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

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

7 WHEREAS, the proposed revisions set forth a separate section that specifies the process
8 and standards for the director of community development or planning commission, as applicable,
9 to consider and approve any PPD, which will require a public hearing to afford any applicant the
10 opportunity to present evidence and testimony, as is typical of other entitlements, with the
11 opportunity to appeal a PPD decision to the City Council.

12 NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO FINDS AND
13 ORDAINS AS FOLLOWS:

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

16 **Section 2.** Resolution No. 2507 is hereby repealed in its entirety and of no further
17 force and effect.

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

22 **“2.20.070 - Certificate of appropriateness and certificate of hardship.**

23 . . .

24 D. A certificate of appropriateness for a new structure within a historic or
25 urban conservation district shall take effect upon approval of the precise plan of
26 design by the ~~development review committee~~ **community development director or**
27 **planning commission, as applicable.** Existing structures identified as intrusions
28

1 into historic or urban conservation districts do not need a certificate of
2 appropriateness for demolition or moving.

3”
4

5 **“3.33.050 - Imposition of development impact fees.**

6 Unless otherwise specified in this chapter, every development project and each
7 developer thereof shall be obligated to pay the development impact fees established
8 pursuant to this chapter as a condition of the approval of the development project
9 ~~by the planning commission, development review committee or city council, as~~
10 ~~applicable.”~~

11
12 **“15.32.010 - General requirements.**

13 . . .
14

15 B. The following exception shall apply:

16 . . .

17 5. The undergrounding of existing utility services as a
18 requirement of a precise plan of design may be waived when determined by
19 the ~~development review committee~~ **community development director or**
20 **planning commission, as applicable,** to be impractical or economically
21 infeasible.

22”
23

24 **“17.16.020 - Filing—Information required.**

25
26

27 B. Typical requirements for filing such tentative maps are:

28

1 17. A geologic soils report prepared by a civil engineer who is
2 registered by the state, based upon adequate test borings or excavations,
3 unless the ~~department of development services~~ **community development**
4 **department** determines that, due to the knowledge such department has as
5 to the soil qualities of the soil of such subdivision or lot, no preliminary
6 analysis is necessary. If the preliminary soils report indicates the presence
7 of critically expansive soils or other soil problems which, if not corrected,
8 would lead to structural defects, the person filing the tentative map shall
9 submit a soils investigation of each lot in the subdivision, prepared by a
10 civil engineer who is registered in this state, which shall recommend
11 corrective action which is likely to prevent structural damage to each
12 dwelling proposed to be constructed on the expansive soil. The **community**
13 **development** ~~department of development services~~ shall approve the soils
14 investigation if it determines that the recommended action is likely to
15 prevent structural damage to each dwelling to be constructed and shall
16 require that the approved recommended action be incorporated in the
17 construction of each dwelling as a condition to the building permit. Appeal
18 from such determination shall be to the ~~development review committee~~
19 **planning commission**.

20 If the ~~director of development services~~ **community development director**
21 finds that a written geologic report is necessary to determine whether the property
22 to be divided is subject to an existing or potential geologic hazard, the person filing
23 the tentative map shall submit such a report to said board. The report shall be
24 prepared by a registered engineering geologist. Such information may be furnished
25 separately from the map itself.”
26

27 **“17.18.060 - Filing and processing.**
28

1

2 B. At the time a vesting tentative map is filed with the ~~planning division~~
3 ~~of the~~ ***community development*** department of development services for processing,
4 the subdivider shall have supplied all information and paid the applicable filing
5 fees as set forth by resolution of the city council in order to have completed the
6 following procedural steps:

7

8
9 3. A precise plan of design (PPD) for the proposed residential
10 development shall be approved by the city's ~~development review committee~~
11 ***community development director or planning commission, as applicable,***
12 in accordance with the procedures set forth ~~by resolution of the city council~~
13 ***in Chapter 18.65;***

14 ”

15
16
17 **“17.23.130 - Credit for private open space.**

18

19 B. A determination if the development qualifies for the credit will be
20 made by the ***community development director or planning commission, as***
21 ***applicable,*** ~~development review committee~~ at the time of approval of the precise
22 plan of design for the PRD-D or PRD-A development, based on recommendations
23 of the recreation community ~~services~~ **development** department.”

24
25
26 **Chapter 18.10 - R-1 SINGLE FAMILY ZONES**

27 **“18.10.020 - Permitted uses.**

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

1

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

4 1. Attached and detached second residential units are subject to
5 approval of a precise plan of design approved by the ~~development review~~
6 ~~committee (DRC) or~~ *community development director*,

7 ”

8
9
10 **Chapter 18.18 - R-1 D SINGLE FAMILY RESIDENTIAL ZONE**

11 **“18.18.050 - Review and approval process.**

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

14

15 D. Precise Plan of Design. Approval of the precise plan of design by the
16 city's ~~development review committee or~~ *community development director*,
17 ~~pursuant to City Council Resolution No. 2092~~ shall be required prior to
18 construction.”

