



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

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

5 SECTION 2. Based on substantial evidence presented to the Planning Commission during  
6 the public hearing conducted with regard to PPD No. 2021-0002, including written staff reports,  
7 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the  
8 Planning Commission hereby determines that PPD No. 2021-0002 satisfies the requirements of  
9 Section 18.65.020E of the Rialto Municipal Code pertaining to the findings which must be made  
10 precedent to approving a Precise Plan of Design application. The findings are as follows:

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

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

14 The Project, as conditioned herein, will comply with all City ordinances and regulations,  
15 including those within the Renaissance Specific Plan. The Site has a General Plan land use  
16 designation of Specific Plan with a Specific Plan Overlay and is within the Freeway  
17 Incubator (FI) land use district of the Renaissance Specific Plan. Those designations are  
18 intended to accommodate the development and operation of a restaurant with drive-through  
19 facilities with approval of a Conditional Development Permit, which have been filed in  
20 conjunction with the Project. Additionally, the Project meets all of the required  
21 development standards of the FI land use district including, but not limited to, required  
22 building setbacks, parking, landscaping, building height, floor area ratio, etc.

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

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

25 The Project is consistent with the FI land use district of the Renaissance Specific Plan and  
26 the surrounding uses. The project site is bound by Casmalia Street on the north and Ayala  
27 Drive on the west. To the north, across Casmalia Street, is an existing residential tract  
28 development, and to the west, across Ayala Drive, is a recently constructed fuel station.  
To the south is vacant land and a San Bernardino County Flood Control Channel, and to  
the east is approximately 1.56 acres of vacant land. The nearby areas to the east and west

1 are predominantly designated for and developed with commercial and industrial uses, and  
2 area to the north is zoned for residential land use. The project is designed with features  
3 and measures, such as enhanced landscape buffering that incorporate berms along the  
4 frontage setback, hedge continuous hedges adjacent to drive-thru lane and parking areas  
5 and shielding on light standard will be implemented/maintained. Additionally, the project  
6 has been reviewed by the City staff for compliance with all health, safety, and design  
7 requirements to ensure the project will significantly enhance the infrastructure and  
8 aesthetics of the local community.

- 9
- 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 is anticipated to be a benefit to the community creating a more diverse  
15 economic base for the community by providing additional choices for food at a convenient  
16 location. The Project will improve an under-utilized non-conforming use property with  
17 desirable improvements that will aesthetically enhance the appearance of the community  
18 and visitors exiting the SR-210 Freeway at Ayala Drive. The implementation of the Project's  
19 Conditions of Approval will ensure that there is no interference with neighboring property  
20 rights, or any endanger to the peace, health, safety or welfare of the general public.

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

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

24 The Project uses are consistent with the FI land use district of the Renaissance Specific Plan.  
25 The design of the Project will ensure a continuation of the public improvements and aesthetics  
26 present in the surrounding area. The City staff have reviewed the design of the Project to  
27 ensure compliance with all health, safety, and design requirements to ensure the Project will  
28 enhance the infrastructure and aesthetics of the local community.

SECTION 3. CDM Inc. is hereby granted PPD No. 2021-0002 to allow the development of a  
2,400 square foot fast-food drive-through restaurant building with and associated paving, fencing,  
lighting, landscaping, and drainage improvements ("Project") on 1.2 acres of land (APN: 1133-591-  
07) located at the southeast corner of Ayala Drive and Casmalia Street within the Freeway Incubator  
(FI) land use district of the Renaissance Specific Plan ("Site"); and

SECTION 4. The Project is categorically exempt from the requirements of the California  
Environmental Quality Act (CEQA), pursuant to Section 15303, New construction or conversion of

1 small Structures. The Planning Commission directs the Planning Division to file the necessary  
2 documentation with the Clerk of the Board of Supervisors for San Bernardino County (Environmental  
3 Assessment Review No. 2021-0057) for the Project.

4 SECTION 4. PPD No. 2021-0002 is granted to CDM Inc., in accordance with the plans and  
5 application on file with the Planning Division, subject to the following conditions:

- 6  
7 1. The applicant is granted PPD No. 2021-0002 allowing the development of a 2,400 square  
8 foot fast-food restaurant building with drive-thru service and associated paving, fencing,  
9 lighting, landscaping, and drainage improvements on 0.64 acres of land (APN: 1133-591-  
10 07) located at the southeast corner of Ayala Drive and Casmalia Street within the Freeway  
11 Incubator (FI) land use district of the Renaissance Specific Plan, as shown on the plans  
12 attached as “Exhibit A” and as approved by the Planning Commission, subject to the  
13 Conditions of Approval contained herein.
- 14 2. The approval of PPD No. 2021-0002 is granted for a two (2) year period from the date of  
15 approval. Approval of PPD No. 2021-0002 will not become effective until the applicant  
16 has signed a Statement of Acceptance acknowledging awareness and acceptance of the  
17 required Conditions of Approval contained herein. Any request for an extension shall be  
18 reviewed by the Community Development Director and shall be based on the progress  
19 that has taken place toward the development of the Project.
- 20 3. The development associated with PPD No. 2021-0002 shall comply with all Conditions  
21 of Approval contained within CDP No. 2021-0002.
- 22 4. The development associated with PPD No. 2021-0002 shall comply with all applicable  
23 sections of the Renaissance Specific Plan, the Rialto Municipal Code, and all other  
24 applicable State and local laws and ordinances.
- 25 5. If there are circulation impacts as a result of vehicles stacking or queuing in the main drive  
26 aisles of the Site, the applicant shall implement measures to address and eliminate the  
27 impacts, if requested by the Community Development Director.
- 28 6. City inspectors shall have access to the site to reasonably inspect the site during normal  
working hours to assure compliance with these conditions and other codes.
7. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,  
and/or any of its officials, officers, employees, agents, departments, agencies, and  
instrumentalities thereof (collectively, the “City Parties”), from any and all claims,  
demands, law suits, writs of mandamus, and other actions and proceedings (whether  
legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative  
dispute resolutions procedures (including, but not limited to arbitrations, mediations,  
and other such procedures), (collectively “Actions”), brought against the City, and/or

1 any of its officials, officers, employees, agents, departments, agencies, and  
2 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or  
3 annul, the any action of, or any permit or approval issued by, the City and/or any of its  
4 officials, officers, employees, agents, departments, agencies, and instrumentalities  
5 thereof (including actions approved by the voters of the City), for or concerning the  
6 Project (collectively, the “Entitlements”), whether such Actions are brought under the  
7 California Environmental Quality Act, the Planning and Zoning Law, the Subdivision  
8 Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public  
9 Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation,  
10 or any decision of a court of competent jurisdiction. This condition to indemnify,  
11 protect, defend, and hold the City harmless shall include, but not be limited to (i)  
12 damages, fees and/or costs awarded against the City, if any, and (ii) cost of suit,  
13 attorneys’ fees and other costs, liabilities and expenses incurred in connection with  
14 such proceeding whether incurred by applicant, Property owner, or the City and/or  
15 other parties initiating or bringing such proceeding (collectively, subparts (i) and (ii)  
16 are the “Damages”). Notwithstanding anything to the contrary contained herein, the  
17 Applicant shall not be liable to the City Parties under this indemnity to the extent the  
18 Damages incurred by any of the City Parties in such Action(s) are a result of the City  
19 Parties’ fraud, intentional misconduct or gross negligence in connection with issuing  
20 the Entitlements.

