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1 WHEREAS, on May 29, 2019, the Planning Commission of the City of Rialto conducted  
2 a duly noticed public hearing, as required by law, on TTM No. 20199 and SPA No. 2017-0001,  
3 took testimony, at which time it received input from staff, the city attorney, and the applicant;  
4 heard public testimony; discussed the proposed TTM No. 20199 and SPA No. 2017-0001; and  
5 closed the public hearing; and

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

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

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

11 SECTION 2. Based on substantial evidence presented to the Planning Commission during  
12 the public hearing conducted with regard to TTM No. 20199, including written staff reports, verbal  
13 testimony, project plans, other documents, and the conditions of approval stated herein, the Planning  
14 Commission hereby determines that TTM No. 20199 satisfies the requirements of Government  
15 Code Sections 66473.5 and 66474 and Section 17.16.070 of the Rialto Municipal Code pertaining to  
16 the findings which must be made precedent to granting a tentative map. The findings are as follows:

- 17 1. That the proposed tentative tract map is consistent with the General Plan of the City  
18 of Rialto and the Multi-Family Residential (MFR) zone of the Central Area Specific  
19 Plan, as applicable; and

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

21 The Site currently has a General Plan land use designation of Residential 21. SPA No.  
22 2017-0001, prepared in conjunction with the Project, will change the zoning designation of  
23 the Site from S-C to MFR. The allowable density range within the Residential 21  
24 designation and the MFR zone is between 12.1 to 21.0 dwelling units per acre. The  
25 proposed density of the Site, as a result of the Project, is 12.33 dwelling units per acre,  
26 which is consistent with the Residential 21 land use designation and the MFR zoning  
27 designation.

28 Furthermore, the MFR zone requires a minimum gross site area of 8,000 square feet. The  
area of the Site is 4.54 gross acres, which exceeds the minimum required. No minimum  
individual lot sizes are specified within the development standards of the MFR zone. As it  
pertains to the tentative tract map, the proposed subdivision of the Site is consistent with the  
MFR zone and the Residential 21 land use designation.

- 1           2.       That the design and improvements of the proposed tentative tract map are consistent  
2                   with the Subdivision Ordinance, the General Plan of the City of Rialto, and the  
3                   Multi-Family Residential (MFR) zone of the Central Area Specific Plan; and

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

5           The Project will comply with all of the technical standards required by Subdivision Map  
6           Act. Additionally, the Project is consistent with the Residential 21 General Plan land use  
7           designation and the proposed MFR zone, as all of the development standards for the MFR  
8           zone and the density requirements of the Residential 21 land use designation are satisfied  
9           within the Project.

10          An existing portion of Bonnie View Drive will provide the primary access to the Project. A  
11          new distinctive entryway, featuring, decorative paving, an abundant amount of landscaping,  
12          and neighborhood identification signage, will be located near the center of the Bonnie View  
13          Drive street frontage. The applicant will also install a secondary emergency-exit only  
14          driveway near the center of the Willow Avenue street frontage. Access within the Project  
15          will be provided by a new private street system throughout the inside of the project site.

- 16           3.       That the site is physically suitable for the type of proposed development; and

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

18           The Site is a relatively flat, rectangular, expansive in size, and development of the land  
19           should be easily accommodated. The applicant will be required to submit a  
20           geotechnical/soils report to the Public Works Department for review and approval prior  
21           to issuance of any building permits.

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

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

24           The Site is 4.54 gross acres in size. The current Residential 21 land use designation and the  
25           proposed MFR zone allow a maximum density of 21.0 dwelling units per acre on the Site.  
26           The acreage of the Site is suitable to accommodate the proposed density of 12.33 dwelling  
27           units per acre.

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

*This finding is supported by the following facts:*

            According to Section 4.4.2 of the General Plan Environmental Impact Report, the Site is not  
            designated as a habitat for any threatened or endangered species. However, the initial study  
            prepared for the Project includes a mitigation measure requiring the implementation of a

pre-construction survey within 30 days of the commencement of construction to confirm the absence of any threatened or endangered species on the Site, including the Burrowing Owl.

