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A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA APPROVING PRECISE PLAN OF DESIGN NO. 2019-0036 TO ALLOW THE DEVELOPMENT OF AN OUTDOOR STORAGE YARD FOR TRUCK TRAILER PARKING ON 3.3 ACRES OF LAND, LOCATED ON THE WEST SIDE OF RIVERSIDE AVENUE, APPROXIMATELY 280 FEET NORTH OF INDUSTRIAL DRIVE (APN: 0258-121-51) WITHIN THE HEAVY INDUSTRIAL (H-IND) ZONE OF THE AGUA MANSA SPECIFIC PLAN.

WHEREAS, the applicant, Crown Enterprises, Inc., proposes to develop an outdoor storage yard for truck trailer parking outdoors (“Project”) on 3.3 acres of land (APNs: 0258-121-51) on the west side of Riverside Avenue approximately 280 feet north Industrial Drive within the Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan (“Site”) in junction with the existing truck terminal located at 2765 South Riverside Avenue; and

WHEREAS, Pursuant to Section 18.65 of the Rialto Municipal Code, the Project requires a Precise Plan of Design, and the applicant has agreed to apply for Precise Plan of Design No. 2019-0048 (“PPD No. 2019-0048”); and

WHEREAS, in conjunction herewith, the applicant has submitted Conditional Development Permit No. 2019-0014 to allow the outdoor storage of truck trailers (“CDP No. 2019-0014”); and

WHEREAS, on April 28, 2021, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, Mitigated Negative Declaration, PPD No. 2019-0048 and CDP No. 2019-0014, took testimony, at which time it received input from staff, the city attorney, and the applicant; heard public testimony; discussed the proposed Mitigated Negative Declaration, PPD No. 2019-0048 and CDP No. 2019-0014; and closed the public hearing; and

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

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

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

1 SECTION 2. Based on substantial evidence presented to the Planning Commission during
2 the public hearing conducted with regard to PPD No. 2019-0048, including written staff reports,
3 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
4 Planning Commission hereby determines that PPD No. 2019-0048 satisfies the requirements of
5 Section 18.65.020E of the Rialto Municipal Code pertaining to the findings which must be made
6 precedent to approving a Precise Plan of Design application. The findings are as follows:

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

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

10 The Project, as conditioned herein, will comply with all City ordinances and regulations,
11 including those within the Agua Mansa Specific Plan. The Site has a General Plan land
12 use designation of General Industrial with a Specific Plan Overlay and a zoning
13 designation of Heavy Industrial (H-IND) within the Agua Mansa Specific Plan. Those
14 designations allow for the development of an outdoor storage yard for truck trailer
15 parking, with approval of a Precise Plan of Design and Conditional Development Permit,
16 which has been filed in conjunction with this project. Additionally, the Project meets all
17 of the required development standards of the H-IND zone.

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

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

25 The zoning of the Site is Heavy Industrial (H-IND) of the Agua Mansa Specific Plan. The
26 project is consistent with the H-IND zone, and the existing industrial uses surrounding
27 the project site. There are no sensitive uses adjacent to or nearby the Site. In addition,
28 the project has been reviewed by all of the Departments for compliance with all health,
safety, and design requirements to ensure the project will significantly enhance the
infrastructure and aesthetics of the local community.

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

This finding is supported by the following facts:

1 The project will improve an undeveloped property with desirable improvements that will
2 aesthetically enhance the appearance of the community. Neighboring property uses
3 consist of truck terminals, truck repair facilities, steel yard, industrial lubricant product
4 manufacturing and other heavy industrial uses which are not expected to be negatively
5 impacted by the proposed project. Features and implementation measures, such as screen
6 fencing, property setbacks and site landscaping will serve to physically separate the uses,
mitigate any potential impacts and ensure that there is no interference with neighboring
property rights, or any endanger to the peace, health, safety or welfare of the general
public.

