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A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA APPROVING PRECISE PLAN OF DESIGN NO. 2021-0020 ALLOWING THE DEVELOPMENT OF A 43,000 SQUARE FOOT INDUSTRIAL STORAGE WAREHOUSE BUILDING ON 2.00 ACRES OF LAND (APN: 0258-111-37) LOCATED ON THE SOUTH SIDE OF SANTA ANA AVENUE APPROXIMATELY 355 FEET WEST OF WILLOW AVENUE, WITHIN THE HEAVY INDUSTRIAL (H-IND) LAND USE DESIGNATION OF THE AGUA MANSA SPECIFIC PLAN.

WHEREAS, the applicant, Lord Constructors, Inc., proposes to develop a 43,000 square foot industrial storage warehouse building (“Project”) on 2.00 acres of land (APN: 0258-111-37) located on the south side of Santa Ana Avenue approximately 355 feet west of Willow Avenue within the Heavy Industrial (H-IND) land use designation of the Agua Mansa Specific Plan (“Site”); and

WHEREAS, the Project will consist of 2,000 square feet of office space on the ground floor, 2,000 square feet of office space on the second floor, and 39,000 square feet of warehouse space with three (3) dock-high loading doors, which will be located on the east side of the building; and

WHEREAS, Pursuant to Section 18.65.010 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. 2021-0020 (“PPD No. 2021-0020”); and

WHEREAS, in conjunction with the Project, the applicant submitted Conditional Development Permit No. 2021-0022 (“CDP No. 2021-0022”) to facilitate the development and operation of a 43,000 square foot industrial storage warehouse building on the Site, and CDP No. 2021-0022 is necessary to facilitate the Project; and

WHEREAS, on November 10, 2021, the Planning Commission of the City of Rialto conducted a duly noticed public hearing, as required by law, on PPD No. 2021-0020 and CDP No. 2021-0022, took testimony, at which time it received input from staff, the city attorney, and the applicant; heard public testimony; discussed the proposed PPD No. 2021-0020 and CDP No. 2021-0022; and closed the public hearing; and

1 WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.
2 NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Rialto as
3 follows:

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

6 SECTION 2. Based on substantial evidence presented to the Planning Commission during
7 the public hearing conducted with regard to PPD No. 2021-0020, including written staff reports,
8 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
9 Planning Commission hereby determines that PPD No. 2021-0020 satisfies the requirements of
10 Section 18.65.020e of the Rialto Municipal Code pertaining to the findings which must be made
11 precedent to granting a Precise Plan of Design. The findings are as follows:

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

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

15 The Site has a General Plan land use designation of General Industrial with a Specific Plan
16 Overlay and a zoning designation of Agua Mansa Specific Plan. Furthermore, the Agua
17 Mansa Specific Plan designates the site as Heavy Industrial (H-IND). The H-IND
18 designation allows for the development and operation of industrial storage warehouse
19 building, such as is proposed by the Project. The Project, as conditioned herein, will
20 comply with all City ordinances and regulations, including those required by the Agua
21 Mansa Specific Plan and the City's Design Guidelines. Additionally, the Project meets all
22 the required development standards of the Agua Mansa Specific Plan and Chapter 18.112
23 (Indoor Storage Facilities) of the Rialto Municipal Code including, but not limited to,
24 required building setbacks, parking, landscaping, building height, floor area ratio, etc.

- 25 2. The site is physically suitable for the proposed development, and the proposed
26 development will be arranged, designed, constructed, and maintained so that it will
27 not be unreasonably detrimental or injurious to property, improvements, or the health,
28 safety or general welfare of the general public in the vicinity, or otherwise be
29 inharmonious with the city's general plan and its objectives, zoning ordinances or any
30 applicable specific plan and its objectives; and

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

32 The Site contains 2.00 acres, is square-shaped, fairly level, and bound by one (1) public street.
33 To the north, across Santa Ana Avenue, is vacant land, and to the east is an approximately
34 52,000 square foot industrial building occupied by Fresh Start Bakeries, which is a

commercial baker. To the south is a truck terminal facility occupied by UPS Freight, and to the west is 137,538 square foot industrial building occupied by Lineage Logistics Company. The Site and all of the surrounding properties are within the H-IND land use designation of the Agua Mansa Specific Plan. The Project is consistent with the H-IND designation and the surrounding land uses. The nearby area is predominantly zoned for and developed with industrial uses, and as a result, there are no sensitive land uses near the project site. The project is not expected to negatively impact any uses with the successful implementation of measures such as landscape buffering, the installation of solid screen walls, and aesthetic building enhancements.

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:

The Project's effects will be minimized through the implementation of the Conditions of Approval contained herein, such as extensive landscaping, concrete screen walls, decorative paving, and enhanced architectural features. To the north, across Santa Ana Avenue, is vacant land, and to the east is an approximately 52,000 square foot industrial building occupied by Fresh Start Bakeries, which is a commercial baker. To the south is a truck terminal facility occupied by UPS Freight, and to the west is 137,538 square foot industrial building occupied by Lineage Logistics Company. The Site and all of the surrounding properties are within the H-IND land use designation of the Agua Mansa Specific Plan. The Project is consistent with the H-IND designation and the surrounding land uses. The nearby area is predominantly zoned for and developed with industrial uses, and as a result, there are no sensitive land uses near the project site. The project is not expected to negatively impact any uses with the successful implementation of measures such as landscape buffering, the installation of solid screen walls, and aesthetic building enhancements.

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

This finding is supported by the following facts:

The Project is consistent with the H-IND designation of the Agua Mansa Specific Plan and is a logical addition to the existing industrial developments surrounding the Site and throughout most of the Agua Mansa Specific Plan area. The design of the Project will ensure a continuation of the public improvements and aesthetics present in the surrounding area. The City staff have reviewed the design of the Project to ensure compliance with all health, safety, and design requirements to ensure the Project will enhance the infrastructure and aesthetics of the local community.

1 SECTION 3. The Project is categorically exempt from the requirements of the California
2 Environmental Quality Act (CEQA), pursuant to Section 15332, In-Fill Development Projects. The
3 Planning Commission directs the Planning Division to file the necessary documentation with the
4 Clerk of the Board of Supervisors for San Bernardino County.

5 SECTION 4. PPD No. 2021-0020 is granted to Lord Constructors, Inc., in accordance with
6 the plans and application on file with the Planning Division, subject to the following Conditions of
7 Approval:
8

- 9 1. PPD No. 2021-0020 is approved allowing the development of a 43,000-foot industrial
10 storage warehouse building and associated paving, landscaping, fencing, lighting, and
11 drainage improvements on 2.00 acres of land (APN: 0258-111-37) located on the south
12 side Santa Ana Avenue approximately 355 feet west of Willow Avenue, as shown on the
plans submitted to the Planning Division on October 21, 2021, and as approved by the
Planning Commission. If the Conditions of Approval specified herein.
- 13 2. The approval of PPD No. 2021-0020 is granted for a one (1) year period from the date of
14 approval. Approval of PPD No. 2021-0020 will not become effective until the applicant
15 has signed a Statement of Acceptance acknowledging awareness and acceptance of the
16 required Conditions of Approval contained herein. Any request for an extension shall be
reviewed by the Community Development Director and shall be based on the progress
that has taken place toward the development of the project.
- 17 3. The development associated with PPD No. 2021-0020 shall conform to the site plan, floor
18 plans, exterior elevations, conceptual grading plan, and conceptual landscape plan
19 attached hereto as Exhibit A, except as may be required to be modified based on the
Conditions of Approval contained herein.
- 20 4. The development associated with PPD No. 2021-0020 shall comply with all Conditions
21 of Approval contained within CDP No. 2021-0022.
- 22 5. The development associated with PPD No. 2021-0020 shall comply with all applicable
23 sections of the Agua Mansa Specific Plan, the Rialto Municipal Code, and all other
applicable State and local laws and ordinances.
- 24 6. City inspectors shall have access to the site to reasonably inspect the site during normal
25 working hours to assure compliance with these conditions and other codes.
- 26 7. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
27 and/or any of its officials, officers, employees, agents, departments, agencies, and
28 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,
demands, law suits, writs of mandamus, and other actions and proceedings (whether
legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative

1 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
2 and other such procedures), (collectively “Actions”), brought against the City, and/or
3 any of its officials, officers, employees, agents, departments, agencies, and
4 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
5 annul, the any action of, or any permit or approval issued by, the City and/or any of its
6 officials, officers, employees, agents, departments, agencies, and instrumentalities
7 thereof (including actions approved by the voters of the City), for or concerning the
8 Project (collectively, the “Entitlements”), whether such Actions are brought under the
9 California Environmental Quality Act, the Planning and Zoning Law, the Subdivision
10 Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public
11 Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation,
12 or any decision of a court of competent jurisdiction. This condition to indemnify,
13 protect, defend, and hold the City harmless shall include, but not limited to (i) damages,
14 fees and/or costs awarded against the City, if any, and (ii) cost of suit, attorneys’ fees
15 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 PPD No.
2021-0020.

- 16 8. In accordance with the provisions of Government Code Section 66020(d)(1), the
17 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
18 subject to protest by the applicant at the time of approval or conditional approval of the
19 Project or within 90 days after the date of the imposition of the fees, dedications,
reservations, or exactions imposed on the Project.
- 20 9. Approval of PPD No. 2021-0020 will not be valid until such time that the Planning
21 Commission has approved CDP No. 2021-0022, which was prepared in conjunction with
the Project.
- 22 10. In accordance with Chapter 18.112 (Indoor Storage Facilities) of the Rialto Municipal
23 Code, the applicant shall provide a continuous upward slope within the landscape setback
24 along Santa Ana Avenue. The slope shall lead from the property line along Santa Avenue
25 up to the edge of the building. The slope shall ensure that no more than thirty-four (34)
26 feet in height of the building is exposed above the finished grade of the slope. This will
27 ensure that the Project provides at least one (1) foot of landscape setback for every one
28 (1) foot of building height as measured for the finished grade at the edge of the building,
in accordance with Section 18.112.050C(1) of the Rialto Municipal Code. The slope
within the landscape setback along Santa Ana Avenue shall be identified on the Precise
Grading Plan prior to the issuance of a grading permit.

11. The applicant shall install decorative pavement within the driveway connected to Santa Ana Avenue, in accordance with the conceptual landscape plan included within Exhibit A attached hereto. The location of the decorative pavement shall be identified on the Precise Grading Plan prior to the issuance of a grading permit. Additionally, the location and type of decorative pavement shall be identified on the formal Landscape Plan submittal, and other on-site improvement plans, prior to the issuance of building permits.
12. In order to provide enhanced building design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, the applicant shall route all drainage downspouts through the interior of the building. The internal downspouts shall be identified within the formal building plan check submittal prior to the issuance of building permits.
13. In order to provide enhanced building design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, the applicant shall construct parapet returns, at least three (3) feet in depth from the main wall plane, at all height variations on all four (4) sides of the building. The parapet returns shall be demonstrated on the roof plans within the formal building plan check submittal prior to the issuance of building permits.
14. In order to provide enhanced building design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, 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.
15. Any new walls, including any retaining walls, shall be comprised of decorative masonry block or decorative concrete. Decorative masonry block means tan-colored slumpstone block, tan-colored 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. Pilasters shall be incorporated within all new walls visible from the public right-of-way. The pilasters shall be spaced a maximum of fifty (50) feet on-center and shall be placed at all corners and ends of the wall. All pilasters shall protrude a minimum of six (6) inches above and 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 Precise Grading 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.
16. 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 fifty (50) 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

1 pilasters shall be included in the formal building plan check submittal prior to the issuance
2 of building permits

- 3 17. The applicant shall construct one (1) ADA accessible trash enclosure on the project site.
4 The trash enclosure shall provide room for one (1) commercial waste container and one
5 (1) commercial recycling container. The exterior of each trash enclosure shall match the
6 material and base color of the building. Additionally, the trash enclosure shall contain
7 solid steel doors and a flat solid cover. Corrugated metal and chain-link are not acceptable
8 materials to use as a part of the trash enclosure. The location of the trash enclosure shall
9 be identified on the site plan within the formal building plan check prior to the issuance
10 of building permits. An elevation detail for the trash enclosure shall be provided within
11 formal building plan check submittal prior to the issuance of building permits.
- 12 18. All light standards installed on site, shall have a maximum height of twenty-five (25) feet,
13 as measured from the finished surface, including the base. Lighting shall be shielded
14 and/or directed toward the site so as not to produce direct glare or "stray light" onto
15 adjacent properties. All light standards shall be identified on the site plan and a note
16 indicating the height restriction shall be included within the formal building plan check
17 submittal prior to the issuance of building permits.
- 18 19. The applicant shall submit a formal Landscape Plan to the Planning Division prior to the
19 issuance of building permits. The submittal shall include three (3) sets of planting and
20 irrigation plans, a completed Landscape Plan Review application, and the applicable
21 review fee.
- 22 20. The applicant shall plant one (1) tree every thirty (30) feet on-center within the on-site
23 landscape setback along Santa Ana Avenue. All trees within the landscape setback shall
24 be a minimum of twenty-four (24) inch box in size, upon initial planting. Thereafter, the
25 trees within the landscape setback shall be permanently irrigated and maintained by the
26 property owner. At least fifty (50) percent of the trees within the setback shall consist of
27 evergreen broadleaf trees, while the remaining percentage may consist of broadleaf
28 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.
- 21 21. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public
22 right-of-way parkway along Santa Ana Avenue. All trees within the public right-of-way
23 parkway shall be a minimum of twenty-four (24) inch box in size, upon initial planting.
24 Thereafter, the trees within the public right-of-way parking shall be permanently irrigated
25 and maintained, as required by the Public Works Department. The street tree species
26 along Santa Ana Avenue shall be the Pistachia Chinensis "Chinese Pistache". The street
27 trees shall be identified on the formal Landscape Plan submittal prior to the issuance of a
28 landscape permit.
- 22 22. The applicant shall plant shrubs that surround all ground mounted equipment and utility
23 boxes, including transformers, fire-department connections, backflow devices, etc. for the
24 purpose of providing screening of said equipment and utility boxes. All equipment and

utility box screen shrubs shall be a minimum of five (5) gallons in size upon initial planting, and the shrubs shall be spaced no more than three (3) feet on-center. Thereafter, the equipment and utility box screen shrubs shall be permanently irrigated and maintained into a continuous box-shape with a height of no less than three and one-half (3.5) feet above the finished grade. The shrubs shall be identified on the formal Landscape Plan submittal prior to the issuance of a landscape permit.

23. The applicant shall plant a substantial amount of trees, shrubs, and groundcover throughout all land on-site and off-site (adjacent to the project site) that is not covered by structures, walkways, parking areas, and driveways. Trees shall be planted a minimum of thirty (30) feet on-center, and all shrubs and groundcover shall be planted an average of three (3) feet on-center or less. All trees shall be minimum of fifteen (15) gallons in size upon initial planting, unless otherwise specified herein. At least fifty (50) percent of the trees shall consist of evergreen broadleaf trees, while the remaining percentage may consist of broadleaf deciduous trees and/or palm trees. All shrubs shall be a minimum of one (1) gallon in size, unless otherwise specified herein. All planter areas shall receive a minimum two (2) inch thick layer of brown bark, organic mulch, and/or decorative rock upon initial planting. Pea gravel and decomposed granite are not acceptable materials to use within planter areas. All planter areas on-site shall be permanently irrigated and maintained. The planting and irrigation shall be identified on the formal Landscape Plan submittal prior to the issuance of a landscape permit.
24. 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.
25. Any tubular steel fencing and/or sliding gates shall be painted black prior to the issuance of a Certificate of Occupancy, unless specified otherwise herein.
26. All non-glass doors shall be painted to match the color of the adjacent wall prior to the issuance of a Certificate of Occupancy.
27. All signage on the building shall comply with Chapter 18.102 (Regulation of Signs and Advertising Structures) of the Rialto Municipal Code.
28. The applicant shall comply with all conditions of approval for PPD No. 2021-0020 to the satisfaction of the City Engineer, prior to the issuance of a Certificate of Occupancy.
29. 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 30. The applicant shall apply and complete the Special District Annexation for the public
2 street lighting and the public landscape and irrigation, including applicable easement
3 areas, parkway areas, and raised medians along the property frontage, as determined by
4 the City Engineer, prior to the issuance of the Grading/On-site Construction Permit.
- 5 31. The applicant is responsible for requesting from the Public Works Department any
6 addresses needed for any building(s) and/or any electrical single/dual irrigation meter
7 pedestal(s). The main building address shall be included on Precise Grading Plans and
8 Building Plan set along with the PPD number. The electrical meter pedestal addresses
9 (single or dual) shall be included in the public improvement plans.
- 10 32. The applicant shall submit street improvement plans by a registered California civil
11 engineer to the Public Works Engineering Division for review. The plans shall be
12 approved by the City Engineer prior to the issuance of building permits.
- 13 33. The applicant shall submit streetlight improvement plans by a registered California civil
14 engineer to the Public Works Engineering Division for review. The plans shall be
15 approved by the City Engineer prior to the issuance of building permits.
- 16 34. The applicant shall submit sewer improvement plans by a registered California civil
17 engineer to the Public Works Engineering Division for review. The plans shall be
18 approved by the City Engineer prior to the issuance of building permits.
- 19 35. The applicant shall submit traffic and signage improvement plans by a registered
20 California civil engineer to the Public Works Engineering Division for review. The plans
21 shall be approved by the City Engineer prior to the issuance of building permits.
- 22 36. The applicant shall submit copies of approved water improvement plans prepared by a
23 registered California civil engineer to the Public Works Engineering Division for record
24 purposes. The plans shall be approved by West Valley Water District, the water purveyor,
25 prior to the issuance of building permits.
- 26 37. The applicant shall submit a Precise Grading/Paving Plan prepared by a California
27 registered civil engineer to the Public Works Engineering Division for review and
28 approval. The Grading Plan shall be approved by the City Engineer prior to the issuance
of building permits.
38. The applicant shall submit a wet-signed and stamped Earthwork Cut and Fill Certification
Letter prepared by a Civil Engineer registered in the State of California to the Public
Works Engineering Division for review.
39. The applicant shall provide pad elevation certification for all building pads, in
conformance with the approved Precise Grading Plan, to the Engineering Division prior
to construction of any building foundation.

- 1 40. The public street improvements outlined in these Conditions of Approval are intended to
2 convey to the developer an accurate scope of required improvements, however, the City
3 Engineer reserves the right to require reasonable additional improvements as may be
4 determined in the course of the review and approval of street improvement plans required
5 by these conditions.
- 6 41. The applicant shall install underground all existing electrical distribution lines of sixteen
7 thousand volts or less and overhead service drop conductors, and all telephone, television
8 cable service, and similar service wires or lines, which are on-site, abutting, and/or
9 transecting the site, in accordance with Chapter 15.32 of the Rialto Municipal Code.
10 Utility undergrounding shall extend to the nearest off-site power pole. Unless City
11 Engineer approved, no new power poles shall be installed. A letter from the owners of
12 the affected utilities shall be submitted to the City Engineer prior to approval of the Precise
13 Grading/Paving Plan, informing the City that they have been notified of the City's utility
14 undergrounding requirement and their intent to commence design of utility
15 undergrounding plans. When available, the utility undergrounding plan shall be submitted
16 to the City Engineer identifying all above ground facilities in the area of the project to be
17 undergrounded.
- 18 42. The applicant shall replace all damaged, destroyed, or modified pavement legends, traffic
19 control devices, signing, striping, and streetlights, associated with the proposed Project
20 shall be replaced as required by the City Engineer prior to issuance of a Certificate of
21 Occupancy.
- 22 43. The applicant shall reconstruct any broken, chipped, or unsatisfactory sidewalks or curbs
23 along the entire project frontage, in accordance with the General Plan and the City of
24 Rialto Standard Drawings, as required by the City Engineer, prior to the issuance of a
25 Certificate of Occupancy.
- 26 44. The applicant shall provide construction signage, lighting and barricading shall be
27 provided during all phases of construction as required by City Standards or as directed by
28 the City Engineer. As a minimum, all construction signing, lighting and barricading shall
be in accordance with Part 6 "Temporary Traffic Control" of the 2014 California Manual
on Uniform Traffic Control Devices, or subsequent editions in force at the time of
construction.
45. Upon approval of any improvement plan by the City Engineer, the applicant shall provide
the improvement plan to the City in digital format, consisting of a DWG (AutoCAD
drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat)
formats. Variation of the type and format of the digital data to be submitted to the City
may be authorized, upon prior approval by the City Engineer.
46. The applicant shall construct 4-inch conduit within the parkway area along the entire
project frontage of Santa Ana Avenue for future use, prior to the issuance of a Certificate
of Occupancy.

- 1 47. The applicant shall dedicate additional right-of-way along the entire frontage of Santa Ana
2 Avenue, as necessary, to provide the ultimate half-width of 44 feet, as required by the City
3 Engineer.
- 4 48. The applicant shall construct one (1) new thirty-three (33) foot wide commercial driveway
5 approach connected to Santa Ana Avenue, in accordance with City of Rialto Standard
6 Drawings, or as otherwise approved by the City Engineer. Nothing shall be constructed
7 or planted in the corner cut-off area which does exceed or will exceed 30 inches in height
8 in order to maintain an appropriate corner sight distance, as required by the City Engineer.
- 9 49. The applicant shall construct a curb ramp meeting current California State Accessibility
10 standards on both sides of the new commercial driveway connected to Santa Ana Avenue,
11 in accordance with the City of Rialto Standard Drawings. The developer shall ensure that
12 an appropriate path of travel, meeting ADA guidelines, is provided across the driveways,
13 and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines,
14 subject to the approval of the City Engineer. If necessary, additional pedestrian and
15 sidewalk easements shall be provided on-site to construct a path of travel meeting ADA
16 guidelines.
- 17 50. The applicant shall construct a 5-foot-wide sidewalk located adjacent to the curb along
18 the entire project frontage of Santa Ana Avenue, in accordance with City of Rialto
19 Standard Drawings.
- 20 51. The applicant shall construct an 8-inch curb and gutter located 32 feet south of the
21 centerline along the entire frontage of Santa Ana Avenue, in accordance with City of
22 Rialto Standard Drawings.
- 23 52. At the discretion of the City Engineer, the applicant shall remove existing pavement and
24 construct new pavement with a minimum pavement section of 5 inches asphalt concrete
25 pavement over 6 inches crushed aggregate base with a minimum subgrade of 24 inches at
26 95% relative compaction, or equal, along the entire frontages of Santa Ana Avenue in
27 accordance with City of Rialto Standard Drawings. The pavement section shall be
28 determined using a Traffic Index ("TI") of 10. The 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. Pavement shall extend from clean
sawcut edge of pavement at centerline of each street.
53. The applicant shall install "No Stopping Anytime" R26A(S)(CA) signage along the entire
project frontage of Santa Ana Avenue, as required by the City Engineer.
54. The minimum pavement section for all on-site pavements shall be two (2) 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.

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- 2 55. The applicant shall connect the project to the City of Rialto sewer system and apply for a
- 3 sewer connection account with Rialto Water Services.
- 4 56. Domestic water service to the underlying property is provided by West Valley Water
- 5 District. The applicant shall be responsible for coordinating with West Valley Water
- 6 District and complying with all requirements for establishing domestic water service to
- 7 the property. The design must include fire hydrants along Santa Ana Avenue.
- 8 57. The applicant shall install a new domestic water line lateral connection to the main water
- 9 line within Santa Ana Avenue, pursuant to the West Valley Water District requirements.
- 10 A water line plan shall be approved by Rialto Water Services prior to the issuance of
- 11 building permits.
- 12 58. The applicant shall provide certification from Rialto Water Services and West Valley
- 13 Water District that demonstrates that all water and/or wastewater service accounts for the
- 14 project are documented, prior to the issuance of a Certificate of Occupancy or final
- 15 inspection approval from the Public Works Engineering Division.
- 16 59. The applicant shall submit a Water Quality Management Plan identifying site specific
- 17 Best Management Practices ("BMPs") in accordance with the Model Water Quality
- 18 Management Plan ("WQMP") approved for use for the Santa Ana River Watershed. The
- 19 site specific WQMP shall be submitted to the City Engineer for review and approval with
- 20 the Precise Grading Plan. A WQMP Maintenance Agreement shall be required, obligating
- 21 the property owner(s) to appropriate operation and maintenance obligations of on-site
- 22 BMPs constructed pursuant to the approved WQMP. The WQMP and Maintenance
- 23 Agreement shall be approved prior to issuance of a building permit, unless otherwise
- 24 allowed by the City Engineer. The development of the Site is subject to the requirements
- 25 of the National Pollution Discharge Elimination System (NPDES) Permit for the City of
- 26 Rialto, issued by the Santa Ana Regional Water Quality Control Board, Board Order No.
- 27 R8-2010-0036. Pursuant to the NPDES Permit, the Applicant shall ensure development
- 28 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 Applicant 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.
60. 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.
61. 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

1 parkway or under sidewalk drains. All on-site and off-site designs must comply with
2 NPDES stormwater regulations.

3 62. The original improvement plans prepared for the proposed development and approved by
4 the City Engineer (if required) shall be documented with record drawing “as-built”
5 information and returned to the Engineering Division prior to issuance of a final certificate
6 of occupancy. Any modifications or changes to approved improvement plans shall be
7 submitted to the City Engineer for approval prior to construction.

8 63. The applicant shall adhere to the City Council approved franchise agreements and disposal
9 requirements during all construction activities, in accordance with Section 8.08 (Refuse
10 Collection of the City of Rialto Municipal Code).

11 64. Prior to commencing with any grading, the applicant shall implement the required erosion
12 and dust control measures shall be in place. In addition, the following shall be included if
13 not already identified:

14 a. 6-foot-high tan colored perimeter screened fencing

15 b. Contractor information signage including contact information along the street
16 frontages of Santa Ana Avenue.

17 c. Post dust control signage with the following verbiage: “Project Name, WDID No.,
18 IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME (XXX)
19 XXX-XXX, If you do not receive a response, please call the AQMD at 1-800-
20 CUT-SMOG/1-800-228-7664”

21 65. The applicant shall remove any graffiti within 24 hours, before, during, and post
22 construction.

23 66. The applicant shall submit full architectural and structural plans with all mechanical,
24 electrical, and plumbing plans, structural calculations, truss calculations and layout, rough
25 grading plans approved by Public Works Engineering, Water Quality Management Plan,
26 Erosion Control Plan, Stormwater Pollution Prevention Plan, and Title 24 Energy
27 Calculations to the Building Division for plan check and review, prior to the issuance of
28 building permits.

67. The applicant shall provide a Scope of Work on the title page of the architectural plan set.
The Scope of Work shall call out all work to be permitted (ex. Main structure, perimeter
walls, trash enclosure, etc.).

68. The applicant shall design the structures in accordance with the 2019 California Building
Code, 2019 California Mechanical Code, 2019 California Plumbing Code, and the 2019
California Electrical Code, 2019 Residential Code and the 2019 California Green
Buildings Standards adopted by the State of California.

- 1 69. The applicant shall design the structures to withstand ultimate wind speed of 130 miles
2 per hour, exposure C and seismic zone D.
- 3 70. The applicant shall submit fire sprinkler, fire alarm systems, and fire hydrant plans to the
4 Building Division for plan review concurrently with building plans and shall be approved
5 prior to the issuance of a building permit.
- 6 71. The applicant shall obtain an Electrical Permit from the Building Division for any
7 temporary electrical power required during construction. No temporary electrical power
8 will be granted to a project unless one of the following items is in place and approved by
9 the Building Division: (A) Installation of a construction trailer, or, (B) Security fencing
10 around the area where the electrical power will be located.
- 11 72. The applicant shall install temporary construction fencing and screening around the
12 perimeter of the project site. The fencing and screening shall be maintained at all times
13 during construction to protect pedestrians.
- 14 73. The applicant shall install any required temporary construction trailer on private property.
15 No trailers are allowed to be located within the public right-of-way. The trailer shall be
16 removed prior to the issuance of a Certificate of Occupancy.
- 17 74. The applicant shall design and construct accessible paths of travel from the building's
18 accessible entrances to the public right-of-way, accessible parking, and the trash
19 enclosure. Paths of travel shall incorporate (but not limited to) exterior stairs, landings,
20 walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning,
21 signage, gates, lifts and walking surface materials, as necessary. The accessible route(s)
22 of travel shall be the most practical direct route between accessible building entrances,
23 site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the
24 site, California Building Code, (CBC) Chapter 11, Sec, 11A and 11B.
- 25 75. Prior to issuance of a Building Permit all of the following must be in place on the Site: a
26 portable toilet with hand wash station, temporary construction fencing, and signage on
27 each adjacent street saying "If there is any dust or debris coming from this site please
28 contact (superintendent number here) or the AQMD if the problem is not being resolved"
or something similar to this.
76. The applicant shall provide temporary toilet facilities for the construction workers. The
toilet facilities shall always be maintained in a sanitary condition. The construction toilet
facilities of the non-sewer type shall conform to ANSI Z4.3.
77. The applicant shall underground all on site utilities to the new proposed structures, prior
to the issuance of a Certificate of Occupancy, unless prior approval has been obtained by
the utility company or the City.

