

1 heard public testimony; discussed the proposed PPD No. 2020-0013 and CDP No. 2020-0007; and
2 closed the public hearing; and

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

4 NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Rialto
5 as follows:

6 SECTION 1. The Planning Commission hereby specifically finds that all of the facts set forth
7 in the recitals above of this Resolution are true and correct and incorporated herein.

8 SECTION 2. Based on substantial evidence presented to the Planning Commission during
9 the public hearing conducted with regard to PPD No. 2020-0013, including written staff reports,
10 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
11 Planning Commission hereby determines that PPD No. 2020-0013 satisfies the requirements of
12 Section 18.65.020E of the Rialto Municipal Code pertaining to the findings which must be made
13 precedent to granting a Precise Plan of Design. The findings are as follows:

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

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

17 The Project, as conditioned herein, will comply with all City ordinances and regulations,
18 including those within the Foothill Boulevard Specific Plan. The Site has a General Plan
19 land use designation of Specific Plan with a Specific Plan Overlay and a zoning designation
20 of Commercial Pedestrian (C-P) within the Foothill Boulevard Specific Plan. Those
21 designations allow for the development and operation of restaurants with drive-thru
22 facilities, as proposed by the Project. Additionally, the Project meets all of the required
23 development standards of the C-P zone including, but not limited to, required building
24 setbacks, parking, landscaping, building height, floor area ratio, etc.

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

This finding is supported by the following facts:

The Site contains 0.39 acre of vacant land, is fairly level, and is adjacent to a public street.
The Site has adequate access to all utilities and services required through main water,

1 electric, sewer, and other utility lines that will be hooked up to the Site as part of the
2 proposed Project.

3 To the north of the Site and the Cedarhill Plaza commercial center, across Foothill
4 Boulevard is the Tudor Plaza commercial center comprised of six (6) buildings totaling
5 approximately 45,000 square feet, and to the east is a 36,681 square foot County of San
6 Bernardino County Transitional Assistance Department office. To the south is a single-
7 family residential subdivision built in 1984, and to the west of the Cedarhill Plaza, across
8 Cedar Avenue, is the Home Depot commercial center comprised of four (4) buildings,
9 totaling approximately 141,000 square feet, and a Chevron gas station. The Project is
10 consistent with the underlying Commercial Pedestrian (C-P) zone. The nearest sensitive
11 uses are the single-family residences approximately 250 feet to south of the Site. The
12 development and operation of the Project will not impact the residents to the south as they
13 are approximately 250 feet apart as well as separated by an existing commercial building
14 and a six (6) foot high block wall that runs along the entire southern boundary of the
15 Cedarhill Plaza commercial center. In addition, the Project has been reviewed by the City
16 staff for compliance with all health, safety, and design requirements to ensure the project
17 will significantly enhance the infrastructure and aesthetics of the local community.

18 Furthermore, the Project will be accessible from driveways and drive-aisles within the
19 Cedarhill Plaza commercial center. Upon completion of the Project, the Cedarhill Plaza
20 commercial center will contain 257 parking spaces, fourteen (14) more parking spaces than
21 required by Table 3.4 (Parking Standards) of the Foothill Boulevard Specific Plan and
22 Chapter 18.58 (Off-Street Parking) of the Rialto Municipal Code. All tenants within the
23 center, including the Project, share these parking spaces and all access ways within the
24 commercial center. In addition, the development will have a trash enclosure, lighting, and
25 accessible pathways leading to the public right-of-way and all the other buildings within
26 the Cedarhill Plaza commercial center.

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

This finding is supported by the following facts:

22 The Project's effects will be minimized through the implementation of the Conditions of
23 Approval contained herein, such as extensive landscaping, decorative paving, and enhanced
24 architectural features. To the north of the Site and the Cedarhill Plaza commercial center,
25 across Foothill Boulevard is the Tudor Plaza commercial center comprised of six (6) buildings
26 totaling approximately 45,000 square feet, and to the east is a 36,681 square foot County of
27 San Bernardino County Transitional Assistance Department office. To the south is a single-
28 family residential subdivision built in 1984, and to the west of the Cedarhill Plaza, across
Cedar Avenue, is the Home Depot commercial center comprised of four (4) buildings, totaling
approximately 141,000 square feet, and a Chevron gas station. The project is consistent with
the C-P zone, the existing and speculative uses within the Cedarhill Plaza commercial center,
and the uses adjacent to the Cedarhill Plaza commercial center. The nearest sensitive uses are

1 the single-family residences located to the south of the project site. The development and
2 operation of Pad 'F' within the Cedarhill Plaza commercial center will not interfere with the
3 residents to the south as they are approximately 250 feet apart and separated by an existing
4 commercial building and a six (6) foot high block wall that runs along the entire southern
5 boundary of the Cedarhill Plaza commercial center.

