Design. The findings are as follows:

- 9  
10        1.        The proposed development is in compliance with all city ordinances and regulations,  
11                unless in accordance with an approved variance; and

12        *This finding is supported by the following facts:*

13        The Project, as conditioned herein, will comply with all City ordinances and regulations,  
14 including those required by the Foothill Boulevard Specific Plan. The Site has a General  
15 Plan land use designation of General Commercial with a Specific Plan Overlay and a  
16 zoning designation of C-MU. Those designations allow for the establishment of a self-  
storage facility and the modification of the exterior façade of an existing commercial  
building, as proposed by the Project.

- 17        2.        The site is physically suitable for the proposed development, and the proposed  
18 development will be arranged, designed, constructed, and maintained so that it will  
19 not be unreasonably detrimental or injurious to property, improvements, or the health,  
20 safety or general welfare of the general public in the vicinity, or otherwise be  
inharmonious with the city's general plan and its objectives, zoning ordinances or any  
applicable specific plan and its objectives; and

21        *This finding is supported by the following facts:*

22        The site is currently undeveloped vegetative land that will support the operation of the  
23 proposed self-storage facility. The Site is located and is bound on the east by Eucalyptus  
24 Avenue and on the north by Foothill Boulevard. To the north of the project site, are multi-  
25 family units and three (3) multi-tenant commercial buildings, to the west there is the  
26 Foothill Acacia Plaza with Stater Bro's, with additional multi-commercial tenants, to the  
27 east across the Eucalyptus Avenue is a multi-unit condominium, to the south are single-  
28 family residences. The proposed self-storage facility is consistent with the C-MU zone and  
the surrounding land uses. The nearby area is predominantly zoned for and developed with  
commercial uses, and as a result, there are no sensitive land uses near the project site. The  
Project is not expected to negatively impact any uses with the successful implementation  
of the Conditions of Approval contained herein.

- 1  
2 3. The proposed development will not unreasonably interfere with the use or enjoyment  
3 of neighboring property rights or endanger the peace, health, safety, or welfare of the  
4 general public; and

5 *This finding is supported by the following facts:*

6 The Project's effects will be minimized through the implementation of the Conditions of  
7 Approval contained herein, and through the implementation of Conditions of Approval  
8 imposed by the Planning Commission on the Conditional Development Permit. The Site is  
9 located and is bound on the east by Eucalyptus Avenue and on the north by Foothill  
10 Boulevard. The Site is located and is bound on the east by Eucalyptus Avenue and on the  
11 north by Foothill Boulevard. To the north of the project site, are multi-family units and three  
12 (3) multi-tenant commercial buildings, to the west there is the Foothill Acacia Plaza with  
13 Stater Bro's, with additional multi-commercial tenants, to the east across the Eucalyptus  
14 Avenue is a multi-unit condominium, to the south are single-family residences. The proposed  
15 self-storage facility is consistent with the C-MU zone and the surrounding land uses. The  
16 proposed self-storage facility is consistent with the C-MU zone and the surrounding land uses.  
17 The nearby area is predominantly zoned for and developed with commercial uses, and as a  
18 result, there are no sensitive land uses near the project site. The Project is not expected to  
19 negatively impact any uses with the successful implementation of the Conditions of Approval  
20 contained herein.

- 21 4. The proposed development will not substantially interfere with the orderly or planned  
22 development of the City of Rialto.

23 *This finding is supported by the following facts:*

24 The Project is consistent with the Commercial-Mixed Use (C-MU) zone and is a logical and  
25 consistent modification to the existing commercial building on the Site. The City staff have  
26 reviewed the design of the Project to ensure compliance with all health, safety, and design  
27 requirements.

28 SECTION 3. The project is categorically exempt from the requirements of the California  
Environmental Quality Act (CEQA), pursuant to Section 15301, Existing Facilities. The Planning  
Commission directs the Planning Division to file the necessary documentation with the Clerk of the  
Board of Supervisors for San Bernardino County.

SECTION 4. The Planning Commission hereby approves PPD No. 2022-0083, in  
conjunction with CDP No. 2023-0001, to allow the modification of the exterior façade of an existing  
commercial building located along Eucalyptus Avenue approximately 284 feet south of Foothill

1 Boulevard (APNs: 0131-061-06 and 0131-061-27) within the Commercial-Mixed Use (C-MU) zone  
2 of the Foothill Boulevard Specific Plan, in accordance with the plans and application on file with the  
3 Planning Division, subject to the following Conditions of Approval:

