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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11 **Section 2.** Resolution Nos. 2093, 2326 and 2507 are hereby repealed in their entirety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 **“3.33.050 - Imposition of development impact fees.**
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1 Unless otherwise specified in this chapter, every development project and each
2 developer thereof shall be obligated to pay the development impact fees established
3 pursuant to this chapter as a condition of the approval of the development project.”

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development review committee or city council, as
applicable

4
5 **“15.32.010 - General requirements.**

6 . . .

7 B. The following exception shall apply:
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9 . . .

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

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14”
15

16 **“17.16.020 - Filing—Information required.**

17

18 B. Typical requirements for filing such tentative maps are:
19

20

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

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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.

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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.”

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16
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:

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Deleted: community development

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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;

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1”

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3
4 **“17.23.130 - Credit for private open space.**

5

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

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12
13 **Chapter 18.10 - R-1 SINGLE FAMILY ZONES**

14 **“18.10.020 - Permitted uses.**

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

16

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

19
20 1. Attached and detached second residential units are subject to
21 approval of a precise plan of design approved by the director of community
22 development,

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23”
24

25 **Chapter 18.18 - R-1 D SINGLE FAMILY RESIDENTIAL ZONE**

26 **“18.18.050 - Review and approval process.**

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

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....

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.”

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“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.”

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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.

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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:

....

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.

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D. Application for projects consisting of five or more units:

1. Multi-family projects consisting of five or more units shall be subject to approval of a conditional development permit (CDP) by the city planning commission.

2. Approval of a precise plan of design (PPD) by the planning commission."

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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."

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Chapter 18.27 - O-P OFFICE PARK ZONE

"18.27.060 - Use conditions.

. . . .

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

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

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

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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.

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

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6 **Chapter 18.33 - F-C FREEWAY COMMERCIAL ZONE**

7 **“18.33.060 - Use conditions.**

8

9
10 B. In order that buildings, structures, signs, landscaping and other
11 improvements will be consistent with the development guidelines of the Gateway
12 Specific Plan, and will be compatible with surrounding uses and structures, no
13 change of existing use of a building or grounds shall be made, nor shall any
14 buildings or structure be constructed, altered, or removed until a detailed plan for
15 the work proposed to be done has been approved by the director of community
16 development. In the review of a proposal, the director of community development
17 shall use and refer to design and performance guidelines contained in the specific
18 plan, the detailed standards contained in this chapter and the general requirements
19 of this title. Particular attention is to be given to the following review elements:

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20 1. Site plan, appropriateness of layout and function and the
21 relationship to existing buildings and structures in the general vicinity or
22 area within the specific plan;

23 2. Building height, bulk, area and design (including materials and
24 colors);

25 3. Architectural and security lighting;

26 4. Location and adequacy of loading and automobile parking
27 areas;
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.

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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:

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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.~~

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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.~~

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. . . .

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

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8 **Chapter 18.45 - T-C TRANSPORTATION CORRIDOR ZONE**

9 **“18.45.050 - Precise plan of design requirement.**

10 No building permit or other entitlement for any use in the T-C zone shall be
11 issued until a precise plan of design has been approved for the property by the
12 planning commission or director of community development. The precise plan of
13 design may include provisions for any accessory use necessary to conduct any
14 permitted use on the property. The planning commission or director of community
15 development may impose any conditions for the precise plan of design determined
16 necessary to implement and provide for consistency with the provisions of the T-C
17 zone, the general plan, and any applicable specific plans, and to ensure that the
18 proposed uses are sufficiently isolated from any existing and proposed rail
19 facilities.”
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21 **Chapter 18.49 - DOWNTOWN REVITALIZATION OVERLAY ZONE**

22 **“18.49.030 - Development standards.**

23 The following design standards are applicable to the downtown
24 revitalization overlay zone:
25

26 A. Demolition, Alteration, Removal or Change Prohibited Without
27 Approval.
28

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

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8
9 C. Applicable Development Standards—Rialto Central Area Specific
10 Plan.

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

14 ***(left off here)2. There shall be no required building setbacks
15 for structures from property lines. The planning commission or director of
16 community development may or may not, as a condition of approval of the
17 precise plan of design, require setbacks where they enhance the integrity of
18 the project and/or integrate the architectural character and the theme of the
19 downtown revitalization overlay zone and do not deprive the owner of
20 substantial or reasonable use of his/her property.”

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21
22 **“18.49.040 - Design review process.**

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

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

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

- 10 1. Height, bulk and area of the buildings;
- 11 2. Colors, materials and architectural style of buildings and
12 installation;
- 13 3. Front and rear facades;
- 14 4. The physical and architectural relationship with the existing
15 and/or proposed structures;
- 16 5. Site, layout, orientation and location of buildings in
17 relationship to open areas and topography;
- 18 6. Height, materials, colors and variances in building walls, fences
19 and/or plant screening;
- 20 7. Off-street parking and existing and/or proposed access points;
- 21 8. Sign design and location;
- 22 9. Exterior lighting;
- 23 10. Pedestrian access;
- 24 11. Landscaping;
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1 C. Conditions of approval may be applied in order to assure that the
2 development complies completely with the above standards and to bring any
3 proposed development into conformity. If the applicant and/or property owner is
4 aggrieved by any condition of approval required by the director of community
5 development or planning commission, the condition(s) may be appealed to the
6 planning commission or city council, respectively. The appeal to the planning
7 commission or city council, as applicable, shall be made in writing and submitted
8 to the community development department within fifteen (15) days of the direct of
9 community development's or planning commission's action, as applicable. The
10 appeal shall be set for planning commission or city council, as applicable,
11 consideration within sixty days of the city's receipt of the notice of appeal."

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

18
19
20 **"18.49.050 - Sign requirements.**

21

22 G. Temporary Advertising Signs. A "temporary advertising sign" for the
23 purpose of this chapter is defined as a banner, flag, pennant, window signing or
24 other signage intended to be displayed for a short period of time associated with the
25 advertisement of the initial opening of a business, the change of ownership of the
26 business or special merchandise sales or promotion activities. Temporary
27 advertising signs are permitted subject to the following provisions:
28

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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

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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.

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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;

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....”

“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.”

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

....”

“18.58.030 - Office, commercial and industrial design standards.

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

....

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

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

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

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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.

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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.

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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.

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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 development.

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

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

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

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

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

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

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

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

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

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

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

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

....

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

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

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

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

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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.

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

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

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....

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

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

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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

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

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

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“18.58.060 - Residential parking requirements.

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

....

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

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

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“Chapter 18.70 - ENVIRONMENTAL REVIEW

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

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

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

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

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

26 Should the development services director determine that the project may
27 have a significant effect on the environment, he/she shall recommend that an
28

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.

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

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

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5 **“18.70.070 - Assessment—Review by city council.**

6

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

11
12 **Chapter 18.78 - SPECIFIC PLANS**

13 **“18.78.070 - Conformity of specific plans to general plan, zoning, street**
14 **improvements, open space and landscaping.**

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

17
18 B. Where necessary, zoning shall be brought into conformance with the
19 specific plan land uses within a reasonable time after adoption of the plan.

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

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

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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.

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

“18.78.090 - Implementation.

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

....”

Chapter 18.80 - PLANNED RESIDENTIAL DEVELOPMENT-ATTACHED (PRD-A) DISTRICT

“18.80.060 - 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, under this subsection shall be subject to the procedures and requirements set forth in Chapter 18.65.”

“18.80.070 - Development standards.

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

3

4 C. Density Bonus. The planning commission may approve, at the time of
5 consideration for a change of zone to a PRD-A district, a "density bonus" which is
6 an increase in the maximum number of dwelling units per net acre allowed under
7 subsection B of this section. Density bonuses may be approved for a planned
8 residential project only when all of the criteria are met under the following
9 categories:
10

11

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

15

16 o. Utilities. The applicant shall submit to the community
17 development department, and it shall be made a condition of
18 approval, that the serving utilities will install underground all
19 facilities necessary to furnish service in the development. In
20 addition, each dwelling unit shall be provided individual services
21 and utility meters.
22

23”
24

25 **Chapter 18.90 - PLANNED RESIDENTIAL DEVELOPMENT-DETACHED**
26 **(PRD-D) DISTRICT**

27 **“18.90.060 - Review and approval process.**
28

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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:

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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.

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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 ...

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

7”
8

9 Chapter 18.106 - REGULATION OF CONVENIENCE MARKETS

10 “18.106.050 - Review and approval process.

11 The following procedural steps shall be completed prior to the issuance of
12 grading or building permits for the development of, or conversion into, a proposed
13 convenience-type market:
14

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

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

27 a. Measures to increase employee and customer safety,
28

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

7 c. Measures to control loitering,

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

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

15 2. An engineered traffic study which analyzes on-site and off-site
16 vehicular traffic and circulation impacts anticipated to result from the
17 proposed convenience-type market, and provides specific mitigation
18 measures to be incorporated into the design and approval of the project. The
19 requirement for the traffic study may be waived by the city's public works
20 department, for convenience-type markets to be located within an existing
21 building in a multitenant commercial center and where no concurrent sale of
22 automobile fuels is proposed by the applicant.
23

24 B. Conditional Development Permit. Following completion of the
25 environmental assessment review, the applicant shall submit a complete application
26 package for conditional development permit in compliance with existing policies
27 and requirements, and in accordance with the provisions of Section 18.106.040.
28

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

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7 **Chapter 18.110 - REGULATION OF THE OFF-SALE OF ALCOHOLIC** 8 **BEVERAGES**

9 **“18.110.070 - Review and approval process.**

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

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

16 1. Measures to increase employee and customer safety;

17 2. Enhanced security measures including security lighting,
18 approval of an approved alarm system and any other crime prevention
19 measures to be incorporated in the design and operation of the business. As
20 part of the required security measures, video security cameras shall be
21 installed within the building;

22 3. Measures to control loitering;

23 4. Any other crime related measures required by the police
24 department which are intended to mitigate the costs of city-provided
25 services for the proposed business of off-sale of alcoholic beverages. The
26 appropriate crime prevention measures endorsed by the police department
27
28

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."

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community review committee development

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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

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

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

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

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 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
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