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

This finding is supported by the following facts:

The Project is consistent with the underlying Commercial Pedestrian (C-P) zone and is a logical addition to the Cedarhill Plaza commercial center. The design of the Project will ensure a continuation of the improvements, access, and enhanced aesthetics of the Cedarhill Plaza commercial center. The City staff have reviewed the design of the Project to ensure compliance with all health, safety, and design requirements to ensure the Project will enhance the infrastructure and aesthetics of the local community.

SECTION 3. On April 19, 2017, the Development Review Committee approved Precise Plan of Design No. 2433 and adopted a Mitigated Negative Declaration (Environmental Assessment Review No. 16-01) for the development of the Cedarhill Plaza commercial center in accordance with the requirements of the California Environmental Quality Act (CEQA). The Initial Study prepared for Environmental Assessment Review No. 16-01 analyzed the construction and operation of a commercial center consisting of five (5) buildings totaling 57,068 square feet in size with an estimated total of 5,164 daily vehicle trips. On January 17, 2018, the Development Review Committee approved Precise Plan of Design No. 2018-0002, a revision to the design of the Cedarhill Plaza commercial center to instead include four (4) commercial buildings totaling 44,710 square feet and two (2) future development pads – Pad 'E' and Pad 'F'. Pad 'E' subsequently developed into a 2,052 square foot coffee shop with drive-thru service (Starbucks) and the Project consists of the development of a 2,364 square foot restaurant with drive-thru service (Arby's) on the final remaining development pad (Pad 'F'). This brings the total floor area of all commercial buildings within the Cedarhill Plaza commercial center to 49,126 square feet, far less than the 57,068 square feet analyzed as a part of Environmental Assessment Review No. 16-01. Furthermore, a total of 5,141 daily vehicle trips were estimated with the revised design of Cedarhill Plaza commercial center, which is also less

1 than the number of daily vehicle trips estimated and analyzed as a part of Environmental Assessment
2 Review No. 16-01. The ultimate buildout of the Cedarhill Plaza, including the Project, is consistent
3 with the analysis documented in Environmental Assessment Review No. 16-01. No further
4 environmental review is required for the Project.

5 SECTION 4. PPD No. 2020-0013 is granted to The Noble Comet, LLC in accordance with
6 the plans and application on file with the Planning Division, subject to the following conditions:
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- 8 1. The applicant is granted PPD No. 2020-0013 allowing the development of a 2,364 square
9 foot restaurant building with drive-thru service on 0.39 acres of land, referred to as “Pad
10 F”, within the Cedarhill Plaza commercial center located at the southeast corner of
11 Foothill Boulevard and Cedar Avenue within the Commercial Pedestrian (C-P) zone of
12 the Foothill Boulevard Specific Plan, as shown on the plans submitted to the Planning
Division on July 21, 2020, and as approved by the Planning Commission. If the
Conditions of Approval specified herein are not satisfied or otherwise completed, the
project shall be subject to revocation
- 13 2. City inspectors shall have access to the site to reasonably inspect the site during normal
14 working hours to assure compliance with these conditions and other codes.
- 15 3. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,
16 officers, or employees from any claims, damages, action, or proceeding against the City
17 or its agents, officers, or employees to attack, set aside, void, or annul any approval of
18 the City, its advisory agencies, appeal boards, or legislative body concerning PPD No.
2020-0013. The City will promptly notify the applicant of any such claim, action, or
proceeding against the City and will cooperate fully in the defense.
- 19 4. In accordance with the provisions of Government Code Section 66020(d)(1), the
20 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
21 subject to protest by the applicant at the time of approval or conditional approval of the
22 Project or within 90 days after the date of the imposition of the fees, dedications,
reservations, or exactions imposed on the Project.
- 23 5. The applicant shall complete and abide by all mitigation measures contained within the
24 Mitigation Monitoring and Reporting Program associated with the Mitigated Negative
Declaration prepared for the project (Environmental Assessment Review No. 16-01).
- 25 6. The applicant shall install decorative concrete pavers, consistent with those present within
26 the Cedarhill Plaza commercial center, within all new pedestrian pathways proposed as a
27 part of the Project. The location of the concrete pavers shall be identified on the Precise
28 Grading Plan prior to the issuance of a grading permit. Additionally, the location and type
of concrete pavers shall be identified on the formal Landscape Plan submittal prior to the
issuance of a landscape permit.

