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1 Tentative Tract Map No. 20237, (“TTM No. 20237”), in accordance with the Subdivision Map  
2 Act (Government Code §§ 66410 et seq.); and

3 **WHEREAS**, on July 31, 2019, the Planning Commission of the City of Rialto conducted  
4 a duly noticed public hearing, as required by law, on TTM No. 20237, GPA No. 2019-0001, and  
5 ZC No. 2019-0001, took testimony, at which time it received input from staff, the city attorney,  
6 and the applicant; heard public testimony; discussed the proposed TTM No. 20237, GPA No.  
7 2019-0001, and ZC No. 2019-0001; and closed the public hearing; and

8 **WHEREAS**, on July 31, 2019, the Planning Commission voted 6-0 (1 absence) to  
9 recommend approval of TTM No. 20237, GPA No. 2019-0001, and ZC No. 2019-0001 to the City  
10 Council; and

11 **WHEREAS**, on September 10, 2019, the City Council conducted a public hearing, as  
12 required by law, on TTM No. 20237, GPA No. 2019-0001, and ZC No. 2019-0001, took testimony,  
13 at which time it received input from staff, the city attorney, and the applicant; heard public  
14 testimony, discussed TTM No. 20237, GPA No. 2019-0001, and ZC No. 2019-0001; and closed  
15 the public hearing; and

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

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

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

20 **SECTION 2.** Based on substantial evidence presented to the City Council during the public  
21 hearing conducted with regard to TTM No. 20237, including written staff reports, verbal testimony,  
22 project plans, other documents, and the conditions of approval stated herein, the City Council hereby  
23 determines that TTM No. 20237 satisfies the requirements of Government Code Sections 66473.5  
24 and 66474 and Section 17.16.070 of the Rialto Municipal Code pertaining to the findings which must  
25 be made precedent to amending a General Plan. The findings are as follows:

- 26 1. That the proposed tentative tract map is consistent with the General Plan of the City  
27 of Rialto and the Multi-Family Residential (R-3) zone, as applicable; and

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

1 GPA No. 2019-0001, prepared in conjunction with the Project, will change the land use  
2 designation of the Site to Residential 12. ZC No. 2019-0001, prepared in conjunction with  
3 the Project, will change the zoning designation of the Site to R-3. The allowable density range  
4 within the Residential 12 designation and the R-3 zone is between 6.1 to 12.0 dwelling units  
5 per acre. The proposed density of the Site, as a result of the Project, is 6.86 dwelling units per  
6 acre, which is consistent with the Residential 12 land use designation and the R-3 zoning  
7 designation.

8 Furthermore, the R-3 zone requires a minimum gross site area of 1.0 acres. The area of the  
9 Site is 9.10 gross acres (8.74 net acres), which exceeds the minimum required. No minimum  
10 individual lot sizes are specified within the development standards of the R-3 zone. As it  
11 pertains to the tentative tract map, the proposed subdivision of the Site is consistent with the  
12 R-3 zone and the Residential 12 land use designation.

- 13 2. That the design and improvements of the proposed tentative tract map are consistent  
14 with the Subdivision Ordinance, the General Plan of the City of Rialto, and the Multi-  
15 Family Residential (R-3) zone; and

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

17 The Project will comply with all of the technical standards required by Subdivision Map Act.  
18 Additionally, the Project is consistent with the proposed R-3 zone and the proposed  
19 Residential 12 land use designation, as all of the development standards for the R-3 zone and  
20 the density requirements of the Residential 12 land use designation are satisfied within the  
21 Project.

22 An existing portion of Acacia Avenue will provide the primary access to the Project. A new  
23 distinctive entryway, featuring a landscaped median, decorative paving, and signage, will be  
24 located near the center of the Acacia Avenue street frontage. The applicant will also install a  
25 secondary emergency-exit only driveway at the south end of the Acacia Avenue street  
26 frontage. Access within the Project will be provided by a new private street system throughout  
27 the inside of the project site.

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

*This finding is supported by the following facts:*

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

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

*This finding is supported by the following facts:*

1 The Site is 8.74 net acres in size. Upon the completion of GPA No. 2019-0001 and ZC No.  
2 2019-0001 the maximum density allowed on the Site will be 12.0 dwelling units per acre.  
3 The acreage of the Site is suitable to accommodate the proposed density of 6.86 dwelling units  
4 per acre.