19
20 **“18.18.060 - Development standards.**

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

22

23 R. Utilities. The applicant shall submit to the ~~development review~~
24 ~~committee~~ *community development department* and it shall be made a condition of
25 approval, that the serving utilities will install underground all facilities necessary to
26 furnish service in the development.”
27
28

1
2 **Chapter 18.22 - R-3 MULTIPLE FAMILY ZONE**

3 **“18.22.030 - Development standards.**

4

5 N. Landscaping. All required front, side, and rear yards shall be
6 landscaped in a manner as approved by the ~~development review committee (DRC)~~
7 ***community development director.***

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

10”

11
12
13 **“18.22.040 - Site plan review.**

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

16

17 C. Application for projects consisting of four or less units: ~~1. Projects~~
18 ~~consisting of four or less units~~ shall be subject to the approval of a precise plan of
19 design by the ~~city’s development review committee~~ ***community development***
20 ***director.***

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

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

25 2. Approval of a precise plan of design (PPD) by the ~~city’s~~
26 ~~development review committee (DRC)~~ ***planning commission.***”
27
28

1
2 **Chapter 18.26 - A-P ADMINISTRATIVE—PROFESSIONAL—**
3 **INSTITUTIONAL ZONE**

4 **“18.26.090 - Use conditions.**

5 Permitted uses in this zone may be located in an existing residential
6 structure remodeled for the intended use; provided, that any structural changes or
7 additions affecting the exterior appearance of the residence ~~are subject to~~ **shall**
8 **require** review and approval **of a precise plan of design** by the ~~development review~~
9 ~~committee (DRC)~~ **community development director**. Upon the issuance of the
10 certificate of occupancy for a nonresidential use, further residential use of the site is
11 prohibited. Nonresidential uses permitted in this zone may be located in entirely
12 new buildings, designed and constructed for the uses, only after all existing
13 residential structures have been removed from the premises.”

14
15
16 **Chapter 18.27 - O-P OFFICE PARK ZONE**

17 **“18.27.060 - Use conditions.**

18

19 B. In order that buildings, structures, signs, landscaping and other
20 improvements will be consistent with the development guidelines of the Gateway
21 Specific Plan, and compatible with surrounding uses and structures, no change of
22 existing use of a building or grounds shall be made, nor shall any buildings or
23 structures be constructed, altered, or removed until a detailed plan for the work
24 proposed to be done has been ~~submitted to~~ **approved by** the ~~development review~~
25 ~~committee~~ **community development director or planning commission if a**
26 **conditional development permit is sought**. In the review of a proposal the
27 ~~committee~~ **community development director or planning commission, as**
28 **applicable**, shall use and refer to design and performance guidelines contained in

1 the specific plan, the detailed standards contained in this chapter and the general
2 requirements of this title. Particular attention is to be given to the following review
3 elements:

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

15
16
17 *The action of the community development director is final, unless appealed to the*
18 *planning commission pursuant to Section 18.49.040.* The action of the
19 ~~development review committee or~~ planning commission is final, unless appealed to
20 the city council pursuant to Chapter 18.68 of this title.”
21
22

23 **Chapter 18.31 - R-C RETAIL COMMERCIAL ZONE**

24 **“18.31.060 - Use conditions.**

25

26 B. In order that buildings, structures, signs, landscaping and other
27 improvements will be consistent with the development guidelines of the Gateway
28 Specific Plan, and compatible with surrounding uses and structures, no change of

1 existing use of a building or grounds shall be made, nor shall any buildings or
2 structure by constructed, altered, or removed until a detailed plan for the work
3 proposed to be done has been submitted to the ~~development review committee~~
4 ***community development director or planning commission if a conditional***
5 ***development permit is sought***, for approval. In the review of a proposal, the
6 ~~committee~~ ***community development director or planning commission, as***
7 ***applicable***, shall use and refer to design and performance guidelines contained in
8 the specific plan, the detailed standards contained in this chapter and the general
9 requirements of this title. Particular attention is to be given to the following review
10 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
23
24 ***The action of the community development director is final, unless appealed to the***
25 ***planning commission pursuant to Section 18.49.040.*** The action of the
26 ~~development review committee or~~ planning commission is final, unless appealed to
27 the city council pursuant to Chapter 18.68 of this title.”
28

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

2 **“18.33.060 - Use conditions.**

3

4 B. In order that buildings, structures, signs, landscaping and other
5 improvements will be consistent with the development guidelines of the Gateway
6 Specific Plan, and will be compatible with surrounding uses and structures, no
7 change of existing use of a building or grounds shall be made, nor shall any
8 buildings or structure be constructed, altered, or removed until a detailed plan for
9 the work proposed to be done has been ~~submitted~~ **approved by** ~~to the development~~
10 ~~review committee~~ **community development director or planning commission if a**
11 **conditional development permit is sought** ~~for approval or zoning administrator~~. In
12 the review of a proposal, the ~~committee~~ **community development director or**
13 **planning commission, as applicable**, shall use and refer to design and performance
14 guidelines contained in the specific plan, the detailed standards contained in this
15 chapter and the general requirements of this title. Particular attention is to be given
16 to the following review elements:

- 17 1. Site plan, appropriateness of layout and function and the
18 relationship to existing buildings and structures in the general vicinity or
19 area within the specific plan;
20
21 2. Building height, bulk, area and design (including materials and
22 colors);
23
24 3. Architectural and security lighting;
25
26 4. Location and adequacy of loading and automobile parking
27 areas;
28
29 5. Landscape and hardscape (paving) treatments;
30
31 6. Setback distances from all property lines;

1 7. Size, type and location of signs.