7. In order to provide enhanced building design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, the applicant shall route all downspouts through the interior of the building. The internal downspouts shall be identified within the formal building plan check submittal prior to the issuance of building permits.
8. In order to provide enhanced building design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, the applicant shall construct parapet returns, at least five (5) feet in depth from the main wall plane, at all height variations on all four (4) sides of the building. The parapet returns shall be demonstrated on the roof plans within the formal building plan check submittal prior to the issuance of building permits.
9. In order to provide enhanced building design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, the applicant shall construct four (4) sided parapets for the tower elements on the north and east sides of the building. The four (4) sided tower elements shall be demonstrated on the roof plans within the formal building plan check submittal prior to the issuance of building permits.
10. In order to provide enhanced building design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, the applicant shall install EIFS Wall System around the entire exterior of the proposed cooler/freezer. The EIFS Wall System shall on the cooler/freezer shall be painted to match the exterior color scheme of the rest of the building. The EIFS Wall System on the cooler/freezer shall be identified on the plans within the formal building plan check submittal prior to the issuance of building permits.
11. In order to provide enhanced building design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, the applicant shall install a matching metal reveal around the entire exterior of the proposed cooler/freezer that divides the two-tone exterior color scheme. The metal reveal shall be identified on the plans within the formal building plan check submittal prior to the issuance of building permits.
12. In order to provide enhanced building design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, the applicant shall install matching metal reveals on the top and bottom of the red painted accent band that runs around the exterior of the building. The metal reveals shall be identified on the plans within the formal building plan check submittal prior to the issuance of building permits.
13. Any new walls, including any retaining walls, shall be comprised of decorative masonry block. Decorative masonry block means tan-colored slumpstone block, tan-colored split-face block, or precision block with a stucco, plaster, or cultured stone finish. Pilasters shall be incorporated within all new walls. The pilasters shall be spaced a maximum of fifty (50) feet on-center and shall be placed at all corners and ends of the wall. All pilasters shall protrude a minimum of one (1) block course above the wall and a minimum of six (6) inches to the side of the wall. All decorative masonry walls and pilasters, including retaining walls, shall include a decorative masonry cap. All walls and pilasters shall be identified on the site plan, and an elevation detail for the walls shall be included in the formal building plan check submittal prior to the issuance of building permits.