- 21 8. In accordance with the provisions of Government Code Section 66020(d)(1), the  
22 imposition of fees, dedications, reservations, or exactions for this Project, if any, are  
23 subject to protest by the applicant at the time of approval or conditional approval of the  
24 Project or within 90 days after the date of the imposition of the fees, dedications,  
25 reservations, or exactions imposed on the Project.
- 26 9. The applicant shall install a “Community Marker” sign at the southeast corner of the  
27 project site, near the intersection of Ayala Drive and Casmalia Street, in accordance with  
28 Figure 4-1 (Entries and Monuments) of the Renaissance Specific Plan. The “Community  
Marker” sign shall be setback five (5) feet behind the landscape easement along Ayala  
Drive and Casmalia Street. The exact location of the “Community Marker” sign shall be  
identified on the precise grading plan prior to the issuance of a grading permit. The  
applicant shall obtain a building permit from the Building Division for the “Community  
Marker” sign, and construction of the “Community Marker” sign shall pass final  
inspection prior to the issuance of any Certificate of Occupancy.
10. In order to provide enhanced building design in accordance with Section 4 (Design  
Guidelines) of the Renaissance Specific Plan, the applicant shall route all downspouts  
through the interior of all structures. The internal downspouts shall be identified within  
the formal building plan check submittal prior to the issuance of building permits.
11. In order to provide enhanced building design in accordance with Section 4 (Design  
Guidelines) of the Renaissance Specific Plan, the applicant shall construct parapet returns,  
at least five (5) feet in depth from the main wall plane, at all height variations on all four

1 (4) sides of each building. The parapet returns shall be demonstrated on the roof plans  
2 within the formal building plan check submittal prior to the issuance of building permits.

3 12. In order to provide enhanced site design in accordance with Section 4 (Design Guidelines)  
4 of the Renaissance Specific Plan, any required bollards shall be constructed in a decorative  
5 manner. The decorative design shall be consistent with the overall architecture of the  
6 project. The final design of any bollards shall be approved by the Planning Division prior  
7 to the issuance of building permits. An elevation detail for any required bollards shall be  
8 included within the formal building plan check submittal prior to the issuance of building  
9 permits.

10 13. In order to provide enhanced building design in accordance with Section 4 (Design  
11 Guidelines) of the Renaissance Specific Plan, the applicant shall provide internal roof  
12 access only for each building. The internal roof access shall be identified within the  
13 formal building plan check submittal prior to the issuance of building permits.

14 14. In order to provide enhanced building design in accordance with Section 4 (Design  
15 Guidelines) of the Renaissance Specific Plan, the applicant shall incorporate the  
16 mechanical, electrical and utility rooms into the articulated footprint of the building.

17 15. Any new walls, including any retaining walls, shall be comprised of decorative masonry  
18 block. Decorative masonry block means tan-colored slumpstone block, tan-colored split-  
19 face block, or precision block with a stucco, plaster, or cultured stone finish. Pilasters  
20 shall be incorporated within all new walls. The pilasters shall be spaced a maximum of  
21 seventy (70) feet on-center and shall be placed at all corners and ends of the wall. All  
22 pilasters shall protrude a minimum of one (1) block course above the wall and a minimum  
23 of six (6) inches to the side of the wall. All decorative masonry walls and pilasters,  
24 including retaining walls, shall include a decorative masonry cap. All walls and pilasters  
25 shall be identified on the site plan, and an elevation detail for the walls shall be included  
26 in the formal building plan check submittal prior to the issuance of building permits.

27 16. Any new fencing installed on site shall be comprised of tubular steel. Decorative masonry  
28 or decorative concrete pilasters, with a minimum dimension of sixteen (16) inch square,  
shall be incorporated within all new fencing visible from any public right-of-way.  
Decorative masonry block means tan slumpstone block, tan split-face block, or precision  
block with a stucco, plaster, or cultured stone finish. Decorative concrete means painted  
concrete with patterns, reveals, and/or trim lines. The pilasters shall be spaced a maximum  
of seventy (70) feet on-center and shall be placed at all corners and ends of the fencing.  
All decorative masonry pilasters shall include a decorative masonry cap. All fencing and  
pilasters shall be identified on the site plan, and an elevation detail for the fencing and  
pilasters shall be included in the formal building plan check submittal prior to the issuance  
of building permits.

17. Any new fencing along the frontages of Ayala Drive and Casmalia Street shall be installed  
at the rear of the landscape setbacks along those street frontages. This will ensure

1 unobstructed visibility of the Project's landscaping along Ayala Drive and Casmalia  
2 Street.

- 3 18. The exterior of the trash enclosure shall match the color and materials of the buildings on-  
4 site or be comprised of decorative masonry block. Decorative masonry block means tan-  
5 colored slumpstone block, tan-colored split-face block, or precision block with a stucco,  
6 plaster, or cultured stone finish. Additionally, the trash enclosure shall contain solid steel  
7 doors and a flat solid cover. Corrugated metal and chain-link are not acceptable materials  
8 to use as a part of the trash enclosure. An elevation detail for the trash enclosure shall be  
9 provided within formal building plan check submittal prior to the issuance of building  
10 permits.
- 11 19. All light standards, including the base, shall have a maximum height of twenty-five (25)  
12 feet, as measured from the finished surface. Lighting shall be shielded and/or directed  
13 toward the site so as not to produce direct glare or "stray light" onto adjacent properties.  
14 All light standards shall be identified on the site plan and a detail indicating the height  
15 shall be included within the formal building plan check submittal prior to the issuance of  
16 building permits.
- 17 20. The applicant shall submit a formal Landscape Plan Review application to the Planning  
18 Division prior to the issuance of building permits. The submittal shall include three (3)  
19 sets of planting and irrigation plans, a completed Landscape Plan Review application, and  
20 the applicable review fee.
- 21 21. The applicant shall plant one (1) tree every thirty (30) feet on-center within the on-site  
22 landscape setbacks along Ayala Drive and Casmalia Street. All trees within the landscape  
23 setback shall be a minimum of twenty-four (24) inch box in size, upon initial planting.  
24 Thereafter, the trees within the landscape setback shall be permanently irrigated and  
25 maintained by the property owner. At least fifty (50) percent of the trees within the  
26 setback shall consist of evergreen broadleaf trees, while the remaining percentage may  
27 consist of broadleaf deciduous trees and/or palm trees. The trees shall be identified on the  
28 formal Landscape Plan submittal prior to the issuance of a landscape permit.
- 21 22. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public  
22 right-of-way parkway along Ayala Drive. 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 irrigated  
25 and maintained, as required by the Public Works Department. The street tree species  
26 along Ayala Drive shall be the Pistachia Chinensis "Chinese Pistache", Hymenosporum  
27 Flavum "Wedding Tree" and/or the Koelrueteria Bipinnata "Chinese Lantern". The street  
28 trees shall be identified on the formal Landscape Plan submittal prior to the issuance of a  
landscape permit.
- 23 23. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public  
24 right-of-way parkway along Casmalia Street. All trees within the public right-of-way  
25 parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting.