2 *The action of the community development director is final, unless appealed to the*
3 *planning commission pursuant to Section 18.49.040.* The action of the
4 ~~development review committee or~~ planning commission is final, unless appealed to
5 the city council pursuant to Chapter 18.68 of this title.”
6

7
8 **Chapter 18.35 - I-P INDUSTRIAL PARK ZONE**

9 **“18.35.050 - Off-street parking.**

10

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

- 22 1. Site plan, appropriateness of layout and function and the
23 relationship to existing buildings and structures in the general vicinity or
24 area within the specific plan;
25 2. Building height, bulk, area and design (including materials and
26 colors);
27 3. Architectural and security lighting;
28

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

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 ~~development review committee~~ *community development director or planning commission, as applicable.*

. . . .

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 ~~development review committee~~ *community development director or planning*
5 *commission, as applicable.*

6 ”

7
8
9 **Chapter 18.45 - T-C TRANSPORTATION CORRIDOR ZONE**

10 **“18.45.050 - Precise plan of design requirement.**

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

22
23 **Chapter 18.49 - DOWNTOWN REVITALIZATION OVERLAY ZONE**

24 **“18.49.030 - Development standards.**

25 The following design standards are applicable to the downtown
26 revitalization overlay zone:
27
28

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

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

9

10
11 C. Applicable Development Standards—Rialto Central Area Specific
12 Plan.

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

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

23
24 **“18.49.040 - Design review process.**

25 A. The ~~development review committee~~ *community development director*
26 shall review and approve the design of each improvement in the downtown
27 revitalization overlay zone for which a building permit, new business license or
28

1 certificate of occupancy or other approval pursuant to this section is required. The
2 term "improvement " is defined as the exterior construction, alteration and repair of
3 all buildings, structures and facilities and the installation of any signs or any other
4 architectural item to the building or property. This section shall not apply to routine
5 and/or customary maintenance and repairs that do not materially change the
6 exterior appearance of the structure, nor shall it apply to temporary repairs certified
7 as an emergency by the building division.

8 B. ~~The development review committee~~ **community development director**
9 shall review and approve all applications for a precise plan of design if the
10 following aspects of the project or proposed development are consistent with the
11 purpose and intent of the downtown revitalization overlay zone and the Rialto
12 central area specific plan:

- 13 1. Height, bulk and area of the buildings;
- 14 2. Colors, materials and architectural style of buildings and
15 installation;
- 16 3. Front and rear facades;
- 17 4. The physical and architectural relationship with the existing
18 and/or proposed structures;
- 19 5. Site, layout, orientation and location of buildings in
20 relationship to open areas and topography;
- 21 6. Height, materials, colors and variances in building walls, fences
22 and/or plant screening;
- 23 7. Off-street parking and existing and/or proposed access points;
- 24 8. Sign design and location;
- 25 9. Exterior lighting;
- 26
- 27
- 28

1 10. Pedestrian access;

2 11. Landscaping;

3 C. Conditions of approval may be applied in order to assure that the
4 development complies completely with the above standards and to bring any
5 proposed development into conformity. If the applicant and/or property owner is
6 aggrieved by any condition of approval required by the ~~development review~~
7 ~~committee~~ *community development director*, the condition(s) may be appealed to
8 the *planning commission* ~~city administrator~~. ~~If the decision of the city~~
9 ~~administrator does not satisfy the applicant and/or property owner, the matter may~~
10 ~~be further appealed to the planning commission.~~ The appeal to the planning
11 commission shall be made in writing and submitted to the ~~planning division~~
12 *community development department within fifteen days of the community*
13 *development director's action. The appeal shall be set* ~~not fewer than fifteen days~~
14 ~~prior to the date set for the planning commission to consideration~~ *within sixty days*
15 *of the city's receipt of the notice of the appeal."*

16
17 D. When the ~~development review committee~~ *community development*
18 *director or planning commission* approves the precise plan of design and the
19 applicant has agreed to all conditions of approval and has signed and submitted to
20 the ~~planning division~~ *community development department* the statement of
21 acceptance of said conditions, the applicant shall submit final working drawings to
22 the building and safety division for issuance of required building permit."

23
24 **"18.49.050 - Sign requirements.**

25

26
27 G. Temporary Advertising Signs. A "temporary advertising sign" for the
28 purpose of this chapter is defined as a banner, flag, pennant, window signing or

1 other signage intended to be displayed for a short period of time associated with the
2 advertisement of the initial opening of a business, the change of ownership of the
3 business or special merchandise sales or promotion activities. Temporary
4 advertising signs are permitted subject to the following provisions:

5

6
7 3. Street light banner signage may be permitted subject to review
8 and approval ~~of~~ *by* the ~~development review committee~~ *public works*
9 *department* and approval of an encroachment permit by the city engineer.

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

12

13 10. Street light banner signs subject to review by the ~~development~~
14 ~~review committee~~ *public works department* and approval of an
15 encroachment permit by the city engineer;

16”

17
18
19 **“18.49.060 - Sign review process.**

20

21 B. Sign Review. Prior to the issuance of a sign permit by the building
22 division, the applicant shall submit ~~seven~~ copies of the sign plan required for the
23 sign permit to the ~~planning division~~ *community development department* for
24 processing ~~with the development review committee for review~~ and approval. It
25 shall be the responsibility of the ~~development review committee~~ *community*
26 *development department* to determine that the sign proposal is in conformance
27 with the purpose and architectural character as established in the downtown
28 revitalization overlay zone.”