14. All light standards installed on site, shall have a maximum height of twenty (20) feet, as measured from the finished surface, including the base. Lighting shall be shielded and/or directed toward the site so as not to produce direct glare or "stray light" onto adjacent properties. All light standards shall be identified on the site plan and a note indicating the height restriction shall be included within the formal building plan check submittal prior to the issuance of building permits.
15. The applicant shall submit a formal Landscape Plan to the Planning Division prior to the issuance of building permits. The submittal shall include three (3) sets of planting and irrigation plans, a completed Landscape Plan Review application, and the applicable review fee.
16. The applicant shall plant one (1) tree every three (3) parking spaces. All parking lot trees shall be a minimum of fifteen (15) gallons in size, upon initial planting. Thereafter, the parking lot trees shall be permanently irrigated and maintained. All parking lot tree species shall consist of evergreen broadleaf trees. The trees shall be identified on the formal Landscape Plan submittal prior to the issuance of a landscape permit.
17. The applicant shall plant shrubs around the entire outer perimeter of the drive-thru lane for the purpose of creating a solid hedge to screen the headlights of vehicles within the drive-thru. All of the drive-thru shrubs shall be a minimum of five (5) gallons in size upon initial planting, and the shrubs shall be spaced no more than three (3) feet on-center. Thereafter, the drive-thru shrubs shall be permanently irrigated and maintained into a continuous box-shape along the entire length of the drive-thru lane with a height of no less than three and one-half (3.5) feet above the finished grade. The shrubs shall be identified on the formal Landscape Plan submittal prior to the issuance of a landscape permit.
18. The applicant shall plant shrubs that surround all ground mounted equipment and utility boxes, including transformers, fire-department connections, backflow devices, etc. for the purpose of providing screening of said equipment and utility boxes. All equipment and utility box screen shrubs shall be a minimum of five (5) gallons in size upon initial planting, and the shrubs shall be spaced no more than three (3) feet on-center. Thereafter, the equipment and utility box screen shrubs shall be permanently irrigated and maintained into a continuous box-shape with a height of no less than three and one-half (3.5) feet above the finished grade. The shrubs shall be identified on the formal Landscape Plan submittal prior to the issuance of a landscape permit.
19. The applicant shall plant a substantial amount of trees, shrubs, and groundcover throughout all land on-site that is not covered by structures, walkways, parking areas, and driveways. Trees shall be planted a minimum of thirty (30) feet on-center, and all shrubs and groundcover shall be planted an average of three (3) feet on-center or less. All trees shall be minimum of fifteen (15) gallons in size upon initial planting, unless otherwise specified herein. All shrubs shall be a minimum of one (1) gallon in size, unless otherwise specified herein. All planter areas shall receive a minimum two (2) inch thick layer of

1 brown bark, organic mulch, and/or decorative rock upon initial planting. Pea gravel and
2 decomposed granite are not acceptable materials to use within planter areas. All planter
3 areas on-site shall be permanently irrigated and maintained. The planting and irrigation
4 shall be identified on the formal Landscape Plan submittal prior to the issuance of a
landscape permit.

5 20. All planting and irrigation shall be installed on-site in accordance with the approved
6 landscape plans and permit prior to the issuance of a Certificate of Occupancy. The
7 installation of the planting and irrigation shall be certified in writing by the landscape
8 architect responsible for preparing the landscape plans prior to the issuance of a Certificate
9 of Occupancy.

10 21. The applicant shall install a bicycle rack within the pathway area around the perimeter of
11 the building prior to the issuance of the Certificate of Occupancy.

12 22. Any tubular steel fencing and/or sliding gates shall be painted black prior to the issuance
13 of a Certificate of Occupancy.

14 23. All non-glass doors shall be painted to match the color of the adjacent wall prior to the
15 issuance of a Certificate of Occupancy.

16 24. All signage on the building shall comply with the Cedarhill Plaza Master Sign Program.

17 25. The applicant shall pay all applicable development impact fees in accordance with the
18 current City of Rialto fee ordinance, including any Transportation and Traffic Fair Share
19 Contribution fees, prior to issuance of a building permit.

20 26. The applicant shall comply with all conditions of approval for PPD No. 2020-0013 to the
21 satisfaction of the City Engineer, prior to the issuance of a Certificate of Occupancy.

22 27. The applicant shall submit a Precise Grading/Paving Plan prepared by a California
23 registered civil engineer to the Public Works Engineering Division for review and
24 approval. The Grading Plan shall be approved by the City Engineer prior to the issuance
25 of any building permit.

26 28. The applicant shall submit a Geotechnical/Soils Report, prepared by a California
27 registered Geotechnical Engineer, for and incorporated as an integral part of the grading
28 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.

29 29. The applicant shall provide pad elevation certification for the building pad, in
conformance with the approved Precise Grading Plan, to the Engineering Division prior
to construction of any building foundation.