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

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

8 According to Section 4.4.2 of the General Plan Environmental Impact Report, the Site is  
9 designated as a habitat for the endangered Delhi Sands Flower-Loving Fly (DSF). However,  
10 the applicant hired Powell Environmental Consultants to conduct survey of the Site in 2017  
11 and 2018 to determine if the DSF was present on the Site. Each survey determined that the  
12 DSF was not present on the Site. A condition of approval contained herein requires the  
13 applicant to provide the Planning Division with documentation of clearance from the United  
14 States Fish & Wildlife Services prior to the commencement of any ground disturbance  
15 activities on the Site. Additionally, the initial study prepared for the Project determined that  
16 the Site did not contain suitable habitat for any other known threatened or endangered species,  
17 including the Burrowing Owl and the San Bernardino Kangaroo Rat.

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

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

21 The Site is bound on the west by Acacia Avenue. To the north of the project site is an  
22 existing single-family residential neighborhood built in 1970. To the east of the project  
23 site is a single-family residential neighborhood built from 1990 to 1992 and located within  
24 the City of San Bernardino. To the south is approximately 6.80 acres of vacant land  
25 recently approved for the development of fifty (50) single-family residences as a part of  
26 the Wagon Wheel residential project by R.C. Hobbs Company, Inc., and to the west, both  
27 adjacent to the project site and across Acacia Avenue, are several rural single-family  
28 residences. The current zoning of the project site is a mix of Agricultural (A-1) and Single-  
Family Residential (R-1C). The zoning of the properties to the north is Single-Family  
Residential (R-1C), the zoning of the property to the south is Multi-Family Residential (R-  
3), and the zoning of the properties to the west is Agricultural (A-1). 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.

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

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

5           Four (4) easements exist on or in relation to the Site. The first two (2) easements are in relation  
6 to land dedicated to the City of Rialto for road, street, highway, and other incidental purposes.  
7 Both of these easements will remain unaffected by the Project. The third easement is in favor  
8 of the Semi-Tropic Land and Water Company and dates back to December 24, 1890. The  
9 fourth involves various agreements, conditions, and reservations as to water and rights-of-  
10 way and easements of undisclosed route and width, as set forth in a deed from John H.  
11 Carruthers to the Fontana Development Company recorded on March 30, 1901. The locations  
12 of the third and fourth easements cannot be determined from the record information.

13           **SECTION 3.** An Initial Study (Environmental Assessment Review No. 2019-0002) has  
14 been prepared for GPA No. 2019-0001 in accordance with the California Environmental Quality Act  
15 (CEQA). Based on the findings and recommended mitigation with the Initial Study, staff determined  
16 that the project will not have an adverse impact on the environment, provided that mitigation measures  
17 are implemented, and a Mitigated Negative Declaration was prepared. The local newspaper published  
18 a copy of the Notice of Intent to adopt the Mitigated Negative Declaration for the project, and the City  
19 mailed the notice to all property owners within 300 feet of the project site for a public comment period  
20 held from June 20, 2019 to July 9, 2019. The Mitigated Negative Declaration was prepared in  
21 accordance with CEQA. The City Council hereby adopts the Mitigated Negative Declaration and  
22 direct the Planning Division to file the necessary documentation with the Clerk of the Board of  
23 Supervisors for San Bernardino County.

24           **SECTION 4.** The City Council hereby approves TTM No. 20237, in conjunction with GPA  
25 No. 2019-0001 and ZC No. 2019-0001, to allow the subdivision of 8.74 net acres of land (APNs:  
26 0131-131-13, -14, & -23) located on the east side of Acacia Avenue approximately 775 feet north of  
27 Randall Avenue, described in the legal description attached as Exhibit A, into sixty (60) detached  
28 single-family lots and twelve (12) common lots for private streets, common open space, landscaping,

1 and stormwater detention, in accordance with the application on file with the Planning Division,  
2 subject to the following conditions:

- 3 1. TTM No. 20237 is approved allowing the subdivision of 8.74 net acres of land (APNs:  
4 0131-131-13, -14, & -23) located on the east side of Acacia Avenue approximately 775  
5 feet north of Randall Avenue, described in the legal description attached as Exhibit A,  
6 into sixty (60) single-family residential lots and twelve (12) common lots for private  
7 streets, common open space, landscaping, and stormwater detention, as shown on the  
8 tentative map submitted to the Planning Division on July 16, 2019, and as approved by  
9 the Planning Commission and City Council. If the Conditions of Approval specified  
10 herein are not satisfied or otherwise completed, the Project shall be subject to revocation.
- 11 2. Prior to the issuance of building or grading permits for the proposed development, a  
12 Precise Plan of Design shall be approved by the City's Development Review Committee  
13 (DRC).
- 14 3. City inspectors shall have access to the Site to reasonably inspect the Site during normal  
15 working hours to assure compliance with these conditions and other codes.
- 16 4. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,  
17 officers, or employees from any claims, damages, action, or proceeding against the City  
18 or its agents, officers, or employees to attack, set aside, void, or annul any approval of  
19 the City, its advisory agencies, appeal boards, or legislative body concerning TTM No.  
20 20237. The City will promptly notify the applicant of any such claim, action, or  
21 proceeding against the City, and applicant will cooperate fully in the defense.
- 22 5. In accordance with the provisions of Government Code Section 66020(d)(1), the  
23 imposition of fees, dedications, reservations, or exactions for this Project, if any, are  
24 subject to protest by the applicant at the time of approval or conditional approval of the  
25 Project or within 90 days after the date of the imposition of the fees, dedications,  
26 reservations, or exactions imposed on the Project.
- 27 6. Approval of Tentative Tract Map No. 20237 will not be valid until such time that the City  
28 Council of the City of Rialto has approved General Plan Amendment No. 2019-0001 and  
Zone Change No. 2019-0001, which were prepared in conjunction with the Project.
7. The applicant shall annex the Site within a Community Facilities District to offset  
operational costs to the City's General Fund associated with TTM No. 20237, as  
determined by the Fiscal Impact Analysis prepared by Stanley R. Hoffman Associates,  
Inc., dated May 24, 2019, prior to the issuance of any building permits.
8. The applicant shall complete and abide by all mitigation measures contained within the  
Mitigation Monitoring and Reporting Program associated with Environmental  
Assessment Review No. 2019-0002 prior to issuance of any Certificate of Occupancy.

- 1 9. The applicant shall secure the services of a tribal cultural monitor to be present during all  
2 ground disturbance activities associated with the construction of this project. The tribal  
3 cultural monitor shall be approved by the Gabrieleño Band of Mission Indians-Kizh  
4 Nation, and documentation of coordination between the applicant and the Gabrieleño  
5 Band of Mission Indians-Kizh Nation on this matter shall be provided to the Planning  
6 Division prior to the issuance of a grading permit.  
7
- 8 10. The applicant shall provide documentation indicating clearance from the United States  
9 Fish & Wildlife Service in regards to the Delhi Sands Flower-Loving Fly (DSF) prior to  
10 the commencement of any ground disturbance activities and prior to the issuance of a  
11 rough or precise grading permit.  
12
- 13 11. The applicant shall submit Covenants, Conditions and Restrictions (CC&R's) for a Home  
14 Owners Association (H.O.A.) to the Planning Division for review and approval by the  
15 City Attorney, at applicant's cost, prior to recordation of the Final Map.  
16
- 17 12. The applicant shall include language within the CC&R's that prohibits property owners  
18 and/or residents from converting their garage or using it for any purpose other than the  
19 parking of vehicles.  
20
- 21 13. The applicant shall construct a minimum six (6) foot high solid decorative masonry block  
22 wall around the perimeter of the project, or as approved by the Planning Division, prior to  
23 the issuance of any certificate of occupancy. Decorative masonry block means tan  
24 slumpstone block, tan split-face block, or precision block with a stucco, plaster, or  
25 cultured stone finish. All decorative masonry block walls shall include a decorative cap.  
26 Pilasters shall be incorporated within the all block walls. The pilasters shall be spaced a  
27 maximum of fifty (50) feet and shall be placed at all corners and ends of the wall. All  
28 pilasters shall protrude a minimum of six (6) inches above and at least six (6) inches to  
the side of the wall. All pilasters shall include a decorative cap.
14. The private streets within the development shall be named as shown on the tentative map,  
and as follows:
  - a. The entryway shall be named "Stanton Way".
  - b. The westerly north-south street shall be named "Encina Avenue".
  - c. The center north-south street shall be named "Sumac Lane".
  - d. The easterly north-south street shall be named "Pine Avenue".
  - e. The northerly east-west street shall be named "Vodden Street".
  - f. The southerly east-west street shall be named "Alru Street".
15. The applicant shall pay all applicable development impact fees in accordance with the  
current City of Rialto fee ordinance, including any Transportation and Traffic Fair Share  
Contribution fees, as applicable.
16. 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

1 \$5,000 shall be paid at the time of application. Annexation into LLMD 2 is a condition  
2 of acceptance of any new median, parkway, and/or easement landscaping, or any new  
3 public street lighting improvements, to be maintained by the City of Rialto.