1           Thereafter, the trees within the public right-of-way parkway shall be permanently irrigated  
2           and maintained, as required by the Public Works Department. The street tree species  
3           along Casmalia Street shall be the *Hymenosporum Flavum* “Wedding Tree” and/or the  
4           *Pistachia Chinensis* “Chinese Pistache”. The trees shall be identified on the formal  
5           Landscape Plan submittal prior to the issuance of building permits.

6           24. The applicant shall plant a row of shrubs at the rear of the landscape setbacks along Ayala  
7           Drive and Casmalia Street for the purpose of creating a solid hedge to screen the  
8           headlights of vehicles from within the Site. All of the shrubs shall be a minimum of five  
9           (5) gallons in size upon initial planting, and the shrubs shall be spaced no more than three  
10           (3) feet on-center. Thereafter, the shrubs shall be permanently irrigated and maintained  
11           into a continuous box-shape along the entire length of the landscape setbacks with a height  
12           of no less than three and one-half (3.5) feet above the finished grade. The shrubs shall be  
13           identified on the formal Landscape Plan submittal prior to the issuance of a landscape  
14           permit.

15           25. The applicant shall plant shrubs that surround all ground mounted equipment and utility  
16           boxes, including transformers, fire-department connections, backflow devices, etc. for the  
17           purpose of providing screening of said equipment and utility boxes. All equipment and  
18           utility box screen shrubs shall be a minimum of five (5) gallons in size upon initial  
19           planting, and the shrubs shall be spaced no more than three (3) feet on-center. Thereafter,  
20           the equipment and utility box screen shrubs shall be permanently irrigated and maintained  
21           into a continuous box-shape with a height of no less than three and one-half (3.5) feet  
22           above the finished grade. The shrubs shall be identified on the formal Landscape Plan  
23           submittal prior to the issuance of a landscape permit.

24           26. The applicant shall plant a substantial amount of trees, shrubs, and groundcover  
25           throughout all land on-site and off-site (adjacent to the project site) that is not covered by  
26           structures, walkways, parking areas, and driveways. Trees shall be planted a minimum of  
27           thirty (30) feet on-center, and all shrubs and groundcover shall be planted an average of  
28           three (3) feet on-center or less. All trees shall be minimum of fifteen (15) gallons in size  
29           upon initial planting, unless otherwise specified herein. At least fifty (50) percent of the  
30           trees shall consist of evergreen broadleaf trees, while the remaining percentage may  
31           consist of broadleaf deciduous trees and/or palm trees. All shrubs shall be a minimum of  
32           one (1) gallon in size, unless otherwise specified herein. All planter areas shall receive a  
33           minimum two (2) inch thick layer of brown bark, organic mulch, and/or decorative rock  
34           upon initial planting. Pea gravel and decomposed granite are not acceptable materials to  
35           use within planter areas. All planter areas on-site shall be permanently irrigated and  
36           maintained. The planting and irrigation shall be identified on the formal Landscape Plan  
37           submittal prior to the issuance of a landscape permit.

38           27. All planting and irrigation shall be installed on-site in accordance with the approved  
39           landscape plans and permit prior to the issuance of a Certificate of Occupancy. The  
40           installation of the planting and irrigation shall be certified in writing by the landscape  
41           architect responsible for preparing the landscape plans prior to the issuance of a Certificate  
42           of Occupancy.



- 1
  - 2
  - 3
  - 4
  - 5
  - 6
  - 7
  - 8
  - 9
  - 10
  - 11
  - 12
  - 13
  - 14
  - 15
  - 16
  - 17
  - 18
  - 19
  - 20
  - 21
  - 22
  - 23
  - 24
  - 25
  - 26
  - 27
  - 28
28. The applicant shall install and maintain a trash receptacle on the driver-side of the exit of the drive-thru lane. The trash receptacle shall be installed prior to issuance to the Certificate of Occupancy.
29. The applicant shall install a bicycle rack adjacent to pathway near the restaurant building entrance prior to the issuance of the Certificate of Occupancy.
30. Any tubular steel fencing and/or sliding gates shall be painted black prior to the issuance of a Certificate of Occupancy, unless specified otherwise herein.
31. All non-glass doors shall be painted to match the color of the adjacent wall prior to the issuance of a Certificate of Occupancy.
32. The applicant shall comply with all applicable requirements of the California Fire Code and Chapter 15.28 (Fire Code) of the Rialto Municipal Code.
33. The applicant or General Contractor shall identify each contractor and subcontractor hired to work at the job site on the Contractor Sublist form and return it to the Business License Division with a Business License application and the Business License tax fee based on the Contractors tax rate for each contractor listed on the form.
34. Prior to issuance of a Certificate of Occupancy, a Business License tax shall be paid based on the Retail Merchant Food rate.
35. Prior to issuance of a Certificate of Occupancy, any Lessor of the property shall pay a business license tax based on the Rental Income Property tax rate.
36. At the discretion of the Rialto Police Department, the applicant shall illuminate all walkways, passageways, and locations where pedestrians are likely to travel with a minimum of 1.0-foot candles (at surface level) of light during the hours of darkness. Lighting shall be designed/constructed in such a manner as to automatically turn on at dusk and turn off at dawn.
37. At the discretion of the Rialto Police Department, the applicant shall illuminate all alleyways, driveways, and uncovered parking areas with a minimum of 1.0-foot candles (at surface level) of light during the hours of darkness. Lighting shall be designed/constructed in such a manner as to automatically turn on at dusk and turn off at dawn.
38. The applicant shall design/construct all lighting fixtures and luminaries, including supports, poles and brackets, in such a manner as to resist vandalism and/or destruction by hand.
39. The applicant shall provide and maintain an illuminated channel letter address prominently placed on the drive-through restaurant building to be visible from the front

1 of the location and the rear of the location if facing the public street, prior to the issuance  
2 of a business license for the self-storage facility. Specifications for the illuminated  
3 channel letters are as follows: The illuminated channel letters shall indicate the numerical  
4 address of the Site. The channel letters shall be at least twelve (12) inches tall and at least  
5 four (4) inches deep with a “white” color face.

