

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. 2020-0001, 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. 2020-0001 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,
 unless in accordance with an approved variance; and

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

12
13 The Site has a General Plan land use designation of General Industrial with a Specific Plan
14 Overlay, and a zoning designation of Heavy Industrial (H-IND) within the Agua Mansa
15 Specific Plan. The Project, as conditioned herein, will comply with all City ordinances and
16 regulations including those of the H-IND zone, the Agua Mansa Specific Plan, and the
17 City’s Design Guidelines. The H-IND zone allows for the development and operation of
 outdoor contractor’s storage yards, such as the Project. Additionally, the Project meets all
 the required development standards of the H-IND zone including, but not limited to,
 required building setbacks, parking, landscaping, building height, floor area ratio, etc.

- 18 2. The site is physically suitable for the proposed development, and the proposed
19 development will be arranged, designed, constructed, and maintained so that it will
20 not be unreasonably detrimental or injurious to property, improvements, or the health,
21 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

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

23
24 The Site is relatively flat, rectangular-shaped, 0.77 acres in size, and bound by one (1)
25 public street. To the north of the project site is a non-conforming single-family residence
26 located on approximately 0.77 acres of land, and to the east, across Sycamore Avenue, is
27 the Kinder Morgan West Colton Tank Farm facility located within the City of Colton. To
28 the south are two (2) non-conforming single-family residences and approximately 0.28
 acres of vacant land located within the City of Colton, and to the west is a non-conforming
 single-family residence located on approximately 0.74 acres of land. The zoning of the
 project site and the zoning of all the surrounding properties within the City of Rialto is H-
 IND. The most sensitive uses near the project site are the existing non-conforming single-

1 family residences located to the north, south, and west of the project site. The project is
2 not expected to negatively impact these uses since measures, such as the installation of a
3 solid screen wall and landscape buffering, will ensure that both noise and visual impacts
4 remain at acceptable levels. The project will be a benefit to the community and an
5 improvement to the surrounding area.

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

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

10 The Project's effects will be minimized through the implementation of the Conditions of
11 Approval contained herein, such as extensive landscaping, screen walls, decorative paving,
12 and enhanced architectural features. To the north of the project site is a non-conforming
13 single-family residence located on approximately 0.77 acres of land, and to the east, across
14 Sycamore Avenue, is the Kinder Morgan West Colton Tank Farm facility located within the
15 City of Colton. To the south are two (2) non-conforming single-family residences and
16 approximately 0.28 acres of vacant land located within the City of Colton, and to the west is
17 a non-conforming single-family residence located on approximately 0.74 acres of land. The
18 zoning of the project site and the zoning of all the surrounding properties within the City of
19 Rialto is H-IND. The most sensitive uses near the project site are the existing non-conforming
20 single-family residences located to the north, south, and west of the project site. The project
21 is not expected to negatively impact these uses since measures, such as the installation of a
22 solid screen wall and landscape buffering, will ensure that both noise and visual impacts
23 remain at acceptable levels.

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

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

27 The Project is consistent with the H-IND zone and is a logical addition to the existing
28 industrial developments immediately to the east of the Site and throughout most of the Agua
Mansa Specific Plan area. The City staff have reviewed the design of the Project to ensure
compliance with all health, safety, and design requirements to ensure the Project will enhance
the infrastructure and aesthetics of the local community.

SECTION 3. The Project is categorically exempt from the requirements of the California
Environmental Quality Act (CEQA), pursuant to Section 15332, In-Fill Development Projects. The
Planning Commission directs the Planning Division to file the necessary documentation with the
Clerk of the Board of Supervisors for San Bernardino County.

1 SECTION 4. The Planning Commission hereby approves PPD No. 2020-0001, in
2 conjunction with CDP No. 2020-0001, to allow the development of an outdoor contractor’s storage
3 yard with associated paving, landscaping, fencing, lighting, and drainage improvements on 0.77 acres
4 of land (APN: 0254-142-15) located on the west side of Sycamore Avenue approximately 100 feet
5 north of Slover Avenue within the Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan,
6 in accordance with the plans and application on file with the Planning Division, subject to the
7 following Conditions of Approval:
8

