

1 **WHEREAS**, in conjunction with the Project, the applicant has submitted Specific Plan
2 Amendment No. 2020-0001 (“SPA No. 2020-0001”) to change the specific plan zoning
3 designation of the southernmost parcel of land within the Site (APN: 0132-181-01) from Freeway
4 Commercial (F-C) within the Gateway Specific Plan to Industrial Park (I-P) within the Gateway
5 Specific Plan; and

6 **WHEREAS**, in conjunction with the Project, the applicant has submitted Lot Line
7 Adjustment No. 2021-0002 to merge the four (4) parcels of land within the Site into one (1) 20.99
8 net acre parcel of land (“LLA No. 2021-0002”); and

9 **WHEREAS**, in conjunction with the Project, the applicant has submitted Variance No.
10 2020-0001 to allow an increase in the maximum allowable height for the proposed warehouse
11 building from 35 feet to 49 feet (“VAR No. 2020-0001”), and VAR No. 2020-0001 is necessary
12 to facilitate the Project; and

13 **WHEREAS**, in conjunction with the Project, the applicant submitted Conditional
14 Development Permit No. 2020-0006 (“CDP No. 2020-0006”) to facilitate the development and
15 operation of a 492,410 square foot industrial warehouse building on the Site, and CDP No. 2020-
16 0006 is necessary to facilitate the Project; and

17 **WHEREAS**, on July 27, 2022, the Planning Commission of the City of Rialto conducted
18 a duly noticed public hearing, as required by law, on PPD No. 2020-0012, GPA No. 2020-0001,
19 SPA No. 2020-0001, VAR No. 2020-0001, and CDP No. 2020-0006, took testimony, at which
20 time it received input from staff, the city attorney, and the applicant; heard public testimony;
21 discussed the proposed PPD No. 2020-0012, GPA No. 2020-0001, SPA No. 2020-0001, VAR No.
22 2020-0001, and CDP No. 2020-0006; and closed the public hearing; and

23 **WHEREAS**, on July 27, 2022, the Planning Commission voted 6-0 (1 vacancy) to
24 recommend denial of PPD No. 2020-0012, GPA No. 2020-0001, SPA No. 2020-0001, VAR No.
25 2020-0001, and CDP No. 2020-0006 to the City Council; and

26 **WHEREAS**, on November 15, 2022, the City Council conducted a duly noticed public
27 hearing, as required by law, on PPD No. 2020-0012, GPA No. 2020-0001, SPA No. 2020-0001,
28 VAR No. 2020-0001, and CDP No. 2020-0006, took testimony, at which time it received input

1 from staff, the city attorney, and the applicant; heard public testimony, discussed PPD No. 2020-
2 0012, GPA No. 2020-0001, SPA No. 2020-0001, VAR No. 2020-0001, and CDP No. 2020-0006;
3 and closed the public hearing; and

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

5 **NOW, THEREFORE**, the City Council hereby finds, determines, and resolves as follows:

6 **SECTION 1.** The City Council hereby specifically finds that all of the facts set forth in the
7 recitals above of this Resolution are true and correct and incorporated herein.

8 **SECTION 2.** Based on substantial evidence presented to the City Council during the public
9 hearing conducted with regard to PPD No. 2020-0012, including written staff reports, verbal
10 testimony, site plans, other documents, and the conditions of approval stated herein, the City Council
11 hereby determines that PPD No. 2020-0012 satisfies the requirements of Section 18.65.020E of the
12 Rialto Municipal Code pertaining to the findings which must be made precedent to granting a Precise
13 Plan of Design. The findings are as follows:

- 14
- 15 1. The proposed development is in compliance with all city ordinances and regulations,
16 unless in accordance with an approved variance; and

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

18 GPA No. 2020-0001, prepared in conjunction with the Project, will change the general plan
19 land use designation of the Site to Business Park (BP) with a Specific Plan Overlay. SPA No.
20 2020-0001, prepared in conjunction with the Project, will change the specific plan zoning
21 designation of the Site to Industrial Park (I-P) within the Gateway Specific Plan. The Project,
22 as conditioned herein, will comply with all City ordinances and regulations including those
23 of the proposed I-P zoning district, the Gateway Specific Plan, and the City's Design
24 Guidelines. The I-P zoning district allows for the development and operation of industrial
25 warehouse buildings, as proposed by the Project. Additionally, the Project meets all of the
26 required development standards of the proposed I-P zoning district including, but not limited
27 to, required building setbacks, parking, landscaping, building height, floor area ratio, etc.

- 28
- 29 2. The site is physically suitable for the proposed development, and the proposed
30 development will be arranged, designed, constructed, and maintained so that it will
31 not be unreasonably detrimental or injurious to property, improvements, or the health,
32 safety or general welfare of the general public in the vicinity, or otherwise be
33 inharmonious with the city's general plan and its objectives, zoning ordinances or any
34 applicable specific plan and its objectives; and

This finding is supported by the following facts:

1
2 The Site is relatively flat, approximately 22.49 gross acres (20.99 net acres) in size, and
3 bound by two (2) public streets. To the north of the project site is a San Bernardino County
4 Flood Control Channel and an approximately 0.63-acre stormwater basin, and to the east,
5 across Willow Avenue, is Rialto Fire Station No. 205, an approximately 36,000 square foot
6 industrial building, and approximately 3.39 acres of vacant land. To the south, across
7 Valley Boulevard, are several multi-tenant industrial buildings and the Teamsters Local 63
8 union hall, and to the west are several industrial developments. The Project is consistent
9 with the proposed I-P zoning district and the surrounding land uses. The nearby area is
predominantly designated for and developed with industrial uses, and as a result, there are
no sensitive land uses adjacent to or across the street from the project site. The project is
not expected to negatively impact any uses with the successful implementation of measures
such as landscape buffering, the installation of solid screen walls, and aesthetic building
enhancements.