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

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

10 A Mitigated Negative Declaration has been prepared for the proposed project pursuant to
11 California Environmental Quality Act (CEQA) and the potential Project impacts will be
12 mitigated to a level of insignificance with the successful implementation of the Conditions
13 of Approval contained herein. The project will improve an undeveloped property with
14 desirable improvements that will aesthetically enhance the appearance of the community
15 with improvements including new light standards, water quality management facilities for
16 storm water runoff, screen walls, landscaping, and missing street improvements for safer
vehicle circulation as well as payment of fair-share contribution fee of transportation and
development impact fees. Therefore, any potential adverse effects are outweighed by the
benefits conferred upon the community and neighborhood as a whole.

17 SECTION 3. Crown Enterprises, Inc., is hereby granted PPD No. 2019-0048 to allow the
18 develop an outdoor storage yard for truck trailer parking outdoors (“Project”) on 3.3 acres of
19 land (APNs: 0258-121-51) on the west side of Riverside Avenue approximately 280 feet north
20 Industrial Drive within the Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan
21 (“Site”) in junction with the existing truck terminal located at 2765 South Riverside Avenue.

22 SECTION 4. Based on the findings and recommended mitigation within the Initial Study,
23 staff determined that the project will not have an adverse impact on the environment, provided that
24 mitigation measures are implemented, and a Mitigated Negative Declaration was prepared. The
25 local newspaper published a copy of the Notice of Intent to adopt the Mitigated Negative
26 Declaration for the project, and the City mailed the notice to all property owners within 300 feet of
27 the project site for a public comment period held from February 16, 2021 to March 7, 2021. The
28

1 Mitigated Negative Declaration was prepared in accordance with the California Environmental
2 Quality Act (CEQA). The Planning Commission directs the Planning Division to file the necessary
3 documentation with the Clerk of the Board of Supervisors for San Bernardino County.

4 SECTION 5. PPD No. 2019-0048 is granted to Crown Enterprises, Inc., in accordance with
5 the plans and application on file with the Planning Division, subject to the following conditions:
6

- 7 1. The approval is granted allowing the develop an outdoor storage yard for truck trailer
8 parking outdoors on 3.3 acres of land (APNs: 0258-121-51) on the west side of
9 Riverside Avenue approximately 280 feet north Industrial Drive within the Heavy
10 Industrial (H-IND) zone of the Agua Mansa Specific Plan in junction with the existing
11 truck terminal located at 2765 South Riverside Avenue, as shown on the plans
12 resubmitted to the Planning Division dated July 9, 2020 and as approved by the Planning
13 Commission. If the Conditions of Approval specified herein are not satisfied or
14 otherwise completed, the project shall be subject to revocation.
- 15 2. City inspectors shall have access to the site to reasonably inspect the site during
16 normal working hours to assure compliance with these conditions and other codes.
- 17 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
18 and/or any of its officials, officers, employees, agents, departments, agencies, and
19 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,
20 demands, law suits, writs of mandamus, and other actions and proceedings (whether
21 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
22 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
23 and other such procedures), (collectively "Actions"), brought against the City, and/or
24 any of its officials, officers, employees, agents, departments, agencies, and
25 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
26 annul, the any action of, or any permit or approval issued by, the City and/or any of
27 its officials, officers, employees, agents, departments, agencies, and instrumentalities
28 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

1 Damages incurred by any of the City Parties in such Action(s) are a result of the City
2 Parties' fraud, intentional misconduct or gross negligence in connection with issuing
3 the Entitlements. The applicant shall execute an agreement to indemnify, protect,
4 defend, and hold the City harmless as stated herein within five (5) days of approval of
5 PPD No. 2019-0048.