- 4  
5 1. PPD No. 2022-0083 is approved to establish a 117,621 square foot climate-controlled  
6 indoor self-storage facility located along Eucalyptus Avenue approximately 284 feet  
7 south of Foothill Boulevard (APNs: 0131-061-06 and 0131-061-27) within the  
8 Commercial-Mixed Use (C-MU) zone of the Foothill Boulevard Specific Plan, subject  
9 to the Conditions of Approval contained herein.
- 10 2. The approval of PPD No. 2022-0083 is granted for a one (1) year period from the date  
11 of approval. Approval of PPD No. 2022-0083 will not become effective until the  
12 applicant has signed a Statement of Acceptance acknowledging awareness and  
13 acceptance of the required Conditions of Approval contained herein. Any request for  
14 an extension shall be reviewed by the Community Development Director and shall be  
15 based on the progress that has taken place toward the development of the project.
- 16 3. The construction associated with PPD No. 2022-0083 shall conform to the project plans  
17 attached as Exhibit A, except as may be required to be modified based on the Conditions  
18 of Approval contained herein.
- 19 4. The construction associated with PPD No. 2022-0083 shall comply with all Conditions  
20 of Approval contained within CDP No. 2023-0001.
- 21 5. The construction associated with PPD No. 2022-0083 shall comply with all applicable  
22 sections of the Foothill Boulevard Specific Plan, the Rialto Municipal Code, and all  
23 other applicable State and local laws and ordinances.
- 24 6. City inspectors shall have access to the site to reasonably inspect the site during  
25 normal working hours to assure compliance with these conditions and other codes.
- 26 7. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,  
27 and/or any of its officials, officers, employees, agents, departments, agencies, and  
28 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,  
demands, law suits, writs of mandamus, and other actions and proceedings (whether  
legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative  
dispute resolutions procedures (including, but not limited to arbitrations, mediations,  
and other such procedures), (collectively "Actions"), brought against the City, and/or  
any of its officials, officers, employees, agents, departments, agencies, and  
instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or  
annul, the any action of, or any permit or approval issued by, the City and/or any of  
its officials, officers, employees, agents, departments, agencies, and instrumentalities  
thereof (including actions approved by the voters of the City), for or concerning the  
Project (collectively, the "Entitlements"), whether such Actions are brought under

1 the California Environmental Quality Act, the Planning and Zoning Law, the  
2 Subdivision Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the  
3 California Public Records Act, or any other state, federal, or local statute, law,  
4 ordinance, rule, regulation, or any decision of a court of competent jurisdiction. This  
5 condition to indemnify, protect, defend, and hold the City harmless shall include, but  
6 not limited to (i) damages, fees and/or costs awarded against the City, if any, and (ii)  
7 cost of suit, attorneys' fees and other costs, liabilities, and expenses incurred in  
8 connection with such proceeding whether incurred by applicant, Property owner, or  
9 the City and/or other parties initiating or bringing such proceeding (collectively,  
10 subparts (i) and (ii) are the "Damages"). Notwithstanding anything to the contrary  
11 contained herein, the Applicant shall not be liable to the City Parties under this  
12 indemnity to the extent the Damages incurred by any of the City Parties in such  
13 Action(s) are a result of the City Parties' fraud, intentional misconduct or gross  
14 negligence in connection with issuing the Entitlements. The applicant shall execute  
15 an agreement to indemnify, protect, defend, and hold the City harmless as stated  
16 herein within five (5) days of approval of PPD No. 2022-0083.

- 17 8. In accordance with the provisions of Government Code Section 66020(d)(1), the  
18 imposition of fees, dedications, reservations, or exactions for this Project, if any, are  
19 subject to protest by the applicant at the time of approval or conditional approval of  
20 the Project or within 90 days after the date of the imposition of the fees, dedications,  
21 reservations, or exactions imposed on the Project.
- 22 9. Approval of PPD No. 2022-0083 will not be valid until such time that the Planning  
23 Commission has approved CDP No. CDP No. 2023-0001, which was prepared in  
24 conjunction with the Project.
- 25 10. In order to provide enhanced building design in accordance with Chapter 18.61 (Design  
26 Guidelines) of the Rialto Municipal Code, the applicant shall construct parapet returns,  
27 at least five (5) feet in depth from the main wall plane, on both sides of the proposed  
28 architectural projection. The parapet returns shall be demonstrated on the roof plan  
within the formal building plan check submittal prior to the issuance of a building  
permit.
11. The applicant shall submit a formal Landscape Plan to the Planning Division prior to  
the issuance of a building permit. The submittal shall include three (3) sets of planting  
and irrigation plans, a completed Landscape Plan Review application, and the applicable  
review fee.
12. The applicant shall plant trees, shrubs, and groundcover throughout each new landscape  
planter on-site. One (1) tree shall be planted within each planter, and all shrubs and  
groundcover shall be planted an average of three (3) feet on-center or less. All trees  
shall be a minimum of fifteen (15) gallons in size upon initial planting, unless otherwise  
specified herein. At least fifty (50) percent of the trees shall consist of evergreen  
broadleaf trees, while the remaining percentage may consist of broadleaf deciduous  
trees and/or palm trees. All shrubs shall be a minimum of one (1) gallon in size, unless

otherwise specified herein. All planter areas shall receive a minimum two (2) inch thick layer of brown bark, organic mulch, and/or decorative rock upon initial planting. Pea gravel and decomposed granite are not acceptable materials to use within planter areas. All planter areas on-site shall be permanently irrigated and maintained. The planting and irrigation shall be identified on the formal Landscape Plan submittal prior to the issuance of a landscape permit.