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

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

14 The Project's effects will be minimized through the implementation of the Conditions of
15 Approval contained herein, such as extensive landscaping, concrete screen walls, decorative
16 paving, and enhanced architectural features. To the north of the project site is a San
17 Bernardino County Flood Control Channel and an approximately 0.63-acre stormwater basin,
18 and to the east, across Willow Avenue, is Rialto Fire Station No. 205, an approximately
19 36,000 square foot industrial building, and approximately 3.39 acres of vacant land. To the
20 south, across Valley Boulevard, are several multi-tenant industrial buildings and the
21 Teamsters Local 63 union hall, and to the west are several industrial developments. The
22 Project is consistent with the proposed I-P zoning district and the surrounding land uses. The
nearby area is predominantly designated for and developed with industrial uses, and as a
result, there are no sensitive land uses adjacent to or across the street from the project site.
The project is not expected to negatively impact any uses with the successful implementation
of measures such as landscape buffering, the installation of solid screen walls, and aesthetic
building enhancements.

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

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

26 The Project is consistent with the proposed Industrial Park (I-P) zoning district and is a logical
27 addition to the existing industrial buildings and developments surrounding the Site and
28 throughout much of the Gateway Specific Plan area. The design of the Project will ensure a
continuation of the public improvements and aesthetics present in the surrounding area. The
City staff have reviewed the design of the Project to ensure compliance with all health, safety,

1 and design requirements to ensure the Project will enhance the infrastructure and aesthetics
2 of the local community.

3 SECTION 3. An Environmental Impact Report (Environmental Assessment Review No.
4 2020-0007) has been prepared for the proposed Project in accordance with the California
5 Environmental Quality Act (CEQA) and it has been determined that the Project will create
6 unavoidable significant impacts to air quality, greenhouse gas emissions, and transportation/traffic.
7 On November 15, 2022, the City Council adopted the Final Environmental Impact Report prepared
8 for the Project.

9 SECTION 4. The City Council hereby approves PPD No. 2020-0012, in conjunction with
10 GPA No. 2020-0001, SPA No. 2020-0001, VAR No. 2020-0001, and CDP No. 2020-0006, to allow
11 the development of a 492,410 square foot industrial warehouse building on approximately 22.49 gross
12 acres (20.99 net acres) of land (APNs: 0132-181-01, 0132-201-03, 0254-261-14, & 0254-261-17)
13 located at the northwest corner of Valley Boulevard and Willow Avenue, in accordance with the plans
14 and application on file with the Planning Division, subject to the following Conditions of Approval:

- 15
16
17 1. The applicant is granted PPD No. 2020-0012 allowing the development of a 492,410
18 square foot industrial warehouse building and associated paving, landscaping, fencing,
19 lighting, and drainage improvements on approximately 22.49 gross acres (20.99 net
20 acres) of land (APNs: 0132-181-01, 0132-201-03, 0254-261-14, & 0254-261-17)
21 located at the northwest corner of Valley Boulevard and Willow Avenue, subject to the
22 Conditions of Approval contained herein.
- 23 2. The approval of PPD No. 2020-0012 is granted for a one (1) year period from the date
24 of approval. Approval of PPD No. 2021-0063 will not become effective until the
25 applicant has signed a Statement of Acceptance acknowledging awareness and
26 acceptance of the required Conditions of Approval contained herein. Any request for
27 an extension shall be reviewed by the Community Development Director and shall be
28 based on the progress that has taken place toward the development of the project.
3. The development associated with PPD No. 2020-0012 shall conform to the site plan,
floor plan, exterior elevations, conceptual grading plan, and conceptual landscape plan
attached hereto as Exhibit A, except as may be required to be modified based on the
Conditions of Approval contained herein.

- 1 4. The development associated with PPD No. 2020-0012 shall comply with all Conditions
2 of Approval contained within GPA No. 2020-0001, SPA No. 2020-0001, VAR No.
3 2020-0001, and CDP No. 2020-0006.
- 4 5. The development associated with PPD No. 2020-0012 shall comply with all applicable
5 sections of the Gateway Specific Plan, the Rialto Municipal Code, and all other
6 applicable State and local laws and ordinances.
- 7 6. City inspectors shall have access to the site to reasonably inspect the site during
8 normal working hours to assure compliance with these conditions and other codes.
- 9 7. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
10 and/or any of its officials, officers, employees, agents, departments, agencies, and
11 instrumentalities thereof (collectively, the “City Parties”), from any and all claims,
12 demands, law suits, writs of mandamus, and other actions and proceedings (whether
13 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
14 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
15 and other such procedures), (collectively “Actions”), brought against the City, and/or
16 any of its officials, officers, employees, agents, departments, agencies, and
17 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
18 annul, the any action of, or any permit or approval issued by, the City and/or any of
19 its officials, officers, employees, agents, departments, agencies, and instrumentalities
20 thereof (including actions approved by the voters of the City), for or concerning the
21 Project (collectively, the “Entitlements”), whether such Actions are brought under
22 the California Environmental Quality Act, the Planning and Zoning Law, the
23 Subdivision Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the
24 California Public Records Act, or any other state, federal, or local statute, law,
25 ordinance, rule, regulation, or any decision of a court of competent jurisdiction. This
26 condition to indemnify, protect, defend, and hold the City harmless shall include, but
27 not be limited to (i) damages, fees and/or costs awarded against the City, if any, and
28 (ii) cost of suit, attorneys’ fees and other costs, liabilities and expenses incurred in
connection with such proceeding whether incurred by applicant, Property owner, or
the City and/or other parties initiating or bringing such proceeding (collectively,
subparts (i) and (ii) are the “Damages”). Notwithstanding anything to the contrary
contained herein, the Applicant shall not be liable to the City Parties under this
indemnity to the extent the Damages incurred by any of the City Parties in such
Action(s) are a result of the City Parties’ fraud, intentional misconduct or gross
negligence in connection with issuing the Entitlements. The applicant shall execute
an agreement to indemnify, protect, defend, and hold the City harmless as stated
herein within five (5) days of approval of PPD No. 2020-0012.
8. In accordance with the provisions of Government Code Section 66020(d)(1), the
imposition of fees, dedications, reservations, or exactions for this Project, if any, are
subject to protest by the applicant at the time of approval or conditional approval of
the Project or within 90 days after the date of the imposition of the fees, dedications,
reservations, or exactions imposed on the Project.

