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1 WHEREAS, on January 27, 2021, the Planning Commission of the City of Rialto
2 conducted a duly noticed public hearing, as required by law, on TPM No. 20241, SPA No. 2020-
3 0003, CDP No. 2020-0011, and PPD No. 2020-0015 took testimony, at which time it received
4 input from staff, the city attorney, and the applicant; heard public testimony; discussed the
5 proposed TPM No. 20241, SPA No. 2020-0003, CDP No. 2020-0011, and PPD No. 2020-0015;
6 and closed the public hearing; and

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

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

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

12 SECTION 2. Based on substantial evidence presented to the Planning Commission during
13 the public hearing conducted with regard to TTM No. 20241, including written staff reports, verbal
14 testimony, project plans, other documents, and the conditions of approval stated herein, the Planning
15 Commission hereby determines that TTM No. 20241 satisfies the requirements of Government Code
16 Sections 66473.5 and 66474 and Section 17.16.070 of the Rialto Municipal Code pertaining to the
17 findings which must be made precedent to granting a tentative map. The findings are as follows:

- 18 1. That the proposed tentative parcel map is consistent with the General Plan of the City
19 of Rialto and the Business Center (BC) zone of the Renaissance Specific Plan, as
20 applicable; and

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

22 The Site has a General Plan land use designation of Specific Plan with a Specific Plan Overlay.
23 SPA No. 2020-0003, prepared in conjunction with the Project, will change the zoning
24 designation of the Site to Business Center (BC) within the Renaissance Specific Plan. The
25 Project will consolidate the Site into one (1) 6.94 net-acre parcel of land to facilitate the
26 development of a 135,408 square foot industrial storage warehouse/distribution center
27 building. According to Table 3-5 (Development Standards – Business and Commercial Uses)
28 of the Renaissance Specific Plan, the minimum parcel size required by the BC is 1.0 acre,
which the proposed parcel greatly exceeds. The new parcel will facilitate the development of
an industrial storage warehouse/distribution center building that is consistent with the Specific
Plan with a Specific Plan Overlay land use designation and the BC zone.

- 1 2. That the design and improvements of the proposed tentative tract map are consistent
2 with the Subdivision Ordinance, the General Plan of the City of Rialto, and the
3 Business Center (BC) zone of the Renaissance Specific Plan; and

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

5 The Project will comply with all technical standards required by the Subdivision Map Act,
6 the General Plan of the City of Rialto, and the BC zone. According to Table 3-5
7 (Development Standards – Business and Commercial Uses) of the Renaissance Specific Plan,
8 the minimum parcel size required by the BC is 1.0 acre, which the proposed parcel greatly
9 exceeds. The new parcel will facilitate the development of an industrial storage
10 warehouse/distribution center building that is consistent with the Specific Plan with a Specific
11 Plan Overlay land use designation and the BC zone.

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

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

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

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

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

20 The Project will consolidate the Site into one (1) 6.94 net-acre parcel of land to facilitate the
21 development of a 135,408 square foot industrial storage warehouse/distribution center
22 building. Per Table 3-5 (Development Standards – Business and Commercial Uses) of the
23 Renaissance Specific Plan, the maximum allowable Floor Area Ratio (FAR) for parcels
24 within the Business Center (BC) zone is 50.0 percent. The FAR proposed for the project is
25 44.8 percent, which is well within the allowable limit.

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

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

29 The Site is undeveloped and covered by natural grasses. The Addendum to the June 2016
30 Renaissance Specific Plan Amendment Subsequent Environmental Impact Report
31 (Environmental Assessment Review No. 2020-0015) prepared for the project identified
32 that the Site did not have suitable habitat for any threatened or endangered species.
33 Additionally, according to Exhibit 4.4.2 (Threatened and Endangered Species Habitat) of
34 the Rialto General Plan Environmental Impact Report the Site does not have suitable
35 habitat for any threatened or endangered species.

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

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

4 The Project is consistent with the Specific Plan with a Specific Plan Overlay General Plan
5 land use designation and the proposed Business Center (BC) zone of the Renaissance
6 Specific Plan. In conjunction with the Project, the Planning Commission will consider
7 Precise Plan of Design No. 2020-0015 development-related conditions, in accordance with
8 Chapter 18.65 (Precise Plan of Design) of the Rialto Municipal Code, to ensure that the
9 design of the Project meets the City's Design Guidelines.