- 9 1. PPD No. 2020-0001 is approved allowing the development of an outdoor contractor’s
10 storage yard with associated paving, landscaping, fencing, lighting, and drainage
11 improvements on 0.77 acres of land (APN: 0254-142-15) located on the west side of
12 Sycamore Avenue approximately 100 feet north of Slover Avenue, subject to the
13 Conditions of Approval contained herein.
- 14 2. The approval of PPD No. 2020-0001 is granted for a one (1) year period from the date
15 of approval. Approval of PPD No. 2020-0001 will not become effective until the
16 applicant has signed a Statement of Acceptance acknowledging awareness and
17 acceptance of the required Conditions of Approval contained herein. Any request for
18 an extension shall be reviewed by the Community Development Director and shall be
19 based on the progress that has taken place toward the development of the project.
- 20 3. The development associated with PPD No. 2020-0001 shall conform to the site plan,
21 floor plans, exterior elevations, and preliminary landscape plan attached hereto as
22 Exhibit A, except as may be required to be modified based on the Conditions of
23 Approval contained herein.
- 24 4. The development associated with PPD No. 2020-0001 shall comply with all Conditions
25 of Approval contained within CDP No. 2020-0001.
- 26 5. The development associated with PPD No. 2020-0001 shall comply with all applicable
27 sections of the Agua Mansa Specific Plan, the Rialto Municipal Code, and all other
28 applicable State and local laws and ordinances.
6. City inspectors shall have access to the site to reasonably inspect the site during
normal working hours to assure compliance with these conditions and other codes.
7. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
and/or any of its officials, officers, employees, agents, departments, agencies, and
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

1 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
2 and other such procedures), (collectively “Actions”), brought against the City, and/or
3 any of its officials, officers, employees, agents, departments, agencies, and
4 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
5 annul, the any action of, or any permit or approval issued by, the City and/or any of
6 its officials, officers, employees, agents, departments, agencies, and instrumentalities
7 thereof (including actions approved by the voters of the City), for or concerning the
8 Project (collectively, the “Entitlements”), whether such Actions are brought under
9 the California Environmental Quality Act, the Planning and Zoning Law, the
10 Subdivision Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the
11 California Public Records Act, or any other state, federal, or local statute, law,
12 ordinance, rule, regulation, or any decision of a court of competent jurisdiction. This
13 condition to indemnify, protect, defend, and hold the City harmless shall include, but
14 not limited to (i) damages, fees and/or costs awarded against the City, if any, and (ii)
15 cost of suit, attorneys’ fees and other costs, liabilities and expenses incurred in
16 connection with such proceeding whether incurred by applicant, Property owner, or
17 the City and/or other parties initiating or bringing such proceeding (collectively,
18 subparts (i) and (ii) are the “Damages”). Notwithstanding anything to the contrary
19 contained herein, the Applicant shall not be liable to the City Parties under this
20 indemnity to the extent the Damages incurred by any of the City Parties in such
21 Action(s) are a result of the City Parties’ fraud, intentional misconduct or gross
22 negligence in connection with issuing the Entitlements. The applicant shall execute
23 an agreement to indemnify, protect, defend, and hold the City harmless as stated
24 herein within five (5) days of approval of PPD No. 2020-0001.

- 25 8. In accordance with the provisions of Government Code Section 66020(d)(1), the
26 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
27 subject to protest by the applicant at the time of approval or conditional approval of
28 the Project or within 90 days after the date of the imposition of the fees, dedications,
reservations, or exactions imposed on the Project.
9. Approval of PPD No. 2020-0001 will not be valid until such time that the Planning
Commission has approved CDP No. 2020-0001, which was prepared in conjunction
with the Project.
10. The applicant shall provide documentation indicating clearance from the United States
Fish & Wildlife Service regarding the Delhi Sands Flower-Loving Fly (DSF) prior to
the commencement of any ground disturbance activities and prior to the issuance of a
rough or precise grading permit.
11. The applicant shall install decorative pavement within the driveway connected to
Sycamore Avenue. The decorative pavement shall be provided across the entire width
of the driveway and at least twenty-five (25) feet in depth from the property line.
Decorative pavement means color stamped concrete or pavers. The location of the
decorative pavement shall be identified on the Precise Grading Plan prior to the issuance
of a grading permit. Additionally, the location and type of decorative pavement shall

1 be identified on the formal Landscape Plan submittal, and other on-site improvement
2 plans, prior to the issuance of building permits.

3 12. In order to provide enhanced building design in accordance with Chapter 18.61 (Design
4 Guidelines) of the Rialto Municipal Code, the applicant shall route all drainage
5 downspouts through the interior of the building. The internal downspouts shall be
6 identified within the formal building plan check submittal prior to the issuance of
7 building permits.

8 13. In order to provide enhanced building design in accordance with Chapter 18.61 (Design
9 Guidelines) of the Rialto Municipal Code, the applicant shall provide internal roof
10 access only for the building. The internal roof access shall be identified within the
11 formal building plan check submittal prior to the issuance of building permits.

12 14. The applicant shall construct one (1) ADA accessible trash enclosure on the project site.
13 The trash enclosure shall provide room for one (1) commercial waste container and one
14 (1) commercial recycling container. The exterior of each trash enclosure shall match the
15 material and base color of the building. Additionally, the trash enclosure shall contain
16 solid steel doors and a flat solid cover. Corrugated metal and chain-link are not
17 acceptable materials to use as a part of the trash enclosure. The location of the trash
18 enclosure shall be identified on the site plan within the formal building plan check prior
19 to the issuance of building permits. An elevation detail for the trash enclosure shall be
20 provided within formal building plan check submittal prior to the issuance of building
21 permits.