- 1
2 9. Approval of PPD No. 2020-0012 will not be valid until such time that the City Council
3 has approved GPA No. 2020-0001, SPA No. 2020-0001, VAR No. 2020-0001, and
4 CDP No. 2020-0006, which were prepared in conjunction with the Project.
- 5
6 10. The applicant shall complete and abide by all pre-construction mitigation measures
7 contained within the Mitigation Monitoring and Reporting Program associated with
8 Environmental Assessment Review No. 2020-0007, prior to the issuance of a grading
9 permit.
- 10
11 11. The applicant shall complete and abide by all during-construction mitigation measures
12 contained within the Mitigation Monitoring and Reporting Program associated with
13 Environmental Assessment Review No. 2020-0007, prior to the conducting of a final
14 inspection by the Building Division.
- 15
16 12. The applicant shall secure the services of a tribal cultural monitor to be present during
17 all ground disturbance activities associated with the construction of this project. The
18 tribal cultural monitor shall be approved by the Gabrieleño Band of Mission Indians-
19 Kizh Nation, and documentation of coordination between the applicant and the
20 Gabrieleño Band of Mission Indians-Kizh Nation on this matter shall be provided to the
21 Planning Division prior to the issuance of a grading permit.
- 22
23 13. The applicant shall install decorative pavement within each driveway connected to
24 Valley Boulevard and Willow Avenue. The decorative pavement shall extend across
25 the entire width of each driveway and shall have a minimum depth of twenty-five (25)
26 feet as measured from the property lines along Valley Boulevard and Willow Avenue.
27 Decorative pavement means decorative pavers and/or color concrete with patterns and
28 color variety. 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 be identified on the formal Landscape Plan submittal,
and other on-site improvement plans, prior to the issuance of building permits.
14. In order to provide enhanced building design in accordance with Chapter 18.61 (Design
Guidelines) of the Rialto Municipal Code, the applicant shall route all drainage
downspouts through the interior of the building, except along wall planes facing the
truck court. The internal downspouts shall be identified within the formal building plan
check submittal prior to the issuance of building permits.
15. In order to provide enhanced building design in accordance with Chapter 18.61 (Design
Guidelines) of the Rialto Municipal Code, the applicant shall construct parapet returns,
at least three (3) feet in depth from the main wall plane, at all height variations on all
four (4) sides of the building. The parapet returns shall be demonstrated on the roof
plans within the formal building plan check submittal prior to the issuance of building
permits.

- 1 16. In order to provide enhanced building design in accordance with Chapter 18.61 (Design
2 Guidelines) of the Rialto Municipal Code, the applicant shall provide internal roof
3 access only for the building. The internal roof access shall be identified within the
4 formal building plan check submittal prior to the issuance of building permits.
- 5 17. All new walls, including any retaining walls, shall be comprised of decorative masonry
6 block or decorative concrete. Decorative masonry block means tan-colored slumpstone
7 block, tan-colored split-face block, or precision block with a stucco, plaster, or cultured
8 stone finish. Decorative concrete means painted concrete with patterns, reveals, and/or
9 trim lines. Pilasters shall be incorporated within all new walls visible from the public
10 right-of-way. The pilasters shall be spaced a maximum of fifty (50) feet on-center and
11 shall be placed at all corners and ends of the wall. All pilasters shall protrude a minimum
12 of six (6) inches above and to the side of the wall. All decorative masonry walls and
13 pilasters, including retaining walls, shall include a decorative masonry cap. All walls
14 and pilasters shall be identified on the site plan and Precise Grading Plan, and an
15 elevation detail for the walls shall be included in the formal building plan check
16 submittal prior to the issuance of building permits.
- 17 18. Any new fencing installed on site shall be comprised of tubular steel. All fencing shall
18 be identified on the site plan, and an elevation detail for the fencing and pilasters shall
19 be included in the formal building plan check submittal prior to the issuance of building
20 permits.
- 21 19. The applicant shall install a solid or louvered metal gate at the south entry of the truck
22 court for the purpose of screening trucks and trailers within the truck court, prior to the
23 issuance of a Certificate of Occupancy. The new gate shall be painted black or a color
24 matching the color of the adjoining wall. The new gate shall be identified on the site
25 plan, and an elevation detail for the gate shall be included in the formal building plan
26 check submittal prior to the issuance of building permits.
- 27 20. The applicant shall construct at least one (1) ADA accessible trash enclosure on the
28 project site. The trash enclosure shall provide room for one (1) commercial waste
container and one (1) commercial recycling container. The exterior of each trash
enclosure shall match the material and base color of the building. Additionally, the trash
enclosure shall contain solid steel doors and a flat solid cover. Corrugated metal and
chain-link are not acceptable materials to use as a part of the trash enclosure. The
location of the trash enclosure shall be identified on the site plan within the formal
building plan check prior to the issuance of building permits. An elevation detail for the
trash enclosure shall be provided within formal building plan check submittal prior to
the issuance of building permits.
21. All light standards installed on site, shall have a maximum height of twenty-five (25)
feet, as measured from the finished surface, including the base. Lighting shall be
shielded and/or directed toward the site so as not to produce direct glare or "stray light"
onto adjacent properties. All light standards shall be identified on the site plan and a

1 note indicating the height restriction shall be included within the formal building plan
2 check submittal prior to the issuance of building permits.