- 6 4. In accordance with the provisions of Government Code Section 66020(d)(1), the
7 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
8 subject to protest by the applicant at the time of approval or conditional approval of
9 the Project or within 90 days after the date of the imposition of the fees, dedications,
10 reservations, or exactions imposed on the Project.
- 11 5. The applicant shall complete and abide by all mitigation measures contained within the
12 Mitigation Monitoring and Reporting Program associated with the Mitigated Negative
13 Declaration prepared for the project (Environmental Assessment Review No. 2019-
14 0048).
- 15 6. The applicant shall secure the services of a tribal cultural monitor to be present during
16 all ground disturbance activities associated with the construction of this project. The
17 tribal cultural monitor shall be approved by the Gabrieleño Band of Mission Indians-
18 Kizh Nation, and documentation of coordination between the applicant and the
19 Gabrieleño Band of Mission Indians-Kizh Nation on this matter shall be provided to the
20 Planning Division prior to the issuance of a grading permit.
- 21 7. The applicant shall secure the services of a tribal cultural monitor to be present during
22 all ground disturbance activities associated with the construction of this project. The
23 tribal cultural monitor shall be approved by the San Manuel Band of Mission Indians,
24 and documentation of coordination between the applicant and the San Manuel Band of
25 Mission Indians on this matter shall be provided to the Planning Division prior to the
26 issuance of a grading permit.
- 27 8. All light standards, including the base, shall have a maximum height of twenty-five (25)
28 feet, as measured from the finished surface. 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 detail indicating the height
shall be included within the formal building plan check submittal prior to the issuance of
building permits.
9. 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.
10. All planting and irrigation shall be installed on-site in accordance with the approved
landscape plans and permit prior to the issuance of a Certificate of Occupancy. The
installation of the planting and irrigation shall be certified in writing by the landscape

1 architect responsible for preparing the landscape plans prior to the issuance of a
2 Certificate of Occupancy.

- 3 11. Where access to or within a structure area is restricted because of secured openings and
4 immediate access is necessary for life saving or fire fighting purposes, a Key Box is to
5 be installed in an accessible location(s) and gates, as approved by the Fire Department.
6 The Key Box shall be of a type approved by the Fire Department.
- 7 12. The Developer or General Contractor shall identify each contractor and subcontractor
8 hired to work at the job site on the Contractor Sublist form and return it to the Business
9 License Division with a Business License application and the Business License tax fee
10 based on the Contractors tax rate for each contractor listed on the form.
- 11 13. Prior to issuance of a Certificate of Occupancy, a Business License tax shall be paid
12 based on the following tax rate: Distribution Centers.
- 13 14. The applicant shall illuminate all alleyways, driveways, and uncovered parking areas
14 with a minimum of 1.5-foot candles (at surface level) of light during the hours of
15 darkness. Lighting shall be designed/constructed in such a manner as to automatically
16 turn on at dusk and turn off at dawn.
- 17 15. The applicant shall design/construct all lighting fixtures and luminaries, including
18 supports, poles and brackets, in such a manner as to resist vandalism and/or destruction
19 by hand.
- 20 16. The applicant shall install exterior security cameras at the location that cover the entire
21 Site, prior to the issuance of a Certificate of Occupancy. The security cameras shall be
22 accessible to the Rialto Police Department via FususONE web application.
- 23 17. The applicant shall comply with all conditions of approval for PPD No. 2019-0048 to
24 the satisfaction of the City Engineer, prior to the issuance of a Certificate of Occupancy.
- 25 18. The applicant shall pay all applicable development impact fees in accordance with the
26 current City of Rialto fee ordinance, including any Transportation and Traffic Fair
27 Share Contribution fees, prior to issuance of a building permit.
- 28 19. 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 the issuance
of any building permit.
20. 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.