22 15. All new walls that are visible from the public-right-of-way, including any retaining
23 walls, shall be comprised of decorative masonry block or decorative concrete.
24 Decorative masonry block means tan-colored slumpstone block, tan-colored split-face
25 block, or precision block with a stucco, plaster, or cultured stone finish. Decorative
26 concrete means painted concrete with patterns, reveals, and/or trim lines. Pilasters shall
27 be incorporated within all new walls fronting the public right-of-way. The pilasters shall
28 be spaced a maximum of fifty (50) feet on-center and shall be placed at all corners and
ends of the wall. All pilasters shall protrude a minimum of six (6) inches above and to
the side of the wall. All decorative masonry walls and pilasters, including retaining
walls, shall include a decorative masonry cap. All walls and pilasters shall be identified
on the site plan and Precise Grading Plan, and an elevation detail for the walls shall be
included in the formal building plan check submittal prior to the issuance of building
permits.

16. The entryway into the storage yard shall be secured with a solid metal gate up to the
height of the adjoining wall for the purpose of screening materials, equipment, and
vehicles within the storage yard. The new gate shall be identified on the site plan, and
an elevation detail for the gate shall be included in the formal building plan check
submittal prior to the issuance of building permits.

- 1 17. All light standards installed on site, shall have a maximum height of twenty-five (25)
2 feet, as measured from the finished surface, including the base. Lighting shall be
3 shielded and/or directed toward the site so as not to produce direct glare or "stray light"
4 onto adjacent properties. All light standards shall be identified on the site plan and a
5 note indicating the height restriction shall be included within the formal building plan
6 check submittal prior to the issuance of building permits.
- 7 18. The applicant shall submit a formal Landscape Plan to the Planning Division prior to
8 the issuance of building permits. The submittal shall include three (3) sets of planting
9 and irrigation plans, a completed Landscape Plan Review application, and the applicable
10 review fee.
- 11 19. The applicant shall plant one (1) tree every thirty (30) feet on-center within the on-site
12 landscape setback along Sycamore Avenue. All trees within the landscape setback shall
13 be a minimum of twenty-four (24) inch box in size, upon initial planting. Thereafter,
14 the trees within the landscape setback shall be permanently irrigated and maintained by
15 the property owner. At least fifty (50) percent of the trees within the setback shall
16 consist of evergreen broadleaf trees, while the remaining percentage may consist of
17 broadleaf deciduous trees and/or palm trees. The trees shall be identified on the formal
18 Landscape Plan submittal prior to the issuance of a landscape permit.
- 19 20. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public
20 right-of-way parkway along Sycamore Avenue. All trees within the public right-of-way
21 parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting.
22 Thereafter, the trees within the public right-of-way parking shall be permanently
23 irrigated and maintained, as required by the Public Works Department. The street tree
24 species along Sycamore Avenue shall be the *Platanus Acerifolia* "London Plane" and/or
25 the *Pistachia Chinensis* "Chinese Pistache". The street trees shall be identified on the
26 formal Landscape Plan submittal prior to the issuance of a landscape permit.
- 27 21. The applicant shall plant shrubs that surround all ground mounted equipment and utility
28 boxes, including transformers, fire-department connections, backflow devices, etc. for
the purpose of providing screening of said equipment and utility boxes. All equipment
and utility box screen shrubs shall be a minimum of five (5) gallons in size upon initial
planting, and the shrubs shall be spaced no more than three (3) feet on-center.
Thereafter, the equipment and utility box screen shrubs shall be permanently irrigated
and maintained into a continuous box-shape with a height of no less than three and one-
half (3.5) feet above the finished grade. The shrubs shall be identified on the formal
Landscape Plan submittal prior to the issuance of a landscape permit.
22. The applicant shall plant a substantial amount of trees, shrubs, and groundcover
throughout all land on-site and off-site (adjacent to the project site) that is not covered
by structures, walkways, parking areas, and driveways. Trees shall be planted a
minimum of thirty (30) feet on-center, and all shrubs and groundcover shall be planted
an average of three (3) feet on-center or less. All trees shall be minimum of fifteen (15)
gallons in size upon initial planting, unless otherwise specified herein. At least fifty (50)

1 percent of the trees shall consist of evergreen broadleaf trees, while the remaining
2 percentage may consist of broadleaf deciduous trees and/or palm trees. All shrubs shall
3 be a minimum of one (1) gallon in size, unless otherwise specified herein. All planter
4 areas shall receive a minimum two (2) inch thick layer of brown bark, organic mulch,
5 and/or decorative rock upon initial planting. Pea gravel and decomposed granite are not
6 acceptable materials to use within planter areas. All planter areas on-site shall be
7 permanently irrigated and maintained. The planting and irrigation shall be identified on
8 the formal Landscape Plan submittal prior to the issuance of a landscape permit.