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

*This finding is supported by the following facts:*

The Site is bound on the north by Bonnie View Drive and on the west by Willow Avenue. To the north of the project site, across Bonnie View Drive, is a self-storage facility and approximately 2.55 acres of vacant land planned for a 38-unit affordable housing apartment complex and a public parking lot. To the east is a 3,422 square foot fast food restaurant building, and to the south is a tract of single-family residences built in 1978. The proposed detached single-family development pertaining to the land division is consistent with all nearby land uses. Construction impacts will be limited through the strict enforcement of the allowable construction hours listed in Section 9.50.070 of the Rialto Municipal Code, as well as enforcement of regular watering of the Site to limit airborne dust and other particulate matter. Operationally, generally speaking, detached single-family dwellings have little to no impact on the environment and on surrounding properties, specifically with respect to air quality, noise, and traffic. The Project is not likely to cause any public health problems.

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

*This finding is supported by the following facts:*

Four (4) easements exist on or in relation to the Site. The first three (3) easements are in relation to drainage, sewer, and other public utility purposes. Each of these easements will remain unaffected by the Project. The fourth easement is in favor of the Semi-Tropic Land and Water Company. The fourth involves an easement for ditches and pipe line purposes. The location of the fourth easement cannot be determined from the condition of the record information.

SECTION 3. An Initial Study (Environmental Assessment Review No. 2018-0099) has been prepared for TTM No. 20199 in accordance with the California Environmental Quality Act (CEQA) and it has been determined that any impacts will be reduced to a level of insignificance through mitigation measures, and a Mitigated Negative Declaration has been prepared in accordance with CEQA, along with a Mitigation Monitoring and Reporting Program. The Planning Commission hereby recommends that the City Council adopt the Mitigated Negative Declaration,

1 along with the Mitigation Monitoring and Reporting Program, and direct the Planning Division to  
2 file the necessary documentation with the Clerk of the Board of Supervisors for San Bernardino  
3 County.

4       SECTION 4. The Planning Commission hereby recommends that the City Council approve  
5 TTM No. 20199, in conjunction with the SPA No. 2017-0001, to allow the subdivision of 4.54  
6 gross acres of land (APNs: 0131-021-36, -37, -38, & -39) located at the southeast corner of Willow  
7 Avenue and Bonnie View Drive, described in the legal description attached as Exhibit A, into fifty-  
8 six (56) single-family lots and four (4) common lots for private streets, amenities, and landscaping,  
9 in accordance with the application on file with the Planning Division, subject to the following  
10 conditions:  
11

- 12       1. TTM No. 20199 is approved allowing the subdivision of 4.54 gross acres of land  
13       (APNs: 0131-021-36, -37, -38, & -39) located at the southeast corner of Willow Avenue  
14       and Bonnie View Drive, described in the legal description attached as Exhibit A, into  
15       fifty-six (56) single-family lots and four (4) common lots for private streets, amenities,  
16       and landscaping, as shown on the tentative map submitted to the Planning Division on  
17       December 4, 2018, and as approved by the Planning Commission and City Council. If  
18       the Conditions of Approval specified herein are not satisfied or otherwise completed, the  
19       Project shall be subject to revocation.
- 20       2. Prior to the issuance of building or grading permits for the proposed development, a  
21       Precise Plan of Design shall be approved by the City's Development Review Committee  
22       (DRC).
- 23       3. City inspectors shall have access to the Site to reasonably inspect the Site during  
24       normal working hours to assure compliance with these conditions and other codes.
- 25       4. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,  
26       officers, or employees from any claims, damages, action, or proceeding against the  
27       City or its agents, officers, or employees to attack, set aside, void, or annul any  
28       approval of the City, its advisory agencies, appeal boards, or legislative body  
      concerning TTM No. 20199. The City will promptly notify the applicant of any such  
      claim, action, or proceeding against the City, and applicant will cooperate fully in the  
      defense.
5. In accordance with the provisions of Government Code Section 66020(d)(1), the  
      imposition of fees, dedications, reservations, or exactions for this Project, if any, are  
      subject to protest by the applicant at the time of approval or conditional approval of

1 the Project or within 90 days after the date of the imposition of the fees, dedications,  
2 reservations, or exactions imposed on the Project.

