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WHEREAS, the applicant, Crown Venture Holdings, LLC, (“Applicant”) proposes to develop and operate a truck terminal facility consisting of consisting of a 172,445 square foot cross-dock truck terminal building, a 18,700 square foot fleet maintenance building, and associated paving, landscaping, fencing, lighting, and drainage improvements (“Project”) on approximately 45.7 acres of land (APN: 0258-141-18) located on the south side of Santa Ana Avenue approximately 1,800 feet east of Riverside Avenue within the Heavy Industrial (H-IND) land use district of the Agua Mansa Specific Plan (“Site”); and

WHEREAS, the Applicant retained Kimley-Horn and Associates, Inc., an environmental consulting firm, to prepare an environmental impact report (“EIR”) for the Project; and

1 WHEREAS, the City retained EcoTierra Consultants, an environmental consulting firm, to
2 conduct a peer review of the EIR prepared for the Project by Kimley-Horn and Associates, Inc.;
3 and

4 WHEREAS, on December 8, 2023, the City distributed a Notice of Preparation for Draft
5 Environmental Impact Report SCH. 2023120143, for the Project, pursuant to CEQA Guidelines
6 Section 15082 and Public Resources Code Section 21080.4, providing a 45-day period during
7 which responsible agencies, trustee agencies, and members of the general public could provide
8 comments to the City regarding the scope of the proposed EIR; and

9 WHEREAS, pursuant to the authority and criteria contained in CEQA and the City of
10 Rialto environmental guidelines, the City, as the Lead Agency, analyzed the Project and directed
11 the Applicant to prepare a Draft Environmental Impact Report ("DEIR"), and determined that the
12 proposed Project would have significant impacts related to transportation/traffic from Project
13 construction and operations; and

14 WHEREAS, consistent with the requirements of CEQA Guidelines Section 15085, upon
15 completing the DEIR dated August 2024, the City filed a Notice of Completion on August 26,
16 2024 with the Office of Planning and Research; and

17 WHEREAS, on August 26, 2024 consistent with the requirements of the Public Resources
18 Code Section 21092 and CEQA Guidelines Section 15087, the City published a Notice of
19 Availability of the DEIR in the San Bernardino Sun newspaper, and, on August 26, 2024, posted
20 the Notice of Availability at City Hall and mailed a Notice of Availability to all responsible and
21 trustee agencies, all organizations and individuals who had requested notice, and all property
22 owners located within a 1,000 foot radius of the Site; and

23 WHEREAS, the Notice of Availability and Notice of Completion noticed all agencies,
24 organizations, and the public that they had 45 days to provide comments on the contents of the
25 DEIR, which was available in hard copy for in-person review at City Hall – the Community
26 Development Building - and available for download on the City of Rialto website, throughout the
27 comment period; and
28

1 WHEREAS, at the conclusion of the 45-day public review and comment period related to
2 the DEIR, the City directed the preparation of the Final Environmental Impact Report dated March
3 2025 ("FEIR") pursuant to CEQA Guidelines Sections 15088, 15089 and 15132, which included
4 the DEIR, responses to public comments on the DEIR, and a Mitigation Monitoring and Reporting
5 Program; and

6 WHEREAS, pursuant to CEQA Guidelines Section 15132, the FEIR is required to be
7 completed in compliance with CEQA, and pursuant to Section 21092.5 of CEQA, on September
8 4, 2025, the City sent via mail the FEIR, including written responses to comments, to all agencies,
9 organizations, and persons that commented on the DEIR; and

10 WHEREAS, on September 5, 2025, the City published a Notice of Public Hearing that the
11 Planning Commission would consider certification of the FEIR and approval of the Project at its
12 September 17, 2025 meeting in the San Bernardino Sun newspaper, posted the notice at City Hall,
13 and mailed said notice to all property owners within a 1,000 foot radius of the Site as well as all to
14 all organizations and individuals who had requested notice; and

15 WHEREAS, on September 17, 2025, the Planning Commission conducted a public
16 hearing, and considered the record of proceedings for the FEIR, which includes, but is not limited
17 to, the following:

- 18 (1) The Notice of Preparation for the Project (the "NOP"), and all other public notices
19 issued by the City in connection with the Project;
- 20 (2) The FEIR dated March 2025;
- 21 (3) All written comments submitted by agencies or members of the public during any
22 public review comment period on the DEIR;
- 23 (4) All written and verbal public testimony presented during a noticed public hearing for
24 the Project at which such testimony was taken, including without limitation, the Staff
25 Report to the Planning Commission, including all attachments, any all presentations by
26 City staff, the City's consultants, the Applicant and the Applicant's consultants, the
27 public, and any other interested party;
- 28 (5) The Mitigation Monitoring and Reporting Program for the Project (the "MMRP");

- 1 (6) The reports, studies and technical memoranda included and/or referenced in the DEIR
2 and the FEIR and or their appendices;
- 3 (7) All documents, studies, or other materials incorporated by reference in the DEIR and
4 the FEIR;
- 5 (8) All Ordinances and Resolutions presented to and/or to be adopted by the City in
6 connection with the Project; and all documents incorporated by reference therein,
7 specifically including, but not limited to, this Resolution and its exhibit;
- 8 (9) Matters of common knowledge to the City, including but not limited, to federal, state,
9 and local laws and regulations, adopted City plans, policies (including but not limited
10 to the Rialto General Plan and the Agua Mansa Specific Plan), and the professional
11 qualifications of City staff members and consultants;
- 12 (10) Any documents expressly cited in this Resolution and its exhibit, the Staff Report to
13 the Planning Commission, the FEIR which includes the DEIR; and
- 14 (11) Any other relevant materials required to be in the record of proceedings under Section
15 21167.6(e) of the Public Resources Code; and

16 WHEREAS, the City has not pre-committed to approving the Project or the FEIR, and will
17 not commit to any approval related to the Project until the Planning Commission and City Council
18 consider and certify the FEIR for the Project based upon all evidence presented; and

19 WHEREAS, on September 17, 2025, following the public hearing, the Planning
20 Commission considered and discussed the adequacy of the proposed FEIR as an informational
21 document and applied their own independent judgment and analysis to review said FEIR, and
22 hereby desire to take action to recommend that the City Council certify the FEIR, as having been
23 completed in compliance with CEQA, based on the findings found herein; and

24 WHEREAS, at its September 17, 2025, meeting, following the public hearing, the Planning
25 Commission also considered and decided whether to recommend approval or rejection of the
26 Project at this time; and

27 WHEREAS, CEQA requires in Public Resources Section 21081 the following:
28

1 “Section 21081. Findings necessary for approval of project. Pursuant to the policy stated
2 in Sections 21002 and 21002.1, no public agency shall approve or carry out a project for
3 which an environmental impact report has been certified which identifies one or more
4 significant effects on the environment that would occur if the project is approved or carried
5 out unless both of the following occur:

6 (a) The public agency makes one or more of the following findings with respect to each
7 significant effect:

8 (1) Changes or alterations have been required in, or incorporated into, the Project
9 which mitigate or avoid the significant effects on the environment.

10 (2) Those changes or alterations are within the responsibility and jurisdiction of
11 another public agency and have been, or can and should be, adopted by that other
12 agency.

13 (3) Specific economic, legal, social, technological, or other considerations,
14 including considerations for the provision of employment opportunities for highly
15 trained workers, make infeasible the mitigation measures or alternatives identified
16 in the environmental impact report.

17 (b) With respect to significant effects which were subject to a finding under paragraph (3)
18 of subdivision (a), the public agency finds that specific overriding economic, legal, social,
19 technological, or other benefits of the Project outweigh the significant effects on the
20 environment.”

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

22 NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, that the Planning Commission of
23 the City of Rialto hereby do find, determine, and declare based upon the evidence presented as
24 follows:

25 SECTION 1: RECITALS. The Planning Commission hereby finds all of the above recitals
26 to be true and correct.

27 SECTION 2: FINDINGS. The FEIR available at the Community Development
28 Department office and provided concurrently with this Resolution, includes the DEIR SCH No.

1 2023120143 dated August 2024 and all related appendices, the Response to Comments, and all
2 related appendices and attachments to the FEIR. The Planning Commission finds, based upon the
3 substantial evidence in the record of proceedings and the whole record before it, in the exercise of
4 its independent judgment and analysis, that the FEIR is, procedurally and substantively, in
5 compliance with the requirements of CEQA:

6 a. *Procedural Compliance*: The Final EIR was prepared in procedural
7 compliance with the requirements of CEQA:

- 8 1. Notice of Preparation. As described in the Recitals hereto, a Notice
9 of Preparation was prepared in accordance with Section 15082 of
10 CEQA.
- 11 2. Public Review. As described in the Recitals hereto, the City held
12 multiple public review periods pursuant to the CEQA Guidelines.
- 13 3. Notice of Completion. As described in the Recitals hereto, the City
14 has complied with CEQA Guidelines Sections 15085, 15086,
15 15087, and 15105 by providing a Notice of Completion of the DEIR
16 to the State Clearinghouse and a Notice of Availability to
17 responsible and trustee agencies and other persons and agencies as
18 required.
- 19 4. Written Comments. As described in the Recitals hereto, the City
20 has evaluated and responded to all written comments received
21 during the public review period and included both comments and
22 responses as part of the FEIR pursuant to CEQA Guidelines Section
23 15088.

24 b. *Findings Regarding Significant Effects that Can be Mitigated to Less*
25 *Than Significant*. The FEIR identifies potentially significant effects on
26 the environment that could result if the Project were adopted without
27 changes or alterations in the Project and imposition of mitigation
28 measures and further finds that changes, alterations, and mitigation

1 measures have been incorporated into, or imposed as conditions of
2 approval on, the Project. The Planning Commission adopts the statements
3 and findings in Exhibit A (Section 5.0, titled “Findings Regarding the
4 Significant or Potentially Significant Environmental Effects of the
5 Proposed Project which can Feasibly be Mitigated to Below a Level of
6 Significance”) to this Resolution, which is attached hereto and
7 incorporated herein by this reference. These avoidable significant effects
8 are identified in Exhibit A (Section 5.0) and include potentially significant
9 impacts to biological resources, cultural resources, geology and soils,
10 hazards and hazardous materials, noise and vibration, and tribal cultural
11 resources. However, mitigation measures can be implemented to reduce
12 these impacts to a level that is less than significant; changes have been
13 required in, or incorporated into, the Project through the imposition of
14 mitigation measures as described in Exhibit A (Section 5.0). These
15 mitigation measures identified in Exhibit A will be imposed pursuant to
16 the MMRP found at Section 4.0 in the FEIR. These changes, alterations,
17 and mitigation measures are fully enforceable because they have either
18 resulted in an actual change to the Project as proposed or they have been
19 imposed as conditions of approval on the Project.

- 20 c. *Findings Regarding Unavoidable Significant Impacts.* The Planning
21 Commission adopts the statements and findings in Exhibit A (Section 4.0,
22 titled “Findings Regarding the Significant or Potentially Significant
23 Environmental Effects of the Proposed Project which cannot Feasibly be
24 Mitigated to Below a Level of Significance”) to this Resolution, which is
25 attached hereto and incorporated herein by this reference. The Project has
26 significant effects that cannot be mitigated to a less than significant level
27 through the imposition of mitigation measures. These significant effects
28 are identified in Exhibit A (Section 4.0). Specific economic, legal, social,

1 technological, or other considerations are found to make the Proposed
2 Project acceptable notwithstanding that even with the required mitigation
3 measures, and consideration of project alternatives identified in the FEIR
4 for the significant impacts identified in Exhibit A (Section 7.0) all impacts
5 cannot be reduced to less than and significant levels, including those based
6 upon the findings in Exhibit A (Section 4.0) to this resolution, and the
7 findings in Exhibit A (Section 7.0) regarding the proposed alternatives.
8 Therefore, those impacts are found to be significant and unavoidable.

- 9 d. *Findings Regarding Less than Significant Impacts.* In the course of the
10 DEIR evaluation, certain environmental impacts of the Project were found
11 not to be significant. Any and all potential significant impacts discussed
12 in the FEIR that are not subject to paragraph 2(b) or 2(c), above, as either
13 an avoidable significant impact, or as an unavoidable significant impact,
14 are insignificant impacts to the environment. There exists no fair
15 argument that the environmental conditions that were found not to be
16 significant in the DEIR will pose a significant environmental impact, due
17 to the inability of a Project of this scope to create such impacts or the
18 absence of Project characteristics producing significant effects of this
19 nature.

20 SECTION 3: FEIR REVIEWED AND CONSIDERED. The Planning Commission has
21 reviewed and considered the information contained in the FEIR and finds that the FEIR has been
22 completed in compliance with CEQA.

23 SECTION 4: ALTERNATIVES. The FEIR identified potential environmental impacts of
24 separate project alternatives compared to impacts from the proposed Project. These alternatives
25 were selected based upon their ability to avoid or substantially lessen the significant effects of the
26 proposed Project, while still achieving the primary Project objectives. Most alternatives are hereby
27 found infeasible due to lack of alternative site availability, failure to meet basic Project objectives,
28 or the fact that some alternatives would still have the same types of significant and unavoidable

1 impacts as the Project. The Planning Commission hereby recommends that the City Council adopt
2 the Statement of Findings on rejection of Project Alternatives in Exhibit A (Section 7.0, titled
3 “Findings Regarding Project Alternatives Not Selected for Implementation”) to this Resolution,
4 which is attached hereto and incorporated herein by this reference.

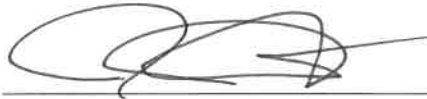
5 SECTION 5: STATEMENT OF OVERRIDING CONSIDERATIONS. The Planning
6 Commission finds, pursuant to CEQA Section 21081(b) and CEQA Guidelines Section 15093,
7 that the specific economic, legal, social, technological and other benefits of the Project outweigh
8 the Project's unavoidable adverse environmental impacts, and therefore, the impacts are
9 acceptable. The Planning Commission hereby recommends that the City Council adopt the
10 Statement of Overriding Considerations in Exhibit A (Section 8.0, titled “Statement of Overriding
11 Considerations”) to this Resolution, which is attached hereto and incorporated herein by this
12 reference. The Planning Commission finds that each of the Significant and Unavoidable Impacts
13 identified in Exhibit A (Section 4.0) may be considered acceptable for the reasons cited.

14 SECTION 6: MITIGATION MONITORING. The City as lead agency adopts the MMRP
15 for the changes made to the Project that it has adopted in order to mitigate or avoid significant
16 effects on the environment. Pursuant to Public Resources Code Section 21081.6, the MMRP set
17 forth as Section 4.0 to the FEIR to this Resolution, which is attached hereto and incorporated herein
18 by this reference, is hereby adopted to ensure that all mitigation measures adopted for the Project
19 are fully implemented. The Planning Commission hereby recommends that the City Council adopt
20 the MMRP to ensure compliance with mitigation measures during Project implementation. As
21 required by Public Resources Code Section 21081.6, the MMRP designates responsibility and
22 anticipated timing for the implementation of the mitigation measures recommended in the FEIR.
23 The MMRP will remain available for public review during the compliance period.

24 SECTION 7: RECOMMENDATION OF CERTIFICATION. Based on the above facts
25 and findings, the Planning Commission hereby recommends that the City Council certify the FEIR
26 for the Project as accurate and adequate. The Planning Commission further recommends that the
27 City Council certify that the FEIR was completed in compliance with CEQA and the CEQA
28 Guidelines.

1 SECTION 8: The Chairman of the Planning Commission shall sign the passage and
2 adoption of this resolution and thereupon the same shall take effect and be in force.

3 PASSED, APPROVED, AND ADOPTED this 17th day of September, 2025.

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7 JERRY GUTIERREZ, CHAIR
8 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, Heidy Gonzalez, Administrative Assistant of the City of Rialto, do hereby certify that the
6 foregoing Resolution No. **2025-20** was duly passed and adopted at a regular meeting of the Planning
7 Commission of the City of Rialto held on the 17th day of September 2025.

8 Upon motion of Commissioner Dale Estvander, second by Commissioner Frank Gonzalez,
9 foregoing Resolution No. **2025-20** was duly passed and adopted.
10

11 Vote on the motion:

12 AYES: 4 (Gutierrez, Peukert, Estvander, Gonzalez)

13 NOES: 0

14 ABSTENTION: 0

15 ABSENT: 1 (Gilbert)
16

17 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
18 Rialto this 17th day of September 2025.
19
20

21 
22 _____
23 Heidy Gonzalez
24 Administrative Assistant
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28

EXHIBIT A

FINDINGS OF FACT IN SUPPORT OF FINDINGS AND STATEMENT OF OVERRIDING
CONSIDERATIONS PREPARED PURSUANT TO THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT FOR THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
SANTAANA TRUCK TERMINAL PROJECT STATE CLEARINGHOUSE NO. 2023120143

[See Following Pages]

Section 1.0: Introduction

The City of Rialto ("City") is considering the approval of applications filed by Crown Enterprises, LLC ("Applicant") for the development of a 172,445-square-foot truck terminal warehouse and an 18,700-square-foot maintenance shop on an approximately 45.7-acre site located at 249 East Santa Ana Avenue in Rialto, California (the "Project").

In compliance with the California Environmental Quality Act ("CEQA"), Public Resources Code ("PRC") Sections 21000–21177 and the Guidelines for California Environmental Quality Act, 14 California Code of Regulations ("CCR") Sections 15000–15387 (CEQA Guidelines), the City prepared and certified the Environmental Impact Report ("EIR") for the Project (State Clearinghouse No. 2023120143) which evaluates the environmental impacts of the Project.

The EIR was prepared to assess the significant environmental effects of the Project, to identify possible ways to mitigate or avoid those effects, and to describe a reasonable range of alternatives to the Project. The City, as the Lead Agency under CEQA, has reviewed and considered the information contained in the EIR, including the comments received during the public review period, in determining whether to approve the Project.

This statement of Findings of Fact ("Findings") addresses the environmental effects associated with the proposed Project, as described in the EIR. These Findings are made pursuant to the CEQA (PRC § 21000 et seq.), specifically PRC §§ 21081, 21081.5, and 21081.6, and the CEQA Guidelines (14 CCR § 15000 et seq.), specifically §§ 15091 and 15093.

1.1 CEQA Requirements

The CEQA, PRC Section 21081, and the State CEQA Guidelines, 14 CCR Section 15091, require that a public agency consider the environmental impacts of a project before approving it and make specific findings. CEQA Section 21081 provides:

[N]o public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant environmental effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

(a) The public agency makes one or more of the following findings with respect to each significant effect:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

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- 3 2. Those changes or alterations are within the responsibility and jurisdiction of another
- 4 public agency and have been, or can and should be, adopted by that other agency.
- 5 3. Specific economic, legal, social, technological, or other considerations, including
- 6 considerations for the provision of employment opportunities for highly trained workers,
- 7 make infeasible the mitigation measures or alternatives identified in the environmental
- 8 impact report.

9 *(b) With respect to significant effects which were subject to a finding under paragraph (3) of*

10 *subdivision (a), the public agency finds that specific overriding economic, legal, social,*

11 *technological or other benefits of the project outweigh the significant effects on the*

12 *environment.*

13 14 CCR Section 15091 provides:

14 (a) No public agency shall approve or carry out a project for which an EIR has been certified

15 which identifies one or more significant environmental effects of the project unless the

16 public agency makes one or more written findings for each of those significant effects,

17 accompanied by a brief explanation of the rationale for each finding. The possible findings

18 are:

19 1. Changes or alterations have been required in, or incorporated into, the project which

20 avoid or substantially lessen the significant environmental effect as identified in the final EIR.