- 4 17. The applicant shall submit off-site landscaping and irrigation system improvement plans  
5 for review and approval at the time of first (1<sup>st</sup>) public improvement plan submittal to the  
6 Public Works Department. The parkway irrigation system shall be separately metered  
7 from the on-site private irrigation to be maintained for a period of one (1) year and  
8 annexed into a Special District. The off-site landscape and irrigation plans must show  
9 separate electrical and water meters to be annexed into the Landscape and Lighting  
10 Maintenance District No. 2 via a City Council Public Hearing. The landscape and  
11 irrigation plans shall be approved concurrently with the street improvement plans,  
12 including the median portion, prior to issuance of a building permit. The landscaping  
13 architect must contact the City of Rialto Landscape Contract Specialist at (909) 772-2635  
14 to ensure all landscape and irrigation guidelines are met prior to plan approval. Electrical  
15 and water irrigation meter pedestals must not be designed to be installed at or near street  
16 intersections or within a raised median to avoid burdensome traffic control set-up during  
17 ongoing maintenance.
- 18 18. The applicant shall guarantee all new parkway landscaping irrigation for a period of one  
19 (1) year from the date of the City Engineer acceptance. Any landscaping that fails during  
20 the one year landscape maintenance period shall be replaced with similar plant material  
21 to the satisfaction of the City Engineer, and shall be subject to a subsequent one year  
22 landscape maintenance period. The applicant must contact the City of Rialto Landscape  
23 Contract Specialist at (909) 772-2635 to confirm a full twelve (12) months' time of non-  
24 interrupted ongoing maintenance.
- 25 19. The applicant shall install City Engineer approved deep root barriers, in accordance with  
26 the Public Works Landscape and Irrigation Guidelines, for all trees installed within ten  
27 (10) feet of the public sidewalk and/or curb.
- 28 20. 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.
21. 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. 20237.
22. The applicant shall submit street light improvement plans by a registered California civil  
engineer to the Public Works Engineering Division for review. The plans shall be  
approved by the City Engineer prior to the approval of Tract Map No. 20237.



- 1 23. The applicant shall submit sewer 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. 20237.
- 4 24. The applicant shall submit traffic and signage improvement plans by a registered  
5 California civil engineer to the Public Works Engineering Division for review. The plans  
6 shall be approved by the City Engineer prior to the approval of Tract Map No. 20237.
- 7 25. The applicant shall submit copies of approved water improvement plans prepared by a  
8 registered California civil engineer to the Public Works Engineering Division for record  
9 purposes. The plans shall be approved by Rialto Water Services, the City's water  
10 purveyor, prior to the approval of Tract Map No. 20237.
- 11 26. The applicant shall submit a Precise Grading/Paving Plan prepared by a California  
12 registered civil engineer to the Public Works Engineering Division for review and  
13 approval. The Grading Plan shall be approved by the City Engineer prior to approval of  
14 Tract Map No. 20237 and prior to the issuance of any building permit.
- 15 27. The applicant shall submit a Geotechnical/Soils Report, prepared by a California  
16 registered Geotechnical Engineer, for and incorporated as an integral part of the grading  
17 plan for the proposed development. A copy of the Geotechnical/Soils Report shall be  
18 submitted to the Public Works Engineering Division with the first submittal of the Precise  
19 Grading Plan.
- 20 28. The public and street improvements outlined in these conditions of approval are intended  
21 to convey to the developer an accurate scope of required improvements, however, the City  
22 Engineer reserves the right to require reasonable additional improvements as may be  
23 determined in the course of the review and approval of street improvement plans required  
24 by these conditions.
- 25 29. The applicant shall construct asphalt concrete paving for streets in two separate lifts. The  
26 final lift of asphalt concrete pavement shall be postponed until such time that on-site  
27 construction activities are complete. Unless the City Engineer provide prior authorization,  
28 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.
30. The applicant shall repair all street cuts for utilities in accordance with City Standard SC-  
231 within 72 hours of completion of the utility work; and any interim trench repairs shall  
consist of compacted backfill to the bottom of the pavement structural section followed  
by placement of standard base course material in accordance with the Standard  
Specifications for Public Work Construction ("Greenbook"). The base course material  
shall be placed the full height of the structural section to be flush with the existing

1 pavement surface and provide a smooth pavement surface until permanent cap paving  
2 occurs using an acceptable surface course material.

