

RESOLUTION NO. 19-55

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA APPROVING A TENTATIVE PARCEL MAP TO ALLOW THE SUBDIVISION OF ONE (1) 5.13 ACRE PARCEL OF LAND (APN: 1133-191-01) LOCATED ON THE SOUTH SIDE OF CASMALIA STREET BETWEEN LAUREL AVENUE AND LOCUST AVENUE WITHIN THE FREEWAY INCUBATOR (FI) ZONE OF THE RENAISSANCE SPECIFIC PLAN INTO THREE (3) NEW PARCELS OF LAND – PARCEL 1 (2.00 ACRES), PARCEL 2 (1.43 ACRES), AND PARCEL 3 (1.70 ACRES) – TO FACILITATE THE DEVELOPMENT OF ONE (1) 34,015 SQUARE FOOT INDUSTRIAL WAREHOUSE BUILDING, ONE (1) 24,337 SQUARE FOOT INDUSTRIAL WAREHOUSE BUILDING, AND ONE (1) 28,837 SQUARE FOOT INDUSTRIAL WAREHOUSE BUILDING THEREON.

WHEREAS, the applicant, Renaissance Commerce Center, LLC, proposes to subdivide one 5.13-acre parcel of land (APN: 1133-191-01) located on the south side of Casmalia Street between Laurel Avenue and Locust Avenue within the Freeway Incubator (FI) zone of the Renaissance Specific Plan (“Site”) into three (3) new parcels of land – Parcel 1 (2.00 acres), Parcel 2 (1.43 acres), and Parcel 3 (1.70 acres) (“Project”); and

WHEREAS, the Project will facilitate the development of one (1) 34,015 square foot industrial warehouse building, one (1) 24,337 square foot industrial warehouse building, and one (1) 28,837 square foot industrial warehouse building on each of the three new parcels; and

WHEREAS, the Project within the Freeway Incubator (FI) zone requires the approval of a tentative parcel map, and the Applicant has agreed to apply for a TPM No. 2018-0009, also referred to as Tentative Parcel Map No. 20074, (“TPM No. 20074”), in accordance with Government Code Sections 66473.5 and 66474; and

WHEREAS, as part of the Project, the applicant has also submitted Conditional Development Permit No. 2018-0047 to allow up to a four (4) percent increase in the maximum floor area ratio, from 0.35 to 0.39, through the implementation of two non-residential development incentives ((i) reciprocal driveway access and (ii) pedestrian building orientation), as it relates to the Project (“CDP No. 2018-0047”); and

1 WHEREAS, on October 30, 2019, the Planning Commission of the City of Rialto
2 conducted a duly noticed public hearing, as required by law, on TPM No. 20074, took testimony,
3 at which time it received input from staff, the city attorney, and the applicant; heard public
4 testimony; discussed the proposed TPM No. 20074; and closed the public hearing; and

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

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

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

10 SECTION 2. Based on substantial evidence presented to the Planning Commission during
11 the public hearing conducted with regard to TPM No. 20074, including written staff reports, verbal
12 testimony, site plan, other documents, and the conditions of approval stated herein, the Planning
13 Commission hereby determines that TPM No. 20074 satisfies the requirements of Government
14 Code Sections 66473.5 and 66474 pertaining to the findings which must be made precedent to
15 approving a tentative map. The findings are as follows:

- 16 1. That the proposed Tentative Parcel Map is consistent with the General Plan of the
17 City of Rialto and the Freeway Incubator (FI) zone of the Renaissance Specific Plan;
18 and

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

20 The Site has a General Plan designation of Specific Plan with a Specific Plan Overlay, and a
21 zoning designation of Freeway Incubator (FI) within the Renaissance Specific Plan. The
22 Project will subdivide the Site into three (3) new parcels of land – Parcel 1 (2.00 acres),
23 Parcel 2 (1.43 acres), and Parcel 3 (1.70 acres) – to facilitate the development of three (3)
24 new industrial warehouse buildings. Per Table 3-5 (Development Standards), of the
Renaissance Specific Plan, the required minimum parcel size within the Freeway Incubator
(FI) zone is twenty-two thousand five hundred (22,500) square feet. The proposed parcels
greatly exceed the required minimum size.