- 1
- 2 21. Prior to the issuance of Grading/On-site Construction Permit, the developer shall
- 3 apply and complete the Special District Annexation for the public street lighting and
- 4 the public landscape and irrigation into the Landscape and Lighting Maintenance
- 5 District 2 (LLMD2), including applicable specific plan required landscape easement
- 6 areas, parkway areas, and raised medians along the property frontage.
- 7
- 8 22. Any dry utility improvements within the public right-of-way require a City of Rialto
- 9 Encroachment Permit.
- 10
- 11 23. A single master Off-site Construction Permit is required for any street, wet utility,
- 12 landscape and irrigation, and traffic signal improvements along the project frontage
- 13 within the public right-of-way. In an effort to expedite and facilitate improvements in
- 14 the public right-of-way, the applicant is responsible for submitting a multi-phase
- 15 master plan traffic control plan which includes all phases of construction along the
- 16 project frontage in the public right-of-way i.e. sewer, water, overhead, underground,
- 17 etc. prior to the issuance of Off-site Construction Permit. Note, in an effort to
- 18 simplify the permitting process, a single master Off-Site Construction Permit shall
- 19 replace individual Encroachment Permits to be pulled by the developer's contactor.
- 20
- 21 24. Submit California registered civil engineer prepared Street Improvement plans to the
- 22 Engineering Division of Public Works for review and approval. The street
- 23 improvement plans shall be approved concurrently with any streetlight, landscape and
- 24 irrigation, and traffic signal plans unless otherwise approved by the City Engineer.
- 25 The Street Improvement plans shall be approved by the City Engineer prior to
- 26 issuance of any building permits.
- 27
- 28 25. Submit Traffic Striping/Signage plans prepared by a California registered Civil
- Engineer for review and approval by the City Engineer, as may be required for
- frontage improvements within the right-of-way. All required traffic striping and
- signage improvements shall be completed concurrently with required street
- improvements, to the satisfaction of the City Engineer and prior to issuance of a
- Building Permit. All Traffic Striping Improvements shall be made in thermoplastic
- material.
- 26
- 27 26. The applicant shall submit off-site landscaping and irrigation system improvement plans
- 28 and a landscape maintenance agreement for the project frontage within the right-of-way
- for review and approval at the time of first (1st) public improvement plan submittal to the
- Public Works Department.
- 29
- 30 27. All applicable landscape easement and parkway landscaping shall be guaranteed for a
- period of one year from the date of acceptance by the City Engineer. 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.

- 1 28. All proposed trees within the public right-of-way and within 10 feet of the public
2 sidewalk and/or curb shall have City approved deep root barriers installed in
3 accordance with the Public Works Landscape and Irrigation Guidelines or as
4 approved by the City Engineer.
- 5 29. If required by the City's spacing requirements, all new street lights shall be installed on
6 an independently metered, City-owned underground electrical system. The developer
7 shall be responsible for applying with Southern California Edison ("SCE") for all
8 appropriate service points and electrical meters. New meter pedestals shall be installed,
9 and electrical service paid by the developer.
- 10 30. The developer is responsible for requesting from the Public Works Department any
11 addresses needed for any building(s) and/or any electrical single/dual irrigation meter
12 pedestal(s). The main building address shall be included on Precise Grading Plans
13 and Building Plan set along with the PPD number. The electrical meter pedestal
14 addresses (single or dual) shall be included in the public improvement plans.
- 15 31. 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
18 followed by placement of standard base course material in accordance with the
19 Standard Specifications for Public Work Construction ("Greenbook"). The base
20 course material shall be placed the full height of the structural section to be flush with
21 the existing pavement surface and provide a smooth pavement surface until
22 permanent cap paving occurs using an acceptable surface course material.
- 23 32. In accordance with City Ordinance No. 1589, adopted to preserve newly paved
24 streets, any and all street and/or trench cuts in newly paved streets will be subject to
25 moratorium street repair standards as reference in Section 11.04.145 of the Rialto
26 Municipal Code.
- 27 33. Any and all utility trenches or other excavations within existing asphalt concrete
28 pavement of off-site streets resulting from the proposed development shall be
backfilled and repaired in accordance with City of Rialto Standard Drawings. The
developer shall be responsible for removing, grinding, paving and/or overlaying
existing asphalt concrete pavement of off-site streets including pavement repairs in
addition to pavement repairs made by utility companies for utilities installed for the
benefit of the proposed development (i.e. West Valley Water District, Southern
California Edison, Southern California Gas Company, Spectrum, etc.). Multiple
excavations, trenches, and other street cuts within existing asphalt concrete pavement
of off-site streets resulting from 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 what existed prior to construction of the
proposed development.