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- 10 23. All planting and irrigation shall be installed on-site in accordance with the approved
11 landscape plans and permit prior to the issuance of a Certificate of Occupancy. The
12 installation of the planting and irrigation shall be certified in writing by the landscape
13 architect responsible for preparing the landscape plans prior to the issuance of a
14 Certificate of Occupancy.
- 15 24. Any tubular steel fencing and/or sliding gates shall be painted black prior to the issuance
16 of a Certificate of Occupancy, unless specified otherwise herein.
- 17 25. All non-glass doors shall be painted to match the color of the adjacent wall prior to the
18 issuance of a Certificate of Occupancy.
- 19 26. The applicant shall comply with all conditions of approval for PPD No. 2020-0001 to
20 the satisfaction of the City Engineer, prior to the issuance of a Certificate of Occupancy.
- 21 27. All improvements within the public right-of-way require a City of Rialto Encroachment
22 Permit.
- 23 28. The applicant shall pay all applicable development impact fees in accordance with the
24 current City of Rialto fee ordinance, including a “fair-share” contribution fee in the
25 amount of \$30,040 for the future widening of Riverside Avenue south of the I-10
26 Freeway to a six (6) lane roadway, as identified in the Traffic Impact Study prepared for
27 the Project and as approved by the Transportation Commission on April 7, 2021, prior
28 to the issuance of any building permit related to the Project.
29. The applicant shall apply and complete the Special District Annexation for the public
street lighting and the public landscape and irrigation, including applicable easement
areas, parkway areas, and raised medians along the property frontage, as determined by
the City Engineer, prior to the issuance of the Grading/On-site Construction Permit.
30. 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

1 process, a single master Off-Site Construction Permit shall replace individual
2 Encroachment Permits to be pulled by the applicant's contractor.

- 3 31. At the discretion of the City Engineer, the applicant shall apply for annexation of the
4 underlying property into City of Rialto Landscape and Lighting Maintenance District
5 No. 2 ("LLMD 2") or enter into a landscape maintenance agreement to be recorded on
6 the property. An application fee of \$5,000 shall be paid at the time of application.
7 Annexation into LLMD 2 is a condition of acceptance of any new median, parkway,
8 and/or easement landscaping, or any new public street lighting improvements, to be
9 maintained by the City of Rialto. All final approved plans and documents required for
10 the annexation shall be submitted by the property owner prior to issuance of a building
11 permit. The annexation process shall be completed prior to recordation of any
12 applicable Final Tract/Parcel Maps. For developments with no Final Maps or if the
13 Final Map does not create any new parcels, the annexation process shall be completed
14 prior to issuance of any certificate of occupancy. Due to the required City Council
15 Public Hearing action, the annexation process takes months and as such the developer
16 is advised to submit all plans and documents required for Special District annexation as
17 early-on in the in the plan review and permitting process to avoid any delays with
18 issuance of permit(s) and certificate(s) of occupancy or approval of final map(s).
- 19 32. The applicant shall submit off-site landscaping and irrigation system improvement plans
20 for review and approval at the time of first (1st) public improvement plan submittal to
21 the Public Works Department. The parkway irrigation system shall be separately
22 metered from the on-site private irrigation to be maintained for a period of one (1) year
23 and annexed into a Special District. The off-site landscape and irrigation plans must
24 show separate electrical and water meters to be annexed into the Landscape and
25 Lighting Maintenance District No. 2 via a City Council Public Hearing. The landscape
26 and irrigation plans shall be approved concurrently with the street improvement plans,
27 prior to issuance of a building permit. The landscaping architect must contact the City
28 of Rialto Landscape Contract Specialist at (909) 772-2635 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.
33. 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)
772-2635 to confirm a full twelve (12) months' time of non-interrupted ongoing
maintenance.
34. 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.

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35. All new streetlights shall be installed on an independently metered, City-owned underground electrical system. The developer shall provide documentary proof of application with Southern California Edison (“SCE”) for all appropriate service points and electrical meters prior to the issuance of a Certificate of Occupancy. New meter pedestals shall be installed, and electrical service paid by the developer, until such time as the underlying property is annexed into LLMD 2.
 36. The applicant shall construct a new underground electrical system for public street lighting improvements along the project frontage of Sycamore Avenue, as determined necessary by the City Engineer. New marbelite streetlight poles with LED light fixtures shall be installed in accordance with City of Rialto Standard Drawings.
 37. The applicant is responsible for requesting from the Public Works Department any addresses needed for any building(s) and/or any electrical single/dual irrigation meter pedestal(s). The main building address shall be included on Precise Grading Plans and Building Plan set along with the PPD number. The electrical meter pedestal addresses (single or dual) shall be included in the public improvement plans.
 38. The applicant shall submit street improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the issuance of building permits.
 39. The applicant shall submit streetlight improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the issuance of building permits.
 40. The applicant shall submit sewer improvement plans by a registered California civil engineer to the Public Works Engineering Division for review in the event that the project site is located within 200 feet of a public sewer mainline. The plans shall be approved by the City Engineer prior to the issuance of building permits.
 41. The applicant shall submit traffic and signage improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the issuance of building permits.
 42. The applicant shall submit copies of approved water improvement plans prepared by a registered California civil engineer to the Public Works Engineering Division for record purposes. The plans shall be approved by West Valley Water District, the water purveyor, prior to the issuance of building permits.
 43. The applicant shall submit a Precise Grading/Paving Plan prepared by a California registered civil engineer to the Public Works Engineering Division for review and approval. The Grading Plan shall be approved by the City Engineer prior to the issuance of building permits.