21 2. Such changes or alterations are within the responsibility and jurisdiction of another

22 public agency and not the agency making the finding. Such changes have been adopted by

23 such other agency or can and should be adopted by such other agency.

24 3. Specific economic, legal, social, technological, or other considerations, including

25 provision of employment opportunities for highly trained workers, make infeasible the

26 mitigation measures or project alternatives identified in the final EIR.

27 (b) The findings required by subdivision (a) shall be supported by substantial evidence in the

28 record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has

concurrent jurisdiction with another agency to deal with identified feasible mitigation

measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons

for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the agency shall also adopt a

program for reporting on or monitoring the changes which it has either required in the

project or made a condition of approval to avoid or substantially lessen significant

Santa Ana Truck Terminal Project Findings of Fact and Statement of Overriding Considerations

environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

CEQA Guidelines Section 15091(b) further provides that "The findings required by subdivision(a) shall be supported by substantial evidence in the record." CEQA Guidelines Section 15091(c) states, "The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives."

Additionally, CEQA Guidelines Section 15091(d) provides, "When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures."

CEQA Guidelines Section 15093 provides additional guidance for projects with significant unavoidable impacts:

- a) *CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the specific benefits of a project outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable."*
- b) *When the lead agency approves a project which will result in the occurrence of significant effects that are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons for its action based on the final EIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.*
- c) *If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.*

Santa Ana Truck Terminal Project Findings of Fact and Statement of Overriding Considerations

Where, as a result of the environmental analysis of the project and the identification of project design features, compliance with existing laws, codes, and statutes, and the identification of feasible mitigation measures, the following potentially significant impacts have been determined by the City to be reduced to a level of less than significant, the City has found, in accordance with CEQA Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), that "Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment," which is referred to herein as "Finding 1." Where the potential impact can be reduced to less than significant solely through adherence to and implementation of project design features or standard conditions, these measures are considered "incorporated into the project," which mitigate or avoid the potentially significant effect, and in these situations, the City also will make "Finding 1," even though no mitigation measures are required, while noting that the potential impact is less than significant through the implementation of project design features and/or compliance with existing laws and regulations.

Where the City has determined, pursuant to CEQA Section 21081(a)(2) and CEQA Guidelines Section 15091(a)(2), that "Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency," the City's findings are referred to herein as "Finding 2."

Where, as a result of the environmental analysis of the project, the City has determined that either (1) even with the identification of project design features, compliance with existing laws, codes, and statutes, and/or the identification of feasible mitigation measures, potentially significant impacts cannot be reduced to a level of less than significant, or (2) no feasible mitigation measures or alternatives are available to mitigate the potentially significant impact, the City has found, in accordance with CEQA Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), that "Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report," referred to herein as "Finding 3."

CEQA Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." CEQA Guidelines Section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565.)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417). "[F]easibility" under CEQA encompasses "desirability" to the extent that desirability is based on a reasonable balancing of the relevant

economic, environmental, social, and technological factors.” (Ibid.; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

For the purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Assn. v. City Council* (1978) 83 Cal.App.3d 515, 519-527, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question (e.g., the “loss of biological resources”) less than significant.

Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less-than-significant level or has simply been substantially lessened but remains significant.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings based on substantial evidence, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s benefits rendered acceptable its unavoidable adverse environmental effects. (CEQA Guidelines §15093, 15043(b); see also CEQA § 21081(b).)

1.2 Format of Findings

These Findings have been organized into the following sections:

- **Section 1.0, Introduction:** This section provides an introduction to these Findings and the proposed Project. It sets forth the requirements of CEQA for a lead agency to make specific Findings, details the contents of the Record of Proceedings, and, pursuant to Section 21081.6(a)(2) of CEQA and Section 15091(e) of the State CEQA Guidelines, identifies the location and custodian of the documents and materials that constitute the Record of Proceedings.
- **Section 2.0, Project Description:** This section provides a summary of the Project, an overview of the discretionary actions required for Project implementation, and a statement of the Project’s objectives.

- **Section 3.0, General CEQA Findings:** In addition to the specific Findings presented herein, this section identifies the general CEQA findings of the Lead Agency.
- **Section 4.0, Findings Regarding the Significant or Potentially Significant Environmental Effects of the Proposed Project Which Cannot Feasibly Be Mitigated to Below a Level of Significance:** This section sets forth findings regarding the significant or potentially significant environmental impacts of the proposed Project that cannot feasibly be mitigated to a less-than-significant level based on the thresholds of significance presented in the EIR and which will or may result from the Project's implementation.
- **Section 5.0, Findings Regarding the Significant or Potentially Significant Environmental Effects of the Proposed Project Which Can Feasibly Be Mitigated to Below a Level of Significance:** This section sets forth findings regarding significant or potentially significant environmental impacts identified in the EIR that the City has determined are either not significant or can feasibly be mitigated to a less-than-significant level through the imposition of Project design features, standard conditions, and/or mitigation measures. To ensure compliance and implementation, all mitigation measures are included in the Mitigation Monitoring and Reporting Program (MMRP) for the Project. Where potentially significant impacts can be reduced to less-than-significant levels through adherence to Project design features and standard conditions, this section specifies how those impacts are reduced to an acceptable level.
- **Section 6.0, Areas Determined to Have No Impact or Less Than Significant Impacts:** This section identifies environmental issue areas analyzed in the EIR that were determined to have either no impact or a less-than-significant impact. Under CEQA Guidelines Sections 15126.2 and 15128, an EIR must focus its analysis on potentially significant impacts while briefly addressing topics for which it is evident that the project will not result in significant adverse environmental effects. CEQA Guidelines Section 15091 does not require specific findings for these environmental issue areas. However, for completeness and transparency, this section provides a summary of these topics, including Aesthetics, Population and Housing, Energy, Public Services, Recreation, and other environmental factors where the Project's effects have been determined to be less than significant or non-existent.
- **Section 7.0, Findings Regarding Project Alternatives Not Selected for Implementation.:** This section provides findings regarding the alternatives to the proposed Project that were analyzed in the EIR and considered by the advisory and decision-making bodies of the City during deliberations concerning the proposed Project but were not selected for approval by the Rialto City Council. CEQA Guidelines Section 15091(a)(3) provides that a public agency may approve a project even if it results in one or more significant

Santa Ana Truck Terminal Project Findings of Fact and Statement of Overriding Considerations

environmental effects, provided that feasible alternatives are not available due to specific economic, legal, social, technological, or other considerations. In evaluating the alternatives presented in the EIR, the City of Rialto determined that none of the alternatives fully meet the Project's objectives while also avoiding or substantially lessening significant environmental effects.

- **Section 8.0, Statement of Overriding Considerations:** This section contains the Lead Agency's Statement of Overriding Considerations, setting forth the City's reasons for determining that specific economic, legal, social, technological, and other considerations associated with or attributable to the proposed Project outweigh the Project's potentially significant and unavoidable adverse environmental effects.

1.3 Record of Proceedings

For purposes of CEQA and these Findings, the record of proceedings for the City's Findings and determinations includes, but is not limited to, the following documents, which were considered by the City prior to taking action on the proposed Project and adopting these Findings:

1. Notice of Preparation (NOP), Notice of Completion (NOC), Notice of Availability (NOA), Notice of Determination (NOD), and all other public notices issued by the City in conjunction with this CEQA process.
2. Draft Environmental Impact Report – State Clearinghouse No. 2023120143 (DEIR), including all technical appendices, all documents incorporated by reference therein, and all written comments submitted by public agencies and members of the public during the public review periods established by the NOP and NOA.
3. Other site-specific and/or Project-specific technical studies and exhibits not included in the Final Environmental Impact Report (FEIR) but explicitly referenced therein.
4. Response to Comments on the Draft Environmental Impact Report – State Clearinghouse No. 2023120143 (RTC), including all written comments submitted by public agencies and members of the public during the public review period established by the NOC and included in the Final Environmental Impact Report – State Clearinghouse No. 2023120143.
5. All written and verbal public testimony presented during public hearings for the proposed Project at which public testimony was taken, including Planning Commission and City Council hearings held on [insert applicable dates].
6. All Project information submitted by the Applicant in its application to the City relating to the Project and/or the FEIR.

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- 3 7. All agendas, staff reports, approved minutes, and resolutions adopted by the Planning
- 4 Commission and City Council relating to the proposed Project, including all documents
- 5 incorporated by reference therein, as well as comments received after the close of the
- 6 comment period and responses thereto. Additionally, matters of common knowledge to
- 7 the City, including but not limited to applicable federal, state, and local laws and
- 8 regulations as well as any documents expressly cited in these Findings.
- 9 8. All other public reports, documents, studies, memoranda, maps, or other planning
- 10 documents relating to the Project, the DEIR, or the FEIR, prepared by the City, consultants
- 11 to the City, or responsible or trustee agencies.

1.4 Custodian and Location of Records

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the City of Rialto Development Services Department, Planning Division, as the lead agency, is the custodian of the records related to the EIR and Project. These documents, which constitute the record of proceedings, are and at all relevant times have been and will be available for public review during normal business hours at:

City of Rialto
Development Services Department, Planning Division
150 South Palm Avenue
Rialto, California 92376

1.5 CEQA Findings of Independent Judgment, Review and Analysis

Under CEQA, the lead agency must (1) independently review and analyze the EIR; (2) circulate draft documents that reflect its independent judgment; (3) as part of the certification of an EIR, find that the report or declaration reflects the independent judgment of the lead agency; and (4) submit copies of the documents to the State Clearinghouse if there is state agency involvement or if the project is of statewide, regional, or area-wide significance (PRC § 21082.1(c)).

The PRC sections referenced in this section govern key procedural and substantive requirements under CEQA:

- **PRC § 21081:** Prohibits a public agency from approving a project with significant environmental effects unless the agency makes specific findings to address those effects. The agency must determine that (1) changes or alterations have been incorporated to mitigate the effects, (2) another agency with jurisdiction has or should adopt the necessary changes, or (3) mitigation is infeasible due to economic, legal, social, technological, or other considerations. If mitigation is deemed infeasible under (3), the

agency must also adopt a Statement of Overriding Considerations, concluding that the project's benefits outweigh its significant environmental impacts.

- **PRC § 21081.5:** Establishes that these findings must be supported by substantial evidence in the administrative record.
- **PRC § 21081.6:** Mandates the adoption of a Mitigation Monitoring and Reporting Program MMRP to ensure compliance with required mitigation measures.

The Findings contained in this document reflect the City's conclusions, as required pursuant to CEQA, for the Project. The City has exercised independent judgment, in accordance with PRC § 21082.1(c)(3), in the preparation of the DEIR, the review of materials prepared by the Project Applicant and its consultants, and the preparation of the Final EIR based on comments received during the public comment process.

Having received, reviewed, and considered the information in the DEIR and FEIR, as well as any and all other information in the record, the City hereby makes these Findings pursuant to and in accordance with PRC §§ 21081, 21081.5, and 21081.6.

Section 2.0: Project Description

2.1 Project Location

The Project site is located within the City of Rialto (City or Lead Agency), San Bernardino County. The Project site is situated at 249 East Santa Ana Avenue, east of South Riverside Avenue and south of Interstate 10. The Project site is identified as San Bernardino County Assessor's Parcel Number (APN): 0258-141-18.

The Project property encompasses approximately 45.7 acres and features relatively flat topography, with elevations ranging from 900 to 955 feet above mean sea level (amsl). The site is generally rectangular in shape and is bordered by East Santa Ana Avenue to the north, Veolia Water North America to the east, and industrial land uses to the south and west.

2.2 Project Description

The Santa Ana Truck Terminal Project (Project) consists of the construction and operation of a truck terminal, including a 172,445 square-foot truck terminal building and an 18,700-square-foot maintenance shop. The Project will serve as a hub for logistics operations, including truck parking, loading, and maintenance.

Planned improvements to the site include the development of approximately 149 passenger vehicle parking spaces, 679 trailer parking spaces, and 100 tractor parking spaces, as detailed in Table 3-1 of Section 3.0, *Project Description*. Passenger vehicle parking would be located along the northwestern boundary of the Project site, trailer parking would occupy the eastern and central portions of the site, and tractor parking would be positioned in the northwestern corner. The Project also incorporates associated infrastructure, including stormwater management features, landscaping, and internal roadways. Additional features include the installation of energy-efficient lighting and compliance with applicable air quality mitigation measures, such as the use of zero-emission cargo-handling equipment.

The Project site has a City of Rialto General Plan (General Plan) land use designation of General Industrial. The General Industrial designation allows for a broad range of heavy industrial activities. The proposed uses of the Project are allowed under the General Plan designation for the project site. A Conditional Development Permit would be required for Project development, as a truck terminal is a conditionally permitted use within an industrial land use designation.

The Project site is zoned Agua Mansa Industrial Corridor Specific Plan within the City. Under the Agua Mansa Industrial Corridor Specific Plan (Specific Plan), the Project site is zoned as Heavy Industrial. The proposed Project aligns with the intended uses for this zone and integrates

sustainable design practices, including compliance with Title 24 energy standards and the potential installation of solar panels.

2.3 Discretionary Actions

City discretionary approvals required for the Project include, but may not be limited to:

1. **Certification of the Santa Ana Truck Terminal Project Final Environmental Impact Report.**
2. **Precise Plan of Design (PPD) (PPD 2023-0006):** The proposed Project includes the review of a PPD for one truck terminal and one maintenance shop totaling approximately 191,145 sf. The total site area is approximately 45.7 acres.
3. **Conditional Development Permit (CDP) (CDP 2023-0007):** The Project includes a CDP for the development of a truck terminal, which is considered a conditionally permitted use in industrial zones within the City.

In addition to the approvals identified above, the Project will require other discretionary and ministerial actions by the City as part of its implementation. These additional approvals include, but are not limited to, haul route permits, site development permits, grading permits, use permits, sign permits, and building permits.

2.4 Project Objectives

The following objectives have been identified for the proposed Project:

- Objective 1: Develop the property consistent with the guidelines and policies of the City of Rialto General Plan and more specifically, the Agua Mansa Industrial Corridor Specific Plan.
- Objective 2: Develop an industrial zoned site with land uses which meet current market demands.
- Objective 3: Create revenue-generating uses that provide reliable employment for the long term.
- Objective 4: Provide new buildings that are compatible with the surrounding industrial uses.
- Objective 5: Develop an industrial use consistent with current zoning in close proximity to designated truck routes and the State highway system to avoid or shorten truck-trip lengths on other roadways.
- Objective 6: Redevelop an underutilized property in accordance with Rialto Plant Reclamation Plan.

Section 3.0: CEQA General Findings

These Findings and facts in support of Findings are adopted by the City of Rialto in accordance with the requirements of CEQA and the CEQA Guidelines, including CEQA Guidelines Section 15091. In addition to the specific findings identified herein, the City Council hereby finds that:

1. Under CEQA, the City is the appropriate “Lead Agency” for the proposed Project, and during the Project’s CEQA proceedings, no other agency asserted or contested the City’s “Lead Agency” status.
2. As part of the CEQA process, and in compliance with the provisions of Senate Bill (SB) 18 and the Governor’s Office of Planning and Research’s (OPR) “Supplement to General Plan Guidelines – Tribal Consultation Guidelines” (2005), the Lead Agency:
 - o Notified appropriate California Native American tribes of the opportunity to conduct consultation for the purpose of preserving or mitigating impacts to cultural places.
 - o Referred the proposed action to tribes listed on the Native American Heritage Commission (NAHC) contact list that have traditional lands within the agency’s jurisdiction.
 - o Sent notice to tribes that have filed a written request for such notice.
3. In compliance with the provisions of Assembly Bill (AB) 52, the Lead Agency:
 - o Notified California Native American tribes who have requested notification of CEQA actions subject to AB 52.
 - o Initiated and conducted consultation with the Gabrieleno Band of Mission Indians – Kizh Nation, the only tribe that responded to the consultation notice.
4. Copies of the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR), and Notice of Completion (NOC) were provided to Responsible Agencies identified in the FEIR, and each such agency was given a specified review period to submit comments.
5. In compliance with CEQA Section 21092.5(a), at least 10 days prior to certification of the FEIR, the Lead Agency provided its written proposed responses to public agencies that submitted comments on the DEIR.
6. The FEIR and all environmental notices associated therewith were prepared in compliance with CEQA, the State CEQA Guidelines, and the City’s local guidelines and procedures.

7. The City Council independently reviewed and analyzed the FEIR, and the FEIR reflects the independent judgment of the City Council.
8. A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the proposed Project, identifying feasible mitigation measures adopted by the City Council to reduce the potential environmental effects of the proposed Project to the maximum extent feasible.
9. The mitigation measures adopted by the City Council will be fully implemented in accordance with the MMRP, compliance will be documented, and each measure can reasonably be expected to achieve the post-mitigation consequences assumed in the FEIR.
10. The City has determined that neither the comments received nor the responses thereto add significant new information under CEQA Guidelines Section 15088.5 that would require recirculation of the FEIR prior to certification.
11. Copies of all documents incorporated by reference in the FEIR are, and have been, available for review during regular business hours at the City's Development Services Department. The custodian of records for these documents is the Development Services Department of the City of Rialto.

Because the EIR identified significant effects that may occur as a result of the Project, and in accordance with the provisions of the CEQA Guidelines presented above, the City hereby adopts these Findings as part of the Project approval. These Findings constitute the City's best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with CEQA requirements.

The Findings and determinations contained herein are based on substantial evidence, both oral and written, contained in the record related to the Project and the EIR. These Findings constitute the independent findings and determinations of the City in all respects and are fully supported by substantial evidence in the record.

Although the Findings below identify specific sections of the EIR in support of various conclusions, the City incorporates by reference and adopts as its own the reasoning and analysis set forth in the EIR. The City relies on this reasoning, even where not explicitly cited, to reach the conclusions contained herein. This is especially true with respect to the City's adoption of all mitigation measures recommended in the EIR and the reasoning provided in the responses to comments in the EIR.

The City further intends that if these Findings fail to cross-reference or incorporate by reference any part of the record, all required Findings shall still be deemed made if they appear in any

portion of these Findings or elsewhere in the record. The EIR, comments and responses to comments, and all appendices are hereby fully incorporated herein by this reference.

Section 4.0: Findings Regarding the Significant or Potentially Significant Environmental Effects of the Proposed Project Which Cannot Feasibly Be Mitigated to Below a Level of Significance

This section identifies the significant unavoidable impacts that require a statement of overriding considerations to be issued by the City, pursuant to Section 15093 of the CEQA Guidelines, if the Project is approved. Based on the analysis contained in the DEIR, the following impacts have been determined to fall within the “significant unavoidable impacts” category:

4.1 Air Quality

The Project will result in operational emissions of nitrogen oxides (NO_x) that exceed the South Coast Air Quality Management District’s (SCAQMD) regional significance thresholds. The Project will also contribute to cumulative air quality impacts in an area already classified as nonattainment for ozone and particulate matter (PM_{2.5}).

The EIR concludes that operational activities, including truck trips, maintenance operations, and idling, will generate NO_x emissions exceeding 55 pounds per day, the SCAQMD threshold for regional significance. These emissions contribute to the formation of ozone, a pollutant with adverse effects on respiratory health.

