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

3 SECTION 2. Based on substantial evidence presented to the Planning Commission during
4 the public hearing conducted with regard to TPM No. 19957, including written staff reports, verbal
5 testimony, project plans, other documents, and the conditions of approval stated herein, the Planning
6 Commission hereby determines that TPM No. 19957 satisfies the requirements of Government
7 Code Sections 66473.5 and 66474 and Section 17.16.070 of the Rialto Municipal Code pertaining to
8 the findings which must be made precedent to granting a tentative map. The findings are as follows:

- 9 1. That the proposed tentative parcel map is consistent with the General Plan of the
10 City of Rialto and the Single-Family Residential (R-1C) zone; and

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

12 The Site has a General Plan designation of Residential 6. This designation permits
13 subdivisions not to exceed six (6) dwelling units per acre. The Project has a proposed
14 density of 1.85 dwelling units per acre, which is consistent with the Residential 6 General
15 Plan designation. Additionally, both lots comply with all of the lot criteria established in the
16 R-1C zone.

- 17 2. That the design and improvements of the proposed tentative tract map are consistent
18 with the Subdivision Ordinance, the General Plan of the City of Rialto, and the
19 Single-Family Residential (R-1C) zone; and

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

21 The Project will comply with all technical standards required by Subdivision Map Act, the
22 General Plan of the City of Rialto, and the R-1C zone. Each single-family lot will continue
23 to take access from an existing segment of Merrill Avenue. The existing street segment
24 along the project frontage is a fully improved with street pavement, curb, gutter, parkway,
25 and sidewalk. All existing street improvements shown on the proposed tentative map are
26 designed to the standards established within the Circulation Element of the General Plan.

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

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

 The Site is a relatively flat, rectangular-shaped piece of land, and development of the land
should be easily accommodated. Any future development of the Site will require the
review and approval of a Precise Plan of Design by the Development Review Committee.

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

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

3 The Site is 1.08 net acres in size, and the General Plan designation of the Site allows for a
4 maximum density of 6.0 dwelling units per acre. The acreage of the Site is suitable to
5 accommodate the proposed density of 1.85 dwelling units per acre.

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

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

9 According to Section 4.4.2 of the General Plan Environmental Impact Report, the Site is not
10 designated as a habitat for any threatened or endangered species. The Site is already
11 developed with a single-family residence and is surrounded on the north, east, south, and
12 west by other single-family residences. The Project will not cause substantial environmental
13 damage or substantially injure fish, wildlife, or their habitat.

14 6. That the design of the land division is not likely to cause serious public health
15 problems; and

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

17 The project site is bound on the south by Merrill Avenue. The Site is surrounded by
18 existing single-family residences. The zoning of the project site and all of the
19 surrounding properties is Single-Family Residential (R-1C). The Project is consistent
20 with the General Plan, the R-1C zone, and the surrounding land uses. No construction
21 activities are proposed at the this time, however any future construction proposal will first
22 require the review and approval of a Precise Plan of Design by the Development Review
23 Committee to ensure that any development complies with all of the applicable
24 requirements and that any development does not present a serious public health problem.
25 The Project is not likely to cause any public health problems.

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

This finding is supported by the following facts:

 No easements exist on the Site, and none are proposed as a part of the Project.

SECTION 3. Francisco J. Zapata is hereby granted TPM No. 19957 to allow the
 subdivision of 1.08 net acres of land (APN: 0131-271-35) located on the north side of Merrill

1 Avenue approximately 315 feet east of Acacia Avenue within the R-1C zone into two (2) single-
2 family residential lots.

3 SECTION 4. The project is categorically exempt from the requirements of the California
4 Environmental Quality Act (CEQA), pursuant to Section 15315, Minor Land Divisions. The
5 Planning Commission directs the Planning Division to file the necessary documentation with the
6 Clerk of the Board of Supervisors for San Bernardino County.

7 SECTION 5. TPM No. 19957 is approved, in accordance with the plan and application on
8 file with the Planning Division, subject to the following conditions:
9

- 10 1. TPM No. 19957 is approved allowing the subdivision of 1.08 net acres of land (APN:
11 0131-271-35) located on the north side of Merrill Avenue approximately 315 feet east of
12 Acacia Avenue into two (2) single-family residential lots, as shown on the tentative map
13 submitted to the Planning Division on August 27, 2018, and as approved by the
14 Planning Commission. If the Conditions of Approval specified herein are not satisfied
15 or otherwise completed, the Project shall be subject to revocation.
- 16 2. City inspectors shall have access to the Site to reasonably inspect the Site during
17 normal working hours to assure compliance with these conditions and other codes.
- 18 3. The applicant shall defend, indemnify and hold harmless the City of Rialto, its agents,
19 officers, or employees from any claims, damages, action, or proceeding against the
20 City or its agents, officers, or employees to attack, set aside, void, or annul any
21 approval of the City, its advisory agencies, appeal boards, or legislative body
22 concerning TPM No. 19957. The City will promptly notify the applicant of any such
23 claim, action, or proceeding against the City, and applicant will cooperate fully in the
24 defense.
- 25 4. In accordance with the provisions of Government Code Section 66020(d)(1), the
26 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
27 subject to protest by the applicant at the time of approval or conditional approval of
28 the Project or within 90 days after the date of the imposition of the fees, dedications,
reservations, or exactions imposed on the Project.
5. All conditions of approval for TPM No. 19957 shall be completed to the satisfaction of
the City Engineer prior to the issuance of a Certificate of Occupancy.
6. The applicant shall plant vegetation and install irrigation, as necessary, within the public
right-of-way parking along the Merrill Avenue frontage prior to the recordation of the
final map. The applicant shall submit a landscape planting plan to the Planning Division
for plan check prior to the installation of any planting and irrigation within the public

