

**RESOLUTION NO. 2021-XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA APPROVING CONDITIONAL DEVELOPMENT PERMIT NO. 2021-0012 TO ALLOW THE ESTABLISHMENT OF A 2,400 SQUARE FOOT RESTAURANT WITHIN DRIVE-THRU SERVICE WITHIN A PROPOSED 14,697 SQUARE FOOT COMMERCIAL BUILDING ON 1.61 GROSS ACRES OF LAND (APN: 1119-241-28) LOCATED AT THE SOUTHWEST CORNER OF ALDER AVENUE AND SIERRA LAKES PARKWAY WITHIN THE FREEWAY INCUBATOR (FI) LAND USE DISTRICT OF THE RENAISSANCE SPECIFIC PLAN.

WHEREAS, the applicant, Rialto Travel Center, proposes to establish a 2,400 square foot restaurant with drive-thru service ("Project") within a proposed 14,697 square foot commercial building on 13.22 acres of land (APN: 1119-241-28) located at the southwest corner of Alder Avenue and Sierra Lakes Parkway within the Freeway Incubator (FI) land use district of the Renaissance Specific Plan ("Site"); and

WHEREAS, the Project will be comprised of 2,400 square foot restaurant with drive-thru service within a 14,697 square foot commercial building, 132 passenger vehicle parking spaces, 91 truck parking spaces, and a drive-thru lane with stacking distance for approximately nine (9) passenger vehicles; and

WHEREAS, pursuant to Table 3-2 (General Permitted Uses) of the Renaissance Specific Plan, the Project requires a Conditional Development Permit, and the applicant has applied for Conditional Development Permit No. 2021-0012 ("CDP No. 2021-0012"); and

WHEREAS, in conjunction with the Project, the applicant has submitted Conditional Development Permit No. 2021-0009 to facilitate the development and operation of a passenger vehicle fuel station consisting of seven (7) fuel dispensers and a 5,519 square foot overhead canopy on the Site ("CDP No. 2021-0009"); and

WHEREAS, in conjunction with the Project, the applicant has submitted Conditional Development Permit No. 2021-0010 to facilitate the development and operation of a truck fuel station consisting of a 3,544 square foot canopy with nine (9) fuel dispensers underneath on the Site ("CDP No. 2021-0010"); and

1 WHEREAS, in conjunction with the Project, the applicant has submitted Conditional  
2 Development Permit No. 2021-0011 to facilitate the establishment of a 12,297 square foot  
3 convenience market/travel center within a proposed 14,697 square foot commercial building on  
4 the Site (“CDP No. 2021-0011”); and

5 WHEREAS, in conjunction with the Project, the applicant has submitted Conditional  
6 Development Permit No. 2021-0013 to facilitate the development and operation of a 6,375 square  
7 foot truck service shop building on the Site (“CDP No. 2021-0013”); and

8 WHEREAS, in conjunction with the Project, the applicant has submitted Conditional  
9 Development Permit No. 2021-0014 to facilitate the sale of beer and wine for off-site consumption  
10 from a proposed 12,297 square foot convenience market/travel center on the Site (“CDP No. 2021-  
11 0014”); and

12 WHEREAS, in conjunction with the Project, the applicant has submitted Precise Plan of  
13 Design No. 2021-0013 to facilitate the development of a passenger vehicle fuel station consisting  
14 of a 5,519 square foot canopy with seven (7) fuel dispensers underneath, a truck fuel station  
15 consisting of a 3,544 square foot canopy with nine (9) fuel dispensers underneath, a 14,697 square  
16 foot commercial building with drive-thru service, a 6,375 square foot truck service shop building,  
17 and associated fuel tanks, paving, screen walls, fencing, lighting, landscaping, and drainage  
18 improvements on the Site (“PPD No. 2021-0013”); and