The SCAQMD threshold for NO_x is 55 pounds per day. The Project’s operational emissions, even after mitigation, exceed this threshold due to the nature of heavy-duty truck operations associated with logistics facilities. Thus, even with the implementation of feasible mitigation measures, the Project’s NO_x emissions cannot be reduced to below the threshold due to the intensity and scale of logistics operations inherent to the Project.

Mitigation Measures Considered:

- **MM AIR-1:** Prior to the issuance of a tenant occupancy permit, the Planning Department shall confirm that the Project plans and specifications show the following:
 - All outdoor cargo handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, and forklifts) are zero emission/powered by electricity. Each building shall include the necessary charging stations for cargo handling equipment. Note that SCAQMD Rule 2305 (Warehouse Indirect Source Rule) Warehouse Actions and Investments to Reduce Emissions (WAIRE) points may be earned for electric/zero emission yard truck/hostler usage. This mitigation measure applies only to tenant improvements and not the building shell approvals.

- All standard emergency generators shall meet California Air Resources Board Tier 4 Final emissions standards. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification) and CARB or SCAQMD operating permit (if applicable) shall be provided to the City.
- **MM TRF-1:** Prior to issuance of building permits, the Project applicant shall develop a Transportation Demand Management (TDM) Plan with TDM measures in coordination with the City of Rialto staff. The TDM plan shall be approved by the City prior to the issuance of building permits.
- Compliance with Agua Mansa Industrial Corridor Specific Plan air quality mitigation measures:
 - **Agua Mansa Mitigation Measure 2:** Individual industrial users should take all reasonable steps to encourage employees to car-pool rather than utilizing one vehicle per employee. Typical measures which can be taken by employers include: Designation of preferential parking areas which may be used only by employees engaged in car-pooling. b. Employers should be encouraged to institute vanpooling programs to reduce the number of vehicles driven by employees.
 - **Agua Mansa Mitigation Measure 4:** To minimize dust during construction activities, periodic soil wetting should be utilized.

Finding:

Despite implementing these mitigation measures, the residual emissions of NO_x remain significant and unavoidable due to the substantial truck activity required for the Project's operation. Furthermore, cumulative impacts on regional air quality from logistics facilities in the Inland Empire exacerbate this issue.

The City adopts **Finding 3** for this impact. Specific economic and logistical considerations, including the essential role of logistics operations in the regional and national supply chain, make further mitigation infeasible. As such, this impact remains significant and unavoidable.

Facts in Support of Findings: The following facts are presented in support of this finding:

- Project-related and cumulative air quality impacts are addressed in Section 4.2, *Air Quality* of the DEIR and in **Appendix B** (Air Quality and Greenhouse Gas Emission Calculations). This analysis is incorporated by reference herein.
- Operations of the proposed Project have the potential to create air quality impacts through combustion sources associated with truck traffic, idling, and warehouse

- All standard emergency generators shall meet California Air Resources Board Tier 4 Final emissions standards. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification) and CARB or SCAQMD operating permit (if applicable) shall be provided to the City.
- **MM TRF-1:** Prior to issuance of building permits, the Project applicant shall develop a Transportation Demand Management (TDM) Plan with TDM measures in coordination with the City of Rialto staff. The TDM plan shall be approved by the City prior to the issuance of building permits.
- Compliance with Agua Mansa Industrial Corridor Specific Plan air quality mitigation measures:
 - **Agua Mansa Mitigation Measure 2:** Individual industrial users should take all reasonable steps to encourage employees to car-pool rather than utilizing one vehicle per employee. Typical measures which can be taken by employers include: Designation of preferential parking areas which may be used only by employees engaged in car-pooling. b. Employers should be encouraged to institute vanpooling programs to reduce the number of vehicles driven by employees.
 - **Agua Mansa Mitigation Measure 4:** To minimize dust during construction activities, periodic soil wetting should be utilized.

Finding:

Despite implementing these mitigation measures, the residual emissions of NO_x remain significant and unavoidable due to the substantial truck activity required for the Project's operation. Furthermore, cumulative impacts on regional air quality from logistics facilities in the Inland Empire exacerbate this issue.

The City adopts **Finding 3** for this impact. Specific economic and logistical considerations, including the essential role of logistics operations in the regional and national supply chain, make further mitigation infeasible. As such, this impact remains significant and unavoidable.

Facts in Support of Findings: The following facts are presented in support of this finding:

- Project-related and cumulative air quality impacts are addressed in Section 4.2, *Air Quality* of the DEIR and in **Appendix B** (Air Quality and Greenhouse Gas Emission Calculations). This analysis is incorporated by reference herein.
- Operations of the proposed Project have the potential to create air quality impacts through combustion sources associated with truck traffic, idling, and warehouse

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3 operations. These activities result in emissions of nitrogen oxides (NO_x), a precursor to
4 ozone formation, which contribute to adverse regional air quality conditions.

- 5 • In order to lessen the effects of this impact, the City adopts the following mitigation
6 measures identified and analyzed in the DEIR and FEIR:

- 7 o **MM AIR-1:** Prior to the issuance of a tenant occupancy permit, the Planning
8 Department shall confirm that the Project plans and specifications
9 show the following:

- 10 ▪ All outdoor cargo handling equipment (including yard trucks,
11 hostlers, yard goats, pallet jacks, and forklifts) are zero
12 emission/powered by electricity. Each building shall include the
13 necessary charging stations for cargo handling equipment. Note
14 that SCAQMD Rule 2305 (Warehouse Indirect Source Rule)
15 Warehouse Actions and Investments to Reduce Emissions (WAIRE)
16 points may be earned for electric/zero emission yard truck/hostler
17 usage. This mitigation measure applies only to tenant
18 improvements and not the building shell approvals.

- 19 ▪ All standard emergency generators shall meet California Air
20 Resources Board Tier 4 Final emissions standards. A copy of each
21 unit's Best Available Control Technology (BACT) documentation
22 (certified tier specification) and CARB or SCAQMD operating permit
23 (if applicable) shall be provided to the City.

- 24 o **MM TRF-1:** Prior to issuance of building permits, the Project applicant shall
25 develop a Transportation Demand Management (TDM) Plan with TDM
26 measures in coordination with the City of Rialto staff. The TDM plan
27 shall be approved by the City prior to the issuance of building permits.

- 28 • Despite the incorporation of these mitigation measures, operational emissions of NO_x will
exceed the SCAQMD's regional significance threshold of 55 pounds per day. The majority
of emissions are associated with heavy-duty diesel trucks, and while mitigation measures
effectively reduce emissions, they cannot reduce them to levels considered less than
significant.

- The cumulative air quality impacts of the Project also remain significant and unavoidable
due to the regional nonattainment status for ozone and particulate matter (PM_{2.5}) in the
South Coast Air Basin. The Project contributes incrementally to this cumulative condition,
particularly through operational truck traffic emissions.

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- With implementation of **MM AIR-1** and **MM TRF-1**, NO_x emissions will be reduced but will still exceed the regional significance threshold of 55 pounds per day. Consequently, a significant operational air quality impact remains unavoidable.
- The significant Project-specific and cumulative impacts related to operational air quality emissions are determined to be acceptable because they are substantially outweighed by the overriding economic, social, and environmental benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 7.0 below.

4.2 Greenhouse Gas (GHG) Emissions

The Project will result in operational greenhouse gas (GHG) emissions that exceed the threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO₂e) per year, as established in the South Coast Air Quality Management District (SCAQMD) GHG significance thresholds. The Project will also contribute to cumulative GHG emissions, conflicting with California's greenhouse gas reduction goals under Senate Bill (SB) 32 and Executive Orders S-3-05 and B-55-18.

The EIR concludes that operational activities, including truck trips, energy use, and maintenance operations, will generate GHG emissions that exceed the significance threshold. These emissions contribute to global climate change, an issue of statewide and international concern. The threshold of 3,000 MTCO₂e per year was established to align with California's GHG reduction targets, and exceedance of this threshold indicates that the Project will hinder the State's ability to achieve its 2030 and 2045 GHG reduction goals.

Although the Project incorporates feasible mitigation measures to reduce GHG emissions, including energy efficiency measures and renewable energy installation, the intensity of truck operations and associated energy use prevents the Project from reducing emissions below the threshold.

Mitigation Measures Considered:

- **MM GHG-1:** Prior to the issuance of a building permit, the Project shall install solar photovoltaic (PV) panels or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable sources, that would provide 100 percent of the anticipated electricity demand (i.e., the Title 24 electricity demand and the plug-load, anticipated to be approximately 4.62 kilowatt hours per year [kWh/year] per square foot for warehouse uses, 17.53 kWh/year/sf for office uses, 9.54

kWh/year/sf for automobile care centers, and 38.16 kWh/year/acre for parking lots¹).

With anticipated energy consumption at approximately 2.3 million kWh per year, a PV panel array covering approximately one third of the proposed truck terminal roof space would provide sufficient on-site renewable energy generation to offset consumption.² The final PV generation facility size requires approval by Southern California Edison (SCE). SCE's Rule 21 governs operating and metering requirements for any facility connected to SCE's distribution system. Should SCE limit the off-site export, the proposed Project may utilize a battery energy storage system (BESS) to lower off-site export while maintaining on-site renewable generation to off-set consumption.

- **MM GHG-2:** Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the City demonstrating the following:
 - The Project shall be designed to achieve Leadership in Energy and Environmental Design (LEED) certification to meet or exceed CALGreen Tier 2 standards in effect at the time of building permit application in order to exceed 2022 Title 24 energy efficiency standards.
 - The Project shall provide facilities to support electric charging stations per the Tier 2 standards in Section A5.106.5.3 (Nonresidential Voluntary Measures) of the 2022 CALGreen Code.
- **MM GHG-3:** The development shall divert a minimum of 75 percent of landfill waste. Prior to issuance of certificate of tenant occupancy permits, a recyclables collection and load area shall be constructed in compliance with City standards for recyclable collection and loading areas. This mitigation measure applies only to tenant permits and not the building shell approvals. The diversion plan shall also comply with the established solid waste and recycling laws including AB 939 and AB 341.
- **MM GHG-4:** Prior to the issuance of an occupancy permit, the Project Applicant or successor in interest shall provide documentation to the City demonstrating that low water use landscaping and water-efficient (e.g., drip irrigation) systems would be installed.

¹ The expected electricity demand is based on CalEEMod; refer to Appendix B.

² Estimated solar generation potential estimated using the National Renewable Energy Laboratory PVWatt Calculator:
<https://pvwatts.nrel.gov/pvwatts.php>.

Finding:

Despite implementing these mitigation measures, the residual GHG emissions remain significant and unavoidable due to the inherent reliance on heavy-duty trucks and the energy-intensive operations of the truck terminal facility. Cumulatively, the Project contributes to GHG emissions in a manner inconsistent with the statewide GHG reduction goals.

The City adopts **Finding 3** for this impact. Specific economic and operational considerations, including the essential role of logistics in supporting regional employment and economic growth, make further mitigation infeasible. Therefore, this impact remains significant and unavoidable.

Facts in Support of Findings:

The following facts are presented in support of this finding:

- Project-related and cumulative GHG impacts are addressed in Section 4.3 (*Greenhouse Gas Emissions*) of the DEIR and in **Appendix B** (Air Quality and Greenhouse Gas Emission Calculations). This analysis is incorporated by reference herein.
- The Project's operations, including truck traffic, energy use, and maintenance activities, generate GHG emissions that exceed the SCAQMD threshold of 3,000 MTCO₂e per year. These emissions contribute to global climate change, which adversely impacts ecosystems, public health, and economic stability.
- In order to lessen the effects of this impact, the City adopts the following mitigation measures identified and analyzed in the DEIR and FEIR:

- **MM GHG-1:** Prior to the issuance of a building permit, the Project shall install solar photovoltaic (PV) panels or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable sources, that would provide 100 percent of the anticipated electricity demand (i.e., the Title 24 electricity demand and the plug-load, anticipated to be approximately 4.62 kilowatt hours per year [kWh/year] per square foot for warehouse uses, 17.53 kWh/year/sf for office uses, 9.54 kWh/year/sf for automobile care centers, and 38.16 kWh/year/acre for parking lots³).

With anticipated energy consumption at approximately 2.3 million kWh per year, a PV panel array covering approximately one third of the proposed truck terminal roof space would provide sufficient on-site

³ The expected electricity demand is based on CalEEMod; refer to **Appendix B**.

renewable energy generation to offset consumption.⁴ The final PV generation facility size requires approval by Southern California Edison (SCE). SCE's Rule 21 governs operating and metering requirements for any facility connected to SCE's distribution system. Should SCE limit the off-site export, the proposed Project may utilize a battery energy storage system (BESS) to lower off-site export while maintaining on-site renewable generation to off-set consumption.

- o **MM GHG-2:** Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the City demonstrating the following:

- The Project shall be designed to achieve Leadership in Energy and Environmental Design (LEED) certification to meet or exceed CALGreen Tier 2 standards in effect at the time of building permit application in order to exceed 2022 Title 24 energy efficiency standards.
- The Project shall provide facilities to support electric charging stations per the Tier 2 standards in Section A5.106.5.3 (Nonresidential Voluntary Measures) of the 2022 CALGreen Code.

- o **MM GHG-3:** The development shall divert a minimum of 75 percent of landfill waste. Prior to issuance of certificate of tenant occupancy permits, a recyclables collection and load area shall be constructed in compliance with City standards for recyclable collection and loading areas. This mitigation measure applies only to tenant permits and not the building shell approvals. The diversion plan shall also comply with the established solid waste and recycling laws including AB 939 and AB 341.

- o **MM GHG-4:** Prior to the issuance of an occupancy permit, the Project Applicant or successor in interest shall provide documentation to the City demonstrating that low water use landscaping and water-efficient (e.g., drip irrigation) systems would be installed.

- Despite these mitigation measures, the Project's operational emissions remain significant and unavoidable because the emissions associated with logistics and trucking activities

⁴ Estimated solar generation potential estimated using the National Renewable Energy Laboratory PVWatt Calculator:
<https://pvwatts.nrel.gov/pvwatts.php>.

cannot feasibly be reduced below the 3,000 MTCO₂e threshold. This is primarily due to the scale and nature of the Project's truck terminal operations.

- The cumulative GHG emissions of the Project also remain significant, as the Inland Empire region has a high concentration of logistics facilities that contribute incrementally to global climate change. The Project adds to this cumulative condition through its truck and energy-related emissions.
- The significant Project-specific and cumulative impacts related to GHG emissions are determined to be acceptable because they are substantially outweighed by the overriding economic, social, and environmental benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 7.0 below.

4.3 Transportation

The Project will result in vehicle miles traveled (VMT) per employee exceeding the San Bernardino Countywide VMT threshold established to align with California's greenhouse gas and transportation efficiency goals. The Project will also contribute to cumulative transportation impacts, particularly through its reliance on regional and long-haul trucking operations.

The EIR concludes that the logistics nature of the Project generates inherently high VMT due to employee commuting and truck trips associated with warehouse operations. The exceedance of the Countywide VMT threshold conflicts with regional efforts to reduce vehicle emissions and traffic congestion. Although feasible mitigation measures have been identified and incorporated, the operational characteristics of the truck terminal facility prevent the Project from reducing its VMT below significant levels.

Mitigation Measures Considered:

- **Standard Conditions:** The Project is subject to the City's citywide traffic impact fee program and will pay applicable DIF fees toward the Riverside Avenue Widening Project. The fees paid by the Project Applicant will be collected by the City and used toward the Riverside Avenue Widening Project, as identified in Measure 1 of the 2018 Nexus Study Item "Widen Riverside Avenue from South City Limit to Slover Avenue from 4 lanes to 6 lanes". To the extent that a mitigation measure is included in an existing fee program. The Project's payment of impact fees can be used to offset the costs of implementing the mitigation measures. In addition, the Project may be required to construct a needed improvement in advance of the City's receipt of full funding in which case the improvement may be subject to a reimbursement agreement, to allow the Project to recoup costs from future development.

- **SC TRA-1A: South Riverside Avenue at I-10 Eastbound Ramps.** The Project Applicant shall contribute on a fair-share basis to costs associated with the widening of South Riverside Avenue at I-10 Eastbound Ramps. These improvements align with the recommendations in Measure I of the 2018 Nexus Study Item “Widen Riverside Avenue from South City Limit to Slover Avenue from 4 lanes to 6 lanes”.
- **SC TRA-1B: South Riverside Avenue at Solver Avenue.** The Project Applicant shall contribute on a fair-share basis to costs associated with the widening of South Riverside Avenue at Slover Avenue. These improvements are consistent with the recommendations in Measure I of the 2018 Nexus Study Item “Widen Riverside Avenue from South City Limit to Slover Avenue from 4 lanes to 6 lanes”.
- **Project Mitigation Measures:**
 - **MM TRF-1:** Prior to issuance of building permits, the Project Applicant shall develop a Transportation Demand Management (TDM) Plan with TDM measures in coordination with the City of Rialto. The TDM Plan shall include measures designed to reduce transportation impacts and shall be approved by the City prior to the issuance of building permits.

Finding:

Despite the incorporation of feasible mitigation measures, the Project’s VMT impacts remain significant and unavoidable due to the operational characteristics of a logistics facility and the regional nature of truck transportation. Cumulatively, the Project adds to VMT impacts in an area already experiencing significant transportation challenges.

The City adopts **Finding 3** for this impact. Specific economic and logistical considerations, including the essential role of logistics facilities in regional goods movement and employment, make further mitigation infeasible. Therefore, this impact remains significant and unavoidable.

Facts in Support of Findings:

The following facts are presented in support of this finding:

- Project-related and cumulative transportation impacts are addressed in Section 4.4, **Appendix O (Transportation)** of the DEIR. This analysis, as well as the underlying Traffic Study and VMT Appendices, is incorporated by reference herein.
- The Project’s VMT per employee exceeds the San Bernardino Countywide baseline threshold. This exceedance is primarily driven by:

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- Employee commuting patterns, as employees may travel long distances to work at the facility.
 - Regional and long-haul truck trips, which are fundamental to the logistics and goods movement industry.
- In order to lessen the effects of this impact, the City adopts the following mitigation measures identified and analyzed in the DEIR and FEIR:
 - **Standard Conditions:** The Project is subject to the City's citywide traffic impact fee program and will pay applicable DIF fees toward the Riverside Avenue Widening Project. The fees paid by the Project Applicant will be collected by the City and used toward the Riverside Avenue Widening Project, as identified in Measure I of the 2018 Nexus Study Item "Widen Riverside Avenue from South City Limit to Slover Avenue from 4 lanes to 6 lanes". To the extent that a mitigation measure is included in an existing fee program. The Project's payment of impact fees can be used to offset the costs of implementing the mitigation measures. In addition, the Project may be required to construct a needed improvement in advance of the City's receipt of full funding in which case the improvement may be subject to a reimbursement agreement, to allow the Project to recoup costs from future development.
 - **SC TRA-1A: South Riverside Avenue at I-10 Eastbound Ramps.** The Project Applicant shall contribute on a fair-share basis to costs associated with the widening of South Riverside Avenue at I-10 Eastbound Ramps. These improvements align with the recommendations in Measure I of the 2018 Nexus Study Item "Widen Riverside Avenue from South City Limit to Slover Avenue from 4 lanes to 6 lanes".
 - **SC TRA-1B: South Riverside Avenue at Slover Avenue.** The Project Applicant shall contribute on a fair-share basis to costs associated with the widening of South Riverside Avenue at Slover Avenue. These improvements are consistent with the recommendations in Measure I of the 2018 Nexus Study Item "Widen Riverside Avenue from South City Limit to Slover Avenue from 4 lanes to 6 lanes".
 - **MM TRF-1:** Prior to issuance of building permits, the Project Applicant shall develop a Transportation Demand Management (TDM) Plan with TDM

measures in coordination with the City of Rialto. The TDM Plan shall include measures designed to reduce transportation impacts and shall be approved by the City prior to the issuance of building permits.