10 The Site is bound on the south by Renaissance Parkway. To the north of the project site is
11 the SR-210 Freeway, and to the east is approximately 5.85 acres of vacant land. To the
12 south, across Renaissance Parkway, is a 927,696 square foot industrial warehouse building
13 occupied by Distribution Alternatives, a third-party distributor and fulfillment services
14 provider, and to the west is approximately 9.16 acres of vacant land. The proposed
15 development pertaining to the land consolidation is consistent with the proposed Business
16 Center (BC) zoning designation. The project is not expected to negatively impact any uses
17 with the successful implementation of measures, such as landscape buffering and the
18 installation of solid screen walls. Furthermore, construction impacts on the site will be
19 limited through the strict enforcement of the allowable construction hours listed in Section
20 9.50.070 of the Rialto Municipal Code, as well as enforcement of regular watering of the
21 site to limit airborne dust and other particulate matter. As a result, the Project is not likely
22 to cause any public health problems.

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

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

27 Upon completion of the Final Map, the required street dedication and proposed easements
28 will be recorded and approved by the Public Works Department. Additionally, all required
29 site adjacent improvements will be reviewed and approved by the Public Works Department
30 and will be constructed prior to the issuance of the Certificate of Occupancy.

31 SECTION 3. An Addendum to the June 2016 Renaissance Specific Plan Amendment
32 Subsequent Environmental Impact Report (Environmental Assessment Review No. 2020-0015) has
33 been prepared for the Project in accordance with the California Environmental Quality Act (CEQA),
34 and it has been determined that the proposed Project would result in no new significant impacts that

1 were not analyzed in the June 2016 Renaissance Specific Plan Amendment Subsequent
2 Environmental Impact Report (“2016 RSPA SEIR”), nor would the proposed Project cause a
3 substantial increase in the severity of any previously identified environmental impacts. The potential
4 impacts associated with proposed Project would either be the same or less than those described in the
5 2016 RSPA SEIR. In addition, there are no substantial changes to the circumstances under which the
6 proposed Project would be undertaken that would result in new or more severe environmental impacts
7 than previously addressed in the 2016 RSPA SEIR, nor has any new information regarding the
8 potential for new or more severe significant environmental impacts been identified. The Planning
9 Commission hereby recommends that the City Council approve the Addendum to the June 2016
10 Renaissance Specific Plan Amendment Subsequent Environmental Impact Report for the Project.

11 SECTION 4. The Planning Commission hereby recommends that the City Council approve
12 TPM No. 20241, in conjunction with SPA No. 2020-0003, to allow the consolidation of four (4)
13 parcels of land (APNs: 0240-211-21, -23, -29 & -31) located at the northeast corner of Renaissance
14 Parkway and Laurel Avenue into one (1) 6.94 net-acre parcel of land, in accordance with the
15 application on file with the Planning Division, subject to the following conditions:
16

- 17 1. TPM No. 20241 is approved allowing the consolidation of four (4) parcels of land (APNs:
18 0240-211-21, -23, -29 & -31) located at the northeast corner of Renaissance Parkway and
19 Laurel Avenue into one (1) 6.94 net-acre parcel of land for the purpose of developing a
20 135,408 square foot industrial storage warehouse/distribution center building, as shown
21 on the tentative map submitted to the Planning Division on September 17, 2020, and as
22 approved by the Planning Commission and City Council.
- 23 2. City inspectors shall have access to the Site to reasonably inspect the Site during normal
24 working hours to assure compliance with these conditions and other codes.
- 25 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
26 and/or any of its officials, officers, employees, agents, departments, agencies, and
27 instrumentalities thereof (collectively, the “City Parties”), from any and all claims,
28 demands, law suits, writs of mandamus, and other actions and proceedings (whether
legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
dispute resolutions procedures (including, but not limited to arbitrations, mediations,
and other such procedures), (collectively “Actions”), brought against the City, and/or
any of its officials, officers, employees, agents, departments, agencies, and
instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or

annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the Project (collectively, the "Entitlements"), whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. This condition to indemnify, protect, defend, and hold the City harmless shall include, but not limited to (i) damages, fees and/or costs awarded against the City, if any, and (ii) cost of suit, attorneys' fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, Property owner, or the City and/or other parties initiating or bringing such proceeding (collectively, subparts (i) and (ii) are the "Damages"). Notwithstanding anything to the contrary contained herein, the Applicant shall not be liable to the City Parties under this indemnity to the extent the Damages incurred by any of the City Parties in such Action(s) are a result of the City Parties' fraud, intentional misconduct or gross negligence in connection with issuing the Entitlements. The applicant shall execute an agreement to indemnify, protect, defend, and hold the City harmless as stated herein within five (5) days of approval of TPM No. 20241.