- 6
- 7 40. The applicant, landlord, and/or operator shall install and maintain exterior security  
8 cameras on the Site that cover the entire extent of the Site, as approved by the Rialto Police  
9 Department. The security cameras shall be accessible to the Rialto Police Department via  
10 the internet through FUSUS hardware and application. The security cameras shall be  
11 installed and operational prior to the issuance of a business license for the self-storage  
12 facility.
- 13 41. The applicant shall install and maintain Knox boxes immediately adjacent to the exterior  
14 of the main entrance to each building and at least one (1) rear/secondary entrance on each  
15 building to facilitate the entry of safety personnel. The Knox boxes shall be installed in  
16 such a manner as to be alarmed, resist vandalism, removal, or destruction by hand, and be  
17 fully recessed into the building. The Knox boxes shall be equipped with the appropriate  
18 keys, for each required location, prior to the first day of business. The Knox-Box  
19 placement shall be shown on the formal building plan review submittal prior to the  
20 issuance of a building permit.
- 21 42. The applicant shall prominently display and maintain the address on the drive-through  
22 restaurant building rooftop to be visible to aerial law enforcement or fire aircraft.  
23 Specifications to be followed for alphanumeric characters are as follows: Three (3) foot  
24 tall and six (6) inches thick alphanumeric characters. The alphanumeric characters shall  
25 be constructed in such a way that they are in stark contrast to the background to which  
26 they are attached (e.g. white numbers and letters on a black background), and resistant  
27 weathering that would cause a degradation of the contrast. The address shall be displayed  
28 on the building rooftop accordingly prior to the issuance of a business license.
43. The applicant shall provide and maintain an audible alarm within each building, including  
at the rear door, prior to the issuance of a business license. 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 device/crash bar).
44. The applicant shall comply with all conditions of approval for PPD No. 2021-0002 to the  
satisfaction of the City Engineer, prior to the issuance of a Certificate of Occupancy.
45. 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 issuance of a building permit.

- 1 46. The applicant shall modify the traffic signal at the southeast corner of Casmalia Street  
2 and Ayala Ave due to the reconstruction of the curb return and curb ramp. All  
3 reconstruction shall meet accessibility requirements.
- 4 47. The developer shall be responsible for coordinating with Omnitrans regarding the  
5 location of existing, proposed, and future bus stops along the property frontage of all  
6 public streets. The developer shall design street and sidewalk improvements in  
7 accordance with the latest Omnitrans bus stop guidelines and in compliance with  
8 current accessibility standards pursuant to the Americans with Disabilities Act (ADA)  
9 requirements. The developer shall design all bus stops to accommodate the Omnitrans  
10 Premium Shelters. Prior to Certificate of Occupancy, the developer shall submit to  
11 Public Works verification from Omnitrans acknowledging concurrence with the  
12 existing, proposed, and future bus stop improvements in conformance with the  
13 Premium Shelter design guidelines. Additionally, bus turnouts are required to  
14 accommodate proposed bus stops in accordance with the City Standards and as  
15 approved by the City Engineer.
- 16 48. The applicant shall submit a Precise Grading/Paving Plan prepared by a California  
17 registered civil engineer to the Public Works Engineering Division for review and  
18 approval. The Grading Plan shall be approved by the City Engineer prior to the issuance  
19 of any building permit.
- 20 49. The applicant shall submit a Geotechnical/Soils Report, prepared by a California  
21 registered Geotechnical Engineer prepared Geotechnical/Soils Report shall be required  
22 for and incorporated as an integral part of the grading/paving plan for the proposed  
23 development. A copy of the Geotechnical/Soils Report shall be submitted to the  
24 Engineering Division with the first submittal of the Precise Grading/Paving Plan.
- 25 50. The applicant shall submit street improvement plans by a registered California civil  
26 engineer to the Public Works Engineering Division for review. The plans shall be  
27 approved by the City Engineer prior to the issuance of building permits.
- 28 51. The applicant shall submit Traffic Striping/Signage plans prepared by a California  
registered Civil Engineer for review and approval by the City Engineer. All required  
traffic striping and signage improvements shall be completed concurrently with required  
street improvements, to the satisfaction of the City Engineer and prior to issuance of a  
Building Permit. Approved traffic striping and signage plans must include required Class  
II thermoplastic Bicycle Facilities as referenced on the San Bernardino County Non-  
Motorized Transportation Plan – June 2018, Figure 5.36, Sheet 5-150.
52. The applicant shall submit off-site landscaping and irrigation system improvement plans  
for review and approval concurrently with street improvement plan submittal to the Public  
Works Department. The median irrigation system, parkway irrigation system, and  
applicable Specific Plan required landscape easement irrigation system shall be separately  
metered from the on-site private irrigation to facilitate separate utility bill payment by the  
City after the required one-year maintenance period via the Landscape and Lighting

1 Maintenance District No. 2. The off-site landscape and irrigation plans must show  
2 separate electrical and water meters to be annexed into LLMD2 via a City Council public  
3 hearing process. Use of existing LLMD2 water meter and electrical pedestal is  
4 encouraged. The Landscape and Irrigation plans shall be approved concurrently with the  
5 Street Improvement plans, including the median portion, applicable easement portion,  
6 and/or parkway portion, prior to issuance of a building permit. The landscaping architect  
7 must contact the City of Rialto Landscape Contract Specialist at (909) 820-2602 to ensure  
8 all landscape and irrigation guidelines are met prior to plan approval. Electrical and water  
9 irrigation meter pedestals must not be designed to be installed at or near street intersections  
10 or within a raised median to avoid burdensome traffic control set-up during ongoing  
11 maintenance. The off-site Landscape and Irrigation plans shall be designed in accordance  
12 with the Public Works Landscape Maintenance District Guidelines

9 53. All median, applicable landscape easement, and parkway landscaping shall be guaranteed  
10 for a period of one year from the date of acceptance by the City Engineer acceptance. Any  
11 landscaping that fails during the one-year landscape maintenance period shall be replaced  
12 with similar plant material to the satisfaction of the City Engineer and shall be subject to  
13 a subsequent one-year landscape maintenance period. The applicant must contact the City  
14 of Rialto Landscape Contract Specialist at (909) 820-2602 to confirm a full twelve (12)  
15 months' time of non-interrupted ongoing maintenance.