2. That the design and improvements of the proposed tentative parcel map are
consistent with the Subdivision Ordinance, the General Plan of the City of Rialto,
and the Freeway Incubator (FI) zone of the Renaissance Specific Plan.

This finding is supported by the following facts:

1 The Project will comply with all technical standards required by Subdivision Map Act, the
2 General Plan of the City of Rialto, and the FI zone of the Renaissance Specific Plan. The
3 proposed parcels exceed the minimum lot dimensions as required by the FI zone of the
4 Renaissance Specific Plan.

5
6 3. That the site is physically suitable for the type of proposed development; and

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

8 The Site is a relatively flat piece of land and development of the land should be easily
9 accommodated. The Applicant will be required to submit a grading plan and
10 geotechnical/soils report to the Public Works Department for review and approval prior to
11 issuance of any building permits.

12 4. That the site is physically suitable for the proposed density of the development; and

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

14 The Project will subdivide the Site into three (3) new parcels of land – Parcel 1 (2.00 acres),
15 Parcel 2 (1.43 acres), and Parcel 3 (1.70 acres) – to facilitate the construction of one (1)
16 34,015 square foot industrial warehouse building, one (1) 24,337 square foot industrial
17 warehouse building, and one (1) 28,837 square foot industrial warehouse building. Per
18 Section 3 (Development Criteria), Table 3-5 of the Renaissance Specific Plan the maximum
19 allowable Floor Area Ratio (FAR) for a project site less than 5.0 acres in size within the FI
20 zone is 35.0 percent. The FAR for the proposed development is 39.0 percent, which
21 exceeds the maximum allowable by 4.0 percent.

22 However, page 3-45 of Section 3 (Development Criteria) of the Renaissance Specific Plan
23 contains provisions for incentives, or development standard bonuses, in exchange for
24 desired development features. The incentives may provide an FAR bonus, setback
reduction, parking reduction, etc., and may be awarded through a Conditional Development
Permit on a case-by-case basis. As written, the Renaissance Specific Plan indicates that the
City may only award two (2) incentives per project, and that the same incentive may not be
awarded twice for the same project. However, the Renaissance Specific Plan gives the City
the discretion to work with a developer and allow the use of the same incentive without
limit. Thus the applicant has applied for Conditional Development Permit No. 2018-0047 to
incorporate two (2) development features into the development to obtain the desired FAR.
The following is a list of each proposed development feature and a discussion of each:

1. **Reciprocal Driveway Access** – Projects that consolidate and combine driveway
access to minimize conflicts with traffic are eligible to receive an increase of 2.0
percent in the floor area. The applicant proposes to provide a shared driveway
between Parcel 1 and Parcel 2 and will record a reciprocal driveway easement. As a
result, the project will receive a 2.0 FAR bonus.
2. **Pedestrian Building Orientation** – Projects that orient the main entrance of the
building toward the public sidewalk are eligible to receive an increase of 2.0 percent
in the floor area ratio. The applicant proposes to orient the main entrances of each

1 building as close as possible to the public sidewalk along Casmalia Street. As a
2 result, the project will receive a 2.0 percent FAR bonus.

3 The addition of the two (2) development features results in an 4.0 percent bonus to the
4 allowable FAR. As such, the maximum allowable FAR for the Project is now 39.0 percent,
5 which equals the proposed FAR.

- 6 5. That the design of the land division is not likely to cause substantial environmental
7 damage or substantially injure fish, wildlife, or their habitat; and

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

9 The Site is completely undeveloped and covered by natural grasses and shrubs. The
10 Initial Study (Environmental Assessment Review No. 2018-0112) and supporting
11 technical studies prepared for the project identified that the Site did not have suitable
12 habitat for any threatened or endangered species.