4. In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedications, reservations, or exactions for this Project, if any, are subject to protest by the applicant at the time of approval or conditional approval of the Project or within 90 days after the date of the imposition of the fees, dedications, reservations, or exactions imposed on the Project.
5. Approval of Tentative Tract Map No. 20241 will not be valid until such time that the City Council of the City of Rialto has approved Specific Plan Amendment No. 2020-0003, which was prepared in conjunction with the Project.
6. The applicant shall complete and abide by all mitigation measures contained within the Mitigation Monitoring and Reporting Program associated with Environmental Assessment Review No. 2020-0015 prior to issuance of any Certificate of Occupancy.
7. The applicant shall secure the services of a tribal cultural monitor to be present during all ground disturbance activities associated with the construction of this project. The tribal cultural monitor shall be approved by the Gabrieleño Band of Mission Indians-Kizh Nation, and documentation of coordination between the applicant and the Gabrieleño Band of Mission Indians-Kizh Nation on this matter shall be provided to the Planning Division prior to the issuance of a grading permit.
8. The applicant shall pay all applicable development impact fees in accordance with the current City of Rialto fee ordinance, including any Transportation and Traffic Fair Share Contribution fees, prior to the issuance of any building permit related to the Project.

- 1 9. All conditions of approval for TPM No. 20241 shall be completed to the satisfaction of
2 the City Engineer prior to the issuance of a Certificate of Occupancy.
- 3 10. All improvements within the public right-of-way require a City of Rialto Encroachment
4 Permit.
- 5 11. At the discretion of the City Engineer, the applicant shall apply for annexation of the
6 underlying property into City of Rialto Landscape and Lighting Maintenance District No.
7 2 ("LLMD 2") or enter into a landscape maintenance agreement to be recorded on the
8 property. An application fee of \$5,000 shall be paid at the time of application. Annexation
9 into LLMD 2 is a condition of acceptance of any new median, parkway, and/or easement
10 landscaping, or any new public street lighting improvements, to be maintained by the City
11 of Rialto.
- 12 12. The applicant shall submit off-site landscaping and irrigation system improvement plans
13 for review and approval at the time of first (1st) public improvement plan submittal to the
14 Public Works Department. The parkway irrigation system shall be separately metered
15 from the on-site private irrigation to be maintained for a period of one (1) year and
16 annexed into a Special District. The off-site landscape and irrigation plans must show
17 separate electrical and water meters to be annexed into the Landscape and Lighting
18 Maintenance District No. 2 via a City Council Public Hearing. The landscape and
19 irrigation plans shall be approved concurrently with the street improvement plans,
20 including the median portion, prior to issuance of a building permit. The landscaping
21 architect must contact the City of Rialto Landscape Contract Specialist at (909) 772-2635
22 to ensure all landscape and irrigation guidelines are met prior to plan approval. Electrical
23 and water irrigation meter pedestals must not be designed to be installed at or near street
24 intersections or within a raised median to avoid burdensome traffic control set-up during
25 ongoing maintenance.
- 26 13. If the property is accepted into the LLMD, the applicant shall guarantee all new parkway
27 landscaping irrigation for a period of one (1) year from the date of the City Engineer
28 acceptance. Any landscaping that fails during the one year landscape maintenance period
shall be replaced with similar plant material to the satisfaction of the City Engineer, and
shall be subject to a subsequent one year landscape maintenance period. The applicant
must contact the City of Rialto Landscape Contract Specialist at (909) 772-2635 to
confirm a full twelve (12) months' time of non-interrupted ongoing maintenance.
14. The applicant shall install City Engineer approved deep root barriers, in accordance with
the Public Works Landscape and Irrigation Guidelines, for all trees installed within ten
(10) feet of the public sidewalk and/or curb.
15. All new street lights shall be installed on an independently metered, City-owned
underground electrical system. The developer shall be responsible for applying with
Southern California Edison ("SCE") for all appropriate service points and electrical
meters. New meter pedestals shall be installed, and electrical service paid by the
developer, until such time as the underlying property is annexed into LLMD 2.