14 54. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk  
15 and/or curb shall have City approved deep root barriers installed in accordance with the  
16 Public Works Landscape and Irrigation Guidelines or as approved by the City Engineer.

16 55. At the discretion of the City Engineer, the applicant shall apply for annexation of the  
17 underlying property into City of Rialto Landscape and Lighting Maintenance District No.  
18 2 ("LLMD 2") or enter into a landscape maintenance agreement to be recorded on the  
19 property. An application fee of \$5,000 shall be paid at the time of application. Annexation  
20 into LLMD 2 is a condition of acceptance of any new median, parkway, and/or easement  
21 landscaping, or any new public street lighting improvements, to be maintained by the City  
22 of Rialto. All final approved plans and documents required for the annexation shall be  
23 submitted by the property owner prior to issuance of a building permit. The annexation  
24 process shall be completed prior to recordation of any applicable Final Tract/Parcel Maps.  
25 For developments with no Final Maps or if the Final Map does not create any new parcels,  
26 the annexation process shall be completed prior to issuance of any certificate of  
27 occupancy. Due to the required City Council Public Hearing action, the annexation  
28 process takes months and as such the developer is advised to submit all plans and  
documents required for Special District annexation as early-on in the in the plan review  
and permitting process to avoid any delays with issuance of permit(s) and certificate(s) of  
occupancy or approval of final map(s).

27 56. The applicant shall submit sewer improvement plans by a registered California civil  
28 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.

- 1
- 2 57. The applicant shall submit copies of approved water improvement plans prepared by a
- 3 registered California civil engineer to the Public Works Engineering Division for record
- 4 purposes. The plans shall be approved by West Valley Water District, the water purveyor,
- 5 prior to the issuance of building permits.
- 6
- 7 58. The applicant shall submit a wet-signed and stamped Earthwork Cut and Fill Certification
- 8 Letter prepared by a Civil Engineer registered in the State of California to the Public
- 9 Works Engineering Division for review. If the required cut or fill of earthwork in cubic
- 10 yards is 50 CY or less, a Precise Grading/Paving Plan will not be required; however, the
- 11 applicant is required to pull an NPDES/Public Works permit prior to issuance of a
- 12 Building Permit to assist with inspection services.
- 13
- 14 59. The applicant shall provide pad elevation certification for all building pads, in
- 15 conformance with the approved Precise Grading Plan, to the Engineering Division prior
- 16 to construction of any building foundation.
- 17
- 18 60. Prior to the issuance of Grading/On-site Construction Permit, the applicant shall apply
- 19 and complete the Special District Annexation for the public street lighting and the
- 20 public landscape and irrigation into the Landscape and Lighting Maintenance District
- 21 2 (LLMD2), including applicable specific plan required landscape easement areas,
- 22 parkway areas, and raised medians along the property frontage.
- 23
- 24 61. At the discretion of the City Engineer, the applicant shall submit off-site landscaping
- 25 and irrigation system improvement plans for review and approval at the time of first
- 26 (1<sup>st</sup>) public improvement plan submittal to the Public Works Department. The parkway
- 27 irrigation system shall be separately metered from the on-site private irrigation to be
- 28 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 or within a raised median to avoid burdensome traffic
- control set-up during ongoing maintenance.
62. The applicant is responsible for requesting from the Public Works Department any
- addresses needed for any building(s) and/or any electrical single/dual irrigation meter
- pedestal(s). The main building address shall be included on Precise Grading Plans and
- Building Plan set along with the PPD number. The electrical meter pedestal addresses
- (single or dual) shall be included in the public improvement plans.
63. Any dry utility improvements within the public right-of-way require a City of Rialto
- Encroachment Permit.

- 1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28
64. A single master Off-site Construction Permit is required for any street, wet utility, landscape and irrigation, and traffic signal improvements along the project frontage within the public right-of-way. In an effort to expedite and facilitate improvements in the public right-of-way, the applicant is responsible for submitting a multi-phase master plan traffic control plan which includes all phases of construction along the project frontage in the public right-of-way i.e. sewer, water, overhead, underground, etc. prior to the issuance of an Off-site Construction Permit. Note, in an effort to simplify the permitting process, a single master Off-Site Construction Permit shall replace individual Encroachment Permits to be pulled by the developer's contractor.
  65. The public street improvements outlined in these Conditions of Approval are intended to convey to the developer an accurate scope of required improvements, however, the City Engineer reserves the right to require reasonable additional improvements as may be determined in the course of the review and approval of street improvement plans required by these conditions.
  66. The applicant shall construct asphalt concrete paving for streets in two separate lifts. The final lift of asphalt concrete pavement shall be postponed until such time that on-site construction activities are complete. Unless the City Engineer provides prior authorization, paving of streets in one lift prior to completion of on-site construction is not allowed. If City Engineer authorized, completion of asphalt concrete paving for streets prior to completion of on-site construction activities, requires additional paving requirements prior to acceptance of the street improvements, including, but not limited to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs, as determined by the City Engineer.
  67. All street cuts for utilities shall be repaired 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.
  68. In accordance with City Ordinance No. 1589, adopted to preserve newly paved streets, any and all street and/or trench cuts in newly paved streets will be subject to moratorium street repair standards as reference in Section 11.04.145 of the Rialto Municipal Code.
  69. 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

1 addition to pavement repairs made by utility companies for utilities installed for the  
2 benefit of the proposed development (i.e. Fontana Water Company, Southern  
3 California Edison, Southern California Gas Company, Time Warner, Verizon, etc.).  
4 Multiple excavations, trenches, and other street cuts within existing asphalt concrete  
5 pavement of off-site streets resulting from the proposed development may require  
6 complete grinding and asphalt concrete overlay of the affected off-site streets, at the  
7 discretion of the City Engineer. The pavement condition of the existing off-site streets  
8 shall be returned to a condition equal to or better than what existed prior to construction  
9 of the proposed development.

70. The applicant shall replace all damaged, destroyed, or modified pavement legends,  
8 traffic control devices, signing, striping, and streetlights, associated with the proposed  
9 development as required by the City Engineer prior to issuance of a Certificate of  
10 Occupancy.

71. The applicant shall reconstruct any broken, chipped, or unsatisfactory sidewalks or  
11 curbs along the entire project frontage, in accordance with the General Plan and the  
12 City of Rialto Standard Drawings, as required by the City Engineer, prior to the  
13 issuance of a Certificate of Occupancy.