- 13 6. That the design of the land division is not likely to cause serious public health
14 problems; and

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

16 The Project is consistent with the General Plan and the Freeway Incubator (FI) zone
17 within the Renaissance Specific Plan. Following Planning Commission consideration of
18 the project, the Development Review Committee (DRC) will finalize all Precise Plan of
19 Design development-related condition to ensure that the design of the Project meets the
20 City's Design Guidelines.

21 To the north of the Site, across Casmalia Street, is a pipe manufacturing and storage
22 facility operated by West Coast Spiral Pipe, and to the east, across Locust Avenue, is
23 approximately 2.62 acres of vacant land. To the south is both a San Bernardino County
24 Flood Control Channel and the SR-210 Freeway, and to the west, across Laurel Avenue,
is approximately 2.74 acres of vacant land. The proposed development pertaining to the
land consolidation is consistent with the FI zoning designation. The project is not
expected to negatively impact any uses with the successful implementation of mitigation
measures. Measures, such as landscape buffering and the installation of solid screen
walls, will be implemented as a part of the Project to prevent any negative impacts to the
nearby land uses. Furthermore, construction impacts on the site will be limited through
the strict enforcement of the allowable construction hours listed in Section 9.50.070 of
the Rialto Municipal Code, as well as enforcement of regular watering of the site to limit
airborne dust and other particulate matter. As a result, the Project is not likely to cause
any public health problems.

7. That the design of the land division or proposed improvements will not conflict with
easements, acquired by the public at large, for access through or use of, property
within the proposed land division.

This finding is supported by the following facts:

1 Prior to the completion of the Project, the Final Map, the required street dedication, and the
2 required landscape easements will be recorded and approved by the Public Works
3 Department. Additionally, all required site adjacent improvements will be reviewed and
4 approved by the Public Works Department and will be constructed prior to the issuance of
5 the Certificate of Occupancy.

6 SECTION 3. An Initial Study (Environmental Assessment Review No. 2018-0112) has
7 been prepared for the Project in accordance with the California Environmental Quality Act (CEQA).
8 Based on the findings and recommended mitigation with the Initial Study, staff determined that the
9 project will not have an adverse impact on the environment, provided that mitigation measures are
10 implemented, and a Mitigated Negative Declaration was prepared. The local newspaper published a
11 copy of the Notice of Intent to adopt the Mitigated Negative Declaration for the project, and the City
12 mailed the notice to all property owners within 300 feet of the project site for a public comment
13 period held from September 20, 2019 to October 9, 2019. The Mitigated Negative Declaration was
14 prepared in accordance with CEQA. The Planning Commission hereby adopts the Mitigated
15 Negative Declaration and direct the Planning Division to file the necessary documentation with the
16 Clerk of the Board of Supervisors for San Bernardino County.

17 SECTION 4. The Planning Commission hereby approves TPM No. 20074 to allow the
18 subdivision of one (1) 5.13-acre parcel of land (APN: 1133-191-01) located on the south side of
19 Casmalia Street between Laurel Avenue and Locust Avenue within the Freeway Incubator (FI) zone
20 of the Renaissance Specific Plan into three (3) new parcels of land – Parcel 1 (2.00 acres), Parcel 2
21 (1.43 acres), and Parcel 3 (1.70 acres), in accordance with the plans and application on file with the
22 Planning Division, subject to the following conditions:

- 23 1. TPM No. 20074 is approved allowing the subdivision of one (1) 5.13-acre parcel of
24 land (APN: 1133-191-01) located on the south side of Casmalia Street between
Laurel Avenue and Locust Avenue within the Freeway Incubator (FI) zone of the
Renaissance Specific Plan into three (3) new parcels of land – Parcel 1 (2.00 acres),
Parcel 2 (1.43 acres), and Parcel 3 (1.70 acres) – for the purpose of developing one
(1) 34,015 square foot industrial warehouse building, one (1) 24,337 square foot
industrial warehouse building, and one (1) 28,837 square foot industrial warehouse
building, as shown on the tentative map submitted to the Planning Division on
November 29, 2018, and as approved by the Planning Commission. If the Conditions
of Approval specified herein are not satisfied or otherwise completed within the
required time, the Project shall be subject to revocation.