19 WHEREAS, on October 13, 2021, the Planning Commission of the City of Rialto  
20 conducted a duly noticed public hearing, as required by law, on CDP No. 2021-0012, CDP No.  
21 2021-0009, CDP No. 2021-0010, CDP No. 2021-0011, CDP No. 2021-0013, CDP No. 2021-0014,  
22 and PPD No. 2021-0013, took testimony, at which time it received input from staff, the city  
23 attorney, and the applicant; heard public testimony; discussed the proposed CDP No. 2021-0012,  
24 CDP No. 2021-0009, CDP No. 2021-0010, CDP No. 2021-0011, CDP No. 2021-0013, CDP No.  
25 2021-0014, and PPD No. 2021-0013; and closed the public hearing; and

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

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

1        SECTION 1. The Planning Commission hereby specifically finds that all of the facts set forth  
2 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 CDP No. 2021-0012, including written staff reports,  
5 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the  
6 Planning Commission hereby determines that CDP No. 2021-0012 satisfies the requirements of  
7 Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must be made  
8 precedent to granting a conditional development permit. The findings are as follows:

- 9            1.        The proposed use is deemed essential or desirable to provide a service or facility  
10                      which will contribute to the convenience or general well-being of the neighborhood  
11                      or community; and

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

13            The Site is located at the intersection of Alder Avenue and Sierra Lakes Parkway/Casmalia  
14            Street, which is currently served by only one (1) another restaurant. The next nearest  
15            restaurant is located approximately 1.10 miles to the east of the Site. The Project is  
16            anticipated to be a benefit to the community and an improvement to the surrounding area  
17            by providing additional food choices for consumers at a convenient location that is  
                currently underserved. The Project will provide a more diverse economic base for the  
                surrounding area and will provide a necessary service for residents and travelers within the  
                City.

- 18            2.        The proposed use will not be detrimental or injurious to health, safety, or general  
19                      welfare of persons residing or working in the vicinity; and

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

21            The project site is bound by Sierra Lakes Parkway on the north and Alder Avenue on the  
22            east. To the north, across Sierra Lakes parkway, is a rock quarry, and to the east, across  
23            Alder Avenue, is a Shell fuel station. To the south is a San Bernardino County Flood  
24            Control Channel, and to the west is approximately 3.14 acres of vacant land. The Project  
25            is consistent with the underlying FI land use designation. The nearby area is predominantly  
26            designated for and developed with commercial and industrial uses, and as a result, there  
27            are no sensitive land uses near the project site. Regardless, features and measures, such as  
28            landscape buffering and safety measures listed within the Crime Prevention Plan will be  
                maintained/implemented. Additionally, the project has been reviewed by the City staff for  
                compliance with all health, safety, and design requirements to ensure the project will  
                significantly enhance the infrastructure and aesthetics of the local community.

- 1           3.     The site for the proposed use is adequate in size, shape, topography, accessibility and  
2                 other physical characteristics to accommodate the proposed use in a manner  
3                 compatible with existing land uses; and

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

5           The Site is 13.22 acres in size, fairly level, and adjacent to two (2) arterial streets, which are  
6           able to accommodate the Project. The development will have five (5) points of access – five  
7           (5) driveways connected directly to Sierra Lakes Parkway. The three (3) westerly driveways  
8           and easterly driveway along Sierra Lakes Parkway will allow full access movements, while  
9           the second driveway from the east along Sierra Lakes Parkway will limit access to left-  
          out/right-out only. In addition, the development will have a trash enclosure, lighting,  
          accessible pathways and adequate parking as required by Table 3-6 (Parking Standards) of  
          the Renaissance Specific Plan.

- 10          4.     The site has adequate access to those utilities and other services required for the  
11                 proposed use; and

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

13          The Site has adequate access to all utilities and services required through main water, electric,  
14          sewer, and other utility lines that will be hooked up to the Site as part of the proposed Project.