- 1 34. In accordance with Chapter 15.32 of the City of Rialto Municipal Code, all existing
2 electrical distribution lines of sixteen thousand volts or less and overhead service drop
3 conductors, and all telephone, television cable service, and similar service wires or
4 lines, which are on-site, abutting, and/or transecting, shall be installed underground.
5 Utility undergrounding shall extend to the nearest off-site power pole; no new poles
6 utility poles shall be installed unless otherwise approved by the City Engineer. A
7 letter from the owners of the affected utilities shall be submitted to the City Engineer
8 prior to approval of the Precise Grading/Paving Plan, informing the City that they
9 have been notified of the City's utility undergrounding requirement and their intent to
10 commence design of utility undergrounding plans. When available, the utility
11 undergrounding plan shall be submitted to the City Engineer identifying all above
12 ground facilities in the area of the project to be undergrounded.
- 13 35. All damaged, destroyed, or modified pavement legends, traffic control devices,
14 signing, striping, and street lights, associated with the proposed development shall be
15 replaced in accordance with the City Standard Drawings and as approved by the City
16 Engineer prior to issuance of a Certificate of Occupancy.
- 17 36. Construction signing, lighting and barricading shall be provided during all phases of
18 construction in accordance with City Standards and as directed by the City Engineer.
19 As a minimum, all construction signing, lighting and barricading shall be in
20 accordance with Part 6 "Temporary Traffic Control" of the 2014 California Manual
21 on Uniform Traffic Control Devices, or subsequent editions in force at the time of
22 construction.
- 23 37. Upon approval of any public improvement plan by the City Engineer, the
24 improvement plan shall be provided to the City in digital format, consisting of a
25 DWG (AutoCAD drawing file), DXF (AutoCAD ASCII drawing exchange file), and
26 PDF (Adobe Acrobat) formats. Variation of the type and format of the digital data to
27 be submitted to the City may be authorized, upon prior approval by the City Engineer.
- 28 38. Construct 4-inch conduit within the landscape area along the entire project frontage
within the right-of-way for future use (i.e., fiber-optics, etc.).
39. Dedicate additional right-of-way along the entire frontage as may be required to
provide a property line at ultimate right-of-way of 60-feet from street centerline along
Riverside Avenue and construct all frontage improvements.
40. Provide a cost estimate for review and approval by the Public Works Direction and
pay an in-lieu fee equal to the estimate for the removal of existing and the
construction of any new street pavement with a minimum pavement section of 5
inches asphalt concrete pavement over 6 inches crushed aggregate base with a
minimum subgrade of 24 inches at 95% relative compaction, or equal, along the
entire half-width street frontage in accordance with City of Rialto Standard Drawings.
The estimate shall assume a pavement section using a Traffic Index ("TI") of 10 and
using "R" values from the project site.

41. Replace any existing damaged sections of the curb and gutter with an 8-inch curb and gutter along the entire frontage in accordance with City of Rialto Standard Drawings and the General Plan or applicable Specific Plan.
42. Construct Americans with Disabilities Act (ADA) compliant sidewalk improvements behind curb along the entire frontage in accordance with the General Plan, any Specific Plan and the City of Rialto Standard Drawings.
43. Construct a commercial driveway approach in accordance with City of Rialto Standard Drawings. The driveway approach shall be constructed so the top of "X" is 5 feet from the property line, or as otherwise approved by the City Engineer. Nothing shall be constructed or planted in the corner cut-off area which does or will exceed 30 inches in height required to maintain an appropriate corner sight distance.
44. Construct a curb ramp meeting current California State Accessibility standards along both sides of the commercial driveway approach. The developer shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
45. Development of the site is subject to the requirements of the National Pollution Discharge Elimination System (NPDES) Permit for the City of Rialto, under the Santa Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant to the NPDES Permit, the developer shall ensure development of the site incorporates post-construction Best Management Practices ("BMPs") in accordance with the Model Water Quality Management Plan ("WQMP") approved for use for the Santa Ana River Watershed. The developer is advised that applicable Site Design BMPs will be required to be incorporated into the final site design, pursuant to a site specific WQMP submitted to the City Engineer for review and approval.
46. 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.
47. The developer shall connect to the City of Rialto sewer system and apply for a sewer connection account with Rialto Water services.
48. Submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Division. The plans shall be City Engineer approved prior to issuance of any building permits.