2. Prior to to the issuance of building or grading permits for the proposed development, a Precise Plan of Design shall be approved by the City's Development Review Committee (DRC).
3. 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.
4. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul any approval of the City, its advisory agencies, appeal boards, or legislative body concerning TPM No. 20074. The City will promptly notify the applicant of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
5. 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.
6. The applicant shall complete and abide by all mitigation measures contained within the Mitigation Monitoring and Reporting Program associated with Environmental Assessment Review No. 2018-0112 prior to issuance of any Certificate of Occupancy.
7. The applicant shall secure the services of a tribal cultural monitor to be present during all ground disturbance activities associated with the construction of this project. The tribal cultural monitor shall be approved by the Gabrieleño Band of Mission Indians-Kizh Nation, and documentation of coordination between the applicant and the Gabrieleño Band of Mission Indians-Kizh Nation on this matter shall be provided to the Planning Division prior to the issuance of a grading permit.
8. 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, as applicable.
9. All conditions of approval for TPM No. 20074 shall be completed to the satisfaction of the City Engineer prior to the issuance of a Certificate of Occupancy.
10. The applicant shall apply for annexation of the underlying property into City of Rialto Landscape and Lighting Maintenance District No. 2 ("LLMD 2"). An application fee of \$5,000 shall be paid at the time of application. Annexation into LLMD 2 is a condition of acceptance of any new median, parkway, and/or easement landscaping, or any new public street lighting improvements, to be maintained by the City of Rialto.
11. The applicant shall submit off-site landscaping and irrigation system improvement plans 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, including the median portion, 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 or within a raised median to avoid burdensome traffic control set-up during ongoing maintenance.

12. 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.
13. 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.
14. All new street lights shall be installed on an independently metered, City-owned underground electrical system. The developer shall be responsible for applying with Southern California Edison ("SCE") for all appropriate service points and electrical meters. 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.
15. 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 approval of Parcel Map No. 20074.
16. The applicant shall submit street light 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 approval of Parcel Map No. 20074.
17. The applicant shall submit sewer 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 approval of Parcel Map No. 20074.
18. 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 approval of Parcel Map No. 20074.
19. 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

1 purposes. The plans shall be approved by West Valley Water District, the water
2 purveyor, prior to the approval of Parcel Map No. 20074.

- 3 20. The applicant shall submit a Precise Grading/Paving Plan prepared by a California
4 registered civil engineer to the Public Works Engineering Division for review and
5 approval. The Grading Plan shall be approved by the City Engineer prior to approval of
6 Tract Map No. 20074 and prior to the issuance of any building permit.
- 7 21. The applicant shall submit a Geotechnical/Soils Report, prepared by a California
8 registered Geotechnical Engineer, for and incorporated as an integral part of the grading
9 plan for the proposed development. A copy of the Geotechnical/Soils Report shall be
10 submitted to the Public Works Engineering Division with the first submittal of the
11 Precise Grading Plan.
- 12 22. The applicant shall provide pad elevation certifications for all building pads in
13 conformance with the approved Precise Grading Plan, to the Engineering Division prior
14 to construction of any building foundation.
- 15 23. The public and street improvements outlined in these conditions of approval are
16 intended to convey to the developer an accurate scope of required improvements,
17 however, the City Engineer reserves the right to require reasonable additional
18 improvements as may be determined in the course of the review and approval of street
19 improvement plans required by these conditions.
- 20 24. The applicant shall construct asphalt concrete paving for streets in two separate lifts.
21 The final lift of asphalt concrete pavement shall be postponed until such time that on-site
22 construction activities are complete. Unless the City Engineer provide prior
23 authorization, paving of streets in one lift prior to completion of on-site construction is
24 not allowed. If City Engineer authorized, completion of asphalt concrete paving for
streets prior to completion of on-site construction activities, requires additional paving
requirements prior to acceptance of the street improvements, including, but not limited
to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry
seal, or other repairs.
- 25 25. 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.
- 26 26. The applicant shall backfill and/or repair any and all utility trenches or other excavations
within existing asphalt concrete pavement of off-site streets resulting from the proposed
development, in accordance with City of Rialto Standard Drawings. The applicant shall
be responsible for removing, grinding, paving and/or overlaying existing asphalt
concrete pavement of off-site streets including pavement repairs in addition to pavement
repairs made by utility companies for utilities installed for the benefit of the proposed