16. The applicant shall submit street improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the approval of Tract Map No. 20241.
17. The applicant shall submit street light improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the approval of Tract Map No. 20241.
18. The applicant shall submit sewer improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the approval of Tract Map No. 20241.
19. The applicant shall submit traffic and signage improvement plans by a registered California civil engineer to the Public Works Engineering Division for review. The plans shall be approved by the City Engineer prior to the approval of Tract Map No. 20241.
20. The applicant shall submit copies of approved water improvement plans prepared by a registered California civil engineer to the Public Works Engineering Division for record purposes. The plans shall be approved by Rialto Water Services, the City's water purveyor, prior to the approval of Tract Map No. 20241.
21. The applicant shall submit a Precise Grading/Paving Plan prepared by a California registered civil engineer to the Public Works Engineering Division for review and approval. The Grading Plan shall be approved by the City Engineer prior to approval of Tract Map No. 20241 and prior to the issuance of any building permit.
22. The applicant shall submit a Geotechnical/Soils Report, prepared by a California registered Geotechnical Engineer, for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Public Works Engineering Division with the first submittal of the Precise Grading Plan.
23. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved Precise Grading Plan, to the Engineering Division prior to construction of any building foundation.
24. The public and street improvements outlined in these conditions of approval are intended to convey to the developer an accurate scope of required improvements, however, the City Engineer reserves the right to require reasonable additional improvements as may be determined in the course of the review and approval of street improvement plans required by these conditions.
25. The applicant shall construct asphalt concrete paving for streets in two separate lifts. The final lift of asphalt concrete pavement shall be postponed until such time that on-site construction activities are complete. Unless the City Engineer provide prior authorization,

1 paving of streets in one lift prior to completion of on-site construction is not allowed. If
2 City Engineer authorized, completion of asphalt concrete paving for streets prior to
3 completion of on-site construction activities, requires additional paving requirements
4 prior to acceptance of the street improvements, including, but not limited to: removal and
5 replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs.

- 6
- 7 26. The applicant shall repair all street cuts for utilities in accordance with City Standard SC-
8 231 within 72 hours of completion of the utility work; and any interim trench repairs shall
9 consist of compacted backfill to the bottom of the pavement structural section followed
10 by placement of standard base course material in accordance with the Standard
11 Specifications for Public Work Construction ("Greenbook"). The base course material
12 shall be placed the full height of the structural section to be flush with the existing
13 pavement surface and provide a smooth pavement surface until permanent cap paving
14 occurs using an acceptable surface course material.
- 15
- 16 27. The applicant shall backfill and/or repair any and all utility trenches or other excavations
17 within existing asphalt concrete pavement of off-site streets resulting from the proposed
18 development, in accordance with City of Rialto Standard Drawings. The applicant shall
19 be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete
20 pavement of off-site streets including pavement repairs in addition to pavement repairs
21 made by utility companies for utilities installed for the benefit of the proposed
22 development (i.e. West Valley Water District, Southern California Edison, Southern
23 California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches,
24 and other street cuts within existing asphalt concrete pavement of off-site streets resulting
25 from the proposed development may require complete grinding and asphalt concrete
26 overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement
27 condition of the existing off-site streets shall be returned to a condition equal to or better
28 than what existed prior to construction of the proposed development.
- 29
- 30 28. The applicant shall replace all damaged, destroyed, or modified pavement legends, traffic
31 control devices, signing, striping, and streetlights, associated with the proposed
32 development prior to the issuance of a Certificate of Occupancy.
- 33
- 34 29. The applicant shall reconstruct any broken, chipped, or unsatisfactory sidewalks or curbs
35 along the entire project frontage, in accordance with the General Plan and the City of
36 Rialto Standard Drawings, as required by the City Engineer, prior to the issuance of a
37 Certificate of Occupancy.
- 38
- 39 30. The applicant shall provide construction signage, lighting and barricading during all
40 phases of construction as required by City Standards or as directed by the City Engineer.
41 As a minimum, all construction signing, lighting and barricading shall be in accordance
42 with Part 6 "Temporary Traffic Control" of the 2014 California Manual on Uniform
43 Traffic Control Devices, or subsequent editions in force at the time of construction.
- 44
- 45 31. Upon approval of any improvement plan by the City Engineer, the applicant shall provide
46 the improvement plan to the City in digital format, consisting of a DWG (AutoCAD

1 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat)
2 formats. Variation of the type and format of the digital data to be submitted to the City
3 may be authorized, upon prior approval by the City Engineer.