- 1 44. The applicant shall submit a Geotechnical/Soils Report, prepared by a California
2 registered Geotechnical Engineer, for and incorporated as an integral part of the grading
3 plan for the proposed development. A copy of the Geotechnical/Soils Report shall be
4 submitted to the Public Works Engineering Division with the first submittal of the
5 Precise Grading Plan.
- 6 45. The applicant shall submit a wet-signed and stamped Earthwork Cut and Fill
7 Certification Letter prepared by a Civil Engineer registered in the State of California to
8 the Public Works Engineering Division for review.
- 9 46. The applicant shall provide pad elevation certification for all building pads, in
10 conformance with the approved Precise Grading Plan, to the Engineering Division prior
11 to construction of any building foundation.
- 12 47. The public street improvements outlined in these Conditions of Approval are intended
13 to convey to the developer an accurate scope of required improvements, however, the
14 City Engineer reserves the right to require reasonable additional improvements as may
15 be determined in the course of the review and approval of street improvement plans
16 required by these conditions.
- 17 48. All new street improvements in the public right-of-way shall comply with City Council
18 approved Safe Routes to School (SRTS) improvements.
- 19 49. The applicant shall construct asphalt concrete paving for streets in two separate lifts.
20 The final lift of asphalt concrete pavement shall be postponed until such time that on-
21 site construction activities are complete. Unless the City Engineer provide prior
22 authorization, paving of streets in one lift prior to completion of on-site construction is
23 not allowed. If City Engineer authorized, completion of asphalt concrete paving for
24 streets prior to completion of on-site construction activities, requires additional paving
25 requirements prior to acceptance of the street improvements, including, but not limited
26 to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry
27 seal, or other repairs.
- 28 50. 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.
51. 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.

- 1 52. The applicant shall backfill and/or repair any and all utility trenches or other excavations
2 within existing asphalt concrete pavement of off-site streets resulting from the proposed
3 development, in accordance with City of Rialto Standard Drawings. The applicant shall
4 be responsible for removing, grinding, paving and/or overlaying existing asphalt
5 concrete pavement of off-site streets including pavement repairs in addition to pavement
6 repairs made by utility companies for utilities installed for the benefit of the proposed
7 development (i.e. West Valley Water District, Southern California Edison, Southern
8 California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches,
9 and other street cuts within existing asphalt concrete pavement of off-site streets
10 resulting from the proposed Project may require complete grinding and asphalt concrete
11 overlay of the affected off-site streets, at the discretion of the City Engineer. The
12 pavement condition of the existing off-site streets shall be returned to a condition equal
13 to or better than what existed prior to construction of the proposed Project.
- 14 53. The applicant shall install underground all existing electrical distribution lines of sixteen
15 thousand volts or less and overhead service drop conductors, and all telephone,
16 television cable service, and similar service wires or lines, which are on-site, abutting,
17 and/or transecting the site, in accordance with Chapter 15.32 of the Rialto Municipal
18 Code. Utility undergrounding shall extend to the nearest off-site power pole. Unless
19 City Engineer approved, no new power poles shall be installed. A letter from the owners
20 of the affected utilities shall be submitted to the City Engineer prior to approval of the
21 Precise Grading/Paving Plan, informing the City that they have been notified of the
22 City's utility undergrounding requirement and their intent to commence design of utility
23 undergrounding plans. When available, the utility undergrounding plan shall be
24 submitted to the City Engineer identifying all above ground facilities in the area of the
25 project to be undergrounded.
- 26 54. The applicant shall replace all damaged, destroyed, or modified pavement legends,
27 traffic control devices, signing, striping, and streetlights, associated with the proposed
28 Project shall be replaced as required by the City Engineer prior to issuance of a
Certificate of Occupancy.
55. The applicant shall reconstruct any broken, chipped, or unsatisfactory sidewalks or
curbs along the entire project frontage, in accordance with the General Plan and the City
of Rialto Standard Drawings, as required by the City Engineer, prior to the issuance of
a Certificate of Occupancy.
56. 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.
57. 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.