development (i.e. Fontana Water Company, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets resulting from the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than what existed prior to construction of the proposed development.

27. The applicant shall install underground all existing electrical distribution lines of sixteen thousand volts or less and overhead service drop conductors, and all telephone, television cable service, and similar service wires or lines, which are on-site, abutting, and/or transecting the site, in accordance with Chapter 15.32 of the Rialto Municipal Code. Utility undergrounding shall extend to the nearest off-site power pole. Unless City Engineer approved, no new power poles shall be installed. A letter from the owners of the affected utilities shall be submitted to the City Engineer prior to approval of the Precise Grading/Paving Plan, informing the City that they have been notified of the City's utility undergrounding requirement and their intent to commence design of utility undergrounding plans. When available, the utility undergrounding plan shall be submitted to the City Engineer identifying all above ground facilities in the area of the project to be undergrounded.
28. The applicant shall replace all damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development prior to the issuance of a Certificate of Occupancy.
29. The applicant shall provide construction signage, lighting and barricading 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.
30. 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.
31. The applicant shall construct and include in the project design any and all improvements recommended by the Transportation Commission on September 4, 2019.
32. The applicant shall construct 4-inch conduit within the parkway area along the entire project frontage of Casmalia Street, Laurel Avenue, and Locust Avenue for future use.
33. The applicant shall dedicate additional right-of-way along the entire frontage of Casmalia Street, as necessary, to provide the ultimate half-width of 50 feet, as required by the City Engineer.

34. The applicant shall dedicate a 10 foot wide landscape easement along the entire project frontage of Casmalia Street in accordance with Figure 3-8 of the Renaissance Specific Plan, and as required by the City Engineer.
35. The applicant shall dedicate additional right-of-way along the entire frontage of Locust Avenue, as necessary to provide the ultimate half-width of 42 feet, as required by the City Engineer.
36. The applicant shall dedicate an 8 foot wide landscape easement along the entire project frontage of Locust Avenue in accordance with Figure 3-9a of the Renaissance Specific Plan, and as required by the City Engineer.
37. The applicant shall dedicate additional right-of-way along the entire frontage of Laurel Avenue, as necessary, to provide half-width of a cul-de-sac bulb, as required by the City Engineer.
38. The applicant shall dedicate a property line corner cutback at the southeast corner of the intersection of Casmalia Street and Laurel Avenue, in accordance with City Standard SC-235, as required by the City Engineer.
39. The applicant shall dedicate a property line corner cutback at the southwest corner of the intersection of Casmalia Street and Locust Avenue, in accordance with City Standard SC-235, as required by the City Engineer.
40. The applicant shall construct two (2) new commercial driveway approaches on Casmalia Street and one (1) new commercial driveway approach on Laurel Avenue, in accordance with City of Rialto Standard Drawings, or as otherwise approved by the City Engineer. The driveway approach shall be constructed so the top of "X" is 5 feet from the property line, or as otherwise approved by the City Engineer. Nothing shall be constructed or planted in the corner cut-off area which does exceed or will exceed 30 inches in height in order to maintain an appropriate corner sight distance, as required by the City Engineer.
41. The applicant shall construct an 8-inch curb and gutter, located at 36 feet south of the centerline along the entire frontage of Casmalia Street in accordance with City of Rialto Standard Drawings, as required by the City Engineer.
42. The applicant shall construct an 8-inch curb and gutter, located at 32 feet west of centerline along the entire frontage of Locust Avenue in accordance with City of Rialto Standard Drawings, as required by the City Engineer.
43. The applicant shall construct an 8-inch curb and gutter, located along the entire frontage of Laurel Avenue in accordance with City of Rialto Standard Drawings, as required by the City Engineer.
44. The applicant shall construct a 6 foot wide sidewalk located 8 feet behind the edge of the curb along the entire project frontage of Casmalia Street in accordance with City of Rialto Standard Drawings.