- Despite these mitigation measures, the Project's operational VMT per employee remains significant and unavoidable due to the geographic constraints of the site and the fundamental characteristics of truck terminal operations.
- Cumulatively, the Project adds to regional VMT impacts in an area already experiencing significant transportation challenges. The Project contributes incrementally to traffic congestion and associated emissions in the Inland Empire, a major hub for goods movement.
- The significant Project-specific and cumulative impacts related to VMT are determined to be acceptable because they are substantially outweighed by the overriding economic, social, and environmental benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 7.0 below.

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3 **Section 5.0: Findings Regarding the Significant or Potentially**
4 **Significant Environmental Effects of the Proposed Project which can**
5 **Feasibly be Mitigated to Below a Level of Significance**

6 The FEIR identified that the proposed Project would result in the following significant effects
7 which, after application of feasible mitigation measures, and compliance with existing statutes,
8 regulations, uniform codes, and Project design features, will reduce these impacts to below a
9 level of significance.

10 **5.1 Biological Resources**

11 The Project would have potential impacts on special-status species and nesting birds during
12 construction, including temporary habitat disturbances and direct impacts to individual species.
13 However, with the implementation of mitigation measures, these impacts would be reduced to
14 less-than-significant levels.

15 **Significant Environmental Effect:**

16 Construction activities may result in temporary habitat disturbance and impacts to special-status
17 species, including burrowing owls, Crotch's bumblebee and nesting birds, due to vegetation
18 clearing and ground-disturbing activities.

19 **Mitigation Measures Considered:**

20 To address the identified impacts, the City adopts the following mitigation measures from the
21 EIR:

- 22
- 23 • **MM BIO-1A:** No less than 14 days prior to the onset of Project construction activities, a
24 qualified biologist shall survey the construction limits of the project site and a
25 500-foot buffer for the presence of burrowing owls and/or occupied nest
26 burrows. A second survey shall be conducted within 24 hours prior to the
27 onset of construction activities. The surveys shall be conducted in accordance
28 with the most current CDFW survey methods.

The project applicant shall submit at least one burrowing owl preconstruction
survey report to the satisfaction of the City and CDFW to document compliance
with this mitigation measure. For the purposes of this measure, 'qualified
biologist' is a biologist who meets the requirements set forth in the CDFW
BUOW Guidelines.

- **MM BIO-1B:** If BUOW are documented during pre-construction surveys, biological
monitoring will be performed to ensure unauthorized impacts on burrowing

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owl do not occur as a result of the Project. The definitive frequency and duration of monitoring shall be dependent on Project and project site conditions, such as the type of construction activity occurring, whether it is the breeding versus non-breeding season, if a burrowing owl has been recently documented on-site, and the efficacy of the exclusion buffers, as determined by a qualified biologist and in coordination with CDFW.

- **MM BIO-1C:** If burrowing owl is documented on-site or within 500-feet of the project site during either pre-construction surveys or biological monitoring, burrowing owl and occupied burrowing owl burrows shall not be disturbed. CDFW shall be contacted within 48 hours of the burrowing owl observation and disturbance avoidance buffers shall be set up immediately by a qualified biologist in accordance with the recommendations from CDFW. No work will occur within avoidance buffers until consultation with CDFW has occurred and/or applicable permits are issued, if required. If avoidance of burrowing owls is not possible, either directly or indirectly, an Incidental Take Permit (ITP) or a Burrowing Owl Relocation and Mitigation Plan (Plan) may be required. The Plan may also include a measure describing compensatory mitigation requirements as determined in coordination with CDFW. The project proponent will adhere to the conditions of the ITP and/or measures outlined in the Plan. If burrowing owl is no longer a candidate or listed species under CESA at the time of project construction, then an ITP may not be required.
- **MM BIO-2A:** Within one year prior to ground disturbing activities, a qualified biologist shall conduct active Crotch's bumble bee nest surveys during the typical colony active period (April – August) following survey guidelines provided in the CDFW's Survey Considerations for CESA Candidate Bumble Bee Species. The qualified biologist shall be familiar with Crotch's bumble bee identification and life history. If suspected or active Crotch's bumble bee nests are present, a qualified biologist shall establish an appropriate non-disturbance buffer around each nest immediately prior to initiation of construction activities using stakes and/or brightly colored flagging to avoid disturbance or incidental take of the species. If avoidance buffers are not feasible during construction activities, then CDFW shall be consulted and an Incidental Take Permit (ITP) may be required. If Crotch's bumble bee is no longer a candidate or listed species under CESA at the time of project construction, then these mitigation measures may not be required.

- **MM BIO-2B:** Within one year prior to ground disturbing activities, a qualified biologist shall survey suitable nectar plants for foraging Crotch's bumble bee during the typical flight season (February – October) following survey guidelines provided in the CDFW's Survey Considerations for CESA Candidate Bumble Bee Species (CDFW 2023). The qualified biologist shall be familiar with Crotch's bumble bee identification and life history. If occupied foraging habitat for Crotch's bumble bee is present within project impact areas, a Revegetation Plan shall be prepared which includes native shrubs and native seed mixes that contain known nectar sources for Crotch's bumble bee. The Revegetation Plan shall be developed in consultation with a qualified Crotch's bumble bee biologist and implemented following project construction.
- **MM BIO-3:** To avoid direct impacts on raptors and/or native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (generally February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, a qualified biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds in the proposed area of disturbance. The pre-construction survey shall be conducted within ten (10) calendar days prior to the start of construction activities (including removal of vegetation). If nesting birds are observed, a letter report or mitigation plan in conformance with applicable state and federal Law (i.e., appropriate follow up surveys, monitoring schedules, construction, and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the CDFW and/or USFWS, as applicable, for review and approval and implemented to the satisfaction of those agencies. The project biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the pre-construction survey, no further mitigation is required.

Finding:

The City finds that **Finding 1** applies to this impact. Changes or alterations have been incorporated into the Project, which mitigate or avoid the significant effects on the environment.

Facts in Support of Findings:

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The following facts are presented in support of this finding:

- Project-related impacts to biological resources are addressed in Section 4.3, **Appendix D (Biological Resources)** of the DEIR. This analysis is incorporated by reference herein.
- Construction activities have the potential to temporarily disturb habitat and directly impact special-status species and nesting birds. Without mitigation, these impacts would be significant.
- Implementation of **MM BIO-1A** through **MM BIO-3** ensures that pre-construction surveys are conducted, special-status species and active nests are identified and protected, and impacts to sensitive biological resources are avoided or minimized.
- With adherence to these measures, temporary disturbances to biological resources will be avoided or reduced to less-than-significant levels, consistent with the thresholds identified in the DEIR.

5.2 Cultural Resources

The Project could result in potential impacts to previously undiscovered cultural and archaeological resources during construction activities involving ground disturbance. However, with the implementation of mitigation measures, these impacts would be reduced to less-than-significant levels.

Significant Environmental Effect:

Ground-disturbing activities, including grading and excavation, could disturb previously undiscovered cultural or archaeological resources, resulting in a significant impact.

Mitigation Measures Considered:

To address the identified impacts, the City adopts the following mitigation measures from the EIR:

- **SC Cul-1:** California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within the project site, disturbance of the site shall be halted until the coroner has conducted an investigation into the circumstances, manner, and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the

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3 excavation, or to his or her authorized representative, in the manner provided
4 in Section 5097.98 of the Public Resources Code. If the coroner determines
5 that the remains are not subject to his or her authority and if the coroner
6 recognizes or has reason to believe the human remains to be those of a Native
7 American, he or she shall contact, by telephone within 24 hours, the Native
8 American Heritage Commission (NAHC). The NAHC will then identify the most
9 likely descendants (MLD) to be consulted regarding treatment and/or reburial
10 of the remains. If an MLD cannot be identified, or the MLD fails to make a
11 recommendation regarding the treatment of the remains within 48 hours after
12 gaining access to the remains, the property owner shall rebury the Native
13 American human remains and associated grave goods with appropriate dignity
14 on the property in a location not subject to further subsurface disturbance.

- 15 • **Agua Mansa Mitigation Measure 2:** The San Bernardino County Museum Association
16 recommends that at least some level of evaluation of potential impacts to
17 cultural resources be undertaken by a qualified archaeologist for every
18 proposed project within the Study Area due to the overall prehistoric and
19 early historic significance of the region.
- 20 • **Agua Mansa Mitigation Measure 3:** In instances where earth movement uncovers
21 potentially significant artifacts or fossils, work should be curtailed until a
22 qualified specialist is retained to evaluate the significance of any finds.
- 23 • **MM CUL-1: Retain a Qualified Archaeologist.** Prior to the issuance of any grading permits,
24 or any permit authorizing ground disturbance, the Project applicant shall,
25 meeting Secretary of Interior standards and to the satisfaction of the City
26 Planning Director, demonstrate that a qualified archaeologist has been
27 retained to respond on an as-needed basis to address unanticipated
28 archaeological discoveries. In the event that cultural resources are discovered
during Project activities, all work in the immediate vicinity of the find (within
a 60-foot buffer) shall cease and the archaeologist shall assess the find. Work
on the other portions of the project outside of the buffered area may continue
during this assessment period. Additionally, the Yuhaaviatam of San Manuel
Nation Cultural Resources Department (YSMN) shall be contacted, as detailed
within **MM TCR-1** (refer to Section 4.16, *Tribal Cultural Resource*, of this EIR),
regarding any pre-contact finds and be provided information after the
archaeologist makes his/her initial assessment of the nature of the find, so as
to provide Tribal input with regards to significance and treatment. **MM CUL-2:**
If significant pre-contact cultural resources, as defined by CEQA, are

discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the draft of which shall be provided to YSMN for review and comment, as detailed within **MM TCR-1** (Refer to Section 4.16, *Tribal Cultural Resource*, of this EIR). The archaeologist shall monitor the remainder of the Project and implement the Monitoring Treatment Plan accordingly.

- **MM CUL-3:** If human remains of funerary object are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the Project.

Finding:

The City finds that **Finding 1** applies to this impact. Changes or alterations have been incorporated into the Project, which mitigate or avoid the significant effects on the environment.

Facts in Support of Findings:

The following facts are presented in support of this finding:

- Project-related impacts to cultural resources are addressed in Section 4.4, **Appendix E (Cultural Resources)** of the DEIR. This analysis is incorporated by reference herein.
- Ground-disturbing activities during construction could result in the unintentional discovery of cultural or archaeological resources, which would constitute a significant impact if left unmitigated.
- Implementation of **MM CUL-1** and **MM CUL-2** ensuring that a qualified archaeologist will monitor construction activities and that any discovered resources will be appropriately assessed and managed.
- Implementation of **MM CUL-3** providing that if human remains of funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code § 7050.5 and that code enforced for the duration of the Project.
- The Project is subject to Standard Condition **SC Cul-1** and **Agua Mansa Mitigation Measures AMMM 2** and **AMMM 3** to further ensure the protection of cultural resources. SC Cul-1 mandates compliance with California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, which establish the process for handling

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inadvertent discoveries of human remains. AMMM 2 requires that a qualified archaeologist evaluate potential impacts to cultural resources for projects within the Study Area due to the region's overall prehistoric and early historic significance. AMMM 3 mandates that earth-moving activities be halted if significant artifacts or fossils are uncovered until a qualified specialist evaluates the find. Compliance with these measures ensures that potential impacts to cultural and archaeological resources are appropriately identified, assessed, and mitigated in accordance with applicable regulations.

- With adherence to these measures, potential impacts to cultural resources will be avoided or reduced to less-than-significant levels, consistent with the thresholds identified in the DEIR.

5.3 Geology and Soils

The Project could result in potential impacts related to soil erosion, loss of topsoil, and risks associated with seismic ground shaking during construction and operation. However, with the implementation of mitigation measures, these impacts would be reduced to less-than-significant levels.

Significant Environmental Effect:

Construction activities and long-term operations could result in soil erosion, sedimentation, and instability of soils on-site. Additionally, the site is located in a seismically active region, which may expose structures and workers to risks from seismic ground shaking.

Mitigation Measures Considered:

To address the identified impacts, the City adopts the following mitigation measures from the EIR:

- **MM GEO-1: Retain a Qualified Paleontologist.** Prior to the issuance of any grading permits, or any permit authorizing ground disturbance, the Project Applicant shall, to the satisfaction of the City Planning Director, demonstrate that a qualified paleontologist has been retained to respond on an as-needed basis to address unanticipated paleontological discoveries. In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the

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3 location of the find. If in consultation with the paleontologist, City staff and the Project
4 Applicant determine that avoidance is not feasible, the paleontologist shall prepare an
5 excavation plan for reducing the effect of the Project on the qualities that make the
6 resource important. The plan shall be submitted to the City for review and approval and
7 the Project Applicant shall implement the approval plan.

- 8 • SC GEO-1: The Applicant shall submit to the City of Rialto Community Development
9 Department and Public Works Department for review and approval, a site-specific,
10 design-level geotechnical investigation prepared for the project site by a registered
11 geotechnical engineer. The investigation shall comply with all applicable State and local
12 code requirements and:

13 a) Include an analysis of the expected ground motions at the site from known active faults
14 using accepted methodologies;

15 b) Determine structural design requirements as prescribed by the most current version of
16 the California Building Code, including applicable City amendments, to ensure that
17 structures can withstand ground accelerations expected from known active faults; and

18 c) Determine the final design parameters for walls, foundations, foundation slabs,
19 utilities, roadways, parking lots, sidewalks, and other surrounding related improvements.

20 Project plans for foundation design, earthwork, and site preparation shall incorporate all
21 of the mitigation in the site-specific investigations. The structural engineer shall review
22 the site-specific investigations, provide any additional necessary measures to meet
23 Building Code requirements, and incorporate all applicable recommendations from the
24 investigation in the structural design plans and shall ensure that all structural plans for
25 the Project meet current Building Code requirements.

26 The City's registered geotechnical engineer or third-party registered engineer retained to
27 review the geotechnical reports shall review each site-specific geotechnical investigation,
28 approve the final report, and require compliance with all geotechnical requirements
contained in the investigation in the plans submitted for the grading, foundation,
structural, infrastructure and all other relevant construction permits.

The City shall review all Project plans for grading, foundations, structural, infrastructure
and all other relevant construction permits to ensure compliance with the applicable
geotechnical investigation and other applicable Code requirements.

Finding:

The City finds that **Finding 1** applies to this impact. Changes or alterations have been incorporated into the Project, which mitigate or avoid the significant effects on the environment.

Facts in Support of Findings:

The following facts are presented in support of this finding:

- Project-related impacts to geology and soils are addressed in Section 4.5, **Appendix G (Geology and Soils)** of the DEIR. This analysis is incorporated by reference herein.
- Construction activities have the potential to cause soil erosion and sedimentation, particularly during grading and excavation. Additionally, the location of the Project in a seismically active area increases the risk of ground shaking.
- Implementation of **MM GEO-1** ensures that a qualified paleontologist is retained to address unexpected discoveries and compliance with the NPDES and local grading ordinances.
- To further reduce potential impacts associated with seismic activity, the Project would implement Standard Condition (SC) **GEO-1**, which would require the Project applicant to provide a site-specific, design-level geotechnical investigation for review and approval to the City of Rialto Community Development Department and Public Works Department.
- With adherence to these measures, potential impacts related to geology and soils will be avoided or reduced to less-than-significant levels, consistent with the thresholds identified in the DEIR.

5.4 Hazards and Hazardous Materials

The Project could result in potential impacts related to the use, handling, and transport of hazardous materials during construction and operations. However, with the implementation of mitigation measures, these impacts would be reduced to less-than-significant levels.

Significant Environmental Effect:

The use, storage, and transport of hazardous materials during construction and operations could result in accidental releases, posing risks to workers, nearby residents, and the environment.

Mitigation Measures Considered:

To address the identified impacts, the City adopts the following mitigation measures from the EIR:

- **Mitigation Measure 3:** Any toxic or hazardous wastes transported, processed, generated, or stored shall be handled in accordance with regulations established by the Environmental Protection Agency, the State Department of Health Services, and the South Coast Air Quality Management District. The transportation of toxic or hazardous substances through residential areas is strictly prohibited.

Finding:

The City finds that **Finding 1** applies to this impact. Changes or alterations have been incorporated into the Project, which mitigate or avoid the significant effects on the environment.

Facts in Support of Findings:

The following facts are presented in support of this finding:

- Project-related impacts related to hazards and hazardous materials are addressed in Section 4.7, **Appendix C (Hazards and Hazardous Materials)** of the DEIR. This analysis is incorporated by reference herein.
- Construction and operation of the Project involve the use of hazardous materials, such as fuels, lubricants, and cleaning agents. Without proper handling, these materials could pose risks to public health and the environment.
- Implementation of **Mitigation Measure 3** ensures that all toxic or hazardous wastes transported, processed, generated, or stored as part of the Project are handled in full compliance with regulations established by the Environmental Protection Agency, the State Department of Health Services, and the South Coast Air Quality Management District. Additionally, the prohibition on transporting toxic or hazardous substances through residential areas minimizes risks to public health and safety, ensuring that potential impacts are reduced to less-than-significant levels.
- With adherence to these measures, potential impacts related to hazards and hazardous materials will be avoided or reduced to less-than-significant levels, consistent with the thresholds identified in the DEIR.

5.5 Noise and Vibration

The Project could result in temporary noise impacts during construction activities that may exceed local noise standards and affect nearby sensitive receptors. However, with the

implementation of mitigation measures, these impacts would be reduced to less-than-significant levels.

Significant Environmental Effect:

Construction activities, including grading, excavation, and operation of heavy machinery, may generate noise levels that exceed City of Rialto noise standards, causing temporary disturbances to nearby sensitive receptors. Additionally, construction activities may generate groundborne vibration that could affect nearby structures and occupants.

Mitigation Measures Considered:

To address the identified impacts, the City adopts the following mitigation measures from the EIR:

- **Mitigation Measure 2:** Interior noise levels in residential and office structures shall not exceed 45 dBA.
- **Mitigation Measure 3:** Where necessary noise retardant measures should be incorporated into the design of industrial structures. Such measures include, but are not limited to, berms, noise attenuation walls, building insulation and the limitation of processing/manufacturing activities to enclosed buildings.
- **Mitigation Measure 4:** The noise standards promulgated by the local jurisdictions shall be adhered to. Each proposed use shall be reviewed for noise generation potential prior to approval..

Finding:

The City finds that **Finding 1** applies to this impact. Changes or alterations have been incorporated into the Project, which mitigate or avoid the significant effects on the environment.