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- 2 49. Prior to issuance of a certificate of occupancy or final City approvals, provide
- 3 certification from Rialto Water Services to demonstrate that all water and/or
- 4 wastewater service accounts have been documented.
- 5
- 6 50. The developer is advised that domestic water service is provided by West Valley
- 7 Water District. The developer shall be responsible for coordinating with West Valley
- 8 Water District and complying with all requirements for establishing domestic water
- 9 service to the property.
- 10
- 11 51. The applicant shall adhere to the City Council approved franchise agreements and
- 12 disposal requirements during all construction activities, in accordance with Section 8.08
- 13 (Refuse Collection of the City of Rialto Municipal Code).
- 14
- 15 52. The applicant's contractors shall submit copies of recycling tickets demonstrating
- 16 minimum compliance with construction waste management recycling requirements as
- 17 well as chain of custody for all construction debris.
- 18
- 19 53. The applicant shall submit a Precise Grading Plan prepared by a California registered
- 20 civil engineer for review and approval. The Precise Grading/Paving Plan shall be
- 21 approved by the City Engineer prior to issuance of a building permit.
- 22
- 23 54. Prior to commencing with any grading, the applicant shall implement the required
- 24 erosion and dust control measures shall be in place. In addition, the following shall be
- 25 included if not already identified:
- 26
- 27 a. 6 foot high tan colored perimeter screened fencing;
- 28 b. Contractor information signage including contact information along the street
- frontage of Riverside Avenue; and,
- c. Post dust control signage with the following verbiage: "Project Name, WDID
- No., IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME
- (XXX) XXX-XXX, If you do not receive a response, please call the AQMD at
- 1-800-CUT-SMOG/1-800-228-7664."
55. The applicant shall submit a Water Quality Management Plan identifying site specific
- Best Management Practices ("BMPs") in accordance with the Model Water Quality
- Management Plan ("WQMP") approved for use for the Santa Ana River Watershed.
- The site specific WQMP shall be submitted to the City Engineer for review and
- approval with the Grading Plan. A WQMP Maintenance Agreement shall be required,
- obligating the property owner(s) to appropriate operation and maintenance obligations
- of on-site BMPs constructed pursuant to the approved WQMP. The WQMP and
- Maintenance Agreement shall be approved prior to the issuance of any building permit
- and shall be recorded at the San Bernardino County Recorder's Office prior to the
- issuance of a Certificate of Occupancy.

- 1 56. The applicant shall prepare a Notice of Intent (NOI) to comply with the California
2 General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as
3 modified September 2, 2009) is required via the California Regional Water Quality
4 Control Board online SMARTS system. A copy of the executed letter issuing a Waste
5 Discharge Identification (WDID) number shall be provided to the City Engineer prior to
6 issuance of a grading or building permit. The applicant's contractor shall prepare and
7 maintain a Storm Water Pollution Prevention Plan ("SWPPP") as required by the
8 General Construction Permit. All appropriate measures to prevent erosion and water
9 pollution during construction shall be implemented as required by the SWPPP.
- 10 57. A California registered Geotechnical Engineer prepared Geotechnical/Soils Report
11 shall be required for and incorporated as an integral part of the grading/paving plan
12 and WQMP for the proposed development. A copy of the Geotechnical/Soils Report
13 shall be submitted to the Engineering Division with the first submittal of the Precise
14 Grading/Paving Plan.
- 15 58. All stormwater runoff passing through the site shall be accepted and conveyed across the
16 property in a manner acceptable to the City Engineer. For all stormwater runoff falling
17 on the site, on-site retention or other facilities approved by the City Engineer shall be
18 required to contain the increased stormwater runoff generated by the development of the
19 property. Provide a hydrology study to determine the volume of increased stormwater
20 runoff due to development of the site, and to determine required stormwater runoff
21 mitigation measures for the proposed development. Final retention basin sizing and
22 other stormwater runoff mitigation measures shall be determined upon review and
23 approval of the hydrology study by the City Engineer and may require redesign or
24 changes to site configuration or layout consistent with the findings of the final hydrology
25 study. The volume of increased stormwater runoff to retain on-site shall be determined
26 by comparing the existing "pre-developed" condition and proposed "developed"
27 condition, using the 100-year frequency storm.
- 28 59. 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.
60. 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.
61. 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.