1
2 **Chapter 18.58 - OFF-STREET PARKING**

3 **“18.58.020 - General provisions.**

4

5 E. Location. All off-street parking spaces required by this chapter shall be
6 located on the same legal lot as the use or uses they are intended to serve, excepting
7 (1) separate off-street parking on a site not more than three hundred feet from the
8 closest use intended to be served may be provided subject to approval by the
9 planning commission, or (2) reciprocal parking, access and circulation easements
10 are executed by owners of contiguous lots devoted to nonresidential uses, subject to
11 approval by the ~~development review committee~~ **community development**
12 **department**. The number of combined parking spaces provided by a reciprocal
13 arrangement shall be equal to or greater than the total or combined number of
14 spaces required of the individual uses involved in the reciprocal agreement.

15”

16
17
18 **“18.58.030 - Office, commercial and industrial design standards.**

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

22

23
24 D. Paving. All parking areas, loading facilities and drive aisles shall be
25 surfaced and maintained with asphaltic concrete, cement or other permanent
26 impervious surfacing material which is ~~required~~ **approved** by the ~~development~~
27 ~~review committee~~ **community development department** and is acceptable to the
28 city engineer, and shall be maintained in good order.

1 E. Drainage. All parking and loading facilities shall be graded and
2 provided with permanent stormwater drainage facilities which are ~~required~~
3 ***approved*** by the ~~development review committee~~ ***community development***
4 ***department*** and are acceptable to the city engineer.

5 F. Access. Each parking space shall be accessible from a street or alley.
6 No parking space shall be designed to require a vehicle to back into a street. A
7 parking space may be designed to allow a vehicle to back into an alley, if that the
8 space is set back a minimum of five feet from the alley right-of-way. Alley access
9 for parking shall be approved by the ~~development review committee~~ ***community***
10 ***development department***. No parking facility shall be so designed as to require a
11 vehicle to enter a public street in order to progress from one drive aisle to another
12 within the same parking facility.

13 G. Ingress and Egress. The number and location of points of ingress and
14 egress shall be subject to ~~development review committee~~ ***community development***
15 ***director or planning commission*** approval, ***as applicable***, of the parking facility
16 design. The dimensions of curb cuts shall comply with approved city standards.

17 H. Exterior Lighting. Lighting shall be screened and oriented to avoid
18 glare on adjacent streets and properties and shall provide a minimum of one
19 footcandle of illumination at ground level at any location within the parking
20 facility, excepting at convenience markets, where the standard shall be a minimum
21 of one and one-half footcandles. Light standards shall not exceed fifteen feet in
22 height above finish grade, shall be decorative and in keeping with the architectural
23 theme of the facility served, and shall be located within landscape planter areas as
24 approved by the ~~development review committee~~ ***community development director***
25 ***or planning commission, as applicable***. No exterior lighting shall create
26 illumination on adjacent properties more than three and one-half footcandles.
27
28

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

5 J. Screening. Unenclosed off-street parking facilities shall be screened
6 from view of adjoining residential properties, and may be required to be screened
7 or partially screened from view of public streets or other adjoining nonresidential
8 properties if required by the ~~development review committee~~ **community**
9 **development director or planning commission, as applicable**. Screening shall be
10 accomplished by using of masonry walls, fences, berms, plantings or other
11 acceptable means.

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

16
17 1. A minimum of ten percent of the required gross off-street
18 parking area shall be landscaped. The parking area shall include access
19 drives, aisles, stalls, maneuvering areas and required landscape setbacks
20 around the perimeter of the parking facility.

21 2. Where required by the ~~development review committee~~
22 **community development director or planning commission, as applicable**,
23 landscaped areas shall be annexed into the city of Rialto landscape
24 maintenance district No. 1, as provided by Division 15 of the state Streets
25 and Highways Code and city policy.

26 3. Landscape materials shall include plants acceptable to the
27 **community development** director of ~~development services~~ and shall
28 emphasize the use of drought-resistant ground covers, shrubs and trees to

1 the extent feasible. At least one fifteen gallon tree shall be installed and
2 maintained for every five parking stalls in the parking facility. Such trees
3 may be clustered or grouped if approved by the **community development**
4 director ~~of development services~~.

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

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

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

12
13 L. Safety Features. Safety features in agreement with city standards shall
14 be incorporated into the design of the parking facility, as follows:

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

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

21
22 M. Parking Structures. Parking structures having two or more stories or
23 levels shall be constructed in accordance with design standards which are approved
24 by the ~~development review committee~~ **community development director or**
25 **planning commission, as applicable**, and acceptable to the city engineer.

26”
27
28

1 **“18.58.040 - Residential design standards.**

2 The design standards in this section establish minimum dimensions and guidelines
3 for off-street single-family and multiple-family residential parking as follows:

4

5 B. Multiple-family Residential Standards.

6 1. Enclosed Garage and Carport Dimensions. The minimum
7 interior dimensions of a single-car covered carport or garage shall be ten
8 feet in width and twenty feet in depth. In calculating minimum parking
9 space dimensions, the width of vertical corner supports shall not be
10 included.

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

19 3. Driveway. The minimum width of driveways for access to on-
20 site parking and circulation areas shall be thirty-two feet in width. This
21 minimum width may be reduced subject to approval by the ~~development~~
22 ~~review committee~~ **community development director or planning**
23 **commission, as applicable.** An unobstructed clearance of twenty feet in
24 width and thirteen feet six inches in height shall be maintained on all
25 driveways within the development.
26
27
28

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

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

6

7
8 ~~4.6.~~ Standard Parking Space Size. Minimum dimensions for an off-
9 street residential parking space shall be nine feet in width and twenty feet in
10 depth and shall have a minimum vertical clearance of not less than six and
11 one-half feet.