- 1 78. Prior to issuance of Building Permits, site grading final and pad certifications shall be
2 submitted to the Building Division, which include elevation, orientation, and compaction.
3 The certifications are required to be signed by the engineer of record.
- 4 79. The applicant shall provide proof of payment to the Colton Joint Unified School District
5 for all required school fees, prior to the issuance of a building permit.
- 6 80. Site facilities such as parking open or covered, recreation facilities, and trash dumpster
7 areas, and common use areas shall be accessible per the California Building Code, Chapter
8 11.
- 9 81. The applicant shall place a copy of the Conditions of Approval herein on within the
10 building plan check submittal set and include the PPD number on the right bottom corner
11 cover page in 20 point bold, prior to the issuance of a building permit.
- 12 82. The applicant shall ensure that a minimum of 65% of all construction and demo debris
13 shall be recycled using an approved City of Rialto recycling facility during construction.
14 Copies of receipts for recycling shall be provided to the City Inspector and a copy shall
15 be placed in the office of the construction site.
- 16 83. Prior to issuance of Building Permits, on site water service shall be installed and approved
17 by the responsible agency. On site fire hydrants shall be approved by the Fire Department.
18 No flammable materials will be allowed on the site until the fire hydrants are established
19 and approved.
- 20 84. The applicant shall comply with all applicable requirements of the California Fire Code
21 and Chapter 15.28 (Fire Code) of the Rialto Municipal Code.
- 22 85. At the discretion of the Rialto Police Department, the applicant shall illuminate all
23 walkways, passageways, and locations where pedestrians are likely to travel with a
24 minimum of 1.5-foot candles (at surface level) of light during the hours of darkness.
25 Lighting shall be designed/constructed in such a manner as to automatically turn on at
26 dusk and turn off at dawn.
- 27 86. At the discretion of the Rialto Police Department, the applicant shall illuminate all
28 alleyways, driveways, and uncovered parking areas with a minimum of 1.5-foot candles
(at surface level) of light during the hours of darkness. Lighting shall be
designed/constructed in such a manner as to automatically turn on at dusk and turn off at
dawn.
87. At the discretion of the Rialto Police Department, the applicant shall illuminate all loading
dock areas, truck well areas, and delivery areas with a minimum of 1.5 foot-candles (at
surface level) of light during the hours of darkness. Lighting shall be
designed/constructed in such a manner as to automatically turn on at dusk and turn off at
dawn.

- 1 88. The applicant shall design/construct all lighting fixtures and luminaries, including
2 supports, poles and brackets, in such a manner as to resist vandalism and/or destruction
3 by hand.
- 4 89. The applicant shall provide an illuminated channel letter address prominently placed on
5 the building to be visible to the front of the location, prior to the issuance of a Certificate
6 of Occupancy.
- 7 90. At the discretion of the Rialto Police Department, the applicant shall install exterior
8 security cameras at the location that cover the entire Site, prior to the issuance of a
9 Certificate of Occupancy. The security cameras shall be accessible to the Rialto Police
10 Department via FusionONE web application.
- 11 91. The applicant shall install Knox boxes immediately adjacent to all vehicle gates as well
12 as the main entrance of the building and at least one (1) rear entrance on the building to
13 facilitate the entry of safety personnel. The Knox boxes shall be installed in such a manner
14 as to be alarmed, resist vandalism, removal, or destruction by hand, and be fully recessed
15 into the building. The Knox boxes shall be equipped with the appropriate keys, for each
16 required location, prior to the first day of business. The Knox-Box placement shall be
17 shown on the formal building plan review submittal prior to the issuance of a building
18 permit.
- 19 92. The applicant shall prominently display the address on the building rooftop to be visible
20 to aerial law enforcement or fire aircraft. Specifications to be followed for alphanumeric
21 characters are as follows: Three (3) foot tall and six (6) inches thick alphanumeric
22 characters. The alphanumeric characters shall be constructed in such a way that they are
23 in stark contrast to the background to which they are attached (e.g. white numbers and
24 letters on a black background), and resistant weathering that would cause a degradation
25 of the contrast.
- 26 93. The applicant shall provide an audible alarm within the building, prior to the issuance of
27 a Certificate of Occupancy. The building shall be alarmed in such a way as to emit a
28 continuous audible notification until reset by responsible personnel (e.g. alarmed exit
device / crash bar).
94. The applicant or General Contractor shall identify each contractor and subcontractor hired
to work at the job site on a Contractor Sublist form and return it to the Business License
Division with a Business License application and the Business License tax fee based on
the Contractors tax rate for each contractor.
95. Prior to issuance of a Certificate of Occupancy, the applicant shall pay a business license
tax based on the applicable tax rate pertaining to the proposed use.

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 10th day of November, 2021.

FRANK GONZALEZ, 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
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19 _____
20 ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT
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Exhibit “A”

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