4 32. The applicant shall construct 4-inch conduit within the parkway area along the entire
5 project frontage of Renaissance Parkway for future use.

6 33. The applicant shall dedicate additional right-of-way along the entire frontage of
7 Renaissance Parkway, as necessary, to provide the ultimate half-width of 54 feet, as
8 required by the City Engineer.

9 34. The applicant shall dedicate a 10-foot-wide landscape easement along the entire project
10 frontage of Renaissance Parkway, as required by the City Engineer.

11 35. The applicant shall dedicate additional right-of-way as may be required to provide a
12 property line corner cutback at the northeast corner of the intersection of Renaissance
13 Parkway and Laurel Avenue, in accordance with City Standard SC-235, as required by
14 the City Engineer.

15 36. The applicant shall dedicate additional right-of-way as may be required to provide
16 property line corner cutbacks at the northeast and northwest corners of the intersection of
17 Renaissance Parkway and the easterly driveway, in accordance with City Standard SC-
18 235, as required by the City Engineer.

19 37. The applicant shall record a shared access easement with the owner of the property
20 adjacent to the west of the project site (APN: 0240-211-38), prior to the issuance of a
21 grading permit. The easement shall grant the adjacent property owner access to the
22 westerly proposed driveway on Renaissance Parkway, in accordance with the approved
23 tentative parcel map. The easement shall be recorded prior to the issuance of a grading
24 permit.

25 38. The applicant shall record a shared access easement with the owner of the property
26 adjacent to the east of the project site (APN: 0240-211-26), prior to the issuance of a
27 grading permit. The easement shall grant the adjacent property owner access to the
28 easterly proposed driveway on Renaissance Parkway, in accordance with the approved
tentative parcel map. The easement shall be recorded prior to the issuance of a grading
permit.

39. The applicant shall construct two (2) new fifty (50) foot wide shared commercial driveway
approaches on Renaissance Parkway, in accordance with approved tentative parcel map
and City of Rialto Standard Drawings, or as otherwise approved by the City Engineer.
Nothing shall be constructed or planted in the corner cut-off area which does exceed or
will exceed 30 inches in height in order to maintain an appropriate corner sight distance,
as required by the City Engineer.

- 1 40. The applicant shall construct a curb ramp meeting current California State Accessibility
2 standards at the northeast corner of the intersection of Renaissance Parkway and Laurel
3 Avenue, in accordance with the City of Rialto Standard Drawings. The developer shall
4 ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the
5 westerly driveway, and shall adjust the location of the access ramps, if necessary, to meet
6 ADA guidelines, subject to the approval of the City Engineer. If necessary, additional
7 pedestrian and sidewalk easements shall be provided on-site to construct a path of travel
8 meeting ADA guidelines.
- 9 41. The applicant shall construct a curb ramp meeting current California State Accessibility
10 standards at both the northeast and southeast corners of the intersection of Renaissance
11 Parkway and the easterly driveway, in accordance with the City of Rialto Standard
12 Drawings. The developer shall ensure that an appropriate path of travel, meeting ADA
13 guidelines, is provided across the easterly driveway, and shall adjust the location of the
14 access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City
15 Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided
16 on-site to construct a path of travel meeting ADA guidelines.
- 17 42. The applicant shall construct a 5-foot-wide sidewalk located 10 feet behind the edge of
18 curb along the entire project frontage of Renaissance Parkway, in accordance with City
19 of Rialto Standard Drawings.
- 20 43. At the discretion of the City Engineer, the applicant shall remove existing pavement and
21 construct new pavement with a minimum pavement section of 4 inches asphalt concrete
22 pavement over 6 inches crushed aggregate base with a minimum subgrade of 24 inches at
23 95% relative compaction, or equal, along the entire frontage of Renaissance Parkway in
24 accordance with City of Rialto Standard Drawings. The pavement section shall be
25 determined using a Traffic Index ("TI") of 6. The pavement section shall be designed by
26 a California registered Geotechnical Engineer using "R" values from the project site and
27 submitted to the City Engineer for approval. Pavement shall extend from clean sawcut
28 edge of pavement at centerline.
44. The applicant shall install "No Stopping Anytime" R26A(S)(CA) signage along the entire
project frontage of Renaissance Parkway, as required by the City Engineer.
45. The minimum pavement section for all on-site pavements shall be two (2) inches asphalt
concrete pavement over four (4) inches crushed aggregate base with a minimum subgrade
of twenty-four (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.
46. The applicant shall connect the project to the City of Rialto sewer system and apply for a
sewer connection account with Rialto Water Services.

