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- An Amendment to the Development Agreement between the City of Rialto and Lewis-Hillwood Rialto Company LLC to eliminate provisions related to the construction of a public park on Planning Area 126 and Planning Area 133; and
- Preparation of all necessary California Environmental Quality Act (“CEQA”) approvals related to the Specific Plan Amendment and DA Amendment; and

WHEREAS, the applicant has submitted Specific Plan Amendment No. 2024-0005 (“SPA No. 2024-0005”) to amend the Renaissance Specific Plan (“Project”) as follows:

- Change the land use designation of Planning Area 123 from School to General Commercial with a Residential Overlay with a maximum development potential of 112,167 square feet of commercial uses, 164 dwelling units, or a combination thereof; and
- Change the land use designation of Planning Area 126 from Public Park to Business Center with a maximum development potential of 378,972 square feet of industrial uses; and
- Change the land use designation of Planning Area 133 from Employment with a Public Park Overlay to Business Center with a maximum development potential of 74,052 square feet of industrial uses; and
- Reconfigure Miro Way to extend from Linden Avenue on the west to Ayala Drive on the east; and
- Various textual and graphical amendments related to the changes listed above; and

WHEREAS, the site for the Project consists of approximately 33 acres of land (APN’s: 0264-211-15 & -20; 0264-212-12, -17, -30, -44, -45, -46, & -54; Portions of APN’s: 0264-212-05 & -06 located between Linden Avenue and Ayala Drive approximately 415 feet north of Baseline Road (“Site”); and

WHEREAS, in conjunction with the Project, a First Amendment to the Development Agreement between the City of Rialto and Lewis-Hillwood Rialto Company LLC has been prepared to remove provisions related to the public park eliminated by the Project (“DA Amendment”); and

1 **WHEREAS**, pursuant to Section 18.78.010 of the Rialto Municipal Code, the City Council
2 is authorized to adopt and implement specific plans with the City; and

3 **WHEREAS**, pursuant to Section 18.78.060E and Section 18.78.060F of the Rialto
4 Municipal Code, the Planning Commission shall hold a public hearing for a proposed amendment
5 to an adopted specific plan and forward a recommendation to the City Council for action; and

6 **WHEREAS**, on November 5, 2025, the Planning Commission of the City of Rialto
7 conducted a duly noticed public hearing, as required by law, on SPA No. 2024-0005 and the DA
8 Amendment, took testimony, at which time it received input from staff, the city attorney, and the
9 Applicant; heard public testimony; discussed the proposed SPA No. 2024-0005 and the DA
10 Amendment; and closed the public hearing; and

11 **WHEREAS**, on November 5, 2025, the Planning Commission voted 5-0 (2 absences) to
12 recommend approval of SPA No. 2024-0005 and the DA Amendment to the City Council; and

13 **WHEREAS**, on January 13, 2026, the City Council conducted a duly noticed public
14 hearing, as required by law, on SPA No. 2024-0005 and the DA Amendment, took testimony, at
15 which time it received input from staff, the city attorney, and the applicant; heard public testimony,
16 discussed SPA No. 2024-0005 and the DA Amendment; and closed the public hearing; and

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

18 **NOW, THEREFORE**, the City Council hereby finds, determines, and resolves as follows:

19 **SECTION 1.** The City Council hereby specifically finds that all of the facts set forth in the
20 recitals above of this Resolution are true and correct and incorporated herein.

21 **SECTION 2.** Based on substantial evidence presented to the City Council during the public
22 hearing conducted with regard to SPA No. 2024-0005, including written staff reports, verbal
23 testimony, project plans, other documents, and the conditions of approval stated herein, the City
24 Council hereby determines that SPA No. 2024-0005 satisfies the requirements of Government Code
25 Sections 65358 and 65453 and Section 18.78.060I of the Rialto Municipal Code pertaining to the
26 findings which must be made precedent to amending a Specific Plan. The findings are as follows:

- 27 1. That the proposed Specific Plan Amendment is consistent with the goals and policies
28 of the General Plan and its purposes, standards and land use guidelines; and

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

2 The Site has a General Plan land use designation of Specific Plan with a Specific Plan Overlay.
3 This General Plan land use designation requires the underlying Specific Plan to establish
4 distinct land use designations within the Specific Plan itself. The underlying Specific Plan of
5 the Site is the Renaissance Specific Plan. The Applicant proposes to change the land use
6 designations of Planning Area 126 and Planning Area 133 of the Renaissance Specific Plan
7 to Business Center and change the land use designation of Planning Area 123 of the
8 Renaissance Specific Plan to General Commercial with a Residential Overlay. The Project
9 will not affect the General Plan land use designation of the Site. Amending the land use
10 designations of the Site does not present any inconsistencies with the General Plan.

11 Furthermore, the Project will facilitate up to 453,024 square feet of industrial uses, 112,167
12 square feet of commercial uses, 164 dwelling units, or a combination thereof, which is
13 consistent with Goal 3-1 of the Economic Development Element of the General Plan, which
14 encourages strengthening and diversification of the economic base and employment
15 opportunities, while maintaining a positive business climate.

- 16 2. That the proposed Specific Plan Amendment will help achieve a balanced community
17 of all races, age groups, income levels and ways of life; and

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

19 The Project will facilitate the development of up to 453,024 square feet of industrial uses,
20 112,167 square feet of commercial uses, 164 dwelling units, or a combination thereof, which
21 will provide new housing opportunities and jobs across various wage and education levels
22 available to all races, age groups, and ways of life.

- 23 3. That the proposed Specific Plan Amendment results in development of desirable
24 character, which will be compatible with existing and proposed development in the
25 surrounding neighborhood; and

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

27 No specific development is proposed with the Project. However, the Project will facilitate
28 future development of up to 453,024 square feet of industrial uses, 112,167 square feet of
29 commercial uses, 164 dwelling units, or a combination thereof, on the Site. These future
30 developments will be required to comply with the development standards and design
31 guidelines specified in the Renaissance Specific Plan, Chapter 18.112 (Indoor Storage
32 Uses) of the Rialto Municipal Code, and Chapter 18.61 (Design Guidelines) of the Rialto
33 Municipal Code, which require high-quality developments that are sensitive to the needs
34 of the surrounding area.

35 The Project will change the land use designation of three (3) Planning Areas within the
36 Renaissance Specific Plan and add a new segment of Miro Way from Linden Avenue on

1 the west to Ayala Drive on the east. None of the new industrial-natured Business Center
2 areas resulting from the Project will be adjacent to any existing or proposed residential or
3 other sensitive-type use. The new Miro Way street segment will ensure that any future
4 industrial developments on Planning Area 126 or Planning Area 133 are separated from
5 any future residential developments in the area.

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4. That the proposed Specific Plan Amendment contributes to a balance of land uses that will enable local residents to work and shop in the community in which they live; and

This finding is supported by the following facts:

The Project will facilitate the development of up to 453,024 square feet of industrial uses, 112,167 square feet of commercial uses, 164 dwelling units, or a combination thereof. Therefore, the Project will provide opportunities for local residents to live, work, and shop within the Site itself. Additionally, the surrounding area is also dominated by a mix of residential, commercial, industrial, and recreational uses that promote a balance of living, working, shopping, and recreating in a localized area.

5. That the proposed Specific Plan Amendment respects the environmental and aesthetic assets of the community consistent with economic realities; and

This finding is supported by the following facts:

Kimley-Horn & Associates, Inc., an environmental consulting firm, prepared a Subsequent Environmental Impact Report (Environmental Assessment Review No. 2024-0025) for the Project. The Subsequent Environmental Impact Report indicated that the Project will result in a significant and unavoidable impact to greenhouse gas emissions. Mitigation measures within the Subsequent Environmental Impact Report will reduce the adverse significant environmental effects of the Project to the greatest extent feasible. Through the adoption of the Subsequent Environmental Impact Report and a Statement of Overriding Considerations, it is determined that the social, economic, and environmental benefits of the Project separately and individually outweigh the potential unavoidable adverse impacts of the Project and render those potential adverse environmental impacts acceptable based upon the following:

1. Minimized Environmental Impacts. All feasible mitigation measures have been imposed to lessen Project impacts to less than significant levels; and furthermore, alternatives to the Project are infeasible because while they have similar or less environmental impacts, they do not provide the economic benefits of the Project, or are otherwise socially or economically infeasible when compared to the Project, as described in the Statement of Facts and Findings.
2. Specific Plan Consistency. The Project aligns with the goals of the Renaissance Specific Plan, as amended. The proposed Project would bring new business to vacant land with the construction of the proposed warehouse buildings, which would be consistent with the proposed Business Center zone change. The rezone of Planning Area 123 from School to General Commercial with a Residential overlay would allow for future uses on Planning

Area 123 to meet the needs of the residents, employees, and visitors to the Renaissance Specific Plan area.

3. General Plan Objectives. The Project fulfills key objectives of the City's General Plan by creating employment opportunities and promoting economic growth.
4. Employment Opportunities. Approval of the Project will generate employment opportunities for citizens of Rialto and surrounding communities. The development and construction of the site will create temporary on-site jobs and indirectly support local and regional employment. Additionally, construction spending will provide a one-time economic stimulus to the local and regional economies. Furthermore, the Project's approval will help maximize employment opportunities, improve the jobs-housing balance, and reduce unemployment within the City.
5. Economic Development. Approval of the Project will facilitate the construction of two industrial warehouse buildings. These structures are designed to adhere to contemporary industry standards and will be economically competitive with similar facilities in the local and regional areas, attracting businesses that can expedite the delivery of essential goods to consumers and businesses in Rialto and the surrounding area.
6. Planned Development. Approval of the Project will contribute to the continued development of a master planned community with a unique character and quality with a commitment to economic development, sustainability, flexible planning, high quality architecture, site design, and landscape design.
7. Improved Infrastructure. Approval of the Project will facilitate infill development on a vacant site and the completion of Miro Way and other planned infrastructure improvements in the Renaissance Specific Plan area.
8. Increased Tax Revenues. The Project will bolster the City's fiscal health by generating additional property taxes, sales taxes, and other local revenue streams. These funds will support essential public services such as public safety, parks, and infrastructure maintenance.
9. Public Services and Amenities. Approval of the Project will result in the payment of development impact fees, used to increase public services and amenities throughout the City.
10. Quality of Life. The Project will create permanent employment opportunities near residential, commercial areas, and near transit options. This will enhance the quality of life for residents who can live, work, shop, and enjoy recreational activities in the Renaissance Plan area and close to the City's downtown center.

Additionally, any future development enabled by the Project, will meet or exceed all aesthetic design guidelines required by the Renaissance Specific Plan and City's Design Guidelines

1 through the incorporation of landscaping, wall plane articulation on buildings, and exterior
2 trims and accents.

- 3 6. That the proposed Specific Plan Amendment incorporates, where feasible, active and
4 passive energy conservation measures.

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

6 Any future development enabled by the Project will be required to meet or exceed
7 California Building Code Title 24, Part 6 Energy Efficiency Standards. This will be
8 achieved through the implementation of features such as, but not limited to, energy efficient
9 windows, energy efficient heating and cooling systems, painting in light colors to reflect
10 heat away, and structural accommodation of photovoltaic solar electric systems.

11 **SECTION 3.** A Subsequent Environmental Impact Report (Environmental Assessment
12 Review No. 2024-0025) has been prepared for the proposed Project in accordance with the California
13 Environmental Quality Act (CEQA) and it has been determined that the Project will create
14 unavoidable significant impacts to greenhouse gas emissions. On January 12, 2026, the City Council
15 adopted the Final Subsequent Environmental Impact Report prepared for the Project.

16 **SECTION 4.** The City Council hereby approves SPA No. 2024-0005 amending the
17 Renaissance Specific Plan in accordance with the amended specific plan attached hereto as Exhibit
18 A, exclusive of the removal of any redlines/highlights and the addition of final dates and related
19 Resolutions/Ordinances, subject to the following conditions:

- 20 1. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
21 and/or any of its officials, officers, employees, agents, departments, agencies, and
22 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,
23 demands, law suits, writs of mandamus, and other actions and proceedings (whether
24 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
25 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
26 and other such procedures), (collectively "Actions"), brought against the City, and/or
27 any of its officials, officers, employees, agents, departments, agencies, and
28 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
annul, the any action of, or any permit or approval issued by, the City and/or any of its
officials, officers, employees, agents, departments, agencies, and instrumentalities
thereof (including actions approved by the voters of the City), for or concerning the
Project (collectively, the "Entitlements"), whether such Actions are brought under the
California Environmental Quality Act, the Planning and Zoning Law, the Subdivision
Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public
Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation,
or any decision of a court of competent jurisdiction. This condition to indemnify,

1 protect, defend, and hold the City harmless shall include, but not be limited to (i)
2 damages, fees and/or costs awarded against the City, if any, and (ii) cost of suit,
3 attorneys' fees and other costs, liabilities and expenses incurred in connection with
4 such proceeding whether incurred by applicant, Property owner, or the City and/or
5 other parties initiating or bringing such proceeding (collectively, subparts (i) and (ii)
6 are the "Damages"). Notwithstanding anything to the contrary contained herein, the
7 Applicant shall not be liable to the City Parties under this indemnity to the extent the
8 Damages incurred by any of the City Parties in such Action(s) are a result of the City
9 Parties' fraud, intentional misconduct or gross negligence in connection with issuing
10 the Entitlements. The applicant shall execute an agreement to indemnify, protect,
11 defend, and hold the City harmless as stated herein within five (5) days of approval of
12 SPA No. 2024-0005.

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- 14 2. In accordance with the provisions of Government Code Section 66020(d)(1), the
15 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
16 subject to protest by the applicant at the time of approval or conditional approval of the
17 Project or within 90 days after the date of the imposition of the fees, dedications,
18 reservations, or exactions imposed on the Project.
- 19 3. The applicant shall provide six (6) hard copies and a digital (PDF) copy of the final version
20 of the Renaissance Specific Plan, as amended through Specific Plan Amendment No.
21 2024-0005 and as approved by the City Council. The final version shall include the
22 removal of any redlines/highlights and the addition of final dates and related
23 Resolutions/Ordinances. The copies shall be provided to the Planning Division within
24 thirty (30) days of the adoption of this Resolution.

25 **SECTION 5.** The Mayor shall sign the passage and adoption of this resolution and
26 thereupon the same shall take effect and be in force.

27 PASSED, APPROVED AND ADOPTED this 13th day of January, 2026.

28

JOE BACA, MAYOR

ATTEST:

BARBARA MCGEE, CITY CLERK

APPROVED AS TO FORM:

ERIC S. VAIL, CITY ATTORNEY

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
4

5 I, BARBARA MCGEE, City Clerk of the City of Rialto, do hereby certify that the foregoing
6 Resolution No. _____ was duly passed and adopted at a regular meeting of the City Council
7 of the City of Rialto held on the _____ day of _____, 2026.

8 Upon motion of Councilmember _____, seconded by Councilmember
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 _____ day of _____, 2026.
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19 _____
20 BARBARA MCGEE, CITY CLERK
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Exhibit A

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