13. The applicant shall comply with all conditions of approval for PPD No. 2022-0083 to the satisfaction of the City Engineer, prior to the issuance of a Certificate of Occupancy.
14. The applicant shall remove any graffiti within 24 hours, before, during, and post construction. Methods used to remove or cover the graffiti such as new paint and sand blasting shall assure to completely match the building, wall, etc.
15. Upon approval of any improvement plan by the City Engineer, the applicant shall provide the improvement plan to the City in digital format, consisting of a DWG (AutoCAD drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.
16. The applicant shall pay all applicable development impact fees in accordance with the current City of Rialto fee ordinance, prior to the issuance of any building permit related to the Project.
17. A City of Rialto Off-site Construction Permit is required for any improvements within the public right-of-way. In an effort to expedite and facilitate improvements in the public right-of-way, the applicant is responsible for submitting a multi-phase master plan traffic control plan which includes all phases of construction in the public right-of-way i.e. sewer, water, overhead, underground, etc. prior to the issuance of Off-Site Construction Permit/Encroachment Permit. Note, in an effort to simplify the permitting process, a single master Off-Site Construction Permit shall replace individual Encroachment Permits to be pulled by the applicant's contractor.
18. The applicant shall submit a Precise Grading/Paving Plan prepared by a California registered civil engineer to the Engineering Services Department for review and approval. The Grading Plan shall be approved by the City Engineer prior to the issuance of an off-site construction (grading) permit or building permits, whichever occurs first.
19. Prior to issuance of a building permit or off-site construction permit, the applicant may be required to enter into a Public Improvement Agreement (PIA) with the City and furnish security (i.e. surety bonds, letter of credit, or cash) in amounts determined by the City Engineer.
20. The applicant shall submit a Precise Grading/Paving Plan prepared by a California registered civil engineer to the Engineering Services Department for review and

1 approval. The Grading Plan shall be approved by the City Engineer prior to the issuance  
2 of an off-site construction (grading) permit or building permits, whichever occurs first.

- 3 21. The applicant shall submit a Geotechnical/Soils Report, prepared by a California  
4 registered Geotechnical Engineer, for and incorporated as an integral part of the grading  
5 plan for the proposed development. The report shall include a section on infiltration  
6 testing. A digital copy (PDF) of the Geotechnical/Soils Report shall be submitted to the  
7 Engineering Services Department with the first submittal of the Precise Grading Plan.
- 8 22. The applicant shall submit street improvement plans by a registered California civil  
9 engineer to the Engineering Services Department for review. The street improvement  
10 plans shall be approved concurrently with any streetlight, landscape and irrigation, and  
11 traffic signal plans unless otherwise approved by the City Engineer. Additionally, the  
12 street improvement plans shall be approved by the City Engineer prior to issuance of  
13 any building permits.
- 14 23. The applicant shall submit traffic striping and signage improvement plans prepared by  
15 a registered California civil engineer or registered California Traffic Engineer to the  
16 Engineering Services Department for review. All required traffic striping and signage  
17 improvements shall be completed concurrently with required street improvements, to  
18 the satisfaction of the City Engineer, and prior to issuance of a building permit.  
19 Approved traffic striping and signage plans must include required Class III Bicycle  
20 Facilities as referenced on Exhibit 4.4 – Bicycle Routes of the Circulation Chapter of  
21 the General Plan.
- 22 24. The applicant shall submit sewer improvement plans for public sewer main(s) by a  
23 registered California civil engineer to the Engineering Services Department for review.  
24 The plans shall be approved by the City Engineer prior to the issuance of an off-site  
25 construction permit or building permits, whichever occurs first.
- 26 25. The applicant shall apply for annexation of the underlying property into City of Rialto  
27 Landscape and Lighting Maintenance District No. 2 (“LLMD 2”), prior to grading  
28 permit issuance. An application fee of \$5,000 shall be paid at the time of application.  
Annexation into LLMD 2 is a condition of acceptance of any new median, landscape  
easement, and/or parkway landscaping in the public right-of-way, or any new public  
street lighting improvements conditioned on the project and to be maintained by the City  
of Rialto post construction.
26. The applicant shall submit off-site landscaping and irrigation system improvement plans  
for review and approval concurrently with street improvement plan submittal to the  
Public Works Department. The median irrigation system, parkway irrigation system,  
and applicable Specific Plan required landscape easement irrigation system shall be  
separately metered from the on-site private irrigation to facilitate separate utility bill  
payment by the City after the required one-year maintenance period via the Landscape  
and Lighting Maintenance District No. 2. The off-site landscape and irrigation plans  
must show a separate electrical meter, water meter, and water (irrigation) lateral to be

