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WHEREAS, the Renaissance Specific Plan (Ordinance No. 1477) and Renaissance Specific Plan Environmental Impact Report (“RSP EIR”) were approved and certified by the Rialto City Council on November 23, 2010; and

WHEREAS, the applicant, Ayala and 210 Partners, LLC/Fernando Acosta (“Applicant”), proposes to consolidate and subdivide a 7.6 acre site into six (6) parcels of land (APNs 0264-151-50, -59, -73, -79, -80, and -81) (“Project”) located at the northeast corner of Ayala Drive and Renaissance Parkway in the Freeway Incubator (FI) zone of the Renaissance Specific Plan (“Site”); and

WHEREAS, the Project will result in the development of a 80,000 sq. ft. commercial center 10,486 sq. ft. restaurant, a 2,720 sq. ft. drive through restaurant, three multi-unit commercial buildings and one additional parcel (“Development”); and

WHEREAS, the Project requires the approval of a tentative parcel map, and the Applicant has agreed to apply for a Tentative Parcel Map No. 19898 (“TPM No. 19898”), in accordance with Government Code Sections 66473.5 and 66474; and

WHEREAS, in conjunction with the Development, the Applicant requested approval of (i) an Addendum to the RSP EIR, environmental Assessment Review No. 2017-0007; (ii) a Renaissance Specific Plan amendment to modify the street cross section and circulation map for Renaissance Parkway between Ayala Drive and approximately 1,600 linear feet immediately to the east thereof (“Specific Plan Amendment”); (iii) Precise Plan of Design Nos. 2017-0066 and 0074; (iv) Variance No. 2017-0010 to vary from the maximum height of 50 feet for freestanding pylon signs along the I-210 to 80 feet; (v)

1 Conditional Development Permit No. 2017-0029 to develop and construct a drive through lane for a fast
2 casual restaurant on Pad 2 of TPM No. 19898; and

3 **WHEREAS**, on October 25, 2017, the Planning Commission of the City of Rialto conducted a
4 duly noticed public hearing, as required by law, on the approval of the Development, including TPM No.
5 19898, and took testimony, at which time it received input from staff, the city attorney, and the applicant;
6 heard public testimony; discussed the Development and TPM No. 19898; and closed the public hearing;
7 and

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

9 **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Rialto as follows:

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

12 SECTION 2. Based on substantial evidence presented to the City Council during the public hearing
13 conducted with regard to TPM No. 19898, including written staff reports, verbal testimony, project plans,
14 other documents, and the conditions of approval stated herein, the City Council hereby determines that TPM
15 No. 19898 satisfies the requirements of Government Code Section 66474 pertaining to the findings which
16 must be made precedent to granting a tentative map. The findings are as follows:

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

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

21 The Site has a General Plan designation of Specific Plan, and a zoning designation of Freeway
22 Incubator (FI) within the Renaissance Specific Plan. The Project will subdivide a 7.6 acre parcel
23 and create six (6) developable lots to facilitate the development of a 10,486 sq. ft. restaurant, a 2,720
24 sq. ft. restaurant, three multi-unit commercial buildings, and a 100 + room hotel for the 80,000
25 sq. ft. commercial center. Per Section 3 (Development Criteria), Table 3-5 of the Renaissance
26 Specific Plan, the required minimum parcel size within the Freeway Incubator (FI) zone is 22,500
27 square feet. All developable parcels meet or exceed the required minimum size, width, and depth.

- 28 2. That the design and improvement of the proposed Tentative Parcel Map is 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 General
2 Plan of the City of Rialto, and the FI zone of the Renaissance Specific Plan. The proposed parcels
3 are consistent with and meet the minimum lot area, lot width and lot depth as required by the
4 Freeway Incubator (FI) zone of the Renaissance Specific Plan.

- 5 3. The site for the proposed use is adequate in size, shape, topography, accessibility and other
6 physical characteristics to accommodate the proposed use in a manner compatible with
7 existing land uses; and

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

9 The Site contains 7.6 acres, is fairly level, and adjacent to arterial streets (Ayala Drive and
10 Renaissance Parkway), which will be able to accommodate the proposed use. The site is compatible
11 with the surrounding uses, which have a zoning designation of Freeway Incubator (FI) within the
12 Renaissance Specific Plan. All surrounding sites are vacant.

- 13 4. That the site is physically suitable for the proposed density of development.

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

15 The Project will create six (6) parcels to facilitate the development of an 80,000 square foot
16 commercial center consisting of a 10,486 sq. ft. restaurant, a 2,720 sq. ft. restaurant, three multi-
17 unit commercial buildings, and one additional parcel. The Development will meet all criteria on
18 Table 3-5 of Section 3 (Development Standards) of the Renaissance Specific Plan, as the
19 Development will be reviewed by the Development Review Committee. Therefore, the site is
20 sufficient in size and shape to accommodate the proposed density.