- 1 30. 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 31. The applicant shall submit sewer improvement plans by a registered California civil
4 engineer to the Public Works Engineering Division for review. The sewer improvement
5 plans shall be approved by the City Engineer prior to the issuance of any building permits.
- 6 32. The applicant shall provide certification from Rialto Water Services that demonstrates
7 that all water and/or wastewater service accounts for the project are documented, prior to
8 the issuance of a Certificate of Occupancy or final inspection approval from the Public
9 Works Engineering Division.
- 10 33. The applicant is advised that domestic water service is provided by Rialto Water Services.
11 The developer shall be responsible for coordinating with Rialto Water Services and
12 complying with all requirements for establishing domestic water service to the property.
- 13 34. Any dry utility improvements within the public right-of-way require a City of Rialto
14 Encroachment Permit.
- 15 35. All street cuts for utilities shall be repaired in accordance with City Standard SC-231
16 within 72 hours of completion of the utility work; and any interim trench repairs shall
17 consist of compacted backfill to the bottom of the pavement structural section followed
18 by placement of standard base course material in accordance with the Standard
19 Specifications for Public Work Construction ("Greenbook"). The base course material
20 shall be placed the full height of the structural section to be flush with the existing
21 pavement surface and provide a smooth pavement surface until permanent cap paving
22 occurs using an acceptable surface course material.
- 23 36. In accordance with City Ordinance No. 1589, adopted to preserve newly paved streets,
24 any and all street and/or trench cuts in newly paved streets will be subject to moratorium
25 street repair standards as reference in Section 11.04.145 of the Rialto Municipal Code.
- 26 37. Any utility trenches or other excavations within existing asphalt concrete pavement of off-
27 site streets required by the proposed development shall be backfilled and repaired in
28 accordance with City of Rialto Standard Drawings. The Applicant shall be responsible
for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of
off-site streets as required by and at the discretion of the City Engineer, including
additional pavement repairs to pavement repairs made by utility companies for utilities
installed for the benefit of the proposed development (i.e. Rialto Water Services, Southern
California Edison, Southern California Gas Company, Spectrum, Verizon, etc.). Multiple
excavations, trenches, and other street cuts within existing asphalt concrete pavement of
off-site streets required by the proposed development may require complete grinding and
asphalt concrete overlay of the affected off-site streets, at the discretion of the City
Engineer. The pavement condition of the existing off-site streets shall be returned to a
condition equal to or better than existed prior to construction of the proposed
development.

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- 2 38. The applicant shall replace all damaged, destroyed, or modified pavement legends, traffic
- 3 control devices, signing, striping, and street lights, associated with the proposed
- 4 development shall be replaced as required by the City Engineer prior to issuance of a
- 5 Certificate of Occupancy.
- 6
- 7 39. The applicant shall provide construction signage, lighting and barricading shall be
- 8 provided during all phases of construction as required by City Standards or as directed by
- 9 the City Engineer. As a minimum, all construction signing, lighting and barricading shall
- 10 be in accordance with Part 6 "Temporary Traffic Control" of the 2014 California Manual
- 11 on Uniform Traffic Control Devices, or subsequent editions in force at the time of
- 12 construction.
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- 14 40. Upon approval of any improvement plan by the City Engineer, the applicant shall provide
- 15 the improvement plan to the City in digital format, consisting of a DWG (AutoCAD
- 16 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat)
- 17 formats. Variation of the type and format of the digital data to be submitted to the City
- 18 may be authorized, upon prior approval by the City Engineer.
- 19
- 20 41. The development of the Site is subject to the requirements of the National Pollution
- 21 Discharge Elimination System (NPDES) Permit for the City of Rialto, under the Santa
- 22 Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant to
- 23 the NPDES Permit, the applicant shall ensure development of the site incorporates post-
- 24 construction Best Management Practices ("BMPs") in accordance with the Model Water
- 25 Quality Management Plan ("WQMP") approved for use for the Santa Ana River
- 26 Watershed. The applicant is advised that applicable Site Design BMPs will be required to
- 27 be incorporated into the final site design, pursuant to a site specific WQMP submitted to
- 28 the City Engineer for review and approval.
42. The minimum pavement section for all on-site pavements shall be 2½ inches asphalt concrete pavement over 4 inches crushed aggregate base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed 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.
43. 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).
44. The applicant's contractors shall submit copies of recycling tickets demonstrating minimum compliance with construction waste management recycling requirements as well as chain of custody for all construction debris.