- 3 6. The City shall prepare a Fiscal Impact Analysis report at the applicant's sole cost and  
4 expense. The report shall analyze the Project's impact to the City's General Fund. The  
5 applicant shall be required to mitigate any negative fiscal impacts identified in the report  
6 through the formation of a Community Facilities District, payment of a Municipal  
7 Services Fee, or other acceptable mitigation method prior to the issuance of any building  
8 permits.
- 9 7. The applicant shall complete and abide by all mitigation measures contained within the  
10 Mitigation Monitoring and Reporting Program associated with Environmental  
11 Assessment Review No. 2018-0099 prior to issuance of any Certificate of Occupancy.
- 12 8. The applicant shall secure the services of a tribal cultural monitor to be present during  
13 all ground disturbance activities associated with the construction of this project. The  
14 tribal cultural monitor shall be approved by the Gabrieleño Band of Mission Indians-  
15 Kizh Nation, and documentation of coordination between the applicant and the  
16 Gabrieleño Band of Mission Indians-Kizh Nation on this matter shall be provided to the  
17 Planning Division prior to the issuance of a grading permit.
- 18 9. Approval of Tentative Tract Map No. 20199 will not be valid until such time that the  
19 City Council of the City of Rialto has approved Specific Plan Amendment No. 2017-  
20 0001, which was prepared in conjunction with the Project.
- 21 10. The applicant shall submit Covenants, Conditions and Restrictions (CC&R's) for a  
22 Home Owners Association (H.O.A.) to the Planning Division for review and approval  
23 by the City Attorney, at applicant's cost, prior to recordation of the Final Map.
- 24 11. The applicant shall include language within the CC&R's that prohibits property owners  
25 and/or residents from converting their garage or using it for any purpose other than the  
26 parking of vehicles.
- 27 12. The applicant shall pay all applicable development impact fees in accordance with the  
28 current City of Rialto fee ordinance, including any Transportation and Traffic Fair Share  
Contribution fees, as applicable
13. The private streets within the development shall be named as shown on the tentative  
map, and as follows:
- a. The entryway shall be named "Belloro Drive".
  - b. The east-west street shall be named "Bonita Lane".
  - c. The private street motor courts shall be named as follows from west to east:
    - i. "Gardena Avenue"
    - ii. "Huntington Court"
    - iii. "Alice Avenue"

- iv. "Palm Avenue"
- v. "Carson Court"
- vi. "Orange Avenue"

14. The applicant shall apply for annexation of the underlying property into City of Rialto Landscape and Lighting Maintenance District No. 2 ("LLMD 2"). An application fee of \$5,000 shall be paid at the time of application. Annexation into LLMD 2 is a condition of acceptance of any new median, parkway, and/or easement landscaping, or any new public street lighting improvements, to be maintained by the City of Rialto.
15. The applicant shall submit off-site landscaping and irrigation system improvement plans for review and approval at the time of first (1<sup>st</sup>) public improvement plan submittal to the Public Works Department. The parkway irrigation system shall be separately metered from the on-site private irrigation to be maintained for a period of one (1) year and annexed into a Special District. The off-site landscape and irrigation plans must show separate electrical and water meters to be annexed into the Landscape and Lighting Maintenance District No. 2 via a City Council Public Hearing. The landscape and irrigation plans shall be approved concurrently with the street improvement plans, including the median portion, prior to issuance of a building permit. The landscaping architect must contact the City of Rialto Landscape Contract Specialist at (909) 772-2635 to ensure all landscape and irrigation guidelines are met prior to plan approval. Electrical and water irrigation meter pedestals must not be designed to be installed at or near street intersections or within a raised median to avoid burdensome traffic control set-up during ongoing maintenance.
16. The applicant shall guarantee all new median and parkway landscaping irrigation for a period of one (1) year from the date of the City Engineer acceptance. Any landscaping that fails during the one year landscape maintenance period shall be replaced with similar plant material to the satisfaction of the City Engineer, and shall be subject to a subsequent one year landscape maintenance period. The applicant must contact the City of Rialto Landscape Contract Specialist at (909) 772-2635 to confirm a full twelve (12) months' time of non-interrupted ongoing maintenance.
17. The applicant shall install City Engineer approved deep root barriers, in accordance with the Public Works Landscape and Irrigation Guidelines, for all trees installed within ten (10) feet of the public sidewalk and/or curb.
18. All new street lights shall be installed on an independently metered, City-owned underground electrical system. The developer shall be responsible for applying with Southern California Edison ("SCE") for all appropriate service points and electrical meters. New meter pedestals shall be installed, and electrical service paid by the developer, until such time as the underlying property is annexed into LLMD 2.
19. The applicant shall submit street improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the approval of Tract Map No. 20199.