12 ~~2.7.~~ Handicapped Parking. For required handicapped parking the
13 space size shall be in agreement with the provisions of Section 18.58.030
14 (B).

15 ~~3.8.~~ Tandem Parking. Tandem parking is prohibited, except in
16 mobile home development (MHD) zones.

17 ~~4.9.~~ Location. Required parking facilities shall be located on the
18 same legal property as the residence to be served.

19 ~~5.10.~~ Lease or Rental of Space. No property owner shall lease, rent
20 or make available to others the use of parking spaces required by this
21 section unless otherwise provided by law.

22 ~~6.11.~~ Special Vehicles. Requirements for the parking or storing of
23 special vehicles shall be as follows:

24

25
26 ~~7.12.~~ Paving. Requirements for paving in residential zones shall be
27 as follows:
28

1

2 **8-13.** Drainage. All parking facilities shall be graded and provided
3 with permanent stormwater drainage facilities which are acceptable to the
4 city engineer.

5 **9-14.** Access. Each parking space shall be accessible from a street
6 or alley.

7 **10-15.** Ingress and Egress. The number and location of points of
8 ingress and egress shall be subject to approval of the development design by
9 the ~~development review committee~~ **community development director or**
10 **planning commission, as applicable.** The number, location and dimensions
11 of curb cuts shall comply with approved city standards.”
12

13 **14-16.** Space Requirements. The number of required parking spaces
14 shall be in agreement with the standards in Section 18.58.060.”
15

16 **“18.58.060 - Residential parking requirements.**

17 This section establishes the minimum number of required parking spaces
18 for residential uses and special provisions, as follows:
19

20

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

24 1. Carport Alternative. In lieu of the garage requirement, one
25 parking space of the two required spaces may be located within a covered
26 carport when approved by the ~~development review committee~~ **community**
27 **development department** in accordance with the following standards.
28

1 ”

2
3
4 **“Chapter 18.70 - ENVIRONMENTAL REVIEW**

5 **18.70.050 - Assessment—Review by *community development director or***
6 **~~committee~~ *planning commission.***

7 A. *Notwithstanding any provision of this code designating the director*
8 *of community development as the authorized body to approve or conditionally*
9 *approve any planned development design, should the director of community*
10 *development determine that the application is not subject to a CEQA exemption,*
11 *the application for the planned development design shall be referred to, and*
12 *subject to the approval by, the planning commission, which shall be the*
13 *authorized body to consider any negative declaration, mitigated negative*
14 *declaration or environmental impact report. The development review committee*
15 ~~(DRC) shall~~ *planning commission, on recommendation by the community*
16 *development director or designee, shall review all initial environmental studies for*
17 *projects as defined by CEQA, excepting initial studies for activities, programs or*
18 *development proposals exempted from further environmental analysis by*
19 *provisions of CEQA.*

20 B. ~~The development review committee (DRC) shall consist of~~
21 ~~representatives from: planning division, engineering division, fire department,~~
22 ~~police department, building division, utilities division, redevelopment agency, and~~
23 ~~any other representatives as determined by the city administrator.~~

24 C. ~~Based upon data provided by the applicant and the completed initial~~
25 ~~environmental study, the development review committee shall determine whether~~
26 ~~the project may have a significant impact on the environment as defined in CEQA.~~
27
28

1 ~~D.B.~~ Should the ~~development review committee~~ *planning commission*
2 determine that the project will not have a significant effect on the environment, ~~the~~
3 ~~committee will either issue, or recommend that the planning commission~~ *it shall*
4 issue a *CEQA exemption, negative declaration or* mitigated negative declaration
5 of environmental impact for the project. ~~Development review committee authority~~
6 ~~to issue a mitigated negative declaration shall be limited to those projects requiring~~
7 ~~only approval of a precise plan of design.~~ Issuance of the mitigated negative
8 declaration will be made ~~either prior to or~~ concurrently with approval of the project
9 by the *planning commission* ~~city decision-making body with final approval~~
10 ~~authority on the project.~~ The mitigated negative declaration shall remain in effect
11 until the expiration date of the city's permit or approval of the project. Following
12 issuance of the mitigated negative declaration and approval of the project *by the*
13 *planning commission*, the *community development* ~~director of development~~
14 ~~services or his~~ designee shall submit a notice of determination to the clerk of the
15 county board of supervisors and/or State Clearinghouse, as appropriate, within the
16 time prescribed by CEQA guidelines.

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

25 Should the ~~development review committee~~ *community development*
26 *director* determine that the project may have a significant effect on the
27 environment, ~~the committee~~ *he/she* shall recommend that ~~the planning commission~~
28

1 ~~require an environmental impact report to be prepared for the project in accordance~~
2 ~~with CEQA requirements. F.—The environmental determination on a project~~
3 ~~involving only a precise plan of design application shall be made by the~~
4 ~~development review committee prior to or concurrently with the development~~
5 ~~review committee's final consideration of a decision on the precise plan of design~~
6 ~~application.~~