58. The applicant shall construct 4-inch conduit within the parkway area along the entire project frontage of Sycamore Avenue for future use.
59. The applicant shall dedicate additional right-of-way along the entire frontage of Sycamore Avenue, as necessary, to provide the ultimate half-width of 32 feet, as required by the City Engineer.
60. The applicant shall construct one (1) new forty-five (45) foot wide commercial driveway approaches connected to Sycamore Avenue, in accordance with City of Rialto Standard Drawings, or as otherwise approved by the City Engineer. Nothing shall be constructed or planted in the corner cut-off area which does exceed or will exceed 30 inches in height in order to maintain an appropriate corner sight distance, as required by the City Engineer.
61. The applicant shall construct a curb ramp meeting current California State Accessibility standards at both the northwest and southwest corners of the intersection of Sycamore Avenue and the new commercial driveway, in accordance with the City of Rialto Standard Drawings. The developer shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveways, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
62. The applicant an 8-inch curb and gutter, located at 20 feet west of centerline along the entire frontage of Sycamore Avenue in accordance with City of Rialto Standard Drawings.
63. The applicant shall construct a 5-foot-wide sidewalk located adjacent to the curb along the entire project frontage of Sycamore Avenue, in accordance with City of Rialto Standard Drawings.
64. At the discretion of the City Engineer, the applicant shall remove existing pavement 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 frontage of Sycamore Avenue in accordance with City of Rialto Standard Drawings. The pavement section shall be determined using a Traffic Index ("TI") of 6. The 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. Pavement shall extend from clean sawcut edge of pavement at centerline of each street.

- 1 65. The applicant shall coordinate the following off-site improvements with the City of
2 Colton to provide public safety to and from the Site:
- 3 a. Provide centerline stripe along Sycamore Avenue and Slover Avenue to delineate
4 two-way traffic, as required by the City Engineer.
- 5 b. Provide pavement rehabilitation as necessary to facilitate the centerline striping
6 along Sycamore Avenue and Slover Avenue.
- 7 66. The minimum pavement section for all on-site pavements shall be two (2) inches asphalt
8 concrete pavement over 4 inches crushed aggregate base with a minimum subgrade of
9 24 inches at 95% relative compaction, or equal. If an alternative pavement section is
10 proposed, the proposed pavement section shall be designed by a California registered
11 Geotechnical Engineer using "R" values from the project site and submitted to the City
12 Engineer for approval.
- 13 67. The applicant shall connect the project to the City of Rialto sewer system and apply for
14 a sewer connection account with Rialto Water Services in the event that the project site
15 is located within 200 feet of a public sewer mainline.
- 16 68. Domestic water service to the underlying property is provided by West Valley Water
17 District. The applicant shall be responsible for coordinating with West Valley Water
18 District and complying with all requirements for establishing domestic water service to
19 the property. The design must include fire hydrants along Sycamore Avenue.
- 20 69. The applicant shall install a new domestic water line lateral connection to the main water
21 line within Sycamore Avenue, pursuant to the West Valley Water District requirements.
22 A water line plan shall be approved by Rialto Water Services prior to the issuance of
23 building permits.
- 24 70. The applicant shall provide certification from Rialto Water Services and West Valley
25 Water District that demonstrates that all water and/or wastewater service accounts for
26 the project are documented, prior to the issuance of a Certificate of Occupancy or final
27 inspection approval from the Public Works Engineering Division.
- 28 71. 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,

1 Board Order No. R8-2010-0036. Pursuant to the NPDES Permit, the Applicant shall
2 ensure development of the site incorporates post-construction Best Management
3 Practices (“BMPs”) in accordance with the Model Water Quality Management Plan
4 (“WQMP”) approved for use for the Santa Ana River Watershed. The Applicant is
5 advised that applicable Site Design BMPs will be required to be incorporated into the
6 final site design, pursuant to a site specific WQMP submitted to the City Engineer for
7 review and approval.

6 72. The applicant shall prepare a Notice of Intent (NOI) to comply with the California
7 General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as
8 modified September 2, 2009) is required via the California Regional Water Quality
9 Control Board online SMARTS system. A copy of the executed letter issuing a Waste
10 Discharge Identification (WDID) number shall be provided to the City Engineer prior
11 to issuance of a grading or building permit. The applicant’s contractor shall prepare and
12 maintain a Storm Water Pollution Prevention Plan (“SWPPP”) as required by the
13 General Construction Permit. All appropriate measures to prevent erosion and water
14 pollution during construction shall be implemented as required by the SWPPP.

12 73. Prior to issuance of a certificate of occupancy or final City approvals, the applicant shall
13 demonstrate that all structural BMP’s have been constructed and installed in
14 conformance with approved plans and specifications, and as identified in the approved
15 WQMP.