- 21 5. That the design of the land division is not likely to cause substantial environmental damage
22 or substantially injure fish or wildlife or their habitat.

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

24 The City Council certified the RSP EIR on November 9, 2010, in accordance with the California
25 Environmental Quality Act (CEQA). The Applicant prepared an Addendum to the RSP EIR and
26 associated technical studies to evaluate the potential impacts associated with the construction and
27 operation of the Development. The Development will not cause substantial environmental
28 damage or substantially injure fish or wildlife or their habitat, as provided in the Addendum to
the RSP EIR. The proposed Development would not result in any new significant impacts that
were not analyzed in the RSP EIR, nor would the project because a substantial increase in the
severity of any previously identified environmental impacts. The potential impacts associated
with this proposed Development would be the same or less than those described in the RSP EIR.
In addition, there are no substantial changes to the circumstances under which the proposed
Development would be undertaken that would result in new or more severe environmental
impacts than previously addressed in the RSP EIR, nor has any new information regarding the
potential for new or more severe significant environmental impacts been identified.

1 Implementation of mitigation measures identified in the RSP EIR reduces potentially significant
2 impacts to a level of insignificance.

3 6. That the design of the land division is not likely to cause serious public health problems.

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

5 The Project is consistent with the General Plan, the Freeway Incubator (FI) zone within the
6 Renaissance Specific Plan, and the Development will be reviewed by the Design Review
7 Committee (DRC) to ensure that the design of the Development meets the City's Design
8 Guidelines. The Project is consistent with the surrounding commercial developments. The Project
9 is not expected to negatively impact any uses since measures, such as landscape buffering and the
10 installation of solid screen walls will be implemented. Furthermore, construction impacts will be
11 limited through the strict enforcement of the allowable construction hours listed in Section
12 9.50.070 of the Rialto Municipal Code, as well as enforcement of regular watering of the site to
13 limit airborne dust and other particulate matter. As a result, the Project is not likely to cause any
14 public health problems.

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

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

19 Upon completion of the Final Map and street dedication, all relevant easements provided, except for
20 the vacation of Easton Street and related easements, will remain. An easement will be proposed for
21 reciprocal ingress and egress, and parking.

22 SECTION 3. An Addendum to the previously certified RSP EIR has been prepared (Environmental
23 Assessment Review No. 2017-0055), and the City coordinated the preparation of the Initial Study and
24 accompanying technical studies which describe and evaluate the Project because the proposed Development
25 and Project will not result in any changes with respect to the circumstances or require major revisions to the
26 previously approved RSP EIR. The Addendum is being concurrently reviewed and recommended for
27 approval herewith.

28 SECTION 4. The City Council hereby recommends that the City Council approve TPM No. 19898
to allow the subdivision of a 7.6 acre site into six (6) parcels of land (APNs 0264-151-50, -59, -73, -79, -
80, and -81) located at the northeast corner of Ayala Drive and Renaissance Parkway in the Freeway

1 Incubator (FI) zone of the Renaissance Specific Plan, in accordance with the application on file with the
2 Planning Division, subject to the following conditions:

- 3 1. All requirements shall be completed to the satisfaction of the City Engineer prior to issuance of a
4 certificate of occupancy unless otherwise noted.
- 5 2. Prior to issuance of a building permit, the developer shall pay all applicable development impact fees
6 in accordance with the current City of Rialto fee ordinance.
- 7 3. Prior to issuance of a building permit, the Precise Grading Plan shall be approved by the City
8 Engineer.
- 9 4. Any improvements within the public right-of-way require a City of Rialto Encroachment Permit.
- 10 5. Submit street improvement plans for Renaissance Parkway prepared by a registered California civil
11 engineer to the Engineering Division for review. The plans shall be approved by the City Engineer
12 prior to issuance of any building permits.
- 13 6. Submit traffic signing and striping plans and traffic signal plans prepared by a California registered
14 civil engineer, for review and approval by the City Engineer. All required traffic signing and striping
15 and traffic signals improvements shall be completed concurrently with required street improvements,
16 to the satisfaction of the City Engineer, and prior to issuance of a building permit.
- 17 7. Submit offsite landscaping and irrigation system improvement plans for review and approval by the
18 City Engineer. The median irrigation system shall be separately metered from the parkway
19 landscaping to be maintained by the developer, for future use by the City upon acceptance of the
20 median landscaping by the City. The plans shall be approved concurrently with the street
21 improvement plans for the median and prior to issuance of a building permit, unless otherwise
22 allowed by the City Engineer.
- 23 8. All median and/or parkway landscaping shall be guaranteed for a period of one year from the date of
24 acceptance by the City Engineer. Any landscaping that fails during the one year landscape
25 maintenance period shall be replaced with similar plant material to the satisfaction of the City
26 Engineer, and shall be subject to a subsequent one year landscape maintenance period.
- 27 9. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or
28 curb shall have City approved deep root barriers installed, as required by the City Engineer.
10. The developer shall apply for annexation, at the time of Landscape and Irrigation plan submittal or
Street Lighting plan submittal, of the underlying property into the 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 and/or parkway landscaping, or any new public street lighting improvements, to be maintained by the City of Rialto. The annexation process takes several months and as such the developer is encouraged to apply for annexation early in the process to avoid delays at Certificate of Occupancy.