7 ~~G.—Any person aggrieved or affected by any decision of the development~~
8 ~~review committee regarding its environmental consideration may appeal to the~~
9 ~~planning commission within fifteen days from the day on which the development~~
10 ~~review committee announces its decision in writing to the applicant. An appeal~~
11 ~~shall be filed in writing with the director of development services or his designee~~
12 ~~along with concurrent payment to the city of the appeal processing fee in effect on~~
13 ~~the date of filing. The planning commission shall consider the appeal within thirty~~
14 ~~days after receipt of the written appeal and filing fee, and the planning commission~~
15 ~~may affirm, modify or reverse the decision of the development review committee.”~~
16
17

18 **“18.70.070 - Assessment—Review by city council.**

19

20 B. During a period of not less than fifteen days nor more than thirty days
21 following an environmental determination by the planning commission ~~or the~~
22 ~~development review committee~~, the city council, may on its own motion, elect to
23 review the environmental determination and may affirm, reverse or modify the
24 finding.”
25
26

27 **Chapter 18.78 - SPECIFIC PLANS**
28

1 **“18.78.070 - Conformity of specific plans to general plan, zoning, street**
2 **improvements, open space and landscaping.**

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

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

7 C. No street shall be improved and no sewers or connections or any other
8 improvements shall be made or authorized in any street within any area for which
9 there is an adopted specific street or highway plan until the matter has been referred
10 to the ~~development review committee~~ **community development director or**
11 **planning commission, as applicable**, for report as to conformity with such specific
12 plan.

13 D. No street shall be improved, no sewers or connections or other
14 improvements shall be made or public building or works including school buildings
15 constructed within any territory for which the city council has adopted a specific
16 plan regulating the development of the use of open space land and landscaping until
17 the finding has been made that the open space land and landscaping are in
18 substantial compliance with the adopted specific plan. Said determination shall be
19 rendered by the ~~development review committee (DRC)~~ **community development**
20 **director or planning commission, as applicable.”**

21
22
23 **“18.78.090 - Implementation.**

24 No development shall occur or building permits issued within an adopted specific
25 plan area until the proposed development is reviewed by the ~~development review~~
26 ~~committee~~ **community development director or planning commission, as**
27 **applicable for the particular use or building**, and found to be consistent with the
28

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 *community development director or planning commission, as applicable*, ~~city's development review committee pursuant to city council Resolution No. 2092. Approval under this subsection shall require the applicant to submit~~ *be subject to the procedures and requirements set forth in Chapter 18.65.* ~~the following information:~~

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;~~

1 e. The location, size, height and type of all signs, walls and
2 fences;

3 d. The exterior elevations of all buildings proposed for
4 construction showing the general design, architectural features and
5 building materials;

6 e. The location, size and dimensions of all yards, setbacks,
7 common open space and all spaces between structures;

8 f. Location, dimensions and methods of improvement of all
9 existing and proposed curb cuts, drive lanes, streets, alleys, parking
10 areas, loading and storage areas, refuse pickup areas, sidewalks and
11 means of access, ingress and egress;

12 g. The location and design of all exterior lighting for the
13 proposed development;

14 h. The location, dimensions and method of improvement of
15 all property to be dedicated to the public or any public utility;

16 i. Location and width of all pedestrian walks and open areas
17 for common use;

18 j. Location of all existing and proposed physical features
19 such as hydrants, utility facilities, drainage facilities and recreational
20 facilities;

21 k. Statements in writing of all declarations, restrictions,
22 covenants, methods of managing the project and maintaining the
23 common areas and elements located therein; . . .

24 1. —A detailed plan of landscaping and of the sprinkling system
25 providing water to all planted areas. The landscaping plan shall indicate the
26 botanical and common names of all plants used, size of plants, spacing and
27
28

1 number of each type used. The sprinkling system details shall indicate the
2 type, number, size and location of all sprinkling devices and the size and
3 location of all pipes used.

4 3. — Upon receipt of the completed application, the planning
5 division will refer copies of the application to the development review
6 committee (DRC) for its comments and recommendations.

7 4. — Within ten working days, following receipt of the application
8 by the planning division, the development review committee will formally
9 review the application.

10 5. — More than one meeting of the development review committee
11 may be necessary to adequately review the application.

12 6. — The development review committee shall approve,
13 conditionally approve, or recommend disapproval for each precise plan of
14 design subject to this chapter. Following completion of the review process,
15 the planning division shall prepare a report summarizing the decision and
16 findings of the development review committee and forward this report to
17 the applicant for review and concurrence.

18 7. — Approval of the precise plan of design does not become
19 effective until the applicant has signed a statement acknowledging
20 awareness and acceptance of any required conditions of approval.”
21

22
23
24 **“18.80.070 - Development standards.**

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

27
28

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

7

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

11

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

18 ”

19
20
21
22 **Chapter 18.90 - PLANNED RESIDENTIAL DEVELOPMENT-DETACHED**
23 **(PRD-D) DISTRICT**

24 **“18.90.060 - Review and approval process.**

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

27

1 D. Approval of the precise plan of design by the city's development
2 ~~review committee, pursuant to city council Resolution No. 2092. Approval~~
3 *community development director or planning commission, as applicable*, under
4 this subsection shall ~~require the applicant to submit the following information: be~~
5 *subject to the procedures and requirements set forth in Chapter 18.65.*

6 ~~....~~

7
8 1. ~~A detailed plan of landscaping and of the sprinkling system providing~~
9 ~~water to all planted areas. The landscaping plan shall indicate the botanical and~~
10 ~~common names of all plants used, size of plants, spacing and number of each type~~
11 ~~used. The sprinkling system details shall indicate the type, number, size and~~
12 ~~location of all sprinkling devices and the size and location of all pipes used.~~