- 15          5.     The proposed use will be arranged, designed, constructed, and maintained so as it will  
16                 not be injurious to property or improvements in the vicinity or otherwise be  
               inharmonious with the General Plan and its objectives, or any zoning ordinances; and

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

18          The proposed use is consistent with the underlying FI land use designation of the  
19          Renaissance Specific Plan. The Project will feature high-quality building exteriors  
20          designed in compliance with the City's Design Guidelines. Landscaping has been  
21          abundantly incorporated into the site. The landscape coverage for the Project is 29.0  
22          percent, which greatly exceeds the minimum required amount of 10.0 percent. Landscape  
23          planters containing trees spaced every thirty (30) linear feet will be installed along the  
24          entire perimeter of the Site to provide a buffer between surrounding properties and the  
25          public right-of-way. Furthermore, the Project includes the installation of 132 passenger  
          vehicle parking spaces and 91 truck parking spaces, which exceeds the minimum parking  
          requirement of 87 parking spaces required by Table 3-6 (Parking Standards) of the  
          Renaissance Specific Plan.

- 26          6.     Any potential adverse effects upon the surrounding properties will be minimized to  
27                 every extent practical and any remaining adverse effects shall be outweighed by the  
28                 benefits conferred upon the community or neighborhood as a whole.

*This finding is supported by the following facts:*

1 The Project's effects will be minimized through the implementation of the Conditions of  
2 Approval contained herein, and through the implementation of Conditions of Approval  
3 imposed by the Planning Commission on the Precise Plan of Design, such as extensive  
4 landscaping and enhanced architectural features. The development of a truck fuel station,  
5 a passenger vehicle fuel station, a convenience market/travel center, a truck service shop,  
6 and restaurant with drive-thru service along arterial streets, such as Alder Avenue and  
7 Sierra Lakes Parkway, will provide additional employment opportunities and a convenient  
8 location for residents and visitors to purchase fuel and other goods. Additionally, the  
9 applicant will implement landscape buffering and a Crime Prevention Plan, which has been  
10 endorsed by the Rialto Police Department, as a means to minimize crime and nuisance  
11 activities generated by the Project. Therefore, any potential adverse effects are outweighed  
12 by the benefits conferred upon the community and neighborhood as a whole.

13 SECTION 3. An Addendum to the Renaissance Specific Plan Final Environmental Impact  
14 Report (Environmental Assessment Review No. 2021-0016) has been prepared for the Project in  
15 accordance with the California Environmental Quality Act (CEQA), and it has been determined that  
16 the proposed Project would result in no new significant impacts that were not analyzed in the  
17 Renaissance Specific Plan Final Environmental Impact Report ("RSP FEIR"), nor would the  
18 proposed Project cause a substantial increase in the severity of any previously identified  
19 environmental impacts. The potential impacts associated with the proposed Project would either be  
20 the same or less than those described in the RSP FEIR. In addition, there are no substantial changes  
21 to the circumstances under which the proposed Project would be undertaken that would result in new  
22 or more severe environmental impacts than previously addressed in the RSP FEIR, nor has any new  
23 information regarding the potential for new or more severe significant environmental impacts been  
24 identified. The Planning Commission hereby adopts the Addendum to the Renaissance Specific Plan  
25 Final Environmental Impact Report (Environmental Assessment Review No. 2021-0016) for the  
26 Project.

27 SECTION 4. CDP No. 2021-0012 is granted to Rialto Travel Center, in accordance with the  
28 plans and application on file with the Planning Division, subject to the following conditions:

1. The applicant is granted CDP No. 2021-0012 allowing the establishment of a 2,400 square foot restaurant with drive-thru service within a proposed 14,697 square foot commercial building on 13.22 gross acres of land (APN: 1119-241-28) located at the southwest corner

1 of Alder Avenue and Sierra Lakes Parkway within the Freeway Incubator (FI) land use  
2 designation of the Renaissance Specific Plan, as shown on the plans attached as Exhibit  
3 A, and as approved by the Planning Commission. If the Conditions of Approval specified  
herein are not satisfied or otherwise completed, the project shall be subject to revocation.