1 right-of-way parkway. The applicant shall install trees and groundcover within the
2 public right-of-way parkway. The trees shall be a minimum of fifteen (15) gallons in
3 size upon initial planting, and shall be spaced approximately thirty (30) feet on-center.
4 Any shrubs and/or ground cover shall be spaced an average of three (3) feet on-center.
5 All planter areas shall receive a minimum two (2) inch thick layer of brown bark or
6 organic mulch upon initial planting. Pea gravel and decomposed granite are not
7 acceptable materials for use in the public right-of-way parkway.

- 8 7. An Irrevocable Offer of Dedication for the proposed future Pine Avenue cul-de-sac,
9 referenced on the prior Tentative Tract No. 17970, shall be recorded prior to Public
10 Works final inspection and acceptance. The legal description and plat for the
11 Irrevocable Offer of Dedication shall be prepared by a California registered Land
12 Surveyor or qualified Civil Engineer and submitted to the Engineering Division for
13 review and approval prior to recoding the Irrevocable Offer of Dedication.
- 14 8. All stormwater runoff passing through the site shall be accepted and conveyed across the
15 property in a manner acceptable to the City Engineer. For all stormwater runoff falling
16 on the site, on-site retention or other facilities approved by the City Engineer shall be
17 required to contain the increased stormwater runoff generated by the development of the
18 property. Provide a hydrology study to determine the volume of increased stormwater
19 runoff due to development of the site, and to determine required stormwater runoff
20 mitigation measures for the proposed development. Final retention basin sizing and
21 other stormwater runoff mitigation measures shall be determined upon review and
22 approval of the hydrology study by the City Engineer and may require redesign or
23 changes to site configuration or layout consistent with the findings of the final hydrology
24 study. The volume of increased stormwater runoff to retain on-site shall be determined
25 by comparing the existing "pre-developed" condition and proposed "developed"
26 condition, using the 100-year frequency storm.
- 27 9. All proposed trees within the public right-of-way and within 10 feet of the public
28 sidewalk and/or curb shall have City approved deep root barriers installed, as required
by the City Engineer.
10. The applicant shall submit a final map (Parcel Map No. 19957), be prepared by a
California registered Land Surveyor or qualified Civil Engineer, to the Public Works
Engineering Division for review and approval. A Title Report prepared for subdivision
guarantee for the subject property, the traverse closures for the existing parcel and all
lots created therefrom, and copies of record documents shall be submitted with Parcel
Map No. 19957 to the Public Works Engineering Division as part of the review of the
Map. Parcel Map No. 19957 shall be approved by the City Council prior to issuance of
any building permits.
11. The applicant shall comply with all other applicable State and local ordinances.
12. Pursuant to Section 17.16.050A of the Rialto Municipal Code, approval of TPM No.
19957 is granted for a period of twenty-four (24) months from the effective date of

1 this resolution. Pursuant to Section 17.16.050C of the Rialto Municipal Code, an
2 extension of time for TPM No. 19957 may be granted by the Planning Commission
3 for a period or periods not to exceed a total of thirty-six (36) months. The period or
4 periods of extension shall be in addition to the original twenty-four (24) months. An
application shall be filed with the Planning Division for each extension together with
the required fee prior to the expiration date of TPM No. 19957.

5 SECTION 6. The Chairman of the Planning Commission shall sign the passage and
6 adoption of this resolution and thereupon the same shall take effect and be in force.

7 PASSED, APPROVED AND ADOPTED this 26th day of September, 2018.

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12 JOHN PEUKERT, CHAIR
13 CITY OF RIALTO PLANNING COMMISSION
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
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5 I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that
6 the foregoing Resolution No. **18-54** was duly passed and adopted at a regular meeting of the
7 Planning Commission of the City of Rialto held on the 26th day of September, 2018.

8 Upon motion of Planning Commissioner Al Twine, second by Commissioner Dale
9 Estvander the foregoing Resolution No. **18-54** was duly passed and adopted.

10
11 Vote on the motion:

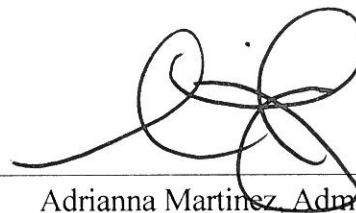
12 AYES: 7

13 NOES: 0

14 ABSENT: 0

15 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
16 Rialto this 26th day of September, 2018.

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Adrianna Martinez, Administrative Assistant