- 3 22. The applicant shall submit a formal Landscape Plan to the Planning Division prior to
4 the issuance of building permits. The submittal shall include three (3) sets of planting
5 and irrigation plans, a completed Landscape Plan Review application, and the applicable
6 review fee.
- 7 23. The applicant shall plant one (1) tree every three (3) parking spaces. All parking lot
8 trees shall be a minimum of fifteen (15) gallons in size, upon initial planting. Thereafter,
9 the parking lot trees shall be permanently irrigated and maintained. All parking lot tree
10 species shall consist of evergreen broadleaf trees. The trees shall be identified on the
11 formal Landscape Plan submittal prior to the issuance of a landscape permit.
- 12 24. The applicant shall plant one (1) tree every thirty (30) feet on-center within the on-site
13 landscape setbacks along Valley Boulevard and Willow Avenue. All trees within the
14 landscape setback shall be a minimum of twenty-four (24) inch box in size, upon initial
15 planting. Thereafter, the trees within the landscape setback shall be permanently
16 irrigated and maintained by the property owner. At least fifty (50) percent of the trees
17 within the setback shall consist of evergreen broadleaf trees, while the remaining
18 percentage may consist of broadleaf deciduous trees and/or palm trees. The trees shall
19 be identified on the formal Landscape Plan submittal prior to the issuance of a landscape
20 permit.
- 21 25. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public
22 right-of-way parkway along Valley Boulevard. All trees within the public right-of-way
23 parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting.
24 Thereafter, the trees within the public right-of-way parking shall be permanently
25 irrigated and maintained, as required by the Public Works Department. The street tree
26 species along Valley Boulevard shall be the *Tristania Conferta* "Brisbane Box" and/or
27 the *Liriodendron Tulipifera* "Tulip Tree". The street trees shall be identified on the
28 formal Landscape Plan submittal prior to the issuance of a landscape permit.
- 29 26. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public
30 right-of-way parkway along Willow Avenue. All trees within the public right-of-way
31 parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting.
32 Thereafter, the trees within the public right-of-way parking shall be permanently
33 irrigated and maintained, as required by the Public Works Department. The street tree
34 species along Willow Avenue shall be the *Geijera Parviflora* "Australian Willow"
35 and/or the *Lagerstromia Indica* "Crape Myrtle". The street trees shall be identified on
36 the formal Landscape Plan submittal prior to the issuance of a landscape permit.
- 37 27. The applicant shall plant shrubs that surround all ground mounted equipment and utility
38 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

1 planting, and the shrubs shall be spaced no more than three (3) feet on-center.
2 Thereafter, the equipment and utility box screen shrubs shall be permanently irrigated
3 and maintained into a continuous box-shape with a height of no less than three and one-
4 half (3.5) feet above the finished grade. The shrubs shall be identified on the formal
5 Landscape Plan submittal prior to the issuance of a landscape permit.

- 6 28. The applicant shall plant a substantial amount of trees, shrubs, and groundcover
7 throughout all land on-site and off-site (adjacent to the project site) that is not covered
8 by structures, walkways, parking areas, and driveways. Trees shall be planted a
9 minimum of thirty (30) feet on-center, and all shrubs and groundcover shall be planted
10 an average of three (3) feet on-center or less. All trees shall be minimum of fifteen (15)
11 gallons in size upon initial planting, unless otherwise specified herein. At least fifty (50)
12 percent of the trees shall consist of evergreen broadleaf trees, while the remaining
13 percentage may consist of broadleaf deciduous trees and/or palm trees. All shrubs shall
14 be a minimum of one (1) gallon in size, unless otherwise specified herein. All planter
15 areas shall receive a minimum two (2) inch thick layer of brown bark, organic mulch,
16 and/or decorative rock upon initial planting. Pea gravel and decomposed granite are not
17 acceptable materials to use within planter areas. All planter areas on-site shall be
18 permanently irrigated and maintained. The planting and irrigation shall be identified on
19 the formal Landscape Plan submittal prior to the issuance of a landscape permit.
- 20 29. All planting and irrigation shall be installed on-site in accordance with the approved
21 landscape plans and permit prior to the issuance of a Certificate of Occupancy. The
22 installation of the planting and irrigation shall be certified in writing by the landscape
23 architect responsible for preparing the landscape plans prior to the issuance of a
24 Certificate of Occupancy.
- 25 30. Any tubular steel fencing and/or sliding gates shall be painted black prior to the issuance
26 of a Certificate of Occupancy, unless specified otherwise herein.
- 27 31. All non-glass doors shall be painted to match the color of the adjacent wall prior to the
28 issuance of a Certificate of Occupancy.
32. The applicant shall comply with all conditions of approval for PPD No. 2020-0012 to
the satisfaction of the City Engineer, prior to the issuance of a Certificate of Occupancy.
33. All improvements within the public right-of-way require a City of Rialto Encroachment
Permit.
34. The applicant shall pay all applicable development impact fees in accordance with the
current City of Rialto fee ordinance, including any Transportation and Traffic Fair Share
Contribution fees, prior to the issuance of any building permit related to the Project.
35. The applicant shall apply for and complete the Special District Annexation for the public
street lighting and the public landscape and irrigation, including applicable easement

1 areas, parkway areas, and raised medians along the property frontage, as determined by
2 the City Engineer, prior to the issuance of the Grading/On-site Construction Permit.