- 4 2. City inspectors shall have access to the site to reasonably inspect the site during normal  
5 working hours to assure compliance with these conditions and other codes.
- 6 3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,  
7 and/or any of its officials, officers, employees, agents, departments, agencies, and  
8 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,  
9 demands, law suits, writs of mandamus, and other actions and proceedings (whether  
10 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative  
11 dispute resolutions procedures (including, but not limited to arbitrations, mediations,  
12 and other such procedures), (collectively "Actions"), brought against the City, and/or  
13 any of its officials, officers, employees, agents, departments, agencies, and  
14 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or  
15 annul, the any action of, or any permit or approval issued by, the City and/or any of its  
16 officials, officers, employees, agents, departments, agencies, and instrumentalities  
17 thereof (including actions approved by the voters of the City), for or concerning the  
18 Project (collectively, the "Entitlements"), whether such Actions are brought under the  
19 California Environmental Quality Act, the Planning and Zoning Law, the Subdivision  
20 Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public  
21 Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation,  
22 or any decision of a court of competent jurisdiction. This condition to indemnify,  
23 protect, defend, and hold the City harmless shall include, but not limited to (i) damages,  
24 fees and/or costs awarded against the City, if any, and (ii) cost of suit, attorneys' fees  
25 and other costs, liabilities and expenses incurred in connection with such proceeding  
26 whether incurred by applicant, Property owner, or the City and/or other parties  
27 initiating or bringing such proceeding (collectively, subparts (i) and (ii) are the  
28 "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 CDP No.  
2021-0011.
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. The applicant shall complete and abide by all mitigation measures contained within the Mitigation Monitoring and Reporting Program associated with the Environmental Assessment Review No. 2021-0016.
6. 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.
7. The applicant shall install decorative pavement within the easterly driveway connected to Sierra Lakes Parkway. The decorative pavement shall extend across the entire width of the driveway and shall have a minimum depth of twenty (20) feet as measured from the property line along Sierra Lakes Parkway. Decorative pavement means decorative pavers and/or color concrete with patterns and color variety. The location of the decorative pavement shall be identified on the Precise Grading Plan prior to the issuance of a grading permit, and it shall also be identified on the site plan within the formal building plan check submittal prior to the issuance of building permits. The type of decorative pavement shall be identified on the formal Landscape Plan submittal prior to the issuance of building permits.
8. In order to provide enhanced building design in accordance with Section 4 (Design Guidelines) of the Renaissance Specific Plan, the applicant shall route all downspouts through the interior of the 14,697 square foot commercial building. The internal downspouts shall be identified within the formal building plan check submittal prior to the issuance of building permits.
9. In order to provide enhanced building design in accordance with Section 4 (Design Guidelines) of the Renaissance Specific Plan, the applicant shall construct parapet returns, at least five (5) feet in depth from the main wall plane, at all height variations on all four (4) sides of the 14,697 square foot commercial building. The parapet returns shall be demonstrated on the roof plans within the formal building plan check submittal prior to the issuance of building permits.
10. In order to provide enhanced building design in accordance with Section 4 (Design Guidelines) of the Renaissance Specific Plan, the applicant shall provide internal roof access only for the building. The internal roof access shall be identified within the formal building plan check submittal prior to the issuance of building permits.
11. In order to provide enhanced site design in accordance with Section 4 (Design Guidelines) of the Renaissance Specific Plan, the applicant shall install any required bollards shall be constructed in a decorative manner. The decorative design shall be consistent with the overall architecture of the project. The final design of any bollards shall be approved by the Planning Division prior to the issuance of building permits. An elevation detail for

any required bollards shall be included within the formal building plan check submittal prior to the issuance of building permits.