annexed into LLMD2 via a City Council public hearing process. Use of an existing LLMD2 water meter and electrical pedestal is encouraged. The Landscape and Irrigation plans shall be approved concurrently with the Street Improvement plans, including the median portion, applicable easement portion, and/or parkway portion, prior to issuance of a building permit. The landscaping architect must contact the City of Rialto Landscape Contract Specialist at (909) 820-2602 to ensure all landscape and irrigation guidelines are met prior to plan approval. Electrical and water irrigation meter pedestals must not be designed to be installed at or near street intersections or within a raised median to avoid burdensome traffic control set-up during ongoing maintenance. The off-site Landscape and Irrigation plans shall be designed in accordance with the Public Works Landscape Maintenance District Guidelines.

27. The applicant must complete the LLMD2 annexation process, prior to the issuance of a Certificate of Occupancy. Due to the required City Council Public Hearing action, the annexation process takes months and as such the developer is advised to apply for Special District annexation as early-on in the in the process to avoid any delays with occupancy approval.
28. If the property is accepted in the LLMD, the applicant shall guarantee all new parkway landscaping irrigation for a period of one (1) year from the date of the City Engineer acceptance. Any landscaping that fails during the one-year landscape maintenance period shall be replaced with similar plant material to the satisfaction of the City Engineer and shall be subject to a subsequent one-year landscape maintenance period. The applicant must contact the City of Rialto Landscape Contract Specialist at (909) 820-2602 to confirm a full twelve (12) months' time of non-interrupted ongoing maintenance.
29. The applicant shall install City Engineer approved deep root barriers, in accordance with the Public Works Landscape and Irrigation Guidelines, for all trees installed within ten (10) feet of the public sidewalk and/or curb.
30. All new streetlights shall be installed on an independently metered, City-owned underground electrical system. Using power from an existing LLMD 2 pedestal is encouraged over installing a new pedestal. The developer shall be responsible for applying with Southern California Edison (SCE) for all appropriate service points and electrical meters early in the design process to avoid delays in other key milestones. New meter pedestals shall be installed, and electrical service paid by the developer. The City shall not pay the charges for electrical service until the landscape and irrigation is accepted after the one-year maintenance period and the underlying property is annexed into LLMD 2.
31. The applicant shall construct asphalt concrete paving for streets in two separate lifts. The final lift of asphalt concrete pavement shall be postponed until such time that on-site construction activities are complete. Unless the City Engineer provides prior authorization, paving of streets in one lift prior to completion of on-site construction is not allowed. If City Engineer authorized, completion of asphalt concrete paving for



streets prior to completion of on-site construction activities, requires additional paving requirements prior to acceptance of the street improvements, including, but not limited to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs.

32. The applicant shall repair all street cuts for utilities in accordance with City Standard SC-231 within 72 hours of completion of the utility work; and any interim trench repairs shall consist of compacted backfill to the bottom of the pavement structural section followed by placement of standard base course material in accordance with the Standard Specifications for Public Work Construction ("Greenbook"). The base course material shall be placed the full height of the structural section to be flush with the existing pavement surface and provide a smooth pavement surface until permanent cap paving occurs using an acceptable surface course material.
33. In accordance with City Ordinance No. 1589, adopted to preserve newly paved streets, any and all street and/or trench cuts in newly paved streets will be subject to moratorium street repair standards as reference in Section 11.04.145 of the Rialto Municipal Code. Contact the Engineering Division for a list of streets subject to the moratorium.
34. The applicant shall backfill and/or repair all utility trenches or other excavations within existing asphalt concrete pavement of off-site streets resulting from the proposed development, in accordance with City of Rialto Standard Drawings. The applicant shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets including pavement repairs in addition to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Rialto Water Services, Southern California Edison, Southern California Gas Company, Spectrum, Verizon, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets resulting from the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than what existed prior to construction of the proposed development.
35. In accordance with Chapter 15.32 of the City of Rialto Municipal Code, all existing and new electrical distribution lines of sixteen thousand volts or less and overhead service drop conductors, and all telephone, television cable service, and similar service wires or lines, which are on-site, abutting, and/or transecting, shall be installed underground. Utility undergrounding shall extend to the nearest off-site power pole. This may require undergrounding beyond the project limits to prevent any existing poles to remain or new poles to be placed for guy wire purposes along the project frontage. No new power poles shall be installed unless otherwise approved by the City Engineer. A letter from the owners of the affected utilities shall be submitted to the City Engineer prior to approval of the Grading Plan, informing the City that they have been notified of the City's utility undergrounding requirement and their intent to commence design of utility undergrounding plans. When available, the utility undergrounding plan shall be

submitted to the City Engineer identifying all above ground facilities in the area of the project to be undergrounded.