- 1 45. The applicant shall construct a 5 foot wide sidewalk located adjacent to the curb along
2 the entire frontage of Locust Avenue in accordance with City of Rialto Standard
Drawings.
- 3 46. The applicant shall construct a 6 foot wide sidewalk located 6 feet behind the edge of the
4 curb along the entire project frontage of Laurel Avenue in accordance with City of
Rialto Standard Drawings.
- 5 47. The applicant shall construct a curb ramp meeting current California State Accessibility
6 standards at the southeast corner of the intersection of Casmalia Street and Laurel
Avenue, in accordance with the City of Rialto Standard Drawings.
- 7 48. The applicant shall construct a curb ramp meeting current California State Accessibility
8 standards at the southeast corner of the intersection of Casmalia Street and Locust
Avenue, in accordance with the City of Rialto Standard Drawings.
- 9 49. The applicant shall construct a curb ramp meeting current California State
10 Accessibility standards along both sides of each commercial driveway approach. The
11 developer shall ensure that an appropriate path of travel, meeting ADA guidelines, is
12 provided across each 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.
- 13 50. The applicant shall construct a new underground electrical system for public street
14 lighting improvements along the project frontages of Casmalia Street, Laurel Avenue,
15 and Locust Avenue, as determined necessary by the City Engineer. New marbelite
street light poles with LED light fixtures shall be installed in accordance with City of
Rialto Standard Drawings.
- 16 51. The applicant shall remove existing pavement and construct new pavement with a
17 minimum pavement section of 4 inches asphalt concrete pavement over 6 inches crushed
18 aggregate base with a minimum subgrade of 24 inches at 95% relative compaction, or
19 equal, along the entire frontages of Casmalia Street and Locust Avenue in accordance
20 with City of Rialto Standard Drawings, as determined to be necessary by the City
Engineer. 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.
- 21 52. The development of the site is subject to the requirements of the National Pollution
22 Discharge Elimination System (NPDES) Permit for the City of Rialto, under the Santa
Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant
23 to the NPDES Permit, the applicant shall ensure development of the site incorporates
post-construction Best Management Practices ("BMPs") in accordance with the Model
24 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

1 to be incorporated into the final site design, pursuant to a site specific WQMP submitted
2 to the City Engineer for review and approval.

3 53. The applicant shall connect the project to the City of Rialto sewer system and apply for a
4 sewer connection account with Rialto Water Services.

5 54. The applicant shall provide certification from Rialto Water Services that demonstrates
6 that all water and/or wastewater service accounts for the project are documented, prior to
7 the issuance of a Certificate of Occupancy or final inspection approval from the Public
8 Works Engineering Division.

9 55. The applicant shall submit a Water Quality Management Plan identifying site specific
10 Best Management Practices ("BMPs") in accordance with the Model Water Quality
11 Management Plan ("WQMP") approved for use for the Santa Ana River Watershed.
12 The site specific WQMP shall be submitted to the City Engineer for review and
13 approval with the Grading Plan. A WQMP Maintenance Agreement shall be required,
14 obligating the property owner(s) to appropriate operation and maintenance obligations
15 of on-site BMPs constructed pursuant to the approved WQMP. The WQMP and
16 Maintenance Agreement shall be approved prior to the issuance of any building permit
17 and shall be recorded at the San Bernardino County Recorder's Office prior to the
18 issuance of a Certificate of Occupancy.