15 74. All stormwater runoff passing through the site shall be accepted and conveyed across
16 the property in a manner acceptable to the City Engineer. For all stormwater runoff
17 falling on the site, on-site retention or other facilities approved by the City Engineer
18 shall be required to contain the increased stormwater runoff generated by the
19 development of the property. Provide a hydrology study, prepared by a Civil Engineer,
20 to determine the volume of increased stormwater runoff due to development of the site,
21 and to determine required stormwater runoff mitigation measures for the proposed
22 development. Final retention basin sizing and other stormwater runoff mitigation
23 measures shall be determined upon review and approval of the hydrology study by the
24 City Engineer and may require redesign or changes to site configuration or layout
25 consistent with the findings of the final hydrology study. The volume of increased
26 stormwater runoff to retain on-site shall be determined by comparing the existing “pre-
27 developed” condition and proposed “developed” condition, using the 100-year
28 frequency storm. All on-site and off-site designs must comply with Federal (NPDES),
State, Regional, and City stormwater regulations.

25 75. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to
26 the adjacent public streets. Provisions for the interception of nuisance water from
27 entering adjacent public streets from the project site shall be provided through the use
28 of a minor storm drain system that collects and conveys nuisance water to landscape or
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.

- 1
- 2 76. The original improvement plans prepared for the proposed development and approved
- 3 by the City Engineer (if required) shall be documented with record drawing “as-built”
- 4 information and returned to the Engineering Division prior to issuance of a final
- 5 certificate of occupancy. Any modifications or changes to approved improvement plans
- 6 shall be submitted to the City Engineer for approval prior to construction.
- 7
- 8 77. The applicant shall adhere to the City Council approved franchise agreements and
- 9 disposal requirements during all construction activities, in accordance with Section 8.08
- 10 (Refuse Collection of the City of Rialto Municipal Code).
- 11
- 12 78. Prior to commencing with any grading, the applicant shall implement the required
- 13 erosion and dust control measures shall be in place. In addition, the following shall be
- 14 included if not already identified:
- 15
- 16 a. 6 foot high tan colored perimeter screened fencing
- 17
- 18 b. Contractor information signage including contact information along the street
- 19 frontage of Sycamore Avenue.
- 20
- 21 c. Post dust control signage with the following verbiage: “Project Name, WDID No.,
- 22 IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME (XXX)
- 23 XXX-XXX, If you do not receive a response, please call the AQMD at 1-800-
- 24 CUT-SMOG/1-800-228-7664”
- 25
- 26 79. The applicant shall remove any graffiti within 24 hours, before, during, and post
- 27 construction.
- 28
80. 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 Public Works Engineering, 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.
81. 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.).
82. The applicant shall design the structures in accordance with the 2019 California
- Building Code, 2019 California Mechanical Code, 2019 California Plumbing Code, and
- the 2019 California Electrical Code, 2019 Residential Code and the 2019 California
- Green Buildings Standards adopted by the State of California.
83. The applicant shall design the structures to withstand ultimate wind speed of 130 miles
- per hour, exposure C and seismic zone D.

- 1 84. The applicant shall submit fire sprinkler, fire alarm systems, and fire hydrant plans to
2 the Building Division for plan review concurrently with building plans and shall be
3 approved prior to the issuance of a building permit.
- 4 85. The applicant shall obtain an Electrical Permit from the Building Division for any
5 temporary electrical power required during construction. No temporary electrical power
6 will be granted to a project unless one of the following items is in place and approved
7 by the Building Division: (A) Installation of a construction trailer, or, (B) Security
8 fencing around the area where the electrical power will be located.
- 9 86. The applicant shall install temporary construction fencing and screening around the
10 perimeter of the project site. The fencing and screening shall be maintained at all times
11 during construction to protect pedestrians.
- 12 87. The applicant shall install any required temporary construction trailer on private
13 property. No trailers are allowed to be located within the public right-of-way. The
14 trailer shall be removed prior to the issuance of a Certificate of Occupancy.
- 15 88. The applicant shall design and construct accessible paths of travel from the building's
16 accessible entrances to the public right-of-way, accessible parking, and the trash
17 enclosure. Paths of travel shall incorporate (but not limited to) exterior stairs, landings,
18 walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning,
19 signage, gates, lifts and walking surface materials, as necessary. The accessible route(s)
20 of travel shall be the most practical direct route between accessible building entrances,
21 site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the
22 site, California Building Code, (CBC) Chapter 11, Sec, 11A and 11B.
- 23 89. Prior to issuance of a Building Permit all of the following must be in place on the Site:
24 a portable toilet with hand wash station, temporary construction fencing, and signage on
25 each adjacent street saying "If there is any dust or debris coming from this site please
26 contact (superintendent number here) or the AQMD if the problem is not being
27 resolved" or something similar to this.
- 28 90. The applicant shall provide temporary toilet facilities for the construction workers. The
toilet facilities shall always be maintained in a sanitary condition. The construction
toilet facilities of the non-sewer type shall conform to ANSI Z4.3.
91. The applicant shall underground all on site utilities to the new proposed structures, prior
to the issuance of a Certificate of Occupancy, unless prior approval has been obtained
by the utility company or the City.
92. Prior to issuance of Building Permits, site grading final and pad certifications shall be
submitted to the Building Division, which include elevation, orientation, and
compaction. The certifications are required to be signed by the engineer of record.