- 3 36. A City of Rialto Off-site Construction Permit is required for any improvements within
4 the public right-of-way. In an effort to expedite and facilitate improvements in the public
5 right-of-way, the applicant is responsible for submitting a multi-phase master plan
6 traffic control plan which includes all phases of construction in the public right-of-way
7 i.e. sewer, water, overhead, underground, etc. prior to the issuance of Off-Site
8 Construction Permit/Encroachment Permit. Note, in an effort to simplify the permitting
9 process, a single master Off-Site Construction Permit shall replace individual
10 Encroachment Permits to be pulled by the applicant's contractor.
- 11 37. At the discretion of the City Engineer, the applicant shall apply for annexation of the
12 underlying property into City of Rialto Landscape and Lighting Maintenance District
13 No. 2 ("LLMD 2") or enter into a landscape maintenance agreement to be recorded on
14 the property. An application fee of \$5,000 shall be paid at the time of application.
15 Annexation into LLMD 2 is a condition of acceptance of any new median, parkway,
16 and/or easement landscaping, or any new public street lighting improvements, to be
17 maintained by the City of Rialto. All final approved plans and documents required for
18 the annexation shall be submitted by the property owner prior to issuance of a building
19 permit. The annexation process shall be completed prior to recordation of any
20 applicable Final Tract/Parcel Maps. For developments with no Final Maps or if the
21 Final Map does not create any new parcels, the annexation process shall be completed
22 prior to issuance of any certificate of occupancy. Due to the required City Council
23 Public Hearing action, the annexation process takes months and as such the developer
24 is advised to submit all plans and documents required for Special District annexation as
25 early-on in the in the plan review and permitting process to avoid any delays with
26 issuance of permit(s) and certificate(s) of occupancy or approval of final map(s).
- 27 38. The applicant shall submit off-site landscaping and irrigation system improvement plans
28 for review and approval at the time of first (1st) public improvement plan submittal to
the Public Works Department. The parkway irrigation system shall be separately
metered from the on-site private irrigation to be maintained for a period of one (1) year
and annexed into a Special District. The off-site landscape and irrigation plans must
show separate electrical and water meters to be annexed into the Landscape and
Lighting Maintenance District No. 2 via a City Council Public Hearing. The landscape
and irrigation plans shall be approved concurrently with the street improvement plans,
prior to issuance of a building permit. The landscaping architect must contact the City
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 to avoid
burdensome traffic control set-up during ongoing maintenance.
39. 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

1 period shall be replaced with similar plant material to the satisfaction of the City
2 Engineer, and shall be subject to a subsequent one year landscape maintenance period.
3 The applicant must contact the City of Rialto Landscape Contract Specialist at (909)
4 772-2635 to confirm a full twelve (12) months' time of non-interrupted ongoing
5 maintenance.

6 40. The applicant shall install City Engineer approved deep root barriers, in accordance with
7 the Public Works Landscape and Irrigation Guidelines, for all trees installed within ten
8 (10) feet of the public sidewalk and/or curb.

9 41. All new streetlights shall be installed on an independently metered, City-owned
10 underground electrical system. The developer shall provide documentary proof of
11 application with Southern California Edison ("SCE") for all appropriate service points
12 and electrical meters prior to the issuance of a Certificate of Occupancy. New meter
13 pedestals shall be installed, and electrical service paid by the developer, until such time
14 as the underlying property is annexed into LLMD 2.

15 42. The applicant shall construct a new underground electrical system for public street
16 lighting improvements along the project frontages of Valley Boulevard and Willow
17 Avenue, as determined necessary by the City Engineer. New marbelite streetlight poles
18 with LED light fixtures shall be installed in accordance with City of Rialto Standard
19 Drawings.

20 43. The applicant shall submit street improvement plans by a registered California civil
21 engineer to the Public Works Engineering Division for review. The plans shall be
22 approved by the City Engineer prior to the issuance of building permits.

23 44. The applicant shall submit streetlight improvement plans by a registered California civil
24 engineer to the Public Works Engineering Division for review. The plans shall be
25 approved by the City Engineer prior to the issuance of building permits.

26 45. The applicant shall submit sewer improvement plans by a registered California civil
27 engineer to the Public Works Engineering Division for review. The plans shall be
28 approved by the City Engineer prior to the issuance of building permits.

46. 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.

47. 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 Rialto Water Services, the water purveyor,
prior to the issuance of building permits.

48. 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

1 approval. The Grading Plan shall be approved by the City Engineer prior to the issuance
2 of building permits.

- 3 49. 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. A copy of the Geotechnical/Soils Report shall be
6 submitted to the Public Works Engineering Division with the first submittal of the
7 Precise Grading Plan.
- 8 50. The applicant shall submit a wet-signed and stamped Earthwork Cut and Fill
9 Certification Letter prepared by a Civil Engineer registered in the State of California to
10 the Public Works Engineering Division for review.
- 11 51. The applicant shall provide pad elevation certification for all building pads, in
12 conformance with the approved Precise Grading Plan, to the Engineering Division prior
13 to construction of any building foundation.
- 14 52. The public street improvements outlined in these Conditions of Approval are intended
15 to convey to the developer an accurate scope of required improvements, however, the
16 City Engineer reserves the right to require reasonable additional improvements as may
17 be determined in the course of the review and approval of street improvement plans
18 required by these conditions.
- 19 53. All new street improvements in the public right-of-way shall comply with City Council
20 approved Safe Routes to School (SRTS) improvements.
- 21 54. The applicant shall construct asphalt concrete paving for streets in two separate lifts.
22 The final lift of asphalt concrete pavement shall be postponed until such time that on-
23 site construction activities are complete. Unless the City Engineer provide prior
24 authorization, paving of streets in one lift prior to completion of on-site construction is
25 not allowed. If City Engineer authorized, completion of asphalt concrete paving for
26 streets prior to completion of on-site construction activities, requires additional paving
27 requirements prior to acceptance of the street improvements, including, but not limited
28 to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry
seal, or other repairs.
55. 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.