11. 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 improvements have been accepted and the underlying property is annexed into LLMD 2.
12. 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, as may be determined by the City Engineer. Paving of streets in one lift prior to completion of on-site construction will not be allowed, unless prior authorization has been obtained from the City Engineer. Completion of asphalt concrete paving for streets prior to completion of on-site construction activities, if authorized by the City Engineer, will require 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 required by the City Engineer.
13. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Rialto Standard Drawings. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, 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 required by 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.
14. In accordance with Chapter 15.32 of the City of Rialto Municipal Code, 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, shall be installed underground. Utility undergrounding shall extend to the nearest off-site power pole; no new power poles shall be installed unless otherwise approved by the City Engineer. A letter from the owners of the affected utilities shall be submitted to the City Engineer prior to approval of the Grading Plan, informing the City that they have been notified of the City's utility undergrounding requirement and their intent to commence design of utility undergrounding plans. When available, the utility undergrounding plan shall be submitted to the City Engineer identifying all above ground facilities in the area of the project to be undergrounded.

- 1 15. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and
2 street lights, associated with the proposed development shall be replaced as required by the City
3 Engineer prior to issuance of a Certificate of Occupancy.
- 4 16. Construction signing, lighting and barricading shall be provided during all phases of construction as
5 required by City Standards or as directed by the City Engineer. As a minimum, all construction
6 signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of
7 the 2014 California Manual on Uniform Traffic Control Devices, or subsequent editions in force at
8 the time of construction.
- 9 17. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be
10 provided to the City in digital format, consisting of a DWG (AutoCAD drawing file), DXF
11 (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat) formats. Variation of the type
12 and format of the digital data to be submitted to the City may be authorized, upon prior approval by
13 the City Engineer.
- 14 18. The public street improvements outlined in these conditions of approval are intended to convey to the
15 developer an accurate scope of required improvements, however, the City Engineer reserves the right
16 to require reasonable additional improvements as may be determined in the course of the review and
17 approval of street improvement plans required by these conditions.

18 **TRANSPORTATION**

- 19 19. Pursuant to the Transportation Commission's recommendation design and construct a Traffic Signal
20 at the center driveway on Renaissance Parkway.
- 21 20. The new traffic signal shall be hard-wire interconnected to the traffic signal at Ayala Drive and
22 Renaissance Parkway.
- 23 21. Construct 3-inch conduit within the parkway area along the entire frontage of Renaissance Parkway
24 to allow for future use.
- 25 22. Add a westbound right-turn overlap phase to the traffic signal on Renaissance Parkway at Ayala
26 Drive.
- 27 23. Add a southbound double left-turn lane on Ayala Drive at Renaissance Parkway.
- 28 24. Pay Scoping Agreement plan check fees in the amount of \$1,087.40
- 25 25. Pay Focused Traffic Impact Analysis plan check fees in the amount of \$3,427.10

RENAISSANCE PARKWAY (Major Arterial)