- 1 47. Domestic water service to the underlying property is provided by Rialto Water Services.
2 The applicant shall be responsible for coordinating with Rialto Water Services and
3 complying with all requirements for establishing domestic water service to the property.
4 The design must include fire hydrants along Renaissance Parkway.
- 5 48. The applicant shall install a new domestic water line lateral connection to the main water
6 line within Renaissance Parkway, pursuant to the Rialto Water Services requirements. A
7 water line plan shall be approved by Rialto Water Services prior to approval of Tract Map
8 No. 20241.
- 9 49. The applicant shall provide certification from Rialto Water Services that demonstrates
10 that all water and/or wastewater service accounts for the project are documented, prior to
11 the issuance of a Certificate of Occupancy or final inspection approval from the Public
12 Works Engineering Division.
- 13 50. The development of the site is subject to the requirements of the National Pollution
14 Discharge Elimination System (NPDES) Permit for the City of Rialto, under the Santa
15 Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant to
16 the NPDES Permit, the applicant shall ensure development of the site incorporates post-
17 construction Best Management Practices ("BMPs") in accordance with the Model Water
18 Quality Management Plan ("WQMP") approved for use for the Santa Ana River
19 Watershed. The applicant is advised that applicable Site Design BMPs will be required to
20 be incorporated into the final site design, pursuant to a site specific WQMP submitted to
21 the City Engineer for review and approval.
- 22 51. The applicant shall submit a Water Quality Management Plan identifying site-specific
23 Best Management Practices ("BMPs") in accordance with the Model Water Quality
24 Management Plan ("WQMP") approved for use for the Santa Ana River Watershed. The
25 site specific WQMP shall be submitted to the City Engineer for review and approval with
26 the Grading Plan. A WQMP Maintenance Agreement shall be required, obligating the
27 property owner(s) to appropriate operation and maintenance obligations of on-site BMPs
28 constructed pursuant to the approved WQMP. The WQMP and Maintenance Agreement
shall be approved prior to the issuance of any building permit and shall be recorded at the
San Bernardino County Recorder's Office prior to the issuance of a Certificate of
Occupancy.
52. The applicant shall prepare a Notice of Intent (NOI) to comply with the California General
Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified
September 2, 2009) is required via the California Regional Water Quality Control Board
online SMARTS system. A copy of the executed letter issuing a Waste Discharge
Identification (WDID) number shall be provided to the City Engineer prior to issuance of
a grading or building permit. The applicant's contractor shall prepare and maintain a
Storm Water Pollution Prevention Plan ("SWPPP") as required by the General
Construction Permit. All appropriate measures to prevent erosion and water pollution
during construction shall be implemented as required by the SWPPP.

- 1 53. All stormwater runoff passing through the site shall be accepted and conveyed across the
2 property in a manner acceptable to the City Engineer. For all stormwater runoff falling
3 on the site, on-site retention or other facilities approved by the City Engineer shall be
4 required to contain the increased stormwater runoff generated by the development of the
5 property. Provide a hydrology study to determine the volume of increased stormwater
6 runoff due to development of the site, and to determine required stormwater runoff
7 mitigation measures for the proposed development. Final retention basin sizing and other
8 stormwater runoff mitigation measures shall be determined upon review and approval of
9 the hydrology study by the City Engineer and may require redesign or changes to site
10 configuration or layout consistent with the findings of the final hydrology study. The
11 volume of increased stormwater runoff to retain on-site shall be determined by comparing
12 the existing "pre-developed" condition and proposed "developed" condition, using the
13 100-year frequency storm.
- 14 54. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to the
15 adjacent public streets. Provisions for the interception of nuisance water from entering
16 adjacent public streets from the project site shall be provided through the use of a minor
17 storm drain system that collects and conveys nuisance water to landscape or parkway
18 areas, and in only a stormwater runoff condition, pass runoff directly to the streets through
19 parkway or under sidewalk drains. All on-site and off-site designs must comply with
20 NPDES stormwater regulations.
- 21 55. Prior to the issuance of a certificate of occupancy or final City approvals, the applicant
22 shall demonstrate that all structural BMP's have been constructed and installed in
23 conformance with approved plans and specifications, and as identified in the approved
24 WQMP.
- 25 56. Any utility trenches or other excavations within existing asphalt concrete pavement of off-
26 site streets required by the proposed development shall be backfilled and repaired in
27 accordance with City of Rialto Standard Drawings. The Applicant shall be responsible
28 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, Time Warner, 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.
57. The applicant shall pay the Project Fair Share Cost established by the approved traffic
impact study, and as recommended by the Transportation Commission on January 6,
2021, prior to the issuance of any building permits.