19 56. A applicant shall prepare a Notice of Intent (NOI) to comply with the California General
20 Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified
21 September 2, 2009) is required via the California Regional Water Quality Control Board
22 online SMARTS system. A copy of the executed letter issuing a Waste Discharge
23 Identification (WDID) number shall be provided to the City Engineer prior to issuance
24 of a grading or building permit. The applicant's contractor shall prepare and maintain a
Storm Water Pollution Prevention Plan ("SWPPP") as required by the General
Construction Permit. All appropriate measures to prevent erosion and water pollution
during construction shall be implemented as required by the SWPPP.

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

58. All stormwater runoff passing through the site shall be accepted and conveyed across the
property in a manner acceptable to the City Engineer. For all stormwater runoff falling
on the site, on-site retention or other facilities approved by the City Engineer shall be
required to contain the increased stormwater runoff generated by the development of the
property. Provide a hydrology study to determine the volume of increased stormwater
runoff due to development of the site, and to determine required stormwater runoff
mitigation measures for the proposed development. Final retention basin sizing and
other stormwater runoff mitigation measures shall be determined upon review and
approval of the hydrology study by the City Engineer and may require redesign or
changes to site configuration or layout consistent with the findings of the final hydrology
study. The volume of increased stormwater runoff to retain on-site shall be determined

1 by comparing the existing “pre-developed” condition and proposed “developed”
2 condition, using the 100-year frequency storm.

3 59. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to
4 the adjacent public streets. Provisions for the interception of nuisance water from
5 entering adjacent public streets from the project site shall be provided through the use of
6 a minor storm drain system that collects and conveys nuisance water to landscape or
7 parkway areas, and in only a stormwater runoff condition, pass runoff directly to the
8 streets through parkway or under sidewalk drains. All on-site and off-site designs must
9 comply with NPDES stormwater regulations.

10 60. Any utility trenches or other excavations within existing asphalt concrete pavement of
11 off-site streets required by the proposed development shall be backfilled and repaired in
12 accordance with City of Rialto Standard Drawings. The Applicant shall be responsible
13 for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of
14 off-site streets as required by and at the discretion of the City Engineer, including
15 additional pavement repairs to pavement repairs made by utility companies for utilities
16 installed for the benefit of the proposed development (i.e. West Valley Water District,
17 Southern California Edison, Southern California Gas Company, Spectrum, Verizon,
18 etc.). Multiple excavations, trenches, and other street cuts within existing asphalt
19 concrete pavement of off-site streets required by the proposed development may require
20 complete grinding and asphalt concrete overlay of the affected off-site streets, at the
21 discretion of the City Engineer. The pavement condition of the existing off-site streets
22 shall be returned to a condition equal to or better than existed prior to construction of the
23 proposed development.

24 61. 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.

62. The applicant shall adhere to the City Council approved franchise agreements and
disposal requirements during all construction activities, in accordance with Section 8.08
(Refuse Collection of the City of Rialto Municipal Code).