- 1 93. The applicant shall provide proof of payment to the Colton Joint Unified School District
2 for all required school fees, prior to the issuance of a building permit.
- 3 94. Site facilities such as parking open or covered, recreation facilities, and trash dumpster
4 areas, and common use areas shall be accessible per the California Building Code,
5 Chapter 11.
- 6 95. The applicant shall place a copy of the Conditions of Approval herein on within the
7 building plan check submittal set and include the PPD number on the right bottom
8 corner cover page in 20 point bold, prior to the issuance of a building permit.
- 9 96. The applicant shall ensure that a minimum of 65% of all construction and demo debris
10 shall be recycled using an approved City of Rialto recycling facility during construction.
11 Copies of receipts for recycling shall be provided to the City Inspector and a copy shall
12 be placed in the office of the construction site.
- 13 97. Prior to issuance of Building Permits, on site water service shall be installed and
14 approved by the responsible agency. On site fire hydrants shall be approved by the Fire
15 Department. No flammable materials will be allowed on the site until the fire hydrants
16 are established and approved.
- 17 98. The applicant shall comply with all applicable requirements of the California Fire Code
18 and Chapter 15.28 (Fire Code) of the Rialto Municipal Code.
- 19 99. At the discretion of the Rialto Police Department, the applicant shall illuminate all
20 walkways, passageways, and locations where pedestrians are likely to travel with a
21 minimum of 1.5-foot candles (at surface level) of light during the hours of darkness.
22 Lighting shall be designed/constructed in such a manner as to automatically turn on at
23 dusk and turn off at dawn.
- 24 100. At the discretion of the Rialto Police Department, the applicant shall illuminate all
25 alleyways, driveways, and uncovered storage areas with a minimum of 1.5-foot candles
26 (at surface level) of light during the hours of darkness. Lighting shall be
27 designed/constructed in such a manner as to automatically turn on at dusk and turn off
28 at dawn.
101. The applicant shall design/construct all lighting fixtures and luminaries, including
supports, poles and brackets, in such a manner as to resist vandalism and/or destruction
by hand.
102. The applicant shall provide an illuminated channel letter address prominently placed on
the building to be visible to the front of the location, prior to the issuance of a Certificate
of Occupancy.
103. 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

1 Certificate of Occupancy. The security cameras shall be accessible to the Rialto Police
2 Department via FusionONE web application.

3 104. The applicant shall install Knox boxes immediately adjacent to all vehicle gates as well
4 as the main entrance of the building to facilitate the entry of safety personnel. The Knox
5 boxes shall be installed in such a manner as to be alarmed, resist vandalism, removal, or
6 destruction by hand, and be fully recessed into the building. The Knox boxes shall be
7 equipped with the appropriate keys, for each required location, prior to the first day of
8 business. The Knox-Box placement shall be shown on the formal building plan review
9 submittal prior to the issuance of a building permit.

10 105. The applicant shall prominently display the address number on the building rooftop to
11 be visible to aerial law enforcement or fire aircraft. Specifications to be followed for
12 alphanumeric characters are as follows: Three (3) foot tall and six (6) inches thick
13 alphanumeric characters. The alphanumeric characters shall be constructed in such a
14 way that they are in stark contrast to the background to which they are attached (e.g.
15 white numbers and letters on a black background), and resistant weathering that would
16 cause a degradation of the contrast.

17 106. The applicant shall provide an audible alarm within the building, prior to the issuance
18 of a Certificate of Occupancy. The building shall be alarmed in such a way as to emit a
19 continuous audible notification until reset by responsible personnel (e.g. alarmed exit
20 device / crash bar.

21 107. The applicant or General Contractor shall identify each contractor and subcontractor
22 hired to work at the job site on a Contractor Sublist form and return it to the Business
23 License Division with a Business License application and the Business License tax fee
24 based on the Contractors tax rate for each contractor.

25 108. Prior to issuance of a Certificate of Occupancy, the applicant shall pay a business license
26 tax based on the Services tax rate.

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

PASSED, APPROVED AND ADOPTED this 28th day of April, 2021.

FRANK GONZALEZ, CHAIR
CITY OF RIALTO PLANNING COMMISSION

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

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I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that the foregoing Resolution No. ____ was duly passed and adopted at a regular meeting of the Planning Commission of the City of Rialto held on the ____th day of ____, 2021.

Upon motion of Planning Commissioner_____, seconded by Planning Commissioner _____, the foregoing Resolution No. ____ was duly passed and adopted.

Vote on the motion:

- AYES:
- NOES:
- ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto this ____th day of ____, 2021.

ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT

Exhibit A

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