- 1 20. The applicant shall submit street light improvement plans by a registered California civil  
2 engineer to the Public Works Engineering Division for review. The plans shall be  
3 approved by the City Engineer prior to the approval of Tract Map No. 20199.
- 4 21. The applicant shall submit sewer improvement plans by a registered California civil  
5 engineer to the Public Works Engineering Division for review. The plans shall be  
6 approved by the City Engineer prior to the approval of Tract Map No. 20199.
- 7 22. The applicant shall submit traffic striping and signage improvement plans prepared by a  
8 registered California civil engineer or registered California traffic engineer to the Public  
9 Works Engineering Division for review. The plans shall be approved by the City  
10 Engineer prior to the approval of Tract Map No. 20199.
- 11 23. The applicant shall submit copies of approved water improvement plans prepared by a  
12 registered California civil engineer to the Public Works Engineering Division for record  
13 purposes. The plans shall be approved by Rialto Water Services, the City's water  
14 purveyor, prior to the approval of Tract Map No. 20199.
- 15 24. The applicant shall submit a Precise Grading/Paving Plan prepared by a California  
16 registered civil engineer to the Public Works Engineering Division for review and  
17 approval. The Grading Plan shall be approved by the City Engineer prior to approval of  
18 Tract Map No. 20199 and prior to the issuance of any building permit.
- 19 25. The applicant shall submit a Geotechnical/Soils Report, prepared by a California  
20 registered Geotechnical Engineer, for and incorporated as an integral part of the grading  
21 plan for the proposed development. A copy of the Geotechnical/Soils Report shall be  
22 submitted to the Public Works Engineering Division with the first submittal of the  
23 Precise Grading Plan.
- 24 26. The public and street improvements outlined in these conditions of approval are  
25 intended to convey to the developer an accurate scope of required improvements,  
26 however, the City Engineer reserves the right to require reasonable additional  
27 improvements as may be determined in the course of the review and approval of street  
28 improvement plans required by these conditions.
- 29 27. 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 provide 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.