Facts in Support of Findings:

The following facts are presented in support of this finding:

- Project-related impacts related to noise and vibration are addressed in Section 4.10, **Appendix N (Noise)** of the DEIR. This analysis is incorporated by reference herein.
- Construction activities, particularly during grading and excavation, may temporarily generate noise levels that exceed applicable standards and could disturb nearby sensitive receptors, such as residences and schools.
- Implementation of **Mitigation Measures 2, 3, and 4** ensures that noise impacts are minimized and that the Project adheres to local noise standards.

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- With adherence to these measures, potential noise and vibration impacts during construction will be avoided or reduced to less-than-significant levels, consistent with the thresholds identified in the DEIR.

5.6 Tribal Cultural Resources

The Project could result in potential impacts to undiscovered tribal cultural resources during construction activities involving ground disturbance. However, with the implementation of mitigation measures, these impacts would be reduced to less-than-significant levels.

Significant Environmental Effect:

Ground-disturbing activities, including grading and excavation, could disturb previously undiscovered tribal cultural resources, resulting in a significant impact.

Mitigation Measures Considered:

To address the identified impacts, the City adopts the following mitigation measures from the EIR:

- **MM TCR-1:** The Yuhaaviatam of San Manuel Nation (YSMN) Cultural Resources Management Department shall be contacted of any pre-contact cultural resources discovered during Project implementation and be provided information regarding the nature of the find, as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA, a Cultural Resources Monitoring and Treatment Plan shall be created by an archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the Project, should YSMN elect to place a monitor on-site..
- **MM TCR-2:** Any and all archaeological/cultural documents created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the Project applicant and the Lead Agency for dissemination to YSMN. The Lead Agency and/or Project applicant shall, in good faith, consult with YSMN throughout the life of the Project.

Finding:

The City finds that **Finding 1** applies to this impact. Changes or alterations have been incorporated into the Project, which mitigate or avoid the significant effects on the environment.

Facts in Support of Findings:

The following facts are presented in support of this finding:

- Project-related impacts to tribal cultural resources are addressed in Section 4.13, **Appendix E (Tribal Cultural Resources)** of the DEIR. This analysis is incorporated by reference herein.
- Ground-disturbing activities during construction could result in the unintentional discovery of tribal cultural resources, which would constitute a significant impact if left unmitigated.
- Implementation of **MM TCR-1** ensures that the YSMN is contacted promptly for consultation and that significant resources are managed appropriately through a Cultural Resources Monitoring and Treatment Plan.
- Implementation of **MM TCR-2** ensures that tribal cultural resources are documented and that the YSMN is consulted throughout the Project's lifecycle to address any cultural concerns.
- With adherence to these measures, potential impacts to tribal cultural resources will be avoided or reduced to less-than-significant levels, consistent with the thresholds identified in the DEIR.

Section 6.0: Areas Determined to Have No Impact or Less Than Significant Impacts

Consistent with CEQA Guidelines Sections 15126.2 and 15128, the EIR focuses on analyzing potentially significant impacts while providing a limited discussion of issue areas where the Project was determined to have no impact or a less-than-significant impact. CEQA Guidelines Section 15091 does not require specific findings for environmental effects categorized as “no impact” or “less than significant.” However, to ensure completeness and transparency, this section summarizes the areas where significant environmental effects are not anticipated.

Finding:

“The City Council finds that, based on substantial evidence in the record, the following environmental issue areas would result in either no impact or a less-than-significant impact, and therefore, no mitigation measures are required.”

6.1 Aesthetics

The Project site is located within an industrially zoned area of the City and is not within a designated scenic vista or scenic corridor under the City’s General Plan. The surrounding area consists primarily of industrial and commercial uses, including warehouses and distribution centers. The Project will not introduce new visual elements that are inconsistent with the existing character of the area and will be required to comply with the City’s design review process, ensuring compatibility with surrounding development. Additionally, the Project will incorporate landscaped buffers, perimeter fencing, and architectural features consistent with the City’s adopted design standards. Potential light and glare impacts will be minimized through compliance with the City’s lighting ordinance, which regulates the height, intensity, and shielding of outdoor lighting to prevent light trespass onto adjacent properties. Therefore, impacts to aesthetics are less than significant.

6.2 Population and Housing

The Project does not include residential uses and does not involve the displacement of existing housing or residents. The site is designated for industrial development under the City’s General Plan and Zoning Code, and the proposed use aligns with the intended land use.

Additionally, the Project will not induce unplanned population growth because it does not involve substantial employment generation that would attract new residents beyond existing housing demand projections. The Project is consistent with the regional growth forecasts established by the Southern California Association of Governments (SCAG) in its Regional Housing Needs Assessment (RHNA). Therefore, impacts to population and housing are less than significant.

6.3 Energy

The Project will comply with all applicable energy efficiency standards, including Title 24 of the California Building Standards Code and CALGreen requirements. The Project's buildings will be constructed with energy-efficient insulation, lighting, and HVAC systems in compliance with the latest California Energy Code.

Although the Project will require energy for operations, lighting, and truck transportation activities, it does not involve energy-intensive manufacturing or industrial processes that would result in excessive energy consumption. Furthermore, the Project will be subject to South Coast Air Quality Management District (SCAQMD) rules requiring the use of energy-efficient and low-emission equipment.

Given compliance with state-mandated energy efficiency regulations and the absence of wasteful, inefficient, or unnecessary energy use, impacts to energy consumption are less than significant.

6.4 Recreation

Because the Project does not include residential development, it will not generate new demand for parks or recreational facilities. Additionally, the Project site does not contain any existing recreational resources that would be displaced.

The City of Rialto's Parks and Recreation Master Plan does not identify the Project site as an area designated for public recreational use, nor does it propose the development of new parkland in the immediate vicinity of the site.

Given that no new demand for recreational facilities will be generated, and no existing recreational facilities will be affected, impacts to recreation are less than significant.

6.5 Public Services

The Project site is located within an urbanized, fully serviced area of the City with existing fire protection, police, and emergency response services. The City of Rialto Fire Department and Police Department currently provide service to the area, and response times to the site are within established performance standards.

While the Project will result in a nominal increase in demand for police and fire services, the increase is not substantial enough to require new or physically expanded facilities beyond those already planned for under the City's capital improvement programs. The Project applicant will be required to pay Development Impact Fees (DIFs) to contribute toward maintaining service levels for public safety.

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Given that the Project is consistent with the City’s General Plan growth assumptions and will not result in the need for new or expanded fire or police facilities, impacts to public services are less than significant.

Section 7.0: Findings Regarding Project Alternatives Not Selected for Implementation

As required by CEQA Guidelines Section 15126.6, the City's EIR described a range of reasonable and potentially feasible alternatives to the Project which would feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project, and evaluated the comparative merits of the alternatives in the EIR.

The DEIR considered three alternatives to the proposed Project, as follows:

1. **No Development Alternative**
2. **High-Cube Short-Term Storage Alternative**
3. **Business Park Alternative**

These alternatives are evaluated below based on their potential to avoid or substantially lessen significant impacts and their ability to meet the basic objectives of the proposed Project.

7.1 No Development Alternative

CEQA Guidelines Section 15126.6(e) requires the analyses of a "no project" alternative. Under this alternative, no development would occur on the Project site. The site would remain in its current vacant and disturbed condition with no construction or operational activities.

Findings:

The No Development Alternative would avoid all environmental impacts associated with the proposed Project, including significant and unavoidable impacts to air quality, greenhouse gases, and vehicle miles traveled (VMT). However, this alternative fails to meet any of the basic objectives of the proposed Project, which include providing a truck terminal facility to meet regional goods movement needs and supporting the local and regional economy. The failure of this alternative to achieve any of the Project objectives renders it infeasible.

Conclusion:

The City finds the No Development Alternative to be infeasible because it does not meet the basic objectives of the proposed Project.

The findings of the proposed Project set forth in this document and the overriding social, economic, and other issues set forth in the Statement of Overriding Considerations below provide support for the proposed Project and the elimination of this Alternative from further consideration.

7.2 High-Cube Short-Term Storage Alternative

Under this alternative, the Project site would be developed with a 500,000-square-foot high-cube short-term storage warehouse. This alternative reduces the scale of operations compared to the proposed Project and modifies the design to focus on short-term storage needs.

Findings:

The High-Cube Short-Term Storage Alternative would reduce impacts to air quality, greenhouse gases, and noise compared to the proposed Project due to fewer daily truck trips. However, significant and unavoidable impacts to VMT would remain due to the nature of regional goods movement activities. This alternative would meet most of the Project objectives, including providing a logistics facility to support regional goods movement and contributing to the local economy.

Conclusion:

The City finds the High-Cube Short-Term Storage Alternative to be feasible but does not select it for approval because it does not fully meet the operational needs and efficiencies of the proposed Project, which is specifically designed to serve as a truck terminal facility. Additionally, while this alternative reduces certain impacts, it does not avoid the significant and unavoidable VMT impacts.

Pursuant to CEQA Guidelines Section 15126.6(e)(2), the DEIR identifies the High-Cube Short-Term Storage Alternative as the Environmentally Superior Alternative because it reduces significant impacts to air quality, greenhouse gases, and noise compared to the proposed Project. However, this alternative still results in significant and unavoidable impacts to VMT. The No Development Alternative is environmentally superior in absolute terms because it avoids all environmental impacts, but it fails to meet any of the basic Project objectives and is therefore considered infeasible.

The findings of the proposed Project set forth in this document and the overriding social, economic, and other issues set forth in the Statement of Overriding Considerations below provide support for the proposed Project and the elimination of this Alternative from further consideration.

7.3 Business Park Alternative

Under this alternative, the Project site would be developed as a 500,000-square-foot business park consisting of multiple smaller warehouse/incubator buildings. This alternative shifts the focus of the site from logistics to mixed-use business activities, such as small-scale distribution and office space.

Findings:

The Business Park Alternative would reduce some impacts compared to the proposed Project, particularly in terms of air quality and greenhouse gases, as it would generate fewer emissions from truck trips. However, this alternative would still result in significant and unavoidable impacts to VMT. While this alternative meets most Project objectives, it does not provide the same level of operational efficiency and regional logistics support as the proposed Project.

Conclusion:

The City finds the Business Park Alternative to be feasible but does not select it for approval because it does not fully align with the operational goals of the proposed Project. Additionally, while this alternative reduces certain impacts, it does not avoid the significant and unavoidable VMT impacts.

The findings of the proposed Project set forth in this document and the overriding social, economic, and other issues set forth in the Statement of Overriding Considerations below provide support for the proposed Project and the elimination of this Alternative from further consideration.

Section 8.0: Statement of Overriding Considerations

8.1 Introduction

The City of Rialto is the Lead Agency under CEQA for preparation, review, and certification of the DEIR and FEIR for the Santa Ana Truck Terminal Project. As the Lead Agency, the City is also responsible for determining the potential environmental impacts of the proposed Project and which of those impacts are significant, and which can be mitigated through imposition of mitigation measures to avoid or minimize those impacts to a level of less than significant. CEQA then requires the Lead Agency to balance the benefits of a proposed action against its significant unavoidable adverse environmental impacts in determining whether or not to approve the proposed project. In making this determination, the City is guided by CEQA Guidelines Section 15093, which provides as follows:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

In addition, Public Resources Code Section 21081(b) requires that where a public agency finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in an EIR and thereby leave significant unavoidable effects, the public agency must also find that overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects of the project.

Pursuant to Public Resources Code Section 21081(b) and the State CEQA Guidelines Section 15093, the City has balanced the benefits of the proposed Project against the following unavoidable adverse impacts associated with the proposed Project and has adopted all feasible mitigation measures with respect to these impacts. The City also has examined alternatives to the proposed Project, none of which attain most of the Project objectives, would be feasible, or would be environmentally preferable to the proposed Project for the reasons discussed in Section 6.0 of these Findings and Facts in Support of Findings.

The City Council, having reviewed the DEIR and FEIR for the Santa Ana Truck Terminal Project, and reviewed all written materials within the City's public record and heard all oral testimony presented at public hearings, adopts this Statement of Overriding Considerations, which has balanced the benefits of the Project against its significant unavoidable adverse environmental impacts in reaching its decision to approve the Project.

8.2 Significant Unavoidable Adverse Environmental Impacts

As discussed in the DEIR and FEIR and summarized in Section 4.0 of these Findings, the Santa Ana Truck Terminal Project will result in certain significant and unavoidable adverse environmental impacts that cannot feasibly be mitigated to a less-than-significant level. These impacts are identified below:

1. Air Quality:

- The Project will result in operational emissions of nitrogen oxides (NO_x) that exceed the South Coast Air Quality Management District's (SCAQMD) regional significance thresholds. These emissions contribute to the formation of ozone and regional air quality degradation. Despite the implementation of all feasible mitigation measures, including the use of zero-emission or near-zero-emission trucks where feasible, NO_x emissions will remain significant and unavoidable due to the inherent nature of truck terminal operations.

2. Greenhouse Gas (GHG) Emissions:

- The Project's operational GHG emissions will exceed the significance threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO₂e) annually. These emissions conflict with California's GHG reduction goals under Senate Bill (SB) 32 and Executive Orders S-3-05 and B-55-18. Although mitigation measures to reduce energy consumption and improve operational efficiency are included, the emissions remain significant and unavoidable due to the intensity of truck operations.

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3 **3. Transportation:**

- 4 • The Project will result in vehicle miles traveled (VMT) per employee that exceeds
5 the San Bernardino Countywide VMT threshold. This impact is primarily due to the
6 nature of goods movement and the geographic distribution of logistics activities.
Even with mitigation measures, including traffic management strategies and
carpool programs, this impact cannot be reduced to less-than-significant levels.

7 While these significant unavoidable adverse environmental impacts cannot be fully mitigated,
8 the City has balanced these impacts against the benefits of the Project, as detailed in Section 7.3
9 below, and has determined that the benefits outweigh the adverse effects. The City of Rialto
10 finds that all feasible mitigation measures have been imposed to lessen Project impacts to less
11 than significant levels; and furthermore, that alternatives to the Project are infeasible because
while they have similar or less environmental impacts, they do not provide the benefits of the
project, or are otherwise socially or economically infeasible when compared to the Project, as
described herein.

12 **8.3 Overriding Considerations**

13 Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Section 15093, the City
14 of Rialto has balanced the significant unavoidable adverse environmental impacts of the Santa
15 Ana Truck Terminal Project against its economic, legal, social, technological, and other benefits.
The City finds that the benefits of the proposed Project outweigh its significant unavoidable
environmental effects, as detailed below:

16 **1. Economic Benefits:**

- 17 • **Job Creation:** The Project will generate substantial economic activity, including
18 construction jobs during the development phase and permanent operational jobs.
These jobs will directly support the local workforce and contribute to economic
19 stability within the City and surrounding region.
- 20 • **Increased Tax Revenues:** The Project will enhance the City's fiscal health through
21 increased property taxes, sales taxes, and other local revenue streams. These
revenues will support essential public services such as public safety, parks, and
infrastructure maintenance.
- 22 • **Economic Development:** The Project will solidify the City of Rialto's role as a
23 logistics hub in the Inland Empire, attracting related businesses and fostering long-
term economic growth.

- **Regional Traffic Infrastructure and Improvement Contribution:** The Project will contribute a one-time payment of \$1,500,000.00 to be utilized by the City at its discretion for regional traffic infrastructure and improvements.

- **Roadway Improvements to E. Santa Ana Avenue:** The Project will construct full-width improvements to E. Santa Ana Avenue from the Project's eastern property line west to the intersection of S. Riverside Avenue, excluding curb, gutter and sidewalk improvements except for the frontage of the Project site, which would improve safety for workers at the Project and others utilizing E. Santa Ana Avenue.

2. Social Benefits:

- **Support for Regional Supply Chains:** The Project will improve the efficiency of regional and national goods movement by providing a strategically located truck terminal. This will reduce transportation bottlenecks and support the Inland Empire's role as a vital logistics corridor.
- **Enhanced Quality of Life:** By optimizing goods movement, the Project will indirectly reduce inefficiencies in the transportation system, which benefits local communities through improved access to goods and services.

3. Technological Benefits:

- **Sustainability Measures:** The Project incorporates advanced sustainability practices, including provisions for zero-emission or near-zero-emission trucks, compliance with state-of-the-art energy efficiency standards, and the use of renewable energy systems where feasible.
- **Operational Efficiencies:** The Project design reflects the latest innovations in logistics operations, enabling more efficient handling and movement of goods.

4. Environmental Benefits:

- **Landscaping and Habitat Enhancement:** The Project includes extensive landscaping improvements that enhance the aesthetic and environmental quality of the site and surrounding area.
- **Regional GHG Reductions:** While the Project's emissions exceed thresholds, the efficiency gains in logistics operations support broader regional and state goals to reduce greenhouse gas emissions from inefficient goods movement activities.

5. Alignment with Planning Goals:

- **Specific Plan Consistency:** The Project transforms an underutilized site with an economically viable development that aligns with the goals of the Agua Mansa Industrial Corridor Specific Plan, which designates the site for industrial and logistics uses. This consistency ensures that the Project contributes to the orderly and planned development of the region.
- **General Plan Objectives:** The Project fulfills key objectives of the City's General Plan by promoting economic growth, creating employment opportunities, and enhancing industrial development in designated areas.

8.4 Conclusion

In conclusion, the City Council has identified substantial economic, social, and technological benefits, as well as critical public policy objectives, that will result from the implementation of the Santa Ana Truck Terminal Project. These Project characteristics will not only provide significant advantages to the City of Rialto and its residents but also offer benefits to surrounding communities and the broader region.

The City Council has carefully balanced these substantial economic and social benefits against the significant unavoidable adverse environmental effects of the proposed Project. The City Council recognizes that the Project's efficient goods movement infrastructure, job creation, increased revenue for public services, and alignment with regional planning objectives contribute to critical economic stability and growth for the City and the Inland Empire region.

Given these significant and far-reaching benefits, the City Council finds that the Santa Ana Truck Terminal Project's identified advantages outweigh its significant environmental impacts, and the Council hereby determines that these benefits override the Project's unavoidable adverse environmental effects.

RESOLUTION NO. 2025-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE CONDITIONAL DEVELOPMENT PERMIT NO. 2023-0007 ALLOWING THE DEVELOPMENT AND OPERATION OF A TRUCK TERMINAL FACILITY CONSISTING OF A 172,445 SQUARE FOOT CROSS-DOCK TRUCK TERMINAL BUILDING AND A 18,700 SQUARE FOOT FLEET MAINTENANCE BUILDING ON 45.7 ACRES OF LAND (APN: 0258-141-18) LOCATED ON THE SOUTH SIDE OF SANTA ANA AVENUE APPROXIMATELY 1,800 FEET EAST OF RIVERSIDE AVENUE WITHIN THE HEAVY INDUSTRIAL (H-IND) LAND USE DISTRICT OF THE AGUA MANSA SPECIFIC PLAN.