36. The applicant shall replace all damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and streetlights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
37. The applicant shall provide construction signage, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the 2014 California Manual on Uniform Traffic Control Devices, or subsequent editions in force at the time of construction
38. The public street improvements outlined in these conditions of approval are intended to convey to the developer an accurate scope of required improvements, however, the City Engineer reserves the right to require reasonable additional improvements as may be determined during the review and approval of street improvement plans required by these conditions.
39. The applicant shall construct 4-inch conduit within the parkway area along the entire project frontage of Eucalyptus Avenue, prior to the issuance of a Certificate of Occupancy.
40. The applicant shall install "No Stopping Anytime" R26A(S)(CA) signage along the entire project frontage of Eucalyptus Avenue, as required by the City Engineer, prior to the issuance of a Certificate of Occupancy.
41. Prior to building permit issuance, the applicant shall dedicate additional right-of-way along the entire frontage of Eucalyptus Avenue, as necessary, to provide the ultimate half-width of 32 feet, as required by the City Engineer.
42. Prior to building permit issuance, the applicant shall dedicate additional right-of-way as may be required for the reconstruction of two commercial driveway approaches, as required by the City Engineer.
43. The applicant shall remove and replace the 8-inch curb and gutter along the entire frontage of Eucalyptus Avenue twenty (20) feet west of centerline in accordance with City of Rialto Standard Drawings and the General Plan or applicable Specific Plan, prior to the issuance of a Certificate of Occupancy.
44. The applicant shall remove the existing sidewalk along the frontage of Eucalyptus Avenue and replace with a 5.5-foot-wide Americans with Disabilities Act (ADA) and California Building Code (CBC) compliant sidewalk adjacent to the curb along the

entire project frontage of Eucalyptus Avenue, in accordance with City of Rialto Standard Drawings, prior to the issuance of a Certificate of Occupancy.

45. Eucalyptus Avenue: Prior to occupancy release, remove existing pavement from curb to curb and construct new pavement with a minimum pavement section of 4 inches asphalt concrete pavement over 6 inches crushed aggregate base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, along the entire half-width street frontage in accordance with City of Rialto Standard Drawings. The pavement section shall be determined using a Traffic Index ("TI") of 10. The pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from pavement core samples and submitted to the City Engineer for approval. Alternatively, depending on the existing street condition and as approved by the City Engineer, a street overlay, slurry seal, or other repair may be performed to preserve existing pavement structural sections in accordance with current City Standards.
46. The applicant shall remove and replace the two (2) existing driveway approaches connected to Eucalyptus Avenue, in accordance with City of Rialto Standard Drawing No. SC-214. The driveway approaches shall be constructed so the top of "X" is at least 5 feet from the property line, or as otherwise approved by the City Engineer. Nothing shall be constructed or planted in the corner cut-off area which does or will exceed 30 inches in height required to maintain an appropriate corner sight distance. If necessary, additional right of way shall be dedicated on-site to construct a path of travel meeting ADA guidelines for the public.
47. If and where deficiencies in the existing system occur, the applicant shall construct a new underground electrical system for public street lighting improvements along the project frontage of Eucalyptus Avenue, as determined necessary by the City Engineer. New marbelite street light poles with LED light fixtures shall be installed in accordance with City of Rialto Standard Drawings SL-300, 301 & 302 and as approved by the City Engineer. Provide 2" conduit and pull boxes along the opposite side of the street for continuation of the street light system for future built out.
48. The minimum pavement section for all on-site pavements shall be 2½ inches asphalt concrete pavement over 4 inches crushed aggregate base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
49. The applicant shall provide a rough grade (pad) certification, engineered-fill certification, and compaction report for all building pads, in conformance with the approved Precise Grading Plan, to the Engineering Division prior to construction of any building foundation and prior to the issuance of a building permit.
50. The applicant shall submit a Water Quality Management Plan identifying site specific Best Management Practices ("BMPs") in accordance with the Model Water Quality