- 1 28. The applicant shall repair all street cuts for utilities in accordance with City Standard  
2 SC-231 within 72 hours of completion of the utility work; and any interim trench repairs  
3 shall consist of compacted backfill to the bottom of the pavement structural section  
4 followed by placement of standard base course material in accordance with the Standard  
5 Specifications for Public Work Construction ("Greenbook"). The base course material  
6 shall be placed the full height of the structural section to be flush with the existing  
7 pavement surface and provide a smooth pavement surface until permanent cap paving  
8 occurs using an acceptable surface course material.
- 9 29. The applicant shall backfill and/or repair any and all utility trenches or other excavations  
10 within existing asphalt concrete pavement of off-site streets resulting from the proposed  
11 development, in accordance with City of Rialto Standard Drawings. The applicant shall  
12 be responsible for removing, grinding, paving and/or overlaying existing asphalt  
13 concrete pavement of off-site streets including pavement repairs in addition to pavement  
14 repairs made by utility companies for utilities installed for the benefit of the proposed  
15 development (i.e. Fontana Water Company, Southern California Edison, Southern  
16 California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches,  
17 and other street cuts within existing asphalt concrete pavement of off-site streets  
18 resulting from the proposed development may require complete grinding and asphalt  
19 concrete overlay of the affected off-site streets, at the discretion of the City Engineer.  
20 The pavement condition of the existing off-site streets shall be returned to a condition  
21 equal to or better than what existed prior to construction of the proposed development.
- 22 30. The applicant shall install underground all existing electrical distribution lines of sixteen  
23 thousand volts or less and overhead service drop conductors, and all telephone,  
24 television cable service, and similar service wires or lines, which are on-site, abutting,  
25 and/or transecting the site, in accordance with Chapter 15.32 of the Rialto Municipal  
26 Code. Utility undergrounding shall extend to the nearest off-site power pole. Unless City  
27 Engineer approved, no new power poles shall be installed. A letter from the owners of  
28 the affected utilities shall be submitted to the City Engineer prior to approval of the  
Precise Grading/Paving Plan, informing the City that they have been notified of the  
City's utility undergrounding requirement and their intent to commence design of utility  
undergrounding plans. When available, the utility undergrounding plan shall be  
submitted to the City Engineer identifying all above ground facilities in the area of the  
project to be undergrounded.
31. The applicant shall replace all damaged, destroyed, or modified pavement legends,  
traffic control devices, signing, striping, and street lights, associated with the proposed  
development prior to the issuance of a Certificate of Occupancy.
32. The applicant shall provide construction signage, lighting and barricading during all  
phases of construction as required by City Standards or as directed by the City Engineer.  
As a minimum, all construction signing, lighting and barricading shall be in accordance  
with Part 6 "Temporary Traffic Control" of the 2014 California Manual on Uniform  
Traffic Control Devices, or subsequent editions in force at the time of construction.

- 1 33. Upon approval of any improvement plan by the City Engineer, the applicant shall  
2 provide the improvement plan to the City in digital format, consisting of a DWG  
3 (AutoCAD drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF  
4 (Adobe Acrobat) formats. Variation of the type and format of the digital data to be  
5 submitted to the City may be authorized, upon prior approval by the City Engineer.
- 6 34. The applicant shall construct and include in the project design any and all Transportation  
7 Commission recommended improvements.
- 8 35. The applicant shall construct 4-inch conduit within the parkway area along the entire  
9 project frontages of Willow Avenue and Bonnie View Drive for future use.
- 10 36. The applicant shall dedicate additional right-of-way along the entire frontage of Willow  
11 Avenue, as necessary, to provide the ultimate half-width of 32 feet, as required by the  
12 City Engineer.
- 13 37. The applicant shall dedicate additional right-of-way along the entire frontage of Bonnie  
14 View Drive, as necessary, to provide the ultimate half-width of 30 feet, as required by  
15 the City Engineer.
- 16 38. The applicant shall dedicate a property line corner cutback at the southeast corner of the  
17 intersection of Willow Avenue and Bonnie View Drive, in accordance with City  
18 Standard SC-235, as required by the City Engineer.
- 19 39. The applicant shall dedicate a property line corner cutback at the southeast and  
20 southwest corners of the intersection of Bonnie View Drive and Belloro Drive, in  
21 accordance with City Standard SC-235, as required by the City Engineer.
- 22 40. The applicant shall construct a curb ramp meeting current California State Accessibility  
23 standards at the southeast corner of the intersection of Willow Avenue and Bonnie View  
24 Drive, in accordance with the City of Rialto Standard Drawings.
- 25 41. The applicant shall construct a curb ramp meeting current California State Accessibility  
26 standards at both the southeast and southwest corners of the intersection of Willow  
27 Avenue and Belloro Drive, in accordance with the City of Rialto Standard Drawings.
- 28 42. The applicant shall construct a new underground electrical system for public street  
lighting improvements along the project frontages of Willow Avenue and Bonnie View  
Drive, as determined necessary by the City Engineer. New marbelite street light poles  
with LED light fixtures shall be installed in accordance with City of Rialto Standard  
Drawings.
43. 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 Willow Avenue and Bonnie View Drive in

1 accordance with City of Rialto Standard Drawings. The pavement section shall be  
2 determined using a Traffic Index ("TI") of 6. The pavement section shall be designed  
3 by a California registered Geotechnical Engineer using "R" values from the project site  
4 and submitted to the City Engineer for approval. Pavement shall extend from clean  
5 sawcut edge of pavement at centerline.