63. Prior to commencing with any grading, the applicant shall implement the required
erosion and dust control measures shall be in place. In addition, the following shall be
included if not already identified:

- a. 6 foot high tan colored perimeter screened fencing
- b. Contractor information signage including contact information along the street
frontage of Foothill Boulevard, Spruce Avenue, Larch Avenue, and Grove
Avenue.
- c. Post dust control signage with the following verbiage: “Project Name, WDID
No., IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME
(XXX) XXX-XXX, If you do not receive a response, please call the AQMD at
1-800-CUT-SMOG/1-800-228-7664”

- 1 64. The applicant shall remove any graffiti within 24 hours, before, during, and post
2 construction.
- 3 65. The applicant shall replace all damaged, destroyed, or modified pavement legends,
4 traffic control devices, signing, striping, and street lights, associated with the proposed
5 development shall be replaced as required by the City Engineer prior to issuance of a
6 Certificate of Occupancy.
- 7 66. The applicant shall provide construction signage, lighting and barricading shall be
8 provided during all phases of construction as required by City Standards or as directed
9 by the City Engineer. As a minimum, all construction signing, lighting and barricading
10 shall be in accordance with Part 6 "Temporary Traffic Control" of the 2012 California
11 Manual on Uniform Traffic Control Devices, or subsequent editions in force at the time
12 of construction.
- 13 67. The applicant is advised that domestic water service is provided by West Valley
14 Water District. The developer shall be responsible for coordinating with West Valley
15 Water District and complying with all requirements for establishing domestic water
16 service to the property.
- 17 68. The applicant shall submit a final parcel map (Parcel Map No. 20074), prepared by a
18 California registered Land Surveyor or qualified Civil Engineer, to the Public Works
19 Engineering Division for review and approval. A Title Report prepared for
20 subdivision guarantee for the subject property, the traverse closures for the existing
21 parcel and all lots created therefrom, and copies of record documents shall be
22 submitted with Parcel Map No. 20074 to the Public Works Engineering Division as
23 part of the review of the Map. Parcel Map No. 20074 shall be approved by the City
24 Council prior to issuance of any building permits.
69. In accordance with Government Code 66462, all required public improvements shall be
completed prior to the approval of a final map (Parcel Map No. 20074). Alternatively,
the applicant may enter into a Subdivision Improvement Agreement to secure the cost of
all required public improvements at the time of requesting the City Engineer's approval
of Parcel Map No. 20074. If a Subdivision Improvement Agreement is requested by the
applicant, a fee of \$2,000 shall be paid for preparation and processing of the Subdivision
Improvement Agreement. The applicant will be required to secure the Subdivision
Improvement Agreement pursuant to Government Code 66499 in amounts determined
by the City Engineer.
70. The applicant shall comply with all other applicable State and local ordinances.
71. Pursuant to Section 17.16.050A of the Rialto Municipal Code, approval of TPM No.
20074 is granted for a period of twenty-four (24) months from the effective date of
this resolution. Pursuant to Section 17.16.050C of the Rialto Municipal Code, an
extension of time for TPM No. 20074 may be granted by the Planning Commission
for a period or periods not to exceed a total of thirty-six (36) months. The period or
periods of extension shall be in addition to the original twenty-four (24) months. An
application shall be filed with the Planning Division for each extension together with
the required fee prior to the expiration date of TPM No. 20074.

1 72. Applicant shall also comply with all applicable conditions of approval of CDP No.
2 2018-0047, to the extent they are not in conflict with any condition listed herein,. If
3 any inconsistency or conflict arises, the conditions herein shall control.

4 SECTION 6. The Chair of the Planning Commission shall sign the passage and adoption of
5 this resolution and thereupon the same shall take effect and be in force.

6 PASSED, APPROVED AND ADOPTED this 30th day of October, 2019.

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9 JOHN PEUKERT, CHAIR
10 CITY OF RIALTO PLANNING COMMISSION
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
4

5 I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that
6 the foregoing Resolution No. **19-55** was duly passed and adopted at a regular meeting of the
7 Planning Commission of the City of Rialto held on the 30th day of October 2019.

8 Upon motion of Planning Commissioner Al Twine, second by Commissioner Dale
9 Estvander the foregoing Resolution No. **19-55** was duly passed and adopted.

10
11 Vote on the motion:

12 AYES: 6

13 NOES: 1

14 ABSENT:

15 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
16 Rialto this 30th day of October 2019.

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Adrianna Martinez, Administrative Assistant
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