

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO AMENDING VARIOUS PROVISIONS OF THE RIALTO MUNICIPAL CODE TO ELIMINATE THE DEVELOPMENT REVIEW COMMITTEE (DRC), DELEGATE ITS AUTHORITY TO APPROVE PRECISE PLANS OF DESIGN TO THE PLANNING COMMISSION AND DIRECTOR OF COMMUNITY DEVELOPMENT AND MAKE CORRESPONDING AMENDMENTS; AND REPEALING RESOLUTION NOS. 2093, 2326 AND 2507

WHEREAS, on February 20, 1979, the City Council of the City of Rialto adopted Resolution No. 2093 establishing the Design Review Committee (DRC) with the intent to ensure that development within the city be in compliance with all design standards and city ordinances and regulations;

WHEREAS, subsequently, the City Council adopted Resolution No. 2326 on April 21, 1981 and Resolution No. 2507 on April 5, 1983 that seem to mirror the language of Resolution No. 2093 establishing the DRC;

WHEREAS, the aforementioned Resolutions authorized the DRC to approve Precise Plans of Design (PPD) for development of one or more dwelling units in any residential zone and of new or expanded uses in any commercial, industrial or other zones;

WHEREAS, the Resolutions further set forth the information required to be provided by any applicant seeking a PPD and basis for the DRC to approve any such PPD;

WHEREAS, concerns have been raised about whether the DRC has expanded the scope of its authority, appropriately been entrusted to address CEQA issues, complied with the requirements and spirit of the Brown Act, and applied city rules and standards consistently;

WHEREAS, to address these concerns, the desire has been expressed that the discussions and deliberations of the DRC be more streamlined for the public by eliminating the DRC and, instead, having the Planning Commission or director of community development, as applicable, be responsible for consideration of PPDs;

WHEREAS, the elimination of the DRC requires that various provisions of the Rialto Municipal Code and Zoning Ordinances be amended through this Ordinance; and

1 WHEREAS, the proposed revisions also replace Resolution Nos. 2093, 2326 and 2507 and
2 set forth a separate section that specifies the process and standards for the Planning Commission
3 or director of community development, as applicable, to consider and approve any PPD, which
4 will require a public hearing to afford any applicant the opportunity to present evidence and
5 testimony, as is typical of other entitlements, with the opportunity to appeal a PPD decision to the
6 City Council.

7 NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO FINDS AND
8 ORDAINS AS FOLLOWS:

9 **Section 1.** The above recitals are all true and correct and are hereby adopted as
10 findings.

11 **Section 2.** Resolution Nos. 2093, 2326 and 2507 are hereby repealed in their entirety
12 and of no further force and effect.

13 **Section 3.** The Rialto Municipal Code shall be amended to revise each of the following
14 code sections in the manner shown, with underlined text representing added language and
15 strikethrough text representing removed language. All unmarked text shall remain unmodified
16 and in full force and effect:

17 **“2.20.070 - Certificate of appropriateness and certificate of hardship.**

18 . . .

19 D. A certificate of appropriateness for a new structure within a historic or
20 urban conservation district shall take effect upon approval of the precise plan of
21 design by the ~~planning commission or director of community development, as~~
22 applicable. Existing structures identified as intrusions into historic or urban
23 conservation districts do not need a certificate of appropriateness for demolition or
24 moving.

25 . . .”

26
27
28 **“3.33.050 - Imposition of development impact fees.**

Deleted: development review committee

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

Unless otherwise specified in this chapter, every development project and each developer thereof shall be obligated to pay the development impact fees established pursuant to this chapter as a condition of the approval of the development project.”

Deleted: by the planning commission, development review committee or city council, as applicable

“15.32.010 - General requirements.

...

B. The following exception shall apply:

...

5. The undergrounding of existing utility services as a requirement of a precise plan of design may be waived when determined by the planning commission or director of community development, as applicable, to be impractical or economically infeasible.

Deleted: development review committee

....”

“17.16.020 - Filing—Information required.

....

B. Typical requirements for filing such tentative maps are:

....

17. A geologic soils report prepared by a civil engineer who is registered by the state, based upon adequate test borings or excavations, unless the community development department determines that, due to the knowledge such department has as to the soil qualities of the soil of such subdivision or lot, no preliminary analysis is necessary. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the person filing the tentative map shall submit a soils investigation of each lot

Deleted: department of development

Deleted: services

1 in the subdivision, prepared by a civil engineer who is registered in this
2 state, which shall recommend corrective action which is likely to prevent
3 structural damage to each dwelling proposed to be constructed on the
4 expansive soil. The community development department shall approve the
5 soils investigation if it determines that the recommended action is likely to
6 prevent structural damage to each dwelling to be constructed and shall
7 require that the approved recommended action be incorporated in the
8 construction of each dwelling as a condition to the building permit. Appeal
9 from such determination shall be to the planning commission.

Deleted: of
Deleted: development services
Deleted: community development

10 If the director of community development finds that a written geologic
11 report is necessary to determine whether the property to be divided is subject to an
12 existing or potential geologic hazard, the person filing the tentative map shall
13 submit such a report to said board. The report shall be prepared by a registered
14 engineering geologist. Such information may be furnished separately from the map
15 itself.”

Deleted: development review committee
Deleted: development services

17 **“17.18.060 - Filing and processing.**

18

19
20 B. At the time a vesting tentative map is filed with the community
21 development department for processing, the subdivider shall have supplied all
22 information and paid the applicable filing fees as set forth by resolution of the city
23 council in order to have completed the following procedural steps:

Deleted: planning division of the
Deleted: of
Deleted: development services
Deleted: ommunity evelopment

24

25 3. A precise plan of design (PPD) for the proposed residential
26 development shall be approved by the city's planning commission or
27 director of community development, as applicable, in accordance with the
28 procedures set forth in chapter 18.65;

Deleted: development review committee
Deleted: by resolution of the city council

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

....”

“17.23.130 - Credit for private open space.

....

B. A determination if the development qualifies for the credit will be made by the planning commission or director of community development, as applicable, at the time of approval of the precise plan of design for the PRD-D or PRD-A development, based on recommendations of the recreation community development department.”

Deleted: development review committee

Deleted: services

Chapter 18.10 - R-1 SINGLE FAMILY ZONES

“18.10.020 - Permitted uses.

Uses permitted in the R-1 A zone are as follows:

....

J. Attached and detached second residential units, subject to the following:

1. Attached and detached second residential units are subject to approval of a precise plan of design approved by the director of community development,

Deleted: development review committee (DRC) or

....”

Chapter 18.18 - R-1 D SINGLE FAMILY RESIDENTIAL ZONE

“18.18.050 - Review and approval process.

The following procedures shall be completed prior to the issuance of building permits:

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

....

D. Precise Plan of Design. Approval of the precise plan of design by the city's director of community development, shall be required prior to construction.”

Deleted: development review committee or
Deleted: pursuant to City Council Resolution No. 2092

“18.18.060 - Development standards.

The following development standards shall apply to all R-1D developments:

....

R. Utilities. The applicant shall submit to the community development department and it shall be made a condition of approval, that the serving utilities will install underground all facilities necessary to furnish service in the development.”

Deleted: development
Deleted: review committee
Deleted: eservices

Chapter 18.22 - R-3 MULTIPLE FAMILY ZONE

“18.22.030 - Development standards.

....

N. Landscaping. All required front, side, and rear yards shall be landscaped in a manner as approved by the director of community development.

Deleted: development review committee (DRC)

- 1. All landscaping shall be provided with a permanent irrigation system and maintained to an acceptable level.

....”

“18.22.040 - Site plan review.

The following procedures shall be completed prior to the issuance of building permits:

....

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

C. Application for projects consisting of four or less units, shall be subject to the approval of a precise plan of design by the director of community development.

- Deleted: : 1. Projects consisting of four or less units
- Deleted: city's development review committee
- Deleted: planning commission

- D. Application for projects consisting of five or more units:
- Multi-family projects consisting of five ore more units shall be subject to approval of a conditional development permit (CDP) by the city planning commission.
 - Approval of a precise plan of design (PPD) by the planning commission.”

Deleted: city's development review committee (DRC)

Chapter 18.26 - A-P ADMINISTRATIVE—PROFESSIONAL—INSTITUTIONAL ZONE

“18.26.090 - Use conditions.

Permitted uses in this zone may be located in an existing residential structure remodeled for the intended use; provided, that any structural changes or additions affecting the exterior appearance of the residence shall require review and approval of a precise plan of design by the director of community development. Upon the issuance of the certificate of occupancy for a nonresidential use, further residential use of the site is prohibited. Nonresidential uses permitted in this zone may be located in entirely new buildings, designed and constructed for the uses, only after all existing residential structures have been removed from the premises.”

- Deleted: are subject to
- Deleted: development review committee (DRC). or

Chapter 18.27 - O-P OFFICE PARK ZONE

“18.27.060 - Use conditions.

. . . .

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

B. In order that buildings, structures, signs, landscaping and other improvements will be consistent with the development guidelines of the Gateway Specific Plan, and compatible with surrounding uses and structures, no change of existing use of a building or grounds shall be made, nor shall any buildings or structures be constructed, altered, or removed until a detailed plan for the work proposed to be done has been approved by the director of community development. In the review of a proposal the director of community development shall use and refer to design and performance guidelines contained in the specific plan, the detailed standards contained in this chapter and the general requirements of this title. Particular attention is to be given to the following review elements:

1. Site plan, appropriateness of layout and function and the relationship to existing buildings and structures in the general vicinity or area within the specific plan;
2. Building height, bulk, area and design (including materials and colors);
3. Architectural and security lighting;
4. Location and adequacy of loading and automobile parking areas;
5. Landscape and hardscape (paving) treatments;
6. Setback distances from all property lines;
7. Size, type and location of signs.

The action of the planning commission is final, unless appealed to the city council pursuant to Chapter 18.68 of this title.” The action of the director of community development is final, unless appealed to the planning commission pursuant to Section 18.49.040.

Deleted: submitted to
Deleted: development review committee
Deleted: committee

Deleted: development review committee or

Deleted: of this title

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

Chapter 18.31 - R-C RETAIL COMMERCIAL ZONE

“18.31.060 - Use conditions.

....

B. In order that buildings, structures, signs, landscaping and other improvements will be consistent with the development guidelines of the Gateway Specific Plan, and compatible with surrounding uses and structures, no change of existing use of a building or grounds shall be made, nor shall any buildings or structure by constructed, altered, or removed until a detailed plan for the work proposed to be done has been submitted to the director of community development for approval. In the review of a proposal, the director of community development shall use and refer to design and performance guidelines contained in the specific plan, the detailed standards contained in this chapter and the general requirements of this title. Particular attention is to be given to the following review elements:

1. Site plan, appropriateness of layout and function and the relationship to existing buildings and structures in the general vicinity or area within the specific plan;
2. Building height, bulk, area and design (including materials and colors);
3. Architectural and security lighting;
4. Location and adequacy of loading and automobile parking areas;
5. Landscape and hardscape (paving) treatments;
6. Setback distances from all property lines;
7. Size, type and location of signs.

Deleted: development review committee
Deleted: committee

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

The action of the planning commission is final, unless appealed to the city council pursuant to Chapter 18.68 of this title.” The action of the director of community development is final, unless appealed to the planning commission pursuant to Section 18.49.040.

Deleted: development review committee or

Chapter 18.33 - F-C FREEWAY COMMERCIAL ZONE

“18.33.060 - Use conditions.

....

B. In order that buildings, structures, signs, landscaping and other improvements will be consistent with the development guidelines of the Gateway Specific Plan, and will be compatible with surrounding uses and structures, no change of existing use of a building or grounds shall be made, nor shall any buildings or structure by constructed, altered, or removed until a detailed plan for the work proposed to be done has been approved by the director of community development. In the review of a proposal, the director of community development shall use and refer to design and performance guidelines contained in the specific plan, the detailed standards contained in this chapter and the general requirements of this title. Particular attention is to be given to the following review elements:

- Deleted:** submitted
- Deleted:** to
- Deleted:** design review committee
- Deleted:** for approval or zoning administrator
- Deleted:** committee

1. Site plan, appropriateness of layout and function and the relationship to existing buildings and structures in the general vicinity or area within the specific plan;
2. Building height, bulk, area and design (including materials and colors);
3. Architectural and security lighting;
4. Location and adequacy of loading and automobile parking areas;

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

- 5. Landscape and hardscape (paving) treatments;
- 6. Setback distances from all property lines;
- 7. Size, type and location of signs.

The action of the planning commission is final, unless appealed to the city council pursuant to Chapter 18.68 of this title.” The action of the director of community development is final, unless appealed to the planning commission pursuant to Section 18.49.040.

Deleted: development review committee or

Chapter 18.35 - I-P INDUSTRIAL PARK ZONE

“18.35.050 - Off-street parking.

.....

B. In order that buildings, structures, signs, landscaping and other improvements will be consistent with the development guidelines of the Gateway Specific Plan, and compatible with the surrounding uses and structures, no change of existing use of a building or grounds shall be made, nor shall any buildings or structure be constructed, altered, or removed until a detailed plan for the work proposed to be done has been approved by the director of community development. In the review of a proposal, the director of community development shall use and refer to design and performance guidelines contained in the specific plan, the detailed standards contained in this chapter, and the general requirements of this title. Particular attention is to be given to the following review elements:

Deleted: submitted to

Deleted: design review committee

Deleted: committee

- 1. Site plan, appropriateness of layout and function and the relationship to existing buildings and structures in the general vicinity or area within the specific plan;
- 2. Building height, bulk, area and design (including materials and colors);

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

- 3. Architectural and security lighting;
- 4. Location and adequacy of loading and automobile parking areas;
- 5. Landscape and hardscape (paving) treatments;
- 6. Setback distances from all property lines;
- 7. Size, type and location of signs.

The action of the ~~planning~~ commission is final, unless appealed to the city council pursuant to Chapter 18.68 of this title.” ~~The action of the director of community development is final, unless appealed to the planning commission pursuant to Section 18.49.040.~~

Deleted: development review committee or

Chapter 18.43 - RIALTO AVENUE-CEDAR AVENUE CORRIDOR COMMERCIAL OVERLAY ZONE

“18.43.040 - Development standards for commercial development on M-1 (light manufacturing) and M-2 (general manufacturing) zoned properties.

Commercial uses permitted under the provisions of Section 18.43.030 shall conform to the following standards:

A. Front Yard. The minimum front yard setback for buildings shall be twenty-five feet measured from the public right-of-way. In an instance of a through lot having frontage on two parallel streets, the building setbacks shall be twenty-five feet measured from the right-of-way of each street. Walls, fences and other nonbuilding structures that do not encroach within the required landscaped areas may be located within the front yard setback area as approved by the ~~planning commission or director of community development, as applicable.~~

Deleted: development review committee

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

D. Landscaping. A minimum of twenty-foot depth of front yard setback area and fifteen-foot depth of street side yard setbacks area shall be landscaped and permanently maintained in accordance with a landscaping plan approved by the planning commission or director of community development, as applicable.

Deleted: development review committee

....”

Chapter 18.45 - T-C TRANSPORTATION CORRIDOR ZONE

“18.45.050 - Precise plan of design requirement.

No building permit or other entitlement for any use in the T-C zone shall be issued until a precise plan of design has been approved for the property by the planning commission or director of community development. The precise plan of design may include provisions for any accessory use necessary to conduct any permitted use on the property. The planning commission or director of community development may impose any conditions for the precise plan of design determined necessary to implement and provide for consistency with the provisions of the T-C zone, the general plan, and any applicable specific plans, and to ensure that the proposed uses are sufficiently isolated from any existing and proposed rail facilities.”

Deleted: development review committee

Deleted: development review committee

Chapter 18.49 - DOWNTOWN REVITALIZATION OVERLAY ZONE

“18.49.030 - Development standards.

The following design standards are applicable to the downtown revitalization overlay zone:

A. Demolition, Alteration, Removal or Change Prohibited Without Approval.

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

1. No person shall demolish, remove alter or materially change the exterior appearance of any structure or portion of any structure visible from a public street or alley which would require the issuance of a building permit, nor shall any building permit for such work be issued without first having applied for and received approval of a precise plan of design by the planning commission or director of community development,

Deleted: development review committee

.....

C. Applicable Development Standards—Rialto Central Area Specific Plan.

1. All development standards as established and adopted as part of the Rialto central area specific plan shall apply to the downtown revitalization overlay zone unless specifically stated within this section.

***left off here2. There shall be no required building setbacks for structures from property lines. The planning commission or director of community development, may or may not, as a condition of approval of the precise plan of design, require setbacks where they enhance the integrity of the project and/or integrate the architectural character and the theme of the downtown revitalization overlay zone and do not deprive the owner of substantial or reasonable use of his/her property.”

Deleted: development review committee

“18.49.040 - Design review process.

A. The planning commission or director of community development, shall review and approve the design of each improvement in the downtown revitalization overlay zone for which a building permit, new business license or certificate of occupancy or other approval pursuant to this section is required. The term "improvement " is defined as the exterior construction, alteration and repair of all buildings, structures and facilities and the installation of any signs or any other

Deleted: development review committee

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

architectural item to the building or property. This section shall not apply to routine and/or customary maintenance and repairs that do not materially change the exterior appearance of the structure, nor shall it apply to temporary repairs certified as an emergency by the building division.

B. The planning commission or director of community development shall review and approve all applications for a precise plan of design if the following aspects of the project or proposed development are consistent with the purpose and intent of the downtown revitalization overlay zone and the Rialto central area specific plan:

1. Height, bulk and area of the buildings;
2. Colors, materials and architectural style of buildings and installation;
3. Front and rear facades;
4. The physical and architectural relationship with the existing and/or proposed structures;
5. Site, layout, orientation and location of buildings in relationship to open areas and topography;
6. Height, materials, colors and variances in building walls, fences and/or plant screening;
7. Off-street parking and existing and/or proposed access points;
8. Sign design and location;
9. Exterior lighting;
10. Pedestrian access;
11. Landscaping;

Deleted: development review committee

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

C. Conditions of approval may be applied in order to assure that the development complies completely with the above standards and to bring any proposed development into conformity. If the applicant and/or property owner is aggrieved by any condition of approval required by the director of community development or planning commission, the condition(s) may be appealed to the planning commission or city council, respectively. The appeal to the planning commission or city council, as applicable, shall be made in writing and submitted to the community development department within fifteen (15) days of the receipt of community development's or planning commission's action, as applicable. The appeal shall be set for planning commission or city council, as applicable, consideration within sixty days of the city's receipt of the notice of appeal.

D. When the planning commission or director of community development approves the precise plan of design and the applicant has agreed to all conditions of approval and has signed and submitted to the community development department the statement of acceptance of said conditions, the applicant shall submit final working drawings to the building and safety division for issuance of required building permit."

"18.49.050 - Sign requirements.

....

G. Temporary Advertising Signs. A "temporary advertising sign" for the purpose of this chapter is defined as a banner, flag, pennant, window signing or other signage intended to be displayed for a short period of time associated with the advertisement of the initial opening of a business, the change of ownership of the business or special merchandise sales or promotion activities. Temporary advertising signs are permitted subject to the following provisions:

Deleted: development review committee or zoning administrator

Deleted: city administrator. If the decision of the city administrator does not satisfy the applicant and/or property owner, the matter may be further appealed to the planning commission

Deleted: planning commission

Deleted: planning division

Deleted: not fewer than fifteen days prior to the date set

Deleted: the planning commission

Deleted: to

Deleted: the

Deleted: development review committee

Deleted: planning division

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

....

3. Street light banner signage may be permitted subject to review and approval by the public works department and approval of an encroachment permit by the city engineer.

Deleted: of
Deleted: development review committee

H. Exempt Signs. The following signs shall be exempt from the requirements of this chapter:

....

10. Street light banner signs subject to review by the public works department and approval of an encroachment permit by the city engineer;

Deleted: development review committee

....”

“18.49.060 - Sign review process.

....

B. Sign Review. Prior to the issuance of a sign permit by the building division, the applicant shall submit copies of the sign plan required for the sign permit to the community development department for processing and approval. It shall be the responsibility of the community development department to determine that the sign proposal is in conformance with the purpose and architectural character as established in the downtown revitalization overlay zone.”

Deleted: seven
Deleted: planning
Deleted: development services
Deleted: division
Deleted: with the development review committee for review
Deleted: development
Deleted: review committee
Deleted: services

Chapter 18.58 - OFF-STREET PARKING

“18.58.020 - General provisions.

....

E. Location. All off-street parking spaces required by this chapter shall be located on the same legal lot as the use or uses they are intended to serve, excepting

1 (1) separate off-street parking on a site not more than three hundred feet from the
2 closest use intended to be served may be provided subject to approval by the
3 planning commission, or (2) reciprocal parking, access and circulation easements
4 are executed by owners of contiguous lots devoted to nonresidential uses, subject to
5 approval by the community development department. The number of combined
6 parking spaces provided by a reciprocal arrangement shall be equal to or greater
7 than the total or combined number of spaces required of the individual uses
8 involved in the reciprocal agreement.

9”

10
11
12 **“18.58.030 - Office, commercial and industrial design standards.**

13 Design standards in this section establish minimum dimensions and guidelines for
14 the design, construction and maintenance of off-street office, commercial and
15 industrial parking facilities, as follows:

16

17 D. Paving. All parking areas, loading facilities and drive aisles shall be
18 surfaced and maintained with asphaltic concrete, cement or other permanent
19 impervious surfacing material which is approved by the community development
20 department and is acceptable to the city engineer, and shall be maintained in good
21 order.

22 E. Drainage. All parking and loading facilities shall be graded and
23 provided with permanent stormwater drainage facilities which are approved by the
24 community development department and are acceptable to the city engineer.

25 F. Access. Each parking space shall be accessible from a street or alley.
26 No parking space shall be designed to require a vehicle to back into a street. A
27 parking space may be designed to allow a vehicle to back into an alley, if that the
28

- Deleted: development
- Deleted: review committee
- Deleted: services

- Deleted: required
- Deleted: development
- Deleted: review committee
- Deleted: eservices department

- Deleted: required
- Deleted: development
- Deleted: review committee
- Deleted: services

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

space is set back a minimum of five feet from the alley right-of-way. Alley access for parking shall be approved by the community development department. No parking facility shall be so designed as to require a vehicle to enter a public street in order to progress from one drive aisle to another within the same parking facility.

- Deleted:** development
- Deleted:** review committee
- Deleted:** services

G. Ingress and Egress. The number and location of points of ingress and egress shall be subject to planning commission or director of community development approval of the parking facility design. The dimensions of curb cuts shall comply with approved city standards.

- Deleted:** development review committee
- Deleted:** zoning administrator

H. Exterior Lighting. Lighting shall be screened and oriented to avoid glare on adjacent streets and properties and shall provide a minimum of one footcandle of illumination at ground level at any location within the parking facility, excepting at convenience markets, where the standard shall be a minimum of one and one-half footcandles. Light standards shall not exceed fifteen feet in height above finish grade, shall be decorative and in keeping with the architectural theme of the facility served, and shall be located within landscape planter areas as approved by the planning commission or director of community development. No exterior lighting shall create illumination on adjacent properties more than three and one-half footcandles.

- Deleted:** development review committee
- Deleted:** zoning administrator

I. Noise. Noise levels generated by vehicles and loading or unloading activities in a parking facility, as measured on the facility and at adjoining properties, shall not exceed acceptable standards as defined in the city's noise ordinance.

J. Screening. Unenclosed off-street parking facilities shall be screened from view of adjoining residential properties, and may be required to be screened or partially screened from view of public streets or other adjoining nonresidential properties if required by the planning commission or director of community

- Deleted:** zoning administrator

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

development. Screening shall be accomplished by using of masonry walls, fences, berms, plantings or other acceptable means.

Deleted: development review committee

K. Landscaping. Parking lot landscaping in agreement with a landscaping plan prepared by a licensed landscape architect and acceptable to the director of development services shall be provided for all office, commercial, industrial developments, as follows:

1. A minimum of ten percent of the required gross off-street parking area shall be landscaped. The parking area shall include access drives, aisles, stalls, maneuvering areas and required landscape setbacks around the perimeter of the parking facility.

2. Where required by the planning commission or director of community development, landscaped areas shall be annexed into the city of Rialto landscape maintenance district No. 1, as provided by Division 15 of the state Streets and Highways Code and city policy.

Deleted: development review committee

Deleted: zoning administrator

3. Landscape materials shall include plants acceptable to the director of development services and shall emphasize the use of drought-resistant ground covers, shrubs and trees to the extent feasible. At least one fifteen gallon tree shall be installed and maintained for every five parking stalls in the parking facility. Such trees may be clustered or grouped if approved by the director of development services.

4. An irrigation system in agreement with an irrigation plan acceptable to the director of development services shall be installed and maintained in working order.

5. Landscaping shall be continuously maintained and replanted as necessary. Landscaped areas shall be kept free of debris and litter.

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

6. Landscaped areas shall be separated from vehicle parking and circulation areas by concrete curbs not less than six inches in height.

L. Safety Features. Safety features in agreement with city standards shall be incorporated into the design of the parking facility, as follows:

1. Safety banners protective curbing, directional markers and signs, striping and other devices as deemed necessary by the city engineer shall be installed.

2. Internal circulation for vehicles and pedestrians shall be designed and maintained in agreement with accepted principles of traffic engineering and traffic safety.

M. Parking Structures. Parking structures having two or more stories or levels shall be constructed in accordance with design standards which are approved by the ~~planning commission or director of community development~~ and acceptable to the city engineer.

.....”

“18.58.040 - Residential design standards.
The design standards in this section establish minimum dimensions and guidelines for off-street single-family and multiple-family residential parking as follows:

.....

B. Multiple-family Residential Standards.

1. Enclosed Garage and Carport Dimensions. The minimum interior dimensions of a single-car covered carport or garage shall be ten feet in width and twenty feet in depth In calculating minimum parking

Deleted: development review committee
Deleted: zoning administrator

1 space dimensions, the width of vertical corner supports shall not be
2 included.

3 2. Setbacks. Parking spaces or structures may not encroach into
4 the required front yard setback. All parking spaces fronting onto a dedicated
5 street shall be set back a minimum of twenty feet from the public right-of-
6 way. When parking areas are adjacent to required front or side yard
7 setbacks, such parking areas shall be screened or partially screened from
8 view from the public right-of-way unless otherwise approved by the
9 planning commission or director of community development.

Deleted: development review committee

Deleted: zoning administrator

10 3. Driveway. The minimum width of driveways for access to on-
11 site parking and circulation areas shall be thirty-two feet in width. This
12 minimum width may be reduced subject to approval by the planning
13 commission or director of community development. An unobstructed
14 clearance of twenty feet in width and thirteen feet six inches in height shall
15 be maintained on all driveways within the development.

Deleted: development review committee

Deleted: zoning administrator

16 4. Curbs. Parking spaces shall be separated from landscaped areas
17 by minimum six-inch high concrete curbs.

18 5. Landscaping Requirements. The following landscaping provision
19 shall apply within the required parking facilities for multiple-family
20 residential projects:
21

22

23 6. Standard Parking Space Size. Minimum dimensions for an off-
24 street residential parking space shall be nine feet in width and twenty feet in
25 depth and shall have a minimum vertical clearance of not less than six and
26 one-half feet.
27
28

Deleted: 1.

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

7. Handicapped Parking. For required handicapped parking the space size shall be in agreement with the provisions of Section 18.58.030 (B).

Deleted: 2.

8. Tandem Parking. Tandem parking is prohibited, except in mobile home development (MHD) zones.

Deleted: 3.

9. Location. Required parking facilities shall be located on the same legal property as the residence to be served.

Deleted: 4.

10. Lease or Rental of Space. No property owner shall lease, rent or make available to others the use of parking spaces required by this section unless otherwise provided by law.

Deleted: 5.

11. Special Vehicles. Requirements for the parking or storing of special vehicles shall be as follows:

....

Deleted: 6.

12. Paving. Requirements for paving in residential zones shall be as follows:

....

Deleted: 7.

13. Drainage. All parking facilities shall be graded and provided with permanent stormwater drainage facilities which are acceptable to the city engineer.

Deleted: 8.

14. Access. Each parking space shall be accessible from a street or alley.

Deleted: 9.

15. Ingress and Egress. The number and location of points of ingress and egress shall be subject to approval of the development design by the planning commission or director of community development. The

Deleted: 10.

Deleted: development review committee
Deleted: zoning administrator

1 number, location and dimensions of curb cuts shall comply with approved
2 city standards.”

3 16. Space Requirements. The number of required parking spaces
4 shall be in agreement with the standards in Section 18.58.060.”
5

Deleted: 11.

6
7 **“18.58.060 - Residential parking requirements.**

8 This section establishes the minimum number of required parking spaces
9 for residential uses and special provisions, as follows:

10

11 B. Multiple-family residential: A minimum of two parking spaces for
12 each dwelling unit, of which one space shall be located within an enclosed
13 garage.

14 1. Carport Alternative. In lieu of the garage requirement, one
15 parking space of the two required spaces may be located within a covered
16 carport when approved by the community development department in
17 accordance with the following standards.

Deleted: development

Deleted: review committee

Deleted: services

18”
19

20
21 **“Chapter 18.70 - ENVIRONMENTAL REVIEW**

22 **18.70.050 - Assessment—Review by director of community development or**
23 **planning commission.**

Deleted: committee

24 A. Notwithstanding any provision of this code designating the director of
25 community development as the authorized body to approve or conditionally
26 approve any planned development design, should the director of community
27 development determine that the application is not subject to a CEQA exemption,
28 the application for the planned development design shall be referred to, and subject

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

to the approval by, the planning commission, which shall be the authorized body to consider any negative declaration, mitigated negative declaration or environmental impact report. The planning commission, on recommendation by the director of development services or designee, shall review all initial environmental studies for projects as defined by CEQA, excepting initial studies for activities, programs or development proposals exempted from further environmental analysis by provisions of CEQA.

B. Should the planning commission determine that the project will not have a significant effect on the environment, it shall issue a CEQA exemption, negative declaration or mitigated negative declaration for the project. Issuance of the mitigated negative declaration will be made concurrently with approval of the project by the planning commission, as applicable. The mitigated negative declaration shall remain in effect until the expiration date of the city's permit or approval of the project. Following issuance of the mitigated negative declaration and approval of the project by the planning commission or city council, as applicable, the director of development services or designee shall submit a notice of determination to the clerk of the county board of supervisors and/or State Clearinghouse, as appropriate, within the time prescribed by CEQA guidelines.

C. If upon review of the submitted environmental information form, the development services director finds that the proposed project involves special circumstances such as possible unique environmental issues, potential hazardous technologies, or controversial environmental concerns, the city shall require that the project sponsors fund, in addition to the standard city environmental review fee, the preparation of an initial environmental study (IES) prepared by an environmental consultant selected by the city.

Should the development services director determine that the project may have a significant effect on the environment, he/she shall recommend that an

Deleted: development review committee (DRC) shall

Deleted: The development review committee (DRC) shall consist of representatives from: planning division, engineering division, fire department, police department, building division, utilities division, redevelopment agency, and any other representatives as determined by the city administrator. ¶
C. Based upon data provided by the applicant and the completed initial environmental study, the development review committee shall determine whether the project may have a significant impact on the environment as defined in CEQA. ¶
D.

Deleted: development review committee

Deleted: the committee will either issue, or recommend that the planning commission

Deleted: of environmental impact

Deleted: Development review committee authority to issue a mitigated negative declaration shall be limited to those projects requiring only approval of a precise plan of design.

Deleted: either prior to or

Deleted: city decision-making body with final approval authority on the project

Deleted: his

Deleted: E.

Deleted: planning commission, upon recommendation of the development review committee (DRC),

Formatted: Indent: First line: 0.5"

Deleted: development review committee

Deleted:

Deleted: the committee

Deleted: the planning commission require

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

environmental impact report be prepared for the project in accordance with CEQA requirements.”

“18.70.070 - Assessment—Review by city council.

....

B. During a period of not less than fifteen days nor more than thirty days following an environmental determination by the planning commission, the city council, may on its own motion, elect to review the environmental determination and may affirm, reverse or modify the finding.”

Chapter 18.78 - SPECIFIC PLANS

“18.78.070 - Conformity of specific plans to general plan, zoning, street improvements, open space and landscaping.

A. All specific plans shall be in conformance with the various elements, goals, objectives and policies of the city general plan.

B. Where necessary, zoning shall be brought into conformance with the specific plan land uses within a reasonable time after adoption of the plan.

C. No street shall be improved and no sewers or connections or any other improvements shall be made or authorized in any street within any area for which there is an adopted specific street or highway plan until the matter has been referred to the planning commission or director of community development for report as to conformity with such specific plan.

D. No street shall be improved, no sewers or connections or other improvements shall be made or public building or works including school buildings constructed within any territory for which the city council has adopted a specific plan regulating the development of the use of open space land and landscaping until

Deleted: to

Deleted: ¶
F. The environmental determination on a project involving only a precise plan of design application shall be made by the development review committee prior to or concurrently with the development review committee's final consideration of a decision on the precise plan of design application. ¶
G. Any person aggrieved or affected by any decision of the development review committee regarding its environmental consideration may appeal to the planning commission within fifteen days from the day on which the development review committee announces its decision in writing to the applicant. An appeal shall be filed in writing with the director of development services or his designee along with concurrent payment to the city of the appeal processing fee in effect on the date of filing. The planning commission shall consider the appeal within thirty days after receipt of the written appeal and filing fee, and the planning commission may affirm, modify or reverse the decision of the development review committee.

Deleted:

Deleted: or the development review committee

Deleted: development review committee

1 the finding has been made that the open space land and landscaping are in
2 substantial compliance with the adopted specific plan. Said determination shall be
3 rendered by the planning commission or director of community development.”

4
5 **“18.78.090 - Implementation.**

6 No development shall occur or building permits issued within an adopted specific
7 plan area until the proposed development is reviewed by the planning commission
8 or director of community development and found to be consistent with the specific
9 plan for the area. Criteria for review and approval of proposed development shall
10 include, but not be limited to the following:

11”

12
13 **Chapter 18.80 - PLANNED RESIDENTIAL DEVELOPMENT-ATTACHED**
14 **(PRD-A) DISTRICT**

15
16 **“18.80.060 - Review and approval process.**

17 The following procedures shall be completed prior to the issuance of
18 building permits:

19

20
21 D. Approval of the precise plan of design by the planning commission or
22 director of community development, under this subsection shall be subject to the
23 procedures and requirements set forth in Chapter 18.65.”

24 ”

25
26
27 **“18.80.070 - Development standards.**

28

Deleted: development review committee (DRC)

Deleted: development review committee

Deleted: city's development review committee

Deleted: pursuant to city council Resolution No. 2092. Approval

Deleted: require the applicant to submit

Deleted: the following information:

- Deleted:** 1. One copy of the completed precise plan of design form available from the planning division. ¶
2. Seven copies of a plot plan and elevation details to include the following information: ¶
- a. Location and use or uses proposed for each existing and proposed structure in the project area. The number of stories, gross building area and proposed entrances; ¶
 - b. Calculations of the required and proposed amounts of open space, usable open space, usable common open space, building area and off-street parking; ¶
 - c. The location, size, height and type of all signs, walls and fences; ¶
 - d. The exterior elevations of all buildings proposed for construction showing the general design, architectural features and building materials; ¶
 - e. The location, size and dimensions of all yards, setbacks, common open space and all spaces between structures; ¶
 - f. Location, dimensions and methods of improvement of all existing and proposed curb cuts, drive lanes, streets, alleys, parking areas, loading and storage areas, refuse pickup areas, sidewalks and means of access, ingress and egress; ¶
 - g. The location and design of all exterior lighting for the proposed development; ¶
 - h. The location, dimensions and method of improvement of all property to be dedicated to the public or any public utility; ¶
 - i. Location and width of all pedestrian walks and open areas for common use; ¶
 - j. Location of all existing and proposed physical features such as hydrants, utility facilities, drainage facilities and recreational facilities; ¶
 - k. Statements in writing of all declarations, restrictions, covenants, methods of managing the project and maintaining the common areas and elements located therein; . . . ¶
1. A detailed plan of landscaping and of the sprinkling system providing water to all planted areas. The landscaping plan shall indicate the botanical and common names of all plants used, size of plants, spacing and number of each type used. The sprinkling system details shall indicate the type, number, size and location of all sprinkling devices and the size and location of all pipes used. ¶
3. Upon receipt of the completed application, the planning division will refer copies of the application to the development review committee (DRC) for its comments and recommendations. ¶
4. Within ten working days, following receipt of the application by the planning division, the development review committee will formally review the application. ¶
5. More than one meeting of the development review committee may be necessary to adequately review the application. ¶
6. The development review committee shall approve, conditionally approve, or recommend

...

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

The development standards contained in this section shall apply to all attached planned residential developments.

....

C. Density Bonus. The planning commission may approve, at the time of consideration for a change of zone to a PRD-A district, a "density bonus" which is an increase in the maximum number of dwelling units per net acre allowed under subsection B of this section. Density bonuses may be approved for a planned residential project only when all of the criteria are met under the following categories:

....

2. Passive Solar Design. The maximum density bonus granted under this category shall not exceed four units to the net acre and may be granted when:

....

o. Utilities. The applicant shall submit to the community development department, and it shall be made a condition of approval, that the serving utilities will install underground all facilities necessary to furnish service in the development. In addition, each dwelling unit shall be provided individual services and utility meters.

....”

Chapter 18.90 - PLANNED RESIDENTIAL DEVELOPMENT-DETACHED (PRD-D) DISTRICT
“18.90.060 - Review and approval process.

Deleted: development
Deleted: services
Deleted: review committee

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

The following procedures shall be completed prior to the issuance of building permits:

....

D. Approval of the precise plan of design by the planning commission, or director of community development, under this subsection shall be subject to the procedures and requirements set forth in Chapter 18.65.

”

Chapter 18.100 - MOBILE HOME DEVELOPMENT (MHD) ZONE

“18.100.070 - Review and approval process.

The following procedures shall be completed prior to the issuance of building permits:

....

D. Approval of the precise plan of design by the planning commission or director of community development, as applicable, under the precise plan of design process shall be subject to the procedures and requirements set forth in Chapter 18.65.

....”

18.100.080 - Development standards.

“The following minimum development standards contained in this section shall apply to all proposed mobile home parks or subdivisions, unless specified in this section:

....

- Deleted:** city's devel
- Deleted:** opment review committee
- Deleted:** pursuant to city council Resolution No. 2092. Approval
- Deleted:** require the applicant to submit the following information:
- Deleted:** . . . ¶
 1. A detailed plan of landscaping and of the sprinkling system providing water to all planted areas. The landscaping plan shall indicate the botanical and common names of all plants used, size of plants, spacing and number of each type used. The sprinkling system details shall indicate the type, number, size and location of all sprinkling devices and the size and location of all pipes used. ¶
 3. Upon receipt of the completed application, the planning division will refer copies of the application to the development review committee (DRC) for its comments and recommendations. ¶
 4. Within ten working days, following receipt of the application by the planning division, the development review committee will formally review the application. ¶
 5. More than one meeting of the development review committee may be necessary to adequately review the application. ¶
 6. The development review committee shall approve, conditionally approve, or recommend disapproval for each precise plan of design subject to this chapter. Following completion of the review process, the planning division shall prepare a report summarizing the decision and findings of the development review committee and forward this report to the applicant for review and concurrence. ¶
 7. Approval of the precise plan of design does not become effective until the applicant has signed a statement acknowledging awareness and acceptance of any required conditions of approval.
- Deleted:** commissio
- Deleted:** city development review committee, pursuant to city council's Resolution No. 2092. Approval
- Deleted:** require the applicant to submit the following information:
- Formatted:** Indent: Left: 0.6", Hanging: 0.3"
- Deleted:** 1. One copy of the completed precise plan of design form available from the planning division.¶
 2. Seven copies of a plot plan and elevation details to include the following information:¶
 a. A complete plot plan of the proposed development including the location of each mobile home site, the location of accessory buildings, recreational storage areas, recreational and open areas and off-street parking;¶
 b. Calculations of project area, including proposed density required and proposed square footage of recreation buildings and facilities, individual and common open space, off-street parking and required recreational storage space;¶
 c. The location, size and height and type of all signs, walls and fences;¶
 d. The exterior elevations of all accessory structures proposed for construction showing the general ...
- Deleted:**

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

M. Utilities. The applicant shall submit to the community development department, and it shall be made a condition of approval, that the serving utilities will install underground all facilities necessary to furnish service to the development. If the development involves a subdivision for the purpose of individual lot ownership, each mobile home space shall be provided individual service and utility meters.

....”

Chapter 18.106 - REGULATION OF CONVENIENCE MARKETS

“18.106.050 - Review and approval process.

The following procedural steps shall be completed prior to the issuance of grading or building permits for the development of, or conversion into, a proposed convenience-type market:

A. Environmental Review. An application for environmental review for the proposed convenience-type market shall be submitted to the community development department in accordance with the provisions of Chapter 18.70. Prior to approval of the conditional development permit for the proposed project, the environmental review and assessment process shall be completed as required by state law and the city's environmental review ordinance. At the time of submittal of the application for environmental review, the applicant shall also submit the following:

1. A crime prevention plan, which is a written implementation program developed by the applicant in conjunction with the police department and approved by the police chief addressing the following issues:

- a. Measures to increase employee and customer safety,

Deleted: development
Deleted: services
Deleted: review committee

Deleted: planning
Deleted: department

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

b. Enhanced security measures, including security lighting, approved alarm systems, and other crime prevention measures to be incorporated into the design and operation of the convenience-type market. As a part of the required security measures, video security cameras shall be installed within the building,

c. Measures to control loitering,

d. Any other crime-related measures required by the police department which are intended to mitigate the costs of city-provided services for the proposed convenience-type market.

The appropriate crime prevention measures endorsed by the police department will be incorporated into the design and approval of the project and implemented as conditions of approval of the conditional development permit and precise plan of design.

2. An engineered traffic study which analyzes on-site and off-site vehicular traffic and circulation impacts anticipated to result from the proposed convenience-type market, and provides specific mitigation measures to be incorporated into the design and approval of the project. The requirement for the traffic study may be waived by the city's public works department, for convenience-type markets to be located within an existing building in a multitenant commercial center and where no concurrent sale of automobile fuels is proposed by the applicant.

B. Conditional Development Permit. Following completion of the environmental assessment review, the applicant shall submit a complete application package for conditional development permit in compliance with existing policies and requirements, and in accordance with the provisions of Section 18.106.040.

Deleted: development review committee

Deleted: (DRC)

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

C. Precise Plan of Design. Concurrent with the application for conditional development permit, the applicant shall submit a complete application for a precise plan of design with the ~~community development department, which will review the precise plan of design and forward recommendations to the~~ planning commission for incorporation into the conditional development permit.”

Deleted: planning division

Deleted: . The developmentcommunity review committee development

Chapter 18.110 - REGULATION OF THE OFF-SALE OF ALCOHOLIC BEVERAGES

“18.110.070 - Review and approval process.

The following procedural steps shall be completed prior to the issuance of a grading or building permit for the development of, or conversion into, a proposed establishment intended for the off-sale of alcoholic beverages:

A. At the time of submittal of the application for environmental review pursuant to Chapter 18.70, the applicant shall also submit a crime prevention plan, addressing the following issues:

1. Measures to increase employee and customer safety;
2. Enhanced security measures including security lighting, approval of an approved alarm system and any other crime prevention measures to be incorporated in the design and operation of the business. As part of the required security measures, video security cameras shall be installed within the building;
3. Measures to control loitering;
4. Any other crime related measures required by the police department which are intended to mitigate the costs of city-provided services for the proposed business of off-sale of alcoholic beverages. The appropriate crime prevention measures endorsed by the police department

1 will be incorporated in the design and approval of the project and
2 implemented as conditions of approval of the conditional development
3 permit and precise plan of design.

4 B. Conditional Development Permit. Following completion of the
5 environmental assessment review and the police chief's recommendation for
6 approval of the crime prevention plan, the applicant shall submit a complete
7 application package for a conditional development permit in compliance with the
8 existing policies and requirements.

9 C. Precise Plan of Design. Concurrent with the application for a
10 conditional development permit, the applicant shall submit a complete application
11 for a precise plan of design with the community development department, which
12 will review the precise plan of design and forward recommendations to the
13 planning commission for incorporation into the conditional development permit.”

Deleted: planning division. The development
community review committee development

14
15 **Section 4.** The Rialto Municipal Code shall be amended to add a new chapter
16 18.65, entitled “Planned Development Design” to read as follows:

17 **“Chapter 18.65 – PLANNED DEVELOPMENT DESIGN**

18 **Sections**

19 **18.65.010 – Requirement for Precise Plan of Design**

20 A precise Plan of Design (PPD) shall be approved by the director of
21 community development or planning commission, as set forth herein or in the
22 sections applicable to the application at issue, before the issuance of any building
23 permit for the new construction of one or more dwelling units in any residential
24 zone, or for new development or expansion of an existing use in any commercial,
25 industrial or other zone. Such development is permitted only in accordance with
26 the approved PPD. Development projects which require review and approval of
27 additional land use entitlements beyond a PPD shall have their PPD reviewed and
28 considered concurrently by the planning commission. Unless the application

1 triggers planning commission review pursuant to any specific provision of this
2 code. development projects which solely require approval of a PPD with no
3 additional land use entitlements shall be reviewed and considered by the director of
4 community development.

5 **18.65.020 – Contents of Precise Plan of Design**

6 The following procedures shall be completed prior to the issuance of building
7 permits:

8 A. Preliminary Review. Upon filing an application pursuant to this
9 section, the application shall be reviewed by the community development
10 department for completeness and consistency with the required development and
11 technical standards, and for preparation of recommended conditions of approval.

12 B. Submission requirements and procedure. Approval under this
13 subsection shall require the applicant to submit information as may be required by
14 the community development department.

15 C. Within thirty (30) calendar days, following receipt of the
16 application, the community development department will review the application
17 and inform the applicant whether the application is complete or of any deficiencies.
18 The applicant shall have thirty days to respond. This process will repeat until the
19 application is deemed complete, following which determination, the community
20 development department will refer the application to the director of community
21 development or planning commission, as applicable, and schedule a public hearing
22 for planning commission within forty-five days thereafter.

23 C. Review by the Planning Commission.

24 1. The planning commission shall approve or conditionally approve
25 each precise plan of design subject to this chapter. Following completion of
26 the review process, the community development department shall prepare a
27 report summarizing the decision and findings of the planning commission
28 and forward this report to the applicant for review and concurrence.

1 2. Approval of the precise plan of design does not become effective
2 until the applicant has signed a statement acknowledging awareness and
3 acceptance of any required conditions of approval.

4 3. If the applicant does not concur with the action of the planning
5 commission, the applicant may appeal the planning commission's decision
6 pursuant to the appeal provisions set forth in Section 18.49.040.

7 D. Basis of approval of precise plans of design.

8 Approval, conditional approval or disapproval of a precise plan of
9 design shall be based on the following principles and findings:

10 1. Every proposed use and development of land shall be in
11 compliance with all city ordinances and regulations, unless in accordance
12 with an approved variance.

13 2. Every proposed use and development of land shall be
14 considered on the basis of suitability of the site for the particular use or
15 development intended, and the total development shall be so arranged as to
16 avoid or reduce traffic congestion, ensure the health, safety and welfare of
17 the general public, prevent adverse effects on neighboring properties and
18 shall be in accord with the city's general plan.

19 3. If the proposed development contains elements which would
20 unreasonably interfere with the use or enjoyment of neighboring property
21 rights or would endanger the peace, health, safety or welfare of the general
22 public, the precise plan of design may be disapproved or may be so
23 modified or conditioned so as to remove or mitigate such impacts.

24 4. In reviewing a precise plan of design, the director of
25 community development or planning commission, as applicable, may
26 consider the architectural design, general exterior appearance, landscaping,
27 color, texture, surface materials and exterior construction, shape and bulk,
28

1 and other physical characteristics, including the location of public utility
2 facilities.

3 If it is determined by the director of community development or
4 planning commission, as applicable, that the proposed development will
5 substantially interfere with the orderly or planned development of the City,
6 the precise plan of design may be disapproved or may be so modified or
7 conditioned so as to remove or mitigate such objections.

8 E. Review by the director of community development

9 1. The director of community development shall approve,
10 conditionally approve, or, where planning commission action is required,
11 recommend approval for each precise plan of design subject to this chapter.
12 Following completion of the review process, the community development
13 department shall prepare a report summarizing the decision and findings of
14 the director of community development and forward this report to the
15 applicant for review and concurrence.

16 2. Approval of the precise plan of design does not become effective
17 until the applicant has signed a statement acknowledging awareness and
18 acceptance of any required conditions of approval.

19 3. If the applicant does not concur with the action of the director of
20 community development, the applicant may appeal the director of
21 community development decision pursuant to the appeal provisions set forth
22 in Section 18.49.040.

23 F. Basis of approval of precise plans of design.

24 Approval, conditional approval or disapproval of a precise plan of
25 design shall be based on the following principles and findings:

26 1. Every proposed use and development of land shall be in
27 compliance with all city ordinances and regulations, unless in accordance
28 with an approved variance.

1 2. Every proposed use and development of land shall be
2 considered on the basis of suitability of the site for the particular use or
3 development intended ;and the total development shall be so arranged as to
4 avoid or reduce traffic congestion, ensure the health, safety and welfare of
5 the general public, prevent adverse effects on neighboring properties and
6 shall be in accord with the city's general plan.

7 3. If the proposed development contains elements which would
8 unreasonably interfere with the use or enjoyment of neighboring property
9 rights or would endanger the peace, health, safety or welfare of the general
10 public, the precise plan of design may be disapproved or may be so
11 modified or conditioned so as to remove or mitigate such impacts.

12 4. In reviewing a precise plan of design, the director of
13 community development or planning commission, as applicable, may
14 consider the architectural design, general exterior appearance, landscaping,
15 color, texture, surface materials and exterior construction, shape and bulk,
16 and other physical characteristics, including the location of public utility
17 facilities.

18 If it is determined by the director of community development or
19 planning commission, as applicable, that the proposed development will
20 substantially interfere with the orderly or planned development of the City,
21 the precise plan of design may be disapproved or may be so modified or
22 conditioned so as to remove or mitigate such objections.

23 G. Approval of precise plans of design.

24 An approved precise plan of design will remain valid for a period of
25 one (1) year from the date of approval. If substantial construction activities
26 are commenced within the one (1) year period and such construction is
27 being diligently pursued towards completion, the approved precise plan of
28 design shall remain effective for an additional one (1) year period. The the

1 planning commission or city council, as applicable, may, upon application
2 prior to termination of the second one (1) year period, extend the approval
3 time in the event of demonstrated unavoidable delays.”
4

5 **Section 5.** The City Clerk shall certify to the adoption of this Ordinance, and cause the
6 same to be published in the local newspaper, and the same shall take effect thirty (30) days after
7 its date of adoption:

8 PASSED, APPROVED AND ADOPTED this ____ day of _____, 2020.

9
10 _____
11 DEBORAH ROBERTSON, Mayor

12 ATTEST:

13 _____
14 BARBARA McGEE, City Clerk

15 APPROVED AS TO FORM

16
17 _____
18 FRED GALANTE, City Attorney
19
20
21
22
23
24
25
26
27
28

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

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Ordinance No. _____ was duly passed and adopted at a regular meeting of the City Council
6 of the City of Rialto held on the _____ day of _____, 2020.

7 Upon motion of Councilmember _____, seconded by Councilmember
8 _____, the foregoing Ordinance No. _____ was duly passed and adopted.

9 Vote on the Motion:

10 AYES:

11 NOES:

12 ABSENT:

13 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City
14 of Rialto, this _____ day of _____, 2020.

15
16 _____
17 Barbara A. McGee, City Clerk
18
19
20
21
22
23
24
25
26
27
28