6 44. The applicant shall install "No Stopping Anytime" R26A(S)(CA) signage along the  
7 entire project frontages of Willow Avenue and Bonnie View Drive, as required by the  
8 City Engineer.

9 45. All broken or off-grade street and sidewalk improvements along the project frontages of  
10 Willow Avenue and Bonnie View Drive shall be repaired or replaced, as required by the  
11 City Engineer.

12 46. The applicant shall connect the project to the City of Rialto sewer system and apply for a  
13 sewer connection account with Rialto Water Services.

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

18 48. Domestic water service to the underlying property is provided by Rialto Water Services  
19 (RWS). The applicant shall be responsible for coordinating with RWS and complying  
20 with all requirements for establishing domestic water service to the property. The design  
21 must include fire hydrants along Willow Avenue and Bonnie View Drive.

22 49. The applicant shall install a new domestic water line lateral connection to the main water  
23 line within Bonnie View Drive, pursuant to the Rialto Water Services requirements. A  
24 water line plan shall be approved by Rialto Water Services prior to approval of Tract  
25 Map No. 20199.

26 50. The development of the site is subject to the requirements of the National Pollution  
27 Discharge Elimination System (NPDES) Permit for the City of Rialto, under the Santa  
28 Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant  
to the NPDES Permit, the applicant shall ensure development of the site incorporates  
post-construction Best Management Practices ("BMPs") in accordance with the Model  
Water Quality Management Plan ("WQMP") approved for use for the Santa Ana River  
Watershed. The applicant is advised that applicable Site Design BMPs will be required  
to be incorporated into the final site design, pursuant to a site specific WQMP submitted  
to the City Engineer for review and approval.

51. The applicant shall submit a Water Quality Management Plan identifying site specific  
Best Management Practices ("BMPs") in accordance with the Model Water Quality  
Management Plan ("WQMP") approved for use for the Santa Ana River Watershed.  
The site specific WQMP shall be submitted to the City Engineer for review and

1 approval with the Grading Plan. A WQMP Maintenance Agreement shall be required,  
2 obligating the property owner(s) to appropriate operation and maintenance obligations  
3 of on-site BMPs constructed pursuant to the approved WQMP. The WQMP and  
4 Maintenance Agreement shall be approved prior to the issuance of any building permit  
and shall be recorded at the San Bernardino County Recorder's Office prior to the  
issuance of a Certificate of Occupancy.

5 52. The applicant shall prepare a Notice of Intent (NOI) to comply with the California  
6 General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as  
7 modified September 2, 2009) is required via the California Regional Water Quality  
8 Control Board online SMARTS system. A copy of the executed letter issuing a Waste  
9 Discharge Identification (WDID) number shall be provided to the City Engineer prior to  
10 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.

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

20 54. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to  
21 the adjacent public streets. Provisions for the interception of nuisance water from  
22 entering adjacent public streets from the project site shall be provided through the use of  
23 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.

24 55. The applicant shall provide pad elevation certifications for all building pads in  
25 conformance with the approved Precise Grading/Paving Plan to the Engineering  
26 Division prior to the construction of any building foundation.

27 56. Prior to the issuance of a certificate of occupancy or final City approvals, the applicant  
28 shall demonstrate that all structural BMP's have been constructed and installed in

1 conformance with approved plans and specifications, and as identified in the approved  
2 WQMP.