12. Any new walls, including any retaining walls, shall be comprised of decorative masonry block. Decorative masonry block means tan-colored slumpstone block, tan-colored split-face block, or precision block with a stucco, plaster, or cultured stone finish. Pilasters shall be incorporated within all new walls. The pilasters shall be spaced a maximum of seventy (70) feet on-center and shall be placed at all corners and ends of the wall. All pilasters shall protrude a minimum of one (1) block course above the wall and a minimum of six (6) inches to the side of the wall. All decorative masonry walls and pilasters, including retaining walls, shall include a decorative masonry cap. All walls and pilasters shall be identified on the site plan, and an elevation detail for the walls shall be included in the formal building plan check submittal prior to the issuance of building permits.
13. Any new fencing installed on site shall be comprised of tubular steel. Decorative masonry or decorative concrete pilasters, with a minimum dimension of sixteen (16) inch square, shall be incorporated within all new fencing visible from any public right-of-way. Decorative masonry block means tan slumpstone block, tan split-face block, or precision block with a stucco, plaster, or cultured stone finish. Decorative concrete means painted concrete with patterns, reveals, and/or trim lines. The pilasters shall be spaced a maximum of seventy (70) feet on-center and shall be placed at all corners and ends of the fencing. All decorative masonry pilasters shall include a decorative masonry cap. All fencing and pilasters shall be identified on the site plan, and an elevation detail for the fencing and pilasters shall be included in the formal building plan check submittal prior to the issuance of building permits.
14. Any new fencing along the frontages of Alder Avenue and Sierra Lakes Parkway shall be installed at the rear of the landscape setbacks along those street frontages. This will ensure unobstructed visibility of the Project's landscaping along Alder Avenue and Sierra Lakes Parkway.
15. The exterior of the trash enclosure shall match the color and materials of the buildings on-site or be comprised of decorative masonry block. Decorative masonry block means tan-colored slumpstone block, tan-colored split-face block, or precision block with a stucco, plaster, or cultured stone finish. Additionally, the trash enclosure shall contain solid steel doors and a flat solid cover. Corrugated metal and chain-link are not acceptable materials to use as a part of the trash enclosure. An elevation detail for the trash enclosure shall be provided within formal building plan check submittal prior to the issuance of building permits.
16. All light standards installed on site, shall have a maximum height of twenty-five (25) feet, as measured from the finished surface, including the base. Lighting shall be shielded and/or directed toward the site so as not to produce direct glare or "stray light" onto adjacent properties. All light standards shall be identified on the site plan and a note indicating the height restriction shall be included within the formal building plan check submittal prior to the issuance of building permits.



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17. 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.
  18. The applicant shall plant one (1) tree every three (3) parking spaces. All parking lot trees shall be a minimum of fifteen (15) gallons in size, upon initial planting. Thereafter, the parking lot trees shall be permanently irrigated and maintained. All parking lot tree species shall consist of evergreen broadleaf trees. The trees shall be identified on the formal Landscape Plan submittal prior to the issuance of a landscape permit.
  19. The applicant shall plant one (1) tree every thirty (30) feet on-center within the on-site landscape setbacks along Sierra Lakes Parkway and Alder Avenue. All trees within the landscape setbacks shall be a minimum of twenty-four (24) inch box in size, upon initial planting. Thereafter, the trees within the landscape setback shall be permanently irrigated and maintained. At least fifty (50) percent of the trees within the setbacks shall consist of evergreen broadleaf trees, while the remaining percentage may consist of broadleaf deciduous trees and/or palm trees. The trees shall be identified on the formal Landscape Plan submittal prior to the issuance of a landscape permit.
  20. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public right-of-way parkway along Alder Avenue. All trees within the public right-of-way parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting. Thereafter, the trees within the public right-of-way parkway shall be permanently irrigated and maintained, as required by the Public Works Department. The street tree species along Alder Avenue shall be the *Hymenosporum Flavum* "Wedding Tree", the *Pistachia Chinensis* "Chinese Pistache", and/or the *Koelrueteria Bipinnata* "Chinese Lantern". The trees shall be identified on the formal Landscape Plan submittal prior to the issuance of building permits.
  21. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public right-of-way parkway along Sierra Lakes Parkway. All trees within the public right-of-way parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting. Thereafter, the trees within the public right-of-way parkway shall be permanently irrigated and maintained, as required by the Public Works Department. The street tree species along Sierra Lakes Parkway shall be the *Hymenosporum Flavum* "Wedding Tree" and/or the *Pistachia Chinensis* "Chinese Pistache". The trees shall be identified on the formal Landscape Plan submittal prior to the issuance of building permits.
  22. The applicant shall plant a row of shrubs at the rear of the landscape setbacks along Alder Avenue and Sierra Lakes Parkway for the purpose of creating a solid hedge to screen the headlights of vehicles from within the Site. All of the shrubs shall be a minimum of five (5) gallons in size upon initial planting, and the shrubs shall be spaced no more than three (3) feet on-center. Thereafter, the shrubs shall be permanently irrigated and maintained