26. Construct a raised and landscaped median island of varying width along the frontage of the property which accommodates dual westbound left-turn lanes on Renaissance Parkway at Ayala Drive, accommodates eastbound left-turn lanes on Renaissance Parkway into the property at all driveways, and the landscaping does not obstruct traffic visibility, as approved by the City Engineer. The median nose width shall be constructed at 4 feet wide and shall have stamped concrete. The left turn pockets shall be designed in accordance with Section 405 of the current edition of the Caltrans Highway Design Manual, and/or as approved by the City Engineer.
27. Dedicate additional right-of-way along the entire frontage as may be required to provide a property line as required by the City Engineer. Nothing shall be constructed or planted in the corner cut-off area, at the north east corner of Renaissance Parkway and Ayala Drive, which does or will exceed 30 inches in height required to maintain an appropriate corner sight distance, as required by the City Engineer.
28. Dedicate a 10 foot wide easement for landscape purposes along the entire frontage.
29. Remove existing, and construct new pavement with a minimum pavement section of 5 inches asphalt concrete pavement over 6 inches crushed aggregate base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, along the entire frontage in accordance with City of Rialto Standard Drawings. The pavement section shall be determined using a Traffic Index ("TI") of 10. The pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
30. Construct an 8-inch curb and gutter, located at 48 feet north of centerline along the entire frontage in accordance with City of Rialto Standard Drawings.
31. Construct a new underground electrical system for public street lighting improvements. New marbelite street light poles with LED light fixtures shall be installed as approved by the City Engineer, in accordance with City of Rialto Standard Drawings.
32. Construct a 5 foot wide sidewalk 10 feet behind curb along the entire frontage in accordance with City of Rialto Standard Drawings.
33. Construct a commercial driveway approach in accordance with City of Rialto Standard Drawings. 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.
34. Construct a curb ramp meeting current California State Accessibility standards along both sides of the commercial driveway approach. The developer 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 necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

35. Construct a curb ramp meeting current California State Accessibility standards at the corner of Baseline Road & Alder Avenue as well as Baseline Road & Laurel Avenue, in accordance with City of Rialto Standard Drawings.

AYALA DRIVE (Major Arterial)

36. Dedicate additional right-of-way on the east side along the entire frontage as may be required to provide a property line at the ultimate right-of-way of 60 feet from the centerline as required 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, as required by the City Engineer.

37. Construct and widen the east curb line on Ayala Drive north of Renaissance Parkway to extend the right-turn lane for the east bound I-210 ramp.

ON-SITE

38. Development of the site is subject to the requirements of the National Pollution Discharge Elimination System (NPDES) Permit for the City of Rialto, issued by the Santa Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant to the NPDES Permit, the developer 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 developer 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.

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

SANITARY SEWER

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

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2 41. Submit sewer improvement plans prepared by a California registered civil engineer to the
3 Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any
building permits.

4 42. Prior to issuance of a certificate of occupancy or final City approvals, provide certification from
5 Rialto Water Services to demonstrate that all water and/or wastewater service accounts have been
6 documented.

7 **DOMESTIC WATER**

8
9 43. The developer is advised that domestic water service is provided by Rialto Water Services. The
10 developer shall be responsible for coordinating with Rialto Water Services and complying with all
11 requirements for establishing domestic water service to the property.

12 **GRADING**

13 44. Submit a Precise Grading Plan prepared by a California registered civil engineer to the Engineering
14 Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer
prior to issuance of a building permit.

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

- 17 a. Perimeter screened fencing
18 b. Contractor information signage including contact information along Renaissance
Parkway.
19 c. Post dust control signage with the following verbiage:
20 i. "Project Name, WDID No., IF YOU SEE DUST COMING FROM THIS
21 PROJECT CALL: NAME (XXX) XXX-XXX, If you do not receive a response,
Please call the AQMD at 1-800-CUT-SMOG/1-800-288-7664"

22 46. Submit a Water Quality Management Plan identifying site specific Best Management Practices
23 ("BMPs") in accordance with the Model Water Quality Management Plan ("WQMP") approved for
24 use for the Santa Ana River Watershed. The site specific WQMP shall be submitted to the City
25 Engineer for review and approval with the Precise Grading Plan. Onsite Landscape and Irrigation
26 which is reviewed and approved by Planning shall coincide with the site specific WQMP. A WQMP
27 Maintenance Agreement shall be required, obligating the property owner(s) to appropriate operation
and maintenance obligations of on-site BMPs constructed pursuant to the approved WQMP. The
28 WQMP and Maintenance Agreement shall be approved prior to issuance of a building permit, unless
otherwise allowed by the City Engineer.