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2 62. The applicant shall remove any graffiti within 24 hours, before, during, and post
3 construction.
- 4 63. In accordance with the City of Rialto Municipal Code Section 18.72.010, Provision
5 D, inadequately maintained landscaping which is visible from the public street, or
6 right-of-way and which, either alone or in combination with other conditions on the
7 subject property tends to degrade the aesthetic quality of the immediate neighborhood
8 is prohibited.
- 9 64. All provisions and requirements determined and approved at the City of Rialto
10 Transportation Commission's March 6, 2020 meeting are incorporated herein,
11 referencing Transportation Commission Item 20-0204.
- 12 65. The applicant shall design the structure in accordance with the 2019 California Building
13 Code, 2019 California Mechanical Code, 2019 California Plumbing Code, and the 2019
14 California Electrical Code, 2019 Residential Code and the 2019 California Green
15 Buildings Standards adopted by the State of California.
- 16 66. The applicant shall design all structures to withstand ultimate wind speed of 130 miles
17 per hour, exposure C and seismic zone D.
- 18 67. As applicable, the applicant shall submit fire sprinkler, fire alarm systems, and fire
19 hydrant plans to the Building Division for plan review concurrently with building plans
20 and shall be approved prior to the issuance of a building permit.
- 21 68. Building plans shall be submitted to rialtobuilding@rialtoca.gov.
- 22 69. The applicant shall obtain an Electrical Permit from the Building Division for any
23 temporary electrical power required during construction. No temporary electrical power
24 will be granted to a project unless one of the following items is in place and approved by
25 the Building Division: (A) Installation of a construction trailer, or, (B) Security fencing
26 around the area where the electrical power will be located.
- 27 70. The applicant shall install any permitted temporary construction trailer on private
28 property. No trailers are allowed to be located within the public right-of-way.
71. 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.

- 1 72. Prior to issuance of a Building Permit all of the following must be in place on the Site: a
2 portable toilet with hand wash station, all BMP's, fencing and signage on each adjacent
3 street saying "If there is any dust or debris coming from this site please contact
4 (superintendent number here) or the AQMD if the problem is not being resolved" or
5 something similar to this.
6
- 7 73. The applicant shall provide temporary toilet facilities for the construction workers. The
8 toilet facilities shall always be maintained in a sanitary condition. The construction
9 toilet facilities of the non-sewer type shall conform to ANSI ZA.3.
10
- 11 74. All on site utilities shall be underground to the new proposed structure, unless prior
12 approval has been obtained by the utility company or the City.
13
- 14 75. Prior to issuance of Building Permits, site grading final and pad certifications shall be
15 submitted to the Building Division, which include elevation, orientation, and
16 compaction. The certifications are required to be signed by the engineer of record.
17
- 18 76. The applicant shall provide proof of payment to the School District for all required
19 school fees, prior to the issuance of a building permit.
20
- 21 77. The applicant shall obtain all necessary approvals and operating permits from all
22 Federal, State and local agencies prior to the issuance of a Certificate of Occupancy.
23
- 24 78. The privileges granted by the Planning Commission pursuant to approval of this
25 Conditional Development Permit are valid for one (1) year from the effective date of
26 approval. If the applicant fails to commence the project within one year of said
27 effective date, this conditional development permit shall be null and void and any
28 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 conditional development permit
was granted, and such use remains compatible with adjacent property uses.
79. Approval of PPD No. 2019-0048 will not become effective until the applicant has
signed a statement acknowledging awareness and acceptance of the required conditions
of approval contained herein.

SECTION 6. 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 28th day of April, 2021.

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FRANK GONZALEZ, CHAIR
CITY OF RIALTO PLANNING COMMISSION

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

I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that the foregoing Resolution No. ____ was duly passed and adopted at a regular meeting of the Planning Commission of the City of Rialto held on the ____th day of ____, 2021.

Upon motion of Planning Commissioner_____, seconded by Planning Commissioner_____, the foregoing Resolution No. ____ was duly passed and adopted.

Vote on the motion:

1 AYES:

2 NOES:

3 ABSENT:

4 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City
5 of Rialto this th day of , 2021.

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10 _____
11 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT
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