- 1 56. In accordance with City Ordinance No. 1589, adopted to preserve newly paved streets,
2 any and all street and/or trench cuts in newly paved streets will be subject to moratorium
3 street repair standards as reference in Section 11.04.145 of the Rialto Municipal Code.
- 4 57. The applicant shall backfill and/or repair any and all utility trenches or other excavations
5 within existing asphalt concrete pavement of off-site streets resulting from the proposed
6 development, in accordance with City of Rialto Standard Drawings. The applicant shall
7 be responsible for removing, grinding, paving and/or overlaying existing asphalt
8 concrete pavement of off-site streets including pavement repairs in addition to pavement
9 repairs made by utility companies for utilities installed for the benefit of the proposed
10 development (i.e. West Valley Water District, Southern California Edison, Southern
11 California Gas Company, Spectrum, Verizon, etc.). Multiple excavations, trenches, and
12 other street cuts within existing asphalt concrete pavement of off-site streets resulting
13 from the proposed Project may require complete grinding and asphalt concrete overlay
14 of the affected off-site streets, at the discretion of the City Engineer. The pavement
15 condition of the existing off-site streets shall be returned to a condition equal to or better
16 than what existed prior to construction of the proposed Project.
- 17 58. The applicant shall install underground all existing electrical distribution lines of sixteen
18 thousand volts or less and overhead service drop conductors, and all telephone,
19 television cable service, and similar service wires or lines, which are on-site, abutting,
20 and/or transecting the site, in accordance with Chapter 15.32 of the Rialto Municipal
21 Code. Utility undergrounding shall extend to the nearest off-site power pole. Unless
22 City Engineer approved, no new power poles shall be installed. A letter from the owners
23 of the affected utilities shall be submitted to the City Engineer prior to approval of the
24 Precise Grading/Paving Plan, informing the City that they have been notified of the
25 City's utility undergrounding requirement and their intent to commence design of utility
26 undergrounding plans. When available, the utility undergrounding plan shall be
27 submitted to the City Engineer identifying all above ground facilities in the area of the
28 project to be undergrounded.
59. The applicant shall replace all damaged, destroyed, or modified pavement legends,
traffic control devices, signing, striping, and streetlights, associated with the proposed
Project shall be replaced as required by the City Engineer prior to issuance of a
Certificate of Occupancy.
60. 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.
61. 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

1 Manual on Uniform Traffic Control Devices, or subsequent editions in force at the time
2 of construction.

- 3 62. Upon approval of any improvement plan by the City Engineer, the applicant shall
4 provide the improvement plan to the City in digital format, consisting of a DWG
5 (AutoCAD drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF
6 (Adobe Acrobat) formats. Variation of the type and format of the digital data to be
7 submitted to the City may be authorized, upon prior approval by the City Engineer.
- 8 63. The applicant shall construct 4-inch conduit within the parkway area along the entire
9 project frontages of Valley Boulevard and Willow Avenue for future use, prior to the
10 issuance of a Certificate of Occupancy.
- 11 64. The applicant shall dedicate additional right-of-way along the entire frontage of Valley
12 Boulevard, as necessary, to provide the ultimate half-width of 60 feet, as required by the
13 City Engineer.
- 14 65. The applicant shall dedicate additional right-of-way along the entire frontage of Willow
15 Avenue, as necessary, to provide the ultimate half-width of 32 feet, as required by the
16 City Engineer.
- 17 66. The applicant shall, at the discretion of the City Engineer, modify the northeast and
18 northwest corners of the intersection of Valley Boulevard and Willow Avenue, as
19 necessary, to provide 40-foot curb return radii to ensure functional truck turning
20 maneuvers. The modification shall include necessary street dedication, new curbs,
21 gutters, street paving, curb ramps, and traffic signal relocation/modification. The
22 applicant is responsible for coordinating with the property owner of the property
23 adjacent to the northeast corner of the intersection of Valley Boulevard and Willow
24 Avenue (APN: 0132-182-08) to ensure dedication of the right-of-way necessary to
25 facilitate the intersection improvement. This intersection modification shall be
26 completed prior to the issuance of a Certificate of Occupancy.
- 27 67. The applicant shall dedicate additional right-of-way as may be required to provide a
28 property line corner cutback at the northwest corner of the intersection of Valley
Boulevard and Willow Avenue, in accordance with City Standard SC-235, as required
by the City Engineer.
68. The applicant shall dedicate additional right-of-way as may be required to provide
property line corner cutbacks at the northeast and northwest corners of the intersections
of Valley Boulevard and the driveways connected to Valley Boulevard, in accordance
with City Standard SC-235, as required by the City Engineer.
69. The applicant shall dedicate additional right-of-way as may be required to provide
property line corner cutbacks at the northwest and southwest corners of the intersection
of Willow Avenue and the driveway connected to Willow Avenue, in accordance with
City Standard SC-235, as required by the City Engineer.

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70. The applicant shall construct one (1) new forty (40) foot wide commercial driveway approach and one (1) new twenty-six (26) foot wide commercial driveway approach on Valley Boulevard, as shown on the site plan included in Exhibit A, 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.
 71. The applicant shall construct one (1) new forty-two (42) foot wide commercial driveway approach on Willow Avenue, as shown on the site plan included in Exhibit A, in accordance with City of Rialto Standard Drawings, or as otherwise approved by the City Engineer. The southerly curb return of this driveway shall have a radius of 50 feet as indicated by Exhibit 1-6 (Truck Access) within the Traffic Analysis (dated December 20, 2021) prepared for the project, and as recommended by the Transportation Commission on June 6, 2022. 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.
 72. The applicant shall construct a curb ramp meeting current California State Accessibility standards at the northwest corner of the intersection of Valley Boulevard and Willow Avenue, 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 westerly driveway, 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.
 73. The applicant shall construct a curb ramp meeting current California State Accessibility standards at both the northwest and northeast corners of the intersection of Valley Boulevard and both new commercial driveways, 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.
 74. The applicant shall construct a curb ramp meeting current California State Accessibility standards at both the northwest and southwest corner of the intersection of Willow 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.