Management Plan ("WQMP") approved for use for the Santa Ana River Watershed. The site specific WQMP shall be submitted to the City Engineer for review and approval with the Precise Grading Plan. A WQMP Maintenance Agreement shall be required, obligating the property owner(s) to appropriate operation and maintenance obligations of on-site BMPs constructed pursuant to the approved WQMP. The WQMP and Maintenance Agreement shall be approved prior to issuance of a building permit, unless otherwise allowed by the City Engineer. The development of the Site is subject to the requirements of the National Pollution Discharge Elimination System (NPDES) Permit for the City of Rialto, issued by the Santa Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant to the NPDES Permit, the Applicant shall ensure development of the site incorporates post-construction Best Management Practices ("BMPs") in accordance with the Model Water Quality Management Plan ("WQMP") approved for use for the Santa Ana River Watershed. The Applicant is advised that applicable Site Design BMPs will be required to be incorporated into the final site design, pursuant to a site specific WQMP submitted to the City Engineer for review and approval.

51. The applicant shall prepare a Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit. The applicant's contractor shall prepare and maintain a Storm Water Pollution Prevention Plan ("SWPPP") as required by the General Construction Permit. All appropriate measures to prevent erosion and water pollution during construction shall be implemented as required by the SWPPP.
52. Prior to issuance of a certificate of occupancy or final City approvals, the applicant shall demonstrate and submit a WQMP BMP certification that all structural BMP's have been constructed and installed in conformance with approved plans and specifications, and as identified in the approved WQMP.
53. The applicant shall connect the project to the City of Rialto sewer system and apply for a sewer connection account with Rialto Water Services.
54. The applicant is advised that domestic water service is provided by Rialto Water Services. The developer shall be responsible for coordinating with Rialto Water Services and complying with all requirements for establishing domestic water service to the property.
55. The applicant shall install a new domestic water line lateral connection to the main water line within Eucalyptus Avenue, pursuant to the Rialto Water Services requirements. A water line plan shall be approved by Rialto Water Services prior to the issuance of building permits.

- 1 56. The applicant shall provide certification from Rialto Water Services that demonstrates  
2 that all water and/or wastewater service accounts for the project are documented, prior  
3 to the issuance of a Certificate of Occupancy or final inspection approval from the  
Engineering Services Department.
- 4 57. Prior to commencing with any grading, the applicant shall implement the required  
5 erosion and dust control measures shall be in place. In addition, the following shall be  
6 included if not already identified:
- 7 a. 6-foot-high tan colored perimeter screened fencing
  - 8 b. Contractor information signage including contact information along the street  
9 frontages of Eucalyptus Avenue
  - 10 c. Post dust control signage with the following verbiage: "Project Name, WDIID No.,  
11 IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME (XXX)  
12 XXX-XXX, If you do not receive a response, please call the AQMD at 1-800-  
13 CUT-SMOG/1-800-228-7664"
- 14 58. All stormwater runoff passing through the site shall be accepted and conveyed across  
15 the property in a manner acceptable to the City Engineer. For all stormwater runoff  
16 falling on the site, on-site retention or other facilities approved by the City Engineer  
17 shall be required to contain the increased stormwater runoff generated by the  
18 development of the property. Provide a hydrology study, prepared by a Civil Engineer,  
19 to determine the volume of increased stormwater runoff due to development of the site,  
20 and to determine required stormwater runoff mitigation measures for the proposed  
21 development. Final retention basin sizing and other stormwater runoff mitigation  
22 measures shall be determined upon review and approval of the hydrology study by the  
City Engineer and may require redesign or changes to site configuration or layout  
consistent with the findings of the final hydrology study. The volume of increased  
stormwater runoff to retain on-site shall be determined by comparing the existing "pre-  
developed" condition and proposed "developed" condition, using the 100-year  
frequency storm. Infiltration of stormwater in the developed condition analysis shall be  
considered negligible. All on-site and off-site designs must comply with Federal  
(NPDES), State, Regional, and City stormwater regulations.
- 23 59. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to  
24 the adjacent public streets. Provisions for the interception of nuisance water from  
25 entering adjacent public streets from the project site shall be provided through the use  
26 of a minor storm drain system that collects and conveys nuisance water to landscape or  
27 parkway areas, and in only a stormwater runoff condition, pass runoff directly to the  
streets through parkway or under sidewalk drains. All on-site and off-site designs must  
comply with NPDES stormwater regulations.
- 28 60. The applicant shall submit civil engineering design plans, reports and/or documents,  
prepared by a registered/licensed civil engineer, for review and approval by the City

Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The first submittal shall consist of, but is not limited to the following:

- a. PRECISE GRADE W/ EROSION CONTROL PLAN (prior to grading permit issuance)
  - b. PUBLIC IMPROVEMENT PLANS: Street Improvement, Signing and Striping, Sewer and Water, Street Light, Landscape and Irrigation. (off-site construction permit issuance)
  - c. FINAL DRAINAGE STUDY (prior to grading plan approval)
  - d. FINAL WQMP (prior to grading plan approval)
  - e. LEGAL DOCUMENTS: dedication along Eucalyptus Avenue, Public Improvement Agreement (PIA), bonds (e.g. (prior to building permit Issuance)
  - f. AS-BUILT/RECORD DRAWINGS for all plans (prior to occupancy release)
61. The applicant shall submit a Building Permit application for the proposed tenant improvement and all required fees and documentation to the Building Division, prior to the issuance of a building permit.
62. The applicant shall submit full architectural and structural plans with all mechanical, electrical, and plumbing plans, structural calculations, truss calculations and layout, rough grading plans approved by Engineering Services Department, Water Quality Management Plan, Erosion Control Plan, Stormwater Pollution Prevention Plan, and Title 24 Energy Calculations to the Building Division for plan check and review, prior to the issuance of building permits.
63. The applicant shall provide a Scope of Work on the title page of the architectural plan set. The Scope of Work shall call out all work to be permitted (ex. Main structure, perimeter walls, trash enclosure, etc.).
64. The applicant shall design the structures in accordance with the 2022 California Building Code, 2022 California Mechanical Code, 2022 California Plumbing Code, and the 2022 California Electrical Code, 2022 Residential Code and the 2022 California Green Buildings Standards adopted by the State of California.
65. The applicant shall design the structures to withstand the ultimate wind speed of 130 miles per hour, exposure C, and seismic zone D.
66. The applicant shall obtain an Electrical Permit from the Building Division for any temporary electrical power required during construction. No temporary electrical power will be granted to a project unless one of the following items is in place and approved by the Building Division: (A) Installation of a construction trailer, or, (B) Security fencing around the area where the electrical power will be located.

- 1 67. The applicant shall install temporary construction fencing and screening around the  
2 perimeter of the project site, as required by the Building Official. The fencing and  
3 screening shall be maintained at all times during construction to protect pedestrians.
- 4 68. The applicant shall install any temporary construction trailers on private property. No  
5 trailers are allowed to be located within the public right-of-way. The trailer(s) shall be  
6 removed prior to the issuance of a Certificate of Occupancy.
- 7 69. The applicant shall design and construct accessible paths of travel from the building's  
8 accessible entrances to the public right-of-way, accessible parking, and the trash  
9 enclosure. Paths of travel shall incorporate (but not limited to) exterior stairs, landings,  
10 walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning,  
11 signage, gates, lifts and walking surface materials, as necessary. The accessible route(s)  
12 of travel shall be the most practical direct route between accessible building entrances,  
13 site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the  
14 site, California Building Code, (CBC) Chapter 11, Sec, 11A and 11B.
- 15 70. Prior to issuance of a Building Permit all of the following must be in place on the Site:  
16 a portable toilet with hand wash station, all BMP's, fencing and signage on each adjacent  
17 street saying "If there is any dust or debris coming from this site please contact  
18 (superintendent number here) or the AQMD if the problem is not being resolved" or  
19 something similar to this.
- 20 71. Prior to issuance of a Building Permit all of the following must be in place on the Site:  
21 a portable toilet with a hand wash station, temporary construction fencing, and signage  
22 on each adjacent street saying "If there is any dust or debris coming from this site please  
23 contact (superintendent number here) or the AQMD if the problem is not being  
24 resolved" or something similar to this.
- 25 72. The applicant shall provide temporary toilet facilities for the construction workers. The  
26 toilet facilities shall always be maintained in a sanitary condition. The construction of  
27 toilet facilities of the non-sewer type shall conform to ANSI ZA.3.
- 28 73. The applicant shall underground all on site utilities to the new proposed structure, prior  
to the issuance of a Certificate of Occupancy, unless prior approval has been obtained  
by the utility company or the City.
74. Prior to issuance of Building Permits, site grading final and pad certifications shall be  
submitted to the Building Division and Engineering Services Department, which  
include elevation, orientation, and compaction. The certifications are required to be  
signed by the engineer of record.
75. The applicant shall provide proof of payment to the Rialto Unified School District for  
all required school fees, prior to the issuance of a building permit.