- 1 45. Prior to commencing with any grading, the applicant shall implement the required erosion
2 and dust control measures shall be in place. In addition, the following shall be included if
3 not already identified:
- 4 a. 6 foot high tan colored perimeter screened fencing
 - 5 b. Contractor information signage including contact information along the street
6 frontage of Casmalia Street and Linden Avenue.
 - 7 c. Post dust control signage with the following verbiage: "Project Name, WDID No.,
8 IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME (XXX)
9 XXX-XXX, If you do not receive a response, please call the AQMD at 1-800-
10 CUT-SMOG/1-800-228-7664"
- 11 46. Due to the total impermeable area footprint of the Project, a Water Quality
12 Management Plan (WQMP) will not be required.
- 13 47. The applicant shall prepare a Notice of Intent (NOI) to comply with the California General
14 Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified
15 September 2, 2009) is required via the California Regional Water Quality Control Board
16 online SMARTS system. A copy of the executed letter issuing a Waste Discharge
17 Identification (WDID) number shall be provided to the City Engineer prior to issuance of
18 a grading or building permit. The applicant's contractor shall prepare and maintain a
19 Storm Water Pollution Prevention Plan ("SWPPP") as required by the General
20 Construction Permit. All appropriate measures to prevent erosion and water pollution
21 during construction shall be implemented as required by the SWPPP.
- 22 48. All stormwater runoff passing through the site shall be accepted and conveyed across the
23 property in a manner acceptable to the City Engineer. For all stormwater runoff falling
24 on the site, on-site retention or other facilities approved by the City Engineer shall be
25 required to contain the increased stormwater runoff generated by the development of the
26 property. Provide a hydrology study to determine the volume of increased stormwater
27 runoff due to development of the site, and to determine required stormwater runoff
28 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.
49. 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.

50. Prior to 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.
51. The applicant shall remove any graffiti within 24 hours, before, during, and post construction.
52. The applicant shall design the structure in accordance with the 2019 California Building Code, 2019 California Mechanical Code, 2019 California Plumbing Code, and the 2019 California Electrical Code, 2019 Residential Code and the 2019 California Green Buildings Standards adopted by the State of California.
53. The applicant shall design the structure to withstand ultimate wind speed of 130 miles per hour, exposure C and seismic zone D.
54. The applicant shall submit three (3) copies of the building plans to the County Department of Environmental Health for approval, prior to submittal of the plans to the Building Division for plan review. A Building permits will not be issued or plans approved until two (2) copies of the approved health plans have been received and reviewed by the Building Division.
55. The applicant shall obtain an Electrical Permit from the Building Division for any temporary electrical power required during construction. No temporary electrical power will be granted to a project unless one of the following items is in place and approved by the Building Division: (A) Installation of a construction trailer, or, (B) Security fencing around the area where the electrical power will be located.
56. The applicant shall install any required temporary construction trailer on private property. No trailers are allowed to be located within the public right-of-way.
57. The applicant shall design and construct accessible paths of travel from the building's accessible entrances to the public right-of-way, accessible parking, and the trash enclosure. Paths of travel shall incorporate (but not limited to) exterior stairs, landings, walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning, signage, gates, lifts and walking surface materials, as necessary. The accessible route(s) of travel shall be the most practical direct route between accessible building entrances, site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the site, California Building Code, (CBC) Chapter 11, Sec, 11A and 11B.
58. Prior to issuance of a Building Permit all of the following must be in place on the Site: a portable toilet with hand wash station, all BMP's, fencing and signage on each adjacent street saying "If there is any dust or debris coming from this site please contact

(superintendent number here) or the AQMD if the problem is not being resolved" or something similar to this.