13 3. ~~Upon receipt of the completed application, the planning division will~~
14 ~~refer copies of the application to the development review committee (DRC) for its~~
15 ~~comments and recommendations.~~

16 4. ~~Within ten working days, following receipt of the application by the~~
17 ~~planning division, the development review committee will formally review the~~
18 ~~application.~~

19 5. ~~More than one meeting of the development review committee may be~~
20 ~~necessary to adequately review the application.~~

21 6. ~~The development review committee shall approve, conditionally~~
22 ~~approve, or recommend disapproval for each precise plan of design subject to this~~
23 ~~chapter. Following completion of the review process, the planning division shall~~
24 ~~prepare a report summarizing the decision and findings of the development review~~
25 ~~committee and forward this report to the applicant for review and concurrence.~~
26
27
28

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

4
5
6 **Chapter 18.100 - MOBILE HOME DEVELOPMENT (MHD) ZONE**

7 **“18.100.070 - Review and approval process.**

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

10

11 D. Approval of the precise plan of design by the *community development*
12 *director or planning commission, as applicable,* ~~city development review~~
13 ~~committee, pursuant to city council's Resolution No. 2092.~~ Approval under the
14 precise plan of design process shall *be subject to the procedures and requirements*
15 *set forth in Chapter 18.65.* ~~require the applicant to submit the following~~
16 ~~information:~~

- 17 1. ~~One copy of the completed precise plan of design form available from the~~
18 ~~planning division.~~
- 19 2. ~~Seven copies of a plot plan and elevation details to include the following~~
20 ~~information:~~
- 21 a. ~~A complete plot plan of the proposed development including the location of~~
22 ~~each mobile home site, the location of accessory buildings, recreational~~
23 ~~storage areas, recreational and open areas and off-street parking;~~
- 24 b. ~~Calculations of project area, including proposed density required and proposed~~
25 ~~square footage of recreation buildings and facilities, individual and common~~
26 ~~open space, off-street parking and required recreational storage space;~~
- 27
28

- 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 designs, architectural features and building materials;~~
- e. ~~The location, size and dimensions of all yards, setbacks and common open space;~~
- f. ~~Location, dimensions and methods of improvement of all existing and proposed curb cuts, drive lanes, streets, alleys, parking 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 of all existing and proposed physical features such as hydrants, utility facilities, drainage facilities and recreational facilities;~~
- j. ~~Statements in writing of all declarations, restrictions, covenants, method or methods of managing the project and maintaining the common areas and elements located therein;~~
- k. ~~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 detail 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.~~

- 1 4. ~~Within ten working days, following receipt of the application by the planning~~
2 ~~division, the development review committee will formally review the~~
3 ~~application.~~
- 4 5. ~~More than one meeting of the development review committee may be~~
5 ~~necessary to adequately review the application.~~
- 6 6. ~~The development review committee shall approve, conditionally approve or~~
7 ~~recommend disapproval for each precise plan of design subject to this~~
8 ~~chapter. Following completion of the review process, the planning division~~
9 ~~shall prepare a report summarizing the decision and findings of the~~
10 ~~development review committee and forward this report to the applicant for~~
11 ~~review and concurrence.~~
- 12 7. ~~Approval of the precise plan of design does not become effective until the~~
13 ~~applicant has signed a statement acknowledging awareness and acceptance of~~
14 ~~any required conditions of approval.”~~

16
17 **18.100.080 - Development standards.**

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

21

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

....”

Chapter 18.106 - REGULATION OF CONVENIENCE MARKETS

“18.106.050 - Review and approval process.

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

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

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

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

1 c. Measures to control loitering,

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

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

9
10 2. An engineered traffic study which analyzes on-site and off-site
11 vehicular traffic and circulation impacts anticipated to result from the
12 proposed convenience-type market, and provides specific mitigation
13 measures to be incorporated into the design and approval of the project. The
14 requirement for the traffic study may be waived by the city's ~~development~~
15 ~~review committee (DRC)~~ **public works department** for convenience-type
16 markets to be located within an existing building in a multitenant
17 commercial center and where no concurrent sale of automobile fuels is
18 proposed by the applicant.

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

23 C. Precise Plan of Design. Concurrent with the application for
24 conditional development permit, the applicant shall submit a complete application
25 for a precise plan of design with the ~~planning division~~ **community development**
26 **department, which** ~~The development review committee~~ will review the precise
27 plan of design and forward recommendations to the planning commission for
28 incorporation into the conditional development permit.”

1
2 **Chapter 18.110 - REGULATION OF THE OFF-SALE OF ALCOHOLIC**
3 **BEVERAGES**

4 **“18.110.070 - Review and approval process.**

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

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

11 1. Measures to increase employee and customer safety;

12
13 2. Enhanced security measures including security lighting,
14 approval of an approved alarm system and any other crime prevention
15 measures to be incorporated in the design and operation of the business. As
16 part of the required security measures, video security cameras shall be
17 installed within the building;

18 3. Measures to control loitering;

19 4. Any other crime related measures required by the police
20 department which are intended to mitigate the costs of city-provided
21 services for the proposed business of off-sale of alcoholic beverages. The
22 appropriate crime prevention measures endorsed by the police department
23 will be incorporated in the design and approval of the project and
24 implemented as conditions of approval of the conditional development
25 permit and precise plan of design.

26 B. Conditional Development Permit. Following completion of the
27 environmental assessment review and the police chief's recommendation for
28

1 approval of the crime prevention plan, the applicant shall submit a complete
2 application package for a conditional development permit in compliance with the
3 existing policies and requirements.

4 C. Precise Plan of Design. Concurrent with the application for a
5 conditional development permit, the applicant shall submit a complete application
6 for a precise plan of design with the *community development department, which*
7 ~~planning division. The development review committee~~ will review the precise plan
8 of design and forward recommendations to the planning commission for
9 incorporation into the conditional development permit.”

10
11 **Section 4.** The Rialto Municipal Code shall be amended to add a new chapter
12 18.65, entitled “Planned Development Design” to read as follows:

13 ***“Chapter 18.65 – PRECISE PLAN OF DESIGNS***

14 ***Sections:***

15 ***18.65.010 – Requirement for Precise Plan of Design***

16 *A precise Plan of Design (PPD) shall be approved or conditionally*
17 *approved by the community development director or planning commission, as set*
18 *forth herein or in the sections applicable to the application at issue, before the*
19 *issuance of any building permit for the new construction of one or more dwelling*
20 *units in any residential zone, or for new development or expansion of an existing*
21 *use in any commercial, industrial or other zone. Such development is permitted*
22 *only in accordance with the approved PPD. Development projects that require*
23 *other land use entitlements in addition to a PPD or do not qualify for a*
24 *California Environmental Quality Act (CEQA) exemption shall have their PPD*
25 *reviewed and considered concurrently by the planning commission. Unless the*
26 *application triggers planning commission review pursuant to any specific*
27 *provision of this code, development projects that solely require a PPD and qualify*
28

1 *for a CEQA exemption shall be reviewed and considered by the community*
2 *development director.*

3 *18.65.020 – Contents of Precise Plan of Design*

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

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

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

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

22 *D. Review by the Planning Commission.*

23 *1. The planning commission shall approve, conditionally approve,*
24 *or disapprove each precise plan of design, subject to this chapter and as*
25 *provided in Subsection 18.65.010A. Prior to completion of the review*
26 *process, the community development department shall prepare a report*
27 *that summarizes the proposed development and provides a staff*
28 *recommendation, as well as prepare a resolution for consideration that*

1 documents the necessary findings contained within Section 18.65.020E
2 and any required conditions of approval.

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

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

9 E. Basis of approval of precise plans of design.

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

12 1. The proposed development is in compliance with all city
13 ordinances and regulations, unless in accordance with an approved
14 variance; and

15 2. The site is physically suitable for the proposed
16 development, and the proposed development will be arranged, designed,
17 constructed, and maintained so that it will not be unreasonably
18 detrimental or injurious to property, improvements, or the health, safety
19 or general welfare of the general public in the vicinity, or otherwise be
20 inharmonious with the city's general plan and its objectives, zoning
21 ordinances or any applicable specific plan and its objectives; and

22 3. The proposed development will not unreasonably interfere
23 with the use or enjoyment of neighboring property rights or endanger the
24 peace, health, safety or welfare of the general public; and

25 4. The proposed development will not substantially interfere
26 with the orderly or planned development of the City of Rialto.

27 F. Review by the community development director.

1 1. *The community development director shall approve,*
2 *conditionally approve, disapprove, or, where planning commission action*
3 *is required, provide a recommendation to approve, conditionally approve,*
4 *or disapprove each precise plan of design subject to this chapter and as*
5 *provided in Subsection 18.65.010A. Following completion of the review*
6 *process, the community development department shall prepare a report*
7 *that summarizes the decision of the community development director,*
8 *documents the necessary findings contained within Section 18.65.020E,*
9 *and contains any required conditions of approval. The community*
10 *development department shall then forward this report to the applicant for*
11 *review and concurrence.*

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

15 3. *If the applicant does not concur with the action of the*
16 *community development director, the applicant may appeal the*
17 *community development director's decision pursuant to the appeal*
18 *provisions set forth in Section 18.49.040.*

19 G. *Basis of approval of precise plans of design.*

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

22 1. *The proposed development is in compliance with all city*
23 *ordinances and regulations, unless in accordance with an approved*
24 *variance; and*

25 2. *The site is physically suitable for the proposed*
26 *development, and the proposed development will be arranged, designed,*
27 *constructed, and maintained so that it will not be unreasonably*
28 *detrimental or injurious to property, improvements, or the health, safety*

or general welfare of the general public in the vicinity, or otherwise be inharmonious with the city's general plan and its objectives, zoning ordinances or any applicable specific plan and its objectives; and

3. *The proposed development will not unreasonably interfere with the use or enjoyment of neighboring property rights or endanger the peace, health, safety or welfare of the general public; and*

4. *The proposed development will not substantially interfere with the orderly or planned development of the City of Rialto.*

H. Approval of precise plans of design.

An approved precise plan of design will remain valid for a period of one (1) year from the date of approval. If substantial construction activities are commenced within the one (1) year period and such construction is being diligently pursued towards completion, the approved precise plan of design shall remain effective for an additional one (1) year period. The community development director or planning commission, 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

1 ATTEST:

2

3 _____
BARBARA McGEE, City Clerk

4

5 APPROVED AS TO FORM

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7 _____
ERIC S. VAIL, Interim City Attorney

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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF RIALTO)

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

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

Vote on the Motion:

AYES:

NOES:

ABSENT:

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

Barbara A. McGee, City Clerk