- 1 76. Site facilities such as parking open or covered, recreation facilities, and trash dumpster  
2 areas, and common use areas shall be accessible per the California Building Code,  
3 Chapter 11.
- 4 77. The applicant shall place a copy of the Conditions of Approval herein on within the  
5 building plan check submittal set and include the PPD number on the right bottom  
6 corner cover page in 20 point bold, prior to the issuance of a building permit.
- 7 78. The applicant shall ensure that a minimum of 65% of all construction and demo debris  
8 shall be recycled using an approved City of Rialto recycling facility during construction.  
9 Copies of receipts for recycling shall be provided to the City Inspector and a copy shall  
10 be placed in the office of the construction site.
- 11 79. Prior to issuance of Building Permits, on site water service shall be installed and  
12 approved by the responsible agency. On site fire hydrants shall be approved by the Fire  
13 Department. No flammable materials will be allowed on the site until the fire hydrants  
14 are established and approved.
- 15 80. The applicant shall comply with all applicable requirements of the California Fire Code  
16 and Chapter 15.28 (Fire Code) of the Rialto Municipal Code.
- 17 81. The applicant shall illuminate all walkways, passageways, and locations where  
18 pedestrians are likely to travel with a minimum of 1.5-foot candles (at surface level) of  
19 light during the hours of darkness. Lighting shall be designed/constructed in such a  
20 manner as to automatically turn on at dusk and turn off at dawn.
- 21 82. The applicant shall illuminate all alleyways, driveways, and uncovered parking areas  
22 with a minimum of 1.5-foot candles (at surface level) of light during the hours of  
23 darkness. Lighting shall be designed/constructed in such a manner as to automatically  
24 turn on at dusk and turn off at dawn.
- 25 83. The applicant shall design/construct all lighting fixtures and luminaries, including  
26 supports, poles and brackets, in such a manner as to resist vandalism and/or destruction  
27 by hand.
- 28 84. The applicant shall provide an illuminated channel letter address prominently placed on  
the building to be visible to the front of the location and if applicable, visible from the  
main street to which they are located (e.g. commercial building facing the interior of the  
property would require two address signs if located adjacent to a roadway), prior to the  
issuance of a Certificate of Occupancy.
85. At the discretion of the Rialto Police Department, the applicant shall install exterior  
security cameras at the location that cover the entire Site, prior to the issuance of a  
Certificate of Occupancy. The security cameras shall be accessible to the Rialto Police  
Department via FusionONE web application.



- 1 86. The applicant shall install Knox boxes immediately adjacent to the main entrance of the  
2 building and at least one (1) rear entrance on the building. The Knox boxes shall be  
3 installed in such a manner as to be alarmed, resist vandalism, removal, or destruction by  
4 hand, and be fully recessed into the building. The Knox boxes shall be equipped with  
5 the appropriate keys, for each required location, prior to the first day of business. The  
6 Knox-Box placement shall be shown on the formal building plan review submittal prior  
7 to the issuance of a building permit.
- 8 87. The applicant shall prominently display the address on the building rooftop to be visible  
9 to aerial law enforcement or fire aircraft. Specifications to be followed for alphanumeric  
10 characters are as follows: Three (3) foot tall and six (6) inches thick alphanumeric  
11 characters. The alphanumeric characters shall be constructed in such a way that they are  
12 in stark contrast to the background to which they are attached (e.g. white numbers and  
13 letters on a black background), and resistant weathering that would cause a degradation  
14 of the contrast.
- 15 88. The applicant shall provide an audible burglar alarm within the building, prior to the  
16 issuance of a Certificate of Occupancy. The building shall be alarmed in such a way as  
17 to emit a continuous audible notification until reset by responsible personnel (e.g.  
18 alarmed exit device / crash bar).
- 19 89. The applicant or General Contractor shall identify each contractor and subcontractor  
20 hired to work at the job site on a Contractor Sublist form and return it to the Business  
21 License Division with a Business License application and the Business License tax fee  
22 based on the Contractors tax rate for each contractor.

23 SECTION 5. The Chairman of the Planning Commission shall sign the passage and  
24 adoption of this resolution and thereupon the same shall take effect and be in force.

25 PASSED, APPROVED, AND ADOPTED this 6th day of December, 2023.

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\_\_\_\_\_  
JERRY GUTIERREZ, CHAIR  
CITY OF RIALTO PLANNING COMMISSION

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF RIALTO )  
4

5 I, Kimberly Dame, Administrative Analyst of the City of Rialto, do hereby certify that the  
6 foregoing Resolution No. \_\_\_\_ was duly passed and adopted at a regular meeting of the Planning  
7 Commission of the City of Rialto held on the \_\_\_\_th day of \_\_\_\_, 2023.

8 Upon motion of Planning Commissioner\_\_\_\_\_, seconded by Planning Commissioner  
9 \_\_\_\_\_, the foregoing Resolution No. \_\_\_\_ was duly passed and adopted.

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of  
15 Rialto this \_\_\_\_th day of \_\_\_\_, 2023.

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19 \_\_\_\_\_  
20 KIMBERLY DAME, ADMINISTRATIVE ANALYST  
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Exhibit A

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