- 1 75. The applicant shall construct a 5-foot-wide sidewalk located adjacent to the curb along
2 the entire project frontage of Valley Boulevard, in accordance with City of Rialto
3 Standard Drawings.
- 4 76. The applicant shall, as determined necessary by the City Engineer, repair or replace any
5 damaged sidewalk along the entire project frontage of Willow Avenue, in accordance
6 with City of Rialto Standard Drawings.
- 7 77. The applicant shall construct an 8 inch curb and gutter located 48 feet north of the
8 centerline along the entire frontage of Valley Boulevard, in accordance with City of
9 Rialto Standard Drawings.
- 10 78. The applicant shall, as determined necessary by the City Engineer, repair or replace any
11 damaged curb and gutter along the entire frontage of Willow Avenue, in accordance
12 with City of Rialto Standard Drawings.
- 13 79. The applicant shall, as determined necessary by the City Engineer, remove existing
14 pavement and construct new pavement with a minimum pavement section of 4 inches
15 asphalt concrete pavement over 6 inches crushed aggregate base with a minimum
16 subgrade of 24 inches at 95% relative compaction, or equal, along the entire frontages
17 of Valley Boulevard and Willow Avenue in accordance with City of Rialto Standard
18 Drawings. The pavement section shall be determined using a Traffic Index (“TI”) of 6.
19 The pavement section shall be designed by a California registered Geotechnical
20 Engineer using "R" values from the project site and submitted to the City Engineer for
21 approval. Pavement shall extend from clean sawcut edge of pavement at centerline of
22 each street.
- 23 80. The applicant shall stripe Willow Avenue along the project frontage in accordance with
24 Exhibit 1-5 (Concept Striping for Willow Avenue) of the Traffic Analysis (dated
25 December 20, 2021) prepared for the project, and as recommended by the
26 Transportation Commission on June 6, 2022, prior to the issuance of a Certificate of
27 Occupancy.
- 28 81. The applicant shall install “No Stopping Anytime” R26A(S)(CA) signage along the
entire project frontages of Valley Boulevard and Willow Avenue, as required by the
City Engineer.
82. 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.
83. The applicant shall connect the project to the City of Rialto sewer system and apply for
a sewer connection account with Rialto Water Services.

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- 2 84. Domestic water service to the underlying property is provided by Rialto Water Services.
3 The applicant shall be responsible for coordinating with Rialto Water Services and
4 complying with all requirements for establishing domestic water service to the property.
5 The design must include fire hydrants along Valley Boulevard and Willow Avenue.
- 6 85. The applicant shall install a new domestic water line lateral connection to the main water
7 line within Willow Avenue, pursuant to the Rialto Water Services requirements. A
8 water line plan shall be approved by Rialto Water Services prior to the issuance of
9 building permits.
- 10 86. The applicant shall provide certification from Rialto Water Services that demonstrates
11 that all water and/or wastewater service accounts for the project are documented, prior
12 to the issuance of a Certificate of Occupancy or final inspection approval from the
13 Public Works Engineering Division.
- 14 87. All sewer mains constructed by the applicant, as necessary, are to become part of the
15 public sewer system and shall be pressure tested and digitally video recorded by the
16 City's wastewater system operator (Veolia) prior to acceptance of the sewer system for
17 maintenance by the City. The developer shall be responsible for all costs associated with
18 testing and inspection services. Any defects of the sewer main shall be removed,
19 replaced, or repaired to the satisfaction of the City Engineer prior to acceptance.
- 20 88. The applicant shall submit a Water Quality Management Plan identifying site specific
21 Best Management Practices ("BMPs") in accordance with the Model Water Quality
22 Management Plan ("WQMP") approved for use for the Santa Ana River Watershed.
23 The site specific WQMP shall be submitted to the City Engineer for review and approval
24 with the Precise Grading Plan. A WQMP Maintenance Agreement shall be required,
25 obligating the property owner(s) to appropriate operation and maintenance obligations
26 of on-site BMPs constructed pursuant to the approved WQMP. The WQMP and
27 Maintenance Agreement shall be approved prior to issuance of a building permit, unless
28 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.
89. 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

1 Discharge Identification (WDID) number shall be provided to the City Engineer prior
2 to issuance of a grading or building permit. The applicant's contractor shall prepare and
3 maintain a Storm Water Pollution Prevention Plan ("SWPPP") as required by the
4 General Construction Permit. All appropriate measures to prevent erosion and water
5 pollution during construction shall be implemented as required by the SWPPP.

6 90. Prior to issuance of a certificate of occupancy or final City approvals, the applicant shall
7 demonstrate that all structural BMP's have been constructed and installed in
8 conformance with approved plans and specifications, and as identified in the approved
9 WQMP.

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

25 92. 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.

93. The applicant shall pay the Project Fair Share Cost of \$26,258 established by the Traffic
Analysis (dated December 20, 2021) prepared for the project, and as recommended by
the Transportation Commission on June 6, 2022, prior to the issuance of any building
permits.

94. The original improvement plans prepared for the proposed development and approved
by the City Engineer (if required) shall be documented with record drawing "as-built"
information and returned to the Engineering Division prior to issuance of a final
certificate of occupancy. Any modifications or changes to approved improvement plans
shall be submitted to the City Engineer for approval prior to construction.

- 1 95. The applicant shall adhere to the City Council approved franchise agreements and
2 disposal requirements during all construction activities, in accordance with Section 8.08
3 (Refuse Collection of the City of Rialto Municipal Code).
- 4 96. 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 Valley Boulevard and Willow Avenue.
 - 10 c. Post dust control signage with the following verbiage: “Project Name, WDID 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 97. The applicant shall remove any graffiti within 24 hours, before, during, and post
15 construction.
- 16 98. The applicant shall submit full architectural and structural plans with all mechanical,
17 electrical, and plumbing plans, structural calculations, truss calculations and layout,
18 rough grading plans approved by Public Works Engineering, Water Quality
19 Management Plan, Erosion Control Plan, Stormwater Pollution Prevention Plan, and
20 Title 24 Energy Calculations to the Building Division for plan check and review, prior
21 to the issuance of building permits.
- 22 99. The applicant shall provide a Scope of Work on the title page of the architectural plan
23 set. The Scope of Work shall call out all work to be permitted (ex. Main structure,
24 perimeter walls, trash enclosure, etc.).
- 25 100. The applicant shall design the structures in accordance with the 2019 California
26 Building Code, 2019 California Mechanical Code, 2019 California Plumbing Code, and
27 the 2019 California Electrical Code, 2019 Residential Code and the 2019 California
28 Green Buildings Standards adopted by the State of California.
101. The applicant shall design the structures to withstand ultimate wind speed of 130 miles
per hour, exposure C and seismic zone D.
102. The applicant shall submit fire sprinkler, fire alarm systems, and fire hydrant plans to
the Building Division for plan review concurrently with building plans and shall be
approved prior to the issuance of a building permit.
103. The applicant shall obtain an Electrical Permit from the Building Division for any
temporary electrical power required during construction. No temporary electrical power

1 will be granted to a project unless one of the following items is in place and approved
2 by the Building Division: (A) Installation of a construction trailer, or, (B) Security
3 fencing around the area where the electrical power will be located.

4 104. The applicant shall install temporary construction fencing and screening around the
5 perimeter of the project site. The fencing and screening shall be maintained at all times
6 during construction to protect pedestrians.

7 105. The applicant shall install any required temporary construction trailer on private
8 property. No trailers are allowed to be located within the public right-of-way. The
9 trailer shall be removed prior to the issuance of a Certificate of Occupancy.

10 106. The applicant shall design and construct accessible paths of travel from the building's
11 accessible entrances to the public right-of-way, accessible parking, and the trash
12 enclosure. Paths of travel shall incorporate (but not limited to) exterior stairs, landings,
13 walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning,
14 signage, gates, lifts and walking surface materials, as necessary. The accessible route(s)
15 of travel shall be the most practical direct route between accessible building entrances,
16 site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the
17 site, California Building Code, (CBC) Chapter 11, Sec, 11A and 11B.

18 107. Prior to issuance of a Building Permit all of the following must be in place on the Site:
19 a portable toilet with hand wash station, all BMP's, fencing and signage on each adjacent
20 street saying "If there is any dust or debris coming from this site please contact
21 (superintendent number here) or the AQMD if the problem is not being resolved" or
22 something similar to this.

23 108. The applicant shall provide temporary toilet facilities for the construction workers. The
24 toilet facilities shall always be maintained in a sanitary condition. The construction
25 toilet facilities of the non-sewer type shall conform to ANSI ZA.3.

26 109. The applicant shall underground all on site utilities to the new proposed structures, prior
27 to the issuance of a Certificate of Occupancy, unless prior approval has been obtained
28 by the utility company or the City.

10 110. Prior to issuance of Building Permits, site grading final and pad certifications shall be
11 submitted to the Building Division, which include elevation, orientation, and
12 compaction. The certifications are required to be signed by the engineer of record.

13 111. The applicant shall provide proof of payment to the Colton Joint Unified School District
14 for all required school fees, prior to the issuance of a building permit.

15 112. Site facilities such as parking open or covered, recreation facilities, and trash dumpster
16 areas, and common use areas shall be accessible per the California Building Code,
17 Chapter 11.

- 1 113. The applicant shall place a copy of the Conditions of Approval herein on within the
2 building plan check submittal set and include the PPD number on the right bottom
3 corner cover page in 20 point bold, prior to the issuance of a building permit.
- 4 114. The applicant shall ensure that a minimum of 65% of all construction and demo debris
5 shall be recycled using an approved City of Rialto recycling facility during construction.
6 Copies of receipts for recycling shall be provided to the City Inspector and a copy shall
7 be placed in the office of the construction site.
- 8 115. Prior to allowing flammable materials on the site, on site water service and fire hydrants
9 shall be installed and approved by the Fire Department.
- 10 116. The applicant shall comply with all applicable requirements of the California Fire Code
11 and Chapter 15.28 (Fire Code) of the Rialto Municipal Code.
- 12 117. The applicant shall illuminate all walkways, passageways, and locations where
13 pedestrians are likely to travel with a minimum of 1.5-foot candles (at surface level) of
14 light during the hours of darkness. Lighting shall be designed/constructed in such a
15 manner as to automatically turn on at dusk and turn off at dawn.
- 16 118. The applicant shall illuminate all alleyways, driveways, and uncovered parking areas
17 with a minimum of 1.5-foot candles (at surface level) of light during the hours of
18 darkness. Lighting shall be designed/constructed in such a manner as to automatically
19 turn on at dusk and turn off at dawn.
- 20 119. The applicant shall illuminate all loading dock areas, truck well areas, and delivery areas
21 with a minimum of 2.0 foot-candles (at surface level) of light during the hours of
22 darkness. Lighting shall be designed/constructed in such a manner as to automatically
23 turn on at dusk and turn off at dawn.
- 24 120. The applicant shall design/construct all lighting fixtures and luminaries, including
25 supports, poles and brackets, in such a manner as to resist vandalism and/or destruction
26 by hand.
- 27 121. The applicant shall provide an illuminated channel letter address prominently placed on
28 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.
122. 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.

1 123. 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 to facilitate the entry of safety
3 personnel. The Knox boxes shall be installed in such a manner as to be alarmed, resist
4 vandalism, removal, or destruction by hand, and be fully recessed into the building. The
5 Knox boxes shall be equipped with the appropriate keys, for each required location,
prior to the first day of business. The Knox-Box placement shall be shown on the formal
building plan review submittal prior to the issuance of a building permit.

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

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

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

17 127. Prior to issuance of a Certificate of Occupancy, the Lessor of the property shall pay a
18 business license tax based on the Rental Income Property tax rate.

19 **SECTION 5.** The Mayor shall sign as to the passage and adoption of this resolution and
20 thereupon the same shall take effect and be in force.

21 **PASSED, APPROVED AND ADOPTED** this 15th day of November, 2022.

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25 _____
DEBORAH ROBERTSON, MAYOR

1 **ATTEST:**

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5 BARBARA MCGEE, CITY CLERK

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7 **APPROVED AS TO FORM:**

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10 ERIC S. VAIL, CITY ATTORNEY

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

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I, BARBARA MCGEE, City Clerk of the City of Rialto, do hereby certify that the foregoing Resolution No. _____ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the _____ day of _____, 2022.

Upon motion of Councilmember _____, seconded by Councilmember _____, 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 _____ day of _____, 2022.

BARBARA MCGEE, CITY CLERK

Exhibit "A"

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