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

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

- 8 a. 6 foot high tan colored perimeter screened fencing
- 9 b. Contractor information signage including contact information along the street  
10 frontage of Foothill Boulevard, Spruce Avenue, Larch Avenue, and Grove  
11 Avenue.
- 12 c. Post dust control signage with the following verbiage: "Project Name, WDID  
13 No., IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME  
14 (XXX) XXX-XXX, If you do not receive a response, please call the AQMD at  
15 1-800-CUT-SMOG/1-800-228-7664"

16 59. The applicant shall remove any graffiti within 24 hours, before, during, and post  
17 construction.

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

23 61. The applicant shall submit a final tract map (Tract Map No. 20199), prepared by a  
24 California registered Land Surveyor or qualified Civil Engineer, to the Public Works  
25 Engineering Division for review and approval. A Title Report prepared for subdivision  
26 guarantee for the subject property, the traverse closures for the existing parcel and all  
27 lots created therefrom, and copies of record documents shall be submitted with Tract  
28 Map No. 20199 to the Public Works Engineering Division as part of the review of the  
Map. Tract Map No. 20199 shall be approved by the City Council prior to issuance of  
any building permits.

62. In accordance with Government Code 66462, all required public improvements shall be  
completed prior to the approval of a final map (Tract Map No. 20199). Alternatively,  
the applicant may enter into a Subdivision Improvement Agreement to secure the cost of  
all required public improvements at the time of requesting the City Engineer's approval  
of Tract Map No. 20199. If a Subdivision Improvement Agreement is requested by the  
applicant, a fee of \$2,000 shall be paid for preparation and processing of the Subdivision  
Improvement Agreement. The applicant will be required to secure the Subdivision

Improvement Agreement pursuant to Government Code 66499 in amounts determined by the City Engineer.

63. The applicant shall comply with all other applicable State and local ordinances.

64. Applicant shall comply with all conditions of approval contained in SPA No. 2017-0001, to the extent they are not in conflict with any condition of approval herein.

65. Pursuant to Section 17.16.050A of the Rialto Municipal Code, approval of TTM No. 20199 is granted for a period of twenty-four (24) months from the effective date of this resolution. Pursuant to Section 17.16.050C of the Rialto Municipal Code, an extension of time for TTM No. 20199 may be granted by the Planning Commission for a period or periods not to exceed a total of thirty-six (36) months. The period or periods of extension shall be in addition to the original twenty-four (24) months. An application shall be filed with the Planning Division for each extension together with the required fee prior to the expiration date of TTM No. 20199.

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

PASSED, APPROVED AND ADOPTED this 29th day of May, 2019.

\_\_\_\_\_  
JOHN PEUKERT, CHAIR  
CITY OF RIALTO PLANNING COMMISSION

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  
7 Planning Commission of the City of Rialto held on the \_\_\_\_th day of \_\_\_\_, 2019.

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  
15 of Rialto this \_\_\_\_th day of \_\_\_\_, 2019.  
16  
17  
18

19 \_\_\_\_\_  
20 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT  
21  
22  
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28

# LEGAL DESCRIPTION

## SPECIFIC PLAN AMENDMENT

### LEGAL DESCRIPTION:

PER PRELIMINARY REPORT PREPARED BY CHICAGO TITLE INSURANCE COMPANY,  
ORDER NUMBER 00086243-996-SD1-RT4 DATED AUGUST 3, 2018.

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF RIALTO,  
IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS  
DESCRIBED AS FOLLOWS:

PARCELS 6, 7, 8 AND 9 OF PARCEL MAP NO. 8173, IN THE CITY OF RIALTO,  
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED  
IN BOOK 88 PAGES 67 AND 68 OF MAPS, IN THE OFFICE OF THE COUNTY  
RECORDER OF SAID COUNTY.

		<b>L D C</b>	<b>LAND</b>	LAND PLANNERS	DATE:
			<b>DEVELOPMENT</b>	SURV-YORS	SIGNED:
			<b>CONSULTANTS</b>	CIVIL ENGINEERS	DRAFTED:
			1520 BROOKHOLLOW DRIVE, SUITE 99 SANTA ANA, CALIFORNIA, 92705 (714) 557-7700 (714) 557-7707 FAX		CHGCKED: