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

3 **WHEREAS**, on February 26, 2020, the Planning Commission of the City of Rialto
4 conducted a duly noticed public hearing, as required by law, on TTM No. 20237, GPA No. 2019-
5 0007, and ZC No. 2019-0005, took testimony, at which time it received input from staff, the city
6 attorney, and the applicant; heard public testimony; discussed the proposed TTM No. 20237, GPA
7 No. 2019-0007, and ZC No. 2019-0005; and closed the public hearing; and

8 **WHEREAS**, on February 26, 2020, the Planning Commission voted 6-0 (1 absence) to
9 recommend approval of TTM No. 20237, GPA No. 2019-0007, and ZC No. 2019-0005 to the City
10 Council; and

11 **WHEREAS**, on May 12, 2020, the City Council conducted a public hearing, as required
12 by law, on TTM No. 20237, GPA No. 2019-0007, and ZC No. 2019-0005, took testimony, at
13 which time it received input from staff, the city attorney, and the applicant; heard public testimony,
14 discussed TTM No. 20237, GPA No. 2019-0007, and ZC No. 2019-0005; and closed the public
15 hearing; and

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

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

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

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

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

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

1 GPA No. 2019-0007, prepared in conjunction with the Project, will change the land use
2 designation of the southern parcel (APN: 0131-131-23) of the Site to Residential 6. The two
3 (2) northern parcels (APNs: 0131-131-13 & -14) of the Site contain a land use designation of
4 Residential 6. ZC No. 2019-0005, prepared in conjunction with the Project, will change the
5 zoning designation of the Site to R-3. The allowable density range within the Residential 6
6 land use designation is 2.1 to 6.0 dwelling units per acre. The R-3 zone allows for a density
up to 21.0 dwelling units per acre. The proposed density of the Site, as a result of the Project,
is 5.99 dwelling units per acre, which is consistent with the Residential 6 land use designation
and the R-3 zoning designation.

7 Furthermore, the R-3 zone requires a minimum gross site area of 1.0 acres. The area of the
8 Site is 9.03 gross acres (8.67 net acres), which exceeds the minimum required. No minimum
9 individual lot sizes are specified within the development standards of the R-3 zone. As it
pertains to the tentative tract map, the proposed subdivision of the Site is consistent with the
R-3 zone and the Residential 6 land use designation.

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

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

14 The Project will comply with all of the technical standards required by Subdivision Map Act.
15 Additionally, the Project is consistent with the proposed R-3 zone and the proposed and
16 existing Residential 6 land use designation, as all of the development standards for the R-3
17 zone and the density requirements of the Residential 6 land use designation are satisfied within
the Project.

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

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

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

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

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

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

2 The Site is 8.67 net acres in size. Upon the completion of GPA No. 2019-0007 and ZC No.
3 2019-0005 the maximum density allowed on the Site will be 6.0 dwelling units per acre. The
4 acreage of the Site is suitable to accommodate the proposed density of 5.99 dwelling units per
5 acre.

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

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

9 According to Section 4.4.2 of the General Plan Environmental Impact Report, the Site is
10 designated as a habitat for the endangered Delhi Sands Flower-Loving Fly (DSF). However,
11 the applicant hired Powell Environmental Consultants to conduct surveys of the Site in 2017,
12 2018, and 2019 to determine if the DSF was present on the Site. Each survey determined that
13 the DSF was not present on the Site. A condition of approval contained herein requires the
14 applicant to provide the Planning Division with documentation of clearance from the United
15 States Fish & Wildlife Services prior to the commencement of any ground disturbance
16 activities on the Site. Additionally, the initial study prepared for the Project determined that
17 the Site did not contain suitable habitat for any other known threatened or endangered species,
18 including the Burrowing Owl and the San Bernardino Kangaroo Rat.

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

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

22 The Site is bound on the west by Acacia Avenue. To the north of the project site is an
23 existing single-family residential neighborhood built in 1970. To the east of the project
24 site is a single-family residential neighborhood built from 1990 to 1992 and located within
25 the City of San Bernardino. To the south is approximately 6.80 acres of vacant land
26 recently approved for the development of fifty (50) single-family residences as a part of
27 the Wagon Wheel residential project by R.C. Hobbs Company, Inc., and to the west, both
28 adjacent to the project site and across Acacia Avenue, are several rural single-family
29 residences. The current zoning of the project site is a mix of Agricultural (A-1) and Single-
30 Family Residential (R-1C). The zoning of the properties to the north is Single-Family
31 Residential (R-1C), the zoning of the property to the south is Multi-Family Residential (R-
32 3), and the zoning of the properties to the west is Agricultural (A-1). The proposed
33 detached single-family development pertaining to the land division is consistent with all
34 nearby land uses. Construction impacts will be limited through the strict enforcement of
35 the allowable construction hours listed in Section 9.50.070 of the Rialto Municipal Code,
36 as well as enforcement of regular watering of the Site to limit airborne dust and other
37 particulate matter. Operationally, generally speaking, detached single-family dwellings
38 have little to no impact on the environment and on surrounding properties, specifically with

1 respect to air quality, noise, and traffic. The Project is not likely to cause any public health
2 problems.

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

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

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

15 **SECTION 3.** An Initial Study (analyzing the prior development of 60 single family lots and
16 accompanying residences) and an accompanying Consistency Analysis Memorandum (analyzing the
17 current development of 52 single family lots and accompanying residences) (Environmental
18 Assessment Review No. 2019-0082) has been prepared for GPA No. 2019-0007 in accordance with
19 the California Environmental Quality Act (CEQA). Based on the findings and recommended
20 mitigation with the Initial Study, staff determined that the project will not have an adverse impact on
21 the environment, provided that mitigation measures are implemented, and a Mitigated Negative
22 Declaration was prepared. The local newspaper published a copy of the Notice of Intent to adopt the
23 Mitigated Negative Declaration for the project, and the City mailed the notice to all property owners
24 within 300 feet of the project site for a public comment period held from June 20, 2019 to July 9,
25 2019. The Mitigated Negative Declaration was prepared in accordance with CEQA. Based on the
26 Initial Study, Mitigated Negative Declaration, and Consistency Analysis Memorandum, which found
27 that the reduction in the number of dwelling units proposed will serve to reduce the previously
28 determined less than significant impacts analyzed by the prior proposal even further, the City Council
hereby adopts the Mitigated Negative Declaration and direct the Planning Division to file the
necessary documentation with the Clerk of the Board of Supervisors for San Bernardino County.

1 **SECTION 4.** The City Council hereby approves TTM No. 20237, in conjunction with GPA
2 No. 2019-0007 and ZC No. 2019-0005, to allow the subdivision of 8.67 acres of land (APNs: 0131-
3 131-13, -14, & -23) located on the east side of Acacia Avenue approximately 775 feet north of Randall
4 Avenue, described in the legal description attached as Exhibit A, into fifty-two (52) detached single-
5 family lots and nine (9) common lots for private streets, common open space, landscaping, and
6 stormwater detention, in accordance with the application on file with the Planning Division, subject
7 to the following conditions:

- 8
9 1. TTM No. 20237 is approved allowing the subdivision of 8.67 net acres of land (APNs:
10 0131-131-13, -14, & -23) located on the east side of Acacia Avenue approximately 775
11 feet north of Randall Avenue, described in the legal description attached as Exhibit A,
12 into fifty-two (52) single-family residential lots and nine (9) common lots for private
13 streets, common open space, landscaping, and stormwater detention, as shown on the
14 tentative map submitted to the Planning Division on February 15, 2020, and as approved
15 by the Planning Commission and City Council. If the Conditions of Approval specified
16 herein are not satisfied or otherwise completed, the Project shall be subject to revocation
- 17
18 2. Prior to the issuance of building or grading permits for the proposed development, a
19 Precise Plan of Design shall be approved by the City's Development Review Committee
20 (DRC).
- 21
22 3. City inspectors shall have access to the Site to reasonably inspect the Site during normal
23 working hours to assure compliance with these conditions and other codes.
- 24
25 4. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,
26 officers, or employees from any claims, damages, action, or proceeding against the City
27 or its agents, officers, or employees to attack, set aside, void, or annul any approval of
28 the City, its advisory agencies, appeal boards, or legislative body concerning TTM No.
29 20237. The City will promptly notify the applicant of any such claim, action, or
30 proceeding against the City, and applicant will cooperate fully in the defense.
- 31
32 5. In accordance with the provisions of Government Code Section 66020(d)(1), the
33 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
34 subject to protest by the applicant at the time of approval or conditional approval of the
35 Project or within 90 days after the date of the imposition of the fees, dedications,
36 reservations, or exactions imposed on the Project.
- 37
38 6. Approval of Tentative Tract Map No. 20237 will not be valid until such time that the City
39 Council of the City of Rialto has approved General Plan Amendment No. 2019-0007 and
40 Zone Change No. 2019-0005, which were prepared in conjunction with the Project.

- 1 7. The applicant shall annex the Site within a Community Facilities District to offset
2 operational costs to the City's General Fund associated with TTM No. 20237, prior to the
3 issuance of any building permits.
- 4 8. The applicant shall complete and abide by all mitigation measures contained within the
5 Mitigation Monitoring and Reporting Program associated with Environmental
6 Assessment Review No. 2019-0082 prior to issuance of any Certificate of Occupancy.
- 7 9. The applicant shall secure the services of a tribal cultural monitor to be present during all
8 ground disturbance activities associated with the construction of this project. The tribal
9 cultural monitor shall be approved by the Gabrieleño Band of Mission Indians-Kizh
10 Nation, and documentation of coordination between the applicant and the Gabrieleño
11 Band of Mission Indians-Kizh Nation on this matter shall be provided to the Planning
12 Division prior to the issuance of a grading permit.
- 13 10. The applicant shall provide documentation indicating clearance from the United States
14 Fish & Wildlife Service in regards to the Delhi Sands Flower-Loving Fly (DSF) prior to
15 the commencement of any ground disturbance activities and prior to the issuance of a
16 rough or precise grading permit.
- 17 11. The applicant shall submit Covenants, Conditions and Restrictions (CC&R's) for a Home
18 Owners Association (H.O.A.) to the Planning Division for review and approval by the
19 City Attorney, at applicant's cost, prior to recordation of the Final Map.
- 20 12. The applicant shall include language within the CC&R's that prohibits property owners
21 and/or residents from converting their garage or using it for any purpose other than the
22 parking of vehicles.
- 23 13. The applicant shall construct a minimum six (6) foot high solid decorative masonry block
24 wall around the perimeter of the project, or as approved by the Planning Division, prior to
25 the issuance of any certificate of occupancy. Decorative masonry block means tan
26 slumpstone block, tan split-face block, or precision block with a stucco, plaster, or
27 cultured stone finish. All decorative masonry block walls shall include a decorative cap.
28 Pilasters shall be incorporated within the all block walls. The pilasters shall be spaced a
maximum of fifty (50) feet and shall be placed at all corners and ends of the wall. All
pilasters shall protrude a minimum of six (6) inches above and at least six (6) inches to
the side of the wall. All pilasters shall include a decorative cap.
14. The private streets within the development shall be named as shown on the tentative map,
and as follows:
 - a. The entryway shall be named "Stanton Way".
 - b. The westerly north-south street shall be named "Encina Avenue".
 - c. The center north-south street shall be named "Sumac Lane".
 - d. The easterly north-south street shall be named "Pine Avenue".
 - e. The northerly east-west street shall be named "Vodden Street".

1 f. The southerly east-west street shall be named "Alru Street".

2 15. The applicant shall pay all applicable development impact fees in accordance with the
3 current City of Rialto fee ordinance, including any Transportation and Traffic Fair Share
4 Contribution fees, as applicable.

5 16. The applicant shall apply for annexation of the underlying property into City of Rialto
6 Landscape and Lighting Maintenance District No. 2 ("LLMD 2"). An application fee of
7 \$5,000 shall be paid at the time of application. Annexation into LLMD 2 is a condition
8 of acceptance of any new median, parkway, and/or easement landscaping, or any new
9 public street lighting improvements, to be maintained by the City of Rialto.

10 17. The applicant shall submit off-site landscaping and irrigation system improvement plans
11 for review and approval at the time of first (1st) public improvement plan submittal to the
12 Public Works Department. The parkway irrigation system shall be separately metered
13 from the on-site private irrigation to be maintained for a period of one (1) year and
14 annexed into a Special District. The off-site landscape and irrigation plans must show
15 separate electrical and water meters to be annexed into the Landscape and Lighting
16 Maintenance District No. 2 via a City Council Public Hearing. The landscape and
17 irrigation plans shall be approved concurrently with the street improvement plans,
18 including the median portion, prior to issuance of a building permit. The landscaping
19 architect must contact the City of Rialto Landscape Contract Specialist at (909) 772-2635
20 to ensure all landscape and irrigation guidelines are met prior to plan approval. Electrical
21 and water irrigation meter pedestals must not be designed to be installed at or near street
22 intersections or within a raised median to avoid burdensome traffic control set-up during
23 ongoing maintenance.

24 18. The applicant shall guarantee all new parkway landscaping irrigation for a period of one
25 (1) year from the date of the City Engineer acceptance. Any landscaping that fails during
26 the one year landscape maintenance period shall be replaced with similar plant material
27 to the satisfaction of the City Engineer, and shall be subject to a subsequent one year
28 landscape maintenance period. The applicant must contact the City of Rialto Landscape
Contract Specialist at (909) 772-2635 to confirm a full twelve (12) months' time of non-
interrupted ongoing maintenance.

19. The applicant shall install City Engineer approved deep root barriers, in accordance with
the Public Works Landscape and Irrigation Guidelines, for all trees installed within ten
(10) feet of the public sidewalk and/or curb.

20. All new street lights shall be installed on an independently metered, City-owned
underground electrical system. The developer shall be responsible for applying with
Southern California Edison ("SCE") for all appropriate service points and electrical
meters. New meter pedestals shall be installed, and electrical service paid by the
developer, until such time as the underlying property is annexed into LLMD 2.

21. The applicant shall submit street improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the approval of Tract Map No. 20237.
22. The applicant shall submit street light improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the approval of Tract Map No. 20237.
23. The applicant shall submit sewer improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the approval of Tract Map No. 20237.
24. The applicant shall submit traffic and signage improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the approval of Tract Map No. 20237.
25. The applicant shall submit copies of approved water improvement plans prepared by a registered California civil engineer to the Public Works Engineering Division for record purposes. The plans shall be approved by Rialto Water Services, the City's water purveyor, prior to the approval of Tract Map No. 20237.
26. The applicant shall submit a Precise Grading/Paving Plan prepared by a California registered civil engineer to the Public Works Engineering Division for review and approval. The Grading Plan shall be approved by the City Engineer prior to approval of Tract Map No. 20237 and prior to the issuance of any building permit.
27. The applicant shall submit a Geotechnical/Soils Report, prepared by a California registered Geotechnical Engineer, for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Public Works Engineering Division with the first submittal of the Precise Grading Plan.
28. The public and street improvements outlined in these conditions of approval are intended to convey to the developer an accurate scope of required improvements, however, the City Engineer reserves the right to require reasonable additional improvements as may be determined in the course of the review and approval of street improvement plans required by these conditions.
29. The applicant shall construct asphalt concrete paving for streets in two separate lifts. The final lift of asphalt concrete pavement shall be postponed until such time that on-site construction activities are complete. Unless the City Engineer provide prior authorization, paving of streets in one lift prior to completion of on-site construction is not allowed. If City Engineer authorized, completion of asphalt concrete paving for streets prior to completion of on-site construction activities, requires additional paving requirements prior to acceptance of the street improvements, including, but not limited to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs.

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

- 1 35. Upon approval of any improvement plan by the City Engineer, the applicant shall provide
2 the improvement plan to the City in digital format, consisting of a DWG (AutoCAD
3 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat)
4 formats. Variation of the type and format of the digital data to be submitted to the City
5 may be authorized, upon prior approval by the City Engineer.
- 6 36. The applicant shall construct and include in the project design any and all Transportation
7 Commission recommended improvements.
- 8 37. The applicant shall construct 4-inch conduit within the parkway area along the entire
9 project frontage of Acacia Avenue for future use.
- 10 38. The applicant shall dedicate additional right-of-way along the entire frontage of Willow
11 Avenue, as necessary, to provide the ultimate half-width of 32 feet, as required by the City
12 Engineer.
- 13 39. The applicant shall dedicate a property line corner cutback at the northeast and southeast
14 corners of the intersection of Acacia Avenue and Stanton Way, in accordance with City
15 Standard SC-235, as required by the City Engineer.
- 16 40. The applicant shall construct a curb ramp meeting current California State Accessibility
17 standards at both the northeast and southeast corners of the intersection of Acacia Avenue
18 and Stanton Way, in accordance with the City of Rialto Standard Drawings.
- 19 41. The applicant shall construct a new underground electrical system for public street
20 lighting improvements along the project frontage of Acacia Avenue, as determined
21 necessary by the City Engineer. New marbelite street light poles with LED light fixtures
22 shall be installed in accordance with City of Rialto Standard Drawings.
- 23 42. The applicant shall remove existing pavement and construct new pavement with a
24 minimum pavement section of 4 inches asphalt concrete pavement over 6 inches crushed
25 aggregate base with a minimum subgrade of 24 inches at 95% relative compaction, or
26 equal, along the entire frontage of Acacia Avenue in accordance with City of Rialto
27 Standard Drawings. The pavement section shall be determined using a Traffic Index
28 ("TI") of 6. The pavement section shall be designed by a California registered
Geotechnical Engineer using "R" values from the project site and submitted to the City
Engineer for approval. Pavement shall extend from clean sawcut edge of pavement at
centerline.
43. The applicant shall install "No Stopping Anytime" R26A(S)(CA) signage along the entire
project frontage of Acacia Avenue, as required by the City Engineer.
44. All broken or off-grade street and sidewalk improvements along the project frontage of
Acacia Avenue shall be repaired or replaced, as required by the City Engineer.

- 1 45. The applicant shall connect the project to the City of Rialto sewer system and apply for a
2 sewer connection account with Rialto Water Services.
- 3 46. The applicant shall provide certification from Rialto Water Services that demonstrates
4 that all water and/or wastewater service accounts for the project are documented, prior to
5 the issuance of a Certificate of Occupancy or final inspection approval from the Public
6 Works Engineering Division.
- 7 47. Domestic water service to the underlying property is provided by Rialto Water Services
8 (RWS). The applicant shall be responsible for coordinating with RWS and complying
9 with all requirements for establishing domestic water service to the property. The design
10 must include fire hydrants along Acacia Avenue.
- 11 48. The applicant shall install a new domestic water line lateral connection to the main water
12 line within Acacia Avenue, pursuant to the Rialto Water Services requirements. A water
13 line plan shall be approved by Rialto Water Services prior to approval of Tract Map No.
14 20237.
- 15 49. The development of the site is subject to the requirements of the National Pollution
16 Discharge Elimination System (NPDES) Permit for the City of Rialto, under the Santa
17 Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant to
18 the NPDES Permit, the applicant shall ensure development of the site incorporates post-
19 construction Best Management Practices ("BMPs") in accordance with the Model Water
20 Quality Management Plan ("WQMP") approved for use for the Santa Ana River
21 Watershed. The applicant is advised that applicable Site Design BMPs will be required to
22 be incorporated into the final site design, pursuant to a site specific WQMP submitted to
23 the City Engineer for review and approval.
- 24 50. The applicant shall submit a Water Quality Management Plan identifying site specific
25 Best Management Practices ("BMPs") in accordance with the Model Water Quality
26 Management Plan ("WQMP") approved for use for the Santa Ana River Watershed. The
27 site specific WQMP shall be submitted to the City Engineer for review and approval with
28 the Grading Plan. A WQMP Maintenance Agreement shall be required, obligating the
property owner(s) to appropriate operation and maintenance obligations of on-site BMPs
constructed pursuant to the approved WQMP. The WQMP and Maintenance Agreement
shall be approved prior to the issuance of any building permit and shall be recorded at the
San Bernardino County Recorder's Office prior to the issuance of a Certificate of
Occupancy.
51. The applicant shall prepare a Notice of Intent (NOI) to comply with the California General
Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified
September 2, 2009) is required via the California Regional Water Quality Control Board
online SMARTS system. A copy of the executed letter issuing a Waste Discharge
Identification (WDID) number shall be provided to the City Engineer prior to issuance of
a grading or building permit. The applicant's contractor shall prepare and maintain a
Storm Water Pollution Prevention Plan ("SWPPP") as required by the General

Construction Permit. All appropriate measures to prevent erosion and water pollution during construction shall be implemented as required by the SWPPP.

52. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. The volume of increased stormwater runoff to retain on-site shall be determined by comparing the existing "pre-developed" condition and proposed "developed" condition, using the 100-year frequency storm.
53. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to the adjacent public streets. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains. All on-site and off-site designs must comply with NPDES stormwater regulations.
54. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved Precise Grading/Paving Plan to the Engineering Division prior to the construction of any building foundation.
55. Prior to the issuance of a certificate of occupancy or final City approvals, the applicant shall demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications, and as identified in the approved WQMP.
56. The applicant shall adhere to the City Council approved franchise agreements and disposal requirements during all construction activities, in accordance with Section 8.08 (Refuse Collection of the City of Rialto Municipal Code).
57. Prior to commencing with any grading, the applicant shall implement the required erosion and dust control measures shall be in place. In addition, the following shall be included if not already identified:
 - a. 6 foot high tan colored perimeter screened fencing
 - b. Contractor information signage including contact information along the street frontage of Foothill Boulevard, Spruce Avenue, Larch Avenue, and Grove Avenue.

- 1 c. Post dust control signage with the following verbiage: "Project Name, WDID No.,
2 IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME (XXX)
3 XXX-XXX, If you do not receive a response, please call the AQMD at 1-800-
4 CUT-SMOG/1-800-228-7664"

5 58. The applicant shall remove any graffiti within 24 hours, before, during, and post
6 construction.

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

12 60. The applicant shall submit a final tract map (Tract Map No. 20237), prepared by a
13 California registered Land Surveyor or qualified Civil Engineer, to the Public Works
14 Engineering Division for review and approval. A Title Report prepared for subdivision
15 guarantee for the subject property, the traverse closures for the existing parcel and all lots
16 created therefrom, and copies of record documents shall be submitted with Tract Map No.
17 20237 to the Public Works Engineering Division as part of the review of the Map. Tract
18 Map No. 20237 shall be approved by the City Council prior to issuance of any building
19 permits.

20 61. In accordance with Government Code 66462, all required public improvements shall be
21 completed prior to the approval of a final map (Tract Map No. 20237). Alternatively, the
22 applicant may enter into a Subdivision Improvement Agreement to secure the cost of all
23 required public improvements at the time of requesting the City Engineer's approval of
24 Tract Map No. 20237. If a Subdivision Improvement Agreement is requested by the
25 applicant, a fee of \$2,000 shall be paid for preparation and processing of the Subdivision
26 Improvement Agreement. The applicant will be required to secure the Subdivision
27 Improvement Agreement pursuant to Government Code 66499 in amounts determined by
28 the City Engineer.

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

63. The applicant shall comply with all conditions of approval contained in GPA No. 2019-
0007 and ZC No. 2019-0005, to the extent they are not in conflict with any condition of
approval herein.

64. Pursuant to Section 17.16.050A of the Rialto Municipal Code, approval of TTM No.
20237 is granted for a period of twenty-four (24) months from the effective date of this
resolution. Pursuant to Section 17.16.050C of the Rialto Municipal Code, an extension
of time for TTM No. 20237 may be granted by the Planning Commission for a period
or periods not to exceed a total of thirty-six (36) months. The period or periods of
extension shall be in addition to the original twenty-four (24) months. An application

1 shall be filed with the Planning Division for each extension together with the required
2 fee prior to the expiration date of TTM No. 20237.

3 **SECTION 5.** The Mayor shall sign the passage and adoption of this resolution and
4 thereupon the same shall take effect and be in force.

5 **PASSED, APPROVED AND ADOPTED** this 12th day of May, 2020.
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9 DEBORAH ROBERTSON, MAYOR
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ATTEST:

BARBARA MCGEE, CITY CLERK

APPROVED AS TO FORM:

FRED GALANTE, CITY ATTORNEY

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

5 I, BARBARA MCGEE, City Clerk of the City of Rialto, do hereby certify that the foregoing
6 Resolution No. _____ was duly passed and adopted at a regular meeting of the City Council
7 of the City of Rialto held on the _____ day of _____, 2020.

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

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
15 Rialto this _____ day of _____, 2020.
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19 _____
20 BARBARA MCGEE, CITY CLERK
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Exhibit 'A'

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Exhibit 'B'

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