- 1 47. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit
2 (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required via the California
3 Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing
4 a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to
5 issuance of a grading or building permit. The developer's contractor shall prepare and maintain a
6 Storm Water Pollution Prevention Plan ("SWPPP") as required by the General Construction Permit.
7 All appropriate measures to prevent erosion and water pollution during construction shall be
8 implemented as required by the SWPPP.
- 9 48. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be
10 required for and incorporated as an integral part of the grading plan for the proposed development.
11 A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first
12 submittal of the Precise Grading Plan.
- 13 49. All stormwater runoff passing through the site shall be accepted and conveyed across the property
14 in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site
15 retention or other facilities approved by the City Engineer shall be required to contain the increased
16 stormwater runoff generated by the development of the property. Provide a hydrology study to
17 determine the volume of increased stormwater runoff due to development of the site, and to determine
18 required stormwater runoff mitigation measures for the proposed development. Final retention basin
19 sizing and other stormwater runoff mitigation measures shall be determined upon review and
20 approval of the hydrology study by the City Engineer and may require redesign or changes to site
21 configuration or layout consistent with the findings of the final hydrology study. The volume of
22 increased stormwater runoff to retain on-site shall be determined by comparing the existing "pre-
23 developed" condition and proposed "developed" condition, using the 100-year frequency storm.
- 24 50. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to the adjacent
25 public streets. Provisions for the interception of nuisance water from entering adjacent public streets
26 from the project site shall be provided through the use of a minor storm drain system that collects and
27 conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition,
28 pass runoff directly to the streets through parkway or under sidewalk drains.
51. Provide pad elevation certifications for all building pads in conformance with the approved Precise
Grading Plan, to the Engineering Division prior to construction of any building foundation.
52. Prior to issuance of a certificate of occupancy or final City approvals, 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.

MAP

53. A Parcel Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer
and submitted to the Engineering Division for review and approval. A Title Report prepared for
subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots
created therefrom, and copies of record documents shall be submitted with the Parcel Map to the

Engineering Division as part of the review of the Map. The Parcel Map shall be approved by the City Council prior to issuance of building permits.

54. 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.

55. 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. 19898. The City will promptly notify the applicant of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

56. 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.

57. An accessible pedestrian path of travel shall be provided throughout the site, as required by applicable state and federal laws.

58. All sewer mains constructed by the applicant and to become part of the public sewer system shall be pressure tested and digitally video recorded by the City's wastewater system operator (Veolia) prior to acceptance of the sewer system for maintenance by the City. The developer shall be responsible for all costs associated with testing and inspection services. Any defects of the sewer main shall be removed, replaced, or repaired to the satisfaction of the City Engineer prior to acceptance.

59. 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.

60. Nothing shall be constructed or planted in the corner cut-off area of any (intersection or) driveway which does or will exceed 30 inches in height required to maintain an appropriate sight distance, as required by the City Engineer.

61. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed, as required by the City Engineer.

62. Revisions to the Tentative Parcel Map required by the Engineering Division or the Development Review Committee shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Parcel Map to the Engineering Division as part of the review of the Map. The Final Parcel Map shall be approved by the City Engineer and the City Council prior to issuance of any building permits.

- 1 63. A minimum of 48 inches of clearance for disabled access shall be provided on all public sidewalks.
- 2
- 3 64. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and
- 4 street lights, associated with the proposed development shall be replaced as required by the City Engineer
- 5 prior to issuance of a Certificate of Occupancy.
- 6
- 7 65. The Applicant shall submit traffic striping and signage plans prepared by a California registered civil
- 8 engineer, for review and approval by the City Engineer. All required traffic striping and signage
- 9 improvements shall be completed concurrently with required street improvements, to the satisfaction of
- 10 the City Engineer, and prior to issuance of a building permit.
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- 12 66. Construction signing, lighting and barricading shall be provided during all phases of construction as
- 13 required by City Standards or as directed by the City Engineer. As a minimum, all construction signing,
- 14 lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the 2012
- 15 California Manual on Uniform Traffic Control Devices, or subsequent editions in force at the time of
- 16 construction.
- 17
- 18 67. Approval of TPM No. 19898 shall be granted for a period of twenty-four (24) months from the
- 19 effective date of this resolution. An extension of time for TPM No. 19898 may be granted by the
- 20 City Council for a period or periods not to exceed a total of thirty-six (36) months. An application
- 21 for extension together with the required fee shall be filed with the Planning Division prior to the
- 22 expiration date of TPM No. 19898.

23 SECTION 5. The Mayor shall sign the passage and adoption of this resolution and thereupon the

24 same shall take effect and be in force.

25 PASSED, APPROVED AND ADOPTED this _____ day of 2017.

26 _____

27 DEBORAH ROBERTSON, MAYOR

28 **ATTEST:**

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BARBARA MCGEE, CITY CLERK

APPROVED AS TO FORM:

FRED GALANTE, CITY ATTORNEY

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

5 I, BARBARA MCGEE, City Clerk of the City of Rialto, do hereby certify that the foregoing
6 Resolution No. _____ was duly passed and adopted at a regular meeting of the City Council of the
7 City of Rialto held on the _____ day of _____, 2017.

8 Upon motion of Councilmember _____, seconded by Councilmember
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 Rialto
15 this _____ day of _____, 2017.
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19 _____
20 BARBARA MCGEE, CITY CLERK
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