72. All drive-thru isles adjacent to the public right-of-way or ingress and egress points of  
14 vehicular access must include Planning Division approved screening along the  
15 perimeter to prevent blinding oncoming traffic with high beam headlights during  
16 nighttime hours of operation.

73. CASMALIA STREET: Construct a raised and landscaped median island along the  
17 frontage of the property in accordance with the City Standards and any applicable  
18 Specific Plan. Refer to the City Standards and Renaissance Specific Plan for specific  
19 dimensions. The median nose width shall have stamped concrete. The left turn pockets  
20 shall be City Engineer approved and designed in accordance with Section 405 of the  
21 current edition of the Caltrans Highway Design Manual and/or as approved by the City  
22 Engineer. In lieu of constructing the raised median, the developer shall pay its fair share  
23 of the cost to construct the median and install landscaping and irrigation systems.

74. CASMALIA STREET: Dedicate additional right-of-way along the entire frontage as  
24 may be required to provide a property line – corner cutback at the corner of the  
25 Casmalia Street and Ayala Ave. Nothing shall be constructed or planted in the corner  
26 cut-off area which does or will exceed 30 inches in height required to maintain an  
27 appropriate corner sight distance, as required by the City Engineer.

75. CASMALIA STREET: Dedicate additional right-of-way along the entire frontage as  
28 may be required to provide a property line at fifty (50) feet south of centerline in  
accordance with the City General Plan and/or any applicable Specific Plan. Submit  
legal description and plat for city review with the street improvement plans.

- 1 76. CASMALIA STREET AND AYALA AVE: Dedicate a ten (10) feet wide easement  
2 for landscape purposes along the entire frontage as required by the applicable Specific  
3 Plan and in accordance with the City of Rialto Standard Drawings. Submit legal  
4 description and plat for city review with the street improvement plans.
- 5 77. CASMALIA STREET: Remove existing and construct new pavement with a minimum  
6 pavement section of 5 inches asphalt concrete pavement over 6 inches crushed  
7 aggregate base with a minimum subgrade of 24 inches at 95% relative compaction, or  
8 equal, along the entire half-width street frontage in accordance with City of Rialto  
9 Standard Drawings. The pavement section shall be determined using a Traffic Index  
10 (“TI”) of 10. The pavement section shall be designed by a California registered  
11 Geotechnical Engineer using "R" values from the project site and submitted to the City  
12 Engineer for approval. Alternatively, depending on the existing street condition and as  
13 approved by the City Engineer, a street overlay, slurry seal, or other repair can be  
14 performed to preserve existing pavement improvements.
- 15 78. CASMALIA STREET: Construct an 8-inch curb and gutter along the entire frontage  
16 in accordance with City of Rialto Standard Drawings and the applicable Specific Plan.
- 17 79. CASMALIA STREET AND AYALA AVE: Construct a new underground electrical  
18 system for public street lighting improvements. New marbelite street light poles with  
19 LED light fixtures shall be installed in accordance with City of Rialto Standard  
20 Drawings and as approved by the City Engineer. Provide 2” conduit and pull boxes  
21 along the opposite side of the street for continuation of the street light system for future  
22 build out.
- 23 80. CASMALIA STREET: Construct a six feet wide Americans with Disabilities Act  
24 (ADA) compliant sidewalk improvements adjacent to the right of way along the entire  
25 frontage in accordance with the Renaissance Specific Plan and the City of Rialto  
26 Standard Drawings.
- 27 81. CASMALIA STREET: Construct a commercial driveway approach in accordance with  
28 City of Rialto Standard Drawing No. CS-214 with a six feet wide sidewalk. 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 or will exceed 30 inches in height required  
to maintain an appropriate corner sight distance. The width of the driveway and radii  
of the returns shall be approved by the City Engineer.
82. Construct a curb return and curb ramp meeting current California State Accessibility  
standards at the corner of Casmalia Street and Ayala Ave in accordance with City of  
Rialto Standard Drawings.
83. AYALA AVE: Replace existing sidewalk as needed to create Americans with  
Disabilities Act (ADA) compliant sidewalk improvements behind curb along the entire  
frontage in accordance the City of Rialto Standard Drawings.



- 1
- 2 84. The applicant shall provide construction signage, lighting and barricading shall be
- 3 provided during all phases of construction as required by City Standards or as directed
- 4 by the City Engineer. As a minimum, all construction signing, lighting and barricading
- 5 shall be in accordance with Part 6 “Temporary Traffic Control” of the 2014 California
- 6 Manual on Uniform Traffic Control Devices, or subsequent editions in force at the time
- 7 of construction.
- 8
- 9 85. Upon approval of any public improvement plan by the City Engineer, the improvement
- 10 plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD
- 11 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe
- 12 Acrobat) formats. Variation of the type and format of the digital data to be submitted
- 13 to the City may be authorized, upon prior approval by the City Engineer.
- 14
- 15 86. The applicant shall construct 4-inch conduit within the parkway area along the entire
- 16 project frontages of Ayala Drive and Casmalia Street for future use (i.e., fiber-optics,
- 17 etc.), prior to the issuance of a Certificate of Occupancy.
- 18
- 19 87. The applicant shall install “No Stopping Any Time” R26A(S) (CA) signage along the
- 20 entire frontages of Ayala Drive and Casmalia Street, prior to the issuance of a
- 21 Certificate of Occupancy.
- 22
- 23 88. The applicant shall dedicate a 10-foot-wide landscape easement along the entire project
- 24 frontage of Casmalia Street, as required by the City Engineer.
- 25
- 26 89. The applicant shall dedicate additional right-of-way along the entire frontage of Ayala
- 27 Drive, as necessary, to provide the ultimate half-width of 50 feet, or greater as needed
- 28 for the future SR210/ Ayala Drive interchange project as required by the City Engineer.
90. The applicant shall dedicate a 10-foot-wide landscape easement along the entire project frontage of Ayala Drive, as required by the City Engineer.
91. The applicant shall dedicate additional right-of-way as may be required to provide a property line corner cutback at the southeast corner of the intersection of Ayala Drive and Casmalia Street, in accordance with City Standard SC-235, as required by the City Engineer.
92. The applicant shall dedicate additional right-of-way as may be required to provide property line corner cutbacks at the corners of all new project driveways, in accordance with City Standard SC-235, as required by the City Engineer.
93. At the discretion of the City Engineer, the applicant shall remove existing pavement and construct new pavement with a minimum pavement section of 4 inches asphalt concrete pavement over 6 inches crushed aggregate base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, along the entire frontages of Ayala Drive and Casmalia Street in accordance with City of Rialto Standard Drawings. The pavement section shall

1 be determined using a Traffic Index (“TI”) of 10. The pavement section shall be designed  
2 by a California registered Geotechnical Engineer using "R" values from the project site  
3 and submitted to the City Engineer for approval. Pavement shall extend from clean  
sawcut edge of pavement at centerline of each street

4 94. At the discretion of the City Engineer, the applicant shall provide a cost estimate for  
5 review and approval by the City Engineer and pay an in-lieu fee equal to the estimate  
6 for the removal of existing and the construction of any new street pavement with a  
7 minimum pavement section of 5 inches asphalt concrete pavement over 6 inches  
8 crushed aggregate base with a minimum subgrade of 24 inches at 95% relative  
compaction, or equal, along the entire half-width street frontage in accordance with  
City of Rialto Standard Drawings. The estimate shall assume a pavement section using  
a Traffic Index (“TI”) of 10 and using "R" values from the project site.