- 1 58. The applicant shall adhere to the City Council approved franchise agreements and disposal
2 requirements during all construction activities, in accordance with Section 8.08 (Refuse
Collection of the City of Rialto Municipal Code).
- 3 59. Prior to commencing with any grading, the applicant shall implement the required erosion
4 and dust control measures shall be in place. In addition, the following shall be included if
5 not already identified:
- 6 a. 6 foot high tan colored perimeter screened fencing
 - 7 b. Contractor information signage including contact information along the street
8 frontage of Renaissance Parkway.
 - 9 c. Post dust control signage with the following verbiage: "Project Name, WDID No.,
10 IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME (XXX)
11 XXX-XXX, If you do not receive a response, please call the AQMD at 1-800-
12 CUT-SMOG/1-800-228-7664"
- 13 60. The applicant shall remove any graffiti within 24 hours, before, during, and post
14 construction.
- 15 61. The original improvement plans prepared for the proposed development and approved by
16 the City Engineer (if required) shall be documented with record drawing "as-built"
17 information and returned to the Engineering Division prior to issuance of a final certificate
18 of occupancy. Any modifications or changes to approved improvement plans shall be
19 submitted to the City Engineer for approval prior to construction.
- 20 62. The applicant shall submit a final tract map (Parcel Map No. 20241), prepared by a
21 California registered Land Surveyor or qualified Civil Engineer, to the Public Works
22 Engineering Division for review and approval. A Title Report prepared for subdivision
23 guarantee for the subject property, the traverse closures for the existing parcel and all lots
24 created therefrom, and copies of record documents shall be submitted with Parcel Map
25 No. 20241 to the Public Works Engineering Division as part of the review of the Map.
26 Parcel Map No. 20241 shall be approved by the City Council prior to issuance of any
27 building permits.
- 28 63. In accordance with Government Code 66462, all required public improvements shall be
completed prior to the approval of a final map (Parcel Map No. 20241). Alternatively,
the applicant may enter into a Subdivision Improvement Agreement to secure the cost of
all required public improvements at the time of requesting the City Engineer's approval
of Parcel Map No. 20241. If a Subdivision Improvement Agreement is requested by the
applicant, a fee of \$2,000 shall be paid for preparation and processing of the Subdivision
Improvement Agreement. The applicant will be required to secure the Subdivision
Improvement Agreement pursuant to Government Code 66499 in amounts determined by
the City Engineer.
64. The applicant shall comply with all other applicable State and local ordinances.

65. The applicant shall comply with all conditions of approval contained in SPA No. 2020-0003, CDP No. 2020-0011, and PPD No. 2020-0015 to the extent they are not in conflict with any condition of approval herein.

66. Pursuant to Section 17.16.050A of the Rialto Municipal Code, approval of TPM No. 20241 is granted for a period of twenty-four (24) months from the effective date of this resolution. Pursuant to Section 17.16.050C of the Rialto Municipal Code, an extension of time for TPM No. 20241 may be granted by the Planning Commission for a period or periods not to exceed a total of thirty-six (36) months. The period or periods of extension shall be in addition to the original twenty-four (24) months. An application shall be filed with the Planning Division for each extension together with the required fee prior to the expiration date of TPM No. 20241.

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

PASSED, APPROVED AND ADOPTED this 27th day of January, 2021.

JOHN PEUKERT, CHAIR
CITY OF RIALTO PLANNING COMMISSION

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 ____, 2021.

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 ____, 2021.
16
17
18

19 _____
20 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT
21
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25
26
27
28

LEGAL DESCRIPTION

SPECIFIC PLAN AMENDMENT

LEGAL DESCRIPTION:

FOR APN: 0240-211-23

THAT PORTION OF THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF RIALTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING NORTH OF THE HIGHWAY AS GRANTED TO THE STATE OF CALIFORNIA IN THE DEED RECORDED AUGUST 28, 1963 IN BOOK 5977 PAGE 798, OFFICIAL RECORDS.

EXCEPT THEREFROM A STRIP OF LAND 30 FEET WIDE OF THE EAST SIDE THEREOF RESERVED FOR ROAD PURPOSES.

ALSO EXCEPT THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA RECORDED AUGUST 28, 1963 IN BOOK 5977 PAGE 798, OFFICIAL RECORDS OF SAID COUNTY, BEING ALSO A POINT ON THE WEST LINE OF THE EAST 30 FEET OF SAID EAST HALF; THENCE SOUTH 89° 41' 56" WEST, 96.680 METERS ALONG THE NORTH LINE OF SAID PARCEL TO THE WEST LINE OF SAID EAST HALF; THENCE NORTH 0° 16' 36" WEST, 2.593 METERS ALONG SAID WEST LINE; THENCE NORTH 89° 42' 19" EAST, 91.679 METERS TO THE WEST LINE OF SAID EAST 30 FEET, DISTANT NORTH 0° 17' 48" WEST, 2.583 METERS ALONG SAID WEST LINE FROM SAID NORTHEAST CORNER; THENCE SOUTH 0° 17' 48" EAST, 2.583 METERS ALONG SAID WEST LINE TO SAID CORNER AND THE POINT OF BEGINNING.

FOR APN: 0240-211-29

THE EAST 30 FEET OF THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF RIALTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF LYING NORTH OF THE STATE HIGHWAY.

EXCEPT THAT PORTION OF SAID LAND, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "PARCEL B" IN DEED TO THE STATE OF CALIFORNIA, RECORDED JUNE 25, 1969 IN BOOK 7256 PAGE 449, OFFICIAL RECORDS OF SAID COUNTY, BEING ALSO A POINT ON THE WEST LINE OF THE EAST 30 FEET OF SAID EAST HALF; THENCE NORTH 0° 17' 48" WEST, 2.583 METERS ALONG SAID WEST LINE; THENCE NORTH 89° 42' 19" EAST, 9.143 METERS TO THE EAST LINE OF SAID EAST HALF, DISTANT NORTH 0° 17' 48" WEST, 2.581 METERS ALONG SAID EAST LINE FROM THE NORTHEAST CORNER OF SAID PARCEL; THENCE SOUTH 0° 17' 48" EAST, 2.581 METERS ALONG SAID EAST LINE TO SAID CORNER; THENCE SOUTH 89° 41' 56" WEST, 9.143 METERS ALONG THE NORTH LINE OF SAID PARCEL TO SAID NORTHWEST CORNER AND THE POINT OF BEGINNING.

FOR APN: 0240-211-21

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE WEST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, LYING NORTH

kimley-horn.com

401 B Street, Suite 600, San Diego, CA 92101

619 234 9411

1
2
3 OF THE HIGHWAY AS GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED AUGUST 28, 1963, IN
4 BOOK 5977, PAGE 798, OFFICIAL RECORDS.

5 EXCEPTING THEREFROM A STRIP OF LAND 32 FEET WIDE OFF THE WEST SIDE THEREOF AS DEEDED TO THE
6 CITY OF RIALTO BY DOCUMENT RECORDED DECEMBER 10, 1985 AS INSTRUMENT NO. 85-313348, OFFICIAL
7 RECORDS.

8 ALSO EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE STATE OF CALIFORNIA BY THE DEED
9 RECORDED DECEMBER 19, 2002 AS INSTRUMENT NO. 2002-691976, OFFICIAL RECORDS.

10 **FOR APN: 0240-211-31**

11 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF
12 CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

13 THE WEST 30 FEET OF THE WEST HALF ON THE WEST HALF OF THE NORTHEAST QUARTER OF THE
14 NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO
15 MERIDIAN.

16 EXCEPTING THEREFROM THAT PORTION GRANTED TO THE STATE OF CALIFORNIA IN THE GRANT DEED
17 RECORDED DECEMBER 13, 2001, AS INSTRUMENT NO. 20010566551 OF OFFICIAL RECORDS.

18 PREPARED BY:



25 DAVIE COWAN, CA P.E. NO. 86803
26 KIMLEY-HORN AND ASSOCIATES, INC.

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619 234 9411