59. The applicant shall provide temporary toilet facilities for the construction workers. The toilet facilities shall always be maintained in a sanitary condition. The construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3.
60. All on site utilities shall be underground to the new proposed structure, unless prior approval has been obtained by the utility company or the City.
61. Prior to issuance of Building Permits, site grading final and pad certifications shall be submitted to the Building Division, which include elevation, orientation, and compaction. The certifications are required to be signed by the engineer of record.
62. The applicant shall provide proof of payment to the Rialto Unified School District for all required school fees, prior to the issuance of a building permit.
63. The applicant shall comply with all applicable requirements of the California Fire Code and Chapter 15.28 (Fire Code) of the Rialto Municipal Code.
64. The applicant shall illuminate all walkways, passageways, and locations where pedestrians are likely to travel with a minimum of 1.5-foot candles (at surface level) of light during the hours of darkness. Lighting shall be designed/constructed in such a manner as to automatically turn on at dusk and turn off at dawn.
65. The applicant shall illuminate all alleyways, driveways, and uncovered parking areas with a minimum of 1.5-foot candles (at surface level) of light during the hours of darkness. Lighting shall be designed/constructed in such a manner as to automatically turn on at dusk and turn off at dawn.
66. The applicant shall design/construct all lighting fixtures and luminaries, including supports, poles and brackets, in such a manner as to resist vandalism and/or destruction by hand.
67. The applicant shall provide an illuminated channel letter address prominently placed on the building to be both visible to the front of the location and if applicable, visible from the main street to which they are located (e.g. commercial building facing the interior of the property would require two address signs if located adjacent to a roadway), prior to the issuance of a Certificate of Occupancy.
68. The applicant shall install security cameras on the exterior of the building that cover the entire area that comprises Pad 'F', prior to the issuance of a Certificate of Occupancy. The security cameras shall be accessible to the Rialto Police Department via FususONE web application.

69. The applicant shall install Knox boxes immediately adjacent to the main entrance to the building and at least one (1) rear entrance to facilitate the entry of safety personnel. The Knox boxes shall be installed in such a manner as to be alarmed, resist vandalism, removal, or destruction by hand, and be fully recessed into the building. The Knox boxes shall be equipped with the appropriate keys, for each required location, prior to the first day of business. The Knox-Box placement shall be shown on the formal building plan review submittal prior to the issuance of a building permit.
70. The applicant shall prominently display the address on the building rooftop to be visible to aerial law enforcement or fire aircraft. Specifications to be followed for alphanumeric characters are as follows: Three (3) foot tall and six (6) inches thick alphanumeric characters. The alphanumeric characters shall be constructed in such a way that they are in stark contrast to the background to which they are attached (e.g. white numbers and letters on a black background), and resistant weathering that would cause a degradation of the contrast.
71. The applicant shall provide an audible alarm at the rear door of the building, prior to the issuance of a Certificate of Occupancy. The building shall be alarmed in such a way as to emit a continuous audible notification until reset by responsible personnel (e.g. alarmed exit device / crash bar).
72. The applicant or General Contractor shall identify each contractor and subcontractor hired to work at the job site on a Contractor Sublist form and return it to the Business License Division with a Business License application and the Business License tax fee based on the Contractors tax rate for each contractor.
73. Prior to issuance of a Certificate of Occupancy, a Business License tax shall be paid based on the following tax rate: Retail Merchant Food.
74. Prior to issuance of a Certificate of Occupancy, the Lessor of the property shall pay a business license tax based on the Rental Income Property tax rate.
75. The applicant shall obtain all necessary approvals and operating permits from all Federal, State, and local agencies and provide proof thereof to the City prior to the issuance of a Certificate of Occupancy.
76. The privileges granted by the Planning Commission pursuant to approval of this Precise Plan of Design are valid for one (1) year from the effective date of approval. If the applicant fails to commence the project within one year of said effective date, this conditional development permit shall be null and void and any privileges granted hereunder shall terminate automatically. If the applicant or his or her successor in interest commence the project within one year of the effective date of approval, the privileges granted hereunder will continue inured to the property as long as the property is used for the purpose for which the Precise Plan of Design was granted, and such use remains compatible with adjacent property uses.

1 77. Approval of PPD No. 2020-0013 will not become effective until August 8, 2020, in
2 accordance with Ordinance No. 1645, and until the applicant has signed a Statement of
3 Acceptance acknowledging awareness and acceptance of the required conditions of
approval contained herein.

4 SECTION 5. The Chairman of the Planning Commission shall sign the passage and
5 adoption of this resolution and thereupon the same shall take effect and be in force.
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7 PASSED, APPROVED AND ADOPTED this 29th day of July, 2020.
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JOHN PEUKERT, CHAIR
11 CITY OF RIALTO PLANNING COMMISSION
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
4

5 I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that
6 the foregoing Resolution No. ____ was duly passed and adopted at a regular meeting of the Planning
7 Commission of the City of Rialto held on the ____th day of ____, 2020.

8 Upon motion of Planning Commissioner_____, seconded by Planning Commissioner
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 ____th day of ____, 2020.

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19 _____
20 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT
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