- 3 31. The applicant shall backfill and/or repair any and all utility trenches or other excavations  
4 within existing asphalt concrete pavement of off-site streets resulting from the proposed  
5 development, in accordance with City of Rialto Standard Drawings. The applicant shall  
6 be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete  
7 pavement of off-site streets including pavement repairs in addition to pavement repairs  
8 made by utility companies for utilities installed for the benefit of the proposed  
9 development (i.e. Fontana Water Company, Southern California Edison, Southern  
10 California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches,  
11 and other street cuts within existing asphalt concrete pavement of off-site streets resulting  
12 from the proposed development may require complete grinding and asphalt concrete  
13 overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement  
14 condition of the existing off-site streets shall be returned to a condition equal to or better  
15 than what existed prior to construction of the proposed development.
- 16 32. The applicant shall install underground all existing electrical distribution lines of sixteen  
17 thousand volts or less and overhead service drop conductors, and all telephone, television  
18 cable service, and similar service wires or lines, which are on-site, abutting, and/or  
19 transecting the site, in accordance with Chapter 15.32 of the Rialto Municipal Code.  
20 Utility undergrounding shall extend to the nearest off-site power pole. Unless City  
21 Engineer approved, no new power poles shall be installed. A letter from the owners of  
22 the affected utilities shall be submitted to the City Engineer prior to approval of the Precise  
23 Grading/Paving Plan, informing the City that they have been notified of the City's utility  
24 undergrounding requirement and their intent to commence design of utility  
25 undergrounding plans. When available, the utility undergrounding plan shall be submitted  
26 to the City Engineer identifying all above ground facilities in the area of the project to be  
27 undergrounded.
- 28 33. 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.
34. 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.
35. Upon approval of any improvement plan by the City Engineer, the applicant shall provide  
the improvement plan to the City in digital format, consisting of a DWG (AutoCAD  
drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat)  
formats. Variation of the type and format of the digital data to be submitted to the City  
may be authorized, upon prior approval by the City Engineer.

- 1 36. The applicant shall construct and include in the project design any and all Transportation  
2 Commission recommended improvements.
- 3 37. The applicant shall construct 4-inch conduit within the parkway area along the entire  
4 project frontage of Acacia Avenue for future use.
- 5 38. The applicant shall dedicate additional right-of-way along the entire frontage of Willow  
6 Avenue, as necessary, to provide the ultimate half-width of 32 feet, as required by the City  
7 Engineer.
- 8 39. The applicant shall dedicate a property line corner cutback at the northeast and southeast  
9 corners of the intersection of Acacia Avenue and Stanton Way, in accordance with City  
10 Standard SC-235, as required by the City Engineer.
- 11 40. The applicant shall construct a curb ramp meeting current California State Accessibility  
12 standards at both the northeast and southeast corners of the intersection of Acacia Avenue  
13 and Stanton Way, in accordance with the City of Rialto Standard Drawings.
- 14 41. The applicant shall construct a new underground electrical system for public street  
15 lighting improvements along the project frontage of Acacia Avenue, as determined  
16 necessary by the City Engineer. New marbelite street light poles with LED light fixtures  
17 shall be installed in accordance with City of Rialto Standard Drawings.
- 18 42. The applicant shall remove existing pavement and construct new pavement with a  
19 minimum pavement section of 4 inches asphalt concrete pavement over 6 inches crushed  
20 aggregate base with a minimum subgrade of 24 inches at 95% relative compaction, or  
21 equal, along the entire frontage of Acacia Avenue in accordance with City of Rialto  
22 Standard Drawings. The pavement section shall be determined using a Traffic Index  
23 ("TI") of 6. The pavement section shall be designed by a California registered  
24 Geotechnical Engineer using "R" values from the project site and submitted to the City  
25 Engineer for approval. Pavement shall extend from clean sawcut edge of pavement at  
26 centerline.
- 27 43. The applicant shall install "No Stopping Anytime" R26A(S)(CA) signage along the entire  
28 project frontage of Acacia Avenue, as required by the City Engineer.
44. All broken or off-grade street and sidewalk improvements along the project frontage of  
Acacia Avenue shall be repaired or replaced, as required by the City Engineer.
45. The applicant shall connect the project to the City of Rialto sewer system and apply for a  
sewer connection account with Rialto Water Services.
46. The applicant shall provide certification from Rialto Water Services that demonstrates  
that all water and/or wastewater service accounts for the project are documented, prior to  
the issuance of a Certificate of Occupancy or final inspection approval from the Public  
Works Engineering Division.