1 into a continuous box-shape along the entire length of the landscape setbacks with a height  
2 of no less than three and one-half (3.5) feet above the finished grade. The shrubs shall be  
3 identified on the formal Landscape Plan submittal prior to the issuance of a landscape  
4 permit.

5 23. The applicant shall plant shrubs that surround all ground mounted equipment and utility  
6 boxes, including transformers, fire-department connections, backflow devices, etc. for the  
7 purpose of providing screening of said equipment and utility boxes. All equipment and  
8 utility box screen shrubs shall be a minimum of five (5) gallons in size upon initial  
9 planting, and the shrubs shall be spaced no more than three (3) feet on-center. Thereafter,  
10 the equipment and utility box screen shrubs shall be permanently irrigated and maintained  
11 into a continuous box-shape with a height of no less than three and one-half (3.5) feet  
12 above the finished grade. The shrubs shall be identified on the formal Landscape Plan  
13 submittal prior to the issuance of a landscape permit.

14 24. The applicant shall plant a substantial amount of trees, shrubs, and groundcover  
15 throughout all land on-site and off-site (adjacent to the project site) that is not covered by  
16 structures, walkways, parking areas, and driveways. Trees shall be planted a minimum of  
17 thirty (30) feet on-center, and all shrubs and groundcover shall be planted an average of  
18 three (3) feet on-center or less. All trees shall be minimum of fifteen (15) gallons in size  
19 upon initial planting, unless otherwise specified herein. At least fifty (50) percent of the  
20 trees shall consist of evergreen broadleaf trees, while the remaining percentage may  
21 consist of broadleaf deciduous trees and/or palm trees. All shrubs shall be a minimum of  
22 one (1) gallon in size, unless otherwise specified herein. All planter areas shall receive a  
23 minimum two (2) inch thick layer of brown bark, organic mulch, and/or decorative rock  
24 upon initial planting. Pea gravel and decomposed granite are not acceptable materials to  
25 use within planter areas. All planter areas on-site shall be permanently irrigated and  
26 maintained. The planting and irrigation shall be identified on the formal Landscape Plan  
27 submittal prior to the issuance of a landscape permit.

28 25. 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  
architect responsible for preparing the landscape plans prior to the issuance of a Certificate  
of Occupancy.

26 26. The applicant shall install and maintain a trash receptacle on the driver-side of the exit of  
the drive-thru lane. The trash receptacle shall be installed prior to issuance to the  
Certificate of Occupancy.

27 27. The applicant shall install a bicycle rack within the pathway area on the north side of the  
14,697 square foot commercial building prior to the issuance of the Certificate of  
Occupancy.