WHEREAS, the applicant, Crown Venture Holdings, LLC, (“Applicant”) proposes to develop and operate a truck terminal facility consisting of consisting of a 172,445 square foot cross-dock truck terminal building, a 18,700 square foot fleet maintenance building, and associated paving, landscaping, fencing, lighting, and drainage improvements (“Project”) on approximately 45.7 acres of land (APN: 0258-141-18) located on the south side of Santa Ana Avenue approximately 1,800 feet east of Riverside Avenue within the Heavy Industrial (H-IND) land use district of the Agua Mansa Specific Plan (“Site”); and

WHEREAS, the Project will consist of a 172,445 square foot cross-dock truck terminal building, an 18,700 square foot fleet maintenance building, two hundred eighty (280) dock-high loading doors, concrete screen walls, an abundant amount of landscaping, and full pedestrian and vehicle access; and

WHEREAS, Pursuant to Ordinance No. 1653, the Project requires a Conditional Development Permit, and the applicant has agreed to apply for Conditional Development Permit No. 2023-0007 (“CDP No. 2023-0007”); and

WHEREAS, in conjunction with the Project, the applicant has applied for Precise Plan of Design No. 2023-0006 (“PPD No. 2023-0006”) to facilitate the development of a 172,445 square foot cross-dock truck terminal building, an 18,700 square foot fleet maintenance building, and associated paving, landscaping, fencing, lighting, and drainage improvements on the Site; and

1 WHEREAS, on September 17, 2025, the Planning Commission of the City of Rialto
2 conducted a duly noticed public hearing, as required by law, on CDP No. 2023-0007 and PPD No.
3 2023-0006, took testimony, at which time it received input from staff, the city attorney, and the
4 applicant; heard public testimony; discussed the proposed CDP No. 2023-0007 and PPD No. 2023-
5 0006; and closed the public hearing; and

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

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

11 SECTION 2. Based on substantial evidence presented to the Planning Commission during
12 the public hearing conducted with regard to CDP No. 2023-0007, including written staff reports,
13 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
14 Planning Commission hereby determines that CDP No. 2023-0007 satisfies the requirements of
15 Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must be made
16 precedent to granting a conditional development permit, which findings are as follows:

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

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

21 The Site is asymmetrical-shaped, expansive in size, and vacant. The Project will develop
22 the highest and best use for the Site, in accordance with the Heavy Industrial (H-IND) land
23 use district of the Agua Mansa Specific Plan. Additionally, the Project will provide
employment opportunities within the City and reduce blight by implementing a use on
vacant, unimproved land.

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

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

27 The development of a truck terminal facility on the Site is consistent with the Heavy
28 Industrial (H-IND) land use designation of the Agua Mansa Specific Plan, which
conditionally permits the development and operation of truck terminal facilities. To the

1 north of the project site, across Santa Ana Avenue, is a pallet yard, operated by Select
2 Pallets, and to the east is an 82,000 square foot industrial warehouse building and Rialto
3 Water Service's Wastewater Treatment Plant. To the south is the Santa Ana River, and to
4 the west are various industrial developments and operations, including Holliday Rock, a
5 concrete mix supplier, and Ecology Auto Parts, auto-salvage and fleet maintenance
6 operations. The nearby area is designated for and completely developed with industrial
7 uses, and as a result, there are no sensitive land uses adjacent to or near the project site.
8 The project is not expected to negatively impact any uses with the successful
9 implementation of measures such as landscape buffering, the installation of solid screen
10 walls, aesthetic building enhancements, and other traffic related measures.

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

This finding is supported by the following facts:

The Site contains 45.7 acres, is asymmetrical-shaped, and adjacent one (1) public street, which will be able to accommodate the proposed use. The Project will have two (2) points of access via Santa Ana Avenue. A new 32-foot-wide driveway connected directly to Santa Ana Avenue on the west end of the project frontage will provide right-in/left-out access for both trucks and passenger vehicles. The other driveway on the east end of the site will also provide right-in/left-out access for trucks and passenger vehicles. In addition, the Site will have 149 passenger vehicle parking spaces, which exceeds the amount required by Table 13 (Off-Street Parking Requirements) of the Agua Mansa Specific Plan.

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

This finding is supported by the following facts:

The Site will have adequate access to all utilities and services required through main water, electric, sewer, and other utility lines that will be hooked up to the Site.

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

This finding is supported by the following facts:

As previously stated, the use is consistent with the Heavy Industrial (H-IND) land use designation of the Agua Mansa Specific Plan. A solid screen wall will be installed along the Santa Ana Avenue frontage such that none of the dock doors or truck loading areas will be visible from the public right-of-way, and the Site will have 149 passenger vehicle parking spaces, all of which comply with the General Plan, the Agua Mansa Specific Plan,

1 Ordinance No. 1653, and the City's Design Guidelines. A twenty-five (25) foot wide
2 landscaped setback will be provided along Santa Ana Avenue.

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

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

7 The Project's effects will be minimized through the implementation of the Conditions of
8 Approval contained herein, and through the implementation of Conditions of Approval
9 imposed by the City Council on the Precise Plan of Design, such as extensive landscaping,
10 solid screen walls, and enhanced architectural features. The development of a high-quality
11 industrial development will provide additional employment opportunities for residents and
12 visitors to the City. The Project will also serve to develop a piece of land, which has
13 remained undeveloped. The Project is consistent with the Heavy Industrial (H-IND) land
14 use district and the surrounding industrial land uses. The nearby area is designated for and
15 completely developed with industrial uses, and as a result, there are no sensitive land uses
16 adjacent to or near the project site. The project is not expected to negatively impact any
17 uses with the successful implementation of measures such as landscape buffering, the
18 installation of solid screen walls, aesthetic building enhancements, and other traffic related
19 measures. Therefore, any potential adverse effects are outweighed by the benefits conferred
20 upon the community and neighborhood as a whole.

21 SECTION 3. An Environmental Impact Report (Environmental Assessment Review No.
22 2023-0010) has been prepared for the proposed Project in accordance with the California
23 Environmental Quality Act (CEQA) and it has been determined that the Project will create
24 unavoidable significant impacts to air quality, greenhouse gas emissions, and transportation/traffic.
25 The Planning Commission has forwarded, or is forwarding, a recommendation to the City Council to
26 adopt the Environmental Impact Report prepared for the Project.

27 SECTION 4. The Planning Commission hereby recommends that the City Council approve
28 CDP No. 2023-0007, in accordance with the plans and application on file with the Planning Division,
subject to the following conditions:

1. The approval is granted allowing the development and operation of a truck terminal
facility consisting of a 172,445 square foot cross-dock truck terminal building and an
18,700 square foot fleet maintenance building on 45.7 acres of land (APN: 0258-141-18)
located on the south side of Santa Ana Avenue approximately 1,800 feet east of Riverside
Avenue, as shown on the plans attached as Exhibit A and as approved by the City Council.
If the Conditions of Approval specified herein are not satisfied or otherwise completed,
the project shall be subject to revocation.

2. City inspectors shall have access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes.
3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto, and/or any of its officials, officers, employees, agents, departments, agencies, and 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 dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the Project (collectively, the "Entitlements"), whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. This condition to indemnify, protect, defend, and hold the City harmless shall include, but not limited to (i) damages, fees and/or costs awarded against the City, if any, and (ii) cost of suit, attorneys' fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, Property owner, or the City and/or other parties initiating or bringing such proceeding (collectively, subparts (i) and (ii) are the "Damages"). Notwithstanding anything to the contrary contained herein, the Applicant shall not be liable to the City Parties under this indemnity to the extent the Damages incurred by any of the City Parties in such Action(s) are a result of the City Parties' fraud, intentional misconduct or gross negligence in connection with issuing the Entitlements. The applicant shall execute an agreement to indemnify, protect, defend, and hold the City harmless as stated herein within five (5) days of approval of CDP No. 2023-0007.
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 property owner(s) and building tenants shall always abide by all operational mitigation measures contained within the Mitigation Monitoring and Reporting Program associated with the Environmental Impact Report (Environmental Assessment Review No. 2023-0010) adopted for the Project.

- 1 6. The tenants within the buildings shall always conduct operations consistent with the
2 environmental analysis contained within the Environmental Impact Report
3 (Environmental Assessment Review No. 2023-0010) adopted for the Project.
- 4 7. The Project shall be limited to a maximum of 377 actual passenger car trips and 574 actual
5 truck trips daily, in accordance with Table 5 (Summary of Project Trip Generation) of the
6 Traffic Study prepared for the Project by Kimley-Horn and Associates, Inc. and dated
7 April 2023, which is attached hereto as Exhibit B.
- 8 8. The applicant, landlord, operator(s) and/or tenant(s) shall ensure that all inbound truck
9 traffic that requires temporary queuing or staging do so on-site. Inbound truck traffic shall
10 not queue or stage on any public street at any time. Activities on-site shall not operate in
11 such a manner that would impact traffic lanes, cause back up (queuing or staging) of
12 vehicles into the public-right-of-way, or create any unsafe conditions. Fire and Police
13 access and passage around trucks queuing or staging on-site shall be feasible at all times
14 and activities shall not block parking areas, access or passage for disabled persons or
15 emergency response vehicles.
- 16 9. The applicant, landlord, operator(s) and/or tenant(s) shall only park or store trucks and
17 trailers within designated truck and trailer parking spaces on-site. No trucks or trailers
18 shall be parked or stored within any public street or within any on-site drive-aisles or
19 passenger vehicle parking areas at any time.
- 20 10. The landlord and/or tenant(s) shall not store any product, goods, materials, etc. outside of
21 the building at any time, except for trucks, trailers, and vehicles associated with the
22 operation(s) conducted within the building, without prior approval of a separate
23 Conditional Development Permit in accordance with Chapter 18.104 (Outdoor Storage
24 Uses) of the Rialto Municipal Code.
- 25 11. Approval of CDP No. 2023-0007 will not become effective until the applicant has signed
26 a statement acknowledging awareness and acceptance of the required conditions of
27 approval contained herein.
- 28 12. 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 Heavy Industrial (H-IND) land use district, the Agua Mansa 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.
13. If the applicant fails to comply with any of the conditions of approval placed upon CDP
No. 2023-0007 or PPD No. 2023-0006, the Planning Commission may initiate
proceedings to revoke the conditional development permit in accordance with the
provisions of Sections 18.66.070 through 18.66.090, inclusive, of the Rialto Municipal
Code. CDP No. 2023-0007 may be revoked, suspended or modified in accordance with

1 Section 18.66.070 of the Zoning Ordinance at the discretion of the Planning
2 Commission if:

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

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

15 PASSED, APPROVED AND ADOPTED this 17th day of September, 2025.

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17 JERRY GUTIERREZ, CHAIR
18 CITY OF RIALTO PLANNING COMMISSION
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
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5 I, Heidy Gonzalez, Administrative Assistant of the City of Rialto, do hereby certify that the
6 foregoing Resolution No. **2025-21** was duly passed and adopted at a regular meeting of the Planning
7 Commission of the City of Rialto held on the 17th day of September 2025.

8 Upon motion of Commissioner Dale Estvander, second by Commissioner Frank Gonzalez,
9 foregoing Resolution No. **2025-21** was duly passed and adopted.
10

11 Vote on the motion:

12 AYES: 4 (Gutierrez, Peukert, Estvander, Gonzalez)

13 NOES: 0

14 ABSTENTION: 0

15 ABSENT: 1 (Gilbert)
16

17 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
18 Rialto this 17th day of September 2025.
19
20

21 

22 _____
23 Heidy Gonzalez
24 Administrative Assistant
25
26
27
28

RESOLUTION NO. 2025-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIALTO, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE PRECISE PLAN OF DESIGN NO. 2023-0006 ALLOWING THE DEVELOPMENT OF A TRUCK TERMINAL FACILITY CONSISTING OF A 172,445 SQUARE FOOT CROSS-DOCK TRUCK TERMINAL BUILDING, AN 18,700 FLEET MAINTENANCE BUILDING, AND ASSOCIATED PAVING, LANDSCAPING, FENCING, LIGHTING, AND DRAINAGE IMPROVEMENTS ON 45.7 ACRES OF LAND (APN: 0258-141-18) LOCATED ON THE SOUTH SIDE OF SANTA ANA AVENUE APPROXIMATELY 1,800 FEET EAST OF RIVERSIDE AVENUE WITHIN THE HEAVY INDUSTRIAL (H-IND) LAND USE DISTRICT OF THE AGUA MANSA SPECIFIC PLAN.

WHEREAS, the applicant, Crown Venture Holdings, LLC, ("Applicant") proposes to develop a truck terminal facility consisting of consisting of a 172,445 square foot cross-dock truck terminal building, a 18,700 square foot fleet maintenance building, and associated paving, landscaping, fencing, lighting, and drainage improvements ("Project") on approximately 45.7 acres of land (APN: 0258-141-18) located on the south side of Santa Ana Avenue approximately 1,800 feet east of Riverside Avenue within the Heavy Industrial (H-IND) land use district of the Agua Mansa Specific Plan ("Site"); and

WHEREAS, the Project will consist of a 172,445 square foot cross-dock truck terminal building, an 18,700 square foot fleet maintenance building, two-hundred eighty (280) dock-high loading doors, concrete screen walls, an abundant amount of landscaping, and full pedestrian and vehicle access; and

WHEREAS, Pursuant to Chapter 18.65 (Precise Plan of Design) of the Rialto Municipal Code, the Project requires a Precise Plan of Design, and the applicant agreed to apply for Precise Plan of Design No. 2023-0006 ("PPD No. 2023-0006"); and

WHEREAS, in conjunction with the Project, the applicant has applied for Conditional Development Permit No. 2023-0007 ("CDP No. 2023-0007") to facilitate the development and operation of a 172,445 square foot cross-dock truck terminal building and an 18,700 square foot fleet maintenance building on the Site; and

1 WHEREAS, on September 17, 2025, the Planning Commission of the City of Rialto
2 conducted a duly noticed public hearing, as required by law, on PPD No. 2023-0006 and CDP No.
3 2023-0007, took testimony, at which time it received input from staff, the city attorney, and the
4 applicant; heard public testimony; discussed the proposed PPD No. 2023-0006 and CDP No. 2023-
5 0007; and closed the public hearing; and

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

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

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

11 SECTION 2. Based on substantial evidence presented to the Planning Commission during
12 the public hearing conducted with regard to PPD No. 2023-0006, including written staff reports,
13 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
14 Planning Commission hereby determines that PPD No. 2023-0006 satisfies the requirements of
15 Section 18.65.020E of the Rialto Municipal Code pertaining to the findings which must be made
16 precedent to granting a Precise Plan of Design. The findings are as follows:

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

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

20 The Site has a General Plan land use designation of General Industrial with a Specific Plan
21 Overlay and a zoning designation of Agua Mansa Specific Plan. The Site's land use
22 designation within the Agua Mansa Specific Plan is Heavy Industrial (H-IND). Those
23 designations allow for the development and operation of truck terminal facilities, as
proposed by the Project. The Project, as conditioned herein, will comply with all City
ordinances and regulations, the H-IND land use district, and the Agua Mansa Specific Plan.

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

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

1 The Site is 45.7 acres in size, bound by one (1) public street (Santa Ana Avenue to the
2 north), and is within the Heavy Industrial (H-IND) land use district of the Agua Mansa
3 Specific Plan. To the north of the project site, across Santa Ana Avenue, is a pallet yard,
4 operated by Select Pallets, and to the east is an 82,000 square foot industrial warehouse
5 building and Rialto Water Service's Wastewater Treatment Plant. To the south is the Santa
6 Ana River, and to the west are various industrial developments and operations, including
7 Holliday Rock, a concrete mix supplier, and Ecology Auto Parts, auto-salvage and fleet
8 maintenance operations. The nearby area is designated for and completely developed with
9 industrial uses, and as a result, there are no sensitive land uses adjacent to or near the project
10 site. The project is not expected to negatively impact any uses with the successful
11 implementation of measures such as landscape buffering, the installation of solid screen
12 walls, aesthetic building enhancements, and other traffic related measures.

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

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

17 The Project's effects will be minimized through the implementation of the Conditions of
18 Approval contained herein, such as extensive landscaping, concrete screen walls, decorative
19 paving, and enhanced architectural features. To the north of the project site is Jerry Eaves
20 Park and to east is the Cactus Basin Flood Control Channel. To the north of the project site,
21 across Santa Ana Avenue, is a pallet yard, operated by Select Pallets, and to the east is an
22 82,000 square foot industrial warehouse building and Rialto Water Service's Wastewater
23 Treatment Plant. To the south is the Santa Ana River, and to the west are various industrial
24 developments and operations, including Holliday Rock, a concrete mix supplier, and Ecology
25 Auto Parts, auto-salvage and fleet maintenance operations. The nearby area is designated for
26 and completely developed with industrial uses, and as a result, there are no sensitive land uses
27 adjacent to or near the project site. The project is not expected to negatively impact any uses
28 with the successful implementation of measures such as landscape buffering, the installation
of solid screen walls, aesthetic building enhancements, and other traffic related measures.

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 underlying Heavy Industrial (H-IND) land use designation
and is a logical addition to the existing industrial developments surrounding the Site. 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. An Environmental Impact Report (Environmental Assessment Review No.
2 2023-0010) has been prepared for the proposed Project in accordance with the California
3 Environmental Quality Act (CEQA) and it has been determined that the Project will create
4 unavoidable significant impacts to transportation/traffic. The Planning Commission has forwarded,
5 or is forwarding, a recommendation to the City Council to adopt the Environmental Impact Report
6 prepared for the Project.

7 SECTION 4. The Planning Commission hereby recommends that the City Council approve
8 PPD No. 2023-0006, in accordance with the plans and application on file with the Planning Division,
9 subject to the following Conditions of Approval:
10

- 11 1. The applicant is granted PPD No. 2023-0006 allowing the development of a truck
12 terminal facility consisting of a 172,445 square foot cross-dock truck terminal building
13 and an 18,700 square foot fleet maintenance building, and associated paving,
14 landscaping, fencing, lighting, and drainage improvements on 45.7 acres of land (APN:
15 0258-141-18) located on the south side of Santa Ana Avenue approximately 1,800 feet
16 east of Riverside Avenue within the Heavy Industrial (H-IND) land use district of the
17 Agua Mansa Specific Plan, subject to the Conditions of Approval contained herein.
- 18 2. The approval of PPD No. 2023-0006 is granted for a three (3) year period from the date
19 of approval. Approval of PPD No. 2023-0006 will not become effective until the
20 applicant has signed a Statement of Acceptance acknowledging awareness and
21 acceptance of the required Conditions of Approval contained herein. Any request for
22 an extension shall be reviewed by the Community Development Director and shall be
23 based on the progress that has taken place toward the development of the project.
- 24 3. The development associated with PPD No. 2023-0006 shall conform to the site plan,
25 floor plans, exterior elevations, conceptual grading and drainage plan, and preliminary
26 planting plan attached hereto as Exhibit A, except as may be required to be modified
27 based on the Conditions of Approval contained herein.
- 28 4. The development associated with PPD No. 2023-0006 shall comply with all Conditions
of Approval contained within CDP No. 2023-0007.
5. The development associated with PPD No. 2023-0006 shall comply with all applicable
sections of the Agua Mansa Specific Plan, the Rialto Municipal Code, and all other
applicable State and local laws and ordinances.
6. City inspectors shall have access to the site to reasonably inspect the site during
normal working hours to assure compliance with these conditions and other codes.

- 1 7. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
2 and/or any of its officials, officers, employees, agents, departments, agencies, and
3 instrumentalities thereof (collectively, the "City Parties"), from any and all claims,
4 demands, law suits, writs of mandamus, and other actions and proceedings (whether
5 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
6 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
7 and other such procedures), (collectively "Actions"), brought against the City, and/or
8 any of its officials, officers, employees, agents, departments, agencies, and
9 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
10 annul, the any action of, or any permit or approval issued by, the City and/or any of
11 its officials, officers, employees, agents, departments, agencies, and instrumentalities
12 thereof (including actions approved by the voters of the City), for or concerning the
13 Project (collectively, the "Entitlements"), whether such Actions are brought under
14 the California Environmental Quality Act, the Planning and Zoning Law, the
15 Subdivision Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the
16 California Public Records Act, or any other state, federal, or local statute, law,
17 ordinance, rule, regulation, or any decision of a court of competent jurisdiction. This
18 condition to indemnify, protect, defend, and hold the City harmless shall include, but
19 not be limited to (i) damages, fees and/or costs awarded against the City, if any, and
20 (ii) cost of suit, attorneys' fees and other costs, liabilities and expenses incurred in
21 connection with such proceeding whether incurred by applicant, Property owner, or
22 the City and/or other parties initiating or bringing such proceeding (collectively,
23 subparts (i) and (ii) are the "Damages"). Notwithstanding anything to the contrary
24 contained herein, the Applicant shall not be liable to the City Parties under this
25 indemnity to the extent the Damages incurred by any of the City Parties in such
26 Action(s) are a result of the City Parties' fraud, intentional misconduct or gross
27 negligence in connection with issuing the Entitlements. The applicant shall execute
28 an agreement to indemnify, protect, defend, and hold the City harmless as stated
 herein within five (5) days of approval of PPD No. 2023-0006.
8. 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.
9. Subsequent modifications to PPD No. 2023-0006 may be considered and approved
 administratively by the Community Development Director without the need for a public
 hearing so long as the proposed changes are (i) in general conformance with the existing,
 approved PPD and (ii) were adequately analyzed under the Project's approved CEQA
 document such that no additional environmental review is necessary.
10. The applicant shall pay a public facility improvement contribution in the amount of
 \$1,500,000 to the City of Rialto for public facility transportation infrastructure and
 public safety improvements in the area surrounding the project site, prior to the issuance
 of an occupancy permit.

11. The applicant shall install decorative pavement within each driveway connected to Santa Ana Avenue. The decorative pavement shall extend across the entire width of each driveway and shall have a minimum depth of twenty-five (25) feet as measured from the property line along Santa Ana Avenue. 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. 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 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 each 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.
13. 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 each building. The internal roof access shall be identified within the formal building plan check submittal prior to the issuance of building permits.
14. In order to provide enhanced site design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, new walls visible from the public right-of-way, 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 seventy (70) 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 the wall and have a depth and width of at least three (3) feet. 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.
15. In order to provide enhanced building design in accordance with Chapter 18.61 (Design Guidelines) of the Rialto Municipal Code, 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.

16. The applicant shall construct one (1) ADA accessible trash enclosure for each building on the project site. The trash enclosures shall provide room for one (1) commercial waste container and one (1) commercial recycling container. The exterior of each trash enclosure 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. Additionally, each 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. The location of each trash enclosure shall be identified on the site plan within the formal building plan check prior to the issuance of building permits. An elevation detail for the trash enclosures shall be provided within formal building plan check submittal prior to the issuance of building permits.
17. All light standards installed on site, shall have a maximum height of thirty-five (35) 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.
18. 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.
19. The applicant shall plant one (1) tree every three (3) vehicle 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.
20. The applicant shall plant one (1) tree every thirty (30) feet on-center within the on-site landscape setback along Santa Ana Avenue. All trees within the landscape setback 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 by the property owner. 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.

- 1 21. The applicant shall plant one (1) tree every thirty (30) feet on-center within the public
2 right-of-way parkway along Santa Ana Avenue. All trees within the public right-of-
3 way parkway shall be a minimum of twenty-four (24) inch box in size, upon initial
4 planting. Thereafter, the trees within the public right-of-way parking shall be
5 permanently irrigated and maintained, as required by the Public Works Department.
6 The street tree species along Santa Ana Avenue shall be the *Pistachia Chinensis*
7 “Chinese Pistache”. The street trees shall be identified on the formal Landscape Plan
8 submittal prior to the issuance of a landscape permit.
- 9 22. The applicant shall plant shrubs and/or construct solid decorative walls that surround all
10 ground mounted equipment and utility boxes, including transformers, fire-department
11 connections, backflow devices, etc. for the purpose of providing screening of said
12 equipment and utility boxes from public view. All equipment and utility box screen
13 shrubs shall be a minimum of five (5) gallons in size upon initial planting, and the shrubs
14 shall be spaced no more than three (3) feet on-center. Thereafter, the equipment and
15 utility box screen shrubs shall be permanently irrigated and maintained into a continuous
16 box-shape with a height of no less than three and one-half (3.5) feet above the finished
17 grade. Solid decorative walls means tan-colored slumpstone block, tan-colored split-
18 face block, or precision block with a stucco, plaster, or cultured stone finish. The shrubs
19 and/or solid walls shall be identified on the formal Landscape Plan submittal prior to
20 the issuance of a landscape permit.
- 21 23. The applicant shall plant trees, shrubs, and groundcover throughout all land on-site and
22 off-site (adjacent to the project site) that is not covered by structures, walkways, parking
23 areas, and driveways. Trees shall be planted a minimum of thirty (30) feet on-center,
24 and all shrubs and groundcover shall be planted an average of three (3) feet on-center
25 or less. All trees shall be minimum of fifteen (15) gallons in size upon initial planting,
26 unless otherwise specified herein. At least fifty (50) percent of the trees shall consist of
27 evergreen broadleaf trees, while the remaining percentage may consist of broadleaf
28 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.

- 1 26. All non-glass doors shall be painted to match the color of the adjacent wall prior to the
2 issuance of a Certificate of Occupancy.
- 3 27. The applicant shall comply with all conditions of approval for PPD No. 2023-0006 to
4 the satisfaction of the City Engineer, prior to the issuance of a Certificate of Occupancy,
5 unless otherwise noted herein.
- 6 28. All improvements within the public right-of-way require a City of Rialto Encroachment
7 Permit.
- 8 29. All abandoned utilities shall be completely removed. Utilities may not be abandoned in
9 place.
- 10 30. The applicant shall pay all applicable development impact fees in accordance with the
11 current City of Rialto fee ordinance, including any Traffic Fair Share Contribution fees,
12 prior to the issuance of any building permit related to the Project.
- 13 31. The applicant shall pay a fair-share fee in the amount of \$721,711, in accordance with
14 Table 15 (Traffic Impact Improvement Costs) of the Traffic Study prepared for the
15 Project by Kimley-Horn and Associates, Inc. and dated April 2023, prior to the issuance
16 of any building permit for the Project.
- 17 32. The applicant shall submit civil engineering design plans, reports and/or documents,
18 prepared by a registered/licensed civil engineer, for review and approval by the City
19 Engineer per the current submittal requirements, prior to the indicated threshold or as
20 required by the City Engineer. The first submittal shall consist of, but is not limited to
21 the following:
- 22 a. PRECISE GRADE W/ EROSION CONTROL PLAN (prior to grading permit
23 issuance)
 - 24 b. PUBLIC IMPROVEMENT PLANS – Plans may include: Street, Signing &
25 Striping, Landscape & Irrigation, Sewer, Water, Streetlight etc. (prior to off-site
26 construction permit issuance or building permit issuance, whichever occurs
27 first)
 - 28 c. FINAL DRAINAGE STUDY (prior to grading plan approval)
 - d. FINAL WQMP (prior to grading plan approval)
 - e. LEGAL DOCUMENTS (e.g. EASEMENT(S), DEDICATION(S), LOT LINE
ADJUSTMENT, VACATION, etc.) (prior to Building Permit Issuance or
Occupancy Release)
 - f. AS-BUILT/RECORD DRAWINGS for all plans (prior to occupancy release)
33. The applicant is responsible for requesting address assignment from the Planning
Division for any new building, irrigation water meter and electrical pedestal. Addresses
for irrigation meters must be based upon approved civil plans. Addresses for electrical
pedestals must be based upon approved SCE plans. The main building address shall be
included on Precise Grading Plans and Building Plan set along with the PPD number.

1 The electrical meter pedestal addresses (single or dual) shall be included in the public
2 improvement plans.

- 3 34. Upon approval of any improvement plan by the City Engineer, the applicant shall
4 provide the improvement plan to the City in digital format, consisting of a DWG
5 (AutoCAD drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF
6 (Adobe Acrobat) formats. Variation of the type and format of the digital data to be
7 submitted to the City may be authorized, upon prior approval by the City Engineer.
- 8 35. The applicant shall repair all street cuts for utilities in accordance with City Standard
9 SC-231 within 72 hours of completion of the utility work; and any interim trench repairs
10 shall consist of compacted backfill to the bottom of the pavement structural section
11 followed by placement of standard base course material in accordance with the Standard
12 Specifications for Public Work Construction ("Greenbook"). The base course material
13 shall be placed the full height of the structural section to be flush with the existing
14 pavement surface and provide a smooth pavement surface until permanent cap paving
15 occurs using an acceptable surface course material.
- 16 36. A City of Rialto Off-site Construction Permit is required for any improvements within
17 the public right-of-way. In an effort to expedite and facilitate improvements in the public
18 right-of-way, the applicant is responsible for submitting a multi-phase master plan
19 traffic control plan which includes all phases of construction in the public right-of-way
20 i.e. sewer, water, overhead, underground, etc. prior to the issuance of Off-Site
21 Construction Permit. Note, to simplify the permitting process, a single master Off-Site
22 Construction Permit shall replace individual Encroachment Permits to be pulled by the
23 applicant's contractor.
- 24 37. In accordance with Chapter 15.32 of the City of Rialto Municipal Code, all existing and
25 new electrical distribution lines of sixteen thousand volts or less and overhead service
26 drop conductors, and all telephone, television cable service, and similar service wires or
27 lines, which are on-site, abutting, and/or transecting, shall be installed underground.
28 Utility undergrounding shall extend to the nearest off-site power pole. This may require
undergrounding beyond the project limits to prevent any existing poles to remain or new
poles to be placed for guy wire purposes along the project frontage. New power poles
shall not be installed unless otherwise approved by the City Engineer. A letter from the
owners of the affected utilities shall be submitted to the City Engineer prior to approval
of the Grading Plan, informing the City that they have been notified of the City's utility
undergrounding requirement and their intent to commence design of utility
undergrounding plans. When available, the utility undergrounding plan shall be
submitted to the City Engineer identifying all above ground facilities in the area of the
project to be undergrounded.
38. In accordance with City Ordinance No. 1589, adopted to preserve newly paved streets,
any and all street and/or trench cuts in newly paved streets will be subject to moratorium
street repair standards as reference in Section 11.04.145 of the Rialto Municipal Code.
Contact the Engineering Division for a list of streets subject to the moratorium.

- 1 39. The minimum pavement section for all on-site pavements shall be 3 inches asphalt
2 concrete pavement over 4 inches crushed aggregate base with a minimum subgrade of
3 24 inches at 95% relative compaction, or equal. If an alternative pavement section is
4 proposed, the proposed pavement section shall be designed by a California registered
5 Geotechnical Engineer using "R" values from the project site and submitted to the City
6 Engineer for approval.
- 7 40. The applicant shall backfill and/or repair all utility trenches or other excavations within
8 existing asphalt concrete pavement of off-site streets resulting from the proposed
9 development, in accordance with City of Rialto Standard Drawings. The applicant shall
10 be responsible for removing, grinding, paving and/or overlaying existing asphalt
11 concrete pavement of off-site streets including pavement repairs in addition to pavement
12 repairs made by utility companies for utilities installed for the benefit of the proposed
13 development (i.e. West Valley Water District, Southern California Edison, Southern
14 California Gas Company, Spectrum, Verizon, etc.). Multiple excavations, trenches, and
15 other street cuts within existing asphalt concrete pavement of off-site streets resulting
16 from the proposed development may require complete grinding and asphalt concrete
17 overlay of the affected off-site streets, at the discretion of the City Engineer. The
18 pavement condition of the existing off-site streets shall be returned to a condition equal
19 to or better than what existed prior to construction of the proposed development.
- 20 41. The applicant shall replace all damaged, destroyed, or modified pavement legends,
21 traffic control devices, signing, striping, and streetlights, associated with the proposed
22 development shall be replaced as required by the City Engineer prior to issuance of a
23 Certificate of Occupancy.
- 24 42. The applicant shall provide construction signage, lighting and barricading shall be
25 provided during all phases of construction as required by City Standards or as directed
26 by the City Engineer. As a minimum, all construction signing, lighting and barricading
27 shall be in accordance with Part 6 "Temporary Traffic Control" of the 2014 California
28 Manual on Uniform Traffic Control Devices, or subsequent editions in force at the time
of construction.
43. The public street improvements outlined in these Conditions of Approval are intended
to convey to the developer an accurate scope of required improvements, however, the
City Engineer reserves the right to require reasonable additional improvements as may
be determined in the course of the review and approval of street improvement plans
required by these conditions.
44. The applicant shall be responsible for coordinating with Omnitrans regarding the
location of existing, proposed, and future bus stops along the property frontage of all
public streets. The developer shall design street and sidewalk improvements in
accordance with the latest Omnitrans bus stop guidelines and in compliance with current
accessibility standards pursuant to the Americans with Disabilities Act (ADA)
requirements. The developer shall design all bus stops to accommodate the Omnitrans
Premium Shelters. Prior to Certificate of Occupancy, the developer shall submit to

Public Works verification from Omnitrans acknowledging concurrence with the existing, proposed, and future bus stop improvements in conformance with the Premium Shelter design guidelines. Additionally, bus turnouts are required to accommodate proposed bus stops in accordance with the City Standards and as approved by the City Engineer.

45. Development of the site is subject to the requirements of the National Pollution Discharge Elimination System (NPDES) Permit for the City of Rialto, issued by the Santa Ana Regional Water Quality Control Board, Board Order No. R8-2010-0036. Pursuant to the NPDES Permit, the developer shall ensure development of the site incorporates post-construction Best Management Practices (BMPs) in accordance with the Model Water Quality Management Plan (WQMP) approved for use for the Santa Ana River Watershed. The developer is advised that applicable Site Design BMPs will be required to be incorporated into the final site design, pursuant to a site specific WQMP submitted to the City Engineer for review and approval.
46. Prior to grading plan approval, the applicant shall submit a final hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Hydrology studies shall be prepared in accordance with the San Bernardino County Hydrology Manual and Rialto drainage criteria. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. The volume of increased stormwater runoff to retain on-site shall be determined by comparing the existing pre-developed condition and proposed developed condition, using the 100-year frequency storm.
47. Prior to grading plan approval, direct release of on-site nuisance water or stormwater runoff shall not be permitted to the adjacent public streets. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.
48. Prior to grading plan approval, the applicant shall submit a Geotechnical/Soils Report, prepared by a California registered Geotechnical Engineer, for and incorporated as an integral part of the grading plan for the proposed development. The geotechnical report shall include a section on infiltration testing. A digital copy (PDF) of the Geotechnical/Soils Report shall be submitted to the Engineering Services Department with the first submittal of the Precise Grading Plan.

- 1 49. Prior to grading plan approval, the applicant shall submit a Final Water Quality
2 Management Plan identifying site-specific Best Management Practices (BMPs) in
3 accordance with the Model Water Quality Management Plan (WQMP) approved for
4 use for the Santa Ana River Watershed. The site specific WQMP shall be submitted to
5 the City Engineer for review and approval with the precise grading plan. The Applicant
6 acknowledges that more area than currently shown on the plans may be required to treat
7 site runoff as required by the WQMP guidance document and FWQMP.
- 8 50. Prior to grading plan approval, a WQMP Maintenance Agreement shall be required,
9 obligating the property owner(s) to appropriate operation and maintenance obligations
10 of on-site BMPs constructed pursuant to the approved WQMP.
- 11 51. Prior to grading plan approval, a Notice of Intent (NOI) to comply with the California
12 General Construction Stormwater Permit (Water Quality Order 2022-0057-DWQ as
13 modified September 8, 2022) is required via the California Regional Water Quality
14 Control Board online SMARTS system. A copy of the executed letter issuing a Waste
15 Discharge Identification (WDID) number shall be provided to the City Engineer. The
16 developer's contractor shall prepare and maintain a Storm Water Pollution Prevention
17 Plan (SWPPP) as required by the General Construction Permit. All appropriate
18 measures to prevent erosion and water pollution during construction shall be
19 implemented as required by the SWPPP.
- 20 52. Prior to issuance of grading permit or on-site construction permit, the applicant shall
21 submit a Precise Grading Plan prepared by a California registered civil engineer to the
22 Engineering Division for review and approval by the City Engineer.
- 23 53. Prior to the issuance of a grading permit or on-site construction permit, the applicant
24 shall apply for annexation of the underlying property into City of Rialto Landscape and
25 Lighting Maintenance District No. 2 ("LLMD 2"). An application fee of \$5,000 shall
26 be paid at the time of application. Annexation into LLMD 2 is a condition of acceptance
27 of any new median, landscape easement, and/or parkway landscaping in the public
28 right-of-way, or any new public street lighting improvements conditioned on the project
and to be maintained by the City of Rialto post construction. The applicant must apply
and complete the LLMD2 annexation process prior to issuance of a Certificate of
Occupancy. Due to the required City Council Public Hearing action, the annexation
process takes months and as such the developer is advised to apply for Special District
annexation as early-on in the in the process to avoid any delays with permit issuance.
54. Prior to the issuance of a building permit, the applicant shall submit off-site landscaping
and irrigation system improvement plans for review and approval concurrently with
street improvement plan submittal to the Public Works Department. The median
irrigation system, parkway irrigation system, and applicable Specific Plan required
landscape easement irrigation system shall be separately metered from the on-site
private irrigation to facilitate separate utility bill payment by the City after the required
one-year maintenance period via the Landscape and Lighting Maintenance District No.
2. The off-site landscape and irrigation plans must show separate electrical meter, water

meter, and separate irrigation lateral to be annexed into LLMD2 via a City Council public hearing process. Use of an existing LLMD2 water meter and electrical pedestal is encouraged. The Landscape and Irrigation plans shall be approved concurrently with the Street Improvement plans, including any median portion, applicable easement portion, and/or parkway portion. The landscaping architect must contact the City of Rialto Landscape Contract Specialist at (909) 820-2602 to ensure all landscape and irrigation guidelines are met prior to plan approval. Electrical and water irrigation meter pedestals must not be designed to be installed at or near street intersections or within a raised median to avoid burdensome traffic control set-up during ongoing maintenance. The off-site Landscape and Irrigation plans shall be designed in accordance with the Public Works Landscape Maintenance District Guidelines.

55. All parkway landscaping shall be guaranteed for a period of one year from the date of acceptance by the City Engineer acceptance. Any landscaping that fails during the one-year landscape maintenance period shall be replaced with similar plant material to the satisfaction of the City Engineer and shall be subject to a subsequent one-year landscape maintenance period. The applicant must contact the City of Rialto Landscape Contract Specialist at (909) 820-2602 to confirm a full twelve (12) months' time of non-interrupted ongoing maintenance.
56. Prior to street improvement plan approval or building permit issuance, whichever occurs first, the applicant shall dedicate additional right-of-way as may be required across driveway aprons to provide for ADA compliant public access, traffic signal equipment, and signing & striping.
57. Prior to street improvement plan approval, the applicant shall dedicate additional right-of-way along the entire frontage of Santa Ana Avenue, as necessary, to provide the ultimate half-width of 32 feet, as required by the City Engineer.
58. The applicant shall install 4-inch conduit and pullboxes 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. The conduit and pullboxes shall be identified on the street improvement plans, prior to issuance of off-site construction permits.
59. Prior to issuance of an encroachment permit or off-site construction permit, all public improvement plans must be submitted and approved by the City Engineer.
60. Prior to issuance of a building permit, the applicant shall submit street improvement plans prepared by a registered California civil engineer to the Engineering Services Department for review. The street improvement plans shall be approved concurrently with any streetlight, landscape and irrigation, and traffic signal plans unless otherwise approved by the City Engineer.
61. Prior to issuance of building permit, the applicant shall submit traffic striping and signage plans prepared by a California registered civil engineer or traffic engineer, for review and approval by the City Engineer. All required traffic striping and signage

improvements shall be completed concurrently with required street improvements to the satisfaction of the City Engineer.