- 1 47. Domestic water service to the underlying property is provided by Rialto Water Services  
2 (RWS). The applicant shall be responsible for coordinating with RWS and complying  
3 with all requirements for establishing domestic water service to the property. The design  
4 must include fire hydrants along Acacia Avenue.
- 5 48. The applicant shall install a new domestic water line lateral connection to the main water  
6 line within Acacia Avenue, pursuant to the Rialto Water Services requirements. A water  
7 line plan shall be approved by Rialto Water Services prior to approval of Tract Map No.  
8 20237.
- 9 49. The development of the site is subject to the requirements of the National Pollution  
10 Discharge Elimination System (NPDES) Permit for the City of Rialto, under the Santa  
11 Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant to  
12 the NPDES Permit, the applicant shall ensure development of the site incorporates post-  
13 construction Best Management Practices ("BMPs") in accordance with the Model Water  
14 Quality Management Plan ("WQMP") approved for use for the Santa Ana River  
15 Watershed. The applicant is advised that applicable Site Design BMPs will be required to  
16 be incorporated into the final site design, pursuant to a site specific WQMP submitted to  
17 the City Engineer for review and approval.
- 18 50. The applicant shall submit a Water Quality Management Plan identifying site specific  
19 Best Management Practices ("BMPs") in accordance with the Model Water Quality  
20 Management Plan ("WQMP") approved for use for the Santa Ana River Watershed. The  
21 site specific WQMP shall be submitted to the City Engineer for review and approval with  
22 the Grading Plan. A WQMP Maintenance Agreement shall be required, obligating the  
23 property owner(s) to appropriate operation and maintenance obligations of on-site BMPs  
24 constructed pursuant to the approved WQMP. The WQMP and Maintenance Agreement  
25 shall be approved prior to the issuance of any building permit and shall be recorded at the  
26 San Bernardino County Recorder's Office prior to the issuance of a Certificate of  
27 Occupancy.
- 28 51. 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.
52. All stormwater runoff passing through the site shall be accepted and conveyed across the  
property in a manner acceptable to the City Engineer. For all stormwater runoff falling  
on the site, on-site retention or other facilities approved by the City Engineer shall be  
required to contain the increased stormwater runoff generated by the development of the

property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. The volume of increased stormwater runoff to retain on-site shall be determined by comparing the existing “pre-developed” condition and proposed “developed” condition, using the 100-year frequency storm.

53. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to 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.
54. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved Precise Grading/Paving Plan to the Engineering Division prior to the construction of any building foundation.
55. Prior to the issuance of a certificate of occupancy or final City approvals, the applicant shall demonstrate that all structural BMP’s have been constructed and installed in conformance with approved plans and specifications, and as identified in the approved WQMP.
56. 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).
57. Prior to commencing with any grading, the applicant shall implement the required erosion and dust control measures shall be in place. In addition, the following shall be included if not already identified:
- a. 6 foot high tan colored perimeter screened fencing
  - b. Contractor information signage including contact information along the street frontage of Foothill Boulevard, Spruce Avenue, Larch Avenue, and Grove Avenue.
  - c. Post dust control signage with the following verbiage: “Project Name, WDID No., IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME (XXX) XXX-XXX, If you do not receive a response, please call the AQMD at 1-800-CUT-SMOG/1-800-228-7664”
58. The applicant shall remove any graffiti within 24 hours, before, during, and post construction.