- 1 28. The applicant shall install “No Stopping Anytime” R26A(S)(CA) signage along the entire  
2 project frontages of Alder Avenue and Sierra Lakes Parkway, as required by the City  
3 Engineer, prior to the issuance of a Certificate of Occupancy.
- 4 29. Any tubular steel fencing and/or sliding gates shall be painted black prior to the issuance  
5 of a Certificate of Occupancy.
- 6 30. All non-glass doors shall be painted to match the color of the adjacent wall prior to the  
7 issuance of a Certificate of Occupancy.
- 8 31. All signage on the 14,697 square foot commercial building containing the convenience  
9 market/travel center shall comply with Section 5 (Signs) of the Renaissance Specific Plan  
10 or any subsequent Master Sign Program.
- 11 32. Any freestanding or monument signage on the Site shall comply with Section 5 (Signs)  
12 of the Renaissance Specific Plan or any subsequent Master Sign Program. Additionally,  
13 any freestanding or monument signage on the Site shall consist of either channel lettering,  
14 routed push-thru copy, or dimensional vacuum-formed panels on or within a sign structure  
15 that matches the character, color, and finish materials of the 14,697 square foot  
16 commercial building.
- 17 33. The applicant shall obtain all necessary approvals and operating permits from all Federal,  
18 State, and local agencies and provide proof thereof to the City prior to the issuance of a  
19 Certificate of Occupancy.
- 20 34. The privileges granted by the Planning Commission pursuant to approval of this  
21 Conditional Development Permit are valid for one (1) year from the effective date of  
22 approval. If the applicant fails to commence the project within one year of said  
23 effective date, this conditional development permit shall be null and void and any  
24 privileges granted hereunder shall terminate automatically. If the applicant or his or  
25 her successor in interest commence the project within one year of the effective date of  
26 approval, the privileges granted hereunder will continue inured to the property as long  
27 as the property is used for the purpose for which the conditional development permit  
28 was granted, and such use remains compatible with adjacent property uses.
35. Approval of CDP No. 2021-0012 will not become effective until the applicant has signed  
a statement acknowledging awareness and acceptance of the required conditions of  
approval contained herein.
36. In the event, that any operation on the Site is found to be objectionable or incompatible  
with the character of the City and its environs due to excessive noise, excessive traffic,  
loitering, criminal activity or other undesirable characteristics including, but not strictly  
limited to, uses which are or have become offensive to neighboring property or the goals  
and objectives of the Freeway Incubator (FI) land use district of the Renaissance Specific  
Plan, and/or the City’s General Plan, the applicant shall address the issues within forty-  
eight (48) hours of being notified by the City.

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2 37. If the applicant fails to comply with any of the conditions of approval placed upon CDP  
3 No. 2021-0012, CDP No. 2021-0009, CDP No. 2021-0010, CDP No. 2021-0011, CDP  
4 No. 2021-0013, CDP No. 2021-0014, or PPD No. 2021-0013, the Planning  
5 Commission may initiate proceedings to revoke the conditional development permit in  
6 accordance with the provisions of Sections 18.66.070 through 18.66.090, inclusive, of  
the Rialto Municipal Code. Conditional Development Permit No. 2021-0012 may be  
revoked, suspended or modified in accordance with Section 18.66.070 of the Zoning  
Ordinance at the discretion of the Planning Commission if:

- 7 a) The use for which such approval was granted has ceased to exist, been  
8 subsequently modified, or has been suspended for six (6) months or more;
- 9 b) Any of the express conditions or terms of such permit are violated;
- 10 c) The use for which such approval was granted becomes or is found to be  
11 objectionable or incompatible with the character of the City and its environs  
12 due to excessive noise, excessive traffic, loitering, criminal activity or other  
13 undesirable characteristics including, but not strictly limited to uses which  
14 are or have become offensive to neighboring property or the goals and  
objectives of the Freeway Incubator (FI) land use district of the Renaissance  
Specific Plan, and/or the City's General Plan.

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

17 PASSED, APPROVED AND ADOPTED this 13th day of October, 2021.

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21 FRANK GONZALEZ, CHAIR  
22 CITY OF RIALTO PLANNING COMMISSION  
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1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF RIALTO )  
4

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

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19 \_\_\_\_\_  
20 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT  
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“Exhibit A”

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