9 95. Prior to the issuance of any building permit, the applicant shall provide a fair-share  
10 contribution towards roadway improvements at the intersections of Ayala Drive and  
11 Casmalia Street and Ayala Drive and SR-210 Freeway Westbound Ramps, as  
12 calculated using trip generation in the Traffic Impact Analysis Scoping Agreement  
prepared for the project.

13 96. At the discretion of the City Engineer, the applicant shall construct an 8-inch curb and  
14 gutter, located 36 feet south of the centerline along the entire frontage of Casmalia  
15 Street, in accordance with City of Rialto Standard Drawings, as required by the City  
Engineer.

16 97. At the discretion of the City Engineer, the applicant shall construct a 6-foot-wide  
17 sidewalk located 8 feet behind the edge of curb along the entire project frontage of  
18 Casmalia Street, in accordance with City of Rialto Standard Drawing, as required by  
the City Engineer.

19 98. At the discretion of the City Engineer, the applicant shall construct a 5-foot-wide  
20 sidewalk located 7 feet behind the edge of curb along the entire project frontage of  
21 Ayala Drive, in accordance with City of Rialto Standard Drawings.

22 99. The applicant shall construct the five (5) proposed commercial driveway approaches in  
23 accordance with City of Rialto Standard Drawing SC-214. The driveway approaches  
24 shall be constructed so the top of “X” is 5 feet from the property line, or as otherwise  
25 approved by the City Engineer. Nothing shall be constructed or planted in the corner  
cut-off area which does or will exceed 30 inches in height required to maintain an  
appropriate corner sight distance.

26 100. The applicant shall construct curb ramps meeting current California State  
27 Accessibility standards along both sides of each commercial driveway approach. The  
28 applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is  
provided across the 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

1 necessary, additional pedestrian and sidewalk easements shall be provided on-site to  
2 construct a path of travel meeting ADA guidelines.

3 101. The applicant shall construct a curb ramp meeting current California State  
4 Accessibility standards at the southeast corner of the intersection of Ayala Drive and  
5 Casmalia Street, in accordance with the City of Rialto Standard Drawings. The  
6 applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is  
7 provided across the westerly driveway, and shall adjust the location of the access  
8 ramps, if necessary, to meet ADA guidelines, subject to the approval of the City  
9 Engineer. If necessary, additional pedestrian and sidewalk easements shall be  
10 provided on-site to construct a path of travel meeting ADA guidelines.

11 102. The minimum pavement section for all on-site pavements shall be 2½ inches asphalt  
12 concrete pavement over 4 inches crushed aggregate base with a minimum subgrade of  
13 24 inches at 95% relative compaction, or equal. If an alternative pavement section is  
14 proposed, the proposed pavement section shall be designed by a California registered  
15 Geotechnical Engineer using "R" values from the project site and submitted to the City  
16 Engineer for approval.

17 103. The developer shall connect to the City of Rialto sewer system and apply for a sewer  
18 connection account with Rialto Water services.

19 104. Prior to issuance of a certificate of occupancy or final City approvals, provide  
20 certification from Rialto Water Services to demonstrate that all water and/or  
21 wastewater service accounts have been documented.

22 105. The developer is advised that domestic water service is provided by West Valley  
23 Water District. The developer shall be responsible for coordinating with West Valley  
24 Water District and complying with all requirements for establishing domestic water  
25 service to the property.

26 106. Prior to performing work in the public right of way, developer shall bond for the public  
27 improvements in accordance with Municipal Code requirements.

28 107. Prior to the issuance of a Certificate of Occupancy, the Project Applicant shall  
construct all public improvements to the satisfaction of the City Engineer including  
improvements at the intersection of Ayala Drive and Casmalia Street.

108. 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), any and all construction  
refuse/debris and recycling materials generated and disposed due to construction  
activities must adhere to City Council approved franchise agreements. Only City  
Council approved waste and refuse franchisee vendors can be used to dispose of  
generated construction waste. Currently, only Burrtec Waste Management is authorized  
to deal with construction refuse and recycle materials in the City of Rialto.

- 1
- 2 109. The applicant's contractors shall submit copies of recycling tickets demonstrating
- 3 minimum compliance with construction waste management recycling requirements as
- 4 well as chain of custody for all construction debris.
- 5
- 6 110. Prior to commencing with any grading, the applicant shall implement the required
- 7 erosion and dust control measures shall be in place. In addition, the following shall be
- 8 included if not already identified:
- 9 a. 6 foot high tan colored perimeter screened fencing;
- 10 b. Contractor information signage including contact information along the street
- 11 frontage of Ayala Drive and Casmalia Street; and,
- 12 c. Post dust control signage with the following verbiage: "Project Name, WDID No.,
- 13 IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME (XXX)
- 14 XXX-XXX, If you do not receive a response, please call the AQMD at 1-800-
- 15 CUT-SMOG/1-800-228-7664."
- 16
- 17 111. The applicant shall submit a Water Quality Management Plan identifying site specific
- 18 Best Management Practices ("BMPs") in accordance with the Model Water Quality
- 19 Management Plan ("WQMP") approved for use for the Santa Ana River Watershed.
- 20 The site specific WQMP shall be submitted to the City Engineer for review and approval
- 21 with the Precise Grading Plan. A WQMP Maintenance Agreement shall be required,
- 22 obligating the property owner(s) to appropriate operation and maintenance obligations
- 23 of on-site BMPs constructed pursuant to the approved WQMP. The WQMP and
- 24 Maintenance Agreement shall be approved prior to issuance of a building permit, unless
- 25 otherwise allowed by the City Engineer. The development of the Site is subject to the
- 26 requirements of the National Pollution Discharge Elimination System (NPDES) Permit
- 27 for the City of Rialto, issued by the Santa Ana Regional Water Quality Control Board,
- 28 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.
112. The applicant shall prepare a Notice of Intent (NOI) to comply with the California
- General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as
- modified September 2, 2009) is required via the California Regional Water Quality
- Control Board online SMARTS system. A copy of the executed letter issuing a Waste
- Discharge Identification (WDID) number shall be provided to the City Engineer prior
- to issuance of a grading or building permit. The applicant's contractor shall prepare and
- maintain a Storm Water Pollution Prevention Plan ("SWPPP") as required by the
- General Construction Permit. All appropriate measures to prevent erosion and water
- pollution during construction shall be implemented as required by the SWPPP.

- 1 113. Development of the site is subject to the requirements of the National Pollution  
2 Discharge Elimination System (NPDES) Permit for the City of Rialto, under the Santa  
3 Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant  
4 to the NPDES Permit, the developer shall ensure development of the site incorporates  
5 post-construction Best Management Practices (“BMPs”) in accordance with the Model  
6 Water Quality Management Plan (“WQMP”) approved for use for the Santa Ana River  
7 Watershed. The developer is advised that applicable Site Design BMPs will be required  
8 to be incorporated into the final site design, pursuant to a site specific WQMP submitted  
9 to the City Engineer for review and approval.
- 10 114. Prior to issuance of a certificate of occupancy or final City approvals, the applicant shall  
11 demonstrate that all structural BMP’s have been constructed and installed in  
12 conformance with approved plans and specifications, and as identified in the approved  
13 WQMP.
- 14 115. All stormwater runoff passing through the site shall be accepted and conveyed across  
15 the property in a manner acceptable to the City Engineer. For all stormwater runoff  
16 falling on the site, on-site retention or other facilities approved by the City Engineer  
17 shall be required to contain the increased stormwater runoff generated by the  
18 development of the property. Provide a hydrology study to determine the volume of  
19 increased stormwater runoff due to development of the site, and to determine required  
20 stormwater runoff mitigation measures for the proposed development. Final retention  
21 basin sizing and other stormwater runoff mitigation measures shall be determined upon  
22 review and approval of the hydrology study by the City Engineer and may require  
23 redesign or changes to site configuration or layout consistent with the findings of the  
24 final hydrology study. The volume of increased stormwater runoff to retain on-site shall  
25 be determined by comparing the existing “pre-developed” condition and proposed  
26 “developed” condition, using the 100-year frequency storm.
- 27 116. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to  
28 the adjacent public streets. Provisions for the interception of nuisance water from  
entering adjacent public streets from the project site shall be provided through the use  
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.
117. The applicant shall remove any graffiti within 24 hours, before, during, and post  
construction.
118. In accordance with the City of Rialto Municipal Code Section 18.72.010, Provision D,  
inadequately maintained landscaping which is visible from the public street, or right-of-  
way and which, either alone or in combination with other conditions on the subject  
property tends to degrade the aesthetic quality of the immediate neighborhood is  
prohibited.

- 1 119. The applicant shall submit full architectural and structural plans with all mechanical,  
2 electrical, and plumbing plans, structural calculations, truss calculations and layout,  
3 rough grading plans approved by Public Works Engineering, Water Quality  
4 Management Plan, Erosion Control Plan, Stormwater Pollution Prevention Plan, and  
5 Title 24 Energy Calculations to the Building Division for plan check and review, prior  
6 to the issuance of building permits.
- 7 120. The applicant shall provide a Scope of Work on the title page of the architectural plan  
8 set. The Scope of Work shall call out all work to be permitted (ex. Main structure,  
9 perimeter walls, trash enclosure, etc.).
- 10 121. The applicant shall design all structures in accordance with the 2019 California Building  
11 Code, 2019 California Mechanical Code, 2019 California Plumbing Code, and the 2019  
12 California Electrical Code, 2019 Residential Code and the 2019 California Green  
13 Buildings Standards adopted by the State of California.
- 14 122. The applicant shall design all structures to withstand ultimate wind speed of 130 miles  
15 per hour, exposure C and seismic zone D.
- 16 123. As applicable, the applicant shall submit fire sprinkler, fire alarm systems, and fire  
17 hydrant plans to the Building Division for plan review concurrently with building plans  
18 and shall be approved prior to the issuance of a building permit.
- 19 124. Prior to the issuance of a building permit for the drive-through restaurant building, the  
20 applicant shall provide two (2) copies of plans approved by the San Bernardino County  
21 Department of Health for review by the Building Division.
- 22 125. The applicant shall obtain an Electrical Permit from the Building Division for any  
23 temporary electrical power required during construction. No temporary electrical power  
24 will be granted to a project unless one of the following items is in place and approved  
25 by the Building Division: (A) Installation of a construction trailer, or, (B) Security  
26 fencing around the area where the electrical power will be located.
- 27 126. The applicant shall install any permitted temporary construction trailer on private  
28 property. No trailers are allowed to be located within the public right-of-way.
127. The applicant shall design and construct accessible paths of travel from all building's  
accessible entrances to the public right-of-way, accessible parking, and the trash  
enclosure. Paths of travel shall incorporate (but not limited to) exterior stairs, landings,  
walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning,  
signage, gates, lifts and walking surface materials, as necessary. The accessible route(s)  
of travel shall be the most practical direct route between accessible building entrances,  
site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the  
site, California Building Code, (CBC) Chapter 11, Sec, 11A and 11B.

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

6 129. The applicant shall provide temporary toilet facilities for the construction workers. The  
7 toilet facilities shall always be maintained in a sanitary condition. The construction  
8 toilet facilities of the non-sewer type shall conform to ANSI ZA.3.

9 130. All on site utilities shall be underground to the new proposed structure, unless prior  
10 approval has been obtained by the utility company or the City.

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

14 132. The applicant shall provide proof of payment to the Rialto Unified School District for  
15 all required school fees, prior to the issuance of a building permit.

16 133. The applicant shall obtain all necessary approvals and operating permits from all  
17 Federal, State and local agencies prior to the issuance of a Certificate of Occupancy.

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

20 PASSED, APPROVED AND ADOPTED this 8th day of December, 2021.

21 \_\_\_\_\_  
22 FRANK GONZALEZ, CHAIR  
23 CITY OF RIALTO PLANNING COMMISSION  
24  
25  
26  
27  
28

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. \_\_\_\_ was duly passed and adopted at a regular meeting of the Planning  
7 Commission of the City of Rialto held on the \_\_\_\_th day of \_\_\_\_, 2021.

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

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of  
15 Rialto this \_\_\_\_th day of \_\_\_\_, 2021.

16

17

18

19

20

\_\_\_\_\_  
ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT

21

22

23

24

25

26

27

28



“Exhibit A”

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28