- 1 59. The original improvement plans prepared for the proposed development and approved by  
2 the City Engineer (if required) shall be documented with record drawing “as-built”  
3 information and returned to the Engineering Division prior to issuance of a final certificate  
4 of occupancy. Any modifications or changes to approved improvement plans shall be  
5 submitted to the City Engineer for approval prior to construction.
- 6 60. The applicant shall submit a final tract map (Tract Map No. 20237), prepared by a  
7 California registered Land Surveyor or qualified Civil Engineer, to the Public Works  
8 Engineering Division for review and approval. A Title Report prepared for subdivision  
9 guarantee for the subject property, the traverse closures for the existing parcel and all lots  
10 created therefrom, and copies of record documents shall be submitted with Tract Map No.  
11 20237 to the Public Works Engineering Division as part of the review of the Map. Tract  
12 Map No. 20237 shall be approved by the City Council prior to issuance of any building  
13 permits.
- 14 61. In accordance with Government Code 66462, all required public improvements shall be  
15 completed prior to the approval of a final map (Tract Map No. 20237). Alternatively, the  
16 applicant may enter into a Subdivision Improvement Agreement to secure the cost of all  
17 required public improvements at the time of requesting the City Engineer’s approval of  
18 Tract Map No. 20237. If a Subdivision Improvement Agreement is requested by the  
19 applicant, a fee of \$2,000 shall be paid for preparation and processing of the Subdivision  
20 Improvement Agreement. The applicant will be required to secure the Subdivision  
21 Improvement Agreement pursuant to Government Code 66499 in amounts determined by  
22 the City Engineer.
- 23 62. The applicant shall comply with all other applicable State and local ordinances.
- 24 63. The applicant shall comply with all conditions of approval contained in GPA No. 2019-  
25 0001 and ZC No. 2019-0001, to the extent they are not in conflict with any condition of  
26 approval herein.
- 27 64. Pursuant to Section 17.16.050A of the Rialto Municipal Code, approval of TTM No.  
28 20237 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. 20237 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. 20237.

**SECTION 5.** The Mayor 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 10th day of September, 2019.

DEBORAH ROBERTSON, MAYOR

**ATTEST:**

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

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

19 \_\_\_\_\_  
20 BARBARA MCGEE, CITY CLERK  
21  
22  
23  
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## LEGAL DESCRIPTION

### GENERAL PLAN AMENDMENT & ZONE CHANGE

#### LEGAL DESCRIPTION

##### **APN 0131-131-13**

THE SOUTH  $\frac{1}{2}$  OF THE NORTH  $\frac{1}{2}$  OF THE WEST  $\frac{1}{2}$  OF  
LOT 137, TOWN OF RIALTO AND ADJOINING  
SUBDIVISIONS, IN THE CITY OF RIALTO, COUNTY OF  
SAN BERNARDINO, STATE OF CALIFORNIA, AS PER  
PLAT RECORDED IN BOOK 4 OF MAPS, PAGE 11,  
RECORDS OF SAID COUNTY.

##### **APN 0131-131-14**

THE SOUTH  $\frac{1}{2}$  OF THE NORTH  $\frac{1}{2}$  OF THE WEST  $\frac{1}{2}$  OF  
LOT 137, TOWN OF RIALTO AND ADJOINING  
SUBDIVISIONS, IN THE CITY OF RIALTO, COUNTY OF  
SAN BERNARDINO, STATE OF CALIFORNIA, AS PER  
PLAT RECORDED IN BOOK 4 OF MAPS, PAGE 11,  
RECORDS OF SAID COUNTY.

##### **APN 0131-131-23**

THE SOUTH  $\frac{1}{2}$  OF THE WEST  $\frac{1}{2}$  OF  
LOT 137, OF THE TOWN OF RIALTO  
AND ADJOINING SUBDIVISIONS, IN THE  
CITY OF RIALTO, COUNTY OF SAN  
BERNARDINO, STATE OF CALIFORNIA,  
AS PER PLAT RECORDED IN BOOK 4  
OF MAPS, PAGE 11, RECORDS OF SAID  
COUNTY.

EXCEPTING THEREFROM THE WEST  
235 FEET OF THE SOUTH  $\frac{1}{2}$  OF THE  
ABOVE DESCRIBED PROPERTY.

#### **LOVE ENGINEERING**

PLANNING ♦ ENGINEERING ♦ SURVEYING  
31915 RANCHO CALIFORNIA ROAD/SUITE 200-166  
TEMECULA, CA 92591  
TEL (951) 440-8149 / FAX (951) 303-6701

PREPARED UNDER THE SUPERVISION OF:

R.C.E. NO. 50993  
EXP. DATE: 9-30-19

THOMAS S. LOVE

DATE