62. Prior to issuance of encroachment permit or off-site construction permit, the applicant shall submit street light improvement plans, for Riverside Avenue, prepared by a California registered civil engineer to the Engineering Services Department. The plans shall be approved by the City Engineer prior to issuance of any building permits.
63. Prior to issuance of encroachment permit or off-site construction permit, the applicant shall submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.
64. Prior to issuance of encroachment permit or off-site construction permit, the applicant shall submit a water improvement plan approved by the local water purveyor. The developer is advised that domestic water service is provided by West Valley Water District. The developer shall be responsible for coordinating with water purveyor and complying with all requirements for establishing domestic water service to the property.
65. Prior to the issuance of a building permit, the applicant shall submit a rough grade certification, engineered fill certification and compaction report pad elevation certifications for all building pads in conformance with the approved precise grading plan, to the Engineering Division. Trenching for footings or construction of any building foundation is not allowed until the certifications have been submitted for review and approval by the City Engineer.
66. Prior to the issuance of a certificate of occupancy, the applicant shall submit a precise/final grade certification to the Engineering Services Department.
67. Prior to the issuance of a certificate of occupancy, all public improvements shall be constructed to City standards subject to the satisfaction of the City Engineer.
68. The applicant shall install City Engineer approved deep root barriers, in accordance with the Public Works Landscape and Irrigation Guidelines, for all trees installed within the public right-of-way and within ten (10) feet of the public sidewalk and/or curb.
69. The applicant shall reconstruct any broken, chipped, or unsatisfactory sidewalks, curbs, gutters, pavement, and landscaping along the entire project frontage, in accordance with the General Plan and the City of Rialto Standard Drawings, as required by the City Engineer, prior to the issuance of a Certificate of Occupancy.
70. 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, prior to the issuance of a Certificate of Occupancy.

- 1 71. The applicant shall connect the project to the City of Rialto sewer system and apply for
2 a sewer connection account with Rialto Water Services.
- 3 72. The applicant is advised that domestic water service is provided by West Valley Water
4 District. The developer shall be responsible for coordinating with West Valley Water
5 District and complying with all requirements for establishing domestic water service to
6 the property.
- 7 73. The applicant shall install a new domestic water line lateral connection to the main water
8 line within Santa Ana Avenue, pursuant to West Valley Water District requirements. A
9 water line plan shall be approved by West Valley Water District prior to the issuance of
10 building permits.
- 11 74. The applicant shall provide certification from West Valley Water District and Rialto
12 Water Services that demonstrates that all water and/or wastewater service accounts for
13 the project are documented, prior to the issuance of a Certificate of Occupancy or final
14 inspection approval from the Community Development Department Engineering
15 Division.
- 16 75. Prior to issuance of a certificate of occupancy or final City approvals, the applicant shall
17 demonstrate and submit a WQMP BMP certification that all structural BMP's have been
18 constructed and installed in conformance with approved plans and specifications, and
19 as identified in the approved WQMP.
- 20 76. The applicant shall construct two (2) new commercial driveway approaches on Santa
21 Ana Avenue, in accordance with City of Rialto Standard Drawing No. SC-213 or SC-
22 214, or as otherwise approved by the City Engineer, prior to the issuance of a Certificate
23 of Occupancy. The driveway approach shall be constructed so the top of "X" is 5 feet
24 from the property line, or as otherwise approved by the City Engineer. Nothing shall be
25 constructed or planted in the corner cut-off area which does exceed or will exceed 30
26 inches in height in order to maintain an appropriate corner sight distance, as required by
27 the City Engineer.
- 28 77. All new streetlights shall be installed on an independently metered, City-owned
underground electrical system. The developer shall provide documentary proof of
application with Southern California Edison ("SCE") for all appropriate service points
and electrical meters prior to the issuance of a Certificate of Occupancy. New meter
pedestals shall be installed, and electrical service paid by the developer, until such time
as the underlying property is annexed into LLMD 2.
78. If and where deficiencies in the existing system occur, the applicant shall construct a
new underground electrical system for public street lighting improvements along the
project frontage of Santa Ana Avenue, as determined necessary by the City Engineer,
prior to the issuance of a Certificate of Occupancy. New marbelite streetlight poles with
LED light fixtures shall be installed in accordance with City of Rialto Standard
Drawings.

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79. The applicant shall construct curb ramps meeting current California State Accessibility standards at the southeast and southwest corners of the intersections of Santa Ana Avenue and the proposed driveways on the east and west ends of the project frontage, in accordance with the City of Rialto Standard Drawings, and as required by the City Engineer. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
80. The applicant shall construct an 8-inch curb and gutter located 20 feet south of the centerline along the entire project frontage of Santa Ana Avenue, in accordance with City of Rialto Standard Drawings, prior to the issuance of a Certificate of Occupancy. Alternatively, the applicant shall preserve, and repair as determined necessary by the City Engineer, the existing curb and gutter along the entire frontage of Santa Ana Avenue should the City Engineer determine them to be in the ultimate location.
81. The applicant shall construct a 5.5-foot-wide Americans with Disabilities Act (ADA) compliant sidewalk adjacent to the curb along the entire project frontage of Santa Ana Avenue, in accordance with City of Rialto Standard Drawings, prior to issuance of a Certificate of Occupancy.
82. The applicant shall, remove existing pavement and construct new pavement along the entire full-width of Santa Ana Avenue from the project's eastern boundary line west to the intersection of Riverside Avenue, prior to the issuance of a Certificate of Occupancy, as follows:
- a. From Riverside Avenue to 200 feet east of Riverside Avenue – existing asphalt pavement shall be removed and replaced to construct westbound travel lanes, including left-turn lane, with a minimum pavement section of 0.90-foot thick Continuously Reinforced Concrete Pavement (CRCP) over 0.25-foot thick Hot Mix Asphalt and a minimum subgrade of 6 inches at 95% relative compaction. The pavement section shall be determined using a Traffic Index ("TI") of 10. The pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from pavement core samples and submitted to the City Engineer for approval. Additional technical specifications will be provided during the street improvement design and plan check review stage.
- b. From 200 feet east of Riverside Avenue to the easterly project limit - existing asphalt pavement shall be removed and replaced in order to construct full street width of new pavement with a minimum pavement section of 4 inches asphalt concrete (AC) pavement over 6 inches crushed aggregate base (CAB) and a minimum subgrade of 24 inches at 95% relative compaction, or equal, in accordance with City of Rialto Standard Drawings. The pavement section shall be determined using a Traffic Index ("TI") of 10. The pavement section shall be designed by a California registered

Geotechnical Engineer using "R" values from pavement core samples and submitted to the City Engineer for approval.

There shall be no obligation to construct curb, gutter and sidewalk improvements along Santa Ana Avenue except with respect to the project frontage, as described in Condition Nos. 80 and 81 herein.

83. The applicant shall construct asphalt concrete paving for streets in two separate lifts. The final lift of asphalt concrete pavement shall be postponed until such time that on-site construction activities are complete. Unless the City Engineer provide prior authorization, paving of streets in one lift prior to completion of on-site construction is not allowed. If City Engineer authorized, completion of asphalt concrete paving for streets prior to completion of on-site construction activities, requires additional paving requirements prior to acceptance of the street improvements, including, but not limited to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs.
84. All sewer mains constructed by the applicant, as necessary, are to become part of the public sewer system and shall be pressure tested and digitally video recorded by the City's wastewater system operator (Veolia) prior to acceptance of the sewer system for maintenance by the City. The developer shall be responsible for all costs associated with testing and inspection services. Any defects of the sewer main shall be removed, replaced, or repaired to the satisfaction of the City Engineer prior to acceptance.
85. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
86. Prior to commencing with any grading, the applicant shall implement the required erosion and dust control measures shall be in place. In addition, the following shall be included if not already identified:
 - a. 6 foot high tan colored perimeter screened fencing
 - b. Contractor information signage including contact information along the street frontage of Santa Ana.
 - c. Post dust control signage with the following verbiage: "Project Name, WDID No., IF YOU SEE DUST COMING FROM THIS PROJECT CALL: NAME (XXX) XXX-XXX, If you do not receive a response, please call the AQMD at 1-800-CUT-SMOG/1-800-228-7664"
87. The applicant shall submit full architectural and structural plans with all mechanical, electrical, and plumbing plans, structural calculations, truss calculations and layout,

rough grading plans approved by Engineering Services Department, Water Quality Management Plan, Erosion Control Plan, Stormwater Pollution Prevention Plan, and Title 24 Energy Calculations to the Building Division for plan check and review, prior to the issuance of building permits.

88. 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.).
89. The applicant shall design the structures in accordance with the 2022 California Building Code, 2022 California Mechanical Code, 2022 California Plumbing Code, and the 2022 California Electrical Code, 2022 Residential Code and the 2022 California Green Buildings Standards adopted by the State of California.
90. The applicant shall design the structures to withstand ultimate wind speed of 130 miles per hour, exposure C and seismic zone D.
91. The applicant shall obtain an Electrical Permit from the Building Division for any temporary electrical power required during construction. No temporary electrical power will be granted to a project unless one of the following items is in place and approved by the Building Division: (A) Installation of a construction trailer, or, (B) Security fencing around the area where the electrical power will be located.
92. The applicant shall install any required temporary construction trailer on private property. No trailers are allowed to be located within the public right-of-way. The trailer shall be removed prior to the issuance of a Certificate of Occupancy.
93. The applicant shall design and construct accessible paths of travel from the building's accessible entrances to the public right-of-way, accessible parking, and the trash enclosure. Paths of travel shall incorporate (but not limited to) exterior stairs, landings, walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning, signage, gates, lifts and walking surface materials, as necessary. The accessible route(s) of travel shall be the most practical direct route between accessible building entrances, site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the site, California Building Code, (CBC) Chapter 11, Sec, 11A and 11B.
94. Prior to issuance of a Building Permit all of the following must be in place on the Site: a portable toilet with hand wash station, all BMP's, fencing and signage on each adjacent street saying "If there is any dust or debris coming from this site please contact (superintendent number here) or the AQMD if the problem is not being resolved" or something similar to this.
95. 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 ZA.3.

- 1 96. The applicant shall underground all on site utilities to the new proposed structures, prior
2 to the issuance of a Certificate of Occupancy, unless prior approval has been obtained
3 by the utility company or the City.
- 4 97. Prior to issuance of Building Permits, site grading final and pad certifications shall be
5 submitted to the Building Division, which include elevation, orientation, and
6 compaction. The certifications are required to be signed by the engineer of record.
- 7 98. The applicant shall provide proof of payment to the Colton Joint Unified School District
8 for all required school fees, prior to the issuance of a building permit.
- 9 99. Site facilities such as parking open or covered, recreation facilities, and trash dumpster
10 areas, and common use areas shall be accessible per the California Building Code,
11 Chapter 11.
- 12 100. The applicant shall place a copy of the Conditions of Approval herein on within the
13 building plan check submittal set and include the PPD number on the right bottom
14 corner cover page in 20 point bold, prior to the issuance of a building permit.
- 15 101. The applicant shall ensure that a minimum of 65% of all construction and demo debris
16 shall be recycled using an approved City of Rialto recycling facility during construction.
17 Copies of receipts for recycling shall be provided to the City Inspector and a copy shall
18 be placed in the office of the construction site.
- 19 102. Prior to issuance of Building Permits, on site water service shall be installed and
20 approved by the responsible agency. On site fire hydrants shall be approved by the Fire
21 Department. No flammable materials will be allowed on the site until the fire hydrants
22 are established and approved.
- 23 103. Minimum fire flow for the construction of all buildings/facilities is required per CFC
24 Appendix B or other approved method. Prior to building permit issuance for new
25 construction, the applicant shall provide documentation to show there exists a water
26 system capable of delivering the required fire flow. Specific design features may
27 increase or decrease the required fire flow. Reference CFC 507.3.
- 28 104. The minimum number of fire hydrants required, as well as the location and spacing of
fire hydrants, shall comply with CFC Appendix C and NFPA 24. Fire hydrants shall be
located no more than 400 feet from all portions of the exterior of the building/facility
along an approved route on a fire apparatus access road, unless otherwise approved by
the Fire Department. Fire hydrants shall be at least 40 feet from the building it is serving.
The size and number of outlets required for the approved fire hydrants are 4" x 2 1/2" x
2 1/2". Reference CFC 507.5, CFC Appendix C and NFPA 24 7.2.3.
105. Fire apparatus access roads shall be provided to within 150 feet of all exterior portions
of buildings, unless otherwise approved by the Fire Department. Fire apparatus access
roads shall have an unobstructed width of not less than 24 feet. Dead-end fire apparatus

access roads in excess of 150 feet shall be provided with an approved turn around. The minimum required turning radius of a fire apparatus access road is 56 feet outside radius and 28 feet inside radius. The construction of the fire apparatus access roads shall be all weather and capable of sustaining 75,000 lbs. Reference CFC 503.1.1, 503.2.1 as amended by the City of Rialto.

106. Secondary egress/access fire apparatus access roads shall provide independent egress/access from/to the area or as otherwise approved by the Fire Department. Secondary egress/access fire apparatus access roads shall be as remote as practical from the primary fire apparatus access road to reduce the possibility that both routes will be obstructed by a single emergency. Additional fire apparatus access roads based on the potential for impairment by vehicle congestion, condition of terrain, climatic conditions, anticipated magnitude of a potential incident, or other factors that could limit access may be required by the Fire Department. Reference CFC 503.1.2.
107. Submittal of construction plans to the Fire Department will be required. Final fire and life safety conditions will be addressed when the Fire Department reviews these plans. These conditions will be based on California Fire Code, California Building Code (CBC), and related codes/standards adopted at the time of construction plan submittal. Reference CFC 105.1.
108. All new commercial buildings and structures 5,000 square feet or larger will be required to install a fire sprinkler system. Reference CFC 903.2.
109. A water flow monitoring system and/or fire alarm system may be required as determined at time of building construction plan review. Reference CFC 903.4 and CFC 907.2.
110. Requests for installation of traffic calming designs/devices on fire apparatus access roads shall be submitted and approved by the Office of the Fire Marshal. Reference CFC 503.4.1.
111. All electronically operated gates shall be provided with Knox key switches and automatic pre-emption sensors for access on both sides. These gates shall be provided with access to gate equipment or another method to open the gate if there is a power failure. A pedestrian gate, if used to provide access, shall be a minimum 3 feet wide and provided with a Knox Box/Padlock if locked. Reference CFC 506.1.
112. The applicant shall illuminate all walkways, passageways, and locations where pedestrians are likely to travel with a minimum of 1.5-foot candles (at surface level) of light during the hours of darkness, or as approved by the Rialto Police Department. Lighting shall be designed/constructed in such a manner as to automatically turn on at dusk and turn off at dawn.
113. The applicant shall illuminate all alleyways, driveways, and uncovered parking areas with a minimum of 1.5-foot candles (at surface level) of light during the hours of darkness, or as approved by the Rialto Police Department. Lighting shall be

designed/constructed in such a manner as to automatically turn on at dusk and turn off at dawn.

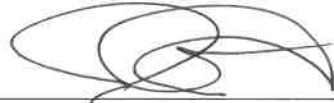
114. The applicant shall illuminate all loading dock areas, truck well areas, and delivery areas with a minimum of 2.0 foot-candles (at surface level) of light during the hours of darkness, or as approved by the Rialto Police Department. Lighting shall be designed/constructed in such a manner as to automatically turn on at dusk and turn off at dawn.
115. The applicant shall design/construct all lighting fixtures and luminaries, including supports, poles and brackets, in such a manner as to resist vandalism and/or destruction by hand.
116. The applicant shall provide an illuminated channel letter addresses prominently placed on the building to be visible to the front of the location and if applicable, visible from the main street to which they are located (e.g. commercial building facing the interior of the property would require two address signs if located adjacent to a roadway), prior to the issuance of a Certificate of Occupancy.
117. At the discretion of the Rialto Police Department, the applicant shall install exterior security cameras at the location that cover the entire Site, prior to the issuance of a Certificate of Occupancy. The security cameras shall be accessible to the Rialto Police Department via FusionONE web application.
118. The applicant shall install Knox boxes immediately adjacent to the main entrance of each building, at least one (1) rear entrance on each building, and at the gates into the truck court to facilitate the entry of safety personnel to facilitate the entry of safety personnel. The Knox boxes shall be installed in such a manner as to be alarmed, resist vandalism, removal, or destruction by hand, and be fully recessed into the building. The Knox boxes shall be equipped with the appropriate keys, for each required location, prior to the first day of business. The Knox-Box placement shall be shown on the formal building plan review submittal prior to the issuance of a building permit.
119. The applicant shall prominently display the address on the building rooftop to be visible to aerial law enforcement or fire aircraft. Specifications to be followed for alphanumeric characters are as follows: Three (3) foot tall and six (6) inches thick alphanumeric characters. The alphanumeric characters shall be constructed in such a way that they are in stark contrast to the background to which they are attached (e.g. white numbers and letters on a black background), and resistant weathering that would cause a degradation of the contrast.
120. The applicant shall provide an audible burglar alarm within the building, prior to the issuance of a Certificate of Occupancy. The building shall be alarmed in such a way as to emit a continuous audible notification until reset by responsible personnel (e.g. alarmed exit device / crash bar).

1 121. The applicant or General Contractor shall identify each contractor and subcontractor
2 hired to work at the job site on a Contractor Sublist form and return it to the Business
3 License Division with a Business License application and the Business License tax fee
based on the Contractors tax rate for each contractor.

4 122. The applicant or General Contractor shall identify each contractor and subcontractor
5 hired to work at the job site on a Contractor Sublist form and return it to the Business
6 License Division with a Business License application and the Business License tax fee
based on the Contractors tax rate for each contractor.

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

9
10 PASSED, APPROVED AND ADOPTED this 17th day of September, 2025.

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13 JERRY GUTIERREZ, CHAIR
14 CITY OF RIALTO PLANNING COMMISSION
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
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5 I, Heidy Gonzalez, Administrative Assistant of the City of Rialto, do hereby certify that the
6 foregoing Resolution No. **2025-22** was duly passed and adopted at a regular meeting of the Planning
7 Commission of the City of Rialto held on the 17th day of September 2025.

8 Upon motion of Commissioner Dale Estvander, second by Commissioner Frank Gonzalez,
9 foregoing Resolution No. **2025-22** was duly passed and adopted.
10

11 Vote on the motion:

12 AYES: 4 (Gutierrez, Peukert, Estvander, Gonzalez)

13 NOES: 0

14 ABSTENTION: 0

15 ABSENT: 1 (Gilbert)
16

17 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
18 Rialto this 17th day of September 2025.
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21 

22 Heidy Gonzalez
23 Administrative Assistant
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